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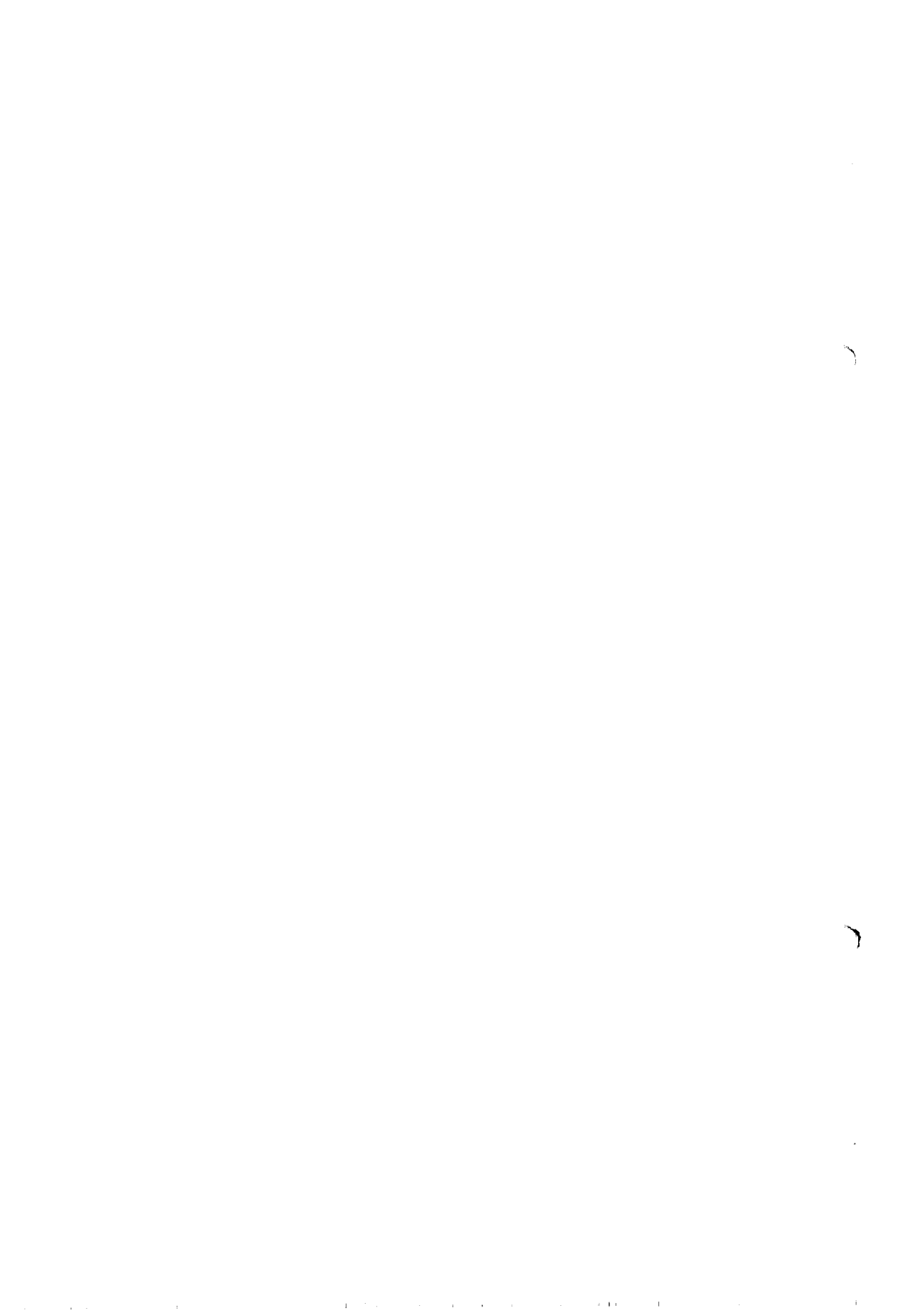
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CHAPTER 315
PAWNBROKERS

An Act to regulate the business of pawnbrokers.

1885-3.
1956-57.
1958-55.
1963-5.
1992-17.
1992-29.

[15th August, 1885] Commence-
ment.

1. This Act may be cited as the *Pawnbrokers Act*.

Short title.

PART I

Preliminary

2. For the purposes of this Act, the expression
- "constable" includes any peace officer;
- "magistrate" means the magistrate having jurisdiction in the district where the matter requiring the cognisance of a magistrate arises;
- "pawnbroker" includes every person who carries on the business of taking goods and chattels in pawn;
- "pledge" means an article pawned with a pawnbroker;
- "pawner" means a person delivering an article for pawn to a pawnbroker;
- "shop" includes dwelling-house and warehouse or other place of business or place where business is transacted;
- "unfinished goods or materials" includes any goods of any manufacture, or of any part or branch of any manufacture either mixed or separate, or any materials whatever plainly intended for the composing or manufacturing of any goods, after such goods or materials are put into a state or course of manufacture, or into a state for any process or operation to be performed thereupon or therewith, and before the same are completed or finished for the purpose of wear or consumption.

