

By the law of Scotland if there be any playing at Cards
 or Dice in any common house, town, Hostelry or Boord
 house, the keeper of such house is liable to pay 40 pound
 for the first and loseth his liberty for the second fault. And
 its Unlawfull to play in any private house Except where
 the Master of the house plays if more be won at Card
 ing and Dicing within 24 hours or at Wagering upon
 horse Races than 100 Merks, the overplus is to be Confined
 in the hands of the Kirk Treasurer if it be in Edinburgh,
 or in the hand of the Collector for the poor if in the Country
 for the use of the poor of the Parish where the Money was
 gained. Magistrates of Burghs, Sheriffs and Justices of peace
 in the Country, are empowered to pursue for this purpose
 plus Winning at Cards Dice or horse Races and in case of
 their failing to do so when Informed are liable for the Double
 Wherof half to the poor and half to the Informer Act 14
 Parl. 23 J. 6. 1591 that the Informer shall have to pay the whole Money, the not the Gamers 12 Nov 1668

By the law of England, who keeps Unlawfull gaming
 houses forfeit 40 shillings sterling in the Day, and such as
 play there forfeit 10 shillings and eight pence every time
 they use and haunt such houses to be divided betwixt
 the King and the prosecutor, and any Justice of peace
 in a shire, mayor, sheriff Bailiff or other head officer
 in a City town or Burrow, may Commit the offenders till
 they find sureties by Recognizance not to do so in time
 coming 33 H. 8 cap. 9. where it is proved upon the oath of
 two Witnesses before any Justice of peace, as well as where
 such Justice shall find upon Oath, that any person hath
 used or Exercised any Unlawfull game contrary to the Statute
 of 33 H. 8 the said Justice may Commit the offender to
 prison without bail or Mainprize, untill he enter into Re-
 cognizance with sureties or without, at the Discretion
 of the Justice, that he shall not from thence forth use any
 such Unlawfull game 2 E. 2 cap. 28. 5. The 33 H. 8 cap. 9
 2539 Eliz. cap. 4 tell us what games are Unlawfull. Play-
 ing at any game is punished by treble Damages half
 to the King and half to the party Grieved, if he sue for the
 same within six Calendar Moneths after the play, and in
 default of such prosecution, the other Moiety to any
 person who shall sue for the same within a Year after

Expiring of the said six Moneths. If more as 100 pound sterling
 at one time be plaid upon tick or Credit and lost at game, the
 loser is not obliged to pay or Make good the same, and any secu-
 rity taken for it is void, and the Winner forfeit treble the
 Value half to the King and half to the prosecutor within a
 Year after the offence Committed, 16 Car. 2 cap. 7. All Lotteries
 are Declared publick Nuisances, the person who Exerciseth
 keeps open shows or Expositiō to be plaid drawn or thrown
 at, any Lottery by Dice, Cards balls or any other Numbers
 or figures, or any other way, forfeit 5 pound sterling one third
 to the King, and two to the poor of the parish and a third
 with double Costs to the party that Informs or sues for the
 same; and the offenders may also be prosecuted as Common
 Rogues. And every one that plays throws or draws at any such
 Lotterie play or Device forfeit for every offence 20 pound
 sterling one third whereof goes to the King, another to the poor
 of the parish where the offence is Committed, and a third with
 Double cost to the party that Informs or sues for the same 10 Eliz. 11 W. 3 cap. 17.
 Games of wit at the Shuffe &c. or for Exercising or
 Reversing the body, are lawfully the for Money, provided the
 parties do not play great game or for Much Money l. 1. l. ult.
 C. de Alatoribus. Prosp. Jaram. de var. ac Divors. Crim. qu. 109
 n. 106. 109. 130. Larp 200. Crim. part 5 qu. 134 n. 23. And what is
 gained at lawful game may be Retained or pursued for if
 not paid l. 1. C. de Alatoribus. Prosp. Jaram. ibid. n. 196. 197.

Wagering about the Success of the play, &c. at unlawful Games is altho prohibited and restrained as the
 Games are so is not comm. ad Tit. de Alatoribus. 7.
 Wagering or Spousie at horse Races is with us Condemned
 because it occasions great idleness and Expence. Wagering upon
 the Death of Princes is Discharged as giving occasion of Feudall
 Murther as observ. on act 14 Parl. 23 J. 6. Wagers also concerning
 the event of publick Undertakings for the Good of the Country,
 as the success of Armies, are also prohibited: lest men should
 be tempted either to wish the Arms of their prince not
 to prosper, or to reveal his secrets to the end they may
 Miscarry Murther &c. Wagers upon lawful heads are
 allowed, Arg. l. 17 s. ult. pro prescripto. Verb. l. 2 s. 11 junct. l. 9
 C. de Alatoribus as that ships will arrive at such a day or in such
 a place. Murther &c. ibid. But where one of the parties or
 thirdly knows the thing he Wagers on, and Conceals his
 know