

# HOUSE . . . . No. 719

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By Mr. Madden of Boston, petition of William F. Madden for an amendment of the law relative to the release of persons arrested for drunkenness. Legal Affairs.

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## The Commonwealth of Massachusetts

In the Year One Thousand Nine Hundred and Thirty-One.

An Act to provide for the Release of Certain Persons  
Arrested for Drunkenness.

*Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:*

1 Section forty-five of chapter two hundred and  
2 seventy-two of the General Laws is hereby amended  
3 by striking out the first paragraph of said section and  
4 inserting in place thereof the following, — so that the  
5 first paragraph will read as follows: —

6 Whoever arrests a person for drunkenness shall  
7 make a complaint against him therefor at the next  
8 session of the court or of the trial justice having juris-  
9 diction of the case; and such court or trial justice may  
10 proceed to hear and to dispose of the same according  
11 to due course of law; and may, if the accused has been  
12 released under this section, order the issuance of a  
13 warrant for the arrest, or a summons for the ap-  
14 pearance, of the accused for trial, or if the court is  
15 satisfied by the report of its probation officer, or other-

16 wise, or if the trial justice is satisfied upon inquiry  
17 that the accused has not been arrested for drunkenness  
18 within three months and that his written statement  
19 hereinafter mentioned is true, the court or trial justice  
20 shall thereupon direct that the accused, if still in  
21 custody, be released without arraignment; and if not  
22 in custody, that further proceedings in the case be  
23 suspended or that the complaint be dismissed.