Interpreta-
tion.

Extension of
Act to
keepers of
certain
shops.

3. (1) In order to prevent evasion of this Act, a person shall be deemed to be a person carrying on the business of taking goods and chattels in pawn who keeps a shop for taking in goods or chattels by way of security for money advanced thereon and who purchases or receives or takes in goods or chattels and pays or advances or lends thereon any sum of money not exceeding \$48, with or under an agreement or understanding expressed or implied or to be from the nature and character of the dealing reasonably inferred that those goods or chattels may be afterwards redeemed or re-purchased on any terms.

(2) Every such transaction, article, payment, advance and loan shall be deemed a pawning, pledge and loan respectively within this Act.

Executors,
etc., of
pawnbro-
kers.

4. The provisions of this Act relating to pawnbrokers shall extend to and include the executors or administrators of deceased pawnbrokers, except that an executor or administrator shall not be answerable for any penalty or forfeiture personally or out of his own estate, unless the same is incurred by his own act or neglect.

Agents,
servants,
apprentices,
etc., of
pawnbro-
kers.

5. For the purposes of this Act, anything done or omitted by the servant, apprentice or agent of a pawnbroker in the course of or in relation to the business of the pawnbroker shall be deemed to be done or omitted (as the case may be) by the pawnbroker, and anything by this Act authorised to be done by a pawnbroker may be done by his servant, apprentice, or agent.

Assigns,
executors,
etc., of
pawners.

6. (1) The rights, powers and benefits by this Act reserved to and conferred on pawners shall extend to and be deemed to be reserved to and conferred on the assigns of pawners and to and on the executors or administrators of deceased pawners.

(2) Any person representing himself to a pawnbroker to be the assign, executor or administrator of a pawner shall, if required by the pawnbroker, produce to the pawnbroker the assignment, letters testamentary, letters of administration or other instrument under which he claims.

7. (1) This Act applies—

- (a) to every loan by a pawnbroker of nine dollars and sixty cents or under;
- (b) to every loan by a pawnbroker of above nine dollars and sixty cents and not above forty-eight dollars, except as in this Act otherwise provided in relation to cases where a special contract respecting the terms of the loan (as authorised by this Act) is made between the pawner and the pawnbroker at the time of the pawning.

Application of Act in respect of loans.

(2) Nothing in this Act shall apply to a loan by a pawnbroker of above forty-eight dollars, or to the pledge on which the loan is made, or to the pawnbroker or pawner in relation to the loan or pledge and notwithstanding anything in this Act, a person shall not be deemed a pawnbroker by reason only of his paying, advancing or lending on any terms any sum or sums above forty-eight dollars.

PART II

Duties of Pawnbrokers

8. (1) A pawnbroker shall keep and use in his business such books and documents as are described in the First Schedule in the forms therein indicated or to the like effect and shall from time to time as occasion requires enter therein in a fair legible manner the particulars indicated in and in accordance with the directions of that Schedule and shall make all enquiries necessary for that purpose.

Pawnbrokers to keep books, etc., as in First Schedule.

First Schedule.

(2) A pawnbroker who fails in any respect to comply with the requirements of this section shall be guilty of an offence against this Act.

9. (1) A pawnbroker shall observe the following rules—

- (a) he shall always keep exhibited in large characters over the outer door of his shop his christian name or names and surname with the word “ pawnbroker ”;
- (b) he shall always keep placed in a conspicuous part of his shop (so as to be legible by every person pawning or redeeming pledges) the same information as is by the

Pawn-brokers to keep names over doors, and tables of rates, etc., exhibited in shops.

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First Schedule.

rules of the First Schedule required to be printed on pawn tickets.

(2) A pawnbroker who fails in any respect to comply with the requirements of this section shall be guilty of an offence against this Act.

Pawn tickets to be given for pledges.

10. A pawnbroker shall on taking a pledge in pawn give to the pawner a pawn ticket and shall not take a pledge in pawn unless the pawner takes the pawn ticket.

Profit and charges allowed to pawn-brokers.

11. (1) A pawnbroker may take profit on a loan on a pledge at a rate not exceeding that specified in the Second Schedule.

(2) A pawnbroker may demand and take the charges specified in the Second Schedule in the cases and according to the rules therein stated and prescribed.

Second Schedule.

(3) A pawnbroker shall not in respect of a loan on a pledge take any profit or demand or take any charge or sum whatever other than those specified in the Second Schedule.

(4) A pawnbroker shall if required at the time of redemption give a receipt for the amount of loan and profit paid to him.

Pledges redeemable within one year with seven days of grace.

12. Every pledge shall be redeemable within twelve months from the day of pawning, exclusive of that day, and there shall be added to that year of redemption seven days of grace within which every pledge (if not redeemed within the year of redemption) shall continue to be redeemable.

