

and townships of the first class imposing penalties and repealing inconsistent laws

### ADJOURNMENT

Mr. GELTZ. Mr. President, I move that the Senate do now adjourn until Wednesday, May 14, 1941, at 1:00 o'clock, p. m., Eastern Standard Time.

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

The motion was agreed to.

The Senate adjourned at 5:00 o'clock p. m., Eastern Standard Time until Wednesday, May 14, 1941, at 1:00 o'clock p. m., Eastern Standard Time.

## HOUSE OF REPRESENTATIVES

TUESDAY, May 13, 1941

The House met at 12 m.

The SPEAKER (Elmer Kilroy) in the Chair.

### PRAYER

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

Gracious God, give us windows in our hearts that open toward Thee. With all our getting help us to get wisdom; with all our seeing help us to see truth; and with all our doing help us to be doers for Thee. May the world be not so much with us that we shall not seek for fuller satisfaction in Thee. May no earthly friendships be so dear that we shall cease to long for Thee, the best friend of all. If aught of our earthly goods comes between us and our hunger for Thee, make us poorer in possessions that we may be richer in Thee. Amen.

### JOURNAL APPROVED

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

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

### BILLS INTRODUCED AND REFERRED

By Mr. LEVY. HOUSE BILL No. 1554.

An Act to further amend section seven of the act, approved the fifth day of May, one thousand nine hundred and twenty-one (P. L. 374), entitled "An act providing for the licensing and regulation of corporations, copartnerships, associations, and individuals, engaged in the business of receiving payments or contributions to be held or used in any plan of accumulation or investment, or of issuing, negotiating, offering for sale, or selling any certificates, securities, contracts, or other choses in actions evidenced by writing on the partial payment of installment plan, or of assuming fixed obligations, or issuing, in connection therewith, a contract based upon payments being made upon instalments or single payments, under which all or part of the total amount received is to be repaid at some future time, with or without profit; and imposing penalties," further regulating the deposit of additional security by licensees; granting additional powers to the commission and imposing additional duties upon licensees.

Referred to the Committee on Banking.

By Messrs. TURNER and KNOBLE.

HOUSE BILL No. 1555.

An Act providing for emergency research pertinent to current and post-defense economic adjustments in Pennsylvania incident to the National Defense Program; directing such research to be conducted as an emergency program by the Department of Commerce with the assistance of the State Planning Board; and making appropriation therefor.

Referred to the Committee on State Government.

By Mr. MARKS.

HOUSE BILL No. 1556.

An Act to add section four thousand four hundred ten to article forty-four of the act, approved the twenty-third day of June, one thousand nine hundred and thirty-one (P. L. 932), entitled "An act relating to cities of the third class; and amending, revising, and consolidating the law relating thereto," imposing penalties for violations.

Referred to the Committee on Cities—Third Class.

By Mr. FISHER.

HOUSE BILL No. 1557.

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

Referred to the Committee on State Government.

By Mr. FALKENSTEIN.

HOUSE BILL No. 1558.

An Act to further amend section two of the act, approved the twenty-ninth day of March, one thousand eight hundred ninety-nine (P. L. 21), entitled "An act to establish a board for the examination of accountants, to provide for the granting of certificates to accountants, and to provide a punishment for the violation of this act," by further regulating examination of applicants for certificates as accountants, and making said section conform to the Administrative Code of 1929.

Referred to the Committee on Professional Licensure.

By Messrs. MALLOY and MATTHEW J. WELSH.

HOUSE BILL No. 1559.

An Act to amend the definition of "Peace Officer" as set forth in section one hundred and two of the act, approved the first day of May, one thousand nine hundred and twenty-nine (P. L. 905), entitled "An act for the protection of the public safety; regulating the use of highways, and the operation of vehicles, tractors, street cars, trackless trolley omnibuses, bicycles, pedestrians, and the riding of animal upon the highway of this Commonwealth; providing for the titling, including liens, encumbrances, and legal claims; registration of certain vehicles and licensing the operators thereof, upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts and the clerks thereof, owners of vehicles, and garage keepers; providing that records are admissible as evidence; imposing upon owners, counties,

cities, boroughs, incorporated towns, townships, within the Commonwealth, liability for damages caused by the negligent operation of their motor vehicles; imposing penalties; imposing certain costs upon counties; providing for the disposition of fines, forfeitures, fees, and miscellaneous receipts; making an appropriation and providing for refunds," by including therein military police and certain other persons in the armed service of the United States.

Referred to the Committee on Military Affairs.

By Messrs. RAUSCH and McDERMOTT.

HOUSE BILL No. 1560.

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

Referred to the Committee on State Government.

By Mr. FLEMING. (By request).

HOUSE BILL No. 1561.

An Act conferring upon watchmen and guards of institutions maintained in whole or in part by the Commonwealth the powers of constables in certain cases; and imposing duties on wardens and keepers of jails, police stations and lock-ups.

Referred to the Committee on Judiciary General.

By Messrs. POLEN and PETTIT.

HOUSE BILL No. 1562.

An Act to amend section one thousand six hundred eight of the act, approved the eighteenth day of May, one thousand nine hundred and eleven (P. L. 309), entitled "An act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent therewith," requiring approval of social science text or reference books and the furnishing of approved lists thereof.

Referred to the Committee on Education.

By Mr. HARMUTH.

HOUSE BILL No. 1563.

An Act regulating the business of manufacturing, distributing and retailing of certain goods and commodities in the Commonwealth of Pennsylvania in order to prevent monopoly and unfair trade practices.

Referred to the Committee on Judiciary General.

By Messrs. HARKINS and BOIES.

HOUSE BILL No. 1564.

An Act authorizing the abatement of certain interest charges, expenses and fees added to city (of the third class), borough, town and township claims imposed or assessed for improvements, or for the abatement of nuisances; prohibiting the sale of real property for the non-payment of such claims for a certain period; preserving

the liens of such claims, and providing for the extension thereof.

Referred to the Committee on Municipal Corporations.

By Mr. REUBEN E. COHEN. (By request).

HOUSE BILL No. 1565.

An Act making an appropriation to the Board of Finance and Revenue for the payment of certain moral claims of the Commonwealth.

Referred to the Committee on Appropriations.

By Messrs. RONALD L. THOMPSON and GOODWIN.

HOUSE BILL No. 1566.

An Act to further amend 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," in respect to registration and recording of deeds, advertising ordinances, restricting use of highways, levying taxes, and dedicated roads, streets, lanes, alleys and drainage facilities.

Referred to the Committee on Townships.

By Mr. PRESLEY N. JONES.

HOUSE BILL No. 1567.

An Act creating in counties of the sixth class a board for the assessment and revision of taxes; providing for the appointment of the members of such board by the county commissioners with the approval of the court of common pleas in such counties; providing for their salaries payable by the county; defining the powers and duties of such board; regulating the assessment of persons, property and occupations for county, city, borough, town, township, school and institution district purposes; authorizing the appointment of subordinate assessors, a solicitor, engineers and clerks; providing for their compensation payable by such counties; and abolishing the office of city, ward, borough and township assessors.

Referred to the Committee on Counties.

By Mr. BRADLEY.

HOUSE BILL No. 1568.

An Act requiring insurance companies to give notice by registered mail of the acceptance or rejection of applications for insurance and of cancellations of policies issued; and prescribing penalties.

Referred to the Committee on Insurance.

By Mr. BRADLEY.

HOUSE BILL No. 1569.

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

by extending provisions of the act to motor vehicles operating upon or about any highway carrying a pay load.

Referred to the Committee on Motor Vehicles.

By Messrs. ACHTERMAN and TURNER.

HOUSE BILL No. 1570.

An Act authorizing the Department of Property and Supplies to have a certain number of copies printed of the Report of the Joint State Government Commission on the Organization and Administration of Pennsylvania's State Government; providing for the distribution and sale of such copies; imposing new duties on the Joint State Government Commission; and making an appropriation.

