

# MAINE STATE LEGISLATURE

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EIGHTIETH LEGISLATURE

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HOUSE

NO. 156

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House of Representatives, February 18, 1921.

Referred to Committee on Legal Affairs and 500 copies ordered printed. Sent up for concurrence.

CLYDE R. CHAPMAN, Clerk.

Presented by Mr. Brewster of Portland.

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STATE OF MAINE

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IN THE YEAR OF OUR LORD ONE THOUSAND  
NINE HUNDRED AND TWENTY-ONE

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AN ACT to Provide for the Licensing, Inspection and Regulation of Lodging Houses and the Registration of True Names.

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Be it enacted by the People of the State of Maine, as follows:

Section 1. No person shall conduct a "lodging house,"  
2 except as hereinafter provided unless such person has se-  
3 cured a license issued under the provisions of this act. The  
4 term "lodging house" shall not be deemed to include a  
5 house where lodgings are let to less than five lodgers, nor  
6 to the dormitories of charitable, educational or philanthro-  
7 pic institutions. The term "lodger" shall not be deemed to

8 include persons within the second degree of kindred to the  
9 person conducting a lodging house.

Sect. 2. Licenses under this act may be issued by the  
2 same persons issuing innkeepers' and common victuallers'  
3 licenses, as provided in chapter thirty-one, section one of  
4 the revised statutes, and shall be valid for the same period.  
5 All innkeepers' licenses issued after the passage of this act  
6 shall be expressed to be subject to the provisions of this  
7 act. A license fee of not more than ten dollars shall be  
8 collected for a lodging house license.

Sect. 3. Premises occupied, used or controlled by a licen-  
2 see under this act or under an innkeeper's license shall be  
3 subject to inspection by the licensing authority and its au-  
4 thorized agents, and by the police.

Sect. 4. No person licensed as lodging house keeper un-  
2 der this act or as innkeeper, and no person in actual charge,  
3 management or control of the premises for which the li-  
4 cense is issued, shall knowingly permit the premises under  
5 his control to be used for the purpose of immoral sollicita-  
6 tion, immoral bargaining, or immoral conduct. Evidence  
7 that a room in a hotel or lodging house was not actually  
8 used for immoral conduct shall not prevent a conviction  
9 under this section of a person in actual charge, control or  
10 management of the premises who permits the occupation of  
11 such a room knowing or having good reason to know  
12 that the parties occupying such a room intended to use it  
13 for immoral solicitation, immoral bargaining or immoral  
14 conduct. Where it is required that registers be kept, as

15 hereinafter provided in this act, evidence that the person  
16 in actual charge, control or management of the premises  
17 has knowingly permitted the occupation of a private room  
18 of less than four hundred square feet floor area contain-  
19 ing a bed or couch by the same woman on different occa-  
20 sions within a period of thirty days with different men, or  
21 by the same man on different occasions within a period of  
22 thirty days with different women, shall be prima facie evi-  
23 dence of a violation of this section.

Sect. 5. Every innkeeper, and lodging house keeper  
2 shall keep or cause to be kept, in permanent form, a regis-  
3 ter in which shall be recorded the true name or the name  
4 in ordinary use and the residence of every person engag-  
5 ing or occupying a private room or rooms averaging less  
6 than four hundred square feet floor area per room, except-  
7 ing a private dining room not containing a bed or couch,  
8 or opening into a room containing a bed or couch for any  
9 period of the day or night in any part of the premises con-  
10 trolled by the licensee, together with a true and accurate  
11 record of the room or rooms assigned to such person or  
12 persons and of the day and hour when such room is assigned.  
13 The entry of the names of the person engaging a room or  
14 rooms and of the occupants of said room or rooms shall  
15 be made by said person engaging or by an occupant of said  
16 room or rooms. Until the entry of such name or names  
17 and the record of the room or rooms has been made, such  
18 person or persons shall not be allowed to occupy privately  
19 any room or rooms upon the licensed premises. Such reg-

20 ister shall be retained by the holder of the license for a  
21 period of at least one year after the date of the last entry  
22 therein and shall be open to the inspection of the licensing  
23 authorities, their agents and the police.

Sect. 6. No person shall write, or cause to be written, or  
2 if in charge of a register knowingly permit to be written,  
3 in any register in any lodging house or hotel any other or  
4 different name or designation than the true name or name  
5 in ordinary use of the person registering or causing him-  
6 self to be registered therein. Nor shall any person occupy-  
7 ing such room or rooms fail to register or fail to cause him-  
8 self to be registered. Any person violating any provision  
9 of this section shall be punished by a fine of not less than  
10 ten dollars nor more than twenty-five dollars for each of-  
11 fence.

Sect. 7. Any person who violates any provision of this  
2 act, excepting sections four and six shall, upon conviction  
3 thereof, be punished by a fine of not less than one hun-  
4 dred dollars nor more than five hundred dollars, or by im-  
5 prisonment for not more than ninety days, for each offence,  
6 or by both such fine and imprisonment. Violation of sec-  
7 tion four shall be punished by a fine of not less than five  
8 hundred dollars nor more than one thousand dollars, or by  
9 imprisonment for not less than six months nor more than  
10 one year, for each offence, or by both such fine and im-  
11 prisonment.

Sect. 8. A license issued under the provisions of this Act  
2 or an innkeeper's license, shall be revoked if at any

3 time the licensing authority shall be satisfied that the li-  
4 censee is unfit to hold the license. It shall also have the  
5 right to suspend and make inoperative for such period of  
6 time as it may deem proper all the aforesaid licenses men-  
7 tioned herein for any cause deemed satisfactory to it. The  
8 revocation and suspension shall not be made until after in-  
9 vestigation and a hearing, or after giving the licensee an  
10 opportunity to be heard, notice of which shall be left at the  
11 premises of the licensee not less than three days before  
12 the time set for the hearing. The licensing authority, as  
13 designated in this Act, is hereby specifically charged with  
14 the duty of enforcing its provisions and of prosecuting all  
15 offenders against the same.

Sect. 9. All licensed innholders and all licensees under  
2 this Act shall post in a conspicuous place near the register  
3 if required a notice to be furnished by the licensing author-  
4 ity containing the provisions of this act relating to the en-  
5 try of names and residences in the register, together with  
6 the penalties herein provided for their violation.

Sect. 10. The clerk of a court in which any person is con-  
2 victed of a violation of any provision hereof shall forthwith  
3 send a copy of the record of the conviction to the licensing  
4 authority in the city or town where the offence occurred.