

of common pleas, and the Secretary of the Commonwealth; and providing for the payment of certain expenses by cities.

with the recommendation that it be re-referred to the Committee on Municipal Government.

The PRESIDENT. Is there objection? The Chair hears none.

RECESS

Mr. GELTZ. Mr. President, I move that the Senate do now take a recess for ten minutes.

Mr. BARTLETT. Mr. President, I second the motion. The motion was agreed to.

AFTER RECESS

The PRESIDENT. The time of recess having elapsed the Senate will be in order.

REPORT FROM COMMITTEE

Mr. WADE. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. WADE from the Committee on State Government re-reported as committed, Senate Bill No. 33, entitled:

An Act to amend section one of the act, approved the first day of July, one thousand nine hundred and thirty-seven (P. L. 2460), entitled "An act creating a joint legislative commission, to be known as the Joint State Government Commission; providing for the appointment of its members; and defining its powers and duties," changing the number of members; and extending the power to employ assistance.

MOTION TO READ BILLS THE FIRST TIME

Mr. GELTZ. Mr. President, I move that the Senate do now proceed to the first reading of all bills reported from committees for the first time at today's session.

Mr. EALY. Mr. President, I second the motion. The motion was agreed to.

BILL ON FIRST READING

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 33, entitled:

An Act to amend section one of the act, approved the first day of July, one thousand nine hundred and thirty-seven (P. L. 2460), entitled "An act creating a joint legislative commission, to be known as the Joint State Government Commission; providing for the appointment of its members; and defining its powers and duties," changing the number of members; and extending the power to employ assistance.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

ADJOURNMENT

Mr. GELTZ. Mr. President, I move that the Senate do now adjourn until Tuesday, January 28, 1941 at 11:00 o'clock, a. m.

Mr. BARR. Mr. President, I second the motion. The motion was agreed to.

The Senate adjourned at 6:29 o'clock, p. m. until Tuesday, January 28, 1941, at 11:00 o'clock, a. m.

HOUSE OF REPRESENTATIVES

MONDAY, January 27, 1941.

The House met at 9 p. m.

The SPEAKER (Elmer Kilroy) in the Chair.

PRAYER

The SPEAKER: Prayer will be offered by the Chaplain Rev. Donald McFall, Pastor of the Grace Evangelical Church at Steelton and Charlton Evangelical Church at Paxtonia. The Chaplain is the son of a Member of this House, the gentleman from Northampton, Mr. McFall.

The Chaplain Rev. Donald McFall offered the following prayer:

Almighty God, as this session opens this night, we seek not only thy blessing, but also thy guiding spirit. We ask Thee, O God, to so direct the affairs of State that these men who have been sent to represent the people of our beloved Commonwealth may not betray their trust at any time.

We beseech thee, O God, to bless the Speaker of the House. May he be guided in such a way as to bring out the best that is in man, as each representative seeks to be heard from time to time.

Bless the Governor of our State and those in authority with him. Grant that this session may be marked by the passing of such legislation that will make our State a leader in that which stands for Justice and Brotherhood among men.

We seek thy special blessing for the President of These United States in this critical hour. Grant unto him wisdom. May those who share the responsibilities of our land be led aright.

May it please thee, Our Heavenly Father, to help each of us to play our part in keeping this land, a land of Liberty, a place of Free Press and Free Speech, and above all to preserve our Religious Freedom—for we realize that unless we turn to thee, Our God, much that is now held sacred will be lost.

Hear us, O God, Our Father. Amen.

JOURNAL APPROVED

The SPEAKER. The Clerk will read the Journal of the proceedings of Monday, January 13, 1941.

The Clerk proceeded to read the Journal when, on motion of Mr. NORMAN WOOD the further reading was dispensed with and the Journal approved.

PETITIONS

The SPEAKER laid before the House the following petitions:

LIQUOR LICENSES

Petitions from voters of
McKeesport, Pa.
Clairton
Philadelphia, 6th, 14th and 24th Districts
Pittsburgh
Allegheny County

Advocating legislation to extend hours for the sale of intoxicating beverages in restaurants and hotels.

Referred to the Committee on Liquor Control.

SEWING PROJECTS

Members of Unit No. 3703, Sewing Project of Ellwood City, Pa., urging continuation of sewing projects.
Referred to the Committee on Welfare.

BOWLING

Residents of Erie advocating legislation to legalize bowling on Sundays.

Referred to the Committee on Law and Order.

