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By Mr. McCarthy of Somerville, petition of Thomas Dorgan and Paul A. McCarthy that colleges and schools be required to expel communists or other persons associated with communistic or other subversive organizations from the teaching staffs and relative to the penalties for failure to do so. Education.

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## The Commonwealth of Massachusetts

In the Year One Thousand Nine Hundred and Fifty-Four.

### AN ACT RELATIVE TO PERSONS EMPLOYED AS TEACHERS.

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

1 The presidents and trustees or governing boards of  
2 the several colleges and schools of the commonwealth  
3 of Massachusetts shall expel communists or other  
4 persons associated or affiliated with communistic or  
5 other subversive organizations from their teaching  
6 staffs upon receipt of notice thereof from the clerk of  
7 the court or from the attorney general or district  
8 attorney in any one of the several districts that any  
9 person or persons listed on their teaching staff has  
10 been found guilty of knowingly becoming or remaining  
11 a member of a subversive organization.

12 Failure on the part of the presidents and trustees,  
13 or governing boards, of our several colleges or schools  
14 to comply with the provisions of this chapter shall re-  
15 quire the revocation of the charter of any college or  
16 school incorporated and subject to section three of  
17 chapter one hundred and fifty-five of the General  
18 Laws. The state tax commission shall revoke the  
19 charter of any such school or college after notice as  
20 hereinafter provided.

21 The superior court shall have jurisdiction in equity  
22 on complaint or information of the attorney general,  
23 or by the district attorney of any district, after due  
24 notice to such school or college and summary hearing  
25 thereof to issue necessary process in accordance with  
26 the established equity practice to such school or col-  
27 lege to show cause why the charter of such school or  
28 college should not be revoked. Service of such order  
29 of notice shall be by the sheriff and shall be served in  
30 accordance with the provisions provided for service  
31 in other suits in equity.

32 The respondent shall file its answer thereto within  
33 twenty-one days from the return day of such order,  
34 and the right to trial by jury shall be preserved to all  
35 parties and shall be by issues to the jury framed and  
36 submitted in accordance with the established prac-  
37 tice. All rights of the respondent to exceptions or  
38 appeal shall be preserved.

39 If the court, after trial or hearing thereof, and  
40 after jury issues framed by the court, upon motion  
41 of the parties have been answered, that such college  
42 or school has failed to comply with the provisions  
43 hereof, a decree revoking the charter shall be entered  
44 and notice thereof shall be given to the state tax com-  
45 mission. Said commission shall thereupon revoke the  
46 charter of any such college or school.

47 The provisions of this chapter shall apply to any  
48 college or school not subject to the provisions of said  
49 section three of chapter one hundred and fifty-five of  
50 the General Laws. In the event that any school or  
51 college not subject to the provisions of section three  
52 of said chapter one hundred and fifty-five fails to  
53 comply with the provisions hereof, such corporation  
54 or school shall not be exempt from the laws of taxa-  
55 tion as to real or personal property situated within  
56 the commonwealth.

57 In the event that any part of this act shall be de-  
58 clared invalid or unconstitutional, the remaining sec-  
59 tions thereof shall be valid and enforceable.