

No. 179.

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.

WHEREAS 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 cus-
tody of such guests : Therefore Her Majesty, &c., enacts as follows :

- 5 I. Whenever the proprietor, tenant, keeper or manager of any hotel
in this province shall provide a safe in the office of such hotel, or in
some other place in such hotel, suitable and convenient for the deposit-
ing and safe keeping of any monies, jewels or ornaments, and for the
purpose of providing a safe, suitable and convenient place for the de-
10 posit of the monies, jewels or ornaments of his guests, and whenever
such proprietor, tenant, keeper or manager shall notify the guests of
his said hotel generally or specially of such provision, by posting a
written or printed notice that such safe has been provided, and that
such guests are at liberty to deposit their monies, jewels and ornaments
15 therein for safe custody during their stay in such hotel, on the inside
of the door of the room or rooms occupied by the guest or guests to
whom such notice may from time to time be applicable, in a conspicu-
ous manner, and in the English and French languages : then if any
such guest or guests shall thereafter neglect to apply to such proprietor,
20 tenant, keeper or manager to be allowed to deposit such money, jewels
or ornaments in such safe, and thereupon to make a tender for that
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 mana-
30 ger 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, ten-
der and refusal shall, on the trial of any action by the loser against
35 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.

Keepers of
hotels, pro-
viding a
proper safe for
money, &c.,
and notifying
that they are
ready to keep
the money, &c.,
of their guests
in such safe,
shall not be
liable for the
loss thereof ;
unless the
guests have
tendered them
for safe keep-
ing in such
safe, and the
hotel keeper
has refused so
to keep the m.