SCHOOL CODE

The Plain People of Pennsylvania advocating amendments to School Code "to the end that children in rural districts be not compelled to attend school beyond a one hundred sixty day term" and granting certain exemptions.

Referred to the Committee on Education.

REPORT OF PHILADELPHIA SAVING FUND SOCIETY

The SPEAKER laid before the House the report of the Auditors of the Philadelphia Saving Fund Society for the year ending December 31st, 1940.

(For report see Appendix)

REPORT OF WESTERN SAVING FUND SOCIETY

The SPEAKER laid before the House the Ninety-fourth Annual Report of the Auditors of the Western Saving Fund Society of Philadelphia for the year 1940.

(For report see Appendix)

LEAVE OF ABSENCE

By unanimous consent leave of absence was granted as follows:

Mr. ALLMOND for himself after tonight for the remainder of the week.

Mr. Gerard for Mr. BROWN on account of illness.

Mr. Ellwood B. Welsh for Mr. ROONEY on account of illness.

Mr. Voorhees for Mr. O'DARE.

Mr. George E. Jones for Mr. SOLLENBERGER.

Mr. Gillette for Mr. GREENWOOD.

Mr. Pettit for Mr. POLEN and Mr. WRIGHT on account of illness.

Mr. Owens for Mr. CHERVENAK on account of illness.

PERMISSION TO ADDRESS HOUSE

Mr. TURNER asked and obtained unanimous consent to address the House.

Mr. Speaker. As Chairman of the Joint State Government Commission, I am pleased to submit the report of the Joint State Government Commission and the "Joint Legislative Committee to Study Unemployment Compensation Provisions" containing recommendations for amending the Pennsylvania Unemployment Compensation Law. An additional report on the subject of merit or experience rating as applied to employers' contributions will be submitted shortly.

During the 1939 Regular Session two Resolutions were passed relating to the subject of unemployment compensation. Senate Resolution No. 127, which was concurred in by the House on May 27, 1939, provided for a Joint Legislative Committee to Study Unemployment Compensation Provisions. House Resolution No. 136, dated May 26, 1939, charged the Joint State Government Commission with making a study of merit or experience rating.

To avoid unnecessary duplication of work and expense, the Joint State Government Commission requested the Joint Legislative Committee to study the entire subject and to submit its recommendations to the Joint State Government

Commission for action. Since no appropriation was provided for the Joint Legislative Committee, our Commission agreed to pay the expenses of the Committee and assigned its Director to act as counsel for the Committee.

The Joint Legislative Committee undertook its task without any thought of partisanship. Numerous hearings and meetings were held and the Committee received many recommendations, ideas and proposals from business and industry, organized labor, the Bureau of Unemployment Compensation and others interested in the subject.

I would like to say, Mr. Speaker, that the Joint Legislative Committee to study Unemployment Compensation provisions was composed of Honorable Weldon Heyburn, Honorable John H. Dent, and Honorable Robert M. Miller on the part of the Senate and Honorable Hiram G. Andrews, Honorable Thomas A. Curran, Honorable Harry E. Trout, and Honorable Henry I. Wilson on the part of the House. I do not believe that too much credit can be given to this group of the Senate and the House for the many hours they spent in Harrisburg, and the very fine piece of work they performed.

It was the considered judgment of the members of both Legislative Agencies that only proposals and recommendations receiving unanimous action at its meetings were desirable. This procedure was followed. The Commission was of the opinion that the working man, the employer and the agency administering this law should not suffer as a result of any partisanship and that those changes in the law which would be of benefit to both employee and employer and bring about further improved administration should be adopted.

The Commission and the Committee concluded that the waiting period should be reduced to two weeks; that the minimum benefits should be increased; that the minimum earning eligibility should be reduced; that the employer should have a say in the administration of the law which places the burden entirely upon him; and that the benefit rights of those entering the service of the country in the present emergency should be preserved.

A bill has been drafted which contains these recommendations and will be introduced promptly. It is the desire of the Commission and the Joint Legislative Committee that unless there is some clarification necessary in the language of any of the amendments that this bill should have the active support of all members of both Houses. If there is any desire to further restrict or enlarge any provisions of the Unemployment Compensation law I suggest that they be embodied in other Bills and that amendments to this bill should not be offered for the purpose of making the measures controversial.

As to the report itself I recommend it to the members of the General Assembly for their careful consideration and analysis. At the beginning of the report you will find a summary of the recommendations so that it is possible to determine quickly what the recommendations provide. They are followed by a discussion of the reasons for each recommendation.

