

HOUSE No. 50

Bill accompanying the petition of John H. Buckley for legislation relative to the treatment of drunkenness and to provide that persons arrested for drunkenness shall not be fined or imprisoned. Legal Affairs. January 1.

The Commonwealth of Massachusetts.

In the Year One Thousand Nine Hundred and Thirteen.

AN ACT

Relative to 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 1. A drunken person shall be one who is
2 under the influence of intoxicating liquor and in such a
3 condition that he is unable to take care of himself.

1 SECTION 2. A drunken person may be arrested and
2 detained by the police until he is sober, when he shall be
3 released after a record of his name, residence and occupa-
4 tion has been made. If, however, in the opinion of the
5 probation officer, or, if there be no probation officer where
6 the arrest is made, of the head of the police department,
7 the person so arrested is an habitual drunkard, he shall
8 be held for observation, and shall be brought before the

9 court. If, in the judgment of the court, he is an habitual
10 drunkard, he shall be committed to the Norfolk state
11 hospital for treatment until such time as in the opinion
12 of the trustees or superintendent of the hospital his physi-
13 cal and moral condition is such as to justify his release.
14 But a person held for more than one year in said hospital
15 shall, on his own petition or on the petition of a relative
16 or friend, filed with the clerk of the probate court for the
17 county of Norfolk, be brought before said court for a
18 hearing; and the court may order his release, or may
19 direct his further confinement for treatment.