

**FRAUD AND DECEPTION IN SALES, PREVENTION OF**  
**Act of Jun. 12, 1931, P.L. 533, No. 173**  
AN ACT

Cl. 12

To prevent fraud and deception in sales, by auction, advertised, represented, or held out to be an insurance, bankrupt, mortgage, insolvent, assignee's, executor's, administrator's, receiver's, trustee's, removal, or closing out or quitting business sale, or sale of goods, wares and merchandise damaged by fire, smoke, water, or otherwise; conferring powers on officers of cities, boroughs, towns and townships, or their representatives, to investigate sales and to order unlawful sales discontinued; and providing penalties.

Section 1. Be it enacted, &c., That it shall be unlawful, whenever a sale at public auction shall be advertised, represented, or held out to be an insurance, bankrupt, mortgage, insolvent, assignee's, executor's, administrator's, receiver's, trustee's, removal, or closing out or quitting business sale, or sale of goods, wares and merchandise damaged by fire, smoke, water, or otherwise, for any person, firm or corporation, or his, her or its employes and agents, to sell any goods, wares and merchandise whatsoever at said sale which are not in truth or in fact the goods, wares and merchandise as advertised, represented, or held out to be.

Any person, or any member of any firm, or any officer of any corporation, wilfully violating or responsible for the violation of any of the provisions of this section shall be guilty of a misdemeanor, and, upon conviction thereof, shall be sentenced to pay a fine not exceeding five hundred dollars (\$500.00), or to suffer imprisonment not exceeding ninety (90) days or by both such fine and imprisonment, in the discretion of the court.

Section 2. The mayor of any city, or the burgess of any borough or town, or the township commissioners of any township of the first class, or the township supervisors of any township of the second class, shall, upon the complaint of any resident of said city, borough, town or township, within twenty-four hours of such complaint, personally or through some one by him or them appointed, require the person, firm or corporation, conducting any such sale, to furnish a written statement of the goods, wares and merchandise to be sold, the time when, and the source from which the goods, wares and merchandise were secured, together with the names and addresses of the last previous owners thereof, and when and how said goods, wares and merchandise were damaged by fire, smoke, water, or otherwise, and the facts relating to any removal, closing out or quitting business sale, which statement shall be signed and sworn to by such person, or by a member of the firm, or an officer of the corporation, conducting such sale. Such statement shall be furnished to the person requiring the same within a reasonable time, to be fixed by such person. It shall be unlawful for any person, firm or corporation, and constitute a violation of this act, to fail, neglect or refuse to furnish the statement so and

as required or within the time specified. Upon the receipt of such statement, the said mayor, burgess, township commissioners or township supervisors, or person by him or them appointed, shall cause said sale and the source of the goods, wares and merchandise to be investigated, and if it appears that any goods, wares and merchandise are being sold contrary to section one of this act, then such mayor, burgess, township commissioners, and township supervisors shall by an order, in writing, served on such person, or a member of such firm, or an officer of such corporation, or on any of his or their employes, order said sale to be immediately discontinued.

Any person, firm or corporation who or which shall fail, neglect or refuse to furnish the statement required by this section or to furnish the same within the time specified by the person requiring such statement, or who or which shall continue to conduct any such sale after notice to discontinue the same as provided for in this section, shall be guilty of a misdemeanor, and, upon conviction thereof, shall be sentenced to pay a fine not exceeding five hundred dollars (\$500.00), or such person, or the members of any firm, or the officers of any corporation, responsible for such violation, may be sentenced to suffer imprisonment for a term not exceeding ninety (90) days, or by both such fine and imprisonment, in the discretion of the court. Each day such sale is conducted after notice to discontinue the same shall constitute a separate offense.