constables remain in force till altered.

shall continue to be in force until they shall be altered by the said justices with the like consent, which alteration shall take place from time to time as occasion may require.

How fees and allowances to be paid and payments enforced.

12. Where any fee or allowance is claimed by any constable in respect of any service rendered to an overseer, surveyor of the highways, or other officer of the parish, the same, if lawfully due, may be paid to him by such overseer, surveyor, or other officer without any order of justices, but if payment be refused, or cannot be obtained by him on request, he may apply to the justices in petty sessions assembled for an order upon such overseer, surveyor, or other officer, and the said justices, after summoning such officer, may make an order upon him for the payment of such fee or allowance, and their order in this behalf shall be enforceable if not obeyed, in manner directed by the Summary Jurisdiction Act, 1848, as orders of justices for the payment of money; and if any overseer, surveyor, or other officer pay money in obedience to such order, the payment shall not be disallowed by any auditor or other authority competent to allow or disallow the accounts of such officer on any ground whatsoever.

Repeal of statutes.

13. The following statutes shall from and after the said twenty-fourth day of March next be repealed, except in respect of any matter then arisen or pending out of or in relation to some provision thereof; (that is to say,)

The 13 & 14 of Ch. 2. c. 12., sections 15, 16, 17, and 18.

The 18 of Geo. 3. c. 19. s. 4.

And so much of the statute 2 William and Mary, c. 5., as requires any sheriff or undersheriff or constable to be aiding and assisting at any distress for rent, or to swear any appraiser thereat, shall be repealed, and no oath shall after the day aforesaid be required from such appraiser.

Exemptions, and interpretation of words.

14. Nothing herein contained shall apply to special constables appointed under the statutes relating thereto, nor to any officer appointed at a court leet or torn for any purpose other than the preservation of the peace in any parish.

The term "county" shall extend to every riding or division of a county for which there is a separate court of general or quarter sessions.

The term "parish" among other meanings applicable to it, shall signify a place for which a separate poor rate is or can be made or for which a separate overseer is or can be appointed.

The term "constable" shall include every petty constable, headborough borsholder, tithingman, or other peace officer of the like description authorised or required to be appointed for any parish at the date of this Act.

The term "vestry" shall include all meetings of the inhabitants of any township or other place for which a separate overseer is appointed, to be summoned in the like manner and with the like notice as the ordinary meetings of a vestry.

The word "overseers" shall include churchwardens so far as they are authorised by law to act as overseers.

Title of the Act.

15. The Act may be cited as "The Parish Constables Act, 1872."

CHAPTER 93.

An Act for consolidating, with Amendments, the Acts relating to Pawnbrokers in Great Britain. [10th August 1872.]

BE it enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Preliminary.

1. This Act may be cited as The Pawnbrokers Act, 1872. Short title.

2. This Act shall not extend to Ireland. Extent of Act.

3. This Act shall, except as otherwise expressed, commence and take effect from and immediately after the thirty-first day of December one thousand eight hundred and seventy-two, which time is in this Act referred to as the commencement of this Act, and the Schedules to this Act, including the notes thereto, shall have effect as part of this Act. Commencement of Act.

4. The enactments described in the First Schedule to this Act, as far as the same regulate the business of pawnbroking in Great Britain, or otherwise affect Pawnbrokers in Great Britain in relation to loans made by them on pledges pawned with them, and to those pledges, and to the pawning, redemption, and sale thereof, and to transactions and matters connected therewith, shall, on and from the commencement of this Act, be repealed; but this repeal shall not affect the past operation of any of those enactments, or any right, title, obligation, or liability accrued, or the validity or invalidity of any contract made, or of anything done or suffered, under any of those enactments before the commencement of this Act; nor shall this repeal interfere with the institution or prosecution of any proceeding in respect of any offence committed against, or any penalty or forfeiture incurred under, any of those enactments, or take away or abridge any protection or benefit conferred or secured by any of those enactments in relation to anything done thereunder, before the commencement of this Act. Repeal of enactments in schedule as to Pawnbrokers in Great Britain.

Definitions; Application of Act.

5. In this Act— Interpretation.

"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:

"Constable" includes any peace officer:

"Justice" means justice of the peace having jurisdiction in the county or place where the matter requiring the cognizance of a justice arises:

"Court of summary jurisdiction" means any justice, justices, or magistrate (however designated) having jurisdiction under the Summary Jurisdiction Act of 1848 (described in Part I. of the Second Schedule to this Act).

6. In order to prevent evasion of the provisions of this Act, the following persons shall be deemed to be persons carrying on the business of taking goods and chattels in pawn (that is to say), every person who keeps a shop for the purchase or sale of goods or chattels, or 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 ten pounds 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 repurchased on any terms; and every such transaction, article, payment, advance, and loan shall be deemed a pawning, pledge, and loan respectively within this Act. Extension of Act to keepers of certain shops.

