

**1032 ORDINARY AND INN KEEPERS AND RETAILERS. [ART. 71.**

P. G. L., (1860,) art. 70, sec. 5. 1854, ch. 323, sec. 1.

**5.** Any ordinary or inn keeper in any city or town having a population of more than five hundred inhabitants, who shall provide an iron safe or other secure depository for the keeping of the money, jewelry and plate belonging to his guests, and who shall take charge for safe keeping of such money, jewelry and plate, shall be liable for the full value of the same if lost or stolen while thus in his charge; to be recovered before a justice of the peace if such value does not exceed the sum of one hundred dollars, and if over that sum by action of *assumpsit* in any court having jurisdiction, unless the loss occurred through fire proved to have happened without any negligence upon the part of himself or his agents.

Pettigrew v. Barnum, 11 Md. 434. Giles v. Fauntleroy, 13 Md. 126. Burrows v. Trieber, 21 Md. 320. Maltby v. Chapman, 25 Md. 310. Trieber v. Burrows, 27 Md. 130

Ibid sec. 6. 1854, ch. 323, secs. 2-3.

**6.** If any ordinary or inn keeper referred to in the preceding section shall cause written or printed notices to be put up in his chambers and other conspicuous places about his house, notifying his guests of the purport of the preceding section, and requesting them to deposit their money and plate with him or his agent, to be designated by such notice, then he shall not be responsible for the loss by robbery or otherwise; provided, such ordinary or inn keeper can prove that he has complied with the provisions of this and the preceding section, unless such loss occurred from collusion or positive negligence on the part of such ordinary or inn keeper or his agent.

Ibid.