

so presented as reasonably to tend to incite such child below the age of eighteen years to violence or depraved or immoral acts against the person.

(c) *Presumption as to employment.* If any person shall be found violating the provisions of this sub-heading in or about any newsstand, book store, drugstore, market, or other mercantile establishment and shall be found to be an agent, officer, or employee of some other person who is actively engaged in the operation of such an establishment, these facts shall be presumptive evidence that the one found violating the provisions of this sub-heading was doing so within the scope of his employment and within the course of his employer's business and with the knowledge of his employer; but it shall be competent for the defendant in any such case to rebut this presumption.

(d) *Presumption from Display.* If any publication prohibited under the terms of sub-sections (a) and (b) of this section shall be displayed in or about any newsstand, book store, drugstore, market, or other mercantile establishment where the said prohibited publication may be seen by any child under the age of eighteen years visiting such establishment, such display shall be prima facie evidence that the person in charge of such establishment, and his agents, servants, employees, and clerks, has the said prohibited publication in his possession with intent to sell, distribute, or offer for sale or distribution the said prohibited publication to a child under the age of eighteen years, in violation of this section; but it shall be competent for the defendant in any such case to show that no such intention existed. IT SHALL BE UNLAWFUL AND AN OFFENSE FOR ANY PERSON OPERATING ANY NEWSSTAND, BOOK STORE, DRUGSTORE, MARKET, OR OTHER MERCANTILE ESTABLISHMENT TO EXHIBIT UPON ANY PUBLIC STREET OR HIGHWAY OR IN ANY OTHER PLACE WITHIN VIEW OF CHILDREN BELOW THE AGE OF EIGHTEEN YEARS PASSING UPON ANY SUCH STREET OR HIGHWAY ANY BOOK, PAMPHLET, MAGAZINE OR OTHER PRINTED PAPER, PROHIBITED AND MADE UNLAWFUL BY SUB-SECTIONS (A) AND (B) OF THIS SECTION.

(e) *Definition of "person."* The word "person" as used in this sub-heading means any individual, firm, partnership, association, corporation, company, or organization of any kind.

SEC. 2. And be it further enacted, That this Act shall take effect June 1, 1959.

Approved March 24, 1959.

## CHAPTER 198

(Senate Bill 124)

AN ACT to add Section 12A to Article 38A of the Annotated Code of Maryland (1957 Edition), title "State Department of Public

EXPLANATION: *Italics indicate new matter added to existing law.*

[Brackets] indicate matter stricken from existing law.

CAPITALS indicate amendments to bill.

~~Strike out~~ indicates matter stricken out of bill.