

HOUSE . . . No. 516.

Commonwealth of Massachusetts.

HOUSE OF REPRESENTATIVES, May 25, 1887.

The Committee on Prisons, who were instructed to consider the expediency of establishing a State institution for the care, keeping and reformation of drunkards, and that persons arrested and convicted for drunkenness shall be sent to said institutions instead of to penal institutions in the Commonwealth, report the accompanying Bill.

For the Committee,

JOHN P. REYNOLDS.

HOUSE OF REPRESENTATIVES, June 15, 1887.

The Committee on Finance, to whom was referred the Bill to establish the Massachusetts Asylum for Inebriates, report asking to be discharged from the further consideration of the same.

For the Committee,

JACOB A. DRESSER.

HOUSE OF REPRESENTATIVES, June 15 (A. M.), 1887.

Accepted.

EDWARD A. McLAUGHLIN,
Clerk.

Commonwealth of Massachusetts

In the Year One Thousand Eight Hundred and Eighty-seven.

AN ACT

To establish the Massachusetts Asylum for
Inebriates.

*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. The governor, with the advice
2 and consent of the council, is hereby authorized
3 to appoint three persons, who shall constitute the
4 board of trustees of the Massachusetts Asylum for
5 Inebriates. Said trustees may be removed by the
6 governor, with the advice of the council, for
7 sufficient cause. One of said persons shall hold
8 office until one year, one until two years and one
9 until three years from the first day of January,
10 eighteen hundred and eighty-eight. When a
11 vacancy occurs in said board, by expiration of the
12 term of office of any member thereof, the gov-
13 ernor, with the advice of the council, shall appoint
14 a trustee for the term of three years, and if a

15 vacancy occurs in any other manner the appoint-
16 ment shall be to fill the unexpired term.

1 SECT. 2. Said trustees shall have authority to
2 purchase, in behalf of the Commonwealth, suitable
3 real estate as a site for an asylum for inebriates,
4 and to cause to be erected thereon suitable build-
5 ings for said asylum, and for the officers, em-
6 ployees and attendants, and to provide for the
7 equipment and furnishing of said buildings: *pro-*
8 *vided, however,* that the expenditure for said real
9 estate shall not exceed fifteen thousand dollars,
10 and that the entire expenditure for carrying out
11 the purposes of this act shall not exceed one
12 hundred thousand dollars. No purchase of real
13 estate shall be made under the provisions of this
14 act without the approval of the governor and
15 council, nor shall any expenditure be made for the
16 erection of buildings, except for plans therefor,
17 until said plans have been approved by the gov-
18 ernor and council, and no such approval shall be
19 given unless the governor and council shall be
20 satisfied that the cost of the real estate and the
21 erection and completion of buildings, and the
22 equipment and furnishing of the same ready for
23 occupancy, will not exceed one hundred thousand
24 dollars. Said board shall have authority to make
25 all contracts and employ all agents necessary to
26 carry into effect the provisions of this act, but no
27 expenditure shall be made during the current
28 year, except for real estate, and for plans for said
29 buildings.

1 SECT. 3. The principal officer of said asylum
2 shall be known as the superintendent. He shall
3 be appointed by the board of trustees, and may
4 be removed by them for such cause as they shall
5 deem sufficient. Said trustees shall establish such
6 other offices as they shall consider necessary, and
7 they shall be filled by appointment of the super-
8 intendent, with the approval of the trustees, and
9 the officers so appointed may be removed in the
10 same manner. The salaries of all officers shall be
11 fixed from time to time by the trustees.

1 SECT. 4. Said trustees may make rules for the
2 government and administration of the asylum,
3 and defining the duties of the several officers
4 thereof, and they shall have the general super-
5 vision of the administration of the asylum.

1 SECT. 5. When the buildings constructed un-
2 der the provisions of this act are so far completed
3 that in the opinion of said trustees commitments
4 may properly be made thereto, said trustees shall
5 so notify the governor, who shall thereupon issue
6 his proclamation establishing the Massachusetts
7 Asylum for Inebriates, and thereafter the judges
8 named in section eleven of chapter eighty-seven
9 of the Public Statutes may commit to said asylum
10 any male person who is given to, or subject to,
11 dipsomania or habitual drunkenness, whether in
12 public or in private: *provided, however*, that no
13 such person shall be so committed until satisfac-
14 tory evidence shall be furnished to the judge

15 before whom the proceedings for commitment
16 are had that such person is not of bad repute or
17 of bad character apart from his habits of in-
18 ebriety.

1 SECT. 6. All the laws relative to the commit-
2 ment of an insane person to a lunatic hospital
3 shall be applicable to, and shall govern the com-
4 mitment of, any person under this act, except
5 that in all proceedings relative to the commitment
6 of any such person it shall be specifically alleged
7 that he is subject to dipsomania, or habitual
8 drunkenness, instead of alleging that he is insane.

1 SECT. 7. Whenever any person is committed
2 to said asylum under the provisions of this act,
3 the judge committing him shall not fix or limit
4 the term of his confinement therein, but he may
5 be held in said asylum for a term not exceeding
6 two years.

1 SECT. 8. When it shall appear to said board
2 of trustees that any person held in said asylum
3 will not continue to be subject to dipsomania,
4 they may issue to him a permit to be at liberty
5 during the remainder of the term for which he
6 might otherwise have been held, upon such con-
7 ditions as they deem best; and they may revoke
8 said permit at any time previous to its expiration.
9 The violation by the holder of a permit, granted
10 as aforesaid, of any of the terms or conditions of
11 the same, shall of itself make void said permit.

1 SECT. 9. When any permit granted under the
2 provisions of the preceding section has been re-
3 voked, or has become void, as aforesaid, said
4 trustees may issue an order authorizing the arrest
5 of the holder of said permit and his return to said
6 asylum. Said order of arrest may be served by
7 any officer authorized to serve criminal process
8 in any county in this Commonwealth. Any per-
9 son at liberty from the asylum upon a permit, as
10 aforesaid, may voluntarily return to the asylum,
11 and put himself in the custody of the superin-
12 tendent. The holder of said permit, when re-
13 turned to said asylum, as aforesaid, whether
14 voluntarily or otherwise, shall be detained therein
15 according to the terms of his original commit-
16 ment; and in computing the period of his confine-
17 ment, the time between his release upon said
18 permit and his return to the asylum shall not be
19 taken to be any part of the term for which he
20 was committed.

1 SECT. 10. Whoever escapes from said asy-
2 lum, or from any lands or buildings appurtenant
3 thereto, may be arrested and returned thereto as
4 if he had escaped from a jail, and shall be liable
5 to the same punishment as he would have been
6 liable to if he had escaped from a jail.

1 SECT. 11. Said board of trustees shall be re-
2 imbursed for expenses actually incurred by them
3 in the performance of the duties imposed upon
4 them by this act, and after the establishment of

5 said asylum they shall receive no compensation
6 for any such duties. The governor and council
7 shall fix the compensation to be made to said
8 trustees for services rendered by them in the
9 selection and purchase of real estate, and in the
10 construction, equipment and furnishing of the
11 asylum buildings.

1 SECT. 12. After the establishment of said asy-
2 lum no male person shall be sent to any lunatic
3 hospital, under the provisions of chapter three
4 hundred and thirty-nine of the acts of the year
5 eighteen hundred and eighty-five.

1 SECT. 13. This act shall take effect upon its
2 passage.

