

An Act providing that the Commonwealth of Pennsylvania and its political subdivisions employ only citizens and certain residents of the United States on a yearly salary basis.

On the question,

Will the Senate agree to the title?

Mr. MILLER. Mr. President, I move to amend title, Page 1, lines 2 and 3 of title, by striking out the following: "certain residents" and inserting in lieu thereof: "applicants to become citizens"; Further amend title, page 1, line 3, by striking out the following: "on a yearly salary basis."

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

On the question,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

Will the Senate agree to the title as amended?

The yeas and nays were required by Mr. CAVALCANTE and were as follows, viz:

YEAS—40

Barr,	Farrell,	Mallery,	Stiefel,
Bartlett,	Frey,	McCreesh,	Taylor,
Carr,	Geltz,	McCinnis,	Thomas,
Chapman,	Haluska,	McQuiddy,	Tyler,
Coleman,	Heyburn,	Miller,	Walker,
Crider,	James,	Mundy,	Watkins,
Crowe,	Jaspan,	Ruth,	Wilson, H. I.,
Deltrick,	Kephart,	Shapiro,	Wilson, T. E.,
Ealy,	Lanius,	Snowden,	Woodward,
Edmonds,	Letzler,	Stevenson,	Ziesenheim,

NAYS—4

Becker,	Cavalcante,	Cox,	Reed,
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So the question was determined in the affirmative.

And said bill as amended having been read at length the second time,

On the question,

Will the Senate agree to the bill?

Mr. EALY. Mr. President, it is evident now that a certain part of the title has been stricken out, to wit, the words "on a yearly salary basis," without those words having been stricken out of the body of the bill, and if it is the intention of these amendments to strike out the words "on a yearly salary basis," then I will ask that this bill go over for a few minutes until a further amendment is made to put the body of the bill in line with the title.

(The Senate was at ease.)

Mr. MILLER. Mr. President, I offer the following amendment to Senate Bill No. 50:

Amend Section 1, page 1, between lines 4 and 5 after the word "person" and before the word "who," by striking out the words: "on a yearly salary basis".

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

On the question,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

Will the Senate agree to the title as amended?

It was agreed to.

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

Ordered, To be transcribed for a third reading.

REPORT FROM COMMITTEE

Mr. SHAPIRO. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. SHAPIRO, from the Committee on Judiciary General reported as amended, Senate Bill No. 228, entitled:

An Act to further amend section twenty-six of the act, approved the second day of May, one thousand nine hundred and twenty-nine (P. L. 1237), entitled "An act affecting marital relations; prescribing grounds and regulating proceedings for divorce and the annulment of bigamous marriages; and amending, revising, and consolidating the law relating thereto," by requiring the filing of a statement to the effect that the respondent is not enrolled in the armed forces of the United States pursuant to any selective service act, or serving in the armed forces of the United States during actual time of war before the issuance of a subpoena.

ADJOURNMENT

Mr. GELTZ. Mr. President, I move that the Senate do now adjourn until Wednesday, March 26, 1941 at 11:00 o'clock a. m.

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

The motion was agreed to.

The Senate adjourned at 6:12 o'clock p. m., until Wednesday, March 26, 1941, at 11:00 o'clock a. m.

HOUSE OF REPRESENTATIVES

TUESDAY, March 25, 1941

The House met at 1 p. m.

The SPEAKER (Elmer Kilroy) in the Chair.

PRAYER

The Chaplain, Rev. DONALD McFALL, offered the following prayer:

Gracious God, our Heavenly Father, forgive us for permitting self-interest and self-will to destroy the foundations of our homes, for we have failed to make Thy will the center of our individual lives. Help us to stop our compromising with the forces of evil which allure us with great promises which can never be fulfilled. May we re-read the history of the past and learn anew before it is too late, that the only security that is lasting has its very foundation in Thee, the one true and living God. Help us in our weakness to be strong.

We beseech Thee to look with favor upon those of this House who are ill in body. May it please Thee to grant a speedy recovery to each, especially to Representative Jones of Lawrence County who recently underwent an operation. Hear our prayer for the needs of all men. 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. AUKER, unanimously agreed to, the further reading was dispensed with and the Journal approved.

BILLS INTRODUCED AND REFERRED

By Mr. WOLF. HOUSE BILL No. 940.

An Act to amend section 1202 by adding thereto clause LX, of the act approved the fourth day of May, one thousand nine hundred twenty-seven (P. L. 519) entitled, "An act concerning boroughs, and revising, amending, and consolidating the law relating to boroughs;" authorizing boroughs to appropriate money for the support of hospitals.

Referred to the Committee on Boroughs.

By Mr. HAMILTON. HOUSE BILL No. 941.

An Act making an appropriation to the Department of Public Instruction for the use of the Pennsylvania Historical Commission for the purpose of completing restoration and preparing for public use as a museum the property at Ambridge, Beaver County, Pennsylvania, formerly owned and occupied by the Harmony Society and known as "Old Economy".

Referred to the Committee on Appropriations.

By Messrs. NAGEL and GATES. HOUSE BILL No. 942.

An Act to amend section 699.4 of the act, approved the twenty-fourth day of June, one thousand nine hundred thirty-nine (P. L. 872), entitled, "An act to consolidate, amend and revise the penal laws of the Commonwealth," increasing the penalties for performing worldly employment, games or diversion on Sunday.

Referred to the Committee on Judiciary Special.

By Mr. WOLF. HOUSE BILL No. 943.

An Act to reenact and amend section 441 of the act approved the second day of May, one thousand nine hundred twenty-nine (P. L. 1278) entitled, "An act relating to counties of the second, third, fourth, fifth, sixth, seventh and eighth classes; and revising, amending and consolidating the laws relating thereto;" by authorizing boards of county commissioners to appropriate county moneys for the support of charitable hospitals.

Referred to the Committee on Counties.

By Mr. REGAN. HOUSE BILL No. 944.

An Act licensing and regulating the business of stripping anthracite coal; providing for the issuance and revocation of licenses by the Secretary of Mines; authorizing said Secretary to enter stripping operations; to issue regulations governing the administration of this act, and to appoint mining engineers who are empowered to enter stripping operations and inspect same; requiring a corporate surety bond to accompany every application for a license; authorizing appeals to the Court of Common Pleas of Dauphin County; and prescribing penalties.

Referred to the Committee on Mines and Mining.

By Mr. ROSENFELD. HOUSE BILL No. 945.

An Act to amend section three of the act, approved the seventh day of June, one thousand nine hundred and seventeen (P. L. 415), entitled "An act relating to the qualification, jurisdiction, powers, and duties of registers of wills, and regulating proceedings before said registers, and the costs thereof, the effects of their acts, and appeals therefrom," by requiring registers of wills to receive and file the wills of living persons, and prescribing the manner of fixing fees therefor.

Referred to the Committee on Judiciary General.

By Mr. ROSENFELD. HOUSE BILL No. 946.

An Act requiring moneys transferred from one state fund to another to be repaid within one year from date of transfer.

Referred to the Committee on Ways and Means.

By Mr. ROSENFELD. HOUSE BILL No. 947.

An Act providing that contributory negligence shall not be a bar to recovery of damages in actions brought for personal injuries, death or property damage.

Referred to the Committee on Judiciary General.

By Mr. THOMAS H. LEE. HOUSE BILL No. 948.

An Act providing for and regulating, subject to certain restrictions, limitations and liabilities, assistance to, and the burial of, certain aged indigent persons, and the administration of this act by the Department of Public Assistance, the county board of assistance in the several counties, and others; making counties liable for certain expenses; providing penalties; and making an appropriation.

Referred to the Committee on Welfare.

By Mr. REUBEN E. COHEN. HOUSE BILL No. 949.

An Act to further amend section nine of the act, approved the seventh day of June, one thousand nine hundred and seventeen (P. L. 363), entitled "An act relating to the organization, jurisdiction, and procedure of the orphans' courts; the powers and duties of the judges thereof; and appeals therefrom," by imposing liability on executors, administrators or trustees for real estate broker's commissions in certain cases.

Referred to the Committee on Judiciary Special.

By Mr. DOLON. HOUSE BILL No. 950.

An Act to add a new section to 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," requiring dealers to furnish certificates containing certain information in connection with sales or agreements for sale of used motor vehicles; requiring the affixing of stickers to certain used motor vehicles; providing for the issuance of insurance policies to purchasers of used motor vehicles under certain circumstances; imposing additional duties upon the Department of Revenue; and providing penalties.

Referred to the Committee on Motor Vehicles.

By Mr. DOLON. HOUSE BILL No. 951.

An Act to prohibit deductions from wage of employes for the payment of store bills, for goods, wares and merchandise; declaring, with certain exceptions, certain contracts, agreements and understandings against public policy, and void; and providing penalties.

Referred to the Committee on Judiciary General.

By Mr. HAINES.

HOUSE BILL No. 952.

An Act to further amend section four, and to amend section seventeen of the act, approved the twenty-first day of May, one thousand nine hundred and thirty-one (P. L. 149), entitled "An act imposing a State tax, payable by those herein defined as distributors, on liquid fuels used or sold and delivered within the Commonwealth, which are ordinarily, practically, and commercially usable in internal combustion engines for the generation of power; providing for the collection and lien of the tax, and the distribution and use of the proceeds thereof; requiring such distributors to secure permits, to file corporate surety bonds and reports, and to retain certain records; imposing duties on retail dealers, common carriers, county commissioners, and such distributors; providing for rewards; imposing certain costs on counties; conferring powers and imposing duties on certain State officers and departments; providing for refunds; imposing penalties; and making an appropriation," by providing for refunds of taxes paid on liquid fuels consumed for purposes other than the operation of motor vehicles on the public highways of this Commonwealth; and providing penalties.

Referred to the Committee on Ways and Means.

By Mr. HIRSCH.

HOUSE BILL No. 955.

An Act to further amend the act, approved the third day of May, one thousand nine hundred and thirty-three (P. L. 242), entitled "An act to promote the public health and safety by providing for examination and registration of those who desire to engage in the occupation of beauty culture; defining beauty culture, and regulating beauty culture shops, scholars, students, apprentices, teachers, managers and operators; conferring powers and duties upon the Department of Public Instruction; providing for appeals to certain courts by applicants and licensees; and providing penalties," by further defining beauty culture; making certain changes regarding the examination and registration of those desiring to engage in the occupation of beauty culture; modifying and increasing the regulations and requirements to be met and complied with by beauty culture schools, shops, students, apprentices, teachers, managers, operators and demonstrators; prescribing certain qualifications for examiners, inspectors and supervisors; making certain changes in the powers and duties of the Department of Public Instruction and in the procedure to be followed in the enforcement of the act.

Referred to the Committee on Professional Licensure.

By Mr. FRENCH.

HOUSE BILL No. 954.

An Act authorizing the Department of Property and Supplies to acquire by purchase, gift, lease or condemnation on behalf of the Commonwealth of Pennsylvania, a tract of land near the present site of the Joseph T. Rothrock memorial for the purpose of erecting a new and suitable memorial to the memory of Joseph T. Rothrock thereon; providing for the selection of such a site and memorial by and with the consent of the Pennsylvania Historical Commission; providing for the control, management, supervision, improvement and preservation and maintenance thereof; authorizing the Pennsylvania Historical Commission to make and enforce rules and regulations for the preservation and visitation thereof; and making an appropriation.

Referred to the Committee on Appropriations.

By Mr. VAN ALLSBURG.

HOUSE BILL No. 955.

An Act to amend section ninety-five of the act, approved the second day of May, one thousand nine hundred and twenty-five (P. L. 446), entitled "An act relating to fish; and amending, revising, consolidating, and changing the law relating to fish in the inland waters and the boundary lakes and boundary rivers of the Commonwealth," further regulating use of nets in boundary lakes.

Referred to the Committee on Fisheries.

By Mr. RUSSELL E. REESE.

HOUSE BILL No. 956.

An Act prescribing special qualification for members of the Allopathic and Homeopathic profession who desire to hold themselves out as specialists in any particular branch of medicine or surgery, providing for the examination and licensing of such members, providing a board for special medical qualification and medical specialists licensure in the Department of Public Instruction, defining the practice of medicine and surgery, providing penalties, and repealing all acts or parts of acts inconsistent herewith.

Referred to the Committee on Public Health and Sanitation.

By Mr. LLOYD H. WOOD.

HOUSE BILL No. 957.

An Act to amend the act, approved the fourth day of June, one thousand nine hundred and thirty-seven (P. L. 1625), entitled "An act providing for the creation, maintenance and operation of a county employes retirement system in counties of the third class; and imposing certain charges on counties," by defining "Average Salary" and further defining "County Employe" and "Retirement Allowance"; further regulating retirement funds and allowances and the payment of retirement allowances and refunds in case of withdrawal or death of members; validating certain contributions; providing for further admissions to the system and protecting rights heretofore vested.

Referred to the Committee on Counties.

By Messrs. BRETH and HAINES. HOUSE BILL No. 958.

An Act to add section eight hundred and eleven to the act, approved the third day of June, one thousand nine hundred and thirty seven (P. L. 1225), entitled "An act concerning game and other wild birds and wild animals; and amending, revising, consolidating, and changing the law relating thereto," requiring hunters to wear bright red on hunting cap or coat; and prescribing a penalty.

Referred to the Committee on Game.

By Mr. VAN ALLSBURG.

HOUSE BILL No. 959.

An Act to further amend section one of the act, approved the fourteenth day of May, one thousand nine hundred and twenty-five (P. L. 730), entitled "An act for the protection of the public health in the manufacture and sale of carbonated beverages and still drinks; providing for the registration thereof; prohibiting the sale, offering or exposing for sale, exchange or giving away thereof in certain cases unless registered; regulating the manufacture, bottling, preparation, mixing, and compounding of carbonated beverages or still drinks, and the sale and dispensing thereof; creating a special fund in the State Treasury; and providing penalties," making specific the exclusion of natural tomato juice from the provisions of said act.

Referred to the Committee on Public Health and Sanitation.

By Messrs. BAKER and LICHTENWALTER.

HOUSE BILL No. 960.

An Act to amend sections one and two and to further amend sections three and five of the act, approved the sixth day of April, one thousand nine hundred and eleven (P. L. 51), entitled "An act providing for the protection of the public health and the prevention of fraud and deception, by prohibiting the sale, the offering for sale, or exposing for sale, or having in possession with intent to sell, of adulterated or deleterious sausage; defining sausage; and prescribing the penalty for the violation thereof," making possession of adulterated sausage prima facie evidence of intent to sell; further defining and regulating the adulteration of sausage; and conferring powers on the Department of Agriculture.

Referred to the Committee on Public Health and Sanitation.

By Messrs. RAUCH and LICHTENWALTER.

HOUSE BILL No. 961.

An Act to amend subdivision (b) of article three of the act, approved the second day of May, one thousand nine hundred twenty-nine (P. L. 1278), entitled "An act relating to counties of the second, third, fourth, fifth, sixth, seventh and eighth classes; and revising, amending and consolidating the laws relating thereto," imposing on counties the duty of paying certain expenses incurred by recorders and deputies in attending the annual meeting of such association, and requiring counties to make certain contributions toward the cost of such annual meetings.

Referred to the Committee on Counties.

By Mr. LICHTENWALTER. HOUSE BILL No. 962

An Act to further amend the definition of the term "tractor" in section one hundred and two, to further amend section two hundred and three and to amend section five hundred and one of the act, approved the first day of May, one thousand nine hundred and twenty-nine (P. L. 1005), entitled "An act relating to and regulating tractors and trailers and their operation; providing for their registration, and the licensing of certain operators by the Department of Revenue 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 tractors and trailers; providing that records are admissible as evidence; imposing upon owners, counties, cities, boroughs, boroughs, incorporated towns, and townships, within the Commonwealth liability for damages caused by the negligent operation of tractors and trailers, 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 providing that altered or rebuilt motor vehicles used as tractors for exclusively agricultural purposes shall be included within the definition of "tractor," and prescribing the classification and registration fee of such altered or rebuilt vehicles.

Referred to the Committee on Motor Vehicles.

By Mr. LICHTENWALTER. HOUSE BILL No. 963

An Act to further amend the definition of the term "tractor" in section one hundred and two of the act, approved the first day of May, one thousand nine hundred and twenty-nine (P. L. 905), entitled "An act for the protection of the public safety; regulating the use of highways, and the operation of vehicles, tractors, street cars, trackless trolley omnibuses, bicycles, pedestrians, and the riding of animals upon the highway 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, and miscellaneous receipts; making an appropriation and providing for refunds," by extending such definition to include rebuilt or altered motor vehicles used as tractors for exclusively agricultural purposes.

Referred to the Committee on Motor Vehicles.

By Mr. HIRSCH.

HOUSE BILL No. 964.

An Act relating to the business of selling or leasing chattels on the installment or deferred payment plan; and prohibiting the joining in one agreement of sale or lease of chattels purchased or leased at different times.

Referred to the Committee on Judiciary General.

By Messrs. FISHER and BONEY. HOUSE BILL No. 965.

An Act to amend section seventeen of the act approved the eighth day of April, one thousand nine hundred and thirty-seven, (P. L. 262), entitled, "An act relating to consumer credit in amounts of one thousand dollars, (\$1,000) or less; requiring licenses from the Secretary of Banking; restricting licenses to domestic business corporations; fixing minimum capital requirements; conferring certain powers on the Secretary of Banking; limiting interest and other charges; providing certain exemptions; and imposing penalties;" by exempting from the provisions of said act certain contracts and loans and advances of money in connection with sales of insurance.

Referred to the Committee on Banking.

By Mr. MORAN. (By Request) HOUSE BILL No. 966.

An Act relating to the practice of the occupation or business of opticians; and providing for the licensing and registration of opticians and for the revocation and suspension of such licenses and registrations subject to appeal, and for their reinstatement; defining the powers and duties of the State Board of Examiners of Opticians and the Department of Public Instruction; and providing penalties.

Referred to the Committee on Professional Licensure.

By Mr. HARKINS. HOUSE BILL No. 967.

An Act to add a new section to the act, approved the twenty-third day of June, one thousand nine hundred and thirty-one (P. L. 932), entitled "An act relating to cities of the third class; and amending, revising, and consolidating the law relating thereto," prescribing a procedure whereby townships of the first class, having a population of eight thousand or more, may become cities of the third class upon petition to the court of quarter sessions; and providing for the incorporation of such townships as cities of the third class after the petition has been granted by the court.

Referred to the Committee on Township.

By Mr. HARKINS. HOUSE BILL No. 968.

An Act to amend section two hundred one of the act, approved the twenty-third day of June, one thousand nine hundred thirty-one (P. L. 932) entitled "An act relating to cities of the third class; and amending, revising, and consolidating the law relating thereto" by changing from ten thousand to eight thousand the population which certain political subdivisions must have before a referendum may be held on the question of becoming a city of the third class.

Referred to the Committee on Townships.

By Mr. HARKINS. HOUSE BILL No. 969.

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

Referred to the Committee on Townships.

By Messrs. MIHM and POWERS. HOUSE BILL No. 970.

