

there be time for playing politics and juggling the letting of contracts for defense, why should the little man be worried. He takes his Q from the administrative figures.

Who knows how near England is to defeat. What would be the attitude of the Englishman if a terrible defeat is sustained in Greece and the Churchill Government should fall? Suppose England should make peace with the Nazis? Who then would be holding the bag? Do you think Hitler would say "Don't worry Uncle Sam, you only did what Mussolini and I did in Spain. Now the war is over and we'll all live happily ever after."

Somehow I do not think Hitler is built that way. I feel that he would move across the Atlantic and swoop down on South America and then up on North America. Who would stop him? We have not made as good time in arming during the past year, as we made before we went into the World War in 1917. And that record was nothing over which one could point with pride.

If the American people are going to be fully armed when the crisis comes, then there must be a unanimous movement of high and low, organized and unorganized men and women of this Nation. This attempt to build up the power of labor leaders must cease. If business men are creating bottlenecks for the grabbing of extra profits then they must be curbed. If politicians are using the defense program to erect political machines they should be removed from the posts they occupy.

These are days when the whole nation should be one. It is no time for the petty grabbing of an extra dollar. Where are the patriots of old who loved their country and her flag? They gave and gave and then gave again that the freedom to which we have fallen heir might exist. Slowly they won one concession after another until today our press is free, our right to worship as we please is ours; we can talk and criticize those in office without a concentration camp yawning for us. Would we relinquish any of these things that greedy men and unscrupulous men might gain a modicum of power and affluence?

Our people have not awakened. They did become roused for a time but have fallen back into a drowsy sleep. Agitators are at work and the number is increasing that thinks the war is "over there beyond the broad Atlantic and if Hitler can't cross a 22 mile channel, how could he get over here." So away to the ball game, let the joy be unconfined.

But there must be action. Our people must awake. From one end of our land to another there must be unity. We cannot afford to bicker and quarrel. Stop twiddling our fingers and muttering that "its all going to be alright." Only united effort will cause the gush of munitions and sinews of war that we need and which we have promised.

"Too late for Jugoslavia," "Too late for Greece," and let us pray that we are not "Too late for America" with our self confidence and blindness to conditions as they are in our land today.

ADJOURNMENT

Mr. GELTZ. Mr. President, I move that the Senate do now adjourn until Tuesday, April 22, 1941, at 12:00 o'clock noon.

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

The Senate adjourned at 6:42 o'clock, p. m. until Tuesday, April 22, 1941, at 12:00 o'clock noon.

HOUSE OF REPRESENTATIVES

MONDAY, April 21, 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 God, be near us, for great is the need of Thy frail children of the dust. The world is so much with us. Its bright lights lure us, its glories dazzle us, its trials dishearten us, and its cares destroy our peace. Help us, O God, to feel Thee near, help us to know that earth need not be empty of good, but can be filled with joy unspeakable.

May all our experiences bring us to a larger knowledge of Thee, our Father. When sorrows and disappointments come, when trials beset us, when nations rage and imagine vain things, then may we look us and find ourselves growing in our knowledge of Thee. Help us to think of Thee not as one who satisfies our whims but as one who calls us through trial to a holy fellowship. In the name of Christ we pray. Amen.

JOURNAL APPROVED

The SPEAKER. The Clerk will read the Journal of Thursday, April 17, 1941.

The Clerk proceeded to read the Journal of Thursday, April 17, 1941, when, on motion of Mr. DUFFY, unanimously agreed to, the further reading was dispensed with and the Journal approved.

BILLS INTRODUCED AND REFERRED

By Mr. ACHTERMAN. HOUSE BILL No. 1321.

An Act making an appropriation to the Department of Property and Supplies for payment of balances due certain contractors for additions and alterations at the Harrisburg State Hospital.

Referred to the Committee on Appropriations.

By Mr. RUSH. HOUSE BILL No. 1322.

An Act to further amend the act approved the twenty-eighth day of June, one thousand nine hundred and thirty-five (P. L. 463), entitled as amended "An act providing for the incorporation, as bodies corporate and politic, of "Authorities" for municipalities, counties, and townships; defining the same; prescribing the rights, powers, and duties of such authorities; authorizing such Authorities to acquire, construct, improve, maintain, and operate projects, and to borrow money and issue bonds therefor; providing for the payment of such bonds, and prescribing the rights of the holders thereof; conferring the right of eminent domain on such Authorities; authorizing such Authorities to enter into contracts with and to accept grants from the Federal Government or any agency thereof; and for the other purposes," by changing the method by which notice of the formation of a municipal authority shall be made public; further regulating incorporation purposes and existence of the authority; defining procedure whereby an authority can enter into contracts and dispose of its bonds; imposing additional qualifications and duties on members of the authority; imposing civil liability on members of the board and officers of an authority in certain cases; requiring annual audits; imposing additional duties on the court of com-

mon pleas; giving authorities right of eminent domain in certain cases, and extending with certain limitations the power of Authorities to make certain purchases.

Referred to the Committee on Public Utilities.

RESOLUTION INTRODUCED AND REFERRED

By Mr. CORDIER. (Concurrent) RESOLUTION No. 80.

In the House of Representatives, April 17, 1941.

Whereas, The General Assembly of the Commonwealth of Pennsylvania has now been in session for the period of twelve weeks and has passed only a negligible portion of the legislation presently necessary for the welfare of the Commonwealth and its citizens; and

Whereas, A great many bills have already been introduced at this session and these bills cover a very considerable portion of the subjects for which legislation is now advisable or essential; and

Whereas, The present serious threats from totalitarian states against democracies throughout the world have emphasized the urgent necessity for eliminating inefficiency, indecision and needless delay from the democratic processes; and

Whereas, Since the United States of America has assumed the role of the "Arsenal of Democracy" and since Pennsylvania has been properly termed both the "Arsenal of America" and the "Keystone State," it particularly behoves the General Assembly of this Commonwealth to present an example of the speed and effectiveness with which a democratic government can act; and

Whereas, The unnecessary prolongation of the present session of the General Assembly will cause the taxpayers of the Commonwealth considerable extra expense and postpone the operation of needed legislation which might otherwise be in effect; and

Whereas, In other states of this Union, particularly in the neighboring State of New York, it has proved feasible, in spite of the differing party affiliations of the several branches of the State Government, to formulate and adopt a well considered and beneficial legislative program without undue delay; and

Whereas, Such delay and inaction as has existed at the present session of the General Assembly is due in large part to the lack of a sufficiently integrated and definite legislative program; and

Whereas, The formulation and presentation to the General Assembly of a well considered legislative program may well serve to focus the attention of the legislators upon such legislation as is necessary and important and to encourage and facilitate prompt action thereon; now therefore be it

Resolved (if the Senate concur), That a committee of ten members be appointed to formulate and present to this General Assembly at the earliest possible time, a reasonable legislative program for immediate consideration, such committee to consist of five members of the House of Representatives to be appointed by the Speaker thereof, and five members of the Senate to be appointed by the President pro tempore. In appointing members of this committee as aforesaid the Speaker of the House of Representatives shall designate three members of the majority party and two members of the minority party in the House at the suggestion of the respective majority and minority floor leaders, and the President pro tempore of the Senate shall designate three members of the majority party and two members of the minority party in the Senate, likewise at the suggestion of the respective floor leaders.

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.

FOOD STAMPS

A telegram and communication addressed to the Speaker, favoring passage of House Bill No. 1078 establishing fund for operation of Food Stamp Plan.

Referred to the Committee on Appropriations.

CLOSED BANKS

A communication from James J. Bradley, Philadelphia, addressed to the Speaker, suggesting legislation providing for payment of real estate taxes from funds being administered by Liquidation Division of the Department of Banking.

Referred to the Committee on Banking.

MOTOR FUNDS

A communication from Pennsylvania Motor Federation Harrisburg, addressed to the speaker, favoring passage of Joint Resolution No. 733, relative to diversion of motor funds.

Referred to the Committee on Constitutional Amendments.

SCHOOL BANDS

Communications from the Women Club of Baton and from citizens in Beaver Valley, addressed to the Speaker, opposing passage of House Bill No. 497, restricting use of high school bands.

Referred to the Committee on Education.

SCHOOLS

A communication from the Good of the Order Association of the Eastern District of Pennsylvania, Philadelphia, favoring passage of House Bills Nos. 205, 302, 308, 360, 394, 396, 395, 413, 433, 435, and 485, Senate Bills Nos. 49, 50, 78, 162, 166 and 179 and opposing passage of House Bills Nos. 178 and 385.

Referred to the Committee on Education.

BILL OF RIGHTS

Telegrams from Committee for Peoples' Rights, Philadelphia, addressed to the Speaker, requesting public hearing on House Bill No. 1212.

Referred to the Committee on Elections.

HIGHWAYS

A communication and resolutions from the Association of Highway Officials of North Atlantic States opposing diversion of highway funds and requesting memorialization of Congress to make appropriation for construction of super highways.

Referred to the Committee on Highways.

HIGHWAYS

A communication from Ralph R. Riehl, addressed to the Speaker, requesting an investigation of the Highway Department.

Referred to the Committee on Highways.

HIGHWAYS

A communication from Margaret McC. McClintic, addressed to the Speaker, favoring passage of House Bill No. 711, highway protection area.

Referred to the Committee on Highways.

BILL OF RIGHTS

Communications from American Civil Liberties Union protesting passage of House Bill No. 1212.

Referred to the Committee on Judiciary General.

JUVENILE COURT

A communication from Wyoming Valley Council of Social Agencies, addressed to the Speaker, protesting passage of House Bills, Nos. 686, 821, and 841.

Referred to the Committee on Judiciary General.

COLLATERAL INHERITANCE TAX

A communication from Philadelphia Museum of Art addressed to the Speaker, protesting passage of House Bill No. 365.

Referred to the Committee on Judiciary Special.

PAROLE

A communication from North East Philadelphia Federation of Adult Bible Classes, Philadelphia, addressed to the Speaker, favoring passage of Senate Bill No. 154.

Referred to the Committee on Judiciary General.

UNEMPLOYMENT COMPENSATION

A communication from R. Leabman, Philadelphia, addressed to the Speaker, urging passage of House Bill No. 771, increasing wages of employes of Employment Compensation.

Referred to the Committee on Labor.

NATIONAL LABOR RELATION ACT

A communication on behalf of the National Club of America for Americans, Inc., proposing amendment to National Labor Relations Act.

Referred to the Committee on Labor.

BARMAIDS

A communication from Wilda C. Priestler, Philadelphia, protesting passage of House Bill No. 550.

Referred to the Committee on Law and Order.

LIQUOR STORE EMPLOYES

Communications from citizens of Philadelphia, addressed to the Speaker, favoring passage of House Bill No. 909.

Referred to the Committee on Liquor Control.

VEHICLE CODE

A communication from West Lake Hose Company, Inc., Erie, addressed to the Speaker, favoring passage of House Bill No. 26, permitting red flasher warning signals on cars of volunteer firemen.

Referred to the Committee on Motor Vehicles.

TRUCKS

Communication and telegrams from citizens of Pennsylvania, addressed to the Speaker, favoring and opposing passage of House Bill No. 690.

Referred to the Committee on Motor Vehicles.

MUNICIPAL POLICE

A communication from the Borough of Kittanning,

addressed to Mr. David H. Weiss, favoring passage of House Bill No. 897.

Referred to the Committee on Municipal Corporations.

NURSES

A Communication from Pennsylvania State Nurses Association, District Association No. 1, Philadelphia, favoring passage of House Bill Nos. 674 and 675.

Referred to the Committee on Professional Licensure.

OPTOMETRY

A communication from Philadelphia Merchants Association, addressed to the Speaker, favoring passage of House Bill Nos. 707 and 1085 and opposing passage of House Bills Nos. 684 and 685.

A communication from Thomas S. Reilly, Philadelphia, addressed to the Speaker, favoring passage of House Bill Nos. 684 and 685 and opposing passage of House Bill Nos. 707 and 1085.

Referred to the Committee on Professional Licensure.

REAL ESTATE LICENSE LAW

Communications from Philadelphia Real Estate Board, West Philadelphia Realty Board and Pritchard and Robinhold, Philadelphia, addressed to the Speaker, protesting passage of House Bill No. 649.

Referred to the Committee on Professional Licensure.

CHIROPODY

A communication from Mrs. Flora McNamee, Wireton, addressed to the Speaker, requesting public hearing on House Bill No. 1048.

