

# HOUSE . . . . No. 947

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By Mr. Landry of Watertown, petition of Wycliffe C. Marshall relative to deceit or fraud provisions in certain contracts of conditional sale of household or other personal property. Legal Affairs.

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## The Commonwealth of Massachusetts

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In the Year One Thousand Nine Hundred and Thirty-Eight.

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AN ACT RELATIVE TO DECEIT OR FRAUD PROVISIONS IN CERTAIN CONTRACTS OF CONDITIONAL SALE OF HOUSEHOLD OR OTHER PERSONAL PROPERTY.

*Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:*

1 Chapter two hundred and fifty-five of the General  
2 Laws is hereby amended by inserting after section  
3 thirteen B the following new section:—

4 *Section 13J.* Any provision or provisions of a writ-  
5 ten contract of conditional sale of household furni-  
6 ture, jewelry or other household or other personal  
7 property which purports to provide, in substance,  
8 that “the acceptance of said contract or agreement  
9 by the vendee shall be construed to embody on its  
10 face every material fact and no verbal statements as  
11 to the quality or condition of the personal property  
12 sold thereunder shall be deemed a warranty in the  
13 case of the sale entered into by the parties or grounds  
14 regarding the foundation for any suit, either at law

15 or in equity, for deceit or fraud" shall be null and  
16 void, and shall render such contract in which it is  
17 incorporated null and void. No such contract con-  
18 taining such a provision or provisions shall afford  
19 any basis for the granting of legal or equitable relief  
20 by any court within the commonwealth against any  
21 party to such contract.