

HOUSE OF REPRESENTATIVES

MONDAY, FEBRUARY 17, 1941

The House met at 9 p. m.

The SPEAKER (Elmer Kilroy) in the Chair.

PRAYER

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

Our God and Father, may our words be choice, our speech simple and sincere, and our lives dedicated to the highest things in life. We confess our infirmity, and cry to Thee to perfect that which concerneth us. Deliver us from dangers without, but still more from foes within. Strike off the chains that fetter us and set us free to a larger life and unstinted service. Free us from all fear and dread. Take from us the poison of venomous selfishness, which keeps us irritated and in a constant state of fretfulness and foolish warfare. Diffuse within each of us the peace of a trustful and generous heart. Make our lives roomy and hospitable, appreciative and genial.

Hear us, we humbly beseech Thee. Amen.

JOURNAL APPROVED

The SPEAKER. The Clerk will read the Journal of Wednesday, February 12, 1941.

The Clerk proceeded to read the Journal of Wednesday, February 12, 1941, when, on motion of Mr. MARKS, unanimously agreed to, the further reading was dispensed with and the Journal approved.

BILLS INTRODUCED AND REFERRED

By Mr. REUBEN E. COHEN. HOUSE BILL No. 378.

An Act making an appropriation for the payment of expenses of the Electoral College.

Referred to the Committee on Appropriations.

By Mr. REUBEN E. COHEN. HOUSE BILL No. 379

An Act to amend section five of the act, approved the fourth day of April, one thousand nine hundred twenty-nine (P. L. 144), entitled "An act prescribing the powers and duties of the Department of Agriculture with regard to farm products; providing for cooperation with the Department of Internal Affairs to establish standard receptacles for farm products; authorizing the Department of Agriculture to establish and promulgate standards for the grade and other classification of farm products, and to promulgate regulations for the enforcement thereof; defining farm products to include agricultural, horticultural, vegetable, fruit, and floricultural products of the soil, livestock and meats, wool, hides, poultry, eggs, dairy products, nuts, mushrooms, and honey; and providing penalties," by including certificates of the United States Department of Agriculture as evidence of grade and classification.

Referred to the Committee on Agriculture.

By Mr. REUBEN E. COHEN. HOUSE BILL No. 380

An Act making an appropriation to the Treasury Department, for the use of the Board of Finance and Revenue in granting refunds of "store and theatre" tax.

Referred to the Committee on Appropriations.

By Mr. REUBEN E. COHEN. HOUSE BILL No. 381

An Act to amend section nine hundred eight of the act, approved the fifth day of May, one thousand nine hundred and thirty-three (P. L. 364), entitled "An act relating to

business corporations; defining and providing for the organization, merger, consolidation, reorganization, winding up and dissolution of such corporations; conferring certain rights, powers, duties and immunities upon them and their officers and shareholders; prescribing the conditions on which such corporations may exercise their powers; providing for the inclusion of certain existing corporations of the second class within the provisions of this act; prescribing the terms and conditions upon which foreign business corporations may be admitted, or may continue, to do business within the Commonwealth; conferring powers and imposing duties on the courts of common pleas, and certain State departments, commissions, and officers; authorizing certain State Departments, boards, commissions, or officers to collect fees for services required to be rendered by this act; imposing penalties; and repealing certain acts and parts of acts relating to corporations," by further prescribing the procedure to be followed by shareholders who desire to become dissenting shareholders of a corporation which becomes a party to a plan of merger or consolidation; limiting the rights and remedies of shareholders who desire to object to or dissent from any merger or consolidation, and making the rights and remedies herein provided for exclusive.

Referred to the Committee on Judiciary Special.

By Mr. READINGER.

HOUSE BILL No. 382.

An Act authorizing counties, cities, boroughs, incorporated towns and townships to appropriate money for the establishment or continuance of Federal Food Stamp plans therein.

Referred to the Committee on Municipal Corporations.

By Messrs. BONEY and KOMOROFSKI.

HOUSE BILL No. 383.

An Act to further amend section one thousand five hundred three 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," providing that school districts of the fourth class shall employ at their own expense a medical inspector.

Referred to the Committee on Education.

By Messrs. BONEY and KOMOROFSKI.

HOUSE BILL No. 384.

An Act to add section 18.2 to the act, approved the fifteenth day of June, one thousand nine hundred and fifteen (P. L. 900), entitled "An act to provide for the immediate registration of all births and deaths throughout the Commonwealth of Pennsylvania, by means of certificates of births and deaths, and burial or removal permits; requiring prompt returns to the Central Bureau of Vital Statistics, as required to be established by the State Department of Health; and, in order to secure prompt and faithful registration of births, marriages, deaths, and diseases, of practitioners of medicine and surgery, of midwives, nurses, and undertakers, and of all persons whose occupation is deemed to be of importance in obtaining complete registration of births, deaths, marriages, and diseases throughout the State, as provided in section ten of an act, entitled, 'An act creating the Department of Health and defining its powers and duties,' approved the twenty-seventh day of April, nineteen hundred and five, and providing that the Department of Health shall maintain a special file for the records of births of all persons in this Commonwealth prior to one thousand nine hundred and six.

Referred to the Committee on State Government.

By Mr. FALKENSTEIN. HOUSE BILL No. 385.

An Act to provide for the dismissal of students in the public schools before a regular session is concluded in order that such pupils may receive religious instruction.

Referred to the Committee on Education.

By Mr. BONEY. HOUSE BILL No. 386.

An Act to amend clause eighteen of section one thousand six, sections one thousand thirty-five, and one thousand sixty-two as amended, and section one thousand three hundred four of the act, approved the fourth day of May, one thousand nine hundred twenty-seven (P. L. 519), entitled, "An act concerning boroughs, and revising, amending, and consolidating the law relating to boroughs," changing the fiscal year to the first Monday of July, and the dates fixed by the act for the performance of certain official duties to conform therewith.

Referred to the Committee on Boroughs.

By Mr. CROOP. HOUSE BILL No. 387.

An Act to further amend section four of the act, approved the twenty-fourth day of June, one thousand nine hundred and thirty-seven (P. L. 2045), entitled "An act relating to the support of indigent persons publicly cared for or assisted; providing for the support of such persons by certain relatives, and for the recovery of public moneys expended for care and assistance from the property and estates of such persons; providing for guardians of the person and property of such persons; providing for the arrest and seizure and sale of the property of deserters; and providing procedure," by exempting the real and personal property of resident indigent war veterans and their dependents from liability for expenses incurred for support and assistance.

Referred to the Committee on Welfare.

By Mr. WILLIAMS. HOUSE BILL No. 388.

An Act to limit the powers and prerogatives of office of constables and providing penalties.

Referred to the Committee on Judiciary Special.

By Messrs. O'NEILL and MUNLEY.
HOUSE BILL No. 389.

An Act authorizing the Department of Property and Supplies, with the approval of the Governor and the Board of Trustees of the Farview State Hospital, to acquire a certain tract of land for the use of said hospital; and making an appropriation therefor.

Referred to the Committee on State Government.

By Mr. DALRYMPLE. HOUSE BILL No. 390.

An Act making an appropriation to the Department of Forests and Waters for the use of the Pennsylvania State Park and Harbor Commission of Erie and for the use of the Pennsylvania State Park and Harbor Commission of Erie in cooperation with the United States Government and the Erie unit of the United States Coast Guard Service located on Presque Isle at Erie.

Referred to the Committee on Appropriations.

By Messrs. REUBEN E. COHEN and O'NEILL.
HOUSE BILL No. 391.

An Act to amend sections four hundred one, four hundred three and four hundred four of the act, approved the fifth day of December, one thousand nine hundred and thirty-six (1937 P. L. 2897), entitled "An act establishing a system of unemployment compensation to be administered by the Department of Labor and Industry and its existing and newly created agencies with personnel (with

certain exceptions) selected on a civil service basis; requiring employers to keep records and make reports, and certain employers to pay contributions based on payrolls to provide moneys for the payment of compensation to certain unemployed persons; providing procedure and administrative details for the determination, payment and collection of such contributions and the payment of such compensation; providing for cooperation with the Federal Government and its agencies; creating certain special funds in the custody of the State Treasurer; and prescribing penalties," reducing the waiting period and increasing the rate and amount of compensation.

Referred to the Committee on Labor.

By Mr. TARR. HOUSE BILL No. 392.

