

Which was committed to the Committee on Judiciary General.

MOTION TO READ BILLS THE FIRST TIME

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

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

BILL ON FIRST READING

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 377, entitled:

An Act validating certain proceedings and elections of counties, cities, boroughs, school districts, or other municipalities or incorporated districts, had and held pursuant to the provisions of an act, approved the twentieth day of April, one thousand eight hundred seventy-four (P. L. 65), entitled "An act to regulate the manner of increasing the indebtedness of municipalities, to provide for the redemption of the same, and to impose penalties for the illegal increase thereof," and the amendments and supplements thereto; and validating bonds issued or authorized to be issued in pursuance of such proceedings and elections.

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. 384, entitled:

An Act 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 Military Reservation at Indiantown Gap, and imposing certain duties upon the Department of Property and Supplies.

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

ADJOURNMENT

Mr. GELTZ. Mr. President, I move that the Senate do now adjourn until Monday, March 24, 1941, at 4:30 o'clock, p. m.

Mr. TALLMAN. Mr. President, I second the motion.

The motion was agreed to.

The Senate adjourned at 1:58 o'clock, p. m. until Monday, March 24, 1941, at 4:30 o'clock, p. m.

HOUSE OF REPRESENTATIVES

WEDNESDAY, March 19, 1941

The House met at 12 m.

The SPEAKER (Elmer Kilroy) in the Chair.

PRAYER

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

Hear our prayers O Lord in behalf of those who are ill in body. Comfort those this day whose lives have been overshadowed with sorrow. Breathe upon us thy blessing that we may continue to do Thy will. Bless we pray

Thee this assemblage of men. May each give careful consideration to all problems relating to our great State, so that when final action is taken there may be no regrets in the line of duty. May it be said of each of us as was said of the Christ, "He met the needs of all men." In His Name we pray. Amen.

JOURNAL APPROVED

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

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

BILLS INTRODUCED AND REFERRED

By Messrs. NUNEMACHER and RUSSELL E. REESE.
HOUSE BILL No. 877.

To amend section eight hundred and twenty-five of the act, approved the fourth day of May, one thousand nine hundred and twenty-seven (P. L. 519), entitled "An act concerning boroughs, and revising, amending, and consolidating the law relating to boroughs," by changing the time of election and term of office of high constables.

Referred to the Committee on Elections.

By Messrs. NUNEMACHER and RUSSELL E. REESE.
HOUSE BILL No. 878.

To amend the act approved the fourth day of May, one thousand eight hundred eighty-nine (P. L. 83), entitled "An act to authorize the election of constables for three years in cities of the second and third class," increasing the terms of office of constables to six years.

Referred to the Committee on Elections.

By Messrs. NUNEMACHER and RUSSELL E. REESE.
HOUSE BILL No. 879.

To amend the act, approved the ninth day of June, one thousand nine hundred and eleven (P. L. 727), entitled "An act authorizing the election in first class townships of an additional constable, and fixing his term," by increasing the term of office of constables to six years.

Referred to the Committee on Elections.

By Messrs. NUNEMACHER and RUSSELL E. REESE.
HOUSE BILL No. 880.

To further amend section one of the act, approved the fourteenth day of February, one thousand eight hundred and eighty-nine (P. L. 6), entitled "An act to authorize the election of constables for three years," increasing the term of office of constables to six years.

Referred to the Committee on Elections.

By Mr. HIRSCH. HOUSE BILL No. 881.

Making an appropriation to the Pennsylvania Soldiers Orphans' School, Scotland, Pennsylvania.

Referred to the Committee on Appropriations.

By Mr. HIRSCH. HOUSE BILL No. 882.

An Act making an appropriation to the Department of Welfare for the maintenance and equipment of an isolation ward in the Coaldale State Hospital, Coaldale, Pennsylvania.

Referred to the Committee on Appropriations

By Mr. LLOYD H. WOOD. HOUSE BILL No. 883.

An Act to further amend section two of the act, approved the seventeenth day of June, one thousand nine hundred thirteen (P. L. 507), entitled "An act to provide revenue for State and county purposes, and, in cities coextensive with counties, for city and county purposes; imposing taxes upon certain classes of personal property; providing for the assessment and collection of the same; providing for the duties and compensation of prothonotaries and recorders in connection therewith; and modifying existing legislation which provided for raising revenue for State purposes" by making further provisions for the return and payment of the tax by certain agents and attorneys-in-fact.

Referred to the Committee on Ways and Means.

By Mr. BRADLEY. HOUSE BILL No. 884.

An Act to amend section one of the act, approved the twenty-fourth day of April, one thousand nine hundred thirteen (P. L. 114), entitled "An act regulating the time of payment of wages and earnings, and providing a penalty for violation hereof," by requiring employers to furnish statements to employes of all deductions made from their wages.

Referred to the Committee on Labor.

By Messrs. BENTLEY and GOODWIN.
HOUSE BILL No. 885.

An Act to further amend section five hundred and thirty of the act approved the twenty-fourth day of June, one thousand nine hundred and thirty-one (P. L. 1206), entitled "An act concerning townships of the first class; amending, revising, consolidating and changing the law relating thereto," providing for filling vacancies in the office of township commissioner.

Referred to the Committee on Townships.

By Messrs. BENTLEY and GOODWIN.
HOUSE BILL No. 886.

An Act to further amend section one thousand eight hundred and two of the act, approved the twenty-fourth day of June, one thousand nine hundred and thirty-one (P. L. 1206), entitled "An act concerning townships of the first class; amending, revising, consolidating, and changing the law relating thereto," further providing for advertising of certain contracts.

Referred to the Committee on Townships.

By Messrs. BENTLEY and GOODWIN.
HOUSE BILL No. 887.

An Act to amend section one thousand eight hundred and three of the act, approved the twenty-fourth day of June, one thousand nine hundred and thirty-one (P. L. 1206), entitled "An act concerning townships of the first class; amending, revising, consolidating, and changing the law relating thereto," providing for contracts and purchases not requiring advertising and bids.

Referred to the Committee on Townships.

By Mr. FALKENSTEIN. HOUSE BILL No. 888.

A Joint Resolution proposing an amendment to section fifteen, article five of the Constitution of the Commonwealth of Pennsylvania, by reducing the term of office of judges from ten to six years.

Referred to the Committee on Constitutional Amendments.

By Mr. MORAN (By Request). HOUSE BILL No. 889.

An Act requiring warrants for extradition of fugitives from justice to be executed by the sheriff of the proper county or his deputy; and providing for the fees, mileage and expenses of such service.

