

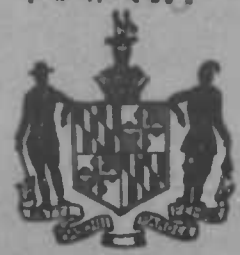
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Maryland State Board  
*of*  
Motion Picture Censors

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Act of 1922, Chapter 390  
(As amended by the Acts of the General Assembly  
of Maryland of 1927 and 1930)

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## ACT OF 1922, CHAPTER 390

(As amended by the Acts of the General Assembly of Maryland of 1927 and 1929)

AN ACT to repeal and re-enact with amendments Sections 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 20A, 21, 22 and 23 of Article 66A of the Annotated Code of Maryland, title: "Moving Pictures," as said sections were enacted by Chapters 209 of the Acts of 1916, 309 of the Acts of 1918, and 651 of the Acts of 1920, by conferring additional powers and duties upon the Board and providing new and increased penalties for the violation thereof.

SECTION 1. *Be it enacted by the General Assembly of Maryland.* That Sections 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 20A, 21, 22 and 23 of Article 66A of the Annotated Code of Maryland, title: "Moving Pictures," as said Sections were enacted by Chapters 209 of the Acts of 1916, 309 of the Acts of 1918, and 651 of the Acts of 1920, be and the same are hereby repealed and re-enacted with amendments, to read as follows:

1. The word "film" as used in this Article shall be construed to mean what is usually known as a motion picture film. The word "view" in this Article shall be construed to mean what is usually known as a stereopticon view or slide. The word "person" shall be construed to include an association, co-partnership or corporation.

2. It shall be unlawful to sell, lease, lend, exhibit or use any motion picture film or view in the State of Maryland unless the said film or view has been submitted by the exchange, owner or lessee of the film or view and duly approved and licensed by the Maryland State Board of Censors, hereinafter in this Article called the Board.

3. The Board shall consist of three residents and citizens of the State of Maryland, one of whom shall be a member of the political party polling the second highest vote at the last general election prior to their appointment, well qualified by educa-

tion and experience to act as censors under this Article. One member of the Board shall be Chairman, one member shall be Vice-Chairman and one member shall be Secretary. They shall be appointed by the Governor, by and with the advice and consent of the Senate, for terms of three years. Those first appointed under this Article shall be appointed for three years, two years and one year, respectively; the respective terms to be designated by the Governor.

4. A vacancy in the membership of the Board shall be filled for the unexpired term by the Governor. A vacancy shall not impair the right and duty of the remaining members to perform all the functions of the Board.

5. The Board shall procure and use an official seal, which shall contain the words "Maryland State Board of Censors," together with such design engraved thereon as the Board may prescribe.

6. The Board shall examine or supervise the examination of all films or views to be exhibited or used in the State of Maryland and shall approve and license such films or views which are moral and proper, and shall disapprove such as are sacrilegious, obscene, indecent, inhuman or immoral, or such as tend, in the judgment of the Board, to debase or corrupt morals or incite to crimes.

1922, Ch. 390; 1929, Ch. 555

7. Upon each film which has been approved by the Board, there shall be furnished by the Board, the following certificate or statement: "Approved by the Maryland State Board of Censors No. \_\_\_\_\_," and the Board shall also furnish a certificate or license in writing to the same effect, which certificate shall be the license for such film unless and until the same shall be revoked by said Board, and said certificate or license shall be exhibited by the holder thereof to any member of the Board or employee thereof upon demand. In the case of motion pictures, such statements shall be shown on the screen to the extent of approximately four (4) feet of film. Upon each film examined and approved by the Board, and upon each duplicate or print thereof, the Board shall stamp, by perforation or otherwise, the serial number and

such other initials, words or design as it may prescribe, the serial number to correspond to the number on the certificate of approval issued by the Board to be shown upon the screen. In the case of slides or views, the Board shall furnish in writing a similar certificate or license and each set of views shall have at least two slides or views shown with a similar statement. Upon satisfactory proof being submitted to the Board that the certificate of approval attached to any film that has been examined and approved by the Board, has been lost, mutilated or destroyed, the Board shall have power in its discretion, and upon payment in advance of the fee prescribed by Section 11 of this Article, to issue a duplicate certificate of approval. Any certificate or license issued as herein provided may be revoked by the Board for any reason which would have justified the Board in refusing to issue such license, or for any violation of law by such applicant in securing such license, or in advertising or using the film or view so licensed. Thereafter any such film may again be submitted to the Board for approval and license.