An Act authorizing county treasurers to execute and perfect deeds for seated lands sold for taxes by their predecessors in office.

Referred to the Committee on Labor.

By Messrs. KNOBLE and VOLDOW.
HOUSE BILL No. 393.

An Act to amend sections one and two of the act approved the fifth day of June, one thousand nine hundred and thirty-five (P. L. 266), entitled "An act to protect trade-mark owners, distributors, and the public against injuries and uneconomic practices in the distribution of articles of standard quality under a distinguished trade-mark, brand or name," by extending the provisions thereof to vending equipment used in distribution of such articles and further defining parties having a right of action for unfair competition.

Referred to the Committee on Judiciary General.

By Mr. FISS. HOUSE BILL No. 394.

An Act relating to public education; making ineligible for appointment, election or employment in any supervising, executive or teaching position in the public school system in this Commonwealth any person who advocates the overthrow or change of the constitutional government of the United States or of this Commonwealth by means of force or revolution, or who shall have publicly advocated such violence since September 16, 1940, and prohibiting the payment of any salary or other compensation out of public funds for any service of such person in connection with public education, while holding any such office or position, after the enactment hereof, or the holding or receiving by such person of any provisional, professional, state, normal school or college certificate subject to the control, or to be issued or registered by the Department of Public Education; imposing certain duties upon said Department and upon the State Council of Education, and authorizing any competent court having jurisdiction over any county or district school board now or hereafter employing any such person in an executive, supervisory or teaching capacity to enjoin the payment of any such salary or other compensation to such person, notwithstanding any existing contract with him or her, and to declare such person disqualified from holding any such office or position; allowing any person alleged to be so disqualified a hearing, with a right of appeal, in accord with existing laws relating to the revocation of such certificates and/or registration, and limiting the use of any record of such proceedings or decree of disqualification in any criminal proceedings against any such person.

Referred to the Committee on Education.

By Mr. FISS. HOUSE BILL No. 395.

An Act relating to public offices; making ineligible for public office any person who advocates overthrow of the federal or state government by means of force or revolution, or who shall have advocated same since September 16, 1940, and prohibiting the name of any such person to be placed on any primary or official ballot or non-partisan

ticket at any primary, local, municipal or general election as a proposed candidate or nominee for any such office in this Commonwealth, and authorizing any competent court thereof having jurisdiction of any such matter to enjoin any such action or to direct such name to be stricken from any such ballot or ticket or to oust such person from such office, whether elective or appointive, upon a petition of five qualified electors of the proper county and reasonable notice to such person, after due hearing, without prejudice to the civil rights of any such person in any prosecution for seditious statements or subversive activities or other criminal offense.

Referred to the Committee on Elections.

By Mr. TURNER. HOUSE BILL No. 396.

An Act to amend the first paragraph of subsection (a) of section one thousand two hundred five 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," prescribing additional causes for termination of a contract of a professional employe.

Referred to the Committee on Education.

By Mr. HEATHERINGTON. HOUSE BILL No. 397.

An Act authorizing the Pennsylvania Liquor Control Board to issue limited malt or brewed beverage licenses to certain religious, charitable, fraternal, military and patriotic societies, corporations or organizations.

Referred to the Committee on Liquor Control.

By Mr. BENTZEL. HOUSE BILL No. 398.

An Act authorizing the Department of Highways to take over bridges, viaducts and other structures on State highways for the purpose of construction, reconstruction, maintenance and repair thereof when such highways are designated as essential National Defense Highways.

Referred to the Committee on Highways.

By Mr. O'NEILL. HOUSE BILL No. 399.

An Act to further amend section five hundred and one of the act approved the twenty-ninth day of November, one thousand nine hundred and thirty-three (P. L. 15; 1933-1934) entitled as amended, "An act to regulate and restrain the sale, manufacture, possession, transportation, importation, traffic in and use of alcohol, and alcoholic and malt or brewed beverages, conferring powers and imposing duties upon the Pennsylvania Liquor Control Board and its agents; the Department of Public Instruction, other officers of the State government, courts, and district attorneys, authorizing the establishment and operation of State stores for the sale of such beverages not for consumption on the premises, and the granting of licenses, subject to local option, to sell such beverages for consumption on and off the premises; forbidding importation or bringing of such beverages into the State, except as herein provided; prohibiting certain sales or practices in connection with and transactions in such beverages by licensees; and others providing for the forfeiture of certain property making disposition of the receipts from State stores, and of fees, and imposing penalties, "by removing club licensees from provisions prohibiting sale of liquor in dry territory.

Referred to the Committee on Liquor Control.

By Mr. HEATHERINGTON. HOUSE BILL No. 400.

To further amend sections one and two of the act, approved the thirty-first day of May, one thousand eight

hundred and ninety-three (P. L. 188), entitled "An act designating the days and half days to be observed as legal holidays, and for the payment, acceptance, and protesting of bills, notes, drafts, checks, and other negotiable paper on such days," declaring Roosevelt's Birthday, the thirtieth day of January, a legal holiday.

Referred to the Committee on Banking.

By Messrs. MATTHEW J. WELSH and O'NEILL.
HOUSE BILL No. 401.

To further amend section five hundred eleven of the act approved the ninth day of April, one thousand nine hundred and twenty-nine, (P. L. 177), entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions, and officers thereof, including the boards of trustees of State Normal Schools, or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards, and commissions; defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, commissions, and officers; fixing the salaries of the Governor, Lieutenant Governor, and certain other executive and administrative officers; providing for the appointment of certain administrative officers, and of all deputies and other assistants and employes in certain departments, boards, and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments, boards and commissions shall be determined," appropriating to the Department of Military Affairs the proceeds of the sale of certain products, to be expended for the Indiantown Gap Military Reservation.

Referred to the Committee on State Government.

By Messrs. MATTHEW J. WELSH and O'NEILL.
HOUSE BILL No. 402.

Providing for the organization, government, discipline, maintenance and regulation of an additional land force to be known as the Pennsylvania Reserve Defense Force, for the defense of the Commonwealth during any period of time in which the National Guard of Pennsylvania or any part thereof shall be in active service of the United States.

Referred to the Committee on Military Affairs.

By Messrs. MATTHEW J. WELSH and O'NEILL.
HOUSE BILL No. 403.

An Act relating to the employment by the Commonwealth of Pennsylvania or any subdivision thereof of National Guard, Reserve and Retired personnel ordered into the active military service of the United States under the provisions of Public Resolution No. 96, 76th Congress, (S. J. Res. 286), and the re-employment of such personnel who satisfactorily complete such active military service.

Referred to the Committee on Military Affairs.

By Messrs. READINGER and ECKELS.
HOUSE BILL No. 403.

An Act relating to marriage; and amending, revising, consolidating and changing the law relating thereto.

Referred to the Committee on Judiciary General.

RESOLUTIONS INTRODUCED AND REFERRED

By Messrs. D'ORTONA and DiGENOVA
RESOLUTION No. 25.

In the House of Representatives, February 17, 1941.

Whereas, The City of Philadelphia, and particularly the citizens of the twenty-sixth ward thereof, recently experienced a horrible tragedy as a result of a series of gas

explosions resulting in the death of at least five of its citizens and injuries to at least twenty-five others; and

Whereas, A serious controversy regarding the cause of said explosions has resulted in a series of investigations being made by eight different city agencies; and

Whereas, Said agencies are to make a report to the Mayor of the City of Philadelphia; and

Whereas, The City of Philadelphia has an interest in the findings of said agencies, in that the city may be responsible for the occurrence of the catastrophe; and

Whereas, Said investigations may not properly enlighten the citizens of the City of Philadelphia as to the cause of the explosions; and

Whereas, It is deemed desirable to make a thorough investigation in order that the cause of the explosions be determined, and a recurrence thereof prevented; and

Whereas, Legislation may be necessary to prevent a recurrence thereof; therefore be it

Resolved, That the Speaker of this House appoint a committee of five members, whose duty it shall be to make a careful, thorough and impartial investigation of the causes and reasons for the explosions, and that the said committee shall make a report of its findings and recommendations to this House as early as possible.

