

1883-4.

Legislative Council.

ILLEGAL LOTTERIES BILL.

(Amendments to be proposed in Committee of the Whole by
SIR ALFRED STEPHEN.)

Clause 3, line 47. *After* "lands" *insert* "and to money or prizes
"representing money"

Clause 3, line 54. *After* "extended" *insert* "or shall with or without
"a consideration deliver put off or offer any ticket or card
"indicating a share (or entitling or purporting to entitle the
"owner or holder thereof to a share) in any such lottery or
game or device"

Also, the insertion of a new clause to stand as clause 4 :—

4. Every division or proposed division of land or an interest in Special provisions.
land and every purchase or procurement of land for division thereafter
by lot or ticket and every other scheme of allotment howsoever deter-
mined where the result is dependent on chances as in a lottery shall be
deemed within the said Act of the sixteenth year of Her Majesty
Provided that nothing in this or the said Act shall extend to any
allotment or division of land among co-parceners or other persons
jointly interested therein by direction or under the authority of a
Court or to the disposal of any work of art with the consent in writing
of the Attorney-General or to the allotment by raffle of any article or
set of articles not exceeding twenty pounds in price or value for pur-
poses bonâ fide of religion or charity or benevolence.

1851

ALPHABETICAL INDEX

The following is a list of the names of the persons who have been admitted to the office of the Secretary of the Board of Education, since the first meeting of the Board, on the 1st day of January, 1851, to the present time.

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Legislative Council.

ILLEGAL LOTTERIES.

(Amendments to be proposed in Committee of the Whole by
SIR ALFRED STEPHEN.)

Clause 3. To substitute the following for the 3rd clause as printed:—

3. After the passing of this Act the Act of this Colony passed in the sixteenth year of Her Majesty's reign intituled "*An Act to prevent Lotteries*" shall extend to lands and other property and to money or prizes representing money as well as to goods wares and merchandize and every offence against the said Act in respect of land shall be subject to a penalty of *five hundred* pounds recoverable by action at law at the suit of any person who shall sue for the same And every person who shall publish or circulate or assist in publishing or circulating any advertisement or notification in a newspaper or handbill or otherwise of any projected or intended lottery or game or device made unlawful by that Act as now extended or shall with or without a consideration deliver put off or offer any ticket or card indicating a share (or entitling or purporting to entitle the owner or holder thereof to a share) in any such lottery or game or device shall be liable to a penalty not exceeding *fifty* pounds nor less than *ten* pounds to be recovered in a summary way before any two Justices of the Peace.

The 16th Victoria
No. 2 extended.

Also, the insertion of a new clause to stand as clause 4:—

4. Every division or proposed division of land or an interest in land and every purchase or procurement of land for division thereafter by lot or ticket and every other scheme of allotment howsoever determined where the result is dependent on chances as in a lottery shall be deemed within the said Act of the sixteenth year of Her Majesty Provided that nothing in this or the said Act shall extend to any allotment or division of land among persons then jointly interested therein under the authority of a Court or otherwise or to the disposal of any work of art within the meaning of the said Act with the consent in writing of the Attorney-General.

Special provisions
allotting lands.

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ILLEGAL LOTTERIES BILL.

(*New Clause to be proposed in Committee of the Whole [on Re-committal] by MR. JACOB, to stand Clause 3.*)

That portion of section three of the Act last aforesaid which provides that nothing in the said Act shall apply to or prevent the sale by raffle or lottery of articles exposed for sale at any bazaar or fancy fair held for raising funds in aid of any eleemosynary or charitable institution of a public character is hereby repealed.

Repeal of part of
sec. 3 of 16 Vic.
No. 2 in reference to
raffles &c. for charit-
able purposes.

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ILLEGAL LOTTERIES BILL.

(Amendment and New Clauses to be proposed in Committee of the Whole on this Bill.)

By SIR ALFRED STEPHEN :—

Title. *Omit* Title insert “A Bill to extend and amend the Law “respecting Lotteries.”

New Clause 2. Every proposed division or pretended division of land, or purchase or procurement of land for the purpose of division, by lot or ticket or other scheme dependent on chances as in a lottery,—and every scheme for the allotting of prizes, whether in land, money, or other property, as in a lottery, whether dependent or not on the happening of any event, where money is taken or charged for chances therein,—shall be deemed within the said Act of the sixteenth year of Her Majesty as extended by this Act.—Provided that nothing herein shall extend to any division of land among persons then jointly in good faith interested therein; or to the disposal by lot of any work of Art, with the written consent of Her Majesty’s Attorney-General—naming therein two or more persons approved of by him, under whose supervision or with whose approval all arrangements in respect of such disposal shall be made.

