

HOUSE OF REPRESENTATIVES

TUESDAY, May 6, 1941

The House met at 1:30 p. m.
The SPEAKER (Elmer Kilroy) in the Chair.

PRAYER

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

Dear God, increase our faith. Help us to believe that faith is the victory that overcomes the world. Help us to see that it is the men and women of faith who have done most for the world. Warm our hearts toward those who have lived for duty rather than desire, and may we never set up idols of worldly achievement that shall lead astray those of thy children who are weak. Keep us and our loved ones ever close to Thee, our Heavenly Father, we pray in the name of Christ, Thy Son. 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.

The SPEAKER. The Chair would inquire of the gentleman from Delaware where his carnation is today.

Mr. TURNER. Mr. Speaker, there comes a time in the day's occupation, the children's hour, and this one of the times I must plead guilty of childishly having forgotten my flower this morning and left it on the drain-board in the kitchen.

Mr. Speaker, I was undecided as to whether I should buy a fresh flower, or return to my apartment for the one I forgot. I decided to do neither, because I thought some one would ask just that question.

The SPEAKER. The Chair does not have a white carnation, but he would like to present the gentleman from Delaware with a red rose.

Mr. TURNER. Mr. Speaker, I suppose every man in his life time is entitled to one whim. I have always worn the white carnation for purity. Today I will walk in grace and put a little dash of red on.

The SPEAKER. That is the Democratic way, the red rose for hope.

LEAVE OF ABSENCE

By unanimous consent leave of absence was granted as follows:

Mr. GERARD for himself for the remainder of the week after today's session.

Mr. Weingartner for Mr. SORG for today's session on account of illness.

Mr. Cordier for Mr. KNOBLE for the remainder of the week on account of illness.

Mr. TURNER for himself for the remainder of the week because of court engagements.

BILLS INTRODUCED AND REFERRED

By Messrs. McINTOSH and BAUGHER.

HOUSE BILL No. 1482.

An Act to amend section four hundred eighteen 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 connections 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 the 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 imposing additional limitations on public utilities where a bona fide cooperative corporation has been organized to furnish light or power service in a given area to its stockholders or members.

Referred to the Committee on Public Utilities.

By Mr. PROSEN.

HOUSE BILL No. 1483.

An Act to repeal the act approved the sixteenth day of January, one thousand seven hundred and ninety-nine (Sm. Laws, page 338), entitled "An act to declare Frankford creek, a public highway."

Referred to the Committee on Highways.

By Mr. MARKS.

HOUSE BILL No. 1484.

An Act to amend section one of the act approved the seventh day of June, one thousand nine hundred and seventeen (P. L. 600), entitled "An act providing that appointive officers and employees, employed by the Commonwealth of Pennsylvania in its civil service, or by any department, bureau, commission, or office thereof, or by any county, municipality, township, or school district, shall not be deemed or held to have resigned or abandoned their offices or employments by reason of enlistment, enrollment, or draft in the military or naval service of the

United States or any branch or unit thereof, in time of war or contemplated war; prohibiting the removal from their offices or employments of such officers and employes during the period of their service in the Army or Navy; directing that one-half of the salaries or wages of such officers or employes as have dependent wives, children, or parents, and not exceeding two thousand dollars per annum, be paid during the term of their service in the Army or Navy to such dependents; authorizing the employment during said term of substitutes to perform the duties theretofore performed by such officers or employes, respectively, and providing for the compensation of such substitutes," by extending provisions to include provisional employes of the Commonwealth of Pennsylvania in its civil service.

Referred to the Committee on State Government.

By Messrs. NAGEL and GATES.

HOUSE BILL No. 1485.

A Joint Resolution proposing an amendment to section four of article two of the Constitution of the Commonwealth of Pennsylvania, prescribing procedure to be followed at regular sessions of the General Assembly and the publication of legislative histories thereat.

Referred to the Committee on Constitutional Amendments.

By Mr. HAMILTON.

HOUSE BILL No. 1486.

An Act providing for the tenure of members of the faculty and teaching staffs of state-aided educational institutions as herein defined and providing procedure for dismissal, demotion, or suspension in such institutions.

Referred to the Committee on State Government.

By Messrs. LOVETT and PETROSKY.

HOUSE BILL No. 1487.

An Act providing for the construction and maintenance by the Department of Forests and Waters with the advice of the Bushy Run Battlefield Commission, of a Bushy Run Museum Building on land owned by the Commonwealth in Westmoreland County; and making an appropriation.

Referred to the Committee on Appropriations.

By Mr. SKALE.

HOUSE BILL No. 1488.

An Act preserving the rights of persons enlisting or being inducted or drafted into the military or naval service of the United States, under licenses or registrations issued by the Department of Public Instruction and the Department of Insurance to practice professions or to work at trades or occupations; and providing for renewals after discharge from such service.

Referred to the Committee on State Government.

By Mr. BAUGHER.

HOUSE BILL No. 1489.

An Act to amend sections six, eleven, twelve, sixteen and twenty-one of the act, approved the twenty-first day of April, one thousand nine hundred and thirty-seven (P. L. 318), entitled "An act relating to the protection of agriculture and horticulture, including all field crops, vegetables, trees, shrubs, vines, florist and nursery stock and all other plants and parts, or products thereof, from plant pests; and revising, consolidating, and changing the law relating thereto; defining the powers and duties of the Department of Agriculture relating thereto; providing penalties; and repealing present laws," further regulating the business of dealing in, and the transportation and sale of nursery stock coming from without the Commonwealth.

Referred to the Committee on Agriculture.

By Mr. BRETH.

HOUSE BILL No. 1490.

An Act authorizing the tax assessment records of lands, buildings and minerals be admissible as evidence in any action of law or equity where damages are claimed.

Referred to the Committee on Judiciary Special.

By Mr. JAMES.

HOUSE BILL No. 1491.

An Act to amend clauses (a) and (b) of section three of the act, approved the second day of June, one thousand nine hundred and thirty-seven (P. L. 1198), entitled "An act relating to employes and organizations thereof; defining labor disputes; prescribing the procedure by which and the conditions under which injunctions may be granted in such disputes, and the scope thereof; declaring certain undertakings and promises between employers and employes contrary to public policy and void; prescribing the nature of proof necessary in actions arising out of labor disputes against persons or associations; prescribing the terms and conditions for bonds to be furnished prior to the issuance of injunctions; prescribing the procedure in case of appeal from granting injunctions; limiting the duration of temporary and permanent injunctions in case of labor disputes; and providing for the payment of costs; and repealing all acts or parts of acts inconsistent herewith," redefining the circumstances when a case shall be held to involve a labor dispute and when a person or association shall be held to be participating or interested in a labor dispute.

Referred to the Committee on Labor.

By Messrs. BALTHASER and PAUL A. BRUNNER.

HOUSE BILL No. 1492.

An Act to encourage the protection and development of forest resources in the Commonwealth in the interest of the owner and general public; providing for the creation of various local advisory committees by the Secretary of Forests and Waters, and the establishing of minimum standards of forest practice and regulation, which, upon approval by the Governor and the Forest Commission shall have the force of law.

Referred to the Committee on Forestry.

By Messrs. READINGER and HAINES.

HOUSE BILL No. 1493.

An Act to amend the act, approved the seventh day of June, one thousand nine hundred seventeen (P. L. 600), entitled "An act providing that appointive officers and employes; employed by the Commonwealth of Pennsylvania in its civil service, or by any department, bureau, commission, or office thereof, or by any county, municipality, township, or school district, shall not be deemed or held to have resigned or abandoned their offices or employments by reason of enlistment, enrollment, or draft in the military or naval service of the United States or any branch or unit thereof, in time or war or contemplated war; prohibiting the removal from their offices or employments or such officers and employes during the period of their service in the Army or Navy; directing that one-half of the salaries or wages of such officers or employes as have dependent wives, children, or parents, and not exceeding two thousand dollars per annum, be paid during the term of their service in the Army or Navy to such dependents; authorizing the employment during said term of substitutes to perform the duties theretofore performed by such officers or employes, respectively, and providing for the compensation of such substitutes," by providing for the payment into the State Employees' Retirement Fund of certain amounts of the salaries or wages of such officers or employes under certain circumstances.

Referred to the Committee on State Government.

By Messrs. READINGER and HAINES.

HOUSE BILL No. 1494.

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

Referred to the Committee on State Government.

By Messrs. READINGER and HAINES.

HOUSE BILL No. 1495.

A supplement to the act approved the twenty-ninth day of June, one thousand nine hundred thirty-seven (P. L. 2423), as amended, entitled, "An act establishing a Pennsylvania Motor Police Retirement System; providing for payments upon retirement, death, disability, involuntary retirement, and of certain medical expenses from the State Employees' Retirement Fund, under the administration of the State Employees' Retirement Board; providing for contributions by members of the Pennsylvania Motor Police and the Commonwealth; providing for the guarantee by the Commonwealth of certain of said funds; providing for the subrogation of the Commonwealth to the rights of the members or dependents against certain third parties; exempting annuities, allowances, returns, benefits, and rights from taxation and judicial processes; and providing penalties."

Referred to the Committee on State Government.

By Mr. NORMAN WOOD. HOUSE BILL No. 1496.

An Act authorizing the Department of Property and Supplies to construct, erect, and dedicate on the Capitol grounds at Harrisburg, Pennsylvania, a memorial to the memory of James Buchanan; and making an appropriation.

Referred to the Committee on Appropriations.

By Mr. PRESLEY N. JONES. HOUSE BILL No. 1497.

An Act defining claim adjusters employed by insurance companies, associations or exchanges transacting business in Pennsylvania; providing for the qualification and licensure of such claim adjusters; regulating the taking or securing of statements or releases from certain ill or injured persons and the effect of such statements; imposing certain additional duties upon the Insurance Commission; and providing penalties.

Referred to the Committee on Insurance.

By Mr. SKALE. HOUSE BILL No. 1498.

An Act abolishing the Milk Control Commission and transferring all its powers and duties to the Department of Agriculture.

Referred to the Committee on Dairy-Industries.

By Mr. SKALE. HOUSE BILL No. 1499.

An Act to reenact and amend the title and the act, approved the twenty-fourth day of June, one thousand nine hundred and thirty-nine (P. L. 748), entitled "An act for the registration and regulation of certain individuals and entities selling, contracting to sell or dispose of, attempting or offering to dispose of, soliciting offers to buy, or inducing holders thereof to exchange, securities defined

herein, including securities issued by them, or engaging in the business of inducing holders of securities to effect the sale thereof in order to produce funds to pay for other investments sold by them, or in the business of buying securities directly from individuals who are not registered thereunder; providing for the revocation and suspension of registrations; conferring powers and imposing duties on the Pennsylvania Securities Commission and otherwise providing for the administration of this act; providing for appeals to the Court of Common Pleas of Dauphin County, and to the Supreme Court of Pennsylvania; conferring jurisdiction upon the several courts of common pleas to issue injunctions against violations of this act; and prescribing fees and penalties," transferring functions of Pennsylvania Securities Commission to the Department of Banking and abolishing such commission.

Referred to the Committee on Banking.

By Mr. FALKENSTEIN. HOUSE BILL No. 1500.

An Act prohibiting the dissemination of sketches concerning crime or of anything morally derogatory, and providing penalties.

Referred to the Committee on Judiciary Special.

By Messrs. TAYLOR and HABBYSYAW.
HOUSE BILL No. 1501.

An Act authorizing the Secretary of the Department of Forests and Waters to lease a tract of land in Jackson Township, Dauphin County to the Susquehannock Indian Tribe.

Referred to the Committee on State Government.

By Mr. MALLOY. HOUSE BILL No. 1502.

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

Referred to the Committee on State Government.

By Messrs. WEISS and MAXWELL.
HOUSE BILL No. 1503.

An Act to amend section six of the act approved the day of _____, one thousand nine hundred and forty-one, (Act No. _____), entitled "An act abating certain tax penalties and interest on unpaid delinquent city taxes in cities of the first and second class, on unpaid delinquent school taxes in school districts of the first class, and on unpaid delinquent poll, poor district, institution district and county taxes in counties of the second class; prohibiting the sale of real property for the nonpayment of any such taxes for a certain period; preserving certain tax liens, and providing for the extension thereof," authorizing the sale of real property within the prohibited time for such sales, upon consent of the owner thereof.

Referred to the Committee on Municipal Corporations.

By Mr. DiGENOVA. HOUSE BILL No. 1504.

An Act to amend sections six hundred one and six hundred two of 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 providing for summary convictions in crimes involving lotteries, and traffic in lottery tickets; and changing penalties.

Referred to the Committee on Judiciary Special.

By Mr. SCANLON. HOUSE BILL No. 1505.

An Act to further amend sections four hundred eleven and six hundred ten 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 forfeitures of certain property; making disposition of the receipts from State stores and of fees; and imposing penalties," permitting hotel and restaurant licensees to sell by the bottle at certain times for consumption off the premises; regulating such sales; and changing penalties.

Referred to the Committee on Liquor Control.

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. 379 (HOUSE BILL No. 1506).

An Act to further amend section one of the act, approved the seventeenth day of June, one thousand nine hundred and thirteen (P. L. 507), entitled "An act to provide revenue for State and county purposes, and, in cities coextensive with counties, for city and county purposes; imposing taxes upon certain classes of personal property; providing for the assessment and collection of the same; providing for the duties and compensation of prothonotaries and recorders in connection therewith; and modifying existing legislation which provided for raising revenue for State purposes," by excluding proceeds of life insurance policies from the provisions thereof.

Referred to the Committee on Ways and Means.

SENATE BILL No. 378. (HOUSE BILL No. 1507).

An Act to further amend section one of the act approved the seventeenth day of June, one thousand nine hundred thirteen (P. L. 507), entitled "An act to provide revenue for State and county purposes, and, in cities coextensive with counties, for city and county purposes; imposing taxes upon certain classes of personal property; providing for the assessment and collection of the same; providing for the duties and compensation of prothonotaries and recorders in connection therewith; and modifying existing legislation which provided for raising revenue for State purposes" exempting from said tax casualty insurance companies having no capital stock.

Referred to the Committee on Ways and Means.

SENATE BILL No. 645. (HOUSE BILL No. 1508).

An Act to reenact and further amend the title and the act, approved the first day of June, one thousand nine hundred thirty-three (P. L. 1409), entitled as amended, "An act creating the Highway Mining Commission with judicial powers, to have exclusive jurisdiction over the mining of coal within or under the right of ways of State highways; and the assessment and award of benefits, improvements, and damages for coal required to be left in place by reason of the obligation to furnish support for State highway routes, whether payable by the Commonwealth or a county; authorizing counties to enter into agreements to indemnify or reimburse the Commonwealth for damages to highways caused by the removal of coal under or adjacent thereto," by extending said act, as amended, to all lands, easements and right of ways purchased, condemned, or otherwise acquired by the Commonwealth; waiving vertical and lateral support therefor under certain conditions; reserving the right to acquire absolute vertical and lateral support; reserving the power to establish detours for the removal of coal underlying State highways; renaming the Highway Mining Commission and making certain changes in its membership and procedure; providing for appeals to the courts of common pleas from orders assessing damages for coal required to be left in place; and further clarifying the provisions of the act.

Referred to the Committee on State Government.

RESOLUTION INTRODUCED AND REFERRED

By Messrs. D'ORTONA and SHAW. Resolution No. 91.

In the House of Representatives, May 5, 1941.

Whereas, The Banking Board and Building and Loan Board were created by the Legislature in the Department of Banking for the purpose of having such boards supervise the activities of officers, directors, trustees, attorneys or employees of banking institutions and building and loan associations; and

Whereas, Vacancies have existed in both boards for a considerable length of time; and

Whereas, The failure to fill such vacancies by the Governor has interfered with the efficient operation of both these boards; and

Whereas, It is in the best interest of the Commonwealth of Pennsylvania and all of its financial institutions that these vacancies be filled as quickly as possible, therefore be it

Resolved, That the House of Representatives request the Governor to fill the vacancies in the Banking Board and Building and Loan Board as quickly as possible in order that these boards may be unhampered in operating in accordance with the powers vested in them by the General Assembly in Pennsylvania.

Referred to the Committee on Banking.

SENATE MESSAGE

RESOLUTION FOR CONCURRENCE

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

In the Senate, April 15, 1941.

