

is for a better life and it is being won. Their faith is strong.

Contrast if you will, the movements in the city. The smart gatherings where the thought is tinged with pink. Where it is smart to express opinions that might reflect on the leaders of our land. Where it is cute to impugn the motives of men working for the betterment of the nations. We have too much of this.

The United States must return to the standard of morals that made it great. The time when a "man's word was as good as his bond," must be with us once more. Respect for decency in song and story must make itself apparent. We must make it smart to be a clean upright man. Away with the cheat in business. This must be a moral nation.

And let me say that here in this Senate morality must be the outstanding thing in our words and acts.

Suppose that every service club in Pennsylvania took steps to have before it men of high principle, men of vision and of moral rectitude to lay before the thousands of members the idea that one of the biggest steps to the winning of this program of defense which we have undertaken is the inculcation of a sense of morality into the nation? Their faith would be strong!

Our state is being ravaged by strikes which, in my opinion, are not the spontaneous outburst of men who feel they are oppressed but are the outgrowth of a deliberate and studied plan to embarrass the nation. I feel that the rank and file of the men on strike are good American citizens. But they have allowed the leadership to get into the hands of unscrupulous men. Men, who perhaps, are in the pay of foreign agents. I feel that the average good workman does not attend his Union meetings enough and does not have his ear close enough to the ground to know and hear the rumblings that break like thunder and engulf him in a strike, or labor dispute. It is the history of all strikes and disputes that the good workmen do not welcome trouble. The Ism mongers are as a rule the leaders.

There is room for a movement in our state and it could well originate in this Senate to carry a message to the people. What would happen if every Senator went into his District and made a series of talks to the service clubs, before the schools, before the labor unions and the woman's clubs? Tell the story of Americanism, of the aims of the government, of the state of Pennsylvania and of the needs of our land. I feel, gentlemen, that it would cause an awakening in the state.

The Fifth Column is at work. It must be combatted. What better way could be found to do so than to talk plain, unadulterated truth to the people of this state. Let them know the dire needs of the nation. Tell them truthfully the struggles of the Senators of Pennsylvania in upholding the hands of the National Government. Let them know that they are being misled to a great extent by an expert propaganda machine that is leading them into loss of money and time and perhaps through a clogging of the defense needs into slavery.

As I see it there must be a revolution in the thought of the people. It is coming but slowly. There is a mounting number who see the awful distress of the nations enslaved by the power mad men of Europe. But there are thousands upon thousands who are fooled and bam-

boozled by slick tongued speakers who paint a rosy picture of Communism, Nazism and Fascism.

Let the people be told that the Isms contain not a shred of decency, morality or love. That they are devoid of the greatest power ever loosened in the world—the Love of Christ.

Henry Adams once said: "I was educated in one century and am living in another" and I too may echo his words. My youth was in the 19th Century and it was an era of morality. Smart folk today poke fun at the "Gay Nineties" when our most daring pastimes were wearing sharp pointed shoes and pegged trousers. But the thought then was clean [and the Ism mouthed man was a pariah: (pa-ri-ah)] The Stars and Stripes roused cheers and there were no efforts to alter the music of "The Star Spangled Banner."

There must be a revival of thought over our land. There must be a return to morality and this must become a moral nation. We must let the man in the street know that Hitler, Mussolini and the Mikado have violated their moral fiber by their repudiation of the Argentine Treaty to outlaw war which they solemnly signed. They have violated the Kellogg-Briand Treaty outlawing war of which they were signatories and the truth is not in them.

Our people must not follow the "Ism will o' the wisp." In this Senate we men have been chosen by our constituents to help lead our state. We must be true leaders. We must help mold the thought and lives of Pennsylvanians. Down in the lobby of this Capitol stand cases where are proudly displayed the battle flags of Regiments that served our land in war. Many of the flags are torn with shot and shell but as I see it there is an older flag which must fly beside the Stars and Stripes and under it we must all enlist and march on to victory despite agitators, sleek rats of the dictators and blinded citizens.

In this battle of defense we are all in the ranks and we must give not only lip service but the spirit of sacrifice and as the ranks go marching into the pages of history there must be "the flag of Jesus, going on before." "Ye shall know the truth and the truth shall make us free."

ADJOURNMENT

Mr. GELTZ. Mr. President, I move that the Senate do now adjourn until Tuesday, April 1, 1941, at 11:00 o'clock, a. m.

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

The motion was agreed to.

The Senate adjourned at 5:45 o'clock p. m. until Tuesday, April 1, 1941, at 11:00 o'clock a. m.

HOUSE OF REPRESENTATIVES

MONDAY, March 31, 1941

The House met at 9:00 p. m.

The SPEAKER (Elmer Kilroy) in the Chair.

PRAYER

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

Our heavenly Father, Thou hast been good to us, and we approach Thee to express our thanks to Thee for the right use of our minds, for health of body, and for opportunities of development, and service. Help us to show our gratitude by the obedience of our lives. May we labor in joy and trust by Thy grace, to make this world a brighter, happier, and better place for the men and women to live, and for children to play and grow. May all fathers and mothers within this great Commonwealth be able to look to the men of this House with respect and honor because they not only show an interest in keeping Thy day holy, but also because they endeavor by sane legislation to protect the life of our youth.

O God, as each man votes, may he be conscious of the fact that as Thou dost watch, he becomes responsible to Thee, and will some day answer for the type of legislation he has permitted. Help us our Father to be genuine in character and in life. We pray the forgiveness of our sins in the name of Christ, Thy Son. Amen.

JOURNAL APPROVED

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

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

BILLS INTRODUCED AND REFERRED

By Mr. BURNS. HOUSE BILL No. 1009.

An Act to further amend sections one thousand two hundred one and one thousand two hundred five of the act, approved the eighteenth day of May, one thousand nine hundred seven, (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," by defining professional employes, substitutes and probationary employes, and further regulating the employment, dismissal, suspension, demotion and retirement of such employes.

Referred to the Committee on Education.

By Messrs. CHAS. H. BRUNNER and CADWALADER.
HOUSE BILL No. 1010.

An Act proposing an amendment to article thirteen of the Constitution of the Commonwealth of Pennsylvania, requiring a majority vote of each political subdivision or part thereof affected by consolidation or annexation proceedings.

Referred to the Committee on Constitutional Amendments.

By Mr. HEATHERINGTON. HOUSE BILL No. 1011.

An Act to amend section one of the act, approved the ninth day of April, one thousand eight hundred and forty-nine (P. L. 533), entitled "An act to exempt property to the value of three hundred dollars from levy and sale on execution and distress for rent," declaring persons incapable of waiving their right to an exemption.

Referred to the Committee on Judiciary General.

By Mr. SCHWAB. HOUSE BILL No. 1012.

An Act to further amend section two of the act, approved the seventeenth day of June, one thousand nine hundred and fifteen (P. L. 1012), entitled "An act regulating the business of loaning money in sums of three hundred (\$300) dollars or less, either with or without security, to individuals pressed by lack of funds to meet immediate necessities; fixing the rate of interest and charges therefor; requiring the licensing of lenders; and prescribing penalties for the violation of this act," by reducing the rate of interest on loans in certain cases.

Referred to the Committee on Banking.

By Messrs. McLANAGHAN and DAVID P. REESE.
HOUSE BILL No. 1013.

An Act to repeal section five of the act, approved the fourth day of May, one thousand nine hundred and five (P. L. 385), entitled "An act creating the Water Supply Commission of Pennsylvania; defining its duties; fixing the scope of its authority and powers, and making an appropriation for the payment of the salaries and expenses connected therewith," prohibiting the issuance of letters patent to water companies until approved by the Water Supply Commission.

Referred to the Committee on Public Utilities.

By Mr. FLYNN. HOUSE BILL No. 1014.

An Act to further amend clause eight of section one thousand two hundred and 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," by changing the minimum salary of county superintendents.

Referred to the Committee on Education.

By Mr. THOMAS H. LEE. HOUSE BILL No. 1015.

An Act requiring the removal of teachers, instructors, principals and other supervising officials in public schools affiliated with organizations whose objects oppose the principles of the system of the government of the United States of America.

Referred to the Committee on Education.

By Mr. THOMAS H. LEE. HOUSE BILL No. 1016.

An Act to require all public schools of any school district of the Commonwealth of Pennsylvania, educational instructions, or colleges which receive aid from the Commonwealth of Pennsylvania and the teachers, instructors, principals and other supervising officials thereof to require the instruction and recital of the pledge of allegiance to the United States of America and to salute the Flag of the United States of America by the scholars and students thereof at the opening of each school day session.

Referred to the Committee on Education.

By Messrs. FINNERTY and CULLEN.
HOUSE BILL No. 1017.

An Act requiring the Governor of the Commonwealth to issue annual proclamations setting apart September thirteenth of each year as Commodore John Barry Day.

Referred to the Committee on State Government.

By Mr. LLOYD H. WOOD. HOUSE BILL No. 1018.

An Act to amend 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;" by adding thereto to section 947.1 prohibiting the cutting of, and operations on, tails of horses, mares and geldings except as herein provided; providing for certificates under oath; and regulating and restricting the showing and exhibition of such animals.

Referred to the Committee on Judiciary Special.

By Mr. HARKINS. HOUSE BILL No. 1019.

An Act to further amend Section 1408 of the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 343), entitled "An act relating to the finances of the State government; providing for the settlement, assessment, collection, and lien of taxes, bonus, and all other accounts due the Commonwealth, the collection and recovery of fees and other money or property due or belonging to the Commonwealth, or any agency thereof, including escheated property and the proceeds of its sale, the custody and disbursement or other disposition of funds and securities belonging to or in the possession of the Commonwealth, and the settlement of claims against the Commonwealth, the resettlement of accounts and appeals to the courts, refunds of money erroneously paid to the Commonwealth, auditing the accounts of the Commonwealth, and all agencies thereof, of all public officers collecting moneys payable to the Commonwealth, or any agency thereof, and all receipts of appropriations from the Commonwealth and imposing penalties; affecting every department, board, commission, and officer of the State government, every political subdivision of the State, and certain officers of such subdivisions, every person, association, and corporation required to pay, assess, or collect taxes, or to make returns or reports under the laws imposing taxes for State purposes, or to pay license fees or other moneys to the Commonwealth, or any agency thereof, every State depository and every debtor or creditor of the Commonwealth," clarifying the provision of said act with respect to attorneys' commissions on taxes and other demands due the Commonwealth.

Referred to the Committee on State Government.

By Messrs. D'ORTONA and BONEY.

HOUSE BILL No. 1020.

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 Department of Public Assistance and county boards of assistance hereby created for this purpose; authorizing the Department of Public Assistance to cooperate with, and to accept and disburse moneys received, from, the United States Government for assistance to such persons; providing for the liquidation of the State Emergency Relief Board, Boards of Trustees of the Mothers' Assistance Fund, and Board 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 Dairy-Industries.

By Mr. HAINES. HOUSE BILL No. 1021.

