

CHAPTER 268.

AN ACT TO PREVENT THE SALE OR OTHERWISE DISPOSING OF OBSCENE, IMMORAL AND INDECENT BOOKS, PAMPHLETS, PAPERS, PICTURES AND OTHER OBJECTIONABLE WARES.

Be it enacted by the Legislature of the State of Minnesota:

Prohibiting the promulgation of obscene literature.

SECTION 1. *First*—A person who sells, lends, gives away or offers to give away, or shows or has in his possession with intent to sell or give away or to show or advertise or otherwise offer for loan, gift, sale or distribution, an obscene or indecent book, magazine, pamphlet, newspaper, story paper, writing, paper, picture, drawing or photograph, or any article or instrument of indecent or immoral use, or who designs, copies, draws photographs, prints, utters, publishes or prepares such a book, picture, drawing, paper or other article, or writes or prints or causes to be written or printed a circular, advertisement or notice of any kind, or gives information, orally stating when, where, how or of whom or by what plans such indecent or obscene article or thing can be purchased or obtained, or

Second—Sells, lends, gives away or shows or has in his possession, with intent to sell or give away or to show or advertise, or otherwise offers for loan, gift or distribution any book, pamphlet, magazine, newspaper or other printed paper, devoted to the publication or principally made up of criminal news, police reports or accounts of criminal deeds, or pictures and stories of deeds of bloodshed, lust or crime, or

Third—Exhibits upon any street or highway or in any other place within the view or which may be within the view of any minor child, any book, magazine, pamphlet, newspaper, writing, paper, picture, drawing, photograph or other article or articles coming within the description of articles mentioned in the first and second subdivisions to this section, or any of them, or exhibits or circulates or posts, or causes to be exhibited or circulated or posted in any conspicuous place any picture, handbill, or poster containing obscene, indecent or immoral representations, or

Fourth—In any manner hires, uses or employs any minor child to sell or give away or in any manner to distribute, or who, having the care, custody or control of any minor child, permits such child to sell, give away or in any other manner to distribute any book, magazine, pamphlet, newspaper, story paper, writing, paper, picture, drawing, photograph or other article or matter coming within the description of articles and matter mentioned in the first

and second subdivisions of this section, or any of them, is guilty of a misdemeanor and shall be punished by imprisonment in the county jail not more than three (3) months or by a fine not less than twenty-five (25) dollars or more than one hundred (100) dollars or by both imprisonment and fine, one-half (1/2) of said fine to be paid to the informer.

Punishment for so doing.

SEC. 2. All municipal courts and justices of the peace, on complaint, supported by oath or affirmation, that any person has in his possession or control any obscene and indecent books, papers, articles, and things described in this act shall issue a warrant directed to the sheriff of the county within which such complaint shall be made, or to any constable, marshal or police officer within said county, directing him, them or any of them, to search for, seize and take possession of such obscene and indecent books, papers, articles and things; and said court and justice of the peace shall, upon the conviction of the person or persons offending, under the law any of the provisions of this act, forthwith, in the presence of the person or persons upon whose complaint the said seizure or arrest is made, if he or they shall after notice thereof elect to be present, destroy or cause to be destroyed the aforesaid books, papers, articles and things and shall cause to be entered upon the records of his court the fact of such destruction.

Warrant to issue for arrest of persons having in possession — by whom served.

To be destroyed.

SEC. 3. Justices of the peace and municipal courts shall have jurisdiction of the offenses mentioned in this act.

What courts to have jurisdiction.

SEC. 4. Section twelve (12) of chapter one hundred (100) of the general statutes of the state of Minnesota is hereby repealed.

Repeal of former act.

SEC. 2. This act shall take effect and be in force from and after its passage.

When act to take effect.

Approved March 5, 1885.

CHAPTER 269.

AN ACT TO PROVIDE FOR THE CARE AND DISPOSITION OF THE TIMBERED LANDS AND THE TIMBER THEREON BELONGING TO THE STATE.

Be it enacted by the Legislature of the State of Minnesota:

SECTION 1. It shall be the duty of the commissioner of the state land office to make diligent and thorough inquiry and examination into the extent, character and value of the

To ascertain the extent and value of timber lands.