

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 202, (House Bill No. 262), entitled:

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.

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

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 203, (House Bill No. 263), entitled:

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.

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

ADJOURNMENT

Mr. TALLMAN. Mr. President, I move that the Senate do now adjourn until Wednesday, February 19, 1941, at 10:00 o'clock, a. m.

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

The Senate adjourned at 4:50 o'clock, p. m. until Wednesday, February 19, 1941, at 10:00 o'clock, a. m.

HOUSE OF REPRESENTATIVES

TUESDAY, February 18, 1941

The House met at 1 p. m.

The SPEAKER (Elmer Kilroy) in the Chair.

PRAYER

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

Ever-living God, by whose mercy we have come to the gateway of another day; grant that we may enter it with humble and grateful hearts. Confirm our resolution, we beseech thee, to walk more closely in Thy way, and to labor more faithfully in Thy service, and as servants of the people may we see the needs of all men.

We thank thee for our state, its government, and its people. We pray Thee that it may continue to be a great industrial state in this material world of which we are a part. Also, Our God, cause us to see people in such a light that we become known to the world as a government where good will and fellowship mark the very fabric of its political structure.

Help us to be men among men, we pray in Thy name.
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. VAN ALLSBURG, unanimously agreed to, the further reading was dispensed with and the Journal approved.

BILLS INTRODUCED AND REFERRED

By Mr. MOONEY. HOUSE BILL No. 405.

An Act to amend section three of the act, approved the tenth day of June, one thousand nine hundred and thirty-one (P. L. 485), entitled "An act to provide for the better protection of life and health of the citizens of this Commonwealth by requiring and regulating the examination, licensure, and registration of persons, and registration of corporations, engaging in the care, preparation, and disposition of the bodies of deceased persons; and providing penalties," by providing that student apprentices shall receive credit toward their apprenticeship for time spent in military training, not exceeding one year.

Referred to the Committee on Public Health and Sanitation.

By Mr. HIRSCH. HOUSE BILL No. 406.

An Act providing that when judgment is recovered against any insurance company for money due and owing under the terms of a policy issued by such insurance company, an attorney's fee for the plaintiff shall be included in the costs of suit and paid in the same manner as other costs.

Referred to the Committee on Judiciary General.

By Mr. HIRSCH. HOUSE BILL No. 407.

An Act making an appropriation to the Department of Public Instruction for the purpose of purchasing and furnishing orthopedic and prosthetic appliances for children.

Referred to the Committee on Public Health and Sanitation.

By Mr. ROYER. HOUSE BILL No. 408.

An Act making an appropriation to the Department of Justice for the investigation and prevention of treasonable, seditious and subversive activities directed against the government of the United States or of this Commonwealth, or both, and for the prosecution of persons, associations or corporations engaged in such activities.

Referred to the Committee on Appropriations.

By Mr. FALKENSTEIN. HOUSE BILL No. 409.

Providing for and making lawful the establishment and operation of a Protective Investment Annuity Plan; creating a State Protective Investment Annuity Commission; authorizing and making lawful the sale of shares in such plan and the payment of annuities to persons selected therefor by the commission; and making appropriations.

Referred to the Committee on Insurance.

By Mr. VOORHEES. HOUSE BILL No. 410.

To enable counties that are contiguous and which together form a compact territory to be united in one consolidated county; providing for elections thereon and for the consequences of such consolidation; and imposing duties on certain State officers.

Referred to the Committee on Counties.

By Mr. CHUDOFF. HOUSE BILL No. 411.

To further amend section four hundred eleven of the act, approved the twenty-ninth day of November, one thousand nine hundred thirty-three (P. L. 15, 1933-34), 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 further regulating sale of such beverages for consumption on the premises.

Referred to the Committee on Liquor Control.

By Mr. CHUDOFF. HOUSE BILL No. 412.

Providing for the licensing and regulation of tourist homes, as defined herein, by the Department of Health and prescribing its powers and duties; fixing fees for such licenses; and providing penalties.

Referred to the Committee on Public Health and Sanitation.

By Messrs. CORDIER and KENEHAN.
HOUSE BILL No. 413.

An Act prohibiting the employment by the Commonwealth or any political subdivision thereof, of persons whose philosophy proposes the change of the government of the United States by means not provided for in the Constitution of the United States; declaring inoperative any contract or civil service law or regulation providing for tenure in employment; and repealing inconsistent acts.

Referred to the Committee on State Government.

By Mr. CADWALADER. HOUSE BILL No. 414.

An Act regulating the employment and hours of employment of members of the police force in townships of the first class.

Referred to the Committee on Townships.

By Mr. CORRIGAN. HOUSE BILL No. 415.

An Act defining the duty of care of all bailors of property, chattels, goods, in the case of bailments for mutual benefit; defining the rights of such bailee in actions for the recovery of damages for loss, theft, or damage to such bailed property and further extending the amount of such damages that may be recovered.

Referred to the Committee on Judiciary General.

By Mr. POWERS. HOUSE BILL No. 416.

An Act creating, licensing zones for the sale of liquor, malt and brewed beverages; regulating the hours thereof; and providing penalties.

Referred to the Committee on Liquor Control.

By Mr. POWERS. HOUSE BILL No. 417.

An Act providing that the Department of Highways shall pay to the various political subdivisions of the Commonwealth one-half the costs of maintaining the necessary traffic officers to direct and control traffic on through State highways located within their borders; authorizing the Secretary of Highways and the authorities of such political subdivisions to enter into agreements relative thereto; and making an appropriation out of the Motor License Fund.

Referred to the Committee on Highways.

By Mr. POWERS. HOUSE BILL No. 418.

Regulating the storage of abandoned or junked automobiles, and providing penalties.

Referred to the Committee on Judiciary Special.

By Mr. BRADLEY. HOUSE BILL No. 419.

Relating to foods; to provide for the public health and safety by licensing places where food is prepared for human consumption on the premises; providing regulations, restrictions and conditions under which food may be prepared and sold for consumption therein; providing for the administration of the act by the Department of Health; and prescribing penalties.

Referred to the Committee on Public Health and Sanitation.

By Mr. WINNER. HOUSE BILL No. 420.

To promote the general welfare and aid the afflicted by providing for the sexual sterilization of persons unfit for parent-hood by reason of mental deficiency; defining conditions under which sexual sterilization may be accomplished; and prescribing penalties.

Referred to the Committee on Judiciary General.

By Mr. MARKS. HOUSE BILL No. 421.

To amend section four hundred thirty-one of the act, approved the second day of May, one thousand nine hundred twenty-nine (P. L. 1278), entitled "An act relating to counties of the second, third, fourth, fifth, sixth, seventh, and eighth classes; and revising, amending and consolidating the laws thereto" by making mandatory the provision appropriating moneys to veterans' organizations for expenses of Memorial Day and Armistice Day.

Referred to the Committee on Counties.

By Mr. MARKS. HOUSE BILL No. 422.

Providing for the fixing of the salaries and compensation of officers, clerks, stenographers, (except court stenographers), and employes appointed by judges of the courts of this Commonwealth in counties of the fourth class where salary boards exist by law.

Referred to the Committee on Counties.

By Mr. MARKS. HOUSE BILL No. 423.

An Act to amend the act, approved the twenty-third day of June, one thousand nine hundred and thirty-one (P. L. 932), entitled "An act relating to cities of the third class; and amending, revising, and consolidating the law relating thereto," changing the provision for the appointment of chiefs of police; and designating salaries.

Referred to the Committee on Cities Third Class.

By Mr. BOWER. HOUSE BILL No. 424.

An Act to further amend section six of the act approved the twenty-second day of June, one thousand nine hundred and thirty-one (P. L. 720), entitled "An act providing for the taking over by the Commonwealth, under certain terms, conditions and limitations of certain streets in cities of the second class, second class A, and third class as State highways, and for the improvement construction, reconstruction, resurfacing and maintenance by the Commonwealth of certain defined widths of said streets; imposing duties on such cities and on public utility companies using such streets; providing that no assessment shall be made upon the Commonwealth in the elimination of any grade crossing thereon; authorizing cities, persons, associations, or corporations to enter into agreements with the Commonwealth to bear a portion of the cost of construction or maintenance; providing for the assessment of cer-

tain portions of the cost of street improvements on abutting property owners; regulating the replacement of certain facilities of public utility companies; prohibiting the opening of said streets after improvements without a permit, and providing penalties therefor; regulating the maintenance of detours; authorizing the increase of city indebtedness in certain cases; and appropriating money in the Motor License Fund for the purpose of this act," by imposing obligation on the Commonwealth of snow removal on request of city council.

Referred to the Committee on Highways.

By Mr. JAMES. HOUSE BILL No. 425.

An Act allowing mileage as a deduction in computing taxes on wages, salaries, income or occupations, imposed by any political subdivision with respect to persons residing outside its territorial limits; imposing liability on employers; and repealing laws and ordinances in so far as inconsistent.

Referred to the Committee on Cities First Class.

By Mr. WOLF. HOUSE BILL No. 426.

Making an appropriation to the Pennsylvania Historical Commission, to cover the expenses of restoring and maintaining the Daniel Boone Homestead.

Referred to the Committee on Appropriations.

By Messrs. BONEY and MORAN.
HOUSE BILL No. 427.

To amend section seven of article four of the act, approved the second day of June, one thousand eight hundred ninety-one (P. L. 176), entitled "An act to provide for the health and safety of persons employed in and about the anthracite coal mines of Pennsylvania and for the protection and preservation of property connected therewith," by imposing additional duties on mine owners.

Referred to the Committee on Mines and Mining.

By Mr. BRADLEY. HOUSE BILL No. 428.

To further amend subsection (a) of section ten of the act, approved the twenty-first day of May, one thousand nine hundred and thirty-one (P. L. 149), 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 or counties; conferring powers and imposing duties on certain State officers and departments; providing for refunds; imposing penalties; and making an appropriation," distributing moneys in the Liquid Fuels Tax Fund to cities, boroughs, towns and townships instead of to counties.

Referred to the Committee on Ways and Means.

By Mr. ELWOOD B. WELSH. HOUSE BILL No. 429.

To add clause (i), (j) and (k) to section eight hundred and thirteen 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 all persons engaged in the inspection, maintenance and repair of motor vehicles to secure licenses from the Commonwealth; and imposing additional penalties.

Referred to the Committee on Motor Vehicles.

By Messrs. LEVY and ELLWOOD B. WELSH.
HOUSE BILL No. 430.

