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HOUSE OF REPRESENTATIVES

WEDNESDAY, February 12, 1941.

The House met at 12 noon.

The SPEAKER (Elmer Kilroy) in the Chair.

PRAYER

The Chaplain, Rev. Donald McFall offered the following prayer:

O God of freedom, under thy guiding hand our Pilgrim Fathers crossed the sea. We rejoice that in thy spirit they founded upon this continent a nation dedicated to liberty, equality, and the brotherhood of man.

Thou hast not only given us a great inheritance but thou hast enriched us by noble lives, by men of clear vision, of high courage, of steadfast devotion to freedom and justice and truth.

Yea, Lord, today we think of Abraham Lincoln, not only as a great President, not only as a great emancipator, but as a man of prayer and of deep conviction for that which was right.

With our sincere thanks to thee, O God, for the great men of yesterday and the courageous leaders of today, there comes a petition for those of this House who are ill. May it please thee to look with favor upon Representative Finnerty as he lies in the hospital after his serious operation.

Satisfy our needs with thy love and blessing we pray. Amen.

JOURNAL APPROVED

The SPEAKER. The Clerk will read the Journal of yesterday.

The Clerk proceeded to read the Journal of yesterday, when on motion of Mr. Shepard, unanimously agreed to, the further reading was dispensed with and the Journal approved.

RECESS

The SPEAKER. Pursuant to a resolution adopted by the House the Chair will now declare a recess for the purpose of conducting Lincoln Memorial Services and invite the Chairman of the Committee on the part of the House, the gentleman from Philadelphia, Mr. Shepard, to preside during these services.

LINCOLN MEMORIAL SERVICES

MR. SHEPARD PRESIDING

Mr. SHEPARD. I want to introduce the members of the committee. They will stand up as their names are called. Honorable L. Kenneth Harkins from Allegheny

County; Honorable Albert L. O'Connor from Cambria County; Honorable Edwin M. Rhea from Allegheny County; and Honorable Edward M. Regan from Lackawanna County.

First of all, we are here to honor our great martyred president, Abraham Lincoln. I think it is quite fitting that we should turn aside from our legislative duties and do honor to our President and great emancipator, Abraham Lincoln. It is also quite fitting that we should have here with us the Glee Club from Lincoln University, and an outstanding Jurist from Allegheny County, Judge Musmanno, to participate in the exercises.

I myself was born of slave parents and yet at the age of thirty-five, I was elected to the House of Representatives in this great state of Pennsylvania. Along with me in my district we have a peculiar combination, a real American combination; an Irish Catholic business man and a Jewish lawyer. We were all elected together in a district that is two-thirds white. That could not happen anywhere else. It happened only where democracy is safe. It is that kind of democracy that gives opportunities to all men, regardless of race, creed, or color, for which Abraham Lincoln lived and died. May I say that as a tribute to the liberality of the state of Pennsylvania just a few years ago when a bill was presented in this House to appropriate the sum of fifty-thousand dollars to the university that bears the name of Abraham Lincoln, especially for the education of the Negro youth, that bill passed the House and Senate. It was voted for by both Democrats and Republicans, without a dissenting vote. It is something of a tribute that we should want to pay to the members of the Legislature.

We have with us a gentleman that we all want to know, some of us do know him, and Representative Rhea will present him for a few remarks at this time.

Mr. RHEA. We are very pleased to have with us today, the Glee Club from Lincoln University but before we hear from them I would like to ask the President of Lincoln University to say a few words, Dr. W. L. Wright.

ADDRESS BY DR. W. L. WRIGHT

Dr. WRIGHT. Mr. Chairman, we from Lincoln University appreciate the opportunity to be here this morning. We represent one of the oldest educational institutions in Pennsylvania, because back in the days before the Civil War when there was no place where colored boys could get an education, some men down in Chester County decided that they would establish such an institution under the name of Ashland University. They established that institution and after the Civil War it was renamed Lincoln University.

These young men that are here this morning represent

a group of four hundred negro men getting something of the same opportunity here in Pennsylvania that our white citizens get. The men who are here, are under the direction of Professor Dorsey. They are representative of that group and I think you will recognize they represent not only Lincoln University, but they represent half a million negro citizens in the State of Pennsylvania, a population that has increased by leaps and bounds so that Pennsylvania has the largest negro population of any state north of the Mason Dixon Line. This population is here to stay and all of us in Pennsylvania, colored and white citizens of Pennsylvania working out our future. These young men I present this morning are as good and loyal Americans as any of us. All we are asking is that it shall be a land of real democracy, of real opportunity, where every man born under the American flag shall have an opportunity to work out his own destiny and his own life. We present them this morning. Thank you for the opportunity to be here.

Selections by Lincoln University Glee Club.

Mr. SHEPARD. I present Honorable Kenneth L. Harkins, of Allegheny County, who will present our principal speaker.

Mr. HARKINS. Mr. Chairman, Mr. Speaker and Members of the House, a pleasant duty has fallen to me as a member of the Committee arranging for the celebration of Lincoln's Birthday, that of presenting the gentleman who will deliver the principal address.

To some of the Members, Judge Musmanno is known as a former Member of the House of Representatives, who during his two terms here fought for the abolition of the Coal and Iron Police. To the people of Allegheny County he is known as a former judge of the Court of Allegheny County. He was elected as a Judge of the Court of Common Pleas of Allegheny County in 1933, receiving the highest number of votes cast for any candidate in a closely contested election in Allegheny County.

To the people of the state of Pennsylvania and to the nation, he is known as a scholar, an author and an orator of national fame. Judge Musmanno was honored by a resolution of Congress, adopted unanimously, because of his treatise on the Federal Constitution which was published as a public document. His dramatic and artistic accomplishments are shown in the novel and moving picture "Black Fury" of which he is the author. The story of which is woven about coal mines, a moving picture of which was shown in this Hall in 1935.

Judge Musmanno was the first person who was invited by the Lincoln Fellowship Organization to deliver the Gettysburg Address on the battle field itself. He was the first person who was not present at the original delivery of that address by President Lincoln. I understand the Judge will touch upon Lincoln's life as a member of the Illinois Legislature and perhaps he may give us the Gettysburg Address. I know we will be favored if it happens that he shall make that a part of his address.

Members of the House I give you the orator of the occasion, Honorable M. A. Musmanno, former Member of this House, crusading liberal, dramatist, author and Judge of the Court of Common Pleas of Allegheny County.

ADDRESS OF JUDGE MICHAEL A. MUSMANNO

JUDGE MICHAEL A. MUSMANNO: Mr. Chairman of the Lincoln Commemorative Exercises, Mr. Speaker of the House of Representatives and Members of the House of Representatives and Ladies and Gentlemen.

It requires an almost superhuman effort on my part to address this House, of which I was once a member, and not be overwhelmed by sentiment. Here I began my journey on the road of public affairs, here I spent one of the most momentous and exciting periods of my life and here I formed cherished friendships. Some of the friends of that happy association now follow different pursuits, a very few are still in the Capitol, some of my associates here in the Lower House have been elevated to the Upper House, and some have risen to the Highest House of all, the spiritual domain of the after world where one day we will all answer to the Roll Call in the enactment of the Tenure Bill for Eternity.

I would be something less than human if I could contemplate the change in the view which greets my eyes from what it was in 1929 and not sense an emotion of some kind. Of sadness? Of happiness? Well not of happiness. Though I have been busy with my work ever since I left here, though I have sought through the medium at my command to achieve a greater justice for all those coming within the orbit of my activities, I doubt that I will ever surpass, indeed ever equal the enthusiasm with which I became a member of this legislative body.

I recall with what excitement here in this vast hall I took the oath of office on January 1, 1929 and with what fervor I resolved, rather naively perhaps, to remedy all the evils of the Commonwealth through legislation. One of the seasoned members, a veteran of many sessions, Clinton Sowers of Philadelphia, watched with interest the flow of bills I introduced for the improvement of the State government in general and the betterment of the life of all its citizens in particular. He noted my impatience and irritation at the delay in the passage of my measures, and he said: "Musmanno, don't be impetuous. You can't make over Pennsylvania in a day." I replied, "No, not in a day, but we ought to do it in a week!"

He commented: "I had the same ideas when I came here. Now if I can get a bill out of committee after three or four years I feel I am doing well."

And he probably spoke with greater prophecy than he realized. A bill which I introduced in 1929, and which, if I may be pardoned for the reference, I am proud to have associated with my name, was not placed on the statute books until 1935.

The man in whose memory we have met here today introduced a measure in the Illinois Legislature in 1837, looking toward the eradication from American life of its greatest curse—slavery. It was not until 28 years later, after his resolution had passed through the legislative fires of a civil war, that it was enacted into law of the land. This bill, written with the ink of his crusading spirit, had to be printed on the battlefields of the nation with the printing press of cannons and gatling guns, and then, after passing both houses of the North and the South, it was signed by him with the blood from his dying heart. The resulting law—the law of liberty for all Americans—is now one which no president or governor can veto, which no legislative body can repeal, which time cannot change, nor circumstances alter or amend. It is written into the soul of America, it is part of the very fibre of our national existence. Liberty—and with it, Union. One and inseparable. Now and forever.

We owe to Abraham Lincoln more than to any other man in the history of America, the security which we enjoy today from aggression from without and dissension

from within. If Lincoln had been a less determined person than he was, if he had allowed expediency to conquer over principles, we would not now have the present United States of America.

Up until the Civil War the United States was considered abroad as a mere experiment in government. European nations regarded this nation as a loose aggregation of sovereignties which would join together and later dissolve as so many of the European countries did. But when under the inspired leadership of Abraham Lincoln the union of the American States was not only preserved but was made imperishable, every king, queen, prince and foreign potentate realized that the United States of America was not only a nation of the first rank but that it was destined to become, as it indeed it has now become, the greatest nation of all recorded history.

Had Lincoln been a less resolute man the United States Government would have perished. In the chaotic days preceding the fall of Sumter when States were falling from the Union like stars from the sky, President Buchanan declared that he was the last president the United States would ever have. Had the South prevailed in the contest at arms, the American States would have been relegated to the status of Balkan States.

With the North failing there would have been two nations: the United States of America and the Confederate States of America. Then as the South rebelled against the North, the West in time would have rebelled against the East, and we would then have had the nation quartered into the United States of the East, the United States of the West, the Confederate States of the East and the Confederate States of the West. And once the process of disintegration had gained momentum, we probably would have had still further divisions: the Gulf States would have desired to be a separate nation, so also the New England States, the Pacific States, the Rocky Mountain States and so on, until what was once a glorious family of dignified Commonwealths would have degenerated into a conglomeration of jealous, bickering and eternally fighting heterogeneous units.

And as in union there is strength, so in disunion there is weakness. This would have served as an invitation for European rulers to send their armies here on subjugating expeditions. And this is not mere fantasy. During the Civil War Napoleon III sent an army to Mexico and there erected a throne for Maximilian. Immediately following the Civil War the United States sent an army to the Rio Grande and the French forces withdrew. If the Civil War had ended disastrously for the North, it is not unreasonable to suppose that, drunk with the success of the Mexican Expedition, the Napoleonic forces would have turned north and attempted to take over what had been theirs just before the days of Napoleon I. None of the other nations of Europe revered America to the extent that they would not gladly have approved of an American invasion.

Thus, the winning of the Civil War did not mean only the emancipation of the slaves; it meant the emancipation for all time of America from Europe. And Abraham Lincoln was the superb figure, the transcendently wise leader, the unparalleled statesman who preserved the Union, saved America and put into the skies of national perpetuity the eternal constellation of 48 stars that will shed its luster of enlightened justice over the civilized world for all time.

But today as I regard this House in nostalgic reverie I

like to recall Abraham Lincoln not as the president, not as the commander-in-chief of invincible armies, but as the member of a legislature. In the apotheosis of his genius we today see a towering figure above us, a figure of proportions that no human being can parallel him, but there was a time when he was a legislator as you are legislators. There was a day when he answered roll calls, made motions, debated, sat at committee meetings, attended night sessions.

The capital of Illinois when Lincoln was first elected to the Legislature was in Vandalia. The capitol building was nothing like this structure. It was made of brick, the walls bulged, the plaster fell from the ceiling and dilapidation was conspicuous and menacing. Illumination was by candle light. Compare that building and its accommodations, or lack of them, with this commodious, magnificent, palatial structure, its brilliant, majestic chandeliers, its comfortable upholstery, its thickly carpeted floors and we may not feel so sorry for ourselves at the expenditure of any unusual energy required in the manning of the legislative machinery.