Referred to the Committee on Appropriations.

By Mr. CHARLES H. BRUNNER. HOUSE BILL No. 1571.

An Act making an appropriation to the Water and Power Resources Board for the completion by the Work Projects Administration of the culmwalling project in the Schuylkill Valley.

Referred to the Committee on Appropriations.

By Messrs. McINTOSH and McCLANAGHAN.

HOUSE BILL No. 1572

An Act to amend the act, approved the second day of March, one thousand nine hundred thirty-three (P. L. 6), entitled "An act to enable persons, associations, partnerships and corporations engaged in farming, and raising, breeding, fattening and marketing livestock, to borrow money and secure the repayment thereof by the execution and recordation of chattel mortgages on livestock, farm machinery, farm equipment, and crops; and designating the operation and effect of the lien of such mortgages" as amended, by extending, enlarging, and removing the limitations upon the class of those who may become chattel mortgages, by making further provisions respecting the fees of recorders of deeds in connection with chattel mortgages, the extension of the lien and defaults of said mortgages and by defining violations and prescribing penalties.

Referred to the Committee on Judiciary General.

## 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. 30. (HOUSE BILL No. 1573).

An Act providing for the establishment construction operation and maintenance of a mountain ridge road or parkway in the Pocono Mountains through bordering or accessible to the counties of Monroe Northampton Carbon Luzerne Lackawanna Wayne and Pike to be known as the "Rim Parkway" Providing for the creation of the Pennsylvania Parkway Commission and conferring powers and imposing duties on said commission authorizing the issuance of parkway revenue bonds of the Commonwealth payable solely from tolls to pay the cost of such parkway providing that no debt of the Commonwealth shall be incurred in the exercise of any of the powers granted by this act providing for the collection of tolls for the payment of such bonds and for the cost of maintenance operation and repair of the parkway making such bonds exempt from taxation constituting such bonds legal investments in certain instances prescribing conditions upon which such parkway shall become free providing for condemnation granting certain powers and authority to municipal subdivisions and other agencies of the Commonwealth to cooperate with the commission conferring powers and imposing duties on the Department of Highways and authorizing the issuance of parkway revenue refunding bonds.

Referred to the Committee on Highways.

SENATE BILL No. 136.

(HOUSE BILL No. 1574).

An Act to amend section four of the act, approved the fourth day of April, one thousand nine hundred and twenty-five (P. L. 127) entitled, "An act relating to adoption," permitting natural parents in certain cases to retain their rights as natural parents.

Referred to the Committee on Judiciary General.

SENATE BILL No. 514.

(HOUSE BILL No. 1575).

An Act to further amend subsection (b) of section eight hundred one of the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 343), entitled "An act relating to the finances of the State Government; providing for the settlement, assessment, collection, and lien of taxes, bonus, and all other accounts due the Commonwealth, the collection and recovery of fees and other money or property due or belonging to the Commonwealth, or any agency thereof, including escheated property and the proceeds of its sale, the custody and disbursement or other disposition of funds and securities belonging to or in the possession of the Commonwealth, and the settlement of claims against the Commonwealth, the resettlement of accounts and appeals to the courts, refunds of moneys erroneously paid to the Commonwealth, auditing the accounts of the Commonwealth and all agencies thereof, of all public officers collecting moneys payable to the Commonwealth, or any agency thereof, and all receipts of appropriations from the Commonwealth and imposing penalties; affecting every department, board, commission, and officer of the State government, every political subdivision of the State, and certain officers of such subdivisions, every person, association and corporation required to pay, assess, or collect taxes, or to make returns or reports under the laws imposing taxes for State purposes, or to pay licenses fees or other moneys to the Commonwealth, or any agency thereof, every State depository and every debtor or creditor of the Commonwealth," further prescribing the time within which the Department of Revenue shall make settlements of taxes and bonus due the Commonwealth.

Referred to the Committee on Ways and Means.

SENATE BILL No. 219.

(HOUSE BILL No. 1576).

An Act requiring prothonotaries and clerks of courts except in counties of the first class to notify officers charged with the duty of collecting taxes of all judicial sales and taxing the cost of such notices.

Referred to the Committee on Municipal Corporations.

SENATE BILL No. 561.

(HOUSE BILL No. 1577).

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

further regulating and changing the provisions of said act relating to the appointment and removal of registrars and the powers privileges rights and duties of registrars watchers election officers and electors revising and changing the provisions of said act relating to the times places and manner of registering electors and their enrollment as members of political parties change of party enrollment cancellation of registrations preparation and distribution of street lists appeals to the commission and to courts and the procedure thereon the inspection of the records of the commission providing for appeals by the commission to appellate courts repealing and changing certain provisions of said act relating to removal notices and for the manner of reckoning time imposing additional duties on certain city officers clarifying and coordinating certain provisions of said act and imposing additional penalties.

Referred to the Committee on Elections.

SENATE BILL No. 284. (HOUSE BILL No. 1578).

An Act to amend section 901 of, and to add sections 901.1, 901.2, 901.3, 901.4, 901.5, 901.6, 901.7 and 901.8 to, the act, approved the twenty-third day of June, one thousand nine hundred and thirty-one (P. L. 932), entitled "An act relating to cities of the third class; and amending, revising, and consolidating the law relating thereto," by regulating the dismissal of employes and subordinate officers of the city.

Referred to the Committee on Cities-Third Class.

SENATE BILL No. 445. (HOUSE BILL No. 1579).

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

Referred to the Committee on Ways and Means.

SENATE BILL No. 574. (HOUSE BILL No. 1580).

An Act to amend section twenty of the act approved the thirtieth day of April, one thousand nine hundred and twenty-nine (P. L. 885), entitled "An act to provide for the incorporation and regulation of cooperative agricultural associations having capital stock; and defining agriculture so as to include persons engaged in agriculture, dairying, livestock raising, poultry raising, floriculture, mushroom growing, bee keeping, horticulture, and other allied occupations; and providing penalties," by limiting exemptions of and by further exempting certain classes of

associations formed under such act from State, county and municipal taxation, and from the duty of filing certain tax reports with State, county or municipal agencies.

Referred to the Committee on Ways and Means.

SENATE BILL No. 224. (HOUSE BILL No. 1581).

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

Referred to the Committee on Counties.

#### LEAVE OF ABSENCE

By unanimous consent leave of absence was granted as follows:

Mr. Yeakel for Mr. STOCKHAM for the remainder of the week.

Mr. Gerard for Mr. BENTLEY for the remainder of the week.

#### REPORTS FROM COMMITTEES

Mr. ROSEN, from the Committee on State Government, reported as committed, House Bill No. 750, entitled:

An Act authorizing the Department of Property and Supplies, with the approval of the Governor, to convey to the county commissioners of Somerset County certain real property located in said county and heretofore acquired by the Commonwealth for development as an airport.

Mr. CROOP, from the Committee on Game, reported as committed, House Bill No. 1167, entitled:

An Act to amend section three hundred seventeen of 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," changing the provisions of said act as to the right of residents to hunt and trap without a license.

Mr. FLETCHER, from the Committee on Cities-First Class, reported as committed, House Bill No. 1510, entitled:

An Act to further amend section two of the act, approved the third day of June, one thousand nine hundred and nineteen (P. L. 369), entitled "An act providing for the appointment by the district attorney, in counties having a population of over one million five hundred thousand in-

habitants, of a chief county detective, an assistant chief county detective, and special county detectives; defining their duties; defining their authority; fixing their salaries, and authorizing the payment of the same, together with the necessary traveling expenses, by the county," by increasing the compensation of the chief county detective.

