

HOUSE OF REPRESENTATIVES

TUESDAY, April 29, 1941

The House met at 12 m.

The SPEAKER (Elmer Kilroy) in the Chair.

PRAYER

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

We thank Thee, O Lord, that Thou didst send Thy Son into the world to reveal to us our low estate, but yet our worth to Thee. In His presence we become aware of our need. The measure of the stature of His fulness is so far beyond us that our hearts grow faint within us. Yet He believes in us, and this belief shall make us believe in ourselves. Keep us close to Him, Our Father, that we may dare to become like Him, who, while we were yet sinners, believed in us and called us to be sons with Thee. Make us willing to dare for Thee, unafraid of risks, and unmindful of dangers if Thou art near. In Jesus' Name we pray. Amen.

JOURNAL APPROVED

The SPEAKER. The Clerk will read the Journal of yesterday.

The Clerk proceeded to read the Journal of yesterday, when on motion of Mr. SHEPARD unanimously agreed to, the further reading was dispensed with and the Journal approved.

BILLS INTRODUCED AND REFERRED

By Mr. RAUSCH. HOUSE BILL No. 1410.

An Act to amend sections nine hundred ten and one thousand four of the act, approved the third day of June, one thousand nine hundred and thirty-seven (P. L. 1333), entitled "An act concerning elections, including general, municipal, special and primary elections, the nomination of candidates, primary and election expenses and election contests; creating and defining membership of county boards of elections; imposing duties upon the Secretary of the Commonwealth, courts, county boards of elections, county commissioners; imposing penalties for violation of the act, and codifying, revising and consolidating the laws relating thereto; and repealing certain acts and parts of acts relating to elections," permitting candidates for aldermen, justices of the peace and magistrates to be candidates of more than one party for nomination for the same office.

Referred to the Committee on Elections.

By Mr. JAMES. HOUSE BILL No. 1411.

An Act to further amend clause (b) of section seven, clause (e) of section eight, and clauses (b) and (e) of section nine of the act, approved the first day of June, one thousand nine hundred thirty-seven (P. L. 1168), entitled "An act to protect the right of employes to organize and bargain collectively; creating the Pennsylvania Labor Relations Board; conferring powers and imposing duties upon the Pennsylvania Labor Relations Board, officers of the State government, and courts; providing for the right of employes to organize and bargain collectively; declaring certain labor practices by employers to be unfair; further providing that representatives of a majority of the employes be the exclusive representatives of all the employes; authorizing the board to conduct hearings and elections, and certify as to representatives of employes for purposes of collective bargaining; em-

powering the board to prevent any person from engaging in any unfair labor practice, and providing a procedure for such cases, including the issuance of a complaint, the conducting of a hearing, and the making of an order; empowering the board to petition a court of common pleas for the enforcement of its order, and providing a procedure for such cases; providing for the review of an order of the board by a court of common pleas on petition of any person aggrieved by such order, and establishing a procedure for such cases; providing for an appeal from the common pleas court to the Supreme Court; providing the board with investigatory powers, including the power to issue subpoenas and the compelling of obedience to them through application to the proper court; providing for service of papers and process of the board; prescribing certain penalties," broadening the definition of "labor dispute"; making further provision for designation and selection of representatives for the purposes of collective bargaining and changing the practice before the Pennsylvania Labor Relations Board; limiting the time for appeals therefrom.

Referred to the Committee on Labor.

By Mr. JAMES. HOUSE BILL No. 1412.

An Act to further amend subsection (c) of section seven of the act, approved the first day of June, one thousand nine hundred and thirty-seven (P. L. 1168), entitled "An act to protect the right of employes to organize and bargain collectively; creating the Pennsylvania Labor Relations Board; conferring powers and imposing duties upon the Pennsylvania Labor Relations Board, officers of the State government, and courts; providing for the right of employes to organize and bargain collectively; declaring certain labor practices by employers to be unfair; further providing that representatives of a majority of the employes be the exclusive representatives of all the employes; authorizing the board to conduct hearings and elections and certify as to representatives of employes for purposes of collective bargaining; empowering the board to prevent any person from engaging in any unfair labor practice, and providing a procedure for such cases, including the issuance of a complaint, the conducting of a hearing, and the making of an order; empowering the board to petition a court of common pleas for the enforcement of its order, and providing a procedure for such cases; providing for the review of an order of the board by a court of common pleas on petition of any person aggrieved by such order, and establishing a procedure for such cases; providing for an appeal from the common pleas court to the Supreme Court; providing the board with investigatory powers, including the power to issue subpoenas and the compelling of obedience to them through application of the proper court; providing for service of papers and process of the board; prescribing certain penalties," revising the rights and procedure before the board in certifications of the representation of employes.

Referred to the Committee on Labor.

By Messrs. BALTHASER and PAUL A. BRUNNER.
HOUSE BILL No. 1413.

An Act requiring the Department of Highways of the Commonwealth of Pennsylvania, after the use of any highway as a detour has been discontinued, to restore promptly such highway to substantially the same condition as it was prior to its use as a detour.

Referred to the Committee on Highways.

By Mr. ROONEY. HOUSE BILL No. 1414.

An Act to add section seven hundred twenty-five to the act, approved the first day of May, one thousand nine hundred and twenty-nine (P. L. 905), entitled "An act for the protection of the public safety; regulating the use of highways, and the operation of vehicles, tractors, street cars, trackless trolley omnibuses, bicycles, pedes-

trians, and the riding of animals upon the highways of this Commonwealth; providing for the titling, including liens, encumbrances, and legal claims; registration of certain vehicles and licensing the operators thereof, upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts and the clerks thereof, owners of vehicles, and garage keepers; providing that records are admissible as evidence; imposing upon owners, counties, cities, boroughs, incorporated towns, townships, within the Commonwealth, liability for damages caused by the negligent operation of their motor vehicles; imposing penalties; imposing certain costs upon counties; providing for the disposition of fines, forfeitures, fees, and miscellaneous receipts; making an appropriation, and providing for refunds," by providing for refunds of certain fees to persons inducted or enlisting in the armed forces of the United States; imposing duties on the Department of Revenue and the State Treasurer; and making an appropriation.

Referred to the Committee on Motor Vehicles.

By Mr. NAGEL. HOUSE BILL No. 1415.

An Act validating certain acts of county commissioners, county treasurers, tax collectors and other officials in giving to delinquent taxpayers the advantages of various acts of Assembly abating penalties and interest on county city, borough, town, township, school district, poor district and institution district taxes contrary to the requirements of said acts.

Referred to the Committee on Municipal Corporations.

By Mr. HIRSCH. HOUSE BILL No. 1416.

A Joint Resolution proposing an amendment to section three, article four of the Constitution of the Commonwealth of Pennsylvania.

Referred to the Committee on Constitutional Amendments.

By Mr. ACHTERMAN. HOUSE BILL No. 1417.

An Act making an appropriation to The General State Authority, to defray the costs and expenses of the said Authority in connection with the organization, administration, and operation thereof.

Referred to the Committee on Appropriations.

By Mr. ACHTERMAN. HOUSE BILL No. 1418.

An Act making an appropriation to the Department of Welfare, for the maintenance of certain homes.

Referred to the Committee on Appropriations.

By Mr. ACHTERMAN. HOUSE BILL No. 1419.

An Act making an appropriation to the Department of Welfare, for the maintenance of certain hospitals.

Referred to the Committee on Appropriations.

By Mr. TURNER. HOUSE BILL No. 1420.

An Act to amend 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," as amended, by imposing the tax upon personal property held and managed in this Commonwealth, owned, held or possessed by residents as trustees, agents, or attorneys-in-fact jointly with one or more trustees, agents, or attorneys-in-fact domiciled in another state, and by imposing the tax upon equitable interests of residents in personal property held and managed in another state, where the legal title to such personal property is held by more than one trustee, agent or attorney-in-fact, one or more of whom are domiciled in another state and one or more of whom are domiciled within this Commonwealth.

Referred to the Committee on Ways and Means.

By Mr. McMILLEN. HOUSE BILL No. 1421.

An Act making an appropriation to the Indiana Volunteer Fire Company, Indiana, Pennsylvania.

Referred to the Committee on Appropriations.

By Mr. McMILLEN. HOUSE BILL No. 1422.

An Act making an appropriation to the Blairsville Volunteer Fire Company, Blairsville, Pennsylvania.

Referred to the Committee on Appropriations.

By Mr. TAYLOR. HOUSE BILL No. 1423.

An Act to further amend section eleven of the act, approved the eighteenth day of July, one thousand nine hundred and seventeen (P. L. 1043), entitled "An act establishing a public school employes' retirement system, and creating a retirement board for the administration thereof; establishing certain funds from contributions by the Commonwealth and contributing employes, defining the uses and purposes thereof and the manner of payment therefrom, and providing for the guaranty by the Commonwealth of certain said funds; imposing powers and duties upon boards having the employment of public school employes; exempting annuities, allowances, returns, benefits, and rights from taxation and judicial process; and providing penalties," by extending the service allowance of certain employes.

Referred to the Committee on Education.

By Mr. PRESLEY N. JONES. HOUSE BILL No. 1424.

An Act prescribing the degree of care to be exercised by the driver of any vehicle at the crossing of a highway and a railroad or railway at grade, providing that the failure to stop shall not in itself constitute negligence or contributory negligence; and providing that the issue of negligence or contributory negligence in such case shall be a question of fact for the jury.

Referred to the Committee on Judiciary General.

By Messrs. REUBEN E. COHEN and McINTOSH.
HOUSE BILL No. 1425.

An Act authorizing the appointment of a commission to make a thorough study of the laws relating to crime and criminal procedure in this Commonwealth; conferring upon the commission full power to issue subpoenas; requiring the commission to make a report of its findings and recommendations to the General Assembly; and authorizing the commission to employ counsel and employes; and making an appropriation.

Referred to the Committee on Appropriations.

By Messrs. WEISS and MAXWELL.
HOUSE BILL No. 1426.

An Act to further amend section three of the act, approved the twenty-seventh day of April, one thousand nine hundred and twenty-seven (P. L. 414), entitled as amended "An act providing for a system of recording the identification of persons convicted of crime, and of fugi-

tives from justice, and habitual criminals; conferring powers and imposing duties upon the Pennsylvania Motor Police, district attorneys, police officers, wardens or keepers of jails, persons, workhouses, or other penal institutions, and sheriffs; providing for the payment of certain expenses by the counties; and imposing penalties," by limiting authority to finger print and photograph persons in custody.

Referred to the Committee on Judiciary Special.

By Messrs. WEISS and MAXWELL.

HOUSE BILL No. 1427.

An Act requiring lock-ups to be attended at all times, except when entirely unoccupied, and imposing liabilities.

Referred to the Committee on Judiciary Special.

By Mr. D'ORTONA.

HOUSE BILL No. 1428.

An Act to further amend sections seven hundred seven and seven hundred eight and sub-sections (a) and (c) or section nine hundred two and sub-section (e) of section nine hundred three of the act approved the first day of May, one thousand nine hundred and twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles, tractors, street cars, trackless trolley, omnibuses, bicycles, pedestrians, and the riding of animals upon the highways of this Commonwealth providing for the titling, including liens, encumbrances and legal claims, registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees, prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts and the clerks thereof, owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners, counties, cities, boroughs, incorporated towns, townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles, imposing penalties, imposing certain costs upon counties, providing for the disposition of fines, forfeitures, fees, and miscellaneous receipts, making an appropriation and providing for refunds" changing the provisions of said act relating to the weight, length and width of motor buses and loads and limiting the registration fees of motor buses equipped with pneumatic tires.

Referred to the Committee on Motor Vehicles.

By Mr. HABBYSYSHAW.

HOUSE BILL No. 1429.

An Act to amend section four of the act, approved the seventh day of June, one thousand nine hundred and fifteen (P. L. 900), entitled "An act to provide for the immediate registration of all births and deaths throughout the Commonwealth of Pennsylvania, by means of certificates of births and deaths, and burial or removal permits; requiring prompt returns to the Central Bureau of Vital Statistics, as required to be established by the State Department of Health; and, in order to secure prompt and faithful registration of births, marriages, deaths, and diseases, of practitioners of medicine and surgery, of midwives, nurses, and undertakers, and of all persons whose occupation is deemed to be of importance in obtaining complete registration of births, deaths, marriages, and diseases throughout the State, as provided in section ten of an act, entitled 'An act creating the Department of Health and defining its powers and duties,' approved the twenty-seventh day of April nineteen hundred and five, and providing penalties for violations of this act," providing for the appointment of local registrars of vital statistics by county commissions.

Referred to the Committee on State Government.

By Mr. STANK.

HOUSE BILL No. 1430.

An Act to further amend section two of 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 this act," by changing certain routes and adding certain new routes.

Referred to the Committee on Highways.

By Mr. STANK.

HOUSE BILL No. 1431.

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

Referred to the Committee on Highways.

By Mr. STANK.

HOUSE BILL No. 1432.

An Act to further amend section two of the act, approved the twenty-second day of June one thousand nine hundred and thirty-one (P. L. 720) entitled "An act providing for the taking over by the Commonwealth, under certain terms, conditions, and limitations, of certain streets in cities of the second class, second class A, and third class as State highways, and for the improvement, construction, reconstruction, resurfacing and maintenance by the Commonwealth of certain defined widths of said streets; imposing duties on such cities and on public utility companies using such streets; providing that no assessment shall be made upon the Commonwealth in the elimination of any grade crossing thereon; authorizing cities, persons, associations, or corporations to enter into agreements with the Commonwealth to bear a portion of the cost of construction or maintenance; providing for the assessment of certain portions of the cost of street improvements on abutting property owners; regulating the replacement of certain facilities of public utility companies; prohibiting the opening of said streets after improvement without a permit, and providing penalty therefor; regulating the maintenance of detours; authorizing the increase of city indebtedness in certain cases; and appropriating money in the Motor License Fund for the purposes of this act," by changing certain routes and adding certain new routes.

Referred to the Committee on Highways.

By Mr. BENTZEL.

HOUSE BILL No. 1433.

An Act to add section two hundred and twenty-seven to the act, approved the eighteenth day of May, one thousand nine hundred and eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent therewith," making school directors ineligible for any other public office or appointment for which compensation is paid.

Referred to the Committee on Education.

By Messrs. BAUGHER and STOCKHAM.

HOUSE BILL No. 1434.

An Act to create a commission to act jointly with commissions appointed for like purpose by the States of West Virginia and Maryland, the Commonwealth of Virginia,

and the District of Columbia, which together with three members, to be appointed by the President of the United States, shall constitute the Inter-state Commission on the Potomac River Basin with power to cooperate in the abatement of the existing pollution, and in the control of future pollution of the waters of the drainage basin of the Potomac River within the States of Maryland and West Virginia, the Commonwealth of Virginia, and the District of Columbia; to authorize the Governor of the state to execute on behalf of this State, a compact with representatives of other states for the purpose of forming the above mentioned commission; and creating a Potomac Valley Conservancy District; providing for the appointment of the Pennsylvania members of said commission and their terms of office; and providing an appropriation.

Referred to the Committee on State Government.

By Messrs. KEENAN and ROSENFELD.

HOUSE BILL No. 1435.

An Act to authorize housing authorities to undertake the development or administration of projects to provide safe and sanitary dwellings for persons engaged in national defense activities who would not otherwise be able to secure such dwellings within the vicinity thereof; to limit the initiation of the development of such projects until December 31, 1943; to authorize housing authorities to cooperate with or act as agent of the Federal Government in the development and administration of such projects of the Federal Government, to acquire or lease such projects and to sell or lease certain projects to the Federal Government; to authorize public bodies to assist such projects of housing authorities and of the Federal Government; and to declare valid all bonds, notes and obligations of housing authorities issued for projects heretofore undertaken to provide safe and sanitary dwellings for persons engaged in national-defense activities.

Referred to the Committee on Welfare.

By Mr. HARKINS.

HOUSE BILL No. 1436.

An Act authorizing all political subdivisions of the Commonwealth to control the timing, synchronization and location of all traffic lights, signals or standards on all highways located within the corporate limits of such political subdivisions.

Referred to the Committee on Motor Vehicles.

By Mr. HARKINS.

HOUSE BILL No. 1437.

An Act to further amend section one thousand four hundred and thirty-two of the act, approved the eighteenth day of May, one thousand nine hundred and eleven (P. L. 309), entitled "An act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent therewith," further providing for home and school visitors, and attendance officers, and for their compensation.

Referred to the Committee on Education.

By Messrs. KEENAN and ROSENFELD.

HOUSE BILL No. 1438.

An Act to provide that bonds and other obligations issued by any public housing authority or agency in the United States shall be security for all public deposits and negotiable, and legal investments for the State and public officers, municipal corporations; political subdivisions, and public bodies, all banks, bankers, trust companies, savings banks and institutions, building and loan associations, savings and loan associations, investment companies and other persons carrying on a banking

business, all insurance companies, insurance associations and other persons carrying on an insurance business, and all executors, administrators, guardians, trustees and other fiduciaries.

Referred to the Committee on Welfare.

By Mr. HEATHERINGTON. HOUSE BILL No. 1439.

An Act to declare valid and legal the establishment and organization of housing authorities, all bonds, notes, contracts, agreements, obligations and undertakings of such housing authorities and all proceedings, acts and things heretofore undertaken, performed or done with reference thereto.

Referred to the Committee on Welfare.

By Mr. ROSENFELD.

HOUSE BILL No. 1440.

An Act to establish a State Emergency Rent Commission and Regional Emergency Rent Boards; to prescribe the powers, duties and functions of such commission and of such boards, to provide for regulation of rents, rental agreements, and certain other incidents of the landlord-tenant relationship within regions and with respect to classes of dwellings as defined and to provide penalties and other means of enforcement.

Referred to the Committee on State Government.

By Mr. HALL.

HOUSE BILL No. 1441.

An Act to amend routes 52037 and 52044 as added to the act, approved the twenty-second day of June, one thousand nine hundred and thirty-one (Act No. 203) 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," changing certain routes in the county of Potter.

Referred to the Committee on Highways.

By Mr. BONEY.

HOUSE BILL No. 1442.

An Act making an appropriation to the Department of Commerce out of the Motor License Fund for the proper conduct of a specific portion of its work.

Referred to the Committee on Appropriations.

SENATE MESSAGE

SENATE BILLS FOR CONCURRENCE

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

SENATE BILL No. 53. (HOUSE BILL No. 1443).

An Act authorizing counties, cities, boroughs, towns, townships and school districts to operate programs of public recreation and playgrounds, either alone or in cooperation with each other, or through recreation boards created by one or more of them.

Referred to the Committee on Education.

SENATE BILL No. 315. (HOUSE BILL No. 1444).

An Act to further amend section one of the act approved the fourth day of April, one thousand nine hundred and twenty-five (P. L. 127), entitled "An act relating to adoption," by imposing exclusive jurisdiction in adoption proceedings in the municipal court in first class counties.

Referred to the Committee on Judiciary General.

SENATE BILL No. 302. (HOUSE BILL No. 1445).

An Act to further amend section one thousand four hundred sixteen of the act, approved the eighteenth day of May, one thousand nine hundred and eleven (P. L. 309), entitled "An act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws general, special or local, or any parts thereof, that are or may be inconsistent therewith," changing the qualifications of certain children for exemption from compulsory attendance provisions.

Referred to the Committee on Education.

SENATE BILL No. 547. (HOUSE BILL No. 1446).

An Act to further amend section four hundred twenty of the act, approved the seventeenth day of May, one thousand nine hundred and twenty-one (P. L. 682), entitled "An act relating to insurance; amending, revising, and consolidating the law providing for the incorporation of insurance companies, and the regulation, supervision, and protection of home and foreign insurance companies, Lloyds associations, reciprocal and inter-insurance exchanges, and fire insurance rating bureaus, and the regulation and supervision of insurance carried by such companies, associations and exchanges, including insurance carried by the State Workmen's Insurance Fund; providing penalties; and repealing existing laws," by providing for the conversion of annuity contracts.

Referred to the Committee on Insurance.

SENATE BILL No. 602. (HOUSE BILL No. 1447).

An Act to further amend section one thousand four hundred and thirty-nine of the act, approved the eighteenth day of May, one thousand nine hundred and eleven (P. L. 309), entitled "An act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent therewith," providing for education of blind children by the Department of Public Instruction, and for the payment therefor out of appropriations made for such purposes.

Referred to the Committee on Education.

RESOLUTION INTRODUCED AND REFERRED

By Messrs. WEISS and MAXWELL.

RESOLUTION No. 88.

In the House of Representatives, April 28, 1941.

Whereas, "Speed traps" planned to catch the unsuspecting motorist and subject him to humiliation, fine and embarrassment are in most cases but the legalized means adopted by unscrupulous peace officers to enrich themselves; and

Whereas, Many of our citizens have been entrapped when far from home and have been compelled to pay the charges imposed or to put themselves to great inconvenience and expense in order to contest the charges preferred; and

Whereas, The General Assembly should be made familiar with the operation of "speed traps" in order to intelligently eliminate them without opening the highways to reckless and illegal traffic; therefore be it

Resolved, That the Speaker of the House is authorized to appoint a Legislative Committee composed of five members of the House whose duty it shall be to investigate "speed traps" existing in the Commonwealth in order to

determine the best method of eliminating them and substituting some better method of curbing reckless and illegal driving, and to report to this House as speedily as possible the result of its investigation.

Referred to the Committee on Rules.

BILL SIGNED BY SPEAKER

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

SENATE BILL No. 125.

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.

Whereupon,

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

LEAVE OF ABSENCE

By unanimous consent leave of absence was granted as follows:

Mr. BRETH for himself for the remainder of the week.

The SPEAKER. The gentleman from Butler, Dr. Imbrie, asks leave of absence for himself for the remainder of the week to attend the Fortieth Class Reunion in Pittsburgh tomorrow afternoon, April 30, 1941.

Dr. Imbrie graduated with his class in 1901 from the Western University of Pennsylvania. The Chair is glad to grant him leave of absence. He is to be congratulated on such a memorable occasion.

Dr. IMBRIE. Mr. Speaker, I thank you.

REPORTS FROM COMMITTEES

Mr. MOONEY, from the Committee on Cities—Second Class, reported as committed, House Bill No. 1326, entitled:

An Act to amend sections three and four of the act, approved the thirtieth day of March, one thousand nine hundred three (P. L. 110), entitled "A supplement to an act, entitled 'An act regulating the construction, maintenance, alteration, and inspection of buildings and party walls in cities of the second class,' approved the seventh day of June, Anno Domini one thousand eight hundred and ninety-five; regulating the construction, alteration and ventilation of tenement-houses, and providing for the safety of the inhabitants thereof; and providing penalties for the violation of the same," further regulating the erection, alteration and ventilation of certain tenement houses.

Mr. MOONEY, from the Committee on Elections, reported as committed, House Bill No. 979, entitled:

An Act to amend section one thousand seven hundred and one of article seventeen of the act approved the third day of June, one thousand nine hundred and thirty-seven (P. L. 1333), entitled "An act concerning elections, including general, municipal, special and primary elections, the nomination of candidates, primary and election expenses and election contests; creating and defining membership of county boards of elections; imposing duties upon the Secretary of the Commonwealth, courts, county

boards of elections, county commissioners; imposing penalties for violation of the act, and codifying, revising and consolidating the laws relating thereto; and repealing certain acts and parts of acts relating to elections," by further regulating the recount of ballots in cases of suspected fraud or error, and governing the return of the moneys deposited in such cases.

Mr. DOLON, from the Committee on Cities—First Class, reported as committed, House Bill No. 619, entitled:

An Act imposing joint and severable liability upon cities of the first class, for damages, caused by arrests or imprisonments by police authorities in certain cases.

Mr. SCANLON, from the Committee on Elections, reported as committed House Bill No. 636, entitled:

An act to amend the act, approved the thirtieth day of March, one thousand nine hundred thirty-seven (P. L. 115), entitled "An act to provide for the permanent personal registration of electors in cities of the first class as a condition of their right to vote at elections and primaries, and their enrollment as members of political parties as a further condition of their right to vote at primaries; prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors; and prescribing the powers and duties of citizens, parties, bodies of electors, registration commissions, commissioners, registrars, inspectors of registration and other appointees of registration commission, election officers, municipal officers, departments, and bureaus, police officers, courts, judges, prothonotaries, sheriffs, county commissioners, peace officers, county treasurers, county controllers, registrars of vital statistics, real estate brokers, rental agents, certain public service companies, persons, firms, and corporations operating vehicles for moving furniture and household goods, and boards of school directors; and imposing penalties, "as amended, redefining the powers and duties of the registration commission and its employes; revising the provisions regulating the filing of removal notices and the cancellation of registrations; changing the provisions and times for registration, change of party enrollment and the cancellation of registrations; imposing duties on certain city officers; revising the procedure on appeals to the courts; providing for the manner of reckoning time; and imposing additional penalties.

Mr. DUFFY, from the Committee on Welfare, reported as committed, House Bill No. 1338, entitled:

An Act providing for and regulating assistance to certain classes of persons designated and defined as dependent children, aged persons and blind persons; providing for the administration of such assistance by the Department of Welfare and county welfare boards created for this purpose, instead of by the Department of Public Assistance and the county boards of assistance; requiring the transfer of certain records and documents; and authorizing the Department of Welfare to cooperate with and to accept and dispose of moneys received from the United States Government for assistance to such persons.

Mr. McCLANAGHAN, from the Committee on Judiciary General, reported as committed, House Bill No. 504, entitled:

An Act to amend section three and clause (88) of section one hundred one of the act, approved the twenty-eighth day of May, one thousand nine hundred thirty-seven (P. L. 1019), entitled "An act relating to statutory laws; prescribing an enacting clause for statutes; fixing the effective date and time of statutes hereafter enacted; providing for notice of application for local and special legislation, for the correction of errors in statutes, and for the printing and publication of statutes; prescribing rules for the interpretation of statutes; defining certain words and phrases when used in statutes; and prescribing rules for the construction and operation of amendments, re-enactments and

repeals of statutes," further providing for the position of the enacting clause; and further defining the phrase "political subdivision."

Mr. MONKS, from the Committee on Municipal Corporations, reported as committed, House Bill No. 1235, entitled:

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

Mr. ROSENFELD, from the Committee on Judiciary Special, reported as committed, House Bill No. 1402, entitled:

An Act to add section six hundred fifty-five and one-tenth to article six of the act, approved the twenty-fourth day of June, one thousand nine hundred and thirty-nine (P. L. 872), entitled "An act to consolidate, amend and revise the penal laws of the Commonwealth," relating to discrimination against persons employed or seeking employment on contracts effecting the national preparedness program because of the race, color or religion of such person.

Mr. TATE, from the Committee on Cities—Second Class, reported as committed, House Bill No. 1327, entitled:

An Act to amend section six and to further amend section eleven of the act, approved the twenty-eighth day of May, one thousand nine hundred and fifteen (P. L. 596), entitled "An act requiring cities of the second class to establish a pension fund for employes of said cities, and regulating the administration and the payment of such pensions," restricting the right of per diem employes to join such pension system, and giving per diem time drafted employes credit for the time spent in the services of the United States.

Mr. ALLMOND, from the Committee on Judiciary Special, reported as committed, House Bill No. 1223, entitled:

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

Mr. YOUNG, from the Committee on Judiciary Special, reported as committed, House Bill No. 1221, entitled:

An Act to add section 654.1 to the act, approved the twenty-fourth day of June, one thousand nine hundred

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

Mr. GATES, from the Committee on Townships, reported as committed, House Bill No. 887, entitled:

An Act to amend section one thousand eight hundred and three of the act, approved the twenty-fourth day of June, one thousand nine hundred and thirty-one (P. L. 1206), entitled "An act concerning townships of the first class; amending, revising, consolidating, and changing the law relating thereto," providing for contracts and purchases not requiring advertising and bids.

Mr. McFALL, from the Committee on Constitutional Amendments, reported as committed, House Bill No. 127, entitled:

A joint resolution proposing an amendment to article eight of the Constitution of the Commonwealth of Pennsylvania by adding thereto section eighteen.

Mr. HARE, from the Committee on Counties, reported as committed, House Bill No. 1324, entitled:

An Act to further amend section thirty-two of the act, approved the second day of May, one thousand nine hundred and twenty-nine (P. L. 1278) entitled "An act relating to counties of the second, third, fourth, fifth, sixth, seventh and eighth classes; and revising, amending and consolidating the laws relating thereto," further providing for ascertaining the change of classification of counties.

Mr. LEVY, from the Committee on Welfare, reported as committed, House Bill No. 1401, entitled:

An Act to amend section six of the act, approved the twenty-fourth day of June, one thousand nine hundred and thirty-seven (P. L. 2051), entitled "An act relating to public assistance; providing for and regulating assistance to certain classes of persons designated and defined as dependent children, aged persons, blind persons and other persons requiring relief; providing for the administration of this act by the Department of Public Assistance and county boards of assistance hereby created for this purpose; authorizing the Department of Public Assistance to cooperate with, and to accept and disburse moneys received from, the United States Government for assistance to such persons; providing for the liquidation of the State Emergency Relief Board, Boards of Trustees of the Mothers' Assistance Fund, and Boards of Trustees of Pension Fund for the Blind; and repealing laws relating to mothers' assistance, pensions for the blind, old age assistance, and the State Emergency Relief Board," further regulating the establishment of standards and qualifications for assistance.

Mr. BENTLEY, from the Committee on Municipal Corporations, reported as committed, House Bill No. 1269, 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 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," by extending the time for filing municipal claims.

Mr. POLASKI, from the Committee on Elections, reported as committed, House Bill No. 812, entitled:

An Act to amend clause (b) of section three hundred and two of the act, approved the third day of June, one thousand nine hundred and thirty-seven (P. L. 1333), entitled "An act concerning elections; including general, municipal, special and primary elections, the nomination of candidates, primary and election expenses and election contests; creating and defining membership of county boards of elections; imposing duties upon the Secretary of the Commonwealth, courts, county boards of elections, county commissioners; imposing penalties for violation of the act, and codifying, revising and consolidating the laws relating thereto; and repealing certain acts and parts of acts relating to elections," by providing for the display of the standard flag of the United States at polling places; and imposing such duty on county boards of elections.

Mr. FRENCH, from the Committee on Townships, reported as committed, House Bill No. 789, (Senate Bill No. 81), entitled:

An Act to amend section one thousand one hundred and forty-seven of the act, approved the first day of May, one thousand nine hundred and thirty-three (P. L. 103), entitled "An act concerning townships of the second class; and amending, revising, consolidating, and changing the law relating thereto", by extending the power to accept roads, streets, lanes and alleys dedicated as public highways.