Referred to the Committee on Professional Licensure.

UNEMPLOYMENT COMPENSATION

A telegram from Pennsylvania State Employes Local Philadelphia, addressed to the Speaker, requesting hearing relative to dispute between Federal and State authorities in Bureau of Employment and Unemployment Compensation.

Referred to the Committee on Rules.

SALARIES OF EMPLOYEES OF D. P. A.

Communications from citizens of Philadelphia, favoring passage of House Bill No. 777.

Referred to the Committee on State Government.

PROTECTION OF WATER RESOURCES

Communications from the Garden Club Federation of Pennsylvania, and Pennsylvania Roadside Council, Inc. Philadelphia, addressed to the Speaker, favoring passage of House Bill No. 900.

Referred to the Committee on State Government.

HOUSING

A communication from Scranton Housing Authority, suggesting legislation relative to housing.

Referred to the Committee on State Government.

PUBLIC ASSISTANCE

A communication from Wyoming Valley Social Agencies, addressed to the Speaker, favoring passage of House Bills Nos. 19 or 37.

Referred to the Committee on Welfare.

WORKMEN'S COMPENSATION

A communication from Pennsylvania Industrial Union

Council, Harrisburg, favoring passage of House Bills Nos. 1076, 1077 and 1061, and Senate Bills Nos. 475, 476 and 477.

Referred to the Committee on Workmen's Compensation.

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 21, 1941.

Resolved, (if the House of Representatives concur). That when the Senate adjourns this week, it reconvene on Monday, April 28, 1941, at 3:30 o'clock p. m. (Eastern Standard Time), and when the House of Representatives adjourns this week, it reconvene on Monday, April 28, 1941, at 8:00 o'clock p. m. (Eastern Standard Time).

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.

ANNOUNCEMENT BY SPEAKER

The SPEAKER. On Sunday April 27th daylight savings time will be adopted by a number of communities including Harrisburg—for the information of the members all sessions of the House will be on Eastern Standard Time. The time of meeting on Monday, April 28th as provided for in the resolution just adopted is 8 o'clock eastern standard time, which will be 9 o'clock daylight time.

PROCLAMATION

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

In a Blackout, Spring, 1941.

To all legislators and miscellany, Greetings, and be it known as follows:

Whereas, We now are in the clutches of a national emergency, as testified by every damn bill introduced in the General Assembly, and

Whereas, The Nation, in the hands of the Democrats, is going to hell, and

Whereas, The Commonwealth, in the hands of the Republicans, is going to hell, and

Whereas, It becomes imperative that each and all of us exert our full capacity to get organized, and

Whereas, Hitler is a Schlemiel.

Therefore, Be it and it is hereby decreed, that all legislators between the ages of 21 and 121, all subversive influences, all red-baiters, all defenders of home and country and all other patriots are directed to register with the Pennsylvania Legislative Correspondents' Association and to pay a defense tax of \$5. and

Be it further decreed, and it is so decreed, that all those registering and paying the tax levied shall be inducted into service at 6:30 p. m., Wednesday, May 7, 1941, at the Penn-Harris Hotel, for special duty at the biennial grid-iron dinner and blitzbinge of the Pennsylvania Legislative Correspondents' Association.

Given over my hand and mark,

JOSEPH H. MILLER, President,

Pennsylvania Legislative Correspondents' Association.

PARLIAMENTARY INQUIRY

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

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

Mr. TURNER. Mr. Speaker, what did the Chair do with this proclamation after it was read?

The SPEAKER. What does the gentleman from Delaware think should be done?

Mr. TURNER. Mr. Speaker, I have been trained under the Parliamentarian who tells me that certain language is not allowed in the Journal. Therefore, Mr. Speaker, I cannot tell you exactly what should be done.

The SPEAKER. The Chair is waiting for an objection from the floor.

PERMISSION TO ADDRESS HOUSE

Mr. TURNER. Mr. Speaker, I ask unanimous consent to make some comment on this proclamation.

The SPEAKER. Will the House give unanimous consent for the gentleman from Delaware to address the House? The Chair hears no objection. The gentleman will proceed providing he does not use disorderly words.

Mr. TURNER. Mr. Speaker, I don't know any disorderly words.

I have studied this Proclamation since early this afternoon. It would seem to me to be in true form with the Legislative Correspondents who write stuff that no one can understand, which no one believes and for which there is no foundation either in fact or in truth.

However, I have tried to find out some things pertaining to this Proclamation. I surmise it is the usual non-humorous occasion which the Newspaper Correspondents of the Legislature celebrate every two years. At that time, for the benefit of the new Members of the House, they organize a lot of libelous and and scandalous events or scenes, which used to be acted or attempted to be acted and portrayed by the Newspaper correspondents until it was impossible to get enough people on the stage to hold them up. Thereafter they went out and got Harrisburg players to fill in and take their parts.

We all enjoy a lot of humor. We have at times some wit on the floor of this House when Elmer Holland gets up and Moran answers him. The Speaker has a very native wit, but what happens at these dinners is not worth five dollars because we can find more wit and humor in the Sunday Record. I hold that there is nothing as silly as that paper. As a matter of fact, anyone knows that it has poor representatives because they never put my name in it in a complimentary way.

One of these "Whereas" clauses starts out very properly. It says "In a blackout."

The SPEAKER. May the Chair interrogate the gentleman from Delaware Mr. Turner, concerning the meaning of the word "blackout."

Mr. TURNER. If the Chair will come down on the floor, he may interrogate me.

The SPEAKER. The Chair would suggest that the gentleman from Delaware, Mr. Turner interrogate the gentleman from Allegheny, Mr. Baker, and ask him if that means "blackout" or "black up."

The SPEAKER. I presume the Chair is referring to sheep.

Mr. BAKER. Mr. Speaker, I believe you got what you asked for.

Mr. TURNER. In defense of the Chair I did not hear him say anything about sheep.

Mr. Speaker, it says in a "blackout" and I maintain that is a proper heading for this Proclamation because that is where the Legislative Correspondents have been for the past sixteen years that I have been in the Legislature—"in a blackout." In fact, I understand that the practice of "blackout" as carried on in the present war came from the same Legislative Correspondants in Pennsylvania.

There is another "Whereas" clause from which something has been omitted. It says, "Whereas, the Nation in the hands of the Democrats, is going to hell." That should be "as related by the Philadelphia Inquirer."

Then the next "Whereas" clause has something missing. It says, "Whereas, the Commonwealth in the hands of the Republicans, is going to hell." That should be followed by "as related by the Philadelphia Record," if the Philadelphia Record ever relates anything.

Now, it says, "Whereas, it becomes imperative that each and all of us exert our full capacity to get organized." We have been trying since the sixth day of January to get organized, and I presume if the Legislative Correspondents can show us anything down in the Penn-Harris Hotel, that is providing the members are able to see what is shown them, we will know how to get organized.

One of the things that intrigues me is the clause which says, "Whereas, Hitler is a Schlemiel." I took the trouble to look that word up, and I will say that is the kind of accurate reporting to which the Newspaper Correspondents are accustomed. Of course, I understand you Irish are in close contact with one of our friends who speaks that language and they ought to know what it means. We have had a sad experience with the gentleman from Philadelphia, Mr. Cohen, being unable to talk in any language except Italian, so I thought that I had better look up this word. Webster's Dictionary says nothing about "Schlemiel". I then asked Louie Wilgarde and Louie told me it sort of meant a fellow—I could describe it better by picking out a number of the Members of this House—but he says it is the kind of fellow who does not know where he is going, and does not know where he is when he gets there. That describes the Democrats exactly. Louie also states he is a careless sort of a fellow, careless in his dress and careless in his habits. He said he lacks ambition. I know that does not fit Hitler. Mr. Skale ought to know something about this as he has just gotten out of the hospital, having had an operation to have his appendix removed, and I suppose that is a "Schlemiel" too. This description of Hitler does not depict him at all. He wears polished boots as he has got a lot of "bootlickers" over there who will keep his boots polished for him. As I have noticed Hitler he is always dressed in a uniform and he has no ambition (?).

We have been against an increase of taxes during this session of the Legislature. You will recall with what great acclaim the Democrats received the Legislative program as introduced by Mr. Winner, the gentleman from Montgomery. They have been so enthusiastic about it that they put it in committee and have kept it there ever since. I have heard a report that it will come out sometime this week. Mr. Achterman has promised to bring it out of his Committee at that time. That has been in keeping with the other statements in this proclamation. If Mr.

Achterman feels it is going to come out of Committee this week we will be lucky to see it before next December when the snow flies. I see this five dollar tax is for "eats". I thought it was for defense. Therefore, I do not see why this Proclamation should not be recommitted to some Committee. Perhaps the Committee on Professional Licensure would be better, as they have the Undertaker's bill and some others and this possibly belongs in that same category.

There is a slander, however on the Members of this House. It says "all Legislators between the ages of twenty-one and one hundred twenty-one." There isn't any Member of the Legislature who is twenty-one years of age, although some of us act like that sometimes down town. There are a few more here who are ready for the undertaker but they are not yet a hundred and twenty-one years old. I think that ought to be taken out of this Proclamation. In other words, this is a lot of foolishness injected into a serious Legislative session, where we have a lot of important measures, and the Proclamation ought to be ignored by everybody here because no matter what we say and no matter how well you and I perform, you and I know what we are going to get at this Legislative dinner.

COMMUNICATION

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

UNITED STATES SENATE Committee on Military Affairs

Washington, D. C., April 16, 1941.

Dear Mr. Kilroy:

The resolution on the passing of Senator Sheppard has been received and is being presented to Mrs. Sheppard.

Yours very sincerely,

(Signed) D. ROLAND POTTER,
Secretary to the late Senator Morris Sheppard.

Hon. Elmer Kilroy,
Speaker of the House of Representatives,
Harrisburg, Pa.

COMMUNICATION FROM THE GOVERNOR

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

APPROVAL OF HOUSE BILL No. 583

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, April 18, 1941.

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

I have the honor to inform you that I have this day approved and signed House Bill No. 583, Printer's No. 95, entitled, "An Act Authorizing the Department of Property and Supplies with the approval of the Governor to sell and convey two certain plots of land."

ARTHUR H. JAMES.

DEMOCRATIC WOMEN'S GUILD OF VERSAILLES TOWNSHIP ALLEGHENY COUNTY WELCOMED

The SPEAKER. The Chair welcomes to the House the Democratic Women's Guild of Versailles Township, Allegheny County, who are the guest of Mr. Thomas J. Heatherington and the members of the Tenth Legislative District. Mrs. Heatherington is the President of the Guild.

MARYSVILLE AND NEW BLOOMFIELD SENIOR HIGH SCHOOL CLASSES WELCOMED

The SPEAKER. The Chair welcomes to the House this evening the members of the Senior classes of the Marysville and New Bloomfield High Schools. They are the guests of Mr. Stambaugh of Perry County.

FORMER MEMBERS WELCOMED

The SPEAKER. The Chair welcomes to the House this evening a former member from the First Legislative District of Northampton County, Mr. Justin D. Jiroliano.

The Chair also welcomes another former Member of the House, the gentleman from Somerset, Mr. Jacob B. Schrock. He is here in the interest of the Bangs Disease Bill.

MEMBER WELCOMED

The SPEAKER. The Chair is very glad to welcome back into the fold this evening, after a prolonged illness, the gentleman from Philadelphia, Mr. Skale. We are very happy to have him with us again.

LEAVE OF ABSENCE

By unanimous consent leave of absence was granted as follows:

Mr. David P. Reese for Mr. TAYLOR for tonight and tomorrow.

Mr. Holland for Mr. LEONARD for the week on account of illness.