Pledges for \$2.40 or under not redeemed in time, forfeited.

13. A pledge pawned for two dollars and forty cents or under, if not redeemed within the year of redemption and days of grace, shall at the end of the days of grace become and be the pawnbroker's absolute property.

Pledges above \$2.40 redeemable until sale.

14. A pledge pawned for above two dollars and forty cents shall further continue redeemable until it is disposed of as in this Act provided, although the year of redemption and days of grace are expired.

15. (1) A pledge pawned for above two dollars and forty cents shall, when disposed of by the pawnbroker, be disposed of by sale by public auction and not otherwise, and the regulations in the Third Schedule shall be observed with reference to the sale.

Sale by auction of pledges above \$2.40. Third Schedule.

(2) A pawnbroker may bid for and purchase at a sale by auction made or purporting to be made under this Act a pledge pawned with him and on such purchase he shall be deemed the absolute owner of the pledge purchased.

16. An auctioneer who does anything in contravention of the provisions of this Act relating to auctioneers or fails to do anything which he is required by this Act to do shall be guilty of an offence against this Act.

Offences by auctioneers.

17. At any time within three years after the auction at which a pledge pawned for above two dollars and forty cents is sold, the holder of the pawn ticket may inspect the entry of the sale in the pawnbroker's book and in the account sales of the auction (authenticated by the signature of the auctioneer) or in either of them.

Right to inspect pawnbroker's book.

18. (1) Where a pledge pawned for above two dollars and forty cents is sold and appears from the pawnbroker's book to have been sold for more than the amount of the loan and profit due at the time of sale, the pawnbroker shall on demand pay the surplus to the holder of the pawn ticket, in case the demand is made within three years after the sale, the necessary costs and charges of the sale being first deducted.

Pawnbroker to account for surplus within three years, subject to set-off.

(2) Where on any such demand it appears from the pawnbroker's book that the sale of a pledge or pledges has resulted in a surplus and that within twelve months before or after that sale the sale of another pledge or other pledges of the same person has resulted in a deficit, the pawnbroker may set off the deficit against the surplus and shall be liable to pay the balance only after such set-off.

19. Where with respect to pledges for loans of above two dollars and forty cents a pawnbroker—

Offences as to pledges for above \$2.40.

THE LAWS OF BARBADOS

- (a) does not *bona fide*, according to the directions of this Act, sell a pledge pawned with him;
- (b) enters in his book a pledge as sold for less than the sum for which it was sold or fails duly to enter the same;
- (c) refuses to permit any person entitled under this Act to an inspection of an entry of sale in the pawnbroker's book or in the account sales of the auction authenticated by the auctioneer's signature to inspect the same;
- (d) fails without lawful excuse (proof whereof shall lie on him) to produce such account sales on lawful demand; or
- (e) refuses to pay on demand the surplus to the person entitled to receive the same,

he shall in every such case be guilty of an offence against this Act and shall be liable on conviction thereof in a court of summary jurisdiction to forfeit to the person aggrieved a sum not exceeding forty-eight dollars.

Power to make special contracts subject to restrictions.

20. (1) Notwithstanding anything in this Act, a pawnbroker may make a special contract with the pawner in respect of a pledge on which the pawnbroker makes a loan of above nine dollars and sixty cents; provided always that—

- (a) the pawnbroker at the time of the pawning shall deliver to the pawner a special contract pawn ticket, signed by the pawnbroker; and
- (b) a duplicate of the special contract pawn ticket shall be signed by the pawnbroker.

(2) The provisions of this Act save as far as the application thereof is excluded by the terms of the special contract shall apply thereto.

PART III

Delivery of Pledge

Holder of pawn ticket entitled to redeem.

21. The holder for the time being of a pawn ticket shall be presumed to be the person entitled to redeem the pledge and, subject to this Act, the pawnbroker shall accordingly (on pay-

ment of the loan and profit) deliver the pledge to the person producing the pawn ticket, and he is hereby indemnified for so doing.

22. A pawnbroker shall not (except as in this Act provided) be bound to deliver back a pledge unless the pawn ticket for it is delivered to him. Production of pawn ticket on redemption.

23. (1) Where a pledge is destroyed or damaged by or in consequence of fire, the pawnbroker shall nevertheless be liable, on application within the period during which the pledge would have been redeemable, to pay the value of the pledge after deducting the amount of the loan and profit, such value to be the amount of the loan and profit and 25 percent on the amount of the loan. Liability of pawnbroker in case of fire.

(2) A pawnbroker shall be entitled to insure to the extent of the value so estimated.

24. Where a person entitled and offering to redeem a pledge shows to the satisfaction of a court of summary jurisdiction that the pledge has become or has been rendered of less value than it was at the time of the pawning thereof by or through the default, neglect or wilful misbehaviour of the pawnbroker, the court may, if it thinks fit, award reasonable satisfaction to the owner of the pledge in respect of the damage, and the amount awarded shall be deducted from the amount payable to the pawnbroker or shall be paid by the pawnbroker (as the case requires) in such manner as the court directs. Compensation for depreciation of pledge.

