

MAINE STATE LEGISLATURE

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CHAPTER 99

PROSTITUTION AND DISORDERLY HOUSES

Sec.

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§ 3051. Acts forbidden

It shall be unlawful:

1. Occupation of building for prostitution. To occupy any place, structure, building or conveyance for the purpose of prostitution, lewdness or assignation, or for any person to permit any place, structure, building or conveyance owned by him or under his control to be used for the purpose of prostitution, lewdness or assignation, with knowledge or reasonable cause to know that the same is or is to be used for such purpose;

2. To receive any person in such building. To receive or to offer or agree to receive any person into any place, structure, building or conveyance for the purpose of prostitution, lewdness or assignation, or to permit any person to remain there for such purpose;

3. To direct, transport any person to such building. To direct, take or transport or to offer or agree to take or transport any person to any place, structure or building or to any other person with knowledge or reasonable cause to know that the purpose of such directing, taking or transporting is prostitution, lewdness or assignation;

4. To procure or solicit. To procure or solicit or to offer to procure or solicit, for the purpose of prostitution, lewdness or assignation;

5. To reside in, remain in such building. To reside in, enter or remain in any place, structure or building, or to enter or remain in any conveyance for the purpose of prostitution, lewdness or assignation;

6. To engage in or aid prostitution. To engage in prostitution, lewdness or assignation, or to aid or abet prostitution, lewdness or assignation by any means whatsoever.

Any person who violates any of the provisions of this section shall be subject to imprisonment in or commitment to any penal or reformatory institution in this State for not more than 3 years. Probation or parole shall be granted or ordered in the case of a person infected with venereal disease only on such terms and conditions as shall insure medical treatment therefor and prevent the spread thereof, and the court may order any convicted defendant to be examined for venereal disease.

No female who shall be convicted of violating any of the provisions of this section shall be placed on probation or on parole in the care or charge of any person except a woman probation-parole officer.

R.S.1954, c. 134, § 12; 1959, c. 307, § 4.

§ 3052. Definitions

The term "prostitution" shall be construed to include the offering or receiving of the body for sexual intercourse for hire and shall be construed to include the offering or receiving of the body for indiscriminate sexual intercourse without hire. The term "lewdness" shall be construed to include any indecent or obscene act. The term "assignation" shall be construed to include the making of any appointment or engagement for prostitution or lewdness or any act in furtherance of such appointment or engagement.

R.S.1954, c. 134, § 13.

§ 3053. Record of prior conviction admissible

In the trial of any person charged with a violation of any of the provisions of section 3051, the record of a prior conviction or testimony concerning the reputation of any place, structure or building and of the person or persons who reside in or frequent the same shall be admissible in evidence in support of the charge.

R.S.1954, c. 134, § 14.

§ 3054. Enticing unmarried females

Whoever fraudulently and deceitfully entices or takes away an unmarried female from her father's house, or wherever else she may be found, for the purpose of prostitution at a house of ill fame, assignation or elsewhere, and whoever aids therein or secretes such female for such purposes; or whoever inveigles or entices any female, before reputed virtuous, to a house of ill fame or knowingly conceals or aids in concealing any such female so enticed, for the purpose of prostitution or lewdness, shall be punished by imprisonment for not less than one year nor more than 10 years.

R.S.1954, c. 134, § 15.

§ 3055. Procuring

Whoever procures a female inmate for a house of prostitution; or induces, persuades, encourages, inveigles or entices a female person to become a prostitute; or whoever by promises, threats, violence or by any device or scheme causes, induces, persuades, inveigles, takes, places, harbors, encourages or entices a female person to become an inmate of a house of prostitution, or assignation place or any place where prostitution is practiced, encouraged or allowed; or whoever by promises, threats, violence or by any device or scheme causes, induces, persuades, encourages, inveigles or entices an inmate of a house of prostitution or place of assignation to remain therein as such inmate; or whoever by promises, threats, violence, by any device or scheme, by fraud or artifice, or by duress of person, of goods, or by abuse of any position of confidence or authority, or having legal charge, takes, places, harbors, inveigles, entices, persuades, encourages or procures any female person to enter any place within this State in which prostitution is practiced, encouraged or allowed for the purpose of prostitution or for any other immoral purpose; or whoever inveigles, entices, persuades, encourages or procures any female person to come into this State or leave this State for the purpose of prostitution or for any other immoral purpose; or whoever takes or detains a female with the intent to compel her by force, threats, menace or duress to marry him or to marry any other person or to be defiled; or upon the pretense of marriage takes or detains a female person for the purpose of sexual intercourse; or whoever receives or gives or agrees to receive or give any money or thing of value for procuring or attempting to procure any female person to become a prostitute or to come into this State or leave this State for the purpose of prostitution

