

Section 524, act of June 24, 1939, P. L. 872, amended July 17, 1957, P. L. 972, further amended.

Section 1. Section 524, act of June 24, 1939 (P. L. 872), known as "The Penal Code," amended July 17, 1957 (P. L. 972), 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, story-paper, 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 felony, and upon conviction, shall be sentenced to imprisonment not exceeding two (2) years, or to pay a fine not exceeding two thousand dollars (\$2000), or both.] *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*

* "and" in original.

any obscene literature, book, magazine, pamphlet, newspaper, storypaper, paper, writing, drawing, photograph, figure or image, or any written or printed matter of an obscene nature, or any article or instrument of an obscene nature, 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 state where, how, of whom, or by what means any obscene book, picture, writing, paper, figure, image, matter, article or thing named in this section can be purchased, obtained or had, 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 felony, and upon conviction, shall be sentenced to imprisonment not exceeding two (2) years, or to pay a fine not exceeding two thousand dollars (\$2000), or both.

“Obscene,” as used in this section, means that which, to the average person applying contemporary community standards, has as its dominant theme, taken as a whole, an appeal to prurient interest.

Section 2. This act shall take effect immediately.

Act effective immediately.

APPROVED—The 20th day of October, A. D. 1959.

DAVID L. LAWRENCE

No. 453

AN ACT

Amending the act of May 28, 1915 (P. L. 596), entitled “An act requiring cities of the second class to establish a pension fund for employes of said cities, and regulating the administration and the payment of such pensions,” providing for additional payments to certain pensioned or retired employes.

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

Cities of second class—pension fund.

Section 1. Subsection (c) of section 4, act of May 28, 1915 (P. L. 596), entitled “An act requiring cities of the second class to establish a pension fund for employes of said cities; and regulating the administration and the payment of such pensions,” amended May 15, 1957 (P. L. 142), is amended to read:

Subsection (c), section 4, act of May 28, 1915, P. L. 596, amended May 15, 1957, P. L. 142, further amended.