Whereas, The Federal Government recognized in the original Social Security Act that the administration of unemployment compensation laws is properly a function of the various states and accordingly designed the act as an inducement to the adoption of the program by the states themselves; and

Whereas, The funds received from the Federal Government for the expenses of administering the state acts have in the first instance been taken from employers of the states themselves; and

Whereas, The Social Security Act has prior to and since

its amendment August 10, 1939, required the state acts to meet a prescribed standard as a condition to the eligibility of such states for the refund of their expenses of administration; and

Whereas, By amendment of August 10, 1939, clauses (8) and (9) were added to subsection (a) of section 303 requiring as further conditions to the refund of such administrative expenses, the following:

"(8) Effective July 1, 1941, the expenditure of all moneys received pursuant to section 302 of this title solely for the purpose and in the amounts found necessary by the Board for the proper and efficient administration of such state law; and

"(9) Effective July 1, 1941, the replacement, within a reasonable time, of any moneys received pursuant to section 302 of this title, which, because of any action or contingency, have been lost or have been expended for purposes other than, or in amounts in excess of, those found necessary by the Board for the proper administration of such state law;" and

Whereas, Said clauses (8) and (9) are unnecessary for the reason that ample protection is afforded the interests of the Federal Government by the existing requirement for approval and certification of state laws by the Federal Social Security Board; and

Whereas, Said clauses are improper for the reason that they attempt to give the Federal Government power to encroach upon the domain of the states in determining their own questions of procedure and administration in which, because of geographical locations, peculiar governmental procedures and processes, and other differentials, there must necessarily exist wide variations among the several states which cannot be standardized, nor can a particular state efficiently adopt a procedure in regard to one of its functions which would be out of harmony with its general practices; and

Whereas, Clause (9) makes possible by a single act of the Federal Social Security Board the upsetting of established precedents existing under present state unemployment compensation laws already approved and accepted by the Federal Board and requiring the repayment of funds heretofore legally expended, nor does said clause have any limitation either as to the scope of the inquiry or as to the time in which demand for repayment must be made; and

Whereas, The enforcement of said clauses will have the effect of giving the Federal Government complete and arbitrary control over the administration of the unemployment compensation program which the Federal Act itself recognizes as a proper function of the states themselves; and

Whereas, If said clauses are allowed to become effective they will grant to the Federal Government control of the administration of any state or local law wherein the benefit of Federal funds is or may be obtained; therefore be it

Resolved (if the House concur), That the General Assembly of the Commonwealth of Pennsylvania hereby respectfully memorialize and petition the President of the United States and the Congress of the United States to cause said clauses (8) and (9) of subsection (a) of section 303, of the Social Security Act, as amended August 10, 1939, to be repealed prior to its effective date; and be it further

Resolved, That copies of this resolution be immediately transmitted to the President of the United States and to each Senator and Representative in Congress from the Commonwealth of Pennsylvania.

Referred to the Committee on Rules.

Ordered, That the Clerk present the same to the House of Representatives for its concurrence.

COMMUNICATION

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

Commonwealth of Pennsylvania,
Department of Health, Harrisburg, May 6, 1941
Hon. Elmer Kilroy
Speaker of the House of Representatives
Session of 1941
Commonwealth of Pennsylvania
Harrisburg, Pennsylvania
Dear Mr. Speaker:

We are in receipt of a copy of resolution No. 18 adopted by the House of Representatives on April 29, 1941 stating that it is the sense of the House of Representatives that the proper authorities of this Commonwealth take immediate steps to pump or to arrange for the pumping of the water in the distressed coal mines of the Herminie Coal District in Westmoreland County, and to pay for the cost of such work for the express purpose of providing employment for the coal miners of said district.

The addressing of this resolution to the Departments of Health and Mines is assumed to indicate that the House of Representatives is of the opinion that these Departments can and should undertake the proposed dewatering. Therefore, it appears proper to call to your attention the following facts:

The Mines located in and near Heminie, Westmoreland County, were last operated by the Ocean Coal Company and the Keystone Coal Company with a combined tonnage of approximately 57,108 tons. In 1938 these companies abandoned their properties and stripped both the underground workings and the surface properties of all mining equipment, for the reason that the companies could not operate the properties at a profit. As the situation now stands, the water in the Keystone Shaft workings, which are connected with the Ocean Coal Company Mines, would have to be pumped in order to dewater the mine of the Ocean Coal Company.

Although facilities are not available for the making of an accurate estimate of the cost of dewatering the aforesaid properties, a conservative estimate by the Department of Mines indicates that the cost of this dewatering to the bottom of the Ocean Coal Company Shaft would approximate \$180,000. Inasmuch as the mines have been generally worked to the dip, there would be the further expense of dewatering these dip workings, thus materially increasing the above estimate.

After the workings had been dewatered, there would arise the question of a responsible party to rehabilitate these workings and thereafter operate them before re-employment of mine workers could be made effective.

Although Secretary of Mines Richard Maize, interviewed banking interests in Herminie in an effort to contact a party who might be interested in operating the mines and was told the bank would have such parties contact him, to date no one has shown any inclination to undertake the operation of the workings. In view of the fact that the Ocean Coal Company could not operate the workings when they were in going condition, it appears all the more improbable that these mines could be operated at a profit even at the present market for bituminous coal.

But even assuming that profitable operation of the mines were possible, there are no funds available, either to the Department of Health or the Department of Mines, which could be used for this purpose. The funds credited to the Department of Health for the dewatering of flooded coal mines are entirely inadequate for the proposed dewatering, and furthermore cannot under existing laws be used for such purpose, inasmuch as they are specifically limited to dewatering of mines flooded directly or indirectly by the high waters of March 1936.

Therefore, the Department of Mines and the Department of Health respectfully call your attention to the fact that although they have genuine sympathy for the situation of the unemployed miners of the Herminie District, neither Department is in a position to undertake the dewatering of these mines under present conditions.

Very truly yours,

JOHN J. SHAW, M.D.,
Secretary of Health,
RICHARD MAIZE,
Secretary of Mines.

LOWER MERION HIGH SCHOOL WELCOMED

The SPEAKER. The Chair welcomes to the House this afternoon the Lower Merion High School State Championship Basketball team together with their coaches and managers. They are the guests of the gentleman from Montgomery, Mr. Cadwalader.

LADIES' AUXILIARY 37th WARD WELCOMED

The SPEAKER. The Chair welcomes to the House this afternoon the Ladies' Auxiliary of the Thirty-seventh Ward, Philadelphia, who are the guests of the gentleman from Philadelphia, Mr. Hersch.

REPORTS FROM COMMITTEES

Mr. PAUL A. BRUNNER, from the Committee on Judiciary Special, reported as committed, House Bill No. 1427, entitled:

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

Mr. EARLY, from the Committee on Counties, reported as committed, House Bill No. 943, entitled:

An Act to reenact and amend section 441 of the act approved the second day of May, one thousand nine hundred twenty-nine (P. L. 1278) entitled, "An act relating to counties of the second, third, fourth, fifth, sixth, seventh and eighth classes; and revising, amending and consolidating the laws relating thereto;" by authorizing boards of county commissioners to appropriate county moneys for the support of charitable hospitals.

Mr. LONGO, from the Committee on Counties, reported as committed, House Bill No. 724, entitled:

An Act to further amend section 363 of the act approved May second, one thousand nine hundred twenty-nine (P. L. 1278) entitled, "An act relating to counties of the second, third, fourth, fifth, sixth, seventh and eighth classes; and revising, amending and consolidating the laws relating thereto;" and further regulating the form and contents of county auditors reports.

Mr. SKALE, from the Committee on Ways and Means, reported as committed, House Bill No. 430, entitled:

An Act to further amend section 2 of the act approved the twenty-eighth day of June, one thousand eight hundred and ninety-five, (Pamphlet Laws 408) entitled, "A supplement to the twenty-fourth section of an act, entitled 'An act to provide revenue by taxation, approved the seventh day of June, one thousand eight hundred and seventy-nine,' approved the first day of June, one thousand eight hundred and eighty-nine, amending the twenty-fourth section, by providing for the payment by the State Treasurer of one-half of the two per centum tax on premiums by foreign fire insurance companies to the treasurers of the several cities and boroughs within this Commonwealth," as variously amended so to provide for the payment of the entire amount of said tax on premiums of foreign fire insurance companies to cities, boroughs and townships and for the use of said moneys; by providing for the payment by the State Treasurer of the tax on certain premiums paid by foreign insurance companies to the treasurers of the several cities, boroughs, towns and townships, and for the payment thereof into police pension funds, and in certain cases into the State Employees' Fund for certain purposes.

Mr. HAMILTON, from the Committee on Counties, reported as committed, House Bill No. 1072, entitled:

An Act to amend section five hundred and nineteen of the act, approved the second day of May, one thousand

nine hundred and twenty-nine (P. L. 1278), entitled "An act relating to counties of the second, third, fourth, fifth, sixth, seventh and eighth classes; and revising, amending and consolidating the laws relating thereto," providing for the payment of the costs of viewers by the Commonwealth in certain cases.

Mr. FRENCH, from the Committee on Counties, reported as committed, House Bill No. 1284, entitled:

An Act requiring owners and lessees of real property, whenever making any improvements thereon, or additions thereto costing more than five hundred dollars (\$500) to file a report of such improvements or additions with the county board for the assessment and revision of taxes, and providing penalties.

Mr. FRENCH, from the Committee on Cities—First Class, reported as committed, House Bill No. 1458, entitled:

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.

Mr. TATE, from the Committee on Judiciary General, reported as committed, House Bill No. 1386, (Senate Bill No. 295), entitled:

An Act to amend sections seven and eight of the act approved the twelfth day of June, one thousand eight hundred and seventy-eight, (P. L. 201), entitled "An act to provide for the publication of the decisions of the supreme court and the appointment of a state reporter," requiring the publication of advance sheets of such reports, requiring printing and publication in this Commonwealth by a responsible person having a plant and facilities and place of business therein; and further regulating the basis upon which bids shall be submitted and the provisions of the contract for publication of such reports and advance sheets.

Mr. SAMUEL ROSE, from the Committee on Judiciary General, reported as amended, House Bill No. 1036, entitled:

An Act to amend subsection (b) of section sixteen of the act, approved the seventh day of June, one thousand nine hundred and seventeen (P. L. 429), entitled "An act relating to the descent and distribution of the real and personal property of persons dying intestate; and to provide for the recording and registering of the decrees of the orphans' court in connection therewith, and the fees therefor," by providing that in cases where the spouse of the natural parent shall adopt the child of such natural parent, the natural parent shall retain his or her status as such, and shall, for purposes of inheritance and devolution, be regarded as an adopting parent.

Mr. GATES, from the Committee on Banking, re-reported as amend, House Bill No. 567, entitled:

An Act to reenact and amend the act approved the twenty-fourth day of June, one thousand nine hundred and thirty-nine (P. L. 748), entitled "An act for the registration and regulation of certain individuals and entities selling, contracting to sell or dispose of, attempting or offering to dispose of, soliciting offers to buy, or inducing holders thereof to exchange, securities defined herein, including securities issued by them, or engaging in the business of inducing holders of securities to effect the sale thereof in order to produce funds to pay for other investments sold by them, or in the business of buying securities directly from individuals who are not registered thereunder; providing for the revocation and suspension of registrations; conferring powers and imposing duties on the Pennsylvania Securities Commission and otherwise

providing for the administration of this act; providing for appeals to the Court of Common Pleas of Dauphin County, and to the Supreme Court of Pennsylvania; conferring jurisdiction upon the several courts of common pleas to issue injunctions against violations of this act; and prescribing fees and penalties," by providing for the registration and regulation of investment advisers and their solicitors; further defining "dealers" and further regulating dealers and salesmen; providing for service on registrants under provisions of this act; and imposing penalties.

Mr. MIHM, from the Committee on Ways and Means, re-reported as amended, House Bill No. 228, entitled:

An Act to reenact and amend the title and the act, approved the fourteenth day of June, one thousand nine hundred and thirty-five (Pamphlet Laws, three hundred forty-one), entitled, as amended, "An act to provide revenue by imposing a State tax upon sales of cigarettes by dealers as herein defined; requiring persons engaged in the sale of cigarettes at wholesale and retail to secure permits; prescribing the method and manner of collecting such tax; conferring powers and imposing duties on the Department of Revenue, and persons, as herein defined, engaged in the sale of cigarettes at retail or wholesale; and providing penalties," as previously reenacted and amended, by extending the provisions of the act for a further limited period of time and exempting from its provisions certain sales of cigarettes for the use of personnel subject to regulations of the Secretary of War and Secretary of the Navy of the United States and persons engaged in making such sales.

Mr. LONGO, from the Committee on Judiciary Special, re-reported as amended, House Bill No. 365, entitled:

An Act to further amend section one of the act approved the ninth day of July, one thousand nine hundred and nineteen (P. L. 794), entitled, "An act providing that estates in buildings, ground, books, curios, pictures, statuary and other works of art, passing by will to any municipality, corporation, or unincorporated body, for free exhibition within Pennsylvania, shall not be subject to collateral inheritance tax, and, in certain instances, the date when such tax shall become due," providing for additional exemptions and for exemptions from collateral inheritance and transfer taxes; and extending the provisions of said act to property, money and funds, passing before or after the effective date of this act, including property, money and funds passing to any public educational institution, museum or gallery of art of or under control of and wholly or partially maintained or supported by the Federal Government.

BILLS ON SECOND READING

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1254, entitled:

An Act regulating, in cities of the first class, the enforcement of any provisions in any ordinance relating to building codes, in connection with the erection, enlargement, alteration, repair, moving, removal, demolition and inspection of buildings and other structures and the erection encroachment, extension, repair, inspection, and use of party walls, as provided for in any ordinance, and providing penalties.

The first section was read.

The first, second, third, fourth, fifth, sixth, seventh and eighth sections were separately read and agreed to.

The ninth section was read.

On the question,

Will the House agree to the section?

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

The amendments were read by the Clerk as follows:

Amend Sec. 9, page 7, lines 4 and 5 by striking out the

following: "One Hundred and Fifty (150) Dollars" and inserting in lieu thereof: "forty-five dollars (\$45)".

Amend Sec. 9, page 7, lines 14 and 15, by striking out the following: "Fifty (50) Dollars" and inserting in lieu thereof: "fifteen dollars (\$15)".

Amend Sec. 9, page 7, lines 15 and 16, by striking out the following: "One Hundred and Fifty (150) Dollars" and inserting in lieu thereof: "forty-five dollars (\$45)".

The amendments were agreed to.

The section was agreed to as amended.

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

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

Ordered, To be transcribed for a third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 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 (Pamphlet Laws, two hundred and eight), 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 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. 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.

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. 1318, (Senate Bill No. 528), entitled:

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

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. 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.

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. 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.

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

Ordered, To be transcribed for a third reading.

