

stance, and of any size, evidently purporting to be, either of, said flag, standard, color or ensign, of the United States of America, or a picture or a representation, of either thereof, upon which shall be shown the colors, the stars, and the stripes, in any number of either thereof, or by which the person seeing the same, without deliberation may believe the same to represent the flag, colors, standard, or ensign of the United States of America.

The possession after this act takes effect, by any person other than a public officer, as such, of any such flag, standard, color or ensign, on which shall be anything made unlawful by this section, or of any article or substance or thing on which shall be anything made unlawful by this section, shall be presumptive evidence that the same is in violation of this section, and was made, done or created after this act takes effect, and that such flag, standard, color, ensign or article, substance, or thing, did not exist when this act takes effect.

SEC. 2. **In effect.** This act shall be in full force and effect on and after January 1st, 1914.

Approved April 14 A. D. 1913.

CHAPTER 309.

FRAUDULENT ADVERTISING.

H. F. 493.

AN ACT to prohibit fraudulent advertising, and providing a penalty therefor. [Additional to chapter thirteen (13) of title twenty-four (XXIV) of the code relating to cheating by false pretenses, gross frauds and conspiracy.]

Be it enacted by the General Assembly of the State of Iowa:

SECTION 1. **Fraudulent advertising defined—penalty.** Whoever, with intent to sell, or in anywise dispose of merchandise, securities, service, or anything offered by him, directly or indirectly, to the public for sale or distribution, or with intent to increase the consumption thereof, or to induce the public in any manner to enter into any obligation relating thereto, or to acquire title thereto, or an interest therein, causes, with intent to defraud directly or indirectly, to be made, published, disseminated, circulated, or placed before the public, in this state, in a newspaper or other publication, or in the form of a book, notice, hand-bill, poster, bill, circular, pamphlet or letter, or in any other way, an advertisement of any sort regarding merchandise, securities, service, or anything so offered to the public, which advertisement contains any assertion, representation or statement of fact which is untrue or deceptive, shall be guilty of a misdemeanor. Provided, however, that nothing herein contained shall be construed to place liability hereunder on any owner, publisher, agent or employe of a newspaper or other publication for the publication of such advertisement published in good faith.

Approved April 18 A. D. 1913.