

Lefkowitz v. Greater Minneapolis Surplus Store, Inc

251 Minn. 188, 86 N.W.2d 689 (1957)

Course

Keyword Subject

Breach of Contract, Offer

Facts

Defendant (Greater Minneapolis Surplus Store) posted an advertisement in the newspaper announcing a number of fur coats (valued either at \$100 or \$139.50) were to be sold for \$1 each to the first people to buy them. Plaintiff attempted to purchase the coats at each opportunity, being the first person at the store after both advertisements were made. However, the defendant denied the sale, citing that by "house rules" the offers were meant for women. Plaintiff sued for breach of contract.

Procedural History

Trial Court: In favor of plaintiff (\$138.50)

Appeal: In favor of plaintiff

Issue

Does a newspaper advertisement that indicates a well-defined sale constitute a unilateral contract?

Holding: Yes; Ruling affirmed

Principle

A newspaper or circular letter relating to the sale of articles may be construed by the court as constituting an offer, acceptance of which would complete the contract

Reasoning

The invocation of "house rules" does not override this offer because there was nowhere stated any ability to negotiate or modify the offer as presented.

Separate Opinions

Notes