Certain purchases and schemes within the Act.

By MR. NORTON :—

New Clause 2. Every allotment division or distribution of land by throwing of dice drawing of lots or other scheme the result of which depends upon chance shall be deemed within this Act and the said Act of the sixteenth year of Her Majesty and it shall not be lawful for any person to sell give purchase or procure land for the purpose of allotment division or distribution as aforesaid. Provided that nothing in this or the said Act shall extend to any partition or division of land under the authority of a Court or to any other *bona fide* partition or division where the value of the land allotted to each of the persons interested shall be in fair proportion to his legal or equitable interest in the land dealt with or shall be made so by the payment of a sum or sums of money or the conveyance delivery assignment or surrender of real or personal property or some interest therein for equality of exchange or by the performance of some condition or the surrender or extinguishment of some existing right or claim.

New Clause 3. In case any question shall arise under the preceding section as to the legality of any allotment division distribution or partition of land any person interested therein may apply to a Judge of the Supreme Court who may determine such question either summarily or after hearing such other persons or such evidence as he shall think fit and his order thereon shall be conclusive unless the same shall be reversed or varied on appeal to be made in the same manner as an appeal from any other order of such Judge.

LEGISLATIVE COUNCIL

(Laid on the table by the Commission of the

Government)

By the Attorney General:

That the Bill to amend the Law
"Respectively Intended"

Section 2. Every person who is entitled to a share of land or other property, whether in land, money, or other property, as in a lottery, whether dependent or not on the happening of any event, whose money is taken or charged for stamp duty, shall be deemed within the said Act of the sixteenth year of Her Majesty as excepted by this Act. Provided that nothing herein shall extend to any division of land among persons then jointly or several interested therein; or to the disposal by lot of any work of Art, with the written consent of the Majesty's Attorney-General, standing therein two or more persons approved of by him, under whose supervision or with whose approval all arrangements in respect of such disposal shall be made.

By Mr. Norton:

Section 3. Every allotment, division or distribution of land by lottery or other means of lot or other means the result of which depends upon chance shall be deemed within this Act and the said Act of the sixteenth year of Her Majesty and it shall not be lawful for any person to sell any portion or part of land for the purpose of allotment, division or distribution as aforesaid. Provided that nothing in this or the said Act shall extend to any partition or division of land under the authority of a Court or to any other case for partition or division where the value of the land allotted to each of the persons interested shall be in proportion to the legal or equitable interest in the land held with or shall be made solely for payment of a sum or sums of money or the redemption of a mortgage or annuity or any other property or other interest therein for equality of exchange or by the performance of any condition or the execution or extinguishment of some existing right or claim.

Section 4. In any application made under the provisions of section 2 to the effect of any allotment, division or distribution of land any person interested therein may apply to a Judge of the Superior Court who may determine such question either orally or after a hearing and other persons or such evidence as he shall think fit and the order thereon shall be conclusive unless the same shall be reversed or varied on appeal to be made in the same manner as an appeal from any other order of such Judge.

1883-4.

Legislative Council.

ILLEGAL LOTTERIES BILL.

(*New Clause to be proposed in Committee of the Whole by MR. TERRY.*)

The following Imperial Acts that is to say the Act tenth and eleventh of William the Third chapter seventeen intituled "*An Act for the more effectual prevention of excessive and deceitful Gaming*"—the Act twelfth of George the Second chapter twenty-eight intituled "*An Act for the Suppressing of Lotteries*"—and the Act forty-second George the Third chapter one hundred and nineteen intituled "*An Act to suppress certain Games and Lotteries not authorized by law*" shall be held not to apply and the provisions of such Acts shall not be in force in this Colony.

Imperial Acts 10 and
11 Wm. III c. 17
12 Geo. II c. 28 and
42 Geo. III c. 119
not applicable in this
Colony.

1883-4

Legislative Council

LEGAL TOWNSHIP BILL

(This clause to be proposed in Committee of the Whole by Mr. TERRY.)

The following Imperial Acts that is to say the Act fourth and eleventh of William the Third chapter seventeen intitled "An Act for the more effectual prevention of excessive and disorderly Gaming"—the Act twelfth of George the Second chapter twenty-eight intitled "An Act for the suppressing of Lotteries"—and the Act forty-second of George the Third chapter one hundred and nineteen intitled "An Act to suppress certain Games and Lotteries not authorized by Law" shall be held not to apply and the provisions of such Acts shall not be in force in this Colony.