7. 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 Executors, &c. of Pawnbrokers.

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, &c. of Pawnbrokers.

8. 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, &c. of pawners.

9. 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; but 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, probate, letters of administration, or other instrument under which he claims.

Application of Act in respect of loans.

10. This Act shall apply—

(1.) To every loan by a Pawnbroker of forty shillings or under:

(2.) To every loan by a Pawnbroker of above forty shillings and not above ten pounds, 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.

Nothing in this Act shall apply to a loan by a Pawnbroker of above ten pounds, 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 of above ten pounds.

Exception of loans before commencement of Act.

11. Nothing in this Act shall apply to a loan made by a Pawnbroker before the commencement of this Act, or to the pledge on which the loan is made, or to the Pawnbroker or pawner in relation to the loan or pledge; and the enactments in force at the time of the making of the loan shall, after and notwithstanding the commencement of this Act, have effect in relation to every such loan and pledge, as if this Act had not been passed.

General Obligations of Pawnbrokers.

Pawnbrokers to keep books, &c. as in schedule.

12. A Pawnbroker shall keep and use in his business such books and documents as are described in the Third Schedule to this Act, in the forms therein indicated or to the like effect, and shall from time to time, as occasion requires, enter therein in a fair and legible manner the particulars indicated in and in accordance with the directions of that schedule, and shall make all inquiries necessary for that purpose.

If a Pawnbroker fails in any respect to comply with the requisitions of this section he shall be guilty of an offence against this Act.

Pawnbrokers to keep names over doors, and tables of rates, &c. exhibited in shops.

13. A Pawnbroker shall observe the following rules:

(1.) He shall always keep exhibited in large characters over the outer door of his shop his Christian name and surname or names, with the word Pawnbroker:

(2.) He shall always keep placed in a conspicuous part of his shop (so as to be legible by every person pawning or redeeming pledges, standing in any box or place provided in the shop for persons pawning or redeeming pledges) the same information as is by the rules of the Third Schedule to this Act required to be printed on pawn-tickets.

If a Pawnbroker fails in any respect to comply with the requisitions of this section he shall be guilty of an offence against this Act.

Pawning; Redemption; Sale.

Pawn-tickets to be given for pledges.

14. 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.

15. A Pawnbroker may take profit on a loan on a pledge at a rate not exceeding that specified in the Fourth Schedule to this Act. Profit and charges allowed to Pawnbrokers.

A Pawnbroker may demand and take the charges specified in the same schedule, in the cases and according to the rules therein stated and prescribed.

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 same schedule.

A Pawnbroker shall, if required at the time of redemption, give a receipt for the amount of loan and profit paid to him; and such a receipt shall not be liable to stamp duty unless the profit amounts to forty shillings or more.

16. 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 redeemable for one year, with seven days of grace.

17. A pledge pawned for ten shillings, 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 for 10*s.* or under not redeemed in time forfeited.

18. A pledge pawned for above ten shillings 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. Pledges above 10*s.* redeemable until sale.

19. A pledge pawned for above ten shillings shall, when disposed of by the Pawnbroker, be disposed of by sale by public auction, and not otherwise; and the regulations in the Fifth Schedule to this Act shall be observed with reference to the sale. Sale by auction of pledges above 10*s.*

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.

20. If an auctioneer 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, he shall be guilty of an offence against this Act. Offences by auctioneers.

21. At any time within three years after the auction at which a pledge pawned for above ten shillings is sold, the holder of the pawn-ticket may inspect the entry of the sale in the Pawnbroker's book, and in the filled-up catalogue of the auction (authenticated by the signature of the auctioneer) or in either of them. Power to inspect sale book.

22. Where a pledge pawned for above ten shillings 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.

If 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.

23. If with respect to pledges for loans of above ten shillings a Pawnbroker— Offences as to pledges for above 10*s.*

(1.) Does not bonâ fide according to the directions of this Act sell a pledge pawned with him:

(2.) 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:

(3.) Refuses to permit any person entitled under this Act to inspection of an entry of sale in the Pawnbroker's book, or of a filled-up catalogue of the auction, authenticated by the auctioneer's signature, to inspect the same:

(4.) Fails without lawful excuse (proof whereof shall lie on him) to produce such a catalogue on lawful demand:

(5.) 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 ten pounds.

Special Contracts.

Power to make special contracts, subject to restrictions.