An Act to further amend section six of the act approved the twenty-first day of May, one thousand nine hundred thirty-one (P. L. 149) as amended by the act approved the fifth day of June, one thousand nine hundred thirty-seven (P. L. 1703), and to further amend section ten of the act approved the twenty-first day of May, one thousand nine hundred thirty-one (P. L. 149), as last amended by the act approved the twenty-first day of June, one thousand nine hundred thirty-nine (P. L. 634), entitled "An act imposing a State tax, payable by those herein defined as distributors, on liquid fuels used or sold and delivered within the Commonwealth, which are ordinarily, practically usable in internal combustion engines for the generation of power; providing for the collection and lien of the tax, and the distribution and use of the proceeds thereof; requiring such distributors to secure permits, to file corporate surety bonds and reports, and to retain certain records; imposing duties on retail dealers, common carriers, county commissioners, and such distributors; providing for rewards; imposing certain costs on counties; conferring powers and imposing duties on certain State officers and departments; providing for refunds; imposing penalties; and making an appropriation", to provide for the making of separate reports on liquid fuels sold for aviation purposes, and to further provide for the establishment of an Aviation Liquid Fuels Tax Fund and the return of said taxes to counties of the second class.

Referred to the Committee on Ways and Means.

By Messrs. SHAFFER and GOODWIN.

HOUSE BILL No. 971.

An Act to further amend sections fifteen and fifteen and three-tenths, and to repeal sections fifteen and one-tenth and fifteen and two-tenths, of the act approved the sixteenth day of May, one thousand nine hundred and twenty-three (P. L. 207) entitled "An act providing when, how, upon what property, and to what extent, liens shall be allowed for taxes and for municipal improvements, for the removal of nuisances, and for water rents or rates, sewer rates and lighting rates; for the procedure upon claims filed therefor; the methods for preserving such liens and enforcing payment of such claims; the effect of judicial sales of the properties liened; the distribution of the proceeds of such sales, and the redemption of the property therefrom; for the lien and collection of certain taxes heretofore assessed, and of claims for municipal improvements made and nuisances removed, within six months before the passage of this act; and for the procedure on tax and municipal claims filed under other and prior acts of Assembly," as amended, by providing for the renewal, extension and continuation of liens for taxes and water, lighting, power and sewer rates, until such taxes and rates are fully paid and satisfied; and authorizing the filing and revival of liens heretofore lost, and in certain cases, reviving, validating, preserving and extending liens.

Referred to the Committee on Municipal Corporations.

By Mr. EDWIN A. LEE. HOUSE BILL No. 972.

An Act providing for the completion of the Eastern half of the new Eastern State Penitentiary at Graterford, and making an appropriation.

Referred to the Committee on Appropriations.

By Messrs. SHAW and D'ORTONA.

HOUSE BILL No. 973.

An Act to further amend clause (b) of section four 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 De-

partment 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," further regulating the issuance of milk orders.

Referred to the Committee on Welfare.

By Mr. HARKINS.

HOUSE BILL No. 974.

An Act to amend article twelve, section one thousand two hundred six, 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," by providing for the issuance of a certificate of approval for weights and measures of county, city and borough sealers.

Referred to the Committee on State Government.

By Messrs. KEENAN and SARRAF.

HOUSE BILL No. 975.

An Act to amend section two of the act approved the twenty-ninth day of April, one thousand nine hundred and fifteen (P. L. 200), entitled "An act creating, in counties having over eight hundred thousand, and less than one million five hundred thousand, inhabitants, according to the last preceding United States census, a board to fix and determine the number and compensation of employes in all county offices, boards, bureaus, departments, and divisions thereof; prescribing the powers and duties of said board, and regulating appeals from the decision thereof," by providing for annual meetings of the salary board, in second class counties, at the call of the chairman of the board of county commissioners.

Referred to the Committee on Counties.

By Mr. TARR.

HOUSE BILL No. 976.

An Act to amend clauses five six and seven of section one thousand two hundred ten 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" as amended changing the salaries and increments of certain teachers in districts of the second third and fourth classes.

Referred to the Committee on Education.

By Mr. MOUL.

HOUSE BILL No. 977.

An Act proposing an amendment to article three, section eighteen of the Constitution of the Commonwealth of Pennsylvania.

Referred to the Committee on Constitutional Amendments.

By Messrs. GERARD and YESTER.

HOUSE BILL No. 978.

An Act to further amend section one 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;" exempting from said tax casualty insurance companies having no capital stock.

Referred to the Committee on Ways and Means.

By Messrs. GERARD and BOIES.

HOUSE BILL No. 979.

An Act to amend section one thousand seven hundred and one of article seventeen of 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 further regulating the recount of ballots in cases of suspected fraud or error, and governing the return of the moneys deposited in such cases.

Referred to the Committee on Elections.

RESOLUTIONS INTRODUCED AND REFERRED

By Mr. HOLLAND.

RESOLUTION No. 59.

In the House of Representatives, March 24, 1941.

Whereas, Under the provisions of section ten of "The Liquid Fuels Tax Act" of May 21, 1931, (P. L. 149), as amended, one-half cent of the tax collected on each gallon of liquid fuels is paid over to the counties of the Commonwealth to be expended on roads, highways and bridges; and

Whereas, Some counties construct or maintain no roads, highways or bridges; therefore, be it

Resolved, That the Department of Revenue is hereby requested, before the first day of May, 1941, to submit to the House of Representatives a report showing in detail the purposes for which liquid fuels taxes paid to each county of the Commonwealth have been expended during the current fiscal biennium; and if such information is not available in sufficiently specific detail from reports made to the department as required by law, to obtain from any county such further information as may be required; and

Resolved, That a copy of this resolution be transmitted to the Secretary of Revenue immediately upon its adoption.

Referred to the Committee on Rules.

By Mr. HOLLAND.

RESOLUTION No. 60.

In the House of Representatives, March 24, 1941.

Whereas, The Federal Government has made available

to the states considerable sums of money for use in connection with flood control projects, of none of which this Commonwealth has availed itself, although the need for protection against floods is manifest in many sections; therefore be it

Resolved, That the Secretary of Forests and Waters is hereby requested to advise the House of Representatives of the reason for the neglect on the part of officials of this Commonwealth to secure for its benefit and protection all the funds that are available from the Federal Government for much needed flood control in Pennsylvania; and

Resolved, That the Chief Clerk certify a copy of this resolution and transmit the same to the Secretary of Forests and Waters.

Referred to the Committee on Rules.

By Mr. CORDIER. (Concurrent) RESOLUTION No. 61.

In the House of Representatives, March 24, 1941.

Whereas, A bill is pending in the Congress of the United States providing for the opening up of the St. Lawrence Waterway; and

Whereas, The opening of said waterway would seriously affect transportation on and over the railroads operating in that section of the Nation and particularly in Pennsylvania, of goods and materials now transported thereon; and

Whereas, Such curtailment of transportation on and over such railroads would deprive them of a large portion of their income and necessitate the dismissal of thousands of employees; and

Whereas, The coal operation and coal miners of Pennsylvania would suffer great losses by reason of the opening of such waterway, resulting in the dismissal of thousands of miners now gainfully employed; and

Whereas, The said injury to the railroads and the mining industry would be greatly reflected in the general business conditions of this Commonwealth; therefore be it

Resolved (if the Senate concur), That the General Assembly memorialize the members of the Congress of the United States from the Commonwealth of Pennsylvania to oppose the passage of this legislation to open up the St. Lawrence Waterway; and be it further

Resolved, That a copy of this resolution be forwarded by the Chief Clerk of the House of Representatives, to each member of the Congress of the United States coming from Pennsylvania.

Referred to the Committee on Rules.

By Messrs. RUSSELL E. REESE and MORAN.

RESOLUTION No. 62.

In the House of Representatives, March 24, 1941.

Whereas, There have been many complaints made to members of this House relating to the length of time required by the Workmen's Compensation Board and referees of the Workmen's Compensation Board to file opinions in cases heard by them; and

Whereas, It is reported that such delays are in many instances due to the appointment of partial medical experts by the said referees and the Workmen's Compensation Board; and

Whereas, As a result thereof, the rights of injured employees are seriously affected since long delays are detrimental to claimants and beneficial to employers; therefore be it

Resolved, By the House of Representatives of the General Assembly that the Speaker of the House shall appoint a legislative committee, consisting of five members of the Workmen's Compensation Committee, whose duty it shall be to investigate the affairs of the Workmen's Compensation Board and referees thereunder with respect to the delay in deciding cases and in the appointment by them of medical experts to testify in such cases; and be it further

Resolved, That said committee report the result of its investigation to this House, as speedily as possible, with appropriate recommendations.

Referred to the Committee on Rules.

REPORTS FROM COMMITTEES

Mr. TARR, from the Committee on Education, reported as committed, House Bill No. 236, entitled:

An Act protecting the rights of students in colleges, universities and other educational institutions to credits represented to be obtainable at the time of commencing work therefor; imposing penalties; and providing for equitable relief.

Mr. SAMUEL ROSE, from the Committee on Judiciary General, reported as committed, House Bill No. 665, entitled:

An Act prescribing presumptions of authority and rules of evidence, where payments are made on account of the principal of mortgages in certain cases.

Mr. HOLLAND, from the Committee on Education, reported as committed, House Bill No. 165, entitled:

An Act to further amend subsection six and to repeal subsection 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.

Mr. VOGT, from the Committee on Game, reported as committed, House Bill No. 919, entitled:

An Act to amend subsections two, five and six of section seven hundred and twenty-four of the act, approved the third day of June, one thousand nine hundred and thirty-seven (P. L. 1225), entitled "An act concerning game and other wild birds and wild animals; and amending, revising, consolidating, and changing the law relating thereto," by eliminating the killing of elk or bear destroying property.

Mr. WILKINSON, from the Committee on Education, reported as committed, House Bill No. 383, entitled:

An Act to further amend section one thousand five hundred three of the act, approved the eighteenth day of May, one thousand nine hundred and eleven (P. L. 309), entitled "An act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent therewith," providing that school districts of the fourth class shall employ at their own expense a medical inspector.

Mr. WOLF, from the Committee on Education, reported as amended, House Bill No. 225, entitled:

An Act authorizing boards of school directors to permit the use of vehicles used for transportation of pupils, for educational trips and other school activities.

Mr. HOLLAND, from the Committee on Labor, reported as amended, House Bill No. 868, entitled:

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

and newly created agencies with personnel (with certain exceptions) selected on a civil service basis; requiring employers to keep records and make reports, and certain employers to pay contributions based on payrolls to provide moneys for the payment of compensation to certain unemployed persons; providing procedure and administrative details for the determination, payment and collection of such contributions and the payment of such compensation; providing for cooperation with the Federal Government and its agencies; creating certain special funds in the custody of the State Treasurer; and prescribing penalties," by further defining "contributions" to be paid by certain employers; changing the procedure and administrative details for the determination and payment of compensation; further regulating the appointment, promotion, dismissal, suspension and furlough of civil service employes; and further defining the powers of and procedure before the board.

Mr. MCKINNEY, from the Committee on Judiciary General, reported as committed, House Bill No. 769, (Senate Bill No. 176), entitled:

An Act for the judicial notice of the ordinances of cities, boroughs, incorporated towns and townships of the first class, and for proof thereof and to make uniform the law with reference thereto.

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. 463.

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.

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

BILL SIGNED BY SPEAKER

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

HOUSE BILL No. 463.

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.

Whereupon,

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

SENATE MESSAGE

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

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

HOUSE BILL No. 381.

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

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives, is requested.

The SPEAKER. The Clerk will read the amendments. The Clerk read the amendments as follows:

Amend title, page 2, second from last line, by striking out after the word "consolidation" the word "and"; also by inserting after the word "exclusive" in last line of title the following: "and providing for notice of said section to shareholders".

Amend Section 1, page 5, by inserting after the word "exclusive" in line 28, the following new paragraph: "D A Copy of this Section 908 shall be enclosed with the written notice mentioned in clause B of Section 902 of this act and said written notice shall state that said Section 908 sets forth the exclusive rights and remedies of shareholders who object to the plan of merger or plan of consolidation."

On the question,

Will the House concur in the amendments made by the Senate?

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

YEAS—205.

Achterman,	French,	Marks,	Royer,
Auker,	Gallagher,	Maxwell,	Rush,
Baker,	Gates,	McClanaghan,	Sarge,
Balthaser,	Gerard,	McClester,	Sarraf,
Baughner,	Gillan,	McDermott,	Scanlon,
Bentley,	Gillette,	McDowell,	Schwab,
Bentzel,	Greenwood,	McFall,	Serrill,
Boies,	Gross,	McGrath,	Shaffer,
Boney,	Gryskewicz,	McIntosh,	Shaw,
Boorse,	Gyger,	McKinney,	Shepard,
Bower,	Habbyshaw,	McLanahan,	Simons,
Bradley,	Haberlen,	McLane,	Snyder,
Breth,	Haines,	McMillen,	Sollenberger,
Bretherick,	Hall,	McSurdy,	Sorg,
Brown,	Hamilton,	Melchiorre,	Stambaugh,
Brunner, C. H.,	Hare,	Mihm,	Stank,
Brunner, P. A.,	Harkins,	Modell,	Stine,
Burns,	Harmuth,	Monks,	Stockham,
Burris,	Harris,	Mooney,	Tarr,
Cadwalader,	Heatherington,	Moran,	Tate,
Chervenak,	Helm,	Moul,	Taylor,
Chudoff,	Hering,	Muir,	Thompson, E.,
Cochran,	Herman,	Munley,	Thompson, R.,

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

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative, and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

BILL SIGNED BY SPEAKER

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

HOUSE BILL No. 381.

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

Whereupon,

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

NEWMANSTOWN HIGH SCHOOL WELCOMED

The SPEAKER. The Chair extends the welcome of the House to the Junior and Senior classes of the Newmanstown High school.

BILLS ON SECOND READING

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 596, entitled:

An Act authorizing the Council of the City of Philadelphia to fix the salaries of members of the Park Guards, and authorizing the Park Commission to classify the Park Guards and to pay the salaries as set by the City Council.

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. 597, entitled:

An Act to amend section two of article five of the act approved the twenty-fifth day of June one thousand nine hundred and nineteen (P. L. 581) entitled "An act for the better government of cities of the first class of this Commonwealth" by classifying employes and officers of the Bureau of Police and Fire and certain employes of the Electrical Bureau assigned exclusively for work in connection with the Bureau of Fire, all in the Department of Public Safety for the purpose of fixing minimum salaries for each classification and payment of at least such minimum salaries to all persons within the said classifications.

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. 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.

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

Ordered, To be transcribed for a third reading.

INTERROGATION

Mr. REAGAN. Mr. Speaker, I would like to interrogate the author of this bill.

The SPEAKER. This bill has been agreed to on second reading. However, if there is no objection the interrogation will be permitted. The Chair hears no objection.

Will the gentleman from Beaver, Mr. Nagle, permit himself to be interrogated?

Mr. NAGLE. I will, Mr. Speaker.

Mr. REAGAN. I would like to inquire why the remaining classes of counties were excluded from this amendment.

Mr. NAGLE. May I ask the gentleman, Mr. Speaker, what classes of counties he has reference to?

Mr. REAGAN. Mr. Speaker, I have reference to the seventh and eighth classes which are not included in this amendment.

Mr. NAGLE. Mr. Speaker, if the gentleman will read the title of the act "An act relating to counties of the second, third, fourth, fifth, sixth, seventh and eighth classes" I believe that this bill includes all classes of counties.

Mr. REAGAN. But, Mr. Speaker, if the gentleman will read on he will see "authorizing counties of the third, fourth, fifth, and sixth classes to acquire".

Mr. NAGLE. I might say, Mr. Speaker, in preparing this amendment there was no request of any counties at that time to have those counties after the sixth class included. However, I would see no objection to it.

Mr. REAGAN. I would ask if the gentleman is willing to lay it aside for amendment in case the counties of the seventh and eighth class desire to be included in this amendment?

Mr. NAGLE. Mr. Speaker, I will be glad to defer with this gentleman's request. However, I believe that it could be readily amended in the Senate. This is a bill, I think, that we will all find is not controversial; it is an enabling bill, and I am satisfied that if this bill is approached in the Senate the amendments could be added, so as to include the seventh and eighth class counties. That would not necessitate holding the bill on the calendar here in the House, and I will assure the gentleman that I will oppose no amendments of that kind in the Senate.

Mr. REAGAN. Mr. Speaker, would the gentleman assist in having it amended in the Senate?

Mr. NAGLE. Mr. Speaker, I renew my previous statement that I would be glad to confer and cooperate in the measure to any extent so that it does not destroy the intent and purpose of this bill.

BILL ON SECOND READING

Agreeably to order,

The House proceeded to the second reading and consideration of 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.

The first section was read.

On the question,

Will the House agree to the section?

BILL POSTPONED

Mr. MARKS. Mr. Speaker, I move that this bill be placed upon the postponed calendar.

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. 107, entitled:

An Act to amend section eleven of the act, approved the twenty-seventh day of April, one thousand nine hundred and twenty-seven (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.

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. 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.

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. 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 (P. L. 736), entitled, as amended 'An act defining the liability of an employer to pay damages for injuries received by an employe in the course of employment; establishing an elective schedule of compensation; providing procedure for the determination of liability and compensation thereunder; and prescribing penalties,' as reenacted and amended, providing for the payment of compensation to volunteer firemen or their dependents," amplifying the provisions thereof as to persons entitled to such payments.

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

Ordered, To be transcribed for a third reading.

BILL RECOMMITTED

Mr. HEATHERINGTON. Mr. Speaker, I move that this bill be recommitted to the Committee on Workmen's Compensation for the purpose of further study.

The motion was agreed to.

BILL ON SECOND READING

Agreeably to order

The House proceeded to the second reading and consideration of House Bill No. 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."

The first section was read.

On the question,

Will the House agree to the section?

Mr. O'CONNOR. Mr. Speaker, I desire to offer the following amendment.

The amendment was read by the Clerk as follows:

Amend section 1, page 2, line 7, by striking out the words "repealed absolutely" and inserting in lieu thereof the following: "amended to read as follows:

Section 408. The board of school directors shall exercise general supervision over the schools of their respective districts [and shall, except in districts having district superintendents or supervising principals, by one or more of their number visit every school in the district at least once a month, and shall cause the report of such visit to be entered on the minutes of the board.]"

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 section was read and agreed to.

The title was read.

On the question,

Will the House agree to the title?

Mr. O'CONNOR. Mr. Speaker, I desire to offer the following amendments.

The amendments were read by the Clerk as follows:

Amend the title, line 1, of title by striking out the word "repeal" and inserting in lieu thereof the word "amend".

Amend the title, page 1, last line of title by inserting after the word "therewith" the following: "relieving school directors of the duty of visiting schools and of making reports thereof."

On the question,

Will the House agree to the amendments?

They were 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.

ANNOUNCEMENT BY SPEAKER

The Speaker. Each member of the House has been given a car sticker by the Chief Clerk. These stickers were supplied by the Department of Property and Supplies as a permit for parking on the plaza in front of the Capitol Building.

Members must have these stickers displayed on their car window—the policemen will not recognize your badge for parking purposes.

There were only a sufficient number of these parking stickers printed to take care of the Members of the House and the Senate and each one given out was assigned to the particular Member who received it.

The Department of Property and Supplies has co-operated in every way for the convenience of the members. It is therefore only reasonable that the Members themselves do their part by displaying the parking sticker otherwise there can be no complaint if you are not permitted to park your car—let me repeat badges will not be recognized for parking on the plaza.

Any Member who has not received his parking sticker please see the Chief Clerk. Cars not displaying stickers will be towed away.

PARLIAMENTARY INQUIRY

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

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

Mr. FLEMING. Mr. Speaker, I do not seem to have a copy of House Bill 367 in my House folder.