Mr. McFALL, from the Committee on State Government, reported as committed, House Bill No. 1035, entitled:

An Act to further amend clause ten of section one of the act, approved the twenty-seventh day of June, one thousand nine hundred and twenty-three (P. L. 858), entitled "An act establishing a State employes' retirement system, and creating a retirement board for the administration thereof; establishing certain funds from contributions by the Commonwealth and contributing State employes, defining the uses and purposes thereof and the manner of payments therefrom, and providing for the guaranty by the Commonwealth of certain 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," further defining "new member."

Mr. CHARLES H. BRUNNER, from the Committee on Judiciary Special, reported as committed, House Bill No. 1043, entitled:

An Act to add section six hundred ninety-three and one-tenth to article six of the act, approved the twenty-fourth day of June, one thousand nine hundred and thirty-nine (P. L. 872), entitled "An act to consolidate, amend and revise the penal laws of the Commonwealth," imposing penalties for the throwing of refuse, garbage or trash alongside highways.

Mr. SHAFFER, from the Committee on State Government, reported as committed, House Bill No. 1538, entitled:

An Act to further amend section one and to amend section four of the act, approved the first day of July, one thousand nine hundred and thirty-seven (P. L. 2460), entitled "An act creating a joint legislative commission, to be known as the Joint State Government Commission; providing for the appointment of its members; and defining its powers and duties," further defining its powers and duties; and amplifying the provision relating to appropriations.

Mr. BRETHERICK, from the Committee on Judiciary General, reported as committed, House Bill No. 1110, (Senate Bill No. 232), entitled:

An Act to validate and quiet the title to lands and buildings heretofore sold by boards of school directors at public auction without full compliance with provisions of law authorizing such sales.

Mr. O'CONNOR, from the Committee on Judiciary General, reported as amended, House Bill No. 1139, entitled:

An Act to amend section one hundred twenty of the act, approved the fourteenth day of April, one thousand eight hundred thirty-four (P. L. 333), entitled "An act relative to the organization of the Courts of Justice," prescribing procedure permitting the service of jurors as petit jurors or general jurors or both except in counties of the second class.

Mr. CULLEN, from the Committee on State Government, reported as amended, House Bill No. 900, entitled:

An Act to promote interstate cooperation for the conservation and protection of water resources in the Delaware River Basin.

Mr. SHAFFER, from the Committee on State Government, reported as amended, House Bill No. 744, entitled:

An Act to further amend section seventeen of the act approved the twenty-seventh day of June one thousand nine hundred and twenty-three (P. L. 858), entitled "An act establishing a State employes' retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing State employes defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon the heads of departments in which State employes serve excepting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties" authorizing payment by the board to a credit union where rights have been assigned and the note is unpaid and empowering the board to make additional deductions from member's salary for the repayment of such amounts into the member's accumulated deductions.

Mr. SKALE, from the Committee on Judiciary General, reported as amended, House Bill No. 1406, (Senate Bill No. 588), entitled:

An Act to protect the debtors or guarantors of debts for which judgments are entered or may be entered and owners of real property affected thereby, and others indirectly liable for the payment thereof either by prescribing the method of fixing the fair market value of such property and limiting the amount collectable hereafter on such judgments.

Mr. ALLMOND, from the Committee on Cities-First Class, re-reported as amended, 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.

Mr. LLOYD H. WOOD IN THE CHAIR.

#### BILLS ON FIRST READING

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1543, entitled:

An Act providing a method for supplying, perfecting and recording birth records of certain persons whose births have not heretofore been made a public record, or whose record of birth is incomplete or incorrect; making such records competent legal evidence; prescribing fees; and imposing certain duties upon the orphans' court.

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

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 543, entitled:

An Act authorizing cities, boroughs, incorporated towns and townships to abate certain interests charges and penalties added to municipal claims imposed or assessed for certain improvements; prohibiting the sale of real property for the nonpayment of such claims for a certain period; preserving the liens of such claims; and providing for the extension thereof.

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

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1415, entitled:

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

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

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 529, entitled:

An Act to further amend section 571 of the act approved the first day of May, one thousand nine hundred 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 providing that the tax collector shall give but one bond for the collection of township, county, school district poor district and institution district taxes.

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

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1524, entitled:

An Act to amend section one of the act, approved the first day of May, one thousand nine hundred and forty-one (Act No. 17), entitled "An act abating certain tax penalties and interest on unpaid county (except counties of the second class), city (except cities of the first and second class), borough, town, township, school district (except school districts of the first class), poor district (except in counties of the second class), and county institution district (except in counties of the second class) taxes; prohibiting the sale of real property for the nonpayment of any such taxes for a certain period and preserving certain tax liens and providing for the extension thereof," eliminating the provision authorizing the rejection of the provisions of the act.

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

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1114, entitled:

An Act to further amend sections nine, fifteen, sixteen and seventeen of, and to add sections seventeen and one-tenth and seventeen and two-tenths to, the act, approved the twenty-ninth day of May, one thousand nine hundred thirty-one (P. L. 280); entitled "An act relating to delinquent taxes on seated lands, and prescribing interest charges on nonpayment thereof; requiring the receivers and collectors of county, city, borough, town, township, school district and poor district taxes to make a return to the county commissioners of such unpaid taxes, and providing for the lien thereof; authorizing the county treasurers to collect such taxes, and to sell seated lands at public sale for taxes heretofore or hereafter returned as unpaid; and authorizing the county commissioners to purchase such lands and resell the same under certain circumstances," further regulating the sale of lands purchased by the county commissioners at such sales, providing for the discharge of mortgage liens by such treasurer's sales and by the sales of such lands now in the hands of the county commissioners, and providing for the distribution of the process of all such sales.

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

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1459, entitled:

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

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

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1113, entitled:

An Act extending the time within which county commissioners may sell seated or unseated lands purchased by them at tax sales upon which the period of redemption has expired and validating certain sales heretofore made.

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

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 253, entitled:

An Act providing for the appointment, powers and control of members of volunteer fire companies as special fire police; and conferring powers on them at fires attended by their fire companies in any city, borough, town and township.

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

THE SPEAKER (Elmer Kilroy) IN THE CHAIR.

The SPEAKER. The Chair thanks the gentleman from Montgomery, Mr. Wood, for presiding.

#### POINT OF ORDER

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

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

Mr. WOODSIDE. Mr. Speaker, I understand there has never been any ruling as to whether a left-handed speaker can preside. Inasmuch as the gavel and all of the equipment is on the right-hand side and there is considerable difficulty for a left-handed Speaker, and since the question has never been raised, I would like to know, and raise a point of order whether a left-handed Speaker is legal.

The SPEAKER. For the information of the gentleman from Dauphin, in baseball you know what they say about left-handers. Of course, for the further information of the gentleman from Dauphin, Mr. Wood can go in reverse as he does with his horses.

#### BILL ON SECOND READING

Agreeably to order,

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

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

and the Department of Public Instruction; and providing penalties.

The first section was read.

On the question,

Will the House agree to the section?

#### BILL RECOMMITTED

Mr. MORAN. Mr. Speaker, I move that this bill be recommitted to the Committee on Professional Licensure for the purpose of further study and possible amendment.

The motion was agreed to.

#### BILL ON SECOND READING

Agreeably to order,

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

An Act authorizing cities, boroughs, towns and townships to construct, acquire, own, operate, control, sell and lease facilities for the production, generation, transmission, distribution or furnishing of natural or artificial gas, electricity, steam or water, or the collection, disposition or treatment of sewage and to furnish or render such services to the public within or beyond their corporate limits, or both; conferring the power of eminent domain, conferring certain powers and imposing certain duties on such municipalities, and the controller or auditors thereof, providing for and authorizing the incorporation and election of a board of directors to operate and manage such works and defining its powers and duties, conferring certain powers and imposing certain duties on the Pennsylvania Public Utility Commission, and prescribing penalties.

The first section was read.

On the question,

Will the House agree to the section?

#### BILL RECOMMITTED

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

The motion was agreed to.

