

CHAPTER CXXVII.

AN ACT AGAINST RIOTOUS SPORTS, PLAYS AND GAMES.

[Section I.] Be it enacted by John Evans, Esquire, by the Queen's royal approbation Lieutenant-Governor under William Penn, Esquire, absolute Proprietary and Governor-in-Chief of the Province of Pennsylvania and Territories, by and with the advice and consent of the freemen of the said Province in General Assembly met, and by the authority of the same, That if any person shall introduce or at any time exercise in any part of this province any prizes, interludes, stage-plays, masks, revels, bull-baitings, bear-baitings, cock-fightings, dog-matches, cudgels, backsword, throwing at cocks, or shall in any town or near any building fire any rockets, wildfire, squibs, or make bonfires, or shall practice or be a party in any riotous sport or play whatsoever, and be lawfully convict thereof by view of a magistrate, confession of the party, or proof of one or more credible witnesses, such person or persons shall for every such offense be reputed as breakers of the peace, and shall forfeit and pay twenty shillings, and be imprisoned till payment.

[Section II.] And be it further enacted by the authority aforesaid, That if any person or persons keeping a tavern, ordinary or any kind of public-house shall entertain, harbor or suffer any person or persons whatsoever in their houses or in any alley or other place about their houses to play at cards, dice, lotteries, tables, rowley-powley, loggats, shovegroat, shovel-board, billiards, cales [kayles], cloughcales [clesh-kayles], ninepins, nine-holes, quoits, bowles, half-bowles, or any other kind of game whatsoever, now invented or hereafter to be invented, every such person keeping [a] tavern, ordinary or other public-house, being convicted thereof as aforesaid, shall for every offense forfeit five pounds. And every person keeping any house or place for such unlawful games or sports, for every such offense shall forfeit forty shillings; and any justice of the peace, magistrate or officer shall or may from time to time enter into any public house or place where any such games or sports shall be sus-

pected to be used, and may arrest the keepers of such places and imprison them till they find sureties by recognizance no longer to keep any such house or play, game, alley or sport. And every person so playing, being convicted thereof as aforesaid, shall forfeit and pay five shillings for every offense, one-half of the said several fines to the proprietary for the support of government, and the other half to him or them who shall discover and prosecute for the same, to be recovered by warrant and distress thereupon from any justice of the peace within this province.

And for the preventing the mischief of playing or gaming for lucre:

[Section III.] Be it enacted by the authority aforesaid, That if any person or persons play at any of the said games or at any other unlawful game whatsoever for lucre of gain [sic], or shall bet on the sides or hands of those that do, the party or parties that shall loose any sum or sums of money, or other thing so played or betted for, shall not be bound or compelled to pay or make good the same, and the person or persons so winning the said money or other things shall forfeit double the value of all such sums of money or other things so won, gained, obtained or acquired, the one moiety to the proprietary and governor, and the other to the party grieved, or to such person as shall sue for the same, so as the party grieved prosecute within three months next after such play; and in default of such prosecution, then the same other moiety to such other person as shall prosecute within six months next after the said three months are expired. And every such plaintiff or informer shall recover treble costs against the person or persons offending as aforesaid, to be recovered by action of debt in any court of record within the proper county.

Passed January 12, 1705-6. Allowed to become a law by lapse of time, in accordance with the proprietary charter, having been considered by the Queen in Council, October 24, 1709. See Appendix II, Section III, and the Act of Assembly passed February 28, 1710-11, Chapter 174.