

HOUSE OF REPRESENTATIVES

MONDAY, March 3, 1941

The House met at 9 p. m.
The SPEAKER (Elmer Kilroy) in the Chair.

PRAYER

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

Our God, we beseech Thee to guide our nation in the way of righteousness, truth, and peace, so that we may never fail in the blessing which Thou hast promised to that people whose God is the Lord. Teach us as a state, how to live lives that will meet the tests of this hour in which we find ourselves. Make us ever mindful of the fact that where there is unity of both mind and heart, there is such power that the forces of evil cannot overcome nor destroy. May we never be ashamed of the acts we perform as citizens, as Representatives, as Thy children. May our tongues utter truth and speak the finest that is in each of us as we together endeavor to make this Commonwealth a fit place in which to live and worship.

Hear our humble prayer, O Lord. Amen.

JOURNAL APPROVED

The SPEAKER. The Clerk will read the Journal of Wednesday, February 26, 1941.

The Clerk proceeded to read the Journal of Wednesday, February 26, 1941, when, on motion of Mr. McDERMOTT, unanimously agreed to, the further reading was dispensed with and the Journal approved.

BILLS INTRODUCED AND REFERRED

By Messrs. HARKINS and LEYDIC.
HOUSE BILL No. 613.

A Joint Resolution proposing an amendment to article one of the Constitution of the Commonwealth of Pennsylvania by adding thereto Section Six A.

Referred to the Committee on Constitutional Amendments.

By Messrs. GYGER and LEYDIC.
HOUSE BILL No. 614.

An Act making an appropriation to the Downingtown Industrial and Agricultural School, Downingtown, Pennsylvania.

Referred to the Committee on Appropriations.

By Mr. FALKENSTEIN. HOUSE BILL No. 615.

A Joint Resolution proposing an amendment to section two, article five of the Constitution of the Commonwealth of Pennsylvania, by reducing the term of office of Supreme Court judges from twenty-one years to six years, and making them eligible for reelection.

Referred to the Committee on Constitutional Amendments.

By Mr. D'ORTONA. HOUSE BILL No. 616.

An Act to amend section seven of the act approved the thirty-first day of March, one thousand eight hundred and sixty, (P. L. 427), entitled "An act to Consolidate, Revise, and Amend the Laws of this Commonwealth relating to Penal Proceedings and Pleadings," providing for admis-

sion to bail by committing magistrates in cases involving manslaughter by automobile.

Referred to the Committee on Judiciary Special.

By Mr. SKALE. HOUSE BILL No. 617.

An Act to further amend clause (i) of section two and to repeal clause twenty-two of section twenty-three of the act, approved the third day of May, one thousand nine hundred and thirty-three (P. L. 252), entitled as amended "An act to regulate and restrain the traffic in malt and brewed beverages, as herein defined; providing for the licensing of the manufacture, transportation, sale and distribution of such beverages; imposing license and permit fees, and providing for collection and distribution thereof; restricting ownership and interest in licensed places; permitting municipalities and townships, by vote of the electors, to prevent the licensing therein of places where such beverages may be sold for consumption on the premises, and regulating elections for this purpose; imposing duties upon the Pennsylvania Liquor Control Board, quarter sessions courts, district attorneys, the Department of Justice, proper authorities of political subdivisions of the State, and election officers; providing penalties; and repealing existing acts," by abolishing the requirement relative to the sale of food by licensed retail dispensers of malt or brewed beverages; and permitting articles of food to be furnished free by any retail dispenser.

Referred to the Committee on Liquor Control.

By Mr. SKALE. HOUSE BILL No. 618.

An Act to add subsection (c) to section four of the act, approved the twenty-fourth day of June, one thousand nine hundred and thirty-seven (P. L. 2045), entitled "An act relating to the support of indigent persons publicly cared for or assisted; providing for the support of such persons by certain relatives, and for the recovery of public moneys expended for care and assistance from the property and estates of such persons; providing for guardians of the person and property of such persons; providing for the arrest and seizure and sale of the property of deserters; and providing procedure," prohibiting any public body or public agency from demanding or accepting a bond or judgment note from an indigent person for expenses of his support, maintenance, assistance or burial, before such expenses are incurred, and staying proceedings on all judgments entered on behalf of such public bodies or agencies.

Referred to the Committee on Welfare.

By Messrs. EDWIN F. THOMPSON and JEFFERSON.
HOUSE BILL No. 619.

An Act imposing joint and severable liability upon cities of the first class, for damages, caused by arrests or imprisonments by police authorities in certain cases.

Referred to the Committee on Cities—First Class.