BILL ON FINAL PASSAGE

Agreeably to order,

The House proceeded to the consideration on final passage of House Bill No. 211, as follows:

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

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

Section 1 Section one of the act approved the thirty-first day of May one thousand eight hundred and ninety-three (P. L. 188) entitled "An act designating the days and half days to be observed as legal holidays and for the payment acceptance and protesting of bills notes drafts checks and other negotiable paper on such days" as last amended by the acts approved the thirteenth day of April one thousand nine hundred and thirty-three (P. L. 45) and the seventh day of May one thousand nine hundred and thirty-seven (P. L. 601) is hereby further amended to read as follows

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the following days and half days namely the first day of January commonly called New Year's Day the twelfth day of February known as Lincoln's Birthday the twenty-second day of February known as Washington's Birthday Good Friday the thirtieth day of May known as Memorial Day the fourteenth day of June known as Flag Day the fourth of July called Independence Day the first Monday of September known as Labor Day the twelfth day of October known as Columbus Day the first Tuesday after the first Monday of November Election Day the eleventh day of November

known as Armistice Day the twenty-fifth day of December known as Christmas Day and every Saturday after twelve o'clock noon until twelve o'clock midnight each of which Saturdays is hereby designated a half holiday and any day appointed or recommended by the Governor of this State or the President of the United States as a day of thanksgiving or fastings and prayer or other religious observance and in the event of a financial crisis in the State or Nation any day or days appointed by the Governor of this State or the President of the United States as a bank holiday shall for all purposes whatever as regards the presenting for payment or acceptance and as regard the protesting and giving notice of the dishonor of bills of exchange checks drafts and promissory notes made after the passage of this act be treated and considered as the first day of the week commonly called Sunday and as public holidays and half holidays and all such bills checks drafts and notes otherwise presentable for acceptance or payment on any of the said days shall be deemed to be payable and be presentable for acceptance or payment on the secular or business day next succeeding such holiday or half holiday except checks drafts bills of exchange and promissory notes payable at sight or on demand which would otherwise be payable on any half holiday Saturday shall be deemed to be payable at or before twelve o'clock noon of such half holiday Provided however That for the purpose of protesting or otherwise holding liable any party to any bill of exchange check draft or promissory note and which shall not have been paid before twelve o'clock noon of any Saturday designated a half holiday as aforesaid a demand for acceptance or payment thereof shall not be made and notice of protest or dishonor thereof shall not be given until the next succeeding secular or business day And provided further That when any person firm corporation or company shall on any Saturday designated a half holiday receive for collection any check bill of exchange draft or promissory note such person firm corporation or company shall not be deemed guilty of any neglect or omission of duty nor incur any liability in not presenting for payment or acceptance or collection such check bill of exchange draft or promissory note on that day And provided further That in construing this section every Saturday designated a half holiday shall until twelve o'clock noon be deemed a secular or business day and the days and half days aforesaid so designated as holidays and half holidays shall be considered as public holidays and half holidays for all purposes whatsoever as regards the transaction of business except that any day or days appointed as a bank holiday shall be regarded as secular or business days for all other purposes than those mentioned in this act And provided further That nothing herein contained shall be construed to prevent or invalidate the entry issuance service or execution of any writ summons confession or judgment or other legal process whatever on any of the holidays or half holidays herein designated as holidays nor to prevent any bank from keeping its doors open or transacting its business on any of the said Saturday afternoons if by a vote of its directors it shall elect to do so unless such Saturday is appointed as a bank holiday under the provisions of this act And provided further That every bank shall observe each Saturday during the months of July and August and the first Saturday of September as full holidays with like effect hereunder as though such days had been designated as full holidays by the provisions of this act

Section 2 This act shall become effective immediately upon final enactment

On the question,

Shall the bill pass finally?

Mr. McFALL. Mr. Speaker, I am going to oppose this bill because I think it is very bad. In the first place this bill seeks to set up a Saturday holiday for a special group. This group, of course, is made up of bankers and those who are employed in banks. This to my mind is a small group of people who will get the benefit of a Saturday holiday. Compare this to the thousands of people that are

inconvenienced or that are really made to suffer a great deal because banks are being closed on Saturday, so that they cannot do any business.

Mr. Speaker, I refer to the large group of working men and women who work all week and who are paid on a Friday night in checks, and that is the method of paying men and women who work in my district. There are twenty-three banks in Northampton County, and not one of these banks wants this bill passed. I think, therefore, this is a fair percentage of what the rural sections want, pertaining to this bill. I do not think any of them want it. If we are going to make holidays for special groups of workers, why not take in every group of workers?

I am sure the farmers would welcome a Saturday and a Sunday holiday; men who must feed stock every day of the year, men who must milk twice a day for seven days a week; they would welcome a holiday, but they do not get it. The fact of the matter is it would be impossible.

I say to you this bill is nothing more nor less than a bill that gives a special group of workers special privilege. Banks are not only business places, but banks are bordering very closely on being public utilities. They are the life-blood of business; you stop the flow of money and everything stops.

When these men and women get their pay on Friday night, our banks are open for an hour in order to accommodate as many as possible who want their checks cashed, but most of them are held over until Saturday, and these men and women make a line reaching out to the doors where for three hours they receive their Saturday's pay.

I want to picture to you if I possibly can the inconvenience to these people, doing without money, going without proper goods, or special enjoyments, that they would have if they had money, but who must wait until Monday. The clerks of banks tell me this would in no way assist them in their work, because the work they now get on Saturday would be carried over into the next week, so I say to you, give this bill your consideration and have a heart for the working people, and for the small business people who would be harmed if this bill were passed. It is very nice, I will admit, to be in a position to close your desk on a Friday afternoon and go to Atlantic City and stay there until Sunday and come home Sunday night. Many of us would like to enjoy that privilege, and I do not want to deny the bankers the privilege of this holiday, but I am trying to tell you people, you Members of this House, just what harm you would do to the rural sections. Saturday is the big business day for the small business man, and if the people do not have money to spend, they probably will not get their bills paid and there will not be the amount of business that is being done now. I say in all fairness to those of you who live in rural sections, give this bill the consideration to which it is entitled, and I call upon the members of this House on both sides to vote "no."

Mr. TURNER. Mr. Speaker, I am rather amazed that anyone from the other side of this House should rise and oppose a bill which is for the benefit of a large group of employes in banks. It is not for the benefit of the bankers, they can leave their office on Friday afternoon and go away over the weekend, but the employes of the bank must not only stay until 12 o'clock Saturday, but many of them must work throughout the afternoon balancing

their books and doing the different duties that fall to employes of a bank.

The gentleman from Northampton has said this gives a special group of employes a Saturday holiday. Remember, the bill only applies to the summertime. Remember also that all of the departments of the State Government are closed on Saturday, so that a group of employes having the opportunity of a day off on Saturday, or to work a five day week has been approved by the state government over a long period of time.

In addition to that there are any number of people who are employed only five days a week under the present law and do not work on Saturday. I find that in my community most of the men who work in our industries and in other places of business within the community are on their way home in the afternoon long before I leave my office. As a matter of fact most of them are through at half past four in the afternoon and are on their way home.

Today in all the modern and up to date communities during the summertime there is either a closing at noon on Wednesday or the stores are closed on Saturday. In the city of Philadelphia the large department stores are all closed all day Saturday, as well as almost all of the retail shops in the center of Philadelphia. That has spread, I have found, into many of the smaller communities where they are up to the modern idea that Saturday closing is proper, giving the people who work in the stores an opportunity to enjoy a Saturday holiday the same as those who work in the mills.

The question of getting checks cashed in my community, in the city of Chester where I have my office, the large industries there do not pay on Friday night. The banks do not want long lines of people cashing checks in the banks on Saturday morning, because they want to attend to their regular customers, so they have their payrolls during the week. They have special days for the Sun Shipbuilding Company, for the Ford Motor Company and other large industries when their employes are paid and they can go to the banks and get their checks cashed.

There is no reason why, because there has been a certain custom existing in a community, that the custom cannot be changed. I remember during the first World War I had working for me a woman who came to this country from Hungary. She owned a couple of small properties in Philadelphia, and whenever she wanted to pay her taxes or water rent, she took a day off and went to the city of Philadelphia and paid her taxes and water rent. She could have just as well gone to the post office and bought a money order or she could have gotten someone to send that money in for her, but because that was her custom she went personally to the office and paid her money.

That is true of many of our people. I remember when I started to practice law in the city of Chester there was hardly a law office that was not open every night in the week and also on Saturday. In fact about the only time lawyers ever got a holiday was on the Fourth of July and Christmas. Those were the only two days they ever took off. Today you cannot find any law office opened at night and you won't find many lawyers during the summer time in their office on Saturday. It is more a question of custom, it is more a question of adjusting yourself to the conditions as they exist.

Why shouldn't we do this for the thousands of employes of banks who during the summer time cannot go away on

Saturday like many other people do. This is an opportunity of giving employes of banks a day of rest and recreation, the opportunity of going out into the open spaces, going to different resorts, or to some small place in the country where they can have the advantage of outdoor life which they cannot have in the wintertime. If employes of banks could stay around some night in the week, for instance Friday night, to accommodate these people, certainly the employes would be far better off. It is so universal. Closing on Saturday seems universal not only in industry, not only in the state government, not only in many of our local government offices, but in the offices of utilities, insurance companies and many other large corporations. This is particularly during the summertime. If the merchants want to deposit money all the modern banks have night depositories where anybody can deposit money without any trouble.

Somebody suggested they would have to keep on hand a large amount of money over the week-end. There is no reason why they cannot make a deposit in a night depository. There is no reason why arrangements cannot be made to give the merchants the change they need. The change could be handed to him. For the sake of the people who will not change their customs and habits, they are going to inconvenience quite a number of people. This bill, it seems to me is modern, it is up to date, it gives an opportunity to thousands of employes to enjoy those modern things which thousands of other employes are enjoying today. If they must work on Saturday then certainly a lot of other people who work in the mills should also work on Saturday. If the five days a week are good for one group of people why not for this group?

Mr. LOVETT. Mr. Speaker, I desire to interrogate the gentleman from Delaware, Mr. Turner.

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

Mr. TURNER. I shall, Mr. Speaker.

Mr. LOVETT. Mr. Speaker, would the gentleman from Delaware like to have an amendment to this bill to include the law officers and the attorneys in the state?

Mr. TURNER. Mr. Speaker, I would be very happy to have such an amendment. I tried to convince my brother attorneys in Delaware County to this effect that in justice to our secretaries and stenographers who everyone knows, work, Mr. Speaker, in my office does work seven days a week. This would not benefit me, but I tried to close the office in the summer time on Saturday to give the girls a week-end off. I would be very happy to have all the law offices closed on Saturday because a lot of fellows who take particular delight in putting in a lot of motions and a lot of proceedings during the summer time, might take pity on some of the rest of us and give us a day off.

Mr. LOVETT. Mr. Speaker, I find in my particular community the law offices at least are open, and if the attorneys are not there the girls are. I agree with my friend, Mr. Turner, if he would like to include the law offices in the state there may be a possibility that I would vote in favor of this bill. If not, I will have to vote against it.

Mr. TROUT. Mr. Speaker, it is my impression that the banks from the standpoint of holidays have been treated very well. In our community banks open at eight o'clock in the morning and close at two in the afternoon. That gives them a pretty long evening. Theoretically what the

gentleman from Delaware says is awfully good, awfully fine, but from the practical standpoint and from the business standpoint,—I sometimes think lawyers don't know so much about business,—it just doesn't have any weight. In our community we issue on Friday afternoons close to two thousand checks. You might, as the gentleman from Delaware said, we should suggest to business, "You ought to pay on Wednesday," or "You ought to pay on Thursday because the banks want to close on Saturday morning." You know how much weight that has with the business man. What happens? The merchants in our community would be compelled to carry in cash on Friday afternoon any where from two to four thousand dollars in their drawers in order to meet the checks of the customers who would come in. If you close your banks on Saturday morning, it then means that the merchants will have to carry sufficient money to pay practically all of the checks that are issued on Friday afternoon or on Friday morning. It seems to me there is absolutely no necessity for this bill, it looks to me like poor business. If any of the members of the House were in business and were compelled to carry in cash a thousand or more dollars in order to cash the checks of their customers as they came in, they would say, "Well, I think you ought to keep your banks open, give them an opportunity to come to the bank on Saturday morning, and relieve us from the responsibility of carrying a large amount of cash in our drawers." This is a business proposition, it is not theoretical. Industry is not going to change its method of business because the banker wants to have a holiday on Saturday forenoon.

Mr. ROSENFELD. Mr. Speaker, by way of addendum to what the gentleman from Delaware, Mr. Turner, said I might say that this bill is a step forward in the right direction. I am quite sure if New York and New Jersey had felt, as Mr. McFall does and as Mr. Trout does, they certainly would not have enacted such legislation. This bill makes banking practice in Pennsylvania conform with the banking practices now established in New York and New Jersey.

I do not think Mr. McFall has offered one legitimate excuse for voting against this bill. Frankly this is not a bill to give bankers any priorities or any rights they do not have. This is a bill which affects the employes. In that connection I might say I have received more than two or three hundred cards from employes in my district in Philadelphia. This is a bill that will afford certain opportunities to persons who work hard and certainly are entitled to a little added vacation during the months of July and August and the first Saturday in September.

I do not think, Mr. Speaker, that this is a bill that requires controversy because it does not affect the banker or the persons who are in business during the course of the entire year. It merely affects two months and the first Saturday in September. I, therefore, ask the members of this House to vote "yes" on this bill.

Mr. TROUT. Mr. Speaker, we have had a great deal of legislation relating to first and second class cities. If Philadelphia and the bankers of Philadelphia, the business interests of Philadelphia, as Mr. Rosenfeld said, want to have a Saturday holiday, why not make this bill apply to cities of the first class and permit the rural territories to regulate their own affairs? It seems to me the rural bloc and the rural members have gone far

enough with cities of the first class in regulating the operation of business in rural territory.

Mr. ROSENFELD. Mr. Speaker, I desire to interrogate the gentleman from Lancaster, Mr. Trout.

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

Mr. TROUT. I will, Mr. Speaker.

Mr. ROSENFELD. Mr. Speaker, what happens to the community of the gentleman from Lancaster when a legal holiday falls on Saturday. Does that upset the banking practice?

Mr. TROUT. Mr. Speaker, it naturally does upset the banking practice, and in those cases efforts are made to meet the situation. Very often payrolls are gotten out on Saturday morning by special arrangement with the bank.

Mr. ROSENFELD. Mr. Speaker, does the gentleman from Lancaster know whether or not there was any opposition raised to this measure at the public hearing?

Mr. TROUT. Mr. Speaker, I beg the gentleman's pardon, I did not understand him.

Mr. ROSENFELD. Mr. Speaker, does the gentleman know as a matter of fact that no opposition was raised to this measure by Members of the rural areas throughout Pennsylvania?

Mr. TROUT. I do not know what opposition there was, if any. I know how my people back home feel.

Mr. ROSENFELD. Mr. Speaker, did any of the gentleman's constituents appear at the public hearing to oppose this measure?

Mr. TROUT. Mr. Speaker, not to my knowledge.

Mr. McFALL. Mr. Speaker, just to clear up a little matter that seems to be puzzling some of the proponents of this bill, I want to say to you that those who are employed in banks are employed just forty hours a week, and I am told they religiously keep to that forty hours. This bill has listed on it the twelve holidays. It does not list Thanksgiving because the President of the United States has been setting aside one day, and the Governor of the state of Pennsylvania another day. We therefore have had two Thanksgiving holidays, not because the state of Pennsylvania needs two holidays but after all they are holidays on which we can well be thankful for the blessings Pennsylvania enjoys. That makes thirteen holidays. Every employe in a bank is granted two weeks vacation with pay. They take one of these weeks during the month of July or August so that by adding ten more holidays to their vacation you have a mighty nice list of holidays to be enjoyed by those who work in banks. Now, facts are facts, we cannot get over them; and the truth is truth. Our business places are open on Saturday, until ten or twelve o'clock at night, and because of this fact during the summer months those who work in the stores are granted a Wednesday afternoon holiday. The banks not having anything to do close their doors at half-past one and they have practically a whole half-holiday in addition.

Mr. Speaker, we are here to legislate common sense laws, but this is legislating a restriction on a large branch of business without any well founded or expressed reason or justification for those restrictions. If this bill passes business will be harmed in all rural sections. The farmers who have arranged their work five days out of the week into the twilight hours of the night, go to the small cities or boroughs to transact business, and they will be terribly

handicapped if the banks close. If restrictions are necessary as a matter of health, police powers or general welfare, then this would be desirable, but this present bill can scarcely be justified on any of those grounds.

Therefore I say vote down this bill, because it will do tremendous harm to business and rural people who have to work for a living.

Mr. GATES. Mr. Speaker, I think the previous speakers Mr. Turner and Mr. Rosenfeld have covered the situation very fully but I would like to add my plea for the passage of this particular bill.

Mr. McFall said stores were open in his community until eleven or twelve o'clock on Saturday night. I wish to speak to the membership of this House as one who started as a clerk in a country store, when I would get up and go to the store at six o'clock in the morning, sweep the dirt out of the store, and open the store at seven o'clock for business. We kept open every night in the week. I have seen girl clerks in that store almost exhausted at the end of a busy day. We got together in my community and visited the merchants and asked them to change the hours. They of course thought, as you men here think, that this was a step in the wrong direction, but we finally succeeded in showing to the merchants that there was just so much business to be done, and if they opened their stores at nine o'clock and closed them at five o'clock it would be a humanitarian act. The merchants acceded to that request and, my friends, they are doing just as much business as they did prior to that time.

Mr. Speaker, as one who started as an individual bookkeeper in a country bank, this is not a Philadelphia bill, but this bill has to do with the individual bookkeepers and clerks in banks whether they are in Philadelphia or in the rural community from which I come. May I call your attention to one matter in connection with this bill, that has caused confusion. I believe that every president of every bank in the State possibly may be opposed to this particular bill for selfish reasons. The president of the bank, as Mr. Turner has well said, can leave his office, close his desk on Friday night and retire to Atlantic City, or some other place, and come back on Monday morning. You have heard a lot about the fourth class school district teachers being underpaid. You have heard a lot about the laboring men who have to work, and I say to you, among the hardest workers and the most underpaid people in the state of Pennsylvania are those men and those women who handle tremendous sums of moneys as bookkeepers and tellers in your banks. May I call your attention to the fact that this is a very confining occupation, that the handling of money and the keeping of books is necessarily a very nervous situation for fear mistakes may creep into the business.

