

an opening for the German war machine to roll down into Italy and occupy its strategic points without fighting and I feel sure that today Mussolini is only the Charley McCarthy of Hitler's Bergen. Italy is as surely under the Nazi power and the tattlings of the Gestapo as Poland. Mutterings of a separate peace with Italy are vain.

The Balkan campaign in which Hitler was forced to send his Legions to the rescue of the blatant Duce has had a long string of results. The exhaustion of Rumania, Bulgaria and the wrecking of the farmlands of Jugoslavia and the plunging of the mechanized hordes through the fair valleys of Greece has cut down the productivity of the farms, vineyards, herds and factories of the Balkans. Every plunge of Hitler into a country has destroyed the very things which Hitler's armies are so vitally needing.

Oil upon which the modern army moves was used in lavish manner by the Germans in the plunge into the Balkan states. The huge mechanized divisions of the Hitler forces with their tanks, tractor drawn guns, motorized panzer divisions all of which are motivated with gasoline consume huge quantities of gasoline. Replacing of these stores used so lavishly cannot be accomplished in a day, a week or a month. Every mile that the line stretches away from Berlin marks a higher consumption of the vital fluid which is the life blood of the German forces.

Have you ever realized that a fleet of 500 planes of the type used by the Germans consumes as much gasoline on one raid as 300 pleasure cars driven in America in one year? Essential oils of all kinds are at all times a crying need of the German war machine.

Then too the flower of the Blitz troops was thrown into the fray in Greece and especially trained troops are turned out in jig time. Ask any of the Staff officers out at Indiantown Gap and they will tell you that a year is not long enough in which to turn out a finished soldier. And the German losses in the tangle with the British Empire forces in the Balkans were terrific. It is estimated by competent observers that the German dead outnumbered the entire strength of the British forces thrown into Greece. And the wounded? Conservative estimates are that from 150,000 to 200,000 are incapacitated for duty for months to come. The cost of men and material was immense. Of course, in any army of 4,000,000 these figures seem to be small by comparison with the whole, but the German army is being split up for police duty in the conquered lands and the army as a whole cannot be figured as available for battle at present.

So the Balkan adventure, as I see it, has had the effect of scattering the efforts of the Nazi machine; of throwing it off its time schedule; of wasting its resources; of killing its specially trained Blitz troopers; of wrecking hundreds of its tanks and motorized war machines and airplanes. Yes, it has been to the advantage of the British Lion to roar in the Balkans.

But one of the most telling effects of the Blitz into the Balkans was the interfering with the war schedule of the Germans. Time which is most valuable to the British was afforded. Every passing day gives the British that much more time to consolidate its efforts in the British Isles. For the British Isles must be taken and occupied before a real knot is tied in the Lion's tail. While only three weeks was consumed in the Balkans it will take additional weeks to consolidate position and get plans in readiness for the next war move by the Axis.

In the meantime, America's efforts are gaining. Last week the big 29-ton tanks began to come off the assembly lines of the Baldwin locomotive works, the airplane factories are producing under mass production; airplane engines are fairly leaping off assembly lines and every day the hum of motors over the Atlantic betoken bombers flying to England.

Yes, our efforts are beginning to bear fruit. By July 1st of this year, many of the new plants will be in production of war munitions and machines and our efforts will begin to count.

But today we have a grim picture of plants reducing production and shutting down due to a soft coal shortage. This and similar strikes are not necessary and labor leaders and manufacturers who hamstringing the defense effort by failure to agree should be ushered into concentration camps. Democracies are too soft and I for one feel that now is the time when the old slogan "One for all and all for one" and that one, Uncle Sam should be put into practice.

Let concentration camps yawn open for men who put greed ahead of national unity and a strong nation and they will soon find seats at a council table and reach agreements. And too, I feel that profits both for labor and manufacturers are becoming too high. True I grant you that the "laborer is worthy of his hire," but why in a time of stress should the "hire" become so high? Let me ask how living costs can be kept down if the labor element entering into every product is advancing? There should be a happy medium. If a million of the flower of youth can be taken into an army for a paltry \$21 per month, why cannot a mean wage be established in civilian life?

I am a friend of the working man and of the manufacturer but I can vision the day when if this rampant demand for more and more continues that both labor and the manufacturer will face a condition when Uncle Sam will step in and say "You must produce this article for so much money and both labor and the manufacturer will be denied the right to sit in comfort and dictate "thus and so."

That day is approaching if this present period of unrest keeps up and the President under the Emergency Act has the right to impose his terms. Of course, a strong man is needed to thus act but even a vacillating theorist may be pushed too far.

But the situation today is not so black as painted. I am an optimist and a "bull" on England's chances in this war. Hitler will be defeated and the United States possesses the power to make that defeat quick and sure. Let America once get her shoulder to the wheel and let the American navy convoy the ships of the Allies to England and supplies will reach their destination. The time for parley is past. Grim determination to have the guns, planes and tanks reach England and they will. Half measures in assuring the safety of shipping from German raiders will not do. We must provide that measure of safety.

Britain has always muddled through with a heavy cost of men and material. We must not muddle! We must act. Our American people are thoroughly behind the government and are willing to pay, provided they get the goods they are paying for and the results are sure.

Let us speed the day when the sun of victory will cast

its glint over the world and we can say to Churchill, "We gave you the tools and you did the job."

ADJOURNMENT

Mr. GELTZ. Mr. President, I move that the Senate do now adjourn until Tuesday, April 29, 1941, at 10:00 o'clock a. m., Eastern Standard Time.

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

The motion was agreed to.

The Senate adjourned at 6:02 o'clock, p. m. Eastern Standard Time until Tuesday, April 29, 1941, at 10:00 o'clock, a. m., Eastern Standard Time.

HOUSE OF REPRESENTATIVES

MONDAY, April 28, 1941

The House met at 8 p. m.

The SPEAKER (Elmer Kilroy) in the Chair.

PRAYER

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

Great God, our Father, we pray Thee, show unto each of us the beauty of selflessness, and the joy of investing our lives for the common good. When the way is hard, when the storms of temptation gather around us, when enemies assail us, and friends forsake us, then may we find Thy grace sufficient for all our needs. May Thy grace and Thy love renew our courage and rekindle our flagging hopes. May we be strengthened to bear the perfect will of God.

Call us from the beaten track. Speak to us amid our daily round of industry and show us the worlds yet unclaimed for Thee. Help us, O God, to turn away from what the world deems safe and certain, that we may answer Thy call to help build such a State where love, peace, good will, and brotherhood have their very root in Thee, the one true and living God. In Thy Holy Name, we pray. Amen.

JOURNAL APPROVED

The SPEAKER. The Clerk will read the Journal of Thursday, April 24, 1941.

The Clerk proceeded to read the Journal of Thursday, April 24, 1941, when, on motion of Mr. MATTHEW J. WELSH, unanimously agreed to, the further reading was dispensed with and the Journal approved.

BILL INTRODUCED AND REFERRED

By Mr. McSURDY.

HOUSE BILL No. 1409

An Act making an appropriation to the Treasury Department for the purpose of reimbursing county treasuries for the refunding, in accordance with certain court orders, of retail liquor license fees and additional taxes to holders of licenses to sell vinous, spirituous, malt or brewed liquors of any admixture thereof, or intoxicating liquor, where the act of assembly under the authority of which such licenses were granted was repealed by the General Assembly of one thousand nine hundred and twenty-three prior to the expiration of the license year for which such licenses were issued.

Referred to the Committee on Appropriations.

RESOLUTION INTRODUCED AND REFERRED

By Mr. REGAN.

RESOLUTION No. 87.

In the House of Representatives, April 24, 1941.

Whereas, It is the duty of the Department of Health and the Bureau of Vital Statistics, under the provisions of the acts approved the 7th day of June, 1915, (P. L. 900), and the 9th day of April, 1929, (P. L. 177), to supply certified copies of the birth, death, and marriage records maintained by that Department, upon the payment of the prescribed fee; and

Whereas, The effect of the present National Defense Program, together with the requirements of certain new legislation, has given rise to a greatly increased demand for certified copies of birth, death, and marriage records; and

Whereas, The Department of Health and the Bureau of Vital Statistics have apparently been unable to meet the increased demand for such certified copies, thereby depriving the Commonwealth of considerable revenues and greatly and unnecessarily inconveniencing the large number of persons to whom a certified copy of a birth or death record is an immediate necessity; now therefore be it

Resolved, By the House of Representatives of the General Assembly, that the Speaker of the House shall appoint a legislative committee consisting of five members whose duty it shall be to investigate the reasons for the failure or inability of the Department of Health and the Bureau of Vital Statistics to supply, promptly on request, certified copies of birth, death, and marriage records, for the purpose of ascertaining whether such conditions are due to lack of adequate funds, insufficient personnel or equipment, or to administrative inefficiency; and be it further

Resolved, That said committee report the results of its investigation to this House as speedily as possible, together with its recommendations as to the steps which should be taken to clear up this situation.

Referred to the Committee on Rules.

COMMUNICATIONS FROM THE GOVERNOR

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

APPROVAL OF HOUSE BILL No. 450

Commonwealth of Pennsylvania,

Governor's Office, Harrisburg, April 28, 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. 450, Printer's No. 288, entitled "An act to further amend section 1902 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' exempting certain contracts for public utility service from the provisions of said act regulating advertising and bidding for contracts."

ARTHUR H. JAMES.

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

APPROVAL OF HOUSE BILL No. 593

Commonwealth of Pennsylvania,

Governor's Office, Harrisburg, April 23, 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. 593, Printer's No. 161.

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

ARTHUR H. JAMES.

APPROVAL OF HOUSE BILL No. 688

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, April 23, 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. 688, Printer's No. 238, entitled "An act concerning reciprocal agreements for the Interstate Transportation and the support of poor and indigent persons and to make uniform the law with reference thereto."

ARTHUR H. JAMES.

SENATE MESSAGE

HOUSE BILLS CONCURRED IN BY SENATE

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

HOUSE BILL No. 145.

An Act validating county treasurer's deeds where the acknowledgement of such deed or deeds was defective in any respect, if in fact such acknowledgement was taken before a judge of the county.

HOUSE BILL No. 1151.

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

HOUSE BILL No. 1152.

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

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

BILLS SIGNED BY SPEAKER

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

SENATE BILL No. 285.

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

HOUSE BILL No. 145.

An Act validating county treasurer's deeds where the acknowledgement of such deed or deeds was defective in any respect, if in fact such acknowledgement was taken before a judge of the county.

HOUSE BILL No. 1151.

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.

HOUSE BILL No. 1152.

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.

Whereupon,

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

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 28, 1941.

Resolved, (if the House of Representatives concur), That when the Senate adjourns this week, it reconvene on Monday, May 5th, 1941, at 3:30 o'clock p. m., Eastern Standard Time, and when the House of Representatives adjourns this week, it reconvene on Monday, May 5th, 1941 at 8 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.

COMMUNICATIONS AND PETITIONS

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

COUNTY FAIRS

A communication from Pennsylvania State Association

of County Fairs addressed to the Speaker favoring passage of House Bill No. 910.

Referred to the Committee on Agriculture.

HISTORICAL SOCIETIES

A communication from University of Pennsylvania, accompanied by resolutions adopted by Pennsylvania Federation of Historical Societies, addressed to the Speaker, favoring passage of House Bills Nos. 144, 609, 610, 496 and 497.

Referred to the Committee on Appropriations.

TEACHER'S SALARY

A communication from Pennsylvania Association of Fourth Class District Teachers and Philadelphia Teachers Association favoring passage of House Bill No. 165 increasing salaries of fourth class district teachers.

Referred to the Committee on Education.

ELECTIONS

A communication from American Civil Liberties Union protesting passage of Senate Bill No. 172 (House Bill No. 1212).

Referred to the Committee on Elections.

HIGHWAY

Communications from Mrs. Maitland Alexander, Sewickley, and Madeline McClintock, Pittsburgh, favoring passage of House Bill No. 711, highway protection area.

Referred to the Committee on Highways.

UNFAIR SALES ACT

A communication from Pennsylvania Grocers Association, Philadelphia, addressed to the Speaker, favoring passage of Senate Bill No. 24 (House Bill No. 1210), Unfair Sales Act.

Referred to the Committee on Judiciary Special.

PENAL CODE

A communication from Samuel Earle Eby Company, Philadelphia, addressed to the Speaker, opposing passage of House Bill No. 907, amendment of Penal Code.

Referred to the Committee on Judiciary Special.

PROHIBITED SALES

Telegrams from North Penn Boosters Association, Philadelphia Merchants Association, Retail Jewelers Association of Philadelphia, Philadelphia Trade Relations Council, Oppenheim Collins, favoring passage of House Bill No. 1023.

Referred to the Committee on Judiciary Special.

UNEMPLOYMENT COMPENSATION

A communication from the P. R. T. Employes Union, Philadelphia, addressed to the Speaker, recommending amendment of Unemployment Compensation Law.

Referred to the Committee on Labor.

LIQUOR CONTROL

A petition from the Community Betterment Association, Wilkinsburg, opposing passage of House Bills Nos. 99, 120, 156, 397, 399, 594.

Telegrams from Walter H. Briggs, and John J. McGowan, favoring passage of House Bill No. 854.

A communication from Pennsylvania Federation of Fraternal and Social Organizations, Allentown, favoring passage of House Bills Nos. 334, 508, 593, and 43.

Communications from citizens of Philadelphia, favoring passage of House Bill No. 909.

Referred to the Committee on Liquor Control.

REAL ESTATE BROKERS

A communication from North Philadelphia Realty Board, addressed to the Speaker, opposing passage of House Bills Nos. 612 and 649 and favoring passage of House Bill No. 738.

Referred to the Committee on Professional Licensure.

EMBALMERS

A communication from Embalmers' and Derma Surgical Association of Pennsylvania, Philadelphia, favoring passage of House Bill No. 227.

Referred to the Committee on Professional Licensure.

CHIROPODY

Communications from citizens of Philadelphia, addressed to the Speaker, favoring passage of House Bill No. 1048.

Referred to the Committee on Professional Licensure.

OPTOMETRY

Communications from Pennsylvania Ootometric Association, Philadelphia County Optometric Society, favoring passage of House Bills Nos. 684 and 685.

A communication from Pennsylvania Newspaper Publishers Association, protesting passage of House Bills Nos. 684 and 685.

A communication from Pittsburgh Optical Workers, Local No. 18820, addressed to the Speaker, opposing passage of House Bill No. 966.

Referred to the Committee on Professional Licensure.

NURSES

A communication from Mrs. Edwin S. Keim, Philadelphia, addressed to the Speaker, protesting passage of House Bill No. 462.

Communications from Pennsylvania State Nurses Association and the Alumnae Association of the Presbyterian Hospital School of Nursing of Philadelphia, addressed to the Speaker, favoring passage of House Bills Nos. 674 and 675.

Communication from citizens of Philadelphia, protesting passage of House Bills Nos. 674 and 675.

Referred to the Committee on Professional Licensure.

