

engraving, picture, photograph, instrument, magazine, story, paper, writing, card, print, motion picture film, image, cast, slide, figure, statue, phonograph record, wire, tape, or other sound recording, or other presentation or article of indecent or immoral use, or advertises the same for sale, or writes or prints any letter, circular, handbill, book, pamphlet, or notice of any kind stating by what means any of such articles may be obtained, or advertises any drug, nostrum, or instrument intended to produce abortion, or gives or participates in, or by bill, poster, or otherwise advertises, any public exhibition, show, performance, or play containing obscene, indecent, or lascivious language, postures, or suggestions, or otherwise offending public decency, shall be fined not less than \$200 nor more than \$5,000, or imprisoned not less than three months nor more than two years, or both.

"(b) Whoever in the District with knowledge that the same is for the purpose of being sold, given away, or exhibited to another, produces, manufactures, photographs, acts in, poses for, models for, prints, records, televises, composes, edits, writes, publishes or offers to publish, or has in possession, any obscene, lewd, or indecent book, pamphlet, drawing, engraving, picture, photograph, instrument, magazine, story, paper, writing, card, print, motion picture film, image, cast, slide, figure, statue, phonograph record, wire, tape, or other sound recording, or other presentation or article of indecent or immoral use, or advertises the same for sale, or writes or prints any letter, circular, handbill, book, pamphlet, or notice of any kind stating by what means any of such articles may be obtained, shall be fined not less than \$200 nor more than \$5,000, or imprisoned not less than three months nor more than two years, or both.

"(c) The United States attorney for the District of Columbia and the Corporation Counsel of the District of Columbia are authorized to petition the United States District Court for the District of Columbia for a temporary restraining order to restrain the sale, gift, or exhibition, or distribution, or the offer to sell, give, exhibit, or distribute any obscene, lewd, or indecent matter the sale, gift, exhibition, or distribution of which is punishable under either subsection (a) or (b) of this section, and to restrain the use of any real or personal property for such purpose, and the United States District Court for the District of Columbia is authorized to issue ex parte such a temporary restraining order for a period of not to exceed ten days.

"(d) Whenever a temporary restraining order is issued under subsection (c) of this section, the United States District Court for the District of Columbia during the period such temporary restraining order is in effect, and after notice and hearing, may issue a preliminary injunction pending a trial of the issues enjoining the sale, gift, exhibition, or distribution, or the offer to sell, give, exhibit, or distribute the matter and enjoining the disposition and the use of property subject to the restraining order, and such preliminary injunction may permit the seizure of such obscene, lewd, or indecent matter.

"(e) If after a trial of the issues a permanent injunction shall be issued by the United States District Court for the District of Columbia, such injunction shall require the destruction of the obscene, lewd, or indecent matter seized under the preliminary injunction and permanently enjoin the use of the real property subject to the preliminary injunction for the purpose of violating this section.

"(f) Any personal property subject to a preliminary injunction issued under subsection (d) of this section shall, if a permanent injunction is issued under subsection (e) of this section, in the discretion of the court, be forfeited to the District of Columbia, and sold at public auction, the proceeds from such sale to be deposited in the Treasury to the credit of the District of Columbia. If any item of such property is not purchased at such auction it shall be disposed of in accordance with regulations prescribed by the Commissioners. If any property seized under authority of this subsection is subject to a lien which is established to the satisfaction of the court as having been created without the lienor's having any notice that such property was to be used in connection with the violation of this section, such lien shall be transferred from the property to the proceeds of any sale or other disposition thereof made under authority of this subsection.

"(g) For the purpose of obtaining a temporary restraining order or a preliminary or permanent injunction under subsection (c), (d), or (e) of this section, it shall not be necessary for the United States attorney or the Corporation Counsel to allege or prove that an adequate remedy at law does not exist or that substantial irreparable damage would result from the violations alleged.

"(h) Injunctive proceedings under this section shall be governed by the Federal Rules of Civil Procedure so far as they are consistent with the provisions of this section."