Mr. McFall said he talked to one clerk who said this would not help them because they would have to do the business on Monday anyhow. That is correct, Mr. Speaker, they would. There is just so much business to be done, but in addition to doing that business on Monday he would give to these persons a much needed vacation on Saturday. They talk about the hardship on the stores. My friends, the farmers in the rural communities of Pennsylvania do not visit the cities or rural communities on Saturday morning, they come into your rural communities on Saturday night. My town is just filled with automobiles from one end to the other on Saturday night, and the

merchants in my town are delighted that we can furnish enough money so that they can attract into their stores men and women with checks to be cashed, because at the present time mercandise is displayed and the merchants feel if they can attract them into their stores, to get their checks cashed, they may in turn receive some benefit from purchases of goods in their particular stores. Therefore, that argument as to closing on Saturday falls by the wayside without one prop to hold it up.

The barbers in my county and the dentists in my county close on Thursday afternoon; the lawyers of my county close during the entire month of July—the entire month. I say to you in the interest of those hard working boys and girls in the country banks, from personal experience, I don't think there is any harder work being done in any manufacturing plant or in any coal mine in this country than the work of the individual bookkeeper in any bank, whether it be in a county, or a city.

Therefore, I appeal to you to take a step in the right direction and give to this particular class of people the very benefits you have given to so many others.

Mr. SHEPARD. Mr. Speaker, I object to just one statement the previous speaker, Mr. Gates, has made. He said bank clerks are the hardest working people and the poorest paid people in the Commonwealth of Pennsylvania. I know that the preachers of the Gospel are the hardest workers and the poorest paid workers in the state of Pennsylvania, and we do not have any holidays. We keep open every day in the year, night and day. However, we are willing to show some of the milk of human kindness and give to these bank clerks the holiday they need. Of course, we realize that we will be losing a little bit because if they took this holiday on Saturday they would go to Atlantic City and wouldn't come to church, and the poor preacher is left in the lurch again. I am willing to vote in favor of this bill because I hope when these people return from their vacation they will have more strength with which to go to church. I agree with, Mr. Gates, and I will vote for the bill.

The SPEAKER. For the information of the Members of the House, the Speaker comes from the same section of the city the Reverend gentleman does, and the Chair assures you he only works one day a week.

Mr. McFALL. Mr. Speaker, just one thing I want to add to what I have already said. This House is composed of intelligent men, and when I say intelligent I mean it, because we are classed as being intelligent. Why should we at this particular time be talking about holidays and giving a particular class more holidays when they have plenty now. The fact of the matter is they don't need it. I have a telegram here from my county which says that they represent the entire banking association made up of those who work in banks and those who own the banks, and they do not want this holiday.

The thing I have in mind, which I want to refer you to, a few days ago the President of the United States for national defense declared this country of ours is going on a seven day week work period, twenty-four hours a day, in order to have a better national defense. The men who are working in these munition plants and all that kind of thing, will have to work and will be glad to do the kind of work that will bring the sweat out of them, because as the bible says, "You shall earn your bread by the sweat of your brow." I never saw many

of the bank presidents or vice-presidents doing any sweating.

Talking about the Philadelphia banks, some of the Philadelphia banks have twelve or fifteen vice-presidents and they can go to the seashore whenever they wish. Here is the point I am trying to impress upon you, we are debating at the present time in a sort of humorous manner holidays for a class of people who really do not need them, when the real workers of this country by the President's own statement are going to work twenty-four hours a day for seven days a week.

Mr. BENTZEL. Mr. Speaker, I rise to cover one point which I think has been overlooked in this entire debate. We have had a lot of humor and probably everything else under the sun. I want to say to you after all I do appreciate men coming in here and to introducing bills for the purpose of eliminating work. I, too, don't like work. I do believe if this bill is passed it will not eliminate very much work for the bank clerk. He must make up his time in the bank. It is up to the banker, he cannot do in four days what is done in four and a half days. Furthermore, the point was brought out here that in some of the rural districts they are making banks out of the stores. After all, a very serious point is, what are banks organized for? They are organized with a bank president, directors and employes. Are those banks organized for the convenience of the general public? Where I come from, the biggest part of the banking is done on Saturday morning. We close our banks at noon. Saturday is the big bank day. The farmers come in to town on Saturday morning and do their banking, not on Friday afternoon. We have people who come from a distance of fifteen or twenty miles to do their banking, and they cannot come in during the week. They do their banking on Saturday morning, they do their shopping on Saturday morning. It gives the farmer five days at home and it gives him Saturday morning in which to do his shopping and his banking and his city work.

I appeal to you that after all the employe of a bank is not overworked, we cannot kid ourselves on that. The passage of this bill will work an inconvenience upon the general public who have not sent us here for the purpose of giving a few bank clerks a holiday.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken. Messrs. Lovett, Weiss and Maxwell asked for a verification of the roll. The roll was verified and was as follows:

YEAS—108

Allmond,	Gallagher,	Malloy,	Reynolds,
Baker,	Gates,	Marks,	Rhea,
Bentley,	Goodwin,	McClanaghan,	Rooney,
Boney,	Gryskewicz,	McDermott,	Rose, S.
Bower,	Habbyshaw,	McLane,	Rosenfeld,
Bradley,	Haines,	McMillen,	Rush,
Breth,	Harmuth,	McSurdy,	Sarraf,
Bretherick,	Heatherington,	Melchiorre,	Scanlon,
Brunner, C. H.,	Hering,	Mihm,	Schwab,
Burns,	Herman,	Modell,	Shaffer,
Cadwalader,	Hersch,	Monks,	Shaw,
Chudoff,	Hewitt,	Mooney,	Shepard,
Cohen, R. E.,	Hirsch,	Moran,	Skale,
Cooper,	Holland,	Munley,	Stank,
Cordier,	Huntley,	Numemacher,	Stockham,
Corrigan,	James,	O'Brien,	Tarr,
Cullen,	Jefferson,	O'Connor,	Tate,
Dalrymple,	Keenan,	O'Dare,	Thompson, E. F.,
DiGenova,	Kenehan,	O'Neill,	Thompson, R. L.,

Dolon,	Kline,	Pettit,	Turner,
D'Ortona,	Kolankiewicz,	Polaski,	Verona,
Duffy,	Komorowski,	Polen,	Voidow,
Falkenstein,	Lee, E. A.,	Powers,	Voorhees,
Finestone,	Lee, T. H.,	Prosen,	Watkins,
Finnerty,	Lelsey,	Rank,	Welsh, E. B.,
Fleming,	Leonard,	Rausch,	Williams,
Fletcher,	Levy,	Reese, R. E.,	Kilroy,

Speaker.

NAYS—82

Achterman,	Fisher,	Lyons,	Snyder,
Auker,	Fiss,	Maxwell,	Sollenberger,
Balthaser,	Poor,	McClester,	Stambaugh,
Baugher,	French,	McDowell,	Stine,
Bentzel,	Gillette,	McFall,	Taylor,
Boies,	Gross,	McIntosh,	Trout,
Boorse,	Cyger,	McKinney,	VanAllsburg,
Brunner, P. A.,	Haberlen,	McLanahan,	Vincent,
Burris,	Hamilton,	Moul,	Vogt,
Chervenak,	Hare,	Muir,	Wagner,
Cochran,	Harkins,	Nagel,	Weingartner,
Cohen, M. M.,	Harris,	Owens,	Weiss,
Cook,	Helm,	Petrosky,	Welsh, M. J.,
Croop,	Imbrie,	Readinger,	Wolf,
Dennison,	Jones, G. E.,	Reagan,	Wood, N.,
Dix,	Jones, P. N.,	Reese, D. P.,	Woodring,
Early,	Krise,	Riley,	Wright,
Eckels,	Lesko,	Royer,	Yeakel,
Elder,	Lichtenwalter,	Sarge,	Yester,
Elliott,	Longo,	Serrill,	Young,
Ely,	Lovett,		

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.

UNITED STATES SENATOR GUFFEY INTRODUCED

The SPEAKER. The Chair is pleased to have as his guest this afternoon United States Senator Joseph F. Guffey. If there is no objection the Chair will ask the Senator to say a few words to the Members.

REMARKS OF SENATOR JOSEPH F. GUFFEY

SENATOR JOSEPH F. GUFFEY. Mr. Speaker, and Members of the Pennsylvania State Legislature, I did not come here this afternoon to make a speech, however I feel very much gratified to be presented to this body.

I could not help but observe during the last half hour when you were debating and taking a vote on the last bill some of the advantages you have over the United States Senate. I think you confine your debate much more closely to the subject and transact your business a little more expeditiously. There is one thing that stands out distinctly in my mind as I look over this body this afternoon, and that is you keep your records and your journals on top of your desks whereas in the United States Senate we keep them below the desks. That is one feature I distinctly noticed.

I congratulate you upon having an amplifying system in this Hall. We do not have one in the United States Senate, much to the disadvantage of the Members and the audience. They do have one in the House but not in the Senate. I hope before I finish my service there, and I am now beginning my second term and looking forward to the future, that we will have an amplifying system in the Senate. It takes a long time to bring about any reform or correction in the United States Senate, but when they get into the mood to do business in the Senate they can work very fast indeed

under the unanimous consent rule. When Vice-President Garner was in the Chair we were sometimes delayed a great deal of the time, but a lot of business would be transacted in a very short time and in a very expeditious manner.

I want to congratulate you. I know I do not have as much experience as a number of you Legislators here have, because I have just finished my first term in the Senate. That was the first time I ever served in any legislative body and I know many of you have served longer than that. I congratulate you on the manner in which you transact your business and I thank you for the opportunity of saying a few words.

The SPEAKER. The Chair thanks the Senator.

BILL ON FINAL PASSAGE

Agreeably to order.

The House proceeded to the consideration on final passage of House Bill No. 684, as follows:

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

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

Section 1 Sections six and nine of the act approved the thirtieth day of March one thousand nine hundred and seventeen (P. L. 21) entitled "An act defining optometry and relating to the right to practice optometry in the Commonwealth of Pennsylvania and making certain exceptions and providing a Board of Optometrical Education Examination and Licensure and means and methods whereby the right to practice optometry may be obtained and providing for the means to carry out the provisions of this act and providing for revocation or suspension of licenses given by said board and providing penalties for violations thereof and repealing all acts or parts of acts inconsistent therewith" as last amended by the act approved the twenty-fifth day of May one thousand nine hundred and thirty-seven (P. L. 795) are hereby further amended to read as follows

Section 6 Every person desiring to be licensed as in this act provided shall file with the secretary of said board upon appropriate blank to be furnished by said secretary an application verified by oath setting forth the facts which entitle the applicant to examination and licensure under the provisions of this act The said board shall hold at least two examinations each year In case of failure at any standard examination the applicant after the expiration of six months and within two years shall have the privilege of a second examination by the board without the payment of an additional fee Every applicant who shall pass the standard examination or the limited examination as the case may be and who shall otherwise comply with the provisions of this act shall receive from the said board under its seal a certificate of licensure entitling him to practice optometry in this Commonwealth which certificate shall be duly registered in a record book to be properly kept by the secretary of the board for that purpose which shall be open to public inspection and a

duly certified copy of said record shall be received as evidence in all courts of this Commonwealth in the trial of any case Each person to whom a certificate shall be issued by said board shall keep said certificate displayed in a conspicuous place in the office wherein said person shall practice optometry together with the photograph of said person attached to the lower right-hand corner of said certificate and shall whenever required exhibit the said certificate to any member or agent of the said board

Peddling from door to door or the establishment of temporary offices or the practice of optometry by a certificate holder outside of or away from his office is specifically forbidden under penalty of revocation of certificate by the board Certificate holders may however apply to the board for and be granted by it branch office licenses for such branch offices as the board may approve. A separate license shall be required for each branch office maintained Each such branch office shall not be any less a permanent office than the certificate holder's main office Branch offices within the meaning of this act are defined as permanent additional offices where the licensed optometrist himself may render a more convenient personal service to his patients but nothing herein shall be construed as prohibiting the employment of licensed optometrists as assistants Any certificate holder operating a branch office otherwise than as hereinbefore provided shall be guilty of a violation of this act and shall have his certificate revoked by the said board

Each person to whom a certificate has been issued by said board shall before practicing under the same register said certificate in the office of the prothonotary in each county wherein he proposes to practice optometry and shall pay therefor such fee as may be lawfully chargeable for such registry The prothonotary in each county shall keep a certificate registration book wherein he shall promptly register each certificate for which the fee is paid

Section 9 The State Board of Optometrical Examiners shall refuse to grant a certificate of licensure to any applicant and may cancel revoke or suspend the operation of any certificate by it granted for any or all of the following reasons to wit the peddling from house to house or person to person either personally or through the employment or aid of solicitors or the practice of optometry on premises not separate from premises whereon eye glasses lenses and eye glass frames or appurtenances are sold by any person other than optometrists or the establishment of temporary offices contrary to the provisions of this act or the use of misleading advertising or gross incompetency or the obtaining of money by fraud or misrepresentation of the optometrical profession in which untruthful statements are made or the use of any name by a certificate holder other than the name recorded in optometrical board registration files or the aiding or abetting directly or indirectly of any violation of the aforesaid acts or practices or any form of pretense which may induce citizens to become a prey to professional exploitation or upon proof of any unprofessional conduct as may be determined by the State Board of Optometrical Examiners or the failure to deliver the certificates provided for in section six of this act or the conviction of a [crime] felony or misdemeanor involving moral turpitude habitual intemperance in the use of ardent spirits or stimulants narcotics or any other substance which impairs the intellect and judgment to such an extent as to incapacitate for the performance of duties of an optometrist or the advertising of prices for professional services or glasses or other appurtenances used in the practice of the profession of optometry The certificate of licensure of any person convicted of a violation of section two of this act shall be ipso facto revoked

Any person who is the holder of a certificate of licensure or who is an applicant for examination for a certificate of licensure against whom is preferred any charge shall be furnished by the board with a copy of the complaint and shall have a hearing before the board at which hearing he may be represented by counsel At such hearing witnesses may be examined for and against the accused respecting the said charges which examination shall be conducted in the manner usually followed in the taking of testimony before commissions in this Commonwealth

An appeal may be taken from any action of the State Board of Optometrical Examiners in granting refusing revoking cancelling or suspending any license to the Court of Common Pleas of Dauphin County The judgment of the common pleas court may be reviewed by the Superior Court on appeal The suspension of a certificate of licensure by reason of the use of stimulants or narcotics may be revoked when the holder thereof shall have been adjudged by the said board to be cured and capable of practicing optometry The revocation or suspension for any other cause of a certificate of licensure may be removed at such time as it shall appear to the board to be just and proper to do so

On the question,

Shall the bill pass finally?

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

YEAS—182

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

NAYS—8

Bretherick,	Hersch,	Stambaugh,	Wagner,
Hare,	James,	Trout,	

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

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

SENATE MESSAGES

AMENDED SENATE BILL CONCURRED IN BY SENATE

The Clerk of the Senate being introduced informed that

the Senate has concurred in the amendments made by the House of Representatives to Senate Bill numbered and entitled as follows, viz:

SENATE BILL No. 326.

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

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:

In the House of Representatives, May 5, 1941.

Resolved (if the Senate concur), that House Bill No. 616, Printer's No. 111, entitled "An act to amend section seven of the act approved the thirty-first day of March one thousand eight hundred and sixty (Pamphlet Laws 427) entitled 'An act to Consolidate Revise and Amend the Laws of this Commonwealth relating to Penal Proceedings and Pleadings' providing for admission to bail by committing magistrates and coroners in cases involving manslaughter by automobile" be recalled from the Governor for the purpose of amendment.

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:

In the House of Representatives, May 5, 1941.

Resolved (if the Senate concur) that House Bill No. 524, Printer's No. 130, entitled "An act to further amend section two hundred and ten of the act approved the second day of May one thousand nine hundred and twenty-five (P. L. 448) entitled 'An act relating to fish and amending revising consolidating and changing the law relating to fish in the inland waters and the boundary lakes and boundary rivers of the Commonwealth' prohibiting the sale of striped bass or rock fish under eighteen inches in length" be recalled from the Governor for the purpose of amendment.