MUNICIPAL AUTHORITIES

A communication from Beaver Falls Municipal Authority, requesting public hearing on House Bills Nos. 203, 222, 372, 540, 589 and 758.

Referred to the Committee on Public Utilities.

DELAWARE RIVER BASIN

A communication from the Philadelphia Maritime Exchange, addressed to the Speaker, favoring passage of House Bill No. 900.

Referred to the Committee on State Government.

WEIGHMASTERS

A communication from Edmonds, Obermayer and Redmann, Philadelphia, addressed to the Speaker, favoring passage of House Bill No. 849 with amendments.

Referred to the Committee on State Government.

SPECIAL LEGISLATION

A communication from David N. Denman, Esq., Latrobe, addressed to Mr. Haberlen, requesting special act of the Legislature permitting suit to be brought against the Commonwealth because of an accident involving a State Police car.

Referred to the Committee on State Government.

OLD AGE ASSISTANCE

A petition from citizens of Pennsylvania, presented by Mr. Gates and a communication from Townsend National Recovery Plan, Altoona, addressed to the Speaker, favoring passage of House Bill No. 115.

Referred to the Committee on Welfare.

W. P. A.

A communication and resolution from the City of Carbondale, presented by Mr. Cordier urging the adoption of a concurrent resolution "prevailing upon the national and state W. P. A. officials to reconsider plan for dropping of employes in the Education-Recreation Division."

Referred to the Committee on Welfare.

WORKMEN'S COMPENSATION

Communications from United Mine Workers of America, Local No. 1190, Ellsworth, addressed to the Speaker, favoring amendment of Workmen's Compensation Law.

Referred to the Committee on Workmen's Compensation.

COMMUNICATIONS

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

Mrs. Samuel Bryan Scott
1 Norman Lane, Chestnut Hill,
Philadelphia, Pa.

April 24, 1941.

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

My dear Mr. Kilroy:

The members of Mr. Scott's family join with me in expressing to you and to the members of the House of Representatives our appreciation of the Resolution passed April 15th, memorializing the late Samuel B. Scott.

Sincerely yours

MRS. SAMUEL B. SCOTT.

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

Thank you sincerely for your kind expression of sympathy. It was deeply appreciated and is gratefully acknowledged.

MARTIN KENEHAN and Family.

LEAVE OF ABSENCE

By unanimous consent leave of absence was granted as follows:

Mr. Elder for Mr. RILEY on account of illness.

RESOLUTION RE-REFERRED

Mr. READINGER returned from the Committee on Rules with a recommendation that it be re-referred to the Committee on Public Health and Sanitation, House Resolution No. 83.

The SPEAKER. The resolution is re-referred to the Committee on Public Health and Sanitation.

BILL ON FIRST READING

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1270, entitled:

An Act to further amend sections one, two and seven of the act approved the twelfth day of June, one thousand nine hundred and thirty-one (P. L. 510), entitled "An act providing for the licensure and regulation of certain private nursing homes and private hospitals; conferring certain powers and duties upon the Department of Welfare; and providing penalties." limiting the provisions of said act to exclude nursing homes and hospitals operated on a non-profit basis.

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

BILL ON SECOND READING

Agreeably to order,

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

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

The first section was read.

On the question,

Will the House agree to the section?

BILL POSTPONED

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

The motion was agreed to.

BILL ON SECOND READING

Agreeably to order,

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

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

The first section was read.

On the question,
Will the House agree to the section?

BILL POSTPONED

Mr. McCLANAGHAN. Mr. Speaker, I move that this bill be placed upon the postponed calendar.
The motion was agreed to.

BILLS ON SECOND READING

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1198, entitled:

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

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. 79, entitled:

An Act prohibiting the recording of any broadcast performance or rendition without the permission and consent of the person or persons whose performance or rendition is so recorded and the offering for sale selling leasing licensing or possession of such unlawful recording and providing penalties therefor

The first section was read.

On the question,

Will the House agree to the section?

BILL RECOMMENDED

Mr. REUBEN E. COHEN. Mr. Speaker, I move that this bill be recommitted to the Committee on Judiciary Special 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. 727, entitled:

A Supplement to the act approved the twenty-second day of June one thousand nine hundred and thirty-one (P. L. 594) entitled "An act establishing certain township roads as State highways authorizing their construction maintenance and improvement under certain conditions and restrictions limiting the obligation of the Commonwealth in the construction of certain structures located on such highways conferring certain powers upon the Department of Highways and local authorities persons associations and corporations for sharing the cost of the maintenance and construction of such highways and making an appropriation to carry out the provisions of said act" establishing an additional route in the County of Northumberland.

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. 728, entitled:

A Supplement to the act approved the twenty-second day of June one thousand nine hundred and thirty-one (P. L. 594) entitled "An act establishing certain township roads as State highways authorizing their construction maintenance and improvement under certain conditions and restrictions limiting the obligation of the Commonwealth in the construction of certain structures located on such highways conferring certain powers upon the Department of Highways and local authorities persons associations and corporations for sharing the cost of the maintenance and construction of such highways and making an appropriation to carry out the provisions of said act" establishing an additional route in the County of Union.

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. 918, entitled:

An Act to amend the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" as amended by establishing a Dog Control Commission and defining its powers and duties and repealing inconsistent acts or parts of acts.

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

The motion was agreed to.

BILL ON SECOND READING

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 870, entitled:

An Act to further amend sections twenty and twenty-one of the act approved the third day of May one thousand nine hundred and thirty-three (P. L. 252) entitled as amended "An act to regulate and restrain the traffic in malt and brewed beverages as herein defined providing for the licensing of the manufacture transportation sale and distribution of such beverages imposing license and permit fees and providing for the collection and distribution

thereof restricting ownership and interest in licensed places permitting municipalities and townships by vote of the electors to prevent the licensing therein of places where such beverages may be sold for consumption on the premises and regulating elections for this purpose imposing duties upon the Pennsylvania Liquor Control Board quarter sessions courts district attorneys the Department of Justice proper authorities of political subdivisions of the State and election officers providing penalties and repealing existing acts" by further regulating manufacturers and distributors and importing distributors of malt and brewed beverages.

The first section was read.

On the question,

Will the House agree to the section?

BILL RECOMMENDED

Mr. O'MULLEN. Mr. Speaker, I move that this bill be recommitted to the Committee on Liquor Control 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. 507, entitled:

An Act to amend article twenty-five of the act approved the ninth day of June one thousand nine hundred eleven (P. L. 756) entitled "An act to provide for the health and safety of persons employed in and about the bituminous coal mines of Pennsylvania and for the protection and preservation of property connected therewith" requiring the employment of an assistant to every motorman operating a locomotive in or about any mine.

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. 1095, entitled:

An Act to further amend section six of the act approved the fifth day of May one thousand nine hundred and eleven (P. L. 198) entitled "An act to establish a county court for the county of Allegheny and prescribing its powers and duties regulating the procedure therein and providing for the expenses thereof" by conferring upon said county court jurisdiction in certain civil actions transferred to it by the Court of Common Pleas of Allegheny County.

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. 1240, entitled:

An Act fixing the fee to be charged by the local authorities in cities of the first class for furnishing certified copies of the record of any birth death or marriage which had been registered in the office of such local authorities prior to the taking effect of the Act approved June seventh one thousand nine hundred fifteen (P. L. 900) and for searches of the files and records when no certified copy is made.

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. 194, entitled:

An Act to amend section two of article five of the act approved the ninth day of June one thousand nine hundred eleven (P. L. 756) entitled "An act to provide for the health and safety of persons employed in and about bituminous coal mines of Pennsylvania and for the protection and preservation of property connected therewith" by requiring fire bosses to report any dangerous conditions in bituminous mines to the mine inspector.

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. 1255, entitled:

An Act authorizing cities of the first class which have issued or may hereafter issue bonds to redeem the same and issue new bonds therefor.

The first section was read.

On the question,

Will the House agree to the section?

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

The amendments were read by the Clerk as follows:

Amend Sec. 1, page 2, line 10, by striking out the word "or" and inserting in lieu thereof: "and".

Amend Sec. 1, page 2, line 18, by inserting after the word "bonds" the following: "and".

The amendments were agreed to.

The section was agreed to as amended.

The second section was read.

On the question,

Will the House agree to the section?

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

The amendments were read by the Clerk as follows:

Amend Sec. 2, page 2, line 22, by inserting after the word "and" the following: "shall".

Amend Sec. 2, page 2, line 22, by inserting after the word "issue" the following: "and sell new".

The amendments were agreed to.

The section was agreed to as amended.

The third section was read.

On the question,

Will the House agree to the section?

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

The amendment was read by the Clerk as follows:

Amend Sec. 3, page 3, line 16, by inserting after the word "repealed" the following: "except the provisions of the act, approved the fifth day of January, one thousand nine hundred thirty-four (P. L. 218, 1933-34), entitled "An act authorizing counties, cities, boroughs, townships, incorporated towns, poor districts and school districts to issue bonds for the purpose of refunding or retiring outstanding bonds, and to exchange said new bonds for such outstanding bonds without payment of cash or public bidding, and limiting any compensation payable therefor," as amended by the act, approved the nineteenth day of June, one thousand nine hundred thirty-nine (P. L. 428), which shall remain in full force and effect."

The amendment was agreed to.

The section was agreed to as amended.

The fourth section was read and agreed to.

The title was read.

On the question,

Will the House agree to the title?

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

The amendment was read by the Clerk as follows:

Amend title, page 1, line 3 of title, by inserting after the word "issue" the following: "and sell".

The amendment was 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.

ANNOUNCEMENT BY SPEAKER

The SPEAKER. The Chair requests the Chairmen of Committees in fixing the time for holding committee meetings to designate Eastern Standard Time instead of Daylight Saving Time.

The Chair would also request the Chairmen to please send notices of committee meetings to the Clerk before the end of the session.

BILLS ON SECOND READING

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1253, entitled:

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

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

Ordered, To be transcribed for a third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1245, entitled:

An Act to further amend section one of the act approved the thirty-first day of May one thousand eight hundred and ninety-three (P. L. 188) entitled "An act designating the days and half days to be observed as legal holidays and for the payment acceptance and protesting of bills notes drafts checks and other negotiable paper and such days" providing for the observance of Labor Day on the second Monday of September in the year one thousand nine hundred and forty-one

The first section was read.

On the question,

Will the House agree to the section?

BILL POSTPONED

Mr. REUBEN E. COHEN. Mr. Speaker, I move that this bill be placed upon the postponed calendar.

The motion was agreed to.

BILLS ON SECOND READING

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 101, entitled:

An Act to add rule ten A to article eleven section one of the act approved the ninth day of June one thousand nine hundred and eleven (P. L. 756) entitled "An act to provide for the health and safety of persons employed in and about the bituminous coal-mines of Pennsylvania and

for the protection and preservation of property connected therewith" requiring that cars or wagons used for transporting persons in or about mines and hauled by electric locomotives operated from trolley wires shall have bodies constructed of wood or other non-conducting material.

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. 1050, entitled:

An Act requiring cities of the first class to furnish all police officers employed by such cities all firearms cartridges and all other firearm accessories free of charge

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. 1071, entitled:

An Act to further amend section sixteen of the act approved the thirty-first day of May one thousand nine hundred and eleven (P. L. 468) entitled "An act providing for the establishment of a State Highway Department by the appointment of a State Highway Commissioner two Deputy State Highway Commissioners chief engineer chief draughtsman superintendents of highways and a staff of assistants and employes defining their duties and the jurisdiction of the State Highway Department and fixing salaries of commissioner and deputies and other appointees providing for taking over from the counties or townships of the Commonwealth certain existing public roads connecting county-seats principal cities and towns and extending to the State line describing and defining same by route numbers as the State highways of the Commonwealth providing for the improvement maintenance and repair of said State highways solely at the expense of the Commonwealth and relieving the several townships or counties from any further obligation and expense to improve or maintain the same and relieving said townships or counties of authority over same requiring boroughs and incorporated towns to maintain certain State highways wholly and in part requiring the State Highway Commissioner to make maps to be complete records thereof conferring authority on the State Highway Commissioner providing for the payment of damages in taking of property or otherwise in the improvement thereof providing for purchase or acquiring of turnpikes or toll-roads forming all or part of any State highway and procedure therein providing for work of improvement of State highways to be done by contract except where the State Highway Commissioner decides the work be done by the State providing aid by the State to counties and townships desiring the same in the improvement of township or county roads defining highways and State-aid highways providing method of application for State aid in the improvement maintenance and repair of township or county roads and prescribing the contents of township county borough or incorporated town petitions providing for percentage of cost of improvement or repairs to be paid by State county township borough or incorporated town and requiring contracts by counties townships boroughs and incorporated towns with Commonwealth governing same providing for the minimum width of State highways and State-aid highways and kind of materials to be used in the improvement and repairs providing penalty for injuring or destroying State highways making appropriations to carry out the provisions of the act and providing for the repeal of certain acts relating to Highway Department and improvement of roads and of all acts or parts of acts inconsistent herewith and providing that existing contracts are not affected by provisions of this act" providing for the payment of costs by the Commonwealth in certain cases

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

Ordered, To be transcribed for a third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1135, entitled:

An Act authorizing the Department of Property and Supplies to acquire on behalf of the Commonwealth certain land upon which the historic Fort Roberdeau once stood in Blair County as a memorial providing for the control management supervision restoration and maintenance thereof authorizing the Pennsylvania Historical Commission to make and enforce rules and regulations for the preservation and visitation thereof and making an appropriation

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. READINGER. Mr. Speaker, I move that this bill be recommended 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. 739, entitled:

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

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. 1251, entitled:

An Act authorizing and directing the Legislative Reference Bureau to compile edit and publish a compilation of laws relating to local taxation and making an appropriation

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

Ordered, To be transcribed for a third reading.

BILL RECOMMENDED

Mr. WEISS. Mr. Speaker, I move that this bill be recommended to the Committee on Appropriations 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. 1352, entitled:

An Act to further amend the first paragraph of section nine of the act, approved the sixteenth day of May, one thousand nine hundred and twenty-three (P. L. 207), entitled "An act providing when, how, upon what property, and to what extent, liens shall be allowed for taxes and for municipal improvements, for the removal of nuisances, and for water rents or rates, sewer rates, and lighting rates; for the procedure upon claims filled therefor; the methods for preserving such liens and enforcing payment of such claims; the effect of judicial sales of the properties liened; the distribution of the proceeds of such sales and the redemption of the property therefrom; for the lien and collection of certain taxes heretofore assessed, and of claims for municipal improvements made and nuisances removed, within six months before the passage of this act; and for the procedure on tax and municipal claims filed under other and prior acts of Assembly," limiting the interest rate imposed on municipal liens so that the same shall not exceed the rate of interest paid by the municipality in financing the improvement.

