

ACT No. XVI OF 1884.

PASSED BY THE GOVERNOR GENERAL OF INDIA IN COUNCIL.

(Received the assent of the Governor General on the 3rd October, 1884.)

An Act to provide more effectually for the suppression of certain forms of Gaming in British Burma.

WHEREAS it is expedient to provide more effectually for the suppression of certain forms of gaming in British Burma; It is hereby enacted as follows:—

1. (1) This Act may be called the Burma Gaming Act, 1884.

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ment.

(2) It extends to all the territories for the time being under the administration of the Chief Commissioner of British Burma; and

(3) It shall come into force at once.

2. (1) Taking part in the game of "ti," or in any other game or pretended game of a like nature, shall be deemed gaming and playing within the meaning of Act III of 1867.

Applic
of Act
1867 to
game o
and lik
games.

(2) Every house, walled enclosure, room or place, whether public or private, where any such game or pretended game is carried on, shall, for the purposes of that Act, be deemed a common gaming-house, and all expressions referring to the use of any such house, enclosure, room or place as a common gaming-house shall include the use thereof for any such game or pretended game on a single occasion.

(3) All boxes, receptacles, lists, papers, tickets and forms used for the purpose of any such game or pretended

pretended game shall be deemed instruments of gaming within the meaning of the said Act.

3. Whoever conducts or assists in conducting the game of "ti," or any other game or pretended game of a like nature, as manager, stakeholder or *daing*, or who is according to the rules of the game or pretended game entitled to receive the surplus proceeds, or any part of the surplus proceeds, of the stakes, after deducting the amount payable to the successful player or players, or who promotes the game or pretended game by soliciting or collecting stakes or otherwise, shall be punished with imprisonment for a term which may for a first offence extend to six months, and for a subsequent offence to two years, or with fine, or with both.

Penalty on conducting game of *ti* and like games.

4. (1) The Chief Commissioner may, from time to time, by notification published in the official Gazette, extend to the whole or any part of the territories for the time being under his administration any such of the provisions of Act III of 1867 as do not for the time being extend thereto.

Power to extend local application of Act III of 1867 within British Burma.

(2) From the date of any such extension so much of any rule having the force of law in operation in the territories to which the extension is made as is inconsistent with or repugnant to any provision so extended shall cease to have effect in those territories.

5. The Local Government may authorize any Magistrate of the second class to exercise the powers conferred by section 5 of Act III of 1867 on the Magistrate of the District.

Power to invest 2nd class Magistrate with powers under Act III of 1867, section 5.

6. In section 13 of Act III of 1867—

(a) for the words "public street, place or thoroughfare," where they first occur, the words "street or thoroughfare or place to which the public have access" shall be substituted; and

Amendment of Act III of 1867, section 13.

(b) in

(b) in the last clause, for the words "such public place" the words "such place" shall be substituted.

Power to
arrest with-
out warrant.

7. A police-officer may arrest without warrant any person soliciting or collecting stakes for the game of *ti*, or any other game or pretended game of a like nature, in any street or thoroughfare or place to which the public have access.

Power to
demand
security.

8. Whenever a District Magistrate, Sub-divisional Magistrate or, when he is specially empowered in this behalf by the Local Government, a Magistrate of the first class receives information that any person within the local limits of his jurisdiction earns his livelihood, wholly or in part, by carrying on, or assisting in carrying on, the game of *ti*, or any other game or pretended game of a like nature, he may deal with such person as nearly as may be as if the information received about him were of the description mentioned in section 110 of the Code of Criminal Procedure; and for the purposes of any proceeding under this section the fact that a person earns his livelihood as aforesaid may be proved by evidence of general repute or otherwise. X of