Mr. WOLF, from the Committee on Counties, reported as amended, House Bill No. 896, entitled:

An Act authorizing and requiring county commissioners to sell seated and unseated lands purchased at tax sales, upon which the period of redemption has expired; and validating certain sales heretofore made.

Mr. MONKS, from the Committee on Railroads and Railways, reported as amended, House Bill No. 109, entitled:

An Act to promote the safety of the traveling public and employes on steam or electric railroads by regulating the construction of caboose cars and providing penalties.

Mr. McSURDY, from the Committee on Elections, reported as amended, House Bill No. 358, entitled:

An Act to further amend clauses three, of subsection (b) of section 913 of the act approved the third day of June, one thousand nine hundred thirty-seven, (Pamphlet Laws 1333), entitled, "An act concerning elections, including general, municipal, special and primary elections, the nomination of candidates, primary and election expenses and election contests; creating and defining membership of county boards of elections; imposing duties upon the Secretary of the Commonwealth, courts, county boards of elections, county commissioners; imposing penalties for violation of the act, and codifying, revising and consolidating the laws relating thereto; and repealing certain acts and parts of acts relating to elections;" by fixing the fee for filing nomination petitions for the office of jury commissioner.

Mr. BALTHASER, from the Committee on Counties, reported as amended, House Bill No. 1172, entitled:

An Act to further amend the act, approved the second day of May, one thousand nine hundred and twenty-nine (P. L. 1278), entitled "An act relating to counties of the second, third, fourth, fifth, sixth, seventh and eighth classes; and revising, amending and consolidating the laws relating thereto," by empowering counties to acquire real estate by lease, purchase, gift or eminent domain for use as fair-

ground, authorizing the acquisition of property by eminent domain for certain other public purposes; and authorizing county commissioners to do all things necessary for the establishment and maintenance of county agricultural fairs and fairgrounds, including the appropriation of funds, joint action with other political subdivisions, the levy and collection of taxes, the creation of county fair boards, and the acceptance of State contributions.

Mr. HAMILTON, from the Committee on Military Affairs, re-reported as committed, House Bill No. 182, entitled:

An Act to amend section two of the act, approved the twenty-sixth day of May, one thousand eight hundred and ninety-seven (P. L. 106), entitled "An act prohibiting the discharge from public positions of Union soldiers without reasonable cause, and prohibiting the abolishment of or changing the emoluments of public offices occupied by Union soldiers except for good reason," by extending the provisions thereof to veterans and nurses of any war in which the United States has engaged.

Mr. FLEMING, from the Committee on Cities—Second Class, re-reported as committed, House Bill No. 875 (Senate Bill No. 253), entitled:

An Act relating to members of the bureau of fire in cities of the second class; providing, subject to the approval of the electors, for a three-platoon system for such members, with certain exceptions; providing for an election on such question; and regulating hours of service, hours of rest and annual vacations.

Mr. WOODRING, from the Committee on Military Affairs, re-reported as amended, House Bill No. 104, entitled:

An Act to further amend section seven of the act, approved the fifth day of January, one thousand nine hundred and thirty-four (P. L. 223, 1933-34), entitled "An act providing compensation to certain persons who served in the military or naval forces of the United States during the World War, the war between the United States and Spain, the China Relief Expedition, or in the Philippines or Guam; providing the method of making payment to representatives or persons who, because of death or incapacity, cannot personally receive compensation; imposing certain duties on the Adjutant General; making an appropriation; and repealing inconsistent legislation; and providing penalties," extending the time during which application may be filed for veterans' compensation.

Mr. LOVETT, from the Committee on Rules, reported as committed, House Resolution No. 87.

FRANKLIN-MARSHALL ACADEMY WELCOMED

The SPEAKER. The Chair welcomes to the House this afternoon the History Class of Franklin-Marshall Academy, Lancaster, who are the guests of Mr. Marshall M. Cohen.

PRESENTATION TO SPEAKER

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

Mr. Speaker, some time ago a very important conference was held at the rostrum by the four members from Northampton County, in which they discussed with you, Mr. Speaker, legislation vital and important to the state. A newspaper photographer appeared on the scene and flashed a picture. Now, it is funny how these newspaper photographers appear at the psychological moment. This picture appeared in many newspapers in the eastern part of Pennsylvania and caused very favorable comment, so

much so that we feel the picture may become a classic, somewhat on the order of the signing of the Declaration of Independence, Washington crossing the Delaware, and Paul Revere's ride. These men, of course, helped to save the nation, and we, the Members of this legislative body from Northampton County, seek to save the state for the Democrats. This picture has been beautifully autographed and I now present it to you, Mr. Speaker, with the compliments and best wishes of Joseph A. Longo D. Miller Early, Carleton T. Woodring, and Charles McFall.

The SPEAKER. The Chair thanks the gentleman from Northampton, Mr. McFall.

RESOLUTION

THANKS EXTENDED

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

In the House of Representatives, April 29, 1941.

Whereas, he Committee on Cities of the Second Class recently held public hearings in the City of Pittsburgh on House Bill No. 875 and Senate Bill No. 253; and

Whereas, the City Council of the City of Pittsburgh graciously allowed the committee to use the council chambers for the purpose of holding such public hearings; and

Whereas, The facilities offered the committee by the City Council of Pittsburgh were more than adequate for its needs, and the courtesy extended to the members of the committee by the officials of the City Council could not be excelled; and

Whereas, The arrangements made for the holding of the hearings were satisfactory to the smallest and insignificant detail; therefore be it

Resolved, That the House of Representatives thanks the City Council of Pittsburgh for its gracious and courteous treatment of the members of the House of Representatives while they were engaged in their legislative duties in Pittsburgh; and be it further

Resolved, That a copy of this resolution be mailed by the Chief Clerk of the House to the President of the said City Council, conveying thereby the most heartfelt thanks and appreciation of the House of Representatives.

CONGRATULATORY RESOLUTIONS

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

In the House of Representatives, April 28, 1941.

Whereas, The Legislature has learned with mixed emotions of the birth of a 9½ pound daughter to the Honorable Anthony J. Petrosky and his wife; and

Whereas, Because of the excellent state of medical knowledge in the Commonwealth, we are happy to report that the father suffered no acute discomfort and will undoubtedly be able to continue to perform his legislative duties capably; and

Whereas, We have learned with a great deal of satisfaction that mother and daughter are "doing nicely"; therefore be it

Resolved, That the House of Representatives desires to felicitate the Honorable Anthony J. Petrosky and his wife on the birth of their daughter; and be it further

Resolved, That the Chief Clerk of the House mail a copy of this resolution to the happy parents.

The SPEAKER. The Chair recognizes the gentleman from Westmoreland, Mr. Petrosky.

Mr. PETROSKY. Mr. Speaker, I certainly appreciate the trouble the gentlemen have gone to for me here today. The membership of the House, Mr. Speaker, will well know that the daddie has been disappointed, but due to

the fact that the little girl wanted a sister, we compromised with her and gave her one. Inasmuch as every Member of the House is well versed in the subject of the other sex, I can say to them that I will receive any and all recipes that they can give me for the next effort. Thank you.

The SPEAKER. The Chair congratulates the gentleman from Westmoreland Mr. Petrosky.

BILL ON SECOND READING

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 117, entitled:

An Act to further amend the act approved the first day of May, one thousand nine hundred and twenty-nine (P. L. 905), entitled "An act for the protection of the public safety; regulating the use of highways, and the operation of vehicles, tractors, street cars, trackless trolley omnibuses, bicycles, pedestrians, and the riding of animals upon the highways of this Commonwealth; providing for the titling, including liens, encumbrances, and legal claims; registration of certain vehicles and licensing the operators thereof, upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts and the clerks thereof, owners of vehicles, and garage keepers; providing that records are admissible as evidence; imposing upon owners, counties, cities, boroughs, incorporated towns, townships, within the Commonwealth, liability for damages caused by the negligent operation of their motor vehicles; imposing penalties; imposing certain costs upon counties; providing for the disposition of fines, forfeitures, fees, and miscellaneous receipts; making an appropriation and providing for refunds," by providing for different classes of operators' licenses and learners' permits; prescribing the circumstances under which they shall be issued; requiring proof of financial responsibility in certain cases; denying operating privileges under certain circumstances and providing additional penalties.

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 LONGO. Mr Speaker, I move that this bill be recommended to the Committee on Motor Vehicles for the purpose of further consideration.

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. 523, entitled:

An Act to protect the public against fraud and deception to prevent unfair competition and unfair trade practices regulating the business of selling gasoline by requiring persons engaged therein to post the price thereof to public view and requiring sale at the price posted and prescribing certain penalties.

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. 640, entitled:

An Act establishing certain public roads and streets and certain roads and streets not yet in existence in the City of Harrisburg and the County of Dauphin as a state highway and providing for their laying out opening construction and maintenance by the Department of Highways subject to certain terms and conditions.

The first section was read.

On the question,

Will the House agree to the section?

Mr. DAVID P. REESE. Mr. Speaker, I desire to offer the following amendment.

The amendment was read by the Clerk as follows:

Amend Sec. 1, page 2, line 11, by inserting after the word "along" the following: "or over."

The amendment was agreed to.

The section was agreed to as amended.

The second, third and fourth sections and title were separately read and agreed to.

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

Ordered, To be transcribed for a third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1233, entitled:

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

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. LONGO. 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.

BILL ON SECOND READING

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1232, entitled:

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

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. LONGO. 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.

BILL ON SECOND READING

Agreeably to order,
The House proceeded to the second reading and consideration of House Bill No. 522, entitled:

An Act making an appropriation to the Department of Agriculture to advance the tobacco interest of this Commonwealth.

The first section was read.
On the question,
Will the House agree to the section?

Mr. MARSHALL M. COHEN. Mr. Speaker, I desire to offer the following amendment.

The amendment was read by the Clerk as follows:

Amend Sec. 1, page 1, lines 2 and 3, by striking out the following: "Department of Agriculture" and inserting in lieu thereof: "Pennsylvania State College."

The amendment was agreed to.
The section was agreed to as amended.

The title was read.
On the question,
Will the House agree to the section?

Mr. MARSHALL M. COHEN. Mr. Speaker, I desire to offer the following amendment.

The amendment was read by the Clerk as follows:

Amend Title, page 1, line 1 of title, by striking out the following: "Department of Agriculture" and inserting in lieu thereof: "Pennsylvania State College."

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.

BILL RECOMMENDED

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

The motion was agreed to.

BILL ON SECOND READING

Agreeably to order,
The House proceeded to the second reading and consideration of House Bill No. 1234, entitled:

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

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. LONGO. Mr. Speaker, I move that this bill be recommitted to the Committee on Municipal Corporations 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. 1236, entitled:

An Act to further amend section nine hundred two of the act approved the first day of May one thousand nine hundred and thirty-three (P. L. 103) entitled "An act concerning townships of the second class and amending revising consolidating and changing the law relating thereto" authorizing the township supervisors from time to time to make supplemental appropriations

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. LONGO. Mr. Speaker, I move that this bill be recommitted 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. 292, entitled:

An Act to promote the safety of employes and travellers upon railroads by compelling common carriers by railroad to furnish employes with certain signal devices

The first section was read.
On the question,
Will the House agree to the section?
Mr. PRESLEY N. JONES. Mr. Speaker, I desire to offer the following amendment.

The amendment was read by the Clerk as follows:

Amend Sec. 1, page 1, by inserting between lines 6 and 7 the following: "Any common carrier by railroad which shall violate the provisions of this act shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine of not less than one hundred dollars (\$100) nor more than three hundred dollars (\$300)."

Each and every day's continuance in the violation of this act shall be a separate and distinct offense.

It shall be the duty of the Pennsylvania Public Utility Commission to supervise the enforcement of the provisions of this act.

The amendment was agreed to.
The section was agreed to as amended.
The second section and title were separately read and agreed to.

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

Ordered, To be transcribed for a third reading.

Agreeably to order,
The bill having been called up from the postponed calendar, by Mr. MIHM and
The House resumed the consideration on second reading of House Bill No. 684, entitled:

An Act to further amend sections six and nine of the act approved the thirtieth day of March one thousand nine hundred and seventeen (P. L. 21) entitled "An act defining optometry and relating to the right to practice optometry in the Commonwealth of Pennsylvania and making certain exceptions and providing a Board of Optometrical Education Examination and Licensure and

means and methods whereby the right to practice optometry may be obtained and providing for the means to carry out the provisions of this act and providing for revocation or suspension of licenses given by said board and providing penalties for violations thereof and repealing all acts or parts of acts inconsistent therewith" further regulating the granting suspension and revocation of the licenses of optometrists

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

Ordered, To be transcribed for a third reading.

PERMISSION TO ADDRESS HOUSE

Mr. HARE. Mr. Speaker, I feel after three months of sitting in seat 174 of the General Assembly as a Member of the House, and listening to the very many issues discussed, some intellectually, some emotionally and some of them without any semblance of sense whatsoever, and realizing full well that the first time I was on the floor the Members of the House rather took personal affront at some of my statements, I ask the indulgence of the House this afternoon to bear with me as a first term Member. If I perhaps tramp on your toes, as a servant of the people of the Commonwealth, in my own feeble method of understanding as a rural Member from Somerset County, I trust that you will bear with me with a sense of justice and mercy.

We have heard during debate windy and short arguments. We have had the milk bill discussed pro and con, we have had the bowling bill rolling over the floor, and I feel I would be derelict in my duty as a representative from a rural county if I did not take this opportunity to point in all seriousness to such phrases as occurred last evening on the question of the horse's tail, to the end that perhaps I can give you some light on the seriousness of the situation and can point out to you that we are wasting much time in this legislative year.

I am asking, Mr. Speaker, for unanimous consent at this time to introduce a resolution, and I forthwith introduce it.

RESOLUTION

THANKS EXTENDED

Messrs. HARE and WAGNER offered the following resolution and asked and obtained unanimous consent for its immediate consideration.

The resolution was read, as follows:

In the House of Representatives, April 29, 1941.

Whereas, it is common knowledge and a generally accepted fact that Somerset County is the greatest single gift made by the Creator of the Commonwealth of Pennsylvania; and

Whereas, its inhabitants have been known for generations as the Frosty Sons of Thunder, and their abiding place has been called "The roofgarden of Pennsylvania, the foothills of Heaven"; and

Whereas, the glories of this celestial region have been broadcast over the Commonwealth by the Honorable William S Livengood, Jr., distinguished Secretary of Internal Affairs, and the Honorable Charles H. Ealy, the equally distinguished President Pro Tempore of the Senate; and

Whereas, it is a matter of common knowledge that the residents of Somerset County have been singularly blessed with an abundance of all the better traits found in man; and

Whereas, it is universally known that this county has never departed from the true faith, but has steadfastly

continued to select and elect only proponents of the Republican philosophy of government; and

Whereas, there is substantially authenticated proof that this county was the original site of the Garden of Eden. It is therefore the distinct pleasure of the Somerset Business Men's Organization to present to each Member of this honorable House, regardless of his political affiliation, some small measure of proof in support of the above mentioned contentions. For many years past the Honorable Wilson Gillette of Bradford County, and the Honorable Jacob Schrock of Somerset County have argued at great length as to the relative merits of the products of their respective counties; and

Whereas, on divers occasions these discussions have gone far afield and have embraced the productivity of the fields and size of the barns and pulchritude of their ladies, they have invariably ended up on the sweet subject of maple syrup; and

Whereas, these discussions have been of great length, violence and verbosity, they have to date produced no tangible evidence of the good faith of either claimant; and

Whereas, it is the desire of the Business Men's Division of the Somerset Chamber of Commerce to advance tangible proof of the greatness of the county and the purity of their maple products, and to the end that no further shadow shall be cast upon the fair name of Somerset County, and to insure for all time its recognized position as one of the two largest maple syrup producing counties in the world, they have, through its duly elected Representatives, made it possible for the Members of this honorable House to share in some of the nectar of the Gods that annually flows from the sugar trees of their fair county; and

Whereas, they are adherents of the old adage that you catch more flies with sugar than with vinegar, they have decided to extend this sweet distillation of the maple alike to all Members of this honorable House, regardless of their political faith. It is the hope that the Members of this honorable body will avail themselves of this opportunity to sample its delicate flavor, to observe its clear golden color, and to revel in its Heavenly perfume; and

Whereas, in the past the old County of Somerset has been known as a member of the Bible Belt, we feel it incumbent to bring to the attention of this honorable body the fact that our third grade syrup is regularly sold to the city slickers as first grade Vermont syrup at first grade prices; and

Whereas, the Frosty Sons of Thunder have no desire to have an army camp named after their county, but are only desirous of perpetuating the name and fame of their native heath as the home of world renowned maple products; therefore be it

Resolved, that this House of Representatives in General Assembly convened on the 29th day of April, 1941, do cause this resolution to be made a part of the permanent record of the House and that a copy of said resolution be forwarded forthwith to Mr Charles F. Weimer, Director, Business Men's Division, Somerset Chamber of Commerce, Somerset, Pennsylvania.

On the question,

Will the House adopt the resolution?

Mr. JAMES. Mr. Speaker, before voting on this resolution I call the attention of the Members of the House to the fact that peddling in the Hall of the House is forbidden.

Mr. TARR. Mr Speaker, I am going to vote for this resolution but only because Fayette County holds Somerset County in place, and only because it adjoins Somerset County. Fayette County is the place where the maple syrup comes from and only the sap comes from Somerset County.

Mr. HARE. Mr. Speaker, the gentleman from Fayette, Mr. Tarr, refrained from telling the House that I sold him a gallon of maple syrup last week at \$1.90 a gallon and I bought it at \$1.10 a gallon. That is not being such

a sap after all. The sap seems to be on the other side of the House.

I now ask the Speaker to instruct pages Thompson and Walker to make the distribution.

Mr. TARR. For the information of the gentleman from Somerset I sold that gallon of maple syrup that he hocked to me in Fayette County, to the only Republican in Fayette County for \$2.25.

The SPEAKER. The Chair was of the opinion that the gentleman from Somerset, Mr. Hare, was a rural member and not a city slicker.

Mr. MAXWELL. Mr Speaker, I desire to interrogate the gentleman from Fayette, Mr. Tarr.

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

Mr. TARR. I shall, Mr. Speaker.

Mr. MAXWELL. As a point of information, Mr. Speaker, I did not quite hear the gentleman a minute ago. Did I understand him to say that sap or saps came from Somerset County?

Mr. TARR. Mr. Speaker, I definitely said sap, s-a-p-p-p.

The Speaker. The Chair thanks the gentleman for telling us where maple syrup comes from. It is a very nice gesture.

Mr. HARE. Bootleggers having been driven out of Somerset County and not being familiar with the operation, I had to refer that subject to Mr. Tarr.

Mr. TARR. Mr. Speaker, I stand spanked. I will go back to my seat.

The SPEAKER. The Chair has been informed that a sample of Somerset maple syrup is to be given to each Member, with the compliments of the gentlemen from Somerset, Messrs. Hare and Wagner. Is this a bribe to vote for this resolution?

Mr. HUNTLEY. Mr. Speaker, I desire to interrogate the gentleman from Somerset, Mr. Hare.

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

Mr. HARE. I shall, Mr. Speaker.

Mr. HUNTLEY. Mr. Speaker, I would like to ask the gentleman if this is the kind of bottled stuff they sell in one man clubs in Somerset County.

Mr. HARE. Mr. Speaker, if you judge it by the sweetness of the ladies of our county, it probably is.

On the question recurring.

Will the House adopt the resolution?

It was adopted.

The SPEAKER. The Chair hopes the gentleman from Delaware will finish the buckwheat cakes in the morning.

QUESTION OF INQUIRY

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

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

Mr. TURNER. Mr. Speaker, I did not know this was maple syrup. I thought a little soda would go well with it.

BILL PASSED OVER

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

BILLS ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 984, as follows:

An Act providing that when new trial is granted upon grounds that damages are inadequate or excessive the new trial shall be confined to that question and not to liability.

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

Section 1 When in any action a new trial shall be granted to any party solely upon the grounds of inadequacy or excessiveness of a verdict or finding the sole question to be determined upon such new trial shall be the amount of damages and the question of liability as between the parties shall be deemed to have finally determined by the prior verdict or finding.

Section 2 All acts and parts of acts inconsistent herewith 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—205

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

Speaker.

NAYS—1

Lichtenwalter,

The majority required by the Constitution having voted

in the affirmative, the question was determined in the affirmative.

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

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 218, as follows:

An Act to further amend section three and to amend section eight of the act approved the seventeenth day of May one thousand nine hundred and seventeen (P. L. 224) entitled "An act preventing the manufacture sale or transportation within the Commonwealth of adulterated or misbranded Paris greens lead arsenates lime-sulphur compounds and other insecticides and fungicides and regulating traffic therein providing for inspection of such materials and imposing penalties" by imposing additional duties on the Secretary of Agriculture and further regulating the sale manufacture and transportation of insecticides and fungicides.

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

Section 1 Section three of the act approved the seventeenth day of May one thousand nine hundred and seventeen (P. L. 224) entitled "An act preventing the manufacture or transportation within the Commonwealth of adulterated or misbranded Paris green lead arsenates lime-sulphur compounds and other insecticides and fungicides and regulating traffic therein providing for inspection of such materials and imposing penalties" as amended by the act approved the fourth day of April one thousand nine hundred and twenty-five (P. L. 136) is hereby further amended to read as follows

Section 3 That the Secretary of Agriculture shall promulgate uniform rules and regulations for enforcing this act including the collection and examinations by existing bureaus of insecticides and examinations by existing bureaus of insecticides and fungicides manufactured or offered for sale in the Commonwealth for the purpose of determining whether such articles are adulterated or misbranded within the meaning of this act or if such insecticides or fungicides do not comply with any provision of this act.

Section 2 Section eight of said act is hereby amended to read as follows

Section 8 (a) That any insecticide or fungicide that is condemned as being adulterated or misbranded within the meaning of this act or otherwise failing to comply with the provisions of this act shall be confiscated and disposed of by destruction or in such other manner as the court may direct

(b) That it shall be unlawful to sell or offer for sale manufacture or transport within the Commonwealth any insecticide or fungicide so colored that the said insecticide or fungicide can be confused with or resembles closely flour baking soda salt pepper or any other common kitchen and household condiment

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—206

Achterman,	Foor,	Lyons,	Royer,
Allmond,	French,	Malloy,	Rush,
Auker,	Gallagher,	Marks,	Sarge,
Baker,	Gates,	Maxwell,	Sarran,
Balthaser,	Gerard,	McClanaghan,	Scanlon,
Baughner,	Gillan,	McClester,	Schwab,
Bentley,	Gillette,	McDermott,	Serrill,
Bentzel,	Goodwin,	McDowell,	Shaffer,
Boies,	Greenwood,	McFall,	Shaw,
Boney,	Gross,	McGrath,	Shepard,
Boorse,	Gryskewicz,	McIntosh,	Simons,
Bower,	Gyger,	McKinney,	Skale,

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

NAYS—0

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

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

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 717, as follows:

An Act relating to criminal procedure providing for the securing of attendance of witnesses from within or without the State in criminal cases and making uniform the law in reference thereto

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

Section 1 Definitions The word "witness" as used in this act shall include a person whose testimony is desired in any proceeding or investigation by a grand jury or in a criminal action prosecution or proceeding

The word "state" shall include any territory of the United States and the District of Columbia

The word "summons" shall include a subpoena order or other notice requiring the appearance of a witness

Section 2 Summoning Witness in this State to Testify in Another State If a judge of a court of record in any state which by its laws has made provision for commanding persons within that state to attend and testify in this State certifies under the seal of such court that there is a criminal prosecution pending in such court or that a grand jury investigation has commenced or is about to commence that a person being within this State is a material witness in such prosecution or grand jury investigation and his presence will be required for a specified number of days upon presentation of such certificate to any judge of a court of record in the county in which such person is such judge shall fix a time and place for a hearing and shall make an order directing the witness to appear at a time and place certain for the hearing

If at a hearing the judge determines that the witness

is material and necessary that it will not cause undue hardship to the witness to be compelled to attend and testify in the prosecution or a grand jury investigation in the other state and that the laws of the state in which the prosecution is pending or grand jury investigation has commenced or is about to commence and of any other state through which the witness may be required to pass by ordinary course of travel will give to him protection from arrest and the service of civil and criminal process he shall issue a summons with a copy of the certificate attached directing the witness to attend and testify in the court where the prosecution is pending or where a grand jury investigation has commenced or is about to commence at a time and place specified in the summons In any such hearing the certificate shall be prima facie evidence of all the facts stated therein

If said certificate recommends that the witness be taken into immediate custody and delivered to an officer of the requesting state to assure his attendance in the requesting state such judge may in lieu of notification of the hearing direct that such witness be forthwith brought before him for said hearing and the judge at the hearing being satisfied of the desirability of such custody and delivery for which determination the certificate shall be prima facie proof of such desirability may in lieu of issuing subpoena or summons order that said witness be forthwith taken into custody and delivered to an officer of the requesting state Provided however That such judge may admit the witness to bail by bond with sufficient sureties and in such sum as he deems proper conditioned for his appearance before him at a time specified in such bond and for his surrender to an officer of the requesting state

If the witness who is summoned as above provided after being paid or tendered by some properly authorized person the sum of ten cents (\$.10) a mile for each mile by the ordinary traveled route to and from the court where the prosecution is pending and five dollars (\$5) for each day that he is required to travel and attend as a witness fails without good cause to attend and testify as directed in the summons he shall be punished in the manner provided for the punishment or any witness who disobeys a summons issued from a court of record in this State

Section 3 Witness from Another State Summoned to Testify in this State If a person in any state which by its laws has made provision for commanding persons within its borders to attend and testify in criminal prosecutions or grand jury investigations commenced or about to commence in this State is a material witness in a prosecution pending in a court of record in this State or in a grand jury investigation which has commenced or is about to commence a judge of such court may issue a certificate under the seal of the court stating these facts and specifying the number of days the witness will be required Said certificate may include a recommendation that the witness be taken into immediate custody and delivered to an officer of this State to assure his attendance in this State This certificate shall be presented to a judge of a court of record in the county in which the witness is found

If the witness is summoned to attend and testify in this State he shall be tendered the sum of ten cents (\$.10) a mile for each mile by the ordinary traveled route to and from the court where the prosecution is pending and five dollars (\$5) for each day that he is required to travel and attend as a witness A witness who has appeared in accordance with the provisions of the summons shall not be required to remain within this State a longer period of time than the period mentioned in the certificate unless otherwise ordered by the court If such witness after coming into this State fails without good cause to attend and testify as directed in the summons he shall be punished in the manner provided for the punishment of any witness who disobeys a summons issued from a court of record in this State

Section 4 Exemption from Arrest and Service of Process If a person comes into this State in obedience to a summons directing him to attend and testify in this State he shall not while in this State pursuant to such summons be subject to arrest or the service of process civil or crim-

inal in connection with matters which arose before his entrance into this State under the summons

If a person passes through this State while going to another state in obedience to a summons to attend and testify in that state or while returning therefrom he shall not while so passing through this State be subject to arrest or the service of process civil or criminal in connection with matters which arose before his entrance into this State under the summons

Section 5 Uniformity of Interpretation This act shall be so interpreted and construed as to effectuate its general purpose to make uniform the law of the states which enact it

Section 6 Short Title This act may be cited as the "Uniform Act to Secure the Attendance of Witnesses from Within or Without a State in Criminal Proceedings"

Section 7 Repealer All acts and parts of acts inconsistent with the provisions of this act are hereby repealed in the following acts are hereby expressly repealed

The act approved the fifteenth day of July one thousand nine hundred thirty-five (P. L. 1017) entitled "An act relating to criminal procedure providing for the securing of attendance of witnesses from without the State in criminal cases and making uniform the law in reference thereto"

The act approved the twenty-fifth day of June one thousand nine hundred thirty-seven (P. L. 2088) entitled "An act to amend sections one two four five and seven of the act approved the fifteenth day of July one thousand nine hundred and thirty-five (P. L. 1017) entitled 'An act relating to criminal procedure providing for the securing of attendance of witnesses from without the State in criminal cases and making uniform the law in reference thereto' by further regulating the powers with respect thereto to judges learned in the law"

The act approved the fifteenth day of June one thousand nine hundred thirty-nine (P. L. 401) entitled "An act to further amend sections one and four of the act approved the fifteenth day of July one thousand nine hundred and thirty-five (P. L. 1017) entitled 'An act relating to criminal procedure providing for the securing of attendance of witnesses from without the State in criminal cases and making uniform the law in reference thereto' by extending the provisions thereof to include grand jury investigations"

Section 8 Constitutionality If any provision of this act or the application thereof to any person or circumstances is held invalid such invalidity shall not affect other provisions or applications of the act which can be given effect without the invalid provision or application and to this end the provisions of this act are declared to be severable

Section 9 Effective Date This act shall become effective immediately upon final enactment

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. CHARLES H. BRUNNER. Mr. Speaker, House Bill 717 is an attempt to clarify a situation which unfortunately exists in Pennsylvania at the present time. In 1935 this Legislature passed a similar act which was amended in 1937 and 1939 and under which the now famous arson murder cases in Philadelphia were brought to a successful conclusion. The use of this act to bring from New York State a witness in the arson murder prosecution, and use of the information and evidence derived from him, as I said before, enabled a successful conclusion of the matter.

In 1940, the Philadelphia Court of Quarter Sessions declared the act to be unconstitutional in three respects. It stated that the title of the act was defective since it did

not indicate that citizens of Pennsylvania might be compelled to go out of this state to testify. This particular objection has been cured in this act by the addition of the words to the title "within or".

Secondly, another objection to this act was that it gave the witness no right to be allowed out on bail. This likewise has been cured by this act, a suitable bail provision being inserted in this bill.

Finally and by far the most serious objection was raised by the Court to the effect that the act violated the constitution in that it abridged or violated the right of a citizen of this Commonwealth to the freedom of ingress and egress within or without the state. I am calling this matter to the attention of the membership because considerable time has been devoted to this bill in an effort to try to remove this objectionable feature. May I state that thirty seven states of the Union have enacted this bill into law, and that the only way it can become effective in Pennsylvania is by having it become a law in this state because, of course, it is a reciprocal agreement.

I wish to call to the attention of the membership of this House at this time the thought expressed in the only authority which I could find on the subject following the opinion of the Philadelphia court, declaring the old act unconstitutional, and I am submitting it to the membership for inspection and I hope approval.