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. 1194, entitled:

An Act to amend sections two and three of the act approved the eleventh day of May one thousand nine hundred and eleven (P. L. 275) entitled "An act to provide for the appointment of county and city inspectors of weights and measures providing for their compensation and expenses prescribing their duties prohibiting vendors from giving false or insufficient weights and fixing the penalties for the violation of the provisions hereof" as amended by providing for the issuance of certificates of approval for weights and measures of county city and borough sealers

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

Ordered, To be transcribed for a third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1282, entitled:

An Act providing that taxes on unseated lands shall be collected and returned in the same manner and at the same time as taxes on seated lands.

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. 652, entitled:

An Act authorizing any county city borough town township poor district school district or institution district to execute a special warranty deed for any real property which it has acquired at any sale for the nonpayment of taxes or municipal claims

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. 1091, entitled:

An Act to amend section sixteen of the act approved the seventeenth day of June one thousand nine hundred and thirteen (P. L. 507) entitled "An act to provide revenue for State and county purposes and in cities coextensive with counties for city and county purposes imposing taxes upon certain classes of personal property providing for the assessment and collection of the same providing for the duties and compensation of prothonotaries and recorders in connection therewith and modifying existing legislation which provided for raising revenue for State purposes" by providing that the tax on personal property imposed by counties and by cities coextensive with counties shall be a lien after recordation upon the franchises and real property of the person taxed and provided for the extending and continuing of said liens

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. 567, entitled:

An Act to reenact and amend the act approved the twenty-fourth day of June one thousand nine hundred and thirty-nine (P. L. 748) entitled "An act for the registration and regulation of certain individuals and entities selling contracting to sell or dispose of attempting or offering to dispose of soliciting offers to buy or inducing holders thereof to exchange securities defined herein including securities issued by them or engaging in the business of inducing holders of securities to effect the sale thereof in order to produce funds to pay for other investments sold by them or in the business of buying securities directly from individuals who are not registered thereunder providing for the revocation and suspension of registrations conferring powers and imposing duties on the Pennsylvania Securities Commission and otherwise providing for the administration of this act providing for appeals to the Court of Common Pleas of Dauphin County and to the Supreme Court of Pennsylvania conferring jurisdiction upon the several courts of common pleas to issue injunctions against violations of this act and prescribing fees and penalties" by providing for the registration and regulation of investment advisers and their solicitors further defining "dealers" and further regulating dealers and salesmen providing for service on registrants under provisions of this act and imposing penalties

The first section was read.

On the question,

Will the House agree to the section?

BILL RECOMMENDED

Mr. LEVY. Mr. Speaker, I move that this bill be recommended to the Committee on Banking for the purpose of 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. 398, entitled:

An Act authorizing the Department of Highways to take over bridges viaducts and other structures on State highways for the purpose of construction reconstruction maintenance and repair thereof when such highways are designated as essential National Defense Highways

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. 211, entitled:

An Act to further amend section one of the act approved the thirty-first day of May one thousand eight hundred and ninety-three (P. L. 188) entitled "An act designating the days and half days to be observed as legal holidays and for the payment acceptance and protesting of bills notes drafts checks and other negotiable paper on such days" by prescribing certain additional bank holidays

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. 319, entitled:

An Act to further amend section one of the act approved the eleventh day of May one thousand nine hundred eleven (P. L. 275) entitled "An act to provide for the appointment of county and city inspectors of weights and measures providing for their compensation and expenses prescribing their duties prohibiting vendors from giving false or insufficient weights and fixing the penalties for the violation of the provisions hereof" allowing inspectors their expenses in attending State conventions of sealers of weights and measures

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. 1320, (Senate Bill No. 326), entitled:

An Act to authorize school districts and vocational school districts to solicit sealed bids for the purchase of material, supplies and equipment from Federal funds appropriated or to be appropriated to vocational education for national defense, to be used for training or retraining workers and prospective workers for industries essential to national defense; waiving all statutory requirements as to advertising for said bids.

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. 277, entitled:

An Act to further amend subsection seven of section one thousand two hundred ten of the act approved the eighteenth day of May one thousand nine hundred eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" by increasing the minimum salaries of teachers in fourth class school districts and requiring the Commonwealth to make certain payments on account of such salaries

The first section was read.

On the question,

Will the House agree to the section?

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

The amendment was read by the Clerk as follows:

Amend Sec. 1 (Sec. 1210), page 3, lines 14 to 17, by striking out the following: "The additional pay-" in line 14, and all of lines 15 to 17, both inclusive.

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. 451, entitled:

An Act to further amend section 15 of the act approved May sixteenth one thousand nine hundred and twenty-three (P. L. 207) entitled "An act providing when how upon what property and to what extent liens shall be allowed for taxes and for municipal improvements for the removal of nuisances and for water rents or rates sewer rates and lighting rates for the procedure upon claims filed therefor the methods for preserving such liens and enforcing payment of such claims the effect of judicial sales of the properties liened the distribution of the proceeds of such sales and the redemption of the property therefrom for the lien and collection of certain taxes heretofore assessed and of claims for municipal improvements made and nuisances removed within six months before the passage of this act and for the procedure on tax and municipal claims filed under other and prior acts of Assembly" providing for the lien of taxes and municipal claims and for the revival of such liens and of judgments obtained thereon

The first section was read.

On the question,

Will the House agree to the section?

BILL RECOMMENDED

Mr. BENTZEL. Mr. Speaker, I move that this bill be recommended to the Committee on Municipal Corporations 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. 698, entitled:

An Act allowing costs and counsel fees to stakeholder in interpleader proceeding out of fund paid into 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. 540, entitled:

An Act to further amend clause A of section four of the act approved the twenty-eighth day of June one thousand nine hundred and thirty-five (P. L. 463) entitled as amended "An act providing for the incorporation as bodies corporate and politics 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 contract with and to accept grants from the Federal Government or any agency thereof and for other purposes" by providing for the termination and dissolution of inactive municipal authorities

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

Ordered, To be transcribed for a third reading.

MEMBERS OF THOMAS JEFFERSON BICENTENNIAL COMMISSION APPOINTED

The SPEAKER. In accordance with the provisions of a Senate Concurrent Resolution, Serial No. 113, adopted by the Senate March 5, 1941, and concurred in by the House of Representatives March 17, 1941, providing for a "Thomas Jefferson Bicentennial Commission" to commemorate the 200th Anniversary of the birth of Thomas Jefferson, the Chair appoints as members of the Commission on the part of the House of Representatives, Messrs. Hering, Kolankiewicz and Lloyd H. Wood.

BILL PASSED OVER

There being no objection House Bill No. 1156, Printer's No. 308, was passed over at the request of Mr. HARKINS.

BILL ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1372, (Senate Bill No. 125), entitled:

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

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. WEISS. Mr. Speaker, Senate Bill No. 125, House Bill No. 1372, is another abatement act. Just a week ago an abatement act was passed which affects the Pittsburgh and Philadelphia districts. This particular bill, House Bill 1372, affects the rest of the state.

About a month ago a resolution was passed which just about committed this particular House and the Senate to pass an abatement bill in order to stop sheriff's sales. Since the 1935 session abatement bills have been passed but I might say that this particular abatement bill will really help the poor home owner. During the past session quite a number of abatement bills have been passed allowing people to take advantage of the particular provisions of the bill, but with the National Defense Program going on as it has been during the past year, I think the

poor person should be given a like opportunity to take advantage of an abatement act, especially the poor old man who has not been able to pay the tax up to the present time. This does not force anybody to take advantage of the bill, anybody can refuse to do so.

In my opinion this bill does not go far enough in its provisions, because we should make it mandatory on every community and municipality to make it possible for the poor person to take advantage of this abatement act. This particular piece of legislation at this time will help out the poor home owner in the state by abating the penalties and interest when he pays his tax.

Mr. CORDIER: Mr. Speaker, I have been anxiously awaiting the arrival of this piece of legislation on the floor of the House for consideration.

Before and since the early stages of this session, I have been vitally interested in the question of tax abatements, having introduced the first tax abatement Bill in this session in either the House or Senate which is House Bill No. 155, introduced January 28th, the pattern of which the legislation before us materially follows. The Bill before us validates the provisions of House Resolution 43, adopted on March 5th, which I sponsored in conjunction with Representative Munley. To the Anthracite Section of this Commonwealth, this Bill will be a godsend. Six thousand properties were sold last year in my County and six thousand more will be sold this year unless this Bill passes. In their wisdom, the Chairman and the members of the Municipal Corporations Committee of the House did not see fit to report my bill to the floor of the House for consideration. I respect their wishes and have collaborated with Senator Dent and worked to aid the passage of this measure in the Senate. I wish to congratulate the Senate of Pennsylvania for shelving politics on this bill and I also wish to thank the Chairman and members of the Municipal Corporations Committee of the House for expediting its passage through this branch of the Legislature.

Mr. Speaker, it is my firm conviction that neither of the major parties of the State will acquire any particular political advantage by the passage of this legislation, but a vast part of the citizenry of Pennsylvania who have looked with anxious eyes upon this Legislature for the passage of this measure will receive tremendous benefits. It is my sincere hope that in the formation of a well-rounded program for the benefit of the citizens of Pennsylvania in the remaining days of this session we may be able to shelve partisan politics.

I respectfully urge the members of the House to vote favorably on this measure.

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—200

Achterman,	Fletcher,	Longo,	Rose, S.,
Allmond,	Flynn,	Lovett,	Rose, W. E.,
Auker,	Foor,	Lyons,	Rosenfeld,
Baker,	French,	Malloy,	Rush,
Balthaser,	Gallagher,	Marks,	Sarge,
Baughner,	Gates,	Maxwell,	Sarraf,
Bentley,	Gerard,	McClanaghan,	Scanlon,
Bentzel,	Gillan,	McClester,	Schwab,
Boles,	Goodwin,	McDermott,	Shaffer,
Boney,	Greenwood,	McDowell,	Shaw,
Boorse,	Gross,	McFall,	Shepard,
Bower,	Gryskewicz,	McGrath,	Simons,

Bradley,	Gyger,	McIntosh,	Skale,
Breth,	Haberlen,	McKinney,	Snyder,
Bretherick,	Haines,	McLanahan,	Sollenberger,
Brown,	Hall,	McLane,	Sorg,
Brunner, C. H.,	Hamilton,	McMillen,	Stambaugh,
Brunner, P. A.,	Hare,	McSurdy,	Stank,
Burns,	Harkins,	Melchiorre,	Stine,
Burriss,	Harmuth,	Mihm,	Stockham,
Cadwalader,	Harris,	Modell,	Tarr,
Chervenak,	Heatherington,	Monks,	Tate,
Chudoff,	Elm,	Mooney,	Taylor,
Cochran,	Hering,	Moran,	Thompson, E. F.,
Cohen, M. M.,	Herman,	Moul,	Thompson, R. L.,
Cohen, R. E.,	Hersch,	Munley,	Turner,
Cook,	Hewitt,	Nagel,	VanAllsburg,
Cooper,	Hirsch,	Nunemacher,	Verona,
Cordier,	Holland,	O'Brien,	Vincent,
Corrigan,	Huntley,	O'Connor,	Vogt,
Croop,	Imbrie,	O'Dare,	Voldow,
Cullen,	James,	O'Mullen,	Voorhees,
Dalrymple,	Jefferson,	O'Neill,	Wagner,
Dennison,	Jones, G. E.,	Owens,	Watkins,
DiGenova,	Jones, P. N.,	Petrofsky,	Weingartner,
Dix,	Keenan,	Pettit,	Weiss,
Dolon,	Kenehan,	Polaski,	Welsh, E. B.,
D'Ortona,	Kline,	Polen,	Welsh, M. J.,
Duffy,	Knoble,	Powers,	Wilkinson,
Early,	Kolankiewicz,	Prosen,	Williams,
Eckels,	Komorofski,	Rank,	Winner,
Elder,	Krise,	Rausch,	Wolf,
Elliott,	Lee, E. A.,	Readinger,	Wood, L. H.,
Ely,	Lee, T. H.,	Reagan,	Woodring,
Falkenstein,	Lelsey,	Reese, D. P.,	Woodside,
Finestone,	Leonard,	Reese, R. E.,	Wright,
Finnerty,	Lesko,	Regan,	Yeakel,
Fisher,	Levy,	Reynolds,	Yester,
Fiss,	Leydic,	Rhea,	Young,
Fleming,	Lichtenwalter,	Rooney,	Kilroy, Speaker

NAYS—7

Gillette,	Muir,	Serrill,	Wood, N.,
Habbshaw,	Royer,	Trout,	

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 amendment.

BILL ON FINAL PASSAGE

Agreeably to order,

The bill having been called up from the postponed calendar by Mr. VOLDOW.

The House resumed the consideration on final passage of House Bill No. 393, entitled:

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

On the question recurring,

Shall the bill pass finally?

Mr. REUBEN E. COHEN. Mr. Speaker, when this bill came before this House a week or so ago and failed of passage, this House by an overwhelming vote voted to reconsider the bill and placed it on the calendar and it now has been called up for final action.

This bill, Mr. Speaker, is a fair trade bill, and the words "fair trade" in their common and accepted dictionary definition mean just what they say, "fair trade." When the bill was debated a couple weeks ago there was some misap-

prehension as to the effect of the bill. Because of that, Mr. Speaker I took this bill and studied it carefully. I find I cannot agree with the arguments that have been advanced against the passage of this bill. On the other hand, I find that its application to the particular amendment in this particular bill comes clearly and squarely and definitely within any decent concept of the term 'fair trade.'

I might say, Mr. Speaker, that this bill is identical in almost all respects with the same type of legislation now in force in forty-four states of the Union.

A bill almost identical in its terms with the present bill has been declared constitutional, by the United States Supreme Court and in the State of Pennsylvania it has also been declared to be constitutional.

The charge has been made that this bill is a price fixing bill. That seems to be the main point of contention. I might say in that connection that the United States Supreme Court, through Mr. Justice Sutherland, in referring to an act in the State of Illinois, which is almost identical in its terms with this bill, had this to say about its being a fair trade bill;

"The act" (Illinois Fair Trade Act which is identical with that of Pennsylvania) "does not fix prices nor does it delegate such power to private persons. It permits the designated private persons to contract with respect thereto. It contains no element of compulsion but simply legalizes their acts leaving them free to enter into the authorized contract or not as they may see fit." This is found in *Old Dearborn Distributing Co.—V. Seagram—Distillers Corp.* (299 US 183 (1936)).

Mr. Speaker, what this bill does is to put a floor under taxes. It permits dealers to contract with manufacturers or distributors of goods, that trade marked goods which are the subject of contract shall not be sold below a certain price, and does not fix the reselling price to the public generally.

The original act in Pennsylvania passed a Democratic House and a Republican Senate in the year 1935. In this particular bill we are talking about vending equipment and vending equipment as has been stated on the floor of this House, relates and pertains to gasoline pumps. The contract that may be entered into by reason of this act, only means this, that the gasoline or oil products or any other product sold out of a vending machine, that vending equipment shall bear the trade mark or label of the producing or manufacturing company, and that product shall be subject to fair trade, as well as every other trade mark product which is sold in the Commonwealth of Pennsylvania and which by the terms of this legislation may be taken advantage of by the manufacturer and the vendor.

