

*Chap. 231* AN ACT EXTENDING THE PROVISIONS OF THE FAIR TRADE LAW, SO CALLED, TO COMMODITIES SOLD FROM CERTAIN VENDING EQUIPMENT.

*Be it enacted, etc., as follows:*

G. L. (Ter. Ed.), 93, § 14A, etc., amended.

Sale of commodities sold from vending machines regulated.

Section fourteen A of chapter ninety-three of the General Laws, inserted by chapter three hundred and ninety-eight of the acts of nineteen hundred and thirty-seven, is hereby amended by inserting after the word "bears" the second time it appears in the third line the words: —, or the vending equipment from which said commodity is sold to consumers bears, — so as to read as follows: — *Section 14A.* No contract relating to the sale or resale of a commodity which bears, or the label or container of which bears, or the vending equipment from which said commodity is sold to consumers bears, the trade mark, brand or name of the producer or owner of such commodity and which is in fair and open competition with commodities of the same general class produced by others shall be deemed in violation of any law of the commonwealth by reason of any of the following provisions which may be contained in such contract:

(1) That the buyer will not resell such commodity except at the price stipulated by the vendor.

(2) That the producer or vendee of a commodity require upon the sale of such commodity to another, that such purchaser agree that he will not, in turn, resell except at the price stipulated by such producer or vendee.

Such provisions in any contract shall be deemed to contain or imply conditions that such commodity may be resold without reference to such agreement in the following cases:

(1) In closing out the owner's stock for the purpose of discontinuing delivery of any such commodity; provided, that such stock is first offered to the manufacturer of such stock at the original invoice stock price, at least ten days before such stock shall be offered for sale to the public.

(2) When the goods are damaged or deteriorated in quality, and notice is given to the public thereof.

(3) By any officer acting under the orders of any court.

*Approved May 19, 1939.*

*Chap. 232* AN ACT PROVIDING FOR THE PAYMENT BY THE COMMONWEALTH TO ITS MUNICIPALITIES OF A PORTION OF THE HIGHWAY FUND TO BE EXPENDED BY THEM FOR LOCAL HIGHWAY PURPOSES.

*Be it enacted, etc., as follows:*

There shall be paid, without further appropriation, from the Highway Fund as early as may be in each of the years nineteen hundred and thirty-nine and nineteen hundred and forty to the cities and towns of the commonwealth the sum of nine million six hundred thousand dollars. Payments of said sums to each city and town shall be at the