

CHAPTER 121

PAWNBROKERS LAW

Arrangement of sections

Section

1. Short title,
2. interpretation.
3. Extension of Law to certain shops.
4. Executors of pawnbrokers.
5. Agents, servants and apprentices of pawnbrokers.
6. Assigns and executors of pawners.
7. Application of Law in respect of loans.
8. Pawnbrokers to keep books as in Schedule.
9. Pawnbrokers to keep names over doors, and tables of rate etc. exhibited in shop.
10. Pawn-ticket to be given for pledges.
11. Profit and charges allowed to pawnbrokers.
12. Pledges redeemable for one year, with 7 days of grace.
13. Pledges for one naira or under tint redeemed in time forfeited
14. Pledges above one naira redeemable until sale.
15. Sale by auction of pledges above one naira.
16. Offences by auctioneers.
17. Power to inspect sale book.
18. Pawnbroker to account for surplus within 3 years subject to set-off.
19. Offences as to pledges for above one naira.
20. Holder of pawn-tickets entitled to redeem.
21. Production of pawn-tickets on redemption.
22. Liability of pawnbroker in case of fire.
23. Compensation for depreciation of pledge.
24. Protection of owners and of pawners not having pawn-tickets.
25. Delivery to owner of property unlawfully pawned.
26. Summary order for delivery of pledge to person entitled.
27. Prohibition of purchasing pledges; taking pledges from children and others.
28. Unlawful pawning of goods not property of pawner.
29. Proceedings where persons offering articles in pawn do not give a good account of themselves.

Section

30. Prohibition of taking in pawn linen, clothing and unfinished goods in certain cases.
31. Search warrant for goods unlawfully pawned.
32. Yearly licence and fee.
33. Forfeiture of licence on conviction.
34. Licence not to be granted without certificate.
35. Certificates to be granted by Magistrate,

36. Form and duration of certificate
37. Notice of first application
38. Grounds of refusal of certificate.
39. Forgery of certificate.
40. General penalty for offences.
41. Application of penalties.
42. Amends for frivolous informations.
43. Penalty on common informers compounding information.
44. Detention of persons offering forged pawn-tickets.
45. Production of books.
46. Description of stolen goods.
47. Authority to search pawnbroker's premises
48. Contracts not void on account of offences.
49. Power to make regulations.

SCHEDULE
SUBSIDIARY LEGISLATION
CHAPTER 121
PAWNBROKERS LAW

ANSI. Cap. 101

A Law to regulate the business of pawnbroking.

[27th August, 1991]

PART I— PRELIMINARY

Short title,

1. This Law may be cited as the Pawnbrokers Law.

Interpretation

2. In this Law—
 "Governor" means Governor of the State;
 "pawnbroker" includes even person who carries on the business of taking goods in pawn;
 "pawner" means a person delivering an article for pawn to a pawnbroker,
 "pledge" means an article pawned with a pawnbroker;
 "shop" includes a dwelling-house? and warehouse or other place of business, or place where business is transacted;
 "State" means Enugu State of Nigeria:
 "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, alter such goods or materials are put into a state or course of manufacture, or into a state for any process or peration to be performed thereupon or therewith. and before the same are completed or finished for the purpose of wear or consumption.

PART II— PAWNBROKERS

3. (I) The following persons shall be deemed to be persons carrying on the business of taking goods in pawn —

Extension of
Law to certain
shop

- (a) every person who keeps a shop for the purchase or sale of goods or for taking in goods by way of security for money advanced thereon; or
- (b) every person who purchases or receives or takes in goods, and pays or advances or lends thereon any sum of money not exceeding N40 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 afterward redeemed or repurchased on any terms;

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

Execution of
pawnbrokers

4. The provisions of this Law 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 nut of his own estate, unless the same is incurred by his own act to neglect

Agents
Servants and
appreciates of
pawners

5. For purposes of this Law 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 Law authorized to be done by a pawnbroker may be done by his servant, apprentice or agent.