REPORTS FROM COMMITTEES

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

An Act to amend the title and the act approved the twenty-eighth day of April one thousand nine hundred and thirty-seven (P. L. 417), entitled "An act relating to milk and the products thereof; creating a Milk Control Commission; establishing its jurisdiction, powers and duties; regulating the production, transportation, manufacturing, processing, storage, distribution, delivery and sale of milk and certain products thereof; providing for the licensing of milk dealers and the payment of fees therefor; requiring milk dealers to file bonds to secure payment for milk to producers and certain milk dealers; authorizing the holding of hearings and the issuance of subpoenas by the commission; conferring jurisdiction upon courts to punish contempts and to prohibit violations of this act and of rules, regulations and orders of the commission; authorizing the commission to adopt rules, regulations and orders, and to enter into interstate and Federal compacts; requiring persons who weigh, measure, sample or test milk to procure permits or certificates, to take examinations, to pay fees therefor, to furnish certain notices, records and statements, and to use certain methods of weighing, measuring, sampling and testing; authorizing the commission to examine the business, papers and premises of milk dealers and procedures, requiring the keeping of records and the filing of reports by milk dealers, and permitting, with limitations, the use of information obtained thereby; authorizing the commission to fix prices for milk and certain milk products subject to the approval of the Governor, and conferring certain powers upon the Governor with respect thereto; providing for appeals to the courts from decisions of the commission, and for the burden of proof upon such appeals; prescribing penalties, fines and imprisonment for violations of this act and rules, regulations and orders of the commission; defining perjury; defining remedies; repealing legislation supplied and superseded by this act, and saving rights, duties and proceeding thereunder; and making appropriate

tions," by substituting the term "handler" for the term "milk dealer"; defining the term "handle" and "handler"; extending the provisions of the act to those who handle milk by bailment, brokerage, consignment or purchase and by giving certain additional rights to producers' and farmers' unions or organizations producing milk setting-up a price fixing procedure providing for the division of the Commonwealth into license districts restricting powers of the Governor and providing for the payment of funds in the hands of the commission owing to producers and handlers

Mr. LOVETT, from the Committee on Rules, reported as committed, House Resolution No. 79.

BILL ON SECOND READING

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 810, entitled:

An Act to promote the safety of travelers upon street railways in cities of the first class, by requiring a crew of two on each street railway car.

The first section was read.

On the question,

Will the House agree to the section?

BILL RECOMMENDED

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

On the question,

Will the House agree to the motion?

Mr. HERMAN. Mr. Speaker, I desire to interrogate the gentleman from Philadelphia, Mr. Melchiorre.

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

Mr. MELCHIORRE. I shall, Mr. Speaker.

Mr. HERMAN. Mr. Speaker, why does the gentleman from Philadelphia, Mr. Melchiorre, desire to recommit this bill?

Mr. MELCHIORRE. Mr. Speaker, for the purpose of further study and possible amendment.

Mr. HERMAN. What does that mean, Mr. Speaker?

Mr. MELCHIORRE. Mr. Speaker, I think I have made myself plain, for the purpose of further study and possible amendment.

PERMISSION TO ADDRESS HOUSE

Mr. HERMAN. Mr. Speaker, I do not see the necessity for the recommitment of this bill. The bill is very simple. It requires no study. The bill in a nut-shell requires a crew of two on each street railway car in the city of Philadelphia. It is primarily a safety measure and is important to the citizens of Philadelphia. We have subways in Philadelphia, and these trolleys which are operated by one man are crosstown trolleys which feed the subways. One man has to operate the trolley car which carries from sixty to one hundred passengers; he collects the fares, makes the change, hands out transfers, watches the signal lights, and he operates the car and does all these things at the same time. This has caused thousands of serious accidents annually.

When this bill was introduced in this House a P.R.T.

official made a remark which appeared in a Philadelphia newspaper, that this was a perennial bill and that it will never pass. I would like to know the reason why he made such a remark. I happen to live in a section of Philadelphia which is six miles from the center of the city. There are over one hundred thousand passengers that travel daily from that section into the center of the city and from the center of the city into that section.

The subways cost the city of Philadelphia, as they are owned by the city of Philadelphia, over one hundred million dollars. They are rented to the traction company on a rental basis, which is based upon the fares. Due to the delay which is attributed to the one-man trolley, the people become disgusted in using the subway and are therefore using the surface cars which are owned by the traction company. This results in a tremendous loss of revenue to the city of Philadelphia. The city of Philadelphia receives less than one percent on its investment of one hundred million dollars.

I therefore submit that this bill is very simple, it is vital to the citizens of the city of Philadelphia and it should be passed in its present form. Therefore, I ask the members of the House to vote against the recommitment of this bill.

On the question recurring,

Will the House agree to the motion?

It was agreed to.

BILLS ON SECOND READING

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 404, entitled:

An Act relating to marriage and amending revising consolidating and changing the law relating thereto.

The first section was read.

On the question,

Will the House agree to the section?

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

The amendment was read by the Clerk as follows:

Amend Sec. 1, page 1, line 6, by inserting after the word "resides" the following: "A license so issued in the county wherein either of the contracting parties resides shall authorize the marriage ceremony to be performed in any county of this Commonwealth."

The amendment was agreed to.

The section was agreed to as amended.

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

The fourth section was read.

On the question,

Will the House agree to the section?

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

The amendment was read by the Clerk as follows:

Amend Sec. 4, page 3, line 21, by inserting after the word "magistrate" the following: "notary public."

The amendment was agreed to.

On the question,

Will the House agree to the section as amended?

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

The amendment was read by the Clerk as follows:

Amend sec. 4, page 4, line 21, by striking out the word "physically".

The amendment was agreed to.

The section was agreed to as amended.

The fifth section was read and agreed to.

The sixth section was read.

On the question,

Will the House agree to the section?

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

The amendments were read by the Clerk as follows:

Amend Sec. 6, page 8, line 6, by inserting after the word "magistrate" the following: "notary public".

Amend Sec. 6, page 8, line 24, by inserting after the word "magistrates" the following: "notary public".

Amend Sec. 6, page 9, line 7, by inserting after the word "magistrate" the following: "notary public".

Amend Sec. 6, page 9, lines 12 to 16, both inclusive, by striking out all of said lines.

Amend Sec. 6, page 9, line 18, by inserting after the word "magistrates" the following: "notaries public".

Amend Sec. 6, page 9, lines 20 to 22, by striking out the following: "For such blanks the clerk of" in line 20, and all of lines 21 and 22.

The amendments were agreed to.

The section was agreed to as amended.

The seventh and eighth sections were separately read and agreed to.

The ninth section was read.

On the question,

Will the House agree to the section?

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

The amendment was read by the Clerk as follows:

Amend Sec. 9, page 11, line 11, by striking out the letter "B" and inserting in lieu thereof: "D".

The amendment was agreed to.

The section was agreed to as amended.

The tenth, eleventh and twelfth sections were separately read and agreed to.

The thirteenth section was read.

On the question,

Will the House agree to the section?

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

The amendments were read by the Clerk as follows:

Amend Sec. 13, page 15, lines 8 and 9, by striking out the following: "Marriages Without License Void Exceptions (a)".

Amend Sec. 13, page 15, lines 13 to 28, both inclusive, by striking out all of said lines.

Amend Sec. 13, page 16, lines 1 to 12, both inclusive, by striking out all of said lines.

The amendments were agreed to.

The section was agreed to as amended.

The fourteenth to the nineteenth sections inclusive were separately read and agreed to.

The twentieth section was read.

On the question,

Will the House agree to the section?

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

The amendment was read by the Clerk as follows:

Amend Sec. 20, page 19, lines 10 to 20, both inclusive, by striking out all of said lines.

The amendment was agreed to.

The section was agreed to as amended.

The twenty-first section was read.

On the question,

Will the House agree to the section?

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

The amendments were read by the Clerk as follows:

Amend Sec. 21, page 19, line 21, by striking out the figure "21" and inserting in lieu thereof: "20".

Amend Sec. 21, page 21, lines 16 to 20, both inclusive, by striking out all of said lines.

Amend Sec. 21, page 21, line 21, by striking out the following "(g)" and inserting in lieu thereof: "(f)".

Amend Sec. 21, page 22, line 1, by striking out the following: "(h)" and inserting in lieu thereof: "(g)".

The amendments were agreed to.

On the question,

Will the House agree to the section as amended?

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

The amendment was read by the Clerk as follows:

Amend Sec. 21, page 21, line 21, by inserting after the word "magistrate" the following: "notary public".

The amendment was agreed to.

The section was agreed to as amended.

The twenty-second section was read.

On the question,

Will the House agree to the section?

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

The amendment was read by the Clerk as follows:

Amend Sec. 22, page 22, line 4, by striking out the figure "22" and inserting in lieu thereof: "21".

The amendment was agreed to.

The section was agreed to as amended.

The twenty-third section was read.

On the question,

Will the House agree to the section?

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

The amendment was read by the Clerk as follows:

Amend Sec. 23, page 22, line 22, by striking out the figure "23" and inserting in lieu thereof: "22".

The amendment was agreed to.

The section was agreed to as amended.

The twenty-fourth section was read.

On the question,

Will the House agree to the section?

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

The amendment was read by the Clerk as follows:

Amend Sec. 24, page 22, line 24, by striking out the figure "24" and inserting in lieu thereof: "23".

The amendment was agreed to.

The section was agreed to as amended.

The twenty-fifth section was read.

On the question,

Will the House agree to the section?

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

The amendment was read by the Clerk as follows:

Amend Sec. 25, page 27, line 22, by striking out the figure "25" and inserting in lieu thereof: "24".

The amendment was agreed to.

On the question,

Will the House agree to the section as amended?

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

The amendment was read by the Clerk as follows:

Amend Sec. 25, page 27, line 24, by striking out the following: "forty-one" and inserting in lieu thereof: "forty-two".

The amendment was agreed to.

The section was agreed to as amended.

The title was read and agreed to.

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

Ordered, To be transcribed for a third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1105, entitled:

An Act naming the State Military Reservation at Indiantown Gap "Camp Muhlenberg"

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. 990, entitled:

An Act to amend section one hundred and eight of the act approved the twenty-first day of June, one thousand nine hundred and thirty-nine (P. L. 566), entitled "An act defining the liability of an employer to pay damages for occupational disease contracted by an employe arising out of and in the course of employment; establishing an elective schedule of compensation; providing procedure for the determination of liability and compensation thereunder; imposing duties on the Department of Labor and Industry, the Workmen's Compensation Board, Workmen's Compensation Referees, and deans of medical schools; creating a medical board to determine controverted medical issues; establishing an Occupational Disease Fund in custody of the State Workmen's Insurance Board; imposing upon the Commonwealth a part of the compensation payable for certain occupational diseases; making an appropriation; and prescribing penalties," by further defining the term "occupational disease."

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. LEVY. Mr. Speaker, I move that this bill be recommended to the Committee on Workmen's Compensation for the purpose of a public hearing.

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. 885, entitled:

An Act to further amend section five hundred and thirty of the act approved the twenty-fourth day of June, one thousand nine hundred and thirty-one (P. L. 1206), entitled "An act concerning townships of the first class; amending, revising, consolidating and changing the

law relating thereto," providing for filling vacancies in the office of township commissioner.

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. 389, entitled:

An Act authorizing the Department of Property and Supplies, with the approval of the Governor and the Board of Trustees of the Fairview State Hospital, to acquire a certain tract of land for the use of said hospital; and making an appropriation therefor.

The first section was read:

On the question,

Will the House agree to the section?

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

The amendment was read by the Clerk as follows:

Amend section 1, page 1, line 6, by inserting after the word "Company" the following: "and a certain tract or tracts of land now owned by Rice Coal and Jennie G. Bassett and William H. Bassett, both or all tracts"

The amendment was agreed to.

The section was agreed to as amended.

The second to the fifth sections inclusive and the 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 RECOMMITTED

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

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. 1023, entitled:

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

The first section was read and agreed to.

The second section was read.

On the question,

Will the House agree to the section?

Mr. REUBEN E. COHEN. Mr. Speaker, I desire to offer the following amendment.

The amendment was read by the Clerk as follows:

Amend Sec. 2, page 3, line 23, by striking out the word "bars."

The amendment was agreed to.

The section was agreed to as amended.

The third to the sixth sections inclusive and the title were separately read and agreed to.

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

Ordered, To be transcribed for a third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1157, entitled:

An Act to validate and confirm certain contracts heretofore entered into by Boards of Township Supervisors where the Township has received in maintenance and improvement of its highways, a reasonable quid pro quo for such contracts, and to authorize, ratify, confirm and validate payments on such contracts by the Township, and to provide that no Township Supervisor shall be subject to surcharge for payments made on any such contract.

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. 658, entitled:

An Act to amend the act, approved the thirtieth day of March, one thousand nine hundred three (P. L. 106), entitled "An act authorizing and empowering the city treasurers of the several cities of the second class and third class of this Commonwealth to sell at public sale all properties upon which the taxes, assessed and levied, are delinquent and remain unpaid," by adding thereto section nine and one-tenth authorizing the devestiture of mortgages, judgments and charges against properties sold at such sales in cities of the second class by common pleas court.

