

by board of county commissioners in counties which shall not be organized into townships and the same shall be published at least two weeks in some newspaper published in the county, not less than two weeks before the time so prescribed; *Provided*, That if there be no newspaper published in the county then written notices of the same shall be posted the same as election notices are posted, in lieu of such publication. Every overseer of highway of every township or county shall also in like time and manner destroy all such weeds that may grow either on the highway of his road district or on any unoccupied land therein, which the occupant thereof shall refuse or neglect to so destroy. For so doing such overseer shall have such compensation, payable out of the township treasury or county treasury as the township board of supervisors or board of county commissioners, upon presentation of his account thereof, verified by his oath, and specifying by separate items the charges on each piece of land; describing the same, shall deem reasonable; and the respective accounts so paid, except for the destruction of such weeds upon the highways, shall be placed on the next tax roll of the township or county as the case may be, in a separate column, headed, "For Destruction of Weeds" as a tax against the land upon which such weeds were destroyed, and be collected as other taxes, and the entry of such tax on the tax roll shall be conclusive evidence of the liability of the land so taxed to such tax.

Approved February 17, 1890.

OBSCENE LITERATURE.

CHAPTER 103.

[H. F. 79.]

SALE OR EXHIBITION TO MINORS PROHIBITED.

AN ACT to Suppress in this State the Selling, Lending, Giving Away, or Showing to any Minor Child, any Paper or Publication Principally Devoted to Illustrating or Describing Immoral Deeds.

Be it Enacted by the Legislative Assembly of the State of North Dakota:

§ 1. SELLING OR SHOWING OBSCENE LITERATURE TO MINORS UNLAWFUL.] It shall be unlawful for any person in this State to sell, lend, give away, or show, or have in his possession with intent to sell, or give away, or show, or advertise, or otherwise offer

for loan, gift, or distribution to any minor child any book, pamphlet, magazine, newspaper, story paper, or other printed paper devoted to the publication or principally made up of criminal news, police reports, or accounts of criminal deeds, or pictures and stories of deeds of bloodshed, lust, or crime.

§ 2. EXHIBITION OF UNLAWFUL.] It shall be unlawful to exhibit in this State upon any street or highway, or in any place within the view, or which may be within the view of any minor child, any book, magazine, pamphlet, newspaper, story paper, or other paper or publication coming within the description of matters mentioned in the first section of this act, or any of them.

§ 3. PENALTY.] It shall be unlawful for any person to hire, use, or employ any minor child, to sell or give away, or in any manner to distribute, or who, having the care, custody, or control of any minor child, to permit such child to sell, give away, or in any manner to distribute any book, magazine, pamphlet, newspaper, story paper, or other paper or publication coming within the description of matters mentioned in the first section of this act, and any person violating any of the provisions of this act shall be guilty of a misdemeanor, and on conviction shall be fined in any sum not exceeding five hundred (500) dollars, or imprisoned in the county jail of the county where the offense was committed not to exceed six months, or both fined and imprisoned, at the discretion of the court.

Approved February 6, 1890.

CHAPTER 104.

[H. F. 196.]

EXCLUDING MINORS FROM TRIALS OF OBSCENE NATURE.

AN ACT Authorizing the Exclusion of Certain Persons From the Trial of Causes of a Scandalous or Obscene Nature.

Be it Enacted by the Legislative Assembly of the State of North Dakota:

§ 1. WHEN MINORS MAY BE EXCLUDED FROM COURT.] That when in any court a cause of a scandalous or obscene nature is on trial, the presiding judge or justice may, in his discretion, exclude therefrom all minors not necessarily present as parties or witnesses.

Approved March 3, 1890.