

Legislative Journal.

Session 1941.

135th of the General Assembly.

Vol. 25.

HARRISBURG, PA., THURSDAY, MAY 1, 1941.

No. 46.

HOUSE OF REPRESENTATIVES

THURSDAY, May 1, 1941

The House met at 10 a. m.

The SPEAKER (Elmer Kilroy) in the Chair.

PRAYER

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

Dear God, Our Father, show Thyself in the midst of this marvelous though frightened world. Help us to see Thy law written on the fleeting hours, the bursting of blossoms, the green fields, and in the mind of man. Help us, we beseech Thee, to interpret that law as perfect love. Thus shall we feel at home in Thy universe, afraid of nothing, despairing of no one, never alone. Thy love makes this world the fit instrument for our growth in grace and guarantees the final victory of those who put their trust in Thee. Keep us ever in Thy love, and help us to love like Thee. 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. RAUSCH, unanimously agreed to, the further reading was dispensed with and the Journal approved.

BILLS INTRODUCED AND REFERRED

By Mr. LEONARD. HOUSE BILL No. 1458.

An Act to enable the governing bodies of cities of the first, second and second class A to establish by ordinance the requirements of responsible bidders for city printing and to repeal all acts and parts of acts inconsistent with the provisions of this act.

Referred to the Committee on Cities—First Class.

By Mr. LEONARD. HOUSE BILL No. 1459.

An Act to enable the county commissioners of counties of the first, second and third classes to establish by resolution the requirements of responsible bidders for county printing, and to repeal all acts and parts of acts inconsistent with the provisions of this act.

Referred to the Committee on Municipal Corporations.

By Mr. LEONARD. HOUSE BILL No. 1460.

An Act relative to the printing for the Commonwealth of Pennsylvania to establish the requirements of responsible bidders to prescribe penalties for the violation of the provisions of this act and to repeal all acts and parts of acts inconsistent with the provisions of this act.

Referred to the Committee on State Government.

By Messrs. HARKINS and ELLWOOD B. WELSH.
HOUSE BILL No. 1461.

An Act to further amend subsection (a) of section one thousand two hundred five 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 same, and the method of collecting such revenue; and repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent therewith," by further regulating the retirement of professional employees.

Referred to the Committee on Education.

By Mr. BURNS. HOUSE BILL No. 1462.

An Act to regulate the locating, drilling, casing, filling and abandoning of natural gas and petroleum wells on property underlaid with workable coal beds, having for its object the protection of life and property, by preventing intrusion of oil and gas therefrom into coal mines in territory containing workable coal beds and conferring powers and imposing duties upon the Department of Mines and providing penalties.

Referred to the Committee on Mines and Mining.

By Messrs. MALLOY and SCHWAB.
HOUSE BILL No. 1463.

An Act making an appropriation to the Department of Property and Supplies, for the payment of rates, rentals, and other charges that may become due on leases and other contracts executed by such department with The General State Authority for the use and occupancy by the Commonwealth of various projects, structures, buildings, and facilities of the Authority or for the services rendered by the Authority or its projects.

Referred to the Committee on Appropriations.

By Mr. KENEHAN. HOUSE BILL No. 1464.

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

forces of the United States during any period of one year devoted to training for defense.

Referred to the Committee on Labor.

By Messrs. LESKO and HABBYSHAW.

HOUSE BILL No. 1465.

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

Referred to the Committee on Elections.

By Messrs. WEINGARTNER and MATTHEW J. WELSH.

HOUSE BILL No. 1466.

An Act to amend 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 changing the procedure for and regulating elections by persons in actual military service, imposing duties upon the Secretary of the Commonwealth, courts, county boards of elections, and county commissioners, providing for reimbursement of counties for actual expenses incurred for canvassing the vote of electors in actual military service.

Referred to the Committee on Elections.

By Messrs. CORDIER and REGAN.

HOUSE BILL No. 1467.

An Act to amend the act, approved the first day of June, one thousand nine hundred thirty-seven (P. L. 1132), entitled "An act to provide for the permanent personal registration of electors in cities of the second class A 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, political bodies, registration commissions, commissioners, registrars, inspectors of registration and other appointees of registration commission, county election boards, election officers, municipal officers, departments and bureaus, police officers, courts, judges, prothonotaries, sheriffs, county commissioners, peace officers, county treasurers, county controllers, reg-

istrars of vital statistics, certain public utility corporations, real estate brokers, rental agents, and boards of school directors; and imposing penalties," as amended, by requiring and providing for the registration of persons in military service to entitle them to vote at any election.

Referred to the Committee on Elections.

By Messrs. MIHM and RHEA. HOUSE BILL No. 1468.

An Act to amend the act, approved the twenty-fifth day of May, one thousand nine hundred thirty-seven (P. L. 814), entitled "An act to provide for the permanent personal registration of electors in cities of the second 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, political bodies, registration commissions, commissioners, registrars, inspectors of registration and other appointees of registration commission, county election boards, election officers, municipal officers, departments and bureaus, police officers, courts, judges, prothonotaries, sheriffs, county commissioners, peace officers, county treasurers, county controllers, registrars of vital statistics, certain public utility corporations, real estate brokers, rental agents, and boards of school directors; and imposing penalties," as amended, by requiring and providing for the registration of persons in military service to entitle them to vote at any election.

Referred to the Committee on Elections.

By Messrs. WEINGARTNER and MAXWELL.

HOUSE BILL No. 1469.

An Act to amend the act, approved the twenty-fifth day of May, one thousand nine hundred thirty-seven (P. L. 849), entitled "An act to provide for the permanent personal registration of electors in cities of the third 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, political bodies, registration commissions, commissioners, registrars, inspectors of registration and other appointees of registration commissions, county election boards, election officers, municipal officers, departments and bureaus, police officers, courts, judges, prothonotaries, sheriffs, county commissioners, peace officers, county treasurers, county controllers, registrars of vital statistics, certain public utility corporations, real estate brokers, rental agents, and boards of school directors; imposing penalties; and repealing existing legislation," as amended, by requiring and providing for the registration of persons in military service to entitle them to vote at any election.

Referred to the Committee on Elections.

By Mr. KEENAN.

HOUSE BILL No. 1470.

An Act providing for practical arts and vocational agriculture, home economics, industrial and commercial schools, and classes through public school districts, and in cooperation with employment offices for the training, retraining, instruction and adjustment of out-of-school unadjusted individuals in order to enable them to enter, re-enter, or continue employment under changing conditions, conferring powers and imposing duties upon the Superintendent of Public Instruction, and making an appropriation.

Referred to the Committee on Appropriations.

By Mr. D'ORTONA.

HOUSE BILL No. 1471.

An Act to further amend section eleven of the act, approved the fifteenth day of May, one thousand nine hundred thirty-three (P. L. 553), entitled "An act relating to the financial responsibility of operators and owners of motor vehicles, and to make uniform the law with reference thereto; requiring operators and owners of automobiles, under certain circumstances, to furnish proof of financial responsibility, as herein defined; providing for the suspension of operators' licenses and motor vehicle registration certificates in certain cases; regulating insurance policies which may be accepted as proof of financial responsibility; imposing duties upon the Secretary of Revenue, the State Treasurer, and prothonotaries; and prescribing penalties," changing the provisions of said act relating to the satisfaction of judgments.

Referred to the Committee on Motor Vehicles.

By Messrs. LEVY and VOORHEES.

HOUSE BILL No. 1472.

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, by requiring and providing for the registration of persons in military service to entitle them to vote at any election.

Referred to the Committee on Elections.

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. 196. (HOUSE BILL No. 1473).

An Act making an appropriation to the Pennsylvania State College for expenditure by the School of Mineral Industries thereof under the supervision of the Department of Mines.

Referred to the Committee on Appropriations.

SENATE BILL No. 365. (HOUSE BILL No. 1474).

An Act to provide that notices to delinquent taxpayers or statements of such delinquents and the publication of municipal liens or notices thereof shall not be required of the receiver of taxes or of the city solicitor and repealing inconsistent legislation.

Referred to the Committee on Cities-First Class.

SENATE BILL No. 364. (HOUSE BILL No. 1475).

An Act requiring Receivers of Taxes in and for cities of the first class to furnish certificates of taxes, water rents and claims which are liens on real estate without charge

to owners of said real estate or other parties having an interest therein, and limiting the liability of the Receiver for errors in said certificates, and retaining the liens of all unpaid taxes, water rents and claims against such property though the same are not set forth in said certificate, and repealing inconsistent legislation.

Referred to the Committee on Cities-First Class.

SENATE BILL No. 459. (HOUSE BILL No. 1476).

An Act to outlaw claims against the State Emergency Relief Board for which invoices have not been presented within six months of the date of this Act.

Referred to the Committee on Welfare.

SENATE BILL No. 418. (HOUSE BILL No. 1477).

An Act requiring the Governor of the Commonwealth to issue a proclamation setting apart September thirteenth of this year as Commodore John Barry Day.

Referred to the Committee on State Government.

SENATE BILL No. 424. (HOUSE BILL No. 1478).

An Act restricting the granting of licenses to marry to divorced persons.

Referred to the Committee on Judiciary General.