The SPEAKER. Do the members have copies of House Bill 367, Printer's No. 117 in their files?

Mr. LEVY. Mr. Speaker, I rise to call the attention of the Chair to the fact that according to my House Calendar there is no bill after Printer's No. 110. I notice on today's calendar we have quite a few numbers above that, therefore, Mr. Speaker, I call that to your attention.

BILL PASSED OVER

The SPEAKER. For the information of the House, the Chief Clerk advises that due to the public hearing that was held in the hall of the House this morning it was not possible for the Sergeant-at-Arms to file the bills on the Members' desks. We hope they will be filed before we adjourn. House Bill 367 is therefore passed over.

BILLS ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 656, as follows:

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).

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

Section 1 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" is hereby amended to read as follows

Article VII

Department of City Treasurer

* * *

The city treasurer shall receive the proceeds of all public loans and shall demand and receive from the proper officers all moneys payable to the city from whatever source and pay all warrants duly issued and countersigned the receipt and collection of funds derived from assessments taxes water rents licenses permits and rents from markets landings wharves and other public property excepting delinquent taxes and water rents shall be attached and subordinate to this department and subject to its supervision control and direction Provided however That nothing herein contained shall prohibit the city treasurer from enforcing collection of delinquent taxes in accordance with the provisions of the act approved the thirtieth day of March one thousand nine hundred and three (Pamphlet Laws 106) entitled "An act authorizing and empowering the city treasurer of the several cities of second class and third class of this Commonwealth to sell at public sale all properties upon which the taxes assessed and levied are delinquent and remain unpaid"

Section 2 All acts and parts of acts inconsistent herewith are hereby repealed

Section 3 The provisions of 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 205

Achterman,	French,	Marks,	Royer,
Auker,	Gallagher,	Maxwell,	Rush,
Baker,	Gates,	McClanaghan,	Sarge,
Balthaser,	Gerard,	McClester,	Sarra,
Baugher,	Gillan,	McDermott,	Scanlon,
Bentley,	Gillette,	McDowell,	Schwab,
Bentzel,	Greenwood,	McFail,	Serrill,
Boies,	Gross,	McGrath,	Shaffer,
Boney,	Gryskewicz,	McIntosh,	Shaw,
Boorse,	Gyger,	McKinney,	Shepard,
Bower,	Habbyshaw,	McLanahan,	Simons,
Bradley,	Haberlen,	McLane,	Snyder,
Breth,	Haines,	McMillen,	Sollenberger,
Bretherick,	Hall,	McSurdy,	Sorg,
Brown,	Hamilton,	Melchiorre,	Stambaugh,
Brunner, C. H.,	Hare,	Mhm,	Stank,
Brunner, P. A.,	Harkins,	Modell,	Stine,
Burns,	Harmuth,	Monks,	Stockham,
Burris,	Harris,	Mooney,	Tarr,
Cadwalader,	Heatherington,	Moran,	Tate,
Chervenak,	Helm,	Moul,	Taylor,
Chudoff,	Hering,	Muir,	Thompson, E. F.,
Cochran,	Herman,	Munley,	Thompson, R. L.,
Cohen, R. E.,	Hersch,	Nagel,	Trout,
Cook,	Hewitt,	Nunemacher,	Turner,
Cooper,	Hirsch,	O'Brien,	Van Aillsburg,
Cordier,	Holland,	O'Connor,	Verona,
Corrigan,	Huntley,	O'Dare,	Vincent,
Croop,	Imbrie,	O'Mullen,	Vogt,
Cullen,	James,	O'Neill,	Voldow,
Dalrymple,	Jefferson,	Owens,	Voorhees,
Dennison,	Jones, G. E.,	Petrosky,	Wagner,
DiGenova,	Keenan,	Pettit,	Watkins,
Dix,	Kenehan,	Polaski,	Weingartner,
Dolon,	Kline,	Polen,	Weiss,
D'Ortona,	Knoble,	Powers,	Welsh, E. B.,
Duffy,	Kolankiewicz,	Prosen,	Welsh, M. J.,
Early,	Komorowski,	Rank,	Wilkinson,
Eckels,	Krise,	Rausch,	Williams,
Elder,	Lee, E. A.,	Readinger,	Winner,
Elliott,	Lee, T. H.,	Reagan,	Wolf,
Ely,	Leisey,	Reese, D. P.,	Wood, L. H.,
Falkenstein,	Leonard,	Reese, E. E.,	Wood, N.,
Finestone,	Lesko,	Regan,	Woodring,
Finnerty,	Levy,	Reynolds,	Woodside,
Fisher,	Leydic,	Rhea,	Wright,
Fiss,	Lichtenwalter,	Riley,	Yeakel,
Fleming,	Longo,	Rooney,	Yester,
Fletcher,	Lovett,	Rose, S.,	Young,
Flynn,	Lyons,	Rose, W. E.,	Kilroy,
For,	Malloy,	Rosenfeld,	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. 583, as follows:

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

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

Section 1 The Department of Property and Supplies with the approval of the Governor is hereby authorized and empowered to sell and convey for such price as may be agreed upon two certain adjoining plots of land together with the improvements thereon erected situate in Clearfield County Plot number one containing 1 103 acres located in Lawrence Township adjacent to Clearfield Borough facing River Street and Old Mill Road and plot

number two containing .7427 acres located in Lawrence Township adjacent to Clearfield Borough and adjoining rear property line of plot number one facing Old Mill Road title to which plots of ground is in the Commonwealth and to make and execute a deed in the name of the Commonwealth to the purchaser thereof The moneys received as the purchase price of said plots of ground shall be paid into the General Fund of the State Treasury

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

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?

Mr. WOODSIDE. Mr. Speaker, on February 10, Senator Letzler introduced Senate Bill No. 163 which was identical to this bill in every particular, down to the last letter. On February 25th this bill was introduced. The Senate bill passed finally in the Senate on February 17th. The day following, on February 18th, this bill was reported out of committee, on the same day that the Senate bill, identical in every particular, was referred to a committee of the House. I merely call this to the attention of the Members of the House as another very definite and clear example of bill stealing and petty politics. I have no objection to this bill.

On the question recurring,

Shall the bill pass finally?

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

YEAS 205

- | | | | |
|-----------------|----------------|---------------|------------------|
| Achterman, | Foor, | Mallby, | Rosenfeld, |
| Auker, | French, | Marks, | Royer, |
| Baker, | Gallagher, | Maxwell, | Rush, |
| Balthaser, | Gates, | McClanaghan, | Sarge, |
| Baughner, | Gerard, | McClester, | Sarraf, |
| Bentley, | Gillan, | McDermott, | Scanlon, |
| Bentzel, | Gillette, | McDowell, | Schwab, |
| Boies, | Greenwood, | McFall, | Serrill, |
| Boney, | Gross, | McGrath, | Shaffer, |
| Boorse, | Gryskewicz, | McIntosh, | Shaw, |
| Bower, | Gyger, | McKinney, | Shepard, |
| Bradley, | Habbvshaw, | McLanahan, | Simons, |
| Breth, | Haberlen, | McLane, | Snyder, |
| Bretherick, | Haines, | McMillen, | Sollenberger, |
| Brown, | Hall, | McSurdy, | Sorg, |
| Brunner, C. H., | Hamilton, | Melchiorre, | Stambaugh, |
| Brunner, P. A., | Hare, | Mihm, | Stank, |
| Burns, | Harkins, | Modell, | Stine, |
| Burriss, | Harmuth, | Monks, | Stockham, |
| Cadwalader, | Harris, | Mooney, | Tarr, |
| Chervenak, | Heatherington, | Moran, | Tate, |
| Chudoff, | Helm, | Moul, | Taylor, |
| Cochran, | Hering, | Muir, | Thompson, E. F., |
| Cohen, R. E., | Herman, | Munley, | Thompson, R. L., |
| Cook, | Hersch, | Nagel, | Trout, |
| Cooper, | Hewitt, | Nunemacher, | Turner, |
| Cordier, | Hirsch, | O'Brien, | Van Aillsburg, |
| Corrigan, | Holland, | O'Cor.nor, | Verona, |
| Croop, | Huntley, | O'Dare, | Vincent, |
| Cullen, | Imbrie, | O'Mullen, | Voet, |
| Dalrymple, | James, | O'Neil, | Voldow, |
| Dennison, | Jefferson, | Owens, | Voorhes, |
| DiGenova, | Jones, G. E., | Petrocky, | Wagner, |
| Dix, | Keenan, | Pettit, | Watkins, |
| Dolon, | Kenehan, | Polaski, | Weingartner, |
| D'Ortona, | Kilne, | Polen, | Wells, |
| Duffy, | Knoble, | Powers, | Welsh, E. B., |
| Early, | Kolankiewicz, | Prosen, | Welsh, M. J., |
| Eckels, | Komorowski, | Rank, | Wilkinson, |
| Elder, | Krise, | Rausch, | Williams, |
| Elllott, | Lee, E. A., | Readinger, | Winner, |
| Ely, | Lee, T. H., | Reagan, | Wolf, |
| Falkenstein, | Lelsey, | Peese D P., | Wood L. H., |
| Finestone, | Leonard, | Peese, R. E., | Wood, N., |
| Finnerty, | Lesko, | Regar, | Woodring, |
| Fisher, | Levy, | Reynolds, | Woodside, |
| Fiss, | Leydic, | Rhea, | Wright, |
| | Lichtenwalter, | Riley, | Yeakel, |

Fleming,
Fletcher,
Flynn,

Longo,
Lovett,
Lyons,

Rooney,
Rose, S.,
Rose, W. E.,

Yester,
Young,
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.

QUESTION OF PERSONAL PRIVILEGE

Mr. BRETH. Mr. Speaker, I rise to a question of personal privilege.

The SPEAKER. The gentleman will state his question of personal privilege.

Mr. BRETH. Mr. Speaker, a few minutes ago when this bill was discussed, reference was made to bill stealing. I would like to make a few remarks to the members of the House.

The SPEAKER. Will the gentleman yield? Will the gentleman state his question of personal privilege?

Mr. BRETH. I wish to comment on the remarks made a moment ago.

The SPEAKER. The gentleman will proceed.

Mr. BRETH. The fact is, Mr. Speaker, I listened to the other side and the minority leader spoke of certain political activity in the House regarding the passage of certain bills. I heard the majority leader answer. At that time I had a sneaking feeling that perhaps the bill that was just passed had something to do with it and I wish to inform the members of this House as to the background of this particular bill.

The bill is very innocent; it is non-partisan; it merely covers the sale of an old garage at Clearfield to the school board of Clearfield for a vocational training school for high school students. To get such a school requires a bill of the legislature. I have been interested in that borough project for some time. Bing a resident, and a life long resident of the city of Clearfield. I was approached last fall and asked if I would introduce such a bill.

For swiftness of action and so that the bill would not be eliminated at this session, either in the Senate or in the House, different members of the school board and other interested citizens contacted me. I said, "I will do all I can because the bill is very close to me, and I would like to see it go through."

In the meantime a Senator from our district, who is not a resident of the borough was probably contacted by the school board in its great desire to have this particular bill put through. Then a rookie, perhaps a very unformed rookie, perhaps you might say an ignorant rookie, ignorant of the legislative procedure in getting a bill through, I introduced a bill identical with the Senate bill. At the time my bill was introduced the Senate bill was in committee. My bill was reported favorably out of committee. In the meantime I might blame myself for not following the Senate bill but after all, when I take a thing under my wing, it is mine and I will do my best to put it through. My bill was reported out of committee. The Senate bill was sent to the House.

Now, I have been down here long enough to know that a lot of things can happen to a bill that is good and that has no political significance whatever, and they sometimes do happen, so I asked this side of the House to put

the bill through and sent it over to the Senate to avoid the death which sometimes comes to good bills. There was nothing political concerning the bill; there is no particular argument except that I was approached and asked to have my bill reported out of committee I can see no occasion for the attack that was made by the gentleman on the other side I can assure the rest of the Members that I am practically non-political except when it comes down to great party principles. Now, have a good laugh on that one. So that I resent the personal attack made upon me for having sponsored this bill, I request this side of the House to put it through. I am willing to stand upon any question that might arise in the future. I thank you.

PERMISSION TO ADDRESS HOUSE

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

Mr. WOODSIDE. Mr. Speaker, before addressing the House I would like to interrogate the gentleman from Clearfield, Mr. Breth.

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

Mr. BRETH. Mr. Speaker, I will.

Mr. WOODSIDE. Mr. Speaker, I would like to ask the gentleman from Clearfield what now happens to his bill.

Mr. BRETH. Mr. Speaker, I am going back to my former remarks and say I don't know. I am just a rookie, and I don't know the procedure. I understand it goes to the Senate.

Mr. WOODSIDE. And does the gentleman know, Mr. Speaker, what else happens in the Senate before it becomes law?

Mr. BRETH. Mr. Speaker, it will have to be referred to Committee.

Mr. WOODSIDE. And what else, Mr. Speaker?

Mr. BRETH. Beyond that I can't say, Mr. Speaker.

Mr. WOODSIDE. Does the gentleman not know, Mr. Speaker, that in order to become a law it has to be read three times and finally passed?

Mr. BRETH. Mr. Speaker, I thought the gentleman was referring to what would happen to it in committee.

Mr. WOODSIDE. Mr. Speaker. I wonder what the gentleman thinks happened to the Senate bill in committee, and what the Committee will do with it.

Mr. BRETH. Mr. Speaker, May I interrogate Mr. Woodside?

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

Mr. WOODSIDE. Certainly, Mr. Speaker.

Mr. BRETH. Mr. Speaker, I understand the gentleman is from Harrisburg.

Mr. WOODSIDE. I am not, Mr. Speaker.

Mr. BRETH. Then, Mr. Speaker, where is the gentleman from?

Mr. WOODSIDE. Mr. Speaker, I am from the garden spot of Eden, a town by the name of Millersburg.

Mr. BRETH. Mr. Speaker, I am afraid the gentleman is way behind the times. Millersburg? I suppose there is a school down there.

Mr. WOODSIDE. That is right, Mr. Speaker.

Mr. BRETH. And supposing, Mr. Speaker, that school board wanted to locate a school in the gentleman's district, his residence, would he like to have another Senator from some other part of Dauphin County introduce a bill

over his name so that his constituents could jump on him and say, "Why didn't you put that bill through?"

Mr. WOODSIDE. Mr. Speaker, if I were interested in getting anything for the people of Millersburg that I felt they were entitled to, I would do everything in my power to get it for them regardless of who is to get the credit for getting it. I have demonstrated that in my legislative career in more than one instance. I say to the gentleman if he is interested in securing for his community that for which he stands, and that is the only thing he is interested in, when this bill came out of committee, if he didn't know that the Senate had passed the bill, which he should have known, he would have moved to refer this bill back to the committee, he would have gone to the Chairman of the committee and said, "Mr. Chairman, there is a bill already through the Senate. Do not let us take a chance of getting this bill jammed through the House. There is already a bill in the Senate and a bill in the House. I don't want to put the Commonwealth to any more expense in printing this bill. I don't want to take any chance in getting this bill passed by the House, and have it lost by having it pickled in the Senate. I want to get this bill through for my community".

I would have endeavored to get the bill through the House. If the gentleman wants political credit, or wants to play politics, that's what he is doing, that's what he is talking about, that's what I have been talking about. It isn't interest in legislation, it isn't the interest of his community; it is the interest of getting political credit. That's what he is interested in. That is all he is interested in.

PERMISSION TO ADDRESS THE HOUSE

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

I think the gentleman on the other side, Mr. Speaker, was speaking more for the record than for my benefit, because I don't know much about this political game. It seems to me it is a very fine gesture of politics on a very high plane or something like that, which causes the gentleman on the other side to gesticulate and get wrought up over something that I think is pretty simple.

By passing this bill through the House and passing it through the Senate I think it increases the chances of getting something out of it. Now, that is done in all lines of business. It is done by anyone that can do it. I believe in my heart by passing this bill through the House and having it previously passed through the Senate increases the opportunity of having something come out of it to make the bill complete for the Senate and Governor to put it through.

I won't bother to take the time on the floor of this House to go into certain details which are purely local politics, but I could and on provocation I might—that is no threat, it is merely a statement because I understand this bill has passed the House. I understand it is passed by the Senate. It is perfectly O.K. and I thank you for it. I think the borough of Clearfield and the school board should be satisfied and that is all I care about.

PERMISSION TO ADDRESS THE HOUSE

Mr. ACHTERMAN asked and received unanimous consent to address the House.

Mr. Speaker, it is my desire to add a few comments to the record in reply to the gentleman from Dauphin, Mr. Woodside. Last evening I made mention of the fact that

in 1939 we had the grand example of stealing of legislation and of bills, and if there are any sinners certainly we found them and saw them in 1939.

I didn't assume for one minute that the disease had been transferred to the Senate, but apparently the Senate and certain Members thereof have been rushing around their respective districts seeking opportunities of introducing legislation beneficial to territories which, while they represent them, do not represent their home land. In other words, we have here an example of an individual Senator quite anxious to ingratiate himself in a certain territory, apparently lacking the courtesy and the decency of approaching the representative from the same town and notifying him of his intention to introduce legislation without suggesting that the Members of the House introduce it himself and offering his support in the Senate. Instead here you have a Senator attempting to grab off such honor as he might get from this particular legislation. What do you think of an individual who steps to the front and tries to justify such activities? I am saying to you members of the House, and to you Mr. Speaker, that is an example of the type of action that the Republican Party has indulged in in the past and is continuing to indulge in. I am saying that Mr. Breth was certainly justified and warranted in introducing legislation taking care of his home town, and I am saying for the gentleman from Dauphin, Mr. Woodside, that he knows, as I know, that if it becomes necessary and essential to protect this particular bill that is now in our committee, that came from the Senate, we will be in a position to pass it.

Incidentally, I think it is an excellent opportunity to find out whether the Senator who introduced this measure is sincerely and honestly interested in the particular measure. If he is, then he will certainly pass the bill that we sent to him. If he is interested in his own power and his own glory, then he will let the bill drop in the Senate and endeavor to see whether we will pass his measure. But I am saying to you Mr. Speaker and members of this House, it is conduct such as is displayed by this Senator that I term reprehensible. I am saying that he owes a courtesy and a duty to a Member of this House to notify him of his intention in introducing legislation.

Mr. WOODSIDE. Mr. Speaker, I do not want to unduly prolong this discussion, but I do want to make a few comments on what the gentleman has just said and I ask unanimous consent to address the House.

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

Mr. WOODSIDE. Mr. Speaker, the majority floor leader has made two references to the session of 1937. If he has any examples of where Republicans stole any bill or any sponsorships during the session of 1937, I am sure they have never been brought to my attention or brought up on the floor of the House during the entire session, that any suggestion has been made that bills were stolen.

There may have been some instances of bills that were brought out where that was done, because those things do happen, where people get the same ideas, not even knowing what other people are doing, but they are very rare, and I am certain if they happened in the session of 1937 it was not called to my attention.

In the second place, when you talk about stealing bills or going out of our districts, here in the city of Harrisburg, in an appropriation for the city of Harrisburg, a

Democratic member from another county came in and introduced the bill.

PERMISSION TO ADDRESS THE HOUSE

Mr. TURNER asked and received unanimous consent to address the House.

