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1st Session, 6th Parliament, 21st Victoria, 1858.

BILL.

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

Received and read, first time, Wednesday, 19th May, 1858.

Second reading, Wednesday, 26th May, 1858.

MR. BENJAMIN.

TORONTO: PRINTED BY JOHN LOVELL, YONGE STREET.

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

HEREAS it is expedient to limit and declare and place upon Preamble. an equitable basis the liability of Hotel Keepers to their guests for the loss of monies, 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 hotel Keepers of in this province shall provide a safe in the office of such hotel, or in viding a some other place in such hotel, suitable and convenient for the deposit- proper safe for ing and safe keeping of any monies, jewels or ornaments, and for the money, &c., purpose of providing a safe, suitable and convenient place for the de- and notifying that they are 10 posit of the monies, jewels or ornaments of his guests, and whenever ready to keep such proprietor, tenant, keeper or manager shall notify the guests of the money. &c., his said hotel generally or specially of such provision, by posting a of their guests in such safe, written or printed notice that such safe has been provided, and that shall not be such guests are at liberty to deposit their monies, jewels and ornaments liable for the 15 therein for safe custody during their stay in such hotel, on the inside loss thereof; of the door of the room or rooms occupied by the guest or guests to guests have whom such notice may from time to time be applicable, in a conspi-tendered them cuous manner, and in the English and French languages: then if any for safe keepsuch guest or guests shall thereafter neglect to apply to such proprietor, safe, and the 20 tenant, keeper or manager to be allowed to deposit such money, jewels hotel keeper or ornaments in such safe, and thereupon to make a tender for that has refused so purpose of any such money, jewels or ornaments, the proprietor, tenant, keeper or manager of such hotel shall not be liable for any loss of such money, jewels or ornaments not deposited in such safe, sustained by 25 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 proprietor, tenant, keeper or manager shall, with respect to all other things not included within the above description of valuables, remain as 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 shall, on the trial of any action by the loser against such proprietor, tenant, keeper or manager for the recovery of the value of any such articles lost, or of the said articles themselves, rest upon and with the guest or guests affirming a liability in such proprietor, tenant, keeper or manager, notwithstanding the provisions of this Act.

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