

library of each state and territory of the union, the balance to be placed in the state library of Massachusetts for purposes of exchange.

SECTION 3. This act shall take effect upon its passage.

Approved June 3, 1893.

Chap.414 AN ACT RELATIVE TO THE RELEASE OF PERSONS ARRESTED FOR DRUNKENNESS.

Be it enacted, etc., as follows :

Arrests for drunkenness, complaint, statement and request for release.

SECTION 1. Whoever arrests a person for drunkenness shall make a complaint against him for that offence. Any person so arrested may make to the officer in charge of the place of custody in which he is confined, a written statement, addressed to the court having jurisdiction of his case, giving his name and address, what persons, if any, are dependent upon him for support; his place of employment, if any; and whether he has been arrested for drunkenness before within the twelve months next preceding, together with a request to be released from custody. He shall be informed by said officer of his right to make such statement and request. The officer who receives such statement shall endorse thereon the name of the arresting officer, and, if the arrest was made within the jurisdiction of a court having a probation officer, shall transmit said statement to said officer, who shall at once inquire into the truth or falsity thereof, and into the record of said person as to previous similar offences, and shall endorse thereon, over his own signature, for the use of the court having jurisdiction of the case, the result of the investigation, and the court thereupon, in its discretion, may direct that such person be released from custody without arraignment. If the arrest is made within the jurisdiction of a trial justice the officer in charge of the place of custody shall transmit such statement, with the prisoner, to the trial justice, for his use in the trial and disposition of the case. No officer making an arrest under the provisions of this act shall be liable for illegal arrest or imprisonment if the person arrested shall be released from custody upon his own request, as herein provided.

Person to be informed of his right.

Proceedings upon statement and request.

Officer not liable for illegal arrest, etc.

1891, 427, §§2, 3, repealed.

To take effect July 1, 1893.

SECTION 2. Sections two and three of chapter four hundred and twenty-seven of the acts of the year eighteen hundred and ninety-one are hereby repealed.

SECTION 3. This act shall take effect on the first day of July in the year eighteen hundred and ninety-three.

Approved June 3, 1893.