As a legislator Abraham Lincoln received \$3.00 a day pay with privileges of ink, quills and stationery. He was rarely absent and never missed a roll call. Only once was there a substantial absence—and even when he returned there was spiritual absence although a physical presence. That was during the period of the greatest personal tragedy in his life—the death of Ann Rutledge. On days that the rain poured or the snow fell he was heard to mutter: "I cannot bear to think of the rain and storm beating upon her grave."

In Lincoln's second session he became the floor leader of his party and had the Whig party held the majority he would have been the Speaker of the House.

Those who think of Lincoln as a very mild, constantly forbearing man, humble to the point of cringing timidity entirely mistake the man. That he was modest and considerate, that he was entirely devoid of selfishness and egotism, cannot be gainsaid, but nothing could be further from fact than to assume that he was servile and submissive. Lincoln was a crusader, and a crusader does not travel about with stooped shoulders and a blushing countenance asking for the privilege to live.

Listen to this speech in the House of Representatives when an attempt was being made to have him vote for a measure he condemned on principle even though by voting for it he might further his own cause on some other measure.

"You may burn my body to ashes," Lincoln declared, his voice ringing in that tumble-down building, "and scatter them to the winds of heaven; you may drag my soul down to the regions of darkness and despair to be tormented forever; but you will never get me to support a measure which I believe to be wrong, although by doing so I may accomplish that which I believe to be right."

Nothing cringing about that.

The old state house being about to fall, a new structure was erected at a cost, according to the House Journal of 1836, of \$16,378.22½, of which \$5550 was paid by the state officers out of the contingent fund, \$450 by individual subscriptions, leaving \$10,378.22½ unpaid. You would think that someone might have at least paid the half cent to make the bookkeeping easier.

Here are some odd facts about the Illinois Legislature of Lincoln's days which you might find interesting. Of the more than 100 legislative members of the House and Senate, not one had been born in Illinois. This was true also of

the members of the Supreme Court. Thos. C. Brown of the Supreme Court is referred to in Beveridge's Life of Lincoln as a judge "who never refused nor offered a drink." James Shields, state senator in Illinois, later became a senator of the United States from three different states.

In the House with Lincoln sat the man who was his most formidable adversary in debate, who was to become a rival for the hand of his wife, an opponent for a seat in the United States Senate and his adversary for the Presidency of the United States—Stephen A. Douglas.

There was seriousness in that Legislature. Grave problems were being resolved, a great commonwealth was in the making, a greater nation, of which it was a part, was being formed. But the members were not always serious. At times they were very convivial and now and then a member was too drunk to debate well. A tavern close to the capitol advertised that it was ready to serve to the members of the Legislature at any hour of the day or night "Fried ham, turkeys, grouse, or prairie chicken, partridges, venison, pigs' feet, tripe, sausages, oysters, mackerel, herring and crackers: Coffee, tea, and soups together with many other nicknames unmentionable: hot punch, egg nogg, etc., at any time: all of which will be afforded with great goodwill and on the most accommodating terms. They have also on hand and for sale Best teas, loaf and brown sugars, tobacco, oranges, lemons, figs, lobsters, olives, mushrooms, walnut and tomato pickles, ketchups, rochelle, cherry, champagne, cognacs, peach, American and other brandies; claret, teneriffe, sherry, dry, brown, port, malaga and madeira wines; Seidlitz and Soda Powders; Fire crackers, etc., etc."

On December 2, 1840, Lincoln introduced and obtained the passage of a resolution which became the foundation of the present school system in Illinois. It provided for the examination of persons offering themselves as school teachers; it made of education a system, and took it out of the realm of chance and favor.

He was one of the very first of public men to announce for woman suffrage.

In 1837, more through the efforts of Lincoln than any other single legislator, the capitol of Illinois was moved to Springfield and Lincoln took up residence in that metropolis of 1500 souls. The population of Vandalia had been 800, including the children.

In Springfield until the new capitol building was erected the legislature was housed ecclesiastically. The House held its sessions in the Second Presbyterian Church, the Senate met in the Methodist Church, while the Supreme Court sat in the Episcopal Church.

One who studies Lincoln's career in the Illinois Legislature can come to but one conclusion and that is that he was a statesman long before he became president. It had been the custom of biographers and eulogists to write down Lincoln's early days and to picture him as a coarse, ill-educated, uncultured man thrown by the rarest chance into the highest office in the land and that, there, through the expansiveness of his soul he developed overnight the genius of statecraft. This is all wrong. It was the years of seasoning, the grappling with the problems of the tumultuous, pioneering people growing into the Commonwealth of Illinois which prepared him for the task of carrying the destinies of the people of the great Commonwealth of the United States. Allowing for his friendly manner and for a certain physical awkwardness I am ready to say that with the exception of Thomas Jefferson a no more truly educated

and cultured man of soul and intellect ever entered the White House than Abraham Lincoln.

Lincoln was strictly honest with himself. In a speech in the Legislature he condemned politicians, saying that they are "a set of men who have interests aside from the interests of the people, and who, to say the most of them, are, taken as a mass, at least one long step removed from honest men." And then he added that he meant nothing personal, since he was a politician himself.

It was during the days of his legislative career that Lincoln faced the most difficult problem of his private life.

On January 1, 1841, the House of Representatives met in session. At his place sat Abraham Lincoln. Rather the man sitting there looked like Abraham Lincoln. Tall, slender, black haired, beetle browed. But the expression in the face of this man was not that of the legislator from Sangamon County. The eyes were not the eyes of the man who had battled for the Internal Improvement Bill, who had fought against tampering with the judiciary, who had skillfully maneuvered through both houses the bill transferring the capitol from Vandalia to Springfield. This was but the shell of that man. The face was but the mask of Abraham Lincoln. There was no spirit in that mask, no soul in that shell, no sparkle in those eyes.

A debate sprang up. The Whigs and the Democrats were at swords points on a highly controversial bill. The Whigs looked to Lincoln for guidance. He merely sat. He glanced neither to the right nor to the left. The members now forgot him, he was but a carved figure on one of the benches. The debate became a storm. Roll calls pattered like hail in a wind. The light in Abraham Lincoln's eyes was still subdued; it did not even flicker in the gale of the vocal cyclone raging about him.

In another section of the City of Springfield a young lady waited by a floral altar. She wore a bridal gown. Her lips muttered: "Abraham." A minister stood by. Several relatives waited with her. Anxiously they shot glances out into the street for a familiar, tall, ungainly form. But the familiar awkward footsteps did not fall to disturb the snow flakes which orderly, systematically and harmoniously were weaving a carpet of white on the street and on the lawn.

This was Abraham Lincoln's wedding day, but Abraham Lincoln was absent.

In the House of Representatives he was physically present, but still absent. The fury of the debate had subsided, the vote had been recorded. The still figure stirred, slowly rose and said: "Mr. Speaker, I move we adjourn."

But the youth of Abraham Lincoln, the spontaneous cheer of Abraham Lincoln had adjourned at the beginning of that day. He had made a promise and failed to keep it. He had pledged to marry a woman and now he knew he did not love her. His heart was there on the banks of the Sangamon River with Ann Rutledge. He could not be a hypocrite. He could not marry Mary Todd and let her believe he loved her when he knew he did not. Not long after he wrote a letter to his friend John T. Stuart in which he said: "I am now the most miserable man living. If what I feel were equally distributed to the whole human family, there would not be one cheerful face on the earth. Whether I shall ever be better, I cannot tell; I awfully forbode I shall not. To remain as I am is impossible; I must die or be better, it appears to me."

He wrote an article for the local newspaper entitled,

"Meditations on Suicide." The editor of the newspaper, "The Sagamon Journal," urged Lincoln into writing other articles seeing in this an outlet for his hypochondria. Lincoln acceded to the request. Essays, political articles, poems flowed from his pen. He decided to put his hand to literary cartoons. In lively satire he lampooned James Shields who was state auditor and who had issued an order that certain paper money of which the people had more than they had of silver or gold money, would not be taken by the state government for taxes. Shields bitterly resented the attack and challenged Lincoln to a duel. Lincoln accepted the challenge. It fitted into his mood perfectly. It even bestirred his humor which had lain dormant since the weddingless wedding day. Riding in a rowboat to the duelling ground Lincoln said he was reminded of the time a Kentuckian enlisted for the War of 1812. The sweetheart of the soldier told him she was embroidering a bullet pouch and belt for him to wear in battle and she would stitch in the words, "Victory or Death." He asked her, "Ain't that rather too strong? Suppose you put 'Victory or Be Crippled!'"

Arrived at the duelling grounds cooler heads intervened between the antagonists, an amicable agreement was reached and the duel was called off.

In November, 1842, Lincoln married Mary Todd. From that time on it would seem that melancholy became an indelible part of his nature. Even after he achieved his highest ambition—he had become the President of the United States—he wrote:

"I had my ambitions—yes—as every American boy worth his salt has. And I dared to dream this vision of the White House,—I, the humblest of the humble, born in a lowly pioneer's cabin in the woods of Kentucky. My dream came true, and where is its glory? Ashes and blood. I have lived with aching heart through it all and envied the dead their rest on the battlefields."

This man of courageous heart and crusading spirit but of a gentle heart had been thrown into the cauldron of a civil war. This kind, tender, merciful man who could not bear to see a dumb beast suffer had become the head of a military machine which it became his duty to order out on to the field to kill and be killed. But the military machine was made up of boys.

The Civil War was a war fought by youth. Over 2,000,000 were under 21 years of age; a million not even 18, 800,000 less than 17; 200,000 had not reached 16, while 100,000 less than 15 years of age were standing on the battle lines under the Stars and Stripes.

For Lincoln, the world of beauty, of unfailing loyalties, of harmony had fallen apart. The sympathies of Mary Todd Lincoln, the woman to whom he had pledged undying fealty and who had equally pledged herself to him, were with the South. Her husband commanded the army pitted against the army in which her two brothers were soldiers. The husband of her sister was a general in the Confederate Army.

To whom could Lincoln turn for solace in the tidal flow of blood which was the Civil War?

Secretary of War Stanton relates how after the sanguinary Battle of Chancellorsville with its frightful slaughter Lincoln, upon hearing the news, threw up his hands and exclaimed: "My God! Stanton, our cause is lost! We are ruined—we are ruined; and such a fearful loss of life!

My God! this is more than I can endure!" He trembled, his face a ghastly hue, cold perspiration standing out on his brow. He paced the floor and then said: "If I am not about early tomorrow do not send for me, nor allow any one to disturb me. Defeated again, and so many of our noble countrymen killed!"

Lincoln had made up his mind that night to end his life, but as he strode down to the Potomac River, there to throw himself into the water, there came to his mind a speech which he had made in the Legislature 23 years before. "It may be true," he had said, "many free countries have lost their liberty, and ours may lose hers; but if she shall, be it my proudest plume, not that I was the last to desert, but that I never deserted her. . . . All may be swept away. Broken by it I, too, may be; bow to it I never will. Prospective defeat shall not deter me. If ever I feel the soul within me elevate and expand to those dimensions not wholly unworthy of its almighty Architect, it is when I contemplate the cause of my country, deserted by all the world beside, and I standing up boldly and alone, and hurling defiance at her victorious oppressors. Here, without contemplating consequences, before high heaven and in the face of the world, I swear eternal fidelity to the just cause, as I deem it, of the land of my life, my liberty, and my love."

Thus on that night in 1863, a cold rain dashing in his face, a pledge which he had registered over a score of years before in the halls of the Legislature but more accurately in the chamber of his soul came back to save his life and save his country.

It has been truly said of Lincoln that no American ever held more power and no one abused that power less, except in behalf of mercy. An old man comes to Lincoln pleading for his son who has been court-martialled to be shot for falling asleep while on sentinel duty. Lincoln writes out an order: "Job Smith is not to be shot until further orders from me—Abraham Lincoln." The old man expresses disappointment: "But, Mr. President, you may order him to be shot next week." The President rejoins: "My friend, I see you are not very well acquainted with me. If your son never dies till orders come from me to shoot him, he will live to be a great deal older than Methuselah."

General Butler telegraphs Lincoln: "President Lincoln I pray you not to interfere with the courts-martial of the army. You will destroy all discipline among our soldiers."

A congressman calls at the White House in the middle of the night. He fears the President will be angry at his being disturbed at this late hour. He sees the President and says: "I am sorry I must disturb you. This young soldier," proffering his name and regiment, "is sentenced to be shot tomorrow morning!" "Well," drawls the President, "I do not believe that shooting will do him any good. Here let me telegraph a reprieve and then we'll see what it is all about."

His intimate friend Joshua Speed, witnessing one of these scenes of supplications of mercy, protests to Lincoln that he is wearing himself out.