Resolved, That the said committee shall have power to issue subpoenas under the hand and seal of its chairman, requesting and commanding any person or persons to appear before them and to answer such questions touching matters properly being inquired into by the committee, and to produce such books, papers, records and documents as the committee may deem necessary. Such subpoenas may be served upon any person and shall have the force and effect of subpoenas issued out of the courts of this Commonwealth. Each member of said committee shall have the power to administer oaths and affirmations to witnesses appearing before the committee. Any person who shall wilfully neglect or refuse to testify before said committee or to produce any books, papers, records or documents shall be subject to the penalties provided by the laws of the Commonwealth in such cases.

Referred to the Committee on Rules.

By Mr. STINE.

RESOLUTION No. 26.

In the House of Representatives, February 17, 1941.

Whereas, Nationally organized poultry interests have announced the dates of March 6-12 inclusive and May 1-7 inclusive as Springtime Egg Festival; and

Whereas, This event is designed to increase the consumption of eggs during the period of peak production and thereby lessen the egg surplus that depresses the egg market for the remainder of the year; and

Whereas, Pennsylvania leads America in the dollar value of eggs produced annually; and

Whereas, Poultry and Eggs are a \$67,000,000 annual industry in Pennsylvania with its 67 counties; and

Whereas, There are 167,000 farmers owning flocks producing eggs in Pennsylvania in every one of the State's 67 counties; and

Whereas, Merchants throughout the State have agreed to cooperate with the poultry raisers in the intensive promotion of Springtime Egg Festival

Therefore Be It Resolved, That the House of Representatives of the Commonwealth of Pennsylvania endorses Springtime Egg Festival and calls upon the consumers of the State to help Pennsylvania's 167,000 poultry raisers through materially increasing their use of eggs during Springtime Egg Festival.

Referred to the Committee on Agriculture.

By Messrs. MUNLEY and O'NEILL

RESOLUTION No. 27.

In the House of Representatives, February 17, 1941.

Whereas, It is the right of every individual under our Constitution, to exercise freedom of thought and speech, which right is inviolate in that it does not transgress upon the right of other individuals; and

Whereas, It is likewise the right of any minority, regardless of size, not to suffer political or economic discrimination, and

Whereas, Our Constitution does not purport to shelter any group or individual whose intent it is to carry on sabotage and subversive activities against our Government; and

Whereas, It is reported that there are individuals engaged in such activities who are the beneficiaries of public funds such as salaries, compensation and relief, the result thereof being that such public funds are aiding and abetting the purposes of such individuals; therefore be it

Resolved, That such legislation be enacted as will make it mandatory to remove from the ballot in the Commonwealth of Pennsylvania, any political party, or purported party, and to prohibit the placing upon the ballot at any time, the name of any individual, or candidate of any party, who/which shall have been indisputably proven an agent of subversive propaganda, and/or does subscribe to any doctrine inimicable to that form of government which it is our privilege to enjoy under the Constitution of the United States, and/or which doctrine proposes the change of that form of government by any means not provided for under the Constitution (to wit, violence or sabotage, etc.) or who/which does participate in, or is a party to any movement sponsored by, financed in whole or in part, or is in any sense directed by any government other than our own, or any agent of such foreign government.

Referred to the Committee on Elections.

By Messrs. WILLIAMS and BAKER. (Concurrent)

RESOLUTION No. 28.

In the House of Representatives, February 17, 1941.

Whereas, the stabilization of the bituminous coal industry through price fixing and the elimination of unfair competition is of greatest importance throughout many portions of the United State and particularly in the bituminous region of the Commonwealth of Pennsylvania; and

Whereas, the Act of Congress known as the "Bituminous Coal Act of 1937" (April 26, 1937 c. 127; 50 Stat. 72), has operated effectively to eliminate detrimental overproduction and savage competition in the bituminous coal industry; and

Whereas, the constitutionality of this Act of Congress has been finally sustained by the Supreme Court of the United States in the case of Sunshine Anthracite Coal Co. v. Adhins 310 U. S. 381 84 L. ed 1263 (1940); and

Whereas, the operation of this Act of Congress ceases by its own terms on April 26, 1941; and

Whereas, if the provisions of this Act of Congress are not extended for an additional period, free competition in the bituminous coal industry may again degrade into anarchy, now therefore be it

Resolved (if the Senate concur), that the General Assembly memorialize the Congress of the United States to further extend the effective period of the "Bituminous Coal Act of 1937", and be it further

Resolved, that one copy of this resolution be forwarded to each of the following:

The President of the United States, Franklin D. Roosevelt

The Vice-President, Henry A. Wallace, President of the United States Senate

Speaker Rayburn, House of Representatives

Senator Joseph Guffey

Senator Jame P. Davis and

All members of the House delegation from Pennsylvania

Referred to the Committee on Mines and Mining.

By Mr. SHEPARD and E. F. THOMPSON. (Concurrent)

RESOLUTION No. 29.

In the House of Representatives, February 12, 1941.

Whereas, the present maximum monthly shelter allowances to families receiving public assistance in Pennsylvania is \$5.85 for families of one person, increasing to \$9.75 maximum for families of three persons or more, and

Whereas, recent surveys have conclusively shown that there is a gross insufficiency of dwelling accommodations renting within the amount of the allowance, and

Whereas, the report of the survey of the Pennsylvania Department of Public Assistance, published in 1939 entitled "Current Living Costs as Related to Standards of Public Assistance in Pennsylvania," shows that the actual minimum costs of shelter greatly exceeds the present shelter allowances, and

Whereas, the Department of Public Assistance is charged by law to provide sufficient assistance to relief families to "enable them to maintain for themselves and their dependents a decent and healthful standard of living," and

Whereas, the present inadequate shelter allowances make it impossible to carry out the provisions of the law, therefore be it

Resolved, that the House of Representatives hereby goes on record as favoring and urging that sufficient funds be provided to the Pennsylvania Department of Public Assistance to enable it to make shelter allowances to families receiving Public Assistance in an amount sufficient to cover the actual costs of shelter as determined by surveys, and be it further

Resolved, that a copy of this resolution be sent to His Excellency, the Governor of Pennsylvania, and to the Secretary of Property and Supplies and to the members of the Pennsylvania Board of Public Assistance.

Referred to the Committee on Welfare.

COMMUNICATIONS AND PETITIONS

The SPEAKER laid before the House the following communications:

SCHOOL TAXES

Communications from Ross B. Mateer, Philadelphia, protesting action "which will perpetuate the present school tax rate in Philadelphia."

Referred to the Committee on Education.

SCHOOLS

A petition from the Beccaria Township School District, Clearfield County, requesting that consideration be given certain amendments to the School Code.

Referred to the Committee on Education.

SENATE MESSAGE

TIME OF NEXT MEETING

The Clerk of the Senate being introduced presented an extract from the Journal of the Senate, which was read as follows:

In the Senate, February 17, 1941.

Resolved, (if the House of Representatives concur), That when the Senate adjourns this week, it reconvene on Monday, February 24, 1941, at 4:30 o'clock p. m., and when the House of Representatives adjourns this week it reconvene on Monday, February 24, 1941, at 9:00 o'clock p. m.

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

On the question,

Will the House concur in the resolution of the Senate?

It was unanimously concurred in.

Ordered, That the Clerk inform the Senate accordingly.

LEAVE OF ABSENCE

By unanimous consent leave of absence was granted as follows:

Mr. Samuel Rose for Mr. FINNERTY for the week on account of illness.

Mr. Woodside for Mr. HABBYSHAW for the week.

Mr. Muir for Mr. SERRILL for the week.

Mr. Readinger for Mr. PRESLEY N. JONES for Monday and Tuesday.

REPORT FROM COMMITTEE

Mr. READINGER, from the Committee on Rules reported as committed House Resolution No. 15.

BILL ON FIRST READING

Agreeably to order,

The House proceeded to the first reading and consideration of 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.

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

BILL RECOMMITTED

Mr. ROSENFELD. Mr. Speaker, I move that this bill be recommitted to the Committee on Judiciary General for further study and possible amendment.

The motion was agreed to.

BILL ON FIRST READING

Agreeably to order,

The House proceeded to the first reading and consideration of 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.

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. 203, entitled:

An Act to amend section two, and to further amend sections three, four, nine and eleven of the act, approved the twenty-eighth day of June, one thousand nine hundred thirty-five (P. L. 463), entitled as amended "An act providing for the incorporation, as bodies corporate and politic, of 'Authorities' for municipalities, counties, and townships; 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 defining the term "commission"; by changing the method by which notice of the formation of a municipal authority shall be made public; and by limiting the power of an authority to engage in the acquisition or operation of a public utility, by requiring approval of the Public Utility Commission.