Assigns and
executes of
pawners

6. The rights, powers and benefits by this Law 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 and 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, will, letters of administration or other instrument under which he claims.

Application of
Law in respect
of loans

7.(1) This Law shall apply to every loan by a pawnbroker of any sum of money not exceeding N40.

(2) Nothing in this Law shall apply to a loan by a pawnbroker of above N40 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 Law. 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 N40

PART III— GENERAL OBLIGATIONS OF PAWNBROKERS

Pawnbrokers to keep book as in Schedule.

8. 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 plain 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. Any pawnbroker who contravenes the provisions of this section shall be guilty of an offence and liable on conviction to a fine of twenty naira.

9. (1) A pawnbroker shall always—
(a) keep exhibited in large characters, over the outer door of his shop his name with the word 'Pawnbroker'; and

(b) keep placed on 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 (printed in English and the local language most commonly spoken in the place in which his shop is situated) as is, by the rules of the First Schedule, required to be printed on a pawn-ticket.

Pawnbroker to keep names over doors. And tables or rates, etc. exhibited in shop.

(2) Any pawnbroker who contravenes the provision of this section shall be guilty of an offence and liable on conviction to a fine of twenty naira.

PART IV —PAWNING REDEMPTION AND SALE

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.

Pawn tickets to be given for pledges

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

Profits and charges allowed to pawnbrokers. 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.

(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; and such receipt shall not be liable to stamp duty unless the profit amounts to N4 or more.

12. Every pledge shall be redeemable within 12 months from the day of pawning, exclusive of

Pledges redeemable for one year, with 7 days of grace

that day; and I here shall be added to that year of redemption 2 days of grace, within which every pledge (if not redeemed within the year of redemption) shall continue to be redeemable.

13. A pledge pawned for one naira, 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.

14. A pledge pawned for above one naira shall further continue redeemable until it is disposed of, as in this Law provided, although the year of redemption and days of grace are expired

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

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

Pledges for one
naira or under
not redeemed in
time fortified

Pledges above
one naira
redeemable until
sale.

Sale by auction
of pledges
above ONE naira
Third Schedule.

Power to inspect
Sale book

16. If an auctioneer does anything in contravention of the provisions of this Law relating to auctioneers, or fails to do anything which he is required by this Law to do, he is liable to a fine of N20.

17. At any time within 3 years after the auction at which a pledge pawned for above one naira 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.

Pawnbrokers
to account for
surplus within
3 years subject
set off

18. (1) Where a pledge pawned for above one naira 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 3 years after the sale, the necessary costs and charges of the sale being first deducted.

(2) 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 12 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 is liable to pay the balance only after such set-off.

19. If with respect to pledges for loans of above one naira a pawnbroker—

Offences as to
pledges for
above N1

(a) does not bona fide, according to the directions of this Law, 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 Law to inspection of an entry of sale in the pawnbroker's book, or of a filled-up catalogue of the auction (authenticated by the signature of the auctioneer), to inspect the same;

(d) fails without lawful excuse (the proof whereof shall be on him) to produce such a catalogue 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 liable on summary conviction to forfeit to the person aggrieved a sum of twenty naira.

PART V— DELIVERY UP OF PLEDGE

Holder of
pawn-tickets
entitled to
redeem

20. 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 Law, 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-tickets
on redemption

21. A pawnbroker shall not (except as in this Law 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

22. (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 per centum on the amount of the loan

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

Compensation
for
depreciation
of pledges

23. If a person entitled and offering to redeem a pledge shows to the satisfaction of a Magistrate that the pledge has become or has been rendered of less value than it was the time of the pawning thereof by or through the default, neglect or wilful misbehaviour of the pawnbroker, the Magistrate may, if he thinks fit award a reasonable compensation 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 Magistrate may direct.

Protection
owners and
of pawners
not having
pawn tickets

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

(a) 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;

(b) if the applicant delivers back to the pawnbroker the declaration duly made by him. and by a person identifying him, before a Magistrate or a Commissioner appointed to take affidavits and declarations. 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):

(c) the pawnbroker is hereby indemnified for not delivering the pledge to any person until the expiration of the period aforesaid; and

(d) 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.