An Act to add section six hundred seventeen and one-tenth to the act, approved the eighteenth day of May, one thousand nine hundred and eleven (P. L. 309), entitled "An act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions

by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue, and repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent therewith," authorizing school districts under certain conditions to appropriate money to non-profit corporations established for the purpose of constructing school buildings for the use of the district.

Referred to the Committee on Education.

By Mr. HEATHERINGTON. HOUSE BILL No. 1022.

An Act to amend section thirteen and to further amend section eighteen of the act, approved the eleventh day of May, one thousand nine hundred and twenty-one (P. L. 522), entitled as amended "An act relating to dogs, and the protection of live stock, poultry, and game birds raised in captivity from damage by dogs; providing for the licensing of dogs by the Secretary of Agriculture; providing for the enumeration of dogs by assessors; regulating the keeping of dogs, and authorizing their destruction in certain cases; providing for the protection of licensed dogs, and for dogs temporarily imported for trial, show, and breeding purposes; prescribing certain privileges for hunting dogs and dogs owned or used by the Board of Game Commissioners; providing for the assessment of damages done to live stock, poultry, and game birds by dogs, and for live stock killed by, or dying from, rabies, and for the illegal killing of licensed dogs, and the payment of such damages by the Commonwealth; imposing powers and duties on certain State, county, city, borough, town, and township officers and employes, directing the payment of all moneys collected into the State Treasury; and providing penalties," permitting certain dogs to be brought into the Commonwealth for hunting purposes, by holders of non-resident hunting licenses, without securing a Pennsylvania dog license.

Referred to the Committee on Game.

By Mr. REUBEN E. COHEN. HOUSE BILL No. 1023.

An Act prohibiting employers from directly or indirectly offering for sale, selling, procuring for sale, having in possession or under control for sale to employes or others, any merchandise not produced by employers or not handled in the regular course of employer's business; providing exceptions thereto; declaring such prohibited sales to be unfair competition; and repealing prior inconsistent legislation.

Referred to the Committee on Judiciary Special.

By Mr. ELLWOOD B. WELSH. HOUSE BILL No. 1024.

An Act to further amend the act, approved the seventh day of June, one thousand nine hundred one (P. L. 493), entitled "An act providing for the examination, licensure and registration of persons, firms or corporations engaged or engaging in the business or work of plumbing or house drainage, and prescribing certain rules, regulations and requirements for the construction of plumbing, house drainage and cesspools, in cities of the second class, and imposing fines, penalties and forfeitures for violation thereof," by further regulating the installation of plumbing fixtures.

Referred to the Committee on Professional Licensure.

By Mr. REUBEN E. COHEN. HOUSE BILL No. 1025.

An Act relating to attorneys-at-law; regulating the admission of persons to said office, by prescribing the conditions upon which, and the method by which law colleges and schools shall be entitled to receive certificates of approval as institutions of learning, properly qualified to prepare registered law students for admission to any final examination for the practice of law in this Commonwealth, and the effect thereof upon such law students and upon examining boards or commissions;

authorizing the collection of fees for services to be rendered hereunder; prohibiting certain acts or omissions; and imposing penalties; prescribing the procedure by which such approval may be enforced, suspended, revoked and reinstated; limiting the construction of this act; and repealing all acts and parts of acts inconsistent herewith.

Referred to the Committee on Judiciary General.

By Messrs. BONEY ANI SHAW.

HOUSE BILL No. 1026.

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 Department of Public Assistance and county boards of assistance hereby created for this purpose; authorizing the Department of Public Assistance to cooperate with, and to accept and disburse moneys received from, the United States Government for assistance to such persons; providing for the liquidation of the State Emergency Relief Board, Boards of Trustees of the Mothers' Assistance Fund, and Boards of Trustees of Pension Fund for the Blind; and repealing laws relating to mothers' assistance, pensions for the blind, old age assistance, and the State Emergency Relief Board," providing for the minimum amount of assistance to be paid to aged persons.

Referred to the Committee on Welfare.

By Mr. BONEY.

HOUSE BILL No. 1027.

An Act to further amend 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," providing for the annual renewals of motor vehicle registrations by the county treasurers acting as agents of the Department of Revenue; fixing the fees therefor to be retained by the county and providing for the disposition thereof.

Referred to the Committee on Motor Vehicles.

By Mr. O'NEILL.

HOUSE BILL No. 1028

An Act regulating harness and hunt meeting racing with wagering on the results thereof; creating a State Harness and Hunt Meeting Racing Commission in the Department of State; imposing powers and duties on the State Harness and Hunt Meeting Racing Commission; providing for the licensing of race track riders, trainers, steward, and officials for such racing; requiring the proceeds accruing under this act to be turned over to the State Department of Revenue and then into a special fund of the Department of Agriculture, and allocating such

moneys in such fund; imposing penalties and repealing inconsistent legislation.

Referred to the Committee on Law and Order.

By Mr. MORAN.

HOUSE BILL No. 1029.

An Act to further amend section three hundred and sixteen 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 adding thereto subsection (j); prohibiting persons under the age of eighteen years from hunting with or having in their possession high powered rifles.

Referred to the Committee on Game.

By Mr. BONEY.

HOUSE BILL No. 1030.

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 Department of Public Assistance and county boards of assistance hereby created for this purpose; authorizing the Department of Public Assistance to cooperate with, and to accept and disburse moneys received from, the United States Government for assistance to such persons; providing for the liquidation of the State Emergency Relief Board, Boards of Trustees of the Mothers' Assistance Fund and Boards of Trustees of Pension Fund for the Blind; and repealing laws relating to mothers' assistance, pensions for the blind, old age assistance, and the State Emergency Relief Board," providing for standards of cost of shelter based on surveys in each county.

Referred to the Committee on Welfare.

By Mr. TAYLOR.

HOUSE BILL No. 1031.

An Act to safeguard life, health and property, defining and regulating painting, woodfinishing, paperhanging, and decorating contractors by providing for the registration and supervision of persons, copartnerships, associations and corporations engaged in such business, imposing certain duties upon the Department of Labor and Industry, and providing penalties.

Referred to the Committee on Professional Licensure.

By Mr. BENTZEL.

HOUSE BILL No. 1032.

An Act making an appropriation to the Department of Agriculture for use in controlling, combatting or exterminating Japanese beetles.

Referred to the Committee on Appropriations.

SENATE MESSAGE

SENATE BILLS FOR CONCURRENCE

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

SENATE BILL No. 300.

(HOUSE BILL No. 1033).

An Act to further amend subsection (h) of section one hundred two of the act, approved the third day of June, one thousand nine hundred and fifteen (P. L. 797), entitled "An act to establish a Bureau of Forest Protection within the Department of Forestry; designating the officers who shall constitute the Bureau, their duties and salaries; prescribing penalties for the violation thereof; and repealing all laws, general, special, or local, or any parts thereof, that may be inconsistent with or supplied by this act,"

authorizing the Department of Forests and Waters to dispose of telephone lines by sale or lease.

Referred to the Committee on Forestry.

SENATE BILL No. 41. (HOUSE BILL No. 1034).

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

Referred to the Committee on Ways and Means.

RESOLUTION INTRODUCED AND REFERRED

By Messrs. BRADLEY and McGRATH.

RESOLUTION No. 64.

In the House of Representatives, March 31, 1941.

Whereas, The administration of public assistance in Northumberland and Schuylkill Counties has resulted in numerous inequalities among relief recipients; and

Whereas, It has been charged the administration of public assistance has been motivated purely by political considerations, and not by consideration of the need of the individual recipient; and

Whereas, The situation has reached a point where complaints are received in an ever increasing volume; therefore be it

Resolved, That the Speaker of the House of Representatives appoint a committee of three members of the House to investigate the administration of public assistance in Northumberland and Schuylkill Counties; and be it further

Resolved, That the said committee report to the House as soon as possible, with appropriate recommendations.

Referred to the Committee on Rules.

COMMUNICATIONS AND PETITIONS

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

HIGHWAYS

A resolution from the Liberal Club of the City of Duquesne, filed by Mr. L. Kenneth Harkins, requesting elimination of a dangerous "S" curve on State Highway Route 837.

Referred to the Committee on Highways.

COMMUNICATIONS FROM THE GOVERNOR

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

APPROVAL OF HOUSE BILL No. 463

Commonwealth of Pennsylvania,

Governor's Office, Harrisburg, March 26, 1941.

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

I have the honor to inform you that I have this day approved and signed House Bill No. 463, Printer's No. 82, entitled "An Act making an appropriation to the Department of Military Affairs for the acquisition by purchase or condemnation of lands the payment of labor and the purchase of supplies, materials and equipment to enlarge and improve the Military Reservation at Indiantown Gap; and imposing certain duties upon the Department of Property and Supplies.

ARTHUR H. JAMES.

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

APPROVAL OF HOUSE BILL No. 381

Commonwealth of Pennsylvania,

Governor's Office, Harrisburg, March 31, 1941.

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

I have the honor to inform you that I have this day approved and signed House Bill No. 381, Printer's No. 110, entitled, "An Act to amend section nine hundred eight of the act approved the fifth day of May one thousand nine hundred and thirty-three (P. L. 364) entitled 'An act relating to business corporations defining and providing for the organization, merger, consolidation, reorganization, winding up and dissolution of such corporations; conferring certain rights, powers, duties and immunities upon them and their officers and shareholders; prescribing the conditions on which such corporations may exercise their powers; providing for the inclusion of certain existing corporations of the second class within the provisions of this act; prescribing the terms and conditions upon which foreign business corporations may be admitted, or may continue, to do business within the Commonwealth; conferring powers and imposing duties on the courts of common pleas, and certain State departments, commissions, and officers; authorizing certain State Departments, boards, commissions, or officers to collect fees for services required to be rendered by this act; imposing penalties; and repealing certain acts and parts of acts relating to corporations." by further prescribing the procedure to be followed by shareholders who desire to become dissenting shareholders of a corporation which becomes a party to a plan of merger or consolidation; limiting the rights and remedies of shareholders who desire to object to or dissent from any merger or consolidation making the rights and remedies herein provided for exclusive and providing for notice of said section to shareholders.

ARTHUR H. JAMES.

SENATE MESSAGE

TIME OF NEXT MEETING

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

In the Senate, March 31, 1941.

Resolved (if the House of Representatives concur), That when the Senate adjourns this week, it reconvene on Monday, April 7, 1941, at 4:30 o'clock, p. m., and when

the House of Representatives adjourns this week, it reconvene on Monday, April 7, 1941, at 9 o'clock, p. m.

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

On the question,

Will the House concur in the resolution of the Senate?

It was unanimously concurred in.

Ordered, That the Clerk inform the Senate accordingly.

RESOLUTION No. 58—COMMITTEE APPOINTED

The SPEAKER. In accordance with the provisions of House Resolution No. 58, Printer's No. 121, the Chair appoints the following committee: Messrs. Tarr, Chairman, Matthew J. Welsh, Taylor, Lyons, and Cullen.