25. (1) The following provisions of this section shall have effect for the protection of owners of articles pawned and of pawners not having their pawn tickets to produce. Protection of owners and of pawners not having pawn tickets.

(2) Any person claiming to be the owner of a pledge but not holding the pawn ticket, or any person claiming to be entitled to hold a pawn ticket but alleging that the same has been lost, mislaid, destroyed or stolen or fraudulently obtained from him may apply to the pawnbroker for a form of declaration, which the pawnbroker shall deliver to him.

(3) Where the applicant delivers back to the pawnbroker the declaration duly made before a magistrate by the applicant and by a person identifying him, the applicant shall thereupon have, as between him and the pawnbroker, all the same rights and remedies as if he produced the pawn ticket: but such declaration shall not be effectual for that purpose unless it is duly made and delivered back to the pawnbroker not later than on the third day after the day on which the form is delivered to the applicant by the pawnbroker (exclusive of a day or days on which the pawnbroker is prohibited from carrying on business).

(4) The pawnbroker is hereby indemnified for not delivering the pledge to any person until the expiration of the period aforesaid.

(5) The pawnbroker is hereby further indemnified for delivering the pledge or otherwise acting in conformity with the declaration, unless he has actual or constructive notice that the declaration is fraudulent or is false in any material particular.

Delivery to
owner of
property
unlawfully
pawned.

26. Where

(a) any person is convicted under this Act in a court of summary jurisdiction of knowingly and designedly pawning with a pawnbroker anything being the property of another person, the pawner not being employed or authorised by the owner thereof to pawn the same; or

1992-17.

(b) any person is convicted in any court of stealing or fraudulently obtaining any goods and chattels and it appears to the court that the same have been pawned with a pawnbroker; or

(c) in any proceedings before a court of summary jurisdiction it appears to the court that any goods and chattels brought before the court have been unlawfully pawned with a pawnbroker,

the court on proof of the ownership of the goods and chattels may, if it thinks fit, order the delivery thereof to the owner, either on payment to the pawnbroker of the amount of the loan, or of any part thereof, or without payment thereof, or of any part thereof, as to the court, according to the conduct of the

owner and the other circumstances of the case, seems just and fitting.

27. A pawnbroker who, without reasonable excuse (proof whereof shall lie on him), neglects or refuses to deliver a pledge to the person entitled to have delivery thereof under this Act shall be guilty of an offence against this Act, and a court of summary jurisdiction may, if it thinks fit, with or without imposing a penalty, order the delivery of the pledge on payment of the amount of the loan and profit.

Summary order for delivery of pledges to persons entitled.

PART IV

Offences

28. A pawnbroker who—

- (a) takes an article in pawn from any person appearing to be under the age of twelve years or to be intoxicated;
- (b) purchases or takes in pawn or exchanges a pawn ticket issued by another pawnbroker;
- (c) employs any servant or apprentice or other person under the age of sixteen years to take pledges in pawn;
- (d) carries on the business of a pawnbroker on Sunday, Good Friday or Christmas Day or a day appointed for public fast, humiliation or thanksgiving;
- (e) under any pretence purchases, except at public auction, any pledge while in pawn with him;
- (f) suffers any pledge while in pawn with him to be redeemed with a view to his purchasing it;
- (g) makes any contract or agreement with any person pawning or offering to pawn any article or with the owner thereof for the purchase, sale or disposition thereof within the time of redemption;
- (h) sells or otherwise disposes of any pledge pawned with him except at such time and in such manner as authorised by this Act,

General restrictions on pawnbrokers.

shall be deemed guilty of an offence against this Act.

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Unlawful pawning of goods not property of pawner.

29. (1) Any person who knowingly and designedly pawns with a pawnbroker anything being the property of another person, the pawner not being employed or authorised by the owner thereof to pawn the same, shall be guilty of an offence against this Act and shall be liable on conviction thereof in a court of summary jurisdiction to forfeit a sum of twenty-four dollars and in addition thereto any sum not exceeding the full value of the pledge as ascertained by the court.

(2) The forfeitures when recovered shall be applied towards making satisfaction to the party injured and defraying the costs of prosecution as the court directs; but if the party injured declines to accept such satisfaction and costs or if there is any surplus of the forfeitures, then the forfeitures or surplus (as the case may be) shall be paid to the Treasurer for the local government area within which the offence is committed, for the use of such area.

Proceedings where persons offering articles in pawn do not give a good account of themselves.

30. (1) Any person who—

- (a) offers to a pawnbroker any article by way of pawn, being unable or refusing to give a satisfactory account of the means by which he became possessed of the article;
- (b) wilfully gives false information to a pawnbroker as to whether an article offered by him in pawn to the pawnbroker is his own property or not or as to his name and address or as to the name and address of the owner of the article;
- (c) not being entitled to redeem, and not having any colour or title by law to redeem, a pledge, attempts or endeavours to redeem the same,

he is guilty of an offence against this Act.

