

CHAPTER 180.

WEIGHT OF FLOUR.

H. F. 452.

AN ACT relating to the weight of flour and providing a penalty for the violation thereof, and to repeal section five thousand seventy (5070) of the code of Iowa.

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

SECTION 1. **Net weight certified on barrel, bag or package—penalty.** Every barrel, bag, parcel or package of flour, containing one pound or more, offered or exposed for sale in the state of Iowa, for use within this state, shall have affixed thereto in a conspicuous place on the outside thereof, distinctly printed in the English language, in legible type not smaller than eight point heavy gothic capital letters, a statement certifying the number of net pounds contained in the package. Any person who shall sell any package of flour which shall be stamped or labeled with a greater number of pounds net than such package actually contains, or shall sell flour in any manner contrary to the provisions of this section, shall be deemed guilty of a misdemeanor, and upon conviction thereof, shall be fined in a sum of not less than ten dollars nor more than one hundred dollars, provided, that in determining the net weight at the time of sale, the reasonable and ordinary shrinkage, if any, may be included.

SEC. 2. **Repeal.** That section five thousand seventy (5070) of the code of Iowa be and the same is hereby repealed.

Approved April 15, A. D. 1911.

CHAPTER 181.

THE REGULATION OF THE MARKING OF ARTICLES OF MERCHANDISE MADE IN WHOLE OR IN PART OF GOLD OR SILVER OR THEIR ALLOYS.

H. F. 295.

AN ACT defining the terms "gold", "alloy of gold", "silver", "alloy of silver", "sterling silver", or "sterling", as applied to any article of merchandise made in whole or part of gold or silver or any alloy of gold or silver, and made for sale or offered for sale or disposition, and also providing a means of making tests thereof, and also defining the terms "rolled gold plate", "gold plate", "gold filled", and "gold electroplate", and the words "silver plate", and "silver electroplate", "sterling" and "coin", as applied to any article of merchandise made in whole or part of any inferior metal manufactured for sale, sold or kept for sale or disposition or offered for sale and disposition, and prohibiting the false marking of such merchandise, and providing a penalty for the violation thereof. [Additional to chapter thirteen (13) of title twenty-four (XXIV) of the code, relating to cheating by false pretenses, gross fraud and conspiracy.]

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

SECTION 1. **Marking articles made of gold or alloy of gold—tests for fineness.** Any person, firm, corporation, or association who or which makes for sale, or sells, or offers to sell or dispose of, or has in his, her or its possession with intent to sell or dispose of, any article of merchandise made in whole or in part of gold or any alloy of gold, and having stamped branded, engraved or imprinted thereon, or upon any tag, card or label attached thereto, or upon any box, package, cover or wrapper in which said article is encased or enclosed any mark, indicating, or designed or intended to indicate, that the

gold, or alloy of gold, in such article is of a greater degree of fineness than the actual fineness or quality of such gold or alloy, unless the actual fineness of such gold or alloy, in the case of flat ware and watch cases, be not less by more than three one-thousandths parts, and in the case of all other articles be not less by more than one-half karat than the fineness indicated by the marks stamped, branded, engraved or imprinted upon any part of such article, or upon any tag, card, or label attached thereto, or upon any box, package, cover or wrapper in which such article is encased or enclosed according to the standards and subject to the qualifications hereinafter set forth, is guilty of a misdemeanor; provided that, in any test for the ascertainment of the fineness of the gold or its alloy in any such article, according to the foregoing standards, the part of the gold or of its alloy taken for the test, analysis or assay shall be such part or portion as does not contain or have attached thereto any solder or alloy of inferior fineness used for brazing or uniting the parts of said articles; provided further, and in addition to the foregoing tests and standards, that the actual fineness of the entire quantity of gold and of its alloys contained in any article mentioned in this section (except watch cases and flat ware) including all solder or alloy of inferior metal used for brazing or uniting the parts of the article (all such gold, alloys and solder being assayed as one piece) shall not be less, than the fineness indicated by the mark stamped, branded, engraved or imprinted upon such article, or upon any tag, card or label attached thereto, or upon any box, package, cover or wrapper in which said article is encased or enclosed.

SEC. 2. Marking articles made in whole or in part of silver or alloy of silver.

(a) *Marking certain articles sterling or sterling silver.* Any person, firm, corporation or association, who or which makes for sale, or sells or offers to sell or dispose of, or has in his, her or its possession with intent to sell or dispose of, any article of merchandise made in whole or in part of silver or of any alloy of silver and having marked, stamped, branded, engraved or imprinted thereon, or upon any tag, card or label attached thereto or upon any box, package, cover or wrapper in which said article is encased or enclosed, the words "sterling silver" or "sterling" or any colorable imitation thereof, unless 925-1,000ths of the component parts of the metal appearing or purporting to be silver, of which such article is manufactured are pure silver, subject to the qualifications hereinafter set forth, is guilty of a misdemeanor, provided that in the case of all such articles there shall be allowed a divergence in fineness of 4-1,000ths parts from the foregoing standard.

(b) *Marking certain articles coin or coin silver.* Any person, firm, corporation or association who or which makes for sale, or sells, or offers to sell or dispose of, or has in his, her or its possession with intent to sell or dispose of, any article of merchandise made in whole or in part of silver or of any alloy of silver and having marked, stamped, branded, engraved or imprinted thereon, or upon any tag, card or label attached thereto, or upon any box, package, cover or wrapper in which such article is encased or enclosed, the words "coin" or "coin silver", or any colorable imitation thereof, unless 900-1,000ths of the component parts of the metal appearing or purporting to be silver, of which such article is manufactured are pure silver, subject to the qualifications hereinafter set forth, is guilty of a misdemeanor; provided that in the case of all such articles there shall be allowed a divergence in fineness of 4-1,000ths parts from the foregoing standards.