COMMUNICATION

The SPEAKER laid before the House the following communication which was read by the Clerk:

COURT OF COMMON PLEAS No. 5, PHILADELPHIA
JUDGE'S CHAMBER
ROOM 640 CITY HALL

Clare Gerald Fenerty
Judge

March 28, 1941.

Hon. Elmer Kilroy,
Speaker,
House of Representatives,
Harrisburg, Pennsylvania.

Dear Elmer:

Thank you very much for the copy of the Resolution of commendation which was unanimously passed by the House and which you so courteously sent to me.

I deeply appreciate your thoughtfulness and this very gracious gesture by the House of Representatives in thus expressing their approval.

I was very happy to be the recent speaker at the Dinner of the Legislative Sons of Saint Patrick and hope you will extend to the House my gratitude for this very kind testimonial of their feelings towards me.

Again, with thanks and best personal regards to yourself, I am

Sincerely yours,

(Signed) CLARE.

ANNOUNCEMENT BY SPEAKER

The SPEAKER. The Rules Committee has requested the Chair to announce for the information of the Members that Thursday session of the House are contemplated beginning with the legislative week of April 7th.

TOWNSHIP COMMISSIONERS WELCOMED

The SPEAKER. The Sixteenth Annual Convention of the Pennsylvania State Association of Township Commissioners is being held in Harrisburg this week. The Chair is glad to welcome to the House this evening the Township Commissioners and their wives. The House is honored in having them as our guests.

BILLS ON FIRST READING

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 708, entitled:

An Act enabling city, county, poor, institution district, ward, school, borough, and township tax collectors, their executors and administrators, if they are deceased, or either

surety or sureties, to collect taxes for the payment of which they have become personally liable, without having collected the same by the expiration of the authority of their respective warrants, or by the expiration of their terms of office; extending the time for the collection of the same for a period of two years from the passage of this act; and validating collections and proceedings for collections made or commenced without previous authority.

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

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 895, entitled:

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

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

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 758, entitled:

An Act to further amend sections four and nine of the act, approved the twenty-eighth day of June, one thousand nine hundred and thirty-five (P. L. 463), entitled as amended "An act providing for the incorporation, as bodies corporate and politic, of 'Authorities' for municipalities, counties, and townships; defining the same; prescribing the rights, powers and duties of such Authorities; authorizing such Authorities to acquire, construct, improve, maintain, and operate projects, and to borrow money and issue bonds therefor; providing for the payment of such bonds, and prescribing the rights of the holders thereof; conferring the right of eminent domain on such Authorities; authorizing such Authorities to enter into contracts with and to accept grants from the Federal Government or any agency thereof; and for other purposes," including incinerators for rubbish and garbage as projects.

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

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 666, entitled:

An Act to amend section one of the act approved the twenty-sixth day of August, A. D., one thousand nine hundred thirty-two, entitled "An act authorizing collectors of delinquent taxes, except in cities of the first class, to accept payments of delinquent taxes or water-rents or rates in installments," by including counties.

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

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 657, entitled:

An Act to amend sections one, two, three and four of the act, approved the twenty-first day of May, one thousand nine hundred and thirty-seven (P. L. 787), entitled "An act authorizing the compromise or reduction of tax claims on real property purchased by any county, city,

borough, town, school district or poor district at any sale for the nonpayment of taxes; and the reconveyance or private sale of such property," extending the provisions of said act to properties purchased by said political subdivisions at sales for municipal claims, and to the payment of such claims from the proceeds of such compromises or sales, and changing the time when such compromises may be made.

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

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 524, entitled:

An Act to further amend section two hundred and ten of the act, approved the second day of May, one thousand nine hundred and twenty-five (P. L. 448), 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," prohibiting the sale of striped bass or rock fish under eighteen inches in length.

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

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 462, entitled:

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

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

BILL RECOMMITTED

Mr. SCANLON. Mr. Speaker, I move that this bill be recommitted to the Committee on Professional Licensure for the purpose of a public hearing.

The motion was agreed to.

BILL ON FIRST READING

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 707, entitled:

An Act to further amend section nine of the act approved March thirtieth, one thousand nine hundred seventeen, (P. L. 21), entitled "An act defining optometry; and relating to the right to practice optometry in the Commonwealth of Pennsylvania, and making certain exceptions; and providing a Board of Optometrical Education, Examination, and Licensure, and means and methods whereby the right to practice optometry may be obtained; and providing for the means to carry out the provisions of this act; and providing for revocation or suspension of licenses given by said board, and providing penalties for violations thereof; and repealing all acts or parts of acts inconsistent therewith"; and further regulating advertising by optometrists.

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

BILL RECOMMITTED

Mr. SCANLON. Mr. Speaker, I move that this bill be recommitted to the Committee on Professional Licensure for the purpose of a public hearing.

The motion was agreed to.

BILL ON FIRST READING

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 685, entitled:

An Act to protect the public against advertising or offering for sale at fixed prices eyeglasses, spectacles, etc. and filling prescriptions for the same similar to the restraint upon professions licensed by the State to prescribe eyeglasses and spectacles fixing a penalty for violations of this act and investing the courts with jurisdiction to prevent and restrain violations of this act.

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

BILL RECOMMITTED

Mr. SCANLON. Mr. Speaker, I move that this bill be recommitted to the Committee on Professional Licensure for the purpose of a public hearing.

The motion was agreed to.

BILL ON FIRST READING

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 684, entitled:

An Act to further amend sections six and nine of the act, approved the thirtieth day of March, one thousand nine hundred and seventeen (P. L. 21), entitled "An act defining optometry; and relating to the right to practice optometry in the Commonwealth of Pennsylvania, and making certain exceptions; and providing a Board of Optometrical Education, Examination, and Licensure, and means and methods whereby the right to practice optometry may be obtained; and providing for the means to carry out the provisions of this act; and providing for revocation or suspension of licenses given by said board, and providing penalties for violations thereof; and repealing all acts or parts of acts inconsistent therewith" further regulating the granting, suspension and revocation of the licenses of optometrists.

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

BILL RECOMMITTED

Mr. SCANLON. Mr. Speaker, I move that this bill be recommitted to the Committee on Professional Licensure for the purpose of a public hearing.

The motion was agreed to.

BILL ON FIRST READING

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 675, entitled:

An Act providing for and regulating the State Licensing and registration of nurses of several classes the biennial recording of licenses regulating nursing imposing penalties and repealing certain existing laws.

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

BILL RECOMMITTED

Mr. SCANLON. Mr. Speaker, I move that this bill be recommitted to the Committee on Professional Licensure for the purpose of a public hearing.

The motion was agreed to.

BILLS ON FIRST READING

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 610, entitled:

An Act to amend clause forty-seven of section two thousand four hundred three of the act, approved the twenty-third of June one thousand nine hundred and thirty-one (P. L. 932), entitled "An act relating to cities of the third class; and amending, revising and consolidating the law relating thereto," changing the qualification of historical societies to receive appropriations.

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

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 609, entitled:

An Act to amend section four hundred thirty-eight 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 changing the qualifications of historical societies to receive county appropriations.

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

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 710, entitled:

An Act to enable tax collectors and receivers of taxes to make return to the county commissioners of unpaid taxes assessed on seated lands for certain years; and validating the liens of such taxes.

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

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 631, entitled:

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

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

The SPEAKER. The Chair calls the attention of the Members to the error in the second line of the title to House Bill No. 361, Printer's No. 134. The words "tax sales" should be stricken out.

BILL ON FIRST READING

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 791 (Senate Bill No. 244), entitled:

An Act to amend section one of the act approved the fifteenth day of June, one thousand eight hundred and ninety-seven (P. L. 159), entitled "An act authorizing controllers of the several cities of this Commonwealth to appoint probate clerks", by providing for the appointment of additional probate clerks.

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

BILL ON SECOND READING

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 690, entitled:

An Act to further amend sections 402, 411, 703, 704, 705 and 903 and to repeal section 706 of the act approved the first day of May, one thousand nine hundred twenty-nine, (P. L. 905) entitled, "An act for the protection of the public safety, regulating the use of highways, and the operation of vehicles, tractors, street cars, trackless trolley omnibuses, bicycles, pedestrians, and the riding of animals upon the highways of this Commonwealth; providing for the titling, including liens, encumbrances, and legal claims; registration of certain vehicles and licensing the operators thereof, upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts and the clerks thereof, owners of vehicles, and garage keepers; providing that records are admissible as evidence; imposing upon owners, counties, cities, boroughs, incorporated towns, townships, within the Commonwealth, liability for damages caused by the negligent operation of their motor vehicles; imposing penalties; imposing certain costs upon counties; providing for the disposition of fines, forfeitures, fees, and miscellaneous receipts; making an appropriation and providing for refunds," providing for the registration and fixing registration fees of commercial motor vehicles, truck tractors, trailers and semi-trailers according to gross weight; fixing the maximum gross weight of such vehicles which may be used and operated on the highways; and eliminating existing provisions relating to the chassis of such vehicles.

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

Ordered, To be transcribed for a third reading.

MOTION TO RECOMMIT

Mr. HOLLAND. Mr. Speaker, I move that this bill be recommitted to the Committee on Motor Vehicles for the purpose of a public hearing.

On the question,

Will the House agree to the motion?

Mr. REUBEN E. COHEN. Mr. Speaker, I am asking the members of the House to vote down this motion to recommit for the purpose of a public hearing. This bill has been in committee for some time and has received careful consideration. This is the fourteenth calendar day the bill has been on the calendar. If the persons were interested in having a public hearing they should have realized that time was sometime before to-night. I believe the only purpose in asking for a public hearing at this time is more a matter of delay than anything else, and I therefore feel the members should act on this bill to-night, and I am asking the members to vote "no," on this motion to recommit.

Mr. FISS. Mr. Speaker, this bill has been on the calendar for quite some time. It has had plenty of chance to have reactions both ways, those for it and those against it. I ask the Members of this House to vote down the motion to recommit for a public hearing.

Mr. HOLLAND. Mr. Speaker, I would like to interrogate the Chairman of the Motor Vehicle Committee.
The SPEAKER. Will the gentleman from Philadelphia Mr. Corrigan, permit himself to be interrogated?

Mr. CORRIGAN. I will, Mr. Speaker.

Mr. HOLLAND. Mr. Speaker, may I ask the gentleman whether he has not had the request of the Council of Cities of the First Class as well as the Boroughs for a public hearing on this bill.

Mr. CORRIGAN. Mr. Speaker, in reply to the gentleman's interrogation I had one letter asking for a public hearing on this bill.

Mr. HOLLAND. Mr. Speaker, I would like to ask the gentleman when he received that letter.

Mr. CORRIGAN. Mr. Speaker, I received it this week.

Mr. HOLLAND. Mr. Speaker, in asking to have this bill recommitted for a public hearing it is because I have been told by the heads of the Borough and Township groups that the request was made three weeks ago. The bill is very far reaching. It affects everyone who own real estate in the state of Pennsylvania, and out of respect for the townships, when we have all the Township Commissioners in the House and they have asked for a hearing, I think that courtesy should be extended and the bill should be discussed at a public hearing so that the public will know exactly what this bill does.