There are a number of statistical tables which contain a great deal of information on the receipts to and expenditures from the Unemployment Compensation Fund. Attached is also a comparative table on the significant provisions of the laws of all the states so that comparisons can be made.

This Report should be preserved for the valuable data

and information it contains. I commend it to you for your careful perusal.

Mr. Speaker, I submit the report on behalf of the Committee and the Commission. There are copies here for distribution and I ask that the Page boys distribute these at the present time.

The SPEAKER. The Chair directs the Page Boys to distribute the report.

CONDOLENCE RESOLUTION

Mr. HEWITT offered the following privileged resolution which was twice read, considered and unanimously adopted by a rising vote:

In the House of Representatives, January 27, 1941.

The sad announcement of the death of John S. Fisher, on June 25, 1940, has plunged the entire state into profound sorrow, for with his passing Pennsylvania lost one of her most illustrious and distinguished sons.

Born in South Mahoning Township, Indiana County, with forbears whose antecedents were rooted in the early colonial days of the Commonwealth, John S. Fisher in his lifetime exemplified all of their highest traditions.

First, as a teacher, then as a lawyer and finally as Governor of this Commonwealth, he was a constant source of inspiration, to his students, community, brother-lawyers and fellow-citizens.

Under his aegis as Governor sprang the good roads movement which he so capably managed that our State became the foremost among those of our country for its sound and improved rural highways.

Those who differed from him never questioned his integrity, his patriotism nor his devotion to public service. Through his wise counsel, his clarity of vision and his fearless adherence to a cause he felt was just, he led the people of this Commonwealth to give him their full and complete confidence.

He had the respect and admiration of his fellow-citizens to an extent enjoyed by few public men; therefore be it

Resolved, That the House of Representatives mourns the passing of this distinguished son of Pennsylvania and extends to his family its sincere sympathy in the loss they have sustained; and be it further

Resolved, That a copy of this resolution be transmitted to the family by the Chief Clerk of this House.

CONDOLENCE RESOLUTION

Mr. SHEPARD offered the following privileged resolution which was twice read, considered and adopted:

In the House of Representatives, January 27, 1941.

Whereas, February 12th is the natal day of the Great Emancipator; and

Whereas, The world today is engaged in a gigantic struggle, with the forces of tolerance and democracy embattled in a titanic struggle for existence with those of bigotry, intolerance and race hatred; and

Whereas, In the year 1860, and thereafter, Abraham Lincoln stood as a pillar of strength, rallying about him those who loved true democracy and those who would defend it to their very death; and

Whereas, He, the man of the people, remained steadfast in his conviction that all men were created equal, irrespective of race, color, or creed, to the point where it led him to his death at an assassin's hand; and

Whereas, His spirit and his ideals are the great sustaining force on which we can today rely for our own survival, therefore be it

Resolved, That the Speaker of the House of Representatives appoint a committee of five members of the House of Representatives to plan a fitting service to the memory of our great President; and be it further

Resolved, That the Speaker set aside the period immediately following the regular business on Wednesday, February 12th, 1941, for the observance of such memorial service.

RESOLUTION

INVESTIGATION OF PUBLIC ASSISTANCE BOND SYSTEM

Mr. CORDIER offered a resolution and asked and obtained unanimous consent for its reading.

The resolution was read by the Clerk as follows:

In the House of Representatives, January 27, 1941.

Whereas, The Department of Public Assistance, by virtue of the general power given to it under the Public Assistance Law to make rules and regulations, requires applicants for assistance, before receiving the same, to give a bond to the Commonwealth conditioned for the repayment to the Commonwealth of all amounts received as public assistance; and

Whereas, The giving of such bond has become greatly unpopular, and has caused considerable confusion in the minds of persons whose circumstances make it necessary for them to avail themselves of the benefits of public assistance, whether the same results through a lack of understanding of the ultimate effect of such bonds or because of a feeling on the part of those who own property that they are being unjustly discriminated against; and

Whereas, There is some question as to whether these bonds have in measure justified themselves during past experience, or whether the practice is worth continuing; therefore be it

Resolved, The Speaker of this House appoint a committee of five members to make a careful and thorough investigation of the practical operation of the bond requirement system established by the Department of Public Assistance, with special reference to the number of such bonds on which judgments have been entered, the total cost of entering them and enforcing collections thereon, and the total amount recovered. The committee shall proceed with such dispatch as to enable them to report to the House their findings and recommendations thereon not later than the first day of April, one thousand nine hundred and forty-one.

