

BEAVER AMUSEMENT CORPORATION ET AL  
v. STATE OF ARKANSAS

73-13

495 S.W. 2d 839

Opinion delivered June 18, 1973

NUISANCE—SHOWING OF OBSCENE FILMS—ABATEMENT AS A PUBLIC NUISANCE.—Operation of a motion picture theater cannot be enjoined and abated as a public nuisance because of the showing of allegedly obscene films since the statutory reference to places of entertainment in violation of the statute does not include motion picture theaters. [Ark. Stat. Ann. §§ 34-101 et seq; 41-2729; and 41-3207.]

Appeal from Pulaski Circuit Court, First Division, *William J. Kirby*, Judge, reversed and dismissed.

*R. W. Laster*, for appellants.

*Jim Guy Tucker*, Atty. Gen., by: *Lonnie A. Powers*, Asst. Atty. Gen., for appellee.

JOHN A. FOGLEMAN, Justice. The judgment is reversed and the cause dismissed upon authority of *Southland Theatres v. State*, 254 Ark. 639 (1973), 495 S.W. 2d 148; *Southland Theatres v. State*, 254 Ark. 192 (1973), 492 S.W. 2d 421; *Mini-Art Operating Co., Inc. v. State*, 253 Ark. 364 (1972), 486 S.W. 2d 8.

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