Mr. Speaker, I ask for a roll call.

Mr. D'ORTONA. Mr. Speaker, as Secretary of the Motor Vehicle Committee I will say when this bill was reported out of committee there was not a dissenting vote.

On the question recurring,

Will the House agree to the motion?

The yeas and nays were required by Messrs. HOLLAND and CHERVENAK.

Messrs. O'BRIEN, O'MULLEN and MARKS asked for a verification of the roll.

The roll was verified and was as follows:

YEAS 90

Auker,	Fisher,	Lyons,	Riley,
Baker,	Fleming,	Maxwell,	Rose, W. E.,
Boles,	Gillagher,	McClester,	Sarge,
Boney,	Gates,	McDermott,	Shaffer,
Boorse,	Gillan,	McFall,	Simons,
Bradley,	Goodwin,	McLanahan,	Sollenberger,
Breth,	Gross,	McLane,	Sorg,
Brown,	Gryskewicz,	McSurdy,	Stambaugh,
Brunner, C. H.,	Hamilton,	Moran,	Stank,
Brunner, P. A.,	Harkins,	Munley,	Taylor,
Burriss,	Harmuth,	Nunemacher,	Thompson, R. L.,
Cadwalader,	Heatherington,	O'Connor	Vogt,
Chervenak,	Holland,	O'Neill,	Voorhees,
Cochran,	Jones, G. E.,	Owens,	Watkins,
Cooper,	Keenan,	Pettit,	Wells,
Cordier,	Kline,	Polen,	Wilkinson,
Croop,	Komorowski,	Rausch,	Winner,
Dix,	Krise,	Reese, D. P.,	Wolf,
Dolon,	Lee, T. H.,	Reese, R. E.,	Wood, L. H.,
Early,	Lelsey,	Regan,	Woodring,
Eckels,	Leonard,	Reynolds,	Wright,
Elder,	Leydic,	Rhea,	Yester,
Elliott,	Longo,		

NAYS 104

Achterman,	Greenwood,	McClanaghan,	Scanlon,
Balthaser,	Gyger,	McDowell,	Schwab,
Baughner,	Habbyshaw,	McIntosh,	Serrill,
Bentzel,	Haberlen,	McKinney,	Shaw,
Bower,	Haines,	McMillen,	Snyder,
Bretherick,	Hall,	Melchiorre,	Stine,
Burns,	Hare,	Mihm,	Stockham,
Chudoff,	Helm,	Modell,	Tarr,
Cohen, M. M.,	Hering,	Monks,	Tate,
Cohen, R. E.,	Herman,	Mooney,	Thompson, E. F.,
Cook,	Hersch,	Moul,	Trout,
Corrigan,	Hewitt,	Muir,	Turner,
Cullen,	Hirsch,	O'Brien,	VanAllsburg,
Dalrymple,	Huntley,	O'Dare,	Vincent,

Dennison,	Imbrie,	O'Mullen,	Voldow,
DiGenova,	James,	Petrosky,	Wagner,
D'Ortona,	Jefferson,	Polaski,	Weingartner,
Falkenstein,	Kenehan,	Powers,	Welsh, E. B.,
Finestone,	Knoble,	Prosen,	Welsh, M. J.,
Finnerty,	Kolankiewicz,	Rank,	Williams,
Fiss,	Lesko,	Readinger,	Wood, N.,
Flynn,	Levy,	Rooney,	Woodside,
Foor,	Lichtenwalter,	Rose, S.,	Yeakel,
French,	Lovett,	Rosenfeld,	Young,
Gerard,	Malloy,	Royer,	Kilroy, Speaker
Gillette,	Marks,	Rush,	

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

PERMISSION GRANTED COMMITTEE TO MEET DURING SESSION

Mr. HABERLEN asked and obtained permission for the Committee on Dairy Industries to meet during the session of the House.

FORMER MEMBER WELCOMED

The SPEAKER. The Chair takes pleasure in welcoming a former member of the House, Captain Clarence H. Pershing, and requests him to come to the rostrum.

BILL ON SECOND READING

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 393, entitled:

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

The first section was read.

On the question,

Will the House agree to the section?

BILL RECOMMITTED

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

The motion was agreed to.

BILLS ON SECOND READING

Agreeably to order,

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

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. 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.

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. 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.

The first section was read.

On the question,

Will the House agree to the section?

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

The amendment was read by the Clerk as follows:

Amend sec. 1, (sec. 1503), page 2, line 25, by striking out the word "shall" and inserting in lieu thereof the word "may."

The amendment was agreed to.

The section was agreed to as amended.

The title was read and agreed to.

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

Ordered, To be transcribed for a third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 325, 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.

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. 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 Gov-

ernment 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 making payments out of the Unemployment Compensation Fund subject to agreement between the State Treasurer and the Social Security Board, and making the Administration Fund subject to certain charges.

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. 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.

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. 70, entitled:

An Act to amend section seven hundred three of the act, approved the twenty-fourth day of June, one thousand nine hundred and thirty-one (P. L. 1206), entitled "An act concerning townships of the first class: amending, revising, consolidating, and changing the law relating thereto by providing for the compensation paid to township commissioners

The first section was read.

On the question,

Will the House agree to the section?

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

The amendments were read by the Clerk as follows:

Amend sec. 1 (Sec. 703), page 2, line 8, by inserting before the word "two" the following: "not more than."

Amend sec. 1 (Sec. 703), page 2, line 10, by inserting after the word "thousand" the following: "not more than."

Amend sec. 1 (Sec. 703), page 2, line 12, by inserting before the word "four" the following: "not more than."

Amend sec. 1 (Sec. 703), page 2, line 14, by inserting after the word "thousand" the following: "not more than."

Amend sec. 1 (Sec. 703), page 2, line 16, by inserting after the word "and" the following "not more than."

They were agreed to.

The section was agreed to as amended.

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

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

Ordered, To be transcribed for a third reading.

BILL ON FINAL PASSAGE

Agreeably to order,

The House proceeded to the consideration on final passage of House Bill No. 367, as follows:

An Act legalizing the operation of bowling alleys and participation in the sport of bowling after two o'clock post meridian on Sunday

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

Section 1 It shall be lawful for any person to participate in the sport of bowling on Sunday but only after the hour of two o'clock post meridian and any person possessing a license permitting the operation of a bowling alley may legally operate the same after such hour on Sunday and employ others to assist in the operation thereof

Section 2 The following acts and parts of acts are hereby repealed in so far as their provisions are inconsistent herewith

The act approved the twenty-second day of April one thousand seven hundred and ninety-four (3 Sm L 177) entitled "An act for the prevention of vice and immorality and of unlawful gaming and to restrain disorderly sports and dissipation"

Section six hundred fifty-one of the act approved the twenty-fourth day of June one thousand nine hundred thirty-nine (Pamphlet Laws 872) entitled "An act to consolidate amend and revise the penal laws of the Commonwealth"

All other acts and parts of acts inconsistent herewith are hereby repealed

Section 3 This act shall become effective immediately upon final enactment

On the question,

Shall the bill pass finally?

Mr. FRENCH. Mr. Speaker, this being my first trip to the mike, I don't know how I will make out. Nevertheless, I would like to express my opinion in public as to the merits or demerits on the bill on which we are about to vote.

There is a question in my mind, Mr. Speaker, as to how much more whittling away the Sabbath is going to stand. I think it is an undisputed fact that we have been whittling away at this day that we call the Sabbath for the last twenty years, and the question now confronts us, or at least should confront each and every one of us here tonight, how much more whittling our Sabbath day is going to stand until the time comes when we will not have any Sabbath any more. I do not propose to stand here before you tonight as a reformer or anything of the kind, and I don't suppose there is anything I can say here that will influence one vote one way or the other, but to my mind it is a thing of more moment than the average man thinks it is.

For my part I don't know, I might be wrong in my opinion, but I want to give you my reasons, Mr. Speaker, for voting against this bill. I firmly believe we should uphold the Sabbath day. As I said, I don't believe the Sabbath will stand much more whittling. At the rate we have been going the past twenty years I imagine that in the next quarter of a century we will have no Sabbath, and when that time comes, Mr. Speaker, what condition will we be in then?

Another reason I have for voting against this bill, Mr. Speaker, is that there are a lot of good people who are against this bill; they are against the desecration of the Sabbath day. In my community back home I am very certain that the folks who are against this bill are very far ahead in the majority, and that is another reason I am going to vote against this bill. It would not surprise me if there were a vote taken of all the eligible voters in this state that the majority would be overwhelmingly against the passage of this bill. We must remember one thing, my friends, in the passage of this bill there is one class of people in this State as well as in every other State in the Union to whom we owe a debt of gratitude.

Those people we might designate as the balance wheel of society, and it is to those people that we owe some recognition. It is to those people who are in favor of upholding the Sabbath, and being in the majority, I believe they should receive some recognition, and for that reason I am going to vote against the bill. These people only ask for one day out of the seven to carry on their church activities. In the interests of common decency, we have six twenty-four hour days for bowling and golf and horse racing and baseball and all that stuff. The church in our respective communities of the State only ask for one day out of seven; that is one-seventh of the time.

Now, don't you think that is fair? I do for my part, and the time will come, at the present rate of whittling, as I said a minute ago, when we will have no Sabbath at all. Is there in this House tonight, Mr. Speaker, any one who wants to live in a community of any state where there are no churches? There isn't one of you.

I know a merchant back in my town who made this remark to me one day. He said, "I am no church member, I don't go to church; I don't contribute to the churches; I don't enter into church activities, but, Mr. French, he said, 'I wouldn't be in this town thirty-six hours if there were no church in it.'"

I think that is the feeling of every man that wants to be fair with himself, that is the feeling of every member of this House, and if the time ever comes that we have no churches in this country I don't know what is going to happen. We have had experience over in Europe, Asia and Africa and everywhere else, and I might say above all else, Mr. Speaker, the Commander-in-Chief of the entire universe has made this one of his strict commandments: "One day shalt thou cease from all thy labor and devote that one day out of seven for worship and worship alone."

That is not a thing for you to do if you want to do it; it is a command from the Supreme Commander of the Universe. When you vote on this bill tonight, remember that one fact if you forget everything else, and let us vote this thing down so far that it will not be able to rise up again.

Mr. GATES. Mr. Speaker, I rise to oppose this bill which is one of a number if enacted into law will destroy the very foundations upon which this country was founded.

The prominence given to the Fourth Commandment was not an accident by any means. The keeping of it secures obedience to the entire list of commandments, because it affords the opportunity of studying and meditating upon the laws and precepts of God's word, the effect of which under the direction of the Holy Spirit, is to bring us into conformity thereto. Members of this House, this Commandment is like the keystone of an arch, holding it up and together, the removal of which causes the whole to tumble into ruins.

It is almost needless to say that a people who fled from their European homes for religion's sake were a people who "Remembered the Sabbath day to keep it holy." When French Communists shut the doors of the churches and inscribed on the gates of the cemeteries "Death is an Eternal Sleep," they abolished the weekly Sabbath.