The first section was read.

On the question,

Will the House agree to the section?

BILL RECOMMITTED

Mr. RUSH. Mr. Speaker, I move that this bill be re-committed to the Committee on Public Utilities for further study and possible amendment.

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. 222, entitled:

An Act to reenact and further amend the title and the act, approved the twenty-eighth day of May, one thousand nine hundred and thirty-seven (P. L. 1053), entitled, "An act relating to the regulation of public utilities; defining as public utilities certain corporations, companies, associations, and persons; providing for the regulation of public utilities, including, to a limited extent, municipalities engaging in public utility business, by prescribing, defining, and limiting their duties, powers, and liabilities, and regulating the exercise, surrender or abandonment of their powers, privileges, and franchises; defining and regulating contract carriers by motor vehicle and brokers in order to regulate effectively common carriers by motor vehicle; conferring upon the Pennsylvania Public Utility Commission the power and duty of supervising and regulating persons, associations, companies, and corporations, including, to a limited extent, municipal corporations subject to this act, and administering the provisions of this act; authorizing the commission to fix temporary rates; placing the burden of proof on public utilities to sustain their rates and certain other matters; authorizing a permissive or mandatory sliding scale method of regulating rates; providing for the supervision of financial and contractual relations between public utilities and affiliated interests, and supervision and regulation of accounts and securities or obligations issued, or kept by persons, associations, companies, corporations or municipal corporations subject to this act; conferring upon the commission power to vary, reform, or revise certain contracts; conferring upon the commission the exclusive power to regulate or order the construction, alteration, relocation, protection, or abolition of crossings of facilities of public utilities, and of such facilities by or over public highways, to appropriate property for the construction or improvement of such crossings, and to award or apportion resultant costs and damages; authorizing owners of such property to sue the Commonwealth for such damages; providing for ejectment proceedings in connection with the appropriation of property for crossings; conferring upon the commission power to control and regulate budgets of public utilities; imposing upon persons, associations, companies, and corporations (except municipal corporations) subject to regulation, the cost of administering this act; prescribing and regulating practice and procedure before the commission and procedure for review by the courts of commission action; giving the court of common pleas of Dauphin County exclusive original jurisdiction over certain proceedings; prescribing penalties, fines, and imprisonment for violations of the provisions of this act and regulations and orders for the commission, and the procedure for enforcing such fines and penalties; and repealing legislation supplied and superseded by or inconsistent with this act" by changing the definition of corporation to include municipal authorities engaged in ren-

ering a public utility service, and regulating such municipal authorities.

The first Article was read.

On the question,

Will the House agree to the Article?

BILL RECOMMITTED

Mr. RUSH. Mr. Speaker, I move that this bill be re-committed to the Committee on Public Utilities for further study and possible amendment.

The motion was agreed to.

Agreeably to order,

The House proceeded to the second 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 (P. L. 984), 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 second time and agreed to

Ordered, To be transcribed for a third reading.

BILLS ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 262, as follows:

An Act 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 General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of fourteen million five hundred thousand dollars (\$14,500,000) or as much thereof as may be necessary is hereby specifically appropriated from the General Fund to the Department of Public Assistance to provide assistance and for local and certain state administration expenses in the manner provided in the Public Assistance Law for the two fiscal years ending May thirty-first one thousand nine hundred forty-one

Section 2 Out of the moneys hereby appropriated the Department of Public Assistance shall allocate from time to time among the several county boards of assistance funds with which to provide assistance and administrative expenses. Allocations so made to a county board of assistance shall be available for expenditure in that county for assistance and for administration expenses in the manner provided by the Public Assistance Law

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 Treasury 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

Section 4 This act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows, viz:

YEAS 204

Achterman,	Foor,	Marks,	Royer,
Allmond,	French,	Maxwell,	Rush,
Auker,	Gallagher,	McClanaghan,	Sarge,
Baker,	Gates,	McClester,	Sarra,
Balthaser,	Gerard,	McDermott,	Scanlon,
Baughner,	Gillan,	McDowell,	Schwab,
Bentley,	Gillette,	McFall,	Shaffer,
Bentzel,	Goodwin,	McGrath,	Shaw,
Boies,	Greenwood,	McIntosh,	Shepard,
Boney,	Gross,	McKinney,	Simons,
Boorse,	Gryskewicz,	McLanahan,	Skale,
Bower,	Gyger,	McLane,	Snyder,
Bradley,	Haberlen,	McMillen,	Sollenberger,
Breth,	Haines,	McSurdy,	Sorg,
Bretherick,	Hall,	Melchiorre,	Stambaugh,
Brown,	Hamilton,	Mihm,	Stank,
Brunner, C. H.,	Hare,	Modell,	Stine,
Brunner, P. A.,	Harkins,	Monks,	Stockham,
Burns,	Harmuth,	Mooney,	Tarr,
Burriss,	Harris,	Moran,	Tate,
Cadwalader,	Heatherington,	Moul,	Taylor,
Chervenak,	Helm,	Muir,	Thompson, E. F.,
Chudoff,	Hering,	Munley,	Thompson, R. L.,
Cochran,	Herman,	Nagel,	Trout,
Cohen, M. M.,	Hersch,	Nunemacher,	Turner,
Cohen, R. E.,	Hewitt,	O'Erlen,	Van Allsburg,
Cook,	Hirsch,	O'Connor,	Verona,
Cooper,	Holland,	O'Dare,	Vincent,
Cordier,	Huntley,	O'Mullen,	Vogt,
Corrigan,	Imbrie,	O'Neill,	Voldow,
Croop,	James,	Owens,	Voorhees,
Cullen,	Jefferson,	Petrosky,	Wagner,
Dalrymple,	Jones, G. E.,	Pettit,	Watkins,
Dennison,	Keenan,	Polaski,	Weingartner,
DiGenova,	Kenehan,	Polen,	Weiss,
Dix,	Kline,	Powers,	Welsh, E. B.,
Dolon,	Knoble,	Prosen,	Welsh, M. J.,
D'Ortona,	Kolankiewicz,	Rank,	Wilkinson,
Duffy,	Komorofski,	Rausch,	Williams,
Early,	Krise,	Readinger,	Winner,
Eckels,	Lee, E. A.,	Reagan,	Wolf,
Elder,	Lee, T. H.,	Reese, D. R.,	Wood, L. H.,
Elliot,	Lelsey,	Reese, R. E.,	Wood, N.,
Ely,	Leonard,	Regan,	Woodring,
Falkenstein,	Lesko,	Reynolds,	Woodside,
Finestone,	Levy,	Riley,	Wright,
Fisher,	Leydic,	Rooney,	Yeakel,
Fiss,	Lichtenwalter,	Rose, S.,	Yester,
Fleming,	Longo,	Rose, W. E.,	Young,
Fletcher,	Lovett,	Rosenfeld,	Kilroy,
Flynn,	Lyons,		
	Malloy,		

NAYS 0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 263, as follows:

An Act 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

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The State Treasurer is hereby authorized and directed from time to time between the effective date of this act and May thirty-first one thousand nine hundred forty-one to transfer from the Motor License Fund to the General Fund such sums not exceeding in the aggregate the sum of six million four hundred thousand dollars (\$6,400,000) as the Governor shall direct. Transfers shall be made under this act upon warrants of the Auditor General upon requisitions of the Governor

The purpose of this transfer is to provide funds for the payment of the deficiency appropriation for public assistance made by this session of the General Assembly

for the fiscal biennium ending May thirty-first one thousand nine hundred forty-one. To the extent to which this transfer makes it necessary the use of the transferred fund for its ordinary purposes shall be postponed but not otherwise modified

Section 2 The amounts transferred under this act from the Motor License Fund to the General Fund shall be repaid to the Motor License Fund out of the General Fund not later than June thirtieth one thousand nine hundred forty-one

Section 3 This act shall become effective immediately upon its final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows, viz:

YEAS 204

Achterman,	Foor,	Malloy,	Rosenfeld,
Allmond,	French,	Marks,	Royer,
Auker,	Gallagher,	Maxwell,	Rush,
Baker,	Gates,	McClanaghan,	Sarge,
Balthaser,	Gerard,	McClester,	Sarra,
Baughner,	Gillan,	McDermott,	Scanlon,
Bentley,	Gillette,	McDowell,	Schwab,
Bentzel,	Goodwin,	McFall,	Shaffer,
Boies,	Greenwood,	McGrath,	Shaw,
Boney,	Gross,	McIntosh,	Shepard,
Boorse,	Gryskewicz,	McKinney,	Simons,
Bower,	Gyger,	McLanahan,	Skale,
Bradley,	Haberlen,	McLane,	Snyder,
Breth,	Haines,	McMillen,	Sollenberger,
Bretherick,	Hall,	McSurdy,	Sorg,
Brown,	Hamilton,	Melchiorre,	Stambaugh,
Brunner, C. H.,	Hare,	Mihm,	Stank,
Brunner, P. A.,	Harkins,	Modell,	Stine,
Burns,	Harmuth,	Monks,	Stockham,
Burriss,	Harris,	Mooney,	Tarr,
Cadwalader,	Heatherington,	Moran,	Tate,
Chervenak,	Helm,	Moul,	Taylor,
Chudoff,	Hering,	Muir,	Thompson, E. F.,
Cochran,	Herman,	Munley,	Thompson, R. L.,
Cohen, M. M.,	Hersch,	Nagel,	Trout,
Cohen, R. E.,	Hewitt,	Nunemacher,	Turner,
Cook,	Hirsch,	O'Erlen,	Van Allsburg,
Cooper,	Holland,	O'Connor,	Verona,
Cordier,	Huntley,	O'Dare,	Vincent,
Corrigan,	Imbrie,	O'Mullen,	Vogt,
Croop,	James,	O'Neill,	Voldow,
Cullen,	Jefferson,	Owens,	Voorhees,
Dalrymple,	Jones, G. E.,	Petrosky,	Wagner,
Dennison,	Keenan,	Pettit,	Watkins,
DiGenova,	Kenehan,	Polaski,	Weingartner,
Dix,	Kline,	Polen,	Weiss,
Doion,	Knoble,	Powers,	Welsh, E. B.,
D'Ortona,	Kolankiewicz,	Prosen,	Welsh, M. J.,
Duffy,	Komorofski,	Rank,	Wilkinson,
Early,	Krise,	Rausch,	Williams,
Eckels,	Lee, E. A.,	Readinger,	Winner,
Elder,	Lee, T. H.,	Reagan,	Wolf,
Elliot,	Lelsey,	Reese, D. R.,	Wood, L. H.,
Ely,	Leonard,	Reese, R. E.,	Wood, N.,
Falkenstein,	Lesko,	Regan,	Woodring,
Finestone,	Levy,	Reynolds,	Woodside,
Fisher,	Leydic,	Riley,	Wright,
Fiss,	Lichtenwalter,	Rooney,	Yeakel,
Fleming,	Longo,	Rose, S.,	Yester,
Fletcher,	Lovett,	Rose, W. E.,	Young,
Flynn,	Lyons,		Kilroy,

NAYS 0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

RESOLUTION

CONGRATULATIONS

Mr. HOLLAND offered a privileged resolution which was read, considered and adopted as follows:

In the House of Representatives, February 17, 1941.

On last Saturday, February 15th, occurred the eightieth birthday of the outstanding figure in the preservation of wild life in this Commonwealth and on this continent.

John M. Phillips of Pittsburgh has devoted a lifetime of energy and devotion to a cause that has richly benefited through his untiring efforts. Among his outstanding achievements are the founding of the American Game Association, now the American Wild Life Institute, the organization of the game refuge system of Pennsylvania and its introduction in Canada for the preservation of the elk and antelope herd, and the bringing about of the adoption of migratory bird treaties with foreign countries, now embodied in the Lacey Act of Congress.

Mr. Phillips was a member of the Board of Game Commissioners from November 21, 1905 until November 17, 1923, and its vice-president for a number of years. He was the father of the Pennsylvania resident hunters' license law. He was interested and influential in securing the construction of the Pymatuning Dam as a sanctuary for migratory water fowl and as a means of flood control in the Shenango and Ohio River Valley. He has been active in the boy scout movement since its organization, and is still a member of the National Advisory Council of the Boy Scouts of America. He is and has always been a leader in all civic affairs in his native city of Pittsburgh; therefore be it

Resolved, That the House of Representatives congratulate this man of great accomplishments and sterling worth on his many years of consistent usefulness to his city, State and Nation, on the numberless dreams that he has converted into realities, and the priceless worth of the things that he has done for the sportsman and the millions of lovers of nature, and above all, on the occasion of his attaining his four score years.

Resolved, That a duly certified copy of this Resolution be transmitted by the Chief Clerk to Mr. Phillips at his home in Pittsburgh.

CONDOLENCE RESOLUTION

Mr. FALKENSTEIN offered a privileged resolution which was read, considered and adopted as follows:

In the House of Representatives, February 17, 1941.

Whereas, All the members of the House of Representatives are profoundly shocked to learn of the death of the Honorable Edward P. Carney of Philadelphia, who died in the line of his duty as an employe of this Commonwealth; and

Whereas, Edward P. Carney won the respect and admiration of his fellow-citizens of Philadelphia, where he served for twelve years as a magistrate, administering justice without fear or favor to all alike; and

Whereas, As a special investigator of the Department of Revenue he brought glory to himself and to the Department of Revenue for his sterling efforts; and

Whereas, It is fitting that this House pause in its deliberations to honor the memory of a distinguished citizen of this Commonwealth; therefore be it

Resolved, That the House of Representatives note with sorrow the passing of the Honorable Edward P. Carney; and be it further

Resolved, That the Chief Clerk of the House be directed to send a copy of this resolution to the bereaved members of his family as a token of its sincere sympathy for its great loss.

CONDOLENCE RESOLUTION

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

In the House of Representatives, February 17, 1941.

Whereas, We have learned with a profound sense of sorrow of the passing of Bridget Smith, mother of the Honorable James A. Smith, former member of the House of Representatives from Philadelphia; and

Whereas, Bridget Smith, by her indomitable will and courage, fostered a true appreciation of the values of true democracy in her distinguished son; and

Whereas, We of the House of Representatives sympathize with him in his bereavement; therefore be it

Resolved, That the Chief Clerk of the House send a copy of this resolution to the Honorable James A. Smith, and with it the deepest condolences of the members of the House of Representatives, especially those of us who are privileged to number him among our friends.

RESOLUTIONS

BIRTHDAY CONGRATULATIONS

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

In the House of Representatives, February 17, 1941.

Whereas, Time in its relentless onward march, brings wrinkles to unfurrowed brows and dyspepsia to cheerful souls; and

Whereas, At the half century mark some men are ready to bring little cheer into the lives of those about them; and

Whereas, The Hon. George E. Jones is a striking illustration of how one escapes these ravages of time; and

Whereas, Today at fifty, as he was at twenty, he is affable, genial, generous to a fault, a fine friend and boon companion; and

Whereas, As a master of the slide trombone, which he can make sing, laugh or talk, and as the leader of the Hollidaysburg's Drum Corps he brings music into the lives of his friends and neighbors; therefore be it

Resolved, That the House felicitate George E. Jones on his fiftieth birthday and wish him many more birthdays to the accompaniment of the drums and the trombone.

CONGRATULATION

Mr. McLANE offered a privileged resolution which was read as follows:

In the House of Representatives, February 17, 1941.

Whereas, All members of the House of Representatives are known for their careful and sober judgment; and

Whereas, They apply themselves diligently in the solution of all problems confronting the Commonwealth; and

Whereas, They sometimes pause in their deliberations to ponder over some less weighty personal problems; and

Whereas, There too they come to a happy and perfect solution; and

Whereas, The Honorable Martin F. Kenehan has followed the above procedure, and been fortunate in his most admirable solution; therefore be it

Resolved, That the members of the House of Representatives felicitate him and his bride-to-be, Miss Gertrude McKenon on their mutual choice; and be it further

Resolved, That the Chief Clerk of the House send a copy of this resolution to both prospective bridegroom and his fiancée as a testimonial of the good wishes of the members of the House of Representatives.

On the question,

Will the House adopt the resolution?

The SPEAKER. The Chair recognizes the gentleman from Lackawanna, Mr. Kenehan.

Mr. KENEHAN. Mr. Speaker, I rise to a point of matrimonial privilege.

The SPEAKER. This is the last opportunity the gentleman will have.

Mr. KENEHAN. Mr. Speaker, like in the picture "Mr.