"Yes, you are to a certain degree right," Lincoln agrees, "I ought not to undergo what I so often do. I am very unwell now; my feet and hands of late seem to be always cold, and I ought perhaps to be in bed; but things of the sort you have seen don't hurt me, to tell you the truth,

that scene is the only thing today that has made me forget my condition or given me any pleasure. . . . Speed, die when I may, I want it said of me by those who know me best, that I always plucked a thistle and planted a flower when I thought a flower would grow."

On November 19, 1939, it was my great honor to stand in the Gettysburg Cemetery and there repeat the Gettysburg Address 76 years after its original delivery. I stood on the very spot hallowed by the steps of the Great Emancipator at the time of the dedication of the cemetery. No single event reveals Abraham Lincoln more than that Gettysburg Address.

Libraries have been filled with books, articles and stories on this speech. Historians, statesmen, authors, playwrights, rhetoricians, and professors of English have analyzed, scrutinized, dissected and X-rayed the 266 word utterance. They have examined, fathomed and probed its every word, syllable, semi-colon and comma. They have ascribed to it literary, poetic, political, governmental, sectional and partisan significance. They have read Lincoln's mind in its preparation and delivery. But most of them have overlooked the one simple obvious fact, and that is that the speech was delivered in a cemetery about a cemetery; it was delivered in a graveyard, in a burial place of the dead.

What was Lincoln thinking of when he spoke at Gettysburg? He was thinking of the dead, of those young men in the ground; of those bodies mutilated and torn mixing with the cold damp clods of the earth; he was thinking of mothers that would wait in vain for the song of a footstep whose music had died away for all time among those hills and valleys of Pennsylvania.

To the generals the Battle of Gettysburg was a gigantic game of chess, a superb contest of strategy; to statesmen it was a victory or defeat of some policy or course of political action. To Lincoln Gettysburg was a cemetery. To him the ceremonies on November 19, 1863, were not a band-playing, flag-waving celebration of victory, because in death there is no victory. Death is the supreme pathos, the ultimate in grief and sorrow. And if death be premature, divine Justice demands a reason. And in the depths of the wells of human sympathy Lincoln was seeking the reason as to why these thousands of boys had been slain and their bodies stored away in the clay and the mud of those Pennsylvania hills.

The key to the spirit of the Gettysburg Address is found in the letter written by Lincoln to Mrs. Bixby on learning that her five sons had been killed in battle. Her five boys—five young trees which supplied the sweetest fruits of companionship, love, joy and honor. These five trees were felled by the lightning blast of war; and that orchard of love and comfort became a bare spot of desolation and loneliness. I can picture Lincoln and the piercing agony in his soul as he dwells on this heart-shattering tragedy. As he paces the floor, there forms in his mind the letter we all know:

"Dear Madam:

I have been shown in the files of the War Department a statement of the Adjutant General of Massachusetts that you are the mother of five sons who have died gloriously on the field of battle. I feel how weak and fruitless must be any words of mine which should attempt to beguile

you from the grief of a loss so overwhelming. But I cannot refrain from tendering to you the consolation that may be found in the thanks of the Republic they died to save. I pray that our Heavenly Father may assuage the anguish of your bereavement, and leave you only the cherished memory of the loved and lost, and the solemn pride that must be yours to have laid so costly a sacrifice upon the altar of freedom.

Yours very sincerely and respectfully,

A. Lincoln"

Equally I can visualize Lincoln there on the platform at Gettysburg on November 19, 1863. He is looking out not at the 15,000 spectators, he is listening not to the martial airs of the bands nor to the polished utterances of the official orator, Edward Everett. He is looking out into the thousands of homes that have an empty chair, an empty bed and an empty heart. He sees the cradle in which the child had played, the fields in which the boy had worked, and the gate through which the youth passed on his way to war. And now he sees that lad's mother standing by that gate staring down the road knowing that its dust will never again be kicked into jolly clouds by the feet of her boy; she knows that the hinges of that gate will never again merrily laugh a welcome to her son. That son, slashed with sword and bayonet and weighted with lead and shrapnel lies there in the ground at Lincoln's feet.

On the platform Lincoln, with hat over his eyes, sits in melancholic reverie. Suddenly he is startled to hear the chairman announce: "The President of the United States." Confusedly he stands up and shuffles to the front of the platform. He sees no audience, there is no ceremony, he sees only these boys in the ground and their mothers at home; and in his anguished soul he seeks to resolve the night of sadness into the star of hope. He looks out at the horizon which is the finger of God writing in the skies, and from his lips there fall these words:

"Fourscore and seven years ago our fathers brought forth upon this continent a new nation, conceived in liberty, and dedicated to the proposition that all men are created equal. Now we are engaged in a great civil war, testing whether that nation, or any nation so conceived and so dedicated, can long endure. We are met on a great battlefield of that war. We have come to dedicate a portion of that field as a final resting-place for those who here gave their lives that that nation might live. It is altogether fitting and proper that we should do this. But in a larger sense we cannot dedicate, we cannot consecrate, we cannot hallow this ground. The brave men, living and dead, who struggled here, have consecrated it far above our poor power to add or detract. The world will little note, nor long remember, what we say here; but it can never forget what they did here. It is for us, the living rather to be dedicated here to the unfinished work which they who fought here have thus far so nobly advanced. It is rather for us to be here dedicated to the great task remaining before us, that from these honored dead we take increased devotion to that cause for which they gave the last full measure of devotion; that we here highly resolve that these dead shall not have died in vain; that this nation, under God, shall have a new birth of freedom, and that government of the people, by the people, and for the people, shall not perish from the earth."

Selections by Lincoln University Glee Club.

Mr. SHEPARD. The Chair presents Mr. Albert L. O'CONNOR of Cambria County.

Mr. O'CONNOR. Mr. Chairman, Your Honor Judge Masmanno, on behalf of the Chairman and Members of the Committee of this Lincoln's Memorial Service, on behalf of the Members of the House of Representatives of the State of Pennsylvania and on behalf of the other ladies and gentlemen here present, I extend to you our sincere thanks and gratitude for your kindness in being here today and delivering your eloquent and inspiring address on Abraham Lincoln.

To the authorities of Lincoln University and to the members of the Lincoln University Glee Club I extend similar thanks for making this celebration a memorable event.

Mr. SHEPARD. This brings to a close the ceremonies and I thank the Speaker for permitting us the privilege of conducting this celebration.

AFTER RECESS

The SPEAKER. The time of recess having expired the House will be in order.

The SPEAKER (Elmer Kilroy) in the Chair.

PERMISSION GRANTED COMMITTEE TO MEET DURING SESSION

Mr. READINGER asked and obtained permission for the Committee on State Government to meet during the session of the House.

BILLS INTRODUCED AND REFERRED

By Mr. KLINE. HOUSE BILL No. 358.

To further amend clauses three and four and subsection (b) of section 913 of the act approved the third day of June, one thousand nine hundred thirty-seven, (Pamphlet Laws 1333), entitled, "An act concerning elections, including general, municipal, special and primary elections, the nomination of candidates, primary and election expenses and election contests; creating and defining membership of county boards of elections; imposing duties upon the Secretary of the Commonwealth, courts, county boards of elections, county commissioners; imposing penalties for violation of the act, and codifying, revising and consolidating the laws relating thereto; and repealing certain acts and parts of acts relating to elections;" by fixing the fee for filing nomination petitions for the office of jury commissioner.

Referred to the Committee on Elections.

By Mr. MAXWELL. HOUSE BILL No. 359.

Requiring life insurance companies to deposit securities with the Insurance Department to secure payment of the cash surrender value of all policies insuring the lives of residents of this Commonwealth; authorizing payment of such cash surrender values therefrom in certain cases; and forfeiting the right to do business in this Commonwealth for failure to comply with this act.

Referred to the Committee on Insurance.

By Mr. McINTOSH. HOUSE BILL No. 360.

To further amend section six hundred and twenty-nine of the act, approved the eighteenth day of May, one thousand nine hundred and eleven (P. L. 309), entitled "An act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing

penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws general, special or local, or any parts thereof, that are or may be inconsistent therewith;" by providing for suitable pupil ceremonies affirming and developing allegiance to the Flag of the United States of America.

Referred to the Committee on Education.

By Mr. DAVID P. REESE, JR.

HOUSE BILL No. 361.

Making an appropriation to the City of Harrisburg to compensate for the extra police protection afforded by the Harrisburg police force for the properties and activities of the Commonwealth within the Capitol City.

Referred to the Committee on Appropriations.

By Messrs. BAKER and HEATHERINGTON.

HOUSE BILL No. 362.

An Act relating to hockey on Sunday; prohibiting hockey on Sunday unless the electors of a municipality or townships are in favor of the same, and requiring certain cases that a license has first been secured from the municipal authorities; providing for referendums to ascertain the will of the electors, and for the enactment and repeal of ordinances and resolutions in accordance therewith; providing penalties, and repealing inconsistent laws.

Referred to the Committee on Law and Order.

By Mr. REGAN. HOUSE BILL No. 363.

An Act to amend section four of the act, approved the first day of June, one thousand nine hundred and thirty-seven (P. L. 1132), entitled "An act to provide for the permanent personal registration of electors in cities of the second class A as a condition of their right to vote at elections and primaries, and their enrollment as members of political parties as a further condition of their right to vote at primaries; prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors; and prescribing the powers and duties of citizens, parties, political bodies, registration commissions, commissioners, registrars, inspectors of registration and other appointees of registration commissions, county election board, election officers, municipal officers, departments and bureaus, police officers, courts, judges, prothonotaries, sheriffs, county commissioners, peace officers, county treasurers, county controllers, registrars of vital statistics, certain public utility corporations, real estate brokers, rental agents, and boards of school directors; and imposing penalties;" by providing for the election of members of the registration commission, and the removal from office of the existing members of the registration commission.

Referred to the Committee on Elections.

By Messrs. HEATHERINGTON and MORAN.

HOUSE BILL No. 364.

An Act to amend the act approved the twenty-first day of June, one thousand nine hundred and thirty-nine (P. L. 566), entitled "A supplement to the act, approved the second day of June, one thousand nine hundred and fifteen (Pamphlet Laws, seven hundred thirty-six), entitled, as amended "An act defining the liability of an employer to pay damages for injuries received by an employe in the course of employment; establishing an elective schedule of compensation; providing procedure for the determination of liability and compensation thereunder; and prescribing penalties," as reenacted and amended, providing for the payment of compensation to volunteer firemen or their dependents," amplifying the provisions thereof as to persons entitled to such payments.

Referred to the Committee on Workmens Compensation.

By Mr. REUBEN E. COHEN. HOUSE BILL No. 365.

To further amend section one of the act approved the ninth day of July, one thousand nine hundred and nineteen (P. L. 794), entitled, "An act providing that estates in buildings, ground, books, curios, pictures, statuary and other works of art, passing by will to any municipality, corporation, or unincorporated body, for free exhibition within Pennsylvania, shall not be subject to collateral inheritance tax, and, in certain instances, the date when such tax shall become due," providing for additional exemptions and for exemptions from collateral inheritance and transfer taxes; and extending the provisions of said act to property, money and funds, passing before or after the effective date of this act, including property, money and funds passing to any public educational institution, museum or gallery of art of or under control of and wholly or partially maintained or supported by the Federal Government.

Referred to the Committee on Judiciary Special.

By Mr. HEATHERINGTON. HOUSE BILL No. 366.

To add clause seven to subsection (b), and to further amend subsection (c) of section one thousand two of the act, approved the first day of May, one thousand nine hundred and twenty-nine (P. L. 905), entitled, "An act for the protection of the public safety; regulating the use of highways, and the operation of vehicles, tractors, street cars, trackless trolley omnibuses, bicycles, pedestrians, and the riding of animals upon the highways of this Commonwealth; providing for the titling, including liens, encumbrances, and legal claims; registration of certain vehicles and licensing the operators thereof, upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts and the clerks thereof, owners of vehicles, and garage keepers; providing that records are admissible as evidence; imposing upon owners, counties, cities, boroughs, incorporated towns, townships, within the Commonwealth, liability for damages caused by the negligent operation of their motor vehicles; imposing penalties; imposing certain costs upon counties; providing for the disposition of fines, forfeitures, fees and miscellaneous receipts; making an appropriation and providing for refunds," changing the provisions of said act relating to the speed of such vehicles while being operated on highways under the supervision and control of a Turnpike Commission.

Referred to the Committee on Motor Vehicles.

By Messrs. BAKER and HEATHERINGTON.
HOUSE BILL No. 367.

Legalizing the operation of bowling alleys, and participation in the sport of bowling on Sunday.

Referred to the Committee on Law and Order.

By Mr. CORRIGAN. HOUSE BILL No. 368.

An Act to amend section two of article five of the act, approved the twenty-fifth day of June, one thousand nine hundred and nineteen (P. L. 581), entitled "An act for the better government of cities of the first class of this Commonwealth," by classifying all firemen, fire alarm operators and officers of the fire department for the purpose of fixing minimum salaries for such classifications, and setting up minimum salaries for such classifications.

