

shall prove that the article concerning which the charge is made was manufactured prior to the first day of July, 1912, then the charge shall be dismissed; provided, that nothing contained in this sub-title shall be construed so as to affect any presentment, indictment or prosecution commenced or pending prior to July 1, 1912.

### **Fraud—Watches.**

1937, ch. 387, sec. 234A.

**272.** (Definitions.) As used in this sub-title:

A. "Person" shall be deemed to mean a person, firm, partnership, association or corporation.

B. "Consumer" shall be deemed to mean an individual, firm, partnership, association or corporation who buys for his, her or its own use, or for the use of another but not for resale.

C. A "second-hand" watch shall be deemed to mean: (1) A watch which, as a whole, or the case thereof, or the movement thereof has been sold to a consumer; provided, however, that a watch which has been so sold and is thereafter returned, 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) or if none, any other distinguishing numbers or identification marks on the case and on the movement of the watch, the aforesaid record to be kept for at least three years from the date of the sale of the watch and to be open for inspection during all business hours by the State's Attorney, or his representative, of the county or Baltimore City 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.

1937, ch. 387, sec. 234B.

**273.** Any person, or any agent or employee thereof, who sells a second-hand watch, shall affix and keep affixed to the same a tag with the words "second-hand" legibly written or printed thereon in the English language. For the purposes of this sub-title, "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.

1937, ch. 387, sec. 234C.

**274.** Any person, or any agent or employee thereof, who sells a second-hand watch shall deliver to the vendee a written invoice setting forth the name and address of the vendor, the name and address of the vendee, the date of the sale, the name of the watch or its maker, and the serial numbers (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 one year from the date of the sale thereof and