BILLS SIGNED BY SPEAKER

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

SENATE BILL No. 326.

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

SENATE BILL No. 81.

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.

SENATE BILL No. 286.

An Act to amend the fourth paragraph of article seven of the act approved the seventh day of March, one thousand nine hundred and one (P. L. 20), entitled "An act for the government of cities of the second class," prescribing the manner in which money shall be drawn from the city treasury.

MR. ACHTERMAN IN THE CHAIR

BILL ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1185, entitled:

An Act to further amend section five hundred and two and section five hundred and four of the act approved the second day of May one thousand nine hundred and twenty-nine (P. L. 1278) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" requiring submission of all plans for public improvements to the county planning commission for approval and prohibiting the recording of plans and sales of lots before their approval under penalties

On the question,

Will the House agree to the bill on third reading?

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

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

The Clerk read the amendments as follows:

Amend Sec. 1 (Sec. 502), page 2, line 13, by inserting after the word "city" the following: "except cities of the second class."

Amend Sec. 1 (Sec. 502), page 2, line 21, by inserting after the word "city" the following: "except cities of the second class."

Amend Sec. 1 (Sec. 502), page 2, line 25, by inserting after the word "city" the following: "except cities of the second class."

Amend Sec. 1 (Sec. 502), page 2, line 29, by inserting after the word "city" the following: "except cities of the second class."

Amend Sec. 1 (Sec. 502), page 3, line 6, by inserting after the word "city" the following "except cities of the second class."

Amend Sec. 1 (Sec. 504, page 3, line 27, by inserting after the word "city" the following: "except cities of the second class."

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

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

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

It was agreed to.

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

BILL PASSED OVER

There being no objection House Bill No. 1270, Printer's No. 413, was passed over at the request of the Speaker pro tempore.

BILL ON THIRD READING

Agreeably to order,

The House proceeded to the third 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 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.

On the question,

Will the House agree to the bill on third reading?

BILL RECOMMITTED

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

The motion was agreed to.

BILL PASSED OVER

There being no objection House Bill No. 979, Printer's No. 428, was passed over at the request of the Speaker pro tempore.

BILL ON THIRD READING

Agreeably to order,

The House proceeded to the third 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.

On the question,

Will the House agree to the bill on third reading?

BILL RECOMMITTED

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

The motion was agreed to.

BILLS ON THIRD READING

Agreeably to order,

The House proceeded to the third 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.

On the question,

Will the House agree to the bill on third reading?

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

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

The Clerk read the amendments as follows:

Amend title, page 1, lines 14 and 15 of title, by striking out the word "standard"

Amend Sec. 1 (Sec. 302), page 2, line 22, by striking out the word "standard"

Amend Sec. 1 (Sec. 302), page 2, lines 23 and 24, by striking out the following: "of a size not less than" in line 23, and all of line 24.

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

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

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

It was agreed to.

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

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 358, entitled:

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

On the question,

Will the House agree to the bill on third reading?

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

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

The Clerk read the amendments as follows:

Amend title, page 1, line 1 of title, by striking out the words "clause three" and inserting in lieu thereof: "clauses three and four."

Amend title, page 1, line 14 of title, by inserting after the word "by" the following: "further."

Amend title, page 1, lines 15 and 16 of title, by striking out the words "for the office of jury commissioner" and inserting in lieu thereof: "in certain cases."

Amend Sec. 1, page 2, line 1, by striking out the words "clause three" and inserting in lieu thereof: "clauses three and four."

Amend Sec. 1, page 2, line 15, by striking out the word "is" and inserting in lieu thereof: "are."

Amend Sec. 1, page 2, by inserting between lines 15 and 16, the following:

Section 913. Place and Time of Filing Nomination Petitions; Filing Fees.

* * * * *

(b) Each person filing any nomination petition shall pay, for each petition, at the time of said filing, a filing fee to be determined as follows, and no nomination petition shall be accepted or filed, unless and until such filing fee is paid by a certified check or money order only. Said certified checks or money orders shall be made payable to the Commonwealth of Pennsylvania or to the county, as the case may be, and shall be transmitted to the State Treasurer or to the county treasurer, and shall become part of the General Fund:

* * * * *

Amend Sec. 1 (Cl. 3), page 2, line 19, by inserting after the part word "sioner" the following: "associate judge or prison inspector."

Amend Sec. 1 (Cl. 3), page 2, line 20, by inserting after the word "commissioner" the following: "or associate judge."

Amend Sec. 1 (Cl. 3), page 2, line 20, by inserting at the end of said line, the following: "if for the office of prison inspector, the sum of two dollars (\$2.00)."

Amend Sec. 1 (Cl. 4), page 3, by inserting between lines 2 and 3, the following: 4. If for the office of associate judge or for any borough, town, township, school district or poor district office, not otherwise provided for, the sum of two dollars (\$2.00).

Amend Sec. 1 (Cl. 4), page 3, line 3, by inserting a lightface bracket after the word "no"

Amend Sec. 1 (Cl. 4), page 3, line 3, by inserting after the word "no" the following: "No."

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

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

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

It was agreed to.

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

Agreeably to order,

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

The House resumed the consideration on third reading of House Bill No. 134, entitled:

An Act to amend the title and the act approved the twenty-eighth day of April one thousand nine hundred and thirty-seven (P. L. 417) entitled "An act relating to milk and the products thereof creating a Milk Control Commission establishing its jurisdiction powers and duties regulating the production transportation manufacturing processing storage distribution delivery and sale of milk and certain products thereof providing for the licensing of milk dealers and the payment of fees therefor requiring milk dealers to file bonds to secure payment for milk to producers and certain milk dealers authoriz-

ing the holding of hearings and the issuance of subpoenas by the commission conferring jurisdiction upon courts to punish contempts and to prohibit violations of this act and of rules regulations and orders of the commission authorizing the commission to adopt rules and regulations and orders and to enter into interstate and Federal compacts requiring persons who weigh measure sample or test milk to procure permits or certificates to take examinations to pay fees therefor to furnish certain notices records and statements and to use certain methods of weighing measuring sampling and testing authorizing the commission to examine the business papers and premises of milk dealers and producers requiring the keeping of records and the filing of reports by milk dealers and permitting with limitations the use of information obtained thereby authorizing the commission to fix prices for milk and certain milk products subject to the approval of the Governor and conferring certain powers upon the Governor with respect thereto providing for appeals to the courts from decisions of the commission and for the burden of proof upon such appeals prescribing penalties fines and imprisonment for violations of this act and rules regulations and orders of the commission defining perjury defining remedies repealing legislation supplied and superseded by this act and saving rights duties and proceedings thereunder and making appropriations" by adding the term "handler" as a synonym for the term "milk dealer" defining the terms "handle" and "handler" extending the provisions of the act to those who handle milk by bailment brokerage consignment or purchase by giving certain additional rights to producers and farmers' unions or organizations producing milk setting up a price fixing procedure providing for the division of the Commonwealth into license districts restricting powers of the Governor and providing for the payment of funds in the hands of the commission owing to producers and handlers

On the question recurring,

Will the House agree to the bill on third reading?

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

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

The Clerk read the amendments as follows:

Amend title, page 3, lines 4 and 5 of the title on page 3, by striking out the words "providing for the division of the Commonwealth into license districts"

Amend Sec. 1, page 4, line 22, by striking out the word "is" and inserting in lieu thereof: "are"

Amend Sec. 1 (Sec. 103), page 13, lines 21 to 28, both inclusive, by striking out all of said lines.

Amend Sec. 1 (Sec. 103), page 14, lines 1 and 2, by striking out both of said lines, and inserting in lieu thereof:

"Consumer" means any person other than a milk dealer or handler, who purchases milk for his own consumption or use.

Amend Sec. 1 (Sec. 103), page 14, line 12, by striking out the word "or" where it appears the second time in said line, and inserting in lieu thereof: "who"

Amend Sec. 1 (Sec. 103), page 16, lines 15 to 23, by striking out the following: "the Commonwealth of Pennsylvania and any county" in line 15, and all of lines 16 to 23, both inclusive.

Amend Sec. 1 (Sec. 203), page 20, lines 8 and 12, by striking out the brackets before the word "No" in line 8, and after the word "commissions" in line 12.

Amend Sec. 1 (Sec. 308), page 23, line 29, by striking out the word "or" where it appears the second time in said line, and inserting in lieu thereof: "of"

Amend Sec. 1 (Sec. 311), page 27, line 4, by striking out the words "may join"

Amend Sec. 1 (Sec. 402), page 28, lines 21 to 25, by underscoring the words "provided however That in cash" in line 21, and all of the words in lines 22 to 25, both inclusive.

Amend Sec. 1 (Sec. 404), page 33, lines 7 and 8, by striking out the following: "satisfy the commission of"

show an intent of the" and inserting in lieu thereof: "[satisfy the commission of an intent of the] manifest an intention on the part of such".

Amend Sec. 1 (Sec. 503), page 44, line 15, by striking out the word "but" and inserting in lieu thereof: "and".

Amend Sec. 1 (Sec. 503), page 44, line 16, by striking out the word "except" and inserting in lieu thereof: "only".

Amend Sec. 1 (Sec. 801), page 63, line 25, by striking out the word "return" and inserting in lieu thereof: "profit".

Amend Sec. 1 (Sec. 801), page 63, line 25, by inserting after the word "the" the following: "producer".

Amend Sec. 1 (Sec. 807), page 69, lines 18 to 24, by striking out the following: "or sold or offered to be bought or" in line 18, all of lines 19 to 23, both inclusive, and the word "otherwise" in line 24, and inserting in lieu thereof:

[or sold or offered to be bought or sold] or received or handled on consignment or otherwise or sold or handled or delivered or made available on consignment or otherwise, or offered to be bought or received or handled on consignment or otherwise or sold or handled or delivered or made available on consignment or otherwise

Amend Sec. 1 (Sec. 809), page 72, line 3, by striking out all of said line.

Amend Sec. 1 (Sec. 809), page 73, by inserting between lines 3 and 4, the following "strued to affect the contracts of such cooperative agricul-"

Amend Sec. 1 (Sec. 902), page 74, line 29, by inserting a dark-face bracket at the end of said line.

Amend Sec. 1 (Sec. 902), page 75, line 1, by inserting a dark-face bracket at the beginning of said line.

Amend Sec. 1 (Sec. 902), page 75, line 2, by striking out the dark-face bracket at the end of said line.

Amend Sec. 1 (Sec. 904), page 76, line 17, by inserting a light-face bracket before and after the word "shall".

Amend Sec. 1 (Sec. 904), page 76, line 17, by inserting after the word "shall" the following: "may".

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

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

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

It was agreed to.

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

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 504, as follows:

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

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

Section 1 Section three and clause (88) of Section one hundred one of the act approved the twenty-eighth day of May one thousand nine hundred thirty-seven

(P. L. 1019) entitled "An act relating to statutory laws prescribing an enacting clause for statutes fixing the effective date and time of statutes hereafter enacted providing for notice of application for local and special legislation for the correction of errors in statutes and for the printing and publication of statutes prescribing rules for the interpretation of statutes defining certain words and phrases when used in statutes and prescribing rules for the construction and operation of amendments re-enactments and repeals of statutes" are hereby amended to read as follows

Section 3 Style and Position of Enacting Clause All laws shall begin in the following style "The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows"

Such enacting clause shall be placed immediately after the preamble or the table of contents of the law or if there be [no] neither preamble nor table of contents then immediately after the title

Section 101 Definitions The following words and phrases when used in any law hereafter enacted unless the context clearly indicates otherwise shall have the meanings ascribed to them in this section

* * * * *

(88) "Political subdivision" any county city borough incorporated town township school district [and poor district] vocational school district and county institution district

Section 2 This act shall become effective immediately upon final enactment

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

On the question,

Shall the bill pass finally?

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

YEAS—190

Achterman,	Fleming,	Lovett,	Rose, S.,
Allmond,	Fletcher,	Lyons,	Rosenfeld,
Auker,	Foor,	Malloy,	Royer,
Baker,	French,	Marks,	Rush,
Balthaser,	Gallagher,	Maxwell,	Sarge,
Baughner,	Gates,	McClanaghan,	Sarraf,
Bentley,	Gillette,	McClester,	Scanlon,
Bentzel,	Goodwin,	McDermott,	Schwab,
Boies,	Gross,	McDowell,	Serrill,
Boney,	Gryskewicz,	McFall,	Shaffer,
Boorse,	Gyger,	McIntosh,	Shaw,
Bower,	Habbyhaw,	McKinney,	Shepard,
Bradley,	Haberlen,	McLanahan,	Skale,
Breth,	Haines,	McLane,	Snyder,
Bretherick,	Hamilton,	McMillen,	Sollenberger,
Brunner, C. H.,	Hare,	McSurdy,	Stambaugh,
Brunner, P. A.,	Harkins,	Melchiorre,	Stank,
Burns,	Harmuth,	Mihm,	Stine,
Burris,	Harris,	Modell,	Stockham,
Cadwalader,	Heatherington,	Monks,	Tarr,
Chervenak,	Helm,	Mooney,	Tate,
Chudoff,	Hering,	Moran,	Taylor,
Cochran,	Herman,	Moul,	Thompson, E. F.,
Cohen, M. M.,	Hersch,	Muir,	Thompson, R. L.,
Cohen, R. E.,	Hewitt,	Munley,	Trout,
Cook,	Hirsch,	Nagel,	Turner,
Cooper,	Holland,	Nunemacher,	Van Allsburg,
Cordier,	Huntley,	O'Brien,	Verona,
Corrigan,	Imbrie,	O'Connor,	Vincent,
C:oop,	James,	O'Dare,	Vogt,
Cullen,	Jefferson,	O'Neill,	Voidow,
Dalrymple,	Jones, G. E.,	Owens,	Voorhees,
Dennison,	Jones, P. N.,	Petrosky,	Wagner,
DiGenova,	Keenan,	Pettit,	Watkins,
Dix,	Kenehan,	Polaski,	Weingartner,
Dolon,	Kline,	Polen,	Weiss,
D'Ortona,	Kolankiewicz,	Powers,	Welsh, E. B.,
Duffy,	Komorofski,	Prosen,	Welsh, M. J.,
Early,	Krise,	Rausch,	Williams,
Eckels,	Lee, E. A.,	Readinger,	Wolf,
Elder,	Lee, T. H.,	Reagan,	Wood, N.,
Elliott,	Leisey,	Reese, David P.,	Woodring,
Ely,	Leonard,	Reese, R. E.,	Wright,
Falkenstein,	Lesko,	Reynolds,	Yeakel,
	Levy,		Yester.

Finestone, Finnerty, Fisher, Fiss,	Leydic, Lichtenwalter, Longo,	Rhea, Riley, Rooney,	Young, Kilroy, Speaker.
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NAYS—0

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

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

BILL PASSED OVER

There being no objection, House Bill No. 1172, Printer's No. 441, was passed over at the request of Mr. LOVETT.