By Mr. SKALE. HOUSE BILL No. 620.

An Act to further amend the fourteenth paragraph of section two, to repeal clause sixteen and to further amend clause thirty of section six hundred two of the act, approved the twenty-ninth day of November, one thousand nine hundred and thirty-three (1933-34, P. J. 15), 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 abolishing the requirement relative to the sale of food by restaurant licensees; and by permitting restaurant licensees to furnish free articles of food to their customers.

Referred to the Committee on Liquor Control.

By Mr. KOLANKIEWICZ. HOUSE BILL No. 621.

An Act to amend the title and the act, approved the twenty-third day of May, one thousand nine hundred and twenty-three (P. L. 351), entitled, "An act to require the teaching of the Constitution of the United States in the public and private schools," extending the provisions thereof to include the teaching of the history of democracy, the study of the United States Government and the Constitution of Pennsylvania.

Referred to the Committee on Education.

By Mr. McDOWELL (By Request)
HOUSE BILL No. 622.

An Act to further amend section four hundred and four of the act, approved the eighteenth day of May, one thousand nine hundred and eleven (P. L. 309), entitled "An act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent therewith," authorizing the adoption and enforcement of rules and regulations restricting the right of professional employes to engage in occupations and employments, including certain activities of married female professional employes, in addition to their employment as professional employes.

Referred to the Committee on Education.

By Mr. BURRIS. HOUSE BILL No. 623.

An Act to amend the act approved the third day of June, one thousand nine hundred and thirty-seven (P. L. 1333), entitled "An act concerning elections, including general, municipal, special and primary elections, the nomination of candidates, primary and election expenses and election contests; creating and defining membership of county boards of elections; imposing duties upon the Secretary of the Commonwealth, courts, county boards of elections, county commissioners; imposing penalties for violation of the act, and codifying, revising and consolidating the laws relating thereto; and repealing certain acts and parts of acts relating to elections," by adding thereto article nine A, providing a general procedure for local option referendums.

Referred to the Committee on Elections.

By Mr. MELCHIORRE. HOUSE BILL No. 624.

An Act requiring the approval by the General Assembly of all rules and regulations prescribed or adopted by the Pennsylvania Liquor Control Board.

Referred to the Committee on Liquor Control.

By Mr. MELCHIORRE. HOUSE BILL No. 625.

An Act to amend clauses (a) and (b) of section two hundred one and section four hundred fifteen 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," as reenacted and amended, further regulating the licensing of importers; and prohibiting the board from importing liquor from any source other than from licensed manufacturers having a manufacturing establishment in this Commonwealth.

Referred to the Committee on Liquor Control.

By Mr. HABBYSHAW. HOUSE BILL No. 626.

An Act making an appropriation, from the Motor License Fund, to the Department of Property and Supplies for the payment of the costs incurred by that Department in acting as purchasing agent for the Department of Highways.

Referred to the Committee on Appropriations.

By Messrs. ECKELS and McKINNEY.
HOUSE BILL No. 627.

An Act to amend clause (c) of section four 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 certain 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 improvement without a permit, and providing penalty 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 purposes of this act." imposing the construction, reconstruction and maintenance of certain structures on the Commonwealth.

Referred to the Committee on Highways.

By Mr. SCHWAB. HOUSE BILL No. 628.

An Act defining and prohibiting unfair sales; providing remedies for violations thereof and establishing penalties therefor.

Referred to the Committee on Judiciary General.

By Mr. WOODSIDE. (By request) HOUSE BILL No. 629.

An Act to add section three and one-tenth to the act, approved the twentieth day of June, one thousand nine hundred and one (P. L. 582), entitled "An act to provide for the registration of labels, trade-marks, trade-names, stamps, designs, devices, shopmarks, terms, brands, designations, descriptions, or forms of advertisement, and protect and secure the rights, property and interest therein of the persons, copartnerships or corporations adopting and filing the same, and providing penalties for the violations of the act," providing for the cancellation of the registration of labels, trade-marks, trade-names, devices, shopmarks, designations and forms of advertisement, in certain cases.

Referred to the Committee on Judiciary General.

By Messrs. WEISS and MAXWELL.

HOUSE BILL No. 630.

An Act limiting in certain cases the right of appeal to the court of common pleas from decisions of magistrates, aldermen and justices of the peace.

Referred to the Committee on Judiciary General.

By Messrs. WEISS and MAXWELL.

HOUSE BILL No. 631.

An Act authorizing courts of common pleas to stay writs of execution against and tax sales of certain real property in certain cases; providing for the continuance of return days of writs of execution; and authorizing sales thereon without issuance of further writs.

