

HOUSE No. 2950

By Mr. Harrington of Holden, petition of Edward D. Harrington, Jr., for legislation to regulate the sending of unsolicited goods, wares or merchandise intended for sale. Commerce and Labor.

The Commonwealth of Massachusetts

In the Year One Thousand Nine Hundred and Sixty-Nine.

AN ACT REGULATING THE SENDING OF UNSOLICITED GOODS, WARES OR MERCHANDISE INTENDED FOR SALE.

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 106 of the General Laws are amended by inserting
- 2 after section 37 the following section:—
- 3 *Section 37A.* Notwithstanding the provisions of section
- 4 thirty-seven, in any action for goods sold and delivered, or in
- 5 any action for the return of the goods, where the offer includes
- 6 the voluntary and unsolicited sending of goods, wares or mer-
- 7 chandise not actually ordered or requested by the recipient,
- 8 either orally or in writing, notwithstanding the failure to
- 9 return such goods, wares or merchandise to the sender, it
- 10 shall be a complete defense that the goods, wares or merchan-
- 11 dise were delivered voluntarily and that the defendant did
- 12 not actually order or request such goods, wares or merchan-
- 13 dise, either orally or in writing.

The following is a list of the names of the members of the House of Representatives who were present at the meeting of the House on the 15th day of January, 1890.

MEMBERS OF THE HOUSE OF REPRESENTATIVES

In the Year One Thousand Eight Hundred and Ninety

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