Referred to the Committee on Judiciary General.

By Mr. MOUL. HOUSE BILL No. 890.

An Act to further amend section one of the act, approved the seventeenth day of June, one thousand nine hundred and thirteen (P. L. 507), entitled "An act to provide revenue for State and county purposes, and, in cities coextensive with counties, for city and county purposes; imposing taxes upon certain classes of personal property; providing for the assessment and collection of the same; providing for the duties and compensation of prothonotaries and recorders in connection therewith; and modifying existing legislation which provided for raising revenue for State purposes," by excluding proceeds of life insurance policies and annuities from the provisions thereof.

Referred to the Committee on Ways and Means.

By Mr. BRETH. HOUSE BILL No. 891.

An Act to 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, consolidating, and changing the law relating thereto," by revising the provisions of said act relating to the issuance of licenses; and repealing certain sections.

Referred to the Committee on Game.

By Mr. SCANLON. HOUSE BILL No. 892.

An Act authorizing a commission to study recreational facilities available in first class cities; imposing powers and duties on said commission; and making an appropriation.

Referred to the Committee on Cities—First Class.

By Mr. BALTHASER. HOUSE BILL No. 893.

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

Referred to the Committee on Motor Vehicles.

By Mr. WEISS.

HOUSE BILL No. 894.

An Act requiring the Commonwealth and the political subdivisions thereof to refund taxes and license fees erroneously and inadvertently paid thereto, and giving a right of appeal in claims against the Commonwealth, and a right of action against such political subdivision for the recovery of such taxes and fees upon their failure to make such refunds, making the provisions of the act retroactive and repealing existing laws.

Referred to the Committee on Ways and Means.

By Mr. WEISS.

HOUSE BILL No. 895.

An Act to authorize cities, boroughs, incorporated towns, townships, school districts, poor districts and county institution districts, to file tax and municipal claims, not filed within the time specified by law and to file suggestions of nonpayment and averments of default, or to sue out writs of scire facias on certain tax or municipal claims, and to revive judgments where the lien of such claims or the judgments thereon have been lost; and providing for the reinstatement of the liens of such claims and judgments.

Referred to the Committee on Municipal Corporations.

By Messrs. HAMILTON and NAGEL.

HOUSE BILL No. 896.

An Act authorizing and requiring county commissioners to sell seated and unseated lands purchased at tax sales, upon which the period of redemption has expired; and validating certain sales heretofore made.

Referred to the Committee on Counties.

By Messrs. BONEY and GRYSKEWICZ.

HOUSE BILL No. 897.

An Act providing for and regulating the appointment, promotion and reduction in rank, suspension and removal of paid members of the police force in boroughs, incorporated towns, and townships of the first class maintaining a police force; creating a civil service commission in each borough, incorporated town, and townships of the first class, defining the duties of such civil service commission; imposing certain duties and expense on boroughs; incorporated towns, and townships of the first class; imposing penalties; and repealing inconsistent laws.

Referred to the Committee on Municipal Corporations.

By Messrs. HAMILTON and McLANHAN.

HOUSE BILL No. 898.

An Act to further amend section two of the act, approved the seventeenth day of June, one thousand nine hundred thirteen (P. L. 507), entitled "An act to provide revenue for State and county purposes, and, in cities coextensive with counties, for city and county purposes; imposing taxes upon certain classes of personal property; providing for the assessment and collection of the same; providing for the duties and compensation of prothonotaries and recorders in connection therewith; and modifying existing legislation which provided for raising revenue for State purposes" providing for the return and payment of said county (and, in certain cases, city and county) tax to the county treasurer.

Referred to the Committee on Ways and Means.

By Mr. BOORSE.

HOUSE BILL No. 899.

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

Referred to the Committee on Judiciary Special.

By Messrs. TURNER and HERING.

HOUSE BILL No. 900.

An Act to promote interstate cooperation for the conservation and protection of water resources in the Delaware River Basin.

Referred to the Committee on State Government.

By Mr. HARKINS.

HOUSE BILL No. 901.

An Act to amend article two of the act, approved the fourth day of May, one thousand nine hundred and twenty-seven (P. L. 519), entitled "An act concerning boroughs, and revising amending and consolidating the law relating to boroughs," providing for the creation of boroughs from townships of the first class having a population of eight thousand or more, upon petition to the court of quarter sessions and a referendum, and prescribing the procedure therefor.

Referred to the Committee on Boroughs.

SENATE MESSAGE

SENATE BILL FOR CONCURRENCE

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

SENATE BILL No. 254. (HOUSE BILL No. 902.)

An Act authorizing municipalities to file liens against real estate beyond the municipal limits for certain municipal rates validating liens heretofore filed and providing for the procedure thereon.

Referred to the Committee on Municipal Corporations.

SENATE BILL No. 266. (HOUSE BILL No. 903.)

An Act to further amend clause (i) of section four hundred ten of the act approved the seventeenth day of May one thousand nine hundred and twenty-one (P. L. 682) entitled "An act relating to insurance amending revising and consolidating the law providing for the incorporation of insurance companies and the regulation supervision and protection of home and foreign insurance companies Lloyds associations reciprocal and inter-insurance exchanges and fire insurance rating bureaus and the regulation and supervision of insurance carried by such companies associations and exchanges including insurance carried by the State Workmen's Insurance Fund providing penalties and repealing existing laws" by further regulating the computation of extended term insurance in the uniform policy provisions of life insurance policies.

Referred to the Committee on Insurance.

SENATE BILL No. 144. (HOUSE BILL No. 904.)

An Act making a deficiency appropriation out of the Motor License Fund to the Department of Highways.

Referred to the Committee on Appropriations.

RESOLUTION INTRODUCED AND REFERRED

By Mr. SARRAF. (Concurrent) RESOLUTION No. 56.

In the House of Representatives, March 19, 1941.

Whereas, "The Glory that was Greece," is a term well known to educated men the world over. Greece of antiquity was the cradle of our civilization. From Greece we have derived our laws, our literature, our art, our concepts of justice and of the dignity of man. Indeed, Greece belongs to all mankind:

Whereas, that treasured pearl of our language, the word democracy, meaning the rule of the people, is derived from the ancient Greek, Democracy was founded in ancient Athens. When Greece of the early Christian

era, the home of so many Saints, Fathers and Doctors of the Church, fell to the pagan conqueror, the word democracy vanished through the ages to be revived by our own glorious nation at its foundation.