The North Carolina Law Review of April, 1941, in a case made reference to the Philadelphia decision about which I have just spoken, and on the basis of a case entitled Massachusetts vs. Klaus it says:

"The right of free ingress and egress was never intended to enable a citizen of the United States to interfere with the orderly administration of justice within . . . the State . . . the only protection which the privileges and immunities clause . . . affords him there is that no state shall discriminate between him and the citizens of the state. Giving testimony when one is capable is a long-recognized duty, whose performance society has a right to compel. Admittedly, the right of free ingress and egress is subjected to the police power of a state. What right should one have to insist on exercising that freedom for society and the orderly administration of justice? There should be no objection to a temporary interference with this right until such duty is performed. Whenever a citizen is subpoenaed as a witness, his freedom of movement is restrained in much the same manner."

In conclusion, Mr. Speaker, this article states, and I quote:

"The desirability of the type of law in question need be no further reiterated. Suffice it to say that this is one of six fundamental problems in the administration of the criminal law which have been studied by the Interstate Commission on Crime. Unless this uniform law be upheld, we will be again thrown into that anomalous situation wherein a needed witness who has placed a state line between himself and the court may be begged to return, or kidnapped and returned, but there is no legal procedure provided by the states which can compel him to return unless he, himself, has committed an extraditable offense."

Under these circumstances, I feel this bill should be enacted into law, and I therefore, ask the membership of this House to vote "aye" on this measure.

Mr. BROWN. Mr. Speaker, I am in accord with the request made by the gentleman from Montgomery Mr. Brunner, for the passage of House Bill 717.

However, I do not feel we should allow the act to be

passed without raising certain questions because we are dealing with one of the most fundamental rights a citizen has in this Commonwealth. Too often many of these bills come before us and we pass them over without even knowing what is in them. This is a very important bill and the gentleman from Montgomery has given it careful consideration. It is a bill which should be studied and this legislature should know what is in the bill before it is passed.

I simply want to raise three fundamental questions so that the record will show that we were cognizant of the issue before us. As I said before, the gentleman from Montgomery and I have gone over the question with the Attorney General and the Deputy Attorney General in charge of this legislation and we are agreed that it is a necessary piece of legislation and we are going to leave to the courts the question of constitutionality. I would like however, the record to show that we raised these fundamental questions.

Does this act violate the provisions of the Federal Constitution, the 14th amendment, prohibiting the states from enacting any law abridging the privileges and immunities of citizens of the United States?

This act will compel a citizen of this State to go into another state where he has committed no crime, where he is not a citizen, where he is not a resident, and produce testimony under the pain of all the penalties attendant upon any witness.

The second question is, does the act violate the clause in the 14th amendment to the Federal Constitution which provides, "Nor shall any State deprive any person of life, liberty or property without due process of law."

Under this act a citizen of this state, called by the State of New York could be seized and brought before a judge. Of course, they get around any constitutional question. This new act allows bail to be fixed by the judge, but I still raise the question as to whether or not a man can be seized for a crime which he has not committed.

The third question which I raise under the Constitution of Pennsylvania, under Article 1, Section 8 is, "The people shall be secure in their persons from unreasonable searches and seizures."

As I said before, Mr. Speaker, I am entirely in accord with the gentleman who made the request for the passage of this bill and I am going to vote for the bill, but I believe we ought to know just what we are voting on, and I should like the record to show that in my opinion this question should be approached from the standpoint of an amendment to the Federal Constitution such as we have in the extradition law and the statutes pertaining thereto. This is an important piece of legislation and we ought not to pass it by lightly. However, I am willing to vote for it, leaving it to the courts to determine these very fundamental questions, which go to the heart of all our rights.

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—196

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

NAYS—1

Rausch,

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.

CONGRATULATORY RESOLUTION

Mr. GOODWIN. Mr. Speaker, I ask unanimous consent to offer a resolution.

The SPEAKER. The Chair recognizes the gentleman from Allegheny, Mr. Goodwin, who desires to offer a privileged resolution. The reason for his request is that Mr. Goodwin is driving the gentleman from Allegheny, Mr. Gerard, back to Pittsburgh, due to a death in Mr. Gerard's family. The gentleman from Allegheny, Mr. Goodwin, wishes to offer this resolution before he leaves. Will the House give its unanimous consent to the immediate consideration of the resolution?

The Chair hears no objection and consent is granted.

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

In the House of Representatives, April 29, 1941.
Among the freshmen of this House, headed for the

status of leadership in a very short time, is the gentleman from the ninth district of Allegheny County, the Honorable William J. Yester of McKeesport.

For his rapid progress in business and public affairs this youngster is in no small degree indebted to a happy decision made by him just fifteen years ago today, when he led to the altar of matrimony, the delightful young lady who has ever since been known as his Mrs., and whose presence with him today is a source of joy to him and a pleasure to his colleagues in the House; be it, therefore

Resolved, That the House of Representatives hereby extend its heartiest congratulations to Honorable and Mrs. Yester on the occasion of this their crystal wedding, and hope that on their diamond wedding they will be no less happy, and even more prosperous and exalted in public and private life than they now are; and be it further

Resolved, That a certified copy of this anniversary greeting be forwarded by the Chief Clerk to the wedded couple whose fifteenth anniversary this is.

The SPEAKER. The Chair recognizes the gentleman from Allegheny, Mr. Yester.

Mr. YESTER. Mr. Speaker, I want to thank the House for this resolution. I would say to the bachelors in the House, no matter how old they are,—I believe when I was married, I was about thirty-five,—if they will take my advice they will become married. They will enjoy the happiest days of their lives if they do so. I want you to meet my wife.

The SPEAKER. The Chair congratulates Mr. and Mrs. Yester.

BILLS ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 660, as follows:

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

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

Section 1 Section two hundred twenty-two of the act approved the ninth day of April one thousand nine hundred and twenty-nine (P. L. 177) entitled "An act providing for the 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 the act approved the twenty-first day of June one thousand nine hundred and thirty-seven (P. L. 1865) is hereby further amended to read as follows

Section 222 Work-Hours and Vacations Each employe of an administrative department of an independent administrative board or commission or of a departmental administrative board or commission if employed for continuous service shall work during such hours as the head of the department or the board or commission shall require but not less than thirty-five hours per week Such employe shall be entitled [during] for each calendar year to fifteen days' leave of absence with full pay and in special and meritorious cases where to limit the annual leave to fifteen days [in] for any one calendar year would work peculiar hardships the extent of such leave with pay may in the discretion of the head of the department or of the board or commission be extended but any such extension shall not be for more than fifteen days except with the approval of the Executive Board in the case of employes of departments or of independent administrative boards or commissions and in the case of employes of departmental administrative boards or commissions of the departments with which such boards or commissions are respectively connected This section shall be construed to mean that the pay of such employe shall cease upon the expiration of the granted leave regardless of his or her continuation thereafter upon the rolls of the department board or commission The annual leave of absence with pay shall be exclusive of Saturdays Sundays and legal holidays Each such employe shall be permitted with the approval of the supervising authorities if such employe so desires to accumulate his annual leave of absence year by year and take such accumulated leave at one time but such accumulated leave shall in no case exceed forty-five days Each such employe shall be permitted if he so desires to accumulate his special and meritorious leave of absence year by year and take such accumulated leave at one time but such accumulated leave shall in no case exceed forty-five days

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—200

Achterman,	Flynn,	Lyons,	Rosenfeld,
Allmond,	Poor,	Malloy,	Royer,
Auker,	French,	Marks,	Rush,
Baker,	Gallagher,	Maxwell,	Sarge,
Balthaser,	Gates,	McClanaghan,	Sarraf,
Baughner,	Gerard,	McClester,	Scamion,
Bentley,	Gillan,	McDermott,	Schwab,
Bentzel,	Goodwin,	McDowell,	Serrill,
Boles,	Greenwood,	McFall,	Shaffer,
Boney,	Gross,	McGrath,	Shepard,
Boorse,	Gryskewicz,	McIntosh,	Simons,
Bradley,	Gyger,	McKinney,	Skale,
Breth,	Habbyshaw,	McLanahan,	Snyder,
Bretherick,	Haberlen,	McMillen,	Sollenberger,
Brown,	Haines,	McSurdy,	Sorg,
Brunner, C. H.,	Hall,	Melchiorre,	Stambaugh,
Brunner, P. A.,	Hamilton,	Mihm,	Stine,
Burns,	Hare,	Modell,	Stockham,
Burris,	Harkins,	Mooney,	Tarr,
Cadwalader,	Harris,	Moran,	Tate,
Chervenak,	Heatherington,	Muir,	Taylor,

Chudoff,	Helm,	Munley,	Thompson, E.,
Cochran,	Herman,	Nagel,	Thompson, R.,
Cohen, M. M.,	Hersch,	Nunemacher,	Trout,
Cohen, R. E.,	Hewitt,	O'Brien,	Turner,
Cook,	Hirsch,	O'Connor,	Van Allsburg,
Cooper,	Holland,	O'Dare,	Verona,
Cordier,	Huntley,	O'Mullen,	Vincent,
Corrigan,	Imbrie,	O'Neill,	Vogt,
Croop,	James,	Owens,	Voldow,
Cullen,	Jefferson,	Petrosky,	Voorhees,
Dalrymple,	Jones, G. E.,	Pettit,	Wagner,
Dennison,	Jones, P. N.,	Polaski,	Watkins,
DiGenova,	Keenan,	Polen,	Weingartner,
Dix,	Kenehan,	Powers,	Weiss,
Dolon,	Kaine,	Prosen,	Welsh, E. E.,
D'Ortona,	Knoble,	Rank,	Welsh, M. J.,
Duffy,	Kolankiewicz,	Rausch,	Williams,
Early,	Komorowski,	Readinger,	Winner,
Eckels,	Krise,	Reagan,	Wolf,
Elder,	Lee, E. A.,	Reese, D. P.,	Wood, L. H.,
Elliot,	Lee, T. H.,	Reese, R. E.,	Wood, N.,
Ely,	Leisey,	Regan,	Woodring,
Finestone,	Leonard,	Reynolds,	Woodside,
Finnerty,	Lesko,	Rhea,	Wright,
Fisher,	Levy,	Riley,	Yeakel,
Fiss,	Leydic,	Rooney,	Yester,
Fleming,	Lichtenwalter,	Rose, S.,	Young,
Fletcher,	Longo,	Rose, W. E.,	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. 797, as follows:

An Act providing for notice to defendants admitted to bail and to persons furnishing such bail of the time and place where the appearance of such defendants is required.

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

Section 1 Whenever hereafter within this Commonwealth any defendant having been charged with the commission of a crime is admitted to bail in order that the appearance of such defendant will be procured it shall be the duty of the district attorney to notify the defendant by registered mail and the person furnishing such bail by personal notice of the time and place where such appearance is required Provided however That the provisions of this act shall not apply when the defendant is before the court and is requested to re-appear at a time and place certain.

Section 2 All acts and parts of acts inconsistent with the provisions of this act are hereby repealed.

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

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

On the question,

Shall the bill pass finally?

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

YEAS—200

Achterman,	Flynn,	Longo,	Rosenfeld,
Allmond,	Poor,	Lovett,	Royer,
Auker,	French,	Lyons,	Rush,
Baker,	Gallagher,	Malloy,	Sarge,
Balthaser,	Gates,	Maxwell,	Sarraf,
Baughner,	Gerard,	McClanaghan,	Scamion,
Bentley,	Gillan,	McClester,	Schwab,
Bentzel,	Goodwin,		Serrill,

Boles,	Greenwood,	McDermott,	Shaffer,
Boney,	Gross,	McDowell,	Shepard,
Boorse,	Gryskewicz,	McFall,	Simons,
Bradley,	Gyger,	McGrath,	Skale,
Breth,	Habbyshaw,	McIntosh,	Snyder,
Bretherick,	Haberlen,	McKinney,	Sollenberger.
Brown,	Haines,	McLanahan,	Sorg,
Brunner, C. H.,	Hall,	McMillen,	Stambaugh,
Brunner, P. A.,	Hamilton,	McSurdy,	Stank.
Burns,	Hare,	Melchiorre,	Stine,
Burris,	Harkins,	Mihm,	Stockham,
Cadwalader,	Harmuth,	Modell,	Tarr,
Chervenak,	Harris,	Mooney,	Tate,
Chudoff,	Heatherington,	Moran,	Taylor,
Cochran,	Helm,	Muir,	Thompson, E. F.,
Cohen, M. M.,	Hering,	Munley,	Thompson, R. L.,
Cohen, R. E.,	Herman,	Nagel,	Trout,
Cook,	Hersch,	Nunemacher,	Turner,
Cooper,	Hewitt,	O'Brien,	Van Allsburg,
Cordier,	Hirsch,	O'Connor,	Verona,
Corrigan,	Holland,	O'Dare,	Vincent,
Croop,	Huntley,	O'Mullen,	Vogt,
Cullen,	Imbrie,	O'Neill,	Voldow,
Dalrymple,	James,	Owens,	Voorhees,
Dennison,	Jefferson,	Petrosky,	Wagner,
DiGenova,	Jones, G. E.,	Pettit,	Watkins,
Dix,	Jones, P. N.,	Polaski,	Weingartner,
Dolon,	Keenan,	Polen,	Weiss,
D'Ortona,	Kenehan,	Powers,	Welsh, E. B.,
Duffy,	Kline,	Prosen,	Welsh, M. J.,
Early,	Knoble,	Rank,	Williams,
Eckels,	Kolankiewicz,	Rausch,	Winner,
Elder,	Komorowski,	Readinger,	Wolf,
Elliott,	Krise,	Reagan,	Wood, L. H.
Ely,	Lee, E. A.,	Reese, D. P.,	Wood, N.,
Finestone,	Lee, T. H.,	Reese, R. E.,	Woodring,
Finnerty,	Lelsey,	Regan,	Woodside,
Fisher,	Leonard,	Reynolds,	Wright,
Fiss,	Lesko,	Rhea,	Yeakel,
Fleming,	Levy,	Riley,	Yester,
Fletcher,	Leydic,	Rooney,	Young,
	Lichtenwalter,	Rose, S.,	Kilroy.
		Rose, W. E.,	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. 580, as follows:

An Act to amend section twenty-four of the act approved the sixteenth day of June one thousand eight hundred thirty-six (P. L. 784) entitled "An act relating to the jurisdiction and powers of courts" by further defining the power of courts to punish summarily for contempt and setting up a period of limitations.

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

Section 1 Section twenty-four of the act approved the sixteenth day of June one thousand eight hundred thirty-six (P. L. 784) entitled "An act relating to the jurisdiction and powers of courts" is hereby amended to read as follows:

Section 24 The punishment of imprisonment for contempt as aforesaid shall extend only to such contempts as shall be committed in [open court] the presence of the court or so near thereto as to obstruct the administration of justice and all other contempts shall be punished by fine not exceeding five hundred dollars only Provided That the court shall have the power to punish summarily for such contempts only within a period of two years after their commission.

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—200

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

NAYS—0

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

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

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 32, as follows:

An Act to amend paragraph one of subsection (e) of section twelve of the act approved the seventh day of June one thousand nine hundred and seventeen (P. L. 447) entitled as amended "An act relating to the administration and distribution of the estates of decedents and of minors and of trust estates including the appointment bonds rights powers duties liabilities accounts discharge and removal of executors administrators guardians and trustees herein designated as fiduciaries the administration and distribution of the estates of presumed decedents widow's and children's exemptions debts of decedents rents of real estate as assets for payment thereof the lien thereof sales and mortgages of real estate for the payment thereof judgments and executions therefor and the discharge of real estate from the lien thereof contracts of decedents for the sale or purchase of real estate legacies including legacies charged on land the di-

charge of residuary estates and of real estate from the lien of legacies and other charges the appraisement of real estate devised at a valuation the ascertainment of the curtilage of dwelling houses or other buildings devised the abatement and survival of actions and the substitution of executors and administrators therein the survival of causes of action and suits thereupon by or against fiduciaries investments by fiduciaries the organization of corporations to carry on the business of decedents the audit and review of accounts of fiduciaries refunding bonds transcripts to the court of common pleas of balances due by fiduciaries the rights powers and liabilities of non-resident and foreign fiduciaries the appointment bonds rights powers duties and liabilities of trustees durante absentia the recording and registration of decrees reports and other proceedings and the fees therefor appeals in certain cases and also generally dealing with the jurisdiction powers and procedure of the orphans' court in all matters relating to fiduciaries concerned with the estates of decedents" by further defining exemption granted minor child or children.

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

Section 1 Paragraph one of subsection (e) of section twelve of the act approved the seventh day of June one thousand nine hundred and seventeen (P. L. 447) entitled as amended "An act relating to the administration and distribution of the estates of decedents and of minors and of trust estates including the appointment bonds rights powers duties liabilities accounts discharge and removal of executors administrators guardians and trustees herein designated as fiduciaries the administration and distribution of the estates of presumed decedents widow's and children's exemptions debts of decedents rents of real estate as assets for payment thereof the lien thereof sales and mortgages of real estate for the payment thereof judgments and executions therefor and the discharge of real estate from the lien thereof contracts of decedents for the sale or purchase of real estate legacies including legacies charged on land the discharge of residuary estates and of real estate from the lien of legacies and other charges the appraisement of real estate devised at a valuation the ascertainment of the curtilage of dwelling houses or other buildings devised the abatement and survival of actions and the substitution of executors and administrators therein the survival of causes of action and suits thereupon by or against fiduciaries investments by fiduciaries the organization of corporations to carry on the business of decedents the audit and review of accounts of fiduciaries refunding bonds transcripts to the court of common pleas of balances due by fiduciaries the rights powers and liabilities of nonresident and foreign fiduciaries the appointment bonds rights powers duties and liabilities of trustees durante absentia the recording and registration of decrees reports and other proceedings and the fees therefor appeals in certain cases and also generally dealing with the jurisdiction powers and procedure of the orphans' court in all matters relating to fiduciaries concerned with the estates of decedents" is hereby amended to read as follows:

Section 12

* * * *

(e) 1 In the case of any decedent leaving to survive her or him any minor child or children forming part of his family and no widow or widower or in the case of any decedent leaving to survive her a widower together with any minor child or children when such widower will not become a distributee his or her administrator or executor as the case may be without request made to him by any one shall have appraised and set aside for the use and benefit of all such minor children of said decedent property to the full value of five hundred dollars.

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—200

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

There being no objection House Bill No. 1185, Printer's No. 359 was passed over at the request of the SPEAKER.

BILLS ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1127, as follows:

An Act defining regulating and providing for the licensing and registration of employment agents and their representatives including private employment agents theatrical employment agencies and nurses' registries providing for revocation and suspension of licenses and registrations subject to appeal and for their reinstatement defining the powers and duties of the Department of Labor and Industry and the Department of Public Instruction providing penalties and repealing existing laws

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

Section 1 This act shall be known and may be cited as the "Employment Agency Law."

Section 2 Definitions The following terms shall unless the context otherwise indicates have the following respective meaning

(1) "Department" shall mean the Department of Labor and Industry of this Commonwealth

(2) "Emergency engagement" means and includes any engagement that is to be performed within forty-eight (48) hours of the time such application was made by an employer

(3) "Employee" as used in this act means any person performing or seeking to perform work or service of any kind or character whatsoever for hire

(4) "Employer" as used in this act means any person employing or seeking to employ any person for hire

(5) "Employment agent" shall mean every person copartnership association or corporation engaged in or maintaining as owner agent manager-contractor subcontractor or in any other capacity an intelligence office domestic and commercial employment agency theatrical or entertainment employment agency general employment bureau shipping agency nurses' registry or any other agency or office for the purpose of procuring or attempting to procure help or employment or engagements for persons seeking employment or engagements or for the registration of persons seeking such help employment or engagement or of giving information as to where and of whom such help employment or engagement may be procured where a fee or other valuable consideration is charged for such services whether such business is conducted in a building or on the street or elsewhere The term shall include any person copartnership association or corporation which by advertisement or otherwise offers as one of the main objects or purposes to secure employment for any person who will pay for its services or that collects dues membership or registration fees of any sort where the main object of the person paying the same is to secure employment

(6) "Fee" means and includes any money or other valuable consideration paid or promised to be paid for services rendered or to be rendered by any person conducting an employment agency of any kind under the provisions of this act Such term includes any excess of money received by any such person over what has been paid out by him for the transportation transfer of baggage or board and lodging for any applicant for employment Such term also includes the difference between the amount of money received by any such person who furnishes employes performers or entertainers for circus fair vaudeville theatrical and other entertainments exhibitions or performances and the amount paid by him to the said employes performers or entertainers whom he hires or provides for such entertainments exhibitions or performances

(7) "Nurses' registry" means and includes the business of conducting any agency bureau office or any other place for the purpose of procuring offering promising or attempting to provide employment or engagements for nurses of any kind

(8) "Persons" shall include an individual copartnership association corporation society and his or its manager agents and employes

(9) "Private employment agent" shall mean every person copartnership association or corporation who for hire or with a view of profit shall undertake to secure employment or help or through the medium of a card circular pamphlet or any other medium whatsoever or through the display of a sign or a bulletin offers to secure employment or help or give information as to where employment or help may be secured Charitable institutions making no charge for such services are not included

(10) "Privilege" as used in this act means and includes the furnishing of food supplies tools or shelter to contract laborers commonly known as commissary privileges

(11) "Representative" as used in this act means any employe who interviews counsels or advises applicants or employers clients or both and solicits business and arranges contracts between employers and employe clients

(12) "Secretary" shall mean the Secretary of Labor and

Industry of the Department of Labor and Industry of this Commonwealth

(13) "Theatrical employment agency" means and includes the business of conducting an agency bureau office or any other place for the purpose of procuring or offering promising or attempting to provide engagements for persons who want employment in the following occupations Circus fair vaudeville musical theatrical and other entertainment or exhibitions or performances or of giving information as to where such engagements may be procured or provided whether such business is conducted in a building on the street or elsewhere

(14) "Theatrical engagement" means and includes any engagement or employment of a person as an actor performer musician or entertainer in a circus fair vaudeville theatrical or any other entertainment exhibition or performances

Section 3 The term "employment agent" as used in this act shall not apply to

(1) Departments associations or bureaus which are maintained solely for persons in this Commonwealth for the purpose of obtaining employes for themselves or their members and which charge no fee or other consideration to applicants for employment or registration

(2) Theatrical or entertainment producers and managers assembling managing and directing their own performances at their own expense and who charge no commissions or fees directly or indirectly

(3) Bureaus or agencies procuring employment for school teachers without charge

(4) Bureaus or agencies conducted by registered medical institutions duly incorporated hospitals or registries conducted by duly incorporated alumnae associations of nurses procuring employment of nurses without charge

(5) Employment bureaus maintained by this Commonwealth

(6) Employment bureaus maintained by the United States of America within this Commonwealth

(7) Employment bureaus or agencies maintained by any association of manufacturers within the Commonwealth for the purpose of obtaining employes for their members and which charge no fee to applicants for registration or employment Provided however That persons excluded from licensure under this section shall not open operate or maintain such agencies until they register with the department as hereinafter provided

Section 4 It shall be unlawful for any employment agent to operate as such in this Commonwealth unless such employment agent is the holder of a license as in this act provided

Section 5 Every person desiring to operate as an employment agent shall file an application for a license with the department The application shall be on a form furnished by the department and together with such other information as the department shall require shall state

(1) The name and street address of the applicant

(2) The address of the place where the business is to be conducted

(3) Whether or not the applicant proposes to conduct a lodging house for the unemployed separate from the business proposed to be conducted

(4) The business or occupation engaged in by the applicant for at least two years immediately preceding the date of the application

(5) Whether or not the applicant is pecuniarily interested in any other business of like nature and if so where

(6) Whether the applicant is the only person pecuniarily interested in the business to be carried on under the license

(7) If the applicant is a corporation the names and addresses of the officers of said corporation

(8) If the applicant is a partnership the names of all partners therein

Such application shall be accompanied by the affidavit of three persons of business or professional integrity residing within the city borough town or township wherein such applicant intends to operate Such affiants shall state that the affiants have known the applicant for a period of two years that the applicant is a person of good moral character and is a citizen of the United States

No licensed employment agent shall permit any person not mentioned in the original application for a license to become a partner if such agency is a partnership or an officer of the corporation if such agency is a corporation unless the written consent of the department shall first be obtained. Such consent may be withheld for any reason for which an original application might have been rejected if the person in question had been mentioned therein.

Section 6 Upon receipt of such application the department shall post in a conspicuous place on the premises at which the business is or is intended to be conducted the name and address of the applicant the place where the business is to be conducted and the fact that such application has been filed.

The department shall thereupon investigate the character and responsibility of the applicant and the location and premises at which the business is intended to be conducted.

Any person may file within one week after the posting by the department of the facts pertaining to the application as heretofore provided a protest with the department against the issuance of such license. Such protest shall be in writing and shall be signed by the person filing the same or his authorized agent or attorney and shall state the reasons why the license should not be granted.

If the investigation by the department is unsatisfactory or in the event of a protest the department shall not less than fifteen days after the posting of the facts of application hold a public hearing at a place designated by the department in the city borough town or township where the business is to be established. At least five days' notice of the time and place of such hearing shall be given by the department to the applicant and the protestants if any.

The department shall have the power to issue subpoenas requiring the attendance of witnesses and the production of books and papers pertinent to any hearings which may be held under this act and to administer oaths to and examine such witnesses and to examine such books and papers.

Any witness who refuses to obey a subpoena issued hereunder or who refuses to be sworn or affirmed or to testify or who is guilty of any contempt after summons to appear may be punished as for contempt of court and for this purpose an application may be made to any court of common pleas within whose territorial jurisdiction the offense was committed for which purpose such court is hereby given jurisdiction.

Section 7 The department may refuse to issue licenses whenever after due investigation it finds that the character of the applicant makes him unfit to be an employment agent or that the proposed plan of business is unjust or unfair or that the applicant has been guilty of unethical business practice or that the applicant being heretofore an employment agent has failed to comply with the existing laws relating thereto or that the place where the business is to be conducted is not a suitable place therefor and such places as well as for other proper reasons shall be deemed unsuitable if it is to be conducted in rooms used for living purposes or where boarders or lodgers are kept or where meals are served or where persons sleep or in connection with a building or premises where intoxicating liquors are sold or reputed to be sold (excepting cafes or restaurants in office buildings and hotels which maintain regular office suites) or in a house of ill repute or in a neighborhood deemed unsatisfactory by the department. No theatrical employment agency shall be conducted in a private home.

Section 8 In all other cases the department upon the compliance by the applicant with the provisions of this act shall grant such applicant a license for a period of one year. In all cases whether the license shall be granted or refused the department shall make such final decision and take such action within thirty (30) days after the filing of the application.

Licenses may be renewed from year to year upon application payment of license fees and filing of bonds as in the case of original applications.

Section 9 No such license shall be granted until the applicant has filed with the secretary a bond of a duly authorized surety company to be approved by the depart-

ment in the penal sum of one thousand (\$1,000) dollars payable to the Commonwealth of Pennsylvania conditioned that the applicant will comply with the provisions of this act and shall pay all damages occasioned to any person by reason of any misstatement misrepresentation fraud or deceit or any unlawful act or omission of any such person his agent or employes while acting within the scope of their employment made committed or omitted in the business conducted under such license or caused by any other violation of this act in carrying on such business.

All actions upon bonds given under this act shall be in the same manner as actions upon official bonds.

Section 10 No person shall open keep or carry on any employment agency in the Commonwealth of Pennsylvania unless every such person shall have paid to the department a license fee as follows:

(1) For licenses to be known as class "A" licenses and which shall be required by all employment agents who confine their operations to persons listed as metal and metal products workers mine and quarry workers clay glass and stone products workers iron workers clothing workers textile workers food and kindred products workers leather rubber and composition goods workers lumber woodwork and furniture workers paper and printing workers unskilled and common laborers hotel and restaurant help domestic and industrial help of all kinds the sum of one hundred (\$100) dollars.

(2) For licenses to be known as class "B" licenses and which shall be required by all employment agents known as professional or technical and who confine their operations to nurses teachers advertising managers bookkeepers and accountants cashiers chemists draftsmen surveyors and transit men engineers salesmen and solicitors superintendents and foremen traffic managers agricultural experts chemical workers explosive workers auto mechanics and garage workers chauffeurs and truck drivers aircraft workers inspectors telegraph operators telephone operators station employes shipping and stock clerks store managers beauticians stenographers and typists linotype operators printers and compositors proofreaders office clerks time-keepers tobacco workers and traders and all other similar occupations not listed under clause (1) of this section the sum of one hundred (\$100) dollars.

(3) For licenses to be known as class "C" licenses and which shall be required by all employment agencies known as theatrical employment agencies and who confine their operations to actors actresses musicians and performers of all kinds the sum of one hundred (\$100) dollars.

Section 11 Each applicant for a license shall file with the application a schedule of fees charges and commissions which he intends to charge and collect for his services together with a copy of all forms and contracts to be used in the operation of the agency. Such schedule of fees charges and commissions may thereafter be changed by filing with the department an amended or supplemental schedule showing such changes at least fifteen (15) days before the change is to become effective. Any change in forms or contracts must be filed with the department at least fifteen (15) days before such change is to become effective. Such schedule of fees to be charged shall be posted in a conspicuous place in such agency.

It shall be unlawful for any employment agency to charge collect or receive a greater compensation for any service performed by it than is specified in the schedule filed with the department.

Section 12 Any license granted by the department may be suspended or revoked by it for cause after hearing upon due notice to the holder of such license. Failure to comply with the duties terms rules conditions or provisions required by any law of this Commonwealth governing employment agencies or with any lawful order of the department shall be deemed cause for suspension or revocation of license at discretion of the department.

Whenever a license shall be finally revoked the department shall not within one year of such revocation issue another license to such person or his representative or to any person with whom he is to be associated in such business. Nor shall such person be employed during such period by any other employment agent.