Referred to the Committee on Municipal Corporations.

By Mr. VAN ALLSBURG.

HOUSE BILL No. 632.

To further amend subsection (b) and the penalty clause of section one thousand two hundred seven of the act, approved the first day of May, one thousand nine hundred 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," by requiring magistrates to report fines and penalties collected to the county commissioners and making the same available for inspection by cities, boroughs, incorporated towns and townships; and providing penalties.

Referred to the Committee on Motor Vehicles.

By Messrs. BRETH and TARR.

HOUSE BILL No. 633.

To further amend 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, consoli-

dating, and changing the law relating thereto," by revising the provisions of said act relating to the issuance of licenses; further defining legal hunting and trapping without a license; providing for the sale and purchase of deer hides in certain cases; providing additional protective measures; further controlling shooting during big game season; authorizing appropriations to provide adequate game food and cover and prescribing methods; providing additional conservation activities; eliminating the right to kill elk or bear destroying property; reducing fees and penalties in certain cases and repealing certain sections.

Referred to the Committee on Game.

SENATE MESSAGE

SENATE BILLS FOR CONCURRENCE

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

SENATE BILL No. 39.

(HOUSE BILL No. 634.)

An Act to amend section one thousand one hundred four of the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 343), entitled "An act relating to the finances of the State government; providing for the settlement, assessment, collection, and lien of taxes, bonus, and all other accounts due the Commonwealth, the collection and recovery of fees and other money or property due or belonging to the Commonwealth, or any agency thereof; including escheated property and the proceeds of its sale, the custody and disbursement or other disposition of funds and securities belonging to or in the possession of the Commonwealth; and the settlement of claims against the Commonwealth; the resettlement of accounts and appeals to the courts, refunds of moneys erroneously paid to the Commonwealth, auditing the accounts of the Commonwealth and all agencies thereof, of all public officers collecting moneys payable to the Commonwealth, or any agency thereof, and all receipts of appropriations from the Commonwealth and imposing penalties: affecting every department, board, commission, and officers of the State government, every political subdivision of the State and certain officers of such subdivisions, every person, association, and corporation required to pay, assess, or collect taxes, or to make returns or reports under the laws imposing taxes for State purposes, or to pay license fees or other moneys to the Commonwealth, or any agency thereof, every State depository and every debtor or creditor of the Commonwealth," eliminating the provisions of said act which require appeals to the courts to be first lodged with the Department of Justice and provided for notice of appeals to the Attorney General.

Referred to the Committee on Ways and Means.

SENATE BILL No. 40.

(HOUSE BILL No. 635.)

An Act to further amend paragraph (e), of section five hundred and three of the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 343), entitled "An act relating to the finances of the State Government; providing for the settlement, assessment, collection, and lien of taxes, bonus, and all other accounts due the Commonwealth, the collection and recovery of fees and other money or property due or belonging to the Commonwealth, or any agency thereof, including escheated property and the proceeds of its sale, the custody and disbursement or other disposition of funds and securities belonging to or in the possession of the Commonwealth, and the settlement of claims against the Commonwealth, the resettlement of accounts and appeals to the courts, refunds of moneys erroneously paid to the Commonwealth, auditing the accounts of the Commonwealth and all agencies thereof, of all public officers collecting moneys payable to the Commonwealth, or any agency thereof, and all receipts of appropriations from the Commonwealth and imposing penalties: affecting every department, board, commission, and officer of the State govern-

ment, every political subdivision of the State, and certain officers of such subdivisions, every person, association, and corporation required to pay, assess, or collect taxes, or to make returns or reports under the laws imposing taxes for State purposes, or to pay license fees or other moneys to the Commonwealth, or any agency thereof, every State depository and every debtor or creditor of the Commonwealth," by allowing petitioners for refunds to appeal from decisions of the Board of Finance and Revenue to the Court of Common Pleas of Dauphin County.

Referred to the Committee on Ways and Means.

RESOLUTIONS INTRODUCED AND REFERRED

By Mr. O'BRIEN. (Concurrent) RESOLUTION No. 44.

In the House of Representatives, March 3, 1941.