(2) In every such case, and also in any case where, on an article being offered in pawn to a pawnbroker, he reasonably suspects that it has been stolen or otherwise illegally or clandestinely obtained, the pawnbroker may seize and detain the person and the article, or either of them (as the case may be), and shall deliver the person and the article, or either of them (as the case may be), as soon as may be into the custody of a

constable, who shall as soon as may be convey the person, if so detained, before a magistrate to be dealt with according to law.

31. A pawnbroker who knowingly takes in pawn any linen or apparel or unfinished goods or materials entrusted to any person to wash, scour, iron, mend, manufacture, work up, finish or make up is guilty of an offence against this Act and shall be liable on conviction thereof in a court of summary jurisdiction to forfeit a sum not exceeding double the amount of the loan and the pawnbroker shall likewise restore the pledge to the owner thereof in the presence of the court or as the court directs.

Prohibition of taking in pawn linen, clothing, unfinished goods in certain cases.

32. (1) Where the owner of any linen or apparel or any unfinished goods or materials, entrusted to any person as aforesaid, and unlawfully pawned with a pawnbroker or the owner of any other article unlawfully pawned with a pawnbroker (the last-mentioned owner having on oath satisfied a magistrate that his goods have been unlawfully obtained or taken from him), makes out on oath before a magistrate that there is good cause to suspect that a pawnbroker has taken in pawn the linen, apparel, goods, materials or articles aforesaid, without the privity or authority of the owner, and makes appear to the satisfaction of the magistrate the probable grounds for such suspicion, the magistrate may issue his warrant for searching, within the hours of business, the shop of the pawnbroker.

Search warrant for linen unlawfully pawned.

(2) Where the pawnbroker on request by a constable authorised by the warrant refuses to open the shop and permit it to be searched, a constable may break it open within the hours of business and search as he thinks fit therein for the linen, apparel, goods, materials or article aforesaid, doing no wilful damage, and any pawnbroker or other person who opposes or hinders the search shall be guilty of an offence against this Act.

(3) Where on the search any linen, apparel, goods, materials or article aforesaid is or are found, and the property of the owner thereof is made out to the satisfaction of a court of summary jurisdiction, the court shall cause the same to be forthwith restored to the owner thereof.

PART V

Licensing of Pawnbrokers

Yearly
licence.

33. (1) Every pawnbroker shall yearly and within 14 days from the expiration of the preceding year take out from the Accountant-General a licence for carrying on his business, on which licence there shall be charged and paid for the use of the public of Barbados a duty of \$24; provided always that any pawnbroker taking out a licence for the first time after the month of January in any year, shall pay only for such licence a proportionate part of the said sum of \$24 calculated from the day of his taking out the same to the 31st day of December of that year.

(2) Every licence shall be dated the day on which it is issued and shall determine on the 31st day of December of the year in which it is so issued.

(3) A separate licence shall be taken out and paid for by a pawnbroker for each pawnbroker's shop kept by him.

(4) A person who acts as a pawnbroker without having a proper licence, shall for every such offence be liable to a penalty of \$96.

(5) All the provisions contained in any Act relating to licences, duties or penalties, and in force at the passing of this Act, shall as far as the same are applicable have full effect with respect to the licence and duty and penalty aforesaid.

Cesser of
licence on
conviction.
1992-29.

34. Where a pawnbroker is convicted on indictment of any fraud in his business or of handling stolen property, the court before which he is convicted may, if it thinks fit, direct that his licence shall cease to have effect, and the same shall so cease accordingly.

Licence not
to be granted
without
certificates.

35. (1) A pawnbroker's licence shall not be granted to any person except on the production and in pursuance of the authority of a certificate granted under this Act.

(2) Any licence granted in contravention of this section shall be void.

36. Certificates under this Act shall be granted by a magistrate sitting in any court having jurisdiction in the district where the application is made.

Certificates to be granted by magistrates.

37. A certificate under this Act shall be in the form given in the Fourth Schedule or to the like effect and shall be in force until the thirty-first day of December of the year in which it is granted.

Form and duration of certificate. Fourth Schedule.

38. An application for a certificate shall be made by the party desiring to obtain the same and such certificate shall not be refused except on the following grounds or one of them, namely—

Certificate to be applied for by party desiring same.

- (a) that the applicant has failed to produce satisfactory evidence of good character; or
- (b) that the shop in which he intends to carry on the business of a pawnbroker, or any adjacent house or place owned or occupied by him, is frequented by thieves or persons of bad character.

39. (1) Any person who forges a certificate or tenders a certificate knowing it to be forged shall on conviction thereof in a court of summary jurisdiction be liable to a penalty of forty-eight dollars or in the discretion of the court to imprisonment for six months.

Forgery of certificate.

