

tions of electors and prescribing the powers and duties of citizens parties bodies of electors registration commissions commissioners registrars inspectors of registration and other appointees of registration commission election officers municipal officers departments and bureaus police officers courts judges prothonotaries sheriffs county commissioners peace officers county treasurers county controllers registrars of vital statistics real estate brokers rental agents certain public service companies persons firms and corporations operating vehicles for moving furniture and household goods and boards of school directors and imposing penalties" as amended by redefining amplifying and changing the powers and duties of the commission its employes and commissioners further regulating and changing the provisions of said act relating to the appointment and removal of registrars and the powers privileges rights and duties of registrars watchers election officers and electors revising and changing the provisions of said act relating to the times places and manner of registering electors and their enrollment as members of political parties change of party enrollment cancellation of registrations preparation and distribution of street lists appeals to the commission and to courts and the procedure thereon the inspection of the records of the commission providing for appeals by the commission to appellate courts repealing and changing certain provisions of said act relating to removal notices and for the manner of reckoning time imposing additional duties on certain city officers clarifying and coordinating certain provisions of said act and imposing additional penalties.

Mr. WADE. Mr. President, I ask unanimous consent to deliver the report to the Librarian in person.

The PRESIDENT. If there is no objection the gentleman from Cumberland may do so.

The Senate will note the report is returned to the Librarian.

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

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

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

Mr. H. I. WILSON, from the Committee on Elections reported as committed, Senate Bill No. 515, entitled:

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

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

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

Mr. CARR, from the Committee on Judiciary Special, reported as committed, Senate Bill No. 567, entitled:

An Act to further amend sections one and two of the act, approved the twenty-first day of June, one thousand nine hundred and thirty-seven (P. L. 1982), entitled "An act authorizing the Supreme Court of Pennsylvania to prescribe rules of practice and procedure in civil actions at law and in equity in certain courts of this Commonwealth, to prescribe rules and regulations for the conduct of any general business, either civil or criminal, by

judges of any court of record; authorizing the courts of common pleas to prescribe and adopt local rules, not inconsistent with such general rules of the Supreme Court of Pennsylvania; authorizing the Supreme Court of Pennsylvania to appoint a Procedural Rules Committee, and to fix and define its powers and duties; imposing duties on judges and other officers of every court of record;" empowering the Supreme Court to prescribe rules of practice and procedure and for the conduct of the business of the Orphans' Court.

#### ADJOURNMENT

Mr. GELTZ. Mr. President, I move that the Senate do now adjourn until Tuesday, April 15, 1941, at 12:30 o'clock. p. m.

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

The motion was agreed to.

The Senate adjourned at 6:37 o'clock p. m. until Tuesday, April 15, 1941, at 12:30 o'clock p. m.

#### HOUSE OF REPRESENTATIVES

MONDAY, April 14, 1941

The House met at 9 p. m.

The SPEAKER (Elmer Kilroy) in the Chair.

#### PRAYER

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

Almighty and Everlasting God, from whom comes all power and dominion in heaven and on earth, we humbly bow before Thee as we ask Thee, our God, to look with pity upon our bewildered but greatly beloved nation. Let Thy children within this State remember their Creator. Grant to our leaders, and to all citizens of this democracy a spirit of true wisdom, a spirit of unselfish desire to establish good will and fair play as the controlling force of our great State and Nation.

Rule our hearts and establish Thy will to the end that security, order, and peace may prevail. Take vain pride and foolish boastings from our lips and make us strong within through our devotion to Thee and to Thy laws, so that being blessed we may become a blessing to all with whom we come into contact as individuals, as a State, and as a Nation. May each of us have a part in the establishment of a true commonwealth of men, the fruits of which are love and joy and peace forevermore. We beseech Thee to hear our prayer in the name of Christ. Amen.

#### JOURNAL APPROVED

The SPEAKER. The Clerk will read the Journal of Thursday, April 10, 1941.

The Clerk proceeded to read the Journal of Thursday, April 10, 1941, when, on motion of Mr. HERMAN, unanimously agreed to, the further reading was dispensed with and the Journal approved.

#### BILLS INTRODUCED AND REFERRED

By Mr. REUBEN E. COHEN. HOUSE BILL No. 1213.

An Act to amend an act approved the seventh day of June, one thousand nine hundred seventeen (P. L. 600)

entitled "An act providing that appointive officers and employes, employed by the Commonwealth of Pennsylvania in its civil service, or by any department, bureau, commission, or office thereof, or by any county, municipality, township, or school district, shall not be deemed or held to have resigned or abandoned their offices or employments by reason of enlistment, enrollment, or draft in the military or naval service of the United States or any branch or unit thereof, in time of war or contemplated war; prohibiting the removal from their offices or employments of such officers and employes during the period of their service in the Army or Navy; directing that one-half of the salaries or wages of such officers or employes as have dependent wives, children, or parents, and not exceeding two thousand dollars per annum, be paid during the term of their service in the Army or Navy to such dependents; authorizing the employment during said term of substitutes to perform the duties theretofore performed by such officers or employes, respectively, and providing for the compensation of such substitutes," by more fully defining the times during which the benefits shall be payable and the amount thereof and to whom payable.

Referred to the Committee on State Government.

By Mr. MONKS. HOUSE BILL No. 1214.

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 Mr. MONKS. HOUSE BILL No. 1215.

An Act to further amend section three hundred and nine of the act, approved the fifth day of December, one thousand nine hundred and thirty-six (P. L. 2897, 1937), entitled "An act establishing a system of unemployment compensation to be administered by the Department of Labor and Industry and its existing and newly created agencies with personnel (with certain exceptions) selected on a civil service basis; requiring employers to keep records and make reports, and certain employers to pay contributions based on payrolls to provide moneys for the payment of compensation to certain unemployed persons; providing procedure and administrative details for the determination, payment and collection of such contributions and the payment of such compensation; providing for cooperation with the Federal Government and its agencies; creating certain special funds in the custody of the State Treasurer; and prescribing penalties," by permitting the Secretary of Labor and Industry to compromise interest and penalties due on delinquent employer contributions.

Referred to the Committee on Labor.

By Mr. DUFFY. HOUSE BILL No. 1216.

An Act to amend sections two and six of the act, approved the twenty-seventh day of June, one thousand nine hundred and thirty-nine (P. L. 1184), entitled "An act requiring all employable persons receiving public assistance, with certain exceptions, to perform certain work, or be refused further assistance; conferring powers and imposing duties on county boards of assistance; and on certain State and local officers and employes, and on charitable institutions, persons, copartnerships, associations, corporations, and State and Federal employment officers; and requiring payments to the Commonwealth on account of certain work performed," by further defining the work to be done, and rate of pay to be received by employables.

Referred to the Committee on Welfare.

By Mr. DUFFY.

HOUSE BILL No. 1217.

An Act regulating and establishing prevailing wage rates to be used by contractors employed by the Department of Highways in the construction of highways and street paving; and imposing certain duties on the Department of Highways.

Referred to the Committee on Highways.

By Mr. FRENCH.

HOUSE BILL No. 1218.

An Act to amend section two hundred and eighty-two 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," providing for payment of one-fourth of fines collected for violation of said act to the counties for maintenance of prisoners committed for such violations; and imposing duties on magistrates, aldermen, and justices of the peace.

Referred to the Committee on Fisheries.

By Mr. HIRSCH.

HOUSE BILL No. 1219.

An Act to amend subsection (b) of section sixteen of the act, approved the twenty-ninth day of April, one thousand nine hundred and thirty-seven (P. L. 487), entitled "An act to provide for the permanent personal registration of electors in boroughs, towns, and townships as a condition of their right to vote at elections and primaries, and their enrollment as members of political parties as a further condition of their right to vote at primaries; prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors; requiring the county commissioners of the various counties to act as a registration commission therefor; and prescribing the powers and duties of citizens, parties, political bodies, registration commissions, commissioners, registrars, inspectors of registration and other appointees of registration commissions, county election boards, election officers, municipal officers, departments and bureaus, police officers, courts, judges, prothonotaries, sheriffs, county commissioners, peace officers, county treasurers, county controllers, registrars of vital statistics, certain public utility corporations, real estate brokers, rental agents, and boards of school directors; and imposing penalties," making mandatory the provisions relating to registration days.

Referred to the Committee on Elections.

By Mr. HIRSCH.

HOUSE BILL No. 1220.

An Act validating certain municipal claims of cities and boroughs, incorporated towns, and townships, where not filed within the time specified by law; and validating amicable writs of scire facias to revive municipal claims, entered by such political subdivisions, where more than five years have elapsed since original claims were filed or a prior revival thereof made.

Referred to the Committee on Municipal Corporations.

By Messrs. EDWIN F. THOMPSON and ALLMOND.

HOUSE BILL No. 1221.

An Act to add section 654.1 to the act, approved the twenty-fourth day of June, one thousand nine hundred thirty-nine (P. L. 372) entitled "An act to consolidate, amend and revise the penal laws of the Commonwealth," by making it a crime to discriminate in the selection or appointment of persons for employment in the civil service of the Commonwealth; or of any political subdivision thereof because of the race, creed or color of any person.

Referred to the Committee on Judiciary Special.

By Messrs. SHEPARD and BROWN.

HOUSE BILL No. 1222.

An Act to further amend clause (j) of section two hundred and eight of the act, approved the fifth day of December, one thousand nine hundred and thirty-six (P. L. 2897, 1937), entitled "An act establishing a system of unemployment compensation to be administered by the Department of Labor and Industry and its existing and newly created agencies with personnel (with certain exceptions) selected on a civil service basis; requiring employers to keep records and make reports, and certain employers to pay contributions based on payrolls to provide moneys for the payment of compensation to certain unemployed persons; providing procedure and administrative details for the determination, payment and collection of such contributions and the payment of such compensation; providing for cooperation with the Federal Government and its agencies; creating certain special funds in the custody of the State Treasurer; and prescribing penalties," by imposing new duties on the Secretary of Labor and Industry relative to appointments, in order to prevent discrimination in such appointments because of race, color or creed of eligibles.

Referred to the Committee on Labor. \*

By Messrs. JEFFERSON and YOUNG.

HOUSE BILL No. 1223.

An Act to add section 654.2 to the act approved the twenty-fourth day of June, one thousand nine hundred and thirty-nine (P. L. 872), entitled "An act to consolidate, amend and revise the penal laws of the Commonwealth," making it a crime for any officer of any labor union to discriminate because of race, color or creed between applicants for membership in such union, or between assignments for employment of union members because of their race, color or creed.

Referred to the Committee on Judiciary Special.

By Messrs. SHEPARD and BROWN.

HOUSE BILL No. 1224.

An Act to amend subsection (d) of section two thousand five hundred and four A of the act, approved the ninth day of April, one thousand nine hundred and twenty-nine (P. L. 177), entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions, and officers thereof, including the boards of trustees of State Normal Schools, or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards, and commissions; defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, commissions, and officers; fixing the salaries of the Governor, Lieutenant-Governor, and certain other executive and administrative officers; providing for the appointment of certain administrative officers, and of all deputies and other assistants and employes in certain departments, boards, and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments, boards and commissions shall be determined," by imposing new duties on the Secretary of Public Assistance relative to appointments, in order to prevent discrimination in such appointments because of race, color or creed of eligibles.

Referred to the Committee on State Government.

By Mr. REGAN.

HOUSE BILL No. 1225.

A Joint Resolution proposing an amendment to sections two and three of article two of the Constitution of the Commonwealth of Pennsylvania, extending the terms of Representatives to four years, and fixing the time of their election.

Referred to the Committee on Constitutional Amendments.

By Mr. FRENCH.

HOUSE BILL No. 1226.

An Act to amend section one thousand two hundred and eleven 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," providing for payment of one-fourth of fines collected for violations of said act to the counties for maintenance of prisoners committed for such violations; and imposing duties on magistrates, aldermen and justices of the peace.

Referred to the Committee on Game.

By Mr. BRADLEY.

HOUSE BILL No. 1227.

An Act making an appropriation to the Department of Highways for the purpose of cleaning up and removing the debris of abandoned coal stripping operations in the vicinity of all State highways.

Referred to the Committee on Appropriations.

By Mr. READINGER.

HOUSE BILL No. 1228.

An Act to amend sections three and four of the act, approved the fifth day of June, one thousand nine hundred thirty-five (P. L. 266), entitled "An act to protect trademark owners, distributors, and the public against injuries and uneconomic practices in the distribution of articles of standard quality under a distinguished trade-mark, brand or name," exempting the sale of books to libraries from the provisions of said act.

Referred to the Committee on State Government.

By Mr. McGRATH.

HOUSE BILL No. 1229.

An Act requiring executive directors of county boards of assistance to certify names of certain recipients of public assistance to the nearest office of the Works Projects Administration for employment; and prescribing penalties for failure to do so.

Referred to the Committee on Welfare.

By Messrs. SARRAF and VAN ALLSBURG.

HOUSE BILL No. 1230.

An Act to further amend section one and to amend section three of the act, approved the fourteenth day of May, one thousand nine hundred and twenty-five (P. L. 730), entitled "An act for the protection of the public health in the manufacture and sale of carbonated beverages and still drinks; providing for the registration thereof; prohibiting the sale, offering or exposing for sale, exchange or giving away thereof in certain cases unless registered; regulating the manufacture, bottling, preparation, mixing, and compounding of carbonated beverages or still drinks, and the sale and dispensing thereof; creating a special fund in the State Treasury; and providing penalties," by excluding certain juices and combinations of juices from the operation of the act; and requiring separate registration for each bottling or manufacturing plant.

Referred to the Committee on Public Health and Sanitation.

By Messrs. HIRSCH and PETROSKY.

HOUSE BILL No. 1231.

An Act to promote the general welfare and to protect the health, safety, morals and standards of living of the people of the Commonwealth of Pennsylvania by providing for the elimination of wage and hour standards detrimental to the health, safety, morals and standard of living of workers, to establish minimum wage and maximum hour standards; to prescribe the powers and duties of the

Department of Labor and Industry under this act, and for other purposes.

Referred to the Committee on Labor.

By Messrs. LONGO and LICHTENWALTER.  
HOUSE BILL No. 1232.

An Act to further amend section one thousand eight hundred and four of the act, approved the twenty-third day of June, one thousand nine hundred and thirty-one (P. L. 932), entitled "An act relating to cities of the third class; and amending, revising, and consolidating the law relating thereto," authorizing the council in such cities from time to time to make supplemental appropriations.

Referred to the Committee on Municipal Corporations.

By Messrs. LONGO and LICHTENWALTER.  
HOUSE BILL No. 1233.

An Act to amend section three hundred seventy of the act, approved the second day of May, one thousand nine hundred and twenty-nine (P. L. 1278), entitled "An act relating to counties of the second, third, fourth, fifth, sixth, seventh and eighth classes; and revising, amending and consolidating the laws relating thereto," authorizing the county commissioners, from time to time, to make supplemental appropriations.

Referred to the Committee on Municipal Corporations.

By Messrs. LONGO and LICHTENWALTER.  
HOUSE BILL No. 1234.

An Act to further amend section one thousand seven hundred and one of the act approved the twenty-fourth day of June, one thousand nine hundred thirty-one (P. L. 1206), entitled "An act concerning townships of the first class; amending, revising, consolidating, and changing the law relating thereto," authorizing the township commissioners from time to time, to make supplemental appropriations.

Referred to the Committee on Municipal Corporations.

By Messrs. LONGO and LICHTENWALTER.  
HOUSE BILL No. 1235.

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

Referred to the Committee on Municipal Corporations.

By Messrs. LONGO and LICHTENWALTER.  
HOUSE BILL No. 1236.

An Act to further amend section nine hundred two of the act, approved the first day of May, one thousand nine hundred and thirty-three (P. L. 103), entitled "An act

concerning townships of the second class; and amending, revising, consolidating, and changing the law relating thereto," authorizing the township supervisors, from time to time, to make supplemental appropriations.

Referred to the Committee on Municipal Corporations.

By Messrs. LOVETT and PETROSKY.  
HOUSE BILL No. 1237.

An Act to amend Route 64248 of section two of the act, approved the first day of June, one thousand nine hundred and thirty-three (P. L. 1172), entitled "An act establishing certain streets in boroughs and incorporated towns as State highways, and providing for their construction and maintenance at the expense of the Commonwealth.

Referred to the Committee on Highways.

