

The act is amended by adding, after section 2, a new section to read:

Section 2.1. The district attorney of any county in which any person sells, distributes, consigns, or is about to sell, distribute, or consign, or has in his possession with intent to sell, resell, distribute or consign, any comic book, magazine, book, picture, periodical or other publication, which is obscene, lewd, lascivious, filthy, indecent or disgusting, may institute proceedings in equity in the court of common pleas of said county for the purpose of enjoining the sale, resale, distribution or consignment of such comic book, magazine, book, picture, periodical or other publication, contrary to the provisions of this act, and for such purposes jurisdiction is hereby conferred upon said courts. A preliminary injunction may issue and a hearing thereafter be held thereon in conformity with the rules of civil procedure upon the averment of the district attorney that the sale, resale, distribution or consignment of such publication constitutes a danger to the welfare or peace of the community. The district attorney shall not be required to give bond.

Act effective immediately.

Section 3. This act shall take effect immediately.

APPROVED—The 17th day of July, A. D. 1957.

GEORGE M. LEADER

No. 420

AN ACT

Amending the act of June 24, 1939 (P. L. 872), entitled "An act to consolidate, amend and revise the penal laws of the Commonwealth," extending provisions relating to obscene literature and objects, and increasing the penalty for violating the provisions.

The Penal Code.

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows:

Section 524, act of June 24, 1939, P. L. 872, amended.

Section 1. Section 524, act of June 24, 1939 (P. L. 872), known as "The Penal Code," is amended to read:

Section 524. Obscene Literature, etc.—(a) *Obscene literature consists of any writing, or printed matter, picture, image, drawing, figure, photograph or other pictorial representation, which is unrelated to science, art*

or scientific study, and taken as a whole is indecent, lewd, lascivious, and has the effect of inciting to lewdness or sexual crime. Whoever sells, lends, distributes, exhibits, gives away, or shows or offers to sell, lend, distribute, exhibit, or give away or show, or has in his possession with intent to sell, lend, distribute or give away or to show, or knowingly advertises in any manner, any obscene *literature or lewd, lascivious, filthy, indecent or disgusting book, magazine, pamphlet, newspaper, storypaper, paper, writing, drawing, photograph, figure or image, or any written or printed matter of an indecent character, or any article or instrument of indecent or immoral use or purporting to be for indecent or immoral use or purpose, or whoever designs, copies, draws, photographs, prints, utters, publishes, or in any manner manufactures or prepares any such book, picture, drawing, magazine, pamphlet, newspaper, storypaper, paper, writing, figure, image, matter, article or thing, or whoever writes, prints, publishes or utters, or causes to be printed, published or uttered, any advertisement or notice of any kind giving information, directly or indirectly, stating or purporting to do so, where, how, of whom, or by what means any, or what purports to be, any obscene, lewd, lascivious, filthy, disgusting or indecent book, picture, writing, paper, figure, image, matter, article or thing named in this section can be purchased, obtained or had, or whoever prints, utters, publishes, sells, lends, gives away, or shows, or has in his possession with intent to sell, lend, give away, or show, or otherwise offers for sale, loan or gift, or distribution, any pamphlet, magazine, newspaper or other printed paper devoted to the publication and principally made up of criminal news, police reports or accounts of criminal deeds, or pictures of stories of deeds of bloodshed, lust or crime, or whoever hires, employs, uses or permits any minor or child to do or assist in doing any act or thing mentioned in this section, is guilty of a [misdemeanor] felony, and upon conviction, shall be sentenced to imprisonment not exceeding [one (1) year] two (2) years. or to pay a fine not exceeding [five hundred dollars (\$500)] two thousand dollars (\$2000), or both.*

Section 2. This act shall take effect in ten days.

Act effective immediately.

APPROVED—The 17th day of July, A. D. 1957.

GEORGE M. LEADER