(2) A licence granted in pursuance of a forged certificate shall be void and any person who makes use of a forged certificate knowing it to be forged shall be disqualified for obtaining at any time thereafter a pawnbroker's licence.

PART VI

Penalties and Legal Proceedings

40. A pawnbroker or other person who is guilty of an offence against this Act, in respect whereof a specific forfeiture or penalty is not prescribed by this Act, shall be liable on conviction thereof in a court of summary jurisdiction to a penalty of forty-eight dollars.

General penalty for offences.

THE LAWS OF BARBADOS

Application
of penalties.

41. Penalties recovered under this Act, not directed to be otherwise applied, may be applied under direction of the court in which they are recovered as follows—

- (a) where the informant is the party aggrieved, one moiety of the penalty may be paid to him;
- (b) where the informant is not the party aggrieved, there shall be paid to him no part or such part only of the penalty as the court thinks fit.

Penalty on
common
informers
compounding
information.

42. Any person who lodges an information for an offence alleged to have been committed against this Act, by which he was not personally aggrieved, and afterwards directly or indirectly receives without the permission of a magistrate any sum of money or other reward for compounding, delaying or withdrawing the information shall be guilty of an offence against this Act.

Detention of
persons
offering
forged pawn
tickets.

43. Where any person utters, produces, shows or offers to a pawnbroker a pawn ticket which the pawnbroker reasonably suspects to have been counterfeited, forged or altered, the pawnbroker may seize and detain the person and the ticket, or either of them, and shall deliver the person and the ticket, or either of them (as the case may be) as soon as may be into the custody of a constable, who shall as soon as may be convey the person if so detained before a magistrate to be dealt with according to law.

Production
of books
before court.

44. A pawnbroker who at any time, when ordered or summoned by a court of summary jurisdiction fails to attend before the court and produce all books and papers relating to his business which he is required by the court to produce shall be guilty of an offence against this Act.

Contracts
not void on
account of
offences.

45. (1) Where a pawnbroker is guilty of an offence against this Act (not being an offence against any provision of this Act relating to licences), any contract of pawn or other contract made by him in relation to his business of pawnbroker shall nevertheless not be void by reason only of that offence, nor shall he by reason only of that offence lose his lien or right to the pledge or to the loan and profit.

(2) Nothing in this section shall restrict the operation of any provision of this Act providing for the delivery of any goods and chattels or the restoration of any linen, apparel, goods, materials or articles to the owner under the order of any court.

46. Any person who thinks himself aggrieved by any conviction or order of a court of summary jurisdiction under this Act or by the refusal of a certificate for a licence may appeal therefrom as in any other matter of summary jurisdiction.

Right of appeal.

47. Any person who is sued or prosecuted for anything done by him in pursuance or execution or intended execution of this Act may plead generally that the same was done in pursuance or execution or intended execution of this Act and give the special matter in evidence.

Protection of persons purporting to act in pursuance of Act.

FIRST SCHEDULE

ss. 8 (1) and 9 (1).

Forms of Books and Documents

1. PLEDGE BOOK
of

Pawnbroker
19

of

Date of redemption	Profit charged	\$ c. Amount of loan.	No. of pledge in the month	Name of Pawner	Address of Pawner	Name of owner if other than pawner	Address of owner if other than pawner	List of articles pawned as described on pawn ticket
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Rule

All entries in the last five columns respecting each pledge shall be made on the day of the pawning thereof, or within four hours after the end of that day.

THE LAWS OF BARBADOS

2. PAWN TICKET

A—For a loan of \$2.40 or under.

Pawned with (*John Smith*) pawnbroker, (*21, High Street, Bridgetown*) this (*15th*) day of (*March, 1971*) by (*Henry Williams*) of (*25, King Street, Bridgetown*) for the sum of (*two*) dollars and (*forty*) cents.—

(*One black jacket.*)

The following is to be printed on the ticket, on the front or back, or partly on the front and partly on the back:—

The pawnbroker is entitled to charge—

For this ticket—two cents.

For profit on each 48 cents or part thereof lent on this pledge for not more than one month—one cent, and so on at the same rate per month.

After the first month any time not exceeding fourteen days will be charged as half a month, and any time exceeding fourteen days and not more than one month will be charged as one month.

This pledge must be redeemed within twelve months and seven days from the date of pledging. At the end of that time it becomes the property of the pawnbroker.

If the pledge is destroyed or damaged by fire the pawnbroker will be bound to pay the value of the pledge, after deducting the amount of the loan and profit, such value to be the amount of the loan and profit and twenty-five per cent on the amount of the loan.

If this ticket is lost, mislaid or stolen the pawner should at once apply to the pawnbroker for a form of declaration to be made before a magistrate, or the pawnbroker will be bound to deliver the pledge to any person who produces this ticket to him and claims to redeem the same.

B—For a loan of above \$2.40 and not above \$9.60.

