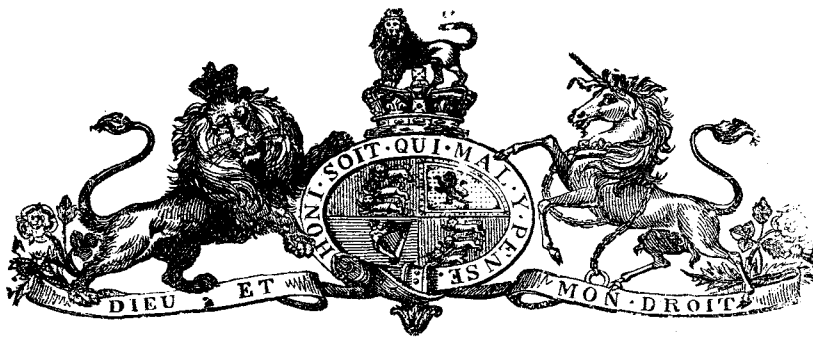


T A S M A N I A



1894.

ANNO QUINQUAGESIMO-OCTAVO

VICTORIÆ REGINÆ,

No. 15.

AN ACT for the further Relief of Innkeepers. A.D. 1894.
[8 August, 1894.]

WHEREAS it is just and expedient to give, in addition to the present right of lien, a power of sale under certain circumstances to holders of public-house licences upon and in respect of goods and chattels deposited with them or upon the tenements and premises occupied by them :

Be it therefore enacted by His Excellency the Governor of *Tasmania*, by and with the advice and consent of the Legislative Council and House of Assembly, in Parliament assembled, as follows :—

1 The holder of any public-house licence shall, in addition to his ordinary lien, have the right absolutely to sell and dispose of, by public auction, any goods, chattels, carriages, horses, wares, or merchandise which may have been deposited with him or left in the house he keeps or in the coach-house, stable, stable-yard, or other premises appurtenant or belonging thereunto, where the person depositing or leaving such goods, chattels, carriages, horses, wares, or merchandise shall be or become indebted to the said licensee either for any board or lodging or for the keep and expenses of any horse or other animals left with or standing at livery in the stables or fields occupied by such licensee.

Provided, that no such sale shall be made until after the said goods, chattels, carriages, horses, wares, or merchandise shall have been for the space of Six weeks in such charge or custody, or in or upon such

Licencee may, by public auction, dispose of goods left with him after Six weeks.

PREAMBLE.
[41 & 42 Vict.
c. 38.]

Innkeepers' Relief.

A.D. 1894.

premises without such debt having been paid or satisfied ; and such licensee, after having out of the proceeds of such sale paid himself the amount of any such debt, together with the costs and expenses, including any advertising charges, of such sale, shall forthwith pay to the Treasurer of the Colony the surplus (if any) remaining after such sale : but the owner shall be entitled to have the said surplus paid to him if he shall make his claim for payment within Twelve months from the date of such sale.

Provided also, that no such sale shall be made unless the licensee desiring to make such sale shall have previously produced before the Mayor, or Warden, or Stipendiary Magistrate of the City, or Municipality, or District in which such sale is to take place, or before Two Justices of the Peace in Petty Sessions, a statement in detail of the claim in respect of which he desires to make such sale, and shall have made and declared before such Mayor, or Warden, or Stipendiary Magistrate, or such Two Justices of the Peace, a declaration that the charges constituting such claim are fair and reasonable, and that the full amount of such claim is justly due and owing to him by the person who left or deposited the goods, chattels, carriages, horses, wares, or merchandise which he desires to sell.

Provided further, that the debt for the payment of which a sale is made shall not be any other or greater debt than the debt for which the goods or other articles could have been retained by the licensee under his lien.

Provided also, that at least One month before any such sale the licensee shall cause to be inserted in one newspaper circulating in or nearest to the district where such goods, chattels, carriages, horses, wares, or merchandise, or some of them, shall have been deposited or left, an advertisement containing notice of such intended sale, and giving, shortly, a description of the goods and chattels intended to be sold, together with the name of the owner or person who deposited or left the same where known.

Not to apply to
householders in
Tasmania.

2 The provisions of this Act shall not apply to any householder resident in *Tasmania*.

Short title.

3 This Act may be cited as "The Innkeepers' Relief Act, 1894."