Whereas, on March 25, 1821, the Greece of modern times became an independent nation through the never-ending faith, hope, and courage of her people. In the century that followed, Greece all too often has been the battle ground of nations, but the spirit of indomitable courage of the Lacedamonians at Thermopylae has been handed down through centuries. Indeed, the word Spartan is synonymous with courage. Today, Greece again struggles to maintain her liberty and freedom as a nation; she defends not only her soil, but those classical treasures of antiquity of which she is the world's custodian; once ruined in the havoc of modern war, they can never be restored. It is to be hoped that when peace is restored that the nations of the world will remember the "Glory that is Greece" and restore all Greek territory to the blue and white cross of St. George.

Whereas, the Greeks have been associated with the United States since the early days of the Republic. In 1794 the first challenge to our infant nation embroiled us in war with the Barbary States of Northern Africa. Our slogan of that day, "Millions for defense, but not a cent for tribute," brought us the respect of the nations of the world. The slogan is still valid in our day! Our young navy crossed the seas and wrote glorious chapters of our history under Decatur and Bainbridge.

Wars are not won by naval victories alone; our infant republic could not send a military expedition across the seas. However, a military force was organized under the command of General William Eaton, U. S. A., and Colonel Tobias Lear who had been military secretary to George Washington; this force was composed mainly of Greeks supported by a small force of Neapolitan gunners. These Greek companies fought valiantly alongside the United States Marines. Their repeated assaults brought the war to a successful conclusion in 1805 by the capture of the Tripolitan Capitol of Derne. Our Greek companies were repeatedly mentioned in the dispatches for their courage and sacrifice. Thus General Eaton, in his dispatch to Commodore Samuel Barron concerning the assault on Derne on April 29, 1805, states, "Our forces ashore successfully assaulted Derne, led by Patrick N. O'Bannon of the Marines along with our Greek companies. The loss in killed and wounded this day were mostly Greeks. They well supported their ancient character." Thus the Greeks made the supreme sacrifice and contributed their lives in the early days of our republic.

Whereas, people of Greek origin or descent have greatly contributed to the progress of the United States as citizens of the republic. They have been loyal, progressive and law abiding. They have entered the various phases of American life and contributed greatly thereto. They have been noted for their community spirit in matters of charity and human kindness. Their campaign in education for American citizenship has been outstanding. In the early days of our present economic depression, having engaged extensively in the food trades in the United States, they willingly fed thousands of persons out of their love for their fellow man before either private or governmental social agencies could bring themselves to the realization of the catastrophe that had overtaken us.

Whereas, a campaign is now in progress in the United States for the purpose of raising funds for the distressed women and children of Greece. Such relief as has been afforded has been most thankfully received. The campaign has been conducted with dignity and restraint. Our citizens of Hellenic origin have steadfastly refused to indulge in a campaign of recrimination and hate, or tell us what we should do on their behalf. This is eminently befitting an ancient and cultured people. They realize that our nation is derived from many peoples and that our national unity is of paramount importance. Now be it therefore

Resolved, (if the Senate concur), That the legislature of this state acknowledge the contribution made to our nation by persons of Hellenic origin by endorsing the

celebration of Greek Independence Day on March 25 as Hellenic Day, and be it further

Resolved, (if the Senate concur), that his Excellency, the Governor of Pennsylvania shall issue, publish and declare an appropriate proclamation to the people of Pennsylvania, designating for observance this year, the twenty-fifth day of March, as Hellenic Day.

Referred to the Committee on Rules.

LEAVE OF ABSENCE

By unanimous consent leave of absence was granted as follows:

Mr. McMillen for Mr. HEWIT for today's session.

REPORTS FROM COMMITTEES

Mr. LESKO, from the Committee on Counties, reported as committed House Bill No. 112, entitled:

An Act to amend 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 relating thereto," authorizing counties of the third, fourth, fifth and sixth classes to acquire by lease, purchase or condemnation, land within the county for the purpose of establishing and maintaining airdromes and aviation landing fields; authorizing the leasing of such facilities and the joint operation by said county of such facilities with other political subdivisions; and authorizing appropriations for such purposes.

Mr. McFALL, from the Committee on Counties, reported as committed, House Bill No. 314, entitled:

An act to repeal certain local laws relating to The Berks County Prison and relating to the Board of Prison Inspectors and Prison Inspectors of said prison.

Mr. HEATHERINGTON, from the Committee on Highways, reported as committed, House Bill No. 107, entitled:

An Act to amend section eleven of the act, approved the twenty-seventh (P. L. 395), entitled "An act empowering the Department of Highways to acquire certain toll bridges within the Commonwealth; providing the procedure therefor; providing for the reimbursement of the Commonwealth from tolls and charges; and making an appropriation," as amended, by providing that such toll bridges heretofore or hereafter acquired by the Department of Highways shall be free bridges from the effective date of this act or from the date they are so acquired.

ANNOUNCEMENT BY SPEAKER

The SPEAKER. There appears to be a misapprehension as to the rights of members in becoming co-sponsors of bills.

Rule 18 of the House provides

"All bills shall be presented in triplicate, and signed by the members introducing the same, and date of filing entered thereon. The original copy is for the use of the committee, the second copy is for the use of the printer and the third copy is for the use of the members of the press. No House bill shall have more than two sponsors."

No member may become a co-sponsor of a bill after its introduction and reference. Immediately following introduction and reference, the original copy of the bill is sent to committee, the second copy has gone to the printer and third copy is already in the hands of the press, in addition the history has been compiled and the official Journal

entries made therefore, it must be obvious to the members that it is impossible to recall the original copies of the bills to permit adding a sponsor.

It is very important that both sponsors and co-sponsors endorse all three copies of the bills when presented—this is the only time they can be signed.

PARLIAMENTARY INQUIRY

Mr. CORDIER. I rise to a question of parliamentary inquiry.

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

Mr. CORDIER. Mr. Speaker, is it possible to have a co-sponsor on a resolution after it has been referred to committee?

The SPEAKER. The same procedure applies to resolutions that applies to bills.

Mr. CORDIER. Mr. Speaker, is it possible to have a co-sponsor of a bill after it has reached committee?

The SPEAKER. Not after it has been referred to committee.

Mr. CORDIER. Mr. Speaker, then the House established a precedent two weeks ago, when a co-sponsor was added to Resolution 43, providing for the adjourning of tax sales in the Commonwealth.

The SPEAKER. The Chair is giving this information to the House for future guidance. What has happened in the past is beyond control of the Chair.