SENATE BILL No. 458. (HOUSE BILL No. 1479).

An Act to authorize the revival of judgments entered in favor of the Department of Public Assistance by filing a suggestion of non-payment and directing prothonotaries to make the necessary entries without charge.

Referred to the Committee on Welfare.

SENATE MESSAGE

RESOLUTION CONCURRED IN BY SENATE

The Clerk of the Senate being introduced, informed that the Senate has concurred in the resolution from the House of Representatives, as follows:

POLISH INDEPENDENCE DAY, MAY 3rd

In the House of Representatives, April 1, 1941.

Whereas, The pages of history nowhere show a greater love of country than that exhibited by the citizens of Poland over the course of the centuries; and

Whereas, Today, as two centuries before, the liberty-loving Poles have been trampled by the legions of a tyrant; and

Whereas, As history is indebted to Poland for the aid rendered our own cause during the Revolutionary War by great military leaders from Poland; and

Whereas, People of Polish descent have greatly contributed to the progress of the United States as citizens of the Republic. They have been loyal, progressive and law abiding. They have entered the various phases of American Life and contributed greatly thereto. They have been noted for their community spirit in matters of charity and human kindness. Their campaign in education for American citizenship has been outstanding; and

Whereas, The least we could do for citizens of Poland and our own citizens of Polish descent is to recognize their contribution to our own cultural and economic advancements, and to offer some recognition of their fight for Poland's independence; be it therefore

Resolved, (if the Senate concur), That the Legislature of this State acknowledges the contribution made to our nation by persons of Polish origin by endorsing the celebration of Polish Independence Day on May 3rd; and be it further

Resolved, That His Excellency, the Governor of Pennsylvania, shall issue, publish and declare an appropriate proclamation to the people of Pennsylvania, designating

for observance this year, the third day of May, as Polish Day.

REPORTS FROM COMMITTEES

Mr. REUBEN E. COHEN, from the Committee on Appropriations, reported as committed, House Bill No. 1442, entitled:

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.

Mr. BAKER, from the Committee on Welfare, reported as Committed, House Bill No. 174, entitled:

An Act to add subsection (c) to section four of the act, approved the twenty-fourth day of June, one thousand nine hundred and thirty-seven (P. L. 2045) entitled "An act relating to the support of indigent persons publicly cared for or assisted; providing for the support of such persons by certain relatives, and for the recovery of public moneys expended for care and assistance from the property and estates of such persons; providing for guardians of the person and property of such persons; providing for the arrest and seizure and sale of the property of deserters; and providing procedure," prohibiting any public body or public agency from demanding or accepting a bond or judgment note from an indigent person for expenses of his support, maintenance, assistance or burial, before such expenses are incurred.

Mr. BRADLEY, from the Committee on Labor, reported as committed, House Bill No. 1097, entitled:

An Act to amend section three 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 to the proper court; providing for service of papers and process of the board; prescribing certain penalties," extending the provisions of said act to include employers who operate for charitable purposes to those who operate not for profit, and to those who secure aid from the Commonwealth, or any agency or political subdivision thereof.

Mr. FINNERTY, from the Committee on Appropriations, reported as committed, House Bill No. 1318 (Senate Bill No. 528), entitled:

An Act making a deficiency appropriation to aid certain school districts.

Mr. HOLLAND, from the Committee on Appropria-

tions, reported as committed, House Bill No. 599 (Senate Bill No. 159), entitled:

An Act making an appropriation to the Department of Military Affairs for the purpose of erecting, constructing and equipping an auditorium at Indiantown Gap Military Reservation.

Mr. BENTZEL, from the Committee on Education, reported as amended, House Bill No. 1355, entitled:

An Act to further amend the act, approved the eighteenth day of May; one thousand nine hundred eleven (P. L. 309), entitled, "An act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent therewith," changing the conditions of eligibility for election or appointment as county, district, assistant county or district superintendent and associate superintendent, and the term of county superintendents.

Mr. BAUGHER, from the Committee on Game, re-reported as amended, House Bill No. 891, entitled:

An Act to amend the act, approved the third day of June, one thousand nine hundred and thirty-seven (P. L. 1225), entitled "An act concerning game and other wild birds and wild animals; and amending, revising, consolidating, and changing the law relating thereto," by requiring the Department of Revenue to establish a system for the permanent registration of hunters revising the provisions of said act relating to the issuance of licenses and eliminating the power of justices of the peace, magistrates, and notaries public to receive applications therefor.

MR. CHARLES H. BRUNNER IN THE CHAIR

BILLS ON FIRST READING

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1435, entitled:

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 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.

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

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 709, entitled:

An Act to further amend section four hundred and twelve of the act, approved the twenty-ninth day of November, one thousand nine hundred and thirty-three (P. L. 15, 1933-34), entitled, as amended "An act to

regulate and restrain the sale, manufacture, possession, transportation, importation, traffic in, and use of alcohol, and alcoholic and malt or brewed beverages; conferring powers and imposing duties upon the Pennsylvania Liquor Control Board and its agents, the Department of Public Instruction, other officers of the State government, courts, and district attorneys; authorizing the establishment and operation of State stores for the sale of such beverages not for consumption on the premises, and the granting of licenses, subject to local option, to sell such beverages for consumption on and off the premises; forbidding importation or bringing of such beverages into the State except as herein provided; prohibiting certain sales or practices in, connection with, and transactions in such beverages by licensees and others; providing for the forfeiture of certain property; making disposition of the receipts from State stores and of fees; and imposing penalties," by further defining the sales of malt or brewed beverages.

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

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 966, entitled:

An Act relating to the practice of the occupation or business of opticians; and providing for the licensing and registration of opticians and for the revocation and suspension of such licenses and registrations subject to appeal, and for their reinstatement; defining the powers and duties of the State Board of Examiners of Opticians and the Department of Public Instruction; and providing penalties.

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

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 884, entitled:

An Act to amend section one of the act, approved the twenty-fourth day of April, one thousand nine hundred thirteen (P. L. 114), entitled "An act regulating the time of payment of wages and earnings, and providing a penalty for violation hereof," by requiring employers to furnish statements to employes of all deductions made from their wages.

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

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1275, entitled:

An Act declaring and adopting the song "The Rolling Hills of Pennsylvania" as the State song of Pennsylvania.

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

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1439, entitled:

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.

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

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 129, entitled:

An Act to add sections three hundred fourteen and three hundred fifteen to article three of the act, approved the twenty-eighth day of May, one thousand nine hundred and thirty-seven (P. L. 1053), entitled "An act relating to the regulation of public utilities; defining as public utilities certain corporations, companies, associations, and persons; providing for the regulation of public utilities, including, to a limited extent, municipalities engaging in public utility business, by prescribing, defining, and limiting their duties, powers, and liabilities, and regulating the exercise, surrender or abandonment of their powers, privileges and franchises; defining and regulating contract carriers by motor vehicle and brokers in order to regulate effectively common carriers by motor vehicle; conferring upon the Pennsylvania Public Utility Commission the power and duty of supervising and regulating persons, associations, companies, and corporations, including, to a limited extent, municipal corporations subject to this act, and administering the provisions of this act; authorizing the commission to fix temporary rates; placing the burden of proof on public utilities to sustain their rates and certain other matters; authorizing a permissive or mandatory sliding scale method of regulating rates; providing for the supervision of financial and contractual relations between public utilities and affiliated interests, and supervision and regulation of accounts and securities or obligations issued, assumed, or kept by persons, associations, companies, corporations or municipal corporations subject to this act; conferring upon the commission power to vary, reform, or revise certain contracts; conferring upon the commission the exclusive power to regulate or order the construction, alteration, relocation, protection, or abolition of crossings of facilities of public utilities, and of such facilities by or over public highways, to appropriate property for the construction or improvement of such crossings, and to award or apportion resultant costs and damages; authorizing owners of such property to sue the Commonwealth for such damages; providing for ejectment proceedings in connection with the appropriation of property for crossings; conferring upon the commission power to control and regulate budgets of public utilities; imposing upon persons, associations, companies, and corporations (except municipal corporations) subject to regulation, the cost of administering this act; prescribing and regulating practice and procedure before the commission and procedure for review by the courts of commission action, giving the court of common pleas of Dauphin County exclusive original jurisdiction over certain proceedings; prescribing penalties, fines, and imprisonment for violations of the provisions of this act and regulations and orders of the commission, and the procedure for enforcing such fines and penalties; and repealing legislation supplied and superseded by or inconsistent with this act," prohibiting certain public utilities from imposing penalties by reason of the late payment of service charges by consumers, and prohibiting certain public utilities from imposing minimum or meter charges.

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

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 2, entitled:

An Act authorizing cities, boroughs, towns and townships to construct, acquire, own, operate, control, sell and lease facilities for the production, generation, transmission, distribution or furnishing of natural or artificial gas, electricity, steam or water, or the collection, disposition or treatment of sewage and to furnish or render such services to the public within or beyond their corporate limits, or both; conferring the power of eminent domain, conferring certain powers and imposing certain duties on such municipalities, and the controller or auditors there-

of, providing for and authorizing the incorporation and election of a board of directors to operate and manage such works and defining its powers and duties, conferring certain powers and imposing certain duties on the Pennsylvania Public Utility Commission, and prescribing penalties.