The SPEAKER. The resolution lies over for printing under the Rules.

CONDOLENCE RESOLUTION

Messrs. PROSEN, TATE and SCANLON offered the following privileged resolution which was twice read, considered and adopted:

In the House of Representatives, January 27, 1941.

This legislative body on proper occasion pays fitting reverence to the memory of citizens of this Commonwealth who because of their achievements have gained an outstanding position in their communities or in the State.

This reverence and respect has been well earned during a more than usually active and effective lifetime by the Honorable James Dougherty, late Magistrate of the County of Philadelphia.

James Dougherty, born in Donegal, Ireland, on January 7, 1885, settled in Philadelphia thirty-five years ago.

First as a contractor and later as a political leader he devoted all of his time to the development of the Great Northeast section of his adopted city so that today it is foremost among all the sections of the City of Philadelphia for its homes and communal activities.

As a magistrate he dispensed justice to both poor and rich alike without discrimination tempering his decisions with mercy and kindness. All who came into contact with him grew to love this man whose integrity was unquestioned, whose every activity was motivated by his sympathetic understanding and love of his fellow-men.

His passing leaves a profound sense of sorrow to all those who knew him and revered him, therefore be it

Resolved, That it is with regret we consider the passing of so capable a magistrate and commend the memory of

Honorable James Dougherty to the memory of his fellow-men, and be it further

Resolved, That copies of this resolution be forwarded to the widow and children of the deceased as a last tribute to so sterling a husband and father.

RESOLUTION

Messrs. PETROSKY, LOVETT and LESKO offered a resolution which was laid over for printing under the Rules.

CONDOLENCE RESOLUTION

Mr. WEISS offered the following privileged resolution which was twice read, considered and adopted:

In the House of Representatives, January 27, 1941.

Whereas, Almighty God, in His infinite wisdom, has called from this life Lizzie Ferrell Wright, the wife of our distinguished colleague, Honorable Perry E. Wright of Greene County, Pennsylvania, now therefore be it

Resolved, That this resolution be entered upon the Journal of the House, and a copy thereof be transmitted by the Chief Clerk to Mr. Wright.

PERMISSION TO ADDRESS HOUSE

Mr. TROUT asked and obtained unanimous consent to address the House.

Mr. TROUT. Mr. Speaker I would like to interrogate the gentleman from Delaware, Mr. Turner.

The SPEAKER. Will the gentleman from Delaware, Mr. Turner permit himself to be interrogated?

Mr. TURNER. I shall, Mr. Speaker.

Mr. TROUT. Mr. Speaker, I would like to ask the gentleman from Delaware, Mr. Turner, whether the members of the Committee on Unemployment Compensation had an opportunity to examine this report finally before it was printed.

Mr. TURNER. Mr. Speaker, I do not know whether the Members had a chance to examine the actual draft of the report as it went to the Printer. My recollection is that we had so many Committee meetings in the last couple of weeks that the report of the Committee was submitted to the Joint State Government Commission with the statement that the report had been agreed upon by the Joint Committee on Unemployment Compensation. This Commission had a meeting and went over the report and recommendations as prepared by the Joint State Government Commission. That is my recollection.

Mr. TROUT. Mr. Speaker and members of the House that is practically what happened, but as a member of the Committee on the study of Unemployment Compensation I had no opportunity of seeing the report after it had finally been written following the last meeting of the Commission. There were several questions upon which there was some disagreement. One of them especially was the waiting period and there were at least, I think, several Members of the Committee who felt that the waiting period should be reduced from three weeks to one week instead of three weeks to two weeks. I was one of the members of the committee who, in his opinion, felt that the waiting period should be reduced from three weeks to one week and I want to state that before the Members of the House.

SENATE MESSAGE

TIME OF NEXT MEETING

The Clerk of the Senate being introduced presented an

extract from the Journal of the Senate, which was read as follows:

In the Senate, January 27, 1941.

Resolved (if the House of Representatives concur) That when the Senate adjourns this week it reconvene Monday February 3rd, 1941 at 4 p. m. and when the House of Representatives adjourns this week it reconvene Monday, February 3rd, 1941, at 9 p. m.

Ordered, That the Clerk present the same to the House of Representatives for its concurrence.

On the question,

Will the House concur in the resolution of the Senate?

It was unanimously concurred in.

Ordered, That the Clerk inform the Senate accordingly.

PERMISSION TO ADDRESS HOUSE

Mr. MCKINNEY asked and obtained unanimous consent to address the House.