## 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. 325. (HOUSE BILL No. 1238.)

An Act to further amend section four of the act approved the twenty-eighth day of June, one thousand nine hundred and thirty-five, (P. L. 452) entitled, as amended "An act to promote the welfare of the people of the Commonwealth; creating a General State Authority as a body corporate and politic with power to construct, improve, equip, furnish, and operate projects, and to lease the same, and to fix and collect fees, rentals, and charges for the use thereof; authorizing and regulating the issuance of bonds by said Authority, and providing for the payment of such bonds, and the rights of the holders thereof; and to enter into agreements with the Government of the United States or any Federal agency; and authorizing the Department of Property and Supplies to grant, assign, convey, or lease to the Authority lands of the Commonwealth and interests therein, and to acquire lands therefor; granting the right of eminent domain; and providing that no debt of the Commonwealth shall be incurred in the exercise of any of the powers granted by this act," by providing that no new project shall be begun without specific authority from the General Assembly and approval of the Governor and providing for a limitation of the cost thereof.

Referred to the Committee on State Government.

SENATE BILL No. 360. (HOUSE BILL No. 1239.)

An Act creating a commission to make a thorough investigation of all matters that might interfere with carrying out of the National Defense Program within the Commonwealth, conferring upon the commission full power to issue subpoenas; requiring the commission to make a report of its findings to the Legislature or to the Governor, together with its recommendations as to such regulatory legislation as may be needful to promote the production of implements of defense, authorizing the commission to employ counsel and employees, and making an appropriation.

Referred to the Committee on Appropriations.

### RESOLUTION INTRODUCED AND REFERRED

By Mr. CORRIGAN. RESOLUTION No. 77.

In the House of Representatives, April 10, 1941.

Whereas, Pennsylvania consumers for years have paid a large part of the heavy subsidy going to the beet sugar industry; and

Whereas, It is necessary to preserve the cane sugar refining industry in the State of Pennsylvania, and to

protect the consumers in the State of Pennsylvania from exorbitantly high prices and an artificial sugar scarcity; and

Whereas, An abundant sugar supply is available both here and in the nearby tropical islands to meet any demand the consuming public may make, and

Whereas, If the existing law were changed to permit additional millions of dollars to be paid to the already highly subsidized beet sugar industry it would put an additional burden on American Consumers; therefore be it

Resolved, That Congress is hereby memorialized to oppose any change in the existing law that would place additional burdens on the already over-burdened consumer, cause more unemployment in the State of Pennsylvania, or interfere in any way with our Good Neighbor Policy with Central and South America, and be it further

Resolved, That a copy of this resolution be sent to the President of the United States, the Vice-President, the Secretary of State, the Secretary of Agriculture, the Speaker of the House of Representatives, and to each member of the present Congress from the State of Pennsylvania, and that they be urged to put forth their best efforts to accomplish the purpose of this resolution.

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.

##### HOSPITALS

Copies of suggested act making appropriations to Woman's Hospital of Philadelphia and Philadelphia Psychiatric Hospital, Philadelphia.

Referred to the Committee on Appropriations.

##### VETERANS

Copies of suggested act making appropriation to the Home For Veterans of Grand Army of The Republic and Wives, Philadelphia.

Referred to the Committee on Appropriations.

##### LIQUOR LICENSE FUND

A resolution from the borough of McKees Rocks requesting the Governor and State Treasurer to repay the sum due said borough from the Liquor License Fund for the years 1940 and 1941.

Referred to the Committee on Appropriations.

##### COUNTY LIBRARIES

A communication from Carnegie Library of Pittsburgh, addressed to the Speaker, requesting amendment of House Bill No. 265.

Referred to the Committee on Appropriations.

##### BOROUGHES

A telegram from Borough Secretary of Punxsutawney addressed to the Speaker requesting approval of Senate Bills Nos. 297 and 298 and opposing House Bills Nos. 765, 428 and 226.

Referred to the Committee on Boroughs.

##### SCHOOLS

A communication from Philadelphia Teachers Association addressed to the Speaker, requesting support for House Bills Nos. 1, 165 and 838 and opposing House Bills Nos. 622 and 862.

Referred to the Committee on Education.

##### BYBERRY STATE HOSPITAL

A communication from the Chamber of Commerce from West Philadelphia, supporting an investigation of personnel, physical care and accommodation of patients and actual use of money supposed to be spent in improvement at Philadelphia State Hospital, known as Byberry.

Referred to the Committee on Appropriations.

##### EDUCATION

A communication from the Philadelphia Federation of Churches, addressed to the Speaker, endorsing legislation providing for religious instruction.

Referred to the Committee on Education.

##### HIGHWAYS

Communications from the Garden Club of Allegheny County, Oakdale, and individuals favoring passage of House Bill No. 711, highway protection area bill.

Referred to the Committee on Highways.

##### MARRIAGE LAWS

Communications from Pennsylvania Federation of Women's Clubs, Butler, Montgomery, Venango, Erie, Lackawanna, Berks, Mercer, Bucks Counties, protesting passage of House Bill No. 404.

Referred to the Committee on Judiciary General.

##### SABOTAGE

A communication from Philadelphia Youth Council, and resolutions from State County and Municipal Workers of America, Local No. 46, Philadelphia, and United Office and Professional Workers of America, Local No. 2, protesting passage of House Bill No. 452, anti-sabotage bill.

Referred to the Committee on Judiciary Special.

##### RETAIL SALES

A communication from Scott and Hunsicker, addressed to the Speaker, protesting passage of House Bill No. 1023.

Referred to the Committee on Judiciary Special.

##### WAGE DEDUCTIONS

Communications from merchants in Philadelphia and Wilkes-Barre suggesting amendment of House Bill No. 590.

Referred to the Committee on Labor.

##### UNEMPLOYMENT COMPENSATION LAW

Communications from citizens of Philadelphia, urging passage of House Bill No. 771, increasing wages of employes of Bureau of Unemployment Compensation.

Referred to the Committee on Labor.

##### WAGES

Communications from citizens of Pennsylvania urging passage of House Bill No. 909, increasing compensation of State Liquor Store employes.

Referred to the Committee on Liquor Control.

##### BOWLING

Communications from the United Presbyterian Church, Ministerial Association, Pittsburgh, protesting passage of Sunday bowling bill and "The Bar-maid repeal bill."

Referred to the Committee on Liquor Control.

## GASOLINE

A communication from Associated Retail Gasoline Dealers, Inc., Pittsburgh, addressed to the Speaker, favoring passage of House Bill No. 523.

Referred to the Committee on Motor Vehicles.

## CHIROPODY

Communications from the Medical Society of the State of Pennsylvania and the Philadelphia County Medical Society protesting passage of House Bills Nos. 1118 and 1048.

Referred to the Committee on Professional Licensure.

## UNDERTAKERS

A communication from the Funeral Directors Association of Pennsylvania, Pittsburgh, opposing passage of House Bill No. 227.

Referred to the Committee on Professional Licensure.

## OPTOMETRY

Communications from organizations and optometrists favoring passage of House Bill Nos. 684 and 685 and opposing passage of House Bill No. 707.

Referred to the Committee on Professional Licensure.

## NURSES

Communications from Pennsylvania State Nurses' Association favoring passage of House Bills Nos. 674 and 675.

A communication from Julia Gruber, Philadelphia, addressed to the Speaker, protesting passage of House Bill No. 675.

Referred to the Committee on Professional Licensure.

## STATE POLICE

A telegram from Radio, and Television Workers, Local No. 101, addressed to the Speaker, requesting investigation of actions of State Police in Bethlehem Steel strike.

Referred to the Committee on Rules.

## OLD AGE ASSISTANCE

A resolution from the Lithuanian Political Club of Lackawanna County, presented by Mr. Robert J. Cordier, requesting repeal of legislation requiring old age assistance recipients to execute bonds.

Referred to the Committee on Welfare.

## 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, April 14, 1941.

Resolved, (if the House of Representatives concur), That when the Senate adjourns this week, it reconvene on Monday, April 21, 1941, at 4:30 o'clock p. m., and when the House of Representatives adjourns this week, it reconvene on Monday, April 21, 1941, at 9:00 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.

## NORTH EAST MONTGOMERY YOUNG REPUBLICANS' CLUB WELCOMED

The SPEAKER. The Chair welcomes to the House this evening the North East Montgomery Young Republicans' Club, the guests of the gentleman from Montgomery, Mr. Boorse.

## LEAVE OF ABSENCE

By unanimous consent leave of absence was granted as follows:

Mr. Schwab for Mr. WILKINSON for tonight's session.

Mr. Hewitt for Mr. McMILLEN for tonight's session.

Mr. Trout for Mr. ROYER for tonight's session.

Mr. Bretherick for Mr. JAMES for the week on account of illness.

## REPORTS FROM COMMITTEES

Mr. PRESLEY N. JONES, from the Committee on Municipal Corporations, reported as committed, House Bill No. 1207 (Senate Bill No. 285), entitled:

An Act abating certain tax penalties and interest on unpaid delinquent city taxes in cities of the first and second class on unpaid delinquent school taxes in school districts of the first class and on unpaid delinquent poll poor district institution district and county taxes in counties of the second class prohibiting the sale of real property for the nonpayment of any such taxes for a certain period; preserving certain tax liens and providing for the extension thereof.

Mr. PRESLEY N. JONES, from the Committee on Municipal Corporations, reported as amended, House Bill No. 1181, entitled:

An Act abating certain tax penalties and interest on unpaid county, (except in counties of the second class), city, (except in cities of the first and second class) borough, town, township, school district, (except in school districts of the first class), poor district, (except in counties of the second class) and county institution district, (except in counties of the second class) taxes, prohibiting the sale of real property for the nonpayment of any such taxes for a certain period, and preserving certain tax liens, and providing for the extension thereof.

Mr. MORAN, from the Committee on Municipal Corporations, reported as amended, House Bill No. 971, entitled:

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

certain cases, reviving, validating, preserving and extending liens.

Mr. READINGER, from the Committee on Rules, reported as committed, House Resolution No. 76.

#### RESOLUTION RE-REFERRED

Mr. READINGER returned from the Committee on Rules with the recommendation that it be re-referred to the Committee on Highways, House Resolution No. 71.

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

#### REPORT FROM COMMITTEE

Mr. GERARD, from the Committee on Rules reported as committed Senate Concurrent Resolution, Serial No. 119.

#### SENATE MESSAGE

#### RESOLUTION FOR CONCURRENCE

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

In the Senate, April 2, 1941.

The hospitals of the Commonwealth are its safeguards and bulwarks against attacks by disease and accident upon the health, safety and well being of our people.

These well equipped fortresses of mercy with their modern equipment and efficient staffs of trained physicians, surgeons and nurses have reduced the toll of death within this Commonwealth and have brought relief and happiness to most of its citizens.

Those physicians and surgeons have given freely and generously of their services for the alleviation of suffering among those who otherwise could ill afford the cost of such aid;

Those who manage the necessary business and financial affairs of our hospitals likewise contribute valuable services in the interests of humanity.

Those nurses who tirelessly and ceaselessly lend their cheerful aid to the task of bringing relief and comfort to those inmates who are seeking a way back to life and health, are, in turn, a major part in the united work of restoring health to the afflicted. They are true apostles of that great English woman Florence Nightingale who dedicated her life to the relief of the suffering and raised a menial task to an heroic profession.

It is as fitting and proper to observe and celebrate the achievements of a living institution as to observe and celebrate the glories of the past; therefore be it

Resolved (if the House concur) That in recognition of the work performed by the hospitals of the Commonwealth and the splendid achievements of their staffs of physicians, surgeons and nurses the Governor of the Commonwealth is hereby requested to issue his proclamation designating May twelfth, one thousand nine hundred and forty-one, the anniversary of the birth of Florence Nightingale, as Hospital Day as a tribute to the splendid service rendered the citizens of this Commonwealth by our hospitals and those responsible for their operation; and be it further

Resolved, That a copy of this resolution shall be immediately transmitted to his Excellency the Governor.

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 concurred in.

Ordered, That the Clerk inform the Senate accordingly.

#### BILLS ON FIRST READING

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 678, entitled:

An Act to safeguard life, health and property; defining, regulating and licensing contractors and journeymen engaged in the business of painting, paperhanging and decorating; fixing the license fees; providing for the revocation of such licenses and appeals therefrom; creating the Painting and Paperhanging Licensing Board as a departmental administrative board in the Department of Labor and Industry, and conferring powers and imposing duties thereon; providing penalties and making an appropriation.

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

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 199, entitled:

An Act to amend the act, approved the sixteenth day of May, one thousand nine hundred forty (Act No. 4), entitled "An act transferring money from the Fire Insurance Tax Fund to the General Fund and providing for the subsequent return from the General Fund of the transferred money," by further defining moneys transferred to the General Fund.

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. 663, entitled:

An Act authorizing the Commonwealth to negotiate temporary loans to defray the current and other expenses of the State government during the two fiscal years beginning the first day of June, one thousand nine hundred forty-one; evidenced by tax anticipation notes secured by and payable from current revenues, levied, assessed, collectible, and accruing during such two fiscal years; defining the powers and duties of the Governor, the Auditor General, and the State Treasurer in relation thereto; providing for the payment of interest on and the repayment of such loans; and making an appropriation.

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

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 649, entitled:

An Act to further amend subsection (c) of section seven of the act, approved the first day of May, one thousand nine hundred and twenty-nine (P. L. 1216), entitled "An act to define real estate brokers and real estate salesman; and providing for the licensing, regulation, and supervision of resident and nonresident real estate brokers and real estate salesmen and their business," by providing for the granting of a real estate broker's license to certain persons without examination.

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. 671, entitled:

An Act to amend 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 amended by creating the State Board of Barber Examiners as a departmental administrative board in the Department of Public Instruction.

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. 993, entitled:

An Act to further amend the act, approved the nineteenth day of June, one thousand nine hundred and thirty-one (P. L. 589), entitled, as amended "An act to promote the public health and safety, by providing for the examination and licensure of those who desire to engage in the occupation of barbering; regulating barber shops and barber schools, and apprentices and students therein; regulating compensation for service rendered; conferring certain powers and duties on the Department of Public Instruction; and providing penalties," by changing the provisions as to fees charged apprentices and students; requiring all barber shops to be registered; transferring the administration of certain provisions of said act to the State Board of Barber Examiners; and prescribing additional penalties.

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

#### BILLS ON SECOND READING

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 974, entitled:

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

of a certificate of approval for weights and measures of county, city and borough sealers.

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. 995, entitled:

An Act to further amend sections two thousand six hundred twenty and two thousand six hundred twenty-five of the act, approved the eighteenth day of May, one thousand nine hundred eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent therewith," by eliminating the duty of filing a copy of the auditor's report with the Department of Public Instruction by the auditors in school districts of the third and fourth classes.

The first section was read.

On the question,

Will the House agree to the section?

Mr. HARKINS. Mr. Speaker, I desire to offer the following amendments at the request of the sponsor.

The amendments were read by the Clerk as follows:

Amend sec. 1, (sec. 2620), page 2, line 24, by inserting a lightface bracket before the word "a" and after the word "report."

Amend sec. 1, (sec. 2620), page 2, line 24, by inserting after the word "report" the words: "correct copies."

Amend sec. 1, (sec. 2620), page 2, lines 28 and 29, by inserting light-face brackets before the word "and" on line 28, and after the word "other" on line 29.

Amend sec. 1, (sec. 2620), page 2, line 29, by inserting after the word "other" the word: "one."

Amend sec. 1, (sec. 2620), page 3, line 2, by striking out the words "in school districts of the second class" and inserting in lieu thereof the following: "except in school districts of the third class under the supervision of the County Superintendent of Schools."

Amend sec. 1, (sec. 2620), page 3, line 6, by inserting after the word "requested" the following: "In districts of the third class under the supervision of the County Superintendent of Schools two copies shall be transmitted to the County Superintendent, who shall forward one of such copies to the Superintendent of Public Instruction, Harrisburg, Pennsylvania."

The amendments were agreed to.

The section was agreed to as amended.

The second section was read.

On the question,

Will the House agree to the section?

Mr. HARKINS. Mr. Speaker, I desire to offer the following amendments at the request of the sponsor.

The amendments were read by the Clerk as follows:

Amend sec. 2, (sec. 2625), page 4, line 9, by striking out the bracket before the word "The."

Amend sec. 2, (sec. 2625), page 4, line 10, by inserting light-face brackets before the word "one" and after the word "copy."

Amend sec. 2, (sec. 2625), page 4, line 10, by inserting after the word "copy" the words: "two copies."

Amend sec. 2, (sec. 2625), page 4, line 10, by inserting after the word "with" the following: "the County Superintendent of Schools who shall forward one of such copies to."

Amend sec. 2, (sec. 2625), page 4, line 11, by inserting a light-face bracket before the word "by."



The amendments were agreed to.  
 The section was agreed to as amended.  
 The title was read.  
 On the question,  
 Will the House agree to the title?  
 Mr. HARKINS. Mr. Speaker, I desire to offer the following amendments at the request of the sponsor.

The amendments were read by the Clerk as follows:  
 Amend the title, page 1, lines 12, 13, 14 and 15 of the title by striking out the part word "elir-" on line 12, all of lines 13 and 14, and the words "the auditors" on line 15, and inserting in lieu thereof the following: "providing for the filing of copies of auditors' reports."