Mr. Speaker, I had not intended when the gentleman from Monroe last night made his statement about the session of 1939, to answer, because it seemed to me so ridiculous and so far away from the truth that it didn't warrant an answer. However, with the reiteration today of the same statement on the floor of the House it seems to me I am called upon to say that during the session of 1939 the policy of the majority party, the Republican party, was that all bills should be considered in Committee upon their merit, and not upon the question as to whether the Member introducing them was a Member of the Democratic or Republican party. I, therefore, say that any statement to the contrary is absolutely untrue. There is plenty of corroboration for what I say, and those were the specific directions on my part to every Chairman of every Committee of this House during the session of 1939.

PERMISSION TO ADDRESS THE HOUSE

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

Mr. Speaker, I wish to add to the remarks of the gentleman from Delaware, Mr. Turner, for the benefit of those who were not Members in 1939, some of the other Republican activities.

I have not forgotten the occasion when he dismissed the House for a period of two weeks in order to get rid of the Democrats and make arrangements to write their own bills. I haven't forgotten that extraordinary recess of this House to permit the gentleman from Delaware, then Speaker and the then majority leader, the gentleman from Dauphin, Mr. Woodside, to gather together the Republican Members to see that they got all the bills they possibly could, to see that they got organized and to see that the Democrats were out of the way so as not to interfere in your steam rolling process. Those were the activities, and that is the manner in which you moved them. Have you ever seen anything to compare to that? Then you complain, complain because you are given an opportunity to sit in this House, given an opportunity to pass legislation and to be heard. We haven't endeavored to steam roller you and hold you back while we proceed with the work. We have given you the same opportunity every other Member of the House has had, and I am saying that if complaint should arise it should come from this side and not from the other side.

PERMISSION TO ADDRESS THE HOUSE

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

Mr. Speaker, as one Democrat who got two bills out of committee last year, the Session of 1939, I want to thank the Republican leadership for the courtesy they extended to me then. I had great success with those two bills. One died over in the Senate and the other the Governor vetoed. So the result was that as far as any legislation was concerned in which my district was interested, it had no legislation passed, because according to my recollection I didn't get any of those bill through. As I recollect my colleague did not get any bills out. I may be wrong in

that because I haven't checked lately. However, I think if we would take out the past histories and read down the names, as we scan the pages, if we look at the 1939 histories, we will find that the bills that stayed in committee, invariably the sponsors of those bills were Democrats. I rather think we are wasting a lot of time crying about these bills, and the way we are doing it. I rather think we are getting sort of baby-like. The committee of which I happen to be Chairman considered a bill today by a Republican. We considered the same sort of bill in 1937, and at that time we were not able to reach an agreement on the principles involved. Since that time the subcommittee acting on this particular bill today reported favorably, and we reported the bill out.

I don't see that the other side of the House has so much to complain about. When you have good legislation introduced, I think you are going to get it out, and I think if we spend our time working instead of complaining about the fellows on this side we will accomplish much more good.

PERMISSION TO ADDRESS THE HOUSE

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

Mr. Speaker, it is my intention to speak somewhat on going from one person's county to another, sponsoring bills that should have been sponsored in that particular county, but before I do that I would like to make some comment on what the floor leader had to say in reference to the Republican recess of two years ago.

I remember very well that I was a Member on the committees during that recess and I want to say this, that more Republicans were sent home during that recess than Democrats, as I recall it. Furthermore, in my observation of this session of the House, I think it would be an excellent thing if the floor leader, Mr. Leo Achterman, would send the Democrats and the Republicans home and have a Democratic recess for two weeks so that we would get some legislation under way.

In regard to going into any person's territory, in order to get the records straight, I would like to say that Messrs. Munley and O'Neill went over into my county and sponsored House Bill No. 389, "Authorizing the Department of Property and Supplies with the approval of the Governor and the Board of Trustees of the Farview State Hospital to acquire a certain tract of land for the use of said hospital, and making an appropriation therefor."

I never knew that this bill was to be sponsored until after it was in Committee. Now, if there is any charge as to stealing people's bills, I think the same charge can come from the Republican side of the House. Furthermore, the price that was set on land values by Messrs. O'Neill and Munley show that they know nothing about values of land in Wayne County, and didn't know where the land was. Just to get the record straight, Mr. Speaker, I make these remarks.

BILLS ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 692, as follows:

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 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" authorizing the leasing of Indiantown Gap Military Reservation to the United States.

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

Section 1 Clause (k) of 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 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" as added by the act approved the twenty-first day of June one thousand nine hundred and thirty-seven (P. L. 1865) is hereby amended to read as follows clause (1) of said section as added by the act approved the sixteenth day of May one thousand nine hundred and forty (Act No 7) is hereby amended to read as follows and said section is hereby further amended by adding at the end thereof a new clause to read as follows

Section 2402 Grounds Buildings and Monuments in General The Department of Property and Supplies shall have the power and its duty shall be

* * * *

[(k)] (1) To establish standards for and supervise generally the operation of all mechanical and electrical equipment used in connection with the operation of any State institution or other State building

[(1)] (m) To supervise the work of employes of the Pennsylvania Liquor Control Board who are employed by the board for the cleaning care preservation and protection of the Northwest Office Building and the furnishings records and other matters therein and for the operation of the mechanical plants in such building

(n) To lease the whole or any part of the Indiantown Gap Military Reservation to the Government of the United States or any branch or agency thereof upon such terms and conditions and for such periods of time as the Adjutant General may prescribe with the approval of the Governor in writing

Section 2 The provisions of this act shall become effective immediately upon final enactment

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?

Mr. WOODSIDE. Mr. Speaker, I understand that House Bill 692, sponsored by Mr. Welsh and Mr. O'Neill, and the bill following it are both bills which the Department of the Adjutant General have prepared and desire to have passed, and I ask all the Members of the House to vote for them.

Mr. WELSH. Mr. Speaker, I wish to thank the gentleman on the other side for his kindly consideration of these bills.

On the question recurring,

Shall the bill pass finally?

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

YEAS 205

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

PERMISSION TO ADDRESS HOUSE

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

Mr. Speaker, as one who has sat in the Chair on the rostrum and presided over the proceedings of this House, I feel that the Members, the employes and the visitors are being extremely unfair to the Speaker. I am confident that our Speaker is making every effort to conduct the proceedings of this House in an orderly fashion and to maintain the high standards that have been set in the past. Therefore, it seems to me that the members of this House ought to have a sense of responsibility obligation to the Speaker and some feeling for him. It is not easy to preside over this House with its large membership, where necessarily there is a certain amount of confusion, but certainly there is no good reason for the business of this House to be disturbed by the constant passage of visitors to and fro past the desks of the Members, and constant conversation on the sidelines with members. We as Members ought to do everything we can do to help the man in the Chair. As I said before, his is a difficult job to perform, and I know, and sincerely believe that he is doing the best he can to give this House the finest kind of administration. So let us do our best to prevent visitors from coming along and sitting beside us. In deference to him, you ought to ask the visitor to retire. When visitors come to the rail and want to talk to you in the rear of the House, there is a conference room provided for that purpose. Take your friends there. It is your duty to cooperate in this matter and help the Speaker, just as much as it is the Speaker's job to try to help the Members of the House.

The SPEAKER. The Chair thanks the former Speaker for his very timely remarks.

BILLS ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 401, as follows:

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 Indiantown Gap Military Reservation

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

Section 1 Section five hundred eleven of the act ap-

proved 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" as amended by section one of the act approved the twenty-first day of June one thousand nine hundred and thirty-seven (P. L. 1865) is hereby further amended to read as follows

Section 511 Sale and Transfer of Surplus Products All departments boards and commissions may sell for the best price obtainable but not less than the current market price for similar products any surplus products of the soil meats live stock timber or other materials raised or grown upon or taken from property of the Commonwealth administered by such departments boards or commissions or their by-products respectively Transfers may be made of such products by and between State institutions under the control and management of such departments boards or commissions

As used in this section "surplus" shall mean products meats live stock timber or other materials or their by-products respectively which cannot conveniently and economically be used in connection with the proper maintenance of the institution park or other property administered by the department board or commissions involved but under no circumstances shall live trees be cut for sale unless and until the Department of Forests and Waters has approved the cutting of such trees and no sales or transfers shall be made under this section by any department administrative board or commission without the approval of the department with which such board or commission is connected.

The proceeds of the sale of any products of the soil meats live stock timber or other materials sold by any department board or commission under the provisions of this section shall be paid into the State Treasury through the Department of Revenue and credited to the General Fund unless the expenses of such department board or commission are paid wholly or mainly out of a special fund in which case such proceeds shall be credited to the proper special fund and except that any such proceeds of sale paid into the State Treasury through the Department of Revenue by the Department of Military Affairs shall be credited to the Department of Military Affairs and may be expended by the Department of Military Affairs for the maintenance and improvement of the Indiantown Gap Military Reservation or buildings thereon or for the benefit and comfort of troops thereat or for the acquiring of additional land or trespass rights or the erection of buildings thereat and for such purposes are hereby appropriated Any questions arising hereunder shall be determined by the Governor and his decision shall be certified to the Department of Revenue and the Treasury Department

Every department board or commission which sells or transfers any product of the soil meats live stock timber or other materials under the provisions of this section shall keep an accurate record of the dates quantities and prices of all sales or transfers which record shall at all times be subject to audit by the Department of the Auditor General.

The Executive Board shall prescribe rules and regulations prescribing the manner in which transfers shall be made under this section

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 205

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

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 553, as follows:

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 nuncupative 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

Section 1 The General Assembly of the Commonwealth of Pennsylvania hereby enacts That 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 nuncupative 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" is hereby amended to read as follows:

Section 22 (A) No person who shall be finally adjudged guilty either as principal or accessory of murder of the first or second degree shall be entitled to take any part of the real or personal estate of the person killed as devisee or legatee or otherwise under the will of such person

(B) Upon petition of any interested party averring that such a person who seeks or through whom it is sought to take any property under the will of a testator was a principal or accessory in the murder of the testator either in the first or second degree the Orphans' Court if it determines according to law that it is impossible or impracticable for any person to try in a competent court of this Commonwealth and finally acquit or convict such person of the murder shall further determine whether or not such person was guilty beyond a reasonable doubt as averred in the petition and its final adjudication of guilt shall have the effect hereinbefore set forth but shall not be deemed an adjudication of guilt for any other purpose Any interested party may appeal to the Supreme Court from the decision on this question.

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:

NAYS—205

Achterman,	Foor,	Malloy,	Rosenfeld,
Auker,	French,	Marks,	Royer,
Baker,	Gallagher,	Maxwell,	Rush,
Balthaser,	Gates,	McClanaghan,	Sarge,
Baughner,	Gerard,	McClester,	Sarraff,
Bentley,	Gillan,	McDermott,	Scanlon,
Bentzel,	Gillette,	McDowell,	Schwab,
Boles,	Greenwood,	McFall,	Serrill,
Boney,	Gross,	McGrath,	Shaffer,
Boorse,	Gryskewicz,	McIntosh,	Shaw,
Bower,	Gyger,	McKinney,	Shepard,
Bradley,	Habbyschaw,	McLanahan,	Simons,
Breth,	Haberien,	McLane,	Snyder,
Bretherick,	Haines,	McMillen,	Sollenberger,
Brown,	Hall,	McSurdy,	Sorg,
Brunner, C. H.,	Hamilton,	Melchiorre,	Stambaugh,
Brunner, P. A.,	Hare,	Mihm,	Stank,
Burns,	Harkins,	Modell,	Stine,
Burrus,	Harmuth,	Monks,	Stockham,
Cadwalader,	Harris,	Mooney,	Tarr,
Chervenak,	Heatherington,	Moran,	Tate,
Chudoff,	Helm,	Moul,	Taylor,
Cochran,	Hering,	Muir,	Thompson, E. F.,
Cohen, R. E.,	Herman,	Munley,	Thompson, R. L.,
Cook,	Hersch,	Nagel,	Trout,
Cooper,	Hewitt,	Nunemacher,	Turner,
Cordier,	Hirsch,	O'Brien,	Van Allsburg,
Corrigan,	Holland,	O'Connor,	Verona,
Croop,	Huntley,	O'Dare,	Vincent,
Cullen,	Imbrie,	O'Mullen,	Vogt,
Dairyple,	James,	O'Neill,	Voldow,
Dennison,	Jefferson,	Owens,	Voorhees,
DiGenova,	Jones, G. E.,	Petrosky,	Wagner,
Dix,	Keenan,	Pettit,	Watkins,
Dolon,	Keenan,	Polaski,	Weingartner,
D'Ortona,	Kline,	Polen,	Weiss,
Duffy,	Knoble,	Powers,	Welsh, E. B.,
Early,	Kolankiewicz,	Prosen,	Welsh, M. J.,
Eckels,	Komorowski,	Rank,	Wilkinson,
	Krise,	Rausch,	Williams,

Elder,	Lee, E. A.,	Readinger,	Winner,
Elliott,	Lee, T. H.,	Reagan,	Wolf,
Ely,	Leisey,	Reese, D. P.,	Wood L. H.,
Falkenstein,	Leonard,	Reese, R. E.,	Wood, N.,
Finestone,	Lesko,	Regan,	Woodring,
F'nertry,	Levy,	Reynolds,	Woodside,
Fisher,	Leydie,	Rhea,	Wright,
Fiss,	Lichtenwalter,	Riley,	Yeakel,
Fleming,	Longo,	Rooney,	Yester,
Fletcher,	Lovett,	Rose, S.,	Young,
Flynn,	Lyons,	Rose, W. E.,	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.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 554, as follows:

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 take property of a murdered intestate under the said act

Section 1 The General Assembly of the Commonwealth of Pennsylvania hereby enacts that 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" is hereby amended to read as follows

Section 23 (A) No person who shall be finally adjudged guilty either as principal or accessory of murder of the first or second degree shall be entitled to inherit or take any part of the real or personal estate of the person killed as surviving spouse heir or next of kin to such person under the provisions of this act

(B) Upon petition of any interested party averring that a person who seeks or through whom it is sought to inherit or to take any property of an intestate under the provisions of this act was a principal or accessory in the murder of the intestate either in the first or second degree the Orphans' Court if it determines according to law that it is impossible or impracticable for any reason to try in a competent court of this Commonwealth and finally acquit or convict such person of the murder shall further determine whether or not such person was guilty beyond a reasonable doubt as averred in the petition and its final adjudication of guilt shall have the effect hereinbefore set forth but shall not be deemed an adjudication of guilt for any other purpose Any interested party may appeal to the Supreme Court from the decision on this question

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 205

Achterman,	Foor,	Malloy,	Rosenfeld,
Auker,	French,	Marks,	Royer,
Baker,	Gallagher,	Maxwell,	Rush,
Balthaser,	Gates,	McClanaghan,	Sarge,
Baughner,	Gerard,	McClester,	Sarraff,
Bentley,	Gillan,	McDermott,	Scanlon,
Bentzel,	Gillette,	McDowell,	Schwab,

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

The SPEAKER. The Chair is informed that all bills following Printer's No. 110 are now on file on the desks of the Members.

BILL ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 136, as follows:

To further amend section four and to amend section nine of the act approved the second day of June one thousand nine hundred thirty-seven (P. L. 1198) entitled "An act relating to employes and organizations thereof defining labor disputes prescribing the procedure by which and the conditions under which injunctions may be granted in such disputes and the scope thereof declaring certain undertakings and promises between employers and employes contrary to public policy and void prescribing the nature of proof necessary in actions arising out of labor disputes against persons or associations prescribing the terms and conditions for bonds to be furnished prior to the issuance of injunctions prescribing the procedure in case of appeal from granting injunctions limiting the duration of temporary and permanent injunctions in case of labor disputes and providing for the payment of costs and repealing all acts or parts of acts inconsistent herewith" by extending the provisions thereof to certain additional cases and allowing courts to issue restraining orders in certain cases

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

Section 1 Section four of the act approved the second day of June one thousand nine hundred thirty-seven (P. L. 1198) entitled "An act relating to employes and organizations thereof defining labor disputes prescribing the procedure by which and the conditions under which injunctions may be granted in such disputes and the scope thereof declaring certain undertakings and promises between employers and employes contrary to public policy and void prescribing the nature of proof necessary in actions arising out of labor disputes against persons or associations prescribing the terms and conditions for bonds to be furnished prior to the issuance of injunctions prescribing the procedure in case of appeal from granting injunctions limiting the duration of temporary and permanent injunctions in case of labor disputes and providing for the payment of costs and repealing all acts or parts of acts inconsistent herewith" as amended by the act approved the ninth day of June one thousand nine hundred thirty-nine (P. L. 302) is hereby further amended to read as follows

Section 4 No court of this Commonwealth shall have jurisdiction to issue any restraining order or temporary or permanent injunction in a case included within this act except in strict conformity with the provisions of this act nor shall any such restraining order or temporary or permanent injunction be issued contrary to the public policy declared in this act Exclusive jurisdiction and power to hear and determine all actions and suits coming under the provisions of this act shall be vested in the courts of common pleas of the several counties of this Commonwealth: Provided however That this act shall not apply in any case

(a) Involving a labor dispute as defined herein which is in disregard breach or violation of or which tends to procure the disregard breach or violation of a valid subsisting labor agreement arrived at between an employer and the representatives designated or selected by the employes for the purpose of collective bargaining as defined and provided for in this act approved the first day of June one thousand nine hundred and thirty-seven (P. L. 1168) entitled "An act to protect the rights of employes to organize and bargain collectively creating the Pennsylvania Labor Relations Board conferring powers and imposing duties upon the Pennsylvania Labor Relations Board officers of the State government and courts providing for the right of employes to organize and bargain collectively declaring certain labor practices by employers to be unfair further providing that representatives of a majority of the employes be the exclusive representatives of all the employes authorizing the board to conduct hearings and elections and certify as to representatives of employes for purposes of collective bargaining empowering the board to prevent any person from engaging in any unfair labor practice and providing a procedure for such cases including the issuance of a complaint the conducting of a hearing and the making of an order empowering the board to petition a court of common pleas for the enforcement of its order and providing a procedure for such cases providing for the review of an order of the board by a court of common pleas on petition of any person aggrieved by such order and establishing a procedure for such cases providing for an appeal from the common pleas court to the Supreme Court providing the board with investigatory powers including the power to issue subpoenas and the compelling of obedience to them through application to the proper court providing for service of papers and process of the board prescribing certain penalties" and amendments thereto or as defined and provided for in the National Labor Relations Act approved the fifth day of July one thousand nine hundred and thirty-five Provided however That the complaining person has not during the term of the said agreement committed an act as defined in both of the aforesaid acts as an unfair labor practice or violated any of the terms of said agreement

(b) Where a majority of the employes have not joined a labor organization or where two or more labor organizations are competing for membership of the employes and any labor organization or any of its officers agents rep-

representatives employes or members engages in a course of conduct intended or calculated to coerce an employer to compel or require his employes to prefer or become members of or otherwise join any labor organization

(c) Where any person association employe labor organization or any employe agent representative or officer of a labor organization engages in a course of conduct intended or calculated to coerce an employer to commit a violation of the Pennsylvania Labor Relations Act of 1937 or the National Labor Relations Act of 1935

(d) Where in the course of a labor dispute as herein defined an employe or employes acting in concert or a labor organization or the members officers agents or representatives of a labor organization or anyone acting for such organization seize hold damage or destroy the plant equipment machinery or other property of the employer with the intention of compelling the employer to accede to any demands conditions or terms of employment or for collective bargaining]

Section 2 Section nine of said act is hereby amended by adding thereto immediately after clause (f) a new clause to read as follows

Section 9 No court of this Commonwealth shall issue any restraining order or a temporary or permanent injunction in any case involving or growing out of a labor dispute except after hearing the testimony of witnesses in open court (with opportunity for cross-examination) in support of the allegations of a complaint made under oath and testimony in opposition thereto if offered and except after findings of fact by the court to the effect—

(g) That an employe or employes acting in concert or a labor organization or the members officers agents or representatives of a labor organization or persons acting for such organization have seized held or threaten to seize hold damage or destroy the plant equipment machinery or other property of the employer or engaging in a "sit-down strike" in order to compel such employer to accede to any demands conditions or terms of employment or for collective bargaining

Section 3 This act shall become effective immediately upon final enactment

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

Mr. JAMES. Mr. Speaker, the history of the legislation which this bill would effect is such that it becomes immediately obvious that the present bill under consideration is designed to throw something in the way of a sop to labor, and by the same token I believe that anybody who stands here and opposes this bill may be made a martyr of Labor's displeasure. However, I sincerely believe that in proposing this legislation, those who have put it before this body have done labor a distinct disservice. I believe in many cases those men who feel that they are going to stand behind this measure recognize that fact. I feel that has been very evident in this House because of the length of time it has taken the Democratic party to call this bill up when it was on the calendar for second reading.