#### BILL ON SECOND READING

Agreeably to order,

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

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

The first section was read.

On the question,

Will the House agree to the section?

#### BILL RECOMMITTED

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

The motion was agreed to.

#### BILL ON SECOND READING

Agreeably to order,

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

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

The first section was read.

On the question,

Will the House agree to the section?

#### BILL RECOMMITTED

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

The motion was agreed to.

#### BILLS ON SECOND READING

Agreeably to order,

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

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

The first section was read and agreed to.

The second section was read.

On the question,

Will the House agree to the section?

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

The amendments were read by the Clerk as follows:

Amend Sec. 2, page 1, line 6, by striking out the word "by" and inserting in lieu thereof: "in any county under the provision of".

Amend Sec. 2, page 2, line 8, by striking out the word "by" and inserting in lieu thereof: "in any county under the provisions of".

Amend Sec. 2, page 2, lines 20 to 23, by striking out the following: "January first one thousand nine hundred forty-two" in line 20, and all of lines 21, 22 and 23, and inserting in lieu thereof: "the establishment of the retirement system in said county".

Amend Sec. 2, page 2, lines 25 to 29, by striking out the following: "January first one thousand" in line 25, and all of lines 26 to 29, both inclusive, and inserting in lieu thereof: "the establishment of the retirement system in said county".

Amend Sec. 2, page 3, lines 2 to 6, by striking out the following: "on or after" in line 2, and all of lines 3 to 6, both inclusive, and inserting in lieu thereof: "after the establishment of the retirement system in said county".

Amend Sec. 2, page 3, line 22, by striking out the word "state" and inserting in lieu thereof: "county".

The amendments were agreed to.

The section was agreed to as amended.

The third section was read.

On the question,

Will the House agree to the section?

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

The amendment was read by the Clerk as follows:

Amend Sec. 3, page 4, lines 20 to 23, by striking out the following: "January first one thou-" in line 20, and all of lines 21, 22 and 23, and inserting in lieu thereof: "the date fixed by resolution of the county commissioners for such system to become effective".

The amendment was agreed to.

The section was agreed to as amended.

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

The amendment was read by the Clerk as follows:

Amend Sec. 9, page 8, line 10, by striking out the word "by" and inserting in lieu thereof: "under the provisions of".

The amendment was agreed to.

The section was agreed to as amended.

The tenth to the eighteenth sections inclusive were separately read and agreed to.

The nineteenth section was read.

On the question,

Will the House agree to the section?

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

The amendment was read by the Clerk as follows:

Amend section 19, page 13, lines 14 and 15 by striking out all of said lines and inserting the following: "ing a superannuation retirement allowance or an involuntary retirement allowance or a total disability retirement allow-".

The amendment was agreed to.

The section was agreed to as amended.

The twentieth and twenty-first sections were separately read and agreed to.

The title was read.

On the question,

Will the House agree to the section?

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

The amendments were read by the Clerk as follows:

Amend title, page 1, line 4 of title, by striking out the word "and".

Amend title, page 1, last line of title, by inserting after the word "counties" the following: "and fixing penalties".

The amendments were agreed to.

The title was agreed to as amended.

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

Ordered, To be transcribed for a third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 834, entitled:

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

The first section was read.

On the question,

Will the House agree to the section?

Mr. PAUL A. BRUNNER. Mr. Speaker, I desire to offer the following amendment.

The amendment was read by the Clerk as follows:

Amend Sec. 1, page 2, line 4, by inserting after the word "measurement" the following: "at a fixed place of business".

On the question,

Will the House agree to the amendment?

Mr. WOODSIDE. Mr. Speaker, I desire to interrogate the gentleman from Berks, Mr. Paul A. Brunner.

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

Mr. PAUL A. BRUNNER. I shall, Mr. Speaker.

Mr. WOODSIDE. Mr. Speaker, I would like to ask the sponsor of these amendments to explain their effect and their reason.

Mr. PAUL A. BRUNNER. Mr. Speaker, in answer to the gentleman from Dauphin, I yield to the gentleman from Berks, Mr. Readinger.

The SPEAKER. The Chair recognizes the gentleman from Berks, Mr. Readinger.

Mr. READINGER. Mr. Speaker, the amendments are being proposed to eliminate the possibility of the bill as it is now drawn being construed to apply to the sale of solid fuel. It could be so construed, I believe, and for that reason the words "at a fixed place of business" were inserted in the clause defining merchandising. The intention of the bill is to provide that merchants who have stores place their scales in such a position before weighing the merchandise that the customer may read the indicator. We do not want to include in this hucksters, and so forth.

Mr. WOODSIDE. Mr. Speaker, I saw the gentleman talking to the Secretary of Internal Affairs, who has charge of the enforcement of this legislation, I believe. I am wondering whether he discussed this bill with him this morning, and if so, what his opinion of these amendments was.

Mr. READINGER. Mr. Speaker, we did not discuss this bill at all.

Mr. WOODSIDE. Mr. Speaker, do you know the opinion of the Department on it?

Mr. READINGER. No, Mr. Speaker, I am not the sponsor of the bill and I don't know whether the sponsors have contacted the Department or not. I do know that various officials connected with weights and measures are interested in the bill and I believe it emanates because of difficulties they have had due to the lack of such legislation.

On the question recurring,

Will the House agree to the amendments?

It was agreed to.

The section was agreed to as amended.

The second section was read.

On the question,

Will the House agree to the section?

Mr. PAUL A. BRUNNER. Mr. Speaker, I desire to offer the following amendment.

The amendment was read by the Clerk as follows:

Amend Sec. 2, page 2, line 17, by inserting after the word "merchandise" the following: "at a fixed place of business".

The amendment was agreed to.

The section was agreed to as amended.

The third, fourth, fifth, sixth and seventh 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. 1257, entitled:

An Act to add section three and one-tenth to the act approved the fifteenth day of May one thousand nine hundred and thirty-nine (P. L. 134), entitled "An act relating to fireworks defining fireworks prohibiting the sale offering or exposing for sale and use of fireworks except in certain cases authorizing cities boroughs towns and townships to issue permits for fireworks displays and to regulate the same imposing duties on the Pennsylvania Motor Police Sheriffs police officers and constables and providing penalties" providing for an extension of time on permits for such displays when not made on the day designated in the permit.

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. 1301, (Senate Bill No. 217), entitled:

An Act requiring the Department of Welfare to notify the clerk of court and the county controller of all discharges or releases from institutions under its supervision.

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. 1213, entitled:

An Act to amend an 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 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 more fully defining the time during which the benefits shall be payable and the amounts thereof and to whom payable.

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. 1295, entitled:

An Act to amend section four thousand four hundred two of the act approved the twenty-third day of June one thousand nine hundred and thirty-one (P. L. 932),

entitled "An act relating to cities of the third class and amending revising and consolidating the law relating thereto," providing for additional members of certain civil service boards.

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. 536, entitled:

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

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

Ordered, To be transcribed for a third reading.

#### BILL RECOMMENDED

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

The motion was agreed to.

#### BILLS ON SECOND READING

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 532, entitled:

An Act to amend section one thousand and forty-seven of the act approved the fourth day of May one thousand nine hundred and twenty-seven (Pamphlet Laws 519), entitled "An act concerning boroughs and revising amending and consolidating the law relating to boroughs" as amended limiting the number of days for the completion of borough audits.

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. 530, entitled:

An Act to amend section three hundred and five of the act approved the third day of June one thousand nine hundred and thirty-seven (Pamphlet Laws 1333), entitled "An act concerning elections including general municipal special and primary elections the nominations 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 reimbursement of counties by the Commonwealth for primary and election costs incurred in even-numbered years.

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. 1427, as follows:

An Act requiring lock-ups jails and other places where persons are incarcerated to be attended at all times except when entirely unoccupied and imposing liabilities

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

Section 1 Hereafter all lock-ups jails and other places where persons are incarcerated shall be required to be attended at all times by a jailkeeper guard officer or some person having authority to supervise such lock-ups jails and other places where persons are incarcerated unless any such lock-up is entirely unoccupied.