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

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1222, entitled:

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

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

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1438, entitled:

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, saving 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.

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

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 847, entitled:

An Act to further amend section three hundred one and to amend section four hundred one of the act, approved the twenty-eighth day of May, one thousand nine hundred thirty-seven (P. L. 1053), entitled "An act relating to the regulation of public utilities; defining as public utilities certain corporations, companies, associations, and persons; providing for the regulation of public utilities, including, to a limited extent, municipalities engaging in public utility business, by prescribing, defining, and limiting their duties, powers, and liabilities, and regulating the exercise, surrender or abandonment of their powers, privileges and franchises; defining and regulating contract carriers by motor vehicle and brokers in order to regulate effectively common carriers by motor vehicle; conferring upon the Pennsylvania Public Utility

Commission the power and duty of supervising and regulating persons, associations, companies, and corporations, including, to a limited extent, municipal corporations subject to this act, and administering the provisions of this act; authorizing the commission to fix temporary rates; placing the burden of proof on public utilities to sustain their rates and certain other matters; authorizing a permissive or mandatory sliding scale method of regulating rates; providing for the supervision of financial and contractual relations between public utilities and affiliated interests, and supervision and regulation of accounts and securities or obligations issued, assumed, or kept by persons, associations, companies, corporations or municipal corporations subject to this act; conferring upon the commission power to vary, reform, or revise certain contracts; conferring upon the commission the exclusive power to regulate or order the construction, alteration, relocation, protection, or abolition of crossings of facilities of public utilities, and of such facilities by or over public highways, to appropriate property for the construction or improvement of such crossings, and to award or apportion resultant costs and damages; authorizing owners of such property to sue the Commonwealth for such damages; providing for ejectment proceedings in connection with the appropriation of property for crossings; conferring upon the commission power to control and regulate budgets of public utilities; imposing upon persons, associations, companies, and corporations (except municipal corporations) subject to regulation, the cost of administering this act; prescribing and regulating practice and procedure before the commission and procedure for review by the courts of commission action, giving the court of common pleas of Dauphin County exclusive original jurisdiction over certain proceedings; prescribing penalties, fines, and imprisonment for violations of the provisions of this act and regulations and orders of the commission, and the procedure for enforcing such fines and penalties; and repealing legislation supplied and superseded by or inconsistent with this act," by further limiting the control and regulation of the commission in respect to rates, service and extensions by municipal corporations.

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

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1166, entitled:

An Act to amend section two of the act, approved the twenty-sixth day of May one thousand nine hundred and twenty-one (P. L. 1172), entitled "A supplement to the act, approved the seventeenth day of May, one thousand nine hundred seventeen (P. L. 208), entitled "An act to regulate the practice of pharmacy and sale of poisons and drugs, and providing penalties for the violation thereof; defining the words "drug" and "poison"; and providing for the appointment of a board which shall have in charge the enforcement of said law, and the power to make rules and regulations for the enforcement of said law; and providing for the purchase of samples of drugs for determining their quality, strength, and purity"; requiring permits to conduct pharmacies; providing for the revocation thereof; and prescribing penalties," further regulating the issuance of permits to conduct pharmacies.

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

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 337, entitled:

An Act providing for the creation, maintenance and operation of a county employes retirement system in counties of the fifth class; and imposing certain charges on counties.

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

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 998, entitled:

An Act to protect the public health; defining and providing for the licensing of bakeries and regulating the inspection, maintenance and operation of bakeries and premises, stores and shops connected therewith; defining and regulating the manufacture, sale and offering for sale of bakery products, prohibiting the establishment of bakeries in basements, establishing uniform and standard weights, requiring the publication of weights and ingredients upon products; prohibiting rebates, discounts and special allowances; conferring powers on the Department of Agriculture; creating a Commissioner of Bakeries and inspectors under him, and providing penalties.

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

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1259, entitled:

An Act authorizing the creation of and providing for and regulating the maintenance and operation of a county employes' retirement system in counties of the fourth class; and imposing certain charges on counties.

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

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1094, entitled:

An Act to protect the public health and safety by requiring registration with and the securing of permits from the State Board of Pharmacy by persons, copartnerships, associations and corporations engaged in the manufacture, producing and dealing in drugs and medical supplies, regulating the manufacture of drugs and medical supplies, prescribing permit, providing for inspections and the suspension and revocation of permits, conferring powers on the State Board of Pharmacy, and courts and providing penalties.

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

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1038, entitled:

An Act making it unlawful for any individual, partnership or association to carry on or conduct any business in this Commonwealth, unless there is displayed on the exterior of such establishment, the identity of the owner or authorized representative; and providing penalties.

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

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1322, entitled:

An Act to further amend the act approved the twenty-eighth day of June, one thousand nine hundred and thirty-five (P. L. 463), entitled as amended "An act providing for the incorporation, as bodies corporate and politic, of "Authorities" for municipalities, counties, and townships; defining the same; prescribing the rights, powers, and duties of such Authorities; authorizing such Authorities to acquire, construct, improve, maintain, and operate projects, and to borrow money and issue bonds

therefor; providing for the payment of such bonds, and prescribing the rights of the holders thereof; conferring the right of eminent domain on such Authorities; authorizing such Authorities to enter into contracts with and to accept grants from the Federal Government or any agency thereof; and for other purposes," by changing the method by which notice of the formation of a municipal authority shall be made public; further regulating incorporation purposes and existence of the authority; defining procedure whereby an authority can enter into contracts and dispose of its bonds; imposing additional qualifications and duties on members of the authority; imposing civil liability on members of the board and officers of an authority in certain cases; requiring annual audits; imposing additional duties on the court of common pleas; giving authorities right of eminent domain in certain cases; and extending with certain limitations the power of Authorities to make certain purchases.

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

BILL RECOMMENDED

Mr. MELCHIORRE. Mr. Speaker, I move that this bill be recommitted to the Committee on Public Utilities for the purpose of further consideration.

The motion was agreed to.

THE SPEAKER (Elmer Kilroy) IN THE CHAIR

The SPEAKER. The Chair thanks the gentleman from Montgomery, Mr. Charles H. Brunner, for presiding.

TIME EXTENDED ON BILL

Mr. PETROSKY. Mr. Speaker, I move that the time on House Bill No. 814, Printer's No. 360, entitled:

An Act regulating the payment of wages or compensation for labor or service in private employments; establishing regular pay days; imposing duties upon employes; conferring powers and duties upon the Department of Labor and Industry and district attorneys; imposing additional powers and duties on the Secretary of the Department of Labor and Industry and district attorneys for the civil collection of wages; imposing civil and criminal penalties for the violations of the act, and providing for their collection and disposition; and repealing inconsistent legislation.

on page 8 of today's calendar, bills on second reading, be extended fourteen calendar days.

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. 1270, entitled:

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

And said bill having been read at length the 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. 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 a 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

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. 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

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. 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

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. 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

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. 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 and 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

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 and amendment.

The motion was agreed to.

BILLS ON SECOND READING

Agreeably to order,

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

The first section was read.

On the question,

Will the House agree to the section?

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

The amendment was read by the Clerk as follows:

Amend Sec. 1 (Sec. 655.1), page 2, line 7, by striking out the word "has" and inserting in lieu thereof: "have".

The amendment was agreed to.

The section was agreed to as amended.

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

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

Ordered, To be transcribed for a third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 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 peace time drafted employes credit for the time spent in the services of the United States

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. 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

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. 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. 872) 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

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. 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

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. 127, entitled:

An Act proposing an amendment to article eight of the Constitution of the Commonwealth of Pennsylvania by adding thereto section eighteen

The first section was read.

On the question,

Will the House agree to the section?

BILL RECOMMITTED

Mr. POWERS. Mr. Speaker, I move that this bill be recommitted to the Committee on Constitutional Amendments for the purpose of further study and amendment. The motion was agreed to.

BILLS ON SECOND READING

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 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. 1273) 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.

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. 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 lien 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

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. 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

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

Ordered, To be transcribed for a third reading.

Areably to order,

The House proceeded to the second reading and consideration of 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.

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

Ordered, To be transcribed for a third reading.

Areably to order,

The House proceeded to the second reading and consideration of 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 treasurer.

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

Ordered, To be transcribed for a third reading.

Areably to order,

The House proceeded to the second reading and consideration of House Bill No. 896, entitled:

An Act authorizing 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

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

Ordered, To be transcribed for a third reading.

Areably to order,

The House proceeded to the second reading and consideration of 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

And said bill having been read at length the second 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. 358, entitled:

An Act to further amend clause three of subsection (b) of section 913 of the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1333) entitled "An act concerning elections including general of candidates primary and election expenses and election contests creating and defining membership of county board of elections imposing duties upon the Secretary of the Commonwealth courts county boards of elections county commissioners imposing penalties for viola-

tion 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

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. 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.

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

Ordered, To be transcribed for a third reading.

BILLS PASSED OVER

There being no objection House Bill No. 211, Printer's No. 444, was passed over at the request of the SPEAKER.

