

by bearing a share or part in the stakes, wagers, or adventures, or in or by betting on the sides or hands of such as do or shall play, win, obtain, or acquire, to him or themselves, or to any other or others, any sum or sums of money, or other valuable thing or things whatsoever, every person so winning by such ill practice, and being thereof convicted, upon indictment or information, shall forfeit five times the value of the money or other thing so won, and shall be rendered incapable of holding any office of profit or trust within this state, and suffer imprisonment at the discretion of the court, not exceeding twelve months; and such penalty shall be recoverable, with costs, by any person or persons suing for the same, by action of debt, in any court of record of this state having cognizance thereof.

XI. And, Whereas divers idle, lewd, and dissolute persons, live at great expence, having no visible estate, profession, or calling, to support them, but by gaming only;

XII. Be it therefore further enacted, That it shall be lawful for any two justices of peace, in any county or corporation, to cause to come or be brought before them, every person within their respective limits, whom they shall have just cause, on oath or affirmation, to suspect to have no visible estate, profession, or calling, to maintain himself by, but for the most part supporting himself by gaming; and if such person shall not make it appear to such justices, that the principal part of his expences is not maintained by gaming, they shall require of him sufficient securities for his good behaviour for the space of six months, and on neglect or refusal thereof, shall commit him to the common gaol, there to remain until he shall find such securities; and if such person give such securities, and afterwards within that time shall play or bet for any money, or other valuable thing whatsoever, such playing or betting shall be a breach of the behaviour, and a forfeiture of the recognizance given for the same.

Any two justices may cause persons suspected, &c. to be brought before them, &c.

XIII. Be it enacted, That no theatrical entertainments shall hereafter be exhibited, unless by licence from the governor and council, and every person or persons who shall perform as an actor or actress in such entertainment, without such licence, shall forfeit and pay for every offence the sum of fifty pounds, and may also be imprisoned, at the discretion of the court where tried, for any time not exceeding three months, without bail or mainprize, any law or custom to the contrary notwithstanding.

Theatrical entertainments not to be exhibited, &c.

XIV. And be it enacted, That if any person or persons, not being a licenced ordinary-keeper, shall keep a house of entertainment, and therein, or in any apartment thereto belonging, shall suffer or permit any person or persons whatsoever to play at any of the games above mentioned, or any other game or games, either by night or day, every such offender shall forfeit and pay the sum of one hundred pounds for each offence, to be applied in manner above directed.

Penalty on persons, not ordinary-keepers, &c. suffering gaming, &c.

XV. And be it enacted, That all judges of the general court and justices of the peace, who shall be present at or have knowledge of any of the games above mentioned, or any other game or games, in taverns or houses of entertainment, or at race-fields or other public places,

Judges, &c. having knowledge of gaming, to take notice thereof, &c.

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