An Act to further amend section 2 of the act approved the twenty-eighth day of June, one thousand eight hundred and ninety-five, (Pamphlet Laws 408) entitled, "A supplement to the twenty-fourth section of an act, entitled 'An act to provide revenue by taxation, approved the seventh day of June, one thousand eight hundred and seventy-nine,' approved the first day of June, one thousand eight hundred and eighty-nine, amending the twenty-fourth section, by providing for the payment by the State Treasurer of one-half of the two per centum tax on premiums by foreign fire insurance companies to the treasurers of the several cities and boroughs within this Commonwealth," as variously amended so to provide for the payment of the entire amount of said tax on premiums of foreign fire insurance companies to cities, boroughs and townships and for the use of said moneys; by providing for the payment by the State Treasurer of the tax on certain premiums paid by foreign insurance companies to the treasurers of the several cities, boroughs, towns and townships, and for the payment thereof into police pension funds, and in certain cases into the State Employees' Fund for certain purposes.

Referred to the Committee on Ways and Means.

By Messrs. MORAN and BONEY.
HOUSE BILL No. 431.

An Act to amend General Rule twenty-six of article twenty-five of the act, approved the ninth day of June, one thousand nine hundred eleven (P. L. 756), entitled "An act to provide for the health and safety of persons employed in and about the bituminous coal mines of Pennsylvania, and for the protection and preservation of property connected therewith," by imposing additional duties of safety on mine owners.

Referred to the Committee on Mines and Mining.

By Mr. HAINES. HOUSE BILL No. 432.

An Act to amend article three of the act approved the third day of June, one thousand nine hundred and thirty-seven (P. L. 1225) entitled "An act concerning game and other wild birds and wild animals; and amending, revising, consolidating, and changing the law relating thereto," requiring resident hunter's license certificates and tags to bear thereon a number indicating the county of the licensee's residence.

Referred to the Committee on Game.

By Mr. TAYLOR. HOUSE BILL No. 433.

An Act requiring officers and employes of the Commonwealth and of political subdivisions and institution districts therein to take and subscribe an oath of allegiance to the

United States of America and the Commonwealth of Pennsylvania and providing penalties.

Referred to the Committee on State Government.

By Mr. WOLF. HOUSE BILL No. 434.

Making an appropriation to the Pennsylvania Department of Highways for the improvement of roads and parking areas within the Daniel Boone Homestead.

Referred to the Committee on Appropriations.

By Mr. MARSHALL M. COHEN. HOUSE BILL No. 435.

Providing for the exempting of funds of beneficial organizations for the payment of sick and death benefits from seizure under attachment, garnishment or other legal or equitable process to pay debts, liabilities or taxes of such beneficial organizations where their constitutions and laws provide for creation and maintenance of, and revenues for, such funds for payments of sick and death benefits; and repealing inconsistent acts.

Referred to the Committee on Ways and Means.

By Mr. BONEY. HOUSE BILL No. 436.

Empowering certain aldermen and justices of the peace to perform the duties of certain other aldermen or justices of the peace absent from the conduct of their offices.

Referred to the Committee on Judiciary General.

By Mr. WOLF. HOUSE BILL No. 437.

Authorizing the Department of Property and Supplies to acquire by purchase, gift, lease or condemnation, on behalf of the Commonwealth of Pennsylvania, ten acres of land adjacent to the Daniel Boone Homestead, or so much thereof as may be necessary to properly honor the pioneer, Daniel Boone, on the spot where he was born; providing for the control, management, supervision, improvement, preservation and maintenance thereof; authorizing the Pennsylvania Historical Commission to make and enforce rules and regulations for the preservation and visitation thereof; and making an appropriation.

Referred to the Committee on Appropriations.

By Mr. MUIR. HOUSE BILL No. 438.

Making an appropriation for the purpose of maintaining the public roads and improving and replacing bridges thereon, through the Cornplanter Indian Reservation, in Elk Township, Warren County, Pennsylvania.

Referred to the Committee on Appropriations.

By Mr. CADWALADER. HOUSE BILL No. 439.

Making an appropriation to the Valley Forge Park Commission for the purpose of constructing, erecting and dedicating at Valley Forge Park a suitable statue to the memory of George Washington.

Referred to the Committee on Appropriations.

By Mr. BRETH. HOUSE BILL No. 440.

To amend section one of the act, approved the ninth day of July, one thousand nine hundred thirty-five (Pamphlet Laws, six hundred thirty-nine), entitled "An act appropriating the moneys in the State Forests and Waters Fund," as amended, by providing for refunds.

Referred to the Committee on Appropriations.

By Mr. TARR. HOUSE BILL No. 441.

To amend clause (e) of section three hundred one of the act, approved the twenty-first day of June, one thou-

sand nine hundred and thirty-nine (P. L. 566), entitled "An act defining the liability of an employer to pay damages for occupational disease contracted by an employe arising out of and in the course of employment; establishing an elective schedule of compensation; providing procedure for the determination of liability and compensation thereunder; imposing duties on the Department of Labor and Industry, the Workmen's Compensation Board, Workmen's Compensation Referees, and deans of medical schools; creating a medical board to determine controverted medical issues; establishing an Occupational Disease Fund in custody of the State Workmen's Insurance Board; imposing upon the Commonwealth a part of the compensation payable for certain occupational diseases; making an appropriation; and prescribing penalties," by providing for compensation for partial disability due to silicosis, anthracosis or asbestosis.

Referred to the Committee on Workman's Compensation.

By Messrs. OWEN and CHERVENAK (By Request)

HOUSE BILL No. 442.

To further amend section four hundred ten of the act, approved the twenty-ninth day of November; one thousand nine hundred and thirty-three (P. L. 15, 1933-34), 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 further defining the power of the board to revoke or suspend licenses, and imposing duties on court of quarter sessions.

Referred to the Committee on Liquor Control.

By Mr. CADWALADER. HOUSE BILL No. 443.

An Act authorizing the Valley Forge Park Commission to erect, construct and dedicate a suitable statue at Valley Forge Park to the memory of George Washington; making an appropriation to the Valley Forge Commission to enable them to erect and dedicate such a statue, said appropriation being contingent on an amount equal to said appropriation being raised by public subscription within this Commonwealth, and imposing duties on the Auditor General.

Referred to the Committee on Appropriations.

By Messrs. CHUDOFF and HEATHERINGTON.

HOUSE BILL No. 444.

An Act authorizing the Department of Military Affairs, upon request, to supply an official flag of the Commonwealth to each post of a nationally chartered veterans' service organization, in the Commonwealth; and making an appropriation.

Referred to the Committee on Military Affairs.

By Mr. McKINNEY.

HOUSE BILL No. 445.

An Act to amend section eight hundred thirty-six 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 reconciling certain incon-

sistencies in said section as to the nature of the crime of cheating by fraudulent pretenses.

Referred to the Committee on Judiciary Special.

By Mr. CORDIER. HOUSE BILL No. 446.

An Act to repeal section four of the act, approved the twenty-fourth day of June, one thousand nine hundred 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," eliminating the provision making the property of indigent persons liable for expenses incurred for support and assistance.

Referred to the Committee on Welfare.

By Mr. HAINES. HOUSE BILL No. 447.

To amend section one of the act, approved the eighth day of May, one thousand eight hundred and seventy-six (P. L. 136), entitled "A supplement to an act, approved the thirteenth of May, Anno Domini one thousand eight hundred and seventy four, fixing the pay of road commissioners, road and bridge viewers, and reviewers, and commissioners to run township lines and to divide boroughs into wards, and townships lines and surveyors, in this commonwealth," by increasing the compensation of chain carriers.

Referred to the Committee on Counties.

By Mr. CORDIER. HOUSE BILL No. 448.

To amend the first paragraph of section nine of the act approved the twenty-fourth day of June, one thousand nine hundred and thirty-seven (P. L. 2051), entitled "An act relating to public assistance; providing for and regulating assistance to certain classes of persons designated and defined as dependent children, aged persons, blind persons and other persons requiring relief; providing for the administration of this act by the Department of Public Assistance and county boards of assistance hereby created for this purpose; authorizing the Department of Public Assistance to cooperate with, and to accept and disburse moneys received from, the United States Government for assistance to such persons; providing for the liquidation of the State Emergency Relief Board, Boards of Trustees of the Mothers' Assistance Fund, and Boards of Trustees of Pension Fund for the Blind; and repealing laws relating to mothers' assistance, pensions for the blind, old age assistance, and the State Emergency Relief Board," by re-defining eligibility for assistance.

Referred to the Committee on Welfare.

By Mr. McGRATH. HOUSE BILL No. 449.

Abolishing the right of taxpayers, under contracts with townships of the first or second class, to open, make, amend and repair highways and bridges, in return for exemption from road tax.

Referred to the Committee on Townships.

By Mr. BENTZEL. HOUSE BILL No. 450.

An Act to further amend section 1902 of the act, approved the twenty-third day of June, one thousand nine hundred and thirty-one (Pamphlet Laws, 932), entitled "An act relating to cities of the third class; and amending, revising, and consolidating the law relating thereto;" exempting certain contracts for public utility service from the provisions of said act regulating advertising and bidding for contracts.

Referred to the Committee on Cities—Third Class.

By Mr. BENTZEL.

HOUSE BILL No. 451.

An Act to further amend section 15 of the act approved May sixteenth, one thousand nine hundred and twenty-three (Pamphlet Laws 207) entitled, "An act providing when, how, upon what property, and to what extent, liens shall be allowed for taxes and for municipal improvements, for the removal of nuisances, and for water rents or rates, sewer rates, and lighting rates; for the procedure upon claims filed therefor; the methods for preserving such liens and enforcing payment of such claims; the effect of judicial sales of the properties liened; the distribution of the proceeds of such sales, and the redemption of the property therefrom; for the lien and collection of certain taxes heretofore assessed, and of claims for municipal improvements made and nuisances removed, within six months before the passage of this act; and for the procedure on tax and municipal claims filed under other and prior acts of Assembly," providing for the lien of taxes and municipal claims and for the revival of such liens and of judgments obtained thereon.

Referred to the Committee on Municipal Corporations.

By Mr. CHARLES H. BRUNNER. HOUSE BILL No. 452.

An Act to protect property by making criminal certain unlawful entries on, injuries to and interference with property, and attempts or conspiracies to do so; and providing penalties.

Referred to the Committee on Judiciary Special.

By Messrs. AUKER and GEORGE E. JONES.

HOUSE BILL No. 453.

An Act providing for the establishment in certain teachers' colleges of courses of vocational training for persons desiring to become skilled workers and artisans in the various vocational trades; prescribing the powers and duties of the Superintendent of Public Instruction relative thereto; and making an appropriation.

