

SIND ACT NO. III OF 1865.!

[THE ACT FOR AVOIDING WAGERS (AMENDMENT) ACT, 1865.]

An Act to amend Act XXI of 18482 (for avoiding wagers).

WHEREAS it is expedient, so far as regards 3[Sind], to amend Act XXI of 1848? (for avoiding wagers); It is enacted as follows: -

1. All contracts, whether by speaking, writing or otherwise, knowingly made to further or assist the entering into, effecting or carrying out agreements by way of gaming or wagering, and all contracts by way of security or guarantee for the performance of such agreements or contracts, shall be null and void; and no suit shall be allowed in any Court of Justice for recovering any sum of money paid or payable in respect of any such contract or

contracts, or any such agreement or agreements as aforesaid.

2. No suit shall be allowed in any Court of Justice for

recovering any commission, brokerage, fee or reward in respect o f the knowingly effecting or carrying out, or of the knowingly aiding in effecting or in carrying out, or otherwise claimed or claimable in respect of, any such agreement by way of gaming or wagering or any such contract as aforesaid, whether the plaintiff in such suit be or be not a party to such last-mentioned agreement or contract, or for recovering any sum of money knowingly paid or payable on account of any persons by way of commission, brokerage, fee or reward in respect of any such agreement by way of gaming or wagering or contract as aforesaid.

3. No guardian, executor, administrator, heir or personal representative of any deceased person shall be entitled to or allowed credit in his accounts for or in respect of any payment by him on behalf of such deceased person (or in the case of a guardian, on behalf of any minor), in respect of any such agreement, or agreements as are mentioned in section | of Act XXI of 18482 or in respect of any such contract or contracts, commission, brokerage, fee or reward, or money paid or payable in respect thereof as are respectively mentioned in the first and second sections of this Act.

4, [Construction of Act.] Rep. Act XVI of 1895.

5. [Number and gender.] Rep. Sind Act III of 1886.

[31st July, 1865.]

Preamble.

Contracts
declared null and
void.

Nor for
commission or
brokerage, etc.,
in respect of
agreements by
way of gaming or
wagering.

Payments for
which guardian
and personal
representative not
to be allowed
credit.

1. For Statement of Objects and Reasons, see B.G.G.,

1863, Supplement, p. 420; for Report of the

Select Committee, see *ibid*, p. 485; and for Proceedings in Council see *ibid*, pp. 407, 452, 505

and *ibid.*, 1864, pp. 407 and 507.

The short title was given by the Sind Short Titles Act, 1921 (Sind 2 of 1921) which has been rep. by

Sind Ordinance 5 of 1955, s. 5, Schl.

2. Act 21 of 1848 rep. by the Contract Act,

3. Subs. For the words "the Province of Sind" by W.P.A.O.,

1872 (9 of 1872), s. 1, but see the saving in that section.

1964, Sch., Pt.IV-B (III) which was

previously Subs. By the Sind Laws (Adaptation, Revision, Repeal and Declaration) Ordinance,

1955), Sind 5 of 1955 (w.e.f. 30" May, 1951), for "Presidency of Bombay."