24. Notwithstanding anything in this Act, a Pawnbroker may make a special contract with a pawner in respect of a pledge on which the Pawnbroker makes a loan of above forty shillings, provided always, that—

(1.) The Pawnbroker at the time of the pawning shall deliver to the pawner a special contract pawn-ticket, signed by the Pawnbroker:

(2.) A duplicate of the special contract pawn-ticket shall be signed by the pawner:

The provisions of this Act, save as far as the application thereof is excluded by the terms of the special contract, shall apply thereto:

A special contract pawn-ticket, or the duplicate thereof, shall not be subject to stamp duty.

Delivery up of Pledge.

Holder of pawn-ticket entitled to redeem.

25. 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 the provisions of this Act, the Pawnbroker shall accordingly (on payment of the loan and profit) deliver the pledge to the person producing the pawn-ticket, and he is hereby indemnified for so doing.

Production of pawn-ticket on redemption.

26. 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.

Liability of Pawnbroker in case of fire.

27. 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 twenty-five per cent. on the amount of the loan.

A Pawnbroker shall be entitled to insure to the extent of the value so estimated.

Compensation for depreciation of pledge.

28. If 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 a 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.

Protection of owners and of pawners not having pawn-tickets.

29. The following provisions shall have effect for protection of owners of articles pawned, and of pawners not having their pawn-tickets to produce:

(1.) 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 printed form of declaration, which the Pawnbroker shall deliver to him:

(2.) If the applicant delivers back to the Pawnbroker the declaration duly made before a justice 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: Provided that such a 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):

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

(4.) The Pawnbroker is further hereby 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.

If any person makes a declaration under this Act, either as an applicant or as identifying an applicant, knowing the same to be false in any material particular, he shall be guilty of a misdemeanor, and shall be liable to the punishment attaching by law to perjury.

Delivery to owner of property unlawfully pawned.

30. In each of the following cases,—

(1.) If 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:

(2.) If any person is convicted in any court of feloniously taking or fraudulently obtaining any goods and chattels, and it appears to the court that the same have been pawned with a Pawnbroker:

(3.) If 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.

Summary order for delivery of pledge to person entitled.

31. If a Pawnbroker, 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, he shall be guilty of an offence against this Act, and a court of summary jurisdiction may, if the court thinks fit, with or without imposing a penalty, order the delivery of the pledge on payment of the amount of the loan and profit.

General Restrictions on Pawnbrokers.

Prohibition of purchasing pledges; taking pledges from children, &c.

32. If a Pawnbroker does any of the following things,—

(1.) Takes an article in pawn from any person appearing to be under the age of twelve years or to be intoxicated:

(2.) Purchases or takes in pawn or exchange a pawn-ticket issued by another Pawnbroker:

(3.) Employs any servant or apprentice or other person under the age of sixteen years to take pledges in pawn:

(4.) Carries on the business of a Pawnbroker on Sunday, Good Friday, or Christmas Day, or a day appointed for public fast, humiliation, or thanksgiving:

(5.) Under any pretence purchases, except at public auction, any pledge while in pawn with him:

(6.) Suffers any pledge while in pawn with him to be redeemed with a view to his purchasing it:

(7.) 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:

(8.) Sells or otherwise disposes of any pledge pawned with him except at such time and in such manner as authorised by this Act:

he shall be deemed guilty of an offence against this Act.

Unlawful Pawning and taking in pawn.

Unlawful pawning of goods not property of pawner.

33. If any person 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, he shall be guilty of an offence against this Act,

and shall be liable, on conviction thereof in a court of summary jurisdiction, to forfeit any sum not exceeding five pounds, and, in addition thereto, any sum not exceeding the full value of the pledge as ascertained by the court.

The forfeitures when recovered shall be applied towards making satisfaction thereout to the party injured, and defraying the costs of prosecution, as the court directs; but if the party injured declines to accept of 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 overseers of the poor of the parish or place where the offence is committed, for the use of the poor thereof.

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

34. If any person does any of the following things,—

(1.) Offers to a Pawnbroker an 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:

(2.) 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:

(3.) Not being entitled to redeem, and not having any colour of title by law to redeem, a pledge, attempts or endeavours to redeem the same:

he shall be guilty of an offence against this Act.

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, 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 justice, to be dealt with according to law.

The justice may, if he thinks fit, on the request of the Pawnbroker grant to him a certificate of the amount of the compensation which the justice deems reasonable for the Pawnbroker's expenses, trouble, and loss of time, in and about the seizure, detention, and delivery, which certificate shall have the effect of an order of court for the payment of the expenses of a prosecution made under the Act described in Part II. of the Second Schedule to this Act, and the Acts amending the same; and the amount mentioned in the certificate shall be paid as money mentioned in such an order; and the certificate shall be subject to the like regulations as certificates mentioned in the last-mentioned Acts.

