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4th Session, 6th Parliament, 24 Victoria, 1861.

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BILL.

An Act for the protection of Hotel Keepers from liability in certain cases.

Received and read first time, Friday, 5th April, 1861.

Second reading, Monday, 8th April, 1861.

Mr. BENJAMIN.

QUEBEC.

PRINTED BY THOMPSON, HUNTER & CO., ST. URSULE STREET. An Act for the protection of Hotel Keepers in certain cases.

WHEREAS it is expedient to limit and declare, and place upon an Preamble. equitable basis, the liability of Hotel Keepers and their guests for loss of moneys, jewels or ornaments belonging to or in the custody of such guests: Therefore, Her Majesty, &c., enacts as follows:

I. Whenever the Proprietor, Tenant, Keeper or Manager of any Proprietor of Hotel in this Province shall provide a Safe in the Office of such Hotel. or in some other place in such Hotel, suitable or convenient for the de- notifying to positing and safe keeping of moneys, jewels, ornaments or valuables, his guests and, for the purpose of providing a safe, suitable and convenient place for the deposit of moneys, jewels, ornaments or valuables of their money his guests, and whenever such Proprietor, Tenant, Keeper or Manager, and valuables shall notify the guests of his said Hotel, generally or specially, of such in a proper provision, by posting a written or printed notice that such safe has been be liable for provided, and that such guests are at liberty to deposit their moneys, the loss of 3 jewels, ornaments and valuables therein, for safe custody during their those not delivered to stay in such Hotel, on the inside of the door of the room or rooms occu- him for depied by the guest or guests to whom such notice may be from time to posit in such time applicable, in a conspicuous manner and in the English and French Safe. languages; then if any such guest or guests shall thereafter neglect to 20 apply to such Proprietor, Tenant, Keeper or Manager, to be allowed to deposit such moneys, jewels, ornaments or valuables in such safe, and therefor to make a tender for that purpose of any such moneys, jewels, ornaments or valuables, the Proprietor, Tenant, Keeper or Manager of such Hotel shall not be liable for any loss of such moneys, jewels, orna-25 ments or valuables, not deposited in such safe, sustained by such guest or guests whilst staying in such Hotel, whether the same shall occur by theft or otherwise: Provided always, that the liability of every such Proviso: Proprietor, Tenant, Keeper or Manager shall, with respect to all other other liability things not included within the above description of valuables remain as not affected. 30 heretofore; and no such Proprietor, Tenant, Keeper or Manager shall be discharged from liability in respect of the loss of articles comprised in this Act, who shall refuse to any guest the privilege of depositing such articles as aforesaid in such place of deposit, on tender to him for that purpose; but the onus of proving the application, tender and refusal Onus of 35 shall on the trial of any action by the loser against the Proprietor, proof. Tenant, Keeper or Manager, for the recovery of the value of any such articles lost, or of the said articles themselves, rest upon or with the guest or guests, affirming a liability of such Proprietor. Tenant or Keeper, notwithstanding the provisions of the Act.

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