Section 13 Persons operating under the exempted classes

as set forth in section three hereof of whom registration is required shall apply for registration annually with the department upon such forms and giving such information as the department shall require the department may thereupon register such persons to operate within such classification upon payment of a fee of one (\$1.00) dollar

Section 14 No person shall enter this Commonwealth and attempt to hire induce supply solicit or take from this Commonwealth any labor singly or in groups for any purpose without first filing in the office of the department a statement as to where the labor is to be taken for what purpose for what length of time and whether transportation is to be paid to and from destination if temporary also a statement of the financial standing of the company desiring the labor and an affidavit of authority to represent such company in this Commonwealth and such other information as the department may require

The department shall thereupon determine whether the person desiring such labor from this Commonwealth is an employment agent and if so whether such person is qualified to be licensed under this act After such investigation the department may refuse to license or may grant a license upon compliance with the provisions of this act Such person shall be in the event of unfavorable action by the department have the right of appeal as in other cases under this act If such person shall be exempted from license he shall pay for registration a fee of five (\$5.00) dollars and receive therefor from the department a certificate recognizing his right to do business in this Commonwealth

Section 15 It shall be unlawful for any person to act or assume to act as the representative or agent of any employment agency without first obtaining a license as such representative from the department It shall be unlawful for any person to engage in operate or carry on the business of an employment agency unless each representative of such agency is a licensed employment representative

Every person who desires to obtain a license as employment representative shall apply therefor to the department in writing upon application blanks prepared and furnished by the department Each application shall set forth such information as the department may require and shall be accompanied by the affidavits of two persons of business or professional integrity residing in the city borough town or township wherein the applicant resides Such affiants shall state that they have known the applicant for a period of two years and that the applicant is a person of good moral character

The department may require such other proof as to the honesty truthfulness and integrity of the applicant as it deems necessary If the applicant is shown to be honest truthful and of known integrity the department shall issue a license which license shall set out the true name and address of the applicant the name of the employment agent by which he is employed and such additional information as the department may prescribe The license issued shall authorize the person named therein to act as a representative

The department shall charge an annual fee of five (\$5.00) dollars for issuing each such license which fee shall be paid at the time application is made

Section 16 The department upon its own motion or upon the filing with it by any person of a verified complaint accompanied by such evidence documentary or otherwise as makes out a prima facie case that any licensed representative is unworthy to hold a license shall notify the representative in writing that the question of his honesty truthfulness and integrity is to be reopened and determined de novo Such notice shall be served by delivering a copy to the licensed person or by mailing a copy to him by registered mail at his last known business address Thereupon the department shall require further proof of the licensee's honesty truthfulness and integrity and if the proof is not satisfactory the department shall revoke his license

If any employment representative is discharged or terminates his employment with the agency by which he is employed such agency shall immediately deliver or forward by registered mail the employment representative's

license to the department together with the reasons for his discharge if he was discharged

Hereafter it shall be unlawful for the employment representative to exercise any rights or privileges under such license

Any person who violates any provisions of this section or who testifies falsely as to any matter required by the provisions of this section or of this act shall upon conviction thereof in a summary proceeding be sentenced to pay a fine of not less than twenty-five (\$25.00) dollars nor more than one hundred (\$100.00) dollars or upon non-payment thereof to undergo imprisonment in the county jail for a period of not more than thirty days

Section 17 It shall be the duty of every employment agent to keep a register in which shall be entered in the English language the date of every accepted application for employment name and address of the applicant to whom employment is offered or promised name and address of the person to whom the applicant is sent for employment the amount of the fee received and the number of the receipt The employment agent shall also enter in the English language in a separate register the name and address of every accepted application for help the date of such application the kind of help requested the name of the person sent with the designation of the one employed the amount of fee received and the rate of wages agreed upon Each application for help shall be numbered which number shall be entered in said register Such registers of applicants for employment and help shall be open during office hours to inspection by the department and its duly qualified agents No employment agent or his employes shall knowingly make any false entry in such registers

In the case of applicants for employment who are under twenty-one (21) years of age the register shall contain the names and addresses of parents or guardians

Section 18 It shall be the duty of the employment agent whenever possible to communicate orally or in writing with at least one of the persons mentioned as reference by any applicant for work in private families or to be employed in a fiduciary capacity and the result of such investigation shall be kept on file in such agency Provided That if the applicant for help voluntarily waives in writing such investigation of references the employment agent shall not be required so to do

Section 19 No such employment agent shall send out any applicant for employment without having obtained a bona fide order therefor and if it shall appear that no position of the kind applied for was open at the place where said applicant was directed or no other employment is accepted in lieu thereof with the person to whom the applicant was directed then the employment agent shall refund to such applicant on demand any sum paid or expended by said applicant for transportation in going to and returning from said place and all fees paid by said applicant Provided however that in the event a substitute position is taken the fee to be charged shall be computed on the salary agreed upon for such position

Section 20 Every employment agent shall give to each applicant for employment a card or paper containing in printed typewritten or written form

- (1) The name of the applicant
- (2) The name and address of such employment agency
- (3) The name and address of the person to whom the applicant is sent for employment
- (4) The kind of service to be performed
- (5) The rate of wages compensation or fees
- (6) The time of such services if definite and if indefinite to be so stated
- (7) The name and address of the person authorizing the hiring of such applicant
- (8) The cost of transportation if the services are required outside of the city borough town or township where the employment agent conducts his business

Section 21 No such employment agent shall charge a registration fee without having first obtained a permit to charge such registration fee from the department Any such employment agent desiring to charge said registration fee shall make application in writing to the department and shall set out in the application the type of applicants

from whom they intend to accept a registration fee the amount of the fee to be charged and shall furnish any other information on the subject that the department deems necessary to enable it to determine whether the applicant's business methods and past record with reference to the charging of registration fees entitle the applicant to a permit

It shall be the duty of the department upon receipt of the application to make an investigation as to the truthfulness of said application and the necessity for the charge of a registration fee. If it is shown that the applicant's method of doing business is of such a nature that a permit to charge a registration fee is necessary and that the record of the applicant's past method of charging a registration fee has been reasonable and fair then the department shall grant a permit to such applicant. Such permit shall remain in force until revoked for cause. No permit shall be granted until after ten (10) days from the date of filing of the application.

When a permit is granted such employment agent may charge a registration fee not to exceed five (\$5.00) dollars except nurses' registries which may be permitted to charge an annual registration fee of not more than ten (\$10.00) dollars. In all such cases a complete record of all such registration fees and references of applicants shall be kept on file which record shall during all business hours be open for the inspection of the department. It shall be the duty of such employment agent to communicate in writing with at least two of the persons mentioned as references by every applicant from whom a registration fee is accepted. Failure on the part of an employment agent to make such investigation shall be deemed cause to revoke his permit to charge a registration fee. For such registration fee a receipt shall be given to each applicant for help or employment which receipt shall state therein the name of the applicant, date and amount of payment, the character of position or help applied for and the name and address of the employment agent. If no position has been furnished by an employment agent to the applicant then the registration fee shall be returned to the applicant on demand after thirty (30) days and within six (6) months from the date of receipt thereof less the amount that has been actually expended by the employment agent in checking the references of said applicant. An itemized account of such expenditures shall be presented to the applicant on request at the time of returning the unused portion of the registration fee.

Any such permit granted by the department may be revoked by it upon due notice to the holder thereof after hearing at which due cause is shown.

Every employment agent shall give to every applicant from whom he receives a fee a card or printed paper containing the name of the applicant, the name and address of the employer to whom the applicant is sent for employment, the name and address of the agency and the probable duration of the work, whether temporary or permanent. A duplicate of all such cards or printed paper shall be kept on file in the agency.

Section 22 Every employment agent shall post in a conspicuous place in his agency such sections of this act as may be required by the department, copies of which shall be supplied by the department. He shall also post his license in the main room of the agency.

Every employment agent shall under rules to be prescribed by the department furnish the department monthly statements showing the number and character of placements made.

Section 23 Whenever an employment agent or anyone acting for him agrees to send one or more persons to work as contract or railroad laborers outside the city, borough, town or township in which his agency is located he shall give to each of such laborers in a language with which such laborer is familiar a statement containing the name and nature of the work to be performed, the wages offered, the destination of the person employed, the terms of transportation and the probable duration of employment. A duplicate of such statement shall be kept on file in the office of the employment agent sending out such laborers.

No employment agent or his representative shall send any applicant to any place where a strike, a lock-out or other labor trouble exists without first notifying the applicant of such conditions and shall in addition thereto enter a complete statement of such facts upon the receipt given to such applicant.

Section 24 Every employment agent conducting a theatrical employment agency before making a theatrical engagement except an emergency engagement shall have a bona fide contract in writing for an employe with any employer for services in any such engagement and shall prepare and file in such agency a written statement signed and verified by the employment agent setting forth how long such employer has been engaged in the theatrical business. Every such statement shall be kept for the period of one (1) year and shall set forth whether or not such employer while financially interested in a theatrical business has failed to pay salaries or has "left stranded" any company group or employe during the two (2) years preceding the date of application and further shall set forth the names of at least two persons as references. If such employer is a corporation such statement shall set forth the names of the officers and directors thereof, the length of time such corporation or any of its officers have been engaged in the theatrical business and the amount of the paid up capital stock. If the employer conducts a cabaret or night-club the agent shall include in such statement the name and address of the owner or owners and whether they have failed to pay salaries to employes within the past two years. If any allegation in such written verified statement is made upon information and belief the person verifying this statement shall set forth the sources of his information and the reasons for his belief. Such statement shall be kept on file for the benefit of any employes whose services are sought by any such employers.

Every employment agent conducting a theatrical employment agency who shall procure for or offer to an applicant a theatrical engagement or any kind of employment as an entertainer shall have executed in triplicate a numbered contract containing the name and address of the applicant, the name and address and signature of the employer and that of the employment agency acting for such employer in employing or furnishing such applicant for employment, the character of the entertainment to be given or services to be rendered, the number and time of performances to be given per day or per week, time of rehearsal by whom the transportation if any is to be paid and if it is to be paid by the applicant either the cost of the transportation between the places where said entertainment or services are to be given or rendered or the average cost of such transportation. The contract shall state from whom said applicant is to receive his or her salary, board and lodging, the amount of salary promised and the gross commissions or fees to be paid by the applicant and to whom such gross commissions or fees are to be paid. The original contract shall be given to the applicant for employment, the duplicate contract shall be given to the employer and the triplicate contract shall be kept on file in the office of the agency for a period of one year.

Such numbered contracts shall contain no other conditions and provisions except such as are equitable between the parties thereto and do not constitute an unreasonable restriction of business.

Section 25 Every employment agent conducting a nurses' registry shall cause every applicant for employment to fill out an application form giving the following information: The name and address and qualifications of such applicant, the names and places of the hospitals wherein the applicant has studied or has been employed, the length of time of service therein or other experiences in nursing if not in a hospital and whether such applicant is a graduate, trained, certified, registered, under-graduate or practical nurse or trained attendant. There shall be stated on such application the number and date of the certificate issued to such nurse or trained attendant by the Department of Public Instruction. Such application form shall be kept on file in the office of the registry and shall be open to the inspection of the Department of Labor and Industry and the Department of Public Instruction.

Every employment agent conducting a nurses' registry shall give to every applicant to whom a position is offered a card or printed paper in which shall be stated the amount of the fee or commissions to be charged by such licensed person for services in obtaining the position for said applicant for employment.

Section 26 (a) No employment agent shall induce or attempt to induce any employe to leave his employment with a view to obtaining other employment through such employment agent.

(b) No employment agent or his representative shall demand divide or offer to divide or share directly or indirectly any fees charge or compensation received or to be received from any employe with any employer or person in any way connected with the business thereof.

(c) No employment agent shall publish or cause to be published any false or fraudulent or misleading information representation notice or advertisement. All advertisements of such employment agent by means of cards circulars or signs and in newspapers or other publications and all letterheads receipts and blanks shall be printed and contain the name and address of such employment agent and the words "employment agency". No employment agent shall give any false information or make any false promise or false representation concerning an engagement or employment to any employer or to any applicant who shall register or apply for an engagement or employment or help.

(d) No employment agent shall accept any application for employment made by or on behalf of any child or assist in placing any such child in any employment whatever in violation of the child labor laws of this Commonwealth.

(e) No employment agent or his representatives shall induce or control any person to enter any agency for any purpose by the use of force or by taking forcible possession of said person's property.

(f) No employment agent shall send or cause to be sent any female as a servant employe inmate entertainer or performer or any male as employe or entertainer to any place of bad repute house of ill fame or assignation house or to any house or place of amusement kept for immoral purposes or place resorted to for the purpose of prostitution or gambling house the character of which the employment agent could have ascertained upon reasonable inquiry.

(g) No employment agent shall send out any female applicant for employment without making a reasonable effort to investigate the character of the employer.

(h) No employment agent shall send any female as an entertainer or performer to any place where any such female will be required or permitted to sell offer for sale or solicit the sale of intoxicating liquors to those present or assembled as an audience or otherwise in such place or in any rooms or building adjacent thereto in violation of the Pennsylvania Liquor Control Act.

(i) No employment agent shall knowingly permit any persons of bad character prostitutes gamblers intoxicated persons or procurers to frequent his place of business.

(j) Violation of any of the foregoing provisions of this section as well as any other of the provisions of this act shall be grounds for the refusal to grant refusal to renew revocation or suspension of the license of any employment agent. The effect of any revocation or suspension of any license shall be the same as if the licensee had never been licensed.

(k) Whoever violates any of the provisions of subsections (a) (b) (c) (d) or (e) of this section shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine of not less than fifty (\$50.00) dollars nor more than two hundred (\$200.00) dollars or in the case of individuals or the responsible officers or agents of associations and corporations to undergo imprisonment for not more than one year or both and in addition thereto the license of such employment agent or representation shall be revoked.

(l) Whoever violates any of the provisions of subsections (f) (g) (h) or (i) of this section shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine of not less than one hundred

(\$100.00) dollars nor more than one thousand (\$1000.00) dollars or in the case of individuals and the responsible officers and agents of associations and corporations to undergo imprisonment for a period of not more than one year or both and in addition thereto the license of such employment agent or representative shall be revoked.

Section 27 The department shall be charged with the enforcement of the provisions of this act and shall have power to make and enforce such reasonable rules and regulations for the conduct of the business of employment agents as may be necessary to carry out the laws relating thereto. The secretary shall appoint inspectors who shall make as nearly as possible three visits each month to every employment agent holding a license in this Commonwealth. Such inspectors shall have suitable badges which they shall exhibit on demand of any person interested. They shall enforce compliance with the provisions of this act. Every inspector of the department shall have power to execute and serve all warrants and processes of law issued by any justice of the peace alderman or magistrate or by any court of competent jurisdiction in the same manner as sheriffs constables or police officers may serve and execute such processes. Such inspectors may also arrest on view and without warrant any unlicensed person detected by them actually violating any of the provisions of this act and may take such person so offending before any justice of the peace alderman or magistrate and make complaint.

Section 28 All registers books records and other papers required by this act to be kept by any employment agent shall be open at all reasonable hours to the inspection of the department and its inspectors. An auditor may be sent to the office of any employment agent by the department at least once a year or oftener if necessary to obtain information for the use of the department. Every employment agent shall file with the department the schedule of fees which he charges for any services rendered to employers seeking employes or persons seeking employment.

Section 29 No person shall operate as an employment agent in this Commonwealth without holding a license so to do as herein provided. No person shall operate in this Commonwealth under one or more of the exempted classifications set forth in section three of this act or under section fourteen hereof without holding a license so to do or being registered as herein provided. Any person so doing or any person violating any provision of this act or knowingly aiding and abetting in its violation for which no other specific penalty is provided shall upon summary conviction thereof be sentenced for the first offense to pay a fine of not less than twenty-five (\$25.00) dollars nor more than one hundred (\$100.00) dollars or to undergo imprisonment for a period of not more than thirty (30) days and for a second offense shall be sentenced to pay a fine of not less than twenty-five (\$25.00) dollars nor more than two hundred and fifty (\$250.00) dollars or to undergo imprisonment for a period of not more than one (1) year or both.

Section 30 All moneys or fees required to be paid under this act shall be collected by the Department and by it paid into the State Treasury through the Department of Revenue.

Section 31 The act approved the second day of May one thousand nine hundred twenty-nine (Pamphlet Laws 1260) entitled "An act regulating the business of assisting employers to obtain employes and persons to secure employment providing for the licensing registration bonding and regulation of certain individuals and entities engaged in such business conferring certain powers and duties upon the Secretary of the Department of Labor and Industry of this Commonwealth and of said department and prescribing penalties" and its amendments are hereby repealed but such repeal shall not operate to relieve any person from any liability civil or criminal under any of the acts so repealed and for such purpose the provisions of such acts are hereby saved.

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

Section 32 This act shall become effective thirty (30) days after 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—192

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

NAYS—6

Auker,	Lichtenwaiter,	Wood, L. H.,	Wood, N.,
Hall,	Trout,		

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. 645, as follows:

An Act to further amend article four section three hundred forty-eight of the act approved the second day of May one thousand nine hundred and twenty-nine (P. L. 1278) as amended by the act approved the seventh day of May one thousand nine hundred and thirty-five (P. L. 143) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" by requiring all contracts of county commissioners in counties of the second class

over five hundred dollars to be made with the lowest and best bidder after due notice published

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

Section 1 Section three hundred forty-eight of the act approved the second day of May one thousand nine hundred and twenty-nine (P. L. 1278) as amended by the act approved the seventh day of May one thousand nine hundred and thirty-five (P. L. 143) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" is hereby further amended to read as follows

Section 348 Contracts—All contracts made by the commissioners of any county involving an expenditure exceeding one hundred dollars except contracts for building rebuilding or repair of bridges or for painting or tightening the bolts of iron bridges as hereinafter provided for shall be in writing and shall immediately after their execution be filed with the controller No contract shall be made nor the payment thereof certified by the controller for over three hundred dollars except in counties of the second class in which counties of the second class the amount of said contract shall not exceed (\$500.00) five hundred dollars unless made with the lowest and best bidder after due notice to be published by the controller when directed by the commissioners if he approves the purpose of the proposals invited All bids shall be received by the controller under seal and shall be opened in his presence by the commissioners and the contracts awarded thereon The controller shall keep a record of all such awards and shall certify no warrants for contracts not made agreeably thereto Provided however That on an appeal heretofore or hereafter taken from a controller's report the court shall not be required to enter or to sustain a surcharge for failure to comply with the provisions of this section where it appears that the county commissioners acted honestly and in good faith for the best interests of the county and where no loss or damage resulted to the county from such non-compliance

Section 2 This act shall take effect immediately upon final enactment

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

On the question,
Shall the bill pass finally?

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

YEAS—198

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

Cullen,	Jones, G. E.,	Pettit,	Wagner,
Dalrymple,	Jones, P. N.,	Polaski,	Watkins,
Dennison,	Keenan,	Polen,	Weingartner
DiGenova,	Kenehan,	Powers,	Wells,
Dix,	Klitne,	Prosen,	Welsh, E. B.,
Dolon,	Knoble,	Rank,	Welsh, M. J.,
D'Ortona,	Kolankiewicz,	Rausch,	Williams,
Duffy,	Komorowski,	Readinger,	Winner,
Early,	Krise,	Reagan,	Wolf,
Eckels,	Lee, E. A.,	Reese, D. P.,	Wood, L. H.,
Elder,	Lee, T. H.,	Reese, R. E.,	Wood, N.,
Elliott,	Lelsey,	Regan,	Woodring,
Ely,	Leonard,	Reynolds,	Woodside,
Finestone,	Lesko,	Rhea,	Wright,
Finnerty,	Levy,	Riley,	Yeakel,
Fisher,	Leydic,	Rooney,	Yester,
Fiss,	Lichtenwaiser,	Rose, S.,	Young,
Fleming,	Longo,	Rose, W. E.,	Kilroy,
Fletcher,	Lovett,	Rosenfeld,	Speaker.

NAYS—0

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

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

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1198, as follows:

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

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

Section 1 Article two of the act approved the fourth day of May one thousand nine hundred twenty-seven (P. L. 519) entitled "An act concerning boroughs and revising amending and consolidating the law relating to boroughs" is hereby amended by adding thereto after subdivision (d) a new subdivision to read as follows

(e) Creation of Boroughs from First Class Townships

Section 251 Boroughs Formed from Townships First Class by Referendum Any township of the first class having a population of eight thousand or more may be incorporated into a borough retaining the same boundaries it maintained as a township whenever a majority of the electors of such township shall vote at any general or municipal election in favor of the same

Section 252 Resolution to Submit Question to Electors The township commissioners may on their own motion or upon petition of one hundred or more qualified electors of the township shall by resolution duly passed and recorded among the minutes submit the question of whether such township shall become a borough to the qualified electors thereof to be known as the "Borough of?"

Section 253 Notice of Election The said township commissioners shall give notice by the publication of said resolution during at least four weeks immediately prior to the next general or municipal election in all of the newspapers published in said township if any otherwise in one newspaper published in the county and having a general circulation throughout the township

Section 254 Resolution Certified to County Commissioners Form of Question The said township commissioners shall certify said resolution to the county commissioners of the proper county who shall thereupon cause a proper question to be printed on a separate ballot to be used at the said general or municipal election in the township in the manner required by the general election laws The electors shall designate with a cross mark (x) in one of said squares their desire to vote for or against such borough charter

Section 255 Duties of Election Officers Returns of Election The election officers within the township so voting shall count the votes so cast for and against such borough charter and make return thereof on blanks to be furnished by the county commissioners of the proper county to the clerk of the court of quarter sessions of the proper county who shall compute the same and certify the result thereof to the township commissioners aforesaid and also make returns thereof to the Secretary of the Commonwealth and to the Secretary of Internal Affairs each duly certified in the manner required by law In receiving counting and making return of the votes cast the inspectors judges and clerks of the said election shall be governed by the laws of the Commonwealth regulating general elections All the electors inspectors judges and clerks voting at and in attendance upon the election shall be subject to the penalties imposed by the election laws of this Commonwealth

Section 256 Effect of Vote Against Borough Charter Whenever by the returns of the election in any township it shall appear that there is a majority against the borough charter no further proceeding shall be had and it shall not be lawful to hold another election upon the question insuch township for three years thereafter

Section 257 Governor to Issue Charter Where Vote is for Borough Charter If it shall appear by the said returns that there is a majority in such township aforesaid in favor of the borough charter the township cimmisioners thereof shall within sixty days after such election furnish to the Secretary of the Commonwealth the necessary information with respect to the boundaries of said borough and the Governor shall issue letters patent under the Great Seal of the Commonwealth reciting the facts defining the boundaries of said borough and constituting the same a body corporate and politic by the name of the Borough of

Section 258 Costs of Proceedings All costs and expenses incurred in any such proceedings to change a township of the first class into a borough except such costs and expenses to which by existing law the county is liable whether the vote is in favor of or against such change shall be paid out of the general funds of the township instituting such proceedings

Section 259 Property of Entities Vested in Borough All of the property and estates whatsoever real and personal of the township which shall thus become a borough are hereby vested in corporation or body politic of said borough by the name style and title given thereto as aforesaid and for the use and benefit of the citizens thereof forever

Section 260 Existing Governments Preserved Temporarily Organization of Borough The Charter or powers of government of the said township shall continue in full force and operation and all officers under the same shall hold their respective offices until the first Monday of January following the municipal election next succeeding the issuing of the letters patent to the said borough chosen at the preceding municipal election shall enter upon their respective terms of service and the borough government shall be duly organized under this act

Whenever in the organization of the borough government of any newly incorporated borough any person is elected by council to any office for which this act provides a definite term and fixes a definite time for the election of persons thereto the persons so elected shall serve only for such time as intervenes between his election and the next ensuing day fixed by this act for the election of such officer

Section 261 Existing Liabilities Debts and Claims Transferred to New Borough All suits prosecutions debts and claims whatsoever shall thereupon become transferred to the said borough which in all suits pending shall be substituted as a party and be under the management and control thereof as fully and completely as if no alteration had been made in said charter All claims and demands of whatsoever nature whether payable presently or in the future existing against the said township when the said charter shall go into operation shall by force thereof be recovered from or against the said borough

Section 2 Section eight hundred five of said act is hereby amended to read as follows

Section 805 Elections Where Boroughs Created Whenever in boroughs hereafter incorporated from a township or in boroughs hereafter formed by the division of a borough or in boroughs hereafter created by the detachment of territory a special election is ordered by the court for the election of borough officers the officers so elected shall hold their office until the first Monday of January next succeeding the municipal election at which such officers are elected as provided in sections eight hundred and ten to eight hundred and fifty inclusive of this article and whenever a borough is incorporated from a township the borough officers shall be elected at the municipal election next succeeding the final decree incorporating such borough and shall enter upon their respective terms of service in the first Monday of January following such election In each of the aforesaid cases the officers elected at the first municipal election following the creation of such borough and thereafter [such officers] shall be so elected that the time of their election and in the case of councilmen and auditors the number to be elected at any municipal election shall coincide with the time and number elected at such municipal elections by boroughs incorporated prior to the passage of this act

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—198

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

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. 727, as follows:

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

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

Section 1 In addition to the township roads adopted as State highways in the County of Northumberland by the act to which this is a supplement the following section of township road in said county is hereby adopted to be taken over and to be maintained and constructed at the expense of the Commonwealth upon the terms and conditions and subject to the limitations and conditions provided in the act to which this is a supplement

From a point on Legislative Route No 475 at the eastern end of the West Milton and Milton Bridge thence in an easterly direction to a point on United States Traffic Route No 15 in the Borough of Milton Northumberland County a distance of approximately one-half mile

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—199

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

Cullen,	Jefferson,	Petrosky,	Voorhees,
Dalrymple,	Jones, G. E.,	Pettit,	Wagner,
Dennison,	Jones, P. N.,	Polaski,	Watkins,
DiGenova,	Keenan,	Polen,	Weingartner,
Dix,	Kenehan,	Powers,	Weiss,
Dolon,	Kilne,	Prosen,	Welsh, E. B.,
D'Ortona,	Knoble,	Rank,	Welsh, M. J.,
Duffy,	Kolankiewicz,	Rausch,	Williams,
Early,	Komorofski,	Readinger,	Winner,
Eckels,	Krise,	Reagan,	Wolf,
Elder,	Lee, E. A.,	Reese, David P.,	Wood, L. H.,
Elliott,	Lee, T. H.,	Reese, R. E.,	Wood, N.,
Ely,	Leisey,	Regan,	Woodring,
Finestone,	Leonard,	Reynolds,	Woodside,
Finnerty,	Lesko,	Rhea,	Wright,
Fisher,	Levy,	Riley,	Yeakel,
Fiss,	Leydic,	Rooney,	Yester,
Fleming,	Lichtenwalter,	Rose, S.,	Young,
Fletcher,	Longo,	Rose, W. E.,	Kilroy,

Speaker.

NAYS—0

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

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

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 728, as follows:

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

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

Section 1 In addition to the township roads adopted as State highways in the County of Union by the act to which this is a supplement the following section of township road in said county is hereby adopted to be taken over and to be maintained and constructed at the expense of the Commonwealth upon the terms and conditions and subject to the limitations and conditions provided in the act to which this is a supplement

From a point in the village of West Milton in Kelly Township Union County where Rural Route 59038 turns north along the Susquehanna River thence in an easterly direction to the Northumberland County line a distance of approximately fifty feet said strip of road is paved with macadam and connects with what is known as the West Milton and Milton Bridge

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—199

Achterman,	Flynn,	Lovett,	Rosenfeld,
Allmond,	Foor,	Lyons,	Royer,
Auker,	French,	Malloy,	Rush,
Baker,	Gallagher,	Marks,	Sarge,
Balthaser,	Cates,	Maxwell,	Sarraf,
Baughner,	Gillan,	McClanaghan,	Scanlon,
Bentley,	Gillette,	McClester,	Schwab,

Bentzel,	Greenwood,	McDermott,	Serrill,
Boies,	Gross,	McDowell,	Shaffer,
Boney,	Gryskewicz,	McFall,	Shepard,
Boorse,	Cyger,	McGrath,	Simons,
Brautley,	Habbyshaw,	McIntosh,	Skale,
Breth,	Haberlen,	McKinney,	Snyder,
Bretherick,	Haines,	McLanahan,	Sollenberger,
Brown,	Hall,	McMillen,	Sorg,
Brunner, C. H.,	Hamilton,	McSurdy,	Stambaugh,
Brunner, P. A.,	Hare,	Melchiorre,	Stank,
Burns,	Harkins,	Milam,	Stine,
Burris,	Harmuth,	Modell,	Stockham,
Cadwalader,	Harris,	Mooney,	Tarr,
Chervenak,	Heatherington,	Moran,	Tate,
Chudoff,	Helm,	Muir,	Taylor,
Cochran,	Hering,	Munley,	Thompson, E. F.,
Cohen, M. M.,	Herman,	Tagel,	Thompson, R. L.,
Cohen, R. E.,	Hersch,	Numemacher,	Trout,
Cook,	Hewitt,	O'Brien,	Turner,
Cooper,	Hirsch,	O'Connor,	VanAlisburg,
Cordier,	Holland,	O'Dare,	Verona,
Corrigan,	Huntley,	O'Mullen,	Vincent,
Croop,	Imbrie,	O'Neill,	Vogt,
Cullen,	James,	Owens,	Voldow,
Dalrymple,	Jefferson,	Petrosky,	Voorhees,
Dennison,	Jones, G. E.,	Pettit,	Wagner,
DiGenova,	Jones, P. N.,	Polaski,	Watkins,
Dix,	Keenan,	Polen,	Weingartner,
Dolon,	Kenehan,	Powers,	Weiss,
D'Ortona,	Kilne,	Prosen,	Welsh, E. B.,
Duffy,	Knoble,	Rank,	Welsh, M. J.,
Early,	Kolankiewicz,	Rausch,	Williams,
Eckels,	Komorofski,	Readinger,	Winner,
Elder,	Krise,	Reagan,	Wolf,
Elliott,	Lee, E. A.,	Reese, D. P.,	Wood, L. H.,
Ely,	Lee, T. H.,	Reese, R. E.,	Wood, N.,
Finestone,	Leisey,	Regan,	Woodring,
Finnerty,	Leonard,	Reynolds,	Woodside,
Fisher,	Lesko,	Rhea,	Wright,
Fiss,	Levy,	Riley,	Yeakel,
Fleming,	Leydic,	Rooney,	Yester,
Fletcher,	Lichtenwalter,	Rose, S.,	Young,
	Longo,	Rose, W. E.,	Kilroy, Speaker.

NAYS—0

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

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

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 507, as follows:

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

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

Section 1 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" is hereby amended by adding there to immediately after Rule Five a new rule to read as follows

Rule Five-A No locomotive used for hauling in or about any mine shall be operated by a motorman alone but in every case a competent assistant shall be employed to aid the motorman in the performance of the various duties incident to the operation of such locomotive and to the hauling of cars in or about such mine

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—198

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

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. 1095, as follows:

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

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

Section 1 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 the powers and duties regulating the procedure therein and providing for the expenses thereof" is hereby further amended by adding thereto a new clause to read as follows

Section 6 The court hereby created shall have jurisdiction

* * * *

(f) In all civil actions transferred to it by order of the Court of Common Pleas of Allegheny County where the sum demanded or the value of the property replevied does not exceed the sum of twenty-five hundred dollars except in cases where the title to lands or tenements may come in question

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

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

On the question,

Shall the bill pass finally?