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

35. If a Pawnbroker knowingly takes in pawn any linen or apparel or unfinished goods or materials intrusted to any person to wash, scour, iron, mend, manufacture, work up, finish, or make up, he 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 not exceeding double the amount of the loan (which forfeiture shall be paid to the overseers of the poor of the parish where the offence is committed, for the use of the poor thereof); and the Pawnbroker shall likewise restore the pledge to the owner thereof, in the presence of the court, or as the court directs.

Search warrant for linen, &c. unlawfully pawned.

36. If the owner of any linen, or apparel, or unfinished goods, or materials intrusted 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 justice that his goods have been unlawfully obtained or taken from him), makes out on oath before a justice that there is good cause to suspect that a Pawnbroker has taken in pawn the linen, apparel, goods, materials, or article aforesaid, without the privity or authority of the owner, and makes appear to the satisfaction of the justice probable grounds for such suspicion, the justice may issue his warrant for searching, within the hours of business, the shop of the Pawnbroker.

If 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 if any Pawnbroker or other person opposes or hinders the search, he shall be guilty of an offence against this Act.

If 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.

Inland Revenue Licenses.

Yearly license and excise duty.

37. Every Pawnbroker shall yearly take out from the Commissioners of Inland Revenue an excise license for carrying on his business, on which license there shall be charged and paid for the use of Her Majesty, her heirs and successors, an excise duty of seven pounds ten shillings.

Every license shall be dated on the day on which it is issued and shall determine on the thirty-first day of July.

A separate license shall be taken out and paid for by a pawnbroker for each pawnbroker's shop kept by him.

If a person acts as a pawnbroker without having in force a proper license he shall for every such offence be liable to an excise penalty not exceeding fifty pounds.

All the provisions contained in any Act relating to excise licenses, duties or penalties, and in force at the commencement of this Act, shall, as far as the same are applicable, have full effect with respect to the license and duty and penalty aforesaid.

Cesser of license on conviction.

38. If a Pawnbroker is convicted on indictment of any fraud in his business, or of receiving stolen goods knowing them to be stolen, the court before which he is convicted may, if it thinks fit, direct that his license shall cease to have effect, and the same shall so cease accordingly.

Licenses not to be granted without certificate.

39. After the passing of this Act a Pawnbroker's license shall not be granted to any person except on the production and in pursuance of the authority of a certificate granted under this Act; save that it shall not be necessary for any person being at the commencement of this Act a licensed Pawnbroker, or for his executors, administrators, assigns, or successors, to obtain such a certificate.

Any license granted in contravention of this section shall be void.

Certificates to be granted by justices.

40. Certificates under this Act shall be granted (as regards England) in the metropolitan police district by a magistrate sitting in any police court in the metropolis having jurisdiction in the district where the application is made, and in any place within the jurisdiction of a stipendiary magistrate by that magistrate, and in other places by the justices of the petty sessional division assembled at petty sessions specially convened for that purpose.

Form and duration of certificate.

41. A certificate under this Act shall be in the form given in the Sixth Schedule to this Act, or to the like effect, and shall be in force for one year from its date.

Notice of first application.

42. A person intending to apply for the first time for a certificate under this Act shall proceed as follows:—

(1.) Twenty-one days at least before the application he shall give notice by registered letter sent by post of his intention to one of the overseers of the poor of the parish or place in which he intends to carry on business, and to the superintendent of police of the district, and shall in the notice set forth his name and address:

(2.) Within twenty-eight days before the application he shall cause a like notice to be affixed and maintained between ten o'clock in the morning and five o'clock in the afternoon of two consecutive Sundays, on the principal door or one of the doors of the church or chapel of the parish or place, or if there is none, then on some other public and conspicuous place in the parish or place.

Grounds of refusal of certificate.

43. An application for a certificate shall not be refused, except on the following grounds, or one of them:

(1.) That the applicant has failed to produce satisfactory evidence of good character;

(2.) 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;

(3.) That he has not complied with the last preceding section.

Forgery of certificate.

44. If any person forges a certificate, or tenders a certificate knowing it to be forged, he shall, on conviction thereof in a court of summary jurisdiction, be liable to a penalty not exceeding twenty pounds, or, in the discretion of the court, to imprisonment for any term not exceeding six months, with or without hard labour.

A license granted in pursuance of a forged certificate shall be void; and if any person makes use of a forged certificate, knowing it to be forged, he shall be disqualified from obtaining at any time thereafter a Pawnbroker's license.

Penalties and Legal Proceedings.

General penalty for offences.

45. If a Pawnbroker or other person is guilty of an offence against this Act, in respect whereof a specific forfeiture or penalty is not prescribed by this Act, he shall be liable, on conviction thereof in a court of summary jurisdiction, to a penalty not exceeding ten pounds.