or for any other immoral purpose shall be punished by imprisonment for not less than 2 years nor more than 20 years.

R.S.1954, c. 134, § 16.

§ 3056. Placing a wife in a house of prostitution

Whoever by force, fraud, intimidation or threats places or leaves, or procures any other person or persons to place or leave, his wife in a house of prostitution or to lead a life of prostitution shall be punished by imprisonment for not less than 2 years nor more than 20 years.

R.S.1954, c. 134, § 17.

§ 3057. Accepting money from prostitute

Whoever knowingly accepts, receives, levies or appropriates any money or other valuable thing, without consideration, from the proceeds of the earnings of any woman engaged in prostitution shall be punished by imprisonment for not less than 2 years nor more than 20 years. Any such acceptance, receipt, levy or appropriation of such money or valuable thing shall, upon any proceeding or trial for violation of this section, be presumptive evidence of lack of consideration.

R.S.1954, c. 134, § 18.

§ 3058. Detention in house of prostitution for debt

Whoever attempts to detain any female person in a house of prostitution, assignation place or any place where prostitution is practiced, encouraged or allowed, because of any debt or debts she has contracted or is said to have contracted, shall be punished by imprisonment for not less than 2 years nor more than 20 years.

R.S.1954, c. 134, § 19.

§ 3059. Transportation for prostitution; place of prosecution

Whoever knowingly transports or causes to be transported, or aids or assists in obtaining transportation for, by any means of conveyance into, through or across the State, any female person for the purpose of prostitution or for any other immoral purpose, or with the intent and purpose to induce, entice or compel such female person to become a prostitute shall be punished by

imprisonment for not less than 2 years nor more than 20 years. Such person may be prosecuted, indicted, tried and convicted in any county in or through which he shall have transported or attempted to transport any female person as aforesaid.

R.S.1954, c. 134, § 20.

§ 3060. No defense that part of acts committed out of State

It shall not be a defense to a prosecution for any of the acts prohibited in sections 3055 to 3059 that any part of such act or acts shall have been committed outside this State, and the offense in such case shall be deemed and alleged to have been committed and the offender tried and punished in any county in which the prostitution was intended to be practiced or in which the offense was consummated or any overt act in furtherance of the offense shall have been committed.

R.S.1954, c. 134, § 21.

§ 3061. Abused female competent witness; evidence of general reputation of house

Any such female person referred to in sections 3055 to 3060 shall be a competent witness in any prosecution thereunder to testify for or against the accused as to any transaction, or as to any conversation with the accused, or by him with another person or persons in her presence, notwithstanding her having married the accused before or after the violation of any provision of said sections, whether called as a witness during the existence of the marriage or after its dissolution. In any prosecution under sections 3055 to 3060, evidence of the general reputation or common fame of a house or place shall be admissible for the purpose of proving that the house or place is one of ill fame, prostitution or assignation.

R.S.1954, c. 134, § 22.

§ 3062. Warrant to search for enticed female

When an overseer of the poor, police officer, constable, parent or guardian has reason to believe that a female has been inveigled or enticed to a house of ill fame, he may complain on oath to a competent judge who may issue his search warrant, as in other cases, to enter such house by day or night, search for such female and bring her and the person in whose keeping she is found before him, and may order her to be delivered to the complainant or to be discharged, as law and justice require.

R.S.1954, c. 134, § 23.