Mr. Speaker, a tank car of gasoline can have no brand or label. Gasoline is not sold by the can. It is not sold in a small package by trade mark. But it is taken from the producer to the vendor to the seller and is there put in a sealed container which bears certain measurements and which bears a trade mark or label, and therefore, the consumer is protected in that he gets the product he wants, it being a trade marked, patented or copyrighted article. The price he pays is the price which the retailer himself sets. The retailer is being protected in that he knows that other dealers of similar articles of the same particular brand which he is selling are also under a fair trade act and he has a certain level below which he cannot sell. There is no gainsaying the fact that fair trade in America is a boom to the retailer and also to the consumer, because

taking into consideration another industry, the drug industry, figures have proven that in the past several years, since the inception of the fair trade act, on an average the consumer has saved at least one percent in the price of trade marked articles which are sold under contract under fair trade acts in the various states.

Mr. Speaker, I think if we had had this clearly before us three weeks ago, the vote might not have been what it was, and I say to you, Mr. Speaker, that the permissive provisions of this bill, with the wholehearted cooperation of the producers and retailers can harm no one and could help many.

The charge was also made that this was attempted monopolistic practice by big oil dealers. It is clear and it is known to all of us that any price fixing or any monopolistic agreement by any great oil company or producer is subject to the criminal provisions of the Sherman anti-trust laws of the Federal government. I think that plus the provisions of this act, most certainly is deterrent and a positive safe-guard to the dealer and to the consumer of this particular commodity, and I cannot too strongly urge you to vote "aye" on this bill

Mr. HOLLAND. Mr. Speaker, I am sorry to disagree with my colleague from Philadelphia, when he states that this is not a price fixing bill but that it simply puts a floor under the prices. I would like to read for the information of the gentleman from Philadelphia the part of the act which pertains to the fixing of prices. On page two, section one, subsection A, the bill states:

"That the buyer will not resell such commodity except at the prices stipulated by the vendor." Also in subsection B it provides as follows:

"That the vendee or producer of a commodity require upon the sale of such commodity that such purchaser agree that he will not in turn resell except at the price stipulated by such vendor."

This states in very clear words that the purchaser, the little independent gas dealer, in buying from the major oil companies, must sell at a price stipulated by the major oil companies. This is not a fair trade bill. This bill should be called a "big profit bill" for the big oil companies. This bill is unsound. Gasoline is a necessity; a necessity to commerce, industry, the commercial traveller, the school teacher, as well as millions of families who rely upon it for entertainment and recreation. The legislature should never surrender this right and duty to regulate prices to protect the consumer because we must protect the consumer in the interests of the public. This bill permits the big fellow to fix his own profit. The bill would make it possible for the big companies to put the squeeze on the little fellow any time he wants to do so and any time he wants to put him out of business. We must not forget that out of the thousands of stations in Pennsylvania, many of them are company owned and operated, company owned and dominated through leases to former employes of the major oil companies. The major oil company is not interested in the little dealer; the major oil company is interested in gallons, and in establishing as many stations as possible. For instance, one station on a corner may sell a thousand gallons of gas per day. A major oil company will come in and put three or more stations at the same corner. The major oil companies will get more distribution and their sales at that particular corner may jump to fifteen hundred gallons, but the individual station's sales may drop to five hundred or seven

hundred and fifty gallons per day. On our main highways, due to the expansion of the major oil companies, you can travel from station to station on three quarters of a gallon of gasoline because in most instances the stations average between twenty to twenty-four stations per mile.

I want to read a wire from a man who I believe is well acquainted with conditions existing in the oil industry, a man who served on a Democratic appointed commission to investigate the price wars and conditions existing in the oil industry. I refer to the Hon. Ralph H. Smith, Judge of the Common Pleas Court of Allegheny County.

I quote from his telegram as follows:

"Oppose amendments fair trade bill to include gasoline industry for following reasons supported by oil industry investigation committee findings: First no essential differences in various trademark brands of gasoline in three usual grades regular medium and premium ethyl; second in past major oil companies have participated in local retail price wars and in some cases started them; third major oil companies have for years fixed retail prices following Atlantic as price leader; fourth over development number retail outlets by major companies interested gallonage output and profit have made retail dealers lot hard with main reliance for operating profit accessory sales and car services; fifth gasoline closely connected with public interest involving two million private car owners and truck or fleet operators. Proposed bill would sacrifice public interest and give price fixing power major oil companies and distributors who stand to profit by any policy followed. Consumer would be without any protection. Act would encourage further overexpansion retail outlets. Bill would guarantee profits to companies and distributors at expense of private car. Operators as well as commercial interests. Sincere desire secure fair spread between tank car tank wagon prices and retail price would require supporters present bill to favor creation state oil commission with authority regulate prices in public interest."

Mr. Speaker, this bill is a bill that if you vote in its favor you will give the power to the major oil companies of Pennsylvania to tell every consumer and every user of gasoline in this state that they must pay the price they dictate that gasoline shall be sold for. You can dress this bill up as you may, you can connect it up with the Fair Trade Bill, and when you do, I want to call the attention of my Democratic Colleagues to the fact that one of the greatest opponents of the Fair Trade Bill is our present Attorney General. Mr. Arnold of the Justice Department also recommends the repeal of all Fair Trade laws.

I would like to correct the statement made by the gentleman from Philadelphia to the effect that there are forty-four states which have had a Fair Trade act in operation. There are thirty-two states which have such an act in operation. Mr. Arnold further reports that the Fair Trade laws are classic examples of misrepresentation which power give to the pressure groups.

He further states that there were no public hearings on the measures only in three states out of the first of thirty-two states who adopted Fair Trade laws. These laws are detrimental to the public welfare. He also states that it relieves chain stores from competition with the independent merchants, and that these laws should be repealed to protect the independent groups and very evidently for the public benefit. He states that the power given to private individuals is far more power than is exercised by the government itself.

Members of the House, I appeal to you, in fairness to

the independent gasoline dealers of Pennsylvania, to vote this bill down.

Mr. BROWN. Mr. Speaker, when this bill was before the House for final passage several weeks ago, I voted for the bill. I am still in favor of the bill. I am in favor of the bill because in the first place it simply extends the Fair Trade Act of 1935 to embrace gasoline. If gasoline were sold under a trademark brand or name, it would be within the act of 1935. This bill simply brings gasoline as sold from vending equipment within the Act of 1935. If gasoline should not be within the Act of 1935, then the Act of 1935 is of no value, and if the Act of 1935 is a good law, gasoline should be within that law.

My authority for voting for this bill when it was here on final passage several weeks ago, and the same authority I have tonight, is the opinion of the Supreme Court of Pennsylvania, and I quote from the opinion in the case of Bristol-Myers Co. vs. Lit Brothers reported in 336 Pa., page 81, decided in 1939. In construing the Act of 1935, the Supreme Court had this to say as to the purpose of the Act:

"The purpose of the Fair Trade Act is to prevent the cutting by any dealer of the established price of any commodity identified by the trademark, brand or name of the producer."

That is the language of the Supreme Court in construing the Act of 1935. The bill before us now simply brings gasoline within the provisions of the Act of 1935. We all know that no one here would attempt to repeal the Act of 1935. The language quoted by the gentleman from Allegheny, Mr. Holland, of Mr. Arnold may be his own personal opinion, to which he is justly entitled, but thirty-two states have this Fair Trade Act. It is in our Federal Laws, and it seems to me if other commodities come within this Fair Trade Act, and if the purpose of the Fair Trade Act, as stated by the Supreme Court, is to prevent the cutting by any dealer of the established price of any commodity there is no good or sound reason why gasoline should be without the pale of the law. It might be said when you sell by trade name or by brand that you are selling a commodity that is already sold. If we did not have further language of the Supreme Court after that we might not be able to justify this bill. However, the Supreme Court in the case of Lenthieric Inc. vs. F. W. Woolworth Co., decided in 338 Pa. page 522, as follows:

"A producer of trade marked perfumery products had the rights under the Fair Trade Act, in this section to stipulate that its trade marked perfumes could not be sold at retail in quantities of one ounce or a fraction of an ounce for less than fifty cents, and when a retailer sold any fraction of an ounce for less than fifty cents he was violating the act."

In other words the court was speaking of selling the perfume, and the court distinguished between perfumes that are already within the brand or trade mark or in bottles, so to speak, and even said that when you get it by the ounce, the Fair Trade Act still prevents the cutting of prices. That is the same thing that is being done with gasoline here. It is an attempt by this legislature, in the exercise of its valid power, in the language of the Supreme Court of Pennsylvania, to prevent the cutting by any dealer of the established price of any commodity.

Mr. Speaker, the Fair Trade Act has certainly stabilized

business in this country, and if there is any business that needs stabilization it is the gasoline business. I do not represent any producer nor I do not represent any retailer, but it seems to me if we are going to legislate within a field we ought to embrace every activity within that field, and if this language of the Supreme Court in construing the act of 1935 is sound, and I think it is sound, then there is no good reason why gasoline should not be embraced within the act of 1935, and that is all that House Bill 393 seeks to accomplish.

Mr. RUEBEN E. COHEN. Mr. Speaker, just briefly may I say with reference to the statement that there are only thirty-two states having fair trade acts, there were forty-four states when I spoke a while ago, and I have just been told that a week ago the state of Delaware passed an act, making in all forty-five states.

Mr. Speaker, as to the statement that it is only the major oil companies who are in favor of this legislation, may I say in refutation of that statement, that I have four or five hundred signatures of independent small gasoline dealers in Pennsylvania who urge the passage of this act.

Mr. HOLLAND. Mr. Speaker, if the oil industry is so sick that it needs regulation, that should be done in a way that the public will be protected. We have milk commissions, we have liquor commissions, we have public utility commissions, and in such an essential necessity as gasoline if we want to be fair to the producer, to the distributor and to the dealer as well as to the consumer, the proper step would be to form an oil commission so that all parties concerned would be protected. If this step were taken, I would be in favor of it, but I do think, regardless of the remarks of my colleague, of whom I think a great deal, Mr. Brown, from Allegheny, even if other states have established such a law, they have made a mistake. After all the decisions of the Supreme Court have not always been in favor of the little man. I believe this bill should be defeated and an investigation should be carried on by this House; an investigation commission should be appointed to study this problem, and then report back to the House as to what we should do, regardless of the many signatures which the gentleman from Philadelphia has. It is very true you can get a lot of signatures because a lot of dealers are controlled.

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

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

Mr. RUEBEN E. COHEN. I shall, Mr. Speaker.

Mr. HOLLAND. Mr. Speaker, are the signatures of any of the major oil companies on that petition?

Mr. RUEBEN E. COHEN. Mr. Speaker, all I have here are signatures with addresses and no other identification, simply the names of individuals and their addresses. At least I do not see any but if you want me to go over the whole list and see if any companies are mentioned I will do so. I do not think there are.

Mr. HOLLAND. Mr. Speaker, I have contacted all of the independent dealers in my district on Saturday and Sunday and I have yet to have one independent dealer in my district—and when I speak of independent dealer I mean an independent dealer—to be in favor of this bill. They are all afraid this bill will squeeze them out of business.

I might add another thing. If they want to protect the

dealer by this bill, what is to stop the major companies from selling you oil or gas, and telling you that the retail price is going to be twenty-two cents, and then decide after having the tanks of the independent gasoline dealers all filled cut the price to nineteen cents. It will not be the major oil companies that will take that loss; it will be the small independent dealers who will take that loss. I think that is something to think about when we vote on this bill.

Mr. BROWN. Mr. Speaker, in answer to the gentleman from Allegheny, Mr. Holland, that the Supreme Court has not always favored the little man, I don't know what he means by that statement. I do not think he himself knows what he means by it.

The Supreme Court of Pennsylvania and the Supreme Court of the United States are our courts of highest appeal, and I think we respect their opinions and their decisions. If I were certain that an investigation commission could be appointed and that commission would recommend an oil commission of some kind to fix prices, there might be something in what the gentleman from Allegheny, Mr. Holland said. I wonder, though, whether the gentleman from Allegheny, Mr. Holland, is familiar with Article III, Section 27 of the Constitution of Pennsylvania, and I quote:

"No state office shall be continued or created for the inspection or measuring of any merchandise, manufacture or commodity, but any county or municipality may appoint such officers when authorized by law."

It is pretty hard for me to see how you can set up a commission to perform the duties outlined by the gentleman from Allegheny, Mr. Holland, for that inspection, and if you must inspect, you have conflict with our State Constitution. That provision was put in so that the Legislature would not come in and set up all kinds of commissions to go out and inspect commodities. The fair-trade act is the act that will accomplish what Mr. Holland has in mind. I think he is confused between the Fair Trade Act and the Fair Sales Act. If we can get him to understand that we are dealing with the Fair Trade Act and not the Fair Sales Act, some of the doubts that are in his mind might be quickly cleared up.

Mr. GATES. Mr. Speaker, regardless of the statements made by the learned attorneys on the other side, this bill still remains the most iniquitous legislation that has been presented in this House in the three terms I have had the honor of being a Member. Competition is still the life of trade. This bill has been known since it was dropped out of this House and defeated last week as the "Kelly public be damned bill." I could not help but notice as the gentleman who preceded me spoke on this bill, that a certain gentleman in the House visited a great many Members in the House, evidently expecting to change their votes.

I was told last week when this bill was reconsidered that along with Mr. Kelly, he had combined with a man by the name of Pew from the Sun Oil Company, and unquestionably this bill was going to be put over tonight. I have no doubt that when the bill is called up for final passage it will be passed, but I would like to call the attention of the Members of this House to just who is affected by this bill.

You will affect over one and one-half million motorists in the state of Pennsylvania; you will affect your fourth-class school teachers. Both parties in the State of Pennsylvania are agreed that some official help should be

given to this very much underpaid fourth-class district school teachers who receive eight hundred dollars a year, and who are supposed to live up to a certain standard. You are going to put an additional burden on this eight hundred dollar school teacher by an increase in the price of gasoline that he or she must pay to travel back and forth to the school house.

You are also going to affect very materially the country doctor in the state of Pennsylvania; you are going to affect the laborers in the state of Pennsylvania. After I left this House last week I traveled from my office in the city of Pittsburgh to Youngstown, Ohio. About a quarter to eight in the morning I went through Aliquippa. Located at Aliquippa is the large Jones and Laughlin steel plant. They were just changing turns, I presume, when I got there. I was compelled to wait because of hundreds and hundreds of cars driven by men who earn their living by the sweat of their brow, and who could not afford to live in the large cities, but had gone out to the country where they could have a small and attractive place. Now you are going to place an additional burden on the men who labor by this particular bill, no matter what is said about the bill to the contrary.

