

SECONDHAND WATCHES

Act 200 of 1937

AN ACT to regulate the sale of second-hand watches; and to prescribe penalties for the violation of the provisions of this act.

History: 1937, Act 200, Eff. Oct. 29, 1937.

The People of the State of Michigan enact:

445.551 Definitions.

Sec. 1. For the purposes of this act:

"Consumer" shall mean an individual, firm, partnership, association or corporation who buys for own use or for the use of another but not for re-sale.

"Second-hand watch" means:

(1) A watch which, as a whole, the case thereof, or the movement thereof, has previously been sold to a consumer: Provided, however, That a watch which has been so sold, and is thereafter returned within 60 days from the date of such sale, either through an exchange or for credit, to the same person who sold such watch to the consumer, shall not be deemed to be a second-hand watch for the purpose of this act, if such person keeps a written or printed record setting forth the name and address of the consumer, the date of the sale to the consumer, the name of the watch or its maker, and the serial numbers (if any) on the case and the movement of the watch or other distinguishing numbers or identification marks, the aforesaid record to be kept for at least 3 years from the date of the sale of the watch and to be open for inspection during all business hours by the prosecuting attorney of the county in which such person is engaged in business; or

(2) Any watch whose case or movement, serial numbers or other distinguishing numbers or identification marks have been erased, defaced, removed, altered or covered.

History: 1937, Act 200, Eff. Oct. 29, 1937;—CL 1948, 445.551.

445.552 Sale; tag, size, wording.

Sec. 2. Any person, or agent or employee thereof, who sells a second-hand watch, shall affix and keep affixed to the same a tag at least 1 inch by 1 1/2 inches with the words "second-hand" legibly written or printed thereon in the English language. For the purposes of this act, "sell" shall be deemed to include offer to sell or exchange, expose for sale or exchange, possess with intent to sell or exchange, and sell or exchange.

History: 1937, Act 200, Eff. Oct. 29, 1937;—CL 1948, 445.552.

445.553 Invoice; contents.

Sec. 3. Any person, or agent or employee thereof, who sells a second-hand watch, shall deliver to the vendee a written notice setting forth the name and address of the vendor, the name and address of the vendee, the date of the sale, the fact that the watch is second-hand, the name of the watch or its maker, and the serial number (if any), or other distinguishing numbers or identification marks on its case and movement. In the event the serial numbers or other distinguishing numbers or identification marks have been erased, defaced, removed, altered or covered, this shall be set forth in the invoice. A duplicate of the aforesaid invoice shall be kept on file by the vendor of such second-hand watch for at least 1 year from the date of the sale thereof and shall be open to inspection during all business hours by the prosecuting attorney of the county in which the vendor is engaged in business.

History: 1937, Act 200, Eff. Oct. 29, 1937;—CL 1948, 445.553.

445.554 Advertisement.

Sec. 4. Any person advertising second-hand watches for sale in any manner shall state clearly in such advertisement that the watches so advertised are second-hand watches. If such advertisement is printed or written, the fact that such watches are second-hand shall be printed or written in bold faced letters.

History: 1937, Act 200, Eff. Oct. 29, 1937;—CL 1948, 445.554.

445.555 Violation of act; penalty.

Sec. 5. Any person who shall violate any of the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be punished as provided by the laws of this state.

History: 1937, Act 200, Eff. Oct. 29, 1937;—CL 1948, 445.555.