Application of penalties.

46. 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:

(1.) Where the complainant is the party aggrieved, one moiety of the penalty may be paid to him;

(2.) Where the complainant 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.

Amends for frivolous informations.

47. Where an information or complaint of any offence against this Act (not being an offence against any provision of this Act relating to licenses) is laid or made before a justice or court of summary jurisdiction and is not further prosecuted, or if any such information or complaint is further prosecuted, but it appears to the court of summary jurisdiction by which the case is heard that there was no sufficient ground for the making of the charge, the justice or court shall have power to award such amends, not exceeding the sum of five pounds, to be paid by the informer or complainant to the party informed or complained against for his loss of time and expenses in the matter, as to the justice or court seem meet; and every sum so awarded shall be recoverable as penalties under this Act are recoverable.

Penalty on common informers compounding informations.

48. If any person 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 justice, any sum of money or other reward for compounding, delaying, or withdrawing the information, he shall be guilty of an offence against this Act.

Detention of persons offering forged pawn-tickets, &c.

49. If 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 justice to be dealt with according to law.

Production of books, &c. before justices.

50. A Pawnbroker shall at any time, when ordered or summoned by a court of summary jurisdiction, attend before the court and produce all books and papers relating to his business which he is required by the court to produce.

If he fails to do so, he shall be guilty of an offence against this Act.

Contracts not void on account of offences.

51. Where a Pawnbroker is guilty of an offence against this Act (not being an offence against any provision of this Act relating to licenses), 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 on or right to the pledge or to the loan and profit; but 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 article to the owner, under the order of any court.

Appeal to quarter sessions.

52. If any person 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 license, he may appeal therefrom, subject to the conditions and regulations following:

(1.) The appeal shall be made to some court of general or quarter sessions for the county or place in which the cause of appeal has arisen, held not less than fifteen days and (unless adjourned by the court) not more than four months after the decision or refusal appealed from:

(2.) The appellant shall within seven days after the cause of appeal has arisen give notice to the other party and to the court or authority appealed from of his intention to appeal and the ground thereof:

(3.) The appellant shall immediately after such notice enter into a recognizance before a justice with two sufficient sureties conditioned personally to try such appeal, and to abide the judgment of the court thereon, and to pay such costs as may be awarded by the court, or give such other security by deposit of money or otherwise as the justice allows:

(4.) Where the appellant is in custody the justice may, if he thinks fit, on the appellant entering into such recognizance or giving such other security as aforesaid, release him from custody:

(5.) The court of appeal may adjourn the appeal; and, upon the hearing thereof, they may confirm, reverse, or modify the decision or refusal appealed from, or remit the matter with the opinion of the court of appeal thereon, or make such other order in the matter as the court thinks just, and may make such order as to costs to be paid by either party as the court thinks just.

Exclusion of certiorari.

53. No order or conviction of a court of summary jurisdiction against which a person is authorised by this Act to appeal shall be quashed for want of form, or be removed by certiorari or otherwise at the instance either of the Crown or of any private party into any superior court.

Validity of warrants.

54. A warrant of commitment, on a conviction by a court of summary jurisdiction under this Act, shall not be held void by reason of any defect therein, if only there is a valid conviction to maintain the warrant, and it is alleged therein that the party has been convicted.

Protection of persons executing Act.

55. If any person is sued or prosecuted for anything done by him in pursuance or execution or intended execution of this Act, he 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.

Scotland.

Application of Act to Scotland.

56. This Act shall apply to Scotland, subject to the following provisions:

1. The following expressions occurring in this Act shall have the meanings hereby assigned to them; (that is to say,)

"Overseers of the Poor" shall mean inspectors of the poor;

"Entering into a recognizance before a justice" shall mean finding caution with the clerk of the peace to the satisfaction of such clerk;

"Recognizance" shall mean a bond of caution;

"Penalty" shall mean any money recoverable under this Act from a person convicted of contravening any of its provisions, and also any money recoverable as aforesaid as or through and in consequence of a forfeiture;

"Sheriff" shall include sheriff substitute;

"Court of summary jurisdiction" shall mean any sheriff, justice or justices of the peace, or magistrate by whatever name called, to proceedings before whom the provisions of "The Summary Procedure Act, 1864," may be applied:

2. The provisions of "The Summary Procedure Act, 1864," may be applied to all proceedings for the trial or prosecution for any offence, or for the recovery of any penalty, or for the obtaining of any order before a court of summary jurisdiction under this Act:

3. The court of summary jurisdiction when hearing and determining an information or complaint under this Act shall be constituted of two or more justices in petty sessions, or two or more magistrates of a burgh in a burgh court, or of a sheriff or some other magistrate or officer for the time empowered by law to do alone any act authorised to be done by more than one justice of the peace:

4. A person found liable under this Act in any penalty shall be liable in default of immediate payment to imprisonment for a term not exceeding six months; and the conviction and warrant may be in the form of No. 3 of Schedule K. of "The Summary Procedure Act, 1864:"

5. A person making default in complying with an order of court of summary jurisdiction under this Act shall be liable to imprisonment for a term not exceeding three months:

6. The court of summary jurisdiction may award costs, and shall have and exercise all the jurisdictions, powers, and authorities necessary for that court for the purposes of this Act:

7. A person authorised by this Act to appeal from a conviction or order of a court of summary jurisdiction may, when that court is a burgh or sheriff court, appeal to the next circuit court of justiciary, or where there are no circuit courts, to the High Court of Justiciary in Edinburgh, in the manner prescribed by such of the provisions of the Act of the twentieth year of the reign of King George the Second, and any Act amending the same, as relate to appeals in matters criminal, and by and under the rules, limitations, conditions, and restrictions contained in the same provisions:

8. Certificates under this Act shall be granted by the justices for counties or districts, and the magistrates of burghs at their respective meetings for granting and renewing certificates for the sale of exciseable liquors, or at some adjournment thereof, which adjournment they respectively may make from time to time as they think fit for the purposes of this Act, or at some other meetings specially convened for that purpose:

9. Pawnbrokers shall not be deemed guilty of an offence against this Act who shall carry on the business of a Pawnbroker on Good Friday or Christmas Day.

Saving.

Saving for local Acts.

57. Nothing in this Act shall repeal or in any manner interfere with the operation of any local or local and personal Act for the time being in force in any city, town, burgh, or other place.

The SCHEDULES referred to in this Act.

THE FIRST SCHEDULE.

Enactments repealed as to Pawnbrokers in Great Britain.

1 Jac. 1. c. 21.	An Acte againste Brokers.	
25 Geo. 3. c. 48.	An Act for granting to His Majesty certain Stamp Duties on Licences to be taken out by persons using or exercising the trade or business of a Pawnbroker.	
39 & 40 Geo. 3. c. 99.	An Act for better regulating the business of Pawnbrokers.	
55 Geo. 3. c. 184. in part.	An Act for repealing the Stamp Duties on deeds, law proceedings, and other written or printed instruments, and the Duties on fire insurances and on legacies and successions to personal estate upon intestacies now payable in Great Britain, and for granting other Duties in lieu thereof - -	in part; namely— As far as the Act relates to licences to Pawnbrokers.
9 Geo. 4. c. 49. in part.	An Act to amend the laws in force relating to the Stamp Duties on sea insurances, on articles of clerkship, on certificates of writers to the signet, and of conveyancers and others, on licences to dealers in gold and silver plate, and pawnbrokers, on drafts on bankers, and on licences for stage coaches in Great Britain, and on receipts in Ireland - - -	in part; namely— Section twelve as far as the same relates to Pawnbrokers licences.
9 & 10 Vict. c. 98.	An Act to amend the law for regulating the hours of receiving and delivering goods and chattels as pawns in Pawnbrokers shops.	
17 & 18 Vict. c. 90. in part.	An Act to repeal the laws relating to usury and to the enrolment of Annuities - - -	in part; namely— Section four as far as that section provides that all laws touching and concerning Pawnbrokers shall remain in full force and effect to all intents and purposes whatsoever as if that Act had not been passed.
19 & 20 Vict. c. 27.	An Act to amend the Acts relating to Pawnbrokers.	
22 & 23 Vict. c. 14.	An Act to amend an Act of the thirty-ninth and fortieth years of King George the Third, for better regulating the business of Pawnbrokers.	
23 & 24 Vict. c. 21.	An Act to amend the Act for better regulating the business of Pawnbrokers.	
27 & 28 Vict. c. 56. in part.	An Act for granting to Her Majesty certain Stamp Duties, and to amend the laws relating to the Inland Revenue - - - - -	in part; namely— Section six as far as the same relates to Pawnbrokers licences.

THE SECOND SCHEDULE.

Enactments referred to.

PART I.

11 & 12 Vict. c. 43.	An Act to facilitate the performance of the duties of Justices of the Peace out of Sessions within England and Wales with respect to summary convictions and orders [in this Act called the Summary Jurisdiction Act of 1848].

PART II.

7 Geo. 4. c. 64.	An Act for improving the administration of Criminal Justice in England.

THE THIRD SCHEDULE.

Forms of Books and Documents.

I.—Pledge Book.

of Pawnbroker,
of 1872.