Then you are also going to affect the traveling man in the state of Pennsylvania. May I call the attention of the gentlemen who are going to vote for this bill to the fact that the traveling man reaches every rural community in the state of Pennsylvania. He reaches every grocery store, he reaches every drug store, he reaches the smallest community in the state, and when you place an additional burden on gasoline, which you are going to do, he is not going to feel very friendly about it, and believe me, there are lots of traveling men in the state of Pennsylvania who I believe can possibly create some propoganda that might be quite harmful. I do not think we should blame Kelly of Philadelphia for this bill. If he wants to double-cross the people in Philadelphia in return for a large contribution to his party; if he wants to double-cross the people in Pennsylvania for a large contribution to his party, from some oil company that is his business; it is not mine. I do not think we should blame Pew, because as I went home I picked up the Wall Street Journal and I noticed that the Sun Oil Company issued a statement that the first quarter of this year was one of the best they ever had. If you were the President of the Sun Oil Company and you saw a bill in the legislature that was going to increase the income of your particular company by millions of dollars you undoubtedly would favor it. But I cannot conceive two hundred and eight members of this House who took an oath to be for the welfare of the State of Pennsylvania and its people, voting for special interests.

I propose to show you in a few moments just exactly how many dollars it is going to mean to those people about whom I spoke. How are they affected? This bill not only fixes the price at which the producer sells to the retailer but it also fixes the price at which the retailer sells to the consumer.

I heard Mr. Stockham say the other day that he was not a prophet nor the son of a prophet. I would like to step into the shoes of a prophet for a minute. This will all be written in your Legislative Journal. I want to say to the Members of this House we are paying in western Pennsylvania about fourteen and a half cents—in some places fourteen and nine-tenths cents for what we call standard

gasoline. I venture to say, Mr. Speaker, that in thirty days after this bill is enacted into law, you will pay an additional five cents a gallon in the state of Pennsylvania; paid by these million and a half voters, these traveling men, these school teachers, these country doctors.

I have here a little automobile that was mailed to me in 1935 when the Earle Administration put on the emergency tax of one penny a gallon. I went to the budget to see just what estimate His Excellency the Governor had made as to what the one cent emergency tax on gasoline would produce for the state of Pennsylvania. You will be surprised. It was supposed to bring to the state of Pennsylvania in the next biennium thirty-one million dollars. That is over fifteen million dollars a year.

It is not hard to figure that if you increase this gasoline price to the producer by five cents a gallon you are going to have seventy-five million dollars within the next year. That seventy-five million dollars, my friends, is not going to be used on the highways of the state of Pennsylvania for the benefit of all of the taxpayers of the state. It is going to special interests in the state of Pennsylvania. Some few weeks ago we passed a bill which gave a reduction to the R & S small trucks, amounting to something like fifty cents or a dollar a year on their licenses. We handed them that little bouquet, and as they look at that bouquet we come along with this bill and hit them a body blow and with the first ten gallons of gas they purchase we wipe out the savings we gave them by the bill passed two weeks ago.

I was much amused when I read in certain papers that a man, supposedly, and I believe he is a Member of this House, and I refer to the gentleman from Philadelphia, Mr. Melchoirre, had called the Members of the Allegheny County Democratic Caucus together and in that caucus he is supposed to have told those gentlemen what they must do on this particular bill. I think it will be very enlightening for you newspaper men up here to go over the record of the bill and see just how he has been able to force these men who recently came down here to represent the people of Pennsylvania to change over to represent special interests. I think it is a very wonderful thing for the newspapers to say that they will print all the news that is fit to print and I believe if the history of this bill were known there certainly would be a lot of printing they could do.

Mr. REUBEN E. COHEN. Mr. Speaker, I was once told there were certain remarks that should not be dignified by a reply. I think the rules of this House have been somewhat breached by a personal reference made on the Floor. The gentleman speaks about a Mr. Pew and he speaks about a Mr. Kelly and contributions. I think if the gentleman knows anything about the situation he owes it as a duty to say something even now, and I am now calling upon the gentleman either to put up or shut up.

Mr. GATES. Mr. Speaker, I listened to the gentleman from Philadelphia, in his smooth oily voice, and I do not think he will deny, nor can he deny that certain oil companies still contribute to political functions. That has been done for many, many years. He is trying with his ability as a lawyer to muddy the waters. That just cannot be done. Members of the House, you may talk here from now until midnight but you know and I know, and it will be proven in the future that, if this bill is passed here, passes in the Senate and is signed by the Governor of the state of Pennsylvania, the consumer, as I say the laboring man, the school teacher and the traveling man is going to pay a very big increase in the price of gaso-

line that he uses in his automobile. I have not transgressed and I have not in any way, shape or form, said anything. I hope I have not, that will reflect upon the character of any member of this House. I simply stated facts that appeared in the newspapers in western Pennsylvania. If Mr. Melchiorre did not address the Allegheny County Democratic members, I will be glad for him to get up here and say so. Then I will be glad to make a public apology for the newspapers in western Pennsylvania. I may have been wrong. So if that is the case and he did not contact this particular party then I will be wrong and I will be glad to apologize to him. I saw it in the newspapers, and what you see in the newspapers, is always correct.

Mr. MELCHIORRE. Mr. Speaker, the gentleman has referred to me as having appeared before the Allegheny County delegation and instructing them how to vote on this bill. I want to say now that that is not true. I expect an apology from the gentleman. If the newspapers speak for me that is not my fault. The newspapers may print all they see fit to print. When I make a statement I give that statement to the papers. My name has been mentioned on the floor of this House as having made a statement before another delegation on this bill, and telling them how to vote, that is not true, and I expect an apology from the gentleman.

Mr. HARKINS. Mr. Speaker, it is seldom that I disagree with the gentleman from Armstrong, Mr. Gates, whose actions as a gentleman and as a Member of this House I have always approved in the past, whether I voted with him or not. As a Member from Allegheny I voted against this bill and I intend now to vote for it. Many doubts which were in my mind at the time we voted for the bill having been dispelled, due to the explanation and the discussion I have participated in with Representative Brown, who has made a very thorough study of the bill. I would say as one of the Members who happened to engage in a conversation on the floor of this House, I feel it unfair to Representative Melchiorre to blame him for any ulterior motives in talking to fellow Members, especially when the subject of that conversation with those members could not be mentioned by people who were not present. The subject discussed was an entirely different matter. I feel that the rules of this House, if they have not been violated, certainly they have been stretched by Representative Gates. I do not say he purposely did so, but I say to you very, very frankly, that I consider as a person who voted against this bill that Representative Gates attempting to draw conclusions about conversations which he had no opportunity to hear and take part in, it is certainly unfair. He is not only unfair to me, but he is also unfair to Mr. Melchiorre. If the gentleman from Armstrong should care to know what the subject under discussion was I should be glad to inform him that Representative Melchiorre and I were having a private argument about an educational matter which had no bearing at all on the bill under discussion at the present time. Everyone in the House who knows both of us certainly must have known that the gentleman from Philadelphia and I were discussing other matters at my desk, and I feel that an apology is due both of us, because neither of us discussed the bill now under discussion.

Mr. GATES. 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. GATES. Mr. Speaker, I would be the last one to ask the gentleman to divulge anything that has taken place in a secret caucus of his particular party, but would like to ask the gentleman, for the benefit of myself, before I make an apology, whether or not since this bill was defeated he has not been taking a very prime interest in reconsidering it and having it passed.

Mr. MELCHIORRE. Mr. Speaker, first of all there was never any secret caucus before which I appeared. I believe we are discussing at the present time House Bill 393 and I do not have to divulge any of my statements other than what I have said on the floor of this House, but there was never any secret meeting or caucus at which this bill was discussed.

Mr. GATES. Mr. Speaker, I have always thought when we had a caucus it is a secret caucus. No one was supposed to be there but the Members on our side or on his side.

I was very much interested by the remarks made by the gentleman from Allegheny. I readily understand that to vote for this bill after having voted against it certainly takes a lot of alibying, and I expect the bill to pass.

Now to Mr. Melchiorre, if I in any way transgressed the rules of this House in speaking about what I saw in the newspapers of western Pennsylvania then I most humbly apologize for anything that might have in any way seemed to dishonor this House of Representatives. I have always looked upon this House of Representatives as a rather sacred body of men called here for a sacred duty. In our discussion and in our debate I have tried my best to lay before the membership of this House just exactly what this bill means to the consumer of gasoline in the State of Pennsylvania.

Mr. BROWN. Mr. Speaker, I desire to interrogate the gentleman from Armstrong, Mr. Gates.

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

Mr. GATES. I shall, Mr. Speaker.

Mr. BROWN. Mr. Speaker, is the gentleman from Armstrong in favor of the theories and the practices of the Fair Trade Act of the various states and of the United States?

Mr. GATES. Mr. Speaker, the gentleman is speaking about a matter which I do not believe enters into the bulk sale of gasoline. I do realize, however, that in 1935 this House passed a chain store tax bill. I also realize in 1935 the major oil companies controlled almost seventy per cent of the small gasoline stations in my state. When the Legislature passed a bill and it was signed by the Governor you could see a scurrying to cover, you could seem them sell those gas stations to individual men. Those individual retailers are now doing a fair business, not making much money through cut throat proceeding which I do not think this House can ever stop. What I mean to say, Mr. Speaker, is that the poor little retailer is going to find when we advocate this bill—Mr. Cohen said, he had six hundred signers—it is not going to be very long until that poor little retailer has gone out of the gasoline business.

Mr. BROWN. Mr. Speaker, I do not want to follow this interrogation with a speech, but I would like to ask the gentleman from Armstrong whether or not he knows

the reason for the Supreme Court declaring the Chain Store Tax unconstitutional?

Mr. GATES. Mr. Speaker, no, I really do not.

Mr. BROWN. Mr. Speaker, does the gentleman know whether it has anything to do with the Fair Trade Act?

Mr. GATES. No, I do not, Mr. Speaker.

Mr. BROWN. Mr. Speaker, if I were to tell the gentleman it did not, would he believe it?

Mr. GATES. Certainly, I would, Mr. Speaker.

Mr. BROWN. So then, Mr. Speaker, the Chain Store Tax had nothing to do with the Fair Trade Act.

Mr. GATES. Mr. Speaker, it has a lot to do with the little fellows that have gasoline stations being forced out of business in a few years.

Mr. BROWN. Mr. Speaker, may I ask the gentleman from Armstrong whether he believes in the theory and the practices of the Fair Trade Act of the several states and of the United States?

Mr. GATES. Mr. Speaker, when they have to do with certain commodities, yes, Mr. Speaker.

Mr. BROWN. Mr. Speaker, the answer then is when they have to do with certain commodities.

Mr. GATES. Yes, Mr. Speaker.

Mr. BROWN. Mr. Speaker, does not the gentleman feel that the Fair Trade Acts of the various states and of the United States have to do with certain commodities on which he is in favor of stabilized prices?

Mr. GATES. Mr. Speaker, I think the producer has been benefitted on every occasion.

Mr. BROWN. Mr. Speaker, but does the gentleman feel that they have stabilized prices?

Mr. GATES. Mr. Speaker, what the gentleman from Allegheny means by stabilizing prices is that the prices have been held up to a certain level, whereby the poor producer had to pay the top-most prices, if that is what the gentleman from Allegheny means, yes.

Mr. BROWN. Mr. Speaker, I mean the right to make prices to the public and to prevent cut-throat competition. I think that is the definition of stabilization of prices.

Mr. GATES. Mr. Speaker, prices change, your flour prices change, your wheat prices change, your oat prices change, according to conditions and your oil prices will change.

Mr. BROWN. Mr. Speaker, does the gentleman from Armstrong feel that we have had a fair stabilization of prices on those commodities that he feels are proper subjects for the fair-trade act of the various states and of the United States?

Mr. GATES. Mr. Speaker, I answered that before. As to some of them I believe that is right. I've never gone into all of them, and I don't know all the answers to that particular thing. I just know the answer to this particular bill, the gasoline bill.

Mr. BROWN. Mr. Speaker, as I understand the gentleman, he feels that gasoline is a commodity that is without the purview of the Fair Trade Act.

Mr. GATES. Mr. Speaker, no I feel after the public utilities assume certain positions we put them under a commission, the same with the natural gas companies

I say to you, Mr. Speaker, that the gasoline business has increased to such proportions that I cannot understand why these big oil companies would force this oil bill down our necks when they know after the results are

known to the people they will also be placed under some commission.

Mr. BROWN. Mr. Speaker, I have just one more question that I desire to ask the gentleman from Armstrong. Does the gentleman from Armstrong know that in practically every instance where they have attacked the constitutionality of the Fair Trade Act before the Appellate Courts of this State and the Appellate Courts of the United States the attack has been made by the producers?

Mr. GATES. Mr. Speaker, the gentleman from Allegheny knows too much law. He could mix me up as well as the other members of the House, but this has nothing to do with this particular bill.

Mr. PETROSKY. Mr. Speaker, although I do not agree with the allegations that have been made on the floor of the House as to who is interested in this bill and what its intention is as to special interests, I want to say to this House that it is my firm belief that this bill is meant to remedy a certain condition which exists. I sincerely believe that the sponsors are firm in their conviction in presenting such a piece of legislation, but I too rise to oppose this bill. According to the reference to what party is represented in certain allegations that were made, I would like to call to the attention to the Members of the House the fact that this bill is co-sponsored by a member on the Republican side as well as a member of the Democratic side.

In opposing this measure, Mr. Speaker, I say to you that this price fixing bill is a bill that is a direct imposition of additional taxes upon the majority of the people of this Commonwealth. I say to you that this is an additional tax burden due to the monopolistic powers which this bill places in the hands of a few people. The iron hands of those powers will rule the price that is to be gotten for the petroleum products that are produced by those industries. I say to you that these monopolies are detrimental to the public as well as detrimental to the nation in other phases of industry. Therefore, without prolonging the discussion on this bill, on the simple principle that I have tried to state before this House, I ask and appeal to all the Members of the House to vote down House Bill 393, due to the taxation imposition on the majority of the people, that is the laboring people, the small business man and those businesses known as the trucking industry, those people who have an investment in trucks and who have tried to earn a living by working day and night. Therefore, I ask you to eliminate any possibility of a tax burden being put upon the people of Pennsylvania by voting against House Bill 393.

Mr. BOIES. Mr. Speaker, in addressing this House for the first time this session, I would like to call attention to the fact that my good friend, the gentleman from Armstrong, Mr. Gates, has made a statement that strikes me as being very peculiar, when he accuses the Members on this side of the House of supporting a bill promulgated and supported by the angel of the Republican Party, the gentleman from Philadelphia, Mr. Pew. It strikes me, Mr. Speaker, that the gentleman is descending from the sublime to the ridiculous when he accuses this side of the House of supporting a bill in the interests of Mr. Pew. May I say when the bill was up for passage previously, not being acquainted with the provisions of the bill, I did not vote either "aye" or "no." Since that time, having acquainted myself with the provisions of the bill, I am satisfied that the bill is in the in-

terests of the majority of the people of the Commonwealth and I intend to vote "aye."

May I also say for the information of the gentleman from Armstrong with regard to the caucus that he referred to, that such caucuses have been considered secret. I will take upon myself the privilege of divulging any secrets which may have occurred in the caucus by saying I believe the gentleman should observe the old adage, to believe only half you see and nothing you hear.