Referred to the Committee on Education.

By Mr. AUKER. HOUSE BILL No. 454.

For the relief of the burden of local taxation; making an appropriation out of the Motor License Fund; providing for the allocation thereof to cities, incorporated towns and boroughs for road and street purposes; requiring such political subdivisions to reduce their tax rates; and conferring powers and imposing duties on the Department of Highways, and Treasury Department, and on cities, boroughs, incorporated towns and officers thereof.

Referred to the Committee on Appropriations.

By Mr. WOODSIDE.

HOUSE BILL No. 455.

Providing for practical arts and vocational agriculture, home economics, industrial and commercial schools and classes, through public school districts and in cooperation with employment offices, for the training, retraining, instruction, and adjustment of out-of-school, unadjusted individuals, in order to enable them to enter, re-enter, or continue employment under changing conditions; conferring powers and imposing duties upon the Superintendent of Public Instruction; and making an appropriation.

Referred to the Committee on Education.

By Mr. BRETHERICK.

HOUSE BILL No. 456.

A Joint Resolution proposing an amendment to section four, article two, of the Constitution of the Commonwealth of Pennsylvania.

Referred to the Committee on Constitutional Amendments.

By Messrs. REUBEN E. COHEN and SKALE.
HOUSE BILL No. 457.

Limiting the time within which actions of assumpsit may be brought.

Referred to the Committee on Judiciary Special.

By Messrs. POLEN and PETTIT. HOUSE BILL No. 458.

To further amend section seventeen of the act approved the twenty-ninth day of May, one thousand nine hundred and thirty-one (P. L. 280), entitled "An act relating to delinquent taxes on seated lands, and prescribing interest charges on nonpayment thereof; requiring the receivers and collectors of county, city, borough, town, township, school district and poor district taxes to make a return to the county commissioners of such unpaid taxes, and providing for the lien thereof; authorizing the county treasurers to collect such taxes, and to sell seated lands at public sale for taxes heretofore or hereafter returned as unpaid; and authorizing the county commissioners to purchase such lands and resell the same under certain circumstances," by making optional the provisions requiring the sale of such properties by county commissioners.

Referred to the Committee on Municipal Corporations.

By Mr. WINNER. HOUSE BILL No. 459.

Making an appropriation out of the State School Fund, to the Treasury Department, for refunding Store and Theatre Taxes imposed and collected under the act approved the fifth day of June, one thousand nine hundred thirty-seven (Pamphlet Laws, one thousand six hundred fifty-six), and since declared unconstitutional by the Supreme Court.

Referred to the Committee on Appropriations.

By Mr. HOLLAND. HOUSE BILL No. 460.

Converting the State teachers' colleges and the Cheyney Training School for Teachers into advanced technical and trade schools to be known as "Pennsylvania State Trade School Defense Training Centers," to train men for defense work; providing for admissions to and regulation of such schools and alteration and equipment of buildings therefor; and conferring powers and imposing duties on certain State departments and agencies.

Referred to the Committee on Education.

By Mr. AUKER. HOUSE BILL No. 461.

For the relief of the burden of local taxation; making an appropriation out of the Motor License Fund; providing for the allocation thereof to cities, incorporated towns, boroughs and townships for road and street purposes; requiring such political subdivisions to reduce their tax rates; and conferring powers and imposing duties on the Department of Highways and Treasury Department, and on cities, boroughs, incorporated towns and townships and officers thereof.

Referred to the Committee on Appropriations.

By Mr. HIRSCH. HOUSE BILL No. 462.

Providing for and regulating the state licensing and registration of nurses of several classes, the biennial recording of licenses, regulating nursing; imposing penalties; and repealing certain existing laws.

Referred to the Committee on Professional Licensure.

By Mr. MATTHEW J. WELSH. HOUSE BILL No. 463.

Making an appropriation to the Department of Military Affairs for the acquisition by purchase or condemnation of lands, the payment of labor and the purchase of supplies, materials and equipment to enlarge and improve the Mili-

tary Reservation at Indiantown Gap; and imposing certain duties upon the Department of Property and Supplies.

Referred to the Committee on Appropriations.

By Mr. McFALL. HOUSE BILL No. 464.

To facilitate the collection of real estate taxes by all political subdivisions of the Commonwealth, by requiring all grantees, accepting delivery of deeds conveying interest in real estate situate in this Commonwealth to them, to record such deeds within thirty days after delivery thereof, and imposing penalties.

Referred to the Committee on Judiciary General.

By Mr. READINGER. HOUSE BILL No. 465.

To amend section four thousand four hundred nine of the act, approved the twenty-third day of June, one thousand nine hundred thirty-one (P. L. 932), entitled "An act relating to cities of the third class; and amending, revising and consolidating the law relating thereto," authorizing each civil service board in said cities to employ legal counsel when it deems it necessary.

Referred to the Committee on Cities—Third Class.

SENATE MESSAGE

SENATE BILL FOR CONCURRENCE

The Clerk of the Senate being introduced, presented for concurrence bill numbered and entitled as follows:

SENATE BILL No. 79. (HOUSE BILL No. 466).

An Act to amend subsection (a) of section twelve of the act, approved the seventh day of June, one thousand nine hundred and seventeen (P. L. 447), entitled "An act relating to the administration and distribution of the estates of decedents and of minors, and of trust estates; including the appointment, bonds, rights, powers, duties, liabilities, accounts, discharge and removal of executors administrators, guardians, and trustees, herein designated as fiduciaries; the administration and distribution of the estates of presumed decedents; widow's and children's exemptions; debts of decedents rents of real estate as assets for payment thereof, the lien thereof, sales and mortgages of real estate for payment thereof, judgments and executions therefor, and the discharge of real estate from the lien thereof; contracts of decedents for the sale or purchase of real estate; legacies, including legacies charged on land; the discharge of residuary estates and of real estate from the lien of legacies and other charges; the appraisal of real estate devised at a valuation; the ascertainment of the curtilage of dwelling houses or other buildings devised; the abatement and survival of actions, and the substitution of executors and administrators therein; the survival of causes of action and suits thereupon by or against fiduciaries; investments by fiduciaries; the organization of corporations to carry on the business of decedents; the audit and review of accounts of fiduciaries; refunding bonds; transcripts to the court of common pleas of balances due by fiduciaries; the rights, powers, and liabilities of nonresident and foreign fiduciaries; the appointment, bonds, rights, powers, duties, and liabilities of trustees durante absentia; the recording and registration of decrees, reports and other proceedings, and the fees therefor; appeals in certain cases; and, also, generally dealing with the jurisdiction, powers, and procedure of the orphans' court in all matters relating to fiduciaries concerned with the estates of decedents," by authorizing the orphans' court to set aside the widow's or children's exemption without notice or appraisal where the property claimed is of apparent or readily ascertainable value.

Referred to the Committee on Judiciary General.

RESOLUTIONS INTRODUCED AND REFERRED

By Messrs. HEATHERINGTON and BAKER.

RESOLUTION No. 30.

In the House of Representatives, February 17, 1941.

Whereas, the acute housing shortage in Pennsylvania has been aggravated by the industrial expansion for defense work, and

Whereas, there is an immediate need for additional housing facilities near the steel mills of western Pennsylvania, the ship yards of eastern Pennsylvania and other sections of the Commonwealth where the defense program has reopened closed factories, and

Whereas, many Pennsylvania communities have appealed to federal agencies for defense housing funds, therefore

Be It Resolved that the House of Representatives petition John M. Carmody, Public Works Administrator, and Charles F. Palmer, Defense Housing Coordinator, to relieve the serious housing situation by allocating funds for the construction of defense housing projects to those communities which have requested them and that the chief clerk of the House be directed to transmit a copy of this resolution to the United States Senators and Representatives in Congress from Pennsylvania.

Referred to the Committee on Rules.

By Messrs. HIRSCH and O'NEILL.

RESOLUTION No. 31.

In the House of Representatives, February 17, 1941.

Whereas, The last appropriation by Congress for the Works Progress Administration has caused the dismissal of many W. P. A. workers in Pennsylvania; and

Whereas, In counties comparable to Schuylkill County, the minimum monthly W. P. A. salary has been reduced from \$60.50 to \$44.40 by reason of such reduced appropriation; and

Whereas, It is recognized that \$44.40 for a month's work is not sufficient to maintain a worker and his dependents; and

Whereas, The dismissal and reduction in salary of W. P. A. workers has and will injure business, lower purchasing power, promote insecurity and reduce living standards; therefore be it

Resolved, That this House does hereby memorialize Congress to increase the appropriation for the Works Progress Administration in order to prevent further dismissals of W. P. A. workers and to restore the minimum monthly wage to \$60.50 in counties comparable to Schuylkill County, and be it further

Resolved, That a copy of this resolution be transmitted to the President of the United States and to the Chief Clerks of the Senate and House of Representatives of the United States.

Referred to the Committee on Rules.

COMMUNICATIONS

The SPEAKER laid before the House the following communication:

PUBLIC ASSISTANCE

A communication addressed to the Speaker from Tri-County Milk Marketing Committee, Johnstown, opposing any change in the Eckels Amendment of 1939 to the Public Assistance Law.

Referred to the Committee on Agriculture.

PERMISSION TO ADDRESS HOUSE

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

Mr. Speaker, in presenting the preliminary report of

the select committee, I stated that mimeographed copies would be distributed to the members at today's session. I would like the permission of the House to have the Page boys distribute them to the Members. I have the copies on my desk.

The SPEAKER. If there is no objection, the copies of the preliminary report will be distributed by the Page boys.

The reports were distributed.

BILL ON SECOND READING

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 225, entitled:

An Act relating to 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 second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL RECOMMITTED

Mr. ACHTERMAN. Mr. Speaker, I move that this bill be recommitted to the Committee on Appropriations for further study.

The motion was agreed to.