The amendments were agreed to.  
 The title was agreed to as amended.  
 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. 35, entitled:

An Act prohibiting the taxation of income salaries and wages by political subdivisions of this Commonwealth

The first and second sections were read and agreed to.  
 The third section was read.

On the question,  
 Will the House agree to the section?  
 Mr. VOORHEES. Mr. Speaker, I desire to offer the following amendment.

The amendment was read by the Clerk as follows:  
 Amend section 3, page 1, lines 7 and 8, by striking out the words "immediately upon final enactment" and inserting in lieu thereof the following: "on the first day of January, one thousand nine hundred and forty-two."

On the question,  
 Will the House agree to the amendment?  
 Mr. VOORHEES. Mr. Speaker and members of the House, this bill is a bill to prohibit the present wage tax in Philadelphia. If this bill is enacted into law with its present effective date, which is immediately, it means that the Philadelphia City budget is out by \$17,000,000, which means that we could not operate the city without some other form of taxation. I do not think the purpose of the bill is to interfere with the operation of the city, and so I ask that the House support this amendment, which makes the effective date the first day of January, 1942, when we start a new budget.

Mr. ROSENFELD. Mr. Speaker, I too do not wish to interfere with the administration of the city of Philadelphia. I do not think we ought to embarrass the city administration by making the act effective immediately, inasmuch as their budget has already been prepared for the balance of the year. I feel however that the important issue is not one of partisanship, but one of relieving a burden upon many taxpayers in Philadelphia.

I, therefore, ask the membership of the House to go along on this amendment.

On the question recurring,  
 Will the House agree to the amendment?  
 It was agreed to.  
 On the question,  
 Will the House agree to the section as amended?  
 It was agreed to.  
 The title was read and agreed to.

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

Mr. BRETHERICK. Mr. Speaker, I desire to interrogate the gentleman from Philadelphia, Mr. Rosenfeld.

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

Mr. ROSENFELD. I shall, Mr. Speaker.  
 Mr. BRETHERICK. Mr. Speaker, am I correct in my understanding that if this bill is passed it will exempt only persons living within the territorial limits of the city of Philadelphia and will permit the city of Philadelphia to levy a tax on non-residents who are employed within the city.

Mr. ROSENFELD. Mr. Speaker in answer to the gentleman from Delaware, I might say that the tax which would be imposed on non-residents would be unconstitutional and, therefore, no group is left exempt under the provisions of this measure.

Mr. BRETHERICK. Mr. Speaker, does the gentleman from Philadelphia pay a real-estate tax within the city of Philadelphia?

Mr. ROSENFELD. I do not, Mr. Speaker, but members of my family do.

Mr. BRETHERICK. Mr. Speaker, we have the rather anomalous situation of an act to permit the city of Philadelphia to levy a tax on non-residents employed in the city of Philadelphia, while at the same time exempting those who reside within the city of Philadelphia from the payment of any such tax. The gentleman who is sponsoring this bill would of course benefit by its provisions, in that he would not have to pay an occupation or wage tax. He has stated on the floor of this House he does not pay any tax on real-estate. In other words he is going to enjoy the benefits that accrue to one living in the city of Philadelphia without sharing in its tax responsibility—

#### POINT OF ORDER

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

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

Mr. ROSENFELD. Mr. Speaker, the gentleman from Delaware is debating the measure on second reading.

The SPEAKER. The gentleman from Delaware is in order in debating the measure on second reading. The question is: Will the House agree to the bill on second reading as amended. The gentleman will proceed.

Mr. BRETHERICK. In other words, Mr. Speaker, the gentleman from Philadelphia, as I just stated, is going to share in the benefits that will accrue to him from living in that city, but is going to pass on to those persons residing outside of the city of Philadelphia, who work within its borders, the responsibility for maintaining the government in order that he may benefit. He will be paying no tax whatsoever to the city of Philadelphia and, therefore, Mr. Speaker, I offer the following amendment.

The SPEAKER. It will be necessary for the gentleman to move to reconsider the vote by which the House agreed to Section 1, that being the section to which the gentleman is offering amendments.

Mr. BRETHERICK. Mr. Speaker, we have gotten through the sections and title before I had a chance to be recognized. Mr. Voorhees spoke on section three.

RECONSIDERATION OF VOTE

Mr. BREATHERICK. Mr. Speaker, I move that the vote by which the title and the several Sections were agreed to be reconsidered.

Mr. EDWIN A. LEE. Mr. Speaker, I second the motion.

The SPEAKER. How did the gentleman from Delaware vote?

Mr. BREATHERICK. Mr. Speaker, in the majority.

The SPEAKER. How did the gentleman from Philadelphia vote?

Mr. EDWIN A. LEE. In the majority.

The motion was agreed to.

The first section was read.

On the question,

Will the House agree to the section?

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

The amendments were read by the Clerk as follows:

Amend Section 1, page 1, line 2, by inserting after the word "levy" the following "on any non-resident."

Amend Section, page 1, line 3, by striking out the words "individuals residing" and inserting in lieu thereof the following "such non-resident."

On the question,

Will the House agree to the amendments?

Mr. ROSENFELD. Mr. Speaker, I rise to oppose this amendment. As I mentioned to the gentleman a few minutes ago the provisions of this act are sought to be extended to non-residents. It is my feeling that a measure which would leave free from the burden of the tax nonresidents would be unconstitutional, and therefore the amendment offered as to the redundancy of this bill complicates a very simple proposition.

I ask the membership on this side of the House to vote "no" on this amendment.

Mr. VOORHEES. Mr. Speaker, I rise to oppose these amendments, because the amendments strike out a tax on people outside of Philadelphia County. We have a particular problem in Philadelphia of supporting a city where many of the residents live outside the artificial line which is drawn around the city.

Therefore, I ask the membership to vote "no" on these amendments.

Mr. BREATHERICK. Mr. Speaker, I happen to live in Delaware County and represent the County of Delaware. In our county we have numerous defense industries along the Delaware River where we employ thousands of Philadelphians who come to our county and earn their living. We impose no wage or occupation tax on them. We contribute at the present time to the maintenance of the government of Philadelphia while sharing none of the rights to elect representatives in the city. So far as I can see I think the tax is absolutely unfair. We maintain our own municipalities, we maintain our own sewers, we maintain our own water, and we pay a tax on our real estate for that purpose. We have our own policemen, we have our own fire department and Philadelphia ought to maintain its own departments in the same way.

I say too, Mr. Speaker, that this tax is absolutely unfair so far as it concerns those who are non-residents of the city of Philadelphia. It is unfair as I have previously said, for the simple reason that there are thousands of Philadelphians who are earning their daily bread in Dela-

ware County and other surrounding counties, who do not pay or contribute one cent of tax for the maintenance of the government in those counties.

Therefore, I ask the members of the House to vote for this amendment, and Mr. Speaker, I ask for a roll call.

Mr. RUSH. Mr. Speaker, I rise in support of the amendment offered by my colleague from Delaware County, Mr. Bretherick, because the present wage tax which is levied in the City of Philadelphia is very unfair. They do collect a tax from residents of the counties surrounding Philadelphia County who in many cases do not do their work in Philadelphia. They do not earn their money in Philadelphia, they do not use the facilities of the city of Philadelphia, yet because they happen to work for some firm which has its headquarters in Philadelphia, where they have to report occasionally, they seek to have them pay a wage tax in Philadelphia. This reaches out not only into Delaware County but into Chester County and all the way into Berks County.

Therefore, I rise in support of the amendment offered by the gentleman from Delaware, Mr. Bretherick.

On the question,

Will the House agree to the amendments?

The yeas and nays were required by Mr. BREATHERICK and Mr. RUSH and were as follows:

YEAS—63

Boorse,	Greenwood,	Lyons,	Sollenberger,
Bower,	Gyger,	McClester,	Sorg,
Bretherick,	Habbyshaw,	McIntosh,	Stambaugh,
Brunner, C. H.,	Haines,	McKinney,	Stockham,
Cadwalader,	Hall,	McLanahan,	Taylor,
Cordler,	Hamilton,	McSurdy,	Trout,
Dalrymple,	Hare,	Muir,	Turner,
Dennison,	Helm,	Nunemacher,	Wagner,
Dix,	Hewitt,	Rausch,	Watkins,
Eckels,	Huntley,	Reagan,	Weingartner,
Elder,	Imbrie,	Reese, D. P.,	Winner,
Foor,	Jones, G. E.,	Rhea,	Wolf,
French,	Kilne,	Riley,	Wood, N.,
Gates,	Knoble,	Rush,	Woodside,
Gillan,	Krise,	Sarge,	Yeakel,
Gillette,	Lichtenwalter,	Serrill,	

NAYS—108

Achterman,	Gallagher,	McDermott,	Rose, W. E.,
Allmond,	Gerard,	McFall,	Rosenfeld,
Auker,	Goodwin,	McGrath,	Sarraff,
Baker,	Gross,	McLane,	Scanlon,
Bentley,	Gryskewicz,	Melchiorre,	Schwab,
Bentzel,	Harmuth,	Modell,	Shaffer,
Boies,	Harris,	Mooney,	Shepard,
Bradley,	Heatherington,	Moran,	Stank,
Breth,	Herman,	Moul,	Stine,
Brown,	Hirsch,	Munley,	Tarr,
Brunner, P. A.,	Hersch,	O'Brien,	Tate,
Burns,	Holland,	O'Connor,	Thompson, E. F.,
Burris,	Jefferson,	O'Mullen,	Verona,
Chudoff,	Jones, P. N.,	O'Neill,	Vogt,
Cohen, M. M.,	Keenan,	Owens,	Voldow,
Cohen, R. E.,	Kenehan,	Petrosky,	Voorhees,
Corrigan,	Kolankiewicz,	Pettit,	Weiss,
Cullen,	Komorowski,	Polaski,	Welsh, E. E.,
DiGenova,	Lee, E. A.,	Polen,	Welsh, M. J.,
Dolon,	Lee, T. H.,	Powers,	Williams,
D'Ortona,	Leonard,	Prosen,	Woodring,
Duffy,	Le . .,	Readinger,	Wright,
Early,	Longo,	Reese, R. E.,	Yester,
Elliott,	Lovett,	Regan,	Young,
Finestone,	Malloy,	Reynolds,	Kilroy,
Finnerty,	Marks,	Rooney,	Speaker.
Fletcher,	Maxwell,	Rose, S.,	
Flynn,	McClanaghan,		

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

On the question recurring,

Will the House agree to the section?

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

The amendment was read by the Clerk as follows:

Amend section 1, page 1, line 4, by inserting after the word "thereof" the words: "or elsewhere."

On the question,

Will the House agree to the amendment?

Mr. ROSENFELD. Mr. Speaker, I would like to interrogate the gentleman from Delaware, Mr. Bretherick.

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

Mr. BRETHERICK. Mr. Speaker, I will.

Mr. ROSENFELD. Mr. Speaker, I desire to ask the gentleman from Delaware as to the purpose of this amendment.

Mr. BRETHERICK. The purpose of the amendment, Mr. Speaker, is to cure any question as to the effect of the bill as far as it effects non-residents of Philadelphia County. It will make the bill read that a wage or occupation tax may not be levied on anybody anywhere including the city of Philadelphia.

Mr. ROSENFELD. Mr. Speaker, does the gentleman feel that the measure as it now reads with this amendment will cover every person earning money within the territorial limits of the city of Philadelphia?

Mr. BRETHERICK. I do, Mr. Speaker, residents and non-residents.

Mr. ROSENFELD. Mr. Speaker, I will ask the membership of this House to endorse this amendment.

On the question recurring,

Will the House agree to the amendment?

It was agreed to.

The second section, third section as amended 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.

#### MOTION TO RECOMMIT

Mr. VOORHEES. Mr. Speaker, I move that this bill be re-referred to the committee on Cities of the First Class.

On the question,

Will the House agree to the motion?

Mr. ROSENFELD. Mr. Speaker, I desire to interrogate the gentleman from Philadelphia, Mr. Voorhees.

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

Mr. VOORHEES. I will, Mr. Speaker.

Mr. ROSENFELD. Mr. Speaker, Will Mr. Voorhees please state what is the purpose in asking for a re-committal of this bill?

Mr. VOORHEES. Mr. Speaker, my purpose in asking for a re-committal of this bill is that the city of Philadelphia placed a wage tax after due consideration. The city of Philadelphia from the year of 1931 to the present time suffered a shrinkage in its real-estate value of one billion dollars. That meant a loss to the tax payers of seventeen million dollars.

Now, this is a non-partisan measure. During the administration of Mayor Wilson, when the city needed some form of income to replace the shrinkage of real-estate a committee was appointed by the Mayor, and that committee investigated various forms of taxation that the city might use. They investigated the sales tax and found out the effect the sales tax would have on the city of Philadel-

phia. Philadelphia is in a vicinity where many of its people live outside of the city limits of Philadelphia. The sales tax had the effect of driving business out of the city. A large amount of the taxes that are collected in Philadelphia come from the central part of the city, and the central part of the city depends upon business, and the sales tax throws business outside of the city.

When the wage tax was offered as a means of taxing people who live outside of the city of Philadelphia, and who pay nothing towards the support of the city of Philadelphia, and taxing those people in order to receive this additional revenue.

We in the Legislature, without due consideration for the needs of the city of Philadelphia, now want to prohibit a measure that has been carefully studied by a non-partisan committee appointed by Mayor Wilson,—Mayor Wilson who some days said he was a Republican and the next day he was a Democrat. I do not think you can consider it a partisan measure at all, but it is a means of raising revenue to carry on the finances of the city of Philadelphia. I think we of the House should give the bill every consideration and return it to the committee and to be studied as to how it will effect the city's budget and how we are going to replace seventeen million dollars.

If the gentleman from Philadelphia will tell me how we can raise this money by some other method of taxation I will not ask that the bill be re-committed.

Mr. ROSENFELD. Mr. Speaker, I would like to inquire why the gentleman felt that the effective date should be January 1, 1942 if he didn't feel that this measure should be passed.

Mr. VOORHEES. Mr. Speaker, I think as a member of the House it is my duty to provide, in case the bill should be passed, to get as good a bill as can be had. Now, I was only providing in that amendment that the city budget for this year would not be thrown out; so that the necessary funds for carrying on the city government would not be disrupted.

Mr. ROSENFELD. Mr. Speaker, I would like to inquire as to the amount of indebtedness at the present time of the city of Philadelphia.

Mr. VOORHEES. Mr. Speaker, the present indebtedness of the city of Philadelphia,—that is the net indebtedness is around \$320,000,000. The gross indebtedness is over \$500,000,000, with the provision of the sinking fund. If you subtract the sinking fund from the gross it leaves the net, and on that point I might say, Mr. Speaker, from a non-partisan Bureau of Research which has just printed a pamphlet that there is an excellent refunding opportunity. I won't read the whole thing, but the gist of it is that on October 27th next the \$8,804,000 bond issue of four and one quarter per cent, fifteen to twenty year bonds can be recalled and refunded at a considerable saving to the city. This will take place on a number of bond issues and the city is now over the hump of the heavy tax burden to pay for these bonds. We are now in a place where we can refund the bonds and reduce our indebtedness and be in a good financial condition.

Mr. ROSENFELD. Mr. Speaker, I would like to know from the gentleman as to whether the wage tax ordinance in Philadelphia exempts present city bondholders from the payment of tax on the interest accruing to them.

Mr. VOORHEES. Will the gentleman repeat his question please, Mr. Speaker.

Mr. ROSENFELD. I would like to know, Mr. Speaker,

as to whether the wage tax ordinance in Philadelphia excepts from its provisions city bondholders on interest or dividends accruing to them.

Mr. VOORHEES. The present wage tax ordinance, Mr. Speaker, provides that all money earned in the city of Philadelphia or by residents of the city of Philadelphia be taxable. It has nothing to do with money earned from bonds. That is taxed under the personal property tax.

Mr. ROSENFELD. Mr. Speaker, I wonder if the gentleman would be surprised if I told him that the bondholders in Philadelphia are not required to pay income tax on the dividends accruing to them from the bonds?

Mr. VOORHEES. What kind of an income tax, Mr. Speaker.

Mr. ROSENFELD. An income tax, Mr. Speaker, under the ordinance of Philadelphia.

Mr. VOORHEES. Mr. Speaker, as I understand interest on bonds is not an earned income; that is a tax on personal property at the rate of four mills by the city and four mills by the state.

Mr. ROSENFELD. Is the gentleman, Mr. Speaker, astonished to learn that others paying the four mills tax have to pay an income tax?

Mr. VOORHEES. I am surprised, Mr. Speaker, to learn that they are paying on unearned income, yes.

Mr. ROSENFELD. Will the gentleman also say that a part of the plight of the city of Philadelphia is due to the fact that we have so many of these outstanding bonds?