It was evidently the will of God that a new nation should be a people that would reverence His Sabbaths.

May I revive your memories as to what happened.

When the Mayflower stood anchored in the harbor of Cape Cod, which, with its one hundred and two passengers,

the Pilgrim fathers, it reached on November 21st, 1620, a solemn covenant was prepared and signed, by the heads of families, forty-one in all.

It was the first American Constitution, simple and sublime, it began:

"IN THE NAME OF GOD, AMEN."

We whose names are underwritten by these presents, solemnly and mutually in the presence of God and one another covenant and combine ourselves together into a civil body politic."

These stalwart God loving men, women and children after sixty-three days of stormy experience on a rough sea were driven into the harbor of Cape Cod.

A little band of sixteen resolute men were to be sent ashore in a boat to find a propitious landing and a place to build for themselves a permanent home somewhere along the strange shore. But the little boat is found unseaworthy and must be repaired. More than a fortnight was required to fit the boat for use, but notwithstanding this delay and the urgency, the intervening Sabbaths were spent on the Mayflower in rest and worship.

Ridpath thus records the landing of the Pilgrim Fathers:

"At nightfall Saturday a storm came on; the rudder was wrenched away and the poor ship driven half by accident and half by the skill of the pilot, into a safe haven on the west side of the bay. The next day, being Sabbath, was spent in religious devotions, and on Monday the 11th day of December 1620, the Pilgrim Fathers landed on the Rock of Plymouth."

While historians seem to differ in some details they all agree that these Pilgrim founders of America kept holy the Fourth Commandment.

Members of this House, Christianity without a Sabbath is impossible either in the individual or nation. Destroy the Sabbath and you will eventually destroy the Churches. While religious intolerance abounds in Europe the Light that keeps us tolerant in America are the Churches. When any nation ceases to keep the Sabbath, the ensign by which it acknowledges God it is surely on its way to decay.

We in this great state should vote against any and all bills which would in anyway undermine the foundation upon which this nation was built. The motive back of this bill is greed, not godliness. It will lower the moral tone of the community and decrease property values.

The Sabbath, religiously observed, is necessary to maintain civil and religious liberty and to combat the enemies of democracy. Because the Church in its unselfish service of building the character of the people, and particularly of the young people and children, has I believe the right to one whole day out of seven, free from commercial activity.

Mr. Speaker, the other day on third reading an amendment was offered to this bill and unanimous consent was asked of this House, and that amendment as offered made this bill read "Two o'clock or thereafter."

There is a great church in the United States of America, the Roman Catholic church, which has always maintained that if they will be given a child until the child is eight years of age it will never forget the Christian teaching that it will receive. We are coming into Rassion Week, a week from Sunday. The sunset of the Christian religion is on Wednesday and then on the Easter Day the sunrise of the Christian religion takes place.

You have offered an amendment, my friends of the

Roman Catholic church, to take care of your situation because your church services cease at twelve o'clock, and we agree with you, and we are in hearty accord that nothing in this land of ours should interfere with the religious ceremony of the Roman Catholic church on the Sabbath morning, but we Protestants ask you to be gracious to us because our church day not only starts with yours, but it keeps up for the entire day and it is in the evening about six o'clock that the young peoples' organizations of our church meet together in their Christian Endeavor Associations and in the young peoples' meetings, and I say to you of an opposite faith from mine, be gracious to us, and allow us to observe our Sabbath as we allow you to observe yours. I ask every man of fair-mindedness in this House who has any regard for God's Sabbath to vote "no" on this iniquitous bill.

Mr. BAKER. Mr. Speaker, I would like to interrogate the gentleman from Armstrong, Mr. Gates.

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

Mr. GATES. I will, Mr. Speaker.

Mr. BAKER. Will the gentleman from Armstrong tell the House of his golfing games and where he stands in the field of golfing. We understand the gentleman is quite a golfer.

Mr. GATES. Mr. Speaker, I had the conceit taken out of me down here in the last session. I play a little golf. I have not had the opportunity, I am sorry to say, in the last seven years to play very much golf. I am greatly in favor of the game of golf, and play it whenever I get an opportunity, except on the Sabbath day.

Mr. BAKER. Will the gentleman tell the members of the House whether he plays golf on Sunday, Mr. Speaker.

Mr. GATES. He does not, Mr. Speaker.

Mr. BAKER. All right, I thank the gentleman, Mr. Speaker.

Mr. STOCKHAM. Mr. Speaker, Holy writ informs us that in times of great stress the ancient Jewish people always found a prophet. I do not come here tonight as a prophet or a son of a prophet. I simply ask your attention, if you please, to this subject, to view it according to the conditions of the day. The great confusion in the world at large and in these serious days I think requires of all men the best that is in them to try to think clearly, that everything that is done may be done for the best interest of mankind in this our own civilization.

The moral fabric of Europe has disintegrated to such an extent that that which we call the "fifth column" has reached into numerous nations and principalities of Europe, and without the force of arms has taken them over. These things that are at work are also present in our own land, and with them there is always a danger that if our moral fabric is broken then we too may succumb.

Ancient Jewish history tells us that Nehemiah in his day rose up in all his troublous times to insist upon an observance of the Sabbath, that it was necessary for the morals of his people and the nation that they should continue that ancient observance. To compromise our moral responsibilities makes us uncertain of our destiny, and the history of our nation to date is based and predicated upon the leadership of men with godly principles. We are building an army for the defense of our nation, for the defense of our government, for the defense of

those things which are set forth for us in the Constitution, and I believe if you please, Members of the House, that we have a destiny which we are building for world leadership, and upon that basis we cannot afford to break down our morale.

God's response to respect of mankind always brings victory and always brings to that group or that nation leadership, and so in this great state, in the great play that is going on in the world today, there is always a backdrop, and I want to point, if I may, to this great backdrop on this wall. Yonder those who observed the Sabbath, who made the treaty with the Indians and here those who established the government in the reading of the Declaration were God-fearing men who observed the Holy Day. Beginning at the top with Justice and coming on down with all those heroes and the blessing of all those men, with the priests and the bishops, with the heroes of war and of peace, with the drummer boys and those working in the mines, there is the backdrop of the great curtain of this great country of ours, and on practical, on thoroughly practical and truly moral grounds without any reservation I ask the members of this House to vote against this bill.

Mr. CULLEN. Mr. Speaker, I rise to defend the bill. It is my contention that the bill does not desecrate the Sabbath. We heard Mr. Gates go as far back as the Mayflower. Do we want to live today the same as they lived in the day of the Mayflower? They didn't know anything at that time about the Metropolitan areas. Now, I understand they spoke very diligently about the Maker. It is my contention, Mr. Speaker, that man was given the Sabbath to enjoy within the law, and there is no desecration in that. In the metropolitan area, one gentleman says we have six days in which to do it. I contend, Mr. Speaker, we in the metropolitan area do not have any particular time in those six days. The only day we have for a little recreation is the Sabbath. I might go further to say, Mr. Speaker, that today the game of bowling is played in every city in Pennsylvania and you are doing nothing more nor less than putting the stamp of legality on a condition that is existing today. Why should you have your young people that you talk so much about break the law? Why not permit them to bowl on Sunday? Very substantial citizens bowl on Sunday. In fact I might go a little further, Mr. Speaker, and say that the church people—they say they are talking for the church people—I'll take you into any bowling alley on any Sabbath of the year, the same people who are complaining here and show them those people are bowling on Sunday.

Now, what is better, having my boy and my girl on the street with nothing to do or the possibility of having them get into the bowling alleys? Bowling happens to be as good a sport as golf; it is one sport where the participants absolutely pays for his own pleasure and his own skill. There is recreation. It is a sport where some of us old fellows can get some recreation.

They spoke of national defense here. It is my contention Mr. Speaker, that the first line of national defense is the health of the nation. Which is better for health than having a man throw a sixteen pound ball down an alley, or sitting down and twiddling his thumbs in some back room, and his children doing likewise? I say, Mr. Speaker, if you want to do your community a service, vote for this bill.

Mr. GATES. Mr. Speaker, I have no objection to the gentleman from Philadelphia having his own opinion just the same as any other member of the House. He said I went back to the Mayower. I would like to take him back quite a considerable distance earlier than that when Moses led his people into the wilderness and kept them there for forty years and fed them with manna from heaven, and on Saturday he fed them a double portion so there would be no manna gathered on the Sabbath.

Mr. McFALL. Mr. Speaker, we have heard discourses on the Sabbath day and Sabbath desecration and I could talk along the same line, but I am going to talk along a different line, I am going to talk for labor. The Sabbath day was intended and is intended for a day of rest, and it is intended for the working people. People who do not work and are parasites on society, it doesn't make much difference whether they go out bowling on Sunday, whether they go out golfing on Sunday or whatever they do on Sunday, because it doesn't count; they don't amount to anything anyway, but the real laborer, the men and women who work for a living, every time we break down Sabbath observance we are just placing that much more upon the backs of labor, more burdens for them to carry.

This bowling on Sunday, it says in the act "permitting the operation of a bowling alley; may legally operate after such an hour on Sunday and employ others to assist in the operation thereof". It means the employment of boys to set up the pins. They don't get very much for it at that. There are a lot of things about lawmaking that do not make any sense, and this is one of them.

Last week over in the Senate there was a bill to increase the penalties for performing worldly work in violation of the Sunday laws, and tonight we are talking about legalizing bowling. Legalizing is nothing more nor less than commercializing. People want to make money out of it. Nobody objects to anybody going out and bowling a game on Sunday—no more harm in bowling than in playing a game of checkers, but you take the profit away from it and the bowling alley wouldn't want anyone to play. It is the profit in bowling. They should bowl enough on Saturday, but they want to tide it over until Sunday.

The baseball magnates of Pennsylvania agreed if we would allow baseball on Sunday they would quit at six o'clock p. m., but by this bill you could start at two p. m. and play all day until Monday morning if you want to do so. This bill legalizes bowling for that length of time.

If there were an amendment offered to this bill to make it a home rule measure, or to permit a referendum, so that the people in the different communities could have their say on it all right and well, but they did not want an amendment to this bill. I would have voted for this bill had there been a provision for a referendum, had there been opportunity for home rule, but the way this bill stands now I am opposed to it and will vote "no" on it, and I ask the Members of the House to do likewise.

Mr. LEONARD. Mr. Speaker, I rise to support the bill, I bowl whenever the opportunity presents itself. I happen to be captain of a team composed of my five sons and myself, and I am tickled to death, very pleased when I know that my sons are down in the bowling alley instead of loafing on the street corners or some other place that we older people know all about, doing something that we wouldn't like them to do.

I don't know of any cleaner sport than bowling. We are

in a private building. We are not interfering with anybody.

I also was a great baseball fan. I quit going to baseball games, friends—or Members of the House—well, friends, because of the roydism that took place in the baseball games.

Pennsylvania legalized Sunday baseball; forty to fifty thousand people attend these games. It takes the entire police force of the city to keep order. That's all right, but we don't need any police force at all around the bowling alley; we do not need any police force for the football games or any other sports where it requires the police to keep order.