Mr. Speaker and members of the House, my attention has been called to an editorial that appears in today's issue of the Oil City Derrick, and as it has to do with this session of the Legislature and more particularly with the affairs of the Commonwealth, I thought it opportune to call it to the attention of the members at this time. I quote:

THE DUTY OF THIS LEGISLATIVE SESSION

"Today the Pennsylvania legislature gets down to business. This regular session may last to June, or even longer. It has an obligation to discharge to the state and nation. It can do this job well or it can do it badly. This is up to its leaders. This great commonwealth hopes it will do it well.

"To complete our present defense program, or to win the war if we must get into it, the United States will have to depend upon Pennsylvania as much if not more than it will have to depend upon any state in the Union.

"The news dispatches tell us from time to time what a magnificent contribution Canada is making to the cause of Britain. Pennsylvania has as great a population as Canada. It is much more heavily industrialized. It is far richer in the sinews of war.

"We also read of the magnificent fighting being done by the Australians in Africa. Pennsylvania's population is one-third larger than that of Australia. Its population is some two millions larger than that of Belgium or the Netherlands, nearly four times larger than that of Norway and practically as large as that of Argentina; but none of those countries could begin to put as much force into war as Pennsylvania.

"The very crux of whatever war effort this country has to make is mechanical output—what we can produce in our furnaces, mills and factories. At this very moment it is not a question of how much political capital can be made either by Republicans or Democrats in this session. It is a question of how much material Pennsylvania can contribute toward the mighty effort needed to save both Europe and the United States from enslavement by the greediest, most bloodthirsty power that ever ran amok.

"Let there be no legislation enacted at this session which will throw hurdles in the path of Pennsylvania's effort to win this fight. Let there be nothing enacted which will slow up production or add materially to the cost of it. Yielding to the temptation to curry favor with certain industrial or social groups at the expense of the commonwealth would be foolish and foolhardy, closely akin to disloyalty and dishonor.

"The people of Pennsylvania have their eyes on this session of their legislature. They want no pettifoggery or log rolling. They want no new burdens of

state taxation. They want no laws which will act as embargoes on the production of munitions of war. They want to see the necessary business of this session discharged expeditiously and adjournment taken as quickly as possible so that every member can get back to his community and put his shoulder to the wheel."

PERMISSION TO ADDRESS HOUSE

Mr. HARKINS asked and obtained unanimous consent to address the House.

Mr. Speaker, I would like to call the attention of the House to a bill which I am about to introduce, not because I am the one who is the sponsor of the bill, but because I believe honestly and truly that the majority of the people of Pennsylvania are very vitally interested in the subject matter of the bill which I hold in my hand.

To the older members who have been here for a few sessions the probability is that they will readily concede that this bill deals with the subject of the Workman's Compensation Act. I know of no act introduced and passed in the 1939 session of the House which is so unanimously disapproved of by the rank and file of the people of Pennsylvania, both Democrats and Republicans alike, as the 1939 Workmen's Compensation Act.

I met the other day in the City of Pittsburgh a man who was a candidate on the Republican ticket for a seat in this House, and he told me that he was glad he had been defeated because when his party, the Republican party, got into power, the first thing they did was to start to enact laws of which he disapproved. I say to the Members of the House that I do not intend to go into the merits or the particulars of the bill at this time, but briefly the bill

reenacts the 1937 Workmen's Compensation Act, with certain additional provisions to make it conform to certain judicial opinions that have been rendered since that time.

I call the attention of the Members of the House to this bill because I am sure they will want to secure copies of it, and study its provisions. There is no doubt in my mind that those Republicans who have expressed the desire to lead their party into greener fields and greener pastures will be glad to go along with this measure. I am sure if they are sincere in their desire to change the principals of their party so that it can more truly meet the desires and the aims of the working people of Pennsylvania and at the same time be fair to the various other interests concerned, they will want to study it.

Mr. Speaker, I desire at this time to introduce this bill.

ANNOUNCEMENT BY SPEAKER

The SPEAKER. There will be a meeting of all Committee Chairmen and vice-Chairmen in the New House Caucus Room this evening immediately after adjournment.

ANNOUNCEMENT

Mileage checks for the members are ready for distribution at the Chief Clerk's Office.

ADJOURNMENT

Mr. VOORHEES. Mr. Speaker, I move that this House do now adjourn until Tuesday, January 28, 1941, at 1 p. m.

The motion was agreed to, and (at 9.50 p. m.) the House adjourned.