The SPEAKER. House Bill No. 1156, Printer's No. 471, is not on file and will be passed over.

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

BILL ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 523, as follows:

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

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

Section 1 Recognizing the exceptional facilities for imposition and fraud upon the public in the retail sale of gasoline and in an effort to eliminate the various and sundry artifices employed by the sellers thereof in order to attract patronage either through deceptive signs fraudulent calculations of prices unfair competition of unfair trade practices this act shall be deemed an exercise of the police power of the Commonwealth of Pennsylvania for the protection of public welfare and prosperity

Section 2 It shall be unlawful for any person firm or corporation to sell or offer for sale at retail for use in internal combustion engines in motor vehicles any gasoline unless such seller shall post and keep continuously posted in a conspicuous place on the premises a sign or placard stating clearly and legibly in numbers and letters of uniform size the selling price or prices per gallon of such gasoline so sold or offered for sale together with name trade name brand mark or symbol and grade or quality classification if any of such gasoline

Section 3 It shall be unlawful for any person firm or corporation to sell or offer for sale at retail any such gasoline at a price which directly or indirectly by any means or device deviates from the posted price set forth in the said sign or placard

Section 4 If any rebate discount commission or other

concession is granted in the sale of such gasoline as will reduce the cost or price to any purchaser or consumer thereof the conditions quantity and amount of such rebate discount commission or other concession shall be posted as part of the posted price in letters and figures of not less than two inches in height

Section 5 The amount of the governmental tax to be collected in connection with the sale of such gasoline shall be stated on such sign or placard in numerals of not less than two inches in height

Section 6 Where the posted price of such gasoline includes a fraction each figure comprising said fraction shall be at least one-half the size of the other price figure or figures displayed on such sign or placard

Section 7 It shall be unlawful for any person firm or corporation to sell or offer for sale gasoline at retail in any manner so as to deceive or tend to deceive the purchaser as to the price nature quality or identity thereof or to sell or offer for sale from any pump or dispensing device any gasoline other than that gasoline manufactured or distributed by the manufacturer or distributor marketing such gasoline under the name trade name brand symbol or mark affixed to or contained on such pump or other dispensing device or to substitute mix or adulterate gasoline sold or offered for sale under a name trade name brand symbol or mark

Section 8 Each day the sign or placard required by this act remains unposted or an unauthorized sign or placard remains posted or each deviation from the posted price shall be considered a separate offense

Section 9 It shall be unlawful for any person firm or corporation to display any sign or placard which shall tend to deceive the public in any manner whatsoever

Section 10 Any person violating any of the provisions of this act shall upon conviction in a summary proceeding before a magistrate be sentenced to pay a fine of fifty dollars (\$50) and costs of prosecution and in default of the payment thereof shall undergo imprisonment for not more than ten days

Section 11 The provisions of this act shall be severable and if any of the provisions shall be held to be unconstitutional such decision shall not effect the validity of any of the remaining provisions of this act

Section 12 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—145.

Achterman,	Gillan,	Maxwell,
Allmond,	Gillette,	McClester,
Baker,	Goodwin,	McDermott,
Balthaser,	Gross,	McFall,
Bentley,	Gryskewicz,	McGrath,
Bentzel,	Habbyshaw,	McIntosh,
Eoles,	Hall,	McKinney,
Boney,	Hamilton,	McLanahan,
Bradley,	Harkins,	McLane,
Breth,	Harmuth,	McMillen,
Brown,	Harris,	McSurdy,
Brunner, C. H.,	Heatherington,	Melchiorre,
Brunner, P. A.,	Hering,	Mihm,
Burris,	Herman,	Monks,
Cadwalader,	Hersch,	Mooney,
Cohen, M. M.,	Hirsch,	Moran,
Cohen, R. E.,	Holland,	Muir,
Cordier,	Huntley,	Munley,
Croop,	Imbrie,	Nagel,
Cullen,	Jefferson,	O'Brien,
Dairympole,	Jone, G. E.,	O'Connor,
DiGenova,	Jones, P. N.,	O'Mullen,
Dix,	Keenan,	O'Neill,
Dolon,	Kenehan,	Petrosky,
D'Ortona,	Kline,	Pettit,
Early,	Kolankiewicz,	Polaski,
Elllott,	Komorofski,	Polen,

Ely,	Krise,	Powers,	Voorhees,
Falkenstein,	Leisey,	Prosen,	Welsh, E. B.,
Finestone,	Leonard,	Rausch,	Welsh, M. J.,
Finnerty,	Lesko,	Readinger,	Williams,
Flynn,	Lichtenwalter,	Reagan,	Woodring,
Floor,	Lorigo,	Reese, R. E.,	Woodside,
French,	Lovett,	Regan,	Yester,
Gallagher,	Malloy,	Reynolds,	Young,
Gates,	Marks,		Kilroy, Speaker
Gerard,			

NAYS—1.

Vogt,

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

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

BILLS PASSED OVER

There being no objection House Bill No. 292, Printer's No. 418, was passed over at the request of the SPEAKER.

There being no objection House Bill No. 1190, Printer's No. 381, 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. 875, (Senate Bill No. 253), as follows:

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

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

Section 1 There shall be submitted to the qualified voters in each city of the second class at the primary election in the year one thousand nine hundred and forty-two the question "Shall a three-platoon system for the bureau of fire Department of Public Safety be adopted in this city" The county board of elections in and for each county in which there shall be located a city of the second class shall prepare the necessary ballots voting machines and other matters so that said question shall be submitted to the qualified voters in said cities at said primary election and so that such vote thereon shall be properly had and conducted all in the manner provided by the election laws of this Commonwealth

Section 2 In districts where ballot boxes are used said question shall be printed on a separate ballot prepared in the manner provided by law for the preparation of official ballots and one such ballot containing said question shall be furnished to each qualified elector by the proper election officer In election districts where voting machines are used said question shall appear on the face of the voting machine in the manner provided by law The votes upon said question shall be counted by the election officers in each district and by said election officers returned to the county board of elections which board shall compute and canvass said returns and shall forthwith certify the result thereof to the mayor of the respective city of the second class

Section 3 If a majority of the qualified voters of such city voting on such question at such election shall vote in the affirmative then the proper officers of each city of the second class having the direction control and management of the bureau of fire in such city or being responsible for making provision therefor shall begin at once to divide and to provide for dividing members excepting the chief engineer and his deputy chiefs by whatever designation they may be known of the bureau of fire into three platoons and such division shall be fully

completed and the provisions of this act shall be fully effectuated not later than the first day of January one thousand nine hundred and forty-three

Section 4 No such member of any of such bureau of fire shall be required to work more than eight hours in any twenty-four consecutive hours except in cases of extraordinary fire emergencies riots or similar emergencies affecting the public interest and the necessary time and no more consumed in changing work shifts Such work shifts shall be changed at least once each calendar week and such member of any such bureau shall be compelled to work the same work shift more than once in any three consecutive weeks All such members of such bureaus of fire shall be entitled to one full day of rest in each calendar week and to have an annual vacation of not less than fourteen days None of the circumstances provided for in this section shall result in any diminution of salary or compensation fixed by ordinance or resolution of such city.

Section 5 All acts and parts of acts inconsistent with this act are hereby repealed

Section 6 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—146

- Achterman, Allmond, Baker, Balthaser, Bentley, Bentzel, Boies, Boney, Bradley, Breth, Brown, Brunner, C. H., Brunner, P. A., Burris, Cadwalader, Cohen, M. M., Cohen, R. E., Cordier, Croop, Cullen, Dalrymple, DiGenova, Dix, Dolon, D'Ortona, Early, Elliott, Ely, Falkenstein, Finestone, Finnerty, Flynn, Poor, French, Gallagher, Gates, Gerard, Gillan, Gillette, Goodwin, Gross, Gryskewicz, Habbyshaw, Hall, Hamilton, Harkins, Harmuth, Harris, Heatherington, Hering, Herman, Hersch, Hirsch, Holland, Huntley, Imbrie, Jefferson, Jones, G. E., Jones, P. N., Keenan, Kenehan, Kiine, Kolankiewicz, Komorowski, Krise, Leisey, Leonard, Lesko, Lichtenwalter, Longo, Lovett, Malloy, Marks, Maxwell, McClester, McDermott, McFall, McGrath, McIntosh, McKinney, McLanahan, McLane, McMillen, McSurdy, Melchlorre, Mihm, Monks, Mooney, Moran, Muir, Munley, Nagel, O'Brien, O'Connor, O'Mullen, O'Neill, Petrosky, Pettit, Polaski, Polen, Powers, Prosen, Rausch, Readinger, Reagan, Reese, R. E., Regan, Reynolds, Rhea, Riley, Rooney, Rose, S., Rosenfeld, Royer, Rush, Sarraf, Scanlon, Schwab, Serrill, Shaffer, Shaw, Shepard, Simons, Sollenberger, Sorg, Stank, Stine, Stockham, Tate, Taylor, Thompson, E. F., Van Allsburg, Verona, Vincent, Vogt, Voldow, Voorhees, Welsh, E. B., Welsh, M. J., Williams, Woodring, Woodside, 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 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. 104, as follows:

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 of 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