8. The Board shall keep a record of all examinations made by it of films or views; noting on the record all films or views which have been approved, and those which have not been approved, with the reason for such disapproval.

9. The Board shall report in writing, annually, to the Governor, on or after the first day of November of each year. The report shall show:

(a) A record of its meetings, and a summary of its proceedings during the year immediately preceding the date of the report.

(b) The results of all examinations of films or views.

(c) A detailed statement of all prosecutions for violations of this Article.

(d) A detailed and itemized statement of all the incomes and expenditures made by or in behalf of the Board.

(e) Such other information as the Board may deem necessary or useful in explanation of the operations of the Board.

(f) Such other information as shall be requested by the Governor.

1922, Ch. 390; 1927, Ch. 46

10. The Chairman, Vice-Chairman and Secretary shall, before assuming the duties of their respective offices, take and subscribe the oath prescribed by the Constitution of the State of Maryland, and shall enter into bonds to the State in the sum of three thousand dollars, respectively, conditioned for the faithful performance of their duties.

1922, Ch. 390; 1929, Ch. 555

11. For the examination of each and every one thousand feet (1,000') of motion picture film, or fractional part thereof, the Board shall receive in advance a fee of two dollars (\$2.00), and a fee of one dollar (\$1.00) for the approval of every duplicate of one thousand feet (1,000') or fractional part thereof. For the examination of each set of views, the Board shall receive in advance a fee of two dollars (\$2.00) for each one hundred (100) views or fractional part thereof, and for the approval of duplicate views or prints thereof a fee of one dollar (\$1.00) for each one hundred (100) views or fractional part thereof. All approvals of duplicates must be applied for by the same person within the year after the examination and approval of the original film or set of views. The Board shall receive in advance a fee of one dollar (\$1.00) for replacing any certificate or stamp of approval in accordance with the provisions of Section 7 of this article; and the Board shall account for and pay all fees received by it into the State Treasury.

12. The Board shall provide adequate offices and rooms in which to properly conduct the work and affairs of the Board in the City of Baltimore and the State of Maryland, and the expenses thereof, as well as any other expenses incurred by said Board in the necessary discharge of its duties, and also the salaries of the members of the Board, which latter shall be two thousand four hundred dollars (\$2,400.00) per annum for each member, shall be paid by the State in the manner prescribed by law.

13. All fines imposed for the violation of this Article shall be paid into the State Treasury.

14. Any member or employee of the Board may enter any

place where films or views are exhibited; and such member or employee is hereby empowered and authorized to prevent the display or exhibition of any film or view which has not been duly approved by the Board.

15. No person or corporation shall exhibit or offer to another for exhibition purposes any poster, banner or other similar advertising matter in connection with any motion picture film, which poster, banner or matter is obscene, indecent, immoral, inhuman, sacrilegious or of such character that its exhibition would tend to corrupt morals or incite to crime. If any such poster, banner or similar advertising matter is so exhibited or offered to another for exhibition, it shall be sufficient ground for the revocation of the certificate or license for said film issued by the Board.

16. This Article shall be enforced by the Board. In carrying out and enforcing the purpose of this Article, it may adopt such reasonable rules as it may deem necessary. Such rules shall not be inconsistent with the laws of Maryland.