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. 975, entitled:

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

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. 785, entitled:

An Act to further amend section sixteen of the act, approved the twenty-ninth day of May, one thousand nine hundred thirty-one (P. L. 280) entitled "An act relating to delinquent taxes on seated lands, and prescribing interest charges on nonpayment thereof; requiring the receivers and collectors of county, city, borough, town, township, school district and pool district taxes to make a return to the county commissioners of such unpaid taxes, and providing for the lien thereof; authorizing the county treasurers to collect such taxes; and to sell seated lands

at public sale for taxes heretofore or hereafter returned as unpaid; and authorizing the county commissioners to purchase such lands and resell the same under certain circumstances," by giving county commissioners the right to recover possession of real property purchased at tax sales and to rent such lands, and providing for the disposition of moneys received from such rentals.

The first section was read.

On the question,

Will the House agree to the section?

Mr. Walter E. Rose. Mr. Speaker, I desire to offer the following amendments.

The amendments were read by the Clerk as follows:

Amend Section one, page three, line eleven by inserting after the word "as" and before the word "to," the following:

"To mineral, coal, oil, or gas underlying the surface or as."

The amendment was agreed to.

The section was agreed to as amended.

The title was read and agreed to.

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

Ordered, To be transcribed for a third reading.

BILL RECOMMENDED

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

On the question,

Will the House agree to the motion?

Mr. WALTER E. ROSE. Mr. Speaker, although it is a bit of a disappointment, I would like this bill to be considered in Committee, and I do not oppose the motion of the gentleman from Monroe. I ask the membership on this side to approve the motion.

On the question recurring.

Will the House agree to the motion?

It was agreed to.

BILL ON SECOND READING

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1002, entitled:

An Act to further reenact and amend the act, approved the second day of June, one thousand nine hundred and fifteen (P. L. 736), entitled as amended "An act defining the liability of an employer to pay damages for injuries received by an employe in the course of employment; establishing an elective schedule of compensation; providing procedure for the determination of liability and compensation thereunder; and prescribing penalties," changing maximum and minimum rates, periods, total amounts and aggregate of compensation; changing the system of computation of wages for compensation purposes; changing practice and rules of evidence; defining earning power after accident, authorizing the board to terminate compensation in certain cases; changing the classes of dependents entitled to compensation in case of death; changing powers and duties of the board; and imposing additional penalties; authorizing the department, the board and the referees to approve compromise agreements in certain cases, and generally amending, clarifying and changing the provisions of said act.

The first section was read.

On the question,

Will the House agree to the section?

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

The amendment was read by the Clerk as follows:

Amend Sec. 1 (Sec. 420), page 63, by inserting between lines 3 and 4, the following: "The claimant shall be permitted to engage the services of medical, surgical or other experts of his own choosing to examine his injuries and to testify with regard thereto before the referee. The compensation of such experts, totaling up to one hundred dollars (\$100) shall be paid by the employer upon petition to the referee filed by the claimant, when, in the opinion of such referee, it shall appear to be reasonably necessary that such services are required by the claimant for the proper presentation of his claim."

The amendment was 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 RECOMMENDED

Mr. LEVY. Mr. Speaker, I move that this bill be recommitted to the Committee on Workmen's Compensation for the purpose of a public hearing.

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. 1176, entitled:

An Act making an appropriation out of the Motor License Fund to the Department of Highways for allocation to and expenditure in the second class townships of the Commonwealth for maintenance, construction, reconstruction, resurfacing or improvement of township roads and bridges during the calendar years one thousand nine hundred forty-two and one thousand nine hundred forty-three; permitting the use of the funds for maintenance and repair of township roads and bridges under certain conditions; and providing for the methods of payment to townships.

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. 625, entitled:

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

hibiting certain sales or practices in connection with and transactions in such beverages by licensees and others providing for the forfeiture of certain property making disposition of the receipts from State stores and of fees and imposing penalties" as reenacted and amended further regulating the licensing of importers and prohibiting the board from importing liquor from any source other than from licensed manufacturers having a manufacturing establishment in this Commonwealth

The first section was read.

On the question,

Will the House agree to the section?

BILL RECOMMENDED

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

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. 1174, entitled:

An Act to further amend 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," changing certain requirements with respect to contracts of school districts involving more than certain amounts.

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. 1175, entitled:

An Act to amend section six hundred fifteen of the act, approved the eighteenth day of May, one thousand nine hundred and eleven (P. L. 309), entitled "An act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent therewith," excepting certain repairs and alterations to school buildings from requirement of approval by State Council of Education.

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. 909, entitled:

An Act to further amend section three hundred three of and to add section three hundred seven of the act approved the twenty-fifth 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" by providing for the appointment of assistant managers in Pennsylvania Liquor Stores and by establishing minimum salaries for certain employes of the Pennsylvania Liquor Control Board working in Pennsylvania Liquor Stores

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. GERARD. Mr. Speaker, I move that this bill be recommitted to the Committee on Appropriations.

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. 1156, entitled:

An Act to add section one thousand six hundred and seven and one-tenth to article sixteen of the act, approved the eighteenth day of May one thousand nine hundred and eleven (P. L. 309), entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" requiring teaching in the public schools of principles of democratic government and patriotism and imposing certain duties on the Superintendent of Public Instruction.

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. 834, entitled:

An Act requiring persons selling "merchandise" as herein defined to place weighing and measuring devices in full view of the purchasers imposing certain duties on the Department of Internal Affairs and the several county and city inspectors of weights and measures and providing penalties.

On the question,

Will the House agree to the section?

BILL RECOMMENDED

Mr. PAUL A. BRUNNER. Mr. Speaker, I move that this bill be recommitted to the Committee on State Government 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. 582, entitled:

An Act to further amend section one thousand one hundred twenty-five and to amend section one thousand one hundred twenty-seven of the act approved the fourth day of May one thousand nine hundred and twenty-seven (P. L. 519) entitled "An act concerning boroughs and revising amending and consolidating the law relating to boroughs" specifying the reasons for making deductions from salary of and suspending and dismissing policemen and the procedure in connection therewith including limitations on the powers of the borough council and burgess creating a board of review to be appointed by the borough council and defining the powers and duties of said board.

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. 1205, entitled:

An Act to amend subsections (b) and (c) of section two of the act, approved the twenty-first day of June, one thousand nine hundred and thirty-nine (P. L. 626), entitled "An act providing for and regulating the assessment and valuation of all subjects of taxation in counties of the second class; creating and prescribing the powers and duties of a Board of Property Assessment, Appeals and Review; imposing duties on certain county and city officers; abolishing the board for the assessment and revision of taxes in such counties; and prescribing penalties," to provide for the appointment of the members of the Board of Property Assessment, Appeals and Review in second class counties by the county commissioners.

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. 1058, entitled:

An Act regulating the appointment promotion suspension reduction removal and reinstatement of salaried employes in borough fire departments (except volunteer departments) providing for the appointment of a Civil Service Board defining its powers and duties and imposing powers and duties on borough councils with regard thereto.

The first section was read.

On the question,

Will the House agree to the section?

BILL RECOMMITTED

Mr. POWERS. Mr. Speaker, I move that this bill be recommitted to the Committee on Boroughs.

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. 1088, entitled:

An Act prohibiting the employment of or the acceptance of employment by any female for the purpose of tending bar over which bar alcoholic, malt or vinous beverages are

sold; excepting on-sale licensees and the wives of on-sale licensees; providing penalties for a violation thereof; repealing all inconsistent legislation.

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. 1173, entitled:

An Act to further amend the fourth paragraph of section five hundred and six of the act, approved the eighteenth day of May, one thousand nine hundred and eleven (P. L. 309), entitled "An act to establish a public school system in the Commonwealth of Pennsylvania; together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent therewith," allowing further deductions from gross indebtedness in order to determine indebtedness of any school district.

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. 1145, entitled:

A joint resolution proposing an amendment to article one of the Constitution of the Commonwealth of Pennsylvania by adding thereto section six A

The first section was read.

On the question,

Will the House agree to the section?

BILL RECOMMITTED

Mr. FINESTONE. Mr. Speaker, I move that this bill be recommitted to the Committee on Constitutional Amendments 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. 598, entitled:

An Act requiring the council of cities of the second class A to fix the salaries of the officers and members of the police department and establishing minimum salaries

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. 1111, (Senate Bill No. 329), entitled:

An Act to amend clause (a) of section twenty of the act approved the second day of May one thousand nine hundred 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" fixing the time of day that the open season shall begin for charr commonly called brook trout and any species of trout except lake or salmon trout

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 re-committed to the Committee on Fisheries for the purpose of further study.

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. 1021, entitled:

An Act to add section six hundred seventeen and one-tenth to the act approved the eighteenth day of May one thousand nine hundred and eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" authorizing school districts under certain conditions to appropriate money to non-profit corporations established for the purpose of constructing school buildings for the use of the district.

The first section was read.

On the question,

Will the House agree to the section?

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

The amendment was read by the Clerk as follows:

Amend section 1, (section 617.1), page 2, line 13, by striking out the word "The" and inserting in lieu thereof the following: "whenever any school building or buildings have been rendered totally unfit for use by reason of fire, acts of God, or other unforeseen cause, the".

The amendment was 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.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 99, entitled:

An Act to amend section two of the act approved the twenty-fourth day of June one thousand nine hundred thirty-nine (P. L. 806) entitled "An act limiting the number of licenses for the retail sale of liquor malt or brewed beverages or malt and brewed beverages to be issued by the Pennsylvania Liquor Control Board defining hotels and prescribing the accommodations required of hotels in certain municipalities" by exempting clubs from such limitation

The first section was read.

On the question,

Will the House agree to the section?

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

The amendments were read by the Clerk as follows:

Amend Sec. 1 (Sec. 2), page 2, lines 11 and 12, by striking out the following "exclusive of licenses granted to".

Amend Sec. 1 (Sec. 2), page 2, lines 18 to 20, by striking out the following "or to transfer" in line 18, all of line 19, and the following "class" in line 20.

Amend Sec. 1 (Sec. 2), page 2, lines 21 to 23, by striking out the following "or the number of licensed places" in line 21, all of line 22, and the following "pality" in line 23.

Amend Sec. 1 (Sec. 2), page 2, lines 26 and 27, by striking out the following "and except for clubs qualified under existing law to obtain such licenses" and inserting in lieu thereof: "and clubs".

On the question,

Will the House agree to the amendments?

Mr. WOODSIDE. Mr. Speaker, inasmuch as these amendments are rather complicated, and I do not know anybody on this side who knows anything about them, I would like the gentleman from Allegheny to tell us the effect of the amendments.

Mr. GERARD. Mr. Speaker, the amendments merely strike out amendments that had been placed in the bill and puts the bill in its original form as passed by this House in the 1939 Session, but erroneously the words "and clubs" were omitted in Conference Committee.

On the question recurring,

Will the House agree to the amendments?

They were agreed to.

The section was agreed to as amended.

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

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

Ordered, To be transcribed for a third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 752, entitled:

An Act authorizing cities of the second class A with the consent of the owners thereof to improve and beautify property devoted to park purposes and adjoining State-owned hospitals within such cities

The first section was read.

On the question,

Will the House agree to the section?

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

The amendments were read by the Clerk as follows:

Amend Sec. 1, page 1, lines 3 and 4, by striking out the following: "devoted to park purposes and"

Amend Sec. 1, page 1, line 4, by inserting after the word "adjoining" the following: "or adjacent to."

Amend Sec. 1, page 1, line 7, by inserting after the word "park" the following: "or other."

Amend Sec. 1, page 2, line 1, by inserting after the word "Federal" the following: "or State."

The amendments were agreed to.

The section was agreed to as amended.

The second section was read and agreed to.

The title was read.

On the question,

Will the House agree to the section?

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

The amendments were read by the Clerk as follows:

Amend Title, page 1, line 3 of title, by striking out the following: "devoted to park purposes and"

Amend Title, page 1, line 3 of title, by inserting after the word "adjoining" the following: "or adjacent to."

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. 1093, entitled:

An Act authorizing suits brought to recover damages in case of accidents in this Commonwealth in any court of record to be certified to the Workmen's Compensation Board in the event that the suit has been filed by mistake in any court of record and defining the legal effect of such certifications

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

Ordered, To be transcribed for a third reading.

