

HOUSE No. 426

By Mr. McCarthy of Somerville, petition of Thomas Dorgan and Paul A. McCarthy relative to banning the Communist Party in this Commonwealth. Constitutional Law.

The Commonwealth of Massachusetts

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

AN ACT BANNING THE COMMUNIST PARTY IN THIS COMMONWEALTH.

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. No political organization or party
2 affiliated directly or indirectly with any foreign
3 political agency, party or government, which advo-
4 cates revolution, teaches or justifies a program of
5 sabotage, force or violence, sedition or treason against
6 the government of the United States or of this com-
7 monwealth, or which directly or indirectly advocates
8 or teaches by any means whatsoever the forceful
9 overthrow of the government of the United States
10 or of this commonwealth, or change in the form of
11 government thereof by force or any unlawful means,
12 shall be entitled to the privileges of regular constituted
13 political parties as defined by the General Laws of
14 this commonwealth, and all said organizations teach-
15 ing such forceful overthrow shall be deemed illegal,

16 and members of said organizations practicing, abetting
17 or teaching the duty to overthrow the government
18 of the United States or of this commonwealth by
19 force shall be guilty of a violation of this act and
20 subject to a maximum fine of one thousand dollars,
21 one year's imprisonment, or both.

1 SECTION 2. The attorney general of the common-
2 wealth and other duly elected law enforcement agents
3 shall be responsible for determining whether any
4 such political parties or organizations or members
5 thereof are at work in the commonwealth practicing,
6 teaching and advocating violent overthrow of the
7 government of the United States or of this common-
8 wealth, and the said attorney general and said law
9 enforcement agents are authorized to conduct any
10 necessary investigations in keeping with the purposes
11 of this act.