Section 2 Any political subdivision of this Commonwealth in which any such lock-up jail or other place where persons are incarcerated is situated wherein any person is injured or sustains damages as a result of any violation of the provisions of section one hereof shall be liable to such individual to the extent of any injury or damage sustained.

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

Section 4 This act shall become effective immediately upon final enactment.

On the question,

Shall the bill pass finally?

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

YEAS—184

- |                 |                |              |                  |
|-----------------|----------------|--------------|------------------|
| Achterman,      | Flynn,         | Lovett,      | Rhea,            |
| Allmond,        | French,        | Lyons,       | Riley,           |
| Auker,          | Gallagher,     | Malloy,      | Rooney,          |
| Baker,          | Gates,         | Marks,       | Rose, S.,        |
| Balthaser,      | Gerard,        | Maxwell,     | Rose, W. E.,     |
| Bentzel,        | Gillan,        | McClanaghan, | Rosenfeld,       |
| Boies,          | Coodwin,       | McClester,   | Rush,            |
| Boney,          | Greenwood,     | McDermott,   | Sarraf,          |
| Boorse,         | Gross,         | McDowell,    | Scanlon,         |
| Bower,          | Gryskewicz,    | McFall,      | Schwab,          |
| Bradley,        | Gyger,         | McGrath,     | Shaffer,         |
| Breth,          | Haberlen,      | McIntosh,    | Shaw,            |
| Bretherick,     | Haines,        | McKinney,    | Shepard,         |
| Brown,          | Hall,          | McLanahan,   | Simons,          |
| Brunner, C. H., | Hamilton,      | McLane,      | Skale,           |
| Brunner, P. A., | Harkins,       | McMillen,    | Sollenberger,    |
| Burns,          | Harmuth,       | McSurdy,     | Stambaugh,       |
| Burris,         | Harris,        | Melchiorre,  | Stank,           |
| Cadwalader,     | Heatherington, | Mihm,        | Stine,           |
| Charvenak,      | Helm,          | Modell,      | Tarr,            |
| Chudoff,        | Hering,        | Monks,       | Tate,            |
| Cochran,        | Herman,        | Mooney,      | Taylor,          |
| Cohen, R. E.    | Hersch,        | Moran,       | Thompson, E. F., |
| Cook,           | Hirsch,        | Moul,        | Thompson, R. L., |
| Cooper,         | Holland,       | Munley,      | Verona,          |
| Cordier,        | Huntley,       | Nagel,       | Vincent,         |
| C. J. rigan,    | Imbrie,        | Nunemacher,  | Vogt,            |
| Croop,          | James,         | O'Brien,     | Voldow,          |
| Cullen,         | Jefferson,     | O'Connor,    | Voorhees,        |
| Dalrymple,      | Jones, G. E.,  | O'Dare,      | Wagner,          |
| Dennison,       | Jones, P. N.,  | O'Mullen,    | Watkins,         |
| DiGenova,       | Keenan,        | O'Neill,     | Weingartner,     |
| Dolon,          | Kenehan,       | Owens,       | Wells,           |
| D'Ortona,       | Kiine,         | Petrosky,    | Welsh, E. B.,    |
| Duffy,          | Knoble,        | Pettit,      | Welsh, M. J.,    |
|                 | Kolankiewicz,  | Polaski,     | Williams,        |

- |              |                |               |              |
|--------------|----------------|---------------|--------------|
| Early,       | Komorofski,    | Polen,        | Winner,      |
| Eckels,      | Krise,         | Powers,       | Wolf,        |
| Elder,       | Lee, E. A.,    | Prosen,       | Wood, L. H., |
| Elllott,     | Lee, T. H.,    | Rank,         | Woodring,    |
| Falkenstein, | Leisey,        | Rausch,       | Wright,      |
| Finestone,   | Leonard,       | Readinger,    | Yeakel,      |
| Finnerty,    | Lesko,         | Reagan,       | Yester,      |
| Fisher,      | Levy,          | Reese, D. P., | Young,       |
| Fiss,        | Lichtenwalter, | Reese, R. E., | Kilroy,      |
| Fleming,     | Longo,         | Reynolds,     | Speaker.     |
| Fletcher,    |                |               |              |

NAYS—14

- |           |            |          |               |
|-----------|------------|----------|---------------|
| Dix,      | Habbyshaw, | Royer,   | Turner,       |
| Ely,      | Hare,      | Serrill, | Van Allsburg, |
| Foor,     | Hewitt,    | Snyder,  | Wood, N.,     |
| Gillette, | Muir,      | 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.

BILL PASSED OVER

There being no objection House Bill No. 1284, Printer's No. 541, was passed over at the request of the SPEAKER.

BILL ON FINAL PASSAGE

Agreeably to order,

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

The House resumed the consideration on final passage of House Bill No. 1156, as follows:

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

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

Section 1 Article sixteen of the act approved the eighteenth day of May one thousand nine hundred and eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" is hereby amended by adding thereto after section one thousand six hundred and seven a new section to read as follows

Section 1607.1 Sub-section 1 The Superintendent of Public Instruction shall prepare and adopt before February 1 1942 for every grade in the public and private schools courses of study in patriotism and in the principles of democratic government

Sub-section 2 These courses of study shall include the development of the concept of the principles of democratic government the responsibilities of citizenship in a democracy love of country the historical background of the growth of freedom in America an appreciation of the nature and aims of democracy and an understanding of the Declaration of Independence and the Constitution of

the United States of America with special emphasis on the Bill of Rights

Sub-section 3 These courses of study shall immediately upon being adopted by the Superintendent of Public Instruction become a compulsory part of the curriculum of every grade of every public and private school in this Commonwealth

Sub-section 4 It shall be the duty of every principal and supervising principal of every public and private school in this Commonwealth to include in the curriculum of the school or schools under his or her administrative control the teaching of the courses of study to be adopted by the Superintendent of Public Instruction as required in subsections 1 and 2 of this Act

Sub-section 5 The Superintendent of Public Instruction shall submit to the next regular session of the General Assembly of the Commonwealth of Pennsylvania a report setting forth all of the courses of study which he has prepared and adopted as required in sub-sections 1 and 2 of this Act

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

On the question,

Shall the bill pass finally?

Mr. HARKINS. Mr. Speaker, House Bill 1156 is a bill which proposes that the principles of democratic government shall be affirmatively and positively taught within the public and private schools in the Commonwealth of Pennsylvania.

There are today in our school code references to the teaching of the Constitution and to the teaching of the Bill of Rights, but those references are vague and I don't know of any single standard of interpretation of those great documents that exists throughout the Commonwealth as taught in the various schools. This bill will place in the hands of the Superintendent of Public Instruction the responsibility for the development of suitable courses in each grade of the schools of our Commonwealth and in the high schools of the state. It was prepared in collaboration with the school district of the city of Philadelphia and is patterned after a course which is now being given in the schools of Philadelphia. In the schools of Philadelphia today, the school authorities are using a book which is called, "Our Schools and the American Way of Life," which is a handbook written, I understand, by various principals and school authorities throughout the city of Philadelphia, in order that the pupils of the city of Philadelphia shall better know the principles upon which our government is founded.

I would like to read a brief paragraph from the foreword to this book. It is as follows:

"The goal of democracy is not merely to construct a system of truth, a form of government, a pattern of behavior. It aims at the living truth, a means of living together, a basis for realizing two magnificent purposes—the sanctity of human personality and the brotherhood of man. The efforts of our great people in this direction are inscribed heroically on the pages of our history. While today in public assemblies and other avenues of expression, in humanitarian tendencies in community life, in various occupational areas, in the inviolability of family life, in educational institutions, in places of worship, as well as in government, democracy is at work ever reaching out toward these two lofty ideals in the good life—self-respect and respect for others.