Mr. VOORHEES. Mr. Speaker, the plight of the city of Philadelphia is due to the shrinkage of our real estate values, and due to the natural tendency of every city in the country to expand its area. Every city in the United States is suffering somewhat from the same condition. Our population is spreading to the valleys and hills, and that is due to the automobile. Formerly, the workman had to live near his place of employment. Today the automobile is taking them out fifty miles from the city, and the natural radius today for workers in any large city is fifty miles.

Mr. Speaker, in line with that, I have offered legislation here to try to correct the real causes of the budget trouble in Philadelphia, and I look at it in this way, in the first place the city of Philadelphia has a lot of real estate. There is a great deal of real estate frozen because of the fact that we cannot collect delinquent taxes and you cannot put them up for sale because nobody will bid on them. I have introduced two bills, one to allow delinquent tax property to go to sale and to give an absolute title at the sale, which will increase the amount of taxes collected, and therefore, will increase the income and make it possible to do away with the wage tax. I have also introduced a bill to extend the county of Philadelphia further out so that it will expand according to economic laws.

Mr. ROSENFELD. Mr. Speaker, I would like to inquire of Mr. Voorhees as to how long it will take the city of Philadelphia to see daylight with the continuance of the present city wage tax.

Mr. VOORHEES. Mr. Speaker, I think the city of Philadelphia should in the next few years be able, with the rise in value of real estate and with the greater income from personal property, to abolish the wage tax, but I cannot state a definite time. I don't think any one can; that depends on economic conditions.

Mr. ROSENFELD. Mr. Speaker, I rise to oppose the motion to recommit the bill. I can see no valid reason for recommitment at this time. I think Mr. Voorhees has given us every reason why this bill should be passed as speedily as possible. It appears that the wage tax, which was at its original inception introduced as an emergency measure, will now continue for many years to come.

The plight of the city of Philadelphia is due to indebtedness that will continue for a long time. It has become a problem now with the city in its analysis and its solution we feel at this time that there is no necessity for continuing a tax of this sort, which was originally intended to be an emergency tax. I therefore ask the members of the House to vote down the amendment.

Mr. VOORHEES. Mr. Speaker, I desire to interrogate the gentleman from Philadelphia, Mr. Rosenfeld.

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

Mr. ROSENFELD. Yes, Mr. Speaker.

Mr. VOORHEES. Mr. Speaker, may I ask the gentleman what substitute he has to offer to raise \$17,000,000?

Mr. ROSENFELD. Mr. Speaker, I am not here to solve the financial problems of the city of Philadelphia. However, I feel that there are many things that could be done in Philadelphia to reduce the amount of its present expenditures and indebtedness. I think there should be something done about tax exempt property. I think there should be a reduction in the payroll. I think there are many drones on the city payroll who have no right to be there, I feel as the city is presently being administered that big indebtedness will be continued for a long time, and that there is no definite answer to the condition at this time.

Mr. VOORHEES. Mr. Speaker, may I ask the gentleman how much can be saved on the payroll?

Mr. ROSENFELD. About a million dollars annually, Mr. Speaker.

Mr. VOORHEES. How can we raise the other sixteen million dollars, Mr. Speaker?

Mr. ROSENFELD. By taxing exempt properties, Mr. Speaker.

Mr. VOORHEES. How much can we raise from that source?

Mr. ROSENFELD. About nine or ten million dollars, Mr. Speaker.

Mr. VOORHEES. And how much is the total value of the tax exempt property in the city of Philadelphia, Mr. Speaker?

Mr. ROSENFELD. In the neighborhood of three hundred million dollars, Mr. Speaker.

Mr. VOORHEES. Mr. Speaker, I understand that the total value of tax exempt property in the city of Philadelphia is seventy million dollars. This includes churches, utility property, railroad beds and all property owned by the city and owned by the schools. To tax them would only be like taking money out of one pocket and putting it into another. I do not think we want to tax churches; I do not think we want to tax road beds of the railroads. There is some controversy as to whether we should tax the utilities. We had a great discourse on that by the gentleman from Allegheny, Mr. Holland, but we cannot raise much money, maybe a million dollars from a tax on property owned by the utility companies. This leaves fifteen million dollars.

Now, Mr. Speaker, I do not want to take too much of the time of the House on the problem of saving Philadel-

phia, but I think we have shown here that we are being asked to vote for a bill without being offered any substitutes. I think the purpose of the bill is to have Philadelphia papers headline: "Democratic Party Opposes Wage Tax." We are all opposed to the wage tax, in fact we are opposed to all taxes, but as long as we live we are going to have taxes, and it is just a question of what we are going to tax. If you are going to get a substitute for this tax, all right, but I think it is our duty either to support this or find something else, and that something else which they are to tax should not be something that is just as objectionable, in fact more so.

I ask that the bill be recommitted so that it can be given further study.

Mr. REUBEN E. COHEN. Mr. Speaker, I think in fairness to Philadelphia I should clear up two or three matters that were discussed on the floor of the House tonight. First of all the statement was made by the gentleman on the other side of the House that the sales tax was passed and found wanting. Now we have the wage tax on the books and we do not know what to do about it because they now suggest that we withhold action until January 1, 1942.

There are those of us in this House, who prior to the passage of the sales tax told the city of Philadelphia, and we said it in many ways, told it on the street corners that they should not pass it, but City Council passed it, but they soon got rid of it because it was no good and nobody liked it. Then they talked about the wage tax. We then went back to the same place, the street corners, and talked to these people and came to the conclusion that the wage tax was an iniquitous tax, that it ought not to have been passed, but they could not let go; they had hold of a tiger by the tail and could not let go because of the necessity for further income. They now come to the conclusion that by January 1, 1942 the millenium will have been reached.

The gentleman asked us what we can do to offer a substitute. Why did the City Council of Philadelphia some time ago when the Harr-White Plan was offered, to show how the bonded indebtedness might be reduced, that is the interest be reduced, why didn't they adopt that plan or something like it instead of the wage tax to pull them out of that dilemma? On debate the gentleman tells this House that Philadelphia is in a bad way because real estate values have declined.

Just to remind everybody, we have some fourteen to twenty million dollars invested in art museums; we have some twenty to thirty million dollars sunk in subways. We have some subways running for about four blocks and nobody knows whether you are going or coming. And we cannot find money for housing. That is where the money has been wasted in Philadelphia. Don't blame it on declining real estate values, but put it where it belongs. Let every proposition stand on its own two feet. If those things are taken into consideration I think ways will be found for the Philadelphia City Council or the City Fathers to work out their problem themselves rather than come up here crying and saying that the iniquitous wage tax shall remain until we can find some other measures to make up these millions.

Mr. LEVY. Mr. Speaker, in answer to the gentleman from Philadelphia, Mr. Voorhees, I only want to explain to him that with the effective date of the act being January 1, 1942, certainly the City Council between the time of

the closing of this session of Legislature, if the bill is enacted, and January 1, 1942, should be able to find some other method of taxation.

I only want to say to the gentleman from Philadelphia, that in all his answers to the interrogation he never gave one reason why this iniquitous tax, which everybody thinks is of such a nature, should not be repealed. The gentleman from Philadelphia referred to the diminishing real estate values. We have diminishing real estate values not only in Philadelphia but in every county and in every community of the Commonwealth of Pennsylvania, yet there are not many counties in Pennsylvania that have a wage tax. I might say to the gentleman from Philadelphia that in 1935 this Legislature, the House being Democratic and the Senate being Republican, passed an act which gave the people the right to vote on a graduated income tax for the state of Pennsylvania. That act provided for a referendum to be placed before the people of Pennsylvania on the question of whether or not there should be a graduated income tax. I say to the gentleman from Philadelphia if the state of Pennsylvania had a graduated income tax —————

#### POINT OF ORDER

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

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

Mr. VOORHEES. Mr. Speaker, the graduated income tax has nothing to do with the budget in Philadelphia. I think the gentleman is off the subject.

The SPEAKER. I think the gentleman from Philadelphia, Mr. Voorhees, will realize that the Chair has given great latitude in discussing this bill. The gentleman from Philadelphia, Mr. Voorhees discussed other bills while debating this particular bill.

The question before the House is on the motion to recommit. However the Chair is of the opinion that the gentleman from Philadelphia, Mr. Levy, should have the same latitude in debate as the gentleman from Philadelphia, Mr. Voorhees, had during his discussion. The Chair will request the gentleman from Philadelphia, Mr. Levy, to please try to confine himself to the question before the House.

Mr. LEVY. I will, Mr. Speaker. In answer to the gentleman from Philadelphia, let me remind him that in the 1935 session, and I believe this is very relevant to the matter, in view of the fact that the gentleman from Philadelphia wants to know what other kind of tax the City Fathers can place upon the backs of the people of Philadelphia, I might remind him that in 1935 a Democratic House and a Republican Senate passed an act permitting the people of Pennsylvania to have a referendum calling for a graduated income tax. That bill passed in both House and Senate and the question was submitted to the people. Mr. Speaker, following the enactment of the bill in the 1935 session a referendum was placed before the people in the primary in 1937, at which time the Republican party in Philadelphia gave orders to their district precinct leaders to knife the referendum on the graduated income tax. It is these same politicians who today come into this House and ask to be alleviated from the repeal of this unfair act. You heard the gentleman from

Delaware say it was an unfair and inequitable tax. He says it is unfair to the people of the County of Delaware, and then I say in the same breath it is unfair to the people of the City of Philadelphia, and, Mr. Speaker, I ask the House to vote against this recommitment.

Mr. VOORHEES. Mr. Speaker, I desire to interrogate the gentleman from Philadelphia, Mr. Levy.

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

Mr. LEVY. I shall, Mr. Speaker.

Mr. VOORHEES. Mr. Speaker, what effect on the city of Philadelphia, as far as income is concerned, would the passage of the graduated income tax amendment have?

Mr. LEVY. In answer to the gentleman from Philadelphia, I believe I explained that. If the graduated income tax referendum had been approved by the people of the Commonwealth, and had not the Republican organization of Philadelphia knifed the referendum, the Commonwealth of Pennsylvania would have been in possession of sufficient funds to take care of the mental hospital in Philadelphia and many other functions of the city and county of Philadelphia, and the situation which the city of Philadelphia now finds itself in might have been alleviated before this. Certainly it would not have required the passage of a wage tax in Philadelphia two years ago.

Mr. VOORHEES. Mr. Speaker, how much would be saved to the city of Philadelphia if the State took over the mental institutions?

Mr. LEVY. Mr. Speaker, I do not have the figures at hand. I will ask the gentleman from Philadelphia to be fair. The gentleman realizes that we will have the figures on our desk when these bills come up for consideration, and I will be only too glad to help him with his problem. I only mentioned the mental institution in Philadelphia as an example of one of the savings which could have been affected. There are many others.

Mr. VOORHEES. Mr. Speaker, how much is there in the budget to-day to take care of the mental institution in Philadelphia?

Mr. LEVY. Mr. Speaker, in the budget to-day I understand there is nothing, which is very unfortunate for the mentally ill in Philadelphia.

Mr. VOORHEES. Mr. Speaker, if there is nothing in the budget to-day and the State has already taken care of the mental institutions, we do not save any of the seventeen million dollars we are trying to raise. Mr. Levy has not offered any method to raise this amount of money.

Now, Mr. Speaker, I would like to interrogate the gentleman from Philadelphia, Mr. Reuben E. Cohen.

Mr. LEVY. Mr. Speaker, before the gentleman from Philadelphia, Mr. Voorhees, interrogates the gentleman from Philadelphia, Mr. Reuben E. Cohen, I want to answer a statement he made which I think should be answered.

The SPEAKER. Will the gentleman from Philadelphia, Mr. Voorhees, yield?

Mr. VOORHEES. I will, Mr. Speaker.

The SPEAKER. The gentleman from Philadelphia Mr. Levy will proceed.

Mr. LEVY. Mr. Speaker, I think the answer of the gentleman from Philadelphia only goes to prove more conclusively that this recommitment motion should be defeated. The gentleman stated just a moment ago that there is no item in the budget in Philadelphia to take care of the mental hospital in Philadelphia. I only want to say that that is just another inconsistency on the part of the city

fathers of Philadelphia, because every man in this House knows that the leaders of the Republican party in the House are about to introduce or have introduced to-night a measure to further postpone State supervision of mental institutions.

Now, we have an anomalous situation in Philadelphia where the Republican leadership in the state along with the Governor of the Commonwealth, says, "No, we are going to postpone action on all mental hospitals," and at the same time the City Fathers of Philadelphia have made no provision in their budget for such institutions for this year to take care of the mentally ill. I think that again is one more conclusive argument why this motion should be defeated.

Mr. VOORHEES. Mr. Speaker, I desire to interrogate the gentleman from Philadelphia, Mr. Reuben Cohen.

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

Mr. REUBEN E. COHEN. I will, Mr. Speaker.

Mr. VOORHEES. Mr. Speaker, how much would be saved from the so called Harr-White plan to refund the city bonds.

Mr. REUBEN E. COHEN. Mr. Speaker, the figures are not in my possession and I can speak only from recollection, but at the time the issue was first made public the estimates began rather modestly and then began to take on greater proportions. I think, Mr. Speaker, all in all, if the Harr-White Plan in detail were put into effect it would bring about a savings of the sum of one hundred and thirty-six million dollars.

Mr. VOORHEES. Mr. Speaker, what does this plan depend on?

Mr. REUBEN E. COHEN. Mr. Speaker, the plan depends upon the city council and the City Fathers in Philadelphia having guts enough to put the plan into effect.

Mr. VOORHEES. Mr. Speaker, is there anything else necessary to put the plan into effect?

Mr. REUBEN E. COHEN. Yes, Mr. Speaker, there is something else very necessary, and that is to have a Democratic City administration put the plan through.

Mr. VOORHEES. Mr. Speaker, if the Harr-White plan were put into effect the city would save in the next fifty years the sum of twenty-six million dollars ———

Mr. RUEBEN E. COHEN. Mr. Speaker, I do not know that that is correct. I do not have the figures before me, or am I now being interrogated?

Mr. VOORHEES. No, that is all. Mr. Speaker, the plan depends on one big "If". If the people who own the bonds that are now paying five and one quarter percent interest would be kind enough to bring those bonds onto the counter and allow the city to re-issue them into other bonds paying a lower rate of interest, then the plan could be put into effect. However, I do not believe we will find people with those bonds that pay five percent interest who would be willing to accept bonds paying only two and one half percent interest. The only other plan is the plan that the city is now adopting to refund the bonds at five percent as soon as they are called. That is what they are going to do on October 27th on the first issue of eight million dollars.

Mr. Speaker we have spent a great deal of time on this question and I think we have proven pretty well that the sponsor of this measure has not given it proper study. I think we have proved pretty well that we have no way

of replacing this sum of seventeen million dollars which this bill takes away from the city of Philadelphia. I do not think it is proper for the House membership to pass such a bill without further study. I am not asking the members to defeat the bill, but I am asking the Members of the House to recommit this bill to the proper committee for further study so that we can have a proper substitute for the bill, and then after we have the substitute re-report the bill. I ask the members of the House to vote "aye".

On the question recurring,

Will the House agree to the motion?

It was not agreed to.

### BILLS ON SECOND READING

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 772, entitled:

An Act making an appropriation to state teachers colleges to enable such institutions to add certain courses to their curricula

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. 1049, entitled:

An Act creating a temporary State commission to investigate all State hospitals conferring powers and duties on said commission and making an appropriation

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. 470, entitled:

A Joint Resolution proposing an amendment to article three of the Constitution of the Commonwealth of Pennsylvania by adding thereto section thirty-five

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. 891, entitled:

An Act to amend the act approved the third day of June one thousand nine hundred and thirty-seven (P. L. 1225) entitled "An act concerning game and other wild birds and wild animals and amending revising consolidating and changing the law relating thereto" by revising the provisions of said act relating to the issuance of licenses and repealing certain sections

The first section was read.

On the question,

Will the House agree to the section?

### BILL RECOMMENDED

Mr. BRETH. Mr. Speaker, I move that this bill be recommitted to the Committee on Game for the purpose of further study.

The motion was agreed to.

### BILL ON SECOND READING

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 751, entitled:

An Act to amend section two thousand one hundred and one of the act approved the twenty-third day of June one thousand nine hundred and thirty-one (P. L. 932) entitled "An act relating to cities of the third class and amending revising and consolidating the law relating thereto" by fixing the minimum salaries or compensation for paid firemen and paid employes of the fire department in such cities

The first section was read.

On the question,

Will the House agree to the section?

### MOTION TO RECOMMIT

Mr. AUKER. Mr. Speaker, I move that this bill be recommitted to the Committee on Third Class Cities for the purpose of a public hearing.

On the question,

Will the House agree to the motion?

Mr. AUKER. Mr. Speaker, in speaking for this motion and asking my colleagues of the House to support it, I am only going to talk a few minutes.