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

YEAS—199

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

NAYS—0

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

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

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1240, as follows:

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

Section 1 The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Whenever the local authorities in any city of the first class shall on request furnish any applicant a certified copy of the record of any birth death or marriage which birth death or marriage shall have 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) entitled "An act to provide for the immediate registration of all births and deaths throughout the Commonwealth of Pennsylvania by means of certificates of births and deaths and burial or removal permits requiring prompt returns to the Central Bureau of Vital Statistics as required to be established by the State Department of Health and in order to secure prompt and faithful registration of births marriages deaths and diseases of practitioners of medicine and surgery of midwives nurses and undertakers and of all persons whose occupation is deemed to be of importance in obtaining complete registration of births deaths marriages and diseases throughout the State as provided in section ten of an act entitled 'An Act creating the Department of Health and defining its powers and duties' approved the twenty-seventh day of April nineteen hundred and five and providing penalties for violations of this act" the fee to be charged for the furnishing of such certified copy shall be One (1) Dollar and for any search of the files and records when no certified copy is requested the fee to be charged by such local authorities shall be fifty (50) cents for each hour or fractional hour of time of search to be paid by the applicant All such fees shall be paid into the treasury of such city

Section 2 All acts or parts of acts inconsistent herewith be and the same are hereby repealed

Section 3 This shall take effect immediately upon its final enactment

And the 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--199

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

Cohen, M. M.,	Hersch,	Nunemacher	Trout,
Cohen, R. E.,	Hewitt,	O'Brien,	Turner,
Cook,	Hirsch,	O'Connor,	VanAillsburg,
Cooper,	Holland,	O'Dare,	Verona,
Cordier,	Huntley,	O'Mullen,	Vincent,
Corrigan,	Imbrie,	O'Neill,	Vogt,
Croop,	James,	Owens,	Voldow,
Cullen,	Jefferson,	Petrosky,	Voornees,
Dalrymple,	Jones, G. E.,	Pettit,	Wagner,
Dennison,	Jones, P. N.,	Polaski,	Watkins,
DiGenova,	Keenan,	Polen,	Weingartner,
Dix,	Kenehan,	Powers,	Weiss,
Dolan,	Kilne,	Prosen,	Weish, E. E.,
D'Ortona,	Knoble,	Rausch,	Weish, M. J.,
Duffy,	Kolankiewicz,	Readinger,	Williams,
Early,	Komorowski,	Reagan,	Winer,
Eckels,	Krise,	Reese, D. P.,	Wolf,
Elder,	Lee, E. A.,	Reese, R. E.,	Wood, L. H.,
Elliot,	Lee, T. H.,	Regan,	Wood, N.,
Ely,	Leisey,	Reynolds,	Woodring,
Finestone,	Leonard,	Rhea,	Woodside,
Finnerty,	Lesko,	Riley,	Wright,
Fisher,	Levy,	Rooney,	Yeakel,
Fiss,	Leydic,	Rose, S.,	Yester,
Fleming,	Lichtenwalter,	Rose, W. E.,	Young,
Fletcher,	Longo,	Rosenfeld,	Kilroy,
Flynn,	Lovett,	Royer,	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. 194, as follows:

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 the 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

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

Section 1 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 the bituminous coal-mines of Pennsylvania and for the protection and preservation of property connected therewith" is hereby amended to read as follows

Section 2 A suitable record book shall be kept at the mine office on the surface of every mine wherein fire bosses are employed and immediately after the examination of such mine or any portion thereof by a fire boss whose duty it is to make such examination he shall enter in said book with ink a record of such examination and sign same This record shall show the time taken in making the examination and also clearly state the nature and location of any danger that may have been discovered in any room or entry or other place in the mine and if any danger or dangers have been discovered the fire bosses shall immediately report the location thereof to the mine foreman In addition the fire boss shall immediately report the nature and location of any danger or dangers to the mine inspector No person shall enter the mine until the fire bosses return to the mine office on the surface or to a station located in the intake entry of the mine (where a record book as provided for in this section shall be kept and signed by the person making the examination) and report to the mine foreman or the assistant mine foreman by telephone or otherwise that the mine is in safe condition for the men to enter When a station is located in any mine it shall be the duty of the fire bosses to sign also the report entered in the record book in the mine

office on the surface The record books of the fire bosses shall at all times during working hours be accessible to the inspector and the employes of the mine

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

NAYS—1

Hewitt,

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. 1253, as follows:

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

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

Section 1 That any part of a township may be annexed to any adjacent city of the first class in the following manner viz

Two-thirds of the taxpayers in number and amount in that part of the township shall present a petition to the Council of said City asking for such annexation which said petition shall be accompanied by a plot of the township and of the portion thereof proposed to be annexed to the said City

Section 2 Upon the presentation to the Council of such City of such petition and plot said Council may by ordinance annex such part of the township whereupon the said part thereof shall become a part of the said City and if such City be in a different county it shall become a part of the county in which such City is situated

Section 3 That the action of said City Council shall be final and conclusive unless an appeal therefrom be taken within ten (10) days to the Court of Quarter Sessions of the county in which such City is situated upon such appeal the Clerk of said City Council shall certify to said Court all the papers and proceedings in the case whereupon said Court shall examine and inquire and if the proceedings appear to have been in conformity with law shall approve the same

Section 4 Unless and until changed in the manner provided by law the part of such township so annexed if not divided into wards shall constitute a separate new ward of the enlarged City and if the part of the township so annexed at the time of annexation be divided into awards then each ward of such part of the township shall constitute a separate new ward of the enlarged city and shall be numbered by the Council of the City consecutively beginning with the next highest number after the existing highest numbered ward of the City Unless and until changed in the manner provided by law all election districts in such annexed part of the township shall remain as constituted at the time of the annexation and upon annexation shall become election districts of the enlarged city All election and other officers of such election districts in office at the time of the taking effect of the annexation shall continue in office until the expiration of their respective terms unless sooner removed as provided by law

Section 5 All the public property owned by such township and situated within the portion thereof which shall be so annexed shall become the public property of the City to which it is annexed All taxes thereafter levied by said City shall be uniform throughout the territorial limits of the enlarged city

Section 6 The township officers and the City Council shall make a just and proper adjustment and apportionment of all public property owned by the township at the time of annexation both real and personal including township funds as well as an adjustment and apportionment of the township indebtedness if any between the township and the City In making such adjustment and apportionment of the property and indebtedness the township and the City shall be entitled respectively to share in a division of the property and indebtedness in the proportion that the assessed valuation of the land remaining in the township bears to the assessed valuation of the land annexed The adjustment and apportionment as so made shall be reduced to writing in proper form and duly executed and acknowledged by the proper officials and filed in the office of the Clerk of the Court of Quarter Sessions of the county in which such City is located

Section 7 In case the Council of the City and the township authorities cannot make such amicable apportionment and adjustment of such public property and indebtedness in compliance with this Act within six months after any such annexation then the Council or any officer of the township may present a petition to the Court of Quarter Sessions of the County in which the City is located whereupon the Court shall appoint three commissioners one of whom shall be a resident and taxpayer of the said City one of whom shall be a resident and taxpayer of the township and one of whom shall not reside or be taxpayer in the county or counties in which either the City or the township is situated said commissioners after hearing notice of which shall be given to the City and township interested and in cases where the City and township are in different counties

to the County Commissioners of the county of which the township is a part as the Court shall direct shall make report to the Court making an apportionment and adjustment of all the public property as well as the indebtedness if any between the City and the township which said report shall state the amount if any that shall be due and payable from the City to the township or from the township to the City as well as the amount of indebtedness if any that shall be assumed by the City

Section 8 The Commissioners shall give the City and the township at least five (5) days' notice of the filing of their report and unless exceptions are filed thereto by the City or by the township within thirty (30) days after the filing thereof the same shall be confirmed by the Court absolutely and any sum awarded by the said Court to the City or the township shall be a legal and valid claim in its favor against the City or township charged therewith and the amount of debt if any apportioned to the City or township shall be a legal and valid debt of such City or township and any property real or personal given and adjudged to the City or township shall become and be the property of the City or the township to whichever one the same is given and adjudged and upon such report being confirmed such claim or indebtedness charged against any City or township may be collected in the same manner as judgments are collected against cities or townships in accordance with law The commissioners shall be allowed compensation to be fixed by the Court appointing them together with their actual necessary expenses Such compensation and all costs and expenses of such proceeding shall be apportioned by the Court between the City and the township as it shall deem proper In case exceptions are filed to the report of the commissioners the Court shall dispose of the same taking testimony therein if deemed advisable and the decision of the Court thereon shall be final and binding upon such City and township unless an appeal is taken within thirty (30) days to the Superior or Supreme Court as in other cases

Section 9 In cases in which such cities and townships are situated in different counties the Court of Quarter Sessions of the county in which the City is located shall have exclusive jurisdiction in all matters which are the subject of this Act but the same shall be heard by a judge not a resident of either of the judicial districts affected who shall be called to preside specially in the matter.

Section 10 The Act approved the second day of July A D One thousand nine hundred and thirty-seven (P. L. 2803) entitled "An act providing a method of annexation of townships of the first class and parts thereof to cities and boroughs and regulating the proceedings pertaining thereto" and all other Acts or parts of Acts insofar as they are inconsistent herewith or supplied hereby be and the same are hereby repealed

Section 11 This Act shall become effective immediately upon its final enactment

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. JAMES. Mr. Speaker, as so often happens, the general provisions of a bill brought before us for consideration give very little opportunity for the Members to know about the primary purposes for which the bill is designed and the specific case that has inspired its designing. This bill now before us, and we might just as well get down to cases and talk about the real purposes of the bill, is planned to permit the city of Philadelphia to take over with very little difficulty and scarcely any effort a part of Delaware County located in the Township of Tinicum, and a part of the township of Tinicum is now wholly owned, it is true, by the city of Philadelphia.

The part of Tinicum Township desired by the city of Philadelphia comprises something between nine hundred and one thousand acres of land, and the Township of Tinicum and the county of Delaware collect in taxes each year on that parcel of land something between seventeen and eighteen thousand dollars. The city of Philadelphia, of course, has in mind if it makes that part of Tinicum township a part of Philadelphia, it will be relieved of paying just and legal taxes to the political subdivision which now has a proper title and legal possession of that plot of ground.

At this point, Mr. Speaker, I desire to interrogate one of the sponsors of this bill, the gentleman from Philadelphia, Mr. McClanaghan.

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

Mr. McLANAGHAN. I shall, Mr. Speaker.

Mr. JAMES. Mr. Speaker, I should like to ask the gentleman from Philadelphia, Mr. McClanaghan, if what I have said up to this point is not substantially true.

Mr. McLANAGHAN. That is correct, Mr. Speaker.

Mr. JAMES. I thank the gentleman from Philadelphia, Mr. McClanaghan.

Mr. Speaker, prior to the advent of a man named Hitler the governing principles in the relationships between nations and states and counties and townships, and even between man and man, were honesty and morality. But since the advent of Hitler there has come over the world a new idea of acquisitiveness and a new method of acquisition. This bill, Members of the House, is a blitzkrieg bill! It is true that the city of Philadelphia does own the land with which this bill deals, but it is equally true that that land has been a part of Tinicum Township through thick and thin, and the County of Delaware and Tinicum Township have taken care of and nurtured it since the days when this land was but a waste and a swamp. They saw it survive and live. They policed it, cared for it and gave it the attention they were obliged by law to give it, until it grew prosperous and became desirable to somebody else. In the first instance that desire was on the part of the United States Government, and later because the United States Government had no further interest in the land it became the desire of the city of Philadelphia to take it over. Even when this land was nothing at all it still was a potential property and even a strategical prospect of land, something that Tinicum Township counted on for the future and something that it hoped, as all communities do, might develop later on into a prosperous section of that political subdivision, something which would bear its full share of the cost of government of that township. Now, Mr. Speaker, that portion of land in Tinicum Township has come to the point where it does indeed bear its part and share in the cost of administering the affairs of the township. It is true that it has come to that position by reason of the fact that the City of Philadelphia has expended money there. The city of Philadelphia has made improvements in this property but that is true also of any other land held by a private individual that might have started an ordinary farm land or even swamp land, and if money is spent upon it then it becomes valuable to its owner, and at the same time it becomes valuable as a tax revenue bearing unit of the political subdivision in which it is located. Today this little plot of land is yielding to Tinicum Township between seventeen and eighteen thousand dollars a year in taxes. Tini-

cum Township has counted on that tax revenue in making up its budget, in improving conditions for the people of the entire township and in developing a community which would be desirable to those who live there. Tinicum Township no doubt based its borrowing capacity on a sum of money which included the assessed value of this piece of ground, it has made commitments in its budget, and otherwise has taken into account revenue that is to come from this piece of ground amounting to the sum of seventeen or eighteen thousand dollars a year. Tinicum township is a rather poor township and the loss of this tax would be a serious matter, not only to the township commissioners but also to the school board.

There is one other thing which this bill has failed to provide. It is admitted that there are provisions in the bill for adjustment of capital accounts and interest and so forth, but this bill has failed to provide for the interest of the county in this piece of land.

It must be remembered too that the county of Delaware receives revenue from this plot of ground. All of these things that I have mentioned would create a very serious problem for the people of Tinicum Township and also a serious problem for the County Commissioners of Delaware County.

But that is not all. This movement is the beginning of a sort of pincer movement—an effort to curtail the freedom of activity of many human beings—that also is a term that has come into public knowledge recently through the operations of Mr. Hitler. It would not be at all surprising to me and to many others if this bill were to go through, that Fifth Columnists might be set down there to prepare the people for another pincer movement in Upper Darby. I want to call the attention of the Members of the House, particularly all those members who may have a similar situation in some portion of their political subdivision the fact that if this legislation goes through it would be only necessary for some city located on the edge of your subdivision to buy up and get title to the land that they in their judgment and you in your knowledge believe to be strategic land, land that some day might be developed and come into a position where it could bear its fair share in the improvement and development of your whole community.

Mr. Speaker, in the interest of honesty in government and morality among men, I ask you to vote against this bill.

Mr. VOORHEES. Mr. Speaker, this is a very simple bill. It was on the statute books under the act of 1873, but due to the foresight of the political leader of Delaware County, the then Senator McClure, it was repealed and taken from the statute books in 1931, at that time Philadelphia took title to this land. There is no one living on the property that Philadelphia is interested in. Philadelphia airport is now located at Hog Island. Title was acquired by the city of Philadelphia in 1931 by purchase from the Federal Government. There are no residents there, it contains over nine hundred acres, and every time the city of Philadelphia puts a new hanger on the property or a new improvement the assessed valuation of the property goes up, and the amount of tax to be paid to Tinicum Township is greater, and Philadelphia must pay for improvements on land which they own.

This airport at Hog Island is one of the best airports in the country. This airport is not only an airport for the city of Philadelphia alone but it is valuable to the state of

Pennsylvania. It is a place that we as Philadelphians should be proud of, it is a place that Philadelphia is trying to build up and put in all the resources they have at their command to build it up. I think it is a proper bill and I ask for the support of the membership of the House to vote "Aye" on the bill.

Mr. McCLANAGHAN. Mr. Speaker, I am afraid the gentleman from Delaware, Mr. James, has taken this war a little bit too seriously. He has said this is a blitzkrieg bill. It is just the reverse. The reason Philadelphia is seeking to annex this part of Tinicum township, which is known as Hog Island, is for the purpose of extending the facilities and services of the airport, and it is going to afford those facilities and services for the benefit of the people of that district and also the people of the state at large.

The fact is that this plot consists of nine hundred and sixty acres, ten acres of which are located in Philadelphia County, and the remaining nine hundred and fifty acres are located in Delaware County, in Tinicum Township. The Administration building which has been erected by the city of Philadelphia at a large cost is located on the ten acre plot in Philadelphia County. It is true that the taxes on this piece of property in the course of a year amount to approximately eighteen thousand dollars, but that is not the only item with which we are faced. If Philadelphia comes along and constructs a hangar, Philadelphia is not required under its lease to pay the increased taxes. As a matter of fact, Philadelphia will not construct hangars under the lease which the city of Philadelphia has entered into with the major air companies. Those companies are required to pay the increase in taxes on any buildings constructed on this ground. The city would still pay the taxes on the real estate but the taxes on the improvements must be paid by the air companies, with the result that these companies will not construct hangars and they will not incur any increased financial burden. At the present time there are approximately fifty to sixty planes a day coming into the Hog Island Airport. The LaGuardia Airport in New York, which does not have the benefit of a location like Hog Island in Philadelphia, has between two hundred and fifty and three hundred planes a day, and we are convinced with the necessary hangars the Philadelphia Airport will become the equal of the LaGuardia Airport in New York. It is only a matter of common sense that the development of the airport for the benefit of the section in general will increase the amount of tax collection and will bring prosperity to the surrounding section.

I would like to review briefly the position of Philadelphia. This property was purchased by Philadelphia from the Federal Government at a cost of three million dollars. The City paid down four hundred and fifty thousand dollars, and the Federal government has a mortgage for the balance of the two and a half million dollars. The government collects interest for ten years at the rate of three percent and at the expiration of that ten year period the city of Philadelphia is required to commence to pay interest at the rate of six percent. The city is presently obliged to pay one hundred fifty-three thousand dollars a year to the Federal government just in interest upon the mortgage.

I further wish to call to the attention of the Members of the House the fact that under the terms of the agreement by which Philadelphia purchased Hog Island from the

Federal government, the city is restricted in its use of that property. The city cannot use it for development purposes. The city is limited to using it as an air, rail and marine terminal. Therefore in effect Philadelphia is seeking to annex this part of Tincum township for the development of a major airport in Pennsylvania, an airport that will redound to the benefit of all the citizens of Pennsylvania, not merely of Philadelphia, and I therefore ask the members of this House to vote favorably on this bill.

Mr. JAMES. Mr. Speaker, the gentleman from Philadelphia, Mr. McClanaghan, has unwittingly furthered my reference to Hitlerism. I understand now that he wants to take this piece of land into protective custody.

One of the things that I cannot understand in the remarks of the gentleman from Philadelphia is his statement that the companies who operate the airport cannot build hangars on this plot of ground unless it comes into the geographical limits of the city of Philadelphia. I am not going to argue that point but it is a little bit hard to understand why a business concern would not very much prefer to build its hangars in a county where over a long period of time the tax situation has been very favorable and above all entirely stable.

This bill, if it were enacted into law, would do another very serious thing. It would be the first bill, as far as I am able to find, that would provide for a vote on annexation by amount, that is by the record of the amount owned. Let me call to the attention of those Members of the House who live in districts where great coal companies operate, just what kind of a situation that puts on their communities and their political subdivisions, if a similar situation to the one we have here were to arise. This bill calls for a vote of sixty-six percent of the population or amount. In this particular case that is a dead cinch because the amount is entirely a matter of one vote, the vote of the city of Philadelphia. Again, Members of the House, I ask you to vote "No" on this bill.

Mr. RUSH. Mr. Speaker, I too arise in opposition to this bill because I do not believe the annexation of this particular portion of land in Delaware County, which has been mentioned here, is the only portion of land the city of Philadelphia is interested in taking. If I were assured that that were so, I would not object so much to this bill. However, it does so happen that Philadelphia owns other pieces of land in Delaware County, that is, near to the city of Philadelphia, and if this bill goes through, they will be able to come out into Delaware County and take those pieces of ground too. Therefore, this is bad legislation all the way through. We have been told here if the city of Philadelphia wants an airport, it must construct the hangars and airport facilities for those airlines which use the airport. I was just wondering if the city of Philadelphia would not construct railroad stations for that kind of transportation system. I think if the city of Philadelphia wants this piece of ground in Delaware County they should pay for the land and not just indiscriminantly come out and take it away from Delaware County. That land has been paid for by taxes from the citizens of Delaware County. As I said before, this is not the only piece of land that the city of Philadelphia is interested in. There are pieces of ground in Delaware County, such as golf courses, that are owned by the city of Philadelphia, and the effect of this bill would be that

they could just as well go out and take away those pieces of ground from the County of Delaware.

Therefore, I ask the members of the House to vote against this particular bill.

Mr. McCLANAGHAN. Mr. Speaker, first of all I would like to call the attention of this House to a part of the provisions in the lease which the city of Philadelphia has entered into with the major air companies. This lease is a composite lease, based on the form or lease used in the major cities throughout the country. It contains the best features of all the leases now in use. I will now quote from the lease between the city of Philadelphia and the various air companies. Article VIII contains this language:

"The Lessee shall have the right and option at any time and from time to time during the term hereof to lease any additional space at the Airport not necessary to the operation of the Airport and at the time not leased to others, for the exclusive use by Lessee for construction of a hangar or related purpose at a rental of one (1) cent per square foot per annum. If the Lessee does so lease additional space at said Airport for its exclusive use and builds a hangar or other building thereon, from plans approved by the City, the Lessee shall have the right to connect such space with all proper lines, pipes, conduits or other conductors for the transmission of electricity (for both power and light) and water and also to connect with telephone and telegraph service, and sewerage disposal system. In addition to the rental hereinbefore specified for such space Lessee agrees to pay all real estate taxes assessed against any building thereon erected as distinguished from taxes assessed upon the ground only."

The reason the airport companies will not build hangars is because the moment they are erected there will be an assessment made upon those improvements and they will be obliged to pay additional taxes. If the city of Philadelphia takes over this part of Tincum Township these improvements will not be assessed and there will not be any additional cost imposed upon the airport companies.

I would like to say just a word in rebuttal to the remarks made by the previous speaker. He said he was wondering, and I think he was wandering all over the lot. He spoke of additional property owned by the city of Philadelphia located in Delaware County. If he were to consult the public records he would find that when Philadelphia purchased the land which is now Cobbs Creek Park, there was contained in the deed a restriction that the property cannot be used for development purposes, that it can be used only for park purposes.

I wish the Members of the House to bear in mind that all of the facilities at Hog Island are furnished by the city of Philadelphia. There is not a single one of those facilities furnished by the township of Tincum. Philadelphia has had to purchase the land, it has had to improve it, and I think we should afford the city of Philadelphia the privilege and right to extend the facilities that it has purchased.

Mr. JAMES. Mr. Speaker, I desire to interrogate the gentleman from Philadelphia, Mr. McClanaghan.

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

Mr. McCLANAGHAN. I shall, Mr. Speaker.

Mr. JAMES. Mr. Speaker, do I understand the gentle-

man from Philadelphia, Mr. McClanaghan, to say there is a provision in the agreement or the lease, that part of it which he has just read, to the effect that the city of Philadelphia is willing that business concerns to come into Philadelphia and erect buildings or other properties and be relieved entirely of taxes on those structures?

Mr. McCLANAGHAN. No, Mr. Speaker. Under the terms of the lease the airport companies pay a rental for the use of the airport. Philadelphia owns the airport and the air companies construct the hangars, and there would be no increase on either the property or the buildings.

Mr. JAMES. Mr. Speaker, I am very glad to know that. I hold a little property in Philadelphia upon which I would like to erect something profitable, and I think I should like to enter into some such arrangement with the city of Philadelphia.

Mr. McCLANAGHAN. Mr. Speaker, that is for the public benefit?

Mr. JAMES. Is it being operated for profit concerned or as a public benefit?

Mr. McCLANAGHAN. Mr. Speaker, it is being operated for a profit, but is it furnishing a public service?

Mr. JAMES. Mr. Speaker, I think every tax payer in Philadelphia would be very glad to know about the terms of this lease.

I do not intend to talk any longer on this subject after this one remark, but this bill provides that sixty-six and two-thirds per cent by population and amount, shall vote for this annexation plan. If this bill is enacted into law I submit that provision is proof of the rather dubious purpose of this bill. If this bill had been drawn to provide that sixty-six and two-thirds per cent of the population of the whole township were to vote on this question then there might be some reason for favoring this bill, but that is not the case.

I again ask the Members of the House to vote "no" on this bill.

Mr. BRETHERICK. Mr. Speaker, there seems to be one point that has been overlooked in this debate, and that is that the loss of seventeen or eighteen thousand dollars a year to the Township of Tinicum will necessarily result in a curtailment of its services. It will mean it will have to eliminate some of its teachers; it will mean it will have to cut down its police force, or the alternative will be that there will have to be a general increase in taxes in the Township of Tinicum to make up the deficit caused by this loss in revenue, amounting to the sum of seventeen or eighteen thousand dollars a year. I do not think the city of Philadelphia has a right to legislate that additional burden on the taxpayers of another community. As my colleague from Delaware County has so clearly expressed it, this is a blitzkreig bill. It is a forerunner of bills of this nature, and I, therefore, ask the Members of this House to vote "no" on this type of legislation, and I with my colleagues from Delaware County are going to ask you to vote against this bill.

On the question recurring,

Shall the bill pass finally?

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

Messrs. JAMES, ECKELS and IMBRIE asked for a verification of the roll.

The roll was verified and was as follows:

YEAS—108

Achterman,	Gallagher,	McFall,	Rose, S.,
Allmond,	Gryskewicz,	McGrath,	Rose, W. E.,
Baker,	Haberlen,	McIntosh,	Rosenfeld,
Balthaser,	Hamilton,	McLanahan,	Sarrafi,
Baugher,	Harkins,	Melchiorre,	Schwab,
Bentzel,	Harmuth,	Mihm,	Shaffer,
Boles,	Heatherington,	Modell,	Shepard,
Boney,	Hering,	Monks,	Skale,
Bradley,	Herman,	Mooney,	Stank,
Brown,	Hersch,	Moran,	Stine,
Conner, P. A.,	Hirsch,	Munley,	Tarr,
Chervenak,	Jefferson,	O'Brien,	Tate,
Chudoff,	Jones, P. N.,	O'Dare,	Thompson, E. F.,
Cochran,	Kenehan,	O'Mullen,	Vincent,
Cohen, M. M.,	Kolankiewicz,	O'Neill,	Vogt,
Johen, R. E.,	Komorowski,	Owens,	Voldow,
Corrigan,	Lee, E. A.,	Petrosky,	Voorhees,
Croop,	Lee, T. H.,	Pettit,	Welsh,
Cullen,	Leonard,	Polaski,	Welsh, E. B.,
Dolon,	Lesko,	Polen,	Welsh, M. J.,
Early,	Levy,	Powers,	Williams,
Elllott,	Longo,	Prosen,	Wolf,
Falkenstein,	Lovett,	Readinger,	Woodring,
Finestone,	Marks,	Reese, R. E.,	Wright,
Finnerty,	Maxwell,	Regan,	Yester,
Fletcher,	McClanaghan,	Reynolds,	Young,
Flynn,	McDermott,	Rooney,	Kilroy, Speaker.

NAYS—65

Auker,	Foor,	Knoble,	Simons,
Boorse,	Gates,	Krise,	Snyder,
Bower,	Gillette,	Leydic,	Sorg,
Bretherick,	Gross,	Lyons,	Stambaugh,
Erunner, C. H.,	Cyger,	McKinney,	Stockham,
Cadwalader,	Haines,	McMillen,	Taylor,
Cordier,	Hall,	McSurdy,	Thompson, R. L.,
Dalrymple,	Hare,	Muir,	Trout,
Dennison,	Harris,	Nunemacher,	Turner,
Dix,	Helm,	O'Connor,	VanAllsburg,
Eckels,	Hewitt,	Rausch,	Wagner,
Eider,	Huntley,	Reagan,	Watkins,
Ely,	Imbrie,	Rhea,	Weingartner,
Fisher,	James,	Royer,	Winner,
Fiss,	Jones, G. E.,	Rush,	Wood, N.,
Fleming,	Kilne,	Serrill,	Woodside,
			Yeakel,

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.

PARLIAMENTARY INQUIRY

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

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

Mr. SHEPARD. I would like to know, Mr. Speaker, what is the rule on calling the roll and answering to your name? If a person comes into the House after his name has been passed on the roll alphabetically, what happens?

The SPEAKER. A Member is entitled to vote at any time during the calling of the "ayes" and "nays", even though his name has been passed.

BILLS ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 101, as follows:

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

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

Section 1 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" is hereby amended by adding thereto immediately after rule ten rule ten A to read as follows

The following rules shall be observed as far as is reasonably practicable in the mines

10-A Whenever persons are transported into out of or about any mine upon cars or wagons hauled by electric locomotives operated from trolley wires the bodies of such cars or wagons shall be constructed of wood or other suitable non-conducting material

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. HEWITT. Mr. Speaker, you will notice in looking this bill over that I reported it out of Committee. I understand that reporting a bill out of Committee does not necessarily mean you are for the bill. Mr. O'Neill, Chairman of the Committee on Mines and Mining very courteously gave me the bill to report out. I have the highest regard for Mr. O'Neill, having been with him since the 1933 session, and I was not inclined to refuse to report the bill out.

However, I rise to oppose the bill because of the hardships it will work upon various coal mines in my county, and of course many other counties in the state. I believe that Mr. Williams, the sponsor of the bill, is trying to do something which this bill does not do. It is the custom at the mines, the large mines to have what is know as man trips. In the morning at a certain hour this long string of cars is hauled into the mines in which the men ride. They ride these cars into the mines. Some of these mines are in five or six miles, and the men ride in these steel cars, which of course are conductors of electricity.

Mr. William's idea in substituting the wooden car is to do away with the possibility of the men being electrocuted through the conducting of electricity through those steel cars.

If you will let me explain this to the House, a sort of word picture of the whole situation. I believe the Members will understand more fully what this means. The wooden cars are constructed partly of wood and partly of steel. The ribs are steel and the draw bars going through the center of the cars, starting at the motor an drunning clear through the man trip cars, constituting the backbone of the string of cars, are steel. Also there is a steel bar bolted on to the plates, and the ribs are steel, and for that reason they will conduct electricity as well as the steel cars.

This will work a hardship on my people back home because some of them have steel cars and some have wooden cars. They will have to buy a large number of

wooden cars to haul the men into the mines in the morning then haul them out empty and place them on the side-track of the mine. That would be an expensive operation pertaining only to the wooden cars. These man trips are often wrecked, and if they are wrecked in the wood car they are much more likely to be seriously hurt than in the steel car. The same is true on the railroad. There they substituted the steel cars, and we all feel safer in steel cars than in wood cars.