Whereas, Newspaper reports have flatly asserted that there are teachers in the public school system of the Commonwealth who openly advocated the destruction of our democratic form of government; and

Whereas, These newspaper articles state that these teachers are instilling such pernicious doctrines in the minds of our school children; and

Whereas, Such statements, if true, are cause for great alarm among the sober-minded citizens of the Commonwealth; and

Whereas, If such practices do exist they should be immediately eradicated; therefore be it

Resolved, (if the Senate concur), That the Speaker of the House appoint a proper committee of the House, and the President pro tempore of the Senate appoint a proper committee of the Senate to jointly investigate the activities of teachers in the school system to determine whether or not such pernicious instruction is now being given in the public school system of the Commonwealth; and be it further

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

Resolved, That the sum of \$10,000 or so much thereof as shall be necessary is hereby appropriated to such joint committee for the purposes of paying the traveling expenses of such committee, and all other expenses it incurs in carrying out the provisions of this resolution.

Referred to the Committee on Rules.

By Messrs. SCHWAB and MALLOY
(Concurrent) RESOLUTION No. 45.

In the House of Representatives, March 3, 1941.

Whereas, Under existing law, the county treasurers of the various counties will be required to hold tax sales of returned seated lands before the first Monday of May, 1941; and

Whereas, It appears that sufficient time may not remain to enact suitable legislation before said date fixed for such tax sales, to authorize adjournment or further adjournment; therefore, be it

Resolved, (if the Senate concur), That the General Assembly hereby authorizes the county treasurers of the various counties of this Commonwealth, if the county commissioners and the court of common pleas of such counties consent thereto, to adjourn or further adjourn any tax sale which, under existing law is required to be

held prior to the first Monday of May, 1941; and the General Assembly hereby declares its purpose forthwith to enact suitable legislation to validate any such adjournment of a tax sale, and to provide by law for the holding of such adjourned tax sales at a future date, saving the lien of all taxes assessed against real estate which was to be sold at such sales.

Referred to the Committee on Municipal Corporations.

COMMUNICATION FROM THE GOVERNOR

The Secretary to the Governor being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

APPROVAL OF HOUSE BILLS NOS. 263 and 262

Commonwealth of Pennsylvania,

Governor's Office, Harrisburg, February 27, 1941.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed the following:

House Bill No. 263, Printer's No. 15, 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."

House Bill No. 262, Printer's No. 42, entitled, "An Act making a deficiency appropriation to the Department of Public Assistance and providing for certain allocations therefrom 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 for the payment of assistance and expenses accrued or incurred prior to and remaining unpaid on May thirty-first one thousand nine hundred thirty-nine."

In signing the relief appropriation, I affixed the following statement to the bill over my signature:

"House Bill No. 262, now before me for approval, contains a radical departure from the method by which Pennsylvania has been providing funds to the State Treasurer for administrative expenses in disbursing relief.

"For the first time a lump sum is granted under the bill itself, instead of means being provided to distribute the moneys from month to month on a basis of current needs.

"If it was the intention of those who prepared Section 3 of this bill to insure that the appropriation of \$180,000 would finance all the Treasurer's relief expenses from now until the end of the fiscal year, no such guarantee appears in the bill. The sum is made available in full at once, and the methods and time of its use left to the discretion of the Treasurer.

"Not only do we regard this as a bad business practice, but the amount fixed is a much greater sum than in my opinion should be required to perform the duties.

"Rather than raise the issue at this time, however, and thereby possibly delay the distribution of relief checks, I have this day approved the bill."

ARTHUR H. JAMES.

SENATE MESSAGE

TIME OF NEXT MEETING

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

In the Senate, March 3, 1941.

Resolved, (if the House of Representatives concur), That when the Senate adjourns this week it reconvene on Monday, March 10, 1941, at 4:30 o'clock p. m., and when the House of Representatives adjourns this week it reconvene on Monday, March 10, 1941, at 9 o'clock, p. m.

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

On the question,
Will the House concur in the resolution of the Senate?
It was unanimously concurred in.
Ordered, That the Clerk inform the Senate accordingly.

COMMUNICATIONS AND PETITIONS

The SPEAKER laid before the House the following communications and petitions which were read by the Clerk.

UNEMPLOYMENT COMPENSATION

A communication from the General Stenographic Bureau, Pittsburgh, requesting the State Legal Department to stay judgment under the provisions of the Unemployment Compensation Insurance legislation.

Referred to the Committee on Labor.

UNION OF DEPARTMENTAL EMPLOYEES

A communication addressed to the Speaker from the Pennsylvania Federation of Labor, Harrisburg, requesting a public hearing before action is taken on the subject of "Union of Departmental Employees."

Referred to the Committee on State Government.

OLD AGE PENSION

A communication addressed to the Speaker from Franklin Savacool, Telford, protesting against administration of Old Age Pension.

A communication addressed to the Speaker from John Gallagher, Philadelphia, protesting against administration of Old Age Pension.