BILL ON THIRD READING

Agreeably to order,

The House proceeded to the third 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 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

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

Section 1 Section one of the act approved the thirteenth day of May one thousand nine hundred and twenty-seven (Pamphlet Laws 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" is hereby amended to read as follows

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That a conveyance release or sale may be made to or by two or more persons acting jointly and one or more but less than all of these persons acting either by himself or themselves or with other persons and a contract may be made between such parties

This section shall be construed as authorizing a conveyance of an interest in real property by either husband or wife to husband and wife as tenants by the entireties

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—157

Achterman,	Hall,	Melchiorre,	Shaffer,
Allmond,	Hamilton,	Mihm,	Shaw,
Baker,	Hare,	Modell,	Shepard,
Balthaser,	Harkins,	Monks,	Simons,
Baughner,	Harmuth,	Mooney,	Skale,
Bentley,	Heatherington,	Moran,	Snyder,
Bentzel,	Hering,	Moul,	Sollenberger,
Boles,	Herman,	Muir,	Serg,
Boney,	Hersch,	Munley,	Stank,
Boorse,	Hirsch,	Nagel,	Stine,
Bower,	Holland,	Nunemacher,	Tarr,
Bradley,	Imbrie,	O'Brien,	Tate,
Breth,	Jefferson,	O'Connor,	Taylor,
Brunner, C. H.,	Jones, G. E.,	O'Dare,	Thompson, E. F.,
Brunner, P. A.,	Keenan,	O'Mullen,	Thompson, R. L.,
Burns,	Kenehan,	O'Neill,	Trout,
Burris,	Kline,	Owens,	Verona,
Cadwalader,	Knoble,	Petrosky,	Vincent,
Chervenak,	Lee, E. A.,	Pettit,	Vogt,
Chudoff,	Lee, T. H.,	Polaski,	Voldow,
Cochran,	Lelsey,	Polen,	Voorhees,
Cohen, M. M.,	Leonard,	Powers,	Wagner,
Cohen, R. E.,	Lesko,	Prosen,	Watkins,
Cooper,	Levy,	Rausch,	Weingartner,
Cordier,	Leydic,	Readinger,	Wells,
Croop,	Lichtenwalter,	Reagan,	Welsh, E. B.,
Dalrymple,	Longo,	Reese, R. E.,	Welsh, M. J.,
DiGenova,	Lovett,	Regan,	Wilkinson,
Dix,	Malloy,	Reynolds,	Williams,
Dolon,	Marks,	Rhea,	Winner,
D'Ortona,	Maxwell,	Rooney,	Wolf,
Early,	McClanaghan,	Rose, S.,	Wood, L. H.,
Finestone,	McDemott,	Rose, W. E.,	Wood, N.,
Fiss,	McDowell,	Rosenfeld,	Woodring,
Fleming,	McGrath,	Royer,	Wright,
Flynn,	McIntosh,	Rush,	Yeakel,
French,	McLanahan,	Sarge,	Yester,
Gerard,	McLane,	Sarraf,	Young,
Gryskewicz,	McMillen,	Scanlon,	Kilroy,
Haines,	McSurdy,	Schwab,	Speaker.

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.

SENATE MESSAGE

The Clerk of the Senate being introduced, presented extracts from the Journal of the Senate which were laid upon the table.

CONDOLENCE RESOLUTION

Mr. HARE offered a resolution and asked and obtained unanimous consent for its immediate consideration.

The resolution was read and adopted as follows:

In the House of Representatives, February 18, 1941.

Honorable Eugene C. Hostetler, Recorder of Deeds of Somerset County, died early Sunday evening at the Hazel McGilvery Hospital in Meyersdale, Somerset County, after an illness of several months.

Mr. Hostetler was born in Meyersdale fifty-eight years ago and spent his entire life in and about that locality. He was ever active in civic and religious affairs, and was well-known throughout the county. He possessed an unusually melodious baritone voice, which caused him to be much in demand, both to conduct and participate in various ceremonies, entertainments and meetings.

Mr. Hostetler was an engineer by profession, and graciously donated his very able services to his home community of Meyersdale on numerous occasions. Among other things, he surveyed the Meyersdale playground and the skating pond. In addition to his other activities in and about Meyersdale, Mr. Hostetler was head of the Meyersdale Bottling Works.

Mr. Hostetler was an active and loyal member of the Republican Party. In 1935 he ran for the office of County

Commissioner of Somerset County, but was defeated by a narrow margin. In 1939 he became candidate for the office of Recorder of Deeds of Somerset County, and was elected. He assumed that office on January 6, 1940, and performed its duties faithfully and competently until the time of his last illness; therefore be it

Resolved, By the House of Representatives of the General Assembly of the Commonwealth of Pennsylvania, That in the death of the Honorable Eugene C. Hostetler, the County of Somerset has been deprived of the services of a conscientious and able public official, and the Borough of Meyersdale has lost an outstanding citizen and a staunch supporter; and be it further

Resolved, That the House extends its deepest sympathy to the family of the deceased who survive him, and instructs the Chief Clerk of the House to transmit a copy of this resolution to his widow, Mrs. Lulu Getty Hostetler.

RESOLUTION NO. 15

Mr. MOUL. Mr. Speaker, I desire to call up Resolution No. 15, Printer's No. 20.

The resolution was read by the Clerk as follows:

In the House of Representatives, February 4, 1941.

Whereas, The mountains and hillsides of Pennsylvania feed the headwaters of important drainage areas of the Nation; and

Whereas, The wealth of topsoil has eroded from the hillsides of Pennsylvania with accelerated speed as the forest resources have been depleted and exploited and as the natural barriers of erosion have been broken by reckless and profligate methods of tillage and wasteage; and

Whereas, The Democratic Administration of George H. Earle enacted the Soil Conservation Districts Law of 1937 and created the Soil Conservation Board to cooperate with the Federal Government in a National program of conservation and erosion control; and

Whereas, The Democratic Administration of Franklin D. Roosevelt has provided funds to eventually control erosion on the hillsides of Pennsylvania and other headwaters states so that appropriations may be diminished for the dredging of harbours and waterways and the soil may be saved for future generations of farmers; and

Whereas, Said Federal funds have been accepted very generally by farmers of other headwaters states, while Pennsylvania has instituted only four soil conservation districts; and

Whereas, The inaptitude of the present administration has brought the General Assembly face to face with a major fiscal crisis with many funds raided and many appropriations hampered; therefore be it

Resolved, That the Speaker of the House appoint a committee of three from the House of Representatives to investigate into the operation and procedure of the Soil Conservation Board and the Extension Service of Pennsylvania State College so that the finding of said investigating committee may be made available to the House of Representatives before any appropriation is approved for said board and college.

On the question,

Will the House adopt the resolution?

Mr. WOODSIDE. Mr. Speaker, last night we passed a resolution which expressed a purpose with which I think we were all in accord. I think in a sense that resolution was an insult to the intelligence of some of the people who are prepared to help, because I think that those people realize that the resolution was of absolutely no value to them, but inasmuch as it expressed the purpose with which we were all in general accord, at least as far as the resolves were concerned, the minority went along with that resolution. But this political resolution we now have before us stands in an entirely different category. We have before us a resolution with the same type political propaganda, about acts passed by President Roosevelt and Gov-

ernor Earle. The gentleman from Wayne, Mr. Dix, pointed out the fact that laws are passed by Congress and Legislatures and not by Presidents and Governors. However, passing over that and getting down to the meat of the resolution and passing over this entirely political propaganda that is being approached in the form of "whereases" and resolves, and they are irrelevant, the last "whereas" clause relates to the transfer of money we come down to the fact that the resolve itself is an attack upon a great educational institution of this Commonwealth, an attack upon all the graduates and students and the faculty of that institution, an attack which threatens this great educational institution with holding up their appropriation until a committee can go in and investigate something in connection with a program which is supposed to be carried on at Washington in connection with soil conservation.

I say, Mr. Speaker, we are interested in the welfare of the farmers but we are also interested in free education. We are interested in the fact that education institutions of the type of State College will not be harassed and threatened with the loss of their appropriations by an investigating committee of this Legislature. I think, Mr. Speaker, that the educational system of this Commonwealth, and these higher institutions of learning ought not be attacked in this manner, and for that reason, Mr. Speaker, I am asking the members of this House to vote against this resolution.

Mr. MOUL. Mr. Speaker, I would like to interrogate the gentleman from Dauphin, Mr. Woodside.

The SPEAKER. Will the gentleman from Dauphin, Mr. Woodside, permit himself to be interrogated.

Mr. WOODSIDE. I shall, Mr. Speaker.

Mr. MOUL. Mr. Speaker, will the gentleman please tell us where there is anything in this resolution that attacks anybody connected with State College.

Mr. WOODSIDE. Mr. Speaker, any effort to withhold an appropriation from an institution, or the suggestion that an appropriation of that institution should be withheld, is an attack upon that institution and this resolution as the gentleman well knows contains such a threat.

Mr. MOUL. Mr. Speaker, I do not think there is anything in this resolution that holds a threat over State College or anybody else. The resolution merely states that before an appropriation is made, an investigation shall be held. Since no appropriation of any kind has passed this House, that is, no appropriation to State College, or any appropriation of like manner, I do not think that there is anything wrong with attempting to see what has happened in the work that has been done, especially along the line of soil erosion control. We have definite knowledge that there has not been very good cooperation between certain individuals who we feel should be cooperating in the soil erosion program in Pennsylvania. We are not making a threat. We are simply asking that before we make an appropriation, we have an opportunity to find out why there has not been cooperation between State College extension service and those who are engaged in soil erosion control work.

I want to urge every member to vote for the resolution so that we may get first hand information, and can act wisely before we come to the question of making an appropriation to State College.

It might be possible that after the investigation is made, we might want to increase the appropriation to State Col-

lege, if we find that they are cooperating or willing to cooperate.

Mr. WOODSIDE. Mr. Speaker, the last remark of the gentleman is rather amusing. I think a reading of the resolution will clearly indicate the insincerity of any thought that this investigation will be held for the purpose of finding out whether the appropriation to State College should be increased. The gentleman well knows that was put in the resolution with the sole purpose of holding a threat over State College and suggesting to them in no unmistakable terms that they are not going to get any appropriation—and the word "any" is used in there—any appropriation until we see about their cooperating in this matter. It is not a matter of investigation in the approach to the question. The gentleman has already said we are going to find out why there has not been any cooperation, not whether there has been any cooperation, but why.

I say, Mr. Speaker, that this resolution is a dangerous precedent to hold over the educational institutions of this Commonwealth. I think this resolution should be defeated by this House.

Mr. REUBEN COHEN. Mr. Speaker, I think any inquiry into the failure, or the supposed failure, of State College or any other institution to cooperate with a program of the state or the federal government might be a proper subject for any group in this House to report back for the purpose of appropriating funds to carry out that purpose, and I think the resolution has touched upon something that perhaps may be a little more than an agricultural proposition. We may find out that they cannot go along on President Roosevelt's soil erosion program because they do not have enough facilities at State College, and we might find out why some of the lovely buildings at State College have not been used and that could be used and have not been used for the extension of this Soil Erosion work and research.