Another danger which has occurred to me in my thirty-three years in the mining business, when you have a wreck in a mine entry maybe fifteen or eighteen feet wide with a four to six foot ceiling, with a number of men riding those cars, the cars may catch fire from short circuiting and a number of men injured by electricity. I believe the men are safer in the iron cars from the standpoint that the wooden cars are not all wood as I said to you before. I do not expect to change one vote in the whole House, but from my long experience in the mining business I think this is a bad bill.

Mr. WILLIAMS. Mr. Speaker, I did not expect it would be necessary to take the floor on this particular bill. This bill is nothing more nor less than a safety measure which has been complied with to a great extent by practically all the coal operators of Pennsylvania. There are a few who now do not recognize safety insofar as the transportation of the men in the mines is concerned.

I respect the gentleman on the other side, Mr. Hewitt, from Indiana. I know he has been associated somewhat in the coal business, but when he speaks of wrecks in the mine in connection with mantrips, that he indicates might occur to the men in the wooden wagons, it is ridiculous. In the first place he said they would be safer in steel wagons than in wooden. I wonder if the gentleman from Indiana, Mr. Hewitt, knows what rate of speed the mantrips are permitted to travel in a coal mine? I think he should know, and I think the members of this House should know that they are only supposed to travel at the rate of five miles per hour. Therefore it wouldn't be a case where you could connect this particular subject with railroad cars that are traveling at forty or forty-five or fifty miles per hour, which carry a great amount of weight, which in itself would help destroy the vehicle in case of a wreck.

I might say that my reason for putting this bill in is just such as he stated. I think he gave a good point on the bill, that is, in the use of the steel wagons there is a great possibility of men being electrocuted in these steel wagons. I admit, and I say there must be steel drawbars. We know you couldn't pull a loaded trip with just wood, and we know that the ribs must be made of steel too, but the balance of it must be made of wood, therefore the men are sitting on wood and they are putting their feet on wood, and they do not come in contact with the part which would convey electricity unless that particular part should be wct.

I have worked in the mines since 1922, and I know the possibilities of the use of wooden cars in mantrips and the possibility of the use of steel wagons in mantrips. I say that this is a good bill and the United Mine Workers of America throughout Pennsylvania are interested in this bill. I ask the support of the members for this bill.

Mr. HEWITT. Mr. Speaker, of course I am well aware of the fact that where the operator complies with the

law as to the matter of speed with which he carries the men into the mine, certainly the men are not likely to be wrecked and smashed up in the mine trip, but I am not speaking particularly of the speed of the car or train carrying the men but there is a possibility and a danger that they might meet a load coming out at a greater rate of speed, and there might be quite a serious wreck.

While Mr. Williams is right in that the men are sitting on wood with their feet resting on wood, their elbows nevertheless, are in contact with the ribs, and the steel draw bar comes through all the cars. Being in the mining business many years, some people thought I was rather favorable to the operators. I was in the mining game from every angle, mining superintendent, mining engineer, and so forth for a period thirty years, and one of the greatest hobbies of my life was the protection of the men. I have had this particular record for many years and I have never had a serious accident in any of my operations. I have a record in the mines of being one of the safest operators in the field, and I believe that the steel car is safer than the wooden car.

Mr. TARR. Mr. Speaker, I rise in support of the passage of this bill for the same reason that my friend from Washington County, Mr. Williams, gave. There are a number of bills which have been introduced at this session, some of which are on the calendar today, which provide for more safety in the mining industry, this being the first of them.

It is rather foolish—perhaps I shouldn't say foolish, but it falls upon deaf ears of one who came from the soft-coal mining industry when one hears the statements that the steel car is safer to ride in on a mantrip than the wooden car.

It is true they do have iron in them, but if any man in this House has ever sat in a cold, wet, damp, steel car and has been hauled five miles an hour for five or six miles, when their clothes were wringing wet, they will know the difference between riding in a wooden car and a steel car.

This bill has the backing of the United Mine Workers of America, and the United Mine Workers of America have a right to be interested in this bill since it is a fact that eighty-five thousand of these industrial heroes have been brought out of the mines to die on the cold linoleum of the company house without the protection of the laws of this great Commonwealth to which they are entitled.

We are making a step forward in providing safety measures for the coal miners. We are making a step forward for all workers in Pennsylvania. I can see no better start in safety laws, which we do not now have on our books, than providing a safe way for men to get to and from their work.

I was very glad to hear the gentleman from Indiana say that coal mining was a hobby to him. To my people coal mining is not a hobby; our men do not do it as a pleasure; they have to go down there and they have to dig their very existence out of the earth, and there is nothing this Legislature could do that would do more good for these men, and there is no legislation which is more badly needed by the coal miners of the Commonwealth.

Mr. WILLIAMS. Just one point I desire to raise, Mr. Speaker, and that is when Mr. Hewitt stated these

wagons would be hauled back out of the mine and they would not be used, he left the impression that these wagons would be especially built for man trips, with no other use for them. These wooden wagons are used for the transportation of coal as well as the steel wagon. In eighty per cent of the mines today these wooden wagons are available, and with the law that is now on the statute books they could use them for the man trips. I would say in eighty per cent of the mines there wouldn't be one cent of additional cost created by the passage of this particular bill.

Mr. HEWITT. Mr. Speaker, I believe I can correct the gentleman from Fayette when he quoted me as having said that mining was my hobby. I said the safety of the men around the mines was my hobby and has been a hobby with me all the years of my life in the mining industry.

As to Mr. Williams of Washington, in his reference to this bill working no hardship on the operator, the steel wagons in some of the large operations in my county are used entirely for the transportation of coal. They could not use wooden wagons. They have loading machines and different equipment that handles the loading into these cars, and as I said before, if they used wooden cars they would have to bring them out and stand them on the side track.

I want to call the attention of the House to one fact, if this hitching or coupling is connected to the truck, the law requires it to be an insulated connection, and that is true of wooden or steel cars. I still believe the steel cars are the safest to ride in.

Mr. WILLIAMS. Mr. Speaker, I would like to ask Mr. Hewitt whether he is now a coal operator. Is that true?

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

Mr. HEWITT. I will, Mr. Speaker.

Mr. WILLIAMS. Mr. Speaker, I would like to ask Mr. Hewitt how many employes he has in the mines?

Mr. HEWITT. At the present time, Mr. Speaker, I am not in the mining business. I have had as many as 5,000 men working for me.

Mr. WILLIAMS. And how many years ago was that, Mr. Speaker.

Mr. HEWITT. I quit the mining business in 1934, Mr. Speaker.

Mr. WILLIAMS. Did the gentleman have wooden equipment in the mines?

Mr. HEWITT. Yes, Mr. Speaker.

Mr. WILLIAMS. That is what I thought, Mr. Speaker.

Mr. HEWITT. Mr. Speaker, may I tell the members of the House that at the time I left the mining business I was running a very small operation, and small operators can not afford to buy equipment like the large operators. We had wooden cars and we were not able to buy the steel cars or the loading machines, and mine were not finely mechanized as the larger operations are. When I was in the business on a large scale during the World War, steel cars were a new thing. They were practically all wooden cars a few years ago.

Mr. WILLIAMS. Mr. Speaker, just the point I desired to hear raised here. In practically all the mines where we have hand loading, we do have wooden cars. In the new mechanized mines they have steel wagons, and I say they can make available wooden cars for the trans-

portation of the men because of the fact that the mechanized mines are in competition with the hand mines and they have such an advantage economically that they can easily afford to have the wooden cars for the mantrips. I know in a few instances they are not able to use wooden cars, but I notice that in the great majority of operations there are about ten per cent that absolutely refuse to furnish the wooden cars for the mantrips, but that ten per cent are going to be compelled to get in line by the passage of this particular act.

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—196

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

NAYS—2

Dalrymple,	McClester,
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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. 1050, as follows:

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

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

Section 1 All cities of the first class of this Commonwealth are hereby required to furnish all police officers employed by such cities firearms cartridges and all other firearm accessories free of charge and shall make no deduction from the compensation of such police officers because of the provisions of this act

Section 2 All acts and parts of acts inconsistent with the provisions of this act are hereby repealed

Section 3 The provisions of this act shall become effective immediately upon final enactment

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

On the question,

Shall the bill pass finally?

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

YEAS—197

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

NAYS—1

Auker,

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. 1071, as follows:

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 providing for payment of cost of 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

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

Section 1 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 improve-

ment 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 township 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 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 providing for payment of cost of 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" as last amended by the act approved the twenty-first day of June one thousand nine hundred and thirty-seven (P. L. 1951) is hereby further amended to read as follows

Section 16 Before the Secretary of Highways shall undertake the construction reconstruction or improvement of any State highway on the plan of the State highways wherein a change of width or of existing lines and location is necessary and damage is likely to result to abutting property he shall notify the county commissioners of the proper county in writing of the contemplated change in such existing width lines and location After the county commissioners have agreed to such changes or refused to agree thereto as hereinafter provided the Secretary of Highways may proceed with the work of construction reconstruction and improvement After the receipt of the notice as above provided the county commissioners if they approve such change of width or of existing lines and location and agree thereto in writing shall when possible enter into an agreement with the owner or owners of said property as to amount of damages to be paid to the said owner or owners Whenever the amount so agreed upon shall exceed the sum of three hundred dollars (\$300.00) the same shall not be paid by the county until the proposed agreement shall have been filed by the county commissioners in the office of the prothonotary of the county in which the property damaged is situated If no exceptions are filed thereto within ten days after notice given by publication as hereinafter provided the county commissioners may pay the amount so agreed upon If exceptions thereto are filed within ten days after such notice the proceedings shall be presented to the court of quarter sessions for its approval The court shall fix a time for hearing the matter at which time the parties to such agreement and any taxpayer interested therein and their witnesses shall be heard and the court shall either approve or disapprove the agreement as it deems proper If the court disapproves the agreement it shall indicate a sum which it would approve for such case if the county commissioners and the property owner could agree thereon In such cases if the property owner and the county commissioners should agree on the amount of

damages indicated by the court as acceptable to it such agreement may be entered into and shall be final and binding on the said parties without any further approval by the court Notice of the filing of such agreement in the office of the prothonotary and of the time and place of hearing in all such cases shall be given by one publication in one or more newspapers of general circulation throughout the county which shall state that any taxpayer may file exceptions to the agreement or may appear at such hearing and be heard together with his witnesses as the case may be Only such payments as to which no exceptions have been filed or as have been approved by the court as above provided shall be paid by the county or in case an agreement satisfactory to the county commissioners and said owner or owners cannot be made and the approval of the court thereto secured the owner or owners of said property damaged thereby or the commissioners of the proper county may present their petition to the court of quarter sessions for the appointment of viewers to ascertain and assess such damages as well as any benefits The proceedings upon said petition and by the viewers shall be governed by existing laws relating to the ascertainment and assessment of damages as well as any benefits for opening public highways The county commissioners or any other party to such proceedings may appeal from the award of the viewers to the court of common pleas and shall be entitled to a trial by jury From the judgment of the court of common pleas an appeal may be had to the Supreme or Superior Court as in other cases Such damages when ascertained shall be paid by the county in which the State highway is located Whenever the county commissioners do not consent to or approve any such change of width or of existing lines and location and the Secretary of Highways determines such change to be necessary he shall when possible enter into an agreement with the owner or owners of said property as to the amount of damages to be paid therefor and if agreed upon such damages shall be paid by the Commonwealth out of moneys in the Motor License Fund or if such agreement cannot be made the owner or owners of said property damaged thereby or the Commonwealth may present their or its petition to the court of quarter sessions for the appointment of viewers to ascertain and assess such damage as well as any benefits in the same manner and with the same right of appeal to the owner or owners and to the Commonwealth as is hereinbefore provided in cases where the county agreed to such change but the damages when ascertained shall be paid by the Commonwealth out of moneys in the Motor License Fund The county shall also be liable for any damages sustained by abutting property owners for a change of the width or lines of roads intersecting State highways where such damages are made necessary as a result of the changing with their consent and approval of the width lines or location for the construction of a State highway such damages to be ascertained in the same manner as herein provided for damages occasioned as a result of the change with their consent and approval of width or of existing lines and location of State highways and in case the commissioners shall not have consented to and approved such change of width or of existing lines or location then such damage shall be paid by the Commonwealth and shall be ascertained in the same manner as herein provided for damages for land taken as a result of the change of width or of existing lines and location of State highways without the consent and approval of the county commissioners and such damages and the costs of such proceedings shall also be paid from the Motor License Fund The [county] Commonwealth shall also provide for the removal of all structures within the lines of the highway as thus established unless otherwise provided by agreement between said county and the Secretary of Highways and in case the same is to be done by the Commonwealth the cost thereof shall also be paid out of the Motor License Fund Any moneys in the Motor License Fund necessary to make the payments required by this section are hereby specifically appropriated to the Department of Highways.

If the county refuses to assume all damages in connection with the relocation or widening of any highway

as hereinbefore provided the county commissioners and the Secretary of Highways may thereafter agree that the county shall pay a portion thereof to either the owners or to the Department of Highways or shall perform specified work for the benefit of the owner in lieu thereof or shall participate in the total damage expense in such other manner as may be agreed upon

Nothing contained in this act shall be construed as placing on the Commonwealth the payment of any damages or costs incident to the change of width lines or location of any State highway where such highway was widened or the lines or location changed prior to the date this act takes effect but all such damages and costs shall be paid by the county in the manner provided by this act as if the county had agreed thereto as herein provided

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—198

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

NAYS—0

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

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

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 739, as follows:

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

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

Section 1 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" as last amended by the act approved the eighteenth day of May one thousand nine hundred and thirty-seven (P. L. 683) is hereby further amended to read as follows

Section 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 the following words and phrases as used in this act unless a different meaning is plainly required by the context shall have the following meanings

* * * * *

6 "State employe" shall mean any person holding a State office or position under the Commonwealth of Pennsylvania employed and paid on a yearly or monthly basis by the State Government of the Commonwealth of Pennsylvania in any capacity whatsoever and shall include also any attorney solicitor investigator appraiser and clerk employed by the year or by the month in the office of any register of wills howsoever appointed whose compensation is actually paid from Commonwealth moneys and shall also include all judges of the several courts of this Commonwealth whose salaries are paid by the Commonwealth and also all clerks and secretaries employed by judges and paid on a yearly or monthly basis by such judges from moneys appropriated by the Commonwealth for such purposes also all officers and employes of the Pennsylvania State College paid on a yearly or monthly basis other than those paid wholly from Federal funds and also all officers and employes of the Delaware River Joint Commission and of the Delaware River Joint Toll Bridge Commission paid on a yearly or monthly basis if the Delaware River Joint Commission and the Delaware River Joint Toll Bridge Commission shall agree to contribute and contribute to the State Employes' Retirement Fund from time to time the moneys required to build up the reserves necessary for the payment of the State annuities of such officers and employes without any liability on the part of the Commonwealth to make appropriations for such purposes and also but only for the purposes of this act all officers and employes of any separate independent public corporation created by act of Assembly (not including however any municipal or quasi-municipal corporation) who immediately prior to their employment by such public corporation were employes of the Commonwealth so long as they remain officers or employes of

such public corporation if such public corporation shall agree to contribute and contribute to the State Employes' Retirement Fund from time to time the moneys required to build up the reserve necessary for the payment of the State annuities of such officers and employes without any liability on the part of the Commonwealth to make appropriations for such purposes But the term "State employe" shall not include those persons defined as employes in section one paragraph seven of the act approved the eighteenth day of July one thousand nine hundred and seventeen (P. L. 1043) entitled "An act establishing a public school employes' retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing 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 boards having the employment of public school employes exempting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties" as amended by section one paragraph seven of the act approved the twenty-first day of April one thousand nine hundred and twenty-one (P. L. 254) excepting such officers and employes of the Department of Public Instruction as are not members of or who may withdraw from the public school employes' retirement association provided by said act and no member shall be deprived of credit for prior service as a State employe because of the fact that such service was rendered while he or she was a member of the public school employes' retirement association

The term "State employe" shall also include all State officers and employes regularly employed by the year or by the month at a fixed annual or monthly compensation when the General Assembly is not in session but who during a legislative session instead of a fixed annual or monthly salary or compensation are paid upon a per diem basis or by a fixed salary or compensation from the legislative session

In all cases of doubt the retirement board shall determine whether any person is a State employe as defined in this paragraph and its decision shall be final

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—198

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

Cullen,	Jefferson,	Petrosky,	Voorhees,
Dalrymple,	Jones, G. E.,	Pettit,	Wagner,
Dennison,	Jones, P. N.,	Polaski,	Watkins,
DiGenova,	Keenan,	Poien,	Weingartner.
Dix,	Kenehan,	Powers,	Weiss,
Dolon,	Kline,	Prosen,	Weish, E. E.,
D'Ortona,	Knoble,	Rank,	Weish, M. J.,
Duffy,	Kolankiewicz,	Rausch,	Williams,
Early,	Komorowski,	Readinger,	Winner,
Eckels,	Krise,	Reagan,	Wolf,
Elder,	Lee, E. A.,	Reese, D. P.,	Wood, L. H.,
Elllott,	Lee, T. H.,	Reese, R. E.,	Wood, N.,
Ely,	Lelsey,	Regan,	Woodring,
Finestone,	Leonard,	Reynolds,	Woodside,
Finnerty,	Lesko,	Rhea,	Wright,
Fisher,	Levy,	Riley,	Yeakel,
Fiss,	Leydic,	Rooney,	Yester,
Fleming,	Lichtenwalter,	Rose, S.,	Young,
Fletcher,	Longo,	Rose, W. E.,	Kilroy.
Flynn,	Lovett,	Rosenfeld,	Speaker.

NAYS—0

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

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

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1352, as follows:

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 filed therefor for the methods for preserving such liens and enforcing payment of such claims the effect of judicial sales of the property 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

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

Section 1 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 filed therefor for 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 of tax and municipal claims filed under other and prior acts of Assembly" as last amended by the act approved the second day of June one thousand nine hundred and thirty-seven (P. L. 1212) and the act approved the first day of July one thousand nine hundred and thirty-seven (P. L. 2609) is hereby further amended to read as follows

Section 9 Claims for taxes water rents or rates lighting rates power rates and sewer rates must be filed in the court of common pleas of the county in which the property is situated on or before the last day of the third cal-

endar year after that in which the taxes or rates are first payable and other municipal claims must be filed in said court within six months from the time the work was done in front of the particular property where the charge against the property is assessed or made at the time the work is authorized within six months after the completion of the improvement where the assessment is made by the municipality upon all the properties after the completion of the improvement and within six months after confirmation by the court where confirmation is required the certificate of the surveyor engineer or other officer supervising the improvement filed in the proper office being conclusive of the time of completion thereof but he being personally liable to anyone injured by any false statement therein Where a borough lies in more than one county any such claim filed by such borough may be filed in each of such counties In case the real estate benefited by the improvement is sold before the municipal claim is filed the date of completion in said certificate shall determine the liability for the payment of the claim as between buyer and seller unless otherwise agreed upon or as above set forth [The legal rate of interest] Interest at the rate equal to but not in excess of the interest paid by the municipality for the funds needed to finance the improvement shall be collectible on all municipal claims from the date of the completion of the work after it is filed as a lien

Claims for taxes may be in the form of written or typewritten lists showing the names of the taxable and descriptions of the properties against which said claims are filed together with the amount of the taxes due such municipality Such lists may be filed on behalf of a single municipality or they may cover the unpaid taxes due any two or more municipalities whose taxes are collected by the same tax collector provided the amounts due each municipality are separately shown All tax claims heretofore filed in such form are hereby ratified confirmed and made valid subsisting liens as of the date of their original filing.

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

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

Mr. HARKINS. Mr. Speaker, I shall.

Mr. TURNER. Will the gentleman from Allegheny explain this bill.

Mr. HARKINS. Mr. Speaker, I think this bill is very simple and requires very little explanation. If the gentleman will turn to page three of the bill, Printer's No. 403, he will see that the only change is the insertion of the words "interest at the rate equal to but not in excess of the interest paid by the municipality for the funds needed to finance the improvement shall be collectible on all municipal claims from the date of the completion of the work after it is filed as a lien."

The reason for the introduction of this bill, Mr. Speaker, is that in some municipalities where large improvements have been made, especially during the time of the period of the depression, municipalities were able to borrow large sums of money at low rates of interest, and they were not able to charge less than six per cent interest against the people against whom assessments were made for these municipal improvements.

This bill will require in the future, in any instance where municipal improvements are made and where the municipality is able to finance the improvements at less

than six percent, it will simply require that that sum be charged to the person who in the end must pay the bill. I think that is a simple explanation of the bill. Is there any further question on the part of the gentleman from Delaware?

Mr. TURNER. Mr. Speaker, suppose the municipality has to finance or refinance after liens are laid, what are you going to do in that case?

Mr. HARKINS. I would suggest, Mr. Speaker, that the wording of the bill is general enough to include all the costs for the funds which were needed. I would think if the liens were not paid for a number of years, and if refinancing had to be accomplished at a higher rate of interest, the municipality could charge the total cost, but not anything in excess of the total cost at that particular time.

Mr. TURNER. Mr. Speaker, I think the purpose of the gentleman is all right from the standpoint that if you are able to borrow money at two per cent, it is rather hard on the property owner to charge him six per cent on the lien, but on the other hand my experience has been as a solicitor for municipalities that financing changes from time to time. Sometimes a bond issue might start out and include several projects, or it might be financed by the issue of one bond issue and later be financed by another, and I do not see as a practical matter how you could segregate them from time to time. I believe this bill would create a great amount of confusion in the municipality in the collection of liens. It would tend to permit many times people against whom the liens are laid, to come in and institute some proceeding in court and tie you up in your collections. I believe, therefore, that the broad language of the bill is defective and the bill should be defeated.

Mr. HARKINS. Mr. Speaker, it seems to me the broad language of the bill is not a mistake and the broad language of the bill enables the purpose of the bill to be accomplished just as it is expressed. I am quite sure that the able gentleman from Delaware, who is solicitor for many municipalities and who has had extensive experience as a municipal lawyer, knows that the various funds for improvements are usually segregated and kept separate, and that it would take but little effort on the part of any municipality maintaining accurate records and scientific records to determine the amount of interest that is paid or has been paid on the particular project.

I will say in one particular instance I know that a large number of improvements were carried on at the time of the depression—at the top of the depression and the borough secretary told me the other afternoon that the interest rate would be less than four per cent. For some period of time money that has been used to finance these improvements has been obtained on fairly long term loans and lesser rates of interest. The rate on the bonds ran under four per cent, yet by law we presently require the municipalities to charge excessive amounts of interest.

Particular municipal improvements are paid for entirely by abutting property owners, and they serve the entire municipality and not only the particular section which was improved. If the gentleman from Delaware had any particular amendment which he thought would clarify the bill and would add to the bill, had he desired to add such an amendment, I would have been very responsive to anything that would help accomplish the purpose of the bill, but I feel that inasmuch as he has

not so done, since the bill is very brief and very clear, and the purpose is to relieve the tax payers from excessive rates of interest, we ought to pass the bill at the present time.

Mr. TURNER. Mr. Speaker, the difficulty with the gentleman from Allegheny is that he is thinking of the present period only when the interest rates are low and when the municipalities can borrow money at very low interest rates, but what is going to happen later? I borrow money at three per cent, I file my lien and in that lien I say interest shall be paid at the rate of three per cent. Some time later I must borrow money at four per cent, or at five per cent. The difficulty with what the gentleman from Allegheny says is that he thinks when you make this improvement on which you eventually file your lien, you also borrow your money on long term bond issues at the same time. That is not always true; sometime municipalities will borrow money on a short term loan. I have seen municipalities issue refunding bonds, and then later there is a defect—I know of many cases like that—there is a defect in the bond issue and the municipality has to take it over and pay it off. Now, what are we going to do? I have on the books in the Prothonotary's office a lien which says I am to get three per cent interest, but sometime later the municipality has to refinance at four per cent or five per cent; sometimes the municipality has to make a short time bank loan because of lack of payment of liens. Sometimes, Mr. Speaker, municipalities handle some projects that may not be very large; they handle them by short term borrowing, and then later they determine that the best thing for them to do is to refinance with a bond issue, so that the rate of interest might fluctuate very materially and cause a very serious situation from the standpoint of the solicitor. Also when you issue your bonds the question of the rate of interest may to some degree depend upon the premiums which are paid on the bonds or the amounts for which you are able to sell your bonds, so that might be considered as the rate of interest at which you borrow your money, and might change the rate.

I can see all kinds of complications which will lead the attorneys for the property owner to come in and give them an opportunity to dispute your liens, fight them and leave the municipality always in the danger that they may lose their liens because of some provision such as this. I think this bill therefore is dangerous.

The gentleman from Allegheny has raised the question that if I had some amendment I might present it. I do not think there is any amendment that can be made to the bill because of the situation which I have cited.

Mr. HARKINS. Mr. Speaker, I think the crux of the difficulty of the gentleman from Delaware lies in the fact that he is viewing it only from the standpoint of a solicitor. I view it not only in that light but also in the light of the taxpayer and the home owner who is perfectly willing to pay the amount that is assessed against him and also the interest which should be charged to the municipality for obtaining the money with which to finance the necessary improvements. It seems to me there is no justification for a municipality attempting to make a profit after exercising the right of improving the streets or laying the sewers and making assessments against a person's real estate, and then after having the proper amount allocated to each individual property

owner, saying that because of the short comings of the municipal body, whether it be a borough or a city council, or township commissioners, or perhaps the inability of that particular party or perhaps the inability of the solicitor to choose the proper type of financing, to say that it is all right as long as the taxpayer can continue to stand it. I think rather than look at this matter from the standpoint of a solicitor, who is concerned about the question of the filing of liens, we should know that the bill says that the total cost, in other words the interest rate that is paid for the money obtained to finance the improvement, is the amount that the taxpayer will be required to pay. I think it is just as fair to read into the purpose of the bill that if there is any future re-financing of the particular obligation at higher rates of interest the municipality can charge the total rate of interest, as it is to anticipate a lot of litigation brought by attorneys for home owners and taxpayers. In this case the difference is that I represent the home owner and Mr. Turner represents the municipality

Mr. TURNER. Mr. Speaker, I ask the indulgence of the House to speak again on this measure because I think the gentleman from Allegheny has attempted to becloud the issue by throwing up a lot of smoke in talking about the position of the solicitor as opposed to the gentleman from Allegheny who represents the home owner. The solicitor is an official of the borough and his duty is to represent the borough and to represent all the taxpayers in the borough, who, if the liens fail are saddled with the total expense. It seems to me to adopt a measure of this kind which would endanger liens running sometimes into many hundreds of thousands of dollars, would endanger those on whom it might be saddled, that is, all of the people of the whole community, all of the taxpayers are placed in the position of being in danger of having to stand the entire amount. He says the solicitor is not looking out for the interest of all the people. That is his job and his duty, and I speak therefore, as one who represents all the people, not as one who represents a few people. The average lien may be one hundred or two hundred dollars, and a difference of one-half of one percent in interest might saddle on all the taxpayers a greater amount of burden than might be saddled on the individual taxpayer.

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—165

Achterman,	Fisher,	Lovett,	Reynolds,
Allmond,	Fiss,	Malloy,	Rhea,
Auker,	Fleming,	Marks,	Rooney,
Baker,	Fletcher,	Maxwell,	Rose, S.
Balthaser,	Flynn,	McCianaghan,	Rosenfeld,
Baughner,	Foor,	McDermott,	Royer,
Bentzel,	French,	McFall,	Rush,
Boles,	Gallagher,	McGrath,	Saraf,
Boney,	Gillan,	McIntosh,	Scanlon,
Bradley,	Gillette,	McKinney,	Schwab,
Breth,	Greenwood,	McLanahan,	Serrill,
Brown,	Gross,	McLane,	Shaffer,
Brunner, P. A.,	Gryskewicz,	McMillen,	Shepard,
Burns,	Haberlen,	McSurdy,	Skale,
Burris,	Hall,	Melchiorre,	Snyder,
Chervenak,	Hamilton,	Mihm,	Sollenberger,
Chudoff,	Harkins,	Modell,	Stank,
Cochran,	Harmuth,	Monks,	Stine,
Cohen, M. M.,	Harris,	Mooney,	Tarr,
Cohen, R. E.,	Heatherington,	Moran,	Tate,

Cook,	Helm,	Munley	Thompson, E. F.
Cooper,	Hering,	Nagel	Verona,
Cordier,	Herman,	Nunemacher	Vincent,
Corrigan,	Hersch,	O'Brien,	Vogt,
Croop,	Hirsch,	O'Connor,	Voldow,
Cullen,	Holland,	O'Dare,	Voorhees,
Dalrymple,	Huntley,	O'Mullen,	Wagner,
Dennison,	Jefferson,	O'Neill,	Watkins,
DiGenova,	Jones, P. N.,	Owens,	Weingartner,
Dix,	Keenan,	Petrosky,	Weiss,
Dolon,	Kenehan,	Pettit,	Weish, E. E.,
D'Ortona,	Kline,	Polaski,	Weish, M. J.,
Duffy,	Knoble,	Polen,	Williams,
Early,	Kolankiewicz,	Powers,	Winner,
Eckels,	Komorowski,	Prosen,	Wolf,
Elder,	Leonard,	Rank,	Wood, L. H.,
Elliott,	Lesko,	Rausch,	Woodring,
Ely,	Levy,	Reagan,	Wright,
Falkenstein,	Leydic,	Reese, D. P.,	Yeakel,
Finestone,	Lichtenwalter,	Reese, R. E.,	Yester,
Finnerty,	Longo,	Regan,	Young,
			Kilroy, Speaker

NAYS—33

Boorse,	Hewitt,	Lyons,	Sorg,
Bretherick,	Imbric,	McClester,	Stambaugh,
Brunner, C. H.,	James,	McDowell,	Stockham,
Cadwalader,	Jones, G. E.,	Muir,	Taylor,
Cates,	Krise,	Readinger,	Thompson, R. L.
Cyger,	Lee, E. A.,	Rose, W. E.,	Trout,
Habbyshaw,	Lee, T. H.,	Sarge,	Turner,
Haines,	Leisey,	Simons,	VanAllsburg,
Hare,			

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

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

PARLIAMENTARY INQUIRY

Mr. HEWITT. Mr. Speaker, I arise to a question of parliamentary inquiry.

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

Mr. HEWITT. Mr. Speaker, during the afternoon when the roll was called on House Bill No. 507, Printer's No. 366, a messenger boy came and called me out of the House. The bill I believe passed by a vote of 197 to nothing, or something of that kind. Therefore I would be recorded as voting "aye". I wish to be recorded as voting "no" on the bill. Pardon me, as long as I was out of the House I cannot be recorded at all, but, Mr. Speaker, I do not wish to be recorded as voting "aye" on the bill.

