

THE MICHIGAN PENAL CODE (EXCERPT)

Act 328 of 1931

CHAPTER XVIII

BUCKET SHOPS

750.126 Intent of chapter.

Sec. 126. Intent of chapter—It is the intention of this chapter to prevent, punish and prohibit within this state, the business now engaged in and conducted in places commonly known and designated as bucket shops, and also to include the practice now commonly known as bucket shopping by any person or persons, agents, corporations, associations or copartnerships who or which ostensibly carry on the business or occupation of commission merchants or brokers in grain, provisions, cotton, coffee, petroleum, stocks, bonds or other commodities whatsoever.

History: 1931, Act 328, Eff. Sept. 18, 1931;—CL 1948, 750.126.

Former law: See section 1 of Act 336 of 1907, being CL 1915, § 7805; and CL 1929, § 9133.

750.127 Bucket shop; definition.

Sec. 127. Bucket shops defined—A bucket shop, within the meaning of this chapter, is defined to be an office, store or other place wherein the proprietor or keeper thereof, or other person or agent, either in his or its own behalf, or as the agent or correspondent of any other person, corporation, association or copartnership within or without the state conducts the business of making or offering to make contracts, agreements, trades or transactions respecting the purchase or sale, or purchase and sale of any stocks, grains, provisions or other commodity or personal property wherein both parties thereto, or said proprietor or keeper contemplated or intended that the contracts, agreements, trades or transactions shall be, or may be closed, adjusted or settled according to or upon the basis of the market quotations or price made on any board of trade or exchange, upon which the commodities or securities referred to in such contracts, agreements, trades or transactions are dealt in, and without a bona fide transaction on such board of trade or exchange, or wherein both parties or such keeper or proprietor shall contemplate or intend that such contracts, agreements, trades or transactions shall be or may be deemed closed or terminated, when the market quotations of prices made on such board of trade or exchange for the articles or securities named in such contracts, agreements, trades or transactions shall reach a certain figure, and also any office, store or other place where the keeper, person or agent or proprietor thereof, either in his or its own behalf, or as an agent as aforesaid therein, makes or offers to make, with others, contracts, trades or transactions for the purchase or sale of any such commodity, wherein the parties thereto do not contemplate the actual or bona fide receipt or delivery of such property, but do contemplate a settlement thereof based upon differences in the price at which said property is or is claimed to be bought and sold. The said crime shall be complete against any proprietor, person, agent or keeper thus offering to make any such contracts, trades or transactions, whether such offer is accepted or not.

History: 1931, Act 328, Eff. Sept. 18, 1931;—CL 1948, 750.127.

Former law: See section 1 of Act 336 of 1907, being CL 1915, § 7805; and CL 1929, § 9133.

750.128 Maintenance of bucket shop; punishment.

Sec. 128. Punishment—Any corporation, association, copartnership, person or persons, or agent, who shall keep or cause to be kept within this state, any bucket shop, and any corporation, person or persons, or agents whether acting individually or as a member or as an officer, agent or employe or any corporation, association or copartnership, who shall keep, maintain or assist in the keeping and maintaining, of any such bucket shop within this state, shall be guilty of a felony, punishable by imprisonment in the state prison not more than 2 years or by a fine of not less than 500 dollars or more than 1,000 dollars.

The continuance of such establishment after the first conviction shall be deemed a second offense and if the offender be a corporation, it shall be liable to forfeiture of all its rights and privileges as such.

History: 1931, Act 328, Eff. Sept. 18, 1931;—CL 1948, 750.128.

Former law: See section 2 of Act 336 of 1907, being CL 1915, § 7806; and CL 1929, § 9134.

750.129 Accessories.

Sec. 129. Accessories—Any corporation, association or copartnership, person or persons or his agent or agents who shall communicate, receive, exhibit or display in any manner, any statements of quotations of the prices of any property mentioned in the second section of the chapter with a view to any transaction or transactions in this chapter prohibited, shall be deemed an accessory, and upon conviction thereof, shall be fined and punished the same as the principal, as provided in the next preceding section of this chapter.

History: 1931, Act 328, Eff. Sept. 18, 1931;—CL 1948, 750.129.

Former law: See section 3 of Act 336 of 1907, being CL 1915, § 7807; and CL 1929, § 9135.

750.130 Commission merchant; furnishing written statement upon demand.

Sec. 130. Commission merchant to furnish written statement upon demand—It shall be the duty of every commission merchant, copartnership, association, corporation, person or persons, or agent or broker in this state, engaged in the business of buying or selling of or buying and selling stocks, bonds, grain, provisions or other commodities or personal property for any person, principal, customer or purchaser, to furnish, upon demand, to any customer or principal for whom such merchant, broker, copartnership, corporation, association, person or persons, or agent or agents has executed any order for the actual purchase or sale of the commodities hereinbefore mentioned, either for immediate or future delivery, a written statement containing the names of the parties from whom the property was bought, or to whom it shall have been sold, as the case may be, the time when, the place where, and the price at which the same was either bought or sold, and in case such commission merchant, broker, person or persons, or agent or agents, copartnership, corporation or association shall refuse promptly to furnish the statement upon reasonable demand, the fact of such refusal shall be prima facie evidence that such property was not sold or bought in a legitimate manner, but was bought in violation thereof.

History: 1931, Act 328, Eff. Sept. 18, 1931;—CL 1948, 750.130.

Former law: See section 4 of Act 336 of 1907, being CL 1915, § 7808; and CL 1929, § 9136.