First of all, I say and firmly believe that majority of the Members of the House think as a matter of good principal, as a matter of good government, it is wrong for us Members to come here to Harrisburg and pass bills imposing duties and financial obligations on the people back home and then say to the people back home, "Well, we told you what to do, now you people go ahead and raise the money to do it." The boroughs and townships and cities outside of Philadelphia have only one place to raise money and that is by a tax on real estate. I have been more or less a student of Pennsylvania Legislative history for some years, and to the best of my memory I never have known of an occasion where this House passed any bill to relieve real estate taxes in the boroughs and cities of this state. Now, we are asked again to pass a bill which will impose additional obligations upon various municipalities, and especially the third class cities.

I had a talk with the firemen back home in Altoona last Monday. They asked me to support this bill. I said to them, "Where are you going to get the money?" They said, "It can come out of the general budget of the people of Altoona." I said, "Where do the people of Altoona get their money?" They said, "By a tax on real estate." I said, "Then you are going to levy an additional tax on real estate." They said, "No, you can get it out of the general finances, it won't need any additional tax." I said to them, "If you can show me that at a public hearing I probably will withdraw my objection to this bill". They said they would be only too glad to try to do it. That is the reason I am asking that this bill be recommitted to the Committee on Third Class Cities for the purpose of a public hearing.

As a matter of general principle I do not think we should impose financial obligations on the people back home without giving them the means or furnishing them with the money to pay for that burden and obligation. Second, if we do do that, if we do pass such a measure

here, adding additional burdens to the municipalities back home, then most certainly I do not think we ought to do it, and I say emphatically we ought not to do it until those municipalities have a chance to show at a public hearing that it is going to materially affect the finances of their municipalities.

I respectfully ask the Members of the House to support this motion to recommit this bill to the Committee on Third Class Cities for a public hearing in order that the third class cities and other municipalities interested may have a chance to be heard and state their position on these bills.

Mr. HEATHERINGTON. Mr. Speaker, I desire to interrogate the gentleman from Blair, Mr. Auker.

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

Mr. AUKER. I shall, Mr. Speaker.

Mr. HEATHERINGTON. Mr. Speaker, does the gentleman from Blair know when this bill was presented?

Mr. AUKER. Mr. Speaker, I can tell the gentleman in a minute by looking at the date of it.

Mr. HEATHERINGTON. Never mind, I will tell the gentleman. It was March 11th. This bill, Mr. Speaker, in my opinion deals with the forgotten man in Pennsylvania. I will agree with the gentleman from Blair that quite a few people say they should not get a raise, but when the Mayor of any third class city or the City Council, have any pet friends, whose salaries they want to raise, they do it without an act of the Legislature.

Furthermore, Mr. Speaker, I have had no request, and I do not think the Chairman of the Committee on Third Class Cities has had any request for a public hearing. I personally think, along with quite a few other Members of the House, that the firemen are underpaid. This motion of Mr. Auker in my opinion is only made for the purpose of delaying the bill. In most of your third class cities, the only time they think the firemen should get a raise is after there has been a fire in which the roof falls in and kills eight or ten or twelve firemen.

Mr. AUKER. Mr. Speaker, in answer to the gentleman from Allegheny, Mr. Heatherington, regarding a public hearing, I desire at this time in support of my motion to read a letter which I received in the mail today. I have no doubt that other members of the House have received the same letter. The letter is from W. E. Greenwood, President of the League of Cities of the Third Class in Pennsylvania, and is addressed to me. It reads as follows:

"By reason of the fact that the writer was assured that he was going to have an opportunity to personally discuss with the Committee on Cities of the Third Class legislation affecting such cities, and inasmuch as the Chairman of the Committee stated publicly at a meeting in Easton that the writer would be asked to appear before the Committee on legislation therein pending, we did not make any statement to the members of the Committee independently as to the cost imposed upon the cities by House Bill No. 751, which was reported out today, and which will, undoubtedly, pass first reading tomorrow.

"On behalf of the Cities of the Third Class I desire to protest against this bill by reason of the expense entailed and for the further reason that the determination of compensation to be paid to firemen and policemen is a matter which should be left solely to the municipal authorities of the respective communities. I, herewith, enclose a statement showing the number of firemen, present salaries, and the amount of increase in cost to the several cities of the state hav-

ing paid fire departments or paid employees in the fire department occasioned by this bill.

"I would respectfully request that this bill be returned to Committee for further consideration and that I be given an opportunity on behalf of the Cities of the Third Class to appear before this Committee personally and present our reasons why this bill should not be passed.

"I am not at this time asking for a public hearing, but in view of the statements that have been made to me by the various members of the Committee as to my being given an opportunity to appear before the Committee, I am most earnestly requesting that the bill be recommitted for the purpose of hearing me personally on this matter.

Very truly yours,

W. E. GREENWOOD

President

The bill was presented on March 11th and was not reported out until last week, and in view of the movement of other bills in this House, and the way they have been delayed, I think this bill has been moving along very, very rapidly. The bill starts out with a minimum salary of fourteen hundred dollars, and from then it adds one hundred dollars every year for seven years until it reaches the sum of twenty-one hundred dollars. This salary schedule shows that in the majority of the cities, the city firemen are now receiving sixteen, seventeen or eighteen hundred dollars on an average. I say again that the cities and the municipalities should have a chance at a public hearing to present their views on this matter.

I am sorry that the gentleman from Allegheny questioned my sincerity when I related the conversation I had with the firemen of my city. I have every respect in the world for firemen, I am their friend and always have been. I have told them constantly that I could not vote for any legislation here that would impose an additional burden on real estate, that it was up to them to show me, and I think it is up to them to show all of us that this bill is not going to impose an additional financial obligation or an additional tax on real estate. We do not have any business coming down here levying a heavier tax on real estate, but if the gentleman from Allegheny wishes to take responsibility, then let him answer to the people next Fall.

On the question recurring,

Will the House agree to the motion?

The yeas and nays were required by Mr. AUKER and Mr. HARE and were as follows:

YEAS—44

Auker,	Foor,	Lichtenwalter,	Sorg,
Boorse,	Greenwood,	Lyons,	Stambaugh,
Bower,	Gyger,	McClester,	Stockham,
Bretherick,	Hare,	McKinney,	Van Allsburg,
Brunner, C. H.,	Helm,	Muir,	Voorhees,
Cadwalader,	Hewitt,	Rank,	Wagner,
Dennison,	Jones, G. E.,	Reagan,	Weingartner,
Dix,	Knoble,	Rhea,	Wood, L. H.,
Elder,	Krise,	Riley,	Woodring,
Fisher,	Lee, E. A.,	Snyder,	Woodside,
Fletcher,	Leisey,	Sollenberger,	Yeakel,

NAYS—129

Achterman,	Finnerty,	Maxwell,	Rooney,
Allmond,	Gallagher,	McClanaghan,	Rose, S.,
Baker,	Gates,	McDermott,	Rose, W. E.,
Balthaser,	Gerard,	McFall,	Rosenfeld,
Bentley,	Goodwin,	McGrath,	Rush,
Bentzel,	Gross,	McIntosh,	Sarraf,
Boies,	Habbyslaw,	McLanahan,	Seanion,



of replacing this sum of seventeen million dollars which this bill takes away from the city of Philadelphia. I do not think it is proper for the House membership to pass such a bill without further study. I am not asking the members to defeat the bill, but I am asking the Members of the House to recommit this bill to the proper committee for further study so that we can have a proper substitute for the bill, and then after we have the substitute re-report the bill. I ask the members of the House to vote "aye".

On the question recurring,

Will the House agree to the motion?

It was not agreed to.

#### BILLS ON SECOND READING

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 772, entitled:

An Act making an appropriation to state teachers colleges to enable such institutions to add certain courses to their curricula

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

Ordered, To be transcribed for a third reading.

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The House proceeded to the second reading and consideration of House Bill No. 1049, entitled:

An Act creating a temporary State commission to investigate all State hospitals conferring powers and duties on said commission and making an appropriation

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The first section was read.

On the question,

Will the House agree to the section?

#### BILL RECOMMITTED

Mr. BRETH. Mr. Speaker, I move that this bill be recommitted to the Committee on Game for the purpose of further study.

The motion was agreed to.

#### BILL ON SECOND READING

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The first section was read.

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On the question,

Will the House agree to the motion?

Mr. AUKER. Mr. Speaker, in speaking for this motion and asking my colleagues of the House to support it, I am only going to talk a few minutes.

First of all, I say and firmly believe that majority of the Members of the House think as a matter of good principal, as a matter of good government, it is wrong for us Members to come here to Harrisburg and pass bills imposing duties and financial obligations on the people back home and then say to the people back home, "Well, we told you what to do, now you people go ahead and raise the money to do it." The boroughs and townships and cities outside of Philadelphia have only one place to raise money and that is by a tax on real estate. I have been more or less a student of Pennsylvania Legislative history for some years, and to the best of my memory I never have known of an occasion where this House passed any bill to relieve real estate taxes in the boroughs and cities of this state. Now, we are asked again to pass a bill which will impose additional obligations upon various municipalities, and especially the third class cities.

I had a talk with the firemen back home in Altoona last Monday. They asked me to support this bill. I said to them, "Where are you going to get the money?" They said, "It can come out of the general budget of the people of Altoona." I said, "Where do the people of Altoona get their money?" They said, "By a tax on real estate." I said, "Then you are going to levy an additional tax on real estate." They said, "No, you can get it out of the general finances, it won't need any additional tax." I said to them, "If you can show me that at a public hearing I probably will withdraw my objection to this bill". They said they would be only too glad to try to do it. That is the reason I am asking that this bill be recommitted to the Committee on Third Class Cities for the purpose of a public hearing.

As a matter of general principle I do not think we should impose financial obligations on the people back home without giving them the means or furnishing them with the money to pay for that burden and obligation. Second, if we do do that, if we do pass such a measure

here, adding additional burdens to the municipalities back home, then most certainly I do not think we ought to do it, and I say emphatically we ought not to do it until those municipalities have a chance to show at a public hearing that it is going to materially affect the finances of their municipalities.

I respectfully ask the Members of the House to support this motion to recommit this bill to the Committee on Third Class Cities for a public hearing in order that the third class cities and other municipalities interested may have a chance to be heard and state their position on these bills.

Mr. HEATHERINGTON. Mr. Speaker, I desire to interrogate the gentleman from Blair, Mr. Auker.

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

Mr. AUKER. I shall, Mr. Speaker.

Mr. HEATHERINGTON. Mr. Speaker, does the gentleman from Blair know when this bill was presented?

Mr. AUKER. Mr. Speaker, I can tell the gentleman in a minute by looking at the date of it.

Mr. HEATHERINGTON. Never mind, I will tell the gentleman. It was March 11th. This bill, Mr. Speaker, in my opinion deals with the forgotten man in Pennsylvania. I will agree with the gentleman from Blair that quite a few people say they should not get a raise, but when the Mayor of any third class city or the City Council, have any pet friends, whose salaries they want to raise, they do it without an act of the Legislature.

Furthermore, Mr. Speaker, I have had no request, and I do not think the Chairman of the Committee on Third Class Cities has had any request for a public hearing. I personally think, along with quite a few other Members of the House, that the firemen are underpaid. This motion of Mr. Auker in my opinion is only made for the purpose of delaying the bill. In most of your third class cities, the only time they think the firemen should get a raise is after there has been a fire in which the roof falls in and kills eight or ten or twelve firemen.

Mr. AUKER. Mr. Speaker, in answer to the gentleman from Allegheny, Mr. Heatherington, regarding a public hearing, I desire at this time in support of my motion to read a letter which I received in the mail today. I have no doubt that other members of the House have received the same letter. The letter is from W. E. Greenwood, President of the League of Cities of the Third Class in Pennsylvania, and is addressed to me. It reads as follows:

"By reason of the fact that the writer was assured that he was going to have an opportunity to personally discuss with the Committee on Cities of the Third Class legislation affecting such cities, and inasmuch as the Chairman of the Committee stated publicly at a meeting in Easton that the writer would be asked to appear before the Committee on legislation therein pending, we did not make any statement to the members of the Committee independently as to the cost imposed upon the cities by House Bill No. 751, which was reported out today, and which will, undoubtedly, pass first reading tomorrow.

"On behalf of the Cities of the Third Class I desire to protest against this bill by reason of the expense entailed and for the further reason that the determination of compensation to be paid to firemen and policemen is a matter which should be left solely to the municipal authorities of the respective communities. I, herewith, enclose a statement showing the number of firemen, present salaries, and the amount of increase in cost to the several cities of the state hav-

ing paid fire departments or paid employees in the fire department occasioned by this bill.

"I would respectfully request that this bill be returned to Committee for further consideration and that I be given an opportunity on behalf of the Cities of the Third Class to appear before this Committee personally and present our reasons why this bill should not be passed.

"I am not at this time asking for a public hearing, but in view of the statements that have been made to me by the various members of the Committee as to my being given an opportunity to appear before the Committee, I am most earnestly requesting that the bill be recommitted for the purpose of hearing me personally on this matter.

Very truly yours,

W. E. GREENWOOD

President

The bill was presented on March 11th and was not reported out until last week, and in view of the movement of other bills in this House, and the way they have been delayed, I think this bill has been moving along very, very rapidly. The bill starts out with a minimum salary of fourteen hundred dollars, and from then it adds one hundred dollars every year for seven years until it reaches the sum of twenty-one hundred dollars. This salary schedule shows that in the majority of the cities, the city firemen are now receiving sixteen, seventeen or eighteen hundred dollars on an average. I say again that the cities and the municipalities should have a chance at a public hearing to present their views on this matter.

I am sorry that the gentleman from Allegheny questioned my sincerity when I related the conversation I had with the firemen of my city. I have every respect in the world for firemen, I am their friend and always have been. I have told them constantly that I could not vote for any legislation here that would impose an additional burden on real estate, that it was up to them to show me, and I think it is up to them to show all of us that this bill is not going to impose an additional financial obligation or an additional tax on real estate. We do not have any business coming down here levying a heavier tax on real estate, but if the gentleman from Allegheny wishes to take responsibility, then let him answer to the people next Fall.

On the question recurring,

Will the House agree to the motion?

The yeas and nays were required by Mr. AUKER and Mr. HARE and were as follows:

YEAS—44

Auker,	Foor,	Lichtenwalter,	Sorg,
Boorse,	Greenwood,	Lyons,	Stambaugh,
Bower,	Gyger,	McClester,	Stockham,
Bretherick,	Hare,	McKinney,	Van Allsburg,
Brunner, C. H.,	Helm,	Muir,	Voorhees,
Cadwalader,	Hewitt,	Rank,	Wagner,
Dennison,	Jones, G. E.,	Reagan,	Weingartner,
Dix,	Knoble,	Rhea,	Wood, L. H.,
Elder,	Krise,	Riley,	Woodring,
Fisher,	Lee, E. A.,	Snyder,	Woodside,
Fletcher,	Leisey,	Sollenberger,	Yeakel,

NAYS—129

Achterman,	Finnerty,	Maxwell,	Rooney,
Allmond,	Callagher,	McClanaghan,	Rose, S.,
Baker,	Gates,	McDermott,	Rose, W. E.,
Balthaser,	Gerard,	McFall,	Rosenfeld,
Bentley,	Goodwin,	McGrath,	Rush,
Bentzel,	Gross,	McIntosh,	Sarraff,
Boies,	Habbyshaw,	McLanahan,	Scanlon,

Boney,	Haberlen,	McLane,	Schwab,
Bradley,	Hall,	McSturdy,	Shaffer,
Breth,	Hamilton,	Melchiorre,	Shepard,
Brown,	Harkins,	Mihm,	Stank,
Brunner, P. A.,	Harmuth,	Modell,	Tarr,
Burns,	Harris,	Mooney,	Tate,
Chervenak,	Heatherington,	Moran,	Taylor,
Chudoff,	Hering,	Moul,	Thompson, E. F.,
Cochran,	Herman,	Munley,	Trout,
Cohen, M. M.,	Hersch,	Nagel,	Verona,
Cohen, R. E.,	Hirsch,	Nunemacher,	Vincent,
Cordier,	Jefferson,	O'Brien,	Vogt,
Croop,	Jones, P. N.,	O'Connor,	Voldow,
Cullen,	Keenan,	O'Mullen,	Watkins,
Dalrymple,	Kenehan,	O'Neill,	Weiss,
DiLenova,	Kline,	Owens,	Welsh, E. B.,
Dolon,	Kolankiewicz,	Petrosky,	Welsh, M. J.,
D'Ortona,	Komorofski,	Pettit,	Williams,
Duffy,	Leonard,	Polaski,	Winner,
Early,	Lesko,	Polen,	Wolf,
Eckels,	Levy,	Prosen,	Wood, N.,
Elliott,	Leydic,	Rausch,	Wright,
Falkenstein,	Longo,	Readinger,	Yester,
Finestone,	Lovett,	Reese, R. E.,	Young,
	Malloy,	Regan,	Kilroy,
	Marks,	Reynolds,	Speaker.