I think no one here has any doubt that State College is going to get a sufficient and adequate appropriation but I think we ought to know if State College will not go along with such a plan and program that we ought to be apprised of that fact. We might set up some other agency and give them a sufficient appropriation to give the farmers of Pennsylvania some help in educational methods and standards of soil erosion control which we all know they have never received and which have been accepted in other parts of the country, as so remarkably well handled in other parts of the country.

Mr. DIX. Mr. Speaker, I cannot understand why I did not get a copy of this resolution. I do not know whether there is any connivance between the Democratic Members of this House with the Page boys for failure to place this resolution on my desk. Last night I spoke in reference to rural electrification and I charged that that was a political resolution and not a practical resolution.

For some reason or other they saw fit not to put this resolution in my calendar. However I managed to borrow a copy and without consulting with representative Woodside or knowing what he was going to say I have come to exactly the same conclusion as far as this being a political resolution so far as State College is concerned. In fact I spoke to one of the Members near me and said "This direct attack upon State College. It is an effort

to withhold an appropriation unless an investigation is made."

In regard to Franklin D. Roosevelt and George H. Earle, it seems to me if the Democrats wish to worship Franklin Roosevelt and Governor Earle they should do so in private and not in public, in the Hall of this House.

POINT OF ORDER

Mr. TARR. Mr. Speaker, I rise to a point of order.

The SPEAKER. The gentleman will state his point of order.

Mr. TARR. The gentleman is not speaking on the resolution.

The SPEAKER. The gentleman is speaking on the resolution. The point of order is not well taken. The gentleman will proceed.

Mr. DIX. Mr. Speaker, I believe the names of President Roosevelt and Governor Earle are mentioned in the resolution. Therefore they are proper subjects to discuss. Last night we heard about President Roosevelt and Governor Earle being such great wonderful soil conservationists and shedders of light, today they are tillers of the soil. I do not know what the resolution will be tomorrow. They may be digging anthracite or fishing or something of that sort. I object to hauling the names of the President and the former Governor into these resolutions every time one is presented. If I recall there needs to be some light shed on the Earle administration which the Republicans attempted to do to some extent. How about your gravel scandal? How about your Luzerne County payroll scandal? How about the Capitol Hill scandal?

POINT OF ORDER

Mr. ACHTERMAN. Mr. Speaker, I rise to a point of order.

The Speaker. The gentleman will state his point of order.

Mr. ACHTERMAN. The gentleman is not now speaking on the resolution.

The SPEAKER. The point of order is well taken. The gentleman will proceed and confine his remarks to the resolution.

Mr. DIX. Mr. Speaker, as far as this resolution is concerned I believe the state is already cooperating in a much better manner in regard to this matter than the Federal Government is. Inasmuch as this resolution is merely a political one and is not for any purpose that is practical, I for one will refuse to vote for it.

Mr. MOUL. Mr. Speaker, I hoped we would be able to pass this resolution without going into too great detail. However, since the gentleman seems to insist that there is not any need for an investigation I believe it is my duty as the sponsor of this resolution to show the reason why there should be an investigation.

I have in my hands letters that came from some of the counties, written by constituents of Members on the other side of this House. Constituents of their districts have written to me and have said there is need for an investigation and they hope something will be done about it. If the gentlemen on the other side of the House really want to know what has been said and if they want to take up the time of the House to hear the letters read that come from different sections of the State, I will be glad to read them into the record, then you will have first

hand information and you can see for yourselves. There isn't any question but what there is a need for an investigation. There are four soil erosion control districts in Pennsylvania that are in full operation at the present time. They are located in the counties of York, Lancaster, Indiana and Clarion. They seem to think in the counties mentioned, namely York, Lancaster Indiana and Clarion that we need to do something at this time to see that the extension service at State College, being the one that controls this extension service, should be investigated to see why they have been unwilling to join with the local districts in helping to further the work of soil conservation in the districts now established, as well as in other districts where they would like to establish.

From Lancaster, for instance, I have this letter from the supervisors of the Lancaster soil conservation district.

The letter read as follows:

"The Supervisors of the Lancaster Soil Conservation District would like to bring to your attention the fact that since the autumn of 1938 when they were paid the expenses involved in the organization of their district, they have received no remuneration whatsoever for expenses involved in the conduct of District business.

"The Pennsylvania Districts Law specifically states, 'A supervisor shall receive no compensation for his services, but shall be entitled to expenses including travelling expenses necessarily incurred in the discharge of his duties.' The Supervisors of the Lancaster District are quite satisfied with this provision in the Districts Law and are not asking for compensation for their services but they do take this opportunity to point out that they cannot give good service as a Board of Supervisors in administering District affairs unless they receive remuneration for expenses (mileage, meals), stationery, postage, and telephone. The Supervisors themselves have borne the above-mentioned expenses during the past two years, and they do hereby request that this burden to District activity be removed.

"The Supervisors of the Lancaster District do believe furthermore that failure of the legislature to appropriate the rather small sum necessary to handle District expenses can be charged to the State Soil Conservation Board's toward soil conservation work.

"This Board of Supervisors would like to call your attention to Section 4, Article D, of the Pennsylvania Soil Conservation Act concerning the Duties and Powers of the State Board. This Board feels that the present State Board is not making any effort to carry out the provisions of this part of the Act which does most vitally concern the State Board.

Very truly yours,

Hartwell E. Roper,
Chairman."

I have lots of them here. They take up the general idea and I put it up to you gentlemen whether the men in Lancaster County want an investigation such as we are asking for here.

I have one here from Clarion County. I do not know the gentleman who wrote it but if you want to know whether there is any demand for such an investigation, I will be glad to read it. The letter reads as follows:

"We the Supervisors of the Clarion Soil Conservation District, feel that we should receive some compensation for our services; at least our expenses You will find on page 12 in the Act No. 557 that it states: The Supervisors shall receive no compensation for his services, but he shall be entitled to expenses including traveling expenses necessarily incurred in the performance of his duty.

"To date all the money we have received was for

our mileage incurred for the month of December, 1938.

"Since November, 1939, we have been called upon for regular monthly meetings and with the new procedure of group planning, we have been asked to travel over the county and help the District Technician's in conducting these meetings. This requires a lot of time and expense on our part. The reason that we are doing this is because we think it is a splendid project and would like to see as many farmers as possible in Clarion benefit by it.

"It has been our understanding in other districts in other states much smaller than Pennsylvania, that the Supervisor's receive pay for each meeting and with the taxes we all have to pay, we feel that the least the State Board could do is to pay us for our services. Then to, we are about the only agency that does not receive compensation for our services.

"In October, 1939, we wrote to Mr. W. S. Hagar, Deputy Secretary of Agriculture, asking about compensation for our services, and on October 19, 1939 we received a reply from him stating that he would refer our letter to the State Board at its next meeting. To date we have received no reply from the State Board.

"We are hoping that this letter will receive consideration.

Very truly yours,

Ray H. Shook, Chairman,
Clarion District Supervisors."

I would ask leave of the House to print all of these letters in the record so that the gentlemen can satisfy themselves that there is a demand throughout Pennsylvania for this investigation and that it is not confined to York County.

Mr. SPEAKER. The Chair would like to discuss that question with the gentleman after the debate. The letters which have been read will appear in the record.

Mr. HEWITT. Mr. Speaker, I am very deeply interested in this resolution inasmuch as I am President of the State College Alumni Association at this time. I am of the opinion that soil erosion is being handled properly in Indiana County and since Mr. Moul comes from York and has been mentioned, my own county I would like Mr. Moul to read the letter from Indiana County, and give the name of the man who signed it.

Mr. MOUL. Mr. Speaker, if the gentleman will allow me a few minutes to go back to the desk I will read the letter into the record. I find they sent a number of letters down here. That letter is missing. If you will grant me a few minutes, I will be glad to get it, and read the letter.

Mr. HEWITT. I do not care, Mr. Speaker, to take up any more of the time of the House, so I will not insist upon the gentleman reading the letter if he does not have it at his desk.

Mr. TURNER. Mr. Speaker, I do not want to delay the proceedings of the House, but it seems to me the gentleman from York should secure that letter and give us the benefit of the letter from Indiana, as requested by the gentleman from Indiana.

Mr. MOUL. Mr. Speaker, I have already sent for the letter if you want to wait.

Mr. TURNER. We have plenty of time. I was going to ask the Speaker to declare a recess for five minutes to give the gentleman from York a chance to get the letter.

The SPEAKER. If there is no objection, the resolution will be passed over for the moment.

PERMISSION TO ADDRESS HOUSE

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

Mr. Speaker, I want to speak for a moment to the preliminary report of the special committee named to investigate the sewing projects. This report was made to this House last night. It was impossible for me to attend last night's session or the committee's meeting yesterday, but I desire here and now to officially have my name affixed to this report.

I might further state that I want to commend to this House, as a minority member, the activities of this committee and particularly of its Chairman, a man who has said repeatedly that he is a Pennsylvanian before he is a Democrat. In all of our activities and all of our inquiries the work of that committee has been non-partisan as if there were no parties existing in this House, and I believe that this report is a very fair one.

I believe furthermore, Mr. Speaker, that the expressions and inquiries on the part of all Members of the House to federal officials were very direct and very pointed and without any equivocation, and they have in essence brought results. And then too, I would like to say that the Governor is showing his good faith by cooperating with this committee and its endeavor and its work by approving a new highway project which shall go to the credit of this Commonwealth as the set-up of this law of 1940, and that with this new project under way and duly accredited to this State, our contribution will go considerably over twenty-five percent, and by virtue of that the work of these women in sewing we will be assured without question. So, sir, I would have thus affixed my name thus verbally expressed to this report.

RECESS

The SPEAKER. If there is no objection the Chair is about to declare a recess for five minutes. The Chair hears none and declares a recess for five minutes.

AFTER RECESS

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

The SPEAKER (Elmer Kilroy) in the Chair.

The House resumed consideration of Resolution No. 15. On the question recurring.

Will the House adopt the resolution?

Mr. MOUL. Mr. Speaker and fellow members of the House, I have quite a number of additional letters here. I checked over the list and find that the particular letter to which the gentleman refers is not in the file here on "The Hill." Some of them are in my office in York and some are here. I will be glad to present all of these that we have here if the membership wants them, and in addition I will be glad to present the remainder of them when we get down to the question of soil erosion control. There is a bill now in Committee that will come out on the floor, and I will be glad to read all of them in the record if you want me to. It so happens that the one from Indiana to which the gentleman referred is not in my file at the present time.