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

Section 1 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 of 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" as last amended by the act approved the eleventh day of May one thousand nine hundred and thirty-nine (P. L. 116) is hereby further amended to read as follows

Section 7 Application for compensation shall be made to the Adjutant General on such forms and in such manner as he shall prescribe

All applications shall be made (1) personally by the veteran or (2) in case of death or mental incompetency preventing the making of a personal application then by such representative of the veteran as the Adjutant General shall by regulation prescribe An application made by a representative other than one authorized by such regulation shall be held void

The Adjutant General shall not accept or consider any application filed with him after the first day of July one thousand nine hundred and [forty-two] forty-four

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—146

- Achterman, Allmond, Baker, Balthaser, Bentley, Bentzel, Boies, Boney, Bradley, Breth, Brown, Brunner, C. H., Brunner, P. A., Burris, Cadwalader, Cohen, M. M., Cohen, R. E., Cordier, Croop, Cullen, Dalrymple, DiGenova, Gerard, Gillan, Gillette, Goodwin, Gross, Gryskewicz, Habbyshaw, Hall, Hamilton, Harkins, Harmuth, Harris, Heatherington, Hering, Herman, Hersch, Hirsch, Holland, Huntley, Imbrie, Jefferson, Jones, G. E., Jones, P. N., Marks, Maxwell, McClester, McDermott, McFall, McGrath, McIntosh, McKinney, McLanahan, McLane, McMillen, McSurdy, Melchlorre, Mihm, Monks, Mooney, Moran, Muir, Munley, Nagel, O'Brien, O'Connor, O'Mullen, Rhea, Rilcy, Rooney, Rose, S., Rosenfeld, Royer, Rush, Sarraf, Scanlon, Schwab, Serrill, Shaffer, Shaw, Shepard, Simons, Sollenberger, Sorg, Stank, Stine, Stockham, Tate, Taylor, Thompson, E. F.,

Dix,	Keenan,	O'Neill,	Van Allsburg,
Dolon,	Kenehan,	Petrosky,	Verona,
D'Ortona,	Kline,	Pettit,	Vincent,
Early,	Kolankiewicz,	Polaski,	Vogt,
Elliott,	Komorofski,	Polen,	Voldow,
Ely,	Krise,	Powers,	Voorhees,
Falkenstein,	Leisey,	Prosen,	Welsh, E. B.,
Finestone,	Leonard,	Rausch,	Welsh, M. J.,
Finnerty,	Lesko,	Readinger,	Williams,
Flynn,	Lichtenwailer,	Reagan,	Woodring,
Foor,	Longo,	Reese, R. E.,	Woodside,
French,	Lovett,	Regan,	Yester,
Gallagher,	Malloy,	Reynolds,	Young,
Gates,			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. 90, as follows:

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 Incorporated

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

Section 1 In all existing legislation affecting veterans of the Spanish American War and organizations of said veterans all designations or titles of said veterans' organizations shall be corrected to read United Spanish War Veterans Inc

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—146.

Achterman,	Gerard,	Marks,	Rhea,
Allmond,	Gillan,	Maxwell,	Riley,
Baker,	Gillette,	McClester,	Rooney,
Balthaser,	Goodwin,	McDermott,	Rose, S.,
Bentley,	Gross,	McFall,	Rosenfeld,
Bentzel,	Gryskewicz,	McGrath,	Royer,
Boles,	Habbyshav,	McIntosh,	Rush,
Boney,	Hall,	McKinney,	Sarraf,
Bradley,	Hamilton,	McLanahan,	Scanlon,
Breth,	Harkins,	McLane,	Schwab,
Brown,	Harmuth,	McMillen,	Serrill,
Brunner, C. H.,	Harris,	McSurdy,	Shaffer,
Brunner, P. A.,	Heatherington,	Melchiorre,	Shaw,
Burris,	Hering,	Mihm,	Shepard,
Cadwalader,	Herman,	Monks,	Simons,
Cohen, M. M.,	Hersch,	Mooney,	Sollenberger,
Cohen, R. E.,	Hirsch,	Moran,	Corg,
Cordier,	Holland,	Muir,	Stank,
Croop,	Huntley,	Munley,	Stine,
Cullen,	Imbrie,	Nagel,	Stockham,
Dalrymple,	Jefferson,	O'Brien,	Tate,
DiGenova,	Jones, G. E.,	O'Connor,	Taylor,
Dix,	Jones, P. N.,	O'Mullen,	Thompson, E. F.,
Dolon,	Keenan,	O'Neill,	Van Allsburg,
D'Ortona,	Kenehan,	Petrosky,	Verona,
Early,	Kline,	Pettit,	Vincent,
Elliott,	Kolankiewicz,	Polaski,	Vogt,
Ely,	Komorofski,	Polen,	Voldow,
Falkenstein,	Krise,	Powers,	Voorhees,
Finestone,	Leisey,	Prosen,	Welsh, E. B.,
Finnerty,	Leonard,	Rausch,	Welsh, M. J.,
Flynn,	Lesko,	Readinger,	Williams,
Foor,	Lichtenwailer,	Reagan,	Woodring,
French,	Longo,	Reese, R. E.,	Woodside,
Gallagher,	Lovett,	Regan,	Yester,
Gates,	Malloy,	Reynolds,	Young,
			Kilroy, Speaker.

NAYS—0.

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

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

PERMISSION TO ADDRESS HOUSE

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

Mr. Speaker, yesterday the minority leader of the House was interested in securing some information relative to the deficit of his administration, and I agreed with him that I would furnish that information in some detail. I am now prepared to give the information that he requested.

The first item of deficiency, Mr. Speaker, represents borrowings from special funds authorized by the special session of 1940, in the amount of \$59,550,000. If he will take his budget message and turn to page two he will find it recorded there. In addition to that in the present session to repay motor license fund, the additional sum borrowed from that fund is \$6,400,000. He will find that amount, Mr. Speaker, also in the budget, on page two.

In addition on page two of the budget he will find the sum of \$4,950,171, which is the proposed deficiency appropriation deferred to June 1st, 1941. In other words, that means that they intend to use funds of the coming biennium to meet that particular deficit. Then again, Mr. Speaker, and this is not reflected in the budget or at least all the figures are not reflected in the budget, but you will note that the general fund is credited with anticipated tax of \$356,767,312. The Revenue Department advises me that collections have only been made in the amount of \$350,279,847, which leaves a shortage of \$6,487,465. That, may I say in passing, Mr. Speaker, is in spite of the fact that the particular appropriation that we made early in the session for relief and which the Republicans had hoped would suffice for the last three months of the biennium, included some \$5,000,000 of increased revenues. Whether the \$5,000,000 should or should not be added to the deficit is rather difficult to say at the present time, but for the sake of avoiding argument I have not added it at the present moment. If I did then the figures would approximate \$95,000,000 instead of \$90,000,000.

The next item, Mr. Speaker, and this must be fresh in the minds of the minority, is the appropriation for May relief deficiency appropriation, which amounts to the sum of \$6,300,000.

May I state in passing that \$2,150,000 of that sum represents the postponement of payments to the sinking fund.

The next item, Mr. Speaker, the Governor, as you possibly will recall, stated that he estimated there would be \$3,000,000 in funds that would lapse. Turning to the budget, you will note appropriation lapses, actual and estimated, up to May 31st, 1941, deducted is \$12,386,210.37. I have been advised by the Auditor General's department that that is in error and that the correct amount is \$10,169,403. As a consequence, Mr. Speaker, it makes a difference of \$2,216,798. That is the actual amount that would be capable of being recaptured in the form of lapses and creates a deficit of \$783,202 from the Governor's figures.

Then lastly, Mr. Speaker, is the deficit that appears on page two which amounts to \$6,380,374. That makes a grand total deficit of \$90,851,212. In passing, may I say again, that is, provided the return of taxes for the remaining month will make it possible to recapture \$5,000,000 that the Governor estimated and which does not appear in the offing at the moment.

INTERROGATION

Mr. WOODSIDE. Mr. Speaker, I desire to interrogate the gentleman from Monroe, Mr. Achterman.

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

Mr. ACHTERMAN. I shall, Mr. Speaker.

Mr. WOODSIDE. Mr. Speaker, I am particularly interested in finding out from the gentleman whether it is his opinion that the present apparent estimate of revenue is \$11,487,000 short of what the estimates were upon which the appropriations were based.

Mr. ACHTERMAN. Mr. Speaker, that is correct. However, may I enlarge on that by stating that the figure I have given, that is, the sum of \$90,000,000 plus, in that figure I have not included the sum of \$5,000,000 I have allowed that much of a margin for the Governor to work on,—he took it anyhow.

Mr. WOODSIDE. Mr. Speaker, I think the gentleman has used the \$5,000,000 twice again.

Do I understand him to say that it is his opinion that the revenues for the biennium of 1939—'41 according to present indications are going to fall at least \$6,487,000 short, and possibly \$11,487,000 short of the estimates upon which the appropriations were made?

Mr. ACHTERMAN. That is correct, Mr. Speaker.

Mr. WOODSIDE. I thank the gentleman, Mr. Speaker. I am positive the facts will not bear that out, but I would like to interrogate the gentleman further, Mr. Speaker.