BILLS ON FINAL PASSAGE

Agreeably to order,

The House proceeded to the consideration on final passage of House Bill No. 482, as follows:

An Act providing a method of annexation of townships of the second class and parts thereof to cities and boroughs and regulating the proceedings pertaining thereto

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

Section 1 Whenever electors equal to be at least ten per centum of the highest vote cast for any office in any township of the second class contiguous to a city or borough at the last preceding general election or whenever ten per centum of the qualified electors residing within any part of a township of the second class contiguous to a city or borough shall petition the council of such city or borough for the annexation of the township of the second class or part thereof to the contiguous city or borough and for a referendum on the question of such annexation the council shall cause a question to be submitted at the primary election occurring at least sixty days thereafter by certifying a resolution duly adopted to the county commissioners of the county or counties in which any part of the city or borough or the township of the second class is located for submission of such question on the ballot or on voting machines at such election both in such township and in the city or borough to which annexation is desired in the manner provided by the election laws of this Commonwealth Such question shall be in the following form

Do you favor the annexation of the township of	YES
(or the part of the township briefly described) to the city (or borough) of	NO

If a majority of the persons voting on such question in the entire township and a majority of the persons voting on such question in the city or borough shall vote "yes" then the township of the second class or part thereof as the case may be shall on the first Monday of January next following be and become a part of the city or borough

All petitions shall be accompanied by a plot or plots of the territory to be annexed showing all streets and highways municipal improvements and public buildings

and all petitions for the annexation of a part of a township of the second class shall include a description of the part of the township sought to be annexed

Section 2 Until changed in the manner provided by law the township of the second class or part thereof shall constitute a separate new ward of the enlarged city or of the enlarged borough if such borough is at the time divided into wards and shall be numbered by the council of the city or borough with the next highest number after the existing highest numbered ward of the city or borough Until changed in the manner provided by law all election districts in the township of the second class or part thereof shall remain as constituted at the time of the annexation and shall become election districts of the enlarged city or borough All election and other officers of such election districts in office at the time of the taking effect of the annexation shall continue in office until the expiration of their respective terms unless sooner removed as provided by law

Section 3 In the case of the annexation of an entire township of the second class all the indebtedness of the township as well as the indebtedness of the city or borough to which the same is annexed shall be paid by the city or borough as enlarged by such annexation and all territory included within the limits of the same shall be liable for the payment of the floating and bonded indebtedness and the interest thereon of all the territory included within such enlarged city or borough All taxes thereafter levied therefor shall be uniform throughout the territorial limits of the enlarged city or borough

All the public property owned by any such township shall become and remain the public property of the city or borough to which it is annexed

Section 4 Where any part of any township of the second class is annexed to any city or borough the township officers of that part of the township not annexed and the city or borough council shall make a just and proper adjustment and apportionment of all public property owned by the township at the time of annexation both real and personal including funds as well as of indebtedness if any to and between the township and the city or borough In making such adjustment and apportionment of the property and indebtedness the township and the city or borough shall be entitled respectively to share in a division of the property and indebtedness in the proportion that the assessed valuation of the land remaining in the township bears to the assessed valuation of the land annexed The adjustment and apportionment as made shall be reduced to writing in proper form and duly executed and acknowledged by the proper officials and filed in the office of the clerk of the court of quarter sessions in the county in which said city is located

Section 5 In case the council of the city or borough and the township authorities cannot make such amicable apportionment and adjustment of their property and indebtedness in compliance with this act within six months after any such annexation then the council or any officer of the township may present a petition to the court of quarter sessions of the county in which the city or borough is located whereupon the court shall appoint three disinterested commissioners residents and taxpayers of the county not residing in the city or borough nor in the township who after hearing notice of which shall be given to the city or borough and township interested as the court shall direct shall make report to the court making an apportionment and adjustment of all the property as well as indebtedness if any to and between the city or borough and the township said report to state the amount if any that shall be due and payable from the city or borough to the township or from the township to the city or borough as well as the amount of indebtedness if any that shall be assumed by the city or borough or by the township or both of them

Section 6 The commissioners shall give the city or borough and the township at least five days' notice of the filing of their report and unless exceptions are filed thereto by the city or borough or by the township within thirty days after filing thereof the same shall be confirmed by the court absolutely and any sum awarded by said report to the city or borough or to the township shall be a legal and valid claim in its favor against the city or borough or township charged therewith and the amount of debt

if any apportioned to any city or borough or township shall be a legal and valid claim against such city or borough or township charged therewith and any property real or personal given and adjudged to the city or borough or the township shall become and be the property of the city or borough or the township to whichever one the same is given and adjudged and upon such report being confirmed such claim or indebtedness charged against any city or borough or against any township may be collected in the same manner as a judgment is collected against any city or borough or township. Such commissioners shall be allowed five dollars per day for each day actually spent by them in the performance of their duties together with their actual necessary expenses. All costs and expenses of such proceedings shall be apportioned by the court to and between the city or borough and the township as it shall deem proper.

In case exceptions are filed to the report of such commissioners the court shall dispose of the same taking testimony therein if deemed advisable and the decision of the court thereon shall be final and binding on the several cities boroughs and townships unless an appeal is taken within thirty days to the Superior or Supreme Court as in other cases.

Section 7 In cases in which such cities boroughs or townships of the second class are situated in two or more counties the court of quarter sessions of the county in which the city or borough is located shall have exclusive jurisdiction over the matter but the same shall be heard by a judge not a resident of either of the judicial districts affected who shall be called to preside specially in the matter and in such case the court shall appoint the commissioners hereinbefore provided for from both or all of such counties.

Section 8 When an election is held on the question of annexation under the provisions of this act and the township of the second class proposed to be annexed or in which the territory proposed to be annexed is located votes against such annexation the question of such annexation shall not again be voted upon for a period of two years from the date of such election.

Section 9 All proceedings for the annexation of a township of the second class or a part thereof to any city or borough under the provisions of any existing law that are pending and not finally disposed of on the effective date of this act shall in the discretion of the courts before which they are pending or if not pending in any court upon petition of any city borough or township affected to the court of quarter sessions of the county in which the township is located be discontinued and vacated and all proceedings for the annexation of any township of the second class or part thereof to any city or borough shall thereafter be had only under the provisions of this act. Provided That land in a township of the second class adjacent to a city or borough upon which the city or borough has undertaken to construct a housing project with the aid of Federal money may be annexed to such city or borough by ordinance of the city or borough upon petition signed by the majority of the freeholders of such territory. A certified copy of the ordinance therefor together with a description and a plot showing the courses and distances of the boundaries of the city or borough before and after such proposed annexation shall be filed in the court of quarter sessions of the county. A notice of such filing shall also be filed in the office of the county commissioners of the proper county. Thereupon the territory proposed to be annexed shall be a part of the city or borough except when any ordinance and plot are filed in the office of the clerk of the court of quarter sessions within two months of any general municipal or primary election in which case the property proposed to be annexed shall not become a part of the city or borough until the day succeeding such election.

Section 10 The following acts and parts of acts and their amendments are hereby repealed so far as they relate to the annexation of a township of the second class or a part thereof to a city or a borough.

The act approved the twenty-eighth day of April one thousand nine hundred and three (P. L. 332) entitled "An act for the annexation of any city borough township or

part of a township to a contiguous city and providing for the indebtedness of the same."

The act approved the thirty-first day of May One thousand nine hundred and twenty-three (P. L. 473) entitled "An act authorizing the annexation to cities of the second class of portions of townships not exceeding one hundred acres in area and totally surrounded by said cities and providing for the division of the assets and liabilities of said townships."

Article four of the act approved the fourth day of May one thousand nine hundred and twenty-seven (P. L. 519) entitled "An act concerning boroughs and revising amending and consolidating the law relating to boroughs."

Article five 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."

All other acts and parts of acts inconsistent with or supplied by this act are hereby repealed.

Section 11 The provisions of this act shall be severable and if any of the provisions shall be held to be unconstitutional such decision shall not affect the validity of any of the remaining provisions of this act. It is hereby declared as the legislative intent that this act would have been adopted had such unconstitutional provisions not been included therein.

This act shall become effective immediately upon its final enactment.

On the question,

Shall the bill pass finally?

Mr. MARSHALL M. COHEN. Mr. Speaker, I rise to vigorously oppose the Passage of House Bill No. 482.

This bill, if enacted into law, would constitute the death knell to further expansion and progress of most of the cities and boroughs of this state. This bill devises a straight jacket which slowly but surely strangles into a mangled corpse every city and every borough adjacent to second class townships.

Mr. Speaker, in this present era, mindful as we are of tragic events transpiring on the European mainland and in the North African sector, we still desire to be free and untrammelled in our hope to expand. Yes, to expand, but with the voluntary consent of the suburban territory to be annexed. We wish to expand, not by foisting our wishes on the area in question, but peacefully and with the expressed consent and desire of the area to be annexed. That is the important and gist of the present law. That is contrary to the expressed motive of the proposal under scrutiny. Under this new measure, freedom of expression of the area suburban to the city or borough is denied and abridged by the antagonism of remote areas far removed from the city or borough. The welfare and future of a certain section of the township is predicted on the capricious whim of a remote portion of the township. That sir, in my humble opinion, contravenes our long-recognized and time-honored sense of democracy and freedom of expression.

Under the present law, approved in 1931, cities of the third class can expand if, and only if three prerequisites are complied with:

1. Three-fifth majority of the voters of the proposed annexed territory.

2. Written consent of the majority in interest and number of the property owners in the proposed annexed territory.

3. Majority of members of City Council must approve.

As to boroughs, pursuant to the provisions of the Wein-gartner Act of 1929, they can annex adjacent suburban territory provided that the majority in the affected area desire to be ceded to the metropolitan municipality. This en-

tails the majority of the proposed territory to be annexed and not the majority of the whole township. This provision is anathema to the proponents of the present measure.

The opponents of expansion of cities and boroughs have always been active in their endeavor to emasculate the Weingartner Annexation Bill. This proposed measure House Bill No. 482, is not a new concoction but rather an old receipt bearing a new label and sporting a seductive aroma. Thus in 1931 a bill known as the Brandt bill was introduced. This proposal was propounded with the sole purpose of bestowing on the voters of the entire township the right to dictate the course of action of any small section of that township. Nineteen Pennsylvania cities coalesced and formed a solid bloc in opposition to this measure. It was defeated. This Brandt bill is identical in purpose to the present House Bill 482. I therefore issue the clarion call for every city and borough in Pennsylvania to join hands, merge forces and defeat this bill. I ask Republican and Democrat alike to cast aside personal grievances and party cleavages and defeat this bill.

Mr. COOPER. Mr. Speaker, I would like to interrogate the gentleman from Lancaster, Mr. Cohen.

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

Mr. MARSHALL M. COHEN. I will, Mr. Speaker.

Mr. COOPER. Mr. Speaker, I would like to ask how the gentleman from Lancaster, Mr. Cohen voted on House Bill 226.

Mr. MARSHALL M. COHEN. Mr. Speaker, I would like to know what House Bill 226 is.

Mr. COOPER. Mr. Speaker, House Bill 226 was passed April 7th, pertaining to annexation of townships of the first class.

Mr. MARSHALL M. COHEN. Mr. Speaker, the question is not germane to the issue. We are discussing a question of townships of the second class.

Mr. COOPER. Mr. Speaker, careful examination of the bill before us now, House Bill No. 482 will show it to be very similar if not verbatim with House Bill 226. I would therefore ask for an answer to my question as to how the gentleman voted on House Bill 226.

The SPEAKER. Does the gentleman know how he voted on House Bill 226?

Mr. COOPER. I would like the gentleman to answer, Mr. Speaker.

Mr. MARSHALL M. COHEN. Mr. Speaker, a reference to the Journal will reveal how I voted.

Mr. COOPER. Mr. Speaker, apparently the gentleman does not care to answer my question. I would therefore like to enlighten him by stating that the Legislative Journal shows that he voted in the affirmative.

Mr. Speaker, may I further interrogate the gentleman?

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

Mr. MARSHALL M. COHEN. I will, Mr. Speaker.

Mr. COOPER. Mr. Speaker, I would like to ask the gentleman from Lancaster, Mr. Cohen, what is the difference between House Bill 482 and House Bill 226?

Mr. MARSHALL M. COHEN. Mr. Speaker, House Bill 482 to which I directed my remarks is a bill concerning the annexation of second class townships to cities and boroughs. It does not concern in any detail whatsoever townships of the first class.

Mr. COOPER. I thank the gentleman, Mr. Speaker.

