

MAINE STATE LEGISLATURE

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SEVENTY-THIRD LEGISLATURE

SENATE.

No. 91

STATE OF MAINE.

IN THE YEAR OF OUR LORD ONE THOUSAND NINE
HUNDRED AND SEVEN.

AN ACT to prohibit the carrying on of the business of Bucket
Shops, so called.

*Be it enacted by the Senate and House of Representatives in
Legislature assembled, as follows:*

Section 1. A bucket shop, within the meaning of this act,
2 is defined to be an office, store or other place wherein the
3 proprietor or keeper thereof, either in his or its own behalf,
4 or as the agent or correspondent of any other person, corpo-
5 ration, association or co-partnership within or without the
6 State, conducts the business of making, or offering to make,
7 contracts, agreements, trades, or transactions respecting the
8 purchase or sale of any stocks, grain, provisions, or other
9 commodity, or personal property, wherein both parties
10 thereto, or said proprietor or keeper, contemplate or intend

11 that such contracts, agreements, trades or transactions shall
12 be, or may be, closed, adjusted or settled according to, or
13 upon the basis of, the public market quotations of prices
14 made on any board of trade or exchange, upon which the
15 commodities or securities referred to in such contracts,
16 agreements, trades or transactions are dealt in, and without
17 a bona fide transaction on such board of trade or exchange;
18 or wherein both parties, or such keeper or proprietor, shall
19 contemplate or intend that such contracts, agreements, trades
20 or transactions shall be, or may be, deemed closed or termi-
21 nated when the public market quotations of prices made on
22 such board of trade or exchange for the articles or securi-
23 ties named in such contracts, agreements, trades or transac-
24 tions shall reach a certain figure; and also any office, store,
25 or other place where the keeper or proprietor thereof either
26 in his or its own behalf, or as agent as aforesaid, therein
27 makes or offers to make, with others, contracts, trades or
28 transactions for the purchase or sale of any such securities or
29 commodities, wherein the parties thereto do not contemplate
30 the actual or bona fide receipt or delivery of such securities
31 or commodities, but do contemplate a settlement thereof
32 based upon differences in the prices at which said securities
33 or commodities are, or are claimed to be, bought and sold.

Sect. 2. No corporation, association, co-partnership or
2 person shall keep, or cause to be kept, within the State any
3 bucket shop, as defined in section one of this act, or shall
4 make or offer to make any such contract, agreement, trade or

5 transaction as is defined in said section; and any person,
6 whether acting individually or as a member, officer, agent or
7 employee of any corporation, association, or co-partnership
8 that shall keep or assist in the keeping of any bucket shop
9 within this State, or that shall make or offer to make any
10 such prohibited contract, agreement, trade or transaction,
11 whether the offer is accepted or not, shall, upon conviction
12 thereof, be punished for a first offence by a fine not exceed-
13 ing three thousand dollars, or by imprisonment until such
14 fine is paid, but not for more than one year; and any person
15 who shall be guilty of a second offence under this act shall,
16 upon conviction thereof, be punished by imprisonment for
17 not less than two years and not more than five years, and, if
18 the offender is a corporation, it shall forfeit its charter. The
19 continuing of the keeping of a bucket shop by any person,
20 corporation, association or co-partnership, after a first con-
21 viction therefor, shall be deemed a second offence under this
22 act. It is the purpose of this act to prohibit, punish and
23 prevent the carrying on of the business carried on in places
24 commonly known as "bucket shops," including the practice
25 commonly known as "bucket shopping" by persons, corpo-
26 rations, associations or co-partnerships ostensibly carrying
27 on the business of commission merchants or brokers in grain,
28 provisions, petroleum, stocks and bonds.

Sect. 3. Any corporation, association, co-partnership or
2 person who shall communicate, receive, exhibit or display,
3 in any manner, any statements of quotations of the prices

4 of any property mentioned in section one hereof, with a
5 view to any transaction in this act prohibited, shall be
6 deemed an accessory, and upon conviction thereof shall be
7 subject to the same penalty as the principal, and as provided
8 in section two of this act.

Sect. 4. It shall be the duty of every commission mer-
2 chant, co-partnership, association, corporation or broker
3 doing business as such to furnish, upon demand, to any
4 customer or principal for whom such commission merchant,
5 broker, co-partnership, corporation or association has exe-
6 cuted any order for the actual purchase or sale of any of
7 the securities or commodities hereinbefore mentioned, either
8 for immediate or future delivery, a written statement con-
9 taining the names of the parties from whom such property
10 was bought, or to whom it shall have been sold, as the case
11 may be, the time when, the place where, and the price at
12 which, the same was either bought or sold; and in case such
13 commission merchant, broker, co-partnership, corporation or
14 association shall refuse promptly to furnish such statement
15 within twenty-four hours after such demand, the fact of
16 such refusal shall be prima facie evidence that such property
17 was not sold or bought in a legitimate manner.

STATE OF MAINE.

IN SENATE, February 14, 1907.

Presented by Mr. DEASY of Hancock and on motion by same Senator
tabled for printing, pending reference to Committee on Judiciary.

F. G. FARRINGTON, *Secretary*.