The SPEAKER. The gentleman from Dauphin will proceed.

Mr. WOODSIDE. Mr. Speaker, may I preface my question with the statement that the gentleman realizes of course, that the estimates of revenue are made for the entire biennium, that they have now had twenty-three twenty-fourths of the biennium and have one twenty-fourth of the biennium left, in other words, one month. I realize that the gentleman understands that.

Do I understand the gentleman to say that this \$6,487,000 figure is the difference between the estimated revenue and the actual revenue to this date.

Mr. ACHTERMAN. That is right, Mr. Speaker.

Mr. WOODSIDE. Mr. Speaker, the gentleman realizes, of course, that there is one month of revenue yet due.

Mr. ACHTERMAN. That is correct, Mr. Speaker.

Mr. WOODSIDE. Mr. Speaker, then the gentleman certainly does not expect that there will be no revenue received during that month.

Mr. ACHTERMAN. No, Mr. Speaker, I am assuming you will get \$5,000,000. I haven't added the \$5,000,000 in my figure.

Mr. WOODSIDE. Mr. Speaker, the gentleman, of course, realizes that the entire figure will be in excess of \$5,000,000 because that represents the total amount of estimated revenue upon which appropriations have been made, therefore, the shortage will be \$11,487,000 instead

of the \$6,487,000. I want to know whether the gentleman is sure that the estimated revenues is at this date \$11,487,000 short or whether it is \$6,487,000 short.

Mr. ACHTERMAN. Mr. Speaker, the gentleman is actually short \$11,000,000 in his collections.

Mr. WOODSIDE. In other words, in order to meet the estimated revenue, we must receive during the month of May \$11,487,000?

Mr. ACHTERMAN. That is correct, Mr. Speaker.

Mr. WOODSIDE. Mr. Speaker, the gentleman says that we will receive during the month of May \$5,000,000, according to his estimate?

Mr. ACHTERMAN. That is right, Mr. Speaker.

Mr. WOODSIDE. Mr. Speaker, how does the gentleman arrive at that figure?

Mr. ACHTERMAN. Mr. Speaker, because the major portion of taxes has been paid. It is purely an estimate, based on the same grounds as the Governor's budget.

Mr. WOODSIDE. Mr. Speaker, has the gentleman made any inquiries from the Department of Revenue or from the Auditor General's department as to what they expect the revenue to be coming into the General Fund during the month of May?

Mr. ACHTERMAN. No, Mr. Speaker.

Mr. WOODSIDE. Mr. Speaker, the \$5,000,000 is his own estimate?

Mr. ACHTERMAN. Yes, Mr. Speaker.

Mr. WOODSIDE. Mr. Speaker, has the gentleman inquired what the income was during the month of May 1940, 1939, 1938, 1937 or any prior year?

Mr. ACHTERMAN. Yes, Mr. Speaker, there was a comparison made there. I have forgotten what those figures were but they seem to reflect that our estimate is reasonably correct.

Mr. WOODSIDE. Mr. Speaker, does the gentleman feel that the Department of Revenue has been about \$6,000,000 too high in the estimates during this biennium?

Mr. ACHTERMAN. That is correct, Mr. Speaker.

Mr. WOODSIDE. Mr. Speaker, that is very interesting, in consideration of what was said in the Senate this week, that the Department of Revenue was much too pessimistic in their estimates, and the probabilities are that the estimates are much too low, and that the State is bound to receive more income from taxes than the Department of Revenue is estimating it will receive. I am interested now to learn from the other side that the alternative is true, that the Department of Revenue seems to be too liberal in its estimates.

COMMITTEE MEETING

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

Mr. Speaker, I would like to announce a Public Hearing on House Bill 1054 to be held Tuesday evening next week, May 6th, at 6:30 P. M., Eastern Standard Time, in the House Caucus Room. I particularly ask the Members of the press to call this hearing to the attention of the people who are interested in House Bill 1054, the American Federation of Labor and the schools who are interested in the school band bill of Mr. Rush, to be present at that time.

RESOLUTIONS

THANKS EXTENDED

Messrs. CULLEN and MODELL offered the following

resolution and asked and obtained unanimous consent for its immediate consideration.

The resolution was read, considered and adopted.

In the House of Representatives, May 1, 1941.

Whereas, The members of the General Assembly and its guests observed Americanism Day, in the halls of the House of Representatives on the 30th day of April, 1941; and

Whereas, The Honorable Francis J. Myers, Congressman from the 6th District of the City of Philadelphia, took leave from his arduous and important duties at our Nation's Capital to make an address on Americanism to the assembled guests on that occasion, therefore be it

Resolved, That the House of Representatives hereby thanks the Honorable Francis J. Myers for his gracious action and for his inspiring remarks on Americanism; and be it further

Resolved, That a copy of this resolution be transmitted to the Honorable Francis J. Myers by the Chief Clerk of this House.

THANKS EXTENDED

Messrs. GEORGE E. JONES and SOLLENBERGER offered the following resolution and asked and obtained unanimous consent for its immediate consideration.

The resolution was read, considered and adopted.

In the House of Representatives, May 1, 1941.

Whereas, The Governor of the Commonwealth of Pennsylvania, by proclamation, designated the first day of May, one thousand nine hundred and forty-one, as Americanism Day, and the General Assembly and its guests met in the Hall of the House of Representatives on April 30th, to mark the observance of this day; and

Whereas, Among the public figures invited to participate in this patriotic celebration was the Honorable James E. Van Zandt, United States Congressman from the 23rd District of Pennsylvania; and

Whereas, Mr. Van Zandt graciously took leave from his responsible and important duties in Washington as a Member of Congress in order to address the gathering met in the Hall of the House of Representatives on this occasion; now therefor be it

Resolved, That the House of Representatives of the General Assembly of the Commonwealth of Pennsylvania hereby thanks the Honorable James E. Van Zandt for his inspiring and thought-provoking address delivered at the observance of Americanism Day on April 30, 1941; and be it further

Resolved, That a copy of this resolution be forwarded by the Chief Clerk to the Honorable James E. Van Zandt at Washington.

PERMISSION TO ADDRESS HOUSE

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

Mr. Speaker, I rise to ask permission of the House to introduce into its record of the Legislative Journal of this Session the speech of the Honorable James E. Van Zandt delivered at the Americanization program on April 30th. I respectfully ask permission of the House for its introduction on the pages of the Legislative Journal, believing that this inspired address should be reduced to print for the benefit of posterity.

The SPEAKER. Will the House give its consent to spread upon the Journal of the House the speech made by the Honorable James E. Van Zandt? The Chair hears no objection. The speech of the Congressman will be spread upon the Legislative Journal. Did the request of the gentleman from Blair include the addresses of both Congressmen?

Mr. AUKER. Mr. Speaker, I will be very happy to make that request, however, I do not have a copy of the speech of the Honorable Francis Myers with me.

The SPEAKER. The Chair accepts the amendment and the speeches of both Congressmen will be spread upon the Legislative Journal.

PERMISSION TO ADDRESS HOUSE

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

Mr. Speaker, in view of the fact that the Honorable Francis Myers is the Congressman from the Sixth Congressional District of Pennsylvania, which happens to be my own Congressional District, we think of him as one of the greatest Congressmen and one of the finest orators who has ever graced the Halls of Congress. Consequently we are very happy to have his speech included in the Journal, because we feel it will be a source of edification and enlightenment for others to read beside the Members of the House. I want to thank the gentleman for making that inclusion.

ADDRESS OF HONORABLE FRANCIS J. MYERS

HONORABLE FRANCIS J. MYERS. His Excellency, Mr. Speaker, distinguished guests, members of the House and Senate of the Commonwealth of Pennsylvania, you have graciously invited me here today to participate with you in these ceremonies in the anticipation of tomorrow's observance of Americanism Day.

You have asked me to say a few fitting words. This is difficult, for great men, great Americans, have spoken great words for their beloved America long before any of us were born.

So let me as an humble man speak a few humble words today.

We are gathered here this afternoon not as partisans but as patriots, not as lawmakers but as citizens. We have assembled here not to denounce others or to speak too boastfully of our own accomplishments but rather we have come here to speak earnestly together as Americans.

The American ideal is not one of great riches, buying a lavish progress from servile nations.

The American idea is not one of power, tramping feared and unmolested throughout the world.

The American idea is not that we shall all be kings but that we all shall be free men.

Our forebearers and our comrades fought that they might have as good a chance as any and that all might have as good a chance as they.

They fought that they and their children—and their children's children—might have a homeland which would set a new course in the world, a course of decency, friendship and democracy.

They had in mind no marble halls or dainty luxuries.

They had in mind work-hardened hands, modest comforts, proper rewards for their leaders and a dignified decency of life for their followers, including even the least fortunate.

They fought that their son's dreams, that your boy's dreams, might come true; they sacrificed for a country where he might gain the ambition and the desire of his heart.

They struggled so that their aspirations, their aims,

their impulses, their very life might have expression. They loved this Country and this land for the opportunity which it gave them—whatever might have been their origin—to rise to the fullness of manhood.

