

719-726. Prisoners liable to labor upon roads; no application to Baltimore City; powers and authority of Governor; requests by local authorities; guarding prisoners; expenses, compensation; attempt to escape; good behavior; per diem.

Process Against Corporations in Criminal Cases.

727. Summons or notice.

728. Appearance; trial; execution.

I.

CRIMES AND PUNISHMENTS.

Abduction.

An. Code, sec. 1. 1904, sec. 1. 1888, sec. 1. 1876, ch. 324, sec. 1. 1890, ch. 448.

1. Any person who shall, for purposes of prostitution, fornication or concubinage, forcibly abduct from her home or usual place of abode or from the custody and control of her parent or parents or guardian any female under the age of eighteen years, or be accessory thereto, or who shall for said purpose persuade or entice from her usual place of abode, or from the custody and control of her parent or parents or guardian, any such female, or be accessory thereto, or shall knowingly secrete or harbor and such female so abducted, persuaded or enticed as aforesaid, against the consent of her parent or parents or guardian, or the person or persons who may have the temporary care, custody or control of such female, or be accessory thereto, shall, upon conviction, be deemed guilty of a misdemeanor, and shall undergo imprisonment in the penitentiary, in the discretion of the court, not exceeding the term of eight years; provided, that nothing contained in this section shall apply to cases pending nor to violations of the law which have heretofore occurred, but all such cases and violations shall be prosecuted as if the law hereby repealed were still in force.

In an indictment under this section, it is competent for traverser to prove the following facts: that prosecutrix went to traverser's house of her own accord and without inducement; that she went with consent of her mother, or for any other purpose than that of prostitution; that traverser made an effort to get a home for her; that prosecutrix during the time she was in traverser's house did not have intercourse with anyone; the character for chastity of the prosecutrix and that she was a "girl of the town." Fact that traverser was the keeper of a bawdy house was *prima facie* evidence that prosecutrix was brought there and permitted to remain for purposes of prostitution. *Brown v. State*, 72 Md. 472 (decided June 19, 1890).

The declarations of the mother of children claimed to have been abducted—the mother accompanying the children and the declarations being made at the time—are admissible in evidence as *res gestae*. *Robinson v. State*, 57 Md. 16.

An. Code, sec. 2. 1904, sec. 2. 1888, sec. 2. 1876, ch. 324, sec. 2.

2. Any person who shall without the color of right forcibly abduct, take or carry away any child under the age of twelve years from the home or usual place of abode of such child, or from the custody and control of the parent or parents, or lawful guardian or guardians of such child, or be accessory thereto, or who shall without such color of right and against the consent of the parent or parents or lawful guardian or guardians of such child, persuade or entice from the usual place of abode or house of such child, or from the custody and control of the parent or parents, or guardian