For Date of Redemption.	For Profit charged.	£ s. d. For Amount of Loan.	For No. of Pledge in the Month.	For Name of Pawner.	For Address of Pawner.	For Name of Owner, if other than Pawner.	For Address of Owner, if other than Pawner.	For List of Articles Pawned, as described on Pawn-Ticket.

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.

II.—Pawn-Ticket.

A.—*For loan of ten shillings or under.*

Pawned with [*John Smith,*] Pawnbroker,
[*236, High Street, Whitechapel,*]
this [*17th*] day of [*March 1873*],
by [*Henry Williams,*] of [*25, King Street, Holborn,*]
for the sum of [*ten*] shillings,
[*One Black Frock Coat*].

* 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 - - - - - - - - One halfpenny.
For profit on each two shillings or part of two shillings lent on this pledge for not more than one calendar month - - - - - - One halfpenny.
And so on at the same rate per calendar month.
After the first calendar 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 calendar 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 loan of above ten shillings and not above forty shillings.*

Pawned with [*John Smith,*] Pawnbroker,
[*236, High Street, Whitechapel,*]
this [*18th*] day of [*March 1873*],
by [*Henry Williams,*] of [*25, King Street, Holborn,*]
for the sum of [*eleven*] shillings,
[*One Grey Tweed Coat*].

* The Pawnbroker is entitled to charge—
For this ticket - - - - - - - - - One penny.
For profit on each two shillings or part of two shillings lent on this pledge for not more than one calendar month - - - - - - One halfpenny.
And so on at the same rate per calendar month.
After the first calendar 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 following is to be printed on the ticket, on the front or back, or partly on the front and partly on the back.

If this pledge is not redeemed within twelve calendar 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 sale the pawner may inspect the account of the sale in the Pawnbroker's books on payment of one penny, 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 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 forty shillings.*

Pawned with [*John Smith,*] Pawnbroker,
[*236, High Street, Whitechapel,*]
this [*19th*] day of [*March 1873*],
by [*Henry Williams,*] of [*25, King Street, Holborn,*]
for the sum of [*eleven*] shillings,
[*One Shooting Coat*].

* The pawnbroker is entitled to charge—
For this ticket - - - - - - - - - One Penny.
For profit on each two shillings and sixpence or part of two shillings and sixpence lent on this pledge for every calendar month or part of a calendar month - - - - - - - - - One halfpenny.

* The following is to be printed on the ticket, on the front or back, or partly on the front and partly on the back.

If this pledge is not redeemed within twelve calendar 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 sale the pawner may inspect the account of the sale in the Pawnbroker's books on payment of one penny, 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 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.

III.—Sale Book of Pledges for Loans of above Ten Shillings.

[Date and place of sale.]

[Name and place of business of Auctioneer.]

For No. of Pledge as in Pledge Book.	For Date of Pawning.	For Name of Pawner.	£ s. d. For Amount of Loan.	For Amount for which Pledge sold as stated by Auctioneer.

IV.—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, 1872, 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, one of Her Majesty's justices of the peace for the county of [*Middlesex*] this day of 187 .

V.—Declaration where Pawn-Ticket Lost, &c.

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, 1872, 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 or 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, one of Her Majesty's justices of the peace for the county of [*Middlesex*] this day of 187 .

VI.—RECEIPT.

[*Date.*]

Received on redemption of pledge No.
Amount of loan - - -
Profit - - - - -

Total - -

[*A.B.*,]
Pawnbroker.

VII.—SPECIAL CONTRACT.

SPECIAL CONTRACT UNDER ACT OF PARLIAMENT.

Pawned with [*John Smith*,] Pawnbroker,
[*236, High Street, Whitechapel*,]
this [*17th*] day of [*April 1873*,]
by [*Henry Williams*,] of [*25, King Street, Holborn*,]
for the sum of [*forty-eight shillings*,]
[*One Marble Clock*].

* TERMS OF THE SPECIAL CONTRACT.

* 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 charges—
For this ticket - - - - - - - -
Profit at the rate per calendar month of - - - - -
After the first calendar 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 calendar month, or any part of a month, in addition to the charges above mentioned.

This pledge is pawned for the period of † months.

† Not less than three.

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 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, 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 redeem the same.

(Signed) [*John Smith*,] Pawnbroker.
(Signed) [*Henry Williams*,] Pawner.

THE FOURTH SCHEDULE.

Profit and Charges allowed to Pawnbrokers.

PART I.—PROFIT ON LOAN.

A. On a loan of forty shillings or under—
For any time during which the pledge remains in pawn not exceeding one month, for every two shillings or fraction of two shillings lent - - One halfpenny.
For every month after the first, including the current month in which the pledge is redeemed, although that month is not expired, for every two shillings or fraction of two shillings lent - - - - - One halfpenny.

