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. goods left with him after six weeks.

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 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 one London newspaper and one country 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, 1878. Short title.

CHAPTER 39.

An Act for the Protection of Freshwater Fish. [8th August 1878.]

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:

1. This Act may be cited as the Freshwater Fisheries Act, 1878. Short title.

2. This Act shall, so far as is consistent with the tenour thereof, be read as one with the Salmon Fishery Acts, 1861 to 1876. Construction. 24 & 25 Vict. c. 109. 28 & 29 Vict. c. 121. 36 & 37 Vict. c. 71. 39 & 40 Vict. c. 19.

3. This Act shall not extend to Scotland or Ireland, nor, except as regards sub-sections four and five of section eleven, and as regards section twelve, to the counties of Norfolk and Suffolk, and the county of the city of Norwich. Extent of Act.

4. This Act shall come into operation from and immediately after the thirty-first day of December one thousand eight hundred and seventy-eight. Commencement of Act.

5. Sections eight and nine of the Salmon Fishery Act, 1861, (which relate to fishing with lights, spears, and other prohibited instruments, and to using roe as a bait,) and section sixty-four of the Salmon Fishery Act, 1865 (which provides a close time for trout and char), shall, as amended by the subsequent Salmon Fishery Acts, apply to trout and char in all waters within the limits of this Act; and the term "salmon river," as used in section sixty-four of the Salmon Fishery Act, 1865, shall include any such water. Extension of provisions of 24 & 25 Vict. c. 109. ss. 8, 9, and 28 & 29 Vict. c. 121. s. 64.

6. The provisions of the Salmon Fishery Acts, 1865 and 1873, which relate to the formation, alteration, combination, and dissolution of fishery districts, and to the appointment, qualification, proceedings, and powers of conservators, shall extend and apply to all waters within the limits of this Act frequented by trout or char; and the term "salmon river" in Formation and dissolution of fishery districts in trout and char rivers.

28 & 29 Vict. c. 121. 36 & 37 Vict. c. 71.

the fourth and nineteenth sections of the Salmon Fishery Act, 1865, and in the twenty-sixth section of the Salmon Fishery Act, 1873, shall mean any river frequented by salmon, trout, or char.

Provisions as to licences.

7. In any fishery district subject to a board of conservators, the conservators shall have power to issue licences for the day, week, season, or any part thereof, to all persons fishing for trout or char, and, in the event of the power being exercised in any fishery district, the provisions of the thirty-third, thirty-fourth, thirty-fifth, thirty-sixth, and thirty-seventh sections of the Salmon Fishery Act, 1865, and of the twenty-first, twenty-second, twenty-fourth, and twenty-fifth sections of the Salmon Fishery Act, 1873, (relative to licences,) shall, with respect to such district, be construed as if the words "trout or char" were inserted throughout after the word "salmon."

28 & 29 Vict. c. 121. 36 & 37 Vict. c. 71.

Provided as follows:

(1.) A licence to fish for salmon shall have effect as a licence to fish for trout and char:

(2.) The fee payable for a licence to fish for trout or char exclusively of salmon in any district shall not exceed one third of the maximum amount chargeable for fishing for salmon under the provisions of the 21st section of the Salmon Fishery Act, 1873.

36 & 37 Vict. c. 71.

Powers of water bailiffs.

8. The provisions of the thirty-first section of the Salmon Fishery Act, 1865, and of the thirty-sixth, thirty-seventh, and thirty-eighth sections of the Salmon Fishery Act, 1873, relative to the powers of water bailiffs, shall extend and apply to all waters within the limits of this Act, as if the words "salmon river," wherever they occur in such sections, included all waters frequented by salmon, trout, or char.

28 & 29 Vict. c. 121. 36 & 37 Vict. c. 71.

Justice may grant warrant to enter suspected places.

9. The provisions of the thirty-fourth section of the Salmon Fishery Act, 1861, which empower any justice of the peace upon information on oath to authorise the search of any premises, shall extend to all offences committed or alleged to have been committed under this Act, and that section shall be construed and have effect as if the word "salmon" included trout, char, and all freshwater fish.

24 & 25 Vict. c. 109.

Power to extend close season to char.

10. The provisions of the Salmon Fishery Act, 1876, which empower a board of conservators to alter the period during which it shall be illegal to take or kill trout in any fishery district, shall extend to char, and the fourth section of that Act shall be construed and have effect as if the words "or char" followed the word "trout" in that section.

39 & 40 Vict. c. 19.

Close season for freshwater fish.