When it comes to the newspapers, he being an adult, free, white and twenty-one, should not believe what he reads in the newspapers at all times. The gentleman from Philadelphia, Mr. Melchiorre, did not take the Allegheny caucus to task over this particular bill. The gentleman did not bawl out the Allegheny caucus, the gentleman merely attended this caucus to state the position of the Philadelphia delegation and to ask the Allegheny caucus to go along.

Mr. GATES. Mr. Speaker, if you keep on talking long enough the truth will certainly slip out. In all cases,—

QUESTION OF INFORMATION

Mr. O'BRIEN. Mr. Speaker, I rise to a question of information.

The SPEAKER. The gentleman from Philadelphia will state his question of information.

Mr. O'BRIEN. Mr. Speaker, is there a rule in the House that a Member may only talk twice on a particular subject?

The SPEAKER. There is such a rule.

Mr. O'BRIEN. I ask the Speaker to adhere to that rule.

The SPEAKER. Does the gentleman insist on the rule?

Mr. O'BRIEN. I do, Mr. Speaker.

Mr. GATES. Mr. Speaker, I would like to answer the gentleman for just a moment.

The SPEAKER. This is a question to be determined by the House: whether the House will give its consent to permit the gentleman to speak more than twice on a subject. The rule is very seldom enforced.

Mr. GATES. Mr. Speaker, I ask the gentleman from Philadelphia, Mr. O'Brien, to withdraw his request. I will finish in just about a minute. I have seen other men talking on this floor several times and I want to answer my friend from across the way.

The SPEAKER. Does the gentleman from Philadelphia, Mr. O'Brien, withdraw his request?

Mr. O'BRIEN. I do, Mr. Speaker.

The SPEAKER. The gentleman from Armstrong will proceed.

Mr. GATES. Mr. Speaker, I want to tell the gentleman from Allegheny, Dr. Boies, that I in no way tried to infer that his iniquitous bill, which is about to be passed, was brought here by the Democratic Party. I very plainly and distinctly brought in one of the big men in my own party. I know that Mr. Pew is a Republican, and I know that Mr. Kelly is a Republican, gone over to the Democratic Party, but I in no way inferred that this is a Democratic bill because you will find lots of Republicans over here voting for this bill after the pressure was put on.

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—150

Achterman,	Finestone,	Krise,	Rush,
Allmond,	Finnerty,	Lee, E. A.,	Sarge,
Auker,	Fiss,	Lee, T. H.,	Sarrat,
Baker,	Fletcher,	Lelsey,	Scanlon,
Balthaser,	French,	Leonard,	Schwab,
Baughner,	Gallagher,	Lesko,	Shaffer,
Bentley,	Gerard,	Levy,	Shaw,
Bentzel,	Gillette,	Longo,	Shepard,
Boies,	Goodwin,	Malloy,	Skale,
Boney,	Greenwood,	Marks,	Snyder,
Boorse,	Gryskewicz,	McClanaghan,	Sorg,
Bradley,	Gyger,	McIntosh,	Stank,
Breth,	Habbyshaw,	McLane,	Stockham,
Bretherick,	Haberlen,	McSurdy,	Tarr,
Brown,	Haines,	Melchiorre,	Tate,
Brunner, C. H.	Hall,	Mihm,	Thompson, E. F.,
Brunner, P. A.,	Hamilton,	Modell,	Turner,
Burns,	Hare,	Mooney,	VanAillsburg,
Cadwalader,	Harkins,	Moran,	Verona,
Chudoff,	Harmuth,	Moul,	Vincent,
Cochran,	Heatherington,	Munley,	Voldow,
Cohen, R. E.,	Hering,	Nunemacher,	Voorhees,
Cordier,	Herman,	O'Brien,	Wagner,
Corrigan,	Hersch,	O'Dare,	Watkins,
Croop,	Hewitt,	O'Mullen,	Weiss,
Cullen,	Hirsch,	O'Neill,	Welsh, E. E.,
Dalrymple,	Huntley,	Pettit,	Welsh, M. J.,
Dennison,	Imbrie,	Polaski,	Wilkinson,
DlGenova,	James,	Polen,	Williams,
Dolon,	Jefferson,	Powers,	Winner,
D'Ortona,	Jones, G. E.,	Prosen,	Wolf,
Duffy,	Keenan,	Rank,	Wood, L. H.,
Early,	Kenehan,	Readinger,	Woodside,
Eckels,	Kilne,	Regan,	Wright,
Elder,	Knoble,	Reynolds,	Yeakel,
Ely,	Kolankiewicz,	Rooney,	Vester,
Falkenstein,	Komorowski,	Rose, S.,	Young,
		Rosenfeld,	Kilroy, Speaker

NAYS—47

Bower,	Harris,	Muir,	Simons,
Burris,	Helm,	O'Connor	Sollenberger,
Chervenak,	Holland,	Owens,	Stambaugh,
Cohen, M. M.,	Jones, P. N.,	Petrosky,	Stine,
Cook,	Lovett,	Rausch,	Taylor,
Cooper,	Lyons,	Reagan,	Thompson, R. L.,
Elliot,	Maxwell,	Reese, D. P.,	Trout,
Fisher,	McClester,	Reese, R. E.,	Vogt,
Fleming,	McDermott,	Rhea,	Weingartner,
Gates,	McFall,	Rose, W. E.,	Wood, N.,
Gillan,	McKinney,	Royer,	Woodring,
Gross,	McMillen,	Serrill,	

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.

REASONS FOR VOTE

Mr. MARSHALL M. COHEN filed the following reasons for his vote:

This bill will lead to further regulation and intermeddling on the part of the Legislature in the conduct of the gas-line business. This interference will impede, not aid, in business recovery; hence I voice my opposition to it. Business men ask for independence of action from legislation, not to be hamstrung by it.

BILL PASSED OVER

There being no objection House Bill No. 984, Printer's No. 273, was passed over at the request of Mr. ROSENFELD.

BILL ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 964, entitled:

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

On the question,
Will the House agree to the bill on third reading?

BILL POSTPONED

Mr. HIRSCH. Mr. Speaker, I move that this bill be placed upon the postponed calendar.
The motion was agreed to.

BILL ON THIRD READING

Agreeably to order,
The House proceeded to the third reading and consideration of House Bill No. 647, as follows:

An Act relating to the bonds to be given by county officers their deputies clerks and assistants in counties of the second class the amount and conditions thereof the sureties for such bonds the payment of the premiums therefor and the recording and custody thereof

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

Section 1 The amount of the bond to be given by county officers in counties of the second class shall be as follows

Of the clerk of the courts of oyer and terminer and general jail delivery and courts of quarter sessions of the peace ten thousand dollars

Of the county commissioners ten thousand dollars each

Of the county controller fifty thousand dollars

Of the coroner fifteen thousand dollars

Of the register of wills thirty thousand dollars

Of the prothonotary forty thousand dollars

Of the recorder twenty thousand dollars

Of the sheriff sixty thousand dollars

Of the county treasurer two hundred thousand dollars

Section 2 The bond to be given by each of the deputies clerks and assistants of county officers in counties of the second class shall be in such amount and from such deputy clerk and assistant as shall be designated by the salary board of such county

Section 3 The sureties to be furnished by such county officers their deputies clerks and assistants on said bonds shall be one or more surety companies authorized to do business in the Commonwealth of Pennsylvania and approved by the Insurance Commissioner and the premiums for such bonds shall be paid out of the county treasury The bonds of county officers shall be approved by the Court of Common Pleas Each of said bonds shall be conditioned for the faithful discharge by such county officer his deputy clerk or assistant of all trusts confided in him and of all duties required of him by law for the faithful accounting and payment according to law of all money received by him and shall be taken in the name of the proper county and shall be for the use of the county and of the Commonwealth and for the use of such other party or parties for whom he shall collect or receive money as the interest of each shall appear in case of a breach of the conditions thereof Provided That nothing herein contained shall affect the bonds required to be given by the county treasurer of such county to the Commonwealth of Pennsylvania under section thirty-four of an act of Assembly approved April fifteenth one thousand eight hundred and thirty-four and such bonds shall continue to be given and paid for in the manner provided for by such law The custody of each of said bonds shall belong to the county controller of the proper county except bonds of the county controller the custody of which shall belong to the county commissioner of the proper County A copy of any of said bonds certified by the county controller or the clerk to the county commissioners as the case may be

shall be competent evidence thereof in any judicial proceeding

Section 4 All acts or parts of acts general special or local inconsistent with the provisions of this act are hereby repealed

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 197

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

NAYS 0

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

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

BILLS PASSED OVER

There being no objection House Bill No. 218, Printer's No. 346, was passed over at the request of the SPEAKER.

There being no objection House Bill No. 717, Printer's No. 348, was passed over at the request of the SPEAKER.

BILLS ON THIRD READING

Agreeably to order,

Kilroy, Speaker

The House proceeded to the third reading and consideration of House Bill No. 1019, as follows:

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

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

Section 1 Section 1408 of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 343) entitled "An act relating to the finances of the State government providing for the settlement assessment collection and lien of taxes bonus and all other accounts due the Commonwealth the collection and recovery of fees and other money or property due or belonging to the Commonwealth or any agency thereof including escheated property and the proceeds of its sale the custody and disbursement or other disposition of funds and securities belonging to or in the possession of the Commonwealth and the settlement of claims against the Commonwealth the resettlement of accounts and appeals to the courts refunds of money erroneously paid to the Commonwealth auditing the accounts of the Commonwealth and all agencies thereof of all public officers collecting moneys payable to the Commonwealth or any agency thereof and all receipts of appropriations from the Commonwealth and imposing penalties affecting every department board commission and officers of the State government every political subdivision of the State and certain officers of such subdivisions every person association and corporation required to pay assess or collect taxes or to make returns or reports under the laws imposing taxes for State purposes or to pay license fees or other moneys to the Commonwealth or any agency thereof every State depository and every debtor or creditor of the Commonwealth" as amended by the act approved the first day of June one thousand nine hundred thirty-one (P. L. 318) is hereby further amended to read as follows

Section 1408 Attorney's Commission on Amount Recovered On all claims for taxes or other demands due the Commonwealth collected after suit brought by the Department of Justice or any attorney employed by it or upon any appeal taken from a settlement or resettlement there shall be added to the amount [of the claim and recovered from the debtor for the use of the Commonwealth an attorney's commission] determined to be due and remaining unpaid by the debtor prior to the expiration of twenty-one days after the filing of the appeal or suit an attorney's commission for the use of the Commonwealth of five per centum upon [the] such amount [of recovery] not exceeding ten thousand dollars (\$10,000) and upon [the] such amount [of the recovery] in excess of ten thousand dollars (\$10,000) such commission in case of dispute as shall be allowed

by the court having jurisdiction of the controversy not exceeding five per centum in addition to interest at the rate prescribed in this act Provided That the payment of such attorney's commission and interest shall not be deemed to affect liability for any penalty payable under existing laws

[However in any such case if the debtor admits that a part of the claim is due and payable and if the part admitted to be due be paid to the Department of Revenue within twenty-one days after the filing of the appeal or suit the attorney's commission shall not be collected upon the amount so paid]

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

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

On the question,
Shall the bill pass finally?

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

YEAS—197

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

NAYS—0

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

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

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 151, as follows:

An Act to further amend section twenty-five and to amend section twenty-nine of the act approved the second day of May one thousand nine hundred and twenty-nine (P. L. 1237) entitled "An act affecting marital relations prescribing grounds and regulating proceedings for divorce and the annulment of bigamous marriages and amending revising and consolidating the law relating thereto" by providing for notice by registered mail when it proves impossible to secure personal service of the subpoena in divorce

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

Section 1 Section twenty-five of the act approved the second day of May one thousand nine hundred and twenty-nine (P. L. 1237) entitled "An act affecting marital relations prescribing grounds and regulating proceedings for divorce and the annulment of bigamous marriages and amending revising and consolidating the law relating thereto" as amended by the act approved the twenty-fifth day of May one thousand nine hundred and thirty-three (P. L. 1020) is hereby further amended to read as follows

Section 25 Presentation of Libel Contents Affidavit Any spouse may have his or her petition or libel in divorce presented to the court of common pleas when in session or during vacation to a judge thereof at chambers The petition or libel shall set forth therein particularly and specifically the cause of his or her complaint and shall be accompanied with an affidavit on oath or affirmation taken before one of the said judges or the prothonotary or clerk of the court of common pleas or any person in any county of the Commonwealth legally authorized to take acknowledgments that the facts contained in said petition or libel are true to the best of his or her knowledge and belief and that the said complaint is not made out of levity or by collusion between the said husband and wife and for the mere purpose of being freed and separated from each other but in sincerity and truth for the causes mentioned

In every case the petition or libel in divorce shall set forth the last known address of the respondent

In cases where the respondent is a hopeless lunatic or non compos mentis the fact of lunacy of the respondent and such circumstances as may be sufficient to satisfy the mind of the court as to the truth of the allegation shall be set forth in the petition or libel and affidavit required by this section shall be taken by the petitioner

In cases where the libellant is a minor the libel shall be presented by a relative or next friend and the affidavit thereto shall be taken by such minor libellant

The court may allow any libel to be amended so as to include additional grounds or causes for divorce including such as arose subsequent to the awarding of the subpoena Notice of any such amendment shall be served on the respondent in such manner as the court may direct in its order allowing the amendment

Section 2 Section twenty-nine of said act is hereby amended to read as follows

Section 29 Service by Publication If on the return of the alias subpoena or any pluries subpoena proof shall be made that the respondent could not be found the sheriff of the county upon the filing of a praecipe in the office of the prothonotary shall cause notice to be published in one or more newspapers printed within or nearest to the said county and in the legal journal if any designated by the rules of court for the publication of legal notices once a week for three successive weeks requiring the said party to appear and to answer said complaint [which] The sheriff shall also cause a copy of the notice as published to be sent by registered mail to the last known address of the respondent as set forth in the petition or libel in divorce The aforesaid publication shall be returnable not less than thirty days after the filing date of the praecipe to the next or subsequent term or to such next or subsequent monthly or intermediate return days as shall have been or may be established for such court either by statute or rule of court

or both after which the same proceedings shall be had as directed after the personal service of a subpoena

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 197

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

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. 179, as follows:

An Act validating the title to real estate purchased at judicial sales for unpaid taxes or municipal assessments where there is a defect in the names of the parties in certain cases and providing certain exceptions