Those of us who like to bowl and want to put in Sunday afternoon or evening, why not let us have that privilege? You don't have to go in; we won't drag you in, and I will assure you you will not be insulted and you will not have any reason to find fault.

I am going to ask the Members of the House to be for this sport, as I know you are for most other sports. I am going to ask you to support this bill, make it legal and permit the policeman on the street corner to pass the bowling alley without shutting his eyes as he must do today.

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.

Messrs. REAGAN, SARGE and STAMBAUGH asked for a verification of the roll.

The roll was verified and was as follows:

YEAS—98

- | | | | |
|-----------------|----------------|--------------|------------------|
| Baker, | Finnerty, | McClanaghan, | Rooney, |
| Bentley, | Fletcher, | McDermott, | Rose, S., |
| Boies, | Flynn, | McLane, | Rose, W. E., |
| Boorse, | Gallagher, | Melchiorre, | Rosenfeld, |
| Bradley, | Gerard, | Mihm, | Sarraf, |
| Brown, | Goodwin, | Modell, | Scanlon, |
| Brunner, C. H., | Gryskewicz, | Monks, | Schwab, |
| Brunner, P. A., | Harkins, | Mooney, | Shaffer, |
| Burns, | Harmuth, | Moran, | Stank, |
| Cadwalader, | Heatherington, | Muir, | Tate, |
| Chudoff, | Hersch, | Munley, | Thompson, E. F., |
| Cohen, M. M., | Hirsch, | O'Connor, | Turner, |
| Cohen, R. E., | Holland, | O'Dare, | Verona, |
| Cook, | Jefferson, | O'Mullen, | Vincent, |
| Cordier, | Keenan, | O'Neill, | Vogt, |
| Corrigan, | Kenehan, | Owens, | Voldow, |
| Croop, | Kline, | Petrosky, | Voorhees, |
| Cullen, | Kolaniewicz, | Polaski, | Winner, |
| Dalrymple, | Komorofski, | Powers, | Wolf, |
| Digenova, | Leonard, | Prosen, | Wood, L. H., |
| D'Ortona, | Levy, | Rausch, | Woodring, |
| Early, | Longo, | Readinger, | Wright, |
| Falkenstein, | Lovett, | Regan, | Young, |
| Finestone, | Malloy, | Reynolds, | Kilroy, |
| | Marks, | Riley, | Speaker. |

NAYS—96

- | | | | |
|-------------|------------|----------------|------------------|
| Achterman, | Gillan, | Lichtenwalter, | Sarge, |
| Auker, | Gillette, | Lyons, | Serrill, |
| Balthaser, | Greenwood, | Maxwell, | Shaw, |
| Baughner, | Gross, | McClester, | Simons, |
| Bentzel, | Gyger, | McDowell, | Snyder, |
| Bower, | Habbyshaw, | McFall, | Sollenberger, |
| Breth, | Haberlen, | McIntosh, | Stambaugh, |
| Bretherick, | Haines, | McKinney, | Stine, |
| Burris, | Hall, | McLanahan, | Stockham, |
| Chervenak, | Hamilton, | McMillen, | Tarr, |
| Cochran, | Hare, | McSurdy, | Taylor, |
| Cooper, | Harris, | Moul, | Thompson, R. L., |
| Dennison, | Helm, | Nagel, | Trout, |
| Dix, | Hewitt, | Nunemacher, | Van Allsburg, |
| Eckels, | Huntley, | O'Brien, | Watkins, |

- | | | | |
|----------|---------------|---------------|---------------|
| Elder, | Imbrie, | Pettit, | Weingartner, |
| Elliott, | James, | Polen, | Weiss, |
| Ely, | Jones, G. E., | Rank, | Welsh, M. J., |
| Fisher, | Knoble, | Reagan, | Wilkinson, |
| Fiss, | Krise, | Reese, D. R., | Williams, |
| Fleming, | Lee, E. A., | Reese, R. E., | Wood, N., |
| Foor, | Lee, T. H., | Rhea, | Woodside, |
| French, | Leisey, | Royer, | Yeakel, |
| Gates, | Leydic, | Rush, | Yester, |

Less than the majority required by the Constitution having voted in the affirmative, the question was determined in the negative and the bill falls.

MR. ACHTERMAN in the Chair

BILL PASSED OVER

There being no objection House Bill No. 487, 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. 107, as follows:

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

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

Section 1 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 the act approved the twenty-first day of June one thousand nine hundred thirty-nine (P. L. 644) is hereby further amended to read as follows

Section 11 The Secretary of Highways upon acquiring any such toll bridge is hereby directed to continue the collection of tolls and charges on such bridge or bridges or reconstructed bridges except as hereinafter provided until the Commonwealth has been reimbursed to the full extent of the original cost of acquiring any and all of such bridges or as many thereof as may be acquired by the Secretary of Highways within his discretion and in any event as may be acquired at a cost not exceeding in the aggregate the authorized sum of ten million dollars together with such interest thereon as shall have been expended by the Commonwealth and the cost of compensation of toll collectors All tolls and charges collected by the Secretary of Highways shall be paid into the Motor License Fund The Department of Highways shall reconstruct maintain and repair such bridges in the manner provided by law relating to State highways and bridges In case of the reconstruction of any such bridge the Secretary of Highways with the approval of the Governor may reconstruct such bridge on the same location or on a location within one mile thereof

Whenever the tolls collected from such bridges as may be so acquired after deduction of all moneys expended by the department for the cost of compensation of toll collectors shall have become sufficient to reimburse the Commonwealth in full for the cost of acquiring all of such bridges as may have been so acquired with interest thereon as aforesaid then all of such bridges so acquired shall become and be thereafter free bridges Such bridges shall thereafter remain in the charge and be under the

control of the Department of Highways and shall be thereafter maintained and kept in repair and be rebuilt by the Commonwealth in accordance with the laws relating to State highways and bridges and the State shall take over and succeed to all agreements made with any public service company for the use by the public service company of such bridges. The cost of such reconstruction maintenance and repair of said bridges after the same have been freed shall be paid out of moneys appropriated to the Department of Highways for the construction reconstruction and improvement of State highways.

The Secretary of Highways is hereby authorized to adjust readjust and fix from time to time the amount of tolls and charges on such bridge or bridges as may be acquired under the provisions of this act for the purpose of causing each such bridge so acquired to bear as nearly as conditions and traffic will permit its proportionate share of the aggregate annual revenues to be received by the Commonwealth from toll bridges so acquired based on the cost thereof. Provided however whenever any toll bridge is acquired by the Secretary of Highways at a cost of less than (thirty thousand dollars) three hundred thousand dollars the said Secretary of Highways shall immediately discontinue the collection of tolls and charges on such bridge and such bridge shall be a free bridge. The cost of maintenance and repair of said bridge after the same has been acquired by the Department of Highways shall be paid out of moneys appropriated to the Department of Highways for the construction reconstruction and improvement of State highways.

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. STAMBAUGH. Mr. Speaker, I desire to interrogate the gentleman from Beaver, Mr. Nagel.

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

Mr. NAGEL. I will, Mr. Speaker.

Mr. STAMBAUGH. Mr. Speaker, I should like to know from the gentleman from Beaver, Mr. Nagel, how many bridges in the Commonwealth this bill would affect.

Mr. NAGEL. Mr. Speaker, I think the bill will permit taking over as many as are desired.

Mr. STAMBAUGH. Mr. Speaker, does it not limit the appropriation to three hundred thousand dollars?

Mr. NAGEL. Mr. Speaker, as I understand, it does for any one bridge.

Mr. STAMBAUGH. Mr. Speaker, if a bridge were valued at more than three hundred thousand dollars then what would the status of that bridge be.

Mr. NAGEL. Mr. Speaker, the bill does not provide for an expenditure of more than three hundred thousand dollars for any one bridge.

Mr. STAMBAUGH. Mr. Speaker, when the gentleman from Beaver fixed the price of a bridge at three hundred thousand dollars, did he have any particular bridge in mind that would be appraised at that price?

Mr. NAGEL. Mr. Speaker, I cannot say that I had any definite bridge or bridges in mind. There are some bridges, however, that I think the citizens of certain sections of this state would like to have the state take over and it would be a great thing for those particular communities, and it might be that there are some bridges in the section of the gentleman from Perry that it would be advantageous for the citizens or the voters thereof to have the state take over, which I think this bill will cover.

Mr. STAMBAUGH. Mr. Speaker, how many bridges in the Commonwealth would come under the figure of three

hundred thousand dollars? Has the gentleman from Beaver investigated that question?

Mr. NAGEL. Mr. Speaker, in answer to the question I would say I have no appraisal of the toll bridges of the State of Pennsylvania and I cannot answer his question.

Mr. STAMBAUGH. Mr. Speaker, may I ask the gentleman whether or not there are any in his immediate vicinity that would be affected by this bill.

Mr. NAGEL. Mr. Speaker, I think there are.

Mr. STAMBAUGH. Mr. Speaker, does the bridge that the gentleman has in mind in his immediate vicinity connect with State Highways or is it on a State Highway system?

Mr. NAGEL. Mr. Speaker, in answer to the gentleman's question I would say that I do not know it to be a fact that this bill is definitely intended for any particular bridge. I do not know that the owners of any toll bridge in my community would cooperate. They might oppose anything of this kind.

Mr. STAMBAUGH. Mr. Speaker, the gentleman has not answered my question. I wanted to know whether or not the bridges in his vicinity are on a State Highway system.

Mr. NAGEL. Mr. Speaker, I would say I know of one toll in the western end of the State of Pennsylvania that is on the Highway system.

Mr. STAMBAUGH. Mr. Speaker, does the Secretary of Highways agree to go along with this idea of taking over the bridge that the gentleman has mentioned, that he knows to be in the western end of the State?

Mr. NAGEL. Mr. Speaker, I have had no conference or no conversation with the Department of Highways concerning any bridges. As a lawmaker I felt that I had the privilege and right to introduce a bill that might take care of any problem of this kind. I felt sure that the Department of Highways would go along with anything that was feasible and reasonable.

Mr. STAMBAUGH: Mr. Speaker, I wish to oppose this bill not because I am opposed to taking over the toll bridges because I am not, but it is due to the fact that we would like to get rid of the toll bridges in the immediate vicinity of Harrisburg, the ones crossing the Susquehanna river and at various other points, Columbia, Harrisburg and Clark's Ferry and Sunbury and quite a number of other large and expensive bridges. I think it is eminently unfair to fix a price of three hundred thousand dollars on bridges and say that those coming within that range should be taken over by the Department of Highways without the people who are using them being required to retire them by paying tolls and have the rest of us continue to pay tolls. For that reason I definitely oppose this bill.

That is not all, Mr. Speaker. I feel the sponsors of this bill, having in mind a certain bridge or no doubt they have in mind a certain bridge are putting themselves in an awkward position, because if this bill should pass then those districts that have bridges within the three hundred thousand dollar limit would not be in a position to retire those bridges by the toll system, and if the Secretary of Highways decides not to buy the bridges those people will be compelled to continue to pay tolls on the bridges as long as the Department refuses to take them over. They take away the prerogative of retiring the bridges, Mr. Speaker, and for that reason I oppose the bill and I ask the membership of the House to vote it down.

