

HOUSE . . . . . No. 780.

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Bill accompanying the petition of John J. McDonough for legislation to increase the penalty for procuring abortion. Joint Judiciary. January 24.

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Commonwealth of Massachusetts.

In the Year One Thousand Nine Hundred and Six.

AN ACT

To provide for increasing the penalty for procuring Abortion.

*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 fifteen of chapter two hundred and twelve of  
2 the Revised Laws is hereby amended by striking out all  
3 after the word "thereof" in the sixth line to and in-  
4 cluding the word "years" in the eighth line, and insert-  
5 ing in place thereof the following:— *be deemed guilty*  
6 *of murder in the first degree and shall suffer the punish-*  
7 *ment of death,*— and by inserting before the word "by"  
8 in the ninth line the words:— *shall be punished,*— and  
9 by striking out the word "seven" in said ninth line and

10 inserting in place thereof the word:— *twenty*, — so as  
11 to read as follows:—

12 *Section 15.* Whoever with intent to procure the mis-  
13 carriage of a woman, unlawfully administers to her,  
14 or advises or prescribes for her, or causes any poison,  
15 drug, medicine or other noxious thing to be taken by  
16 her, or, with the like intent, unlawfully uses any instru-  
17 ment or other means whatever, or, with like intent, aids  
18 or assists therein, shall, if she dies in consequence thereof,  
19 *be deemed guilty of murder in the first degree and shall*  
20 *suffer the punishment of death;* and, if she does not die  
21 in consequence thereof, *shall be punished* by imprison-  
22 ment in the state prison for not more than *twenty* years  
23 and by a fine of not more than two thousand dollars,  
24 [or by both said fine and imprisonment].

Words in brackets are added, but not cited as amendment above.