BILLS ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 884, as follows:

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

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

Section 1 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" is hereby amended to read as follows

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That unless otherwise stipulated in the contract of hiring each person firm or corporation employing any person other than at an annual salary shall pay to such person his or her earnings or wages semi-monthly The first payment shall be made between the first and fifteenth day of each month and the second payment shall be made between the fifteenth and the last day of each month All such employers shall either as part of the check draft or other voucher paying the wages or separately furnish their employes with a statement showing the total amount of deductions from their wages for the period

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—190

Achterman, Allmond, Auker, Baker, Balthaser, Baugher, Bentley, Bentzel, Boies, Boney, Boorse, Bower, Bradley, Breth, Bretherick, Brunner, C. H.,	Fiss, Fleming, Fletcher, Foor, French, Gallagher, Gates, Gillette, Goodwin, Gross, Gryskewicz, Gyger, Habbyhaw, Haberlen, Haines, Hamilton,	Longo, Lovett, Lyons, Maltoy, Marks, Maxwell, McClanaghan, McClester, McDermott, McDowell, McFall, McIntosh, McKinney, McLanahan, McLane, McMillen,	Rooney, Rose, S., Rosenfeld, Royer, Rush, Sarge, Sarraf, Scanlon, Schwab, Serrill, Shaffer, Shaw, Shepard, Skale, Snyder, Sollenberger,
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Brunner, P. A., Burns, Burris, Cadwalader, Chervenak, Chudoff, Cochran, Cohen, M. M., Cohen, R. E., Cook, Cooper, Cordier, Corrigan, Croop, Cullen, Dalrymple, Dennison, DiGenova, Dix, Dolon, D'Ortona, Duffy, Early, Eckels, Elder, Elliott, Ely, Falkenstein, Finestone, Finnerty, Fisher,	Hare, Harkins, Harmuth, Harris, Heatherington, Helm, Hering, Herman, Hersch, Hewitt, Hirsch, Holland, Huntley, Imbrie, James, Jefferson, Jones, G. E., Jones, P. N., Keenan, Kenehan, Kline, Kolankiewicz, Komorowski, Krise, Lee, E. A., Lee, T. H., Leisey, Leonard, Lesko, Levy, Leydic, Lichtenwalter,	McSurdy, Melchiorre, Mihm, Modell, Monks, Mooney, Moran, Moul, Muir, Munley, Nagel, Nunemacher, O'Brien, O'Connor, O'Dare, O'Neill, Owens, Petrosky, Pettit, Polaski, Polen, Powers, Prosen, Rank, Rausch, Readinger, Reagan, Reese, David P., Reese, R. E., Reynolds, Rhea, Riley,	Stambaugh, Stank, Stine, Stockham, Tarr, Tate, Taylor, Thompson, E. F., Thompson, R. L., Trout, Turner, Van Allsburg, Verona, Vincent, Vogt, Voldow, Voorhees, Wagner, Watkins, Weingartner, Weiss, Welsh, E. B., Welsh, M. J., Williams, Wolf, Wood, N., Woodring, Wright, Yeakel, Yester, Young, Kilroy, Speaker.
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NAYS—0

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

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

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1439, as follows:

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 with reference thereto

Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same as follows

Section 1 Organization and Establishment The establishment and organization of housing authorities under the provisions of the Housing Authorities Law (laws of 1937 P. L. 955 No. 265 as amended by Laws of 1939 P. L. 424 No. 238) together with all proceedings acts and things heretofore undertaken performed or done with reference thereto are hereby validated ratified approved and declared legal in all respects notwithstanding any defect or irregularity therein or any want of statutory authority

Section 2 Contracts and Undertakings All contracts agreements obligations and undertakings of such housing authorities heretofore entered into relating to financing or aiding in the development construction maintenance or operation of any housing project or projects or to obtaining aid therefor from the United States Housing Authority including (without limiting the generality of the foregoing) loan and annual contributions contracts and leases with the United States Housing Authority agreements with municipalities or other public bodies (including those which are pledged or authorized to be pledged for the protection of the holders of any notes or bonds issued by such housing authorities or which are otherwise made a part of the contract with such holders of notes or bonds) relating to cooperation and contributions in aid of housing projects payments (if any) in lieu of taxes furnishing of municipal services and facili-

ties and the elimination of unsafe and unsanitary dwellings and contracts for the construction of housing projects together with all proceedings acts and things heretofore undertaken performed or done with reference thereto are hereby validated ratified confirmed approved and declared legal in all respects notwithstanding any defect or irregularity therein or any want of statutory authority

Section 3 Notes and Bonds All proceedings acts and things heretofore undertaken performed or done in or for the authorization issuance execution and delivery of notes and bonds by housing authorities for the purpose of financing or aiding in the development or construction of a housing project or projects and all notes and bonds heretofore issued by housing authorities are hereby validated ratified confirmed approved and declared legal in all respects notwithstanding any defect or irregularity therein or any want of statutory authority

Section 4 Effective Date 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—189

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

NAYS—1

Auker,

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

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

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1222, as follows:

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

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

Section 1 Clause (j) of section two hundred and eight of the act approved the fifth day of December one thousand nine hundred and thirty-six (P. L. 2897 1937) entitled "An act establishing a system of unemployment compensation to be administered by the Department of Labor and Industry and its existing and newly created agencies with personnel (with certain exceptions) selected on a civil service basis requiring employers to keep records and make reports and certain employers to pay contributions based on payrolls to provide moneys for the payment of compensation to certain unemployed persons providing procedure and administrative details for the determination payment and collection of such contributions and the payment of such compensation providing for cooperation with the Federal Government and its agencies creating certain special funds in the custody of the State Treasurer and prescribing penalties" as amended by the act approved the eighteenth day of May one thousand nine hundred and thirty-seven (P. L. 658) is hereby further amended to read as follows

Section 208 Civil Service Selection of Personnel Additional Duties of Secretary and Board

* * * * *

(j) The secretary shall make appointment to positions created under this act and shall fill vacancies as they may occur from the lists of eligibles certified to him by the board except with respect to positions filled by promotions as hereinafter provided and by the appointment of persons exempted by subsection (b) of this section In making appointments therefrom the secretary shall select from the three persons ranking highest on the list of eligibles for the grade of employment in the administrative district or in the State as a whole as the case may be the applicant most suitable for the position in the grade of employment for which a vacancy exists taking into consideration his experience and personal qualifications with sole reference to merit and fitness for the position to be filled If upon inquiry by the secretary a person on the list of eligibles is found to be not available for employment or cannot be located his name shall not for the time being be considered among the three names from which a choice is to be made For the second vacancy the secretary shall make selection from the highest three persons remaining on such list of eligible who have not been within his reach for three separate vacancies The third and any additional vacancies shall be filled in like manner

Vacancies in positions subject to the provisions of this section whether such positions be newly created or va-

cated for any reason by any former incumbent shall be filled in so far as practical by promotions from among employes holding positions in the lower grades In all cases an employe to be promoted shall possess the qualifications specified for the position and shall have served not less than six months (including service during any probationary period but not including service during any provisional employment) in a position under the provisions of this act Promotions shall be based on merit and upon the superior qualifications of the employe to be promoted as shown by his or her previous service record under this act The secretary may promote an employe to a higher position to which such employe has been certified as eligible by the board provided that the board shall in certifying such employe satisfy itself that the employe possess the qualifications prescribed by the secretary for the higher position Before making such certification the board may require any employe or employes to take such qualifying or competitive examinations as the board may prescribe

Whenever in making appointment to any position in the competitive class pursuant to this section from among those graded highest in an open competitive examination the secretary shall appoint or give employment to any person graded lower in such examination than any other person or persons whom the secretary might lawfully have appointed to or given employment in such position and who was willing to accept such position of employment the secretary shall within five days after making such appointment or giving such employment enter upon the records of his office a statement in writing of his reasons for appointing or giving employment to the person so appointed or given employment and his reasons for failing to appoint or to give employment to the person or persons so graded higher in such examination and shall within the same period transmit a copy of such statement to the Auditor General certifying under oath that the said statement is a true and complete statement of his reasons for the acts referred to therein and that such acts were not done by reason of the race color or creed of any person so appointed or given employment or of any person not appointed or given employment Until such certified statement is filed with him as herein provided the Auditor General shall not approve any payroll containing the name of the person so appointed or given employment

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—190.

- | | | | |
|-----------------|----------------|--------------|------------------|
| Achterman, | Fleming, | Lovett, | Rose, S., |
| Allmond, | Fletcher, | Lyons, | Rosenfeld, |
| Auker, | Foor, | Malloy, | Royer, |
| Baker, | French, | Marks, | Rush, |
| Balthaser, | Gallagher, | Maxwell, | Sarge, |
| Baugher, | Gates, | McClanaghan, | Sarra, |
| Bentley, | Gillette, | McClester, | Scanlon, |
| Bentzel, | Goodwin, | McDermott, | Schwab, |
| Boles, | Gross, | McDowell, | Serrill, |
| Boney, | Gryskewicz, | McFall, | Shaffer, |
| Boorse, | Gyger, | McIntosh, | Shaw, |
| Bower, | Habbyshaw, | McKinney, | Shepard, |
| Bradley, | Haberlen, | McLanahan, | Skale, |
| Breth, | Haines, | McLane, | Snyder, |
| Bretherick, | Hamilton, | McMillen, | Sollenberger, |
| Brunner, C. H., | Hare, | McSurdy, | Stambaugh, |
| Brunner, P. A., | Harkins, | Melchiorre, | Stank, |
| Burns, | Harmuth, | Mihm, | Stine, |
| Burris, | Harris, | Modell, | Stockham, |
| Cadwalader, | Heatherington, | Monks, | Tarr, |
| Chervenak, | Helm, | Mooney, | Tate, |
| Chudoff, | Hering, | Moran, | Taylor, |
| Cochran, | Herman, | Moul, | Thompson, E. F., |
| Cohen, M. M., | Hersch, | Muir, | Thompson, R. L., |
| Cohen, R. E., | Hewitt, | Munley, | Trout, |
| | Hirsch, | Nagel, | Turner, |

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|--------------|----------------|---------------|---------------|
| Cook, | Holland, | Nunemacher, | Van Allsburg, |
| Cooper, | Huntley, | O'Brien, | Verona, |
| Cordier, | Imbrie, | O'Connor, | Vincent, |
| Corrigan, | James, | O'Dare, | Vogt, |
| Croop, | Jefferson, | O'Neill, | Voldow, |
| Cullen, | Jones, G. E., | Owens, | Voorhees, |
| Dabrymple, | Jones, P. N., | Petrosky, | Wagner, |
| Dennison, | Keenan, | Pettit, | Watkins, |
| DiGenova, | Kenehan, | Polaski, | Weingartner, |
| Dix, | Kline, | Polen, | Weiss, |
| Dolon, | Kolankiewicz, | Powers, | Welsh, E. B., |
| D'Ortona, | Komorofski, | Prosen, | Welsh, M. J., |
| Duffy, | Krise, | Rank, | Williams, |
| Early, | Lee, E. A., | Rausch, | Wolf, |
| Eckels, | Lee, T. H., | Readinger, | Wood, N., |
| Elder, | Leisey, | Reagan, | Woodring, |
| Elliott, | Leonard, | Reese, D. P., | Wright, |
| Eiv, | Lesko, | Reese, R. E., | Yeakel, |
| Falkenstein, | Levy, | Reynolds, | Yester, |
| Finestone, | Leydic, | Rhea, | Young, |
| Finnerty, | Lichtenwaiter, | Riley, | Kilroy, |
| Fisher, | Longo, | Rooney, | Speaker. |
| Fiss, | | | |

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. 1438, as follows:

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

Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same as follows

Section 1 Housing Authority Bonds Legal Investments and Security Notwithstanding any restrictions on investments contained in any laws of this Commonwealth the Commonwealth and all public officers municipal corporations political subdivisions and public bodies all banks bankers trust companies savings banks and institutions building and loan associations savings and loan associations investment companies and other persons carrying on a banking business all insurance companies insurance associations and other persons carrying on an insurance business and all executors administrators guardians trustees and other fiduciaries may legally invest any sinking funds moneys or other funds belonging to them or within their control in any bonds or other obligations issued by a housing authority established pursuant to the Housing Authorities Law and act approved the twenty-eighth day of May one thousand nine hundred and thirty-seven (P. L. 995) as amended by an act approved the nineteenth day of June one thousand nine hundred and thirty-nine (P. L. 424) and any amendments thereto or used by any public housing authority or agency in the United States and such bonds and other obligations shall be authorized security for all public deposits and fully negotiable in this State it being the purpose of this act to authorize any persons firms corporations associations political subdivisions bodies and officers public or private to use any funds owned or controlled by them including (but not limited to) sinking insurance investment retirement compensation pension and trust funds and funds

held on deposit for the purchase of any such bonds or other obligations and that such bonds or other obligations shall be security for public deposits and negotiable in this State provided however that nothing contained in this act shall be construed as relieving any person firm or corporation from any duty of exercising reasonable care in selecting securities.

Section 2 Severability Notwithstanding any other evidence of legislative intent it is hereby declared to be the controlling legislative intent that if any provision of this act or the application thereof to any person or circumstances is held invalid the remainder of the act and the application of such provision to persons or circumstances other than those as to which it is held invalid shall not be affected thereby.

Section 3 Act Controlling Insofar as the provisions of this act are inconsistent with the provisions of any other law the provisions of this act shall be controlling.

Section 4 Effective Date 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—189

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

NAYS—1

Auker,

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

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

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1038, as follows:

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

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

Section 1 No individual partnership or association shall hereafter carry on or conduct any business in this Commonwealth unless the individual partnership or association conducting the same shall have displayed in a prominent place on the exterior of the establishment where the business is conducted a statement in the English language which will indicate the identity of the proprietor or authorized representative of such establishment Provided however That fictitious assumed or corporate names shall be sufficient compliance with the provisions herein if such names have been properly registered or authorized under the laws of this Commonwealth

Section 2 Any individual partnership or association carrying on or conducting any business in violation of the provisions of this act shall be guilty of a misdemeanor and upon conviction such individual individuals or authorized agent thereof shall be punished by a fine not exceeding one hundred dollars (\$100) or by imprisonment not exceeding thirty (30) days or both in the discretion of the court

Section 3 Failure to comply with the provisions of this act shall render the authorized agent or the apparent owner of the business liable for any and all debts actions and liabilities which would otherwise be directed against the owner

Section 4 All acts and parts of acts inconsistent here-with are hereby repealed

Section 5 The provisions of this act shall become effective immediately upon final enactment

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

On the question,

Shall the bill pass finally?

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

YEAS 164.

Achterman,	Fiss,	Lesko,	Reynolds,
Allmond,	Fleming,	Levy,	Rhea,
Baker,	Fletcher,	Leydic,	Riley,
Balthaser,	Foor,	Lichtenwalter,	Rooney,
Bentley,	French,	Longo,	Rose, S.,
Bentzel,	Gallagher,	Lovett,	Rose, W. E.,
Boles,	Gates,	Lyons,	Rosenfeld,
Boney,	Goodwin,	Malloy,	Rush,
Bower,	Gryskewicz,	Marks,	Sarge,
Bradley,	Gyger,	Maxwell,	Sarraf,
Breth,	Habbyshaw,	McClanaghan,	Scanlon,
Bretherick,	Haberlen,	McDermott,	Schwab,
Brunner, P. A.,	Haines,	McDowell,	Serrill,
Burns,	Hamilton,	McFall,	Shaffer,
Burriss,	Hare,	McIntosh,	Shaw,
Cadwalader,	Harkins,	McLanahan,	Shepard,
Chervenak,	Harmuth,	McLane,	Skale,
Chudoff,	Harris,	McSurdy,	Sollenberger,
Cochran,	Heatherington,	Melchiorre,	Stank,
Cohen, M. M.,	Helm,	Mihm,	Stine,
Cohen, R. E.,	Hering,	Modell,	Stockham,
Cooper,	Herman,	Monks,	Tarr,
Cordier,	Hersch,	Mooney,	Tate,
Corrigan,	Hewitt,	Moran,	Taylor,
Croop,	Hirsch,	Moul,	Thompson, E. F.,
Cullen,	Holland,	Munley,	Thompson, R. L.,
Dalrymple,	Huntley,	Nunemacher,	Turner,
Dennison,	Imbrie,	O'Brien,	Verona,

DiGenova,	James,	O'Dare,	Vincent,
Dix,	Jefferson,	O'Neill,	Voidow,
Dolon,	Jones, G. E.,	Owens,	Voorhees,
D'Ortona,	Jones, P. N.,	Pettit,	Watkins,
Duffy,	Keenan,	Polaski,	Weingartner,
Early,	Kenehan,	Polen,	Wells,
Eckels,	Kline,	Powers,	Welsh, E. B.,
Elder,	Kolankiewicz,	Prosen,	Welsh, M. J.,
Elliott,	Komorowski,	Rank,	Williams,
Ely,	Krise,	Rausch,	Wolf,
Falkenstein,	Lee, E. A.,	Readinger,	Wright,
Finestone,	Lee, T. H.,	Reagan,	Yeakel,
Finnerty,	Lelsey,	Reese, D. P.,	Yester,
Fisher,	Leonard,	Reese, R. E.,	Young,
			Kiroy, Speaker.

NAYS 26

Auker,	Hall,	Petrosky,	Vogt,
Baughner,	McClester,	Royer,	Wagner,
Boorse,	McKinney,	Snyder,	Wood, L. H.,
Brunner, C. H.,	McMillen,	Stambaugh,	Wood, N.,
Cook,	Muir,	Trout,	Woodring,
Gillette,	Nagel,	Van Allsburg,	Woodside,
Gross,	O'Connor,		

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. 1401, entitled as follows:

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

On the question,

Will the House agree to the bill on third reading?

Mr. D'ORTONA. Mr. Speaker, I ask unanimous consent to offer amendments at this time.

