

MAINE STATE LEGISLATURE

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Sixty-Second Legislature.

HOUSE.

No. 26.

STATE OF MAINE.

IN THE YEAR OF OUR LORD ONE THOUSAND EIGHT HUNDRED AND
EIGHTY-FIVE.

AN ACT to prohibit the sale and distribution of
publications devoted to criminal news and immoral
matter.

*Be it enacted by the Senate and House of Representatives
in Legislature assembled, as follows:*

SECTION 1. A person who (1) sells, lends, gives
2 away, or offers to give away, or shows or has in
3 his possession with intent to sell, or give away, or
4 to show, or advertises, or otherwise offers for loan,
5 gift, sale, or distribution, an obscene or indecent
6 book, magazine, pamphlet, newspaper, story-paper,
7 writing, paper, picture, drawing or photograph, or
8 any article or instrument of indecent or immoral
9 use, or who designs, copies, draws, photographs,

10 prints, utters, publishes, or otherwise prepares
11 such a book, picture, drawing, paper or other
12 article, or writes or prints, or causes to be written
13 or printed, a circular, advertisement, or notice of
14 any kind, or gives information orally stating when,
15 where, how, or of whom, or by what means such
16 indecent or obscene article or thing can be pur-
17 chased or obtained; or (2) sells, lends, gives away,
18 or shows or has in his possession with intent to
19 sell or give away, or to show, or advertises or
20 otherwise offers for loan, gift or distribution, any
21 book, pamphlet, magazine, newspaper, or other
22 printed paper devoted to the publication or prin-
23 cipally made up of criminal news, police reports,
24 or accounts of criminal deeds, or pictures and
25 stories of deeds of bloodshed, lust or crime; or
26 (3) exhibits upon any street or highway, or in any
27 other place within the view, or which may be
28 within the view of any minor child, any book,
29 magazine, pamphlet, newspaper, writing, paper,
30 picture, drawing, photograph, or other article or
31 articles mentioned in the first and second subdi-
32 visions of this section or any of them, or exhibits,
33 or circulates, or posts, or causes to be exhibited or
34 circulated or posted in any conspicuous or public
35 place, any picture, handbill or poster containing

36 obscene, indecent or immoral representations; or
 37 (4) in any manner hires, uses or employs any
 38 minor child to sell or give away, or in any manner
 39 to distribute, or, who, having the care, custody or
 40 control of any minor child, permits such child to
 41 sell or give away, or in any manner to distribute
 42 any book, magazine, pamphlet, newspaper, story-
 43 paper, writing, paper, picture, drawing, photo-
 44 graph, or other article or matter coming within
 45 the descriptions of articles and matter mentioned
 46 in the first and second subdivisions of this section,
 47 or any of them, shall be punished by imprisonment
 48 in the county jail not more than six months, or by
 49 fine not less than twenty-five dollars, nor more
 50 than one hundred dollars, or by both imprisonment
 51 and fine.

SECT. 2. All municipal courts and trial justices
 2 are authorized, on due complaint, supported by
 3 oath or affirmation, to issue a warrant, directed to
 4 the sheriff of the county within which such com-
 5 plaint shall be made, or to any deputy sheriff, con-
 6 stable, marshal or police officer within said county,
 7 directing him, them, or any of them, to search for,
 8 seize and take possession of such obscene and in-
 9 decent books, papers, articles and things described
 10 in this act, and said court or justice shall, upon

11 the conviction of the person or persons offending
12 under any of the provisions of this act, forthwith,
13 in the presence of the person or persons upon
14 whose complaint the said seizure or arrest is made,
15 if he or they shall, after notice thereof, elect to be
16 present, destroy or cause to be destroyed, the
17 aforesaid books, papers, articles and things, and
18 shall cause to be entered upon the records of the
19 court, the fact of such destruction.

SECT. 3. Judges of police and municipal courts
2 and trial justices shall have, by complaint, juris-
3 diction of the offenses mentioned in this act,
4 original and concurrent with the supreme judicial
5 and superior courts.

STATE OF MAINE.

IN HOUSE OF REPRESENTATIVES, }
January 26, 1885. }

Presented by Mr. HEATH of Augusta, and on his motion ordered
printed.

NICHOLAS FESSENDEN, *Clerk.*