

INCENDIARY AND OBSCENE PUBLICATIONS.

115. If any person shall knowingly circulate, or in any way knowingly assist in circulating among the inhabitants of this State, any pictorial representation, or any pamphlet, newspaper, handbill, or other paper, printed or written, of an inflammatory character, having a tendency to create discontent among and stir up to insurrection the negroes of this State, he shall be guilty of a felony, and shall be sentenced to the penitentiary for not less than ten nor more than twenty years.

Art 30, s 73.
1835, c 325, s 1
Circulating or assisting to circulate incendiary publications.

Punishment

116. No citizen of this State shall knowingly make, print or engrave, within this State, any pictorial representation, or write or print, or aid in the writing or printing, any pamphlet, newspaper, handbill, or other paper of an inflammatory character, and having a tendency to excite discontent or stir up insurrection amongst the negroes of this State, or of either of the other States or Territories of the United States, or knowingly carry or send, or aid in the carrying or sending the same for circulation amongst the inhabitants of either of the other States or Territories of the United States, and any person so offending shall be guilty of a felony, and shall, on conviction, be sentenced to the penitentiary for not less than ten nor more than twenty years.

Id s 74
1835, c 325, s 2
Printing, etc., or aiding in same.

Punishment.

117. It shall be the duty of every inhabitant of this State, who shall know that any such handbill, pamphlet, newspaper, pictorial representation, or other paper, is or shall have been in possession of any negro, to give immediate notice of the same to some justice of this State, for the county or city, as the case may be, and if any inhabitant of the State shall fail so to do, he shall be liable to indictment, and, upon conviction, shall be fined not less than five hundred dollars, or imprisoned for not less than sixty days, at the discretion of the court.

Id s. 76
1841, c 272, s 2.
Notice by parties having knowledge.

Punishment.

118. Whenever any newspaper, or other periodical publication, printed, issued or published in this State, shall contain any obscene or licentious matter, whether the same be contained in any professional or other advertisements, or in any other article, whether original, communicated, or copied from any other publication, every proprietor and publisher shall be held to be guilty of a misdemeanor, and on conviction thereof, shall be punished by a fine of not less than twenty nor more than two hundred dollars, and imprisoned for not less than ten days nor more than one year, in the discretion of the court in which the conviction shall be had. And each successive number of any newspaper, or periodical, containing any such obscene or licentious matter, shall be deemed a new publication thereof, and shall subject every proprietor and publisher to indictment and punishment as for a distinct offence.

Id s 78
1853, c 183
Obscene or licentious publication.

Punishment.