Referred to the Committee on Cities—First Class.

By Mr. FALKENSTEIN. HOUSE BILL No. 369.

An Act creating a State Lottery Commission; providing for the conducting of, and legalizing lotteries by the State subject to approval of the electors, and dedicating the net revenue received therefrom to the payment of old age

assistance; making appropriations; and providing for a referendum to the electors.

Referred to the Committee on Ways and Means.

By Mr. DOLON. HOUSE BILL No. 370.

An Act to amend section nine hundred and fifty-four of the act approved the twenty-fourth day of June, one thousand nine hundred and thirty-nine, (P. L. 872) entitled "An act to consolidate, amend and revise the penal laws of the Commonwealth" by providing that said section shall be inapplicable to persons hunting or fishing under the authority of duly issued hunting or fishing license.

Referred to the Committee on Judiciary Special.

By Messrs. D'ORTONA and TATE. House Bill No. 371.

An Act making an appropriation to the Department of Forests and Waters, for the use of the Valley Forge Park Commission in payment of lands acquired by condemnation.

Referred to the Committee on Appropriations.

By Mr. CORDIER. HOUSE BILL No. 372.

An Act to further amend section 4 of the act approved the twenty-eighth day of June, one thousand nine hundred thirty-five, (P. L. 463) entitled, "An act providing, for a limited period of time, for the incorporation, as bodies corporate and politic, of 'Authorities' for municipalities; defining the same; prescribing the rights, powers, and duties of such Authorities; authorizing such authorities to acquire, construct, improve, maintain, and operate projects, and to borrow money and issue bonds therefor; providing for the payment of such bonds, and prescribing the rights of the holders thereof; conferring the right of eminent domain on such Authorities; authorizing such Authorities to enter into contracts with and to accept grants from the Federal Government or any agency thereof; and for other purposes;" by requiring the consent of the electors before an authority is created or authorized to construct, acquire or lease certain projects.

Referred to the Committee on Municipal Corporations.

By Mr. HARKINS. HOUSE BILL No. 373.

An Act to further amend the penalty clause of section nine hundred and three of the act approved the first day of May, one thousand nine hundred and twenty-nine (P. L. 905), entitled "An act for the protection of the public safety; regulating the use of highways, and the operation of vehicles, tractors, street cars, trackless trolley omnibuses, bicycles, pedestrians, and the riding of animals upon the highways of this Commonwealth; providing for the titling, including liens, encumbrances, and legal claims; registration of certain vehicles and licensing the operators thereof, upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts and the clerks thereof, owners of vehicles, and garage keepers; providing that records are admissible as evidence; imposing upon owners, counties, cities, boroughs, incorporated towns, townships, within the Commonwealth, liability for damages caused by the negligent operation of their motor vehicles; imposing penalties; imposing certain costs upon counties; providing for the disposition of fines, forfeitures, fees, and miscellaneous receipts; making an appropriation and providing for refunds," in certain cases making the owner liable, and exempting from liability the operator, for violations of the said act relative to overweight vehicles on the highways.

Referred to the Committee on Motor Vehicles.

By Mr. BROWN.

HOUSE BILL No. 374.

An Act to add clause (e) to section four of the act, approved the second day of July, one thousand nine hundred and thirty-five (P. L. 540), entitled "An act defining the term 'fiduciary'; prescribing the nature and kind of investments which may be made by such fiduciaries; validating certain investments heretofore made by such fiduciaries; and repealing acts and parts of acts inconsistent herewith," by permitting fiduciaries holding mortgages to accept deeds in lieu of foreclosures; and prescribing the effect thereof.

Referred to the Committee on Judiciary General.

By Mr. BROWN.

HOUSE BILL No. 375.

An Act authorizing individual co-fiduciaries in certain cases to consent to investments in common trust funds and validating consents heretofore given.

Referred to the Committee on Judiciary General.

By Mr. Messrs. McLANE and KNOBLE.

HOUSE BILL No. 376.

An Act to amend paragraph (a) of section eight hundred and sixty-five of the act, approved the twenty-fourth day of June, one thousand nine hundred and thirty-nine (P. L. 872), entitled "An act to consolidate, amend and revise the penal laws of the Commonwealth," by prohibiting the sale of lubricating oil which has been used and re-refined unless such oil is clearly so labeled.

Referred to the Committee on Judiciary Special.

By Mr. YEAKEL.

HOUSE BILL No. 377.

An Act making an appropriation to the National Farm School, at Doylestown, Pennsylvania.

Referred to the Committee on Appropriations.

RESOLUTIONS INTRODUCED AND REFERRED

By Mr. NAGEL (Concurrent) RESOLUTION No. 23.

In the House of Representatives, February 12, 1941.

Whereas, It appears that certain corporations chartered by the Government of the United States, or by the several states and having their main places of business within the United States, have entered into secret agreements with corporations and individuals outside the United States and with foreign governments ostensibly for the purpose of curtailing production and the maintenance of exorbitant prices and monopolies; and

Whereas, Such practice is contrary to the welfare and best interests of the citizens of the United States and the several states, and has seriously impeded the program of our national defense; therefore be it

Resolved, (if the Senate concur), That the Congress of the United States be memorialized to compel, by proper congressional action, all American corporations to file copies of all agreements made by them with foreign individuals, corporations and governments, in the Federal Department of State and the Federal Department of Commerce and with the Departments of State of all states in which they make contributions for unemployment compensation, and to require that all such agreements shall be open at all reasonable times for public inspection, and that adequate penalties be provided for the violation of such requirements; and be it further

Resolved, That copies of this resolution be transmitted by the Chief Clerk of the House to the President of the United States, the presiding officers of each House of Congress and to each United States Senator and Congressman from Pennsylvania.

Referred to the Committee on Rules.

By Messrs. BENTZEL and MOUL RESOLUTION No. 24.

In the House of Representatives, February 12, 1941.

Whereas, The General Assembly by Act No. 4, approved May 16, 1940, transferred certain moneys from the Fire Insurance Tax Fund to the General Fund; and

Whereas, Under the provisions of the act aforesaid, the Fire Insurance Tax Fund was to be reimbursed not later than June 30, 1941; and

Whereas, Legislation has been introduced to prevent further transfer of moneys collected and deposited in the Fire Insurance Tax Fund to the General Fund; and

Whereas, These funds can now be used for the benefit and relief of all firemen and volunteer firemen in the Commonwealth of Pennsylvania; and

Whereas, Retaining such unexpended funds in the said Fire Insurance Tax Fund would be consistent with the best public policy of the Commonwealth; therefore be it

Resolved, That the House of Representatives request the Governor to refrain from making any expenditure of the funds now deposited in the Fire Insurance Tax Fund until legislation accomplishing this purpose is enacted by the General Assembly.

Referred to the Committee on Appropriations.

COMMUNICATION

The SPEAKER laid before the House the following communication.

VETERAN CREDITS

A communication from the Veterans of Foreign Wars, Department of Pennsylvania, in answer to a public address by Howard L. Russell, Secretary of Public Assistance and requesting that he be required to appear before a committee to investigate statements made by him.

Referred to the Committee on Welfare.

LEAVE OF ABSENCE

By unanimous consent leave of absence was granted as follows:

Mr. Falkenstein for Mr. SAMUEL ROSE for the remainder of the week on account of death in the family.

Mr. Shepard for Mr. FINNERTY on account of illness.

Mr. Leisey for Mr. GYGER and Mr. RANK for today's session.

REPORT FROM COMMITTEE

Mr. MARSHALL M. COHEN, from the Committee on Judiciary General, reported as amended, House Bill No. 11, entitled:

An Act to create a uniform and exclusive system for the administration of parole in this Commonwealth; establishing the "Pennsylvania Board of Parole"; conferring and defining its jurisdiction, duties, powers and functions, including the supervision of persons placed upon probation in certain designated cases; providing for the method of appointment of its members; regulating the appointment, removal and discharge of its officers, clerks and employees; dividing the Commonwealth into administrative districts for purposes of parole; fixing the salaries of members of the board and of certain other officers and employees thereof; making violations of certain provisions of this act misdemeanors; providing penalties therefor and for other cognate purposes; and making an appropriation.

BILL ON FIRST READING

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 152, entitled:

An Act to amend section one of the act, approved the thirteenth day of May; one thousand nine hundred and twenty-seven (Pamphlet Laws nine hundred eighty-four) entitled "An act relating to transactions between a person acting on his own behalf and the same person acting jointly with others, and to make uniform the law relating thereto," by authorizing conveyances from either husband or wife to husband and wife as tenants by the entireties.

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

BILL ON SECOND READING

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 228, entitled:

An Act to reenact and amend the title and the act, approved the fourteenth day of June, one thousand nine hundred and thirty-five (Pamphlet Laws, three hundred forty-one), entitled, as amended, "An act to provide revenue by imposing a State tax upon sales of cigarettes by dealers as herein defined; requiring persons engaged in the sale of cigarettes at wholesale and retail to secure permits; prescribing the method and manner of collecting such tax; conferring powers and imposing duties on the Department of Revenue, and persons, as herein defined, engaged in the sale of cigarettes at retail or wholesale; and providing penalties," as previously reenacted and amended, by extending the provisions of the act for a further limited period of time.

The first section was read by the Clerk.

On the question,

Will the House agree to the section?

Mr. WINNER. Mr. Speaker, I desire to offer the following amendments.

The Clerk proceeded to read the amendments.

AMENDMENTS LAID ON TABLE

Mr. WINNER. Mr. Speaker, I move that the amendments offered by me be laid upon the table.

The motion was agreed to.

On the question recurring,

Will the House agree to the section?

It was agreed to.

The second section and title were separately read and agreed to.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

AMENDMENTS TAKEN FROM TABLE

Mr. ACHTERMAN. Mr. Speaker, I move that the amendments offered by the gentleman from Montgomery, Mr. Winner, be taken from the table.

The motion was agreed to.

BILL RECOMMITTED

Mr. ACHTERMAN. Mr. Speaker, I move that House Bill No. 228, together with the amendments be re-committed to the Committee on Ways and Means for the purpose of further study.

On the question,

Will the House agree to the motion?

Mr. WOODSIDE. Mr. Speaker, may I interrogate the gentleman from Monroe, Mr. Achterman.

SPEAKER. Will the gentleman from Monroe permit himself to be interrogated?

Mr. ACHTERMAN. I shall, Mr. Speaker.

Mr. WOODSIDE. Mr. Speaker, I should like to know from the gentleman whether he expects to make similar motions as to the other tax bills now on the calendar.

Mr. ACHTERMAN. That is correct, Mr. Speaker.

Mr. WOODSIDE. Mr. Speaker, I would like to know whether the gentleman is making the motion under the direction of the Ways and Means Committee; in other words when the bills were reported out were they reported out for two readings, or was there nothing said until now about the readings?

Mr. ACHTERMAN. Mr. Speaker, as I understand, of course I didn't attend the meetings of the Ways and Means Committee, and second I don't know whether I would have been permitted to divulge that information had I done so. However, in as much as I did not attend the meeting, I do not believe there was discussion in the committee as to how long they should remain on the calendar or whether they should or should not be returned. My motion is made on behalf of our party.

Mr. WOODSIDE. Mr. Speaker, I want to continue the interrogation but as a comment on what has been said by the gentleman from Monroe, I would just like to state that the point I was trying to bring out, as he well knows, the Committee usually reports all bills brought out for two readings with the understanding in the Committee that they be returned at that time.

I was just trying to find out if that was the case in this instance, and whether anything was said in Committee about the readings and whether this motion is made at the direction of the Ways and Means Committee.

I would like to interrogate further, and ask the gentleman whether it was the intention of the party at the time the bills were reported out that they be returned after two readings?

Mr. ACHTERMAN. Mr. Speaker, we merely wished to report the bills out for the purpose of calling to the public's attention that the tax measures have been introduced. We are interested, of course, in getting the public's reaction to the tax measures as introduced, and the procedure that we are following now is a very, very common procedure that has been followed in this House for many years, of reporting legislation, subsequently re-committing it and giving the public an opportunity of contacting the Legislature to express their opinion.

Mr. WOODSIDE. Mr. Speaker, the gentleman has skirted the question very well without answering it. If he desires to refuse to answer it I wish that he would say that he refuses to answer, but I would like to know if it was the intention of the majority party of this House when the measure was reported out the Committee to re-commit it after two readings.

Mr. ACHTERMAN. Mr. Speaker, it was the intention of the majority party to have it reported out, with the thought in mind that we would learn what the public thinks about it.

After all, we are interested in the opinion of the country. I trust that answers the gentleman's question.