Mr. GOODWIN. Mr. Speaker, I rise in defense of House Bill 482. I regret that I am possibly not capable of presenting this bill to you as I feel it is deserving of being presented. However, I have learned a great deal tonight listening to the opposition to this bill. I am inclined to think possibly that the people who live in second class townships are not just exactly the same kind of people who live in cities, boroughs and first class townships. They are a class of people, in my opinion from what I have heard, that should be set aside as not deserving of rule for themselves or by themselves. My friends, I am only asking in behalf of this bill your support. I heard my predecessor call upon the boroughs and the third class cities to rise in their might to defeat this bill. I ask you in fairness, and I believe you want to be fair to the minority, and I have reference to this bill for second class townships, to give them an opportunity to decide for themselves. There isn't anything in this bill to prevent the growth of boroughs of the first class or cities. That can be carried on in the American way, and the only American way I know is by majority vote. We are satisfied to live under it, and I wonder what would happen if the third class cities and boroughs were subject to their power being taken away without a vote being had on the matter. I don't think there is anything unreasonable in asking your consideration. I have a letter here today, and I believe all the members of the House received it. I would just like to have you recall this part of the letter.

House Bill No. 482, Printer's No. 297, on page 5 of today's calendar for third reading, provides for annexation of townships or parts of townships of the second class to cities and boroughs, is a bill which will stop all future growth of cities or boroughs by annexation and is intended to protect a township of the second class from having part of its territory taken from it. This act was substantially in effect for a period of a few years and during that time no annexations were made to cities or boroughs. If this Act had been in effect throughout all the years of Pennsylvania's existence, no city or borough would today be any larger than its original boundaries as established at the time of its incorporation. In voting "yes" on this bill every member of the legislature is voting to keep the limits of the cities and boroughs within his county as they are now. The act is not necessary for the protection of townships because the school code provides that the annexation of a part of a township shall not affect the school district if the State Board of Education decides that the school district should continue as before. It is respectfully urged, that in the interest of the continued orderly growth of the municipalities of the state, that this Act should be defeated.

My friends, I do not think I am asking for the survival of one group in our State at the expense of another group. If this bill is passed it would then be logical for the Legislature to give townships of the second class all the powers and authorities vested in the cities and boroughs and enact legislation fixing the boundaries of all municipal sub-divisions as they are forever.

My friends, why should not the government of second class townships,—that are held responsible for the conduct of their affairs and their business and their developments,—why should not they have something to say about their destiny? I want to say that the state organization of township supervisors are definitely for this bill, and I hope you friends of fair dealing and square dealing

for all of us will give consideration to this matter and help us who believe in giving opportunity for dealing in our own way our destiny.

Mr. MARSHALL M. COHEN. Mr. Speaker, I would like to interrogate the gentleman from Allegheny, Mr. Cooper.

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

Mr. COOPER. I will, Mr. Speaker.

Mr. MARSHALL M. COHEN. Mr. Speaker, does the gentleman from Allegheny, Mr. Cooper recall how he voted on House Bill 226?

Mr. COOPER. Mr. Speaker, I most assuredly do. I voted in the affirmative.

Mr. MARSHALL M. COHEN. Mr. Speaker, is the gentleman who just addressed the Chair, Mr. Cooper, from Allegheny County? I desire to interrogate the gentleman from Allegheny, Mr. Cooper. There may be a mistake of identity.

The SPEAKER. Whom does the gentleman wish to interrogate?

Mr. MARSHALL M. COHEN. I desire to interrogate the gentleman from Allegheny, Mr. Cooper.

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

Mr. COOPER. I will, Mr. Speaker.

Mr. MARSHALL M. COHEN. Mr. Speaker, the question which I would like to address to Mr. Cooper is how he voted on House Bill 226.

Mr. COOPER. Mr. Speaker, I am very glad to answer that question, but as a matter of courtesy, I think the gentleman from Lancaster, Mr. Cohen should have answered my question first in my previous interrogation I asked him how he voted on House Bill 226.

Mr. MARSHALL M. COHEN. I will withdraw my question, Mr. Speaker, and will ask this question: does Mr. Cooper recall how he voted on House Bill 226?

Mr. COOPER. Most assuredly I do, Mr. Speaker.

Mr. MARSHALL M. COHEN. Mr. Speaker, to the best of the gentleman's recollection, does the gentleman remember how he voted on House Bill 226.

Mr. COOPER. Mr. Speaker, I think we are taking up very valuable time of the House with this foolish interrogation. The record shows how I voted, which is the reason I asked the question that way when I asked the gentleman from Lancaster, Mr. Cohen, how he voted on House Bill 226.

Mr. MARSHALL M. COHEN. Mr. Speaker, on page 1177 of the House Journal, in the negative roll is a Mr. Cooper. Is that the same Mr. Cooper who voted against the bill?

Mr. COOPER. That is correct, Mr. Speaker.

Mr. MARSHALL M. COHEN. Is this the same gentleman that is asking me how I voted on this bill, Mr. Speaker?

Mr. COOPER. That is correct, Mr. Speaker.

Mr. MARSHALL M. COHEN. On House Bill 482, Mr. Speaker, is the gentleman directing to me a question how I am voting on that bill?

Mr. COOPER. Oh no, Mr. Speaker.

Mr. MARSHALL M. COHEN. Then do I understand, Mr. Speaker, that Mr. Cooper voted in the negative on House Bill 226 and is now questioning me when I am voting in the negative on a similar bill?

Mr. COOPER. Mr. Speaker, I merely asked the gentleman how he voted on House Bill 226.

Mr. MARSHALL M. COHEN. That is all, Mr. Speaker.

Mr. COOPER. Mr. Speaker, on the same page of the Legislative Journal whereon it is recorded that Mr. Cooper voted in the negative, it is shown that Mr. Cohen of Lancaster voted in the affirmative.

Mr. WEISS. Mr. Speaker, I also rise in opposition to this particular bill. It seems like an argument being presented here tonight between the members of third class cities and the supervisors and members of the second class townships, but I think the advocates of both are overlooking something and that is, which will benefit the state as a whole the most. I say without a question of doubt, the proponents of this bill do have some mighty fine arguments, but on the other hand I also ask are they not going too far in asking what they want? As Mr. Cohen has pointed out, if this bill happens to pass you might as well say that the third class cities and boroughs cannot expand any larger than they are at the present time, and if that is a fact, then the whole state is bound to suffer.

Some of you Members live in third class cities or boroughs in which there happen to be certain small districts very close that derive benefit from that city or borough and yet it is necessary to get the consent of a district eight or ten miles away from that particular district; you would have to get their consent, and it is a well known fact that nobody is going to give anything away, and even though it might be a small district and it might not mean much to the township, yet due to the fact that the city wants it, the township might refuse to give it up. On the other hand the people who live in that particular part of the township may want to be annexed but the people six or seven miles away say "No, you cannot do it. You stay with us."

In addition to what Mr. Goodwin said and I also say that some parts are very necessary to the existence of third class cities and boroughs, because if you stop them from growing you are going to stop the whole state from being progressive. Therefore, I say the bill as it is now is entirely too stringent. I am not talking for the benefit of the third class cities and boroughs, but for the state as a whole. If we had used this policy back in 1776 for each of the thirteen states, and each of those states had refused to cede some of their rights, we would not have had a nation today, and if some of the States today had refused to cede some of their powers we would not have had a nation, so I say the provisions of this bill are going too far the other way. Therefore, I oppose this bill.

On the question recurring,

Shall the bill pass finally?

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

YEAS—120

Achterman,	Falkenstein,	Knoble,	Rooney,
Allmond,	Finestone,	Kolankiewicz,	Rose, S.,
Baker,	Finnerty,	Lesko,	Rose, W. E.,
Balthaser,	Fis,	Levy,	Sarra,
Baughner,	Fleming,	Leydic,	Scanlon,
Bentley,	Flynn,	Lichtenwalter,	Shaffer,
Boles,	Foor,	Lovett,	Shaw,
Boney,	French,	Lyons,	Shepard,
Bradley,	Gates,	Marks,	Simons,
Breth,	Gerard,	McClanaghan,	Sollenberger,
Bretherick,	Goodwin,	McLanahan,	Stank,
Brunner, P. A.,	Greenwood,	McMillen,	Stockham,
Burns,	Haberlen,	McSurdy,	Tarr,

Burris,	Haines,	Melchiorre,	Tate,
Cadwalader,	Hall,	Mihm,	Thompson, E. F.,
Chudoff,	Hamilton,	Modell,	Thompson, R. L.,
Cochran,	Hare,	Monks,	Turner,
Cordier,	Harkins,	Mooney,	Vincent,
Corrigan,	Harmuth,	Moran,	Vogt,
Croop,	Heatherington,	Nagel,	Voldow,
Cullen,	Helm,	Nunemacher,	Wagner,
Dennison,	Hering,	O'Brien,	Watkins,
DiGenova,	Hersch,	O'Mullen,	Welsh, E. B.,
Dix,	Hirsch,	Owens,	Welsh, M. J.,
Dolon,	Holland,	Polen,	Williams,
D'Ortona,	Imbrle,	Powers,	Wolf,
Duffy,	James,	Readinger,	Woodside,
Eckels,	Jefferson,	Reese, R. E.,	Wright,
Elliott,	Keenan,	Reagan,	Young,
Ely,	Kline,	Reynolds,	Kilroy, Speaker

NAYS—64

Auker,	Harris,	McKinney,	Skale,
Bentzel,	Herman,	McLane,	Snyder,
Boorse,	Hewitt,	Moul,	Sorg,
Bower,	Jones, G. E.	Muir,	Stambaugh,
Brunner, C. H.	Jones, P. N.,	Munley,	Stine,
Cohen, M. M.,	Krise,	O'Connor,	Trout,
Cook,	Lee, E. A.	O'Dare,	Van Allsburg,
Cooper,	Lee, T. H.,	Petrosky,	Voorhees,
Dalrymple,	Leisey,	Pettit,	Weingartner,
Early,	Longo,	Polaski,	Weiss,
Elder,	Maxwell,	Rank,	Wilkinson,
Fletcher,	McClester,	Reagan,	Winner,
Gallagher,	McDermott,	Rhea,	Wood, L. H.,
Gryskewicz,	McFall,	Royer,	Wood, N.,
Gyger,	McGrath,	Rush,	Woodring,
Habbyshaw,	McIntosh,	Serrill,	Yester,

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.

MEMBER WELCOMED

The SPEAKER. The Chair at this time welcomes the gentleman from Delaware, Mr. James, after a long siege of sickness. The Chair wishes him a speedy recovery.

SPECIAL ORDER ON HOUSE BILLS 1151, 1152 AND SENATE BILL 201

Mr. ACHTERMAN. Mr. Speaker, I move that House Bill 1151, Printer's No. 289, and Senate Bill 201, (House Bill 575), Printer's No. 22, on page 18 and House Bill 1152, Printer's No. 294 on page 19 of today's calendar be made a special order of business to be considered immediately.

The motion was agreed to.

SPECIAL ORDER

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1151, as follows:

An Act transferring money from the Motor License Fund to the General Fund and providing for the subsequent return from the General Fund of the transferred money

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

Section 1 The State Treasurer is hereby authorized and directed from time to time between the effective date of this act and May thirty-first one thousand nine hundred forty-one to transfer from the Motor License Fund to the General Fund such sums not exceeding in the aggregate the sum of four million one hundred fifty thousand dollars (\$4,150,000) as the Governor shall direct. Transfers shall be made under this act upon warrants of the Auditor General upon requisitions of the Governor

The purpose of this transfer is to provide funds for the payment of the additional deficiency appropriation for public assistance made by this session of the General Assembly for the fiscal biennium ending May thirty-first one thousand nine hundred forty-one. To the extent to which this transfer makes it necessary the use of the transferred fund for its ordinary purposes shall be postponed but not otherwise modified.

Section 2 The amounts transferred under this act from the Motor License Fund to the General Fund shall be repaid to the Motor License Fund out of the General Fund not later than June thirtieth one thousand nine hundred forty-one.

Section 3 This act shall become effective immediately upon its final enactment.

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. ACHTERMAN. Mr. Speaker, at this time I desire to discuss not only the measure we are about to vote upon, but also the two bills that will follow in order.

