

When owners, &c., refuse to receive awards amount shall be paid into court.

Payment of award shall not convey title.

Cases in which this act shall not apply.

Court shall fix costs.

5. SEC. 4. That in case any owner, mortgagee or judgment creditor to whom such sum in gross is awarded shall refuse to accept the same when tendered, together with such costs as may be awarded to him, and to execute and acknowledge a proper receipt for the same, which may be recorded, such sum in gross and costs may be paid into said court to the clerk thereof, and the payment thereof into court shall operate in the same manner as if paid to such owner, mortgagee or judgment creditor.

6. SEC. 5. That the payment of such sum in gross shall not be held to convey any title to the land upon which such partition wall is erected, nor shall the continued erection thereof be held to give a title by adverse possession to such land, but the division line between the lands of such adjoining owners shall be and remain the same as before any proceedings were instituted.

7. SEC. 6. That this act shall not apply to any case where an action in ejectment or action of tort has now been commenced in reference to such partition wall as herein described, until after such suit is determined.

8. SEC. 7. That the said court shall make such order in reference to the costs of such proceedings as to the court shall appear equitable and just.

Pawnbrokers.

1. Judges of court of common pleas to grant licenses to.
2. License fee. To be residents of state.
3. Pledges to be kept one year unless sooner redeemed.
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5. Limitation of act.
6. City authorities may pass ordinance to license pawnbrokers.
7. No person to carry on business of pawnbroker in any city without license.
8. Amount of license fee. Term of license.
9. Applicant for license to file bond. Bond to be approved.
10. Action may be maintained against sureties on bond.
11. Pawnbrokers to keep account and description of goods, &c.
12. Books to be open to inspection of certain officers.
13. Pawnbrokers not to receive goods from minors.
14. Articles not to be received on Sunday.
15. Rate of interest that may be charged. Rate indorsed on ticket.
16. No pledge to be sold under one year. Sales to be at public auction.
17. Notice of sales to be published.
18. Pawnbrokers not to purchase articles except at public sale.
19. Amended by section 23.
20. Repealer.
21. Pawnbrokers not to sell goods which have not been pledged.
22. Penalty.
23. Penalty.

An act to regulate and license pawnbrokers.

Approved April 12, 1876.

P. L. 1876, p. 119.

Judges of court of common pleas to grant license.

Proviso.

Proviso.

License fee.

Shall be a resident of this state.

1. That the judges of the court of common pleas, or a majority of them, in any county in this state may, upon application being made to said court, grant a license to carry on the business of a pawnbroker, to such person applying for the same in such place in the said county as shall be named in the application and approved by said court; *provided*, the application therefor be accompanied with a bond, to be by such person signed, with two freehold sureties satisfactory to the court, in the sum of one thousand dollars each, conditional for the faithful performance and observance of the requirements of this act and for the indemnification of any person or persons suffering loss through the violation of the provisions of this act; *and provided further*, that no person shall carry on the business of a pawnbroker, within this state, unless licensed according to the provisions of this act, except within municipalities having charter regulations respecting pawnbrokers, and no person shall carry on the business of pawnbroker within this state unless licensed as provided for in this section.

2. That the license fee shall be fifty dollars, payable to the clerk of the court of common pleas of the county wherein such license is granted, and such license fee to accompany the application; that no person shall be entitled to obtain such license unless such person shall be a resident of the state of New Jersey and within the jurisdiction of the court where application is made for such license for at least the term of six months prior to the date of said application; that the penalty for violating the provisions of this act, or either of them, shall be twenty-five dollars for the first offense, and fifty dollars for the second and each subsequent offense, to be

recovered by an action of debt before any court of competent jurisdiction, such action to be brought by the board of chosen freeholders of the county wherein such pawnbroker was licensed or has carried on the business of a pawnbroker, and such penalty, when recovered, to be paid to the collector of said county, for the use of said county.

3. That all goods pledged or pawned shall be kept for the term of one year by the pawnbroker receiving the same in pledge, unless sooner redeemed, and not more than the rate of twenty-five per centum per annum interest shall be charged on any sum not exceeding twenty-five dollars loaned upon any pledged or pawned goods and on sums exceeding twenty-five dollars not more than ten per centum interest shall be charged, and such interest at such rate shall be in lieu of all other charges and demands; and every pawnbroker thus licensed shall keep a proper record of the deposit and redemption of all goods and pledges, the amount loaned thereon and the interest charged, and shall give to each pawner a proper descriptive ticket, and that the said record shall be continually open to police inspection.

4. That if goods pledged or pawned to any such pawnbroker shall remain unredeemed, and no interest upon the loan thereon shall have been paid for the space of one year, such goods may then be sold by said pawnbroker, but notice of such sale shall be given by advertisement in at least two newspapers printed and published in said county, for at least two weeks prior to such sale, and said sale shall be at public vendue to the highest bidder, and in no other manner.