"It remains for us to interpret the far-flung implications of this sublime faith and to utilize our human resources in devotion to this impelling cause. It remains for us, as we face ominous days, to scrutinize and strengthen our moral bulwarks to meet the threats of a totally diverse ideology. During this critical

period in world affairs, fraught with forebodings of catastrophic proportions, it behooves us to re-study the profound inner meaning of democracy and to examine the extent to which our schools are contributing to the American way of life."

Mr. Speaker, I believe as a result of the passage of this bill a positive impetus in the study of the history of our nation and particularly the part which the State of Pennsylvania and its early settlers played in the development of that history, will be given throughout the schools of Pennsylvania. In addition the bill provides that the Superintendent of Public Instruction shall report to the Legislature the courses which he has promulgated to be taught in the schools. In other words, we will have at our fingers' tips in 1942 a report from the Superintendent of Public Instruction which will indicate the progress that these courses will have made at that time. I believe this is the proper approach to many of the things that are concerning us today. Those who in eradicating the fifth columnists will find if the pupils of the Commonwealth are instructed in a positive, direct and forceful manner, in the privileges and benefits which they enjoy under our flag and in our Commonwealth, those same pupils will have inculcated in them so deeply and firmly the principles of patriotism and of love of democracy that they will go forward and upward in that love of democracy and in that faith of freedom that they will not be easily subjected to the false principles that the fifth columnists have tried to spread.

Therefore, Mr. Speaker, I urge every member of the House to vote affirmatively on this bill.

Mr. McMILLEN. Mr. Speaker, this bill has amused me and caused me to look at it more than once since its introduction in the House. This bill brings several facts to my mind concerning the teachings of Democratic ideals in the schools of Pennsylvania. After all when you get to the foundation and the fundamental principle underlying the establishment of the school system I think you will find the very thing you are now trying to legislate there. It has always seemed strange to me when we went to the trouble and expense of setting up a school system in Pennsylvania such as ours is, for the purpose of perpetuating American ideals, American form of government, that we must come in here and legislate that teachers must teach these fundamental things.

As a teacher in the public schools of this state I have always considered it a fundamental thing for which I should stand, that when I accept the certificate of a teacher under the laws of Pennsylvania, I automatically accept the absolute, definite obligation to teach the boys and girls of this state that this is the only country, this is the only place where boys and girls have an unlimited opportunity for personal advancement; that this country is the only place where the average man has the opportunity and the privilege of taking part in his government. If he does not like the things I do he has the opportunity of taking the privilege away from me, in the ballot. I cannot understand for the life of me why, if these things are necessary, that we should come in here and legislate that the teachers of Pennsylvania shall teach this thing. What in the world have they been teaching, I ask you? I understand that this may have come from Philadelphia and I understand that they need some such legislation perhaps against some of the teachers in Philadelphia. I say to you if any teacher in Pennsylvania has not been

teaching the things this bill calls for, he has no right and has no place in the public schools of Pennsylvania. I say to you if he or she has the guts to stand up and say these things openly, then the people who send their children to that teacher ought to have the intestinal fortitude to say that that teacher no longer has a job.

These schools of ours were instituted for the purpose of perpetuating the type of government we enjoy. I have always wondered about this thing. The bill itself is fine in theory I suppose, but it looks to me as though it is a direct insult to the sincere teachers of the state of Pennsylvania, the teachers who take their obligations seriously. Over and above everything else we teach in these schools I have always felt that the teachers tried to leave with the children the thought, "Here I have a free school; I have all the opportunity; I have all the chance to become, even if you want to put it, President of the United States; I may become the president of a great corporation; I may become the leader of any group that it is within my power to do so." I sometimes wonder. You can legislate these things but can you force them? Even when you have legislated these teachers into the position that this bill puts them, will they continue to teach the things they have been teaching or will they right about face and teach the things set forth in the manual that you give them? I can take any manual that the State Department of Public Instruction gives me as a teacher in a school, and I can twist it and work it to suit my own thoughts and my own ideas. Why, gentlemen you cannot legislate this kind of thing! It has always seemed to me that deep down in the heart of every individual there is a keen desire and a keen appreciation of the things for which America stands, you cannot make an American citizen out of him by passing this bill. It is impossible. As a matter of fact some of those things have crept into the teacher's professions. You cannot make them teach Americanism, you cannot make them teach patriotism, you cannot make them teach the fundamental principles underlying this country, it is impossible. I just can't see the point of this bill.

Another thing we cannot legislate. We cannot say they must teach the things we want in Pennsylvania. We have a Constitution in Pennsylvania, we have a Constitution in the United States. We elect men to come down here and make laws. They are sincere, they are men who put forth effort to teach. They are outstanding men; they are the ones who have the destiny of our lives in their hands, yet I wonder if sometimes their actions live up to that. There is a question here for us to think about on our own side of this matter. Every individual who is a citizen of Pennsylvania or a citizen of the United States is daily a teacher of the democratic principles, democratic ideas we live under. Are we as individuals teachers of these principles? Are the fathers and the mothers of these boys and girls teaching them through their daily actions, their daily words, teaching these things? You can not bring children into a school four or five hours a day and then take them home to undemocratic parents and expect to bring up good American citizens. We have got to start this thing in a different manner. Let us start some place else and get this thought into the hearts and minds of the fathers and mothers.

I do not like to disagree particularly, and do not disagree with the fact behind this thing, that we should teach and must teach these things in our schools. There

is no other place to do it and that is why schools were established. I do not see how under a bill of this kind you can succeed in getting the things done you are trying to do.

I am going to leave it to your judgment. I will not suggest to the members how to vote on this bill. I shall not ask the Members to vote one way or the other. You are free, white, and twenty-one and you can make up your own minds, but I cannot see, for the life of me, how you are going to accomplish this Americanization of Americans through this bill.

Mr. BROWN. Mr. Speaker, apparently House Bill No. 1156, Printer's No. 571, is designed to accomplish a very, very fine and high purpose. However, I believe the bill defeats itself.

The purpose of the bill is to teach students in our public and private schools courses in patriotism, and the principles of democratic government. To me it is difficult to understand how we can teach patriotism. Patriotism is love of country and loyalty to that country, which grows out of belief in the way of living afforded by that country. It is very difficult for me to understand how that can be the subject of curricular activities. That is a question almost as sacred as religion. It is the thing to which we have become converted after we have had sufficient knowledge to distinguish between our way of life and the way of life in other parts of the world. You cannot sit down and study a course in patriotism. Those of us who oppose this bill might be misunderstood, because at this particular time we should all wave the flag, as was said on the floor of the House, and vote affirmatively for any bill which on its face seems to be a bill to preserve the democratic form of government. This bill will not do that. I asked the sponsor of this bill how it is possible to teach a love of country without contrasting the laws and the form of government of this country with that of other countries? It seems to me we immediately defeat the purpose of the bill by compelling the teaching of the democratic principles of this country because if we are to know what is good for us, we know it because we know that here we have a great form of government and in other places they do not have. What is happening there?

It seems to be the bill is badly worded. The bill does not place the emphasis where it should be, although I am heartily in favor of the principles of the bill. We all know that those who are well versed on the Constitution of Pennsylvania and in the Constitution of the United States who do not believe in those principles. It seems to me if you teach a person something and he becomes experienced in it that does not mean because that alone he is going to believe in it. What we are after here is to have our children—I believe that is the ultimate purpose of the bill—believe and know and grow in the strength of our Republican form of government. I say to you that cannot be done by the simple process of teaching it from text books. It is a question of growth it is a question of experience. It is a question that should be taken into our homes and into our churches and into every walk of life. As I said in the beginning it might be unpatriotic to oppose a bill of this kind, yet I do not believe it will accomplish the purpose the sponsor hoped it would accomplish.

