

MAINE STATE LEGISLATURE

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N I N E T Y - E I G H T H L E G I S L A T U R E

Legislative Document

No. 1551

S. P. 555

In Senate, May 2, 1957.

Reported by Senator Silsby of Hancock from Committee on Judiciary and printed under joint rules No. 10.

CHESTER T. WINSLOW, Secretary.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
FIFTY-SEVEN

AN ACT Relating to the Unfair Sales Act.

Be it enacted by the People of the State of Maine, as follows:

Sec. 1. R. S., c. 184, § 2, amended. Section 2 of chapter 184 of the Revised Statutes is hereby amended to read as follows:

'Sec. 2. Penalty. ~~Any~~ It is hereby declared unlawful for any retailer ~~who, with intent to injure competitors or destroy competition,~~ advertises, offers to sell or sells to advertise, offer to sell or sell at retail any item of merchandise at less than cost to the retailer, or for any wholesaler ~~who, to with intent as aforesaid,~~ advertises, offers to sell or sells advertise, offer to sell or sell at wholesale any item of merchandise at less than cost to the wholesaler ~~shall be punished by a fine of not more than \$500. In all prosecutions under the provisions of this section, proof of any advertisement, offer to sell or sale of any item of merchandise by any retailer or wholesaler at less than cost to him as herein defined shall be prima facie evidence of intent to injure competitors and destroy competition.~~

Sec. 2. R. S., c. 184, § 4, sub-§ I, repealed and replaced. Subsection I of section 4 of chapter 184 of the Revised Statutes is hereby repealed and the following enacted in place thereof:

'I. On complaint of any person the Superior Court shall have jurisdiction in equity to restrain and enjoin any act declared illegal by any provision of this chapter and it shall be the duty of the several county attorneys in their respective counties to prosecute all violations of any provision of this Act.'

Sec. 3. R. S., c. 184, § 4, sub-§ II, repealed and replaced. Subsection II of section 4 of chapter 184 of the Revised Statutes is hereby repealed and the following enacted in place thereof:

'II. Any person, firm or corporation who violates any provision of this Act shall be punished by a fine of not less than \$100 nor more than \$500 for each offense.'

Sec. 4. R. S., c. 184, § 4, sub-§ III, repealed. Subsection III of section 4 of chapter 184 of the Revised Statutes is hereby repealed as follows:

'III. In all proceedings under the provisions of this section, proof of any advertisement, offer to sell or sale of any item of merchandise by any retailer or wholesaler at less than cost to him as herein defined shall be prima facie evidence of intent to injure competitors and destroy competition.'