Referred to the Committee on Welfare.

RESOLUTIONS RE-REFERRED

Mr. ACHTERMAN returned from the Committee on Rules with the recommendation that it be re-referred to the Committee on Labor, House Resolution No. 36.

The SPEAKER. The resolution is re-referred to the Committee on Labor.

Mr. ACHTERMAN returned from the Committee on Rules with the recommendation that it be re-referred to the Committee on Insurance, House Resolution No. 42.

The SPEAKER. The resolution is re-referred to the Committee on Insurance.

BILLS ON FIRST READING

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 312, entitled:

An act to amend clause (e) of section five of the act, approved the eighteenth day of July, one thousand nine hundred and nineteen (P. L. 1045), entitled "An act providing for the establishment of a Bureau of Rehabilitation in the Department of Labor and Industry, and conferring upon the Commissioner of Labor and Industry the power to supervise and direct the rendering of certain physically handicapped persons fit to engage in remunerative occupations; providing for the appointment of a chief of the bureau, subordinate officers, and employes, and furnishing suitable accommodations; and making an appropriation," by providing for furnishing artificial limbs to children over ten years of age.

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

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1, entitled:

An Act to further amend paragraphs six and nineteen, and to eliminate paragraph seven, of section twelve hundred ten of the act, approved the eighteenth day of May, one thousand nine hundred eleven (P. L. 309), entitled "An act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent therewith, "fixing the minimum annual salary and increments of members of the teaching and supervisory staff in school districts of the fourth class; increasing the percentage of state-aid for all districts; and providing additional state-aid through an equalization fund created by this act to be maintained from state appropriations.

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

BILLS ON SECOND READING

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 402, entitled:

An Act 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.

The first section was read.

On the question,

Will the House agree to the section?

Messrs. MATTHEW J. WELSH and O'NEILL. Mr. Speaker, we desire to offer the following amendments.

The amendments were read by the Clerk as follows:

Amend sec. 1, page 1, line 1, by striking out the word "Force" and insert in lieu thereof "Corps".

Amend sec. 1, page 2, line 3, by striking out the word "Force" and insert in lieu thereof "Corps".

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the section as amended?

It was agreed to.

The second section was read.

On the question,

Will the House agree to the section?

Messrs. MATTHEW J. WELSH and O'NEILL. Mr. Speaker, we desire to offer the following amendment.

The amendment was read by the Clerk as follows:

Amend sec. 2, page 2, line 9, by striking out the word "Force" and insert in lieu thereof "Corps".

On the question,

Will the House agree to the amendment?

It was agreed to.

On the question,

Will the House agree to the section as amended?

It was agreed to.

The third section was read.

On the question,

Will the House agree to the section?

Messrs. MATTHEW J. WELSH and O'NEILL. Mr. Speaker, we desire to offer the following amendment.

The amendment was read by the Clerk as follows:

Amend sec. 3, page 2, line 16, by striking out the word "Force" and insert in lieu thereof "Corps".

On the question,
Will the House agree to the amendment?

It was agreed to.

On the question,
Will the House agree to the section as amended?
It was agreed to.

The fourth section was read and agreed to.
The fifth section was read.

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

Messrs. MATTHEW J. WELSH and O'NEILL. Mr. Speaker, we desire to offer the following amendment.

The amendment was read by the Clerk as follows:

Amend sec. 5, page 3, line 8, by striking out the word "Force" and insert in lieu thereof "Corps".

On the question,
Will the House agree to the amendment?
It was agreed to.

On the question,
Will the House agree to the section as amended?
It was agreed to.

The sixth section was read.

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

Messrs. MATTHEW J. WELSH and O'NEILL. Mr. Speaker, we desire to offer the following amendment.

The amendment was read by the Clerk as follows:

Amend sec. 6, page 3, line 13, by striking out the word "Force" and inserting in lieu thereof "Corps".

On the question,
Will the House agree to the amendment?
It was agreed to.

On the question,
Will the House agree to the section as amended?
It was agreed to.

The seventh section was read.

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

Messrs. MATTHEW J. WELSH and O'NEILL. Mr. Speaker, we desire to offer the following amendments.

The amendments were read by the Clerk as follows:

Amend sec. 7, page 3, line 15, by striking out the word "Force" and insert in lieu thereof "Corps".

Amend sec. 7, page 3, line 19, by striking out the word "Force" and insert in lieu thereof "Corps".

On the question,
Will the House agree to the amendments?
They were agreed to.

On the question,
Will the House agree to the section as amended?
It was agreed to.

The eighth section was read.