Mr. TURNER. Mr. Speaker, I rise to take issue with my friend, Mr. McMillen, when he says, what was the use

of teaching these things in the schools if the children return to an undemocratic home? I am sure that my children daily return to an undemocratic home, but to the home of one who believes in the government of the United States and the Constitution and the principles upon which it is founded. I do not believe this is a question particularly of legislation. I believe there is a fundamental difference. I have the utmost respect for the gentleman from Allegheny, the distinguished chairman of the Judiciary General committee, for his belief that you cannot legislate people to be patriotic, nor can you legislate them to be good. The gentleman from Indiana, Mr. McMillen, has said that the teachers in our schools are patriotic and that they are teaching the American form of government. We often legislate here on problems where we do not mean that all of the people or the majority of the people are bad. We have laws against murder, we have laws against larceny. It is only to prevent a group within the community who may be bad from committing crimes, that we legislate.

I do not think anyone who has listened to the great amount of publicity that has been given in recent months to this question of teaching in our public schools, and to the kind of textbooks that are used can but feel that there ought to be something done to emphasize the opinion of the government that this kind of teaching should not be permitted, and that we do not place our stamp of approval upon it.

I said a few minutes ago that I felt there was a fundamental difference between us. I agree with the gentleman from Allegheny that after all you must have love of country instilled in many ways. It must come not only from the knowledge you have of the things for which your country stands, but, you must not only have knowledge of our glorious history, you must not only have knowledge of our objectives, but you must in yourself form an intelligent respect for the kind of government you have. The difference between us is this: you are approaching this from the adult standpoint. I believe in the utmost freedom in teaching. I believe we ought to understand our form of government; I believe there comes a time in education when there ought to be study of all other forms of government, and we ought to be able to convince youth and the students in our institutions that the kind of government we have in America is the finest government in the world. It can not be perfect because it is human, and human things are never perfect. There is only one perfect thing in the world and we certainly are not that thing. On the other hand we can teach the children who are in a formative stage, we ought to be teaching them about the things that are good in our government and not stressing those things which are bad.

I took occasion recently to read a history written by an author of text books, whose books have been under very severe criticism throughout the country, and I noticed the emphasis he placed upon certain things. Those text books are being used in the lower grades, and in junior high schools, where it does not seem to me the student has the mentality, or the breadth of understanding to know at what they are driving. They must take the literal meaning from the language in the text books. I can conceive that the proper kind of teacher might lead that child's mind in the proper direction, but the trouble is that in recent months we have discovered in our high schools and in our educational institutions, as has been

proven in New York, Philadelphia and elsewhere, that we have men and women whose minds are not attuned to our American form of government and to our American ideals, for the reason that they are in favor of some other kind of government, or some other system of government. So too while I do not like legislation of this kind, I am of the opinion, in the first place, that emphasis at this time is worth while even though the legislation may not be of the best. In the second place, we say to the teachers, to the school boards and to those in charge that we want a different kind of teaching in our schools; we want to be certain that the kind of teaching we are giving to the small children in the lower grades is the kind of teaching that will give them a concept of the American form of government. Let them get that instilled in their hearts and minds first, and then when they go into the upper grades, or if they want to go to college, and study other types and other forms of government, let them do that after they have had placed in their minds the proper concept of the American form of government, so that they will not be confused by the "isms" they are taught in regard to other forms of government, and taught in a cynical way, that points out all the defects in our economic system, that harps upon the small black spots by those who are too eager to point out the defects in our system of government. Our system is the best system in the world. It must be because it has raised the standard of living which is higher than the standard of living of any other people ever known. Once having gotten that in our minds let us build upon that. I think we need no greater concept than that of one of the greatest religious organizations in the world, which believes in taking the youth in their organization, in their church, among their people, and leading them in their early years in the ways of the teachings of that church and then build upon that their future lives.

We have seen examples of fraud in the reports and articles that are written on the conditions in Europe. Constantly they are showing us in the expression of the young men in the German Army, and the young men in German life, that they have since their youth had bred in them certain ideas concerning government that concurred with the ideas of the Nazi leaders, with the National Socialist form of government as they call it; they are so imbued with those ideas that they think the rest of us in the world are wrong; they cannot see that there is anything right except that which they are doing. I do not say that I believe in that form of government, but I say that that is a concrete illustration to us of what it means to take youth in its formative years and bring it up in a belief in our government in such a way that he has a firm foundation.

I can conceive if we do not believe that the American form of government is the best form of government, that we do not want our youth brought up and fed with that idea.

The people who are writing me against this bill, say that teachers who are teaching un-American principles cannot be fired by means of an amendment to the Tenure Act. The people who have written me are not in favor of and are opposed to the American form of government. Of course, I do not mean my colleagues when I refer to the people who are opposed to this bill, I mean the people on the outside who are not approaching this as a legislative problem, but are approaching it from the view point

of those who do not believe in our American form of government and want to teach some other kind of government.

I want to say to you that I have come to the conclusion while I have stood here on the floor many times in the past and have opposed anything that would curtail the freedom of education and the freedom of speech, that if we are to defend this republic of ours, if we are to defend the form of government we have, if we are to place it higher upon the face of the earth and in this country, we must take stock in it, and take account of the fact that we are determined to see that the youth of America understand our government from the beginning, that they will have an appreciation of that government in their minds during their formative years, and that they do not have the cynical opinion of some writer who does not agree with us.

I think we have a right to define the form of government that was given to us by our forefathers in our formative years, and hand it down to posterity as it was given to us. We who are in charge of government and who are now in the adult years of our lives ought to be willing to sacrifice some other things; we should say to ourselves that while we do not entirely like this system in a world constituted such as ours, where we have enemies who are digging from underneath and trying to destroy the very foundation of this government, we ought to do the things this bill aims to do. Therefore if it does not entirely enforce yet the emphasis will be well worth while.

My only regret is that this bill does not go far enough, that the Educational Committee has not seen fit to report out the bill that amends the Teacher's Tenure Act because I think that bill is necessary. I think the parents of America ought to get down into the school districts and look into the books that are being used. You have heard about the controversy in Philadelphia where three prominent educators told the parents certain textbooks were all right, yet the American Legion, it seems to me, in its nation wide study have clearly proven that these books taken in toto are not the proper kind of books that our children ought to have in their formative years. Yes, you and I know how to read them; you and I know how to evaluate the statements made there. The emphasis is always placed on the dark side, on the defects in our American system and not on the side which would tend to build up that which has been wrong and which perhaps has been defective in our system of government.

Again I say I am in favor of this bill, and my only regret, is that the Educational Committee has not seen fit to put this into the tenure act. I have received postal cards which show on their face that they come from a group who are detrimental to the best principles and ideals of our government, and who are attempting to keep this legislation from being passed. A postal card, yet I can say from the very tenor of the postal card that the men who sent these cards, come from a group who are not in accord with our American system of government, and who are not in accord with the ideals of the government for which we stand. So at this time more than ever America must keep alive the flame of patriotism. America does not seem to have been aroused sufficiently to defend our Constitution and in a time like this it cannot hurt to put upon our statute books things that emphasize what

we as true Americans, I hope in this House, are going to stand for.

Mr. AUKER. Mr. Speaker, I feel what I have to say now will be more or less superfluous following up the wonderful talk just given by my colleague, the gentleman from Delaware, Mr. Turner, who in his own brilliant way has given us something really to think about. I only wish the remarks he has just made could be printed and distributed to every school house, every household and to every Parent-Teacher's Association not only in this state but in every home and Parent-Teacher's Association and every school board throughout the nation.