Provisoes.

1. 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 forty shillings—

For every month or part of a month for every sum of two shillings and sixpence or fraction of a sum of two shillings and sixpence - - - - One halfpenny.

PART II.—CHARGE ON PAWN-TICKET.

Where the loan is ten shillings or under - - - - -	One halfpenny.
Where the loan is above ten shillings - - - - - -	One penny.

PART III.—CHARGE ON INSPECTION OF SALE BOOK.

For the inspection of the entry of a sale - - - - -	One penny.

PART IV.—CHARGE ON FORM OF DECLARATION.

Where the loan is five shillings or under - - - - -	One halfpenny.
Where the loan is above five shillings - - - - -	One penny.

Rule.

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

THE FIFTH SCHEDULE.

Regulations as to Auctions of Pledges above Ten Shillings.

1. The auctioneer shall cause all pledges to be exposed to public view.
2. He shall publish catalogues of the pledges, stating—
   (1.) The Pawnbroker's name and place of business;
   (2.) The month in which each pledge was pawned;
   (3.) The number of each pledge as entered at the time of pawning in the pledge book.
3. The pledges of each Pawnbroker in the catalogue shall be separate from any pledges of any other Pawnbroker.
4. The auctioneer shall insert in some public newspaper an advertisement giving notice of the sale, and stating—
   (1.) The Pawnbroker's name and place of business;
   (2.) The months in which the pledges were pawned.
5. The advertisement shall be inserted on two several days in the same newspaper, and the second advertisement shall be inserted at least three clear days before the first day of sale.
6. Pictures, prints, books, bronzes, statues, busts, carvings in ivory and marble, cameos, intaglios, musical, mathematical, and philosophical instruments, and china, sold by auction, shall be sold by themselves, and without any other goods being sold at the same sale, four times only in every year, (that is to say,) on the first Monday in the months of January, April, July, and October, and on the following day and days, if the sale exceeds one day, and at no other time.
7. 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 biddings 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.
8. The auctioneer shall, within fourteen days after the sale, deliver to the Pawnbroker a copy of the catalogue, or of so much thereof as relates to the pledges of that Pawnbroker, filled up with the amounts for which the several pledges of that Pawnbroker were sold, and authenticated by the signature of the auctioneer.
9. The Pawnbroker shall preserve every such catalogue for three years at least after the auction.

THE SIXTH SCHEDULE.

Forms of Certificates of Magistrates and Justices.

I.—ENGLAND.

I [*or* we] [*here insert description of the magistrate or justices*] do hereby certify that I [*or* we] do authorise the grant to *A.B.* of in the county of of a license to carry on the business of a Pawnbroker within the township of [*or* parish of *or other place as the case may be*].

Witness my hand [*or* our hands] this day of 18 .

II.—SCOTLAND.

At a general meeting for granting and renewing certificates for the sale of exciseable liquors held by Her Majesty's justices of the peace acting in and for the county [*or* of the magistrates of the burgh, *as the case may be*] of held at within the said county [*or* burgh], the day of 18 , Her Majesty's justices of the peace acting in and for the said county [*or* the magistrates of the said burgh] assembled at the said meeting [*if at another meeting, describe same*] did authorise and empower *A.B.*, now dwelling at , to carry on the business of a Pawnbroker within the parish of and county [*or* burgh] aforesaid [*or other place, as the case may be*], provided the said *A.B.* is licensed and empowered to carry on the business aforesaid under the authority and permission of any excise license to him in that behalf granted.

This certificate to continue in force from the day of until the day of 18 and no longer.

The above-written certificate is made out according to the deliverance in the book or register kept in terms of the Act of Parliament.

(Signed) *C.D., Clerk.*

CHAPTER 94.

An Act for Regulating the Sale of Intoxicating Liquors. [10th August 1872.]

WHEREAS it is expedient to amend the law for the sale by retail of intoxicating liquors, and the regulation of public-houses and other places in which intoxicating liquors are sold, and to make further provision in respect of the grant of new licenses for the sale of intoxicating liquors, and the better prevention of drunkenness:

Be it enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Preliminary.

1. This Act may be cited as "The Licensing Act, 1872." **Short title.**

2. This Act shall not extend to Scotland. **Extent of Act.**

Illicit Sales.

3. No person shall sell or expose for sale by retail any intoxicating liquor without being duly licensed to sell the same, or at any place where he is not authorised by his license to sell the same. Any person selling or exposing for sale by retail any intoxicating liquor which he is not licensed to sell by retail, or selling or exposing for sale any **Prohibition of sale of intoxicating liquors without license.**