

HOUSE No. 1254.

[Mr. ROURKE of Boston gives notice that he will move to substitute this bill for the report of the committee on the Judiciary.]

Commonwealth of Massachusetts.

In the Year One Thousand Eight Hundred and Ninety-five.

AN ACT

To provide for the Discharge of Persons arrested for Drunkenness in certain cases.

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 1. Any person arrested for drunkenness may
2 make to the officer in charge of the place of custody in
3 which he is confined a statement, giving his name and
4 address and declaring that he has never been arrested for
5 drunkenness before, or that having been so arrested he
6 has been tried and acquitted, together with a request to
7 be released from custody. If the officer who receives
8 said statement shall be satisfied that the same is true he
9 may release from custody the person making the same ;
10 and he shall thereupon endorse upon said statement his
11 finding that the same is true and his action in releasing

12 said person and shall forthwith forward said statement with
13 his endorsement to the court or justice having jurisdic-
14 tion of the case. No officer in making an arrest shall be
15 liable for illegal arrest or imprisonment if the person
16 arrested shall be released from custody upon his own
17 request as herein provided.

1 SECT. 2. This act shall take effect upon its passage.