SPECIAL ORDER—HOUSE BILL 463

Mr. ACHTERMAN. Mr. Speaker, I move that House Bill No. 63, Printer's No. 82, on page 9 of today's calendar, bills on third reading, be made a special order of business at this time.

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. 463, as follows:

An Act 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 Military Reservation at Indiantown Gap and imposing certain duties upon the Department of Property and Supplies

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

Section 1 The sum of fifty-seven thousand dollars (\$57,000) or so much thereof as may be necessary is hereby specifically appropriated to the Department of Military Affairs for the acquisition by purchase or condemnation of additional lands to be used for or in connection with the Military Reservation at Indiantown Gap and for the payment of labor and the purchase of supplies material and equipment deemed necessary for the improvement of the said military reservation and for enlarging and making the same suitable and proper for military reservation purposes. No lands shall be purchased or condemned for such purpose except by the Department of Property and Supplies in the manner provided by the Administration Code of 1929

Section 2 This act shall become effective immediately upon final enactment

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

On the question,

Shall the bill pass finally?

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

YEAS—204

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

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.

BILLS ON FIRST READING

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 656, entitled:

An Act to amend the third paragraph of article seven of the act, approved the seventh day of March, one thousand nine hundred and one (P. L. 20), entitled "An act for the government of cities of the second class," permitting the city treasurer to collect delinquent taxes under the act approved the thirtieth day of March one thousand nine hundred and three (P. L. 106).

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. 583, entitled:

An Act authorizing the Department of Property and Supplies, with the approval of the Governor, to sell and convey two certain plots of land.

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. 259, entitled:

An Act to further amend sections four hundred eleven, and six hundred ten of the act, approved the twenty-ninth day of November, one thousand nine hundred and thirty-three (Pamphlet Laws fifteen—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 fixing the hours during which liquor, malt or brewed beverages may be sold; and imposing further penalties.

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. 487, entitled:

An Act to repeal clause (o) of section seven 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 eliminating requirement that the names of general assistance recipients be made public.

On the question,

Will the House agree to the bill on first reading?

Mr. WOODSIDE. On the reading of this bill I would like to make a remark or two, on the form of the bill. In section 1 of this proposed bill states it seems that clause 0 in section 7—

The SPEAKER. Will the gentleman ask unanimous consent to discuss this bill? The rules do not permit debate on bills on first reading.

Mr. WOODSIDE. Mr. Speaker, I ask unanimous consent to discuss this bill.

The SPEAKER. Will the House give unanimous consent to discuss this bill? The Chair hears no objection and the gentleman will proceed.

Mr. WOODSIDE. Mr. Speaker, House Bill 487, section 1 reads, "Clause 0 of section 7 of an act approved the twenty-fourth day of June 1937, P. L. 2051, entitled an act," and then quotes the act, "and the amendments thereto are hereby repealed."

In my opinion that is not only bad form but is illegal and improper. Whether it is illegal or improper or not it certainly is a practice which should not be adopted by this House, because the situation as it develops is this: you want to know what has been amended, and you refer to the act of 1937, if you happen to have the Pamphlet Laws in front of you. You will find if you refer to that act that there is no clause 0 in the act at all. Then you look at the acts passed in subsequent sessions of the Legislature to determine in which session this section of the act was amended and 0 clause added. Under those circumstances, if you do not happen to have the act of 1790, you must either refer to a Digest, which may or may not be correct, or you must review the Pamphlet Laws of every session of the Legislature from 1790 to date.

I make this statement on the floor of the House rather than calling it to the attention of the sponsor for the reason that I think it should be called to the attention of all the Members of the House, as well as the Legislative Reference Bureau, so that hereafter in drafting this type of legislation reference will be made to the amendments and parts to be repealed. It is my opinion in a situation of this kind, where the part to be amended is only one clause, the clause itself should be in the bill so that it will not be necessary for the Members of the Legislature when they are studying the bill to go to their Pamphlet Laws to see what the amendment is they are repealing.

PERMISSION TO ADDRESS THE HOUSE

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

Mr. Speaker, in answer to the gentleman from Dauphin, I will say that Bill No. 487, Printers No. 91 repeals a section of the Act of 1937. The question in my mind is: how the Legislative Reference Bureau could possibly call to the attention of the Members of the House in drafting the act the section repealed other than to refer in the title to the Act of 1937 and the number of the act in the Pamphlet Laws.

I would also say, in answer to the gentleman from Dauphin, that that has been the practice as I understand it, and it certainly could not be written in any other way and convey to the Members the fact that we are attempting to repeal an act that was repealed by a subsequent session of Legislature.

In further answer to the gentleman from Dauphin, I would say that I, as sponsor of the bill, was in accord with the Legislative Reference Bureau in drafting this bill, and to date I am not convinced that the bill is in any manner faulty or erroneous.

Mr. WOODSIDE. Mr. Speaker, this is a matter of procedure and I believe it is important enough to the House to take time to discuss it. I ask unanimous consent to discuss the matter further and to interrogate the sponsor of the bill, the gentleman from Philadelphia, Mr. Levy.

The SPEAKER. The Chair hears no objection and the gentleman will proceed.

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

Mr. LEVY. I shall, Mr. Speaker.

Mr. WOODSIDE. Mr. Speaker, I again apologize to the sponsor for not having discussed this matter with him privately before this interrogation, but since he has answered as he has, I would like to ask him whether he realizes that clause "0" is not in the 1937 act, clause "0" of section 7 is not in the 1937 act?

Mr. LEVY. Mr. Speaker, in answer to the gentleman from Dauphin, he is perfectly right in his statement, clause "0" is not in the 1937 act as passed by this Assembly.

Mr. WOODSIDE. Mr. Speaker, should not reference be made to the 1939 act which amends the 1937 act and puts clause "0" into the 1937 act, which is the only place in the Pamphlet Laws of Pennsylvania where you can find this clause "0" which is being repealed, and should not reference to the 1939 act be placed in the body of bill 487?

Mr. LEVY. Mr. Speaker, in answer to the gentleman, I would say that in my estimation he is correct in one way, however, he is incorrect in another. The fact remains that in the 1937 relief act, clause "0" is not in the act itself. But the gentleman from Dauphin knows full well that in 1939, in amending the 1937 act, the sponsor of the bill at that time added another section to his amendment, and clause "0" was then inserted. Therefore, I say to the gentleman from Dauphin that he is correct in his assertion that clause "0" was not in the original act of 1937. However, in the amendments offered in 1939, which were enacted into law, clause "0" was inserted in the 1939 amendments, but how could we intelligently debate an amendment offered in 1941 if we do not make reference to a section which was added in 1939 as an amendment to the original act of 1937?