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

On the question recurring,

Will the House agree to the section?

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

The amendments were read by the Clerk as follows:

Amend Sec. 1 (Sec. 2101), page 2, line 14, by striking out the following: "Fourteen hundred dollars (\$1400.00)" and inserting in lieu thereof: "Sixteen hundred dollars (\$1,600)"

Amend Sec. 1 (Sec. 2101), page 2, line 16, by striking out the following: "one hundred dollars (\$100.00)" and inserting in lieu thereof: "eighty dollars (\$80.00)"

Amend Sec. 1 (Sec. 2101), page 2, line 17, by striking out the following: "seven (7)" and inserting in lieu thereof: "six (6)"

The amendments 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 SECOND READING

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 800, entitled:

An Act providing that investment in shares of any savings or building and loan associations organized under the laws of the Commonwealth of Pennsylvania which is a member of the Federal Home Loan Bank System shall be legal investments for certain corporations and certain funds

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

Ordered, To be transcribed for a third reading.

#### BILL RECOMMENDED

Mr. O'BRIEN. Mr. Speaker, I move that this bill be recommended to the Committee on Building and Loan Associations.

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. 806, entitled:

An Act to further amend section two thousand five hundred fifty-nine of the act approved the twenty-third day of June one thousand nine hundred thirty-one (P. L. 932) entitled "An act relating to cities of the third class and amending revising and consolidating the law relating thereto" by abolishing tax collectors' right of distress and sale of goods and chattels for the collection of delinquent per capita poll and occupation taxes

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. 736, entitled:

An Act to further amend section two thousand five hundred and sixty-three of the act approved the twenty-third day of June one thousand nine hundred and thirty-one (P. L. 932) entitled "An act relating to cities of the third class and amending revising and consolidating the law relating thereto" changing the penalties and interest imposed for the nonpayment of taxes

The first section was read

On the question,

Will the House agree to the section?

#### BILL RECOMMENDED

Mr. ACHTERMAN. Mr. Speaker, I move that this bill be recommended to the Committee on Cities Third Class 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. 762, entitled:

An Act to further amend section twelve 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 dogs kept in a kennel to be taken out for training exercise or entry in field trials

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. 949, entitled:

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

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. 764, entitled:

An Act to add section nine hundred thirty-eight to the act approved the third day of June one thousand nine hundred 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" providing for the establishment regulation and use of special dog training areas

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. 668, entitled:

An Act to amend article thirty-two of the act approved the twenty-third day of June one thousand nine hundred and thirty-one (P. L. 932) entitled "An act relating to cities of the third class and amending revising and consolidating the laws relating thereto" by adding thereto section 3210.1 providing for exonerations of sewer assessments and the satisfaction of sewer liens and the discharge of properties covered thereby

The first section was read

On the question,

Will the House agree to the section?

#### BILL RECOMMITTED

Mr. ACHTERMAN. Mr. Speaker, I move that this bill be recommitted to the Committee on Cities Third Class for the purpose of further study and possible amendment.

The motion was agreed to.

#### BILL ON FINAL PASSAGE

Agreeably to order.

The House proceeded to the consideration on final passage of House Bill No. 854, as follows:

An Act to further amend section four hundred eleven of the act approved the twenty-ninth day of November one thousand nine hundred and thirty-three (P. L. 15 1933-34) entitled as amended "An act to regulate and restrain the sale manufacture possession transportation importation traffic in and use of alcohol and alcoholic and malt or brewed beverages conferring powers and imposing duties upon the Pennsylvania Liquor Control Board and its agents the Department of Public Instruction other officers of the State government courts and district attorneys authorizing the establishment and operation of State stores for the sale of such beverages not for consumption on the premises and the granting of licenses subject to local option to sell such beverages

for consumption on and off the premises forbidding importation or bringing of such beverages into the State except as herein provided prohibiting certain sales or practices in connection with and transactions in such beverages by licensees and others providing for the forfeiture of certain property making disposition of the receipts from State stores and of fees and imposing penalties" permitting hotel and restaurant licensees to see by the bottle at certain times for consumption off the premises regulating such sales and imposing penalties

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

Section 1 Section four hundred eleven of the act approved the twenty-ninth day of November one thousand nine hundred and thirty-three (P. L. 15 1933-34) entitled as amended "An act to regulate and restrain the sale manufacture possession transportation importation traffic in and use of alcohol and alcoholic and malt or brewed beverages conferring powers and imposing duties upon the Pennsylvania Liquor Control Board and its agents the Department of Public Instruction other officers of the State government courts and district attorneys authorizing the establishment and operation of State stores for the sale of such beverages not for consumption on the premises and the granting of licenses subject to local option to sell such beverages for consumption on and off the premises forbidding importation or bringing of such beverages into the State except as herein provided prohibiting certain sales or practices in connection with and transactions in such beverages by licensees and others providing for the forfeiture of certain property making disposition of the receipts from State stores and of fees and imposing penalties" as reenacted and amended by the act approved the sixteenth day of June one thousand nine hundred and thirty-seven (P. L. 1762) are hereby further amended to read as follows

Section 411 Sales of Liquor by Licensees Every hotel restaurant or club licensee may sell liquor and malt or brewed beverages by the glass open bottle or other container and in any mixture for consumption only in that part of the hotel or restaurant habitually used for the serving of food to guests or patrons and in the case of hotels to guests and in the case of clubs to members in their private rooms in the hotel or club No club licensee nor its officers servants agents or employes other than one holding a catering license shall sell any liquor or malt or brewed beverages to any person except a member of the club No club holding a catering license nor its officers servants agents or employes shall sell on Sunday to non-members any liquor or malt or brewed beverages In the case of a restaurant located in a hotel which is not operated by the owner of the hotel and which is licensed to sell liquor under this act liquor may be sold for consumption in that part of the restaurant habitually used for the serving of meals to patrons and also to guest in private guest rooms in the hotel

Every hotel and restaurant licensee may also sell liquor in bottles bearing the seal of the Pennsylvania Liquor Control Board unbroken not exceeding one quart to any one person in any one sale for consumption off the premises where sold but such sales shall be lawful only during the hours when the Pennsylvania Liquor Stores are not open for the transaction of business Such liquor in bottles shall be sold at a price not less than that charged to retail customers by the Pennsylvania Liquor Stores and in no case shall such price exceed by ten per centum such price charged by the Pennsylvania Liquor Stores

Hotel restaurant and public service licensees their servants agents or employes may sell liquor and malt or brewed beverages only after seven o'clock antemeridian of any week day and until two o'clock antemeridian of the following week day and shall not sell on Sunday or after two o'clock antemeridian on any day on which a general municipal special or primary election is being held until one hour after the time fixed by law for closing the polls No club licensee or its servants agents or employes may sell liquor or malt or brewed beverages be-

tween the hours of three o'clock antemeridian and seven o'clock antemeridian on any day

The board may with the approval of the Governor temporarily close all licensed places within any municipality during any period of emergency proclaimed to be such by the Governor

The board may with the approval of the Governor advance by one hour the hours herein prescribed as those during any period of emergency proclaimed to be such by sold in any municipality during such part of the year when daylight saving time may be observed generally in such municipality

Section 2 This act shall become effective immediately upon final enactment

On the question,

Shall the bill pass finally?

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

Messrs. WOODSIDE, DAVID P. REESE and TAYLOR asked for a verification of the roll.

The roll was verified and was as follows:

YEAS—104.

Achterman,	Finestone,	Malloy,	Regan,
Allmond,	Finnerty,	Marks,	Rooney,
Baker,	Flynn,	Maxwell,	Rose, S.
Balthaser,	Gallagher,	McClanaghan,	Rosenfeld,
Bentzel,	Gerard,	McDermott,	Rush,
Boies,	Haberlen,	McFall,	Sarraf,
Boney,	Harmuth,	McGrath,	Scanlon,
Bradley,	Heatherington,	McLane,	Schawb,
Brown,	Hering,	McSurdy,	Shaw,
Brunner, C. H.,	Herman,	Melchiorre,	Stank,
Brunner, P. A.,	Hersch,	Mihm,	Tarr,
Burns,	Hirsch,	Modell,	Tate,
Cadwalader,	Holland,	Mooney,	Thompson, E. F.,
Chervenak,	Jefferson,	Moran,	Verona,
Chudoff,	Jones, P. N.,	Munley,	Vogt,
Cochran,	Keenan,	O'Brien,	Voidow,
Cohen, M. M.,	Kenehan,	O'Connor,	Watkins,
Cohen, R. E.,	Kline,	O'Mullen,	Weiss,
Cordier,	Kolankiewicz,	O'Neill,	Welsh, E. B.,
Corrigan,	Komorowski,	Owens,	Weish, M. J.,
Cullen,	Leonard,	Petrosky,	Williams,
Dalrymple,	Lesko,	Polaski,	Wolf,
DiGenova,	Levy,	Powers,	Wood, L. H.,
Dolon,	Lichtenwalter,	Prosen,	Young,
D'Ortona,	Longo,	Rausch,	Kilroy,
Duffy,	Lovett,	Reese, R. E.,	Speaker.
Falkenstein,			

NAYS—78.

Bentley,	Goodwin,	Lyons,	Snyder,
Bower,	Greenwood,	McIntosh,	Sollenberger,
Bretherick,	Gross,	McKinney,	Sorg,
Burriss,	Gyger,	Muir,	Stambaugh,
Dennison,	Habbyshaw,	Nagel,	Stine,
Dix,	Haines,	Nunemacher,	Stockham,
Early,	Hall,	Pettit,	Taylor,
Eckels,	Hamilton,	Polen,	Turner,
Elder,	Hare,	Rank,	Van Allsburg,
Elliott,	Harkins,	Readinger,	Vincent,
Ely,	Harris,	Reagan,	Wagner,
Fisher,	Helm,	Reese, D. P.,	Weingartner,
Fiss,	Hewitt,	Reynolds,	Winner,
Fleming,	Huntley,	Rhea,	Wood, N.,
Fletcher,	Imbrie,	Riley,	Woodring,
Foor,	Jones, G. E.,	Rose, W. E.,	Woodside,
French,	Knoble,	Serrill,	Wright,
Gates,	Krise,	Shaffer,	Yeakel,
Gillan,	Lee, E. A.,	Simons,	Yester,
Gillette,	Lee, T. H.,		

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

BILLS PASSED OVER

There being no objection House Bill No. 236, Printer's

No. 126, was passed over at the request of the SPEAKER. There being no objection House Bill No. 393, Printer's No. 225, was passed over at the request of Mr. WOODSIDE.

BILLS ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 252, as follows:

An Act to further amend clause nine of section eight of the act approved the twenty-seventh day of June one thousand nine hundred twenty-three (P. L. 858) entitled "An act establishing a State employes' retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing State employes defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon the heads of departments in which State employes serve excepting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties" permitting employes to change from the one one-hundred sixtieth to the one one-hundredth class of contributors to the State Employes' Retirement Fund within a certain time

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

Section 1 Clause nine of section eight of 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 employes' retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing State employes defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon the heads of departments in which State employes serve excepting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties" as last amended by section four of the act approved the eighteenth day of May one thousand nine hundred and thirty-seven (P. L. 683) is hereby further amended to read as follows.

Section 8  
\* \* \* \* \*

(9) A contributor whether an original member or a new member who is in active service on the date when this amendment becomes effective may transfer from the one one-hundred-sixtieth (1-160) class to the one one-hundredth (1-100) class Provided That he completes the transfer on or before the thirty-first day of December one thousand nine hundred and [thirty-seven] forty one Provided also That in the event of such transfer the per centum of salary deductions applicable to such transferred member in the one one-hundredth (1-100) class shall be based upon the same age of the contributor as was used in determining the per centum of salary deduction applicable while in the one one-hundred-sixtieth (1-160) class

Where a member has transferred from the one one-hundred-sixtieth (1-160) class to the one one-hundredth (1-100) class as above provided his State annuity upon retirement shall be calculated as follows

(a) For service prior to the time of transfer at the one one-hundred-sixtieth (1-160) rate

(b) For service subsequent to the date of transfer to the date of retirement at the one one-hundred (1-100) rate

(c) For all service prior to the time of commencing contribution as the time he contributed at the one one-hundred-sixtieth (1-160) rate bears to the total time of contribution and as the time he contributed at the one one-hundred (1-100) rate bears to the total time of contribution

Section 2 This act shall become effective on the first day of June one thousand nine hundred and forty-one

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—182

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

Speaker.

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

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

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 865, as follows:

An Act to amend section one of the act approved the fourth day of April one thousand nine hundred and nineteen (P. L. 38) entitled "An act relating to the parties to writs of scire facias sur mortgage in certain cases and to the title acquired by a sale on a judgment of foreclosure in such cases" making provisions for cases where the original mortgagor is dead and validating past proceedings and titles acquired thereby

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

Section 1 Section one of the act approved the fourth day of April one thousand nine hundred and nineteen (P. L. 38) entitled "An act relating to the parties to writs of scire facias sur mortgage in certain cases and

to the title acquired by a sale on a judgment of foreclosure in such cases" is hereby amended to read as follows

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That where the plaintiff in a writ of scire facias sur mortgage shall file with his praecipe a release of the mortgagor or mortgagors and his her or their heirs executors and administrators from all personal liability for the debt secured by the mortgage being foreclosed or in the case of a deceased mortgagor or mortgagors a release to the estate of such mortgagor or mortgagors (regardless of whether or not letters have been granted) from all such liability said parties or the personal representatives of any deceased mortgagor or mortgagors need not be joined as defendant or defendants but the real owner or owners charged may in that event be named as the only defendant or defendants and the title acquired by a sale under a judgment of foreclosure in such cases shall be as full and complete a title as if said mortgagor or mortgagors or the person representatives of any deceased mortgagor or mortgagors had been duly named in and served with said writ and judgment duly entered against him her or them also

Section 2 All proceedings on writs of scire facias sur mortgage heretofore conducted in accordance with the provisions of said act as hereby amended and all titles to real property acquired by any sale under a judgment of foreclosure therein are hereby ratified confirmed and made valid with like effect as though the provisions of this act had been theretofore enacted

Section 3 This act shall become effective immediately upon final enactment

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

On the question,

Shall the bill pass finally?

