

# HOUSE . . . . No. 2035

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## The Commonwealth of Massachusetts

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### INITIATIVE PETITION OF KARL T. COMPTON AND OTHERS.

[Public Health.]

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OFFICE OF THE SECRETARY,  
BOSTON, January 1, 1941.

*Clerk of the House of Representatives, State House, Boston, Massachusetts.*

DEAR SIR: — Under the provisions of Article XLVIII of the Amendments to the Constitution, “The Initiative. II. Initiative Petitions. Section 4”, I transmit herewith an initiative petition, accompanied by a bill entitled “An Act to allow physicians to provide medical contraceptive care to married persons for the protection of life or health”. This petition, signed by ten qualified voters, and with the requisite certificate of the Attorney General attached, was filed with the Secretary of the Commonwealth September 4, 1940; and on December 4, 1940, 44,565 subsequent signatures of qualified voters had been filed.

Respectfully,

FREDERIC W. COOK,  
*Secretary of the Commonwealth.*

## INITIATIVE PETITION.

Pursuant to Article XLVIII of the Amendments to the Constitution of the Commonwealth, the undersigned qualified voters of the Commonwealth of Massachusetts hereby petition for the following proposed measure:

AN ACT TO ALLOW PHYSICIANS TO PROVIDE MEDICAL CONTRACEPTIVE CARE TO MARRIED PERSONS FOR THE PROTECTION OF LIFE OR HEALTH.

*Be it Enacted by the People, and by their Authority.*

To amend Chapter 272 of the General Laws as appearing in the Tercentenary Edition by adding at the end of Section twenty-one the following: —

The provisions of this section and of section twenty which relate to the prevention of pregnancy and the prevention of conception shall not apply to treatment or prescription given to married persons for protection of life or health by or under the direction of physicians registered in accordance with the provisions of Chapter 112; nor to teaching in chartered medical schools; nor to publication or sale of medical treatises or journals.

- KARL T. COMPTON,  
111 Charles River Road, Cambridge.
- SARAH T. CURWOOD,  
30 Parker Street, Cambridge.
- ROBERT G. DODGE,  
2 Raleigh Street, Boston.
- FREDERICK M. ELIOT,  
89 Irving Street, Cambridge.
- NATHANIEL W. FAXON,  
25 Chestnut Hill Road, Newton.
- FREDERICK C. IRVING,  
26 Edge Hill Road, Brookline.
- WILLIAM R. MANCHESTER,  
77 Gillette Avenue, Springfield.
- MARY PRATT POTTER,  
486 Main Street, Greenfield.
- JOHN C. ROCK,  
60 Quail Street, Boston.
- CURTIS C. TRIPP,  
416 County Street, New Bedford.

#### DESCRIPTION OF PROPOSED MEASURE.

The proposed measure provides that the present statutes which make it a crime punishable by fine or imprisonment knowingly to advertise, print, publish, distribute or circulate any matter containing reference to any person from whom or place where any drug, instrument or means whatever, or any advice or information may be obtained, for the purpose of preventing pregnancy, or to sell, lend, give away, exhibit, offer or advertise any drug, medicine, instrument or other article for the prevention of conception, or to write or print information of any kind stating when, where, how, of whom, or by what means such article can be obtained, or to manufacture or make such article, shall not apply to treatment or prescription given to married persons for protection of life or health by or under the direction of registered physicians nor to teaching in chartered medical schools nor to publication or sale of medical treatises or journals.

## CERTIFICATE OF THE ATTORNEY GENERAL.

AUGUST 29, 1940.

I hereby certify that the foregoing measure is in proper form for submission to the people and that it is not either affirmatively or negatively substantially the same as any measure which has been qualified for submission or submitted to the people within three years of the succeeding first Wednesday in December, and that it contains only subjects not excluded from the popular initiative and which are related or which are mutually dependent.

PAUL A. DEVER,  
*Attorney General.*