Last night when this bill passed second reading and was amended, it was clearly recognized then by the Democratic majority that they had made a colossal error in taking out all the legislation that the session of 1939 enacted with reference to the so-called anti-injunction law. A pathetic effort was made to soften down this measure by fooling around fiddling with the colorful and spectacular provision that the bill contained, namely the provision that had to do with "sit-down" strikes.

It was said here last night in debate that labor did not want the "sit-down" strike. I am quite willing to believe

that when we consider the man who works with his hands, when we consider the man who has a job to take care of and a family to support with that job, but I am entirely unwilling still to believe that that is true of that white collar section of labor that lives not by labor but on labor.

I am particularly concerned with the amendment as it was adopted last night concerning the "sit-down" strike situation. I am concerned with other provisions of this bill which are equally iniquitous.

In the first place, I am willing to admit that in 1937 legislation such as was enacted was probably past due labor. Even so it has not beclouded dissertations on the subject to the effect that in the past labor has had a very great case before the public. It was entirely just and entirely proper in my opinion that that should be taken into consideration and remedial legislation enacted, and be it said to the credit of the Democratic party at that time, they undertook to provide a remedy for those long existing evils. But, gentlemen, that remedy was not sufficient. It was soon discovered it was not sufficient. As a matter of fact the records show that immediately upon the enactment of that 1937 legislation there was a strike jump in Pennsylvania of such colossal proportions that there is no record of its equal and probably never will be. In that year there were 344 strikes involving 196,436 persons. I do believe sincerely we can attribute that tremendous record of strikes as almost entirely due to the fact that the 1937 legislation made no provision whatever for common justice and common equality, and did not take into consideration the other side of the economic picture in the state which, of course, is industry. In 1939 proper recognition was made by the then Republican majority in this House of the need for further remedial legislation, and to our way of thinking it has been proven and born out by the fact that the 1937 legislation was amended so as not to destroy anything whatever that labor had gained, but to include also the rights of industry and the rights of capital.

That word "rights" is kicked around an awful lot by labor. Then why should there be such an outcry in recognizing too that there are rights to be observed on the other side of this economic picture?

To give an instance of what 1939 legislation may have furnished the people of Pennsylvania in the way of labor peace, there were only 176 strikes in this state, involving only 28,202 people, and in 1940 there were only 199 strikes involving only 56,435 people. I submit that as a record that does contribute something to the value of legislation which was adopted by the session of 1939, and which it is sought here now to repeal.

I have thought a little about the "sit-down" strike situation which has been, as was said last night, one half improved in the legislation that is now before us for final passage. But that leaves out of the law of Pennsylvania, if this bill is passed, some things which always are and always will be of equal importance to any thing like the sit-down strike situation. It would leave out the provision to prohibit acts which would cause a breach or violation of a valid contract, entered into in accordance with the terms of the National or State Labor Relations act. It would also leave out this vitally important thing today, where a majority of the employes have not joined a labor organization, or where two or more labor organizations are competing for membership of employes, and a course

of conduct is engaged in which is intended or calculated to coerce the employer, or to compel the workers or employes to become members of any particular labor organization.

Gentlemen of the House, on Saturday night, the 15th day of this month, the President of the United States, from Washington, brought to this entire nation and to every part of the world, a message which was unique, and which has been, I think, well understood by all of us. In that message, and in rather a flash of genius, the President came nearer, in my opinion, to securing a unity of thought and a unity of purpose throughout this land, and he made clear, as he has never done before, just where he is leading this country. He took occasion at that time, it will be remembered, to say in a very firm but somewhat guarded way, that he would expect certain things of industry, but he was no less firm and somewhat less guarded when he said what he will expect of labor.

Gentlemen, I submit we are now in a position in this country where there is nothing we can do but follow the leadership of the President of the United States, and along with that submission and following of that leadership I believe the Legislature of Pennsylvania should not withdraw from its laws those measures which will tend to prevent and discourage what he termed unnecessary strikes.

Mr. LEONARD. Mr. Speaker, I desire to say just a few words that I left out in my remarks last night. First, I want to emphasize that the American labor movement is going to follow President Roosevelt in his program to protect this country and to protect the conditions we are enjoying today.

I want to emphasize further on the injunction question one point, and that is this; injunctions were issued against labor for one particular purpose, which of course was under cover, and that was to break down the morale of that striker, and scare him into going back to work at the bid of the management, who forced him out on strike, due to the amount of wages and the rotten working conditions under which this workman had to work. He had no hearing, no opportunity for a hearing, he knew if he opened his mouth it was jail for him under the injunction. That is the main reason why labor has always fought for a hearing the same as everybody else wants. We want to know whether or not in accordance with the principles of our government a man can be sent to jail although innocent. It is not the labor movement that is alone at fault. We have employers who are so hungry for profits that they have no respect for the livelihood of the workers. That today, gentlemen is responsible for most of the strikes that are in progress at this moment.

Mr. LEVY. Mr. Speaker, I did not want to arise in defense of this bill and I do it at this time in answer to a statement by the gentleman from Delaware referring to the men who he said lived on labor.

I say in answer to the gentleman from Delaware that the Commonwealth of Pennsylvania, in fact the entire nation, under the courageous and conscientious leadership of our great President of the United States has been made this a much happier place in which to live, because the men who have led labor in the past twenty-five or thirty years in this country are men of outstanding ability, honesty and integrity.

I would question the gentleman from Delaware when he talks of men who have lived on labor, whether he means Tom Kennedy, the former Lieutenant Governor of

Pennsylvania, whether he means Phillip Murray, at present the head of one of the outstanding labor unions in America, or whether he means our own James McDevitt, the head of the American Federation of Labor in the state of Pennsylvania?

I would say to the gentleman from Delaware that he makes a grave error in believing that legislation of this type, which it is not denied is sponsored and agreed to by the foremost labor leaders in the labor movement in America to-day, and it is not denied that these men are not, as he calls it, living on labor but are men who are fighting for labor along with our great President.

Mr. WILLIAMS. Mr. Speaker, I resent the expression of the gentleman from Delaware, Mr. James, that in this piece of legislation we are throwing a sop to labor. We are only doing what we feel is due and just to labor in this particular case. All we are asking for is a hearing before the granting of an injunction in a case of labor dispute. That is all this repealer and the amendment last night amounts to in this particular bill.

I want to comment further on his remarks in which he spoke of men living on labor. I have been in the labor movement since 1919. I have never been on the payroll of labor, but I have always worked for mine. I sincerely believe in labor because I think I have received much benefit from labor. We have gotten away from the sweat shops; we have much improved working conditions, and our labor standards have been increased, and these better conditions have been due entirely to the efforts of such men as Green, McDevitt, John Phillips and Phillip Murray. I submit that these men are not living on labor but they are working for labor and are making every effort that they possibly can to better the conditions of labor, whether it be in Pennsylvania or anywhere else in the United States of America.

The gentleman mentioned how many strikes occurred in the year 1937. I will grant the gentleman from Delaware that there were many strikes in 1937, but I ask him can he point his finger to labor and say that labor was the cause of those strikes? Those strikes were caused because industry in Pennsylvania and industry in the United States of America refused to recognize the National Labor Relations Act and also our State Labor Relations Act. They were the ones who contributed to that great percentage of strikes that were in that time in existence.

The gentleman referred to the amendments that were offered in the 1939 Legislature. Yes, we had an election in 1938 and of course, the Republicans came into this House with a majority, and just as soon as they took over the work of the majority party, they were not here to do what was right, but they were here to get revenge because they thought the greater part of the men who work in the mines and the steel mills had not voted for them. I further say, Mr. Speaker, due entirely to their actions they were again ripped out of office last year upon the re-election of the President of the United States, our great leader Franklin D. Roosevelt, and when we gave to this House a Democratic majority I say they were the greatest contributors to our success. We have always said that Governor James was the best campaign manager we ever had.

I might say in 1937 there was passed through the House and Senate a labor anti-injunction bill. In 1939 we came into the Legislature and we had an anti-labor injunction bill. Now we are trying to put it back to the place where

it will be a labor anti-injunction bill. This type of legislation was much needed in our Commonwealth, as the State Police and the courts were the two greatest obstacles to freedom of speech and assemblage in our Commonwealth. They were used to stifle organizations, they were used to retard the labor movement in the state of Pennsylvania. The dreams of the working people were realized in 1937, but they were short lived, because of the fact that in 1939 they had a great portion of this particular bill taken away from them. There is no doubt in the campaign of 1938 when they spoke of the threatened bonfire, that the labor anti-injunction which turned out to be the anti-labor injunction bill was the greatest flare of all, it made the greatest blaze and it threw the greatest heat. Of course, they have felt the result of that particular piece of legislation.

I might say in the remarks of the gentleman from Delaware, Mr. James, he mentioned coercion. I might call his attention to subsection (b) of section four where in that particular bill, simple as it looks, all an employer had to do was to leave it to the courts, and an injunction was granted immediately without a hearing. All he had to do was to form a dual organization in his particular plant. That meant if Mr. Phillips or Mr. McDevitt went down to a steel plant to organize the workers, all that an employer had to do was to get his stool pigeons together and form a dual organization. He would then run to the courts and present a petition for an injunction saying they were interfering with the production of his plant. The net result would be, injunction granted, no hearing. That is what we are trying to do here today. We are asking that labor be given a hearing in this particular case. In subsection (c) it mentions coercion. It is question as to who interprets that particular word as to what coercion might be. According to the interpretation of the gentlemen on the other side, I might say some of them believe all that coercion meant was pointing a finger at somebody while standing on a picket line at a struck plant. It might be the asking of a question of a person as to whether or not they would join a labor organization, whether or not they would cross a picket line to go to their work. They go right into court and say, "You are coercing the workers," or "You are coercing the employer," to force him to grant you your rights in this particular case.

We believe that hearings should be held in all these types of cases. Therefore, feeling that labor would be justified in this feeling that the persons who aided the leaders and who are as much interested or even a lot more interested in our democracy than some of the industrialists, I do not know why in the world anybody would come into the House in 1939 and try to strip labor of the things that are good for them.

As I stand here, I also recall the remarks of the gentleman from Armstrong, Mr. Gates, the other evening, when he talked about pressure. I was anxious also to speak on that particular thing the other night, but being a first timer in 1939, I recall very vividly the vote that was taken on the amendment on work time for women, and also in this particular case of the labor anti-injunction bill. I remember very vividly there were about five gentlemen walked into this House after that particular bill had been defeated by a vote of 89 for and 90 against, when we as Members desired to walk to the rostrum, it was necessary that we get a permit, but I noticed that

on this particular night these privileged gentlemen, who were not Members of the House, came in and walked up to the rostrum and asked for a recess. They also asked at that time for a caucus of the Republican Members. Of course, they took the boys up into the caucus room and they singled them out. They wanted to know why they were opposed to this particular bill. They used pressure, as the gentleman from Armstrong stated. I can recall very vividly when we crossed them up in the debate on that particular bill, after it was called back for reconsideration, when the question came before the House, there were a great many Republican Members who left their seats. Of course, they did not have 105 votes all told. I was standing at that time at this particular microphone. Our floor leader said, 'Yield the floor and ask for a roll-call.' The clerk proceeded to call the roll. He called about seven names, if I remember right, when the Speaker noticed there were not enough Members in their seats to pass the bill. He said, "Will the clerk yield. He then called the sergeant-at-arms, the page-boys and posted guards at the door so that nobody could escape. I remember very vividly the gentleman sitting over there, Mr. Fleming, trying to get out of this door at the rear of the hall. I saw that. I also noticed the gentleman from Bucks, Mr. Stockham, standing over there, and he grabbed the gentleman from Allegheny and said, "You must get back in your seat and vote on this bill." I will give you gentlemen an opportunity to deny that if you care to do so. That is the truth. We may as well have the matter over. I remember that the gentleman from Allegheny did go back to his seat and he voted for the bill. All right, they passed that bill. Now, I am telling you, gentlemen, it was always questionable with the members on this side as to whether or not they had 135 votes, but after the clerks up there sat and figured for ten or fifteen minutes, if I recall the matter correctly, they came out and said there were 106 votes while we thought there were only 101. Now we are trying to restore what was stolen in the 1939 session, and I ask all the Members of the House to vote "yea" on this particular bill.

Mr. TURNER. Mr. Speaker, I always get a great kick out of listening to my friend, Mr. Williams, from Washington County either upon the floor of the House or in Committee. I always like the thought that he is very positive and sure of himself in the first place. In the second place he always has a rather frank and good humored way of stating things.

However, we are not here, as I understand it engaged in the discussion of the 1939 session or of its idiosyncracies, failures or successes. Naturally we were able to muster a vote and get our Members in their seats, which I do not mind saying the Democrats have great trouble in doing. I remember one time Mr. Andrews, very conveniently, when the House was rather small called for a quorum. Page boys and sergeant-at-arms were sent to hotels and restaurants to get the Members back to their seats. I do not know whether that is coercion or not but it is parliamentary, legislative and political procedure.

I have been here in this House for a good many years. I have survived a lot of Democrats and they never worried me very much. You know it is just like the post man said, he could not deliver the mail if he would stop to kick at every barking dog. I always sort of feel that way too. We have tried to deliver the mail and not worry very much what the fellows on the other side said. I would

like to go on and say that some things seem to me very funny about the proceedings here today, some of the complaints and some of the statements made on the other side of the House, but that is not the issue. The issue before us today is really one of the most important things that will confront this legislature in the present crisis in which this nation is involved. I am certain that we are facing one of the most vital questions before the people of Pennsylvania, herein this great armory of the nation, here in this state where we have already been given more defense orders than any other state, here in this state where they are, as I understand it, in contact with the state officials and with our industry, pleading with them from Washington to keep things moving and to keep the ball rolling in this state, which is to meet the greatest burden of all the states on the question as to whether or not whether America shall be armed. I know the people of our country are interested in this defense program, whether they be laboring men, white collared men or whether they be professional men or whether they be others of our citizens who will live from some other source in this Commonwealth of ours, where the people have said we must lend our aid to Britain as much as it is possible to do so, where speed is of the essence of time, and where we certainly are meeting an important issue. Strikes are not the issue before us at the present moment. In the attempt to amend the 1939 act, I believe the Democratic Party is making a false attempt to woo labor, because I sincerely believe, and feel that those of you on the other side of the House who know me, realize when I say so, that I sincerely believe what I am saying, that you are not benefiting labor. I sincerely believe that you are destroying the rights which later labor will wish had not been destroyed.

Let us look at the act of 1937 about which the gentleman from Washington has spoken, and by the way, Mr. Speaker, it is rather interesting to me to note, I picked up the Journal and I saw that the last time I spoke on this bill I interrogated a gentleman who was sitting on the rostrum this morning. The gentleman from Luzerne Mr. Yourishin. Is asked him what was the necessity of this, in view of the labor relations act that had been passed, and he said, "Well, labor had the right to strike and it needed the protection." I am afraid that my young friend from Washington in his zeal, and I am amazed that some of the expert lawyers, have not taken the time to study the act of 1937 or the act of 1939, and then what are we trying to do under this bill that is before us today.

Section 6 of the Act of 1937 says:

"No court of this Commonwealth shall have jurisdiction or power in any case involving or growing out of a labor dispute to issue any restraining order or temporary or permanent injunction which, in specific or general terms, restrains or prohibits any person association or corporation from doing, whether singly or in concert with others, notwithstanding any promise, contract or agreement to the contrary, any of the following acts."

This is not to be construed as authorizing injunctions in any other case. What does that mean? In a number, of what we might say are relatively harmless situations that might arise, the courts have no power to issue a temporary or permanent injunction unless as this section says, there is some violence or fraud or something of that kind.

It is amazing to note, if you study this act, that section 7 goes on to say:

"No court of this Commonwealth shall have jurisdiction or power in any case involving or growing out of a labor dispute to issue a restraining order or temporary or permanent injunction."

It then goes on to say, upon the ground that there has been violence, the very thing that in section 6 it says, unless there was violence in the case you could not issue an injunction. It goes on in section 7 to say, even if there is trouble you cannot issue an injunction.

Let us look at section 9 which you are amending, it says:

"No court of this Commonwealth shall issue any restraining order or a temporary or a permanent injunction in any case involving or growing out of a labor dispute, except at the hearing of testimony of witnesses in open court (with opportunity for cross examination) in support of the allegations of a complaint made under oath and testimony in opposition is offered, and except at the findings of fact by the court to the effect...."

That is, the court has got to find the facts, before it can issue this restraining order, that unlawful acts have been threatened, and then it goes on with a list of things, and if the court finds those facts to be true there isn't any place where the courts can issue an injunction. You cannot find the kind of an act that the court might restrain unless the court itself violates the law. Section 6 says you can issue a restraining order if certain things are so except in certain cases. Then section 7 says you cannot do that either because if there is violence or fraud you cannot do it.

Section 9 sets up a list of specifications of fraud, and the court cannot issue a restraining order unless it finds those facts. They are so extensive and voluminous that there is no place where they can find an opportunity for a restraining order. What do you do? The gentleman from Allegheny Mr. Brown, last night offered an amendment which would relieve the section of that provision as to "sit down" strikes. I think we now know that a lot of the brothers on the other side have awakened to the fact that that was rather indefensible. I think the amendment that was put before this House is a fraud and a deception on the membership of this House and on the people of Pennsylvania. I think you men on the other side of the House were being fooled when you voted in favor of an amendment that does not mean a thing, because the amendment is section 9, and it only provides one further thing that the court has to find before the court can issue an injunction. It has to find as a matter of fact that there was a "sit-down" strike.

Now then you say before there should be an order issued you ought to have an opportunity to be heard. On the other hand, you say you are opposed to the "sit down" strikes, that labor is opposed to them. All right. What is the procedure in the courts in an injunction proceeding? You go in by affidavit. The court makes you file a bond. The court generally does not issue immediately a preliminary injunction. It generally gives notice to the other side that it will be heard tomorrow or the day after, depending upon the circumstances presented to the court. But suppose the court did issue this restraining order, saying that you are restrained from a "sit down" strike. If you are not having the "sit down" strike you are not hurt in any way. You are being restrained from something you are not doing. If you are having a "sit down" strike, to which you are opposed, there would arise a situation where you ought to be restrained. Therefore, the intent of what you are

trying to do really is not sincere. If you say you are against "sit down" strikes then there is no reason for the amendment that has been introduced except to throw up a smoke screen to try to fool the people. I am sure that you are against "sit down" strikes, and I am sure that labor is against "sit down" strikes.