(c) *Marking certain articles falsely as to fineness of silver.* Any person, firm, corporation or association, who or which makes for sale, or sells, or offers to sell or dispose of, or has in his, her or its possession with intent to sell or dispose of, any article of merchandise made in whole or in part of silver or of any alloy of silver, and having stamped, branded, engraved or imprinted

thereon, or upon any tag, card, or label attached thereto, or upon any box, package, cover or wrapper in which said article is encased or enclosed, any mark or word (other than the word "sterling" or the word "coin") indicating, or designed or intended to indicate, that the silver or alloy of silver in said article, is of a greater degree of fineness than the actual fineness or quality of such silver or alloy, unless the actual fineness of the silver or alloy of silver of which said article is composed be not less by more than 4-1,000ths parts than the actual fineness indicated by the said mark or word (other than the word "sterling" or "coin") stamped, branded, engraved or imprinted upon any part of said article, or upon any tag, card or label attached thereto, or upon any box, package, cover or wrapper in which said article is encased or enclosed, subject to the qualifications hereinafter set forth, is guilty of a misdemeanor.

(d) *Tests for ascertaining fineness.* Provided that, in any test for the ascertainment of the fineness of any such article mentioned in this section, according to the foregoing standards, the part of the article taken for the test, analysis or assay, shall be such part or portion as does not contain or have attached thereto any solder or alloy of inferior metal used for brazing or uniting the parts of such article, and provided further and in addition to the foregoing test and standards, that the actual fineness of the entire quantity of metal purporting to be silver contained in any article mentioned in this section, including all solder or alloy of inferior fineness used for brazing or uniting the parts of any such article (all such silver, alloy or solder being assayed as one piece) shall not be less by more than 10-1,000ths parts than the fineness indicated according to the foregoing standards, by the mark stamped, branded, engraved or imprinted upon such article, or upon any tag, card or label attached thereto, or upon any box, package, cover or wrapper in which said article is encased or enclosed.

SEC. 3. Marking certain articles "gold plate", "gold filled", etc. Any person, firm, corporation or association, who or which makes for sale, or sells or offers to sell or dispose of, or has in his, her or its possession with intent to sell or dispose of, any article of merchandise made in whole or in part of inferior metal having deposited or plated thereon or brazed or otherwise affixed thereto a plate, plating, covering or sheet of gold or of any alloy of gold and which article is known in the market as "rolled gold plate" "gold plate" "gold filled" or "gold electroplate", or by any similar designation, and having stamped, branded, engraved or imprinted thereon, or upon any tag, card or label attached thereto, or upon any box, package, cover or wrapper in which said article is encased or enclosed, any word or mark usually employed to indicate the fineness of gold, unless said word be accompanied by other words plainly indicating that such article or some part thereof is made of rolled gold plate, or gold plate, or gold electroplate, or is gold filled, as the case may be, is guilty of a misdemeanor.

SEC. 4. Marking certain articles "silver plate" or "silver electroplate." Any person, firm, corporation or association, who or which makes for sale, or sells, or offers to sell or dispose of, or has in his, her or its possession with intent to sell or dispose, any article of merchandise made in whole or in part of inferior metal having deposited or plated thereon or brazed or otherwise affixed thereto, a plate, plating, covering or sheet of silver or of any alloy of silver, and which article is known in the market as "silver plate" or "silver electroplate" or by any similar designation, and having stamped, branded, engraved or imprinted thereon, or upon any tag, card, or label attached thereto, or upon any box, package, cover or wrapper in which said article is encased or enclosed the word "sterling" or the word "coin" either alone or in conjunction with any other words or marks, is guilty of a misdemeanor.

SEC. 5. Penalty. Every person, firm, corporation or association guilty of a violation of any one of the preceding sections of this act, and every officer, manager, director or managing agent of any such person, firm, corporation or association directly participating in such violation or consenting thereto, shall be punished by a fine of not more than five hundred dollars (\$500.00) or imprisonment for not more than three months or both, at the discretion of the court; provided that if the person charged with violation of this act shall prove that the article concerning which the charge is made was manufactured prior to the 13th day of June, 1907, then the charge shall be dismissed.

SEC. 6. When effective. This bill [act] shall not take effect and be in force until January 1st 1912.

Approved April 15, A. D. 1911.

CHAPTER 182.

NUISANCES.

H. F. 569.

AN ACT to amend the law as it appears in section five thousand eighty-one (5081) of the code, relating to the penalty for nuisances.

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

SECTION 1. Penalty. That the law as it appears in section five thousand eighty-one (5081) of the code, be and the same is hereby amended by adding after the comma (,) following the word "dollars" in the fifth (5th) line of said section the following; "or be imprisoned in the county jail not exceeding one year".

Approved April 15, A. D. 1911.

CHAPTER 183.

VAGRANTS.

H. F. 29.

AN ACT to repeal section five thousand one hundred nineteen (5119) of the code, relating to vagrants, and enacting a substitute therefor.

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

SECTION 1. Who deemed vagrants. That section five thousand one hundred nineteen (5119) of the code be and the same is hereby repealed and the following enacted in lieu thereof:

"The following persons are vagrants: All common prostitutes and keepers of bawdy houses or houses for the resort of common prostitutes; all habitual drunkards, gamesters or other disorderly persons; all persons wandering about and lodging in barns, outbuildings, tents, wagons or other vehicles, and having no visible calling or business to maintain themselves; all persons begging in public places, or from house to house, or inducing children or others to do so; all persons representing themselves as collectors of alms for charitable institutions under any false or fraudulent pretenses; all persons playing or betting in any street or public or open place at any game, or pretended game, of chance, or at or with any table or other instrument of gaming."

Approved March 22, A. D. 1911.