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

YEAS—182

- |                 |                |               |                  |
|-----------------|----------------|---------------|------------------|
| Achterman,      | Foor,          | Longo,        | Rose, W. E.,     |
| Allmond,        | French,        | Lovett,       | Rosenfeld,       |
| Baker,          | Gallagher,     | Lyons,        | Rush,            |
| Balthaser,      | Gates,         | Malloy,       | Sarraf,          |
| Bentley,        | Gerard,        | Marks,        | Scanlon,         |
| Bentzel,        | Gillan,        | Maxwell,      | Schwab,          |
| Boles,          | Gillette,      | McClanaghan,  | Serrill,         |
| Boney,          | Goodwin,       | McDermott,    | Shaffer,         |
| Bower,          | Greenwood,     | McFall,       | Shaw,            |
| Bradley,        | Gross,         | McGrath,      | Simons,          |
| Bretherick,     | Gyger,         | McIntosh,     | Snyder,          |
| Brown,          | Habbyshaw,     | McKinney,     | Sollenberger,    |
| Brunner, C. H., | Haberlen,      | McLane,       | Sorg,            |
| Brunner, P. A., | Haines,        | McSurdy,      | Stambaugh,       |
| Burns,          | Hall,          | Melchiorre,   | Stank,           |
| Burris,         | Hamilton,      | Mihm,         | Stine,           |
| Cadwalader,     | Hare,          | Modell,       | Stockham,        |
| Chervenak,      | Harkins,       | Mooney,       | Tarr,            |
| Chudoff,        | Harmuth,       | Moran,        | Tate,            |
| Cochran,        | Harris,        | Muir,         | Taylor,          |
| Cohen, M. M.,   | Heatherington, | Munley,       | Thompson, E. F., |
| Cohen, R. E.,   | Helm,          | Nagel,        | Turner,          |
| Cordier,        | Hering,        | Nunemacher,   | Van Allsburg,    |
| Corrigan,       | Herman,        | O'Brien,      | Verona,          |
| Cullen,         | Hersch,        | O'Connor,     | Vincent,         |
| Dalrymple,      | Hewitt,        | O'Mullen,     | Vogt,            |
| Dennison,       | Hirsch,        | O'Neill,      | Voldow,          |
| DiGenova,       | Holland,       | Owens,        | Wagner,          |
| Dix,            | Huntley,       | Petrosky,     | Watkins,         |
| Dolon,          | Imbrie,        | Pettit,       | Weingartner,     |
| D'Ortona,       | Jefferson,     | Polaski,      | Weiss,           |
| Duffy,          | Jones, G. E.,  | Polen,        | Welsh, E. B.,    |
| Early,          | Jones, P. N.,  | Powers,       | Welsh, M. J.,    |
| Eckels,         | Keenan,        | Prosen,       | Williams,        |
| Elder,          | Kenehan,       | Rank,         | Winner,          |
| Elliott,        | Kline,         | Rausch,       | Wolf,            |
| Ely,            | Knoble,        | Readinger,    | Wood, L. H.,     |
| Falkenstein,    | Kolankiewicz,  | Reagan,       | Wood, N.,        |
| Finestone,      | Komorofski,    | Reese, D. P., | Woodring,        |
| Finnerty,       | Krise,         | Reese, R. E., | Woodside,        |
| Fisher,         | Lee, E. A.,    | Regan,        | Wright,          |
|                 | Lee, T. H.,    | Reynolds,     | Yeakel,          |

Fiss, Fleming, Fletcher, Flynn,	Leonard, Lesko, Levy, Lichtenwalter,	Rhea, Riley, Rooney, Rose, S.,	Yester, Young, Kilroy, Speaker.
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NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

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

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1032, as follows:

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

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

Section 1 The sum of fifty thousand dollars (\$50,000) is hereby specifically appropriated to the Department of Agriculture for the two fiscal years beginning the first day of June one thousand nine hundred and forty-one for the use of that department in carrying out a comprehensive program for combatting controlling or exterminating Japanese beetles throughout the Commonwealth of Pennsylvania under authority of "The Pennsylvania Plant Pest Act of 1937" approved the twenty-first day of April (P. L. 318)

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—182

Achterman, Allmond, Baker, Balthaser, Bentley, Bentzel, Boles, Boney, Bower, Bradley, Bretherick, Brown, Brunner, C. H., Brunner, P. A., Burns, Burris, Cadwalader, Chervenak, Chudoff, Cochran, Cohen, M. M., Cohen, R. E., Cordier, Corrigan, Cullen, Dalrymple, Dennison, DiGenova, Dix, Dolon, D'Ortona, Duffy, Early, Eckels, Elder, Elliott, Ely, Falkenstein, Finestone, Finnerty, Fisher,	French, Gallagher, Gates, Gerard, Gillan, Gillette, Goodwin, Greenwood, Gross, Gyger, Habbyshaw, Haberlen, Haines, Hall, Hamilton, Hare, Harkins, Harmuth, Harris, Heatherington, Helm, Hering, Herman, Hersch, Hewitt, Hirsch, Holland, Huntley, Imbrie, Jefferson, Jones, G. E., Jones, P. N., Keenan, Kenehan, Kline, Knoble, Kolankiewicz, Komorowski, Krise, Lee, A., Lee, T. H.,	Lovett, Lyons, Malloy, Marks, Maxwell, McClanaghan, McDermott, McFall, McGrath, McIntosh, McKinney, McLane, McSurdy, Melchiorre, Mihm, Modell, Mooney, Moran, Muir, Munley, Nagel, Nunemacher, O'Brien, O'Connor, O'Mullen, O'Neill, Owens, Petrosky, Pettit, Polaski, Polen, Powers, Prosen, Rank, Rausch, Readinger, Reagan, Reese, D. P., Reese, R. E., Regan, Reynolds,	Rose, W. E., Rosenfeld, Rush, Sarraf, Scanlon, Schwab, Serrill, Shaffer, Shaw, Simons, Snyder, Sollenberger, Sorg, Stambaugh, Stank, Stine, Stockham, Tarr, Tate, Taylor, Thompson, E. F., Turner, VanAllsburg, Verona, Vincent, Vogt, Voidow, Wagner, Watkins, Weingartner, Wells, Welsh, E. B., Welsh, M. J., Williams, Winnser, Wolf, Wood, L. H., Wood, N., Woodring, Woodside, Wright,
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Fiss, Fleming, Fletcher, Flynn, Floor,	Leonard, Lesko, Levy, Lichtenwalter, Longo,	Rhea, Riley, Rooney, Rose, S.,	Yeakel, Yester, Young, Kilroy, Speaker.
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NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

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

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1126, as follows:

An Act to further amend part of section three hundred and two to amend section three hundred and seven and part of section fifteen hundred and one 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 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" establishing the Surplus Commodities Stamp Fund and authorizing the State Treasurer to disburse money from said fund upon requisition of the Secretary of Public Assistance

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

Section 1 The preliminary provisions of section three hundred and two 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 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" as amended by section one of the act approved the first day of June one thousand nine hundred and thirty-one (P. L. 318) is hereby further amended to read as follows

Section 302 Funds The moneys paid into the State Treasury and the moneys of which the State Treasurer is custodian shall be credited by the Treasury Department to the following funds as hereinafter provided

- Agricultural College Land Scrip Fund
- Banking Department Fund
- Federal Rehabilitation Fund
- Federal Vocational Education Fund
- Fire Insurance Tax Fund
- Fish Fund
- Game Fund
- General Fund
- Liquid Fuels Tax Fund
- Manufacturing Fund
- Motor License Fund
- School Employees' Retirement Fund
- Sinking Fund
- State College Experimental Farm Fund
- State Employees' Retirement Fund
- State Farm Products Show Fund
- State Insurance Fund
- State School Fund
- State Workmen's Insurance Fund
- Surplus Commodities Stamp Fund

Section 2 Section three hundred two of said act as so amended is hereby further amended by adding thereto immediately following clause twenty thereof (clause twenty having been added by the act approved the eleventh day of June one thousand nine hundred and thirty-five (P. L. 333) ) a new clause to read as follows

Section 302 Funds The moneys paid into the State Treasury and the moneys of which the State Treasurer is custodian shall be credited by the Treasury Department to the following funds as hereinafter provided

\* \* \* \* \*

21 Surplus Commodities Stamp Fund All moneys received by the Treasury Department from the Department of Revenue arising from appropriations by the several counties cities boroughs incorporated town and townships for participation in the Federal Surplus Commodities Stamp plans all receipts and proceeds resulting from the sale of Federal Surplus Commodities Stamps and all moneys received from insurance covering losses of such stamps or the proceeds from the sale of such stamps shall be credited to the Surplus Commodities Stamp Fund

Section 3 Section three hundred seven and the first paragraph of section fifteen hundred one of said act are hereby amended to read as follows

Section 307 Disbursements No money shall be paid from any of the funds of the State Treasury except upon warrant of the Auditor General issued upon requisition pursuant to law except moneys in the State Workmen's Insurance Fund which may be disbursed by check of the State Treasurer upon requisition of the Secretary of Labor and Industry and except moneys in the Surplus Commodities Stamp Fund which may be disbursed by check of the State Treasurer upon requisition of the Secretary of Public Assistance

Section 1501 Requisitions No money shall be paid out of any fund in the State Treasury except the State Workmen's Insurance Fund and except the Surplus Commodities Stamp Fund until a requisition therefor shall have been presented to or prepared by the Auditor General

Section 4 The provisions of this act shall become effective immediately upon final enactment

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

On the question,

Shall the bill pass finally?

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

YEAS—182.

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

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

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

The SPEAKER (Elmer Kilroy) in the Chair.

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

BILLS PASSED OVER

There being no objection House Bill No. 827, Printer's No. 219, was passed over at the request of the SPEAKER.

There being no objection House Bill No. 482, Printer's No. 215, was passed over at the request of the SPEAKER.

BILLS ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1005, as follows:

An Act to add section six hundred ninety-nine and six-tenth of the act approved the twenty-fourth day of June one thousand nine hundred and thirty-nine (P. L. 872) entitled "An act to consolidate amend and revise the penal laws of the Commonwealth" making it unlawful for unauthorized persons to buy or exchange



Federal food order stamps for currency and providing penalties

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

Section 1 Article six of the act approved the twenty-fourth day of June one thousand nine hundred and thirty-nine (P. L. 872) entitled "An act to consolidate amend and revise the penal laws of the Commonwealth" is hereby amended by adding thereto after section six hundred ninety-nine and five-tenth a new section to read as follows

Section 699.6 Buying or Exchanging Federal Food Order Stamps Whoever not being authorized to do so by the United States Department of Agriculture shall buy or exchange Federal food order stamps for currency shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine of not less than twenty-five dollars (\$25) nor more than three hundred dollars (\$300) or to undergo imprisonment for not less than one (1) month nor more than six (6) months or both

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—182

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

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

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

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1006, as follows:

An Act to add section six hundred ninety-nine and seven-tenth to the act approved the twenty-fourth day of June one thousand nine hundred and thirty-nine (P. L. 872) entitled "An act to consolidate amend and revise the penal laws of the Commonwealth" making it unlawful for any person to accept Federal food order stamps for other than food or surplus food as defined by the United States Department of Agriculture and providing penalties

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

Section 1 Article six of the act approved the twenty-fourth day of June one thousand nine hundred and thirty-nine (P. L. 872) entitled "An act to consolidate amend and revise the penal laws of the Commonwealth" is hereby amended by adding thereto a new section to read as follows

Section 699.1 Accepting Federal Food Order Stamps for Other Than Food or Surplus Foods Whoever shall accept or cause to be accepted Federal orange-colored food order stamps in exchange for any merchandise or article except food as defined by the Secretary of the United States Department of Agriculture or Federal blue-colored food order stamps in exchange for merchandise or article not defined by the Secretary of the United States Department of Agriculture to be surplus foods shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine of not less than twenty-five dollars (\$25.00) nor more than three hundred dollars (\$300) or to undergo imprisonment for not less than one (1) month nor more than six (6) months or both

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—182

- Achterman, Allmond, Baker, Balthaser, Bentley, Bentzel, Boles, Boney, Bower, Bradley, Bretherick, Brown, Brunner, C. H., Brunner, P. A., Burns, Burris, Cadwalader, Chervenak, Chudoff, Cochran, Cohen, M. M., Cohen, R. E., Cordier, Corrigan, Cullen, Dalrymple, Dennison, DiGenova, Dix, Dolon, D'Ortona, Duffy, Foor, French, Gallagher, Gates, Gerard, Gillan, Gillette, Goodwin, Greenwood, Gross, Cyger, Habbyshaw, Haberlen, Haines, Hall, Hamilton, Hare, Harkins, Harmuth, Harris, Heatherington, Helm, Hering, Herman, Hersch, Hewitt, Hirsch, Holland, Huntley, Imbrie, Jefferson, Jones, G. E., Jones, P. N., Keenan, Kenehan, Kline, Knobke, Kolankiewicz, Komorofski, Krise, Lee, E. A., Lee, T. H., Leonard, Lesko, Levy, Lichtenwalter, Longo, Lovett, Lyons, Malloy, Marks, Maxwell, McClanaghan, McDermott, McFall, McGrath, McIntosh, McKinney, McLane, McSurdy, Melchiorre, Mihm, Modell, Mooney, Moran, Muir, Munley, Nagel, Nunemacher, O'Brien, O'Connor, O'Mullen, O'Neill, Owens, Petrosky, Pettit, Polaski, Polen, Powers, Rose, W. E., Rosenfeld, Rush, Sarraf, Scanlon, Schwab, Serrill, Shaffer, Shaw, Simons, Snyder, Sollenberger, Sorg, Stambaugh, Stank, Stine, Stockham, Tarr, Tate, Taylor, Thompson, E., Turner, Van Allsburg, Verona, Vincent, Vogt, Voldow, Wagner, Watkins, Weingartner, Weiss, Welsh, E. B., Welsh, M. J., Williams, Winner, Wolf, Wood, L. H., Wood, N., Woodring, Woodside, Wright, Yeakel, Yester, Young, Kilroy, Speaker.

Early,	Keenan,	Prosen,	Williams,
Eckels,	Kenehan,	Rank,	Winner,
Elder,	Kilne,	Rausch,	Wolf,
Elliott,	Knoble,	Readinger,	Wood, L. H.,
Ely,	Kolankiewicz,	Reagan,	Wood, N.,
Falkenstein,	Komorofski,	Reese, D. P.,	Woodring,
Finestone,	Krise,	Reese, R. E.,	Woodside,
Finnerty,	Lee, E. A.,	Regan,	Wright,
Fisher,	Lee, T. H.,	Reynolds,	Yeakel,
Fiss,	Leonard,	Rhea,	Yester,
Fleming,	Lesko,	Riley,	Young,
Fletcher,	Levy,	Rooney,	Kilroy,
Flynn,	Lichtenwalter,	Rose, S.,	Speaker.

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

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

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1084 as follows:

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

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

Section 1 The title to any real estate situate in this Commonwealth which may have been held prior to the first day of April one thousand nine hundred and forty-one by any foreign corporation not authorized under the laws of Pennsylvania to hold the same the title to which real estate has been heretofore conveyed by such foreign corporation to a citizen of the United States or to any corporation incorporated under the laws of this Commonwealth or of any other state or commonwealth in the United States and authorized to hold such real estate is hereby declared to be good and valid and free and clear of any right of escheat by the Commonwealth and such citizen or corporation grantee as aforesaid and his or its respective heirs successors and assigns shall hold and may convey such title and estate indefeasibly as to any right of escheat which the Commonwealth might otherwise have by reason of said unauthorized holding and conveyance by such foreign corporation and all such conveyances heretofore made are hereby ratified and confirmed

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

Section 3 This act shall become effective immediately upon final enactment

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

On the question,

Shall the bill pass finally?

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

YEAS—182

Achterman,	Foor,	Longo,	Rose, W. E.,
Allmond,	French,	Lovett,	Rosenfeld,
Baker,	Gallagher,	Lyons,	Rush,
Balthaser,	Gates,	Malloy,	Sarraf,
Bentley,	Gerard,	Marks,	Scanlon,
Bentzel,	Gillan,	Maxwell,	Schwab,
Boles,	Gillette,	McClanaghan,	Serrill,
Boney,	Goodwin,	McDermott,	Shaffer,
Bower,	Greenwood,	McFall,	Shaw,
Bradley,	Gross,	McGrath,	Simons,
Bretherick,	Gyger,	McIntosh,	Snyder,
Brown,	Habbyshaw,	McKinney,	Sollenberger,
Brunner, C. H.,	Haberlen,	McLane,	Sorg,
Brunner, P. A.,	Haines,	McSurdy,	Stambaugh,

Burns,	Hall,	Melchiorre,	Stank,
Burriss,	Hamilton,	Mihm,	Stine,
Cadwalader,	Hare,	Modell,	Stockham,
Chervenak,	Harkins,	Mooney,	Tarr,
Chudoff,	Harmuth,	Moran,	Tate,
Cochran,	Harris,	Muir,	Taylor,
Cohen, M. M.,	Heatherington,	Munley,	Thompson, E. F.,
Cohen, R. E.,	Helm,	Nagel,	Turner,
Cordier,	Hering,	Nunemacher,	VanAllsburg,
Corrigan,	Herman,	O'Brien,	Verona,
Cullen,	Hersch,	O'Connor,	Vincent,
Dalrymple,	Hewitt,	O'Mullen,	Vogt,
Dennison,	Hirsch,	O'Neill,	Voldow,
DiGenova,	Holland,	Owens,	Wagner,
Dix,	Huntley,	Petrosky,	Watkins,
Dolon,	Imbrie,	Pettit,	Weingartner,
D'Ortona,	Jefferson,	Polaski,	Weiss,
Duffy,	Jones, G. E.,	Polen,	Welsh, E. B.,
Early,	Jones, P. N.,	Powers,	Welsh, M. J.,
Eckels,	Keenan,	Prosen,	Williams,
Elder,	Kenehan,	Rank,	Winner,
Elliott,	Kline,	Rausch,	Wolf,
Ely,	Knoble,	Readinger,	Wood, L. H.,
Falkenstein,	Kolankiewicz,	Reagan,	Wood, N.,
Finestone,	Komorofski,	Reese, D. P.,	Woodring,
Finnerty,	Krise,	Reese, R. E.,	Woodside,
Fisher,	Lee, A.,	Regan,	Wright,
Fiss,	Lee, T. H.,	Reynolds,	Yeakel,
Fleming,	Leonard,	Rhea,	Yester,
Fletcher,	Lesko,	Riley,	Young,
Flynn,	Levy,	Rooney,	Kilroy,
	Lichtenwalter,	Rose, S.,	Speaker.