Let me repeat that again, because I have had some difficulty in getting some of my colleagues to understand what I mean. If there is a restraining order what would the courts be restraining? Would it be a "sit down" strike or violence or damage done to the plant? If labor is not doing any damage to the plant a restraining order cannot hurt it. If labor is doing damage by a "sit down" strike, and you say you are opposed to it, therefore the net result is the same, so why this amendment?

This amendment is worse than that. This amendment does not do what the gentleman from Allegheny, Mr. Brown has said. This is not a half loaf that was taken away. This says before the court can issue any kind of a restraining order, it not only has to find the fact that there is a "sit down" strike but it has to find every other provision enumerated in section nine of the acts of 1937. In the 1939 session we tried to be fair; we tried to amend this act in such a way that it would be fair to both labor and the employer, as we believed there should be justice on one side as well as on the other. If labor makes that mistake and tries to gain some advantage for themselves they will have nobody to blame but themselves because it will mean that pendulum eventually swings back hard on the other side.

What did we do under the 1939 act? We permitted the court to issue an injunction with certain limitations. In fact there were four cases mentioned which would cause a breach or violation of a valid contract entered into in accordance with the terms of either the national or state labor relations act. The state labor relations act permitted them by collective bargaining to enter into a contract with an employer. Don't you think it is fair both to labor and to the employer to say that you can have an injunction to prohibit the conditions which would cause a breach or violation of a valid contract? Certainly we are going to stand by our contract.

The act of 1939 provides as follows:

"Where a majority of the employes have not joined a labor organization, or where two or more labor organizations are competing for membership of the employes and any labor organization or any of its officers, agents, representatives, employes, or members engages in a course of conduct intended or calculated to coerce an employer to compel or require his employes to prefer or become members of or otherwise join any labor organization...."

Certainly that is not protection of labor. It does not want to coerce an employer into favoring one particular labor organization against another. Labor ought to have free opportunity to compete in any industry. Certainly you cannot object to an injunction to restrain that.

The act of 1939 further provides in section (c) as follows:

"Where any person, association, employee, labor organization, or any employe, agent, representative, or officer of a labor organization engages in a course of conduct intended or calculated to coerce an employer to commit a violation of the Pennsylvania Labor Relations Act...."

Labor sought in Pennsylvania the Labor Relations Act,

and this would permit the restraining of an employer and would permit the restraining of someone engaged in a course of conduct intended to coerce an employer to commit a violation of that act. Certainly it seems to me that is for the protection of labor. It does not want the employer certainly to violate those acts which they sought so hard to have passed and which have become a part of the law of the land.

Mr. Speaker, I am having some difficulty in being heard. If I could talk well enough to keep the members quiet, I would not plead with the Chair for the opportunity to discuss this matter, but as I see it the problem is of so much importance in this present situation that we ought to have the opportunity of saying it in the best way it possibly can be said. I wish this morning that I had greater powers than I have of expression. I have seen a few times in the history of the House where I felt I would like to say things to the Members in a far better way than it is possible for me in my humble capacity to say them, but I am going to attempt to say to you men some of those things that are close to me this morning.

I studied this proposition since last night, and I listened very attentively to the gentleman from Allegheny, Mr. Brown, in his proposal. I tried to follow him, and I tried to follow the gentleman from Washington in his proposed amendment. I was not quite clear just exactly what the gentleman meant. This morning as I sat in my office and endeavored to study this act I began to see the picture and to see that the offering of these amendments was not a sincere attempt to provide those things to prevent "sit-down" strikes, but that the members on the other side were being very much fooled by what had been said to them, and by what labor was attempting to say to them, and what some of the leaders of labor were attempting to say to them. I have watched with a great deal of interest the course of this debate in the last few hours and I have been convinced that some of the leaders of labor are likely to lose for labor that legislation which they have gained in the last few years. I have watched the course of events and the gentleman from Delaware, Mr. James, referred to what the President of the United States said the other day. I have watched the course of events until I have been convinced that the day is not distant when the President of the United States will force upon labor some of those things it does not want. I believe the rank and file of labor generally, as the gentleman from Allegheny, Mr. Leonard has said, is sincerely a patriot. I believe that the rank and file of labor is not so much interested in all of the "isms" and in the terms and provisions which are written in the name of labor as they are in the desire to have a job, to have some place to work, and to put every effort behind this national defense program. Any man is a fool who believes that the mothers and fathers of this country are going to send their sons into military training, and those who are already there, giving up their lives and giving up every opportunity and subjecting themselves to discipline and regimentation of army life, that those men are going to tolerate a condition that shall prevent or stop or delay the national defense program. I think somebody here on the floor this morning said something about strikes that had occurred. We have a strike in the Bethlehem Steel Plant where two thousand men are saying they won't work, they are going to create a strike, because sixteen thousand men or some part of them are holding some kind of an

election. Is that the kind of a labor dispute that the people of America are going to protect? Is that the kind of labor dispute that the men on the other side of the House want to protect with reference to the national defense program in a national emergency such as we have? I cannot believe it. I say to you frankly that labor, when it sacrifices one right, when it sacrifices almost all those benefits and special privileges which they have gained in the past, that labor itself will find that those are the stepping stones upon which dictatorships have been built on the other side, which have destroyed the rights of labor, which have reduced men to a position of serfdom, such as we have not known in all history, in the one hundred and fifty years of struggle by labor during which time labor has made tremendous advance, which gains have been thrown away by the inconsistency and by the unbridled efforts of certain labor leaders to gain control at the same time at the expense of the present emergency. That is the reason why I am so deeply concerned with this act today. That is why I am so deeply concerned with the manner in which you men on the other side of the House handle this matter. It is not a question of Democrats or Republicans, it is a question of labor or somebody else. We have no right in the present emergency under the guidance of the President to set up any class, that is asking for a special privilege and to put them outside the limits of the law? We are subject to a temporary injunction, we are subject to a restraining order. Free men must have a court to which they can go to protect their interests, and labor above every body else should realize that.

This is no time for class, this is no time for party. It is time that we put forth every effort. We have not awakened to it yet. You men have been here now for three months considering a lot of inconsequential legislation. The time may not be long in coming when we may not be able to recognize our present form of government, when in a few years our present conditions will look like a holiday. Let us not, therefore, be bickering here over the question of labor and employer. Let us not be here bickering over the question of whether labor gets its rights. Let us stand upon the fundamental principles that every citizen must have his right before our courts, and that labor should not get any advantage that the other citizens do not have.

Mr. HOLLAND. Mr. Speaker, the talk here this afternoon was always with the thought in mind that if the defense program of the United States fails it fails only due to labor. I want to stand here and say to you that if the defense program fails, it will not be through any fault of labor.

The gentleman spoke of a "sit-down" strike. Do you mean to tell this House that every industrialist that goes down to Washington with his grip or his brief-case goes down simply for the reason that he wants to protect America? He is the one who is pulling on the "sit-down" strike until he gets from the government the price which he wants for the material that he is giving to our boys to shoot in the guns that we are now using. You say labor is holding up the defense program. I am telling you that one of your greatest automobile factories in the United States was the first to defy the President of the United States. I mean the Ford Motor Company. They were the first not to agree to go along with the defense program. **It was not labor.** When you wave this flag of patriotism, and, by the way, I think I can wave it too because I have applied for my commission back in the army which I held

in the last world war and I hope to be in the service after the session closes, but if you wave that flag, don't wave it with the thought in mind that only the industrialists of the United States are Americans. The industrialists of the United States today have started more "sit-down" strikes against the government and the government's defense program than any labor union has in the United States. It is due to the propaganda that is now being fed to Americans in our press, and I say to you the time is now ripe for us not to be one sided. We are not one sided. We are going to see the side of labor as well as the industrialists, who through their propaganda are trying to sell the people of the United States on the proposition that all labor disputes are caused by labor, when if we went behind the fence, we would find that most of the labor disputes were caused by thick-headed industrialists, who want to go back to the dark ages which were wiped out after 1932.

Mr. LOVETT. Mr. Speaker, I just want to answer some of the remarks and assist my able attorney on the other side, Mr. Turner. As I said here last night, the intelligentsia have finally found themselves in a position where they don't know what to do next, especially in this particular act. The attorneys have told me it is a fake, it has always been a fake, there is sufficient law to govern these things without this particular law. Now, it is time that we come down to earth and not try to kid the people.

I have pleaded in this House with the members of this House to try to protect the form of government we have. Who has failed? The courts have failed. They were granted under the law the power of injunction. They abused that power because they saw dollar signs. It was proven that they were found on the preferred list. For years and years and years the white collar man has lived on the back of industry and bathed in the sunshine of Florida, while the workers were denied the right in this country up until 1932 of even organizing into organizations for their own protection.

Now, those are the facts, gentlemen that we must face in this issue. I say to you that the President of the United States in the last week or so, did not only say to labor but he said to industry, "You must cooperate in order to protect the form of government we now have". He did not emphasize one side or the other. Industry has just as much responsibility as labor. That is the reason why we say to you today that we should repeal the acts that gave the courts the power that they misused in the past. You men do not deny that. You know there were times when injunctions were granted and when men were clubbed on the head when it was unnecessary. Those are the things that we are facing today in fighting for legislation, to give back to the people of the country the right to be guided.

My friends, I say to you we haven't any right to expect labor to do any more than we ask industry to do, and that is the reason we are repealing these acts, because the courts have failed in the powers that were handed to them for the protection of the people, but they protected only the almighty dollar.

I say to you, give labor the right to stand up on its own feet; let us go along with the President of the United States without being hamstrung by the courts or by anybody else. This is the day when men must march in the interest of their country and in the interest of their form of government, and I ask you to support this bill and tear down any obstacles in the way of labor or anybody else in this country. I thank you.

Mr. DIX. Mr. Speaker, I would like to address the House for a few minutes on this bill. It was not my intention to say anything in regard to this bill but certain statements have been made in reference to labor and in reference to the bill itself which I feel called upon to answer. I would like to read an editorial and make some remarks in regard to this so-called injunction bill. I have heard the name of President Roosevelt mentioned here several times, and I want to say as far as injunctions are concerned President Roosevelt has issued the largest and most drastic injunction in the history of all times. He has issued an injunction to four million young men to appear in the army barracks at one dollar per day, while another four million are able to pick up the profits from that labor. I have had a great many people come to me and say, "Dix why don't you say something in the House in regard to the boys and girls working for one dollar a day, and these fellows working in the barracks for five, ten, fifteen, or twenty dollars a day?" I said to them I could probably say something in the House but before we could get a bill through the House the barracks would be built and the men would have the money.

I understand that up to date in Indiantown Gap, for instance, in a great many instances before a man can get any job he had to pay some walking delegate or some labor leader twenty-five or fifty or seventy-five dollars. Nobody seems to know why, and an investigation might be in order. Nobody seems to know how much they will have to pay, but I do not believe there is a man in this House who feels that is just as far as the unions are concerned. I believe they did very good work up until five or six years ago. Then they became arrogant, many of them just the same as the capitalists became arrogant. There were just as arrogant labor leaders as there were capitalists. In my own business, in the mechanical department, my men were members of the union for a great many years. I encouraged them to join a union, so that I am not opposed to labor unions. But I am opposed to arrogant labor leaders, I am opposed to grafting labor leaders; I am opposed to unions who permit their men to collect twenty-five, fifty or seventy-five dollars for the privilege of working on a government project.

In that connection, Mr. Speaker, I would like to read some editorials which I have. Here is an editorial from a democratic newspaper. I believe it is the Harrisburg Patriot. The article in that paper reads as follows:

Congressman Smith of Virginia last week lost his fight to make it possible for an American to help defend his Country without paying an initiation fee to a labor union, but he did not lose his determination to bring the issue home to Congress at every opportunity.

"American workingmen will some day thank Congressman Smith for his battle for free and equal opportunity to work without paying tribute to anybody. Alluding to the twenty-three dollar union admission fee which common laborers must pay in some instances to work on Government defense contracts, saying nothing of the fifty and one hundred and fifty dollar charges imposed up the scale the Virginian declared—"

POINT OF ORDER

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

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

Mr. RUSH. Mr. Speaker, the gentleman is not discussing the question before the House.

Mr. DIX. Mr. Speaker, I am discussing it as well as anybody else has discussed it.

The SPEAKER. The point of order is well taken. The gentleman will confine himself to the question before the House.

Mr. DIX. Mr. Speaker, I think I am discussing it as well as anybody else has.

Mr. Speaker, alluding to the twenty-three dollar union admission fee, I will continue on with the editorial;

"Alluding to the twenty-three dollar union admission fee which common laborers must pay in some instances to work on government defense contracts, saying nothing of the fifty and one hundred and fifty dollar charges imposed up the scale, the Virginian declared"—

POINT OF ORDER

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

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

Mr. RUSH. Mr. Speaker, I still insist that the gentleman is not discussing the question before the House.

The SPEAKER. The Chair has been very lenient during the discussion on this bill, and would ask the gentleman from Wayne to confine himself to the subject before the House.

Mr. DIX. Mr. Speaker, I think both the Republican and the Democratic sides of the House have wandered pretty much all over the earth, and they finally got back to the subject of injunction, and if you will permit me I will get back to the subject of injunction very shortly.

The editorial from that Democratic paper goes on to say:

"No man ought to be compelled to join any organization in order to work for his country. Just how sound that statement is may occur to some workmen in the light of what would happen should the Communists, the Nazis or the Facists get the upper hand in this country."

Here is another article along the same line, which goes to back up the statement that I have just made. It is from the New York Herald Tribune of the issue of February 27, 1941 which says:

"The House Judiciary Committee had before it on Tuesday a witness named R. B. Wickiser, who had been employed as a steam shovel foreman in the construction of an Army camp in California until discharged for failure to pay further installments on his initiation fee to Local 12, of the International Union of Operating Enginners, A. F. of L. He had paid thirty dollars, he told the committee, on filing his application to join the union, but, on finding that he was supposed to pay two dollars a week until the total reached sixty-three dollars and eighty-five cents, he refused. The contracting company, his employer, urged him to make peace with the union, he said, but when he failed to do so fired him. Asked who was paying his expenses to appear before the committee he replied that the boys on the job had made up a purse to which union members had contributed. These men, he declared, want some protection against this continual buying of a job. . . . If the government is going to make them join the union it ought to protect them."

POINT OF ORDER

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

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

Mr. LEVY. Mr. Speaker, I do not know what the Chair's interpretation of the word "lenient" is, but the gentleman from Wayne is not speaking on the subject or upon any-

thing relevant to the subject. We are discussing a bill that has to do with one act of the General Assembly and an amendment thereto, and the gentleman is reading from an editorial concerning union dues. I believe, Mr. Speaker, that is not relevant to the subject.

The SPEAKER. The point of order is well taken. The gentleman from Wayne will confine himself to the question before the House. The Chair has been very lenient with the gentleman from Wayne, and the gentleman from Wayne should respect the ruling of the Chair, and confine himself to the subject before the House. The gentleman will proceed in order.

Mr. DIX. Mr. Speaker, do I understand in regard to injunctions that the gentleman from Philadelphia wishes to issue an injunction against free speech here.

The SPEAKER. Freedom of speech also involves obedience to all the rules of the House in debate. The gentleman will proceed.

Mr. DIX. Mr. Speaker, free speech is a constitutional prerogative too.

The SPEAKER. So are the rules of the House. The gentleman will proceed.

Mr. DIX. Mr. Speaker, I wish to say in regard to this injunction, since I have been cut off from free speech, that I feel that the cart has been placed ahead of the horse. I am in favor of labor having its day in court, and I am in favor of labor having free speech, which the gentleman from Philadelphia denies me. I am in favor of injunctions being prohibited to a certain extent, but I believe that an injunction should be permitted before damage is done and before sabotage can be committed and before destruction of property has occurred. The hearing should take place after that and not before, and for that reason and for that reason alone, Mr. Speaker, I will not vote for this bill.

Mr. WILLIAMS. Mr. Speaker, I would like to answer the remarks of the gentleman from Delaware.

Speaking of the strike at the Bethlehem Steel Corporation, he claims that two thousand employes out of sixteen thousand are causing it. I might say in this particular case the Bethlehem Steel Corporation must assume responsibility for this particular action. The Bethlehem Steel Corporation has defied every law of the land. The Bethlehem Steel Corporation has set itself up as being something bigger than the government of the United States. I believe it is time that they be brought within the jurisdiction of the law. The Bethlehem Steel Corporation has defied the Wagner Labor Relations Act, they have defied the Walsh-Healey Act. They have even defied the Labor Standards Act, and therefore I feel that the members . . .

POINT OF ORDER

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

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

Mr. DIX. The gentleman is not speaking on the bill.

The SPEAKER. The point of order is well taken.

Mr. WILLIAMS. Mr. Speaker, I feel I am speaking on the bill. I am answering the gentleman from Delaware who raised the question.

The SPEAKER. For the information of the gentleman, the only question before the House is on this bill. The point of order has been raised, and the Chair rules it is well taken.

Mr. WILLIAMS. Mr. Speaker, as I was saying, in answer to the gentleman from Delaware, I am happy to

hear the admission of Mr. James from Delaware, who has finally told us that the minority has submitted to the leadership of the President of the United States; second, the admission of the other gentleman from Delaware, Mr. Turner, that he is delivering all the mail on the other side of the street. We have received no letters from him as far as labor legislation is concerned. We also know in every nation where labor has been abused, whether it be by injunction or otherwise, that nation has fallen. We have seen the conflagration in Europe, we have heard the reports concerning the propoganda in those particular nations. We know now that in Europe the last bulwark of democracy exists in England and in England alone, where labor has been given a fair opportunity and protection by the government. We know that labor in America will be the one who will save our democracy in spite of anything that the Bethlehem Steel Corporation or other violators might care to do

POINT OF ORDER

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

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

Mr. DIX. Mr. Speaker, the gentleman certainly is not speaking on this bill any more than I was.

The SPEAKER. The Chair has been trying to be fair to both gentlemen. Both have been ruled out of order.

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, it has always been customary, as far as possible, when important measures are being considered to allow as much latitude as possible in debate, always, of course, trying to keep from getting too far afield.

It seems to me the gentleman from Delaware, Mr. Rush, was a little over zealous in his point of order and perhaps he is now making it inconvenient for the gentleman from Washington. It seems to me the question should be determined by the Chair now whether we are going to debate the bill or whether we are going to debate all these extraneous questions that arise under the bill. If we are going to debate the bill, we ought to be confined to the questions pertaining to the bill. If we are going to debate other questions which arise with reference to labor disputes, let us have a general free for all on that question and let everybody talk.

Mr. WILLIAMS. Mr. Speaker, as I was saying my remarks are confined to the effect upon the moral fibre of the working people of Pennsylvania and in this nation through injunction. That is what I was trying to get around to. I say that these things are all relevant to in the remarks I made.

The gentleman from Delaware, Mr. Turner, in his remarks raised the question of the strike at Bethlehem Steel Corporation and I was only trying to give an answer, that that corporation has defied every labor standard and every law of this land. They were setting themselves up as being something greater than the government of the United States. Having laws on our statute books and then having an employer defy the law of the land, how can the workers of this nation and of this Commonwealth have the moral

fibre to carry on when they see ruthless acts of this kind. I want to answer the gentleman because of the fact that he raised this question.