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

The Clerk read the amendments as follows:

Amend Sec. 2 (Sec. 13), page 4, line 6, by inserting a light-face bracket before and after the word "shall"

Amend Sec. 2 (Sec. 13), page 4, line 6, by inserting after the word "shall" the following: "may".

Amend Sec. 2 (Sec. 13), page 4, line 25, by striking out the word "shall" and inserting in lieu thereof: "may".

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

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

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

It was agreed to.

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

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1435, as follows:

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

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That this Act may be referred to as the "National Defense Housing Law"

Section 2 It is hereby found and declared that the national defense program involves large increases in the military forces and personnel in this Commonwealth a great increase in the number of workers in already established manufacturing centers and the bringing of a large number of workers and their families to new centers of defense industries in the Commonwealth that there is an acute shortage of safe and sanitary dwellings available to such persons and their families in this Commonwealth which impedes the national-defense program that it is imperative that action be taken immediately to assure the availability of safe and sanitary dwellings for such persons in this Commonwealth and to avoid a large labor turnover in defense industries which would seriously hamper their production that the provisions hereinafter enacted are necessary to assure the availability of safe and sanitary dwellings for persons engaged in national-defense activities which otherwise would not be provided at this time and that such provisions are for the public use and purpose of facilitating the national-defense program in this Commonwealth It is further declared to be the purpose of this Act to authorize housing authorities to do any and all things necessary or desirable to secure the financial aid of the Federal Government or to cooperate with or act as agent of the Federal Government in the expeditious development and the administration of projects to assure the availability when needed of safe and sanitary dwellings for persons engaged in national-defense activities

Section 3 Definitions

(a) "Persons engaged in national-defense activities" as used in this Act shall mean enlisted men in the military and naval services of the United States and employes of the War and Navy Departments assigned to duty at military or naval reservations posts or bases and workers engaged or to be engaged in industries connected with and essential to the national-defense program and shall include the families of the aforesaid persons who are living with them

(b) "Development" as used in this Act shall mean any and all undertakings and activities necessary or proper for the planning land acquisition demolition financing construction or equipment in connection with a project (including the negotiation or award of contracts therefor) and shall include the acquisition of any project (in whole or in part) from the State or Federal Government

(c) "Administration" as used in this Act shall mean any and all undertakings and activities necessary or proper for the management operation or maintenance in connection with any project and shall include the leasing of any project (in whole or in part) from the State or Federal Government

(d) "Federal Government" as used in this Act shall mean the United States of America or any agent or instrumentality corporate or otherwise of the United States of America

(e) "State Government" as used in this Act shall mean the Commonwealth of Pennsylvania or any agency or instrumentality corporate or otherwise of the Commonwealth

(f) The development of a project shall be deemed to be "initiated" within the meaning of this Act if a housing authority has issued any bonds notes or other obligations with respect to financing the development of such projects of the housing authority or has contracted with the Federal Government with respect to the exercise of powers hereunder in the development of such project of the Federal Government for which an allocation of funds has been made prior to December 31 1943

(g) "Housing Authority" as used in this Act shall mean any housing authority established or hereafter established pursuant to the Housing Authorities Law (Act of May 28, 1937 P. L. 955 as amended by Act of June 19th 1939 P. L. 424 and any additional amendments thereto)

(h) "Project" or "Housing Project" as used in this Act shall mean any work or undertaking to provide safe and sanitary urban or rural dwellings apartments or other living accommodations including buildings land equipment facilities and other real or personnel property for necessary convenient or desirable appurtenances streets sewers water services parks site appropriations gardening administrative community health recreational educational welfare or other purposes

(i) "National Defense Period" as used in this Act means the period during which a housing authority finds that within its field or operation or any part thereof (1) there exists or impends an acute shortage of safe and sanitary dwellings and (2) there exists an immediate need for housing accommodations for persons engaged in National Defense activities and (3) the failure to supply such housing accommodations will impede the National Defense Program and (4) private industry alone is unable to supply the need for housing accommodations for persons engaged in National Defense activities within the time and in the quantity necessary to supply the need of such housing without impeding the National Defense program

(j) "Field of Operation" as used in this Act means the area within the territorial boundaries of the city or county for which the particular housing authority is created provided however that the field of operation of any county authority shall not include a city having a housing authority

(k) "State Public Body" as used in this Act shall mean any city borough town township county municipal corporation commission school district institution district district authority other sub-division or public body of this Commonwealth

Section 4 During the national-defense period every housing authority shall have the power to undertake the development and administration of projects within its field of operation to provide safe and sanitary dwellings for persons engaged in national-defense activities but no housing authority shall initiate the development of any such project pursuant to this Act after December 31 1943

In the ownership development or administration of such projects a housing authority shall have all the rights powers privileges and immunities that such authority has under any provision of law relating to the ownership development or administration of slum clearance and housing projects for persons of low income with the same force and effect as though all the provisions of law applicable to slum clearance and housing projects for persons of low income were applicable to projects developed or administered to provide safe and sanitary dwellings for persons engaged in National-Defense activities as provided in this Act provided that any project developed or admin-

istered by any housing authority (or by any housing authority cooperating with it) pursuant to this Act as agent for the Federal Government or otherwise as provided herein shall not be subject to the rental and tenant selection limitations provided in the Housing Authorities Law but such authority shall fix fair rentals for such projects within the financial reach of persons engaged in National-Defense activities and provided further that a housing authority may enter into any agreements with counties cities boroughs townships school districts or institution districts to pay such sum or sums of money as may be agreed to in lieu of taxes for general services rendered by such county city borough township school district or institution district or to pay for services facilities works privileges or improvements furnished for or in connection with any such projects without being limited to the cost thereof In the case of a project administered by a housing authority other than as agent of the Federal Government any revenue in excess of that necessary with other available funds to pay any bonds or other obligations administrative maintenance and operating expenses and to provide for reasonable reserves in connection with such project shall be held and used by the authority for its general corporate purposes

Section 5 A housing authority may exercise any or all of its powers for the purpose of cooperating with or acting as agent for the Federal Government in the development or administration of projects by the Federal Government to provide safe and sanitary dwellings for persons engaged in national-defense activities and may undertake the development of administration of any such project for the Federal Government In order to provide safe and sanitary housing for persons engaged in national-defense activities a housing authority may sell or lease (in whole or in part) to the Federal Government any housing project developed for persons of low income but not yet occupied by such persons at such price and upon such terms as the housing authority shall prescribe and shall include provision for the satisfaction of all debts and liabilities of the housing authority relating to such project During the national-defense period a housing authority may lease a slum clearance housing project to persons engaged in national-defense activities without regard to the rental and income limitations provided in the Housing Authorities Law

Section 6 Any state public body shall have the same rights and powers to cooperate with housing authorities or with the Federal Government with respect to the development or administration of projects to provide safe and sanitary dwellings for persons engaged in national-defense activities that such state public body has for the purpose of assisting the development or administration of slum clearance or housing projects for persons of low income provided that any state public body may enter into any agreements to receive payment for any general services facilities works privileges or improvements furnished by it for or in connection with any such projects and provided further that any city incorporated town or borough may furnish the aforesaid cooperation to such projects located within the territorial boundaries of such city incorporated town or borough or within five miles thereof and not within the boundaries of any other city incorporated town or borough and any state public body may furnish the aforesaid cooperation within the territorial boundaries of the state public body or any such projects located within the territorial boundaries of such state public body or within five miles of such boundaries

Section 7 All bonds notes contracts agreements and obligations of housing authorities heretofore issued or entered into relating to financing or undertaking (including cooperating with or acting as agent of the Federal Government in) the development or administration of any project to provide safe and sanitary dwellings for persons engaged in national-defense activities are hereby validated and declared legal in all respects notwithstanding any defect or irregularity therein or any want of statutory authority

Section 8 This act shall constitute an independent authorization for a housing authority to undertake the development or administration of projects to provide safe

and sanitary dwellings for persons engaged in national-defense activities as provided in this act and for a housing authority to cooperate with or act as agent for the Federal Government in the development or administration of similar projects by the Federal Government In acting as agent of the Federal Government under this act a housing authority shall not be subject to any limitations restrictions or requirements of other laws of this Commonwealth or any subdivision thereof (except those relating to land acquisition) prescribing the procedure or action to be taken in the development or administration of any public works including slum clearance and housing projects for persons of low income or undertakings or projects of municipal or public corporations or political subdivisions or agencies of the Commonwealth A housing authority may do any and all things necessary or desirable to cooperate with or act as agent for the Federal Government or to secure financial aid in the expeditious development or in the administration of projects to provide safe and sanitary dwellings for persons engaged in national-defense activities and to effectuate the purposes of this Act

Section 9 The powers conferred by this Act shall be in addition and supplemental to the powers conferred by any other law and nothing contained herein shall be construed as limiting any other powers of a housing authority

Section 10 Notwithstanding any other evidence of legislative intent it is hereby declared to be the controlling legislative intent that if any provision of this Act or the application thereof to any persons or circumstances is held invalid the remainder of the Act and the application of such provision to persons or circumstances other than those as to which it is held invalid shall not be affected thereby

Section 11 This Act shall become effective immediately

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 190.

- | | | | |
|-----------------|----------------|--------------|------------------|
| Achterman, | Fletcher, | Lovett, | Rose, S., |
| Allmond, | Fleming, | Lyons, | Rosenfeld, |
| Auker, | Foor, | Malloy, | Royer, |
| Baker, | French, | Marks, | Rush, |
| Balthaser, | Gallagher, | Maxwell, | Sarge, |
| Baughner, | Gates, | McClanaghan, | Sarraf, |
| Bentley, | Gillette, | McClester, | Scanlon, |
| Bentzel, | Goodwin, | McDermott, | Schwab, |
| Boies, | Gross, | McDowell, | Serrill, |
| Boney, | Gryskewicz, | McFall, | Shaffer, |
| Boorse, | Gyger, | McIntosh, | Shaw, |
| Bower, | Habbyslaw, | McKinney, | Shepard, |
| Bradley, | Haberien, | McLanahan, | Skale, |
| Breth, | Haines, | McLane, | Snyder, |
| Bretherick, | Hamilton, | McMillen, | Sollenberger, |
| Brunner, C. H., | Hare, | McSurdy, | Stambaugh, |
| Brunner, P. A., | Harkins, | Melchiorre, | Stank, |
| Burns, | Harmuth, | Mihm, | Stine, |
| Burris, | Harris, | Modell, | Stockham, |
| Cadwalader, | Heatherington, | Monks, | Tarr, |
| Chervenak, | Helm, | Mooney, | Tate, |
| Chudoff, | Hering, | Moran, | Taylor, |
| Cochran, | Herman, | Moul, | Thompson, E. F., |
| Cohen, M. M., | Hersch, | Muir, | Thompson, R. L., |
| Cohen, R. E., | Hewitt, | Munley, | Trout, |
| Cook, | Hirsch, | Nagel, | Turner, |
| Cooper, | Holland, | Nunemacher, | Van Allsburg, |
| Cordier, | Huntley, | O'Brien, | Verona, |
| Corrigan, | Imbrie, | O'Connor, | Vincent, |
| Croop, | James, | O'Dare, | Vogt, |
| Cullen, | Jefferson, | O'Neill, | Voldow, |
| Dalrymple, | Jones, G. E., | Owens, | Voornees, |
| Dennison, | Jones, P. N., | Petrosky, | Wagner, |
| DiGenova, | Keenan, | Pettit, | Watkins, |
| Dix, | Kenehan, | Polaski, | Weingartner, |
| Dolon, | Kline, | Polen, | Welss, |
| D'Ortona, | Kolankiewicz, | Powers, | Welsh, E. B., |
| Duffy, | Komorowski, | Prosen, | Welsh, M. J., |
| Early, | Krise, | Rank, | Williams, |
| Eckels, | Lee, E. A., | Rausch, | Wolf, |
| | Lee, T. H., | Readinger, | Wood, N., |

- | | | | |
|--------------|----------------|---------------|-----------|
| Elder, | Leisey, | Reagan, | Woodring, |
| Elliott, | Leonard, | Reese, D. P., | Wright, |
| Ely, | Lesko, | Reese, R. E., | Yeakel, |
| Falkenstein, | Levy, | Reynolds, | Yester, |
| Finestone, | Leydic, | Rhea, | Young, |
| Fisher, | Lichtenwalter, | Riley, | Kilroy, |
| Fiss, | Longo, | Rooney, | 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. 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 therefore

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. DIX. Mr. Speaker, I desire to interrogate the gentleman from Clearfield, Mr. Breth.

The SPEAKER pro tempore. Will the gentleman from Clearfield permit himself to be interrogated?

Mr. BRETH. I shall, Mr. Speaker.

Mr. DIX. Mr. Speaker, this is a very complicated bill, it runs into considerable length and I don't think ten percent of the Members of this House understand what is all about. I would like to have the sponsor of this bill explain it in detail as to just what this bill will accomplish.

Mr. BRETH. Mr. Speaker, this is a sportsmens' bill, it is rather involved as printed, because it introduces into hunting a new measure which has been needed for many years. It provides for the examination of all new hunters along the line of the regular car driver's examination, said examination to be given by the Game Commission officials in the various counties in the State. The bill was discussed thoroughly in committee pro and con. It was presented to the Game Commission, it was presented to the sportsmen, and Charles K. Fox, the Chairman of the Pennsylvania Federation of Sportsmen's Clubs' Legislative Committee, appeared before the Game Committee of this House and endorsed the purpose of the bill. The bill was taken up with the Game Commission officials and they have worked out the details to their satisfaction also.

There is another provision in the bill which provides for permanent registration of hunters. The real purpose behind the bill is to exercise some measure of control over the hunter which is lacking at the present time.

At the present time anyone, regardless of his experience with firearms, can walk up to a neighborhood issuing agent and obtain a hunting license, and for two dollars get the right to carry a high powered rifle or a shotgun into the woods. No questions are asked, all that is re-

quired is that he identify himself as being a citizen. In other words, anyone who has never had a gun in his hands before can without passing an examination go out into the woods. The reason for desiring this control is the fact that so many accidents happen and this bill aims to give the hunter who has had a hunting license his regular license without any red tape. In other words, he will get his license without any more trouble than he had before, but the new hunter who has not had a hunting license must appear before a game warden and demonstrate his ability to handle firearms, his knowledge of safety precautions, and his knowledge of game laws.

There was a little difficulty in setting up the administration which I think is troubling Mr. Dix. The bill sets up county treasurers as agents and it also permits them to appoint sub-agents in their own county. Under the present system, all the agents deal with the Department of Revenue and the Game Commission. They have over nine hundred, and the returns are not complete, not only for last year but for 1939 and as far back as 1938. A few of the nine hundred regular licensing agents in the past have not submitted their returns which means further lack of control of the hunter. I think the bill is worded in a faulty manner on the calendar. It says the right shall be taken away from notaries public and magistrates and so forth, to issue licenses. It doesn't mean that. The bill really means that the county treasurers are set up as the issuing agent in each county. The notaries public and the justices of the peace and so forth can still retain their rights to issue licenses by merely going to the county treasurer and getting their appointment there as they did before by going to the Department of Revenue.

I could go on with many illustrations of this character, but I want to say to you in regard to the bill and in regard to the attitude of the sportsmen towards this bill, the Southern Division of the Sportsman's Clubs, comprising nine counties, Mifflin, Juniata, Perry, Dauphin, York, Adams, Lancaster, Lebanon and Cumberland met on Sunday at Huntsdale and endorsed the bill one hundred per cent. The President of the State Federation of Sportsmen's Clubs, which by the way number over 1100 in the state, whose name is Merrill Merritts of Altoona, in a conversation with me recently endorsed the bill one hundred per cent. As I mentioned a minute ago, Charles K. Fox, Chairman of their Legislative Committee, appeared before the Game Committee of this House and endorsed the bill. There is nothing more that I can say. As I said a minute ago, I could go on and on but I do not care to take up the time of the House.

Mr. DIX. Mr. Speaker, I desire to interrogate the gentleman from Clearfield, Mr. Breth.

The SPEAKER pro tempore. Will the gentleman from Clearfield permit himself to be interrogated?

Mr. BRETH. I shall, Mr. Speaker.

Mr. DIX. Mr. Speaker, will this bill eliminate the local issuing of licenses?

Mr. BRETH. Mr. Speaker, it will not. It will regulate it in this way: it is provided that the county treasurer does not have open appointive power, that is, he cannot appoint one hundred and ten or fifteen agents but the bill provides he shall appoint one issuing agent per thousand licenses issued the year previous. In my own county there are twelve thousand hunting licenses issued during the year, which means we may have at least twelve agents. Then it provides in some of these smaller counties where

there is no necessity for a great number of agents, he can appoint them on the basis of one to two thousand. In Clearfield county we have seven licensing agents now but under the bill we can have from six to twelve according to the wishes of the county treasurer.