Smith Goes to Washington," when he first went to Washington he carried under his arm a crate of pigeons, I carried detective stories. After being here for about three months, the Members of the Legislature sent me back a seasoned man with regrets. I wish to warn a few single members of the House who are left, such as brother Schwab, and a few more, to stay away from the cave-man from Luzerne. The few little things I may have done wrong in Harrisburg I lay them all on his platter.

On the question recurring,

Will the House adopt the resolution?

It was adopted.

RESOLUTION No. 21

Mr. MOUL. Mr. Speaker, I desire to call up at this time Resolution 21, Printer's No. 16.

The Clerk read the resolution as follows:

In the House of Representatives, February 10, 1941.

Whereas, The farmers of Adams County, Cumberland County and York County have asserted their right to resist unwarranted attempts to deprive them of low electric rates; and

Whereas, Said farmers have shown unusual courage, resourcefulness and solidarity of purpose in a long night vigil and by concerted action have resisted the attempt of the power interests to deprive them of an agency which would afford them low electric light rates; and

Whereas, Said farmers have been refused and denied the benefits of electric power and light at reasonable rates for many years; and

Whereas, The Democratic Administration of Governor George H. Earle gave to the farmers of Pennsylvania the model Rural Electrification Act of 1937; and

Whereas, The Democratic Administration of Franklin D. Roosevelt gave to the farmers of the nation the rural electrification administration for the purpose of establishing a method of securing electric light and power at low rates; now therefore be it

Resolved, That this House of Representatives this day assembled at Harrisburg, Pennsylvania, hereby renews its pledge of cooperation with the farmers of the State of Pennsylvania in an effort to secure for them an extension of rural electrification; and be it further

Resolved, That the House of Representatives hereby pledges to resist and to defeat any attempt to destroy or minimize the benefits of the Rural Electrification Act of the 1937 Session.

On the question,

Will the House adopt the resolution?

Mr. MOUL. Mr. Speaker, House Resolution 21 relates to the question of Rural Electrification. This resolution is of vital importance to thousands of farmers and rural folks in the counties of York, Adams, Cumberland and Fulton. We who come from the Counties mentioned feel that very shortly House Resolution 21 and the action which we take on this resolution will have a profound effect on hundreds of thousands of citizens of the State of Pennsylvania, especially the farmers and rural folks who do not now have the benefits of electricity.

Perhaps you have noticed during the past several weeks that we have witnessed in the counties mentioned some of the most unusual prosperity. So much prosperity that the utilities were forced to go out and dig pole holes in the middle of the night. It might be wise for the Department of Commerce to go out and take pictures, in the middle of the night, of this activity.

Perhaps you have noticed in the newspapers that over in Cumberland County several weeks ago there was so much prosperity developing on the question of rural elec-

trification that the farmers suddenly discovered that the utility companies were digging holes in the middle of the night. I believe it would be interesting to have a photograph of this prosperity in the next issue printed by the Department of Commerce. Certainly the rest of the country would be interested in learning how we have developed here in Pennsylvania, especially on the question of rural electrification.

In the 1937 session of the Legislature, we passed a rural electrification act. An act that made it possible for the citizens of Pennsylvania, those rural folk and farmers who did not enjoy the benefits of electricity to form cooperatives and to work in cooperation with the National Rural Electrification Association so that it would be possible to form cooperatives that could go out into the rural sections and serve electricity on a cooperative basis.

In some sections of Pennsylvania we have splendid examples of Utilities who have been willing to serve the people in their communities with electricity at rates that were low and just. To these utilities, we take off our hats, with these we have no quarrel. But some of us have been living in a section where we can say that this is not true. This resolution is directed and our actions are directed only in the direction of those utilities who for the past 20 years have consistently said that they were not interested in furnishing current to the people in the rural sections who did not at the time enjoy it. We had many many examples where the farmers had asked for current and the utilities said it isn't possible to furnish current at a reasonable rate. They said we can't do it, it will wreck us.

The rural people have said for years that it is possible to furnish light and power to the rural communities at low and fair rates providing you take all of the people under the plan. The farmers and rural people said that there are sections of the country where it has been done, where lines have been stretched miles and miles and they, the good utilities have been able to furnish current at low rates.

But the sleeping utilities, like Rip Van Winkle, have slept for twenty years and have said that it couldn't be done. Now, we find that now that the Adams Cooperative operating in the counties of York, Adams, Cumberland and Fulton Counties is at work, suddenly overnight certain utilities decided that this business is so important and so profitable that, after sleeping for twenty years, they now must dig pole holes and plant poles in the middle of the night.

Isn't it a shame when you look at the beautiful farming section that we have in York County, a county that fronts on the beautiful Susquehanna River where we have some of the largest power plants that you find anywhere in the United States, beautiful large plants, large dams right on the edge of our County, plants which are producing millions of kilowatt hours of electricity daily and the farmers who live right next to those plants, even tonight, are unable to get electric current at any price, not even at a minimum of ten dollars or fifteen dollars per month. Think of it, they live right along side of these marvelous hydro-electric plants.

I ask you gentlemen, isn't it time that we step in, isn't it time that we, as a Legislature, say this can't go on any longer.

Compare this condition in York County where we have

some of the largest, most beautiful farms and industries as you will find anywhere, farms located right along side of those power plants with the St. Lawrence River section in Canada. Those of you who have traveled through this section, as I have, were undoubtedly surprised to find that all around the province of Quebec from the city of Quebec up the St. Lawrence River and around the Gaspe Peninsula for hundreds of miles through a sparsely settled country, every small home and farm enjoys electricity.

Those of us who were interested enough to check, learned that along the St. Lawrence they were receiving this electric power for one-half cent per kilowatt hour, while we in the city of York pay five cents per kilowatt hour with thousands and thousands of consumers, yes, in the City of York we pay a much higher rate than they pay in the sparsely settled Province of Quebec.

So when the farmers in York, Adams, Fulton and Cumberland counties have been willing to organize on their own and do for themselves what the sleeping Rip Van Winkles have been unable or unwilling to do for the past twenty years, we suddenly find that the utilities have rushed in and are building lines for a purpose and that purpose being to stop the cooperative from building their own lines. Isn't it time that we, of the Legislature, put a stop to a spectacle such as we have before us.

We are told that on the 19th of this month which is Wednesday, certain utilities operating in the territory just mentioned are going before the Public Utility Commission of Pennsylvania and they are asking that Commission to rule that because they have set up poles through the Counties of York, Adams and Cumberland, that because of that, the Public Utility Commission should rule that the farmers' cooperative should not have the privilege of putting in a line of their own.

This, gentlemen of the House, is being done for one purpose and one purpose only and that is to stop the farmers' cooperative which is now building in Adams, York and Cumberland Counties from stepping in and taking care of the problem itself. And I might add that cooperative has not asked one person to enter the cooperative who is being served at a reasonable rate.

Gentlemen of the House, by voting for this resolution you will be doing three things. First we are saying to the public utilities of Pennsylvania, to the good utilities who have given current at a reasonable rate to the farmers, we will say by our votes our hats are off to you. We will say we have no quarrel with you. We say it is up to you to get behind the movement and wake up the sleeping utilities in your midst.

To the sleeping utilities, we say get busy and do the right thing before we are forced to pass more stringent legislation to regulate your actions.

Second, to the farmers we say, we are behind you, we believe you are right. We say that if they, the utilities, didn't want to serve you for all these years, we are going to see that you get your rights to operate your own cooperative.

Thirdly, I want to urge each member of the House to vote for this Resolution tonight so that we can say to the Public Utility Commission of Pennsylvania, go down to Cumberland County, turn on the spot light so that you can see why they got so busy all of a sudden. See why they had to begin digging in the middle of the night. Turn on the spotlight and see what it is all about. To the

members of the Public Utility Commission, we say we believe you will be fair in your decision and that you will give the farmers of York, Adams and Cumberland counties the opportunity that they deserve.

I want to appeal to all of you gentlemen of the House to support this resolution.

Mr. McINTOSH. Mr. Speaker, the resolution before the House can be further clarified by pointing out the situation which has arisen in Cumberland County.

For the past several years the rural people of Cumberland County have been requesting the utility company which serves that district to supply electricity to their homes. The answer of the utility has been either a flat refusal or a promise to install electricity if the consumer would pay an exorbitant rate. As a result these rural people joined a cooperative association, formed under the Federal Rural Electrification Act and the Pennsylvania Act of 1937 in order to obtain electricity for their homes. As soon as this was done the public utility of the district recognized a prospective competitor in the field, and made every effort to block the objective of the cooperative by offering power at reduced rates and by resorting to various legal technicalities.