The three measures in effect are for the purpose correcting another error of calculation on the part of the Republican administration. They in effect provide for six million three hundred thousand dollars for relief in the month of May of this year. It was only a few months ago we were assured that fourteen and one-half million dollars would take care of relief for the months of March, April and May. They only lost in their figures by one month and by six million three hundred thousand dollars.

This, Mr. Speaker, is the same administration that told us that one hundred and twenty million dollars for the coming biennium will be sufficient to take care of all our relief needs in Pennsylvania. A school boy can very quickly ascertain how far short they are going to fall in taking care of relief in the coming biennium with one hundred and twenty million dollars.

However, Mr. Speaker, I am not speaking against these particular bills. On the contrary, this side of the House has always been in favor of taking care of relief. We believe we should face the problem fearlessly and that we should not in any manner try to deceive or mislead individuals into believing that the relief problem is not that it is not into believing that the relief problem is not still with us, that it is not one we must count on and is not one with which we struggle. However, Mr. Speaker, I believe these three particular bills more than any other bills, or more than I or anyone else can employ language, refute the statement made, I believe about April 3rd, by Republican State Chairman Torrance, in which he at some length released to the newspapers a statement about the glorious success of the Republican administration and spoke about the manner in which they have cut the deficit. You will recall that statement, of course. He referred to it at first as being some twenty-three or twenty-five million dollars and then got it up to fifty million dollars and then to fifty-eight million dollars—I think the Governor got it up to fifty-eight million dollars, and finally State Chairman Torrance got it up to seventy-one million dollars. They are working up to that ninety-million dollars that I have mentioned on other occasions in this House. He goes on and says, finally they have cut that deficit down to. I believe, twenty-one million dollars. Of course, that is wishful thinking. It has not been cut at the present time. I might say to the Members of the House, that here is just

another six million three hundred thousand dollars that is to be added to that seventy one million, five hundred thousand dollars that State Chairman Torrance mentioned. There will be more millions, Mr. Speaker, to add but nothing to reduce.

May I say, Mr. Speaker, to the Republican administration that all that has been occurring in the past two years is a constant increase of the deficit, also a constant increase of the revenues and a constant decrease in the relief load. This administration does not explain to us how with the increase of revenues and decreased relief loads the deficit is also increasing. It is time, Mr. Speaker, that we should inquire of this Republican administration how and why such a situation exists. I believe, Mr. Speaker, it is of paramount importance to this state, to the people and the taxpayers of the State that the James Administration or the Republican Administration definitely and completely explain to the people of Pennsylvania why the constantly increasing deficit.

Mr. WOODSIDE. Mr. Speaker, this appropriation and the transfers in the Senate Bill which relate to delayed payments will increase the amount of appropriation for relief to finish out this biennium in the sum of six million three-hundred thousand dollars. The gentleman is mistaken when he says they were assured that the fourteen million five hundred thousand dollars would be sufficient appropriation during this session of the Legislature to carry relief to the end of the biennium. At no time did he receive any such assurance from me, and I believe from no one else in this House or in this Administration. At no time do I think that there has been a statement made that we believed it would carry to the end of the biennium. The furthest I ever went was that I hoped it might, but at no time did we assure them that it would, nor did we even state that we believed it would. It was recognized that perhaps an additional appropriation would have to be made, although the amount did not appear evident at the time.

The gentleman has raised some questions about this so-called deficit. There is, of course, a holdover of funds which will have to be paid out of the next biennium for the general fund. It is not a state deficit. You might be able to call it a general fund deficit although strictly speaking, according to accounting terms, it is doubtful whether this appropriation could be termed a deficit.

However, let us look at the record relative to relief. The total amount of money now appropriated for relief during the biennium is \$214,710,000. That is the largest amount that was ever appropriated for relief, and accounts for some of the money which was transferred from the special funds to the general fund to be paid back into the special funds during the next biennium.

Let us see what the deficit the end of the Earle administration was. On May 31, 1939, that is at the end of the biennium, the deficit was \$49,700,000. That was the amount of money which had to be transferred in other words from the special funds over to the general fund, to pay the expenses of the last biennium. In addition to that there were normal expenditures to be made between January 17, 1939 and May 31st 1939 in the sum of eight million dollars, which sum was saved by the James administration. So that the actual operating deficit of the Earle administration on January 31, 1939, when the James Administration took office, was \$57,700,000. In addition there has been saddled upon this administration new obligations which were saved by postponement and others which were not, in the sum

of thirty-seven million five hundred thousand dollars, which was saddled on this administration by the Earle administration and not provided for by any funds in sight or made by the Earle Administration. That, I think, accounts for the situation as it exists to-day, and I think you will find that at the end of the James administration this deficit, this tremendous deficit, which was inherited from the Earle administration, will be wiped out.

Mr. ACHTERMAN. Mr. Speaker, all I need do in answer to the particular statement of the gentleman from Dauphin is to refer him to the budget message, particularly to page 2. Let him start at the deficiency appropriations and the postponed funds to be paid back, and let him arrive at his total. He will find that the James administration has the largest deficit any administration of this state has ever had. That is due to one fact alone, mismanagement of their administration.

Mr. WOODSIDE. Mr. Speaker, I think I pointed out to the House the reason why the amount necessary to be borrowed from the special fund has increased during this biennium.

I would like, in answer to the remarks of the gentleman from Monroe, put into the record a few comparisons between the James administration and the Earle administration. Let us see what the record shows concerning the reduction in costs in the administrative departments.

For salaries and wages: Earle administration, \$77,200,000; James administration, \$60,700,000, a reduction of \$16,500,000, or 21 per cent.

For traveling expenses: Earle administration, \$3,860,000; James \$3,100,000, a saving of \$760,000, or 20 per cent.

For telephone and telegraph: Earle administration \$646,000; James administration \$508,000, a saving of \$138,000, or 21 per cent.

For printing and stationery: Earle administration \$1,550,000; James administration \$1,090,000, a reduction of \$460,000, or 29 per cent.

For materials and supplies: Earle administration, \$16,900,000; James administration, \$11,400,000, a decrease of \$5,500,000, or 32 per cent.

For motor vehicle supplies and repairs: Earle administration, \$1,612,000; James administration, \$1,353,000, a saving of \$259,000, or 16 per cent.

For freight, express and cartage: Earle administration, \$244,000; James administration, \$192,000, a saving of \$52,000, or 21 per cent.

For postage: Earle administration \$1,380,000; James administration, \$960,000, a saving of \$420,000, or 30 per cent.

For newspaper advertising and notices: Earle administration, \$407,000; James administration, \$243,000, a reduction of \$164,000, or 40 per cent.

For rental equipment: Earle administration, \$7,100,000; James administration, \$2,900,000, a saving of \$4,200,000, or 59 per cent.

Mr. Speaker, I could go on with a lot of other items but I will not take up the time of the House at this time to do it. May I call to the attention of the gentleman on the other side the fact that the James administration kept its promise to the poor, to those on relief and to those in need, and did not cut their appropriations but they did cut the unnecessary expenditures and extravagants of the state Government.

Mr. ACHTERMAN. Mr. Speaker, after all the remarks of the gentleman from Dauphin have conveyed but one salient feature and that is with all these so called savings

and everything else he has indicated, it still remains a fact that the State is further in the hole, it owes more money, its condition is worse and it must constantly increase the amount of money it needs. We are faced with the largest budget in the history of the state. Has the gentleman explained anything to the satisfaction of anyone, even himself?

May I say just this as an example of all this financial juggling. A few months ago the Secretary involved in connection with the distribution of relief was asked how much was needed for the months of March, April and May, and how much he would ask for. He told the Governor twenty-two million dollars or somewhere in that neighborhood. The Governor asked for fourteen million dollars which is one way of saving eight million dollars and later on spending it. That is a good example of so-called savings. When you finally get down to the close of the year, at the end of the biennium, Mr. Speaker, you are further in the hole, and I am still waiting, anxiously waiting, for an explanation as to why the deficit is increasing.

On the question recurring,
Shall the bill pass finally?

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

YEAS—205.

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

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. 575, (Senate Bill No. 201), entitled:

An Act to amend a certain appropriation item contained in section two of Act 69-A, approved the twenty-seventh day of June, one thousand nine hundred thirty-nine (Appropriation Acts, 1939, P. L. 60), entitled "An act to provide for the ordinary expenses of the Executive, Legislative, and Judicial Departments of the Commonwealth, interest on the public debt, and the support of the public schools for two years beginning June first, one thousand nine hundred and thirty-nine; and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending May thirty-first, one thousand nine hundred and thirty-nine," by deferring for a short period of time certain payments required to meet the Sinking Fund requirements of Veterans' Compensation Bonds.

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

On the question,

Shall the bill pass finally?

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

YEAS—205.

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

Fisher, Fliss, Fleming, Fletcher, Flynn,	Lichtenwalter, Longo, Lovett, Lyons,	Riley, Rooney, Rose, S., Rose, W. E.,	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 return the same to the Senate with information that the House has passed it without amendments.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1152, as follows:

An Act making a deficiency appropriation to the Department of Public Assistance and providing for certain allocations therefrom for the purpose of carrying out the Public Assistance Law for the two fiscal years ending May thirty-first one thousand nine hundred and forty-one and for the payment of assistance and expenses accrued or incurred prior to and remaining unpaid on May thirty-first one thousand nine hundred forty-one

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

Section 1 The sum of six million three hundred thousand dollars (\$6,300,000) or as much thereof as may be necessary is hereby specifically appropriated from the General Fund to the Department of Public Assistance for the payment of assistance administrative expenses and expenses of liquidating the State Emergency Relief Board as provided by the Public Assistance Law and for the payment of attorneys' fees and court costs necessary for the proper conduct of the work of the Department of Public Assistance for the two fiscal years beginning June first one thousand nine hundred thirty-nine and for the payment of assistance administrative expenses expenses of liquidating the State Emergency Relief Board attorneys' fees and court costs accrued or incurred prior to and remaining unpaid on May thirty-first one thousand nine hundred forty-one

Section 2 Out of the moneys hereby appropriated the Department of Public Assistance shall allocate funds from time to time for the several assistance programs (old age assistance aid to dependent children pensions for the blind general assistance and other programs provided by the Public Assistance Law) for administrative expenses of the several county boards of assistance for such administrative expenses incurred by the department which are chargeable to such boards and for the payment of attorneys' fees and court costs necessary for the proper conduct of the work of the department

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—205.

Achterman, Ailmond, Auker, Baker, Balthaser, Baugher, Bentley, Bentzel, Boles, Bcney, Boorse, Bower,	Foor, French, Gallagher, Gates, Gerard, Gillan, Gillette, Goodwin, Greenwood, Gross, Gryskewicz, Gyger,	Malloy, Marks, Maxwell, McClanaghan, McClester, McDermott, McDowell, McFall, McGrath, McIntosh, McKinney, McLanahan,	Rosenfeld, Royer, Rush, Sarge, Sarraf, Scanlon, Schwab, Serrill, Shaffer, Shaw, Shepard, Simons,
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Bradley, Breth, Bretherick, Brown, Brunner, C. H., Brunner, P. A., Burns, Burris, Cadwalader, Chervenak, Chudoff, Cochran, Cohen, M. M., Cohen, R. E., Cook, Cooper, Cordier, Corrigan, Croop, Cullen, Dalrymple, Dennison, DiGenova, Dix, Dolon, D'Ortona, Duffy, Early, Eckels, Elder, Elliott, Ely, Falkenstein, Finestone, Finnerty, Fisher, Fliss, Fleming, Fletcher, Flynn,	Habbyshaw, Haberlen, Haines, Hall, Hamilton, Hare, Harkins, Harmuth, Harris, Heatherington, Helm, Hering, Herman, Hersch, Hewitt, Hirsch, Holland, Huntley, Imbrie, James, Jefferson, Jones, G. E., Jones, P. N., Keenan, Kline, Knoble, Kolankiewicz, Komorowski, Krlce, Lee, E. A., Lee, T. H., Leisey, Lesko, Levy, Leydic, Lichtenwalter, Longo, Lovett, Lyons,	McLane, McMillen, McSurdy, Melchiorre, Mihm, Modell, Monks, Mooney, Moran, Moul, Muir, Munley, Nagel, Numemacher, O'Brien, O'Connor, O'Dare, 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.,	Skale, Snyder, Sollenberger, Scrg, Stambaugh, Stank, Stine, Stockham, Tarr, Tate, Thompson, E. F., Thompson, R. L., Trout, Turner, VanAllsburg, Verona, Vincent, Vogt, Voidow, Voorhees, Wagner, Watkins, Weingartner, Weiss, Welsh, E. B., Welsh, M. J., Wilkinson, Williams, Winner, 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.