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

Messrs. MATTHEW J. WELSH and O'NEILL. Mr. Speaker, we desire to offer the following amendments.

The amendments were read by the Clerk as follows:

Amend sec. 8, page 4, line 3, by striking out the word "Force" and insert in lieu thereof "Corps".

Amend sec. 8, page 4, line 9, by striking out the word "Force" and insert in lieu thereof "Corps".

On the question,
Will the House agree to the amendments?
They were agreed to.

On the question,
Will the House agree to the section as amended?
It was agreed to.

The ninth section was read and agreed to.
The tenth section was read.

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

Messrs. MATTHEW J. WELSH and O'NEILL. Mr. Speaker, we desire to offer the following amendments.

The amendments were read by the Clerk as follows:

Amend sec. 10, page 4, line 23, by striking out the word "Force" and insert in lieu thereof "Corps".

Amend sec. 10, page 4, line 28, by striking out the word "Force" and insert in lieu thereof "Corps".

Amend sec. 10, page 5, line 2, by striking out the word "Force" and insert in lieu thereof "Corps".

On the question,
Will the House agree to the amendments? ?
They were agreed to.

On the question,
Will the House agree to the section as amended?
It was agreed to.

The eleventh section was read and agreed to.
The twelfth section was read.

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

Messrs. MATTHEW J. WELSH and O'NEILL. Mr. Speaker, we desire to offer the following amendment.

The amendment was read by the Clerk as follows:

Amend sec. 12, page 5, line 19, by striking out the word "Force" and insert in lieu thereof "Corps".

On the question,
Will the House agree to the amendment?
It was agreed to.

On the question,
Will the House agree to the section as amended?
It was agreed to.

The thirteenth and fourteenth sections were separately read and agreed to.

On the question,

Will the House agree to the bill on second reading as amended?

Messrs. MATTHEW J. WELSH and O'NEILL. Mr. Speaker, we desire to offer the following new section.

The amendment was read by the Clerk as follows:

Amend bill, page 6, by inserting after line 14, the following section: "Section 15. The provisions of this act shall become effective immediately upon final enactment."

On the question,
Will the House agree to the amendment?
It was agreed to.

The title was read.

On the question,
Will the House agree to the title?

Messrs. MATTHEW J. WELSH and O'NEILL. Mr. Speaker, we desire to offer the following amendment.

The amendment was read by the Clerk as follows:

Amend title, page 1, line 3 of title, by striking out the word "Force" and insert in lieu thereof "Corps".

On the question,
Will the House agree to the amendment?

It was agreed to.

On the question,

Will the House agree to the title as amended?

It was agreed to.

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

Ordered, To be transcribed for a third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of 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.

The first section was read.

On the question,

Will the House agree to the section?

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

The amendments were read by the Clerk as follows:

Amend Sec. 1 (Sec. 4), page 2, line 9, by inserting after the word "may" the following: "with the approval of the court of common pleas".

Amend Sec. 1 (Sec. 4), page 2, line 13, by striking out the words "to the same extent".

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the section as amended?

It was agreed to.

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

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

Ordered, To be transcribed for a third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of 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.

The first section was read.

On the question,

Will the House agree to the section?

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

The amendment was read by the Clerk as follows:

Amend Section 1 (Sec. 702), page 3, line 2, by inserting after the word "aforesaid" the following: "Provided, That no such question shall be submitted at any election unless the resolution of the board of supervisors authorizing the same shall be published once in a newspaper of general circulation published in the county in which the township

is situated. If within thirty (30) days after date of publication, taxpayers of the township whose property valuation, as assessed for taxable purposes within the township, shall amount to thirty-five per centum (35%) of the total property valuation, as assessed for taxable purposes within the township shall sign and file with the chairman of the board of supervisors a written protest against submitting such question at any election, then the board of supervisors shall not certify any resolution to the county commissioners as provided in this clause."

On the question,

Will the House agree to the amendment?

It was agreed to.

On the question,

Will the House agree to the section as amended?

It was agreed to.

The second and third sections and title were separately read and agreed to.

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

Ordered, To be transcribed for a third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 367, entitled:

An Act legalizing the operation of bowling alleys, and participation in the sport of bowling on Sundays.

The first section was read.

On the question,

Will the House agree to the section?

BILL RECOMMITTED

Mr. HEATHERINGTON. Mr. Speaker, I move that this bill be recommitted to the Committee on Law and Order for the purpose of further study and possible amendment.

The motion was agreed to.

