

By Mr. Fleming, petition of William D. Fleming and another for legislation to further regulate the distribution and sale of publications depicting pornography, obscenity, crime and torture. Judiciary.

## The Commonwealth of Massachusetts

In the Year One Thousand Nine Hundred and Sixty.

### AN ACT FURTHER REGULATING THE DISTRIBUTION OF OBSCENE PUBLICATIONS.

*Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:*

1 Section 28B of chapter 272 of the General Laws, as appear-  
2 ing in section 2 of chapter 492 of the acts of 1959, is hereby  
3 amended by inserting after the word "impure", in line 4, the  
4 words "or whoever, being a wholesale distributor, a jobber, or  
5 publisher sends or delivers to a retail storekeeper an obscene,  
6 indecent or impure book, pamphlet, magazine or other form  
7 of printed or written material which said storekeeper had not  
8 previously ordered in writing, specifying the title and quantity  
9 of such publication he desired", — so as to read as follows: —  
10 *Section 28B.* Whoever imports, prints, publishes, sells, loans  
11 or distributes, or buys, procures, receives, or has in his posses-  
12 sion for the purpose of sale, loan or distribution, a book, know-  
13 ing it to be obscene, indecent or impure or whoever, being a  
14 wholesale distributor, a jobber, or publisher sends or delivers  
15 to a retail storekeeper an obscene, indecent or impure book,  
16 pamphlet, magazine or other form of printed or written ma-  
17 terial which said storekeeper had not previously ordered in  
18 writing, specifying the title and quantity of such publication  
19 he desired, shall be punished by imprisonment in the state  
20 prison for not more than five years or in a jail or house of cor-  
21 rection for not more than two and one half years, or by a fine  
22 of not less than one hundred dollars nor more than five thou-

23 sand dollars, or by both such fine and imprisonment in jail or  
24 the house of correction.