11. (1.) In this section the term "freshwater fish" includes all kinds of fish (other than pollan, trout, and char) which live in fresh water, except those kinds which migrate to or from the open sea:

(2.) The period between the fifteenth day of March and the fifteenth day of June, both inclusive, shall be a close season for freshwater fish:

(3.) If any person during this close season fishes for, catches, or attempts to catch or kill any freshwater fish in any river, lake, tributary, stream, or other water connected or communicating with such river, he shall, on summary conviction before two justices, be liable to a fine not exceeding forty shillings:

Nothing in this sub-section shall apply—

(*a.*) To the owner of any several or private fishery where trout, char, or grayling are specially preserved destroying within such fishery any freshwater fish other than grayling;

(*b.*) To any person angling in any several fishery with the leave of the owner of such fishery or in any public fishery under the jurisdiction of a board of conservators with the leave of said board;

(*c.*) To any person taking freshwater fish for scientific purposes;

(*d.*) To any person taking freshwater fish for use as bait:

(4.) If any person during this close season buys, sells, or exposes for sale, or has in his possession for sale, any freshwater fish, he shall, on summary conviction before two justices, be liable to a fine not exceeding forty shillings:

(5.) On a second or any subsequent conviction under this section the person convicted shall be liable to a fine not exceeding five pounds:

(6.) After every conviction under this section the person or persons convicted shall forfeit all fish so caught, bought, sold, exposed for sale, or in possession for sale, and shall be liable, at the discretion of the convicting justices, to the forfeiture of all instruments used in the taking of such fish:

(7.) A board of conservators appointed under the Salmon Fishery Acts, 1861 to 1876, or under this Act, may, as regards any or all kinds of freshwater fish, with the approval of the Secretary of State, exempt the whole or any part of their district from the operation of the first, second, and third sub-sections of this section. The exemption shall be advertised in such manner as the Secretary of State shall direct: 24 & 25 Vict. c. 109. 28 & 29 Vict. c. 121. 36 & 37 Vict. c. 71. 39 & 40 Vict. c. 19.

(8.) The provisions of the Salmon Fishery Acts, 1861 to 1876, as to legal proceedings, offences, and penalties under those Acts, shall apply to legal proceedings, offences, and penalties under this section. 24 & 25 Vict. c. 109. 28 & 29 Vict. c. 121. 36 & 37 Vict. c. 71. 39 & 40 Vict. c. 19.

12. The Fisheries (Dynamite) Act, 1877, which prohibits the use of dynamite or other explosive substance for the catching or destruction of fish in a public fishery, shall apply to the use of any such substance for the catching or destruction of fish in any water, whether public or private, within the limits of this Act. Extension of 40 & 41 Vict. c. 65. to private waters.

13. So much of the Act of Parliament made and passed in the eighteenth year of the reign of King George the Third, chapter thirty-three, intituled "An Act for the better "preservation of fish and regulating the fisheries in the River Severn and Verniew," as prohibits any person or persons in the months of June or July laying, drawing, making use of, or fishing within the said rivers, or either of them, with any net the meshes whereof shall be under two inches and a half square by the standard, and not extended, or ten inches round, allowing to each mesh four knots, is hereby repealed. Repeal of part of 18 G. 3. c. 33. as to fishing in the Severn and Verniew in June and July.

CHAPTER 40.

An Act to remove doubts with respect to the application to Scotland of the Prisons Authorities Act, 1874. [8th August 1878.]

WHEREAS doubts exist with respect to the application to Scotland of the Prisons Authorities Act, 1874 (herein-after called the Act of 1874), and it is expedient that those doubts be removed: 37 & 38 Vict. c. 47.

Be it therefore 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:

1. This Act may be cited as the Prisons Authorities Act, 1874, Amendment Act, 1878, and the Act of 1874 and this Act shall be read and construed together as one Act. Short title. 37 & 38 Vict. c. 47.

2. The expression "prison authority," where used in the Act of 1874, shall be deemed to include county prison boards in Scotland as such boards existed previous to the passing of the Prisons (Scotland) Act, 1877; and any moneys borrowed or contracted to be borrowed before the passing of this Act by the county prison board of any county in Scotland for the purpose of contributing towards the expense of altering, enlarging, rebuilding, establishing, building, or purchasing the site of any industrial or reformatory school under the Industrial Schools Acts, 1866 and 1872, and the Reformatory Schools Acts, 1866 and 1872, or any of them, shall, subject to the approval of one of Her Majesty's Principal Secretaries of State, which approval may be given after the passing of this Act on the application of the Commissioners of Supply of such county, be deemed to be moneys borrowed or contracted to be borrowed by a prison authority under the Act of 1874, and may be charged by the Commissioners of Supply of such county upon the county general assessment thereof, but with a right of relief against the burgh or burghs therein, and the municipal, or police, or other assessments thereof, in the proportion of the Interpretation of expression "prison authority." 37 & 38 Vict. c. 47. 40 & 41 Vict. c. 53. 29 & 30 Vict. c. 118. 35 & 36 Vict. c. 21. 29 & 30 Vict. c. 117. 35 & 36 Vict. c. 21. 37 & 38 Vict. c 47.