25. In each of the following cases—

Delivery to
owner of
property
unlawfully
pawned

(a) if any person is convicted under this Law of knowingly and designedly pawning with a pawnbroker anything being the property of another person, the pawn not being employed or authorized by the owner thereof to pawn the same.

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

(d) if in any proceedings it appears to the court that any goods brought before the court have been unlawfully pawned with a pawn broker;

the court, on proof of the ownership of the goods, may, if the court 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, may seem just and fit

Summary order
for delivery of
pledge to
person entitled

26. If a pawnbroker, without reasonable excuse (the proof whereof shall lie on him), refuses or neglects to deliver a pledge to the person entitled to have delivery thereof under this Law he is guilty of an offence under this Law and a Magistrate may, if he thinks fit, with or without imposing a penalty, order the delivery of the pledge on payment of the amount of the loan and profit.

PART VI — GENERAL RESTRICTIONS ON PAWNBROKERS

Prohibition of
pledges, taking
pledges from
children and
others

27. Any pawnbroker who—

(a) takes an article in pawn from any person appearing to be under the age of 14 years or to be intoxicated;

(b) purchases or takes in pawn or exchange a pawn-ticket issued by another pawnbroker;

(c) employs any servant or apprentice or other person under the age of 16 years to take pledges in pawn;

(d) under any pretence purchases, except at public auction, any pledge while in pawn with him,

(e) suffers any pledge while in pawn with him to be redeemed with a view to his purchasing it; or

(f) makes any contract or agreement with any person pawning purchase, sale or disposition thereof within the time of redemption;

(g) sells or otherwise disposes of any pledge pawned with him, except at such time and in such manner as authorized by this Law;

(h) takes any goods or chattel, in pawn from any person before 6 am. or after 6 p.m.; or

(i) carries on the business of pawnbroker on Sunday, Good Friday or Christmas Day;

shall be liable to a fine of N20.

PART VII— UNLAWFUL PAWNING

Unlawful
pawning of goods
not property of
pawner

28. (1) Any person who knowingly and designedly pawns with a pawnbroker anything being the property of another person, the pawner not being employed

or authorized by the owner thereof to pawn the same, is liable on summary conviction to forfeit a sum of N10, 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 thereout to the party injured, and defraying the costs of prosecution, as the Court may direct; 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 into general revenue.

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

29. (I) Any person who—

(a) 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; or

(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: or

(c) 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,

shall be liable to a fine of N20.

(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, and shall deliver the person and the article or either of them (as the case may be) as soon as may lie into the custody of a police officer, who shall as soon as may be convey the person, if so detained, before a Magistrate to be dealt with according to law.

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

30. If a pawnbroker 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, he shall be liable to a fine of twenty naira; and the pawnbroker shall likewise restore the pledge to the owner thereof, in the presence of the Magistrate or as the Magistrate may direct.

Search warrant
for goods
unlawfully
pawned

31. (1) If the owner of 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, and unlawfully pawned with a pawnbroker, or the owner of any other article unlawfully pawned with a pawnbroker (the last mentioned owner having upon oath satisfied a Magistrate that his goods have been unlawfully obtained or

taken from him), swears an information before a Magistrate that there is good cause to suspect that a pawnbroker has taken in pawn the linen, apparel, goods, materials, or article without the privity or authority of the owner, and satisfies the Magistrate that there are probable grounds for such suspicion, the Magistrate may issue his warrant for searching, within the hours of business, the shop of the pawnbroker.

(2) If the pawnbroker, on request by a police officer authorized by the warrant, refuses to open the shop and permit it to be searched, a police officer 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.

(3) If on the search any linen, apparel, goods, materials, or article entrusted to any person to wash, scour, iron, mend, manufacture, work up, finish or make up, is or are found, and the property of the owner thereof is made out to the satisfaction of a Magistrate, he shall cause the same to be forthwith restored to the owner thereof.

