
A BILL

To amend an Act intituled "An Act for regulating the trade or business of Pawnbrokers in New South Wales."

[MR. HOLROYD ;—15 October, 1861.]

WHEREAS it is expedient to amend the Act passed in the thirteenth Preamble.
year of the reign of Her Majesty intituled "*An Act for regulating*
the trade or business of Pawnbrokers in New South Wales" Be it
therefore enacted by the Queen's Most Excellent Majesty by and with
5 the advice and consent of the Legislative Council and Legislative Assembly
of New South Wales in Parliament assembled and by the authority of the
same as follows :—

1. The sixteenth section of the Act of Council intituled "*An* Section 16 of 13 Vie.
No. 37 repealed.
Act for regulating the trade or business of Pawnbrokers in New South
10 "*Wales*" passed in the thirteenth year of the reign of Her said Majesty
is hereby repealed.

2. Upon and from the commencement of this Act it shall be Pawnbrokers
allowed to take
certain rates.
lawful for all persons using and exercising the trade or business of a
Pawnbroker to demand receive and take of and from every person
15 applying or offering to redeem any goods or chattels pawned or pledged
with such Pawnbroker a profit after the following rates over and above
the principal sum which shall have been lent and advanced upon the
pledge before any such Pawnbroker shall be obliged to re-deliver the
same viz :—

20 For every pledge upon which there shall have been lent any sum Rates.
not exceeding two shillings and six-pence the sum of one
penny for any time during which the said pledge shall remain
in pawn not exceeding one calendar month and the same for
every calendar month afterwards including the current month
25 in which such pledge shall be redeemed although such month
shall not be expired.

For every pledge upon which there shall have been lent the sum
of five shillings two-pence.

For every pledge upon which there shall have been lent seven shillings and six-pence three-pence.

For every pledge upon which there shall have been lent ten shillings four-pence.

For every pledge upon which there shall have been lent twelve 5 shillings and six-pence five-pence.

For every pledge upon which there shall have been lent fifteen shillings six-pence.

For every pledge upon which there shall have been lent seventeen shillings and six-pence seven-pence. 10

For every pledge upon which there shall have been lent one pound eight-pence and so on progressively and in proportion for any sum not exceeding forty shillings.

For every pledge upon which there shall have been lent any sum of money exceeding forty shillings and not exceeding forty- 15 two shillings sixteen-pence.

And for every pledge upon which there shall have been lent any sum exceeding forty-two shillings and not exceeding ten pounds at and after the rate of six-pence and no more for the loan of every twenty shillings for all such money so lent by 20 the calendar month including the current month and so in proportion for any fractional sum.

Which said several sums shall be taken in lieu of and as a full satisfaction for all interest due and charges for warehouse room.

When the intermediate sum lent exceeds two shillings and sixpence but does not exceed forty shillings the rate of for the loan of twenty shillings by the month to be paid.

3. In all cases where any intermediate sum lent upon any pawn 25 or pledge shall exceed the sum of two shillings and six-pence and not exceeding the sum of forty shillings the person lending the same shall and may take by way of profit as aforesaid at and after the rate of eight-pence and no more for the loan of twenty shillings by the calendar month including the current month as aforesaid. 30

Limiting the profit for part of a month.

4. In all cases where the person entitled to and applying for the redemption of goods pawned within the space of seven days after the expiration of the first calendar month after the same shall have been pledged he shall and may be at liberty to redeem the same without paying anything by way of profit to the Pawnbroker for the said seven days or 35 such part thereof as shall then have elapsed And in all cases where the person so entitled and applying as aforesaid after the expiration of the said first seven days and before the expiration of the first fourteen days of the second calendar month he shall and may be at liberty to redeem such goods upon paying the profit payable for one calendar month and the 40

half

half of another calendar month to the Pawnbroker but in all cases where the person so entitled and applying as aforesaid after the expiration of the said first fourteen days and before the expiration of the said second calendar month it shall be lawful for the Pawnbroker to demand and
5 take the profit of the whole second month And the like regulation and restriction shall take place and be in force in every subsequent calendar month wherein application shall be made for redeeming goods pawned.

5. In all cases where any goods or chattels pawned or pledged shall be redeemed the Pawnbroker of whom the same shall be redeemed
10 shall at the time of such redemption fairly and legibly write or indorse er cause to be written or indorsed upon every duplicate respecting such pawn or pledge the amount of the profit taken by him or on his account on the money lent upon such goods or chattels so redeemed and shall keep such duplicate in his custody for the space of one year then next
15 ensuing [And if the Pawnbroker shall commit default herein he shall be liable to be proceeded against and punished in the manner prescribed by the thirty-second section of the thirteenth of Victoria number thirty-seven.

The amount of profits shall be indorsed on duplicates of pledges redeemed.

6. The period for redemption of any article or articles so taken in
20 pawn shall be twelve calendar months at the expiration of which period every such article shall be deemed forfeited and may be sold And if any Pawnbroker shall under any circumstances or upon any pretence sell or otherwise dispose of or cause or knowingly suffer to be sold or disposed of any article whatever so pawned before the expiration of the said term of twelve calendar months he shall forfeit and pay for every such offence
25 upon conviction (over and above any damages for which he may be liable to the owner or party injured) any sum not exceeding *twenty* pounds Provided also that any agreement for the forfeiture of any article in any case before the expiration of six months shall be wholly void.

Sale of pledges.

7. This Act shall be styled and may be cited as the "Pawnbrokers
30 Act of 1861."

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