Pawned with (*John Smith*) pawnbroker, (*21, High Street, Bridgetown*) this (*16th*) day of (*March, 1971*) by (*Henry Williams*) of (*25, King Street, Bridgetown*) for the sum of (*five*) dollars.

(*One grey skirt.*)

The following is to be printed on the ticket, on the front or back, or partly on the front and partly on the back:—

The pawnbroker is entitled to charge—

For this ticket—three cents.

For profit on each 48 cents or part thereof lent on this pledge for not more than one month—one cent, and so on at the same rate per month.

After the first month, any time not exceeding fourteen days will be charged

as half a month, and any time exceeding fourteen days, and not more than one month, will be charged as one month.

If this pledge is not redeemed within twelve months and seven days from the day of pledging it may be sold by auction by the pawnbroker, but it may be redeemed at any time before the day of sale.

Within three years after the sale the owner may inspect the account of the sale in the pawnbroker's books on payment of two cents and receive any surplus produced by the sale. But deficit on sale of one pledge may be set off by the pawnbroker against surplus on another.

If the pledge is destroyed or damaged by fire the pawnbroker will be bound to pay the value of the pledge, after deducting the amount of loan and profit, such value to be the amount of the loan and profit and twenty-five per cent on the amount of the loan.

If this ticket is lost or mislaid the pawner should at once apply to the pawnbroker for a form of declaration to be made before a magistrate, or the pawnbroker will be bound to deliver the pledge to any person who produces this ticket to him and claims to redeem the same.

C—*For loan of above \$9.60.*

Pawned with (*John Smith*) pawnbroker (*21 High Street, Bridgetown*) this (*17th*) day of (*March, 1971*) by (*Henry Williams*) of (*25, King Street, Bridgetown*) for the sum of twelve dollars.

(*One man's suit.*)

The following is to be printed on the ticket, on the front or back, or partly on the front and partly on the back:—

The pawnbroker is entitled to charge—

For this ticket—three cents.

For profit on each sixty cents or part thereof lent on this pledge for every month or part of a month—one cent.

If this pledge is not redeemed within twelve months and seven days from the day of pledging, it may be sold by auction by the pawnbroker, but it may be redeemed at any time before the day of sale.

Within three years after, the pawner may inspect the account of the sale in the pawnbroker's books on payment of two cents and receive any surplus produced by the sale. But deficit on sale of one pledge may be set off by the pawnbroker against surplus on another.

If the pledge is destroyed or damaged by fire the pawnbroker will be bound to pay the value of the pledge, after deducting the amount of the loan and profit, such value to be the amount of the loan and profit and twenty-five per cent on the amount of the loan.

If this ticket is lost or mislaid, the pawner should at once apply to the

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pawnbroker for a form of declaration to be made before a magistrate, or the pawnbroker will be bound to deliver the pledge to any person who produces this ticket to him and claims to redeem the same.

3. SALE BOOK OF PLEDGES FOR LOANS OF ABOVE \$2.40

(Date and place of sale.)

(Name of place of business of auctioneer.)

No. of pledge as in pledge book	Date of pawning	Name of pawner	Amount of loan	Amount for which pledge sold as stated by auctioneer
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4. DECLARATION WHERE PLEDGE CLAIMED BY OWNER

TAKE NOTICE if this declaration is false the person making it is punishable as for perjury.

Unless this printed form is taken before a magistrate and declared to and signed and delivered back to the pawnbroker not later than the _____ day of _____ the articles mentioned in it will be delivered to any person producing the pawn ticket.

I, A.B. of _____ in pursuance of the Pawnbrokers Act, Chapter 315, *Laws of Barbados*, do solemnly and sincerely declare, that the article (or articles) described below is (or are) my property and that I believe they are pledged at the shop of—

The article (or articles) above-referred to is (or are) the following:—

And I, C.D. of _____ in pursuance of the same Act do solemnly and sincerely declare that I know the person now making the foregoing declaration to be A.B. of _____

Declared before me the magistrate for the }
 District }
 this day of 19 . }

5. DECLARATION WHEN PAWN TICKET LOST, ETC.

TAKE NOTICE if this declaration is false the person making it is punishable as for perjury.

Unless this printed form is taken before a magistrate and declared to and signed and delivered back to the pawnbroker not later than the _____ day of _____ the articles mentioned in it will be delivered to any person producing the pawn ticket.

I, A.B. of _____ in pursuance of the Pawnbrokers Act, Chapter 315, *Laws of Barbados*, do solemnly and sincerely declare that _____ pledged at the shop of _____ pawnbroker, the article (or articles) described below being _____ property, and received a pawn ticket for the same which has since been _____ by _____; and that the pawn ticket has not been sold or transferred to any person by _____ to _____ knowledge or belief.

The article (or articles) above referred to is (or are) the following:—

And I, C.D. of _____ in pursuance of the same Act, do solemnly and sincerely declare that I know the person now making the foregoing declaration to be A.B. of _____

Declared before me the magistrate for the }
District }
this _____ day of _____ 19 _____ . }

6. RECEIPT

Received on redemption of pledge No. _____ Date _____

Amount of loan
Profit.....
Total.....
(A.B.)
Pawnbroker.