Dr. DIX. Mr. Speaker, what is the cost to the person who has this license issued to him?

Mr. BRETH. Mr. Speaker, the cost to the hunter is two dollars, less ten cents for the agent's fee, so that the Game Commission has a net return of one dollar and ninety cents.

Mr. DIX. Mr. Speaker, do I understand then that the new hunter must pay two dollars for this certificate to hunt in addition to his regular hunting license?

Mr. BRETH. No, Mr. Speaker. The new hunter will go to the County Treasurer and get an application card which he takes to the Game Warden and takes an examination, and his license will cost him only two dollars the same as any other hunter.

Mr. DIX. The same as it is now?

Mr. BRETH. That is correct, Mr. Speaker.

Mr. DIX. Mr. Speaker, in my opinion this bill will not accomplish what it sets out to do and for that reason I personally will not support the bill.

Mr. GEORGE E. JONES. Mr. Speaker, this bill of Mr. Breth is just another bill that the real hunter is opposed to. It creates a whole lot more jobs for the Game Commission. He uses the words "a safety measure," and if it is proposed as a safety measure I do not think it will do what he wants it to do. What is the game warden going to do while he is passing on these examinations? They should be out in the woods looking after the game for the hunters. I think this is a bad bill. Mr. Merrill Merritts, the President of the Federation of Sportsmen's Clubs in the City of Altoona told me personally he was opposed to the bill, and I think the average hunter, the average person, the average sportsman, is going to be opposed to this bill. Yes, they are, in Allegheny County and every place else.

I am going to ask the Members not to vote for this bill.

Mr. STAMBUAGH. Mr. Speaker, the bill before us is one of far reaching effect. It reaches out into every home and every farm in the state and requires the men and boys who do not have a hunter's license at the present time and who want to take a day out in the woods, to make arrangements long in advance and be examined in order that they may have a hunter's license. I feel this is a step in the wrong direction. The compelling of the taking of an examination to handle firearms in the woods is a matter that does not show in any manner whatsoever the individual's ability to act carefully and sanely when he is excited, when game is flushed or jumped. Some men who have the best understanding of firearms, who may be perfectly composed under ordinary circumstances, are the ones who become unduly excited and do the thing they should not do when hunting in the woods. Therefore, I contend and believe that the examination under this bill is very bad and should not be enforced on our people. I believe it is a step backward for the Game Commission to sponsor this bill, if they do, and I am not so sure that they have gone all-out on this part of the bill.

I should like before going any further to ask the sponsor of this bill, Mr. Breth, what organization or fac-

tors in the County of Perry were represented at the Huntsdale meeting.

The SPEAKER pro tempore. Will the gentleman from Clearfield permit himself to be interrogated?

Mr. BRETH. I shall, Mr. Speaker.

Mr. STAMBAUGH. Mr. Speaker, what organization from Perry County was represented at the Huntsdale meeting?

Mr. BRETH. Mr. Speaker, I do not know what organization was represented, nor do I know the names of the delegates, but I do know it is a matter of record that the nine counties that met in Huntsdale went on record in support of this bill one hundred per cent. The bill was discussed pro and con and at length at the Huntsdale meeting on Sunday, but as far as who was there from Perry county, not being present myself, I cannot say.

Mr. STAMBAUGH. Mr. Speaker, this bill as set up provides for a permanent registration of hunters. This permanent registration of hunters is being taken care of by the Department of Revenue. That part of it is very good and perhaps a step in the right direction. The county treasurers are made the issuing agents in each county and they have the prerogative and right to appoint agents to assist them in their duties of issuing licenses.

Mr. Speaker, we find in section 302 of the bill that is set up in detail. In section 303 of the bill we find further instructions as to the setup of the bill, but when we go over to section three on page six, I want to call that particularly to the attention of the members of this House, beginning on line 7 the bill provides, "all such agents of the county treasurer shall be authorized by the treasurer to issue resident and non-resident hunting licenses, and they shall receive all licenses, tags, and necessary supplies, forms and materials from the treasurer and shall make all returns, reports and remittances, to him. The treasurer shall be responsible for their acts in relation to such duties." That is on page six in section three.

Now, we read on. We take up section 305.1, which is the new section setting up the permanent registration, and 305.2, which takes care of the loss of registration, and 305.3 showing what the registration cards should contain. In 305.4, note this, do not miss it, "The powers of the Department of Revenue. The Department of Revenue shall prepare, install and furnish to issuing agents all such files, forms, blanks, and equipment and shall make such rules and regulations not in conflict with the provisions of this or any other act of Assembly which it deems necessary to carry out and enforce the provisions of this amendment."

Section 310 on Page 9, "Issuing agents to keep a record and make reports. Each issuing agent shall keep a correct and complete record of all resident and non-resident hunter's licenses issued by him. Each issuing agent shall at the close of each week forward a weekly report to the Department of Revenue on blanks furnished to him, a complete list of licenses granted during the previous week in correct numerical sequence, with the names and addresses of the licensees and such other information and data as the Department of Revenue may require. A duplicate copy of said report shall be forwarded to the director, and a triplicate copy of the report shall be retained in the office of the issuing agent, and such other copies of forms and other parts of the records of said agent as the Department of Revenue shall designate shall

be forwarded to the director of the said department and retained in the office of the issuing agent".

Now, what have we done? In one place we have said that the agent shall report directly to the county treasurer and shall be responsible to the county treasurer. In another place in the bill, in section 310, page 9, we say that the agent shall be responsible and report to the Department of Revenue.

Mr. Speaker, the bill is such a conglomeration of errors and mistakes, containing so much of doubtful meaning, that I say this bill in its present form should not be passed by this or any other House. I am not a lawyer but it does not take a lawyer to read this bill and determine that in one place the bill says the county treasurer shall be the chief issuing agent and the agent shall in all cases report to the county treasurer, and in another place it says the agent shall report to the Department of Revenue.

The bill is poorly drawn, poorly written and it certainly won't do the things that it is intended to do. Again the County Treasurer is made responsible by the first section of this bill for the acts of the issuing agents. The agents are given the full amount of the commission of ten percent for writing the license and in turn the County Treasurer has the responsibility of seeing after this, and there is no provision made whatsoever to reimburse the county Treasurer for clerical or other work.

Mr. Speaker, in view of these several glaring shortcomings in this bill, as much as I would like to see a system of permanent registration put into effect, but since they have tied up with it these doubtful provisions, I ask that this bill be voted down.

Mr. GEORGE E. JONES. Mr. Speaker, this is one bill that is positively not a political football. Fellows that go hunting are both Democrats and Republicans. In my county, I want to leave this impression with you, we have fifteen thousand sportsmen and I personally called a meeting and had delegates from every one of these sportsmen clubs and they are strictly opposed to this bill. This is a bill that will get every darn hunter in the State on your backs if you pass it. I am going to ask you to vote it down.

Mr. HUNTLEY. Mr. Speaker, I come from a county which depends very much on fishing and hunting as a business. Fishing and hunting is the only natural resource we still have left in our county. Years ago we used the mountains to cut the timber off and convert it into lumber; we used the streams for floating timber to market, but to-day we are using those same mountains and those same streams for many of the people to make a livelihood. Therefore, I am naturally interested in anything pertaining to the question of fishing or hunting. I have supported every bill that the sportsmen have sponsored because I felt that whatever bill they would introduce would benefit all of my constituents. I wish to say further, when it comes to that question, Mr. Breth, the member from Clearfield County, is a leaf from my bible, but I believe we will not get the results he is expecting in taking the question in this way. I admit that the woods have too many incompetent, reckless and irresponsible hunters during the hunting season but I believe that as this bill is a tenure bill it does not cure any evil caused by the reckless and irresponsible hunter. He can still, if he has a license, go into the woods and hunt. This bill gives him the tenure to do it, while the outside members

have to take an examination. It seems to me that the way to get at this would be to require the men who handle a rifle to get a license for handling the rifle, and not put a restriction on the hunter. If incompetent people were required to get a license before they could handle a rifle I think we would then have this problem pretty well settled.

For that reason Mr. Speaker,—

Mr. TARR. Mr. Speaker, —

The SPEAKER pro tempore. The Chair recognizes the gentleman from Fayette, Mr. Tarr. For what purpose does the gentleman rise?

Mr. TARR. Mr. Speaker, due to the fact that there is so much controversy over this bill and so many persons are, I believe, frankly unable to vote on it intelligently at the present time, I move that the bill be placed on the postponed calendar.

The SPEAKER pro tempore. The gentleman is out of order. The gentleman from Cameron, Mr. Huntley, has the floor.

Does the gentleman from Cameron, Mr. Huntley, yield to the gentleman from Fayette, Mr. Tarr?

Mr. HUNTLEY. Mr. Speaker, I will yield to the gentleman from Fayette.

BILL POSTPONED

Mr. TARR. Mr. Speaker, I desire to thank the gentleman from Cameron, Mr. Huntley.

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

The motion was agreed to.

THE SPEAKER (Elmer Kilroy) IN THE CHAIR

The SPEAKER. The Chair thanks the gentleman from Monroe for presiding.

RESOLUTION

MOTHER'S DAY

Messrs. WEISS and MAXWELL offered a privileged resolution which was read, considered and adopted as follows:

In the House of Representatives, May 6, 1941

Whereas, On Sunday, May 11th, the Nation will observe Mother's Day, and

Whereas, On that day, the sons and daughters of this Nation will remember the mothers who bore them and guided them to maturity, with prayers of thanks for those mothers still living and with tears of sadness for those that are gone, and

Whereas, The love and tender care of the mothers of this Nation has produced faith and trust and confidence and fostered a true appreciation of the values of democracy in their children insuring the continued progress of this Nation in its great fight for the betterment of all mankind, and

Whereas, There is no deeper, stronger, more enduring tie than the unending love that ever exists in a mother's heart for her children, weeping, praying, slaving and fighting for them, therefore be it

Resolved, By the House of Representatives of the General Assembly of this Commonwealth, that the members of this House hereby resolve to pause, reflect, and pay tribute to our mothers, whose deep love and devotion guided us securely in a manner that gained for us the respect and trust and confidence of our fellow-men, and who are responsible for any success that has or may be ours.

REPORTS FROM COMMITTEES

Mr. AUKER, from the Committee on Cities—Third Class, reported as amended, House Bill No. 192, entitled:

An Act to amend section 4408 of the act approved the twenty-third day of June, one thousand nine hundred thirty-one (P. L. 932), entitled "An act relating to cities of the third class; and amending, revising, and consolidating the law relating thereto"; providing for appeals by policemen who are fined, suspended or discharged after hearing.

Mr. MODELL, from the Committee on Judiciary General, reported as amended, House Bill No. 801, entitled:

An Act to further amend section nine of the act, approved the eighteenth day of April, Anno Domini one thousand eight hundred and fifty-three (P. L. 503), entitled "An act relating to the sale and conveyance of real estate," by including spendthrift trusts in the provision accelerating vested remainders in certain cases.

Mr. SHAW, from the Committee on Ways and Means, re-reported as committed, House Bill No. 229, entitled:

An Act to further amend section four of the act approved the twenty-first day of May one thousand nine hundred thirty-one (P. L. 149) entitled "An act imposing a State tax payable by those herein defined as distributors on liquid fuels used or sold and delivered within the Commonwealth which are ordinarily practically and commercially usable in internal combustion engines for the generation of power providing for the collection and lien of the tax and distribution and use of the proceeds thereof; requiring such distributors to secure permits, to file corporate surety bonds and reports, and retain certain records; imposing duties on retail dealers, common carriers, county commissioners, and such distributors; providing for rewards; imposing certain costs on counties; conferring powers and imposing duties on certain State officers and departments; providing for refunds; imposing penalties; and making an appropriation," by imposing and continuing the additional emergency tax on liquid fuels for a further limited period of time.

COMMUNICATIONS FROM THE GOVERNOR

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

APPROVAL OF RESOLUTION RECALLING HOUSE BILL No. 524

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, May 6, 1941.

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

I have the honor to inform you that I have this day approved and signed a resolution of the House of Representatives and Senate recalling from the Governor House Bill No. 524, Printer's No. 130, for the purpose of amendment.

Accordingly, the original bill is herewith returned.

ARTHUR H. JAMES.

COMMUNICATION AND BILL LAID ON TABLE

Mr. ACHTERMAN. Mr. Speaker, I move that the communication together with the bill be laid upon the table. The motion was agreed to.

COMMUNICATIONS FROM THE GOVERNOR

The Secretary to the Governor being introduced, pre-

sent a communication in writing from His Excellency the Governor, which was read as follows:

APPROVAL OF RESOLUTION RECALLING HOUSE
BILL No. 616

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, May 6, 1941.

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

I have the honor to inform you that I have this day approved and signed a resolution of the House of Representatives and Senate recalling from the Governor House Bill No. 616, Printer's No. 11, for the purpose of amendment.

Accordingly, the original bill is herewith returned.

ARTHUR H. JAMES.

COMMUNICATION AND BILL LAID
ON TABLE

Mr. ACHTERMAN. Mr. Speaker, I move that the communication together with the bill be laid upon the table. The motion was agreed to.

PERMISSION TO USE HALL OF HOUSE GRANTED

Mr. READINGER. Mr. Speaker, I ask consent of the House to use the hall of the House for a Public Hearing on House Bill 1275, Printer's No. 463, next Tuesday morning, May 13, one-half hour prior to the convening of the day's session.

The SPEAKER. Will the House give its unanimous consent for the purpose requested? Is there objection?

Mr. WOODSIDE. Mr. Speaker, if the gentleman insists on holding the hearing at that time I am not going to object, but the question was raised before in connection with the holding of hearings on the floor of the House, particularly before a session, and I thought it was understood at that time that there wouldn't be any more requests for hearings prior to a session. I think it was pointed out at that time that many of the Members have nowhere to study the bills or to use their files except here on the floor of the House, and it would interfere with the Members' right to study the bills before the session, when the Members could be at their desks. It also creates confusion in the hall of the House by having a hearing immediately before the session is called. It seems to me—

The SPEAKER. For the information of the gentleman I believe the purpose of the public hearing is for the members to hear the proposed State song sung for the benefit of the committee and the members of the House. It will not take over ten minutes.

Mr. WOODSIDE. Mr. Speaker under those circumstances I will not object.

The SPEAKER. The Chair hears no objection and the request is granted.

COMMITTEE MEETINGS

Cities-Third Class, Wednesday, May 7 at 10 a.m. in Room 325.

Highways, Wednesday, May 7 at 10 a.m. in Room 324.

Law and Order, Wednesday, May 7 at 10 a.m. in Room 331.

Liquor Control, Wednesday, May 7 at 10:30 a.m. in Room 324.

State Government, Wednesday, May 7, at 10:30 a.m. in Room 325.

PUBLIC HEARINGS

There will be a Public Hearing before the Committee on Education on House Bill No. 1054 on Tuesday, May 6, 1941, at 6:30 P.M., E.S.T., in the New House Caucus Room—Main Floor.

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

There will be a Public Hearing before the Committee on Professional Licensure on House Bills Nos. 335 and 678 on Wednesday, May 7, 1941 at 10:30 A.M., E.S.T., in the New House Caucus Room—Main Floor.

There will be a Public Hearing before the Committee on Workmen's Compensation on House Bills Nos. 990 and 1002 on Wednesday, May 13, 1941 at 6:00 P.M., E.S.T., in the New House Caucus Room—Main Floor.

There will be a Public Hearing before the Committee on Elections on House Bill No. 636, Printer's No. 425 on Friday, May 9, 1941 at 2:00 P.M., D.S.T., in Room 254, City Hall, Philadelphia.

LEGISLATIVE CORRESPONDENTS ASSOCIATION
DINNER

The biennial dinner of the Pennsylvania Legislative Correspondents Association will be held Wednesday, May 7, at 6:30 P.M., Daylight Saving Time, in the Penn Harris Hotel.

The dinner will be strictly informal.

Tickets can be obtained from any correspondent or in the Capitol Newsroom.

ADJOURNMENT

Mr. RONALD L. THOMPSON. Mr. Speaker, I move that this House do now adjourn until Wednesday, May 7, 1941, at 11 a.m.

The motion was agreed to, and (at 4:18 p.m.) the House adjourned.