They gave this Country a new philosophy of government, founded upon the theory that government to be practical and to be ultimately successful should be conducted in the interest of all the people and be participated in by all the people regardless of their station in life or their ownership of property. They believed that the entire people could be trusted to do justice better than any one man or group of men. For such a theory makes for safety in government and for orderly progress instead of revolution.

Officers of the American Legion Post No. 51 and of the Veterans of Foreign Wars Post No. 47, of Uniontown, Fayette County, are with us here today. And it is just and proper and fitting that they are. For it was in that western City of Pennsylvania that Americanism Day was first conceived by the veterans of that community.

Some of their comrades never returned from the fields of France, and too often do we hear it said that their struggle was in vain. All too frequently has it been said—and, I might add, said sneeringly and disparagingly—"they died to make the world safe for democracy."

Well, my Fellow Pennsylvanians, I believe they died to give us a respite to carry on the American ideal; to carry it on toward a perfection for which we must always strive. Those patriots and our forebears died to make or to preserve our Nation.

They died to protect our Freedom and our Liberty.

They died, whether twenty-five or one hundred and sixty-five years ago, to insure that the children of today and tomorrow and next year—children as yet un-conceived and unheralded—might live in the American way.

They died that we might have a free America in 1941, whose greatness we might be free to observe tomorrow.

But let us not boast of our Americanism unless Americanism is truly in our souls. We intend to preach Americanism tomorrow but what is it?

We know it does not exist, that there is no such thing unless it is in our souls.

It is the spirit of our Country. It is the never ending searching of the mind and the heart and the soul for an ideal, for the thing that is better. It is high in the Heavens and has come to us from the very throne of the living God.

You are men of the people, the maker of laws, the living symbols of our democratic way of life. You are the people's representatives, and into your keeping is entrusted the safety, the welfare and the liberty of the people of Pennsylvania.

But you have a greater responsibility even than this. A more sacred trust has been imposed upon all of you. For in the soul of each of you is a spiritual quality which represents your Americanism. It is finer and better than the individual himself. It is that quality which makes us discontented to stand still; which compels us to push ever forward and onward; which prompts us to strive for perfection and the unattainable.

That is the very essence of Americanism, for America is truly an aspiration.

We must secure it within our hearts, every last one of us; we must develop a passion for Americanism, not only because Americanism is the living, vital spirit of this

Nation but because it is the most uplifting spirit that has come to man's soul from our omniscient Creator.

On the European Continent today democracy, the kind of democracy so sacred to us in America, is dead as a doornail, "gone with the wind". America and Britain are democracy's last fortresses, its final safeguards.

There are only two basic systems of government in the world today. One is the theory of natural rights, and that is democracy. The other goes by the high-sounding title of totalitarianism.

It all boils down to Americanism versus the other thing—call it Communism or Naziism or Fascism—but it is easier to say liberty or tyranny, right over might.

In the fateful struggle which has enveloped practically the entire world, in which the destiny of civilization will probably be determined, the issue is clear, for the ideals which we cherish have been shattered and destroyed and trampled into the earth in foreign lands.

The fight is for the vindication of the individual, if need be against the world; the triumph proclamation of God in your conscience; the complete backout, the final destruction of all isms, with their cold, brutal absorption of men and women in the remorseless schemes and ambitions of a soulless state.

Three and one-half years ago the President saw the danger ahead and spoke these words: "America hates war. America hopes for peace. Therefore, America diligently searches for peace."

What has happened in the world since the President uttered those words? Peaceful peoples who sought and hoped for peace—just as we do—have seen their countries overrun by the mad dogs of Naziism, their freedom and liberty and way of life destroyed.

During those three and one-half years the President has striven for world peace. He has raised his voice time and time again in an effort to halt the mad rush of foreign dictators. He endeavored to calm them before the world became embroiled in this present mess. He sought to have them settle their difficulties around the conference table.

But the dictators heeded not. They closed their ears to reason. They turned their backs on God and have marched their mighty legions to the four corners of the European Continent.

After war was declared the President labored to avert a similar tragedy in the Western World.

Again and again during those three and one-half years the President warned the American people of the smoldering fires abroad and of the need for adequate defense at home only to have his opponents accuse him of war-mongering.

During those years your President had the vision and the foresight to warn America and to build its defenses, and yet the opponents of his foreign policy oftentimes reached into the garbage cans for political hatred and abuse.

I believe it is high time to throw off the cloak of complacency, forego our smug security and cease minimizing the dangers of economic and military aggression on this side of the Atlantic.

Why? Because there is a very real danger, a living actual menace. Let us not be lulled to an eternal sleep by an appeasement refrain.

Don't disregard the vivid lessons taught by recent European history. Don't say, "It can't happen here." It can.

Liberty has been blitzkrieged on the European Continent and hate and intolerance have ascended the throne where once reigned freedom and justice and human happiness. But even more important, democracy and Americanism are on trial in our own land.

Undercover organizations are fanning the fires of hatred and sowing the seeds of discord and appeasement among our people.

They work quietly, desperately, busily, to stir up and spread throughout the land false doctrines, crude and cruel hatreds designed to split our Nation and obstruct and slow up our National Defense efforts.

These subversive elements, alien in their origin and foreign in their loyalties, are penetrating into every activity of our people. They have attached themselves to peace groups, joined civil liberty organizations, wormed their way into pacifist committees, associated with those who preach prejudice and intolerance. They have played race against race and religion against religion, and have had the effrontery to participate in the affairs of civic and patriotic organizations.

Our people are oftentimes contaminated because they do not realize that we are at the crossroads; they do not yet comprehend that total victory for the Axis Powers in Europe lengthens the shadow of war across the waters of the Atlantic and the Pacific.

With what joy Hitler and Stalin and the military of Japan must witness the progress of their emissaries in dividing our people; how they must rejoice when they witness political attacks on the leader of the world's greatest democracy for speaking in the cause of decency, religious freedom and natural rights.

What large comfort the appeasers' derogatory and abusive attacks upon the President and our Government must be giving Hitler, for it plays right into his hand. He joins with them in the struggle to divide our people and soften America.

If Britain falls, America stands as the final safeguard for democracy.

The foreign policy adopted by your Government has been predicated upon such premises. We desire and we hope to maintain peace in the Western Hemisphere, but we have not been blind to the forces of war and destruction which were let loose upon the world. We are building our defenses strong and impregnable so that we will be secure from any attack.

I believe that this Nation has arrived at the very definite conclusion that there can be no just and lasting peace anywhere in the entire world—or for that matter any free or democratic way of life—if the forces of aggression are triumphant in this war.

And, therefore, we have thrown the entire industrial and economic strength of our Nation on the side of democracy and freedom.

I do not believe that Great Britain is fighting our war but Great Britain is fighting for a cause in which we have a vital stake, and I sincerely believe that it is in our National interest that she survive.

How can we maintain the Monroe Doctrine if she goes down; how can we possibly maintain the American standard of living; how can we maintain the free way of life for ourselves if all the rest of the world is in bondage?

How can we live alone and compete and survive in a dictator-ridden world unless we too adopt a dictator economy and build and maintain continually a military

machine equal to theirs? How can we avoid the maintenance of an armed camp in America for generation upon generation? And how can American business and American labor stand up under the appalling and hitherto undreamed of taxation which must inevitably follow?

That there is a certain risk involved in doing what we have done I admit. But there would be an infinitely greater risk in doing nothing in the face of a combination of aggressor nations which have already overrun fourteen independent countries. For we must recognize the character of this aggression and that it is a living threat, not only to the American way of life but to the American system and Americanism itself.

The President has held true to his course and believes the course he has charted is least likely to lead us over the brink of war, is most likely to preserve the American spirit from crucifixion upon the swastika of hatred which the foreign infidels have prepared for it.

America has become the world's hope that the spirit of democracy will continue to live and breathe and flourish; it is the champion of liberty and religion and right as against tyranny and might and intolerance. Here is the voice which carries comfort and faith to peoples all over the earth who, though in temporary slavery, still cherish and believe in and hope again for freedom.

May God in his infinite goodness and wisdom prevent the horror of war from spreading over here. May He watch over American spirit which itself came from His Bountiful Heart. May He give our President the strength and courage to carry on and spare him to keep us at peace and lead us all out of the maze of world destruction, this valley of death and tears, into the bright sunlight of hope and faith and contentment.

Hovering about us here today, consoling us, counselling us, must be the undying spirit of our fathers and of all those who have served America in the years that have fled, for they all had a burning passion for their beloved country and an all-consuming hatred for oppression and aggression.

My friends, let us hold high the flying banners of faith and loyalty and courage, sure of the nobility of our cause, sincere in our devotion to principle, let us on the morrow, Americanism Day of 1941, rededicate ourselves to the American spirit and make America more worthy of all our dreams.

ADDRESS OF HONORABLE JAMES E. VAN ZANDT

HONORABLE JAMES E. VAN ZANDT. Mr. Speaker, Members of the House of Representatives, and fellow Americans: It was with a sense of deep gratitude that I accepted your kind invitation to address you on such a momentous and unique occasion. As a member of the Congress of the United States you and I have much in common. We are charged with grave responsibilities in discharging our trust as legislators for a free people.