BILLS ON SECOND READING

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 381, entitled:

An Act to amend section nine hundred eight of the act, approved the fifth day of May, one thousand nine hundred and thirty-three (P. L. 364), entitled "An act relating to business corporations; defining and providing for the organization, merger, consolidation, reorganization, winding up and dissolution of such corporations; conferring certain rights, powers, duties and immunities upon them and their officers and shareholders; prescribing the conditions on which such corporations may exercise their powers; providing for the inclusion of certain existing corporations of the second class within the provisions of this act; prescribing the terms and conditions upon which foreign business corporations may be admitted, or may continue, to do business within the Commonwealth; conferring powers and imposing duties on the courts of common pleas, and certain State departments, commissions, and officers; authorizing certain State Departments, boards, commissions, or officers to collect fees for services required to be rendered by this act; imposing penalties; and repealing certain acts and parts of acts relating to corporations," by further prescribing the procedure to be followed by shareholders who desire to become dissenting shareholders of a corporation which becomes a party to a plan of merger or consolidation; limiting the rights and remedies of shareholders who desire to object to or dissent from any merger or consolidation, and making the rights and remedies here-in provided for exclusive.

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

Ordered, To be transcribed for a third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 481, entitled:

An Act to amend section eighteen of the act approved the second day of July, one thousand nine hundred and thirty-five (P. L. 589), entitled "An act to safeguard human health and life by providing for the issuance of permits to, and regulations of persons and entities selling milk and milk products; conferring powers, and imposing duties on the Secretary of Health, the Advisory Health Board; and otherwise providing for the administration of the act; and imposing penalties," requiring local ordinances in certain cases to conform to this act and the regulations made thereunder.

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

Ordered, To be transcribed for a third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 382, entitled:

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

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

Ordered, To be transcribed for a third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 208, entitled:

An Act to further amend the act, approved the second day of July, one thousand nine hundred and thirty-seven (P. L. 2724), entitled "An act relating to soil conservation and soil erosion, and regulating land use practices contributing to soil wastage and soil erosion; providing for the organization of soil conservation districts, as governmental subdivisions of the Commonwealth, with powers of enacting ordinances and regulations for the prevention and control of soil erosion and the conservation of soil resources; prescribing the officers and employes thereof, and defining their powers and duties; creating the State Soil Conservation Board in the Department of Agriculture and imposing powers and prescribing duties thereon relative to the enforcement of this act; providing financial assistance to such soil conservation districts; prescribing penalties; and making an appropriation," by providing changes in the membership of the State Soil Conservation Board; prescribing procedures for the allocation of funds among districts, requiring the filing of budget reports, changing the necessary favorable vote in referenda on the creation, addition of territory to, and dissolution of districts; changing the requirements of petitions for inclusion of additional territory; requiring district supervisors to be residents of such districts; further defining the powers of districts; and making appropriations.

The first section was read.

On the question,

Will the House agree to the section?

Mr. REAGAN. Mr. Speaker, I desire to interrogate the author of this bill, Mr. Moul.

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

Mr. MOUL. Mr. Speaker, I shall.

Mr. REAGAN. Mr. Speaker, when a district, or when twenty-five men petition for a district, are they to be occupiers or owners?

Mr. MOUL. Mr. Speaker, they are owners.

Mr. REAGAN. Then, Mr. Speaker, when the vote is held on the district as to whether the district will be formed or not, who will vote, the occupiers or the owners?

Mr. MOUL. Only owners, Mr. Speaker. This is determined by the act as it now stands. This bill, House Bill No. 208, has certain amendments to change certain portions of the present act, but the amended portion under House Bill 208 does not affect the status of those who vote in the referendum. It still applies to owners.

Mr. REAGAN. Mr. Speaker, will the gentleman kindly state whether the occupiers have a voice in this matter.

Mr. MOUL. Mr. Speaker, the occupiers have no voice insofar as voting is concerned. However, if House Bill 208 is enacted as it stands, the occupier will have to be consulted before they can enter the farm which he occupies and make certain changes or alterations on the farm. That applies only to the cases where they are starting new work on the farm. It does not apply to those which are already in operation.

Mr. REAGAN. Mr. Speaker, on page fifteen where it says that supervisors may require contributions in money, services, and materials or otherwise, is this required of the occupiers or the owners.

Mr. MOUL. Mr. Speaker, is the gentleman referring to six?

Mr. REAGAN. Mr. Speaker, eleven.