Mr. WOODSIDE. That is exactly the point, Mr. Speaker. How can we intelligently discuss this subject unless you make reference to the Act of 1939, which shows this section, and which is the only place in the Pamphlet Laws of Pennsylvania where you can find this section.

The gentleman is right, in that the bill should refer to the Act of 1937 because, of course, that is the act which was amended by the Act of 1939, but the bill is in bad form unless it also refers to the Act of 1939, because in no other way can any of the members of this House find clause "0" except by referring to the act of 1939.

Let us take an example. I am talking about form generally, not this particular bill, but generally in relation to all bills. Suppose it happened to be, instead of an Act of 1937, an act of 1837. It would then have been impossible to find where it had been amended unless you happened to know, went through all the Pamphlet Laws of Pennsylvania or were a lawyer and had digests or access to them such as "Purdons" or "West." Then you would refer to the Digest and find the amendment.

For that reason it seems perfectly evident to me that any bill which amends a section or repeals a section ought to make reference, not only to the original act, but to the amendment, and that is doubly true in any case where the section to be repealed or amended is not contained in the original act. It is a matter of form which

ought to be perfectly evident. I consulted with the Attorney General's office briefly and obtained a curb-stone opinion. I was advised that although they feel it is proper to amend an act by reference, as is done here, there certainly should always be a reference made to any section which is to be repealed or amended by a bill before the House or Senate.

Mr. LEVY. Mr. Speaker, again in answer to the gentleman from Dauphin, as he I do not wish to take up too much of the time of the House in discussing this matter but I think it is of such importance that it warrants further discussion, inasmuch as it might have an important bearing in the future. I would say, in all fairness, that the title of the bill should have included reference to the 1939 amendment, but apparently the Legislative Reference Bureau in framing the title, being such competent lawyers as they are, thought the Members in the well of the House were of the same timber.

I would say to the gentleman from Dauphin it might be difficult and cumbersome for new Members in glancing over the bill to refer to the 1939 act without a great deal of research, and I can assure the gentleman that on second reading of the bill I will include a reference to the 1939 act.

On the question recurring,

Will the House agree to the bill on first reading?

It was agreed to.

And said bill having been read at length the first time.

Ordered, To be laid aside for second reading.

BILLS ON FIRST READING

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 692, entitled:

An Act to amend clauses (k) and (l), and to add clause (n) to section two thousand four hundred two of the act, approved the ninth day of April, one thousand nine hundred and twenty-nine (P. L. 177), entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions, and officers thereof, including the boards of trustees of State Normal Schools, or Teachers Colleges; abolishing, creating, reorganizing of certain administrative departments, boards, and commissions; defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, commissions, and officers; fixing the salaries of the Governor, Lieutenant-Governor and certain other executive and administrative officers; providing for the appointment of certain administrative officers, and of all deputies and other assistants and employes in certain departments, boards, and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments, boards and commissions shall be determined." authorizing the leasing of Indiantown Gap Military Reservation to the United States.

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. 653, entitled:

An Act to add clause eighteen A to section three of article nineteen of the act, approved the seventh day of March, one thousand nine hundred one (P. L. 20), en-

titled "An act for the government of cities of the second class," authorizing cities of the second class to impose and collect charges for the care and treatment at municipal hospitals of persons who are financially able to pay the expenses of such care and treatment.

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. 401, entitled:

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

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. 588, entitled:

An Act providing for the acquisition by the Department of Property and Supplies of a tract of land fronting on Lake Erie, situated in the township of North East, County of Erie, and for its development and maintenance as a state park by the Department of Forests and Waters; and making an appropriation.

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. 553, entitled:

An Act to amend section twenty-two of the act approved the seventh day of June, one thousand nine hundred and seventeen (P. L. 403), entitled "An act relating to the form, execution, revocation, and interpretation of wills; to muncupative wills; to the appointment of testamentary guardians; to spendthrift trusts; to forfeiture of devise or legacy in case of murder of testator; to elections to take under or against wills, and to the recording and registering of such elections and of decrees relative thereto, and to the fees therefor," by providing for forfeiture of the right to take property under the will of a murdered testator.

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. 554, entitled:

An Act to amend section twenty-three of the act approved the seventh day of June, one thousand nine hundred and seventeen (P. L. 429), entitled "An act relating to the descent and distribution of the real and personal property of persons dying intestate; and to provide for the recording and registering of the decrees of the orphans' court in connection therewith, and the fees therefor," by providing for forfeiture of the right to inherit or to take property of a murdered intestate under the said act.

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. 393, entitled:

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

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. 237, entitled:

An Act to further amend section four hundred three of the act, approved the twenty-fourth day of June, one thousand nine hundred thirty-seven (P. L. 2017), entitled "An act creating in each county (except of the first class) as a separate corporation, and in each city of the first and second class as a part of the city government, an institution district for the care and maintenance of certain indigent persons and children; prescribing the powers and duties of county commissioners, county treasurers, city departments of public welfare, the State Department of Welfare and the State Department of Public Assistance, in respect thereto; abolishing certain poor districts and terminating the terms of directors, overseers, guardians, and managers of the poor and poor district auditors, and providing for the temporary employment of certain of them; providing for the transfer, vesting, sale and disposition of the property of poor districts and the payment of their obligations; imposing certain existing obligations on institution districts and on the Commonwealth; regulating the affairs of poor districts until abolished; revising, amending, changing and consolidating the law relating to the care of the poor; and repealing existing laws," increasing the maximum cost of burial.

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. 158, entitled:

An Act to further amend sections two hundred two and four hundred two, to repeal section eight hundred eight of, and to add section one thousand one hundred three to, the act, approved the ninth day of April, one thousand nine hundred and twenty-nine (P. L. 177), entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions, and officers thereof, in-

cluding the board of trustees of State Normal Schools, or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards, and commissions; defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, commissions, and officers; fixing the salaries of the Governor, Lieutenant Governor, and certain other executive and administrative officers; providing for the appointment of certain administrative officers, and of all deputies and other assistants and employes in certain departments, boards, and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments, boards, and commissions shall be determined," transferring the State Employees' Retirement Board from the Department of State to the Treasury Department.