This can probably be best illustrated by stating the experiences of several farmers who live in the area in question. In the first case one of these farmers contacted the utility for electricity. The utility stated that they would provide the electricity at an installation cost of three hundred dollars, and in addition to that, the consumer would have to pay a minimum rate of four dollars per month. The consumer signed up at these terms and the utility then stated that they would have to get other subscribers. Some time after that, the utility reported that they could not provide the electricity because they had not obtained the additional subscribers. The consumer then informed the utility that he was going to join a cooperative association and that the cooperative had quoted a minimum rate of two dollars and seventy-five cents per month, with no installation costs. Some time later the utility made an offer of two dollars and seventy-five cents per month as a minimum rate in order to meet the bid of the cooperative.

In the second case, one of the rural people of the district requested electricity and the utility refused to even quote a rate or discuss the problem with him. The power line of the utility, incidentally, was not more than a mile from the farmer's residence. This man then put in his own power plant at a cost of five hundred dollars. He has now signed up with the cooperative at their minimum rate, and he has received offers from the utility, since he has signed with the cooperative, of a minimum rate of four dollars and seventy-five cents per month, which has since been reduced to two dollars and seventy-five cents per month, to meet the bid of the cooperative. In addition, the utility offered this farmer sixty dollars for a right-of-way over his land and then advanced the offer to one hundred and fifty dollars.

In the third case, the farmer met with a flat refusal from the utility when he requested electricity. Later, he was quoted a minimum rate of eleven dollars to twelve dollars per month. Since this man has signed up with the cooperative the utility has offered their two dollars and seventy-five cents per month minimum rate to meet the bid of the cooperative.

These cases which I have cited are not outstanding but

are merely indicative of the course of events in Cumberland County. The number of people who have signed with the cooperative in Franklin and Cumberland Counties is about seven hundred, and many other cases could be cited if necessary.

One of the latest developments was the utility digging post holes over the land of several farmers who had signed with the cooperative in order to gain a preemptive right. The farmers followed the utility employees and filled the post holes as fast as the company dug them.

It is not my intention to bicker with a public utility simply because of the fact that it is a public utility. The practice of supplying electricity at the highest rate that the traffic will bear and the practice of attempting to throttle a prospective competitor may be sound from a business standpoint. However, the present situation has a social aspect as well as a business aspect. Rural electrification by means of a cooperative association formed under the Federal Rural Electrification Act and our own Act of 1937 vitally effects the living conditions of the rural people of the Commonwealth of Pennsylvania.

Therefore, it is both fitting and proper that this House go on record as commending the action of the rural people of Cumberland County in their effort to better their living conditions, and it is both fitting and proper that this House renew its pledge to the rural people of the Commonwealth of Pennsylvania to continue its fight for more liberal legislation in the field of rural electrification.

Mr. DIX. Mr. Speaker, as a rural legislator—I think that definition is correct—I want to say that I am heartily in favor of the practical end of this resolution, but I certainly oppose the political end. To listen to the gentleman from York one would have thought that every time we turn on the electric light we have to thank Franklin Roosevelt and Governor George Earle. Everybody knows that we have had electricity for the last fifty years, and it is not due to the scandalous Earle administration and it is not due to the extravagant and wasteful administration of President Roosevelt.

I think the gentleman is entirely out of order bringing in the name of Roosevelt and Earle into this resolution, and I for one resent it. On the other hand I am going to vote for it in spite of the fact that those two names were inserted purely for political purposes, and not for any practical reason or for any reason that anyone could determine. I believe the Scriptures start out with the words "Let there be light and there was light." I remember that much from the Bible, at least. I think light should be shed on a lot of things around here, and we should turn on the full spot light, and not the spite light, but the full spot light of this body on the sewing project, for instance, and the fact that the W. P. A. is responsible very largely for the ten thousand women being on the verge of being thrown out of work.

It is not necessary to cover up this scandalous Earle administration with any such resolution as this. As I said before, I am a rural member. I would like to have electricity brought up to certain properties that I have and I haven't been able to persuade the electric light companies to do it. Now, if I go ahead and vote for this resolution, which I expect to do, I am a little bit afraid that the Democrats on the other side will come in here with a resolution saying that I am voting in favor of something from which I was benefitting, but I am going to take a chance and vote for this resolution in spite of

the fact that I want rural electrification brought to my properties and I would derive some benefit from it.

Mr. MOUL. Mr. Speaker, I want to thank the gentleman for voting along with us, and if he votes for this resolution I assure him we will help him get the current up there, even though he is a Republican.

Mr. JAMES. Mr. Speaker, I approach the moment of decision on this resolution with mixed emotions. My emotions, at this time I think probably are mixed as much as those of the majority leader in the dramatic moment when he came face to face with the Governor's budget message.

As a rural legislator I do not think that I should deprive myself of sharing in the thunderous roar of applause that will rise from every grass-plot and wood-lot immediately upon the passage of this resolution. I want to offer a suggestion to my Republican colleagues. The point has been raised here that it was not the General Assembly of Pennsylvania and it was not the Congress of the United States that made these great blessings, that have been given us at great length, available to the farmers and rural people of Pennsylvania, but it was F. Roosevelt and G. Earle. Now if we rural Republicans can practice just a little mental gymnastics and sort of self evasion of mind, and when we vote on this resolution substitute "The General Assembly of Pennsylvania" for the words "G. Earle" and "The Congress of the United States" for the words "F. Roosevelt," I think then that we too could go along in this with good grace and share in the great applause that is bound to follow the passage of this resolution.

Mr. TURNER. Mr. Speaker, I do not arise either to support or oppose this resolution, but I think it is my duty to point out to the rural members of the House and to the urban members of the House that there is a paradox among these resolutions that should be given very careful consideration.

I didn't sleep very well last night, so sometime in the early hours of the morning I picked up the history and went through some of the bills and resolutions and I found among these resolutions, I think I remember one that provided that we were to hold an egg consumption week and that the purpose was to have us eat more eggs during the time when there was a great surplus of eggs and the chickens were laying more than the market could properly assimilate to keep high prices up for the farmers.

Now, I am heartily in favor of anything that will increase the consumption of eggs. They are a fine commodity and they mix well with certain things around Easter time and Christmas; they are all right when a skillful hand can stir them into an omelet. They sound well when you hear them calling through the early hours of the night "Two, sunny-side up." They are all right. I am in favor of anything that increases the consumption of eggs. But on the other hand as I ride through the country I have my doubts about this rural electrification because of its effect on the production of these eggs, because I, as a "dirty" farmer, as I said the other day, having raised chickens and had my chickens produce—I got called down for talking about producing milk, but my chickens produce eggs. As I rode through the country at night on my business, which keeps me up late, I notice almost all of the hen houses of the farmers are well lighted, and on inquiry I found that the purpose of the

light was to keep the hens up scratching at night so they would produce more eggs. This appears to me as one of those paradoxes. They ask us to eat more eggs to keep up the prices and on the other hand they do everything to increase the production. So on this resolution you ought to consider that question, as to whether you want to keep the hens up later at night to produce more eggs or to eat more eggs to increase the income of the farmer.

I want to sound a warning to those Members like myself from the rural counties in considering these questions as farmers. While we have something to do with bills and resolutions, I do not know what we have to do with the Public Utility Commission. The Public Utility law was written during a Democratic administration. This matter is now before the Public Utility Commission, and I do not know why the Legislature doesn't attend to its own business of producing bills, instead of telling the Public Utility Commission what to do. Nevertheless, if my friend Moul and this other gentleman from one of the country districts want to get a little advertising, that is all right. I can't hate a member for trying to get a little political prestige out of it. I like these fellows, even though they are Democrats. They may not be back with us at the next session. They have got a lot of electricity, they keep the chickens up at night, and they produce more eggs and break the market.

Mr. ACHTERMAN. Mr. Speaker, when I first learned about the case in Cumberland County I was in a quandary to understand why a public utility company had suddenly decided there was a profitable territory in Cumberland County that they had failed to service. As a matter of fact, every time I have learned of a utility company that had been approached to serve the farmers, they always maintained that there was no profit in serving the rural area, and this evening I have learned the explanation.