Mr. MOUL. Mr. Speaker, that portion pertains to occupiers of the land, and "occupiers" as we define them in the new act take in both owners and renters or tenants. In other words, when we are setting up a new program for a particular farm, it will require that the occupier,—and occupier is both the renter and the tenant, it will require that the occupier be consulted and that he consent to the program they have in mind. I might add in this connection the reason for that is this; I'm not a lawyer, but I believe our legal friends tell us that if the tenant has an agreement with the landlord, it would be impossible to go in on a farm without consulting that tenant in cases where he has a lease which has some time to run. In other words, the tenant has some rights on that farm and without his consent, it would be impossible to enter that farm.

On the question recurring,

Will the House agree to the section?

It was agreed to.

The second, third, fourth, fifth, sixth, seventh, eighth, ninth and tenth sections and title were separately read and agreed to.

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

Ordered, To be transcribed for a third reading.

BILL RECOMMENDED

Mr. MOUL. Mr. Speaker, I move that this bill be recommitted to the Committee on Appropriations for the purpose of further study and possible amendment.

The motion was agreed to.

BILL PASSED OVER

There being no objection House Bill No. 466, Senate Bill No. 79, Printers No. 6, was passed over at the request of Mr. ACHTERMAN.

BILL ON THIRD READING

Agreeably to order,

The House proceeded to the third 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.

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

QUESTION OF PARLIAMENTARY INQUIRY

Mr. TURNER. Mr. Speaker, I rise to a question of parliamentary inquiry.

The SPEAKER. The gentleman will state his question of parliamentary inquiry.

Mr. TURNER. Mr. Speaker, are we now on third reading of this bill?

The SPEAKER. The bill has been agreed to on third reading.

Mr. TURNER. Mr. Speaker, I desire 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. TURNER. Mr. Speaker, I would like to ask whether it would not be better, in view of the fact that I requested that this bill be passed over, that the bill be not read for the third time, so that if there be amendments, it will not be necessary to go back to third reading.

Mr. ACHTERMAN. Mr. Speaker, it was my intention to ask that the bill be passed over but unfortunately I was unable to be recognized by the Chair in time to do so.

The SPEAKER. If there is no objection the Chair withdraws its decision that the bill has been agreed to on third reading and it will be passed over.

RESOLUTION No. 29

Mr. SHEPARD. Mr. Speaker, I desire to call up House Resolution No. 29, Printer's No. 45.

The resolution was read by the Clerk as follows:

In the House of Representatives, February 12, 1941.

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

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

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

Whereas, the Department of Public Assistance is charged by law to provide sufficient assistance to relief families

to "enable them to maintain for themselves and their dependents a decent and healthful standard of living," and Whereas, the present inadequate shelter allowances make it impossible to carry out the provisions of the law, therefore be it

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

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

On the question,

Will the House adopt the resolution?

It was adopted.

RESOLUTION

CONGRATULATIONS

Mr. TARR offered the following privileged resolution and asked and obtained unanimous consent for its immediate consideration.

The resolution was twice read, considered and adopted:

In the House of Representatives, March 3, 1941.

Whereas, The Hon. John M. Burns of Fayette County, was noted for his defensive play while wearing mole-skins for Duquesne University; and

Whereas, A good offense is still the best defense; and Whereas, Utilizing said strategy, he has succeeded in having Miss Helen Marie Zoretic, also of Fayette, to say "yes"; and

Whereas, Such news has just been flashed by teletype to the Members of the House of Representatives; therefore be it

Resolved, That the Chief Clerk of the House of Representatives serve a copy of this resolution personally on the Hon. John M. Burns, and send a copy to the blushing bride-to-be, as a fitting token of the good wishes of the membership of the House upon the announcement of their engagement.

COMMITTEE MEETINGS

The following Committee meetings were announced:

Agriculture, Tuesday, March 4 at 11 a. m. in Room 329.

Cities—Second Class, Tuesday, March 4, at 10:30 a. m. in Room 521.

Sub-Committee on Dairy Industries, Tuesday, March 4 after the session in Room 329.

Judiciary General, Tuesday, March 4 at 10 a. m. in Room 246.

Liquor Control, Tuesday, March 4 at 12:30 p. m. in Room 325.

Motor Vehicles, Tuesday, March 4 at 11 a. m. in Room 324.

Welfare, Tuesday, March 4 at 12 noon in Room 246.

Special Committee on Sewing Projects, Monday, March 3 at close of session in Room 246.

A meeting of the Investigating Committee Investigating the Reasons for Gas Explosions in Philadelphia, Monday, March 3 immediately after the close of session in Room 325.

ADJOURNMENT

Mr. HERING. Mr. Speaker, I move that this House do now adjourn until Tuesday, March 4, 1941, at 1 p. m.

The motion was agreed to, and (at 9:52 p. m.) the House adjourned.