

HOUSE No. 1870

The Commonwealth of Massachusetts

HOUSE OF REPRESENTATIVES, February 24, 1948.

The committee on the Judiciary, to whom was referred the petition (accompanied by bill, House, No. 976) of Leslie B. Cutler, Fannie M. Buzzell and Margaret L. Spear for legislation to improve the methods of jury selection and making persons of either sex liable for service as jurors in certain cases, report the accompanying bill (House, No. 1870).

For the Committee,

WILLIAM E. HAYS.

The Commonwealth of Massachusetts

In the Year One Thousand Nine Hundred and Forty-Eight.

AN ACT AUTHORIZING AND REGULATING THE SERVICE OF WOMEN AS JURORS.

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. Chapter 234 of the General Laws is
2 hereby amended by striking out section 1, as most
3 recently amended by chapter 25 of the acts of 1936,
4 and inserting in place thereof the following:—

5 *Section 1.* A person of either sex qualified to vote
6 for representatives to the general court, whether a
7 registered voter or not, shall be liable to serve as a
8 juror, except that the following persons shall be
9 exempt:

10 The governor; lieutenant governor; members of the
11 council; state secretary; members and officers of the
12 senate and house of representatives during a session
13 of the general court; judges and justices of a court;
14 county commissioners; clerks of courts and assistant
15 clerks and all regularly appointed officers of the courts
16 of the United States and of the commonwealth;
17 registers of probate and insolvency; registers of deeds;
18 sheriffs and their deputies; constables; marshals of
19 the United States and their deputies, and all other
20 officers of the United States; attorneys at law; settled

21 ministers of the gospel; officers of colleges; preceptors
22 and teachers of incorporated academies; registered
23 practicing physicians and surgeons; persons over
24 seventy years of age; persons under twenty-five years
25 of age; members of the volunteer militia; members of
26 the Ancient and Honorable Artillery Company;
27 superintendents, officers and assistants employed in
28 or about a state hospital, insane hospital, jail, house of
29 correction, state industrial school or state prison;
30 keepers of lighthouses; conductors and engine drivers
31 of railroad trains; teachers in public schools; engine-
32 men and members of the fire department of Boston,
33 and of other cities and towns in which such exemption
34 has been made by vote of the city council or the
35 inhabitants of the town, women having children
36 under fifteen years of age or having such children in
37 their charge, women members of religious orders,
38 Christian Science practitioners and readers, respec-
39 tively.

40 Notwithstanding the foregoing provisions, no woman
41 shall serve as a juror at the trial of any prosecution
42 under sections twenty-two to twenty-four, inclusive,
43 of chapter two hundred and sixty-five, or under
44 sections one to thirty-five, inclusive, of chapter two
45 hundred and seventy-two, and a woman shall be
46 excused from serving as a juror at the trial of any case,
47 civil or criminal, if she specifically so requests.

1 SECTION 2. Section 4 of said chapter 234, as
2 appearing in the Tercentenary Edition, is hereby
3 amended by adding after the first paragraph the
4 following new paragraph:—

5 A woman, whose name has been placed on the list
6 of persons qualified to serve as jurors may, by notice

7 in writing to the board, at any time prior to the
8 drawing of her name for a venire, claim exemption
9 from such service, and the board shall forthwith
10 remove her name from the jury list.