Yearly
licence and
fee.

32. (1) Every pawnbroker shall yearly take out from the prescribed officer a licence for carrying on his business, for which licence there shall be paid such fee as may be prescribed.

(2) Every licence shall be dated on the day on which it is issued, and shall determine on the 31th December following.

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

(4) If a person acts as a pawnbroker without having in force a proper licence, he shall be liable to a fine of 100.

Forfeiture of
licence on
conviction

33. If a pawnbroker is convicted 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 licence be forfeited.

Licence not
to be
granted
without
certificate

34. (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 Law,

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

Certificate to be granted by Magistrate	35. Certificate under this Law are granted by a Magistrate having jurisdiction in the place where the applicant intends to carry on business.
Forms and duration of certificate Fourth schedule	36. A certificate under this Law shall be in the form given in the Fourth Schedule or to the like effect, and shall be in force for one year.
Notice of first application	37. A person intending to apply for the first time for a certificate under this Law shall, 21 days at least before the application, give notice by registered letter sent by post of his intention to the senior officer of police in the Local Government Area, and shall in the notice set forth his name and address, and the situation of the shop in which he intends to carry on business.
Grounds of refusal of certificate	38. An application for a certificate shall not be refused except on one or more of the following grounds— (a) that the applicant has failed to produce satisfactory evidence of good character: 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; (b) that he has not complied with the last preceding section.
Forgery or certificate	39. (1) If any person forges a certificate, or lends a certificate knowing it to be forged, he shall be liable to a fine of 100 or to imprisonment for 6 months (2) A licence 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 licence.
	PART VIII— PENALTIES AND LEGAL PROCEEDINGS
General penalty for offence	40. If a pawnbroker or other person is guilty of an offence against the Law, in respect whereof a specific forfeiture or penalty is not prescribed by this Law, he is guilty of an offence and on conviction liable to a fine of N20.
Application of penalties	41. Any penalty recovered under this Law, not directed to be otherwise applied, may be applied under the direction of the court before which it is recovered, as follows—

(a) where the complainant is the party aggrieved, one moiety of the penalty may be paid to him; and

(b) where the complainant is not the party aggrieved, there may be paid to him such part (if any) of the penalty as the court may think fit.

Amends for frive
information

42. Where a complaint or information of any offence against this Law (not being an offence against any provision of this Law relating to licences), is made or laid before a Magistrate and is not further prosecuted, or if any such complaint or information is further prosecuted, but it appears to the Magistrate by whom the case is heard that there was no sufficient ground for the making of the charge, the Magistrate shall have power to award such amends, not exceeding the sum of ten naira to be paid by the complainant or informant to the party complained of or informed against for his loss of time and expenses to the matter, as the Magistrate may seem fit; and every sum so awarded shall be recoverable as fines are recoverable.

Penalty on
common
informers
compounding
information

43. If any person lays an information for an offence alleged to have been committed against this Law by which he was not personally aggrieved, and afterwards directly or indirectly receives any sum of money or other reward for compounding, delaying or withdrawing the information, he shall be liable to a fine of twenty naira.

Detention of
persons
offering
forged pawn
tickets.

44. If any person tithers, 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 police officer, 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

45. The books required by this Law to be kept by a pawnbroker shall be produced by him for examination at any time during business hours on demand by any court or by any superior police officer or any police officer holding a written authority from a superior police officer authorizing him to act under this section, who are hereby severally authorized to enter at any time during business hours any pawnbroker's shop without warrant to search for and examine the said books and to take extracts and copies, therefrom

PART IX— FINES

Description
of stolen
goods

46. The police on receiving information of any property being lost or stolen or otherwise fraudulently disposed of shall, as soon as possible, furnish all pawnbrokers with a description thereof. If any property answering to such description be in the possession of any pawnbroker, or thereafter be offered or shown to any pawnbroker, he shall immediately give notice to that effect at the nearest police station or to a police officer. He shall at the same time give the name and address of the person from whom he received the property or by whom the property was offered or shown to him the pawnbroker may detain i he person offering or showing such property until the arrival of the police.