It is noteworthy that this body of duly elected Representatives of the great Commonwealth of Pennsylvania pause in their deliberations to give expression to the basic ideals on which this nation was founded. Your action is comparable to that of Congress, when on the birthday of George Washington the National House of Representatives pays tribute to the Father of our country by reading and meditating on our First President's Farewell Address.

Gentlemen, in my capacity as a member of the Congress

of the United States I congratulate you on your exemplification of true Americanism. By your example, you have demonstrated that the zeal and patriotism of the early Colonists who founded this great Commonwealth still burn brightly in the heart of every Pennsylvanian. It was on Pennsylvania soil that the breath of life was given to this great nation. At Philadelphia were adopted the Articles of Confederation; there the Declaration of Independence was written and signed; there the Treaty of Peace that ended the Revolutionary War was ratified, and there also the Constitution of the United States was formulated. Today Independence Hall in Philadelphia stands as a mighty monument commemorating the birthplace of this nation, and it truly depicts the Quaker City as the Cradle of American Liberty.

We as Pennsylvanians have a proud heritage in the patriotic fervor that permeated our forefathers. Their contribution to this great Republic is one of the brightest pages in the history of our great nation. The courage and valor displayed at Valley Forge, Brandywine, and Fort Mifflin spurred on the gallant stand that caused the Union forces to make Gettysburg the turning point in the Civil War, and has since transformed its hallowed ground into a national shrine. The torch of freedom given to us at Gettysburg has been carried aloft by loyal Pennsylvanians through the Spanish-American and World Wars.

Today as the war clouds gather over this last peaceful nation, Pennsylvanians true to their traditions are rallying to meet the challenge to the American way of life. The tramp of marching feet resounds in all of our 67 counties as Pennsylvania youth respond to the call of their country. Industries hum with activity as they strive to break all production records in their determined effort to supply the needs of an adequate national defense.

In short—Pennsylvania, the keystone in the original 13 States, is truly today the cornerstone of our national defense efforts.

Here in Pennsylvania we have room for only one ism—true Americanism. An Americanism that keeps strict faith with every word in the Bill of Rights and in every line of the Constitution. We believe in the kind of Americanism that give you and me the right to express our opinions, to approve or disapprove, to commend or criticize, as we see fit.

Our Americanism gives us a legal right to meet under the same roof as co-workers in the ranks of labor, as farmers in our local Granges, as business men in our Chambers of Commerce, as fraternal brothers in the Masonic Order, or the Knights of Columbus, Eagles, Elks, Odd Fellows or Moose.

We recognize and cherish the spirit of Americanism which leaves our newspapers free to print anything that does not conflict with the laws of libel or decency. As business leaders, laborers, or farmers, we appreciate the right that is ours to publish our own periodicals without the heavy hand of a censor to tell us what we the people are allowed to read. We realize that a free press must be available to all, and that if we deny it to those with whom we disagree today it may be likewise denied to us tomorrow.

As taxpayers and law abiding citizens, the Americanism we advocate gives us the privilege of presenting our petitions to the highest court in the land if we feel we

have been wronged. We insist as true Americans that nothing shall interfere with that right.

If our public servants, our duly elected representatives in our town councils, our County and State Legislatures or in the Congress of the United States enact laws contrary to our ideas we believe in the kind of Americanism that grants every citizen the opportunity to petition our law-making bodies for corrective legislation. We want that opportunity as individuals. We want it as farmers, laborers, lawyers, doctors or bankers. If we feel our mutual welfare is being endangered.

In 1620 our Pilgrim Fathers migrated from England in search of individual liberty. One of their most important objectives was to establish homes in a new land where they could cling to the religious faith in which they believed. The Americanism we know teaches us that the blessing of religious freedom must be ours forever if America is destined to survive. There is no compromise with this fundamental truth. You and I would be repudiating Americanism if we should deny our neighbor the right to walk with his Lord and his God in his own way.

Tolerance for the rights and privileges of others is the essence of Americanism applied to religious freedom, free speech, free press or other individual liberties. There must be freedom for all or freedom for none. Those who would have America half free and half slave are traitors to the spirit of Americanism.

Let us keep this fact uppermost in our mind at all times—Americanism is not something you can sell for a price nor is it something you can take off and put on when you own a certain kind of uniform. Americanism is a way of life—a way of living, and not something you acquire by paying membership dues in a secret society.

The real Americanism that we know, feel, and breathe in Pennsylvania is the nation's gospel. Can anyone of us look on the world today and fail to thank God for the blessings of our form of Government? We are the most fortunate of nations. Nowhere else today is there a people so free to pursue life, liberty and happiness. Yet this blessed privilege is abused by many so-called Americans and efforts made to destroy it in various ways.

Today Americanism is being challenged by enemies within and without. There are insidious forces at work within our own country who are seeking to undermine the basic ideals of the American form of Government. These political termites are tirelessly gnawing at the pillars of the Republic. They are encouraged by indifference on the part of many lukewarm Americans and by the active work of foreign governments.

Regardless of how false and dangerous are the political philosophies of the Communist, the Nazi, Fascist, or any other group, we must admit reluctantly that the advocates of these new fangled political concepts are fired with a fanatical zeal and enthusiasm that staggers the imagination.

This nationalistic frame of mind has transformed into a mighty military machine a nation that in 1918 was conquered and subdued. For seven years prior to the present war you and I read in the newspapers or witnessed in the news reels the systematic effort employed to arouse the national consciousness of the second greatest industrial nation in the world—Nazi Germany.

We saw legions of German youth depicted in brown shirts and raising their hands in salute to an insignificant

Austrian paper-hanger, now held in abject contempt by the nations of the world as the "Beast of Berlin"—Adolph Hitler.

Today those same youths are the spark-plugs in the blitzkrieg that has reduced nine countries in succession to a state of servitude.

Let us dwell for a moment on the activities of other nations since the year 1920. When we look back we now recall with vivid recollection that while Hitler pursued his program the remainder of the world was content to take everything for granted and be lulled into a false sense of security. When the rude awakening came, we found that not only other nations but even ourselves were unprepared for this new challenge to the peace and security of the civilized world.

Through the grace of God we as a nation have been spared actual combat with the ruthless forces now over-running the plains of Europe. Meanwhile, we are engaged in a feverish effort to build an adequate national defense at the earliest possible moment. Such a gigantic task provides a real testing ground and an opportunity to view the principles of true Americanism at work.

The need for a united nation devoid of any partisan motives was never more apparent as we shoulder the burden of providing an adequate national defense.

What we need is more enthusiasm and zeal for Americanism! If the Dictator nations can muster loyalty and enthusiasm for their bloody and lustful regimes, what is there to prevent America from casting off her lukewarm attitude and experiencing a revitalization of American principles and ideals.

The crying need of the hour is for every American regardless of creed, race, or social position to be inspired by the courage and fortitude of those brave patriots to whom Valley Forge and Gettysburg proved the acid test of their patriotism and found them unafraid and glorious in their victories.

We fellow Americans may have honest differences of opinion in regard to many questions, but there can be no compromise on the fundamental principles of Americanism.

Our tolerance as a nation intended as a blessing has been seized upon by subversive groups to promote their own gospels of hate and oppression. To those alien parasites let us in unmistakable terms serve notice that their presence here among a free people will not be countenanced. Let the Communist return to Russia and face the secret trial and consignment to an unmarked grave

by the light of the moon. Let the Nazi, Fascist and their kind return to the fatherland where the principles of human liberty have been discarded and where no man dare call his soul his own.

There should be a mass movement on the part of every Legislative body to provide the means of transportation to these base ingrates who, while enjoying the privileges and blessings of America, are in the same breath laboring incessantly to uproot and destroy every vestige of liberty and freedom. Let them demonstrate their sincerity for Godless Russia and Nazi Germany by departing from our shores, and every loyal American will utter a prayer of thanksgiving.

In similar fashion, I hold no brief for the luke-warm American, but instead regard him with contempt. The day of reckoning has arrived, and he must remove his cloak and stand revealed in his true light as a pussy-footer and one who accepts the blessings of American citizenship with no thought of assuming its duties and obligations. Today America is for Americans and let such a slogan be on the lips of every school-child, preached from the pulpits of the nation and inscribed on every heart.

In this critical period of world history let us evaluate the many blessings that are bestowed upon us by citizenship in this great Republic. Let us join with that distinguished employe of the National House of Representatives, William Tyler Page, in subscribing wholeheartedly to the lofty sentiments contained in his famous composition entitled "The American's Creed":

"I believe in the United States of America, as a government of the people, by the people, for the people; whose just powers are derived from the consent of the governed; a democracy in a republic; a sovereign nation of many sovereign states; a perfect union, one and inseparable; established upon those principles of freedom, equality, justice and humanity for which American patriots sacrificed their lives and fortunes.

"I therefore believe it is my duty to my country to love it, to support its constitution, to obey its laws, to respect its flag, and to defend it against all enemies."

ADJOURNMENT

Mr. FISHER. Mr. Speaker, I move that this House do now adjourn until Monday, May 5, 1941, at 8 p. m.

The motion was agreed to, and (at 10:58 a. m.) the House adjourned.