

WESTERN AUSTRALIA

ANNO QUINQUAGESIMO PRIMO

VICTORIÆ REGINÆ

No. 16

An Act for the relief of Innkeepers.

[Assented to 20th August, 1887.]

WHEREAS it is just and expedient to give, in addition to the present right of lien, a power of sale under certain circumstances to keepers of hotels, inns, and licensed public-houses 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 Western Australia and its Dependencies, by and with the advice and consent of the Legislative Council thereof, as follows: that is to say,

Landlord, &c.,
may dispose of
goods left with
him after six
weeks

1. The landlord, proprietor, keeper, or manager of any hotel, inn, or licensed public-house shall, in addition to his ordinary lien, have the right absolutely to sell and dispose by public auction of 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 innkeeper 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 innkeeper.

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 premises without such debt having been paid or satisfied, and that

The Innkeepers Act, 1887

such innkeeper, after having, out of the proceeds of such sale, paid himself the amount of any such debt, together with the costs and expenses of such sale, shall on demand pay to the person depositing or leaving any such goods, chattels, carriages, horses, wares, or merchandise the surplus (if any) remaining after such sale: 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 innkeeper under his lien.

Provided also, that at least one month before any such sale the landlord, proprietor, keeper, or manager shall cause to be inserted in a newspaper circulating in 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.

2. This Act may be cited as 'The Innkeepers Act, 1887.'

Short title

F. NAPIER BROOME,
GOVERNOR.