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. 159, entitled:

An Act to further amend sections four and twenty-two of the act, approved the twenty-seventh day of June, one thousand nine hundred twenty-three (P. L. 858), entitled "An act establishing a State employes' retirement system, and creating a retirement board for the administration thereof; establishing certain funds from contributions by the Commonwealth and contributing State employes; defining the uses and purposes thereof and the manner of payments therefrom, and providing for the guaranty by the Commonwealth of certain of said funds; imposing powers and duties upon the heads of departments in which State employes serve; excepting annuities, allowances, returns, benefits, and rights from taxation and judicial process; and providing penalties," by transferring the State Employees' Retirement Board from the Department of State to Treasury Department; and transferring certain appropriations.

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. 639, entitled:

An Act requiring the Department of Property and Supplies, with the approval of the Department of Military Affairs to complete and thereafter maintain "The Twenty-eighth Division Shrine," at Boalsburg, Centre County; dedicating the same to the officers and men of the Twenty-eighth Division; and making an appropriation.

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. 444, entitled:

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.

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. 616, entitled:

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

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 first reading and consideration of House Bill No. 376, entitled:

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

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 first 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 Sunday.

And said bill having been read at length the second time and agreed to
Ordered, To be transcribed for a third reading.

SENATE MESSAGE

HOUSE BILL CONCURRED IN BY SENATE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

House Bill No. 225.

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

With the information that the Senate has passed the same without amendment.

BILLS SIGNED BY SPEAKER

Bill numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the titles were publicly read as follows:

HOUSE BILL No. 225.

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.

SENATE BILL No. 198.

An Act to validate and quiet the title to real estate in this Commonwealth held by a foreign corporation unauthorized to hold the same, and heretofore conveyed to a citizen of the United States or a corporation authorized to hold such real estate.

Whereupon,
The SPEAKER, in the presence of the House, signed the same.

BILLS ON THIRD READING

Agreeably to order,
The House proceeded to the third reading and consideration of House Bill No. 561, as follows:

An Act to amend section six hundred and eight of the act approved the fifteenth day of May one thousand nine hundred and thirty-three (Pamphlet Laws 624) entitled "An act relating to the business of banking and to the exercise of fiduciary powers by corporations providing for the organization of corporations with fiduciary powers and of banking corporations with or without fiduciary powers including the conversion of National banks into State banks and for the licensing of private bankers defining the rights powers duties liabilities and immunities of such corporations of existent corporations authorized to engage in a banking business with or without fiduciary powers of private bankers and of the officers directors trustees shareholders attorneys and other employees of all such corporations or private bankers or of affiliated corporations associations or persons restricting the exercise of banking powers by any other corporation association or person and of fiduciary powers by any other corporation conferring powers and imposing duties upon the courts prothonotaries recorders of deeds and certain State departments commissions and officers imposing penalties and repealing certain acts and parts of acts" by making further provision concerning the voting of shares held by incorporated institutions

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

Section 1 Section six hundred and eight of the act approved the fifteenth day of May one thousand nine hundred and thirty-three (Pamphlet Laws 624) entitled "An act relating to the business of banking and to the exercise of fiduciary powers by corporations providing for the organization of corporations with fiduciary powers and of banking corporations with or without fiduciary powers including the conversion of National banks into State banks and for the licensing of private bankers defining the rights powers duties liabilities and immunities of such corporations of existent corporations authorized to engage in a banking business with or without fiduciary powers of private bankers and of the officers directors trustees shareholders attorneys and other employees of all such corporations or private bankers or of affiliated corporations associations or persons restricting the exercise of banking powers by any other corporation association or person and of fiduciary powers by any other corporation conferring powers and imposing duties upon the courts prothonotaries recorders of deeds and certain State departments commissions and officers imposing penalties and repealing certain acts and parts of acts" is hereby amended to read as follows

Section 608 Voting Shares Held by an Incorporated Institution An incorporated institution or any other corporation owning shares in a bank a bank and trust company or a trust company or an incorporated institution owning shares in any other corporation may vote them by its president or by any vice-president or by proxy appointed by [him] its president or by any vice-president unless some other person by resolution of its board of directors or board of trustees shall be [appointed] designated to vote or to appoint proxies to vote such shares in which case such person or the proxy appointed by him shall be entitled to vote [the] any such shares upon the production of a certified copy of such resolution Shares of its own capital belonging to a bank a bank and trust company or a trust company shall not be voted directly or indirectly at any meeting and shall not be counted in determining the total number of outstanding shares for voting purposes at any given time but where a bank and trust company or a trust company holds its

own shares in a fiduciary capacity such shares may be voted and shall be counted in determining the total number of outstanding shares at any given time

Section 2 This act shall become effective immediately upon its final enactment

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

On the question,

Shall the bill pass finally?

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

YEAS 204

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

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 604, as follows:

An Act to amend section three of the act approved the twenty-fourth day of June one thousand nine hundred and thirty-seven (Pamphlet Laws 2045) entitled "An act relating to the support of indigent persons publicly cared for or assisted providing for the support of such

persons by certain relatives and for the recovery of public moneys expended for care and assistance from the property and estates of such persons providing for guardians of the person and property of such persons providing for the arrest and seizure and sale of the property of deserters and providing procedure" by defining further the duty of support of indigent persons by children or grandchildren

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

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

Section 3 Relatives Liable for the Support of Indigent Persons Procedure to Enforce Support (a) The husband wife child father mother grandparent and grandchild of every indigent person shall if of sufficient financial ability care for and maintain or financially assist such indigent person at such rate as the court of the county where such indigent person resides shall order or direct

(b) The courts shall have power to hear determine and make orders and decrees in such cases upon the petition of such indigent person or of any other person or any public body or public agency having any interest in the care maintenance or assistance of such indigent person except no support order or decree shall be made in favor of an indigent parent or grandparent when the children or grandchildren established by satisfactory evidence that such parent or grandparent wilfully refused to support such children or grandchildren when under a legal duty to do so under the laws of the Commonwealth

(c) In all cases where an order has been made by the court for the care and maintenance or assistance of a husband wife father mother child grandfather grandmother or grandchild whether or not confined in any public institution and the said order has not been complied with the court or any judge thereof upon affidavit or petition filed setting forth that the person on whom the said order has been made has not complied with the said order shall issue an attachment directed to the sheriff or other proper officer of the county directing and commanding that the person named as having failed to comply with said order be brought before the court at such time as the court may direct If it shall appear to the court after hearing that the person on whom the said order was made has wilfully neglected or refused to comply with said order the court may adjudge said person in contempt of court and in its discretion may commit said person to the county jail for a period not exceeding six months