Mr. Speaker, I would like to ask the membership of the House to vote for this resolution at the present time.

Mr. HEWITT. Mr. Speaker, I realize this is a matter on which the gentleman has received so much correspon-

dence that I accept Mr. Moul's apology in not being able to present this particular letter at the present time. I do, however, wish to make myself clear at the present time before the House, as a Penn Stater, having been connected with the schools for the last forty years, I would be the last man in this House to oppose any investigation of any activities of this school. However, I think the resolution is in poor taste when they bring in the appropriation in a resolution merely for an investigation. If they had asked for the investigation without affecting the appropriation I could have taken it with much better grace. I not only am a Penn Stater, but also my son, and I do not know any man in this House who ever went to this institution or had a son or a daughter attending it, or who has a friend attending it or is interested in agriculture who would vote for this resolution.

Mr. TURNER. Mr. Speaker, I have several objections to this resolution. I quite agree with the Members who have spoken that we are heartily in favor of any program that conserves and improves the soil of this state.

I spent some time last year down in the TVA, with the Chairman of the TVA Board, Mr. Morgan, and I learned a great deal about soil conservation and about the improvement of soil. If there is no cooperation on the part of State College in this program it is amazing to me, because upon my return from the South I spent one Sunday at State College with a group of men who had gathered together to discuss some problems pertaining to our river basin. As you all know, I am interested in the Delaware River basin and I am interested in conserving the water supply of that basin. I am interested in seeing that we get a uniform flow of water in that basin, and soil protection plays a great part in that program.

I found immediate response on the part of the men at State College. I found a great interest, and I know that they have carried on some experiments since that time along the lines that we discussed on that Sunday, but I see no reason for a Committee of the House to investigate this question. My own personal policy over a number of years has been that when I received letters—and during the last few years I have received great numbers from people over the State, complaining upon all kinds of questions, some of them having to do with the Commonwealth and many of them having to do with Federal questions. My policy usually is to sit down and write a letter to the person or institution or Department of the government complained of and ask them for information, and upon that I can usually base some idea as to whether the complaint is well founded, and I find in most cases it is not well founded.

In the second place, we have had a universal custom since I have been a member of this House, and especially since I have been a member of the Appropriations Committee, whether the Appropriations Committee was dominated by one party or the other, and that was to call in the different departments and go over their budgets and so forth. The problem here, as I see it, is not a question of cooperation as stated by Mr. Moul. The question is, that some of these people feel that they ought to get traveling expenses and haven't received them. Now, that may be the fault of this Legislature in its appropriations or may be somebody else's fault that that matter is not taken care of, and if Mr. Moul's soul is bleeding for these people in the different parts of the State whose pocket-books were affected by traveling around on this soil ero-

sion matter, he could easily have referred the matter to the Chairman of the Appropriations Committee, the gentleman from Monroe, Mr. Achterman.

When the State Highway authorities came here with their new budget, this whole matter could have been gone into; this request could have been taken up, and at that time it could have been determined whether appropriation questions were involved. As the gentleman from Philadelphia said, if appropriation matters were involved, then that matter could have been tackled. I believe with my friend from Wayne, Mr. Dix, that the purpose of the resolution is not to secure particularly further funds for soil erosion, nor to secure cooperation, nor to advance the program, but is a political move to force upon somebody at State College the ideas and policies of the gentleman from York.

Even though I feel that it would be a useless expenditure of money and a waste of time to have a committee appointed to go out and make the investigation when we already have the Appropriations Committee that can properly, in the course of its work, investigate this question, I do object most strenuously to this resolution and I shall not vote for it, although I am interested in this soil conservation question.

If the gentleman from York were to eliminate from his resolution by taking out the words, "before any appropriation is approved for said Board and College" then his resolution, even though I would have the objection that it could be done by the Appropriations Committee, still I think that I would go along with the resolution notwithstanding its obnoxious "whereas" clauses.

Oftentimes, it is the little things that start a precedent. Oftentimes, in adopting a course which for the time seems the expeditious course, we start on a course of action which later gets us into difficulty. I am strenuously opposed to any attempt to coerce the institutions of higher learning in this state by threats to withhold their appropriations. There is such a dangerous precedent in that, there is so much danger to our free institutions, that I think every Member of this House should stand as one of the sentinels to prevent any such precedent that may lead to the coercion of these institutions to adopt any policy which we may determine.

I have seen educational institutions of higher learning in other states set up a course that ends in political turmoil, and destroys the value of the freedom that we seek for them. I frequently do not like some of the things that occur in the institutions; I may not like some of their policies, but I think rather than for me to try to bind them to the policies and the way that I think they should go, it is far better that I keep silent for the benefit of the people of this Commonwealth, in order that we may protect this democracy of ours and our institutions.

MOTION TO RECOMMIT

Mr. TURNER. Mr. Speaker, I move that this resolution, in view of the fact that there are questions of policy, and there seems to be some question in the mind of the gentleman from York as to cooperation on the soil erosion program, be recommitted to the Committee on Agriculture for the purpose of amendment.

On the question,

Will the House agree to the motion?

Mr. MOUL. Mr. Speaker, on the motion of the gentleman from Delaware, Mr. Turner, I want to urge the Mem-

bers of the House to vote "no," and Mr. Speaker, I ask for a roll call.

Mr. ACHTERMAN. Mr. Speaker, I have listened rather carefully to the remarks of the gentleman from Delaware, Mr. Turner, and I assume the reasons for his remarks are based mostly upon the fact that involved in the resolution is the proviso that no appropriations are to be approved to the Board and College until the completion of this investigation, and that apparently without that in the resolution he would not have made the present motion.

It strikes me, Mr. Speaker, that the thought of the gentleman from Delaware is not sound. Apparently moneys have been appropriated in the past to the college. It is quite apparent that many letters, much correspondence, has come to the gentleman from York, Mr. Moul, complaining of a lack of cooperation and coordination between the Soil Conservation Boards of their counties and State College.

All that Mr. Moul apparently is seeking is to have the House say, "We do not intend to appropriate any money until we learn what you have done in the past." Certainly that is a duty that is imposed upon this House; and any motion to delay this investigation by recommending, any effort to prevent this House from intelligently appropriating money, would be far afield from the duty of this House, and therefore the motion to delay now should be defeated.

On the question recurring,

Will the House agree to the motion?

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

YEAS—72

Auker,	Foor,	Lee, T. H.,	Sorg,
Boorse,	Gates,	Leisey,	Stambaugh,
Bower,	Gillan,	Leydic,	Stockham,
Bretherick,	Gross,	McClester,	Taylor,
Brunner, C. H.,	Gyger,	McDowell,	Thompson, R. L.,
Cadwalader,	Haines,	McMillen,	Trout,
Cooper,	Hall,	McSurdy,	Turner,
Cordier,	Hare,	Muir,	Van Allsburg,
Dalrymple,	Helm,	Rank,	Voorhees,
Dennison,	Hewitt,	Reese, David P.,	Wagner,
Dix,	Huntley,	Rhea,	Watkins,
Eckels,	Imbrie,	Riley,	Weingartner,
Elder,	James,	Rose, W. E.,	Wilkinson,
Ely,	Jones, G. E.,	Royer,	Winner,
Fisher,	Kline,	Sarge,	Wood, N.,
Fiss,	Knoble,	Simons,	Woodside,
Fleming,	Krise,	Snyder,	Yeakel,
Fletcher,	Lee, E. A.,	Sollenberger,	

NAYS—123

Achterman,	Flynn,	McClanaghan,	Regan,
Allmond,	French,	McDermott,	Reynolds,
Baker,	Gallagher,	McFall,	Rooney,
Balthaser,	Gerard,	McGrath,	Rose, S.,
Baughner,	Goodwin,	McIntosh,	Rosenfeld,
Bentley,	Greenwood,	McLanahan,	Rush,
Bentzel,	Gryskewicz,	McLane,	Sarraf,
Boles,	Haberlen,	Melchiorre,	Scanlon,
Boney,	Hamilton,	Mihm,	Schwab,
Bradley,	Harkins,	Modell,	Shaffer,
Breth,	Harmuth,	Monks,	Shaw,
Brown,	Harris,	Mooney,	Shepard,
Brunner, P. A.,	Heatherington,	Moran,	Skale,
Burns,	Hering,	Moul,	Stank,
Burris,	Herman,	Munley,	Stine,
Chervenak,	Hersch,	Nagel,	Tarr,
Chudoff,	Hirsch,	Nunemacher,	Tate,
Cochran,	Holland,	O'Brien,	Thompson, E. F.,
Cohen, M. M.,	Jefferson,	O'Connor,	Verona,
Cohen, R. E.,	Jones, P. N.,	O'Mullen,	Vincent,
Corrigan,	Keenan,	O'Neill,	Vogt,
Croop,	Kenehan,	Owens,	Voldow,
Cullen,	Kolankiewicz,	Petrosky,	Welss,

DiGenova,	Komorofski,	Pettit,	Welsh, E. B.,
Dolon,	Leonard,	Polaski,	Welsh, M. J.,
D'Ortona,	Levy,	Polen,	Williams,
Duffy,	Longo,	Powers,	Wolf,
Early,	Lovett,	Prosen,	Woodring,
Elliott,	Malloy,	Rausch,	Wright,
Falkenstein,	Marks,	Readinger,	Yester,
Finestone,	Maxwell,	Reese, R. E.,	Young,
			Kilroy, Speaker.

So the question was determined in the negative and the motion was not agreed to.

On the question recurring,

Will the House adopt the resolution?

Mr. WOODSIDE. Mr. Speaker, I desire to offer an amendment.

The amendment was read by the Clerk as follows:

Amend page 2, line 7, by striking out the words "before any appropriation is approved for" and all of line 8.

On the question,

Will the House agree to the amendment?

Mr. ACHTERMAN. Mr. Speaker, in my prior remarks I pointed out to the members of the House why I believed the phrase "before any appropriation is approved for said board and college" is both essential and necessary in this resolution. It makes contingent the appropriation in relation to the investigation. We do want to know for what we are appropriating money, and secondly, we want to know whether it finally finds itself in the place where it is intended to be spent. I cannot conceive of any House that would be perfectly willing to proceed to make appropriations when there have been laid before the House charges of lack of cooperation and coordination with Federal agencies.

I cannot conceive of any House that would not desire to have that information before it proceeded to appropriate to any agency, funds to carry on in a manner that has caused disturbance and that will result in an investigation.

I, therefore, say to the Members of this House that the present motion to amend should be defeated for the purpose of preserving to this House the freedom of action that is essential and necessary.