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

Section 1 Whenever heretofore any purchaser has purchased real property at a judicial sale had on a judgment obtained for unpaid taxes or municipal assessments in

accordance with the provisions of the act approved the sixteenth day of May one thousand nine hundred and twenty-three (P. L. 207) entitled "An act providing when how upon what property and to what extent liens shall be allowed for taxes and for municipal improvements for the removal of nuisances and for water rents or rates sewer rates and lighting rates for the procedure upon claims filed therefor the methods for preserving such liens and enforcing payment of such claims the effect of judicial sales of the properties liened the distribution of the proceeds of such sales and the redemption of the property therefrom for the lien and collection of certain taxes heretofore assessed and of claims for municipal improvements made and nuisances removed within six months before the passage of this act and for the procedure on tax and municipal claims filed under other and prior acts of Assembly" and its amendments thereto and the name or names of the defendant or defendants in the writ of scire facias on the lien and in the judgment upon which execution was issued is different from that in which the tax or municipal lien is assessed such sale is hereby ratified confirmed validated and made binding in the same manner as if all the provisions of said act had been strictly complied with Provided however That the property is correctly described in the writ of execution upon which said sale was had that the purchaser thereafter has presented his petition to the proper court setting forth said sale and delivery of a sheriff's deed and the court has made an order adjudicating the title of said purchaser valid and indefeasible against all persons

Section 2 This act shall become effective immediately upon final enactment but shall not apply in any instance where the property has been redeemed by the owner thereof within the time allowed by law or where the rights of third parties have intervened or the validity of any such sale or the title to the premises purchased thereat has been made the subject of litigation in any court of the Commonwealth prior to the approval hereof

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 197

- | | | | |
|-----------------|-----------------|--------------|------------------|
| Achterman, | Fletcher, | Lovett, | Rush, |
| Allmond, | French, | Lyons, | Sarge, |
| Auker, | Gallagher, | Malloy, | Sarraf, |
| Baker, | Gates, | Marks, | Scanlon, |
| Balthaser, | Cerard, | Maxwell, | Schwab, |
| Baughner, | Gillan, | McClanaghan, | Serrill, |
| Bentley, | Gillette, | McClester, | Shaffer, |
| Bentzel, | Goodwin, | McDermott, | Shaw, |
| Boles, | Greenwood, | McFall, | Shepard, |
| Boney, | Gross, | McIntosh, | Simons, |
| Boorse, | Gryskewicz, | McKinney, | Skale, |
| Bower, | Gyger, | McLane, | Snyder, |
| Bradley, | Habbyshaw, | McMillen, | Sollenberger, |
| Breth, | Haberlen, | McSurdy, | Sorg, |
| Bretherick, | Haines, | Melchiorre, | Stambaugh, |
| Brown, | Hall, | Mihm, | Stank, |
| Brunner, C. H., | Hamilton, | Modell, | Stine, |
| Brunner, P. A., | Hare, | Mooney, | Stockham, |
| Burns, | Harkins, | Moran, | Tarr, |
| Burtis, | Harmuth, | Moul, | Tate, |
| Cadwalader, | Harris, | Muir, | Taylor, |
| Chervenak, | Heatherlington, | Munley, | Thompson, E. F., |
| Chudoff, | Helm, | Nunemacher, | Thompson, R. L., |
| Cochran, | Hering, | O'Brien, | Trout, |
| Cohen, M. M., | Ferman, | O'Connor, | Turner, |
| Cohen, R. E., | Hersch, | O'Dare, | VanAllsburg, |
| Cook, | Hewitt, | O'Mullen, | Verona, |
| Cooper, | Hirsch, | O'Neill, | Vincent, |
| Cordier, | Holland, | Owens, | Vogt, |
| Corrigan, | Huntley, | Petrosky, | Voidow, |
| Croop, | Imbrie, | Pettit, | Voorhees, |
| Cullen, | James, | Polaski, | Wagner, |
| Dalrymple, | Jefferson, | Polen, | Watkins, |
| Dennison, | Jones, G. E., | Powers, | Weingartner, |
| DiGenova, | Jones, P. N., | Prosen, | Weiss, |

- | | | | |
|--------------|---------------|---------------|-----------------|
| Dolon, | Keenan, | Rank, | Welsh, E. B., |
| D'Ortona, | Kenehan, | Rausch, | Welsh, M. J., |
| Duffy, | Kline, | Readinger, | Wilkinson, |
| Early, | Knoble, | Reagan, | Williams, |
| Eckels, | Kolankiewicz, | Reese, D. P., | Winner, |
| Elder, | Komorofski, | Reese, R. E., | Wolf, |
| Elliott, | Krise, | Regan, | Wood, L. H., |
| Ely, | Lee, E. A., | Reynolds, | Wood, N., |
| Falkenstein, | Lee, T. H., | Rhea, | Woodring, |
| Finestone, | Lelsey, | Rooney, | Woodside, |
| Finnerty, | Leonard, | Rose, S., | Wright, |
| Fisher, | Lesko, | Rose, W. E., | Yeakel, |
| Fiss, | Levy, | Rosenfeld, | Yester, |
| Fleming, | Longo, | Royer, | Young, |
| | | | Kilroy, Speaker |

NAYS 0

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

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

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1018, entitled:

An Act to amend the act approved the twenty-fourth day of June one thousand nine hundred thirty-nine (P. L. 872) entitled "An act to consolidate amend and revise the penal laws of the Commonwealth" by adding thereto to section 947.1 prohibiting the cutting of and operations on tails of horses mares and geldings except as herein provided providing for certificates under oath and regulating and restricting the showing and exhibition of such animals

On the question,

Will the House agree to the bill on third reading?

Mr. MORAN. Mr. Speaker, I would like to have the sponsor of this bill explain this bill.

The SPEAKER. Will the gentleman from Montgomery, Mr. Wood explain the purpose of this bill?

Mr. LLOYD H. WOOD. I will, Mr. Speaker. I wish to say for the information of the gentleman from Allegheny, Mr. Moran, that his ignorance of a horse's anatomy amazes me.

The SPEAKER. The Chair wishes to inform the gentleman that he is going pretty far back with his Legislation.

Mr. LLOYD H. WOOD. Mr. Speaker, might I say to the Chair that that calls to my mind two conflicting proverbs. The Chair no doubt is familiar with them. One is that "There is always room for two more," and the other is "The straw that broke the camel's back." We also often hear people say "They are forging ahead," while other people claim "They are bringing up the rear." I chose to be identified with that last group, Mr. Speaker.

Mr. BRETHERICK. Mr. Speaker, does that indicate that the gentleman might be considered a horse's tail?

The SPEAKER. What was the word the gentleman from Delaware, Mr. Bretherick used?

Mr. BRETHERICK. Does the gentleman from Montgomery have any kinship with the rear end of a horse?

Mr. LLOYD H. WOOD. Mr. Speaker, the gentleman made two conflicting statements.

May I in answer to the interrogation of the gentleman from Allegheny, Mr. Moran, say that there is more merit to this bill than may appear to those who have only read it casually. As far as I am concerned—

POINT OF ORDER

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

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

Mr. TURNER. Doesn't the Speaker think the sponsor of this bill is behind in this Legislation?

The SPEAKER. This is a photo finish.

PARLIAMENTARY INQUIRY

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

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

Mr. TURNER. Does the Speaker know which way he is going?

The SPEAKER. It's a long tail, but it won't be if this bill passes.

Mr. LLOYD H. WOOD. May I be seated, Mr. Speaker?

The SPEAKER. The gentleman may be seated.

Mr. MORAN. Mr. Speaker, the sponsor has not explained the bill yet. I am still waiting. I wonder if the gentleman would permit interrogation on this bill?

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

Mr. LLOYD H. WOOD. I will, Mr. Speaker, if I am permitted to finish what I have to say. May I state for the benefit and the information of the gentleman from Allegheny, Mr. Moran, that he probably has in mind that this bill provides for docking of horses.

Mr. BRETHERICK. Mr. Speaker, it seems to me this interrogation is entirely unfair. I think he is taking this gentleman for a ride.

The SPEAKER. I think they are both stalling.

Mr. MORAN. Mr. Speaker, I would like to interrogate the sponsor of this bill.

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

Mr. LLOYD H. WOOD. I will, Mr. Speaker.

Mr. MORAN. Will the sponsor of this bill, the gentleman from Montgomery, Mr. Wood, define what he means when he says the cutting off of tails of horses, mares, and geldings. Now, what is a gelding?

Mr. LLOYD H. WOOD. Mr. Speaker, I am again amazed at the dearth of information of the gentleman from Allegheny Mr. Moran, but I might say that a gelding, if he does not happen to know, is a male horse that has been emasculated.

Mr. MORAN. Would the gentleman define what he means by emasculated, Mr. Speaker?

Mr. LLOYD H. WOOD. I stand under my constitutional right, Mr. Speaker.

The SPEAKER. The Chair moves the previous question.

Mr. MORAN. Mr. Speaker, may I further interrogate the gentleman from Montgomery, Mr. Wood?

Mr. SPEAKER. The gentleman will proceed.

Mr. LLOYD H. WOOD. The gentleman may proceed if he is through with the geldings.

Mr. MORAN. For the information of the gentleman from Montgomery, I looked up in the dictionary to see the meaning of the word "gelding," and I found it is a young horse that has been castrated. I would like to ask the gentleman from Montgomery if this bill also covers jack horses.

Mr. LLOYD H. WOOD. That does not register with me, Mr. Speaker; I don't know what is meant by jack horses.

Mr. MORAN. Will the gentleman agree with me that this is a backward bill, Mr. Speaker.

Mr. LLOYD H. WOOD. I will, Mr. Speaker.

Mr. MORAN. May I ask the gentleman how you are going to know under this bill how long the extreme portions of a horse should be cut?

Mr. LLOYD H. WOOD. We are not going to eliminate any part of the anatomy of the horse in this bill, Mr. Speaker. It simply gives the veterinarian an opportunity to perform an operation on the horse's tail when the horse has been born with a crooked tail.

Mr. MORAN. Mr. Speaker, may I ask the gentleman, does this bill also take care of mules?

Mr. LLOYD H. WOOD. I think it will, Mr. Speaker.

Mr. MORAN. They are not mentioned in the bill. I think this bill ought to be amended to take care of all the rears of animals.

The SPEAKER. Will the gentleman back up to his seat?

Mr. TURNER. Mr. Speaker, it seems to me there has been too much horse play about this very important measure. We ought to get down to serious thinking.

This bill it occurs to me is important or the gentleman from Montgomery would not have introduced it. There really are some things about this bill that we ought to think about, because the gentleman from Armstrong, Mr. Gates, gave us some new ideas about legislation. He told us how if we voted for this bill, we were going to affect all of the salesmen and all the farmers—no, he left out the farmers, but all the salesmen and country doctors. It seems to me if it got around the State of Pennsylvania that we voted for something that is going to increase the price of gasoline, that same thing might be said about horses. The horse might be proud of his tail. The bill says "for the purpose of performing an operation changing the ordinary way in which the horse's tail is carried". I don't know what the ordinary carriage of a horse's tail is. I never got around that side of a horse. Personally I like to look a man in the eye, so we may be invading the privileges of the horses of this Commonwealth, and you know horses get around in the country. They may talk to the farmers and may tell them that the Members of the Legislature passed a bill that is going to allow them to change the course of his tail. The change of the course of his tail may be necessary; he may get more flies on the right side than on the left and it may be necessary to change the course of his tail. Again the flies may be with us too, and they may go and tell the housewives and the keepers of restaurants when they alight on our ice cream and pie when we are ready to eat it, and they may feel that the Members of the Legislature ought to be defeated at the next session because we voted for the bill.

It is not conclusive evidence, even if a horse appears at an exhibition with his tail cut; the tail may have been cut off in many ways. He may have been out nights and might have backed up in some way against a buzz saw or something like that. Nevertheless at an exhibition he could not produce a certificate from a veterinarian and he might have to go to jail for twenty days or pay a fine of \$100. There are many things that ought to be con-

sidered, and thereby hangs a tale; the bill ought to be recommitted.

The SPEAKER. The Chair calls to the attention of the gentleman the fact that we are trying to streamline the horse as we streamline everything else.

Mr. WALTER E. ROSE. Mr. Speaker, I want to request that the Clerk proceed with the "whinnies" and the "neighs".

Mr. HUNTLEY. Mr. Speaker, it seems to me we have had a good deal of levity over this matter. The bill has been properly introduced and reported out of committee. I believe we ought to get down to business and give it some consideration. I cannot conceive that Mr. Wood introduced this bill as a joke. He has tried to explain it to this House so that we may intelligently understand it. As a member of the House about to vote on this bill, I would like some light on it. Mr. Wood has shown a willingness to give us some light and we haven't given him a chance to finish his explanation.

I would like to ask the House to subside their foolishness for a few minutes, and take time enough to consider this bill. It seems to be a regular piece of legislation, and before we vote on it, I should like to know something about it. I hope the House will allow Mr. Wood to answer Mr. Moran's first question and explain the bill. I would like to have it explained, and I feel certain that this House, after it cools down a little would like to have the bill explained before we vote on it. It may be something worth while; I don't know.

BILL RECOMMENDED

Mr. REUBEN E. COHEN. Mr. Speaker, I move that this bill be recommitted to the Committee on Judiciary Special for further dissecting.

On the question,

Will the House agree to the motion?

Mr. FRENCH. Mr. Speaker, I have been very much disappointed. I have been sitting here all this time waiting for some farmer or some veterinary surgeon to get up and explain the merits of this bill. I am not a veterinarian, but I do profess to be a farmer, and this bill, I think was presented for humanitarian reasons and that alone. The bill specifies that operating on a horse's tail is not prohibited when there is an anesthetic given in order to alleviate the pain during the operation. This operation is intended to increase the sale value of the horse. As the gentleman stated a moment ago, a colt when it is born with a crooked tail carries its tail to one side. That is simple; nothing laughable about it, and it renders the horse unsaleable. Many a good horse has to be given away at a very reduced price on account of this defect, and by a very simple operation on the tail for the purpose of straightening it, and by holding it in the straight position for a certain length of time, the horse carries his tail thereafter in a proper manner. After that operation is performed the horse increases in value possibly two hundred per cent. That is the reason such operation is performed on a horse. The operation renders the horse much more valuable when it is put on the block for sale. For my part, so long as it is done without pain to the horse, which it is similar to operations on human beings for appendicitis, I think it is perfectly all right, and the bill should be passed.

Mr. REUBEN E. COHEN. Mr. Speaker, when this bill left the Judiciary Special Committee it was with the specific understanding that the bill would receive two readings and then be recommitted for further study. I feel all fairness to the persons who are opposed to this bill they should be given an opportunity to be heard. The bill was only reported out for the purpose of crystallizing public sentiment, and I think the Committee's wishes ought to be adhered to.

Mr. CHARLES H. BRUNNER. Mr. Speaker, I am a member of the Judiciary Special Committee, and I would like to agree with the statement of the Chairman, the gentleman from Philadelphia, Mr. Cohen. This bill was recognized and personally I believe it to be a meritorious, deserving bill. However, it was agreed in committee that it be reported out for two readings and then be recommitted. Due to an error on Thursday morning the bill was called up for second reading. Now appears before us on the third reading calendar. Despite the fact that my good friend and colleague from Montgomery, Mr. Wood, is the sponsor of this measure, I think we should abide by the wishes of the committee, and the motion to re-commit should be sustained.

On the question recurring,

Will the House agree to the motion?

It was agreed to.