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 and only during the hours hereinafter fixed for the sale of liquor by hotel and restaurant licensees 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 between 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. SCANLON, FINNERTY and MOONEY asked for a verification of the roll.

The roll was verified and was as follows:

YEAS—103

Achterman,	Finnerty,	Maxwell,	Rhea,
Allmond,	Fletcher,	McClanaghan,	Rooney,
Baker,	Flynn,	McDermott,	Rose, S.,
Boles,	Gallagher,	McGrath,	Rosenfeld,
Boney,	Gerard,	McLanahan,	Royer,
Boorse,	Goodwin,	McLane,	Sarraff,
Bradley,	Gryskewicz,	McSurdy,	Scanlon,
Breth,	Harmuth,	Melchiorre,	Schwab,
Brown,	Heatherington,	Mihm,	Shaw,
Brunner, C. H.,	Hering,	Modell,	Shepard,
Cadwalader,	Herman,	Monks,	Skale,
Chudoff,	Hersch,	Mooney,	Stank,
Cohen, M. M.,	Hirsch,	Moran,	Tate,
Cohen, R. E.,	Holland,	Munley,	Thompson, E. F.,
Cook,	Jefferson,	O'Brien,	Vogt,
Cooper,	Keenan,	O'Connor	Voldow,
Cordier,	Kline,	O'Dare,	Voorhees,
Corrigan,	Kolankiewicz,	O'Mullen,	Watkins,
Cullen,	Komorofski,	O'Neill,	Weiss,
Dalrymple,	Lee, E. A.,	Petrosky,	Welsh, E. B.,
DiGenova,	Lesko,	Polaski,	Williams,
Dolon,	Lichtenwalter,	Powers,	Winner,
D'Ortona,	Longo,	Prosen,	Wood, L. H.,
Duffy,	Lovett,	Rausch,	Young,
Falkenstein,	Malloy,	Reese, R. E.,	Kilroy, Speaker
Finestone,	Marks,	Regan,	

NAYS—94

Auker,	Gates,	McClester,	Snyder,
Balthaser,	Gillette,	McFall,	Sollenberger,
Baughner,	Greenwood,	McIntosh,	Sorg,
Bentley,	Gross,	McKinney,	Stambaugh,
Bentzel,	Gyger,	McMillen,	Stine,
Bower,	Habbyshaw,	Moul,	Stockham,
Bretherick,	Haberlen,	Muir,	Tarr,
Brunner, P. A.,	Haines,	Nagel,	Thompson, R. L.,
Burns,	Hall,	Nunemacher,	Trout,
Burris,	Hamilton,	Owens,	Turner,
Chervenak,	Hare,	Pettit,	VanAllsburg,
Cochran,	Harkins,	Polen,	Vincent,
Croop,	Harris,	Rank,	Wagner,
Dennison,	Helm,	Readinger,	Weingartner,
Dix,	Imbrie,	Reagan,	Welsh, M. J.,
Early,	James,	Reese, D. P.,	Wilkinson,
Eckels,	Jones, G. E.,	Reynolds,	Wolf,
Elliott,	Jones, P. N.,	Riley,	Wood, N.,
Ely,	Knoble,	Rose, W. E.,	Woodring,
Fisher,	Krise,	Rush,	Woodside,
Fiss,	Lee, T. H.,	Serrill,	Wright,
Fleming,	Levy,	Shaffer,	Yeakel,
Foor,	Leydic,	Simons,	Yester,
French,	Lyons,		

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

REASONS FOR VOTE

Mr. DOLAN filed the following reasons for his vote.

I voted yes on House Bill 854, permitting hotel and restaurant licensees to sell by the bottle at certain times for consumption off the premises, because under the present laws such practises are in force and the means of obtaining the "goods" being generally known to the public and House Bill 854 will simply make the practice legal.

It will also enable persons living in rural communities, miles away from the nearest State Store to make purchases locally and in my opinion will greatly encourage

the consumption of liquor at home instead of in the taproom by those who like this form of beverage.

BILL ON FINAL PASSAGE

Agreeably to order,

The House proceeded to the consideration on final passage of House Bill No. 510, entitled as follows:

An Act to amend section five of the act approved the second day of July one thousand nine hundred thirty-five (P. L. 599) entitled "An act relating to motion picture exhibitions and sound motion picture exhibitions together with orchestral or other instrumental musical or mechanical accompaniment prelude playing or selection in connection with or incidental thereto on Sunday prohibiting motion picture exhibitions and sound motion picture exhibitions and orchestral or other instrumental musical or mechanical accompaniment prelude playing or selection incidental thereto on Sunday during certain hours and also during other hours unless the electors of a municipality approve thereof regulating the employment of persons in conducting such exhibitions on Sunday providing for referendums to ascertain the will of the electors and providing penalties and repealing inconsistent laws" by changing the method and time whereby future referendums be initiated and held

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

Section 1 Section five of the act approved the second day of July one thousand nine hundred thirty-five (P. L. 599) entitled "An act relating to motion picture exhibitions and sound motion picture exhibitions together with orchestral or other instrumental musical or mechanical musical accompaniment prelude playing or selection in connection with or incidental thereto on Sunday prohibiting motion picture exhibitions and sound motion picture exhibitions and orchestral or other instrumental musical or mechanical musical accompaniment prelude playing or selection incidental thereto on Sunday during certain hours and also during other hours unless the electors of a municipality approve thereof regulating the employment of persons in conducting such exhibitions on Sunday providing for referendums to ascertain the will of the electors and providing penalties and repealing inconsistent laws" is hereby amended to read as follows

Section 5 Further Referendums In any municipality the will of the electors with respect to the conducting staging and exhibiting of motion pictures and sound motion pictures on Sunday may after the year one thousand nine hundred and thirty-five (1935) but not oftener than once in five years be ascertained and the question as provided in section 3 of this act shall be submitted to the electors of any municipality at any primary election preceding any municipal election upon demand in writing of petitioners equal to at least [five per centum (5%)] thirty-five per centum (35%) of the highest vote cast for any candidates in the municipality at the last preceding general or municipal election Such petition shall be filed with the corporate authorities at least sixty (60) days before the day of any [general or municipal] primary election at which the question is to be submitted and if the petition is signed by the requisite number of petitioners it shall thereupon be certified to the county commissioners who shall cause such question to be submitted in the same manner as is provided in this act for the election in the year one thousand nine hundred and thirty-five (1935)

If a majority of the voters in any municipality in which motion picture exhibitions are permitted from and after two o'clock postmeridian on Sunday to which an admission charge is made or is incidental are not in favor of the continuance of such exhibitions then upon the certification of such election return to the acting chief executive officer of such municipality as is provided in section four of this act it shall thereafter be unlawful

to conduct stage manage operate or engage in such exhibitions after two o'clock postmeridian on Sunday but if a majority of the electors in any such municipality which has not heretofore permitted such motion picture exhibitions after two o'clock postmeridian on Sunday or which has not theretofore voted on such question are in favor of such exhibitions then upon the certification of such fact to the acting chief executive officer of such municipality as is provided in section 4 of this act such exhibitions shall thereafter be lawful

On the question,

Shall the bill pass finally?

Mr. WOODSIDE. Mr. Speaker, there are a lot of things wrong with this bill, but I think all of them are evident on its face with the exception of one, and I wish to call the attention of the Members of the House to one effect of this bill which may not appear evident from reading it.

This bill, if enacted into law, will become effective on September 1st, 1941. The bill provides for the holding of a referendum at a primary election. The primary election in 1941 will come in September. The bill further provides that the corporate authorities must have a petition 60 days before the day of any primary election. The fact of the matter is that this bill will make it impossible for a referendum to be held during the year 1941, and as there are no municipal elections in 1942, it will be impossible to hold any at that time, so that the next date a referendum can be held under this bill will be in the primary election of 1943. I think that point should be called to the attention of the Members of the House.

On the question recurring,

Shall the bill pass finally?

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

YEAS—126.

Achterman,	Fisher,	Maxwell,	Reynolds,
Allmond,	Flynn,	McClanaghan,	Rooney,
Baker,	Foor,	McDermott,	Rosenfeld,
Balthaser,	Gallagher,	McGrath,	Rush,
Bentley,	Gerard,	McIntosh,	Sarraf,
Boles,	Goodwin,	McLanahan,	Scanlon,
Boney,	Gryskewicz,	McLane,	Schwab,
Bradley,	Habelen,	McSurdy,	Shaffer,
Breth,	Hamilton,	McChlorre,	Shaw,
Brown,	Hare,	Mihm,	Shepard,
Brunner, P. A.,	Harkins,	Modell,	Skale,
Burns,	Harmuth,	Monks,	Sorg,
Chervenak,	Harris,	Mooney,	Stank,
Chudoff,	Heatherington,	Moran,	Stine,
Cochran,	Hering,	Munley,	Tarr,
Cohen, M. M.,	Herman,	Nunemacher,	Tate,
Cohen, R. E.,	Hersch,	O'Brien,	Thompson, E. F.,
Cook,	Hirsch,	O'Connor,	Vogt,
Cordier,	Holland,	O'Dare,	Voldow,
Corrigan,	Jefferson,	O'Mullen,	Watkins,
Cullen,	Jones, P. N.,	O'Neill,	Wechs,
Dahymple,	Keenan,	Owens,	Weich, E. E.,
DiGenova,	Kline,	Petrosky,	Welch, M. J.,
Dolon,	Kosoble,	Pattit,	Williams,
D'Ortona,	Kolankiewicz,	Palacki,	Wolf,
Duffy,	Komorowski,	Polen,	Woodring,
Early,	Lesko,	Powers,	Wright,
Elder,	Levy,	Prosen,	Yester,
Ely,	Longo,	Rausch,	Young,
Falkenstein,	Lovett,	Readinger,	Kilroy,
Finestone,	Malloy,	Reese, R. E.,	Speaker,
Finnerty,	Marks,	Regan,	

NAYS—62.

Auker,	Gates,	McClester,	Stambaugh,
Baughner,	Gillette,	McKinney,	Stockham,
Boorse,	Gross,	McMillen,	Thompson, R. L.,
Bower,	Cyger,	Moul,	Trout,
Bretherick,	Habbyshaw,	Muir,	Turner,
Brunner, C. H.,	Haines,	Rank,	VanAllsburg,

Burris,	Hall,	Reagan,	Vincent,
Cadwalader,	Helm,	Reese, D. P.,	Voorhees,
Cooper,	Imbrie,	Rhea,	Weingartner,
Dennison,	James,	Rose, S.,	Wilkinson,
Dix,	Jones, G. E.,	Rose, W. E.,	Winner,
Eckels,	Krise,	Serrill,	Wood, L. H.,
Elliott,	Lee, E. A.,	Simons,	Wood, N.,
Fiss,	Leydic,	Snyder,	Woodside,
Fletcher,	Lichtenwalter,	Sollenberger,	Yeakel,
French,	Lyons,		

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.

COMMITTEE MEETINGS

Counties, Tuesday, April 22 at 11:30 a. m. in Room 521.

Judiciary General, Tuesday, April 22 at 10 a. m. in Room 246.

Judiciary Special, Tuesday, April 22 at 11:30 a. m. in Room 246.

Labor, Tuesday, April 22 at 11 a. m. in Room 521.

Motor Vehicles, Tuesday, April 22 at 11 a. m. in Room 324.

Public Health and Sanitation, Tuesday, April 22 at 11:30 a. m. in Room 331.

State Government, Tuesday, April 22 at 11:15 a. m. in Room 325.

There will be a Public Hearing before the Committee on Professional Licensure on House Bill No. 1048 on Wednesday, April 23 at 7:00 p. m. in the New House Caucus Room.

There will be a Public Hearing before the Committee on Workmen's Compensation on House Bills Nos. 990 and 1002 on Tuesday, April 29 at 7:00 p. m. in the New House Caucus Room.

The Regular meeting of the Committee on Cities of the First Class postponed until Wednesday, April 23 at 12 noon in Room 521.

Democratic Caucus in House Caucus Room on Tuesday, April 22 at 12 noon.

ADJOURNMENT

Mr. CROOP. Mr. Speaker, I move that this House do now adjourn until Tuesday, April 22, 1941, at 1 p. m.

The motion was agreed to, and (at 11:45 p. m.) the House adjourned.