

HOUSE No. 530.

[Mr. HAYES of Lynn gives notice that he will move to substitute this Bill for the report of the committee on the Judiciary, reference to the next General Court.]

Commonwealth of Massachusetts.

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

AN ACT

To prevent Fining or Imprisonment for First Offences of Drunkenness in Cities and Towns where the Sale of Intoxicating Liquors as a Beverage is licensed.

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

1 Whoever is found intoxicated in a public place
2 in any city or town in the Commonwealth, where
3 the sale of intoxicating liquors as a beverage is
4 licensed, may be arrested by a sheriff, deputy-
5 sheriff, constable, watchman or police officer, and,
6 in the discretion of the officer, either taken home

7 or kept in custody in some suitable place until
8 such person has recovered from intoxication:
9 *provided*, any person so found intoxicated who
10 has twice been arrested within the twelve months
11 next preceding for a like offence shall be deemed
12 a drunkard, and may be sentenced to confinement
13 in any reformatory institution provided by law
14 for treatment of dipsomania, not less than six
15 months nor more than than two years. Such por-
16 tions of sections twenty-five, twenty-six and
17 twenty-seven of chapter two hundred and seven
18 of the Public Statutes as permit the fining and
19 imprisonment of persons for intoxication only,
20 shall not apply in cities and towns where the sale
21 of intoxicating liquors as a beverage is licensed.