Mr. WEINGARDNER. Mr. Speaker, it seems to me that a great amount of fuss has been made here over a very simple bill. If you will read this act you will find that all it does in the world is to amend the present law by increasing the amount that the State Highway Department could pay for a toll bridge, if they decide to take it over, from thirty thousand dollars to three hundred thousand dollars. This bill does not force them to take over a single bridge. It does not change in any way, shape or form the existing law except as to the amount, and it would seem to me that with the conditions confronting this state at the present time, with our industries engaged in rearmament, that there may not only be one but several situations in the state that might make it advisable to take over bridges. The amount is simply increased, it is not mandatory, it is entirely up to the Secretary of Highways, and I think the House will do well to pass 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—189

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

NAYS—5

- | | | | |
|-------|--------------|---------|------------|
| Foor, | McClanaghan, | Snyder, | Stambaugh, |
| Hare, | | | |

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.

The SPEAKER (Elmer Kilroy) in the Chair.

The SPEAKER. The Chair thanks the gentleman from Monroe, Mr. Achterman, for presiding.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 158, as follows:

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

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

Section 1 Sections two hundred two and 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 last amended by the act approved the sixth day of June one thousand nine hundred and thirty-nine (P. L. 250) are hereby further amended to read as follows

Section 202 Departmental Administrative Boards Commissions and Offices The following Boards Commissions and offices are hereby placed and made departmental administrative boards commissions or offices as the case may be in the respective administrative departments mentioned in the preceding section as follows

- In the Department of State
- State Employees' Retirement Board
- In the Department of Justice
- Board of Pardons
- Board of Commissioners on Uniform State Laws

In the Treasury Department
 Board of Finance and Revenue
 State Employes' Retirement Board
 In the Department of Internal Affairs
 Board of Property
 In the Department of Public Instruction
 State Council of Education
 Pennsylvania State Board of Censors
 Public School Employes' Retirement Board
 Pennsylvania Historical Commission
 Board of Trustees of Thaddeus Stevens Industrial School
 Board of Trustees of Pennsylvania State Oral School for the Deaf
 Board of Trustees of Pennsylvania Soldiers' Orphan School
 Board of Trustees of West Chester State Teachers' College
 Board of Trustees of Millersville State Teachers' College
 Board of Trustees of Kutztown State Teachers' College
 Board of Trustees of East Stroudsburg State Teachers' College
 Board of Trustees of Mansfield State Teachers' College
 Board of Trustees of Bloomsburg State Teachers' College
 Board of Trustees of Shippensburg State Teachers' College
 Board of Trustees of Lock Haven State Teachers' College
 Board of Trustees of Indiana State Teachers' College
 Board of Trustees of California State Teachers' College
 Board of Trustees of Slippery Rock State Teachers' College
 Board of Trustees of Edinboro State Teachers' College
 Board of Trustees of Clarion State Teachers' College
 Board of Trustees of Cheyney Training School for Teachers
 State Board of Medical Education and Licensure
 State Board of Pharmacy
 State Dental Council and Examining Board
 State Board of Optometrical Examiners
 State Board of Osteopathic Examiners
 Osteopathic Surgeons' Examining Board
 State Board of Examiners for the Registration of Nurses
 State Board of Veterinary Medical Examiners
 State Board for the Examination of Public Accountants
 State Board of Examiners of Architects
 Anthracite Mine Inspector's Examining Board
 Mine Inspectors' Examining Board for the Bituminous Coal Mines of Pennsylvania
 State Registration Board for Professional Engineers
 State Civil Service Commissions
 In the Department of Military Affairs
 Armory Board of the State of Pennsylvania
 Board of Trustees of Pennsylvania Soldiers' and Sailors' Home
 In the Department of Banking
 Board to License Private Bankers
 Pennsylvania Securities Commission
 In the Department of Agriculture
 State Farm Products Show Commission
 In the Department of Forests and Waters
 Water and Power Resources Board
 Lake Erie and Ohio River Canal Board
 Geographic Board
 Pennsylvania State Park and Harbor Commission of Erie
 Washington Crossing Park Commission
 Valley Forge Park Commission
 Fort Washington Park Commission
 In the Department of Mines
 Anthracite Mine Inspectors
 Bituminous Mine Inspectors
 In the Department of Highways
 State Bridge Commission
 In the Department of Health
 Sanitary Water Board
 State Board of Undertakers

In the Department of Labor and Industry
 Workmen's Compensation Board
 Workmen's Compensation Referees
 State Workmen's Insurance Board
 The Industrial Board
 In the Department of Welfare
 State Council for the Blind
 Board of Trustees of Eastern State Penitentiary
 Board of Trustees of Western State Penitentiary
 Board of Trustees of Pennsylvania Industrial School which upon the completion of the present Pennsylvania Industrial School at Huntingdon for the reception care maintenance detention employment and training of defective delinquents shall thereafter be known as the Board of Trustees of Pennsylvania Institution for Defective Delinquents
 Board of Trustees of State Industrial Home for Women
 Board of Trustees of Pennsylvania Training School
 Board of Trustees of Allentown State Hospital
 Board of Trustees of Danville State Hospital
 Board of Trustees of Farview State Hospital
 Board of Trustees of Harrisburg State Hospital
 Board of Trustees of Norristown State Hospital
 Board of Trustees of Warren State Hospital
 Board of Trustees of Wernersville State Hospital
 Board of Trustees of Torrance State Hospital
 Board of Trustees of Ashland State Hospital
 Board of Trustees of Blossburg State Hospital
 Board of Trustees of Coaldale State Hospital
 Board of Trustees of Connellsville State Hospital
 Board of Trustees of Hazleton State Hospital
 Board of Trustees of Locust Mountain State Hospital
 Board of Trustees of Nanticoke State Hospital
 Board of Trustees of Philipsburg State Hospital
 Board of Trustees of Scranton State Hospital
 Board of Trustees of Shamokin State Hospital
 Board of Trustees of Laurelton State Village
 Board of Trustees of Pennhurst State School
 Board of Trustees of Polk State School
 Board of Trustees of Selinsgrove State Colony for Epileptics

In addition to the foregoing there are hereby created as departmental administrative boards in the Department of Welfare boards of trustees for the respective institutions which are required by the Commonwealth from counties cities or institution districts for actual use as State mental hospitals under the provisions of act number twenty-one approved the twenty-ninth day of September one thousand nine hundred thirty-eight Each respective board of trustees shall be known as the Board of Trustees of the

(descriptive name of political subdivision in which institution is located) State Hospital

In the Department of Property and Supplies
 Boards of Commissioners of Public Grounds and Buildings
 State Art Commission
 In the Department of Revenue
 State Athletic Commission
 In the Department of Public Assistance
 State Board of Public Assistance
 In the Department of Commerce
 State Planning Board

All of the foregoing departmental administrative boards and commissions shall be organized or reorganized as provided in this act

Section 402 State Employes' Retirement Board The State Employes' Retirement Board shall consist of the Secretary of the Commonwealth who shall be chairman thereof the State Treasurer who shall be chairman thereof the Secretary of the Commonwealth one member who shall be appointed by the Governor and two members of the State Employes' Retirement Association who shall be elected from among their number in a manner to be approved by the board

A vacancy occurring during a term shall be filled for the unexpired term by the appointment or election of a successor in the same manner as his or her predecessor was appointed or elected

The members of the board appointed by the Governor shall serve until his successor is appointed The member

elected by the State Employees' Retirement Association shall be elected for terms of three years

The members of the board elected by the State Employees' Retirement Association shall not suffer any loss of salary or wages through serving on the board

Section 2 Section eight hundred eight of said act as reenacted by the act approved the sixth day of June one thousand nine hundred and thirty-nine (P. L. 250) is hereby repealed

Section 3 Article eleven of said act is hereby amended by adding at the end thereof a new section to read as follows

Section 1103 State Employees' Retirement Board Subject to any inconsistent provisions in this act contained the State Employees' Retirement Board shall continue to exercise the powers and perform the duties by law vested in and imposed upon the said retirement board under the act approved the twenty-seventh day of June one thousand nine hundred and twenty-three (P. L. 858) entitled "An act establishing a State employees' retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing State employees defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon the heads of departments in which State employees serve excepting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties" its amendments and supplements

Section 4 This act shall become effective immediately upon final enactment

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

On the question,

Shall the bill pass finally?

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

YEAS—120

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

NAYS—82

Auker,	Gillan,	Leydic,	Snyder,
Boorse,	Gillette,	Lichtenwaller,	Sollenberer,
Bower,	Greenwood,	Lyons,	Sorg,
Bretherick,	Gross,	McClester,	Stambaugh,
Brunner, C. H.,	Gyger,	McDowell,	Stockham,
Cadwalader,	Habbyshaw,	McKinney,	Taylor,
Cook,	Haines,	McMillen,	Thompson, R. L.,
Cooper,	Hall,	McSurdy,	Trout,
Cordier,	Hare,	Muir,	Turner,

Dairymple,	Helm,	O'Dare,	VanAllsburg,
Dennison,	Hewitt,	Rank,	Voorhees,
Dix,	Huntley,	Reagan,	Wagner,
Eckels,	Imbrie,	Reese, D. P.,	Watkins,
Elder,	James,	Rhea,	Weingartner,
Ely,	Jones, G. E.,	Riley,	Wilkinson,
Fisher,	Kline,	Rose, W. E.,	Winner,
Fiss,	Knoble,	Royer,	Wood, L. H.,
Fleming,	Krise,	Sarge,	Wood, N.,
Fletcher,	Lee, E. A.,	Serrill,	Woodside,
Foor,	Lee, T. H.,	Simons,	Yeakel,
Gates,	Lelsey,		

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. 159, as follows:

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

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

Section 1 Sections four and twenty-two of the act approved the twenty-seventh day of June one thousand nine hundred twenty-three (P. L. 858) entitled "An act establishing a State employees' retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing State employees defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon the heads of departments in which State employees serve excepting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties" as last amended by the act approved the first day of June one thousand nine hundred thirty-nine (P. L. 245) are hereby further amended to read as follows

Section 4 (1) Upon the effective date of this act the "State Employees' Retirement Board" shall be transferred from [the Treasury Department to] the Department of State to the Treasury Department and shall consist of the following

(a) The Secretary of the Commonwealth [who shall be chairman thereof]

(b) The State Treasurer who shall be chairman thereof

(c) One member who shall be appointed by the Governor of the Commonwealth of Pennsylvania who shall serve until his successor is appointed

(d) Two members of the retirement association elected from among their number in a manner to be approved by those persons named in paragraphs (a) (b) and (c) of this section one to serve for one year one for two years and whose successors shall be elected for a term of three years from among the members of the retirement association in a manner to be approved by the retirement board