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 203

Allmond,	French,	Marks,	Rush,
Auker,	Gallagher,	Maxwell,	Sarge,
Baker,	Gates,	McClanaghan,	Sarraf,
Balthaser,	Gerard,	McClester,	Scanlon,
Baughner,	Gillan,	McDermott,	Schwab,
Bentley,	Gillette,	McDowell,	Serrill,
Bentzel,	Goodwin,	McFall,	Shaffer,
Boney,	Greenwood,	McIntosh,	Shaw,
Boorse,	Gross,	McKinney,	Shepard,

Bower,	Gryskewicz,	McLanahan,	Simons,
Bradley,	Gyger,	McLane,	Skale,
Breth,	Habbyshaw,	McMillen,	Snyder,
Bretherick,	Haberlen,	McSurdy,	Sollenberger,
Brown,	Haines,	Melchiorre,	Sorg,
Brunner, C. H.,	Hall,	Mihm,	Stambaugh,
Brunner, P. A.,	Hamilton,	Model,	Stank,
Burns,	Hare,	Monks,	Stine,
Burns,	Harkins,	Mooney,	Stockham,
Burriss,	Harmuth,	Moran,	Tarr,
Cadwalader,	Harris,	Moul,	Tate,
Chervenak,	Heatherington,	Muir,	Taylor,
Chudoff,	Helm,	Munley,	Thompson, E. F.,
Cochran,	Hering,	Nagel,	Thompson, R. L.,
Cohen, M. M.,	Herman,	Nunemacher,	Trout,
Cohen, R. E.,	Hersch,	O'Brien,	Turner,
Cook,	Hirsch,	O'Connor,	Van Allsburg,
Cooper,	Huntley,	O'Dare,	Verona,
Cordier,	Imbrie,	O'Mullen,	Vincent,
Corrigan,	James,	O'Neill,	Vogt,
Croop,	Jefferson,	Owens,	Voldow,
Cullen,	Jones, G. E.,	Petrosky,	Voorhees,
Dalrymple,	Jones, P. N.,	Pettit,	Wagner,
Dennison,	Keenan,	Polaski,	Watkins,
DiGenova,	Kenehan,	Polen,	Weingartner,
Dix,	Kline,	Powers,	Weiss,
Dolon,	Knoble,	Prosen,	Welsh, E. B.,
D'Ortona,	Kolankiewicz,	Rank,	Welsh, M. J.,
D. fly,	Komorowski,	Rausch,	Wilkinson,
Early,	Krise,	Readinger,	Williams,
Eckels,	Lee, E. A.,	Reagan,	Winner,
Elder,	Lee, T. H.,	Reese, D. P.,	Wolf,
Elliott,	Leisey,	Reese, R. E.,	Wood, L. H.,
Ely,	Leonard,	Regan,	Wood, N.,
Falkenstein,	Lesko,	Reynolds,	Woodring,
Finestone,	Levy,	Rhea,	Woodside,
Fisher,	Leydic,	Riley,	Wright,
Fiss,	Lichtenwalter,	Rooney,	Yeakel,
Fleming,	Longo,	Rose, S.,	Yester,
Fletcher,	Lovett,	Rose, W. E.,	Young,
Flynn,	Lyons,	Rosenfeld,	Kilroy,
Foor,	Malloy,	Royer,	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.

REPORTS FROM COMMITTEES

Mr. BAKER, from the Committee on Workmen's Compensation, reported as committed, House Bill No. 251, entitled:

An Act to amend section eleven of the act approved the first day of July, one thousand nine hundred and thirty-seven (P. L. 2532), entitled "An act to establish funds to provide security for the payment of benefits in event of the insolvency of an insurance carrier authorized to write workmen's compensation insurance in this Commonwealth; and to provide for the administration thereof," by providing that payment of an award from the funds established by said act shall not provide any right of recovery against the employer; and that the employer may pay the award in advance of payment from the fund and shall thereupon be subrogated to the rights of the employe or any other party in interest against the fund.

Mr. LEONARD, from the Committee on Workmen's Compensation, reported as committed, House Bill No. 364, entitled:

An Act to amend the act approved the twenty-first day of June, one thousand nine hundred and thirty-nine (P. L. 566), entitled "A supplement to the act, approved the second day of June, one thousand nine hundred and fifteen (Pamphlet Laws, seven hundred thirty-six), entitled, as amended 'An act defining the liability of an employer to pay damages for injuries received by an employe in the course of employment; establishing an elective schedule of compensation; providing procedure for the determination of liability and compensation there-

under; and prescribing penalties,' as reenacted and amended, providing for the payment of compensation to volunteer firemen or their dependents," amplifying the provisions thereof as to persons entitled to such payments.

Mr. NAGEL, from the Committee on Education, reported as committed, House Bill No. 50, entitled:

An Act to repeal section four hundred eight 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."

Mr. GOODWIN, from the Committee on Townships, reported as amended, House Bill No. 226, entitled:

An Act to reenact and amend the title and the act, approved the second day of July, one thousand nine hundred and thirty-seven (P. L. 2803), entitled "An act providing a method of annexation of townships of the first class, and parts thereof, to cities and boroughs, and regulating the proceedings pertaining thereto," providing for the annexation of townships of the first class or parts thereof to other townships of the first class.

RESOLUTIONS

THANKS EXTENDED

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

The resolution was read, considered and adopted:

In the House of Representatives, March 19, 1941.

When we are privileged to listen to an inspiring flow of oratory such as that delivered at the St. Patrick party last evening by the Honorable Clare Gerald Fenerty, Judge of Common Pleas Court No. 5 of Philadelphia, it is indeed fitting that we take formal action in expressing our appreciation and our gratitude.

Judge Fenerty's exposition of the ancient culture, science and art of Ireland was such as to stir the heart of every son of Erin, and of every other listener as well, whose good fortune it was to celebrate the Day of St. Patrick with the General Assembly of Pennsylvania; therefore be it

Resolved, That the House of Representatives hereby thanks Judge Fenerty for coming to Harrisburg and for his magnificent oration at the dinner in honor of the Patron Saint of Ireland; and be it

Resolved, That a certified copy of this resolution be forwarded by the Chief Clerk to the Honorable Clare G. Fenerty at Philadelphia.

THANKS EXTENDED

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

The resolution was read, considered and adopted:

In the House of Representatives, March 19, 1941.

An occasion that will linger for years in the happy memories of its participants in the St. Patrick's Day dinner of the General Assembly of 1941, held at the Penn-Harris Hotel on the evening of March 18th.