5. That this act shall not apply to municipalities having charter regulations respecting pawnbrokers.

Pledges to be kept for one year unless sooner redeemed.

Interest.

Record of deposit and redemption to be kept.

Notice of sale to be given.

Limitation of act.

An act concerning cities.

Approved March 25, 1885.

P. L. 1885, p. 161.

6. SEC. 1. That the board of aldermen, common council or other legislative body of any city of this state shall have power to pass, alter or repeal ordinances to take effect in such city, to license, regulate or prohibit the business of a pawnbroker and to fix the license fee and terms upon which licenses for such purposes shall be granted, and no other license, whether granted by a court or otherwise for any such purpose, shall be valid within said city; *provided, however*, that in case any applicant for license shall have been theretofore licensed by a court or otherwise, and such license shall be then in force, the said city shall return to said applicant the license fee paid to the clerk of the court of common pleas upon receiving from said applicant a license fee in virtue of any ordinance.

Authorities of city may pass ordinance to license pawnbrokers.

Proviso.

An act to regulate and license pawnbrokers.

Approved March 29, 1887.

P. L. 1887, p. 59.

7. SEC. 1. That no person, corporation, member of copartnership or firm shall hereafter carry on the business of pawnbroker in any city of this state, without first having obtained from the mayor thereof a license authorizing such person, corporation, member of copartnership or firm to carry on the same, which license shall designate the house in which such business is to be conducted.

No person or corporation to carry on business of pawnbroker in any city without license.

8. SEC. 2. That any person, corporation, member of copartnership or firm receiving such license shall pay to the city therefor such sum as shall be fixed by the common council, board of aldermen or other governing body of the city, not to exceed the sum of one hundred and fifty dollars; every such license shall expire one year from the date of issuance, and may be renewed upon payment of the license fee and compliance with the other conditions of this act.

Amount of license fee.

Duration of license.

9. SEC. 3. That every person or corporation applying for a license under this act, shall, at the time of the making of the application, file with the clerk of the city a bond to the city by its corporate name, executed by the person or corporation applying for the license and two responsible persons as sureties, in the penal sum of two thousand dollars, conditioned for the

Person or corporation applying for license, to file bond.

PAWNBROKERS.

- faithful performance of the duties and obligations pertaining to the business so licensed and for a faithful compliance with the provisions of this act, which bond shall be approved by the common council, board of aldermen, board of finance, or other body charged by law with the approval of bonds of constables, justices of the peace and city officers, before said license shall be issued; and the mayor shall have full power and authority to suspend or revoke any such license for cause.
- 10. SEC. 4.** That if any person shall be aggrieved by the misconduct of any such licensed pawnbroker, and shall recover a judgment against him therefor, such person may, after the return unsatisfied, either in whole or in part, of any execution issued upon said judgment, maintain an action in his own name against the sureties upon the bond of said pawnbroker in any court having jurisdiction of the amount claimed; *provided*, such court shall, upon application made for such purpose, have granted leave to prosecute.
- 11. SEC. 5.** That every such licensed pawnbroker shall keep a book, in which shall be fairly written, at the time of making a loan, an account and description of the goods, articles or things pledged or pawned, the amount of money loaned thereon, the time of the pledging or pawning of the same, the rate of interest to be paid upon such loan, and the name and residence of the person pledging or pawning the said goods, articles or things; such pawnbroker shall, at the time of make any loan, deliver to the person pawning or pledging any goods, articles or things, a memorandum, note or ticket signed by him, containing the substance of the entry required by this section to be made in the book of the pawnbroker, and no charge shall be made or compensation received by any pawnbroker for any such entry, memorandum, note or ticket.
- 12. SEC. 6.** That the said books shall at all reasonable times be open to the inspection of the mayor of the city, chief of police, captains of police and police justices of the city and prosecutor of the pleas of the county, or any or either of them, and to any person who may be duly authorized, in writing, for that purpose by any or either of them.
- 13. SEC. 7.** That no pawnbroker shall receive by way of pledge or pawn, any goods, articles or things from any minor, unless said minor shall present a written order or consent from the parent or guardian of such minor, or if the minor be an apprentice, then from his master, which order or consent shall be kept upon a file by the pawnbroker and a note thereof made in his book, and such order or consent shall be subject to the same inspection as the books of the pawnbroker are.
- 14. SEC. 8.** That no pawnbroker shall receive by way of pledge or pawn any goods, articles or things whatsoever upon the first day of the week, commonly called Sunday.
- 15. SEC. 9.** That no pawnbroker shall ask, demand or receive any greater rate of interest than two per cent. a month or fraction of a month upon any loan, which rate of interest shall be indorsed upon the note, memorandum or ticket prescribed in this act; nor shall any pawnbroker ask, demand or receive any fee or reward for a loan other than the interest allowed by this act, nor make any charge for storage, insurance or protecting any goods, articles or things pawned or pledged.
- 16. SEC. 10.** That no pawnbroker shall sell any pledge or pawn until the same shall have remained one year in his possession, and all such sales shall be at public auction by a licensed auctioneer, and in some public auction or salesroom in said city, and shall not be at the place of business of any pawnbroker.
- 17. SEC. 11.** That notice of every such sale shall be published for at least five days previous thereto in at least two daily newspapers printed in said city, or if there are not two daily newspapers printed in said city, then in two daily newspapers published nearest thereto and having the largest circulation therein, which notice shall specify the time and place of sale and a description of the goods, articles or things to be sold, and at such sale there shall not be sold or offered for sale any goods, articles or
- Bond to be approved.
- Action may be maintained against sureties upon bonds.
- Proviso.
- Licensed pawnbrokers to keep account and description of goods, &c., and amount loaned thereon, &c.
- Books to be open to inspection of certain officers.
- Pawnbrokers not to receive any goods, &c., from minors.
- Articles, &c., not to be received on Sunday.
- Rate of interest.
- Rate to be indorsed upon ticket.
- No pledge or pawn to be sold under one year.
- Sales to be at public auction.
- Notice of sale to be published.