17. Every person intending to sell, lease, exhibit or use any film or view in the State of Maryland, shall furnish the Board, when the application for approval is made, a description of the film or view to be exhibited, sold or leased, and the purposes thereof; and shall submit the film or view to the Board for examination; and shall furnish a written statement or affidavit that the duplicate film or view is an exact copy of the original film or view as submitted for examination to the Board, and that all eliminations, changes or rejections made or required by the Board in the original film or view have been or will be made in duplicate. Any person who shall make any false statement in any such written statement or affidavit to the Board shall, upon conviction thereof summarily before a Justice of the Peace, be deemed guilty of a misdemeanor and shall be punished by a fine of not less than fifty dollars nor more than one hundred dollars, and any certificate or license issued upon a false or misleading affidavit or application shall be void *ab initio*; and any change or alteration in a film after license, except the elimination of a part or except upon written direction of the Board, shall be a violation of this Article and shall also make immediately void the license therefor.

18. It shall be unlawful for any person to hinder or interfere in any manner with any member or employee of the Board while performing any duties in carrying out the intent or provisions of this Article.

19. If any elimination or disapproval of a film or view is ordered by the Board, the person submitting such film or view for examination will receive immediate notice of such elimination or disapproval, and if appealed from, such film or view will be promptly re-examined, in the presence of such person, by two or more members of the Board, and the same finally approved or disapproved promptly after such re-examination, with the right of appeal from the decision of the Board to the Baltimore City Court of Baltimore City.

20. Any person who violates any of the provisions of this Article for which a specific penalty is not provided and is convicted thereof summarily before any Magistrate or Justice of the Peace, shall be sentenced to pay a fine of not less than twenty-five dollars, nor more than fifty dollars, for the first offense. For any subsequent offense the fine shall not be less than fifty dollars, nor more than one hundred dollars. In default of payment of a fine and costs, the defendant shall be sentenced to imprisonment in the prison of the county, or in Baltimore City, where such offense was committed, for not less than ten days, and not more than thirty days. All fines shall be paid by the Magistrate or Justice of the Peace to the Board, and by it paid into the State Treasury.

20A. Any person who shall exhibit in public any misbranded film or film carrying official approval of the Board which approval was not put there by the action of the Board, or any person who shall attach to or use in connection with any film or view which has not been approved and licensed by the Maryland State Board of Censors, any certificate or statement in the form provided by Section 7 hereof or any similar certificate, statement or writing, or any person who shall exhibit any folder, poster, picture or other advertising matter, which folder, poster, picture or other advertising matter is obscene, indecent, sacrilegious, inhuman or immoral, or which tends to unduly excite or deceive the public, or containing any matter not therein contained when the approval was granted by the

Board, shall be guilty of a misdemeanor, and upon conviction summarily before a Justice of the Peace, shall be fined not less than fifty dollars (\$50) nor more than one hundred dollars (\$100), or imprisoned for not over thirty days, or be both fined and imprisoned in the discretion of the said Justice of the Peace. In addition to the above penalties, the Board may also seize and confiscate any misbranded film.

In all cases arising under this section there may be an appeal from the decision of the Magistrate or Justice of the Peace where the fine imposed is in excess of fifty dollars (\$50.00), or where the penalty imposed includes any term of imprisonment whatever.

21. If any person shall fail to display or exhibit on the screen the approval seal, as issued by the Board, of a film or view, which has been approved, and is convicted summarily before any Magistrate or Justice of the Peace, he shall be sentenced to pay a fine of not less than five dollars and not more than ten dollars; in default of payment of a fine and costs, the defendant shall be sentenced to imprisonment, in the prison of the county, or in Baltimore City, where such offense was committed, for not less than two days and not more than five days.

22. This Article shall not apply to any non-commercial exhibition of, or non-commercial use of films or views, for purely educational, charitable, fraternal or religious purposes, by any religious association, fraternal society, library, museum, public school, private school or institution of learning. The Board may, in its discretion, without examination thereof, issue a permit for any motion picture film, intended solely for educational, fraternal, charitable or religious purposes, or by any employer for the instruction or welfare of his employees, provided that the owner thereof either personally or by his duly authorized attorney or representative, shall file the prescribed application, which shall include a sworn description of the film. No fee shall be charged for any such permit.