Mr. BROWN. Mr. Speaker, I regret to find myself in disagreement with the majority floor leader, and I hope the Members will vote to allow this amendment to go into this resolution. This is setting a dangerous precedent. As I understand this "resolved" in this resolution, a committee of three Members of this House can if they wish delay their report as long as they desire. I am not interested in the political controversy; I am only interested in the precedent, and it does seem to me a rather Hitlerized proposition—three Members of this House are given that authority. Now, they may exercise that authority very properly, and they may do it very quickly, but we do not pass laws presuming that people will always act on them in good faith. We pass them for the protection of those who may suffer if they do not act rightly. As I understand the resolution it absolutely binds this House to await the report of a committee of three before an appropriation may be made to a great state institution of this Commonwealth.

If there were a charge that the entire appropriation to State College were connected with this matter, I would say it may be possible to do this, but as I understand it, and I am not familiar with soil erosion, that is only one of the many, many projects carried on at State College. This holds up the appropriation to the Department of

Forests, to the Engineering School and to the Graduate School and to all the departments of State College.

I regret to be in disagreement with our floor leader and perhaps with the majority of the Members, but I am going to vote for this amendment; I think it is fair.

Let me warn you Members of this House that the time has not yet arrived, and I hope it will never arrive, when we can exercise our authority as a threat. That is not the purpose of the legislature; I hope that it will not be the purpose of the legislature in the future.

I repeat, Mr. Speaker, I am not willing to give the power to three Members of this House on a matter which concerns only one of the subjects of a great State College such as we have, to make the threat of holding up their appropriation indefinitely. There is no time set here for the report to come to this House; they may if they see fit hold it out until the end of the session. Isn't that a precedent which would go down in the future as most dangerous and most arbitrary and capricious? I say this amendment should go into this resolution, and I urge and ask all the Members of the House to vote for this amendment.

Mr. ACHTERMAN. Mr. Speaker, in reply to the gentleman from Allegheny may I say that I desire to cure just one of the things that he says has not been alleged on the floor of the House. I have been informed that there was an appropriation made to State College in the sum of ten thousand dollars, and that little if any of that money has been used, but instead has been returned to the general fund. Now, was there a reason why that money was not spent? If there was, let us know the reason. Was it a capricious reason? Was it a political reason? Was it a desire not to cooperate in carrying out one of the functions in this state, or do we want to go ahead driving on as we did once before to make an appropriation with no intention on their part to use it.

Certainly, we have some control over our money; certainly we have some right to know what they need and where they are going to spend it; certainly we have a right to know what they did with the money received from the former legislature, the former session. Certainly, it is our right, and certainly it is the best thing to do; certainly this House has no intention nor any desire to use that power to threaten any official at State College, but we do intend to see that the officials at State College do perform their work and that they cooperate in deeded functions of government; that the soil of this state is important to us, and that State College is one of our colleges intended to function for the benefit of the State and that it shall play a part in functioning with the federal government.

Certainly it is the only method by which we can arrive at an equitable decision, holding up everything pending this investigation. Certainly if the committee appointed by the Speaker fails to move expeditiously or to report within a reasonable time, we still have control over that committee and we can very easily see that the report is filed and see that either the report is adopted or the committee discharged, and that the House proceed with its business. I am saying, Mr. Speaker, that all the fault found here today is not found for the purpose of a real opposition, but is found solely of delaying the investigation that they do not desire and that, unless I am greatly mistaken is an investigation that they fear.

Mr. WOODSIDE. Mr. Speaker and members of the House, I am indeed surprised to hear the remarks of the

gentleman from Monroe. He is Chairman of the Committee on Appropriations, and I think he has been extremely unfair to the members of his committee by abdicating his responsibility as Chairman and the responsibility of the committee itself to determine questions concerning appropriations. If it is a question of cooperation, all right, appoint a committee and investigate the question of cooperation. If it is a matter of an appropriation, it is a matter for his committee, and by his abdication of his job and the job of his committee, he is unfair to the members of his committee and he is unfair to the members of this House.

Mr. Speaker, when it is a question of the appropriations that should be made, whether they are to State College or wherever they are made, or what they are for, it is the responsibility of the Appropriations Committee and not any special committee appointed by this House of two or three of its members to determine that question, and I say the amendment is not made for the purpose of delay because we have pointed out before that it is these objectionable features of the resolution that we want to remove from it.

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

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

Mr. ACHTERMAN. Mr. Speaker, I shall.

Mr. BROWN. Did I understand the gentleman to say that it was his opinion that the sum of ten thousand dollars was appropriated for this question of soil erosion?

Mr. ACHTERMAN. So I have been advised, Mr. Speaker.

Mr. BROWN. Thank you, Mr. Majority Floor Leader.

Mr. Speaker, I should like to interrogate the gentleman from York, Mr. Moul.

The SPEAKER. Will the gentleman from York, Mr. Moul, permit himself to be interrogated?

Mr. MOUL. I shall, Mr. Speaker.

Mr. BROWN. Mr. Speaker, may I ask the gentleman from York, Mr. Moul, if it is a fact that the amount of the appropriation made to State College for soil erosion was ten thousand dollars?

Mr. MOUL. Mr. Speaker, it is correct. In the 1937 session of the Legislature the sum of ten thousand dollars was appropriated for use by the "said state board" to take care of soil erosion control work, that is, to take care of the work for the state of Pennsylvania, and that board is controlled by State College. I might add in answer to that question still further, that the ten thousand dollars that was appropriated, after the administration changed, the greater portion of that sum was not used for erosion control, but was returned to the general fund, and that is the reason why all these people are up in arms. The act itself specifically said when we passed it here that it was to be used for that work, for that purpose. I cannot understand why the gentlemen of the House here would object to an investigation that would try to show why the gentlemen who were supposed to enforce that act, that being State College, if that is the body to do so, did not do so. If the gentlemen seem to feel that the body we are hitting is State College then they must take the responsibility. I cannot see why they should object to our trying to find out why those gentlemen violated the trust that we gave them. We certainly told them that we wanted them to use that money

for soil erosion control work in Pennsylvania, and I cannot see why we as a Legislature do not have a right to find out why they violated the trust that we put in them.

Mr. BROWN. Mr. Speaker, may I ask the gentleman from York, Mr. Moul, another question? Would the gentleman from York have any objection to amending his resolution by substituting "before any appropriation for soil erosion is approved by this House."

Mr. MOUL. No, Mr. Speaker. I am informed that there are some conditions that exist that are similar in other fields, and I think that while we are investigating one field we might as well take in the whole show. We might just as easily investigate the whole program as one small portion of it.

Mr. BROWN. Mr. Speaker, am I correct? I do not gather exactly what the gentleman is answering. Do I understand that the gentleman does object to his resolution confining itself to the appropriation for soil erosion? Does the gentleman object?

Mr. MOUL. I do, Mr. Speaker, because it also takes in the question of the whole extension service and if you limit it to soil erosion control you do not take in the whole of the extension service.

Mr. BROWN. Then, Mr. Speaker, how far would the gentleman have to investigate to find out? I mean how far would he have to investigate the whole curriculum, the whole of the administrative functions of State College before he can locate soil erosion?

Mr. MOUL. Mr. Speaker, we propose under the resolution to investigate all individuals who have anything to do with soil erosion control work and the extension service, and we intend to go as far as necessary to carry out the mandate of this House if the resolution is passed.

Mr. BROWN. Mr. Speaker, in the answer of the gentleman from York, Mr. Moul, lies the dangerous precedent in this type of resolution. It does seem to me that soil erosion is such a thing that could be catalogued without going out into the whole of the curriculum of State College. I am not a graduate of State College, but I do say that a resolution that does not confine itself to the problems to be investigated puts the power in the hands of three men, and I understood quite well, even before he made his remark, that we could discharge the committee, but these three men could go ahead and go to a great institution like State College, and just roaming around is a dangerous precedent to be allowed to go into this resolution.

Mr. ACHTERMAN. Mr. Speaker, I desire to take just a few moments for the purpose of answering the remarks of the gentleman from Dauphin, Mr. Woodside. I quite frankly feel that I am not surrendering any of the powers of my committee when I say that I am perfectly willing to hold in abeyance any appropriation measure to permit a reasonable study by this House, through a committee designated by it, to determine whether or not there has been cooperation and coordination between the federal government and one of our state agencies.

The question to be answered finally as to the amount of the appropriations will be determined by the Appropriations Committee, not by the committee that has been designated or that will be designated by the Chair to make the investigation. I am equally confident that any committee named by the Chair will proceed with the study of the subject before it, and will make its report in ample time. If it fails to do so, and I find that their

failure to make the report is in any manner detracting from the work of the Appropriations Committee I will be the first one to come before this House and ask for the committee's discharge.

Mr. TURNER. Mr. Speaker, and members of the House, I hesitate to arise to say anything further in extending the remarks of the gentleman from Allegheny, Mr. Brown, who I think has so clearly and so well stated the whole proposition.

I would like, however, to interrogate the gentleman from York, Mr. Moul.

The SPEAKER. Will the gentleman from York, Mr. Moul, permit himself to be interrogated.

Mr. MOUL. I shall, Mr. Speaker.

Mr. TURNER. Mr. Speaker, did I understand the gentleman from York, Mr. Moul, to say that the appropriation of ten thousand dollars was to the Board.

Mr. MOUL. That is correct, Mr. Speaker.

Mr. TURNER. Mr. Speaker, I should like to ask, is the appropriation to State College or to the Board.

Mr. MOUL. Mr. Speaker, the appropriation is made to the Board. I presume the gentleman from Delaware was talking on soil erosion. There are two things covered in the resolution, soil erosion control and the question the gentleman is asking me now refers to the Soil Erosion Control Board. Ten thousand dollars was appropriated to the Soil Erosion-Control Board, and the Soil Erosion Control Board is managed by the Agricultural Department of State College, and indirectly managed by the extension service.

Mr. TURNER. Mr. Speaker, I think the gentleman from York is somewhat mistaken in his statements. Under the act the Board shall consist of the Secretary of Forests and Waters, the Secretary of Highways, Director of State College Experimental Station, Chief Engineer of the Water and Power Resources Board, and the Secretary of Agriculture ex officio.