Mr. WOODSIDE. Mr. Speaker, I would like to further interrogate the gentleman as to whether or not it is the result of the public's reaction that he is now sending it back or whether it was originally his intention to send it back.

Mr. ACHTERMAN. Mr. Speaker, I realize that the gentleman would like to answer questions as well as

ask them. However, may I again repeat that we are following a procedure that has been common in this house of reporting legislation out, returning it to committee, and giving, of course, the public an ample opportunity to express themselves to us.

Mr. WOODSIDE. Mr. Speaker, if the gentleman were in court I would ask the Judge to require him to answer the question yes or no and then explain, but inasmuch as the gentleman is not in court I cannot do that. I would suggest, however, that the gentleman do answer yes or no and then explain. I will still ask him whether or not he will answer my question and then explain or whether he still refuses to answer the question.

Mr. ACHTERMAN. Mr. Speaker, do I understand that the gentleman wants me to answer yes or no? If he does I can say "yes or no."

Mr. WOODSIDE. Mr. Speaker, I think we all understand now that the gentleman does not desire to answer the question that I put to him. I would like the gentleman to explain the reason for referring the bill back to the Committee at this time, if he will, please.

Mr. ACHTERMAN. I will be delighted to, Mr. Speaker. This motion, Mr. Speaker, and the motion I intend to make on the subsequent tax measures at first blush,—and I can understand that that possibly is the motivating reason for the questions by the gentleman from Dauphin,—since they are tax measures that we all know and as the gentleman knows have been the law of this state for six years, and will undoubtedly be the law for two more years, even though they did say here two years ago that it would cease. You will say of course, "why return them for further study", but tax measures are a bit different than an individual computing his income. We know reasonably well that these tax measures will yield. I think we can compute it safely, so that, as I stated before, perhaps there would be no reason for returning these amendments for study except that in this instance tax measures are coupled with expenditures. By that I mean that we levy taxes only for the purpose of operating the government. We could scarcely justify ourselves for levying taxes in excess of needs. In this instance these tax measures are completely entwined with the budget. Now then, it is the budget that really needs the study, and we should not send from this House the tax measurers until we find that there is justification for the items that appear in the budget.

I do not intend to go into an extensive detail about the budget, but I will point out just a few items and assure the gentleman from Dauphin that there are many more items of a similar nature that need study. We heard the Governor stating in his message that the amount of relief that will be needed for the next two years is one hundred twenty million dollars. What the Department of Public Assistance may say is another story. I think the secretary, Mr. Russell, at one time said one hundred sixty-three million dollars,—my memory may be faulty there,—and then I think at the request of somebody or other he reduced it a little, but his figures were somewhat higher. Certainly we ought to know whether it is one hundred twenty million dollars or one hundred sixty-three million dollars or whether it is one hundred forty-eight million dollars, or what the figures may be.

Now, this is of importance in connection with it; the Governor after considerable figuring and considerable juggling, incidentally, comes to the point of saying, "I

have got eleven million dollars left over, so we'll toss that back to relief."

Now, if he is right on his figure of one hundred twenty million dollars then there is no necessity to toss it back to relief. Then what should we do with the eleven million dollars? Should we have tax reduction or should we instead go to the postponements that he refers to? You will notice in his message that there are five certain governmental functions that he proposes to postpone. Should we spend eleven million dollars there, or should we accede to the request to postpone? It needs serious study, and the tax measures quite conceivably will play a large measure in what we finally decide should be done.

Then again there are other items, and these are curious items. Going over the increases that he is asking for various Departments, I think there are only three or four Departments that he couldn't conceive of a reason why there should not be an increase in their allowance. I wonder what those three or four departments did to offend the Governor? We expect to find out. Also we are going to find out why the increases, and when we find the story then we will know where we are going to drive with the taxes, but the two, Mr. Speaker, are so entwined, so interrelated that this House cannot intelligently go forward with a tax measure without ascertaining first what are the proper expenses for governmental affairs.

Secondly, how much it would cost to carry on all the essential and necessary governmental expenditures, not at the expense of any particular community, Mr. Speaker, but in fairness and in honesty to all of the people of the State of Pennsylvania? Why postponement? Why juggling of figures? We are going to have the answer before we leave, and then, Mr. Speaker, and only then will the tax measures be brought to the floor of this house for final passage.

I hope, Mr. Speaker, that I have made the position of our party clear, and the reason for our motion.

Mr. WOODSIDE. Mr. Speaker, that is a rather long answer, and I would like to continue my interrogation.

I understand from the remarks that the gentleman made immediately after the Governor delivered his budget message, that he felt at that time that there was not sufficient tax revenue to meet the payment that ought to be met. Maybe I have misunderstood him, but I gather from some of the remarks that he made in the beginning of the answer to my question that he feels now that the revenues might be too much. I would like to ask the gentleman whether he feels, as the situation stands today, that one hundred thirty-one million dollars is too much, or not enough to be appropriated for relief during the next biennium.

Mr. ACHTERMAN. Mr. Speaker, I would like to answer what I might term two questions, because the remarks made by the gentleman were predicated upon the assumption that I felt perhaps the revenue measures might produce too much money. I did not so state. I only stated that I felt that we knew reasonably well what the measures would produce, but unfortunately I do not know the justification for the figures contained in the budget. I do not know how much the Governor of Pennsylvania desires to squander moneys of the State. All I do know is that it is the largest budget that has ever been placed before any legislature of Pennsylvania, and I want a justification of those expenditures, and we propose doing what the Governor once promised to do we are going to wring

out the waste, and if there are sufficient proceeds left over; of course we could reduce the taxes, but at least we do not intend to permit the Governor of Pennsylvania to continue maintaining an uneconomical administration and operation of our government. We do not propose to accept at face value the figures he submitted. Taxes can only be justified upon the basis of governmental expenditures, and we are going to find that those governmental expenditures must be justified to this House before we give him the taxes.

Mr. WOODSIDE. Mr. Speaker, the gentleman has said that we can reasonably well anticipate the amount of revenue which will be received from these tax measures. I understand from that, do I, that he considers the estimate as set forth in the budget approximately accurate?

Mr. ACHTERMAN. Mr. Speaker, we have accepted some things on faith from the Governor of Pennsylvania. We have hoped that we could accept the budget as he submitted it to us in good faith. Our studies to date have indicated that perhaps we should not. I am assuming at the present moment that the figures of anticipated revenues are correct. We have had little time to determine whether that is so or not. In other words we are going to be shown everything, that is, we will certainly check back the revenues, but I believe the figures at the moment at least are reasonably correct. If they are not, in due course of time we will tell the House of it. We certainly do not intend to pull any punches or mislead the members of this House.

Mr. WOODSIDE. Mr. Speaker, we don't want any punches pulled. We will be glad to furnish all the information that is available to the Administration, I am sure, to the gentleman on the other side in order that this problem may be solved to the best interest of the Commonwealth of Pennsylvania.

However, I would still like to know from the gentleman since he has suggested that they are going to go through the Departments, what purpose he expects to accomplish that would affect the amount of revenue that will be necessary. And may I call attention to the fact that the full allowance appropriated for the Department including many items such as six hundred thousand dollars to the occupational diseases division, are included in the total for the operation of the Department which is only twenty-nine million five hundred eighteen thousand dollars. May I also call his attention to the fact that there has already been a cut in salaries in this Commonwealth, salaries of employes of this state over two million seven hundred thousand dollars a year, and a consideration of that I am wondering where he expects to make any substantial cut in any appropriation to or any Department which would make any difference in the appropriations to the Departments or in the amount of estimated revenues.

Mr. ACHTERMAN: Mr. Speaker, since the gentleman is wondering I will let him wonder on this one: Just what explanation we are going to receive, why the administrative cost of relief is going up while the relief that is being given is going down? It is just those little things to which our party would like to know the answer: why administrative costs go up and the expenditure of money for relief decreases. There are many other departments where we have heard there are savings in salaries, but when we start to look for them, we cannot find them.

Mr. WOODSIDE. Mr. Speaker, I think the gentleman included a statement that is not entirely accurate, but that

is something that we would be glad to furnish him in detail. I would like to ask, however, whether he feels there is an obligation on the Commonwealth to pay back funds that have been borrowed from it, and whether that should not be paid back out of the general fund during the next biennium.

Mr. ACHTERMAN. Mr. Speaker, the gentleman has forgotten back in 1940 the remarks I made on the floor of this House on the tapping of funds, and the highway robbery that existed in Pennsylvania, even though the magician said it was just taken out of his one pocket and put into another pocket; actually, you know, he got his hands into somebody else's pocket and I feel in honesty, Mr. Speaker, we should pay back; we should not steal.

Mr. WOODSIDE. Mr. Speaker, does the gentleman feel that during the next biennium we ought at least make an effort not to have to borrow money in order to carry on, so that the Governor who he hopes will be Democratic and I hope will be a Republican, will not have to borrow money to tide him over the biennium as Governor James has had to do?

Mr. ACHTERMAN. Mr. Speaker, I can assure the gentleman first of all that we told him in 1940 what was going to happen if they started stealing funds and did not have the honesty to prepare to repay. We told them that many on the other side of the House would not be here. We told them it was going to cost them the state of Pennsylvania, and it did. And we are telling them now that it not only cost them the House but it is going to cost them the Governorship next year. That is a prediction, gentlemen, with as much accuracy and certainty as the prediction of 1940.

May I state in regard to the so-called deficit that the gentleman speaks of, I mentioned it after the Governor's budget message, that that deficit was much less than the magic figures that the Governor called in. Of course, the Governor has always had trouble to find out what the deficit was. He said first I think twenty-six million dollars, and then fifty million, and then I think just for good measure that the WPA short-changed him. The Governor just doesn't know, but any kind of figure that pops up in his mind, he introduces, and in due course of time we will prove to them that the deficit that he received from the Earle Administration was only a few million dollars and was considerably under the amount that Earle inherited from Pinchot, who I think the Gentleman will concede was a member of their party.

Now, certainly, since it is our intention, Mr. Speaker, of taking over the control of the State of Pennsylvania next year, we certainly are going to do our best to see that the budgets for the last two years are balanced so that we are not compelled to shoulder the weight that the Governor of Pennsylvania apparently is trying to shove upon us with this budget that he submitted just a short time ago. I hope I have answered all of the gentleman's questions.

Mr. WOODSIDE. Mr. Speaker, finding the answer to that question is very much like hunting a needle in a hay-stack. If the gentleman answered it was lost, at least to me, do I understand that the gentleman feels that this money which has been borrowed from the special funds in the past should in the biennium be paid directly out of the general fund, if that is possible?

Mr. ACHTERMAN. If possible, Mr. Speaker.

Mr. WOODSIDE. Mr. Speaker, does the gentleman

from Monroe feel that we should aim at this time and during this session toward establishing a budget for the next biennium that would in effect be balanced?

Mr. ACHTERMAN. Mr. Speaker, not only balanced, but honest. By that I mean honest to the people of Pennsylvania, all of the people, and that we pay the bills that we owe, and above all that we return the money that we stole. In other words, balanced and honest.

Mr. WOODSIDE. Mr. Speaker, the gentleman from Monroe is making a lengthy speech and I would like to answer all of his points but if I did so we would be here all night. I understand from the gentleman's answer, and if I am wrong, I wish he would say so, he feels that the budget during the next biennium should be balanced, in other words out of that budget we should repay into the general fund all of the money which will be borrowed from special funds. Perhaps I had better start that all over again.

I understand the gentleman's answer to be that he feels that the budget for the biennium should be balanced and by balancing he means that out of it should be paid from the general fund to the special fund all the moneys which have been borrowed and will hereafter be borrowed from it during this biennium. Furthermore, that the budget be so written that as far as we are able to see at the present time it will not be necessary to borrow additional funds from any of the special funds during the next biennium, in other words, at the end of the next biennium, on May thirty-first, the books of the Commonwealth will be balanced. Does the gentleman consider that a proper aim? Does he consider it proper at this time that the budget should be arranged with that end in view?

Mr. ACHTERMAN. Mr. Speaker, I might say and I think the gentleman will concur with me, that that would be a very sound aim and that it should be our aim.

Mr. WOODSIDE. Mr. Speaker, I would like to know whether the gentleman still feels that one hundred and thirty-one million dollars will not be sufficient money to carry on relief during the next biennium.

Mr. ACHTERMAN. Mr. Speaker, one of the reason for sending these measures back to the Ways and Means Committee is the fact that we do not know. The Governor said one thing and Mr. Russell of the Department of Public Assistance said something else. The figures which are released from week to week tell us something different. What are we to believe, with everybody juggling figures who is in a position to know or should know, and none of them in accord? How can I answer that question? Whether or not I believe that is enough, too much or what the answer may be, it is impossible to answer. We do hope finally to get some responsible source to give us figures upon which we can rely. In other words what we are doing now has been caused by the mirage which has been placed before this House by the Department of Public Assistance and by the Governor himself. Certainly they should not now complain if we question who is right and decide we are going to find out. They should not complain of that action.