23. The several sections and provisions of this Article are hereby declared to be independent of each other; and it is the legislative intent that, if any of said sections or provisions are declared to be unconstitutional, such section or provision shall not affect any other portion of this Article.

## Rules Adopted By the Maryland State Board of Motion Picture Censors

In Pursuance of Section 16 of the Act of 1922, Chapter 390

(As amended by the Acts of the General Assembly of  
Maryland of 1927 and 1929.)

1. All persons desiring to submit films or views to the Board for examination must fill out the application blanks provided by the Board, giving title, date of release, number of reels, *number of feet*, whether original or duplicate, character of film, whether comedy, drama, news, etc., and name of manufacturer. Applications must be signed by an authorized agent or representative of the owner or lessor of the films or views to be examined.
2. Applications must be accompanied by a check or cash covering full amount of censorship fee, and no films or views will be examined unless paid for in advance.
3. All applications for the examination of duplicate prints must be made by the original applicant within one year, otherwise they will be treated as originals and the full censorship fee of \$2.00 for 1,000 feet or less charged, instead of \$1.00, as provided in the law for duplicates.
4. Reels must be delivered to the Board at least two days in advance of date for their release in this State. Reels will be examined by the Board within twenty-four (24) hours after they are delivered at the office, whenever possible, and will be returned on the day after examination, or on the same day, if practicable.
5. All reels will be examined by the Board in the order in which they are received. Exception to this rule will be made only when application and fee have been received in advance

and a definite appointment has been made with the Board by the exchange manager or agent for the examination of a film.

6. Substitute seals to replace approval seals lost or destroyed will be supplied on censored prints, to exchange managers, agents and other duly authorized persons, if applications are made on form provided for the purpose, giving title and serial number of film for which a new seal is desired and upon furnishing proof, to the satisfaction of the Board, that the said print *is the original censored print*, and that all *eliminations ordered*, if any, are *duly made* and if perforations are missing, the Board will require an affidavit to the effect that the said print is the original censored print and that all eliminations ordered, if any, have been duly made. In the above case the Board, at its discretion, will re-perforate such prints free of charge. In case a censored print has been lost or destroyed, upon affidavit to that effect, made on form provided for the purpose, within a period of ninety (90) days after filing of original application for censorship, the Board, at its discretion, will perforate and issue seal on such print the same as on prints originally censored. Substitute seals will not be issued on any subject after a period of two (2) years has elapsed since the filing of original application for censorship, unless perforations are on film at the time.

7. Substitute seals for use in the above cases will be supplied under the conditions specified at a cost of \$1.00 each. The Board will replace perforations, at its discretion, free of charge.

8. All films or views must be presented to the Board as originally produced unless otherwise specified on the application. In case the print submitted has been subject to eliminations or changes prior to examination, a list of the same must accompany the application, and the approval seal will be issued for the film as presented.

9. Title of subject, name of manufacturer, and number of parts, as stated on application, must correspond to title, name of manufacturer and number of parts shown on screen.

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10. Any change of title, or any alteration or addition made to any film or view after it has been examined by the Board, must be submitted in writing for the approval of the Board, and if the change meets with the Board's approval, it will issue an order to this effect.

11. No film or view shall be approved by the Board unless and until the person applying for such approval shall agree in writing to any eliminations which shall have been made by the Board, and shall certify in writing to the Board that such eliminations have been made, and shall further agree in writing that all scenes and titles condemned in film will be eliminated from all banners, posters, or other like advertising matter. Appeals from any order of the Board must be taken within ninety (90) days of receipt of notice of such order. After this period the Board will refuse to re-examine any film except upon payment of censorship fee of \$2.00 for 1,000 feet.

12. All trailers used as advance advertisements of uncensored films must be submitted to the Board before being exhibited in public. Trailers containing scenes approved in films are permitted.

DEPARTMENT OF  
LEGISLATIVE INTELLIGENCE  
CITY HALL  
BOSTON, MASS.