Authority to
search
pawnbroker's
premises

47. Any superior police officer and any police officer holding a written authority from a superior police officer specially authorizing him to act under this Law may enter any pawnbroker's shop at any time during business hours and may search without warrant the house, shop or premises of such pawnbroker for any articles that he may have reason to suspect to be therein and to have been dishonestly obtained or dishonestly placed there.

Contracts not
void on
accounts of
offence

48. Where a pawnbroker is guilty of an offence against this Law (not being an offence against the provisions of this Law relating to licences), any contract of pawn or other contract made by him, in relation to his business of pawnbroker, shall nevertheless not he void by reason only oi that offence, nor shall he by reason only of that offence lose his hen on or right to the pledge or to the loan mid profit; hut nothing in this section shall restrict the operation of any provision of this Law providing for the delivery of any goods and chattels, or the restoration of any linen, apparel, unfinished goods, materials or article to the owner, under the order of a court.

Power to make
regulations

49. The Commissioner may make regulations—

(a) for altering or adding to the forms, rules, regulations and other provisions m the Schedules; and

(b) generally, for the better carrying out of the provisions of this Law.

FIRST SCHEDULE

Form 1

PLEDGE BOOK

of. Pawnbroker,

of. 19.....

Date of redemption	Profit charged	Amount of loan	Number or 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 page

All entries in the five columns respecting each pledge shall be made on the day of the pawning thereof, or within 4 Injure after the end of that day.

Form 2

PAWN-TICKET

A FOR LOAN OF ONE NAIRA OR UNDER

Pawned with [John Smith] Pawnbroker, [.....]
 Street, Enugu] this [...] day of
 [.....]20 by
 [Henry Williams] of
 [.....]street for the SUM of
 naira

[One Black Coat]

the Pawnbroker Is entitled to charge—

For this One kobo

One kobo

Ticket.....

For profit on each 20k or part 20k

Lent on this pledge for not more than one

Calendar month

And so on AT the same rate per calendar month.

After the first calendar month any time not exceeding 14 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 12 calendar months and 7 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 a value to be the amount of the loan profit and 25 per centum on the amount of the loan.

If the 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 above One Naira and not above Four Naira

Pawned with [John Smith], Pawnbroker,
[.....Street Enugu] this
[.....] day of [.....] 20
.....] by [Henry Williams] of [.....
Street] for the sum of [.....naira

FIRST SCHEDULE—Continued

(One White Coat)

*the Pawnbroker is entitled to charge—

For this Ticket.....

2 kobo

For profit on each 20 or part of 20

lent on this pledge for not more than one

calendar month.....

1 kobo

And so on at the same rate per calendar month.

After the first calendar month any time not exceed fourteen days will be charged as half a month, and any time exceeding 14 days and not more than one month will be charged as one month.

If this pledge is not redeemed within 12 calendar months and 7 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 3 years after sale, the pawner may inspect the account of the sale in the pawnbroker's books, on payment of one kobo, and receive any surplus produced by the sale. But the 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 *per centum* 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 claim to redeem the same.

C

FOR LOAN ABOVE N4

Pawner with [John Smith], Pawnbroker, [.....] Street,
Enugu] this[..... day of [.] by (Henry
Williams] of [..... Street], for the sum of [.....] naira.

*[One suit of clothes consisting of one Coat,
one Pair of Trousers, and one Vest]*

*the Pawnbroker is entitled to charge—

For this
Ticket.....

.....2 kobo

For profit on each 20k or part of 20k lent on this pledge for every calendar month
or part of a calendar month 1kobo.

If thin pledge is not redeemed within 12 calendar months and 7
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.

FIRST SCHEDULE – contd.

Within 3 years after sale the pawner may inspect the account of the sale in the pawnbroker's books, on payment of one kobo, and receive any surplus produced by sale. But deficit on sale on 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 25 per centum 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.