The SPEAKER. A Member not present in the House during the calling of the roll cannot be recorded as voting.

BILLS ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1194, as follows:

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

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

Section 1 Section two 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 last amended by the act approved the fourteenth day of May one thousand nine hundred and twenty-nine (P. L. 1757) is hereby further amended to read as follows

Section 2 All county and city inspectors so appointed shall be supplied at the expense of their respective counties and cities with standard tests of weights and measures in conformity with those established by the Government of the United States or the Bureau of Standards of the State and the laws of this Commonwealth and to ensure the accuracy of these tests they shall be compared with the standard tests to be purchased by the Secretary of Internal Affairs and when so compared and their correctness established [they shall be so stamped or marked in such manner as may be established by the rules and regulations hereinbefore referred to to be put in force by said Secretary of Internal Affairs and approved by the Governor of the Commonwealth] a certificate of accuracy shall be issued said certificate to bear the date of examination and approval of the said weight or measure for which the certificate is issued the signature of the examiner and the official stamp of the Department

Section 2 Section three of the said act as last amended by the act approved the eleventh day of July one thousand nine hundred and twenty-three (P. L. 992) is hereby further amended to read as follows

Section 3 It shall be unlawful for any inspector to use any tests or standards or to attempt to use the same in ascertaining the correctness or accuracy of weights and measures until such comparisons are made and their accuracy established and [so stamped or marked] a certificate of accuracy issued therefor as provided by this act. It shall be unlawful for any inspector to manufacture sell or offer to sell any weighing or measuring device used in the sale of commodities or to repair or offer to repair any weighing or measuring device other than such adjustments as he may find necessary in the performance of his official duties for which no fees shall be collected. Any inspector violating the provisions of this act shall be guilty of a misdemeanor and upon conviction therefor shall be fined not exceeding one thousand (\$1,000) dollars or undergo imprisonment for a period not exceeding one year or both or either at the discretion of the court

Section 3 This act shall become effective 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—196

Table listing names of those in favor (Yeas): Achterman, Allmond, Auker, Baker, Balthaser, Baugher, Bentley, Bentzel, Boies, Boney, Boorse, Bradley, Breth, Bretherick, Brown, Brunner, C. H., Brunner, P. A., Burns, Foor, French, Gallagher, Gates, Gillan, Gillette, Greenwood, Gross, Gryskewicz, Gyger, Habbyslaw, Haberlen, Haines, Hall, Hamilton, Hare, Harkins, Harmuth, Lyons, Malloy, Marks, Maxwell, McClanaghan, McClester, McDermott, McDowell, McFall, McGrath, McIntosh, McKinney, McLanahan, McMillen, McSurdy, Melchiorre, Mihm, Modell, Rosenfeld, Royer, Rush, Sarge, Sarraf, Scanlon, Schwab, Serrill, Shepard, Simons, Skale, Snyder, Sollenberger, Sorg, Stambaugh, Stank, Stine.

Table listing names of those opposed (Nays): Burris, Cadwalader, Chervenak, Chudoff, Cochran, Cohen, M. M., Cohen, R. E., Cook, Cooper, Cordier, Corrigan, Croop, Cullen, Dalrymple, Dennison, DiGenova, Dix, Dolon, D'Ortona, Duffy, Early, Eckeis, Elder, Elliott, Ely, Finestone, Finnerty, Fisher, Fliss, Fleming, Fletcher, Flynn, Harris, Heatherington, Helm, Hering, Herman, Hersch, Hewitt, Hirsch, Holland, Huntley, Imbrie, James, Jefferson, Jones, G. E., Jones, P. N., Keenan, Kenehan, Kline, Knoble, Kolankiewicz, Komorowski, Krise, Lee, E. A., Lee, T. H., Lelsey, Leonard, Lesko, Levy, Leydic, Lichtenwalter, Longo, Lovett, Mooney, Moran, Muir, Munley, Nagel, Nunemacher, O'Brien, O'Connor, O'Dare, O'Mullen, O'Neill, Owens, Petrosky, Pettit, Polaski, Polen, Powers, Prosen, Rank, Rausch, Readinger, Reagan, Reese, D. P., Reese, R. E., Regan, Reynolds, Rhea, Riley, Rooney, Rose, S., Rose, W. E., Stockham, Tarr, Tate, Taylor, Thompson, E. F., Thompson, R. L., Trout, Turner, VanAlisburg, Verona, Vincent, Vogt, Voldow, Voorhees, Wagner, Watkins, Weingartner, Weiss, Welsh, E. B., Welsh, M. J., Williams, Winner, Wolf, Wood, L. H., Wood, N., Woodring, Woodside, Wright, Yeakel, Yester, Young, Kilroy, Speaker.

NAYS—0

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

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

Agreeably to order, The House proceeded to the third reading and consideration of House Bill No. 1282, as follows:

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

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

Section 1 Hereafter all taxes on unseated lands within the Commonwealth of Pennsylvania shall be collected and returned in the same manner and at the same time as now provided by the laws of this Commonwealth for the collection and return of taxes on seated lands

Section 2 Nothing contained in this act shall affect the validity of any lien for taxes on unseated lands

Section 3 All acts and parts of acts inconsistent with the provisions of this act are hereby repealed

Section 4 The provisions of this act shall become effective for taxes on unseated lands for the year one thousand nine hundred forty-two

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—196

Table listing names of those in favor (Yeas): Achterman, Allmond, Auker, Baker, Balthaser, Baugher, Bentley, Bentzel, Boies, Boney, Boorse, Flynn, Foor, French, Gallagher, Gates, Gillan, Gillette, Greenwood, Gross, Gryskewicz, Gyger, Lovett, Lyons, Malloy, Marks, Maxwell, McClanaghan, McClester, McDermott, McDowell, McFall, McGrath, Rosenfeld, Royer, Rush, Sarge, Sarraf, Scanlon, Schwab, Serrill, Shaffer, Shepard, Simons.

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

NAYS—0

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

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

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 652, as follows:

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

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

Section 1 Whenever any real property has been heretofore or shall be hereafter purchased by any county city borough incorporated town township school district poor district or institution district to be called hereinafter municipality for nonpayment of taxes or municipal claims under any act of assembly authorizing such sale the municipality or municipalities purchasing said property may after the period for redemption has expired in conveying such real property to a purchaser execute a special warranty deed warranting the regularity and validity of its original claim or claims and the procedure through which such municipality or municipalities acquired title Provided however That such municipality or municipalities shall only be bound by such warranty to the extent of the purchase money it receives for such real property

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

Section 3 The provisions of this act shall become effective immediately upon final enactment

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

On the question,

Shall the bill pass finally?

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

YEAS—196

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

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. 1091, as follows:

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

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

Section 1 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" is hereby amended to read as follows

Section 16 (a) [That] The tax upon personal property imposed by the first section of this act shall be collected by distraint or otherwise as other taxes for county purposes or in cities coextensive with counties for city and county purposes are collected under the laws of this Commonwealth [Provided however That no tax by said first section imposed shall be collectible or collected for the year one thousand nine hundred and thirteen it being intended that the tax upon such personal property for said year shall be collected by and for the State under existing legislation]

(b) It is hereby further provided that personal property taxes imposed under section one of this act together with all penalties and interest shall be considered a public account after becoming due and payable in the manner prescribed in this act and as such shall be lien upon the franchises and real property of the resident against whom the same are assessed after the same has been entered and docketed of record by the prothonotary of the county where the resident's franchises or property are situated

(c) Claims of taxes imposed under section one of this act shall be filed with the prothonotaries of the respective counties in the same manner as the claims of taxes imposed upon real property are filed and upon this record it shall be lawful for writs of scire facias to issue and be prosecuted to judgment and execution in the same manner as such writs are ordinarily employed and said taxes shall remain a lien upon the franchises and real property of the resident against whom the same are assessed until fully paid and satisfied Provided that either a suggestion of nonpayment and averment of default be filed or a writ of scire facias be issued to revive the same within each period of five years in the same manner as the liens of taxes imposed upon real property are revived extended and continued

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—196

Achterman	Foor,	Lyons,	Rover,
Allmond,	French,	Malloy,	Rush,
Auker,	Callagher,	Marks,	Sarge,
Baker,	Gates,	Maxwell,	Sarraf,
Balthaser,	Gillan,	McClanaghan,	Scanlon,
Baughner,	Gillette,	McClester,	Schwab,
Bentley,	Greenwood,	McDermott,	Serrill,
Bentzel,	Gross,	McDowell,	Shaffer,
Boles,	Gryskewicz,	McFall,	Shepard,
Boney,	Gyger,	McGrath,	Simons,
Boorse,	Habbyshaw,	McIntosh,	Skate,
Bradley,	Haberlen,	McKinney,	Snyder,
Breth,	Haines,	McLanahan,	Sollenberger,
Bretherick,	Hall,	McMillen,	Sorg,
Brown,	Hamilton,	McSurdy,	Stambaugh,
Brunner, C. H.,	Hare,	Melchiorre,	Stank,
Brunner, P. A.,	Harkins,	Mihm,	Stine,
Burns,	Harmuth,	Modell,	Stockham,
Burris,	Harris,	Mooney,	Tarr,
Cadwalader,	Heatherington,	Moran,	Tate,
Chervenak,	Helm,	Muir,	Taylor,
Chudoff,	Hering,	Munley,	Thompson, E. F.,
Cochran,	Herman,	Nagel,	Thompson, E. L.,
Cohen, M. M.,	Hersch,	Numemacher,	Trout,

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

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. 398, as follows:

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

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

Section 1 Whenever any Federal agency or department has designated any State highway or section thereof as essential to National Defense the Secretary of Highways shall upon request of the United States military or naval authorities take over for construction reconstruction maintenance or repair any bridge viaduct and other structure upon over or appurtenant to said State highway in any city borough incorporated town or township in the Commonwealth

Section 2 The cost and expense of the construction reconstruction maintenance and repair of said bridges viaducts and appurtenant structures herein described shall be paid in whole out of any moneys appropriated to the Department of Highways or in part with the same moneys and any other funds appropriated to the Commonwealth by the Federal Government for any highway purpose

Section 3 The provisions of this act shall become effective immediately upon final enactment

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

On the question,
Shall the bill pass finally?

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

YEAS—196

Achterman,	Foor,	Lyons,	Royer,
Allmond,	French,	Malloy,	Rush,
Auker,	Gallagher,	Marks,	Sarge,
Baker,	Gates,	Maxwell,	Sarraf,
Balthaser,	Gillan,	McClanaghan,	Scanlon,
Baughner,	Gillette,	McClester,	Schwab,
Bentley,	Greenwood,	McDermott,	Serrill,
Bentzel,	Gross,	McDowell,	Shaffer,

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

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. 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

On the question,

Will the House agree to the bill on third reading?

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

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

The Clerk read the amendments as follows:

Amend Sec. 1 (Sec. 1), page 4, lines 23 to 26, by striking out the words "by a" in line 23, all of lines 24 and 25, and the words "days before the taking effect thereof" in line 26

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

On the question,

Will the House agree to the amendments?

Mr. WOODSIDE. Mr. Speaker, may I ask the sponsor to explain the amendment.

Mr. CHUDOFF. Mr. Speaker, the reason these amendments are offered is due to the fact that when this bill passed the House and the Senate in 1939 the Governor vetoed the bill because he felt that it was a discretionary bill and was not compulsory.

I offered this bill in the same form it was offered in 1939. I understand in committee it was amended to make it compulsory. In reading the bill it seemed to me that in the form it came out of the committee it was not compulsory. I believe the amendments clarify it, and it is now a compulsory bill without any question.

On the question recurring,

Will the House agree to the amendments?

They were agreed to.

On the question,

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

It was agreed to.

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

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 319, as follows:

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 measurers

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

Section 1 Section one 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 last amended by the act approved the nineteenth day of July one thousand nine hundred seventeen (P. L. 1102) is hereby further 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 the mayors of cities of the second and third class and the several boards of county commissioners shall respectively appoint one or more competent persons as inspectors of weights and measures in the respective county or city whose salary shall not be less than one thousand dollars per annum to be paid out of the respective revenues of such county or city Provided however That the payment of a minimum salary shall not apply to counties having a population of fifteen thousand or less In addition to the salary provided by law the said county and city inspectors shall be entitled to receive the actual expenses incurred by them personally in performing the duties of their office such as transportation hotel livery telephone telegraph and postal charges and the said county and city inspectors may be entitled to receive the actual expenses incurred by them in attending State conventions of sealers of weights and measures held in this Commonwealth such expenses to be paid by the boards of county commissioners of their respective counties and by the proper officers of their respective cities in such proportion as may be agreed upon by said boards of county commissioners and proper

officers of cities on bills itemized and properly sworn to. Provided however That nothing in this act shall be construed to prevent two or more counties or any county and city from combining the whole or any part of their districts as may be agreed upon by the board of county commissioners and mayors of cities with one set of standards and one inspector upon the written consent of the chief of the bureau of standards. Provided further In cities of the first class the inspectors shall be appointed by the county commissioners of the county in which the said city may be located. Any inspector appointed in pursuance of an agreement for such combination shall subject to the terms of his appointment have the same authority and duties as if he had been appointed by each of the authorities who are parties to the agreement. The county and city inspectors of weights and measures as appointed by the respective counties and cities shall hold their office during good behavior and shall not be removed discharged or reduced in pay or position except for inefficiency incapacity conduct unbecoming employes or other just cause and until the said officials shall have been furnished with written statements of the reasons for such removal discharge or reduction and shall have been given reasonable time to make written answer thereto. Nor shall such removal discharge or reduction be made until the charge or charges shall have been examined into and found true in fact by the appointing power of such county or city at a hearing upon reasonable notice to the person charged at which time he may be represented by counsel and offer testimony or witnesses in his own behalf. It shall be unlawful for any sealer or inspector of weights and measures or any of his deputies to perform clerical or other services for the county or city of their respective districts.

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. NAGEL. Mr. Speaker, I desire to interrogate the sponsor of this bill.

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

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

Mr. NAGEL. Mr. Speaker, will the gentleman tell the Members of this House if he knows what the remuneration is for sealers of weights and measures in the various counties?

Mr. LLOYD H. WOOD. Well, Mr. Speaker, that would depend, I should say, where he went; in other words I could go to Dauphin County cheaper than I could go to Philadelphia. It depends on where the convention is going to be held.

Mr. NAGEL. Mr. Speaker, I think the gentleman has misunderstood my question.

Mr. LLOYD H. WOOD. I am sorry if I have misunderstood, Mr. Speaker. Will the gentleman please repeat his question.

Mr. NAGEL. My question was this, Mr. Speaker, what is the salary—put it that way—of the sealers of weights and measures.

Mr. LLOYD H. WOOD. I can speak for only one little county, Mr. Speaker. I am not familiar with the entire range of salaries, but I think the chief at the present time draws three thousand dollars per annum; his assistant draws some where around fifteen hundred dollars,—I think his first assistant draws slightly in excess of that.

Mr. NAGEL. Is it not a fact, Mr. Speaker, that this bill which the gentleman is attempting to amend sets a minimum of one thousand dollars?

Mr. LLOYD H. WOOD. I think that is correct, Mr. Speaker.

Mr. NAGEL. That is all from Mr. Wood. I thank the gentleman.

Mr. Speaker, it would seem to make a sort of trivial thing, sort of miserly move on my part to come before the Members of this House in opposition to a bill of this kind. Back in 1931 in Beaver County there was an organization that was known as the Tax Justice League, and I was a member of that organization.

Our object and aim was to reduce the taxes on homes and farms. I well recall that at one of our meetings just such a procedure as is advocated in this bill was most heartily condemned.

If this were the only one, if this were the stopping place in a procedure of this kind, I am sure I would not waste my time or the time of the Members of the House in opposing a bill of this nature, but it is a matter of continuing a precedent established by this Legislature. This body of men in years past has made the mistake of allowing the expenses of our County Commissioners and County Controllers to attend their conventions, not "a" convention, but it says "conventions."

I feel that so long as counties must put up properties for sale, when we must session after session introduce bills and enact legislation to abate interest and penalty on taxes, we should be very careful not to introduce and pass legislation that imposes greater expenses on our counties. As I said, this is a trifling matter, but it is not the stopping place. We do not know how soon another group may come in and want their expenses paid. I call the attention to the Members of the House to the fact that other groups that are not public officials do not demand this. Farmers and laborers go to their conventions at their own expense.

I ask the Members of the House to consider seriously before voting for this bill that will continue the precedent and remain a source of great expenditure of the taxpayers' money in our various counties.

Mr. LLOYD H. WOOD. Mr. Speaker, I shall try to clear up what I fear is an apprehension on the part of Mr. Nagel. An examination of House Bill 319 discloses that this proposed act is an amendment to the Act of 1911, which has already, of course, established the minimum salary for sealers of weights and measures. You will notice at the bottom of page two, lines 28 and 29: "Said county and city inspectors may be entitled to receive the actual expenses incurred by them attending state conventions of sealers of weights and measures held in this Commonwealth—" and so forth.

All we are doing here is merely permitting County Commissioners who wish to allow expenses to sealers of weights and measures who wish to attend these conventions. This is not a new bill as far as setting up a minimum or a maximum salary or anything of that nature is concerned.

Mr. NAGEL. Mr. Speaker, most bills that have the word "may" in them are not dangerous. We consider the "shall" bills dangerous, but here is a bill that has in it the word "may" that I think is just as dangerous as a bill containing the word "shall." These sealers of weights and measurers will go to their county commissioners and say to them, "You are enjoying this privilege. Why not give it to us?"

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—115

Achterman,	Fletcher,	McDermott,	Sorg,
Allmond,	Gallagher,	Melchiorre,	Stambaugh,
Auker,	Gillette,	Mihm,	Stank,
Baker,	Gross,	Modell,	Stine,
Balthaser,	Gryskewicz,	Mooney,	Stockham,
Baugher,	Gyger,	Muir,	Tarr,
Bentley,	Habbyshaw,	Nagel,	Tate,
Bentzel,	Haberlen,	O'Brien,	Taylor,
Boles,	Haines,	O'Connor,	Thompson, E. F.,
Boney,	Hall,	O'Dare,	Thompson, R. L.,
Boorse,	Harkins,	O'Mullen,	Trout,
Breth,	Heatherington,	Pettit,	Turner,
Bretherick,	Hersch,	Polaski,	Vincent,
Brown,	Hirsch,	Polen,	Vogt,
Brunner, C. H.,	Imbrie,	Powers,	Voldow,
Brunner, P. A.,	Jefferson,	Prosen,	Watkins,
Burns,	Kenehan,	Rank,	Weiss,
Burris,	Kline,	Rausch,	Welsh, E. B.,
Cohen, R. E.,	Komorofski,	Readinger,	Welsh, M. J.,
DiGenova,	Krise,	Reese, R. E.,	Williams,
Dolon,	Lee, E. A.,	Regan,	Winnner,
D'Ortona,	Lee, T. H.,	Reynolds,	Wolf,
Duffy,	Leonard,	Rooney,	Wood, L. H.,
Elliott,	Lesko,	Rose, S.,	Wood, N.,
Falkenstein,	Levy,	Rush,	Woodside,
Finestone,	Leydic,	Sarret,	Yeakel,
Finnerty,	Malloy,	Scanlon,	..ilroy,
Fisher,	Marks,	Schwab,	Speaker.
Fliss,	Maxwell,	Skale,	

NAYS—32

Chervenak,	Hare,	McIntosh,	Royer,
Cochran,	Harris,	McKinney,	Shaffer,
Cullen,	Hewitt,	McMillen,	Simons,
Dennison,	Jones, G. E.,	Moran,	Voorhees,
Early,	Jones, P. N.,	Nunemacher,	Wagner,
Foor,	Kolankiewicz,	Owens,	Weingartner,
French,	Lovett,	Reagan,	Woodring,
Hamilton,	McFall,	Rhea,	Yester,
		Rose, W. E.,	Young,

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. 1320, (Senate Bill No. 326), as follows:

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

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

Section 1 In order to expedite the vocational program for national defense every school district and vocational school district in this Commonwealth is authorized to award contracts at a regular or special meeting of the board of school directors or board of directors of vocational schools for the purchase of material supplies and equipment to be used for training or retraining workers and prospective workers for industries essential to national defense after soliciting sealed quotations from two or more firms manufacturers or dealers in such supplies material or equipment

Section 2 Notwithstanding any law to the contrary it shall not be necessary for any school district or voca-

tional school district to advertise any proposal to award any contract for the purchase of material supplies and equipment to be used for training or retraining workers or prospective workers for industries essential to national defense

Section 3 Every contract heretofore entered into by any school district or vocational school district for the purposes set forth in Section one of this Act is hereby ratified confirmed and validated whether or not the statutory provisions governing the awarding of such contract was adhered to if the school district or vocational school district has actually received such material supplies and equipment and the same are being used by the school district or vocational school district and if the school district or vocational school district has not suffered any pecuniary loss as the result of such contract

Section 4 The authority vested in school districts and in vocational school districts by this Act to purchase material supplies and equipment after soliciting two or more sealed quotations and without advertising shall apply only to contracts which have been paid or which shall be paid entirely from Federal funds appropriated or to be appropriated to vocational education for national defense

Section 5 The provisions of this Act shall become effective immediately upon its final enactment and remain in effect until July first one thousand nine hundred and forty-three

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—198

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

Fleming, Fletcher, Flynn,	Lichtenwalter, Longo, Lovett,	Rose, S., Rose, W. E., Rosenfeld,	Young, Kilroy, Speaker
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NAYS—0

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

Ordered, That the Clerk return the same to the Senate with information that the House has passed it with amendments in which the concurrence of the Senate is requested.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 698, as follows:

An Act allowing costs and counsel fees to stakeholder in interpleader proceedings out of fund paid into court

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

Section 1 Whenever hereafter any person partnership or corporation having in possession money which is claimed by two or more persons or corporations shall come into any court of record in this Commonwealth either at law or in equity and disclaim all interest in the funds procure an interpleader between the rival claimants to determine the true ownership of the funds and pay the said fund into court or as the court may direct the court shall allow to the stakeholder out of the fund paid into court its costs and such reasonable counsel fee as the court may determine to be proper but in no case less than ten dollars (\$10) to be taxed as costs of the proceedings

Section 2 All acts and parts of acts inconsistent with the provisions of this act are hereby repealed

Section 3 This act shall become effective immediately upon final enactment

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

On the question,

Shall the bill pass finally?

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

YEAS—198

Achterman.	Foor.	Lyons,	Royer,
Allmond,	French.	Malloy,	Rush,
Auker,	Gallagher,	Marks,	Sarge,
Baker,	Gates,	Maxwell,	Sarraff,
Balthaser,	Gillan,	McClanaghan,	Scanlon,
Baughner,	Gillette.	McClester,	Schwab,
Bentley,	Greenwood.	McDermott.	Serrill,
Bentzel.	Gross.	McDowell.	Shaffer.
Botes,	Gryskewicz.	McFall,	Shepard,
Boney,	Gyger.	McGrath,	Simons,
Boorse,	Habbyshaw.	McIntosh,	Skale.
Bradley.	Haberlen,	McKinney,	Snyder.
Breth,	Haines,	McLanahan.	Sollenberger.
Bretherick.	Hall,	McMillen,	Sorg,
Brown.	Hamilton,	McSurdy,	Stambaugh.
Brunner C H.	Hare.	Melchiorre.	Stank.
Brunner P A.	Harkins.	Mihm,	Stine.
Burns.	Harmuth,	Modell,	Stockham,
Burris.	Harris.	Mooney,	Tarr,
Cadwalader.	Heatherington.	Moran,	Tate,
Chervenak.	Heim.	Muir,	Taylor.
Chudoh.	Hering.	Munley.	Thompson, E. F.,
Cochran.	Herman.	Nagel.	Thompson, R. L.,
Cohen, M M.	Hersch.	Nunemacher.	T-out,
Cohen R E.	Hewitt.	O'Brien,	Turner.
Cook.	Hirsch.	O'Connor,	Van Allsburg.
Cooper.	Holland.	O'Dare.	Verona,
Curdler.	Huntley.	O'Mullen.	Vincent,
Cortigan.	Imbrie,	O'Neill.	Vogt.
Croop.	James.	Owens.	Voldow.
Cullen.	Jefferson.	Petrosky.	Voorbees,
Dalrymple.	Jones, G E.	Pettit.	Wagner.
	Jones, P. N.,	Polaski.	Watkins.

Dennison.	Keenan,	Polen,	Weingartner,
DiGenova,	Lenehan,	Powers,	Weiss,
Dix,	Kline,	Prosen,	Welsh, E. B.,
Dolon,	Knoble,	Rank,	Welsh, M. J.,
D'Ortona,	Kolaniewicz,	Rausch,	Williams,
Duffy,	Komorofski,	Readinger,	Winner,
Early.	Krise.	Reagan,	Wolf,
Eckels.	Lee, E. A.,	Reese, D. P.,	Wood, L. H.,
Elder.	Lee, T. H.,	Reese, R. E.,	Wood, N.,
Elliott,	Leisey,	Regan.	Woodring,
Ely.	Leonard,	Reynolds,	Woodside,
Finestone.	Lesko,	Rhea,	Wright,
Finnerty,	Levy,	Riley,	Yeakel,
Fisher.	Leydic.	Rooney,	Yester,
Fiss.	Lichtenwalter.	Rose, S.,	Young,
Fleming.	Longo.	Rose, W. E.,	Kilroy,
Fletcher.	Lovett,	Rosenfeld,	Speaker.
Flynn.			

NAYS—0

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

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

Agreeably to order.

The House proceeded to the third reading and consideration of House Bill No. 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 politic of 'Authorities' for municipalities counties and townships defining the same prescribing the rights powers and duties of such Authorities authorizing such Authorities to acquire construct improve maintain and operate projects and to borrow money and issue bonds therefor providing for the payment of such bonds and prescribing the rights of the holders thereof conferring the right of eminent domain on such Authorities authorizing such Authorities to enter into contracts with and to accept grants from the Federal Government or any agency thereof and for other purposes" by providing for the termination and dissolution of inactive municipal authorities

On the question,

Will the House agree to the bill on third reading?

Mr. MORAN. Mr. Speaker, I ask unanimous consent to offer amendment at this time.

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

The Clerk read the amendment as follows:

Amend sec. 1, (sec. 4) page 4, line 10, by inserting after the word "act" the following: "for the purpose of acquiring, holding, constructing, improving, maintaining and operating waterworks, water supply works or water distribution systems."

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

On the question,

Will the House agree to the amendment?

It was agreed to.

On the question,

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

It was agreed to.

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

Agreeably to order.

The House proceeded to the third reading and consideration of House Bill No. 1255, as follows:

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

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

Section 1 In all cases where any city of the first class has by virtue of any general or special Act of Assembly issued or may hereafter issue bonds with or without interest coupons attached to secure any indebtedness of any such city which bonds may have matured but remain unpaid and uncanceled or are about to mature and become payable or whenever any such city shall have the option to redeem or pay any such bonds or whenever holders of any such bonds of any such city which may not have matured or become redeemable are willing to surrender the whole or any part of any issue thereof it shall be lawful for any such city for the purpose of redeeming or paying off any or all such bonds payable redeemable or offered for redemption as aforesaid to issue and sell either registered or coupon bonds bearing interest at a rate not exceeding the rate specified in the bonds to be redeemed and paid and payable at any time not exceeding forty (40) years after the date of issuance thereof and not exceeding in the aggregate the amount of the bonds so redeemed or paid and the said bonds so issued and sold in accordance with the provisions of this act shall be exempt from taxation except for State purposes Provided However that such new bonds shall not mature later than fifty (50) years from the date of issuance of the original bonds and Provided Further that all assets in the Sinking Fund if any for the redemption of the issue of bonds proposed to be refunded shall first be applied to the payment as far as applicable of the principal of such bonds and the balance of such issue only shall be redeemed by the issue of new bonds

Section 2 When any such City shall borrow money and shall issue and sell new bonds for the purpose of redeeming or paying off bonds theretofore issued and proposed to be refunded the authorities of such City shall sell the same to the highest responsible bidder after public notice by advertisement once a week for three (3) successive weeks in at least one newspaper of general circulation published in the County in which such City shall be situated Provided That no bid for such bonds at less than their par value shall be accepted and Provided Further That where bonds shall be advertised for sale as provided in this act and no bids have been received then it shall be lawful for such City to sell the same at private sale at not less than par and accrued interest and Provided Further That it shall be lawful for such Cities to sell such bonds to the Sinking Fund Commissioners thereof without advertisement at not less than par whenever in the opinion of the Mayor the City Controller and the City Solicitor or a majority of them such sale without advertisement may seem proper or advisable and the Sinking Fund Commission shall thereupon be duly authorized to purchase the said bonds as aforesaid

Section 3 All Acts and parts of Acts inconsistent with the provisions of this Act are hereby repealed 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

Section 4 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—198

Achterman,	Foor,	Lyons,	Royer,
Allmond,	French,	Malloy,	Rush,
Auker,	Gaughan,	Marks,	Sarge,
Baker,	Gates,	Maxwell,	Sarrafi,
Balthaser,	G'han,	McClanaghan,	Scanlon,
Baughner,	Gillette,	McClester,	Schwab,
Bentley,	Greenwood,	McDermott,	Serrill,
Bentzel,	Gross,	McDowell,	Shaffer,
Boles,	Gryskewicz,	McFall,	Shepard,
Boney,	Gyger,	McGrath,	Simons,
Boorse,	Habbysshaw,	McTosh,	Skale,
Bradley,	Haelerlen,	McKinney,	Snyder,
Breth,	Haines,	McLanahan,	Stienberger,
Bretherick,	Hall,	McMillen,	Sorg,
Brown,	Hamilton,	McSurdy,	Stambaugh,
Brunnel, C. H.,	Hare,	Meichlorre,	Stank,
Brunner, P. A.	Jarkins,	Mihm,	Stine,
Burns,	Harmuth,	Modell,	Stockham,
Burriss,	Harris,	Mooney,	Tarr,
Cadwalader,	Heatherington,	Moran,	Tate,
Chervenak,	Helm,	Muir,	Taylor,
Chudoff,	Hering,	Munley,	Thompson, E. F.,
Cochran,	Herman,	Nagel,	Thompson, R. L.,
Cohen, M. M.,	Hersch,	Nunemacher,	Trout,
Cohen, R. E.,	Hewitt,	O'Brien,	Turner,
Cook,	Hirsch,	O'Connor,	VanAillsburg,
Cooper,	Holland,	O'Dare,	Verona,
Cordier,	Huntley,	O'Mullen,	Vincent,
Corrigan,	Imbrie,	O'Neill,	Vogt,
Croop,	Jam's,	Owens,	Voldow,
Cullen,	Jefferson,	Petrosky,	Voorhees,
Dalrymple,	Jordan, G. E.,	Pettit,	Wagner,
Dennison,	Jones, P. N.,	Polaski,	Watkins,
Digenova,	Keenan,	Polen,	Weingartner,
Dix,	Kenehan,	Powers,	Weiss,
Dolon,	Kline,	Prosen,	Welsh, E. B.,
D'Ortona,	Knoble,	Rank,	Welsh, M. J.,
Duffy,	Kolankiewicz,	Rausch,	Williams,
Early,	Komorowski,	Readinger,	Wlinner,
Eckels,	Krise,	Reagan,	Wolf,
Elder,	Lee, E. A.,	Reese, D. P.,	Wood, L. H.,
Elliott,	Lee, T. H.,	Reese, R. E.,	Wood, N.,
Ely,	Leisey,	Regan,	Woodring,
Finestone,	Leonard,	Reynolds,	Woodside,
Finnerty,	Lesko,	Rhea,	Wright,
Fisher,	Levy,	Riley,	Yeakel,
Fiss,	Leydic,	Rooney,	Yester,
Fleming,	Lichtenwaiter,	Rose, S.,	Young,
Fletcher,	Longo,	Rose, W. E.,	Kilroy,
Flynn,	Lovett,	Rosenfeld,	Speaker.