He also made a remark concerning "sit-downs." I might ask who was sitting down in the aluminum industry when the government was asking for priorities of orders? I might ask who was sitting down in industries when they were going to be restricted to eight percent profit? I question the sincerity of a large part of industry in this entire set up, because of the fact that the only thought of a great many of them is profit in dollars and cents. They come back here and say "Why should we raise the question of labor disputes?" Labor is very much interested and labor is not going to listen to the propoganda of industry which uses the national defense program to stifle organized labor whether it be in Pennsylvania or the nation. Labor is only asking what it feels is justly due them. Therefore, I again ask the members to vote for this bill.

Mr. BROWN. Mr. Speaker. I know the time is growing late and we are exceedingly restless. I never consume more than ten minutes on the floor of this House and I do not intend to consume that much at this time. I believe we should come back to the issue. I believe there is hopeless confusion in this House as to what these amendments purport to do and what the amendments that were offered to this bill purport to do.

I think we are in hopeless confusion as to what constitutes a labor dispute and what does not constitute a labor dispute. The anti-injunction act was passed both by the national Congress and throughout the several states of the union to take care of matters involving labor disputes. I read to this House last night the opinion of the Chief Justice of the United States Supreme Court who said that "sit-down" strikes in matters of violence did not constitute a labor dispute. Therefore, it is my firm conviction that we are making a terrible mistake. We are misleading labor, we are misleading ourselves, misleading the people of our Commonwealth and the people of this nation when we try to make a labor dispute illegal. To begin with that has nothing in the world to do with labor disputes. To show whether or not courts have been fair to labor, whether or not courts have protected labor, I will refer my friend to the case of Thornhill versus Alabama reported in 310 U. S. page 88 which was decided in 1940, a case in which the Supreme Court of the United States struck down a statute of the State of Alabama.

This case held where regulations of the liberty of free discussion are concerned, there are special reasons for observing the rule, it is the statute, and not the accusation or the evidence under it, which prescribes the limits of permissible conduct and warns against transgression.

It discusses the conduct prohibited by the statute. It is apparent that one or the other of the offenses comprehends every practicable method whereby the facts of a labor dispute may be publicized in the vicinity of the place of business of an employer.

It says the statute is invalid on its face as an invasion of freedom of speech and of the press; gives the "clear danger of substantive evils" test. The opinion in that case was handed down by Justice Murphy. In the case of Carlson versus California, 370, U. S. page 106, the court followed the same line of reasoning. I therefore say to the gentleman from Allegheny, Mr. Leonard, when he speaks

of strikes, when he speaks of the right of labor to bargain, when he speaks of those things which have been written into the law and which is the Magna Carta of labor and which is the fundamental right of labor, it was labor's right before the enactment of legislation, before Congress enacted the Labor Relations Board Act.

On this question of sit-down strikes, on this question of the destruction of property, on this question of taking property without due process of law, I agree whole-heartedly with the gentleman from Delaware, Mr. Turner that the minute we start this business of giving priority or certain exemptions, or trying to favor certain people while other people have to abide by the law, you are breaking down the fundamental principles upon which this government rests. I say to you if you and the rest of us should attempt to take this Hall away from the people of the Commonwealth, who sit down here without being duly elected, the court could come in by injunction and throw us out. Why can't they take labor out? If labor is violating the law, or if labor has destroyed property, I say in every case that is not a labor dispute, labor should have no preference but should stand like every other person and like every other organization in this Commonwealth and in this nation.

Mr. REUBEN E. COHEN. Mr. Speaker, I talked last night on the amendment and I had my say with reference to the legal concept of this particular amendment. I do not think I have as yet disagreed on the floor of this House with my colleague from Allegheny, Mr. Brown, but I intend to say something concerning the statement which Mr. Turner made on the legal concept of the particular amendment. I want to reiterate what I had to say last night in reply to what was said here today. One of the fundamental principles of the law governing equity procedure in our courts, which has been the fundamental law of equity from the old English law, and became a part of our system of law, and is incidentally that system of law under which an injunction is granted, is that you cannot grant an injunction for something that has not happened as yet. The four examples that were read out of the act by the gentleman from Delaware to my recollection, although I cannot use the exact phraseology, because I do not have that kind of a memory, but if those things would happen and intended to produce a certain result an injunction might be granted. That is precisely what equity is, but jurisdiction should not be invoked in favor of everything which might happen. That is precisely the question here, if such and such a thing might happen, if a petitioner comes into court and says he needs an injunction to prevent it from happening, a great injustice might be done. We want to bring this question of "sit down" into the category of proper judicial determination by saying if you are to have your injunctive relief you shall proceed as anyone else shall proceed, and that is to prove your facts before you get your remedy, and not get your remedy first and produce your facts later. If you have a condition that needs remedying, you should take your evidence and present it to the court and let the evidence be produced first upon which you are seeking relief. Don't put your relief first and then have your headache. In our courts we must first prove our facts before the courts will give us any remedy. I disagree with the gentleman who says that this particular injunction is injurious. It is plainly in so many words a restatement of equitable

principles. It is based upon the law of the land. I ask you to give due consideration to this bill and I ask the members of the House to vote for this bill.

Mr. LEVY. Mr. Speaker, I also find myself in utter disagreement with the gentleman from Delaware and with the gentleman from Allegheny. I am not going to attempt to attack this measure or defend it on legal grounds. I say that in all seriousness because I believe this problem should not be attacked or defended on those grounds. The fact remains, Mr. Speaker, and members of the House, that we are attempting to amend an act of 1939 which deals with "sit-down" strikes. The gentleman from Delaware made the assertion that the Democratic party is attempting to fool labor, and fool the people of the Commonwealth of Pennsylvania.

I say to you, Mr. Speaker and members of the House, I personally resent that statement. The Democratic party by this measure is neither attempting to fool the people of Pennsylvania nor labor nor anyone else concerned with this piece of legislation. I find myself in agreement in part with the gentleman from Allegheny when he read the last decision of the Supreme Court of the United States relative to the Alabama case, in which Justice Murphy issued the decision.

I say to you, Mr. Speaker, if some of our state courts were made of the same fiber as the Supreme Court of the United States, if some of the characteristics were in the state courts of Pennsylvania that we find in the Federal courts, especially the Supreme Court of the United States today relative to liberalization, I would say then we do not need a stop-gap piece of legislation of this kind. But it is only in the instance where we have in Pennsylvania a situation where an employer's lawyer holds a star chamber conference with the jurists in the state court and by the wave of his hand he says, "There is a "sit-down" strike in a particular plant or factory," It is in that instance where we on the Democratic side of this House say to the membership and say to labor and say to the people of this Commonwealth that labor then deserves and should have a hearing before an ex parte injunction is issued.

I say to you, Mr. Speaker, there have been statements made on this floor this afternoon with utter regard for their honesty. I say to you, Mr. Speaker, that this bill comes from the heart and the soul of Americans who are of the same type as we have in any city of this Commonwealth.

I say to you, Mr. Speaker, this piece of legislation is humane, this piece of legislation does not, as the gentleman from Allegheny says, give the priority to a certain class in Pennsylvania. It does, however, set up a safeguard and it does say to our courts in Pennsylvania that they must give due consideration and due deliberation to the rights of labor in cases of this kind.

Mr. MORAN. Mr. Speaker, I move the previous question.

Mr. TURNER. Mr. Speaker—

The SPEAKER. For what purpose does the gentleman rise?

PARLIAMENTARY INQUIRY

Mr. TURNER. To a parliamentary inquiry, Mr. Speaker.

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

Mr. TURNER. Mr. Speaker, is it possible, before the vote is taken on the previous question to ask permission

to make a statement with reference to the question before the House?

The SPEAKER. A motion for the previous question has been made. It is not debatable. There is nothing in order now but the determination by the Chair as to whether the previous question shall now be put. The only procedure to permit debate is for the gentleman to withdraw his motion for the previous question.

PARLIAMENTARY INQUIRY

Mr. TURNER. Mr. Speaker, a question of parliamentary inquiry.

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

Mr. TURNER. Is it permissible, Mr. Speaker, to ask to interrogate the gentleman from Allegheny, Mr. Moran, for the purpose of requesting him to withdraw his motion for previous question?

The SPEAKER. The Chair will inquire of the gentleman from Allegheny whether he desires to withdraw his motion for the previous question temporarily.

Does the gentleman from Allegheny wish to withdraw his motion temporarily?

Mr. MORAN. Yes, Mr. Speaker, on one condition, and that is that the gentleman from Delaware confine the remarks he is going to make to the question before the House.

The SPEAKER. The gentleman withdraws his motion for the previous question, and the Chair recognizes the gentleman from Delaware, Mr. Turner.

Mr. TURNER. Mr. Speaker, I will certainly confine my remarks to the question before the House. I realize too we have gone rather far afield, yet I cannot but believe that the debate here this afternoon even though my colleagues have gone far afield and I think that is true on both sides, has been a useful debate under all the circumstances that we have at the present time. I know there have been a whole lot of questions raised which I hoped would not be raised. I am sorry that the gentleman from Allegheny, Mr. Holland, sought to raise a question as to manufacturers and others. I have no defense for anyone who by their conduct, whether they be laborer or whether they be employer, have anything to do with the obstruction of the defense program. I cannot, however, but feel that what I said in some degree was rather futile because two lawyers on the other side of the House have misunderstood what I said, and do not yet, it seems to me, understand the provisions of the bill. I would like to add that I thought I made it plain that I felt the great mass of labor was just as patriotic as any other group of our citizens; I thought the great mass of labor wants to do its part. Labor contributed to the public opinion under which the Lease Lend Bill was passed. That bill could not have passed without great public sentiment back of it, and there was no line of cleavage in producing that public sentiment in this country. I do not think this is a time to raise issues. Mr. Brown said it is not a question of strikes. We all must believe in the laws regarding "sit down" strikes and collective bargaining. Collective bargaining is something which we all now recognize. We all recognize the rights of labor that are given to them by the law. This is something else. Therefore, I would like to interrogate, Mr. Speaker, the gentleman from Philadelphia, Mr. Cohen.

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

Mr. REUBEN E. COHEN. I shall Mr. Speaker.

Mr. TURNER. Mr. Speaker, I would like to ask the gentleman from Philadelphia, Mr. Cohen, whether he is in accord with the sentiment expressed on the floor of the House last night that the Supreme Court decisions have outlawed "sit down" strikes and that labor itself is opposed to "sit down" strikes?

Mr. REUBEN E. COHEN. Mr. Speaker, I believe so.

Mr. TURNER. Mr. Speaker, I would like to ask the gentleman if the court issued a preliminary injunction in a labor dispute, alleging a "sit down" strike, what would the court restrain?

Mr. REUBEN E. COHEN. Mr. Speaker, I would be rather hesitant to answer that. I cannot make a prediction as to what some judge will do in any of the sixty-seven counties of the State. What I am most fearful of is in making a restraining order is that the court might not interpret the law as freely as it should and some damage might be done in its enforcement before it would come within the terms of the particular order.

Mr. TURNER. Mr. Speaker, that is not responsive to the question I asked the gentleman. I will define it a little more fully. If the prayer of the petition alleged a "sit down" strike, and that is the only question before us, what would the order of the court do, what would it restrain?

Mr. REUBEN E. COHEN. Mr. Speaker, I presume the order of the court would restrain persons in the plant from engaging in what is alleged to be a "sit down" strike, and all the other things that go with it.

Mr. TURNER. All right now, Mr. Speaker, if you had a hearing on that question and labor produced evidence to show it was not a "sit down" strike, would labor then be injured by the preliminary injunction?

Mr. REUBEN E. COHEN. On the strict answer to a rather confining question, Mr. Speaker, I would say that labor would not be injured on the particular facts at issue before the court.

Mr. TURNER. And if the court found, Mr. Speaker, that there was a "sit down" strike, then would labor be harmed?

Mr. REUBEN E. COHEN. Mr. Speaker, if the court found that there was a "sit down" strike and the order was to restrain persons who were engaged in the "sit down" strike from so doing, then labor would not be harmed.

Mr. TURNER. Mr. Speaker, that comes back again to what I repeated on Monday, when I attempted to make an explanation, make the matter a little clearer, to the members of the House. In other words, if labor is opposed to the "sit down" strike,—and I take it for granted they are, and I feel certain they are, not only from the statements made by them, but from what I know of labor generally, if labor is opposed to the "sit down" strike, if the order of the court restrained a "sit down" strike in a plant, restraining those people from doing damage, no one could complain. If there was no "sit down" strike and no damage was done, how is labor harmed? They are not restraining anything that labor is doing. If there is a "sit down" strike and labor is opposed to "sit down" strikes, and labor says it is unlawful and the courts say it is unlawful, then the restraining order, of course, was

proper and still no harm has been done to labor. Therefore it seems to me that from that standpoint, if this is the principle on which the argument was based the other night, I believe this is not sincere; this is only fooling the members of the House to pass an amendment to permit evils, feeling that in some way labor will be harmed unless they have a hearing. If there is no "sit down" strike, they cannot be harmed, whether there is a hearing or no hearing, no matter what evidence is adduced,—if there is no "sit down" strike, nobody is being restrained. But if there is a "sit down" strike and labor says, "We are opposed to the 'sit down' strike" and the law says, "We are opposed to the 'sit down' strike," then the order of the court in the first instance will be the same order as in the second instance, and they will be restrained. However, this amendment does not do that. This amendment comes under section 9, and it says that not only must the court find that there is a "sit down" strike, but it must find a, b, c, d, e, and f, which is already in the act; it must find that all of those things exist, every one of them. It doesn't say, "or." Read it carefully, and you will find there is no "or" there. It doesn't say if they do "a" or if they do "b," or if they do "c," or if they find this in section g, but it does say they must find everything from "a" to "g" to exist before they can issue an order on that basis. I say this is not attempting to say that a "sit down" strike you can issue a restraining order, because the other sections make it almost impossible for any court to find any instances under which they can find all of those things.

Mr. REUBEN E. COHEN. Mr. Speaker, I want briefly to answer the statement of the gentleman from Delaware because I think it was predicted upon his interrogation of me.

I answered his questions as I did in order to give him a legal answer to a legal question. I think that was the basis of the controversy. I think we have got to look a little bit further than the legal implication. As I started to say in one of my answers, I would not be certain of how any one of the courts of the sixty-seven counties would interpret that provision as to what they might do in respect to an Order of Court issued in such cases in any of the sixty-seven counties of the state. Labor history has shown us in many years gone by, before we had the Labor Relations Act and other legislation, at that time when labor disputes took place we had a lot of Coal and Iron Police, deputy heriffs and vigilantes, going around clubbing men into submission, and inquiring about what they did later. I say we should have very careful consideration of every decent proposal before any injunction is issued in any so called "sit down" strike; we want to be careful we do not get different interpretations from the various judges which will allow these deputies and others to go out with a piece of paper in one hand and a club in the other hand and forget to read the piece of paper, but swing the club anyway. That is what I want to prevent, and that is what the amendment would do.

Mr. TURNER. Mr. Speaker, I want to thank the gentleman from Philadelphia. He has illustrated perhaps in a far better way than the matter has been illustrated in this whole debate. That is exactly what I meant when I said I do not think this is a good provision for labor itself. It could be possible under the terms of this act, that some

court would issue an injunction and the people were doing exactly what he says they would do, and they went out and unlawfully proceeded, exceeded the terms of the injunction, if labor went into court then and tried to get a restraining order, labor would have to wait the period during which all the evidence could be taken and all the delays that might come in a court, which might be extended over a period of thirty days or more, during which time violence might be done on the laboring people. So you can see that you cannot benefit one side and not cut back on the other side in some circumstances that might arise. You cannot foresee all the circumstances, and if labor prohibits any injunction from being issued until a full hearing is had, if they too are the victims of some excessive power that is being waged by some employers or some particular group of people, they will be cut by the same sword because they will have to wait until a full hearing can be had, and in the meantime their rights are being violated.

Mr. MORAN. Mr. Speaker, I move the previous question.

The motion was seconded by Messrs. Harmuth, Rausch, Rosenfeld, Marks, O'Mullen, Finestone, Hering, D'Ortona, Hersch, Boies, Verona, DiGenova, Melchiorre, Shaw, Reynolds, Cochran, Matthew J. Welsh, Schwab, Malloy, Mc-Lane, Corrigan and others.

On the question,

Shall the main question be not put?

It was agreed to.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken.

Messrs. MORAN, HEATHERINGTON and COCHRAN asked for a verification of the roll.

The roll was verified and was as follows:

YEAS 132

Achterman,	Gates,	McDermott,	Reynolds,
Baker,	Gerard,	McFall,	Rooney,
Balthaser,	Gryskewicz,	McGrath,	Rose, S.,
Baugher,	Haberlen,	McIntosh,	Rosenfeld,
Bentley,	Haines,	McLanahan,	Rush,
Bentzel,	Hamilton,	McLane,	Sarraf,
Boies,	Harkins,	McMillen,	Scanlon,
Boney,	Harmuth,	McSurdy,	Schwab,
Bradley,	Harris,	Melchiorre,	Shaffer,
Breth,	Heatherington,	Mihm,	Shaw,
Brown,	Helm,	Modell,	Sorg,
Brunner, P. A.,	Hering,	Monks,	Stank,
Burns,	Herman,	Mooney,	Stine,
Chervenak,	Hersch,	Moran,	Tarr,
Chudoff,	Hirsch,	Moul,	Tate,
Cochran,	Holland,	Munley,	Thompson, E. F.,
Cohen, R. E.,	Jefferson,	Nagel,	Verona,
Cordier,	Keenan,	Nunemacher,	Vincent,
Corrigan,	Kenehan,	O'Brien,	Vogt,
Croop,	Kilne,	O'Connor,	Voldow,
Cullen,	Kolankiewicz,	O'Mullen,	Watkins,
Dalrymple,	Komorowski,	O'Neill,	Weiss,
Dennison,	Krise,	Owens,	Welsh, E. B.,
DiGenova,	Leonard,	Petrosky,	Welsh, M. J.,
Dolon,	Lesko,	Pettit,	Wilkinson,
D'Ortona,	Levy,	Polaski,	Williams,
D'Fly,	Leydic,	Poten,	Wolf,
Early,	Longo,	Powers,	Woodring,
Elliott,	Lovett,	Prosen,	Wright,
Falkenstein,	Malloy,	Rausch,	Yester,
Finestone,	Marks,	Readinger,	Young,
Finnerty,	Maxwell,	Reese, R. E.,	Kilroy,
Flynn,	McClanaghan,	Regan,	Speaker.
Gallagher,			

NAYS 66

Auker,	Gillan,	Lyons,	Sollenberger,
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Boorse,	Gillette,	McClester,	Stambaugh,
Bower,	Greenwood,	McDowell,	Stockham,
Bretherick,	Gyger,	McKinney,	Taylor,
Brunner, C. H.,	Habbyshaw,	Muir,	Thompson, R. L.,
Cadwalader,	Hall,	O'Dare,	Trout,
Cook,	Hare,	Rank,	Turner,
Cooper,	Hewitt,	Reagan,	Van Allsburg,
Dix,	Huntley,	Reese, D. P.,	Voorhees,
Eckels,	Imbrie,	Rhea,	Wagner,
Elder,	James,	Riley,	Weingartner,
Ely,	Jones, G. E.,	Royer,	Winner,
Fisher,	Knoble,	Sarge,	Wood, L. H.,
Fiss,	Lee, E. A.,	Serrill,	Wood, N.,
Fleming,	Lee, T. H.,	Simons,	Woodside,
Fletcher,	Leisey,	Snyder,	Yeakel,
Poor,	Lichtenwalter,		

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.