Now, Mr. Speaker, I have no objections to any resolution to investigate this Board. I do believe, however, as stated by the gentleman from Dauphin, Mr. Woodside, that the responsibility in reference to the appropriation primarily rests with the Appropriations Committee of this House. It has a contingent fund with which it employs assistants. It has been the custom of that Committee, whether it has been controlled by one party or the other, to have its men, who are accountants or bookkeepers or statisticians or whatever you want to call them, go out and investigate hospitals, homes and all kinds of institutions. Therefore, if we would merely approach the one question, which the gentleman from York seems to stress, that ten thousand dollars was appropriated and has not been spent, we want to know if we should appropriate another ten thousand dollars, which is within the proper sphere of the Appropriations Committee. It has the money with which to make this investigation and it is the proper agency to make such investigation.

Mr. Speaker, we find now that the real purpose has now come out. While the gentleman from York has talked about soil conservation, while he has talked about the necessity of different groups cooperating in soil conservation, he now tells us that he wants to investigate the whole thing, and that is an investigation of State College. That returns to the very principle which I first enunciated, and the principle upon which the gentleman from Allegheny, Mr. Brown, has made his objection here.

During the session of 1939 when I was Speaker of the House a group came to me wanting to investigate a certain University in Pennsylvania. I objected to that and protested, and I opposed it and fought it, and I am opposed to this on the same grounds. If this were an honest and sincere effort to find out whether we should appropriate ten thousand dollars, then there would be no question about putting such a resolution before this house. There would be no opportunity to set such a dangerous precedent as is set by this resolution, but if the intent here is to go in and find out whether State College is cooperating with all the plans and programs of the Federal Government which some Members of this House feel State College should undertake, then I say you are setting a precedent that may lead into other fields of investigation, and where, as the gentleman from Allegheny, Mr. Brown, has said, we may use our power in the future to force our ideas and our policies upon the educational institutions of this State, and no matter how good may be the purpose of the resolution that comes before this House, if it entails the opportunity to stick our noses into the affairs of our state educational institutions and to govern their appropriations in the future if they do not abide by the wishes and policies and the ideas of this House on some particular subject, then I say to you I am opposed to that, because it constitutes a danger to free education in this State, which I think every Member of this House can see without having it explained to him.

Mr. LOVETT. Mr. Speaker, I would like to interrogate the gentleman from Allegheny, Mr. Brown.

The SPEAKER. Will the gentleman from Allegheny County permit himself to be interrogated.

Mr. BROWN. Mr. Speaker, I shall.

Mr. LOVETT. Mr. Speaker, I would like to know if the gentleman from Allegheny was on the investigating committee of the University of Pittsburgh.

Mr. BROWN. Mr. Speaker, I was.

Mr. LOVETT. Does the gentleman feel that we should have had that investigation.

Mr. BROWN. Mr. Speaker I believe we should have had it.

Mr. LOVETT. Does the gentleman feel that the committee at that particular time in its findings in the investigation and in its reports made to this House was fair and honest?

Mr. BROWN. I believe it was, Mr. Speaker.

Mr. LOVETT. That is all, Mr. Speaker.

Mr. BROWN. Mr. Speaker and members of the House I tried to answer categorically the questions propounded to me by the gentleman from Westmoreland. I should like him to recall that the investigation of the University of Pittsburgh set up very definite standards and did not carry provision that we were to report and that unless we made a report the appropriation would be withheld. The resolution also had us inquire about two or three very definite subjects and those subjects we inquired into. I believe if this resolution said, as did the resolution of the University of Pittsburgh, academic freedom and academic tenure, or if this resolution purported to say in definite terms, that they were inquiring only into the question of soil erosion and the facts pertaining thereto, I would agree to it.

Mr. LOVETT. Mr. Speaker, since I have been a Mem-

ber of this House I have always considered Mr. Brown and his opinions very carefully. In other words I have been guided by his opinions on matters of law. Today I think we all are very much disturbed about something concerning which I do not think we should be so much disturbed. Mr. Brown has stated that he does not feel that power should be given to a committee of this House. I feel that investigation committees of this House have always been fair.

Do you recall this morning when one of the Republican Members got up and commended on the fairness of the committee on the Sewing Project? I feel that we as Members of the Legislature are sent here by the people to represent the people of the State, and our first qualification should be honesty, and I do not think we should be one bit alarmed in giving to any committee of this House the right to investigate any organization or any institution of this state.

On the question recurring,

Will the House agree to the amendment?

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

YEAS—80

Auker,	Gates,	Leisey,	Simons,
Boorse,	Gillan,	Leydie,	Snyder,
Bower,	Gillette,	Lichtenwalter,	Sollenberger,
Bretherick,	Greenwood,	Lyons,	Sorg,
Brown,	Gross,	McClester,	Stambaugh,
Brunner, C. H.,	Gyger,	McDowell,	Stockham,
Cadwalader,	Haines,	McKinney,	Taylor,
Cooper,	Hall,	McMillen,	Thompson, R. L.,
Cordier,	Hare,	McSturdy,	Turner,
Dalrymple,	Helm,	Muir,	Van Allsburg,
Dennison,	Hewitt,	O'Connor,	Voorhees,
Dix,	Huntley,	O'Dare,	Wagner,
Eckels,	Imbrie,	Rank,	Watkins,
Elder,	James,	Reagan,	Weingartner,
Ely,	Jones, G. E.,	Reese, David P.,	Wilkinson,
Fisher,	Kline,	Rhea,	Winner,
Fiss,	Knoble,	Riley,	Wood, L. H.,
Fleming,	Krise,	Rose, W. E.,	Wood, N.,
Fletcher,	Lee, E. A.,	Royer,	Woodside,
Foor,	Lee, T. H.,	Sarge,	Yeakel,

NAYS—118

Achterman,	Flynn,	McDermott,	Rooney,
Allmond,	French,	McFall,	Rose, S.,
Baker,	Gallagher,	McIntosh,	Rosenfeld,
Balthaser,	Gerard,	McLanahan,	Rush,
Baughner,	Goodwin,	McLane,	Sarraf,
Bentley,	Gryskewicz,	Melchiorre,	Sanlon,
Bentzel,	Haberlen,	Mihm,	Schwab,
Boies,	Hamilton,	Modell,	Shaffer,
Boney,	Harmuth,	Monks,	Shepard,
Bradley,	Harris,	Mooney,	Skale,
Breth,	Heatherington,	Moran,	Stank,
Brunner, P. A.,	Hering,	Mouli,	Stine,
Burns,	Herman,	Munley,	Tarr,
Burris,	Hersch,	Nagel,	Tate,
Chervenak,	Hirsch,	Nunemacher,	Thompson, E. F.,
Chudoff,	Holland,	O'Brien,	Verona,
Cochran,	Jefferson,	O'Mullen,	Vincent,
Cohen, M. M.,	Keenan,	Owens,	Vogt,
Cohen, R. E.,	Kenehan,	Petrosky,	Voldow,
Corrigan,	Kolankiewicz,	Pettit,	Weiss,
Croop,	Komorowski,	Polaski,	Welsh, E. B.,
Cullen,	Leonard,	Polen,	Welsh, M. J.,
DiGenova,	Lesko,	Powers,	Williams,
Dolon,	Levy,	Prosen,	Wolf,
D'Ortona,	Longo,	Rausch,	Woodring,
Duffy,	Lovett,	Readinger,	Wright,
Early,	Malloy,	Reese, R. E.,	Yester,
Elliott,	Marks,	Regan,	Young,
Falkenstein,	Maxwell,	Reynolds,	Kilroy,
Finestone,	McCianaghan,		Speaker.

So the question was determined in the negative and the amendment was not agreed to.

On the question recurring,
Will the House adopt the resolution?

The SPEAKER declares the nays appeared to have it.

Whereupon, a division was called for, one hundred eighteen Members voting in the affirmative and eighty in the negative the question was determined in the affirmative, and the resolution was adopted.

REPORTS FROM COMMITTEES

Mr. READINGER, from the Committee on Judiciary General, reported as committed, House Bill No. 320, entitled:

An Act to amend section one of the act approved the sixth day of April, one thousand eight hundred and fifty-nine (P. L. 387), entitled "An act to authorize execution of process in certain cases in equity, concerning property within the jurisdiction of the court, and on defendants not resident or found therein," authorizing execution of process in certain cases for the perpetuation of testimony.

Mr. BOORSE, from the Committee on Military Affairs, reported as Committed, House Bill No. 402, entitled:

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.

Mr. WILLIAMS, from the Committee on Motor Vehicles, reported as committed, House Bill No. 366, entitled:

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.

Mr. K^{OT} ANKIEWICZ, from the Committee on Military Affairs, reported as committed, House Bill No. 202, entitled:

An Act to amend the act approved the second day of June, one thousand nine hundred and thirty-seven (P. L. 1206), entitled "An act relating to memorial halls in counties of the second class, erected in memory of the

soldiers, sailors and marines who served in the Civil War; and providing for the use, upkeep, and management and control of such halls," including Disabled American Veterans of the World War among the organizations named in the act.

Mr. BRETHERICK, from the Committee on Judiciary General, reported as committed, House Bill No. 374, entitled:

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.

Mr. MCKINNEY, from the Committee on Judiciary General, reported as committed, House Bill No. 51, entitled:

An Act to amend section one of the act approved the twenty-second day of May, one thousand nine hundred and thirty-three (P. L. 851), entitled "An act fixing the pay and mileage of jurors and witnesses," changing the pay of jurors and witnesses and the mileage of witnesses.

Mr. ELLIOTT, from the Committee on Townships, reported as committed, House Bill No. 183, entitled:

An Act to amend section seven hundred two and to further amend section nine hundred five of the act, approved the first day of May, one thousand nine hundred and thirty-three (P. L. 103), entitled "An act concerning townships of the second class; and amending, revising, consolidating, and changing the law relating thereto," authorizing the establishment and maintenance of fire hydrants and fire hydrant water service and the levy of a special tax therefor with the assent of electors.

Mr. FRENCH, from the Committee on Agriculture reported as committed House Resolution No. 26.

Mr. SCHWAB, from the Committee on Military Affairs reported as amended House Resolution No. 19.

Mr. MELCHIORRE, from the Committee on Rules, reported as amended House Resolution No. 25.

COMMITTEE MEETINGS

The following Committee meetings were announced:
Agriculture, Tuesday, February 18, after the session in Room 329.

Dairy Industries, Wednesday, February 19, at 11 a. m. in Room 329.

Municipal Corporations, Tuesday, February 18, after the session, in Room 323.

Welfare, Tuesday, February 18, after the session in Room 246.

ADJOURNMENT

Mr. RHEA. Mr. Speaker, I move that this House do now adjourn until Wednesday, February 19, 1941, at 12 o'clock noon.

The motion was agreed to, and (at 3:31 p. m.) the House adjourned.