

fine of not less than fifty dollars (\$50) nor more than one hundred dollars (\$100), and for a second and any subsequent offense shall be sentenced to pay a fine of not less than five hundred dollars (\$500) nor more than one thousand dollars (\$1,000), or undergo imprisonment for a period of not more than one (1) year, or both, in the discretion of the court.

(b) *Any holder of a certificate of registration who shall fail to apply for a renewal of his or her certificate of registration on or before the renewal date in each year, and who continues the practice of real estate broker or real estate salesman, shall, on conviction thereof, be subject to a fine of not more than ten dollars (\$10), to be collected by summary conviction as like fines are collected by law, and, in case of nonpayment of fine, to undergo an imprisonment for a period not to exceed ten (10) days. Any such person shall have the right of appeal as in other cases of summary conviction.*

Section 6. Any person who has, for a period of two years immediately preceding the effective date of this act, engaged in any business or occupation not heretofore required to be licensed as a real estate broker, and who is under the provisions of these amendments required to be so licensed, shall be issued a real estate broker's license by the Department of Public Instruction, without requiring him or her to submit to an examination as required by the act to which this is an amendment and its amendments: Provided, That such person makes application for such license within ninety days after the effective date of this act and pays the fee prescribed by law for such license.

Section 7. This act shall become effective immediately upon final enactment.

Persons engaging in real estate business for 2 years prior to this act.

Proviso.

When effective.

APPROVED—The 2d day of July, A. D. 1937.

GEORGE H. EARLE

No. 591

AN ACT

To regulate the sale, and advertising for sale, of goods, wares, and merchandise purporting to be an insurance, bankruptcy, mortgage, insolvent, assignees, receivers, trustees, removal, or closing-out sale, or sale of goods damaged by fire, smoke, or water, in cities and certain boroughs of this Commonwealth; and to prevent fraudulent practices in connection therewith, and providing penalties for the violation thereof, and for the imposition of license fees for permission to conduct the same.

Section 1. Be it enacted, &c., That from and after the first day of July, one thousand nine hundred and thirty-seven, it shall be unlawful for any person, part-

After July 1, 1937.

In cities, and in boroughs having population of over 2500 inhabitants.

Information to be disclosed in application under oath.

Duty of licensee to post a copy of the application where the goods are sold.

Failure to procure license, or misrepresentation.

Penalty.

Appeal.

License good for only 90 days and not renewable.

nership, association, or corporation, in the cities of this Commonwealth and in boroughs having a population of more than two thousand five hundred inhabitants, to advertise or hold out by any means that any sale of goods, wares, and merchandise is an insurance, bankruptcy, mortgage, insolvent, assignees, receivers, trustees, removal, or closing out sale, or a sale of goods damaged by fire, smoke, or water, unless a license is first obtained to conduct such sale from the treasurer of the city or borough in which it is to be held.

Section 2. Upon application for such license, the applicant shall make a full disclosure, under oath, of the following information: The true name of the owner of the goods to be offered for sale, the name of the operator of the sale if a person other than the true owner, a full and complete inventory of the quantity, kind, and character of the goods to be offered for sale, which shall be prepared in the following manner: First, a listing of all goods which have been in stock for a period of fifteen days or longer prior to the application for the license; second, a listing of all goods received in stock within the fifteen days immediately preceding the application for the license; third, a listing of all goods which have been ordered and will be placed in stock during the pendency of the sale, the method by which the applicant for the license or the true owner of the goods, if a different person, acquired title to the same, and the reason for the urgent and expeditious disposal thereof. The said treasurer may require any further information necessary to inform him as to whether such license should be granted, and if any defect appears in the title to the goods, or any false representation is made in such application, the said treasurer may refuse the license.

Section 3. It shall be the duty of each such licensee to post a copy of the said application in the sales room or place where the goods are to be sold, so that the public may be informed of the facts in relation to the goods before purchasing the same.

Section 4. Any person conducting or being responsible for any sale, as set forth in section one hereof, without first having obtained the license, or any person making or being responsible for any misrepresentation in connection with the goods so offered for sale or sold, shall, upon conviction thereof in a summary proceeding, be sentenced to pay a fine of not more than one hundred dollars (\$100), or to imprisonment for a term of not exceeding thirty days. The right to appeal from such conviction shall exist as in other cases of summary convictions.

Section 5. Any license so granted, as aforesaid, shall be good for no more than a period of ninety days, and

shall not be renewable, nor shall any other such license be granted to the same person within the same city or borough for a period of one year succeeding the expiration of a previous license. The treasurer shall receive from the applicant for such license, upon the granting thereof, a license fee which shall be twenty-five dollars (\$25).

No other license to same person for 1 year after expiration of previous license.

\$25. license fee.

Section 6. This act shall not apply to sales conducted by sheriffs, constables, or other public or court officials, or to any other person or persons acting under the direction or authority of any court, State or Federal, selling goods, wares, and merchandise in the course of his official duties, nor to sales by licensed auctioneers extending over a period not in excess of three days, nor to sales conducted by insurance companies or by salvage companies acting for insurance companies.

Exempt from provisions of this act.

Section 7. This act shall become effective on the first day of July, one thousand nine hundred and thirty-seven.

When effective.

APPROVED—The 2d day of July, A. D. 1937.

GEORGE H. EARLE

No. 592

AN ACT

To amend section one of the act, approved the tenth day of May, one thousand nine hundred twenty-seven (Pamphlet Laws, eight hundred seventy-nine), entitled "An act regulating the sale in bulk of fifty-one per centum or more of the stock of goods, wares or merchandise of any kind, fixtures, machinery, equipment or real estate, by every corporation, joint-stock association, limited partnership or company; providing certain requirements therefor and imposing certain duties upon the seller and buyer; and fixing penalties," providing for the payment of unemployment compensation contributions.

Section 1. Be it enacted, &c., That section one of the act, approved the tenth day of May, one thousand nine hundred twenty-seven (Pamphlet Laws, eight hundred seventy-nine), entitled "An act regulating the sale in bulk of fifty-one per centum or more of the stock of goods, wares or merchandise of any kind, fixtures, machinery, equipment or real estate, by every corporation, joint-stock association, limited partnership or company; providing certain requirements therefor and imposing certain duties upon the seller and buyer; and fixing penalties," is hereby amended to read as follows:

Section 1, act of May 10, 1927 (P. L. 879), amended.

Section 1. Be it enacted, &c., That every corporation, joint-stock association, limited partnership or company, now or hereafter incorporated or organized under the laws of this Commonwealth, or under the laws of the

Sales of property in bulk by corporations, joint-stock companies, and limited partnerships.