

# MAINE STATE LEGISLATURE

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N I N E T Y - S E V E N T H   L E G I S L A T U R E

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**Legislative Document**

**No. 1236**

S. P. 444

In Senate, March 9, 1955

Referred to the Committee on Judiciary, sent down for concurrence and ordered printed.

CHESTER T. WINSLOW, Secretary

Presented by Senator Boyker of Oxford.

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**STATE OF MAINE**

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IN THE YEAR OF OUR LORD NINETEEN HUNDRED  
FIFTY-FIVE

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**AN ACT Declaring the Communist Party Illegal and Unlawful.**

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Be it enacted by the People of the State of Maine, as follows :

R. S., c. 143, §§ 4-A, 4-B and 4-C, additional. Chapter 143 of the revised statutes is hereby amended by adding thereto 3 new sections, to be numbered 4-A, 4-B and 4-C, to read as follows :

**'Communist Party.**

Sec. 4-A. Declaration of policy. Upon evidence and proof throughout the United States, it is declared to be a fact that there exists an international Communist conspiracy which is committed to the overthrow of the government of the United States and of the several states by force and violence, such conspiracy including the Communist Party of the United States, its component or related parts and members, and that such conspiracy constitutes a clear and present danger to the government of the United States and of this State.

Sec. 4-B. Party illegal. The Communist Party of the United States, together with its component or related parts and organizations, no matter under what name known, and all other organizations, incorporated or unincorporated, which engage in or advocate, abet, advise or teach, or a purpose of which is to engage in or advocate, abet, advise or teach, any activities intended to overthrow, destroy or alter, or to assist in the overthrow, destruction or alteration of the constitutional form of the government of the United States or of the State of Maine, or of any political subdivision of either of them, by force or violence, are declared to be illegal and not entitled to any rights, privileges or immunities attendant upon bodies under the jurisdiction of the State of Maine or any political

subdivision thereof. It shall be unlawful for such Party or any of its component or related parts or organizations, or any such other organization, to exist, function or operate in the State of Maine. Any organization which is found by a court of competent jurisdiction to have violated any provisions of this section shall be dissolved, and if it be a corporation organized and existing under the laws of this State or having the right to do business in this State, its charter or such right shall be forfeited, and, whether incorporated or unincorporated, all funds, records and other property belonging to such Party or any component or related part or organization thereof, or to any such other organization, shall be seized by and forfeited to the State of Maine, to escheat to the State as in the case of a person dying without heirs. All books, records and files of any such organization shall be turned over to the Attorney General.

Sec. 4-C. Penalty. Any person convicted of violating any provision of section 4-B shall from the date of such final conviction automatically be disqualified and barred from holding any office, elective or appointive, or any other position of profit, trust or employment with the government of the State of Maine or any agency thereof, or of any county, municipal or other political subdivision of the State.'