BILLS ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1087, as follows:

An Act to amend Clause (2) of Section 3 of the Act approved the sixteenth day of May one thousand nine hundred and twenty-nine (P. L. 1784) entitled "An act concerning newspapers creating uniformity in the publication of legal notices and advertisements defining the newspapers in which official and legal advertising shall be published prescribing methods for computing the charges therefor and providing that the expenses for publishing legal advertising or notices shall be taxable and collectible as court costs are now taxed and collected in all matters and proceedings" by changing the definition of daily newspaper

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

Section 1 Clause (2) of Section 3 of the act approved the sixteenth day of May one thousand nine hundred and twenty-nine (P. L. 1784) entitled "An act concerning newspapers creating uniformity in the publication of legal notices and advertisements defining the newspapers in which official and legal advertising shall be published prescribing methods for computing the charges therefor and providing that the expenses for publishing legal advertising or notices shall be taxable and collectible as court costs are now taxed and collected in all matters and proceedings" is hereby amended to read as follows

(2) "Daily Newspapers" means a newspaper regularly [issued every day] published at least five days in the week either including or excluding Sundays and legal holidays

Section 2 This act shall become effective immediately upon final enactment

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

On the question,

Shall the bill pass finally?

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

YEAS 197

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

NAYS 0

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

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

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 960, as follows:

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

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

Section 1 Sections one and two of the act approved the sixth day of April one thousand nine hundred and eleven (P. L. 51) entitled "An act providing for the protection of the public health and the prevention of fraud and deception by prohibiting the sale the offering for sale or

exposing for sale or having in possession with intent to sell of adulterated or deleterious sausage defining sausage and prescribing the penalty for the violation thereof" are hereby amended to read as follows

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That it shall be unlawful for any person or persons by himself herself or themselves or by his her or their agents servants or employes to sell offer for sale expose for sale or have in possession with intent to sell sausage that is adulterated within the meaning of this act The possession of any adulterated sausage shall be deemed prima facie evidence of the intent to sell such sausage

Section 2 Defining sausage That for the purpose of the act sausage or sausage meat shall be held to be comminuted meat as defined by the Department of Agriculture from [meat] cattle or swine or a mixture of such meats either fresh salted pickled or smoked with or without added salt and spices provided they do not conceal damage or inferiority and with or without the addition of edible animals fats blood and sugar or subsequent smoking It shall contain no larger amount of water than the meats from which it is prepared contained when in their fresh condition except as hereinafter permitted If it bears a name descriptive of kind composition or origin its contents shall correspond to the kind composition or origin indicated by such name

Section 2 Section three and five of said act as last amended by the act approved the first day of July one thousand nine hundred and thirty-seven (P. L. 2670) are hereby further amended to read as follows

Section 3 That for the purpose of this act sausage shall be deemed to be adulterated

First If it does not conform to the requirements and definition for sausage in section two hereof

Second If it contains added water or ice in excess of the quantity required to bring the amount up to that which the meats from which it is prepared contain immediately after slaughter excepting such water and ice as may be added for the purpose of facilitating grinding chopping and mixing and which shall in no case exceed [seven] three per centum in sausage which is not cooked or smoked and ten per centum in sausage which is cooked or smoked as determined by the methods prescribed by the Department of Agriculture all tolerances having been allowed for

[Second] Third If it contains any cereal vegetable flour vegetable product milk powder or cracklings

[Third] Fourth If it contains any coal-tar [dye] color or any added natural color vegetable coloring boric acid or borates sulphites sulphur dioxide sulphurous acid or any other chemical preservative or other substances injurious or deleterious to health

[Fourth] Fifth If it contains any diseased contaminated filthy or decomposed substance or is manufactured in whole or in part from a diseased contaminated filthy or decomposed substance or a substance produced stored transported or kept in a way or manner that [would] might render the article diseased contaminated or unwholesome or if it is any product of a diseased animal or the product of any animal which has died otherwise than by slaughter

Section 5 That the Department of Agriculture of the State shall be charged with the enforcement of the provisions of this act and shall make rules and regulations for the proper enforcement thereof including rules and regulation setting up definitions and standards for sausage of particular kind composition or origin within the general definition for sausage in section two thereof

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 197

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

NAYS 0

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

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

BILL ON SECOND READING

Agreeably to order.

The bill having been called up from the postponed calendar, by Mr. McCLANAGHAN and

The House resumed the consideration on second reading of House Bill No. 685 entitled

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

The first, 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. McCLANAGHAN. Mr. Speaker, I desire to offer the following amendment.

The amendment was read by the Clerk as follows:

Amend sec. 4, page 2, line 22, by inserting after the word "person" the following: "advertising fixed prices for eyeglasses or spectacles".

The amendment was agreed to.

The section was agreed to as amended.

The fifth section was read and agreed to.

The title was read.

On the question,

Will the House agree to the title?

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

The amendments were read by the Clerk as follows:

Amend the title, page 1, second line of title by striking out the following "etc" in said line.

Amend the title, page 1, fourth line of title by striking out the following "etc" in said line.

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.

HOUSE BILL NO. 1373 MADE SPECIAL ORDER

Mr. ACHTERMAN. Mr. Speaker, I move that House Bill No. 1373, Printer's No. 402, on page 22 of today's calendar, bills on third reading, be made a special order of business immediately.

The motion was agreed to.

BILL ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1373, as follows:

An Act to amend part of section two of the act approved the twenty-seventh day of June one thousand nine hundred thirty-nine (Appropriation Acts of one thousand nine hundred thirty-nine page sixty) entitled "An act to provide for the ordinary expenses of the Executive Legislation 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 making the appropriation to the Department of Military Affairs for the use of the Pennsylvania National Guard also available for the use of the Pennsylvania Reserve Defense Corps

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

Section 1 So much of section two of the act approved the twenty-seventh day of June one thousand nine hundred thirty-nine (Appropriation Acts of one thousand nine hundred thirty-nine page sixty) 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" which makes an appropriation to the Department of Military Affairs for the use of the Pennsylvania National Guard is hereby amended to read as follows

For the payment of salaries wages or other compensation of a deputy adjutant general the Division Commander and other employes for the payment of general expenses supplies printing and equipment necessary for the proper conduct of the work of the department including Division Headquarters the United States Property and Disbursing Office State Arsenal State Military Reservation and advisory commissions connected with the department for the making of improvements additions or repairs to existing buildings roads and utilities on the State Military Reservation and State Arsenal for the purpose of placing at the disposal of the Governor and making the same available for replacement or repair such military stores and supplies issued to the Commonwealth of Pennsylvania by the Federal Government as may be destroyed or damaged in whole or in part by fire flood storm or any other unavoidable cause for the payment of transportation pay of officers and enlisted men horse hire subsistence quartermaster stores and other proper and necessary expenses incident to field service rendered by the Pennsylvania National Guard or the Pennsylvania Reserve Defense Corps under orders of the Governor in repelling invasion subduing insurrection riot tumult or disorder or the prevention of the same and when such Pennsylvania National Guard or the Pennsylvania Reserve Defense Corps may be placed on duty under orders of the Governor under extraordinary circumstances for the protection of property or human life and in the event of all or any portion of said Pennsylvania National Guard being called into active service of the United States by the President of the United States or in furnishing the quota of volunteers from the Commonwealth of Pennsylvania under a call made by the President of the United States and for the payment of mileage and lawful expenses of commissioners to take the vote of Pennsylvania soldiers in Federal or State service when in the field on active duty for the payment of any and all expenses incident to furnishing men material and equipment to relieve unemployment or drought conditions throughout the State or when a disaster occurs for payment of claims against the Commonwealth of Pennsylvania for damages incurred by the operation or training of the Pennsylvania National Guard or the Pennsylvania Reserve Defense Corps as provided by law for the payment of all necessary expenses supplies printing and equipment including annual allowances for maintenance and armory rent individual pay officers' annual allowances passenger and freight transportation telegrams telephone toll charges subscriptions to The Pennsylvania National Guardsman for distribution to officers and men of the Pennsylvania National Guard the expenses of operating and maintaining automobiles and other motor equipment the payment of mileage charges to the Department of Property and Supplies for the use of automobiles and other expenses necessary for the maintenance training government discipline and equipment of the Pennsylvania National Guard or the Pennsylvania Reserve Defense Corps for the payment of claims made by the War Department based upon approved reports of survey covering loss damage or destruction of Federal property for the payment of salaries of members and inspectors of the Armory Board of the State of Pennsylvania for the payment of salaries wages or other compensation of employes for the payment of general expenses supplies printing and equipment necessary for the proper conduct of the work of the Armory Board of the State of Pennsylvania for the maintenance and repair of armories and for the expenses of inspection of armories the sum of one million nine hundred twenty-eight thousand dollars (\$1,928,000) Provided however That there is hereby appropriated for the same purposes the full amount of all rentals of armories and receipts from public or private sources in payment of costs and materials expended by the Guard or the Pennsylvania Reserve Defense Corps in furnishing relief from disaster which shall be collected as heretofore and paid into the General Fund and credited to the appropriation made by this paragraph

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

And said bill having been read at length the third time,

considered and agreed to.

On the question,
Shall the bill pass finally?

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

YEAS 197

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

NAYS 0

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

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

PERMISSION TO ADDRESS HOUSE

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

Mr. Speaker we are all familiar with the provisions of the Labor Relations Act of 1937 and the Republican amendments of 1939 which liberalized this law and brought the status of Pennsylvania working men to a new and more progressive level of economic stability.

The Labor Relations Act of 1937 was a one-sided affair which vested the Labor Relations Board with extraordinary powers quite out of balance with the Constitutional privileges intended by the founders of American democracy.

One of the principal amendments made under Republican

guidance was a provision permitting secret elections to determine the collective bargaining representatives upon the petition of either employer or employees.

I have seriously considered this particular phase of Republican attempts to liberalize labor laws in the Commonwealth and it was my privilege, to night, to introduce, for your consideration, a measure which would further extend the benefits under this clause.

My bill provides that secret elections shall be held within thirty days, instead of twenty days as now covered by law, where no objections are filed, and within sixty days where there are objections or exceptions necessitating oral argument.

In view of swiftly changing conditions today, twenty days does not appear to be sufficient time for the Labor Relations Board or employes to act in their own interest to bring about a fair and more equitable interpretation of the law.

It is also my privilege to have sponsored another labor improvement bill, to further amend the Labor Relations Act by extending the statute of limitations on the filing of petitions citing unfair labor practices.

This is a paramount question, especially in view of overnight developments which might possibly impede the course of National Defense and throw a heavier cloud over already strained relations between labor and industry.

My measure would extend the time of filing such petition from six weeks to three months so that the Labor Relations Board can make an order on acts or statements committed within the extended period.

This would give both sides a few more weeks to raise any question by petition and thereby improve chances for equitable adjustment of differences.

The Republican Party has always taken an advanced stand on better labor relations for Pennsylvania's army of workers and this long range viewpoint has contributed heavily to the improved economic security accruing to those who man the wheels of industry.

My measures, reflecting administration sentiment toward labor in all divisions, is further evidence that when the labor laws of this State can be improved by a fair and equitable administration of any law relating to labor relations, the Republican Party will not be blind to its obligations and responsibilities.

WELCOME EXTENDED

The SPEAKER. The Chair is pleased at this time to be informed that we have with us this evening the bride of the gentleman from Lackawanna, Mr. Kenehan. I am sure the Members also are pleased to have her here.

The Chair recognizes the gentleman from Lackawanna, Mr. Kenehan.

Mr. KENEHAN. Mr. Speaker, a few months ago the Speaker told me when I rose that my privileges were very few. I disagreed with him two nights after my honeymoon.

The SPEAKER. The gentleman has put his foot in it.

Mr. BURNS. As one of these boys who in the future may assume this status, Mr. Speaker, I would like to ask the gentleman from Lackawanna, Mr. Kenehan, whether I am in line for a little information.

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

Mr. KENEHAN. Mr. Speaker, I think every man should find out for himself.

Mr. BURNS. I thank the gentleman, Mr. Speaker, I will.

RESOLUTION CONGRATULATIONS

Mr. McLane offered a privileged resolution which was read, considered and unanimously adopted as follows:

In the House of Representatives, April 28, 1941.

Whereas, The House of Representatives has just learned of the marriage on Saturday, April 26, 1941, of the Honorable Martin F. Kenehan and Gertrude McKeenan; and

Whereas, The steady influence of a wife is something to be treasured; and

Whereas, The Honorable Martin F. Kenehan will now be able to give a more complete and understanding study to the problems affecting the Commonwealth, especially those dealing with the employment of married women; and

Whereas, The House of Representatives rejoices in the happiness of all its component members; therefore be it

Resolved, That the House of Representatives congratulates the Honorable Martin F. Kenehan and his wife and wishes them a long and happy marital life; and be it further

Resolved, That a copy of this resolution be sent to the newly wedded pair with the best wishes of the House.

MEMBER CONGRATULATED

The SPEAKER. The Chair informs the members that the gentleman from Columbia, Mr. Croop, is fifty years old today. This also is his fifteenth wedding anniversary. The Chair congratulates the gentleman from Columbia, Mr. Croop.

COMMITTEE MEETINGS

Cities—First Class, Tuesday, April 29 at 11 a. m. in Room 521.

Cities—Second Class, Tuesday, April 29 at 10:30 a. m. in Room 521.

Constitutional Amendments, Tuesday, April 29 at 10:30 a. m. in Room 327.

Counties, Tuesday, April 29 at 11:30 a. m. in Room 330.

Elections, Tuesday, April 29 at 11:15 a. m. in Room 323.

Game, Tuesday, April 29 at 11:30 a. m. in Room 324.

Judiciary General, Tuesday, April 29 at 9 a. m. in Room 246.

Judiciary Special, Tuesday, April 29 at 10:30 a. m. in Room 246.

Military Affairs, Tuesday, April 29 at 10:30 a. m. in Room 331.

Townships, Tuesday, April 29 at 10:30 a. m. in Room 329.

Welfare, Tuesday, April 29 at 11:30 a. m. in Room 246.

PUBLIC HEARINGS

There will be a Public Hearing before the Committee on Professional Licensure on House Bill No. 765 on Tuesday, May 6, 1941 at 7:00 p. m., E. S. T. in the old House Caucus Room—3rd Floor.

There will be a Public Hearing before the Committee on Professional Licensure on House Bills Nos. 335 and 678 on Wednesday, May 7, 1941 at 10:30 a. m., E. S. T. 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, May 6, 1941 at 6:00 p. m., E. S. T. in the New House Caucus Room.

The meeting of the Committee on Labor scheduled for tomorrow is changed to Wednesday, April 30 at 10 a. m., E. S. T., in Room 521.

Reminder—Americanism Program—Hall of the House, April 30, Plan to be present early. Speakers: Hon. Frances Walter, Philadelphia; Hon. James Van Zandt, Altoona.

ADJOURNMENT

Mr. EARLY. Mr. Speaker, I move that this House do now adjourn until Tuesday, April 29, 1941 at 12 m.

The motion was agreed to, and (at 10:54 p. m.) the House adjourned.