

## A BILL

FOR AN ACT TO PREVENT AND TO PUNISH FRAUD IN THE SALE OF CATTLE,  
SHEEP, SWINE AND OTHER DOMESTIC ANIMALS.

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

SECTION 1. That it shall be unlawful for any person or persons making sale of cattle,  
2 sheep, swine or other domestic animals within this State, either at public or private sale, to  
3 make any false statement or representation, either orally, by printed catalogue, advertise-  
4 ment or by an auctioneer, as to the breeding or pedigree of such cattle, or as to the fact  
5 whether the same are recorded or are admissable to record in the standard or accredited  
6 herd books of the particular breeds to which said cattle, sheep, swine or other domestic an-  
7 imals are represented as belonging.

SEC. 2. Every person guilty of the offense described in section 1 of this act, and who shall  
2 upon demand thereof fail or refuse promptly to repay to the purchaser or his agent the con-  
3 sideration paid on each purchase, or fail to return any note, security or property given upon  
4 such purchase, and in addition thereto shall fail to pay all costs and actual damages or ex-  
5 penses incurred by the purchaser by reason of such sale, shall upon conviction thereof be  
6 imprisoned in the penitentiary of this State for a term not exceeding one year.

SEC. 3. In all criminal prosecutions under this act it shall not be necessary to a convic-  
2 tion to prove that the person making such false statements or representations, knew the  
3 same to be false at the time of making the same, but the burden of proof shall be upon the  
4 defendant to satisfy the jury that such representations (if not in fact true) were made by  
5 honest mistake, and the defendant has also to the best of his ability made restoration of  
6 the consideration received on such sale if any.

SEC. 4. That all sales of cattle, sheep, swine and other domestic animals made in violation  
2 of the provisons of section 1 of this act, whether the vendor makes such false representations  
3 by mistake or otherwise, shall be void at the election of the purchaser and the vendor shall  
4 be liable in a civil action for the amount of the consideration paid and interest and all ac-  
5 tual damages suffered by the purchaser, and in case said representations were made know-  
6 ing the same to be false, the purchaser may recover treble such sum.

SEC. 5. This being deemed of immediate importance shall take effect and be in force from  
2 and after its publication in the Iowa State Register and Des Moines Leader, newspapers  
3 published in the city of Des Moines.