things whatsoever except such as have been received by the said pawnbroker by way of pawn or pledge at his place of business.

18. SEC. 12. That no pawnbroker shall purchase any goods, articles or things whatever offered to him as a pawn or pledge, except at the public sale thereof.

Pawnbrokers not to purchase articles, &c., except at public sale.

19. SEC. 13. [Amended by Sec. 23, *post*.]

20. SEC. 14. That all acts or parts of acts inconsistent with the provisions of this act be and are hereby repealed.

Repealer.

Supplement.

Approved March 4, 1890.

P. L. 1890, p. 27.

21. SEC. 1. That no pawnbroker shall sell, keep or offer for sale, in the house or place designated in the license, under and by authority of which the business of such pawnbroker is conducted, any goods or merchandise whatsoever which have not been regularly received by such pawnbroker by way of pledge or pawn.

Pawnbrokers not to sell goods, &c., which have not been pledged.

22. SEC. 2. That any pawnbroker who shall violate the provisions of this act shall forfeit and pay to the city from which such license was received a fine or penalty of one hundred dollars for each and every offense.

Penalty for violation of act.

Amendatory act.

Approved March 17, 1893.

P. L. 1893, p. 394.

23. SEC. 1. That section thirteen of an act entitled "An act to regulate and license pawnbrokers," approved March twenty-ninth, one thousand eight hundred and eighty-seven [see Sec. 19, *ante*], be and the same is hereby amended so as to read as follows:

[That any person or corporation who shall violate the provisions of the first section of this act shall be liable to a penalty of one hundred dollars for each and every day of the continuance of said violation; and any person or corporation who shall violate any of the provisions of any other section of this act shall be liable to a penalty of fifty dollars for every such violation; the said penalties shall be recovered by complaint under oath before any criminal court, police justice or recorder in such city, upon which a warrant or summons may be issued and the case shall be summarily heard and disposed of without the filing of any pleadings; said penalties when imposed shall be collected, in the case of an individual, by a body execution, and in the case of a corporation, by an execution against the goods and chattels of said corporation.]

Penalty for violation of provisions of this act.

How penalties recovered.

Peddlers.

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| <ol style="list-style-type: none"> 1. License required. 2. How obtained. Fee for license. Tax. 3. Penalty for forging. 4. Penalty for lending or hiring. 5. Peddling without license. 6. Sales in public markets, no license required. 7. License certified and copy filed. 8. Penalties recovered and applied. 9. Limitation of suits, &c. 10. Liquor and ardent spirits not to be vended by virtue of any license. 11. Penalty for vending liquors. 12. Penalty for peddling without license. 13. License to travel on foot not to authorize traveling and transferring goods by railroad, &c. | <ol style="list-style-type: none"> 14. License fee to be paid to county clerk in addition to other duties imposed. 15. No person to act as clerk, agent or assistant of hawker, peddler, &c., without license. 16. County clerks to keep account record of moneys received. 17. Lawful to arrest persons hawking, &c., without license in cities, &c. 18. Persons to be taken before magistrates. 19. Penalty on conviction. 20. Lawful to arrest persons hawking, &c., without license in townships. 21. Persons to be taken before justice of the peace. 22. Penalty on conviction. 23. Penalty for violating ordinance. |
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