NAYS—0

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

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

BILL PASSED OVER

There being no objection House Bill No. 277, Printer's No. 415, was passed over at the request of the SPEAKER.

PERMISSION TO ADDRESS HOUSE

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

Mr. ACHTERMAN. Mr. Speaker, I want to call to the Chair's attention a Printer's error in House Bill 277. It is not only crude but it seems to me possibly the Printer was trying to do a little legislating on his own, and it is my theory and belief that in checking with the Printer an effort should be made to determine whether or not it was an intentional error on the part of the Printer. In all my years here I have never seen an error that

looked so much like an intentional one, Mr. Speaker, and I feel it deserves the attention of this House.

The SPEAKER. The Chair will have the copy of the bill sent to the Printer returned for examination, and so directs the Clerk.

Mr. WOODSIDE. Mr. Speaker, as a matter of information, when this bill is reprinted will it be reprinted with the same Printer's number or with a new Printer's number?

The SPEAKER. When this bill is reprinted it will be reprinted with a new Printer's number.

Mr. WALTER E. ROSE. Mr. Speaker, the gentleman from Monroe said he wanted to call attention to what the error was. I would like to know.

Mr. ACHTERMAN. I will be very glad to tell the gentleman, Mr. Speaker. In House Bill No. 277 the increase of salaries of teachers of the fourth class school districts and the increments is placed upon the Commonwealth, and apparently the Printer felt the Commonwealth could not bear the expense and therefore he took it out.

The SPEAKER. The Chair will submit a copy of the original bill to the Rules Committee for examination.

BILL ON THIRD READING

Agreeably to order,

The House proceeded to the third 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 putting restraint upon layman selling eyeglasses spectacles and filling prescriptions for the same similar to the restraint upon professions licensed by the State to prescribe eye glasses and spectacles fixing a penalty for violations of this act and investing the courts with jurisdiction to prevent and restrain violations of this act

On the question,

Will the House agree to the bill on third reading?

BILL POSTPONED

Mr. ACHTERMAN. 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 bill having been called up from the postponed calendar by Mr. HIRSCH.

The House resumed the consideration on third reading of House Bill No. 964, as follows:

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

Section 1 No person copartnership association or corporation engaged in the business of selling or leasing chattels on the installment or deferred payment plan shall upon sale or lease of any such chattel to any person who has previously purchased or leased upon an agreement of sale or lease any other chattel include the said chattel so last purchased or leased or any part thereof in a new agreement of sale or lease with the chattel or

chattels previously purchased or leased or any part thereof and all such agreements of sale or lease shall include only such chattels as are actually purchased or leased at the time of the execution of such agreement of sale or lease and any agreement of sale or lease executed in violation of the provisions of this section shall be null and void

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

Section 3 The provisions of this act shall become effective immediately upon final enactment

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

On the question,

Shall the bill pass finally?

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

YEAS—198

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

There are some fifty-four million people in America who are required to labor for a livelihood. Through organizations a great number have been able to improve their working conditions and raise their remuneration for labor performance. Some of the workers have not been as successful. Among these are the employes of the West Penn Hospital, of Pittsburgh, such as laundry, kitchen and housekeeping departments. These unfortunates have as yet been unable to enjoy the privileges that a great percent of the workers of America are enjoying.

Would anyone argue that under the circumstances the strikers have no right to use their organized strength to improve their conditions? It may be said that they should exercise all possible means before resorting to a strike. I agree with that viewpoint. Any reasonable man would have to agree with it. Did the employes of the West Penn Hospital resort to the strike in haste and without consideration for the public welfare? The facts as placed on the records in the court room during the hearing on the injunction in my opinion prove beyond any reasonable doubt that the Union of West Penn Hospital workers made every effort in the course of fourteen months to settle their grievances without resorting to strike action.

I present briefly just a few of the means that were used by the Union:

1. The Union first sought to secure a reasonable settlement through negotiations in January, 1940. The management at West Penn Hospital refused to recognize the Union and flatly rejected proposals to better wages and working conditions.

2. The Union then sought an election under the State Labor Relations Act whereby the service employes at West Penn Hospital could determine for themselves through the orderly procedure of State Labor Relations Act whether or not they wished to be represented by the Union. The management promptly secured an injunction against the State Labor Relations Board thus preventing the carrying out of this orderly procedure.

3. After that the Union sought to change the attitude of the West Penn Hospital through publicity and disseminating of information against the general public concerning the conditions existing in the Hospital.

4. Later, even after the membership finally authorized the strike in February, 1941, the Union officials secured the intervention of the State Department of Mediation. Despite the efforts of the Mediator the hospital management refused to make any concessions whatsoever in order to avert the strike.

5. After the failure of the Mediation, the Union refrained from any action for several weeks while distributing leaflets to relatives of patients and to the general public, informing them that a strike at West Penn Hospital was imminent and asking for their support. When the strike was finally called on Friday morning, April 18th, the engineers needed to supply power, heat, and light, and other employes were left on duty. The strike included only service employes, mainly those working in the laundry, kitchen, and housekeeping departments. Nurses, doctors, dieticians, etc., were not interfered with. Thus, while the hospital was greatly inconvenienced the patients were not in danger. Hospital physicians testifying in court were merely able to state that in their opinion a certain amount of "nervousness and apprehension" in the patients was caused by the strike. Judge Patterson, in handing down his decision, underlined the fact that even this

statement of the physicians was merely a statement of opinion and not a statement of fact.

I believe that in the light of all the above facts the employes of West Penn Hospital exercised great caution, restrained themselves admirably, and suffered long the injustices under which they work before resorting to strike action. Who can condemn their action without being able to point out some other method which they might have used to improve their conditions. I am not aware of any such method. Will anyone therefore seriously contend that they must suffer in silence and accept whatever the management of the hospital deigns to give them? Such a stand would be contrary to the recognized principles of American Life. What are the striking employes asking? Are they making unreasonable demands? Well, here's what they're asking and you can judge for yourselves:

1. Minimum Wage of \$45.00 per month; 10 per cent increase for those earning more than \$45.00.

2. Recognition of their Union.

3. No discrimination against strikers.

Finally, gentlemen, I think all of us realize that the whole question of Hospitals and the free care which some of them furnish are a general community responsibility. The care of free patients is not primarily the responsibility of employes who happen to be working in a hospital and they're not the ones who should be expected to shoulder the burden through accepting starvation wages.

West Penn Hospital is reputed to be in better financial condition than most other hospitals. I understand that West Penn Hospital has not had a deficit for the past two years. It has been admitted by the hospital management that the question of finances is not the only reason why they refuse to deal with the Union. They simply take the high-handed and reactionary attitude that they will not deal with an organization of their employes and through this action they have forced a suspension of services in the hospital.

To show further the just cause of the strikes I wish to read the statement made by Reverend Charles Owen Rice:

"The stoppage of work at West Penn Hospital," he said, "forcibly calls our attention to an unpleasant and intolerable condition that we all have known of vaguely for a considerable time.

"Hospital workers in virtually all our hospitals are tragically underpaid. Their wages may truly be called 'coolie wages.' When men with families can do hard work during long hours for as low as \$35 a month, something is wrong. This is true and I have often thanked God for the fine chaitable spirit of our Pittsburgh hospitals. However, we cannot build charity on top of injustice.

"The union's call for a stoppage of work is justified in my mind because every other method of bettering the workers' conditions has been tried and has failed. The hospital association simply refused to make concessions to the workers. Because of this, I would say that the responsible leaders of the hospital association are more to blame for the strike than the underpaid workers.

"I doubt, if upon sober thought, it is the will of the people of Pittsburgh that workers should be free to seek justice everywhere except in the citadels of medicine, religion and charity."

Mr. Speaker, personally I am absolutely against any interference with the care of the sick whether it be by the employes or the management. Believing that, I do not see why just because one happens to be employed by a hospital he must work for starvation wages. I am happy

to say at this time that House Bill 1097 which has been introduced in this House will go a long way to straighten the matter out and bring justice to these employes. In accordance with the principles of our government it is the duty of the employers of this country to give justice to all those who work for a living, whether they are working for a hospital or a steel plant.

ANNOUNCEMENT BY SPEAKER

The SPEAKER. The opening baseball game in the Inter-State League will take place at Island Park, Wednesday, April 30, at 2:30 p. m. Eastern Daylight Time, between Harrisburg and the Hagerstown team. I hear Les Bell has a pretty fair ball club this year. The Republicans and Democrats, if they become chummy tomorrow afternoon might have a chance to attend this grand opening.

The Chair hopes the House can meet tomorrow at 12 o'clock Standard Time, in order to complete its work as early as possible so that those Members who wish to attend may do so.

PERMISSION TO ADDRESS HOUSE

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

Mr. Speaker, I want to call the attention of the Members of the House to the fact that the Americanism program tomorrow will be held in the hall of the House.

The Members who are members of the War Veterans Association are requested to wear their caps. For the benefit of those who have forgotten to bring caps Mr. Taylor of Dauphin County has informed me that he will be able to borrow a cap for anyone that contacts him. Do not contact him if you are not a War Veteran.

PERMISSION TO ADDRESS HOUSE

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

Mr. Speaker, it is requested that the Members of the House be in their seats to take part in this program. Two outstanding speakers have been secured, and we certainly do not want to see half the seats empty. We would like all the members of the House to be in their seats for this Americanism program.

REPORTS FROM COMMITTEES

Mr. TAYLOR, from the Committee on Municipal Corporations, reported as amended, House Bill No. 215, entitled:

An Act to further amend sections one and four of the act, approved the sixteenth day of May, one thousand nine hundred and nineteen (P. L. 180), entitled "An act providing a method of establishing title to land acquired at a sale for unpaid taxes or municipal claims," extending the provisions of said act to include land acquired at city treasurer's sales for unpaid taxes and providing that in certain cases notice of the proceedings by advertisement shall be deemed a good and sufficient service.

Mr. POWERS, from the Committee on Cities—Second Class, reported as committed, House Bill No. 1405, (Senate Bill No. 286), entitled:

An Act to amend the fourth paragraph of article seven

of the act approved the seventh day of March, one thousand nine hundred and one, (P. L. 20), entitled "An act for the government of cities of the second class," prescribing the manner in which money shall be drawn from the city treasury.

Mr. McCLANAGHAN, from the Committee on Military Affairs, re-reported as amended, House Bill No. 90, entitled:

An Act providing for the correction of the designation and title of veterans of the Spanish American War in all present legislation affecting said veterans by designating such organizations as United Spanish War Veterans, Inc.

BILL RE-REFERRED

Mr. LEVY returned from the Committee on Workmen's Compensation with the recommendation that it be re-referred to the Committee on Public Utilities, House Bill No. 1079, entitled:

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

The SPEAKER. The bill is re-referred to the Committee on Public Utilities.

COMMUNICATION FROM THE GOVERNOR

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

APPROVAL OF HOUSE BILLS Nos. 1151 and 1152

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, April 29, 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 the following:

House Bill No. 1151, Printer's No. 289, entitled, "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, Printer's No. 294, entitled, "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."

ARTHUR H. JAMES.

HOUSE RESOLUTION No. 18

Mr. WEISS. Mr. Speaker, I desire to call up House Resolution No. 18, Printer's No. 387.

The resolution was read by the Clerk as follows:

In the House of Representatives, February 10, 1941.

Whereas, The Governor of the Commonwealth has repeatedly expressed the desire of his administration to provided work for the unemployed; and

Whereas, There are at the present time many unemployed miners in the Herminie Coal District in Westmoreland County; and

Whereas, Such unemployment is due to the fact that the mines in and about the Herminie Coal District are unable to operate, due to the flooded condition of said mines; and

Whereas, In addition thereto, this condition creates a hazard to the miners working in adjacent mines; and

Whereas, The Commonwealth has in the past aided similarly distressed coal districts by pumping water out of the flooded mines in such districts; and

Whereas, The mining of coal constitutes almost the entire industry of the Herminie Coal District, and the operators of such mines are anxious to reopen them when the water has been pumped from said mines; therefore be it

Resolved, That it is the sense of the House of Representatives that the proper authorities of this Commonwealth take immediate steps to pump, or to arrange for the pumping of, water from the distressed coal mines in the Herminie Mine District, and to pay for the cost of such work, for the express purpose of providing employment for the coal miners of said district; and be it further

Resolved, That a copy of this resolution be transmitted to the Department of Health and the Department of Mines of this Commonwealth by the Chief Clerk of this House.

On the question,

Will the House adopt the resolution?

Mr. WEISS. Mr. Speaker, representatives Maxwell and myself received a petition signed by practically every resident of Herminie, Westmoreland County, in which petition they state that they respectfully request the Governor, the Secretary of Mines, and every Member of the General Assembly to give whatever aid is possible in rehabilitating the Herminie Coal Basin. This community has suffered immensely since the suspension of work in Herminie No. 1 and No. 2 plants. Many residents are on relief. I might say practically all of them are on relief, and their only hope is the reopening of the mines.

I have also a letter before me from Mr. White, cashier of the bank in Herminie, in which he states that in behalf of every individual in the community as well as the bank he signs the petition. He states that the mines constitute almost the entire industry in his district and due to the flooded condition of the mines they are unable to be operated.

This is a menace to the adjacent mines and to the miners working therein. This condition restrains the operation of a large block of coal in and around Herminie by mines now in position to operate excepting for this water, thereby keeping hundreds of men out of gainful employment.

I have a letter also from attorney John S. VanKirk, in which he states that he has two parties at present who are desirous and able to operate these two mines immediately, provided the water can be removed. The two mines in Herminie for which he speaks have produced and can continue to produce over a million tons

of coal per year provided the mines are drained. In addition to the above two mines, the drainage of the same will remove the hazard and permit the operation of mines belonging to the Westmoreland Coal Company at Lowber, the Hillman Coal Company mines at Edna, and the Keystone Coal Company coal in the immediate vicinity. All of these mines are directly affected by this water and the drainage of the Herminie mines will mean the draining of the entire district, which includes all of the mines above listed.

Mr. Speaker, during the 1939 session I presented a resolution in the House of Representatives to investigate the condition of various ghost towns in which either the mines had been wiped out or they were impossible of being worked, and although the House of Representatives did not see fit to take any action, I think that the problem of rehabilitation of the ghost town is a great problem, because every person in that particular community is dependent for their livelihood on the mines, and if they cannot get that livelihood by getting the mines working, they are going to be on the relief rolls of the Commonwealth.

Not so long ago, in the particular vicinity of these mines which we are asking to be drained, we had an unfortunate accident in which four children of one family fell through ice in the mine and died. This happened March 4th, right at Herminie, in the very same district which we are asking that this draining be done. If these particular mines had been drained, this unfortunate accident would not have happened and these children would have been living today. So, aside from any safety measure for the residents of the district it would also work very greatly in behalf of the people who are unemployed. Therefore, this request to the Department of Mines and the Governor and to all concerned to help this district is a meritorious request, and I ask unanimous agreement to the resolution.

On the question recurring,

Will the House adopt the resolution?

It was adopted.

HOUSE RESOLUTION NO. 70

Mr. MATTHEW J. WELSH. Mr. Speaker, I desire to call up House Resolution No. 70, Printer's No. 414.

The resolution was read by the Clerk as follows:

In the House of Representatives, April 7, 1941.

Whereas, In the administration of old age assistance by the Department of Public Assistance many needy citizens are discriminated against or deprived of assistance for various technical reasons such as necessity to depend on contributions from relatives who may have difficulty in supporting themselves on an American standard of living or because of the ownership of small amounts of property or insurance or the like; and

Whereas, The purpose and object of old age assistance was humanitarian to provide funds for the needy aged to live their own lives separately without being a burden on relatives or become public charges in a county home an institution now being maintained only for those who need institutional care; and

Whereas, It is believed generally by the public that investigators employed at comfortable salaries are unduly technical in trying to ferret out reasons for the rejection of applications for old age assistance, and for the discontinuance of aid to those who may have been receiving the same, and that as the result thereof many worthy aged are placed in dire distress; and

Whereas, It is believed the rules and regulations of the Department of Public Assistance are more stringent than required by law and more stringent than required by the Social Security Board in order to receive Federal grants-in-aid for old age assistance; therefore be it

Resolved, That the House of Representatives hereby requests the Department of Public Assistance to administer the Old Age Assistance Law in a spirit of equity and justice, and to grant assistance to all the needy aged in order that they may enjoy such comforts as it is the governmental duty of the state assisted by the Federal Government to provide for those who are unable to help themselves economically, and to so modify its rules and regulations as to be no more stringent than required by the Social Security Board in order to receive Federal grants-in-aid.

On the question,

Will the House adopt the resolution?

Mr. WOODSIDE. Mr. Speaker, I have no objection to the general purpose of the resolve set forth in this resolution. I do wish to call the attention of the Members of the House to the fact that there are at least two instances in which old age assistance is administered in Pennsylvania more liberally than provided for by the Social Security Board, and where expenditures are made in old age assistance entirely out of state funds which are not reimbursed out of Federal funds. Those instances are those of medical services and burial expense.

I might call the attention of the House to the situation with reference to the blind at this time. I think it has a lot of bearing on the resolution, and I think the attention of the House should be called to the situation concerning old age assistance.

On the question recurring,

Will the House adopt the resolution?

It was adopted.

PERMISSION TO ADDRESS HOUSE

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

Mr. Speaker, about a month ago I presented a resolution to this House asking for an investigation of certain state hospitals. I approached the subject fairly and with the thought in mind that the investigation would be a bipartisan one, that is it would not be claimed the committee that was doing the investigating was political in nature, because the representation would be equally divided between the two major parties in Pennsylvania.

The reason for the presentation of the resolution was quite obvious, from the fact that individuals living in the area served by the hospitals were complaining about conditions in the hospitals. The newspapers arrived at the point where they found it essential and necessary to call the public's attention to the conditions existing in these hospitals. Added to that finally the governor was forced to cancel and withdraw the name of one of his appointees because it was discovered that particular person had a criminal record. After the resolution was passed by this House, the Governor O.K'd such an investigation, asserting that there was nothing to hide, that there was nothing he was not willing to disclose to the public and to a committee of investigation. Following that O.K. from the Governor came word from Mr. Sweeney's office that there was nothing to hide. Added to that we had another O.K. coming from the other side of the House, the Members on the other side joining with us in passing the resolution.

All of a sudden, Mr. Speaker, the resolution ran into a dead silence in the Senate. The Senate apparently is not desirous of investigating or else perhaps the Senate may be sleeping. I don't know. But at least they do not want an investigation or if they do, they certainly do not want it for some years to come. Why the Senate should take that attitude after the Governor and Mr. Sweeney said they welcomed an investigation, is rather difficult to understand. Then again, Mr. Speaker, is it difficult to understand? Perhaps, after all they decided that they will not have an investigation. They will not have an investigation, why? Because there is something there to hide; something they do not wish to be brought out in the light of day, or if so, then it would redound to the disadvantage of the Republican party.

Mr. Speaker, I may say that the Republican party has no right, having their Governor frankly stating to the Press "I am glad to be investigated," then having their department head saying, "Yes, we are willing to be investigated," and then have the Republican Senate say, "No." The Senate has kept the resolution for an entire month. As a matter of fact at one time in the proceedings I have been advised they apparently decided they would kill it. The Senate is fearful of public reaction. They sent it back to committee to play ball with, but they should at least show to the public how their Governor or how their party is operating those hospitals.

I regret, Mr. Speaker, that they have not been fair. I regret that their party in the Senate is not willing to disclose to the people of Pennsylvania the condition that exists in these state hospitals.

Therefore, I have decided, Mr. Speaker, if the Senate is reluctant, if the Republican party is afraid, if they do not wish or desire the people to know, then I say this House has a duty to perform which is perhaps even more serious than I at first thought when I presented my resolution.

With that thought in mind, Mr. Speaker, I shall present a resolution to this House seeking the appointment of a committee by this House to investigate the conditions in those hospitals.

Mr. Speaker, I ask consent of the House at this time to introduce the resolution.

The SPEAKER. This is not a privileged resolution. It will be filed with the Clerk under the rules.

PERMISSION TO ADDRESS HOUSE

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

Mr. Speaker, I will be just as brief as I possibly can in my remarks. I want to say first with reference to the resolution it is my understanding that the resolution is under consideration in the Senate at the present time. The resolution has not been pickled, it has not been indefinitely postponed and it has not been laid aside with the idea of no action being taken on it. I think it comes with very poor grace from the gentleman on the other side who is Chairman of the Appropriations Committee and who has had appropriation bills in that committee for some time, which have not made their appearance in the House. It also comes with very poor grace from the gentlemen on the other side who have the tax bills in committee all this time without any consideration given them by this House. The fact that the Senate has had the reso-

tion in committee for no more time than the gentleman has had bills in his Appropriations Committee is no indication that the Senate is going to definitely postpone the matter which will mean the death of the resolution.

PERMISSION TO ADDRESS HOUSE

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

Mr. Speaker, I wish to thank the gentleman from Dauphin for advising me that the Senate is still considering the resolution. I realize that the resolution is very weighty, and I can appreciate the great difficulty the Senate must be laboring under in consideration of the resolution, because if the conditions exist that we have been advised do exist in the hospitals, then perhaps it would take more than a month to cover up. I realize also that perhaps if they have the resolution long enough the House might adjourn before some preliminary report could be made by the investigating committee. May I assure the gentleman from Dauphin that after all the subject contained in that resolution certainly does not carry with it either the amount of study or the work that is necessary with reference to tax bills and the budget—especially the budget, Mr. Speaker. There is nothing to conjure up there.

The Governor has estimated his deficit running anywhere from twenty-three to seventy-seven million dollars. Every time I read it I can see ninety million dollars just as easy as can be. This is a subject that takes time, Mr. Speaker, the investigation of the hospitals, where vice is rampant or alleged to be rampant, where inefficiency exists, and many other things that are wrong certainly exist. Therefore, I can understand the Senate Committee deciding that it will take time, more than a month, to decide whether we ought to investigate these conditions.

Mr. WOODSIDE. Mr. Speaker I would like to address the House in the form of an interrogation of the majority floor leader.

The SPEAKER. Will the gentleman from Monroe, Mr. Achterman, permit himself to be interrogated?

Mr. ACHTERMAN. I shall, Mr. Speaker.

Mr. WOODSIDE. Mr. Speaker, the gentleman has used many times on the floor of this House the sum of ninety million dollars as the deficit, as he calls it, which is likely to exist at the end of this biennium. I think the gentleman has evidently followed the theory of Adolph Hitler to the effect that if a fellow lies often enough and big enough they will eventually believe him. I would like to ask the gentleman to itemize that ninety million dollar deficit.

Mr. ACHTERMAN. That is not so difficult. The gentleman will find repayments due to special funds under present acts of \$59,500,000. The gentleman will also discover that we appropriated out of special funds \$14,500,000. The gentleman will discover deficits postponed to June 1, 1911, in the sum of \$4,950,000. The gentleman will also find we appropriated out of other special funds \$6,300,000. The gentleman will find that there are other existing deficiency appropriations totaling somewhere in the neighborhood of \$4,700,000.

Mr. WOODSIDE. Mr. Speaker, the gentleman has used somewhat the same type of arithmetic he used in his first attack on the budget, in which he had a ten million

dollar item and an eleven million dollar item. The first item should have been subtracted from the second item leaving one million dollars, but the gentleman added the two together which made a total of twenty-one million dollars. The gentleman has \$6,300,000 appropriation in both the amount that was borrowed and as an appropriation. If you start figuring by doubling that way maybe you can get up to ninety million dollars, and if you start to multiply instead of adding, you can get it up to three hundred million dollars. I think the gentleman will find that the \$6,300,000 item is a duplication. I think he will find also that he is a little bit high on his \$4,950,000 which he referred to as a delayed payment. Even at that, if my arithmetic is correct, the way he has it figured up and the way I have figured it up, he has too much in the amount that was borrowed from the special funds. He used two figures in that instead of one which showed about three million dollars too much. Even at that it is still less than ninety million dollars, although there is one item I did not quite get in the hasty way he gave it, but certainly the gentleman has used the \$6,300,000 item on two different occasions so therefore he is that much too high on that alone.

Mr. ACHTERMAN. Mr. Speaker, I want to assure the gentleman from Dauphin that I am clear about the figure of \$6,300,000. It is distinctly borrowed and I am correct on the amount. This money will have to be repaid back in the coming biennium. May I assure the gentleman from Dauphin that I am not in error on the \$59,500,000 because I took that out of the budget. Speaking of the \$4,950,000 I took that out of the budget. The \$14,500,000 item I did not take out of the budget because we know that was borrowed since the budget was given to us. The gentleman will find, if he checks the budget and will go over the figures that it just cannot be explained away.

Mr. WOODSIDE. Mr. Speaker, I am sorry to take up the time of the House at this particular time but the gentleman raises the question which he has raised so often and on so many occasions, when I thought it not proper to answer him, but I think he ought to be answered now.

May I ask the gentleman from Monroe what he says the total amount borrowed from the various special funds is at this time.

Mr. ACHTERMAN. Mr. Speaker, I do not understand the question.

Mr. WOODSIDE. Mr. Speaker, what is the total amount that would be borrowed from all the special funds at the end of the biennium, according to present borrowings.

Mr. ACHTERMAN. Mr. Speaker, if I am to believe the budget you have \$59,500,000. Added to that you have \$14,500,000 and then you have this \$6,300,000. May I state Mr. Speaker, that some of it may represent deferred payments that are due in this biennium.

Mr. WOODSIDE. That is correct Mr. Speaker, because what the gentleman has done is to add appropriations to borrowings. You cannot add appropriations to borrowings. He gets a borrowing there of something over eighty million dollars, whereas the borrowing up to date has been \$70,100,000. There is ten million dollars of a mistake right there.

Mr. ACHTERMAN. Mr. Speaker, I assure the gentleman if you have certain obligations, if you postpone those particular obligations, you still have those obligations and they still must be paid.

Mr. WOODSIDE. Mr. Speaker, how much does the gentleman say has been postponed?

Mr. ACHTERMAN. Unfortunately I cannot answer that question because I do not have the break-down here of the \$59,500.00.

Mr. WOODSIDE. Mr. Speaker, I would like to give the gentleman an opportunity to produce his ninety million dollar figures. I realize the fact that very often we cannot keep all these figures in our minds and we do not always carry them around in our pockets, but I would like the gentleman tomorrow, if he will, to produce the figures that will show the ninety million dollar deficit, that he has been talking so much about.

FORMER MEMBER WELCOMED

The SPEAKER. The Chair welcomed to the House a former Member from Philadelphia, Mr. Joseph Ominsky.

COMMUNICATION FROM THE GOVERNOR

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

APPROVAL OF HOUSE BILL No. 349.

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, April 29, 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 the signed House Bill No. 349, Printer's No. 237, entitled, "An Act To authorize cities boroughs incorporated towns townships and school districts to file suggestions of nonpayment and averments of default or to sue out writs of scire facias on certain tax or municipal claims and to revive judgments where the lien of such claims or the judgments thereon have been lost and providing for the reinstatement of the liens of such claims and judgments."

ARTHUR H. JAMES.

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 Ald 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.

Reminder—Americanism Program—Hall of the House—April 30.

Speakers—Hon. Francis Myers—Philadelphia; Hon. James VanZandt—Altoona. Plan to be present early.

COMMITTEE MEETINGS

Cities, Third Class, Wed., April 30 at 9:30 a. m., in Room 325.

Cong. & Judicial Apportionment, Wednesday, April 30 at 10 a. m. in Room 323.

Counties, Wednesday, April 30 at 11 a. m. in Room 521.

Education, Wednesday, April 30 at 10 a. m. in Room 326.

Labor, Wednesday, April 30 at 10 a. m. in Room 522.

Liquor Control, Wednesday, April 30 at 11:30 a. m. in Room 325.

Motor Vehicles, Wednesday, April 30 at 11 a. m. in Room 324.

Professional Licensure, Wednesday, April 30 at 11 a. m. in Room 246.

Public Utilities, Wednesday, April 30 at 9 a. m. in Room 331.

State Government, Wednesday, April 30 at 10:30 a. m. in Room 325.

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

Democratic Caucus, House Caucus Room this evening at 8 p. m. Daylight Saving Time, 7 p. m. Eastern Standard Time.

There will be a meeting of the Philadelphia Democratic members of the House in the New House Caucus Room immediately after this session.

ANNOUNCEMENT

All Members of the House who are members of organized labor are cordially invited to attend the afternoon session of the C.I.O. State Convention being held in the Chestnut Street Auditorium, upon adjournment this afternoon.

Americanism Program, all of the House, April 30, immediately after adjournment of the session. Speakers Honorable Francis Myers, Philadelphia, and Honorable James VanZandt, Altoona. All members are urged to stay for this program.

ADJOURNMENT

Mr. ELDER. Mr. Speaker I move that this House do now adjourn until Wednesday, April 30, 1941, at 12 m.

The motion was agreed to, and (at 4:45 p. m.) the House adjourned.