REASON FOR VOTE

Mr. BROWN filed the following reasons for his vote:

I am in accord with deleting sub-section A page 3; sub-section B page 4 and sub-section C page 5 and while I oppose deleting sub-section D page 5 as my remarks will show, I vote in the affirmative on House Bill 136 believing that future legislature will correct the amendments inserted in this session.

BILLS ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 551, as follows:

A Supplement to the act approved the twenty-seventh day of June one thousand nine hundred thirty-nine (Appropriation Acts page 60) entitled "An act to provide for the ordinary expenses of the Executive Legislative and Judicial Departments of the Commonwealth interest on the public debt and the support of the Public schools for two years beginning June first one thousand nine hundred and thirty-nine and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending May thirty-first one thousand nine hundred and thirty-nine" providing for a deficiency in the appropriation to the Department of Property and Supplies for the fiscal biennium ending May thirty-first one thousand nine hundred forty-one providing for payment out of revenues of the fiscal biennial period beginning June first one thousand nine hundred forty-one and preventing lapsing

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

Section 1 The sum of seventy thousand dollars (\$70,000) or as much thereof as may be necessary for deficiencies in the appropriation made to the Department of Property and Supplies by the act to which this is a supplement is hereby specifically appropriated to the Department of Property and Supplies for the cost of alterations furnishings equipment books and necessary improvements on space in the main Capitol building now occupied or to be occupied by the Senate the House of Representatives and the Legislative Reference Bureau The deficiency appropriation hereby made may be paid out of the revenues of the fiscal biennial period beginning June first one thousand nine hundred forty-one

Section 2 Neither this appropriation nor the unexpended balance of the appropriation for said purposes made by the act to which this is a supplement shall lapse until such purposes are fully completed

Section 3 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, | French, | Malloy, | Rosenfeld, |
| Auker, | Gallagher, | Marks, | Royer, |
| Baker, | Gates, | Maxwell, | Rush, |
| Balthaser, | Gerard, | McClanaghan, | Sarge, |
| Baughner, | Gillan, | McClester, | Sarra, |
| Bentley, | Gillette, | McDermott, | Scanlon, |
| Bentzel, | Greenwood, | McDowell, | Schwab, |
| Boies, | Gross, | McFall, | Serrill, |
| Boney, | Gryskewicz, | McGrath, | Shaffer, |
| Boorse, | Gyger, | McIntosh, | Shaw, |
| Bower, | Habbyshaw, | McKinney, | Shepard, |
| Bradley, | Haberlen, | McLanahan, | Simons, |
| Breth, | Haines, | McLane, | Snyder, |
| Bretherick, | Hall, | McMillen, | Sollenberger, |
| Brown, | Hamilton, | McSurdy, | Sorg, |
| Brunner, C. H., | Hare, | Melchiorre, | Stambaugh, |
| Brunner, P. A., | Harkins, | Mihm, | Stank, |
| Burns, | Harmuth, | Modell, | Stine, |
| Burriss, | Harris, | Monks, | Stockham, |
| Cadwalader, | Heatherington, | Mooney, | Tarr, |
| Chervenak, | Helm, | Moran, | Tate, |
| Chudoff, | Hering, | Moul, | Taylor, |
| Cochran, | Herman, | Muir, | Thompson, E. F., |
| Cohen, R. E., | Hersch, | Munley, | Thompson, R. L., |
| Cook, | Hewitt, | Nagel, | Trout, |
| Cooper, | Hirsch, | Nunemacher, | Turner, |
| Cordier, | Holland, | O'Brien, | Van Allsburg, |
| Corrigan, | Huntley, | O'Connor, | Verona, |
| Croop, | Imbrie, | O'Dare, | Vincent, |
| Cullen, | James, | O'Mullen, | Vogt, |
| Dalrymple, | Jefferson, | O'Neill, | Voldow, |
| Dennison, | Jones, G. E., | Owens, | Voorhees, |
| DiGenova, | Jones, P. N., | Petrosky, | Wagner, |
| Dix, | Keenan, | Pettit, | Watkins, |
| Dolon, | Kenehan, | Polaski, | Weingartner, |
| D'Ortona, | Kline, | Polen, | Weiss, |
| Duffy, | Knoble, | Powers, | Welsh, E. B., |
| Early, | Kolankiewicz, | Prosen, | Welsh, M. J., |
| Eckels, | Komorofski, | Rank, | Wilkinson, |
| Elder, | Krise, | Rausch, | Williams, |
| Elliott, | Lee, E. A., | Readinger, | Winner, |
| Ely, | Lee, T. H., | Reagan, | Wolf, |
| Falkenstein, | Leisey, | Reese, D. P., | Wood, L. H., |
| Finestone, | Leonard, | Reese, R. E., | Wood, N., |
| Finnerty, | Lesko, | Regan, | Woodring, |
| Fisher, | Levy, | Reynolds, | Woodside, |
| Fiss, | Leydic, | Rhea, | Wright, |
| Fleming, | Lichtenwalter, | Riley, | Yeakel, |
| Fletcher, | Longo, | Rooney, | Yester, |
| Flynn, | Lovett, | Rose, S., | Young, |
| Foor, | Lyons, | Rose, W. E., | 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.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 688, as follows:

An Act concerning reciprocal agreements for the Interstate Transportation and the support of poor and indigent persons, and to make uniform the law with reference thereto

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

Section 1 Reciprocal Agreements The Department of Public Assistance subject to the approval of the Attorney-General is hereby authorized to enter into reciprocal agreements with corresponding state agencies of other states regarding the interstate transportation of poor and

indigent persons who do not require institutional care because of physical or mental infirmity and to arrange with the proper officials in this state for the acceptance transfer and support of persons receiving public aid in other states in accordance with the terms of such reciprocal agreements provided that this state shall not nor shall any political subdivision of this state be committed to the support of persons who are not in the opinion of said Department of Public Assistance entitled to public support by the laws of this state

Section 2 Uniformity of Interpretation This act shall be so interpreted and construed as to effectuate its general purpose to make uniform the laws of those states which enact it

Section 3 Short Title This act may be cited as the Uniform Transfer of Dependents Act

Section 4 Time of Taking Effect This act shall take effect 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, | Rosenfeld, |
| Auker, | French, | Marks, | Royer, |
| Baker, | Gallagher, | Maxwell, | Rush, |
| Balthaser, | Gates, | McClanaghan, | Sarge, |
| Baughner, | Gerard, | McClester, | Sarra, |
| Bentley, | Gillan, | McDermott, | Scanlon, |
| Bentzel, | Gillette, | McDowell, | Schwab, |
| Boies, | Greenwood, | McFall, | Serrill, |
| Boney, | Gross, | McGrath, | Shaffer, |
| Boorse, | Gryskewicz, | McIntosh, | Shaw, |
| Bower, | Gyger, | McKinney, | Shepard, |
| Bradley, | Habbyshaw, | McLanahan, | Simons, |
| Breth, | Haberlen, | McLane, | Snyder, |
| Bretherick, | Haines, | McMillen, | Sollenberger, |
| Brown, | Hall, | McSurdy, | Sorg, |
| Brunner, C. H., | Hamilton, | Melchiorre, | Stambaugh, |
| Brunner, P. A., | Hare, | Mihm, | Stank, |
| Burns, | Harkins, | Modell, | Stine, |
| Burriss, | Harmuth, | Monks, | Stockham, |
| Cadwalader, | Harris, | Mooney, | Tarr, |
| Chervenak, | Heatherington, | Moran, | Tate, |
| Chudoff, | Helm, | Moul, | Taylor, |
| Cochran, | Hering, | Muir, | Thompson, E. F., |
| Cohen, R. E., | Herman, | Munley, | Thompson, R. L., |
| Cook, | Hersch, | Nagel, | Trout, |
| Cooper, | Hewitt, | Nunemacher, | Turner, |
| Cordier, | Hirsch, | O'Brien, | Van Allsburg, |
| Corrigan, | Holland, | O'Connor, | Verona, |
| Croop, | Huntley, | O'Dare, | Vincent, |
| Cullen, | Imbrie, | O'Mullen, | Vogt, |
| Dalrymple, | James, | O'Neill, | Voldow, |
| Dennison, | Jefferson, | Owens, | Voorhees, |
| DiGenova, | Jones, G. E., | Petrosky, | Wagner, |
| Dix, | Keenan, | Pettit, | Watkins, |
| Dolon, | Kenehan, | Polaski, | Weingartner, |
| D'Ortona, | Kline, | Polen, | Weiss, |
| Duffy, | Knoble, | Powers, | Welsh, E. B., |
| Early, | Kolankiewicz, | Prosen, | Welsh, M. J., |
| Eckels, | Komorofski, | Rank, | Wilkinson, |
| Elder, | Krise, | Rausch, | Williams, |
| Elliott, | Lee, E. A., | Readinger, | Winner, |
| Ely, | Lee, T. H., | Reagan, | Wolf, |
| Falkenstein, | Leisey, | Reese, D. P., | Wood, L. H., |
| Finestone, | Leonard, | Reese, R. E., | Wood, N., |
| Finnerty, | Lesko, | Regan, | Woodring, |
| Fisher, | Levy, | Reynolds, | Woodside, |
| Fiss, | Leydic, | Rhea, | Wright, |
| Fleming, | Lichtenwalter, | Riley, | Yeakel, |
| Fletcher, | Longo, | Rooney, | Yester, |
| Flynn, | Lovett, | Rose, S., | Young, |
| | Lyons, | Rose, W. E., | 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.

BILL PASSED OVER

There being no objection House Bill No. 481, Printer's No. 116, was passed over at the request of Mr. LEVY.

BILLS ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 653, as follows:

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) entitled "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

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

Section 1 Section three of article nineteen of the act approved the seventh day of March one thousand nine hundred one (P. L. 20) entitled "An act for the government of cities of the second class" is hereby amended by adding thereto immediately after clause eighteen a new clause to read as follows

Section 3 Every city of the second class in its corporate capacity is authorized and empowered to enact ordinances for the following purposes in addition to the other powers granted by this act

XVIII-A To impose and collect charges covering all or any portion of the cost of care or treatment at municipal hospitals where the persons receiving such care or treatment are financially able to pay all or any portion of the cost of such care or treatment

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

On the question,

Shall the bill pass finally?

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

YEAS—204

Achterman,	Foor,	Malloy,	Rosenfeld,
Auker,	French,	Marks,	Royer,
Baker,	Gallagher,	Maxwell,	Rush,
Balthaser,	Gates,	McClanaghan,	Sarge,
Baughner,	Gerard,	McClester,	Sarraf,
Bentley,	Gillan,	McDermott,	Scanlon,
Bentzel,	Gillette,	McDowell,	Schwab,
Boles,	Greenwood,	McFall,	Serrill,
Boney,	Gross,	McGrath,	Shaffer,
Boorse,	Gyskewicz,	McIntosh,	Shaw,
Bower,	Gyger,	McKinney,	Shepard,
Bradley,	Habbyshaw,	McLanahan,	Simons,
Breth,	Haberlen,	McLane,	Snyder,
Bretherick,	Haines,	McMillen,	Sollenberger,
Brown,	Hall,	McSurdy,	Sorg,
Brunner, C. H.,	Hamilton,	Melchiorre,	Stambaugh,
Brunner, P. A.,	Hare,	Mihm,	Stank,
Burns,	Harkins,	Modell,	Stine,
Burtis,	Harmuth,	Monks,	Stockham,
Cadwalader,	Harris,	Mooney,	Tarr,
Chervenak,	Heatherington,	Moran,	Tate,
Chudoff,	Helm,	Moul,	Taylor,
Cochran,	Hering,	Muir,	Thompson, E. F.,
Cohen, R. E.,	Herman,	Munley,	Thompson, R. L.,
Cook,	Hersch,	Nagel,	Trout,
Cooper,	Hewitt,	Nunemacher,	Turner,
Cordier,	Hirsch,	O'Brien,	Van Allsburg,
Corrigan,	Holland,	O'Connor,	Verona,
Croop,	Huntley,	O'Dare,	Vincent,
Cullen,	Imbrie,	O'Mullen,	Vogt,
Dalrymple,	James,	O'Neill,	Voidow,
	Jefferson,	Owens,	Voorhees,

Dennison,	Jones, G. E.,	Petrosky,	Wagner,
DiGenova,	Keenan,	Pettit,	Watkins,
Dix,	Kenehan,	Polaski,	Weingartner,
Doion,	Kline,	Polen,	Weiss,
D'Ortona,	Knoble,	Powers,	Welsh, E. B.,
Duffy,	Kolankiewicz,	Prosen,	Welsh, M. J.,
Early,	Komorofski,	Rank,	Wilkinson,
Eckels,	Krise,	Rausch,	Williams,
Elder,	Lee, E. A.,	Readinger,	Winnner,
Elliot,	Lee, T. H.,	Reagan,	Wolf,
Ely,	Leisey,	Reese, D. P.,	Wood, L. H.,
Falkenstein,	Leonard,	Reese, R. E.,	Wood, N.,
Finestone,	Lesko,	Regan,	Woodring,
Finnerty,	Levy,	Reynolds,	Woodside,
Fisher,	Leydic,	Rhea,	Wright,
Fiss,	Lichtenwaite,	Riley,	Yeakel,
Fleming,	Longo,	Rooney,	Yester,
Fletcher,	Lovett,	Rose, S.,	Young,
Flynn,	Lyons,	Rose, W. E.,	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.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 616, as follows:

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 and coroners in cases involving manslaughter by automobile

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

Section 1 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" is hereby amended to read as follows

Section 7 In all cases the party accused on oath or affirmation of any crime or misdemeanor against the laws shall be admitted to bail by one or more sufficient sureties to be taken before any judge justice mayor recorder coroner or alderman where the offense charged has been committed except such persons as are precluded from being bailed by the constitution of this Commonwealth Provided also That persons accused as aforesaid of murder or manslaughter shall only be admitted to bail by the supreme court or one of the judge thereof or a president or associate law judge or a court of common pleas And provided further: however That persons accused of manslaughter by automobile unless such persons were found under the influence of intoxicating liquor or failed to stop and render assistance may be admitted to bail by the coroner or the committing magistrate alderman or justice of the peace Persons accused as aforesaid of arson rape mayhem sodomy buggery robbery or burglary shall only be bailable by the supreme court the court of common pleas or any of the judges thereof or a mayor or recorder of a city

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

RESOLUTION NO. 57

Mr. ACHTERMAN. Mr. Speaker, I desire to call up House Resolution No. 57, Printer's No. 120.

The resolution was read by the Clerk as follows:

In the House of Representatives, March 19, 1941.

Whereas Newspapers have carried reports concerning the operation of certain state hospitals within the Commonwealth of Pennsylvania which if true show an extremely reprehensible situation existing in such state hospitals and

Whereas There have been charges made that certain trustees and supervisory officials have committed criminal acts and

Whereas Certain state hospitals have lost their official standing and rating with the American Medical Association and

Whereas The conduct of certain trustees of state hospitals has resulted in unfavorable criticism of the operation of said hospitals and

Whereas If these charges are true the situation calls

for immediate attention by the legislative branch of the government to remedy such a condition therefore be it

Resolved (if the Senate concur) That the Speaker of the House of Representatives appoint a committee of three members of the house and the President pro tempore of the Senate appoint a committee of three members of the Senate to act as a legislative committee to investigate the maintenance operation and conduct of all state hospitals within this 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 said committee because of the urgency of the situation report to the General Assembly as speedily as possible with appropriate recommendations

On the question,

Will the House adopt the resolution?

It was adopted.

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

RESOLUTION NO. 58

Mr. TARR. Mr. Speaker, I desire to call up House Resolution No. 58, Printer's No. 121.

The resolution was read by the Clerk as follows:

In the House of Representatives, March 19, 1941.

It has long been a custom in the United States and in other countries throughout the world to observe the first day of May as May Day and to mark such observances by various kinds of celebrations which sometimes have taken the form of demonstrations against our established democratic form of government.

Almost a decade ago the American Legion organization in Fayette County inaugurated a new and more appropriate observance of the first day of May by staging a parade and celebration in the name of Americanism

The first day of May has since been annually observed and celebrated as Americanism Day by patriotic societies veterans' organizations and other groups both in Fayette County and throughout the Commonwealth and it has been the custom of the Governor of the Commonwealth to issue his proclamation signifying the observance of Americanism Day

The present world crisis constitutes a serious threat to those American principles of life and government which were established with such great sacrifice and which have since been maintained and protected so valiantly thus making particularly significant and appropriate the observance of May first as Americanism Day in the year of 1941 now therefore be it

Resolved by the Members of the House of Representatives of the General Assembly of the Commonwealth of Pennsylvania that a committee of five members be appointed by the Speaker to arrange appropriate ceremonies at the hour of 12 o'clock noon on April 30 1941 in anticipation of the observance of May first as Americanism Day and be it further

Resolved That the Governor his cabinet the Members of the Senate of the Commonwealth of Pennsylvania the officers of the American Legion Post No 51 and Veterans of Foreign Wars Post No 47 of Uniontown Fayette County and the State officers of the various other veterans' and

patriotic organizations throughout the Commonwealth be invited to attend such ceremonies and be it further

Resolved That the Governor of the Commonwealth is hereby urged to issue his proclamation signifying May 1 1941 as Americanism Day and calling upon all patriotic veteran fraternal and civic organizations to hold celebrations of this day in such a manner as will bring to the people of the Commonwealth the full realization of the benefits privileges and blessings that come to them through the continuance of our American form of government and be it further

Resolved That the House of Representatives of the General Assembly of the Commonwealth of Pennsylvania further urges all persons in the Commonwealth of Pennsylvania to join in a real American celebration of May 1 1941 as Americanism Day

On the question,

Will the House adopt the resolution?

It was adopted.

COMMITTEE MEETINGS

The following Committee meetings were announced:

Constitutional Amendments, Wednesday, March 26 at 11:30 a. m. in Room 327.

Dairy Industries, Wednesday, March 26 at 10 a. m. in Room 329.

Fisheries, Wednesday, March 26 at 10:30 a. m. in Room 324.

Municipal Corporations, Tuesday, March 25 immediately after adjournment.

Professional Licensure, Wednesday, March 26 at 11 a. m.

in Room 246.

Public Utilities, Tuesday, March 25 immediately after adjournment.

State Government, Wednesday, March 26 at 10 a. m. in Room 326 (Old House Caucus Room).

Townships, Wednesday, March 26 at 10:30 a. m. in Room 328.

Workmen's Compensation, Wednesday, March 26 at 11:30 a. m. in Room 522.

Caucus Meeting, Democratic Members of Allegheny County, in Main Caucus Room immediately after session on Tuesday, March 25.

ANNOUNCEMENTS

The members of the Committee on State Government are urged to attend a meeting on Interstate Stream Pollution measures at 10 a. m. Wednesday, March 26th in the Old House Caucus Room, Room 326.

The Philadelphia Democratic First Term Members of the House will have breakfast tomorrow morning (March 26) at the usual place.

ADJOURNMENT

Mr. PAUL A. BRUNNER. Mr. Speaker, I move that this House do now adjourn until Wednesday, March 26, 1941, at 12 m.

The motion was agreed to, and (at 4:46 p. m.) the House adjourned.