7. SPECIAL CONTRACT

Special Contract, under the Pawnbrokers Act, Chapter 315, *Laws of Barbados*.

Pawned with (*John Smith*) pawnbroker (*21, High Street, Bridgetown*), this (*18th day of April, 1971*) by (*Henry Williams*) of (*25, King Street, Bridgetown*) for the sum of (*fifteen*) dollars.

(*One Marble Clock.*)

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Printed in England by Eyre and Spottiswoode Limited, 2 Serjeants' Inn, London EC4,
by authority of the Government of Barbados

The following is to be printed on the ticket, on the front or back, or partly on the front and partly on the back:—

TERMS OF THE SPECIAL CONTRACT

The pawnbroker charges—

For this ticket

Profit at the rate per month of.....

After the first month any time not exceeding fourteen days will be charged as half a month and any time exceeding fourteen days and not more than one month will be charged as one month.

The charge for storage of this pledge will be _____ per month or any part of a month in addition to the charges above-mentioned.

This pledge is pawned for the period of _____ (not less than three months).

After the expiration of that time the pledge may be sold by auction by the pawnbroker.

But it may be redeemed by the pawner at any time before the day of sale.

Within three years after sale the pawner may inspect the account of the sale in the pawnbroker's books on payment of _____, and receive any surplus produced by the sale. But deficit on sale of one pledge may be set off by the pawnbroker against surplus on another.

If this pledge is destroyed or damaged by fire the pawnbroker will be bound to pay the value of the pledge after deducting the amount of the loan and profit, such value to be the amount of the loan and profit and twenty-five per cent on the amount of the loan, unless otherwise agreed upon by the pawner and pawnbroker.

If this ticket is lost or mislaid the pawner should at once apply to the pawnbroker for a form of declaration to be made before a magistrate, or the pawnbroker will be bound to deliver the pledge to any person who produces this ticket to him and claims to redcem the same.

(Signed) (John Smith) Pawnbroker.

(Signed) (Henry Williams) Pawner.

SECOND SCHEDULE

Profits and Charges allowed to Pawnbrokers

PART 1—PROFIT ON LOAN

A. On a loan of \$9.60 or under—

For any time during which the pledge remains in pawn not exceeding one month, for every 48 cents or fraction thereof lent—one cent.

s. 11 (1).

For every month after the first, including the current month in which the pledge is redeemed, although that month is not expired, for every 48 cents or fraction thereof lent—one cent.

Proviso

If the pledge is redeemed before the end of the first fourteen days after the expiration of any month, the pawnbroker shall in respect of those fourteen days be entitled to take half of the amount which he would be entitled to take for the whole month.

B. On a loan of above \$9.60—

For every month or part of a month for every sum of 60 cents or fraction thereof—one cent.

PART 2—CHARGE ON PAWN TICKET

Where the loan is \$2.40 or under—two cents.

Where the loan is above \$2.40—three cents.

PART 3—CHARGE ON INSPECTION OF SALE BOOK

For the inspection of the entry of a sale—two cents.

PART 4—CHARGE ON FORM OF DECLARATION

Where the loan is \$1.20 or under—one cent.

Where the loan is above \$1.20—one cent.

Rule

This sum is to be paid by the applicant at the time of application.

THIRD SCHEDULE

s. 15.

Regulations as to Auctions of Pledges above \$2.40

1. The auctioneer shall cause all pledges to be exposed to public view.
2. He shall insert in some public newspaper an advertisement giving notice of the sale and stating—
 - (a) the pawnbroker's name and place of business;
 - (b) the month in which each pledge was pawned;
 - (c) the number of each pledge as entered at the time of pawning in the pledge book.

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3. The advertisement of the pledges of each pawnbroker shall be separate from the advertisement of the pledges of any other pawnbroker.

4. The advertisement shall be inserted on two several days in the same newspaper and the second advertisement shall be inserted at least two days before the day of sale.

5. Where a pawnbroker bids at a sale, the auctioneer shall not take the bidding in any other form than that in which he takes the bidding of other persons at the same sale and the auctioneer on knocking down any article to a pawnbroker shall forthwith declare audibly the name of the pawnbroker as purchaser.

6. The auctioneer shall within seven days after the sale deliver to the pawnbroker account sales of the pledges sold by him on account of the pawnbroker and authenticated by the signature of the auctioneer.

7. The pawnbroker shall preserve every such account sale for three years at least after the auction.

s. 37.

FOURTH SCHEDULE

Form of Certificate of Magistrate

I (*here insert the name and description of the magistrate*) do hereby certify that I authorised the grant to A.B. of _____ of a licence to carry on the business of a pawnbroker within the parish of _____.

Witness my hand this _____ day _____ 19 ____ .