A vacancy occurring during a term shall be filled for the unexpired term by the appointment of a successor in the same manner as his or her predecessor Until the

establishment of the retirement association and the election of two representatives therefrom the persons named in paragraphs (a) (b) and (c) of this section are empowered to perform the duties of the retirement board

(2) The expenses of the administration of this act by the retirement board exclusive of the payment of retirement allowances and of the other benefits provided for in this act shall be paid by the Commonwealth by biennial appropriations from the general fund made on the basis of estimates submitted by the retirement board. The members of the retirement board shall serve without compensation but shall be reimbursed from the aforesaid appropriations for any necessary expenditures and no contributor shall suffer loss of salary or wages through serving on the retirement board

(3) The [Secretary of the Commonwealth] State Treasurer shall [with the approval of the Governor] appoint a secretary an actuary and such medical clerical and other employes as may be necessary

(4) The compensation of all persons so appointed shall be fixed by the [Secretary of the Commonwealth with the approval of the Governor and in conformity with the standards established by the Executive Board of this Commonwealth] State Treasurer

(5) Subject to the limitations of this act and of law the retirement board shall from time to time establish rules and regulations for the administration of the fund and ledger accounts created by this act and for the transaction of its business

(6) The retirement board shall keep in convenient form such data as shall be necessary for actuarial valuation of the various accounts created by this act

(7) In the years nineteen hundred twenty-seven and nineteen hundred thirty and in every fifth year thereafter the actuary of the retirement board shall make an actuarial investigation into the mortality and service experience of the contributors and beneficiaries as defined in this act and shall make a valuation of the various accounts created by this act and on the basis of such investigation and valuation the retirement board shall

(a) Adopt for the retirement system one or more mortality tables and such other tables as shall be deemed necessary

(b) Certify the rates of deduction from salary necessary to pay the annuities authorized under the provisions of this act and

(c) Certify biennially the amount of appropriation which shall be made by the Commonwealth and other agencies to the State Employees' Retirement Fund which amounts shall be based on estimates furnished by the actuary and shall be credited to the proper accounts created by this act

The General Fund of the Commonwealth shall not be held liable to appropriate the moneys required to build up the reserves necessary for the payment of the State annuities of contributors whose salary or compensation is payable from special operating funds or agreed to be paid by other agencies from moneys not in the State Treasury but the appropriations or payments necessary for such purposes shall be paid into the retirement fund only from moneys in such special operating funds or by such agencies. In case any such special fund or agency shall fail to provide the moneys necessary for such purpose then for such period as moneys are not so provided the credits on which the State annuity of such contributors is based shall not be increased but the rights of such contributors in the retirement system shall nevertheless be continued and payroll deductions shall continue in the case of such contributors to be credited to their member's annuity savings accounts

(8) Immediately after the passage of this act the actuary of the retirement board shall make such investigation of the mortality service and salary experience of the State employes as he shall recommend and the retirement board shall authorize for the purpose of determining upon the proper tables to be prepared and submitted to the retirement board for adoption. On the basis of such investigation and recommendation the retirement board shall adopt such tables and certify such rates as are required in subsections (a) (b) and (c) of paragraph seven immediately preceding. On the basis of such tables the actuary of the retirement board shall

immediately after the first day of January nineteen hundred twenty-four make a valuation of the various accounts created by this act

(9) The retirement board shall prepare and have published annually a financial statement showing the condition of the fund and the various accounts created by this act and setting forth such other facts recommendations and data as may be of use in the advancement of knowledge concerning State employes' pensions and annuities and said retirement board shall submit said financial statement to the Governor of the Commonwealth of Pennsylvania and shall file copies in the offices of the Secretary of the Commonwealth of the State Insurance Department and of the head of each department for use of the State employes and the public

(10) Each member of the retirement board shall take an oath of office that he or she will so far as it develops upon him diligently and honestly administer the affairs of said retirement board and that he or she will not knowingly violate or wilfully permit to be violated any of the provisions of law applicable to this act. Such oath shall be subscribed by the member making it and certified by the officer before whom it is taken and shall be immediately filed in the office of the Secretary of the Commonwealth

(11) The retirement board shall keep a record of all its proceedings which shall be open to inspection by the public

(12) The retirement board shall perform such other functions as are required for the execution of the provisions of this act

Section 22 The retirement board created by this act and transferred [to] from the Department of State [from] to the Treasury Department shall be and be deemed a department administrative board within the [Department of State] said department and shall be subject in all respects to the laws of this Commonwealth limiting the powers of departmental administrative boards with regard to the expenditure of money and prescribing the duties of departmental administrative boards with reference to the making of financial reports the furnishing of financial and budgetary information to the department with which it is connected and the making of biennial reports

Section 2 The members officers and employes of the State Employees' Retirement Board which is transferred by this act from the Department of State to the Treasury Department shall continue to be the members officers and employes of such board and to perform their usual duties upon the same terms and conditions as heretofore until removed or appointed to other positions. Provided however That on and after the effective date of this act the State Treasurer shall be chairman of the board in lieu of the Secretary of the Commonwealth

Section 3 The unexpended balances existing on the effective date of this act in any appropriations whatsoever made to the Department of State for salaries wages or other compensation of the secretary and other employes and for the general expenses of the State Employees' Retirement Board or for the payment of any moneys into the State Employees' Retirement Fund are hereby transferred and appropriated to the Treasury Department for the same purposes as expressed in any acts making such appropriations and any such unexpended balances in such appropriations also are hereby appropriated to the Treasury Department for the payment of any bills or encumbrances incurred by the Department of State or the State Employees' Retirement Board prior to and remaining unpaid on the effective date of this act

Section 4 All acts and parts of acts inconsistent herewith are hereby repealed

Section 5 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—120

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

NAYS—82

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

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. 364, entitled as follows:

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.

On the question,

Will the House agree to the bill on third reading?

Mr. READINGER. Mr. Speaker, I ask unanimous consent to offer amendments at this time.

The SPEAKER. The amendments will be read by the Clerk for information.

The Clerk read the amendments as follows:

Amend sec. 1 (Sec. 1), page 3, line 6, by inserting after the word "companies" the following: "or fire department"

The SPEAKER. Will the House give unanimous consent to the offering of amendments at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendments.

They were agreed to.

On the question,

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

It was agreed to.

Ordered, That the bill as amended lie over for printing.

FORMER MEMBERS WELCOMED

The SPEAKER. The Chair takes pleasure in welcoming former members of the House, the gentleman from Delaware, Mr. Thomas J. Sproul, and the gentleman from Lycoming, Mr. Jacob F. Matthews.

CONDOLENCE RESOLUTION

Messrs. GROSS and O'CONNOR offered a privileged resolution which was read, considered and unanimously adopted as follows:

In the House of Representatives, March 31, 1941.

From Johnstown comes the saddening news of the death of Walter E. Rose, Sr., the father of one of our Members from the First District of Cambria County.

Mr. Rose's forebearers were of early Pennsylvania stock. For a number of generations members of the Rose family were engaged in the lumber business in Somerset and Bedford Counties.

The decedent himself was a member of the firm of W. J. Rose and Sons a concern which played a large part in the growth of Johnstown, from the time of the great flood until the present; and he was also connected with other business and civic activities; therefore be it

Resolved, That the House of Representatives hereby express its condolence to its member, the Honorable Walter E. Rose, Jr., and to the widow and family of the deceased; and direct the Chief Clerk to transmit a certified copy of this resolution to Mr. Rose.

Mr. WALTER E. ROSE. Mr. Speaker, I thank the Chair and the Members of the House for their kindness in passing this resolution, and also thank the many Members who have already sent me condolence messages which I apologize for not having yet had the opportunity to answer.

REPORT FROM COMMITTEE

Mr. BAUGHER, from the Committee on Dairy Industries, reported as amended, House Bill No. 124, entitled:

An Act to reenact and amend the title and the act, approved the twenty-eighth day of April, one thousand nine hundred and thirty-seven (P. L. 417), entitled "An act relating to milk and the products thereof; creating a Milk Control Commission; establishing its jurisdiction, powers and duties; regulating the production, transportation, manufacturing, processing, storage, distribution, delivery and sale of milk and certain products thereof; providing for the licensing of milk dealers and the payment of fees therefor; requiring milk dealers to file bonds to secure payment for milk to producers and certain milk dealers; authorizing the

holding of hearings and the issuance of subpoenas by the commission; conferring jurisdiction upon courts to punish contempts and to prohibit violations of this act and of rules, regulations and orders of the commission; authorizing the commission to adopt rules, regulations and orders, and to enter into interstate and Federal compacts; requiring persons who weigh, measure, sample or test milk to procure permits or certificates, to take examinations, to pay fees therefor, to furnish certain notices, records and statements, and to use certain methods of weighing, measuring, sampling and testing; authorizing the commission to examine the business, papers and premises of milk dealers and procedures, requiring the keeping of records and the filing of reports by milk dealers, and permitting, with limitations, the use of information obtained thereby; authorizing the commission to fix prices for milk and certain milk products subject to the approval of the Governor, and conferring certain powers upon the Governor with respect thereto; providing for appeals to the courts from decisions of the commission, and for the burden of proof upon such appeals; prescribing penalties, fines and imprisonment for violations of this act and rules, regulations and orders of the commission; defining perjury; defining remedies; repealing legislation supplied and superseded by this act, and saving rights, duties and proceeding thereunder; and making appropriations," by substituting the term "handler" for the term "milk dealer"; defining the term "handle" and "handler"; extending the provisions of the act to those who handle milk by bailment, brokerage, consignment or purchase and by giving certain additional rights to producers' and farmers' unions or organizations producing milk.

LEAVE OF ABSENCE

By unanimous consent leave of absence was granted as follows:

The Speaker for Mr. PRESLY N. JONES for the week on account of illness.

COMMITTEE MEETINGS

The following Committee meetings were announced:

Cities, First Class, Tuesday, April 1 at 12 noon in Room 521.

Highways, Tuesday, April 1 at 11:30 a. m. in Room 324.

Judiciary General, Tuesday, April 1 at 10 a. m. in Room 246.

Judiciary Special, Tuesday, April 1 at 11 a. m. in Room 246.

Labor, Tuesday, April 1 at 11 a. m. in Room 522.

Law and Order, Tuesday, April 1 at 12:30 p. m. in Room 331.

Liquor Control, Tuesday, April 1 at 12 noon in Room 325.

Mines and Mining, Tuesday, April 1 at 12:30 p. m. in Room 522.

State Government, Tuesday, April 1 at 11 a. m. in Room 325.

There will be a Public Hearing before the Committee on Professional Licensure on House Bills Nos. 462 and 675 on Tuesday, April 1, 1941 at 7:30 p. m. in the New House Caucus Room.

There will be a Public Hearing before the Committee on Professional Licensure on House Bills Nos. 684, 685 and 707 on Tuesday, April 8, 1941 at 7:30 p. m. in the New House Caucus Room.

ADJOURNMENT

Mr. LYONS. Mr. Speaker, I move that this House do now adjourn until Tuesday, April 1, 1941, at 1 p. m.

The motion was agreed to, and (at 11:41 p. m.) the House adjourned.