I presume that Mr. Turner in his midnight prowling has traversed various territories, has observed what the farmers are doing to their chickens, and has carried the story back to the utility companies. Then for the first time the utilities decided "Why, we certainly will not permit rural electrification because there is really a profit there." They are not going to stand for any territory being pre-empted unless they do the pre-empting.

On the question recurring,

Will the House adopt the resolution?

The yeas and nays were required by Mr. MOUL and Mr. MORAN and were as follows:

YEAS 204

Achterman,	Foor,	Malloy,	Rosenfeld,
Allmond,	French,	Marks,	Royer,
Auker,	Gallagher,	Maxwell,	Rush,
Baker,	Gates,	McClanaghan,	Sargé,
Balthaser,	Gerard,	McClester,	Sarraf,
Baughner,	Gillan,	McDermott,	Scanlon,
Bentley,	Gillette,	McDowell,	Schwab,
Bentzel,	Goodwin,	McFall,	Shaffer,
Boles,	Greenwood,	McGrath,	Shaw,
Boney,	Gross,	McIntosh,	Shepard,
Boorse,	Gryskewicz,	McKinney,	Simons,
Bower,	Gyger,	McLanahan,	Skale,
Bradley,	Haberlen,	McLane,	Snyder,
Breth,	Haines,	McMillen,	Sollenberger,
Bretherick,	Hall,	McSurdy,	Sorg,
Brown,	Hamilton,	Melchiorre,	Stambaugh,
Brunner, C. H.,	Hare,	Mihm,	Stank,
Brunner, P. A.,	Harkins,	Modell,	Stine,
Burns,	Harmuth,	Monks,	Stockham,
Burris,	Harris,	Mooney,	Tarr,

Cadwalader,	Heatherington,	Moran,	Tate,
Chervenak,	Helm,	Moul,	Taylor,
Chudoff,	Hering,	Muir,	Thompson, E. F.,
Cochran,	Herman,	Munley,	Thompson, R. L.,
Cohen, M. M.,	Hersch,	Nagel,	Trout,
Cohen, R. E.,	Hewitt,	Nunemacher,	Turner,
Cook,	Hirsch,	O'Brien,	Van Allsburg,
Cooper,	Holland,	O'Connor,	Verona,
Cordier,	Huntley,	O'Dare,	Vincent,
Corrigan,	Imbrie,	O'Mullen,	Vogt,
Croop,	James,	O'Neill,	Voldow,
Cullen,	Jefferson,	Owens,	Voorhees,
Dalrymple,	Jones, G. E.,	Petrosky,	Wagner,
Dennison,	Keenan,	Pettit,	Watkins,
DiGenova,	Kenehan,	Polaski,	Weingartner,
Dix,	Kline,	Polen,	Weiss,
Dolon,	Knoble,	Powers,	Welsh, E. B.,
D'Ortona,	Kolankiewicz,	Prosen,	Welsh, M. J.,
Duffy,	Komorowski,	Rank,	Wilkinson,
Early,	Krise,	Rausch,	Williams,
Eckels,	Lee, E. A.,	Readinger,	Winner,
Elder,	Lee, T. H.,	Reagan,	Wolf,
Elliott,	Leisey,	Reese, D. R.,	Wood, L. H.,
Ely,	Leonard,	Reese, R. E.,	Wood, N.,
Falkenstein,	Lesko,	Regan,	Woodring,
Finestone,	Levy,	Reynolds,	Woodside,
Fisher,	Leydic,	Rhea,	Wright,
Fiss,	Lichtenwalter,	Riley,	Yeakel,
Fleming,	Longo,	Rooney,	Yester,
Fletcher,	Lovett,	Rose, S.,	Young,
Flynn,	Lyons,	Rose, W. E.,	Kilroy,

Speaker.

NAYS 0

So the question was determined in the affirmative and the resolution was adopted.

HONORABLE MORTON WITKIN INTRODUCED TO HOUSE

The SPEAKER. The chair has a distinguished visitor. According to the Chairs' past experience it is going to be too dangerous to have him on the floor, so the Chair has invited him to the rostrum where he can keep his eye on him. If there is no objection I would like to introduce to the House the former Republican Floor Leader, Morton Witkin, of Philadelphia.

Mr. WITKIN. Mr. Speaker and Members of the House, after listening for a few moments I think I should add "And Members of the Rural League"

I want to thank you and the Speaker of the House for the honor and the privilege of just saying a word to you. It has been quite a few years since I spoke in this House of Representatives, but I want to say to those new Members and to many of the older Members of the House that the most pleasurable years of my political life were spent in the House of Representatives.

I do not care whether or not many of you are elevated to any public office, you will never forget and never have as good a time as you do in this House of Representatives. The friendships I have formed and the many fights and engagements I have been in were always mixed with a certain sense of humor, and good fellowship.

If I may presume for just a moment to lend what might be considered friendly advice, may I say to all of you that in these perilous times and in this dark age in which we are presently living there are many controversies that will come amongst you, but take my advice and always remember that as you leave the doors of this House, whether you be a Republican or whether you be a Democrat, there is no subject in the world that should be so great as to cause any personal feeling.

The greatest problem I find to-day is that all of us must be Americans first, last and forever. I want to close by saying that I hope that this House and the Senate

will adopt such legislation as will help our country, and may God give you all a proper sense of duty in order that all of us may perform that duty.

I cannot help but say to the Speaker of the House that I think it was very gracious of him to invite me to the rostrum and believe me when I tell you I was anxious to be invited, because it is one of the fondest memories I have ever had or ever shall have or ever hope to have, and that was being a member of this august and dignified body. I thank you.

The SPEAKER. The Chair thanks the County Commissioner from Philadelphia, Mr. Witkin.

BILLS RE-REFERRED

Mr. REUBEN E. COHEN returned from the Committee on Judiciary Special with the recommendation that it be re-referred to the Committee on Municipal Corporations House Bill No. 131, entitled:

An Act requiring the county treasurer to adjourn county treasurers' sales of seated and unseated lands for nonpayment of taxes in all counties except counties of the first class, and preserving the lien of all taxes on such lands.

The SPEAKER. This bill is re-referred to the Committee on Municipal Corporations.

Mr. REUBEN E. COHEN returned from the Committee on Judiciary Special with the recommendation that it be re-referred to the Committee on Municipal Corporations House Bill No. 155, entitled:

An Act abating certain tax penalties and interest on county, city (except city of the first class), borough, town, township, school district (except school district of the first class), and county institution district taxes; prohibiting the sale of real property for the nonpayment of any such taxes for a certain period; and preserving certain tax liens, and providing for the extension thereof.

The SPEAKER. The bill is re-referred to the Committee on Municipal Corporations.

ANNOUNCEMENT BY SPEAKER

The SPEAKER. The Chair requests the Members to sign all copies of bills and resolutions introduced. Copies have been coming to the desk that are not signed. Bills and resolutions should be signed plainly so that the signatures can be read by the Printer.

REPORT OF COMMITTEE TO INVESTIGATE SEWING PROJECTS

Mr. SHAW. Mr. Speaker, I wish to present the preliminary report of the Special Committee named under the House Resolution adopted January 7, 1941, to investigate the dispute on the sewing projects.

The report was read by the Clerk.

The SPEAKER. Copies of this report will be distributed to the membership tomorrow.

The report will be noted in the Journals of the House and printed in the Appendix to the Legislative Journal.

COMMITTEE MEETINGS

The following Committee meetings were announced:

Agriculture, Tuesday, February 18, at 9:30 a. m., in Room 329.

Education, Tuesday, February 18, at 10:30 a. m., in Room 326.

Federal Relations, Tuesday, February 18, at 12 noon in Room 327.

Judiciary General, Tuesday, February 18, at 10 a. m. in Room 246.

Judiciary Special, Tuesday, February 18, at 11:30 a. m. in Room 246.

Military Affairs, Tuesday, February 18, at 12:30 p. m. in Room 330.

Mines and Mining, Tuesday, February 18, at 2 p. m. in Senate Caucus Room.

Motor Vehicles, Tuesday, February 18, at 10:30 a. m. in Room 324.

Townships, Tuesday, February 18, at 11 a. m. in Room 329.

ADJOURNMENT

Mr. FLETCHER. Mr. Speaker, I move that this House do now adjourn until Tuesday, February 18, 1941, at 1 p. m. The motion was agreed to, and (at 10:50 p. m.) the House adjourned.