

# SENATE . . . . No. 188

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To accompany the petition of J. Frank Chase and another relative to search warrants under the law relating to certain drugs. Joint Judiciary.

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## The Commonwealth of Massachusetts.

In the Year One Thousand Nine Hundred and Sixteen.

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### AN ACT

Relative to Search Warrants under the Law relating to Certain Drugs.

*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 one of chapter one hundred and fifty-  
2 nine of the general acts of the year nineteen hun-  
3 dred and fifteen, is hereby amended by inserting  
4 after the word "sativa", in line five and line  
5 nineteen, the word:—peyote,—and after the word  
6 "same", in line twenty-one, the words:— or any  
7 cocaine, alpha or beta eucaine or any synthetic  
8 substitute for them, or any preparation contain-  
9 ing the same, or any salts or compound thereof, —  
10 so that the amended law shall read as follows:—  
11 *Section 1.* If a person makes complaint under

12 oath to a police, district or municipal court, or to  
13 a trial justice or justice of the peace authorized to  
14 issue warrants in criminal cases, that he has  
15 reason to believe that opium, morphine, heroin,  
16 codeine, cannabis indica, cannabis sativa, peyote,  
17 or any other hypnotic drug or any salt, compound  
18 or preparation of said substances, or any cocaine,  
19 alpha or beta eucaine, or any synthetic substitute  
20 for them, or any preparation containing the same,  
21 or any salts or compounds thereof, is kept or  
22 deposited by a person named therein in a store,  
23 shop, warehouse, building, vehicle, steamboat,  
24 vessel or place other than a manufacturer or  
25 jobber, wholesale druggist, registered pharmacist,  
26 registered physician, registered veterinarian, regis-  
27 tered dentist, registered nurse, employees of in-  
28 corporated hospitals, or a common carrier or  
29 porter when transporting any drug mentioned  
30 herein between parties hereinbefore mentioned,  
31 such court or justice, if it appears that there is  
32 probable cause to believe that said complaint is  
33 true, shall issue a search warrant to a sheriff,  
34 deputy sheriff, city marshall, chief of police, deputy  
35 marshall, police officer or constable commanding  
36 him to search the premises in which it is alleged  
37 that such opium, morphine, heroin, codeine, can-  
38 nabis indica, cannabis sativa, peyote or any other  
39 hypnotic drug or any salt or compound or prepa-  
40 ration of said substances or any preparation con-  
41 taining the same or any cocaine, alpha or beta  
42 eucaine, or any synthetic substitute for them, or  
43 any preparation containing the same, or any salts

44 or compounds thereof is kept or deposited, and  
45 to seize and securely keep the same until final  
46 action, and to arrest the person or persons in  
47 whose possession it is found, together with all  
48 persons present if any of the aforesaid substances  
49 is found, and to return forthwith the warrant  
50 with his doings thereon, to a court or trial justice  
51 having jurisdiction in the place in which said sub-  
52 stance is alleged to be kept or deposited.