Form 3

SALE BOOK OF PLEDGES FOR LOANS OF ABOVE ONE NAIRA

(Date and Place of Sale)

(Same and Place of business of Auctioneer)

No. of pledge as in pledge hook	Date of pawning	Name of pawner	Amount of loan	Amount for which pledge sold, as stated by auctioneer

Form 4

DECLARATION WHERE PLEDGE CLAIMED BY OWNER

TAKE NOTICE if this declaration is false the person making it is punishable for perjury, Unless this printed form is taken before a Magistrate, and declared to and signed and delivered back to Use pawnbroker not later than the.....day of.....20..... the articles mentioned in it will be delivered to any person producing the pawn-ticket.

1. A.B., of..... in pursuance of the Pawnbrokers Law, 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 said Law do solemnly and sincerely declare that I know the person now making the foregoing declaration to be A..B.. of..... Declared before me this..... day of..... 20

(Signed)
Magistrate

Form 5

DECLARATION WHERE PAWN TICKET LOST

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.....20.... the articles mentioned in it will be delivered to any person producing the pawn-ticket.

1, AB., of..... in pursuance of the Pawnbrokers Law, do solemnly

and sincerely declare that.....pledged at the shop of..... pawnbroker, 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 said law do solemnly and sincerely declare that I know the person now making the foregoing to be A.B, of.....Declared before me this..... Day of.....20.....

(Signed).....

Magistrate

FIRST SCHEDULE - Continued
Form 6
RECEIPT

(Date)
N K

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

.....
[A.B]
Pawnbroker

SECOND SCHEDULE
PROFIT AND CHARGE ALLOWED TO PAWNBROKERS

PART 1.—PROFIT ON LOAN

On any loan made under this law—
For any time during which the pledge remains in
pawn, not (exceeding one month for every 20k or fractional part of 20k
lent..... 1
kobo
For every month after the first, including the current
month in which the pledge is redeemed, although
that month is not expired, for every 20k or
fractional part of 20k
lent.....
..... 1 kobo

Proviso

in cases where the loan does not exceed N4 if the pledge is redeemed before the end of the first 14 day after the expiration of any month, the pawnbroker shall in respect of those 14 days or any period less than fourteen days, be entitled to take half of the amount which he would be entitled to take for the whole month.

PART II—CHARGE ON PAWN TICKET

Where the loan is one naira or under..... 1 kobo
Where the loan is above one naira 2 kobo

PART III,—CHARGE ON INSPECTION OF SALE BOOK

For the inspection of the entry of a sale, 1 kobo

PART IV.—CHARGE ON FORM OF DECLARATION

Where the loan is 50k or
under.....

1kobo
2 kobo

Where the loan is above
50k.....

Rule

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

THIRD SCHEDULE

REGULATIONS AS TO AUCTIONS OF PLEDGES ABOVE ONE NAIRA

1. The auctioneer shall cause all pledges to be exposed to public view.
2. He shall publish catalogues of the pledges stating—
 - (a) the pawnbroker's name and place of business;
 - (b) the month in which each pledge was pawned; and
 - (c) the number of each pledge as entered at the time of pawning in the pledge book.
3. The pledges of each pawn broker in the catalogue shall be separate from any other pawnbroker
4. The auctioneer shall insert in some public newspaper an advertisement giving notice of the sale, and stiling—
 - (a) the pawnbroker's name and place of business; and
 - (b) the month in which the pledges were pawned.
5. The advertisement shall be inserted on 2 several days in the same newspaper, and the second advertisement shall be inserted at least 3 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 instalments, 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) in the months of January, April, July and October, 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 person at the same sale; and the auctioneer; on knocking down any articles to a pawnbroker, shall forthwith declare audibly the name of the pawnbroker as purchaser.
8. The auctioneer shall within 14 days after the sale, deliver to the pawnbroker a copy of the catalogue, or of so much thereof as relates the pledges of that pawnbroker filled up with the amounts for which the several pledges of chai pawnbroker were sold, and authentication by the signature of the auctioneer.