



**BERMUDA
1905 : 28**

HOTEL KEEPERS ACT 1905

ARRANGEMENT OF SECTIONS

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[2 December 1905]

[preamble and words of enactment omitted]

Interpretation

1 In this Act, where not inconsistent with the context,—

"hotel" means any hotel, inn, tavern, public house or other place of refreshment, the keeper of which is now by common law responsible for the goods of his guests;

"hotel keeper" means the keeper of an hotel and includes any company keeping an hotel;

"goods" means any money, goods, chattels, carriages, horses, wares or merchandise.

Limitation of liability of hotel keeper

2 No hotel keeper shall be liable to make good to any guest of such hotel keeper any loss of, or injury to, goods brought to his hotel, not being a horse or other live animal or any gear appertaining thereto, or any carriage, to a greater amount than the sum of two hundred and forty dollars, except—

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- (a) where such goods are stolen, lost or injured through the wilful act, default or negligence of such hotel keeper, or any servant in his employ; or
- (b) where such goods are deposited expressly for safe custody with such hotel keeper:

Provided that in case of such deposit such hotel keeper, if he thinks fit, may require, as a condition of his liability, that such goods shall be deposited in a box or other receptacle, fastened and sealed by the person depositing the goods,

Loss of protection of Act

3 If any hotel keeper refuses to receive for safe custody, as before mentioned, any goods of his guest, or if any guest is, through any default of such hotel keeper, unable to deposit such goods as aforesaid, then such hotel keeper shall not be entitled to the benefit of this Act, in respect of such goods.

Hotel keeper must exhibit copy of section 2

4 Every hotel keeper shall cause at least one copy of section 2, printed in plain type, to be exhibited in a conspicuous part of the main hall or entrance to his hotel and shall be entitled to the benefit of this Act in respect of such goods only as are brought to his hotel while such copy is so exhibited.

Power of sale

5 (1) The hotel keeper shall, in addition to his ordinary lien, have the right absolutely to sell and dispose by public auction of any goods which may have been deposited with him or left in his hotel, or left in the coach-house, stable, stable-yard, or other premises appurtenant or belonging thereto, where the person depositing or leaving such goods becomes indebted to the said hotel keeper either for any board or lodging, or for the keep and expenses of any horse or other animal left or standing at livery on the said premises:

Provided that no such sale shall be made—

- (a) until after the said goods have been for the space of six weeks in the charge or custody of such hotel keeper, or in or upon such premises, without such debt having been paid or satisfied; and
- (b) unless the debt for the payment of which a sale is made is not any other or greater debt than the debt for which the goods could have been retained by the hotel keeper by his lien; and
- (c) unless at least one month before any such sale the hotel keeper has caused to be inserted in the Gazette an

advertisement containing notice of such intended sale, and giving shortly a description of the goods intended to be sold, together with the name (where known) of the owner or person who deposited or left the goods.

(2) Such hotel keeper, 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, the surplus (if any) remaining after such sale.

[Amended by

1951 : 58

1952 : 11.]