Mr. WOODSIDE. Mr. Speaker, the gentleman realizes I think, that in the past relief has always been financed by putting all of the money which was not appropriated anywhere else into the relief appropriation, with the understanding always that it likely would not be enough,

and a subsequent legislature, either at a special session or at the regular session at the end of the biennium, make an additional appropriation to meet the needs up to the end of the biennium. The gentleman realizes, I think full well, that it is impossible to estimate with any very great degree of accuracy what the relief needs will be six months ahead. It is doubly difficult two years ahead. I realize it has been impossible for him at this time and it will be impossible for him in April or May or June to give any accurate estimate as to the amount which will be needed for relief during the next biennium. I was interested in knowing whether the gentleman felt it was too much or too little or whether he was entirely up in the air about it.

On the question recurring.

Will the House agree to the motion?

It was agreed to.

BILL ON SECOND READING

Agreeably to order.

The House proceeded to the second reading and consideration of House Bill No. 229, entitled:

An Act to further amend section four of the act approved the twenty-first day of May, one thousand nine hundred thirty-one (Pamphlet Laws, one hundred forty-nine), entitled "An act imposing a State tax, payable by those herein defined as distributors, on liquid fuels used or sold and delivered within the Commonwealth, which are ordinarily, practically, and commercially usable in internal combustion engines for the generation of power; providing for the collection and lien of the tax, and the distribution and use of the proceeds thereof; requiring such distributors to secure permits, to file corporate surety bonds and reports, and to retain certain records; imposing duties on retail dealers, common carriers, county commissioners, and such distributors; providing for rewards; imposing certain costs on counties; conferring powers and imposing duties on certain State officers and departments; providing for refunds; imposing penalties; and making an appropriation," by imposing and continuing the additional emergency tax on liquid fuels for a further limited period of time.

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for a third reading.

BILL RECOMMITTED

Mr. ACHTERMAN. Mr. Speaker, for the reasons I have given before with reference to the prior bill, (House Bill No. 228), I move that this bill be recommitted to the Committee on Ways and Means for further study.

On the question.

Will the House agree to the motion?

Mr. TURNER. Mr. Speaker, I would like to interrogate the gentleman from Monroe, Mr. Achterman.

The SPEAKER. Will the gentleman from Monroe, Mr. Achterman, permit himself to be interrogated?

Mr. ACHTERMAN. Mr. Speaker I will.

Mr. TURNER. Mr. Speaker, I would like to ask the gentleman what is the purpose of recommitting this bill outside of the stated purpose of "further study."

Mr. ACHTERMAN. Mr. Speaker, I feel that is a sufficient reason in itself.

Mr. TURNER. Mr. Speaker, is it for the same purpose as stated to the minority leader, to wit that they were not going to take up the bills until they knew something about the budget.

Mr. ACHTERMAN. Mr. Speaker, that is correct.

Mr. TURNER. Mr. Speaker, is it the purpose or hope of the gentleman that there will be some cut in taxes.

Mr. ACHTERMAN. Mr. Speaker, it is impossible to state and the thought of recommitting was not with the thought that there was going to be any tax reduction, on the contrary taxes should only be levied to the extent needed for necessary governmental functions.

We necessarily feel that the two subjects are in effect one, although they are represented in a number of bills and we also feel that this House would be derelict in its duties if it passed tax measures without ascertaining whether their requests for expenditures were not proper requests. In other words we would saddle taxes on the people of Pennsylvania without learning whether they were proper for expenditures. I cannot see how we can move forward until we learn, first of all, and be satisfied with a solution as to the needs, and then and only then shall we move forward with the taxes.

Mr. TURNER. Mr. Speaker, if the gentleman from Monroe does not expect to reduce the taxes then does he expect to increase taxes.

Mr. ACHTERMAN. Mr. Speaker, first of all may I call to the gentleman's attention that here is an administration that has been dodging five very essential governmental functions at the expense of that portion of the state that can least afford it. We do, as good business men, propose finding out what it is going to cost to operate the state. We are not going to accept on face value the Governor's figures. We are going to stop this robbing of one part of the State for the benefit of another part of the state.

Mr. TURNER. Mr. Speaker, it seems almost impossible to get an answer from the gentleman from Monroe without a speech which might very readily be answered, and I might in turn be answered by the gentleman from Monroe, because I have some recollections of some past bienniums and one in which the Earle Budget was five hundred and ten million dollars and when we finally wound up for the biennium it was somewhere around six hundred million dollars which we expended. That does not seem to be the issue at this time. While I am transgressing perhaps upon the parliamentary rule of inquiry, still the gentleman on the other side has so flagrantly transgressed that rule for over a half an hour, it seems to me I might be permitted to do so. I have listened to the gentleman on two or three occasions. He has wandered all over the map on political questions.

I have not had much chance to study the Budget but I did study it on Sunday night to some extent. It seems to me that the statements are correct and that the figures set forth are very clear and plain.

I would like to know just exactly just what is intended now. The gentleman from Monroe after that long discourse he has engaged in, has not told me whether he expects to increase taxes. The budget now provides for some one hundred thirty-one million dollars for relief, and the budget is based upon anticipated revenues from these tax measures and from the present tax program. The gentleman from Monroe Mr. Achterman, introduced a bill providing for two hundred and ten million dollars for relief. That would be eighty million dollars above the present amount provided for in the Governor's Budget for relief. If the gentleman from Monroe does not necessarily anticipate that we are going to be able to reduce taxes, then he actually raises the question of where he antici-

pates getting the money to take care of that eighty million dollars that he wants for relief.

Mr. ACHTERMAN. Mr. Speaker, May I state that we have no anticipations. We do not know what we are going to find that this administration did. Goodness only knows and we don't know although all that we can promise him is that we are going to find out.

Mr. TURNER. Mr. Speaker, I would like to ask the gentleman from Monroe whether these provisions or functions of state government do not amount to about twenty-million dollars.

Mr. ACHTERMAN. Mr. Speaker, we are told by the Governor that that is correct.

Mr. TURNER. Mr. Speaker, does the gentleman have any doubt?

Mr. ACHTERMAN. Mr. Speaker, very frankly I do not know. There are so many other things we have found out, so that we will have to find this out for ourselves.

Mr. TURNER. Mr. Speaker, will the gentleman tell us what we found in the budget that is not so?

Mr. ACHTERMAN. Mr. Speaker, we have doubt about the one hundred and twenty million dollars for relief; we base that fact not only upon our own figures but on words what Mr. Russell has had to say. We have a Department head running out without consulting the Governor and we have the Governor running out without consulting a Department Head. We have complications. If that doubt is caused in our minds by the Republican Administration, why shouldn't we question it? It is the old rule of law if you find a witness not telling the truth in one instance you may disregard anything else he says.

Mr. TURNER. Mr. Speaker, is the gentleman through with his speech.

Mr. ACHTERMAN. Mr. Speaker, I am answering the gentleman's question but he might not like the answer.

Mr. TURNER. Mr. Speaker, the answer does not worry me one bit, because the answer to what he said is perfectly obvious. The question I asked him pertained to certain functions such as for instance transportation in school districts, high school tuition, and taking care of the insane. I think those are the three functions to which he refers. They amount to about twenty million dollars. If we take over that twenty million dollars and add eighty million dollars which he has added for relief, does the gentleman expect to be able to get that amount out of the operation and functions of the Government?

Mr. ACHTERMAN. Mr. Speaker, I would not be surprised. If we continue our investigation of the subject, we may find sufficient waste, to initiate everyone of those needed governmental functions.

Mr. TURNER. Mr. Speaker, I have a lot of personal friendship for the Majority leader, I have served with him on the floor of the House. I do not believe in any interrogation or debate that even what is purely in the mind of the gentleman from Monroe,—what will I say, a bit facetious. Because he knows as well as I know it does not cost one hundred million dollars in the ordinary operation of Departments under the Governor's control.

He knows that the cost is around ninety million dollars. What is he going to get out of that? He knows that a large part of the remaining expenditures for the operation of the Government come out of relief aged, and the blind and dependent children. The operation of the Departments under the Governor, while I have not the figures accurately in mind, costs about thirty million dollars. If you cut out of the whole operation the Departments under

the Governor, you cannot make up that one hundred million dollars that the gentleman from Monroe wants to increase the Budget by. Therefore I ask the very natural question whether he intended to increase taxes. The gentleman from Monroe has given me a long and round-about answer.

In concluding, what I have to say, if the gentleman from Monroe expects to increase taxes, I see no tax bills presented by the gentleman from Monroe or by anybody else on the other side of this House, to raise additional taxes to take care of that one hundred million dollars.

On the question recurring.

Will the House agree to the motion?

It was agreed to.

BILL ON SECOND READING

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 230, entitled:

An Act to reenact and amend the title and the act, approved the twenty-second day of June, one thousand nine hundred thirty-five (Pamphlet Laws, four hundred fourteen), entitled "An act to provide revenue for State purposes; imposing taxes upon certain classes of personal property; providing for the assessment, collection, and lien of the same, and the distribution of the proceeds thereof; imposing duties on executors, administrators, registers of wills, recorders of deeds, prothonotaries, and court clerks, and on persons, copartnerships, associations, banks, national banks, trust companies, and other corporations receiving deposits of money, and on certain corporations and limited partnerships; conferring powers and imposing duties on certain State officers and departments; imposing penalties; and making an appropriation," as previously reenacted and amended, by continuing the State personal property tax and the emergency rate of tax on scrip bonds, certificates and evidences of indebtedness, assumed or on which interest is paid by corporations, for a further limited period of time.

The first section was read.

On the question,

Will the House agree to the section?

QUESTION OF INFORMATION

Mr. GATES. Mr. Speaker, I rise to a question of information.

The SPEAKER. The gentleman will state his question.

Mr. GATES. Mr. Speaker, if this bill is recommitted now will it be possible to insert amendments after it comes out of committee?

The SPEAKER. If the bill is agreed to on second reading and recommitted, after it is returned to the House by the Committee it will require the unanimous consent of the House to amend it. The amendatory stage is on second reading.

Mr. GATES. Mr. Speaker, I have asked the privilege of addressing you and you have very graciously granted my request. I will discuss the Governor's Messages to the House, the budget and the emergency tax bills now on our calendar for second reading. Of course, the tax bills must be taken out of the emergency class and now be listed under normal taxes.

Governor James said, in speaking of his budget, and I quote, "The Acts which will be introduced to carry out its provisions will not be "must bills." He then continued by saying if new ideas are brought forward, I will receive them with open mind, but here he slammed the door shut

and locked it from the inside by saying he would veto any new tax bills. It reminds me of the old story of Henry Ford when he made the old reliable Model T Ford. For years he had things much his own way but eventually received real competition and his competitors were giving their customers the privilege of having their new cars painted with any color that they so desired while Henry stuck to the idea of only one kind of a car and that was a black car. Finally his dealers insisted on a meeting contending to meet competition successfully, they should be given the right to give to their customers any color of car that the customers desired. So a meeting was called of several thousand dealers and the General Sales Manager of the Ford Motors Company said, "Boys, I have taken the matter of having our cars painted in different colors up with Mr. Ford and he said you could select any color you desire as long as it is black." He soon saw the error of his ways and you can now purchase a Ford car in most any color you desire.

This gentleman, is the way with this tax program. You may select any tax program you desire as long as it is this tax program. In other words, where we formerly had three distinct branches of State Government—executive, legislative, and judicial, as far as these tax measures are concerned, we have now eliminated the Legislature and you are acting merely as another will.

These taxes were originally enacted when everything that could be seen was taxed without regard to the equitable distribution of the tax burden. They remind me of the past hunting season when you had the privilege of shooting either a buck or a doe, and hundreds of thousands of hunters took to the woods and many inexperienced men took a pot shot at anything that moved. Consequently, many men were killed or wounded and these tax bills have severely wounded the corporations of our State and if continued it will lose for us the name of the great Industrial State of Pennsylvania by driving out these industries which for their own self-protection must move to other states. Oh, I know we have a new Department of Commerce and I personally have a very high regard for its head, Mr. Richard Brown, but with all his ability, energy, and efficiency, he cannot pull a rabbit out of a hat. For instance, if one habberdashery, located on one side of the street sells Knox hats for \$10 and another store just across the street sells exactly the same Knox hats for \$8, it is very obvious who will eventually get the business.