The unprecedented success of the party was due in the first instance to the tireless efforts of the committee on arrangements, who overlooked no detail to make the function the best in every respect of all similar affairs heretofore attempted, and Thomas J. Griffen, Secretary of Darby

Borough in Delaware County, Walter L. Miller, of the Chief Clerk's Office and Thomas J. Callahan, Chief Clerk of the House are to be especially commended for their work in providing an evening's entertainment which inter alia included a debate between a Senator from Philadelphia and the Governor, an apoplectic head-waiter, a most gifted story teller and more dignitaries than you could shake a stick at.

Particularly fortunate was the committee's selection of Jack Cummings, Honorary Chairman of the Sons of St. Patrick, as toastmaster for the dinner. His humor, personality and choice of language contributed so largely to its splendid success.

Most commendable also was the committee's choice of speakers and the entertainment, both spontaneous and which planned, added much to the mirth and gaiety everywhere prevalent; be it therefore

Resolved, That the House of Representatives give a rousing vote of thanks to its committee, both individually and collectively, for its and their outstanding service in giving us a celebration worthy of the great and good personage, whose birthday it commemorated, and worthy of the great and stalwart people, whose Patron Saint he is, and of the State and Nation adopted by many of its most loyal sons as their own; and be it further

Resolved, That copies of this resolution be presented by the Secretary of the House of Representatives (the Chief Clerk being a most industrious member of the committee) to each of the members of the committee to arrange a celebration of the Birthday of St. Patrick, and to Jack Cummings, in appreciation of his splendid services as toastmaster.

CONDOLENCE RESOLUTION

Mr. GILLAN offered the following 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 19, 1941.

Within a few months of the end of his allotted span of three score years and ten, John A. Finafrock, a well known educator of this Commonwealth, died at his home in Mercersburg in Franklin County, on Saturday, March 15th, after an illness of four months, leaving to survive him his wife, Mary Fallon Finafrock.

Mr. Finafrock was born December 16, 1871, in St. Thomas Township in Franklin County. At the age of seventeen, he began teaching in Hamilton township, and later taught in St. Thomas township, and for nineteen years was principal of the Mercersburg schools. Mr. Finafrock was a thorough student and supplemented his preparation for teaching by summer courses at Cornell University and the University of Pennsylvania.

During the summer of 1915, Mr. Finafrock was nominated by Superintendent L. E. Smith to be the first assistant county superintendent of Franklin County. His nomination was confirmed by the Executive Committee of the School Directors' Association of Franklin County. He served in this capacity until 1922 when he was elected to the superintendency. He served most efficiently as county superintendent of schools for twelve years (3 terms) until his voluntary retirement in 1934.

Mr. Finafrock was a local historian of wide reputation, was in demand as a speaker and was the author of numerous historical papers. At the time of his death, he was president of the Kittochtinny Historical Society, and the Enoch Brown Memorial Association. He was also a member of the board of trustees of State Teachers' College, Shippensburg, the Board of Regents of Mercersburg Academy, past president of the Southern Convention District of the Pennsylvania State Education Association, a member of the Board of Directors of the Children's Aid Society of Franklin County, an elder in the Trinity Evangelical and Reformed Church, Mercersburg, and a teacher of a Women's Bible Class; therefore be it

Resolved, That as a mark of respect to the memory of one who unselfishly devoted the years of his life to the furtherance of the interests of the community in which he lived, this House hereby directs that this resolution be

spread upon the records of the House and that a copy thereof be transmitted by the Chief Clerk to the widow of this outstanding Pennsylvanian as an evidence of the esteem and high regard in which he was held by those acquainted with his work in the Commonwealth.

HOUSE RESOLUTION No. 28

Mr. WILLIAMS. Mr. Speaker, I desire to call up House Resolution No. 28, Printer's No. 102.

The resolution was read by the Clerk as follows:

In the House of Representatives, February 12, 1941.

Whereas The stabilization of the bituminous coal industry through price fixing and the elimination of unfair competition is of greatest importance throughout many portions of the United States and particularly in the bituminous regions of the Commonwealth of Pennsylvania and

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

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

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

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

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

Resolved That one copy of this resolution be forwarded to each of the following

The President of the United States Franklin D Roosevelt
The Vice-President Henry A Wallace President of the United States Senate

Speaker Rayburn House of Representatives

Senator Joseph Guffey

Senator James J Davis

All members of the House delegation from Pennsylvania

On the question,

Will the House adopt the resolution?

It was adopted.

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

BIRTHDAY CONGRATULATIONS

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

In the House of Representatives, March 19, 1941.

Whereas, The Almighty Creator in his Infinite Wisdom hath created and permitted many things to exist, to the consternation and bewilderment of us mortals, and

Whereas, There exists today one of these creatures who is a member of this august House, and

Whereas, It is well known that in many instances "mighty oaks from little acorns grow," and

Whereas, No public recognition has ever been given to the "little acorns" that do not grow, and

Whereas, Today is the natal day of the "little acorn" that did not grow, therefore be it

Resolved, That the House extend to the Honorable William R. McMillen its congratulations on this anniversary date, and wish him many happy returns of the day.

Mr. McMILLEN. Mr. Speaker, inasmuch as these fellows have gone to all the trouble of mentioning acorns that grew and acorns that didn't grow, I would like to have Mr. Jefferson get up and let us see whether there are other acorns that didn't grow.

The SPEAKER. Will the gentleman from Jefferson please stand up.

Mr. McMILLEN. Mr. Speaker, I would also suggest that this House recommend to the gentleman that he take the curl out of his hair before he stands up to get into this sort of argument.

Mr. DENNISON. Mr. Speaker, the reason for using the word "acorn" in the resolution was because an acorn is one kind of nut.

COMMITTEE MEETINGS

The following Committee meetings were announced:

There will be a Public Hearing before the Committee on Professional Licensure on House Bill No. 227 on Tuesday, March 25, 1941 at 10 a. m. in the New House Caucus Room.

There will be a Public Hearing before the Committee on Liquor Control on House Bills Nos. 259 and 550 on Tuesday, March 25, 1941 at 11 a. m. in the Old House Caucus Room.

There will be a Public Hearing before the Committee on Agriculture on House Bill No. 481, Senate Bill No. 294, on Wednesday, March 26, 1941 at 1 p. m. in the Senate Chamber.

ADJOURNMENT

Mr. WRIGHT. Mr. Speaker, I move that this House do now adjourn until Monday, March 24, 1941, at 9 p. m.

The motion was agreed to, and (at 1:10 p. m.) the House adjourned.