

By Mr. Christopher A. Iannella of Boston, petition of Christopher A. Iannella for legislation relative to the admission and disbarment of attorneys at law. The Judiciary.

The Commonwealth of Massachusetts

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

AN ACT RELATIVE TO THE ADMISSION AND DISBARMENT OF ATTORNEYS AT LAW.

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. Section 37 of chapter 221 of the Gen-
2 eral Laws, as appearing in the Tercentenary Edition,
3 is hereby amended by adding at the end thereof the
4 following paragraph:—

5 No person who is or has been a member of the com-
6 munist party or who has invoked the fifth amendment
7 of the constitution of the United States at any trial
8 or hearing in connection with an inquiry as to his
9 membership in such party shall be permitted to peti-
10 tion for examination for admission as an attorney at
11 law or be admitted as such. The board of bar ex-
12 aminers shall make, or cause to be made, due and
13 sufficient inquiry into the loyalty and character of
14 each applicant to assure compliance with this para-
15 graph.

1 SECTION 2. Said chapter 221 is hereby further
2 amended by inserting after said section 37 the follow-
3 ing section:—

4 *Section 37A.* No person shall be admitted as an
5 attorney at law unless and until he has filed with the
6 board of bar examiners the following loyalty oath,

7 subscribed and sworn to (or affirmed) before a person
8 authorized to administer oaths in this common-
9 wealth:—

10 “I, (insert name), do solemnly swear (or affirm)
11 that I am not, have never been, and will not become,
12 a member of the communist party, and that I have
13 never invoked, nor ever will invoke, the fifth amend-
14 ment of the constitution of the United States at any
15 trial or hearing in connection with an inquiry as to
16 my membership in such party.”

1 SECTION 3. Section 40 of said chapter 221, as
2 appearing in the Tercentenary Edition, is hereby
3 amended by inserting after the first sentence the
4 following sentence:— An attorney may, in like man-
5 ner, be removed for subscribing to and filing a false
6 loyalty oath or for any violation of such oath.