

No. 343, S.]

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CHAPTER 479.

AN ACT to amend sections 1725 and 1726, and to create section 1725a of the statutes, relating to the liability of hotel keepers and innkeepers.

The people of the State of Wisconsin, represented in Senate and Assembly, do enact as follows:

SECTION 1. Sections 1725 and 1726 of the statutes are amended to read: Section 1725. No innkeeper or hotel keeper, whether individual, partnership or corporation, who shall constantly have in his inn, or hotel an iron safe or vault in good order and suitable for the safe custody of money, jewelry, * * * articles of gold or silver manufacture, precious stones, personal ornaments, negotiable or valuable papers and bullion * * * and who keeps on the doors of the sleeping rooms used by guests suitable locks or bolts, and who shall keep a copy of this and the next succeeding section printed together in large, plain English type and framed, constantly and conspicuously suspended and posted in the office, * * * and in five other conspicuous places * * * in his inn or hotel, and also a copy printed together in ordinary size, plain English type, posted * * * in a conspicuous place in each public sleeping room of his inn or hotel, shall be liable for the loss of any such articles aforesaid suffered by any guest unless such guest shall have first offered to deliver such property lost by him to such innkeeper or hotel keeper for custody in such iron safe or vault and such innkeeper or hotel keeper shall have refused or omitted to take it and deposit it in such safe or vault for its custody and give such guest a receipt therefor; provided, however, that the keeper of any inn or hotel shall not be obliged to receive from any one guest for deposit in such safe or vault any property hereinbefore described exceeding a total value of three hundred dollars, and shall not be liable for any excess of such property, with the exception that such innkeeper or hotel keeper may, by special arrangement with a guest, receive for deposit in such safe or vault any property upon such terms as may be mutually agreed to in writing, but every innkeeper or hotel keeper, upon production of such receipt and demand by the owner thereof, shall be liable for any loss of the above enumerated articles, the property of a guest in his inn or hotel, after said articles have been accepted for deposit.

Section 1726. No innkeeper or hotel keeper shall be liable for the loss of any baggage or other property of his guest caused by fire, not intentional, produced by the innkeeper, hotel keeper

or any of his servants; but every innkeeper or hotel keeper shall be liable for any loss of *any baggage or other property* of any guest in his inn or hotel caused by theft or gross negligence of such innkeeper, hotel keeper or any of his servants; *provided, however, that in no case shall such liability exceed the sum of two hundred dollars for each trunk and its contents, seventy-five dollars for each valise and its contents, and ten dollars for each box, bundle, or package and contents, so placed under his care, and all other miscellaneous effects including wearing apparel and personal belongings, fifty dollars, unless he shall have consented in writing with such guest to assume a greater liability. And provided further, whenever any person shall suffer his baggage or property to remain in any inn or hotel, after leaving the same as a guest, and after the relation of innkeeper and guest between such guest and the proprietor of such inn or hotel has ceased, or shall forward the same to such inn or hotel before becoming a guest thereof and the same shall be received into such inn or hotel, such innkeeper or hotel keeper shall hold such baggage or property at the risk of such owner.*

SECTION 2. There is added to the statutes a new section to read: Section 1725a. It shall be the duty of every guest and of everyone intending to be a guest of any hotel in this state, upon delivering to the proprietor of such hotel, or to his servants, any baggage or other articles of property of such guests for safe keeping (elsewhere than to the room assigned to such guest), to demand, and of such hotel proprietor to give, a check or receipt therefor in such case, to evidence the fact of such delivery; and no hotel proprietor shall be liable for the loss of or injury to such baggage or other articles of property of his guest, unless the same shall have been actually delivered by such guest to such hotel proprietor or his servants for safe keeping, or unless such loss or injury shall have occurred through the negligence of such hotel proprietor, or by his servants or employees in such hotel.

SECTION 3. This act shall take effect upon passage and publication.

Approved June 14, 1913.