Our Department of Commerce recently listed a large number of factory buildings available for work. They found 40,000 square feet of working space. The survey found 111 unused buildings of more than 100,000 square feet and 259 ideal factories with between 25,000 and 100,000 square feet. Many hundreds of smaller buildings were omitted from the list. Mind you, these are complete useable factories in such good condition that almost everything needed to put them in operation would be to unlock the doors and tear down the signs which read, "Closed, no help wanted." What can be done to reopen them? The answer is easy. Give the corporations in our State relief from this tremendous tax burden, keep them in Pennsylvania where they can give employment to our men and women and the direct and indirect benefits will be to decrease unemployment and increase our State income.

Now regarding the budget and his message regarding same. Governor James says the State is in better financial

condition than it has been for many years and the successful completion of his program will set the stage for a huge tax reduction program. I doubt very much if we can pat ourselves on the back and take too much credit for certain improvements. We all know a change in direction is now appearing as a result of the stimulation of the defense program producing the dual relief of a downward movement of expenditures for public assistance and an upward movement of tax yields. This, of course, affects advantageously both sides of the budget.

Our apparent prosperity is the direct result of the sorrow, suffering, hunger, lack of shelter, lack of food of the men, women and children caused by the human unChristian ambition of a man who would rule the World, starting with persecution of a particular race and ending by bringing everyone under his subjection. God forbid!

Again, Governor James says we have a balance of \$11,000,000 unappropriated. He suggests that the amount be added as a safety item to the amount allocated to Public Assistance. Now, gentlemen, it is with this amount that I would make a suggestion to the Members of this House, realizing that the Democrats are in control of this House, the ultimate responsibility of an amendment I will offer to take a step in the right direction by starting now to give our people some immediate relief from taxes, will largely rest upon their shoulders.

I will offer an amendment to House Bill No. 230 to reduce the inequitious four mill personal property tax to three mills, a reduction of income to our State according to the Governor's budget of about six and one-fourth million dollars. This would leave about five million out of the eleven million dollars unappropriated. You say this is small and insignificant and I answer, "yes," but lets make a start and as this tax falls largely on the old people of our State who have passed the age when they are able to increase their income by personal efforts, I personally think it is making the start at the proper place by increasing the standard of living for these fathers and mothers rather than continuing to decrease their standard of living.

May I assure each of you that when this amendment is offered I will require no division of the vote or a roll call as I have no desire in my heart to either directly or indirectly due injury to any member of this House regardless of his political faith.

Now in conclusion to anticipate someone referring to Governor James speech where he says to cut taxes in his judgment would be counting chickens not yet hatched. During the Special Session of 1940 Governor James said to me sitting in his office that he was transferring funds from various accounts with a hope and a prayer that we would not have to increase taxes and I believe that he was earnest and sincere in this statement and for the first time since I have been a member of this Honorable body I voted for these transfers. I urge the members of this House to vote for my amendment with a hope and a prayer that we not only can make this reduction but that later Governor James will call a Special Session, recommend to this House the elimination of the balance of this three mills personal property tax and give reduction to corporation taxes when he can say again as he said after his election as Governor of this great Commonwealth, "Business men, unpack your trunks, stay in Pennsylvania, real relief is in sight." Once again we can take our place as the leading industrial state of the nation.

On the question recurring,
Will the House agree to the section?

Mr. GATES. Mr. Speaker, I desire to offer the following amendments:

The amendments were read by the Clerk.

Amend Sec. 1 (Sec. 3), page 4, line 26, by inserting a light-faced bracket before and after the word "four"

Amend Sec. 1 (Sec. 3), page 4, line 26, by inserting after the word "four" the following: three

Amend Sec. 1 (Sec. 17), page 23, line 22, by inserting a light-faced bracket before and after the word "four"

Amend Sec. 1 (Sec. 17), page 23, line 22, by inserting after the word "four" the following: three

On the question,

Will the House agree to the amendments?

Mr. ACHTERMAN. Mr. Speaker I desire to interrogate the gentleman from Armstrong, Mr. Gates.

The SPEAKER. Will the gentleman from Armstrong, Mr. Gates, permit himself to be interrogated?

Mr. GATES. Mr. Speaker I will.

Mr. ACHTERMAN. Mr. Gates does the amendment that you offer reduce the personal property tax from four to three mills.

Mr. GATES. Mr. Speaker, that is correct.

Mr. ACHTERMAN. Mr. Gates I presume that you feel that this one mill of tax that you are eliminating from the measure is not needed to carry out the governmental function requested by the Governor in his budget.

Mr. GATES. Mr. Speaker according to the budget as I have studied it the Governor stated he had eleven million dollars unappropriated and from the eleven million dollars of unappropriated funds I hope and pray that this House will give some relief to taxpayers. I feel that by taking six and one quarter million dollars from that eleven million fund that will take care of my amendment.

Mr. ACHTERMAN. Do I understand Mr. Gates then feels that the Governor is not aware as to the amount of money he needs for relief.

Mr. GATES. No, I did not say that. I am simply taking the budget as it was reported to us. I think it is impossible for even Mr. Russell or Governor James in view of the increase due to the defense program to accurately determine the exact amount that is going to be needed for public assistance so I have chosen to take the figures of the Governor when he estimates that five million dollars will be adequate.

Mr. ACHTERMAN. Mr. Speaker I thank the gentleman. I do not know where I could have a more eloquent explanation of the position that I have maintained on the floor of this House that these tax measures should go back to the committee than has been demonstrated by the gentleman from Armstrong, Mr. Gates. In other words on the Republican side of the House they do not know. They are floundering. They are in a mirage, the same as we are. He does not know anything about the Governor's figures. The only thing he is doing is to say, "Well, we will reduce this amount, let us not study it. Let us go ahead and reduce and then hope." We discussed faith, hope and charity before in this House and, Mr. Speaker, it is time that we start studying. Possibly our study might disclose what the gentleman maintains. If it does then we can have tax reduction. If it does then we are prepared to do it, but certainly after his statement he does not know and Mr. Russell does not know and the Governor does not know, certainly we better get somebody who does know. Certainly we should find out before we do

anything with these measures. It is for that reason that I say these amendments should fall. If further study subsequently proves that the amendments are sound, so that there is no need for the money then the gentleman is on sound ground but at the present moment he is not. I have the same interest in these measures that apparently the other side has.

I do remember the day when they condemned these measures to the high heavens. Now, we have the reverse position. I never knew the Republicans to so cherish tax measures that they had previously condemned. I am saying that the gentleman from Armstrong is not on sound ground for the moment and therefore his amendment should fall at the present time and give us the opportunity to study. Certainly the gentleman wants to know the facts. He admits on the floor of this House that he does not know the facts. Therefore, I am saying that these amendments should fall and I am asking this side of the House to substantiate my motion.

Mr. GATES. Mr. Speaker, I desire to interrogate the gentleman from Monroe, Mr. Achterman.

Mr. SPEAKER. Will the gentleman from Monroe permit himself to be interrogated?

Mr. ACHTERMAN. I shall, Mr. Speaker.

Mr. GATES. Mr. Speaker, I would like to inquire of the gentleman on the other side, who is so prone to quote the Scripture in his statements, if he will tell the members of this House just where in Holy Scripture this particular verse that he refers to is found.

Mr. ACHTERMAN. Mr. Speaker, I would be delighted to do so later on, if the gentleman will come to my desk.

Mr. GATES. Mr. Speaker, I would like to inform the gentleman from Monroe right now that it is found in the thirteenth chapter of Corinthians, and my version of it says "faith, hope and love."

On the question recurring,

Will the House agree to the amendments?

They were not agreed to.

On the question recurring,

Will the House agree to the section?

It was agreed to.

The second section was read and agreed to.

The title was read.

The SPEAKER. Does the gentleman from Armstrong, Mr. Gates, desire to withdraw his amendments to the title in view of the fact that his amendments to the first section have been defeated?

Mr. GATES. I do, Mr. Speaker.

The SPEAKER. The amendments offered to the title have been withdrawn.

On the question,

Will the House agree to the title?

It was agreed to.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

BILL RECOMMENDED

Mr. ACHTERMAN. Mr. Speaker, I move that this bill be recommitted to the Committee on Ways and Means for the purpose of further study.

The motion was agreed to.

BILL ON SECOND READING

Agreeably to order.

The House proceeded to the second reading and consideration of House Bill No. 231, entitled:

An Act to reenact and amend the title and the act, approved the sixteenth day of May, one thousand nine hundred thirty-five (Pamphlet Laws, two hundred eight), entitled, as amended, "An act to provide revenue for State purposes by imposing an excise tax, for a limited period of time, on the net incomes of certain corporations, joint-stock associations, and limited partnerships; providing for the assessment, collection, settlement and resettlement of taxes, and reviews and appeal therefrom; conferring powers, and imposing duties on certain persons, corporations, joint-stock associations, limited partnerships, State and county officers, boards, and departments; making an appropriation; and providing penalties," as previously reenacted and amended, by extending the provisions of the act for a further limited period of time.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

BILL RECOMMENDED

Mr. ACHTERMAN. Mr. Speaker, I move that this bill be recommended to the Committee on Ways and Means for the purpose of further study.

The motion was agreed to.

BILL ON SECOND READING

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 232, entitled:

To further amend the act, approved the first day of June, one thousand eight hundred eighty-nine (Pamphlet Laws, four hundred twenty), entitled "A further supplement to an act, entitled 'An act to provide revenue by taxation,' approved the seventh day of June, Anno Domini one thousand eight hundred and seventy-nine," by increasing for a further limited period of time the rate of tax imposed by the act upon the gross receipts of certain companies, limited partnerships, associations, joint-stock associations, copartnerships and persons.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

BILL RECOMMENDED

Mr. ACHTERMAN. Mr. Speaker, I move that this bill be recommitted to the Committee on Ways and Means for the purpose of further study.

The motion was agreed to.

BILL ON SECOND READING

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 233, entitled:

To further amend section one of the act, approved the thirteenth day of June, one thousand nine hundred seven (Pamphlet Laws, six hundred forty), entitled "An act to provide revenue by levying a tax upon the shares of stock of companies incorporated under the provisions of section twenty-nine of an act entitled 'An act to provide for the incorporation and regulation of certain corporations,' approved April twenty-ninth, one thousand eight hundred and seventy-four and the supplements thereto; for the insurance of owners of real estate, mortgages, and others interested in real estate, from loss by reason of defective titles, liens, and encumbrances; and of com-

panies entitled to the benefits of, and of companies having any of the powers of, companies entitled to the benefits of an act, entitled 'An act conferring upon certain fidelity, insurance, safety deposit, trust, and savings companies the powers and privileges of companies incorporated under the provisions of section twenty-nine of an act, entitled "An act to provide for the incorporation and regulation of certain corporations," approved April twenty-ninth, Anno Domini one thousand eight hundred and seventy-four, and of the supplements thereto,' approved June twenty-seventh, one thousand eight hundred and ninety-five, commonly known as title insurance or trust companies," by continuing the increased rate of tax for a further limited period of time, and reducing the rate of tax after such limited period of time.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

BILL RECOMMENDED

Mr. ACHTERMAN. Mr. Speaker, I move that this bill be recommitted to the Committee on Ways and Means for the purpose of further study.

The motion was agreed to.

BILL ON SECOND READING

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 234, entitled:

An Act to further amend section one of the act, approved the fifteenth day of July, one thousand eight hundred ninety-seven (Pamphlet Laws, two hundred ninety-two), entitled "An act to provide revenue by taxation," by increasing the rate of tax for a further limited period of time.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

BILL RECOMMENDED

Mr. ACHTERMAN. Mr. Speaker, I move that this bill be recommitted to the Committee on Ways and Means for the purpose of further study.

The motion was agreed to.

BILL ON SECOND READING

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 235, entitled:

An Act to reenact and amend the title and the act, approved the ninth day of June, one thousand nine hundred thirty-six (Special Session of one thousand nine hundred thirty-six, P. L. 13), entitled "An act imposing an emergency State tax for a limited period of time on liquor, as herein defined, sold by the Pennsylvania Liquor Control Board; providing for the collection and payment of such tax; and imposing duties upon the Department of Revenue and the Pennsylvania Liquor Control Board," as previously reenacted and amended, by extending the provisions thereof for a further limited period of time.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL RECOMMENDED

Mr. ACHTERMAN. Mr. Speaker, I move that this bill be recommitted to the Committee on Ways and Means for the purpose of further study.

The motion was agreed to.

BILL ON SECOND READING

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 262, entitled:

Making a deficiency appropriation to the Department of Public Assistance for the purpose of carrying out the Public Assistance law, for the two fiscal years ending May thirty-first, one thousand nine hundred and forty-one.

The first and second sections were separately read and agreed to.

Mr. ACHTERMAN. Mr. Speaker, I desire to offer the following amendment as a new section.

