

A BILL

FOR AN ACT TO SUPPRESS THE CIRCULATION, ADVERTISING AND VENDING OF OBSCENE AND IMMORAL LITERATURE AND ARTICLES OF INDECENT AND IMMORAL USE, AND TO CONFISCATE SUCH PROPERTY.

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

SECTION 1. Whoever sells, or offers for sale, or gives away, or has in his possession with or
2 without intent to sell, loan or give away, any obscene, lewd, indecent or lascivious book,
3 pamphlet, paper, drawing, lithograph, engraving, picture, photograph, model, cast, or any in-
4 strument or article of indecent or immoral use, or any medicine, article or thing designed or
5 intended for procuring abortion, or preventing conception, or advertises the same for sale,
6 or writes or prints any letter, circular, handbill, card, book, pamphlet, advertisement or
7 notice of any kind, giving information, directly or indirectly, when, where, how or by what
8 means any of the articles or things hereinbefore mentioned can be purchased or otherwise
9 obtained or made, shall on conviction thereof be punished by a fine of not more than one
10 thousand dollars, nor less than fifty dollars, or by imprisonment in the county jail not more
11 than one year, or both such fine and imprisonment at the discretion of the court.

SEC. 2. Whoever deposits in any postoffice within this State, or places in charge of any
2 person to be carried or conveyed, any of the articles or things named in section 1 of this act,
3 or any circular, handbill, card, advertisement, book, pamphlet or notice of any kind, giving
4 information, directly or indirectly, when, how, where or by what means any of the articles
5 or things mentioned in section 1 of this act can be purchased or obtained, or knowingly or
6 willfully receives the same to carry or convey, or knowingly carries or conveys the same in
7 any manner, except in the United States mail, shall, upon conviction, be punished by a fine
8 of not more than one thousand dollars, nor less than fifty dollars, or be imprisoned in the
9 county jail not more than one year, or both fined and imprisoned at the discretion of the
10 court.

SEC. 3. Whoever prints or publishes or causes to be printed or published in any newspa-
2 per published or circulated in this State any advertisement of medicine, drug, nostrum, or
3 apparatus for the cure of private or venereal diseases, or shall circulate or distribute any
4 newspaper containing such an advertisement or notice mentioned in this section, shall be
5 deemed guilty of a misdemeanor, and on conviction thereof shall be punished by a fine of
6 not more than one thousand dollars, nor less than fifty dollars, or be imprisoned in the

7 county jail not more than one year, or by both fine and imprisonment at the discretion of
8 the court.

SEC. 4. Whoever sells, lends, gives away or shows, or has in his possession with or with-
2 out intent to sell, give away or show to any minor child, any book, pamphlet, magazine,
3 newspaper, story paper or other paper devoted to the publication, or principally made up of
4 criminal news, police reports, or accounts of criminal deeds, or pictures and stories of im-
5 moral deeds, lust or crime, or exhibits upon any street or highway, or in any place within
6 the view, or which may be within the view of any minor child, any of the above described
7 books, papers or pictures, or uses, or employs any minor child to give away, sell or distribute,
8 or who having the care, custody or control of any minor child, permits such child to sell,
9 give away or distribute any such books, papers or pictures above described, shall be deemed
10 guilty of a misdemeanor, and on conviction thereof, shall be punished by a fine of not more
11 than five hundred dollars nor less than fifty dollars, or be imprisoned not more than six
12 months in the county jail, or both fined and imprisoned at the discretion of the court.

SEC. 5. All magistrates and police judges in this State are authorized, on due complaint,
2 supported by oath or affirmation of one or more persons, to issue a warrant directed to the
3 sheriff of the county within which such complaint shall be made, or to any constable or po-
4 lice officer within said county, directing him or them, or any of them, to search for, seize
5 and take possession of such books, papers, pictures, circulars, articles and things named in
6 section 1 of this act, and said magistrate or police judge shall deliver personally or shall
7 transmit, enclosed and under seal, specimens thereof to the prosecuting attorney of his
8 county, and shall deposit within the county jail of his county, or other secure place, as to
9 him shall seem meet, enclosed and under seal, the remainder thereof, and shall, upon the
10 conviction of the person or persons offending under the provisions of this act, forthwith, in
11 the presence of the person or persons upon whose complaint the said seizure or arrest was
12 made, if he or they shall elect to be present, destroy, or cause to be destroyed, the remain-
13 der thereof so seized as aforesaid, and shall cause to be entered upon the record of his court
14 the facts of such destruction.

SEC. 6. All acts inconsistent with this are hereby repealed.