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

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

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 437, as follows:

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

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

Section 1 For the purpose of further perpetuating and preserving the Daniel Boone Homestead in Exeter Township Berks County Pennsylvania where Daniel Boone the Pioneer was born and upon which the Commonwealth has already made extensive improvements and is in the process of restoring the original Homestead and out buildings the tract of ground containing the original cabin of George Boone Grandfather of Daniel Boone one of the original settlers of Berks County the Department of Property and Supplies with the advice of the Pennsylvania Historical Commission is hereby authorized to acquire by purchase gift lease or condemnation the tract of ground adjoining the present Daniel Boone property of the Commonwealth of Pennsylvania especially the land comprising approximately ten acres upon the westerly boundary thereof which formerly formed part of the original farm belonging to Daniel's father Squire Boone

Section 2 In the event of condemnation the Department of Property and Supplies shall follow the procedure prescribed by law for the condemnation of lands by said department

Section 3 After the property shall have been acquired by the Commonwealth the Pennsylvania Historical Com-

mission shall have full control management and supervision thereof and shall have power to adopt and carry into effect plans for its restoration improvement and maintenance using therefor any funds at the disposal of the said commission not otherwise specifically appropriated or allotted

Section 4 The real estate so acquired shall be improved preserved and maintained as an historical and recreational spot for the people of the Commonwealth

Section 5 All powers now exercised or heretofore conferred by law upon the Pennsylvania Historical Commission may be exercised by the commission for the purpose of this act and the commission shall have power to make and enforce rules and regulations for the preservation maintenance and protection of the property and the visitation thereof by the public

Section 6 The sum of two thousand five hundred dollars (\$2500) or so much thereof as may be necessary is hereby specifically appropriated out of the General Fund to the Department of Property and Supplies to pay for the lands acquired under the provisions of this act and any costs and expenses in connection therewith

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—182

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

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

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

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 434, as follows:

An Act making an appropriation to the Pennsylvania Department of Highways for the improvement of roads and parking areas within the Daniel Boone Homestead

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

Section 1 The sum of seven thousand dollars (\$7000) or so much thereof as may be necessary is hereby appropriated out of the General Fund to the Department of Highways of the Commonwealth of Pennsylvania for the two fiscal years beginning June first one thousand nine hundred and forty-one for the payment of salaries wages materials and other incidentals for the construction and improvement of roads and parking areas within the Daniel Boone Homestead now owned by the Commonwealth of Pennsylvania and supervised by the Pennsylvania Historical Commission and for other incidental and contingent expenses

Section 2 This act shall become effective immediately upon final enactment

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

On the question,

Shall the bill pass finally?

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

YEAS—182

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

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

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

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 426, as follows:

An Act making an appropriation to the Pennsylvania Historical Commission to cover the expenses of restoring and maintaining the Daniel Boone Homestead

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

Section 1 The sum of thirty-five thousand dollars (\$35,000) or so much thereof as may be necessary is hereby appropriated out of the General Fund to the Pennsylvania Historical Commission for the two fiscal years beginning June first one thousand nine hundred and forty-one for the payment of salaries wages or other compensation of such superintendent guards wardens and workmen as may be necessary for the care preservation and maintenance of the Daniel Boone Homestead for the necessary cost of freight stationery postage fertilizers seeds and other supplies for plowing and moving for the purchase of trees and shrubs and for the planting of the same for the restoration of the Daniel Boone Homestead barn and out buildings for the installation of a water system sewage system and electric lighting for the construction of a picnic ground including a shelter and toilet facilities for the building of a dam for the construction of a week-end camp for the construction of a caretaker's house garage and storage barn for the construction and improvement of roads and parking areas within the property for the furnishing of the buildings on the property for the purchase of articles of historic interest to the public and for other incidental and contingent expenses

Section 2 This act shall become effective immediately upon final enactment

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

On the question,

Shall the bill pass finally?

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

YEAS—182

- Achterman, Allmond, Baker, Balthaser, Bentley, Bentzel, Boies, Boney, Bower, Bradley, Bretherick, Brown, Brunner, C. H., Brunner, P. A., Burns, Burris, Cadwalader, Chervenak, Chudoff, Cochran, Cohen, M. M., Cohen, R. E., Cordier, Corrigan, Cullen, Dalrymple, Dennison, DiGenova, Dix, Dolon, D'Ortona, Foor, French, Gallagher, Gates, Gerard, Gillan, Gillette, Goodwin, Greenwood, Gross, Gyger, Habbyslaw, Haberlen, Haines, Hall, Hamilton, Hare, Harkins, Harmuth, Harris, Heatherington, Helm, Hering, Herman, Hersh, Hewitt, Hirsch, Holland, Huntley, Imbrie, Jefferson, Longo, Lovett, Lyons, Malloy, Marks, Maxwell, McClanaghan, McDermott, McFall, McGrath, McIntosh, McKinney, McLane, McSurdy, Melchiorre, Mihm, Modell, Mooney, Moran, Harmuth, Muir, Munley, Nagel, Nunemacher, O'Brien, O'Connor, O'Mullen, O'Neill, Owens, Petrosky, Pettit, Polaski, Rose, W. E., Rosenfeld, Rush, Sarraf, Scanlon, Schwab, Serrill, Shaffer, Shaw, Simons, Snyder, Sollenberger, Sors, Stambaugh, Stank, Stine, Stockham, Tarr, Tate, Taylor, Thompson, E. F., Turner, VanAllsburg, Verona, Vincent, Vogt, Voldow, Wagner, Watkins, Weingartner, Weiss,

- Duffy, Early, Eckels, Elder, Elliott, Ely, Falkenstein, Finestone, Flinnerty, Fisher, Fiss, Fleming, Fletcher, Flynn, Jones, G. E., Jones, P. N., Keenan, Kenehan, Kline, Knohle, Kolankiewicz, Komorowski, Krise, Lee, A., Lee, T. H., Leonard, Lesko, Levy, Lichtenwalter, Polen, Powers, Prosen, Rank, Rausch, Readinger, Reagan, Reese, D. P., Reese, R. E., Regan, Reynolds, Rhea, Riley, Rooney, Rose, S., Welsh, E. B., Welsh, M. J., Williams, Winner, Wolf, Wood, L. H., Wood, N., Woodring, Woodside, Wright, Yeakel, Yeaster, Young, Kilroy, Speaker.

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

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

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 911, as follows:

An Act making hospital records admissible in evidence in civil proceedings without being proven by the persons who made the same

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

Section 1 In every trial or hearing where testimony is taken in any civil proceeding the hospital records referring solely to injuries sustained by the patient and the treatment thereof made as a part of the ordinary hospital routine or in the course of the ordinary business of the hospital shall be admissible in evidence upon identification by the custodian of such records and it shall not be necessary that such records be proven by the physician or interne who made the record

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

Section 3 This act shall become effective immediately upon final enactment

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

On the question,

Shall the bill pass finally?

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

YEAS—182.

- Achterman, Allmond, Baker, Balthaser, Bentley, Bentzel, Boies, Boney, Bower, Bradley, Bretherick, Brown, Brunner, C. H., Brunner, P. A., Burns, Burris, Cadwalader, Chervenak, Chudoff, Cochran, Cohen, M. M., Cohen, R. E., Cordier, Corrigan, Cullen, Dalrymple, Foor, French, Gallagher, Gates, Gerard, Gillan, Gillette, Goodwin, Greenwood, Gross, Gyger, Habbyslaw, Haberlen, Haines, Hall, Hamilton, Hare, Harkins, Harmuth, Harris, Heatherington, Helm, Hering, Herman, Hersh, Hewitt, Longo, Lovett, Lyons, Malloy, Marks, Maxwell, McClanaghan, McDermott, McFall, McGrath, McIntosh, McKinney, McLane, McSurdy, Melchiorre, Mihm, Modell, Mooney, Moran, Harmuth, Muir, Munley, Nagel, Nunemacher, O'Brien, O'Connor, O'Mullen, Rose, W. E., Rosenfeld, Rush, Sarraf, Scanlon, Schwab, Serrill, Shaffer, Shaw, Simons, Snyder, Sollenberger, Sors, Stambaugh, Stank, Stine, Stockham, Tarr, Tate, Taylor, Thompson, E. F., Turner, VanAllsburg, Verona, Vincent, Vogt,

Dennison, DiGenova, Dix, Dolon, D'Ortona, Duffy, Early, Eckels, Elder, Elliott, Ely, Falkenstein, Finestone, Finnerty, Fisher, Fiss, Fleming, Fletcher, Flynn,	Hirsch, Holland, Huntley, Imbrie, Jefferson, Jones, G. E., Jones, P. N., Keenan, Kenehan, Kline, Knoble, Polankiewicz, Komorowski, Krise, Lee, A., Lee, T. H., Leonard, Lesko, Levy, Lichtenwalter,	O'Neill, Owens, Petrosky, Pettit, Polaski, Polen, Powers, Prosen, Rank, Rausch, Readinger, Reagan, Reese, D. P., Reese, R. E., Regan, Reynolds, Rh., Riley, Rooney, Rose, S.,	Voldow, Wagner, Watkins, Weingartner, Weiss, Welsh, E. B., Welsh, M. J., Williams, Winnor, Wolf, Wood, L. H., Wood, N., Woodring, Woodside, Wright, Yeakel, Yester, Young, Kilroy, Speaker.
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## NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

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

## BILLS PASSED OVER

There being no objection House Bill No. 365, Printer's No. 231, was passed over at the request of the SPEAKER.

There being no objection House Bill No. 1039, Printer's No. 234, was passed over at the request of the SPEAKER.

There being no objection House Bill No. 1098, Printer's No. 255, was passed over at the request of the SPEAKER.

There being no objection House Bill No. 467, Printer's No. 254, was passed over at the request of the SPEAKER.

## MESSAGE AND BILL TAKEN FROM TABLE

Mr. ACHTERMAN. Mr. Speaker, I move that House Bill No. 688, together with the message from the Senate which was laid on the table, be taken from the table.

The motion was agreed to.

## SENATE MESSAGE

## AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

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

## HOUSE BILL No. 688.

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

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

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

Amend Section 1, page 1, line 2, by inserting after the word "Assistance" the following: "(with respect to persons of the classes provided for in the Public Assistance Law) and the Department of Welfare (with respect to persons for whom the County Institution Districts are responsible under the County Institution District Law)"; also in line 3 by striking out after the word "General" the word "is" and inserting in lieu thereof the word "are"; also in line 6, by striking out after the word "persons" the following: "who do not require institutional care because of physical or mental infirmity"; also on page 2 line 4, by inserting after

the word "Assistance" the words "and the said Department of Welfare"; also on page 2, line 5, by inserting after the word "state" the following: "All such reciprocal agreements entered into by the said Department of Welfare shall be binding upon the County Institution Districts of this state".

On the question,

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

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

## YEAS—182.

Achterman, Allmond, Baker, Balthaser, Bentley, Bentzel, Boles, Boney, Bower, Bradley, Bretherick, Brown, Brunner, C. H., Brunner, P. A., Burns, Burriss, Cadwalader, Chervenak, Chudoff, Cochran, Cohen, M. M., Cohen, E. E., Cordier, Corrigan, Cullen, Dairymple, Dennison, DiGenova, Dix, Dolon, D'Ortona, Duffy, Early, Eckels, Elder, Elliott, Ely, Falkenstein, Finestone, Finnerty, Fisher, Fiss, Fleming, Fletcher, Flynn,	Foor, French, Gallagher, Gates, Gerard, Gillan, Gillette, Goodwin, Greenwood, Gross, Gyger, Habbyshaw, Haberlen, Haines, Hall, Hamilton, Hare, Harkins, Harmuth, Harris, Heatherington, Helm, Hering, Herman, Hersch, Hewitt, Hirsch, Holland, Huntley, Imbrie, Jefferson, Jones, G. E., Jones, P. N., Keenan, Kenehan, Kline, Knoble, Polankiewicz, Komorowski, Krise, Lee, A., Lee, T. H., Leonard, Lesko, Levy, Lichtenwalter,	Longo, Lovett, Lyons, Malloy, Marks, Maxwell, McClanaghan, McDermott, McFall, McGrath, McIntosh, McKinney, McLane, McSurdy, Melchiorre, Mihm, Modell, Mooney, Moran, Mulr, Munley, Nagel, Nunemacher, O'Brien, O'Connor, O'Mullen, O'Neill, Owens, Petrosky, Pettit, Polaski, Polen, Powers, Prosen, Rank, Rausch, Readinger, Reagan, Reese, D. P., Reese, R. E., Regan, Reynolds, Rhea, Riley, Rooney, Rose, S.,	Rose, W. E., Rosenfeld, Rush, Sarraf, Scanlon, Schwab, Serrill, Shaffer, Shaw, Simons, Snyder, Sollenberger, Sorg, Stambaugh, Stank, Stine, Stockham, Tarr, Tate, Taylor, Thompson, E. F., Turner, VanAllsburg, Verona, Vincent, Vogt, Voldow, Wagner, Watkins, Weingartner, Weiss, Welsh, E. B., Welsh, M. J., Williams, Winnor, Wolf, Wood, L. H., Wood, N., Woodring, Woodside, Wright, Yeakel, Yester, Young, Kilroy, Speaker.
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## NAYS—0.

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

Ordered, That the Clerk inform the Senate accordingly.

## HON. JOHN SPARKMAN INTRODUCED

The SPEAKER. The Chair at this time presents the Hon. John Sparkman, Congressman from the Eighth District of Alabama, who is the Speaker's guest tonight.

## ADDRESS BY HON. JOHN SPARKMAN.

Mr. SPARKMAN. Mr. Speaker, and gentlemen of the Legislature of Pennsylvania, I would have a terrible nerve if I dared now to take a minute of your time to speak to you as the Speaker has so kindly suggested. I do want to say however that it has been a very great privilege to

me to sit here tonight and watch you in your work. I believe I have learned some tricks that we might very well use down in Washington in the House of Representatives.

Of course, I was pleased to see that you have tossed across the aisles about the same things we do down in Washington. It has been a very great pleasure to see you at work, and I deem it especially a great pleasure to have been here on this occasion. I thank you.

#### LEAVE OF ABSENCE

By unanimous consent leave of absence was granted as follows:

Mr. TURNER for himself for tomorrow's session.

Mr. HALL for himself for the remainder of the week on account of illness in the family.

Mr. Harkins for Mr. BAUGHER for the week on account of illness.

#### BILL SIGNED BY SPEAKER

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

HOUSE BILL No. 688.

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

Whereupon,

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

#### RESIGNATION OF HOUSE EMPLOYEE

The SPEAKER laid before the House the following resignation which was read by the Clerk.

Hon. Thomas J. Callahan, Chief Clerk  
House of Representatives  
Harrisburg, Pennsylvania.

My dear Mr. Callahan:

I hereby tender my resignation as Assistant Sergeant-at-Arms, in the House of Representatives, effective as of Tuesday, April the 15th, 1941.

Sincerely yours

MORRIS MARTINO  
Philadelphia, Pa.

Personally appeared before me, a Notary Public, in the City and County of Philadelphia, the above named

Morris Martino, who, duly sworn and subscribed before me this above statement.

JENNIE LEVY

Notary Public

My commission expires  
August 2nd, 1942.

#### COMMITTEE MEETINGS

Cities—First Class, Tuesday, April 15 at 12 noon in Room 521.

Counties, Tuesday, April 15, at 11:30 a. m. in Room 521.

Dairy Industries, Tuesday, April 15 at 12 noon in Room 329.

Elections, Tuesday, April 15 at 10:30 a. m. in Room 323.

Judiciary General, Tuesday, April 15 at 10 a. m. in Room 246.

Law and Order, Tuesday, April 15 at 12:45 p. m. in Room 331.

Professional Licensure, Tuesday, April 15 at 12 noon in Room 246.

Public Health and Sanitation, Tuesday, April 15 at 11 a. m. in Room 331.

State Government, Tuesday, April 15 at 11:30 a. m. in Room 325.

Townships, Tuesday, April 15 at 10 a. m. in Room 329.

There will be a Public Hearing before the Committee on Liquor Control on House Bill No. 259 on Tuesday, April 15, 1941 at 10 a. m. in the New House Caucus Room.

The Public Hearing on House Bill No. 849 to be held by the Committee on State Government on Wednesday, April 16th at 6 p. m., will be held in the Forum of the Educational Building not in the Hall of the House as originally announced.

There will be a special meeting of the Workmen's Compensation Committee on Tuesday, April 15, 1941, at 9:30 a. m., in the Old House Caucus Room, Room 326.

A meeting of the Judiciary Special Committee on Tuesday, April 15, 1941 at 11:30 a. m. in Room 246. Members cordially invited to attend.

Hon. Ray Taylor wishes to remind the members that the Harrisburg Post of the American Legion is giving a dinner tomorrow evening, April 15, in honor of the veterans who are members of the Legislature.

Veterans who have not already done so will please notify the Secretary of the House of their intention to attend the dinner. Your legislative badge will admit you to the dinner tomorrow night at 6 p. m. at the American Legion, 21 South Front Street.

#### ADJOURNMENT

Mr. HABBYSHAW. Mr. Speaker, I move that this House do now adjourn until Tuesday, April 15, 1941, at 1 p. m.

The motion was agreed to, and (at 11:46 p. m.) the House adjourned.