The amendment was read by the Clerk as follows:

Amend bill, page 2, by inserting between lines 8 and 9 the following section:

"Section 3. Out of the moneys appropriated by section one of this act, the Governor, Auditor General and State Treasurer shall, from time to time, allocate to the Department of the Auditor General and the Treasurer Department such sums as they deem necessary to pay the administrative expenses of said departments in auditing and disbursing the appropriation made by this act."

On the question,

Will the House agree to the amendments?

Mr. WOODSIDE. Mr. Speaker, this is a very insidious amendment. It is placing into an appropriation bill for relief that which has never been in an appropriation bill for relief before, either under the Earle Administration or under the James Administration. It can have only one purpose. It is playing politics with relief in one of the worst possible manners because the only single purpose this amendment can have is to take money away from the relievers and to provide more money for Democratic jobs in the Auditor General's and the State Treasurer's Department. This amendment provides that "out of the money appropriated by section one of this act, the Governor, one, and the Auditor General, two, the State Treasurer, three, a Board of two Democrats and one Republican, shall from time to time allocate to the Departments of the Auditor General and the State Treasurer such sums as they deem necessary; and so forth.

The only single purpose that this new type of amendment can have is to take money away from the relievers and to give it to the Democratic job-holders in the Auditor General's and State Treasurer's Departments and for that reason I ask the members of the House to vote no on this amendment.

Mr. ACHTERMAN. Mr. Speaker, I appreciate the remarks of the gentleman from Dauphin, when he speaks about "insidious practices." May I first of all state that the gentleman is in error when he states that the amendment which I offer does not appear in any of the other appropriation acts. On the contrary it was done in 1937 and it was done in 1939, and the insidious thing that he has mentioned would occur if we did not put this amendment in the bill introduced by him. May I explain to the membership of this House what happened? I mentioned earlier in speaking on the tax measures about certain Departments that apparently were not in good grace with the Governor. It so happens that the State Treasurer's and the Auditor General's Departments happen to be two of the few that I mentioned. Now, the Governor has endeavored to see that those departments are put in a position that they cannot function and operate normally. In other words, what he is saying to those Departments

is, "Spend at our orders fourteen and one half million dollars and you guess how you are going to do it." He has the money and he will allocate money for his departments to be spent. But once again we have the old story of the expenditures for relief going down and the percentage of administrative cost to the Department of Public Assistance increasing. But, to allow any other Department to pay the ordinary expenses of auditing the money they spend, oh, no, no. It might be assumed that perhaps what the Governor desires is the right to spend this money without having the account audited. Why should he exclude the Auditor General's Department and the State Treasurer's Department from their usual and normal function? Why should we say, "we won't let you have any money to check on us." Doesn't he want to be checked on? Especially when the acts of 1937 and 1939 fully made provision to do those very things. Yes, I can agree with the gentleman from Dauphin in the proper use of the word "insidious." It would be insidious if we permitted the Governor to go on spending money in these departments without making provisions for a proper check on the manner in which his departments would spend that money. I am saying that this is one of the things that is needed in order to guarantee to the people of Pennsylvania the proper check, rein on the expenditures in the Department of Public Assistance which is now under his control. You would have that check if you pass the amendment that I am offering.

Mr. WOODSIDE. Mr. Speaker, through the courtesy of the Speakers office I have before me the Act of 1937. I want to call to the gentleman's attention and to the attention of the members of the House that that act did not have the same amendment in the form in which it is here. If the gentleman will put the amendment in the form it is here, unless there is some legal or budgetary reason why that should not be, I will withdraw my objection to the amendment. But the amendment is not in that form today as introduced by the gentleman from Monroe. I do not think it should be in the form it is.

The gentleman has thrown a smoke screen trying to make it appear that the Auditor General's department will not have an opportunity to audit the accounts for the Department of Public Assistance. Nothing is more ridiculous. I want to call to the gentleman's attention one other thing, that when in the 1939 session, towards the end, we were considering the amount which would be set aside for the Auditor General's department and the State Treasurer's department, the gentleman from York, Mr. Cohen, who is now there coaching Mr. Achterman, you might well remember, got up and objected to the cuts in the amount which was appropriated to the Auditor General and the State Treasurer in the Senate, and at that time I introduced facts and figures which I think conclusively proved that the administration, the Senate and this House in passing the amount which they did was more liberal to the Auditor General and the State Treasurer than had been the case during the prior administration. It is ridiculous to assume or think for one minute we should not expect the accounts of the Department of Public Assistance to be properly audited. This not only applies to the Auditor General but also to the State Treasurer. I ask you, members of the House, to vote down this amendment at this time.

Mr. ACHTERMAN. Mr. Speaker, I am curious to know

why the gentleman from Dauphin did not prepare this bill in conformity with the acts of 1937 and 1939.

Mr. WOODSIDE. Mr. Speaker, I have been trying to find out why the act does not have the section in it that was in the act of 1939. I have been trying to contact the Deputy Attorney General who drafted the bill but I can not get him. However I do say as a possible answer that this being an additional appropriation and there being funds in the former appropriation specifically allocated to the Auditor General and the State Treasurer, or at least set forth as being allocated to them in the former bill, it may not be necessary for any funds out of this amount to be allocated to the Auditor General and the State Treasurer to carry on their regular functions. I will not say that is accurate, I do not know. I am not referring to the gentleman from Monroe, but other members of this House have been guilty of making statements on the floor of the House without having given the subject proper thought, and I do not like to make statements unless I am sure of my facts, but I think that is the answer.

Mr. ACHTERMAN. Mr. Speaker, I thank the gentleman. I think I can agree with him about how insidious this bill was as originally introduced, and therefore I am stating to the members of this House that my amendment is sound and should be supported.

On the question recurring,

Will the House agree to the amendments?

The yeas and nays were required by Mr. WOODSIDE, and Mr. WINNER were as follows:

YEAS 113

Achterman,	Gallagher,	McGrath,	Rosenfeld,
Baker,	Gerard,	McIntosh,	Rush,
Balthaser,	Goodwin,	McLane,	Sarraf,
Baughner,	Gryskewicz,	Melchiorre,	Scanlon,
Bentley,	Haberien,	Mihm,	Schwab,
Bentzel,	Hamilton,	Monks,	Shaffer,
Boles,	Harkins,	Mooney,	Shaw,
Boney,	Harmuth,	Moran,	Shepard,
Bradley,	Heatherington,	Moul,	Skale,
Breth,	Hertng,	Munley,	Stank,
Brown,	Herman,	Nagel,	Stine,
Brunner, P. A.,	Hersch,	Nunemacher,	Tarr,
Burns,	Hirsch,	O'Connor,	Tate,
Burris,	Holland,	O'Mullen,	Thompson, E. F.,
Chervenak,	Jefferson,	O'Neill,	Vincent,
Chudoff,	Jones, P. N.,	Owens,	Vogt,
Cochran,	Keenan,	Petrosky,	Voldow,
Cohen, M. M.,	Keenan,	Pettit,	Weiss,
Cohen, R. E.,	Kolankiewicz,	Polaski,	Welsh, E. B.,
Croop,	Komorowski,	Polen,	Welsh, M. J.,
DiGenova,	Leonard,	Powers,	Williams,
Dolon,	Lesko,	Prosen,	Wolf,
D'Ortona,	Longo,	Rausch,	Woodring,
Early,	Lovett,	Readinger,	Wright,
Elliott,	Malloy,	Reese, R. E.,	Yester,
Falkensteln,	Marks,	Regan,	Young,
Finestone,	McClanaghan,	Reynolds,	Kilroy,
Flynn,	McDermott,	Rooney,	Speaker.
French,	McFall,		

NAYS 41

Auker,	Haines,	McKinney,	Stambaugh,
Boorse,	Huntley,	McMillen,	Stockham,
Cadwalader,	James,	Muir,	Taylor,
Dalrymple,	Jones, G. E.,	Reagan,	Turner,
Dennison,	Kline,	Reese, D. R.,	Van Allsburg,
Fisher,	Lee, T. H.,	Rhea,	Winner,
Fiss,	Leisey,	Riley,	Wood, L. H.,
Fleming,	Leydic,	Royer,	Wood, N.,
Foor,	Lichtenwalter,	Sarge,	Woodside,
Gates,	McDowell,	Sorg,	Yeakel,
Gillan,			

So the question was determined in the affirmative and the amendments were agreed to.

PERMISSION TO ADDRESS HOUSE

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

Mr. Speaker, during the roll call I received word from the Attorney General's Office that they had received word from the Budget Department that there were sufficient funds under the original appropriations bill which remained in the appropriation to the Auditor General and State Treasurer under that act for the carrying on of their functions in the relief appropriations bill. That is the explanation which I made at the time when the matter was being debated, but I now have received a confirmation of it and I would like that to go into the record.

Mr. ACHTERMAN. Mr. Speaker, may I state that I did not believe it was because of insufficient money to carry on the functions. I have no doubt that the Auditor General and the State Treasurer have sufficient funds to function properly, and of course they would not allocate any funds they did not have. They are in a position to determine whether they do or do not have money, and we certainly have injured nobody by adopting this section.

The third section was read.

On the question,

Will the House agree to the section?

Mr. ACHTERMAN. Mr. Speaker, I desire to offer the following amendment.

The amendment was read by the Clerk as follows:

Amend Sec. 3, page 2, line 9, by striking out the figure: "3" and inserting in lieu thereof: "4"

On the question,

Will the House agree to the amendments?

It was agreed to.

On the question,

Will the House agree to the section as amended?

It was agreed to.

The title was read and agreed to.

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for a third reading.

BILL ON SECOND READING

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 263, entitled:

Transferring money from the Motor License Fund to the General Fund; and providing for the subsequent return from the General Fund of the transferred money.

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for a third reading.

CONDOLENCE RESOLUTION

Messrs. VOLDOW and SHEPARD offered a privileged resolution which was read, considered and adopted as follows:

In the House of Representatives, February 12, 1941.

Whereas, News has reached the House of Representatives of the death of the father of one of its members; and

Whereas, Isaac Rose, father of Honorable Samuel Rose of Philadelphia was a man known for his kindness and love of his family and fellowman; and

Whereas, The House of Representatives is desirous of paying tribute to his memory and conveying its heartfelt expression of sympathy to the family of the deceased; be it therefore

Resolved, That the Chief Clerk of the House send a copy of this resolution to the family of the deceased, and

by this token commend Isaac Rose to the memory of his fellowman.

CONDOLENCE RESOLUTION

Messrs. McCLANAGHAN and SHEPARD offered a privileged resolution which was read, considered and adopted as follows:

In the House of Representatives, February 12, 1941.

Whereas, One of the most respected and industrious members of the House of Representatives is now receiving hospital care at the Misericordia Hospital in Philadelphia; and

Whereas, We of the House of Representatives miss his warm presence and desire him back at once, if not sooner; and

Whereas, He is a fighting Irishman and no microbe can long keep him down; be it therefore

Resolved, That the Chief Clerk of the House direct a copy of this resolution to the Honorable John J. Finnerty of Philadelphia, wishing him an immediate recovery from his illness so that he may rejoin us in the House of Representatives and assist us in the solution of the Commonwealth's problems.

REPORT FROM COMMITTEE

Mr. READINGER, from the Committee on State Government reported as committed, House Bill No. 225, entitled:

An Act relating to the national and State defense, providing for the establishment of a State Council of Defense and of local and district councils of defense, prescribing the powers and duties thereof, and making an appropriation therefor.

PERMISSION TO ADDRESS HOUSE

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

Mr. Speaker, today a number of the Members of this House received in their mail boxes a statement that is unsigned and bearing no postage with reference to two bills which I have introduced here. Many of you know that in the city of Chester, in Delaware County, there is a case now pending where it is alleged almost one million dollars were mis-appropriated by someone. Here is the statement.

"You have a municipal authority in your county. Under House Bills 222 and 203, these authorities would be placed under the Public Utilities Commission. This would mean that everything which any small municipalities would want done would have to be continually submitted to the Commission, creating additional cost. The municipality would also have to pay a share of the cost of the operation of the Public Utilities Commission, as provided by law. This would place a burden upon many small municipalities.

If these acts pass, they will certainly mean the end of the fight to clear our streams from pollution, because sewer authorities, especially joint-sewer authorities which are needed in many places, would find it impossible to operate under the provisions of the Public Utility Law."

This statement is unsigned and does not bear postage and has no right in the post-office boxes of this House.

I object to having statements unsigned and with no postage placed in my post-office box. I think this is a very insidious statement from somebody.

ADJOURNMENT

Mr. MUNLEY. Mr. Speaker I move that this House do now adjourn until Monday, February 17, 1941, at 9 p. m. The motion was agreed to, and (at 3:38 p. m.) the House adjourned.