Early in this session there was introduced in this House a bill known as House Bill 206, which asked for a committee to investigate the subversive activities, teachings and teachers in public schools in our State endowed colleges and universities. Mr. Jones and myself felt that there was really and actually a great need for such an investigation. That bill was drawn after Coudert resolution which was passed in New York State and which has done such wonderful work in that state and in the city of New York, and which has conclusively proven that investigation was needed there. I think that if bill had ever been reported out of committee, which I do not believe it will—

#### POINT OF ORDER

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

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

Mr. ACHTERMAN. Mr. Speaker, the gentleman is speaking on a resolution not before the House.

The SPEAKER. The point of order is well taken. The gentleman will confine himself to the merits of the bill before the House. The gentleman will proceed.

Mr. AUKER. Mr. Speaker, the bill before the House takes in the educational field and what I am saying is directed to the educational field. If the gentleman from Monroe would have left me alone for two more minutes I believe he would have realized that I was speaking on this bill which is before the House now for final vote.

I am very much in favor of this bill, but I feel, as Mr. Turner feels, it does not go far enough. Yet I definitely believe it is a step in the right direction, that it will act as a direct counter irritant or anectode to what we know has been taught in our public schools in Pennsylvania. In view of these conditions, in view of the fact that these children are in the formative stage from the time they first enter the school until they graduate, and in view of the fact that I believe this bill will very greatly tend to the teachings that will be inaugurated under this bill, that when the boy or girl reaches a voting age, they will feel it to be a solemn, moral and legal duty to go to the polls and vote. If that were the case today, I feel confident we would not be in the position we are in today, and I ask the Members of the House to vote for this bill.

Mr. BROWN. Mr. Speaker, may I ask the indulgence of the House to rise and speak on one point that might have been confusing in my remarks.

I do not want the gentleman from Delaware to feel that I objected to the teaching of the Constitution or the Bill of Rights in our public school curricula. I am absolutely in accord with that. The only part of the bill that I ob-

ject to is the teaching of patriotism. I objected to that notwithstanding the very eloquent remarks of the gentleman from Delaware. I do feel before we can teach patriotism to our children, we ought to be patriotic ourselves, we ought to know what type of patriotism is going to be taught. I have very vividly in mind a very large patriotic organization in Pennsylvania, as a matter of fact, they claim to go back further than any other organization in the state, and this organization thought it was their patriotic duty to protest against the appointment of a negro school director in the city of Philadelphia, Dr. Turner. They thought they were patriotic in that stand; they thought that was the stand they should take, and they did take it and they did protest. Therefore, it is pretty hard for me to understand what this word "patriotism" is going to embrace.

I recall very vividly about a national organization of people who hold themselves out to be patriotic beyond whom there would be none other, who protested to allowing Marian Anderson to give a recital in the city of Washington. They say they were patriotic, but it seems to me that that word is so indefinite and so absolutely devoid of any definition that it should not be put into a bill because some of these people who protested against Marian Anderson and Dr. Turner becoming a member of the Board of Education in Philadelphia, may want to go into our schools and teach that type of patriotism. That is the thing I oppose. It is very definite as to what they are going to teach, and I say we ought to strike the word "patriotism" out of this act. I say for the benefit of the Members of the House, the thing that gets me somewhat confused is how are we going to teach patriotism when we can not define it and when we ourselves do not practice it? I could go on and cite many instances.

Concerning the very fine remarks of the gentleman from Delaware I could say, "Very fine, very good." Right here and now in these particularly crucial times, we are denied certain rights, certain fundamental rights, fundamental principles. We are denied work in places where we could help materially in our defense program. We can not serve in the armed forces of our state. Would you say that is patriotic? Would you say that is an example of patriotism that will embrace the things that ought to be embraced in it? You may see that these people who call themselves patriotic are going to enforce their point of view on our children, and yet feel that they are patriotic so far as the teaching in schools is concerned, so far as the teaching of the Constitution and the Bill of Rights is concerned.

Mr. HARE. Mr. Speaker, I shall not delay the House very long I promise you, but to one who has taught school in the Commonwealth of Pennsylvania for ten years it is rather interesting to hear the legislators define the terminology. Patriotism, as has been said, is the ruling passion of a man's life. I would like to see any Legislature in the land who could develop a ruling passion in a man's life. I came down here from the school halls of the Commonwealth, and if I should go back today to those high school boys and girls whom I taught, I would probably go down on my knees and apologize to them for the things I had taught to them. We have an old saying back in our little Dutch community which goes like this. "First cast the mote from thine own eye." If my school children would come down here and see the political bosses lining up men and marching them in groups to vote en masse on bills,

they would lose the symbol and picture of representative government that I taught.

I am heartily in accord with the principles of this bill but I feel as the gentleman from Allegheny, Mr. Brown, feels that we cannot legislate love of country into a person's mind, soul and body. I will vote in favor of the bill because the harmful effects are negligible but at this particular time when men of great emotions are running around, and sometimes reason is trampled under foot, we should approach this thing with a calm and reasonable attitude.

Mr. SOLLENBERGER. Mr. Speaker, I happen to have been a teacher for seventeen years, teaching the problems of democracy, and I believe that the gentleman from Allegheny, Mr. Brown and the gentleman from Somerset, Mr. Hare, are right in regard to patriotism. I think this bill should be amended. The word "patriotism" should be taken out on the first page and from section 1607.1, and the course of study in patriotism taken out. Then the bill will be all right because it simply does this, it permits the school boards, the Superintendent of Public Instruction to have a course of teaching the contents and background of the Declaration of Independence, the Constitution, the Bill of Rights, which are part of the Constitution, and that can be done in the first six or eight grades, and it should be done there. Someone objected to teaching what other governments are isms stand for in America today as well as in Europe. That can be done and done well in the high school or in the secondary schools without any danger, provided the teacher is what he should be. So the first few grades can be taught under this bill the American form of government. The other grades can be taught the American form of government contrasted to other forms and no harm is done provided the teacher is the type of an American he should be. The bill is not wrong, the bill is a good one but I still think that the word "patriotism" should be deleted from it, because you cannot teach patriotism, you can only teach the underlying principles which may lead to patriotism.

On the question recurring,

Shall the bill pass finally?

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

## YEAS—180

Achterman,	French,	Leydic,	Rose, W. E.,
Allmond,	Gallagher,	Lichtenwalter,	Rosenfeld,
Auker,	Gates,	Longo,	Royer,
Baker,	Gerard,	Lovett,	Rush,
Balthaser,	Gillette,	Lyons,	Sarraff,
Baughner,	Goodwin,	Malloy,	Scanlon,
Bentley,	Greenwood,	Marks,	Schwab,
Boles,	Gross,	Maxwell,	Serrill,
Boney,	Gryskewicz,	McClester,	Shaw,
Bower,	Cyger,	McDermott,	Simons,
Bradley,	Habbyshaw,	McDowell,	Skale,
Breth,	Haberlen,	McFall,	Snyder,
Bretherick,	Haines,	McGrath,	Sollenberger,
Brown,	Hall,	McIntosh,	Stambaugh,
Brunner, C. H.,	Hamilton,	McKinney,	Stank,
Brunner, P. A.,	Hare,	McMillen,	Stine,
Burns,	Harkins,	McSurdy,	Tarr,
Burriss,	Harmuth,	Melchiorre,	Tate,
Cadwalader,	Harris,	Mihm,	Taylor,
Chervenak,	Heatherington,	Modell,	Thompson, E. F.,
Chudoff,	Helm,	Mooney,	Thompson, R. Lee,
Cochran,	Hering,	Moran,	Trout,
Cohen, M. M.,	Herman,	Moul,	Turner,
Cook,	Hersch,	Muir,	VanAlisburg,
Cooper,	Hewitt,	Munley,	Verona,
Cordier,	Hirsch,	Nunemacher,	Vincent,

Corrigan,	Holland,	O'Brien,	Voldow,
Croop,	Huntley,	O'Connor,	Voorhees,
Dairymple,	Imbrie,	O'Dare,	Wagner,
Dennison,	James,	O'Mullen,	Watkins,
DiGenova,	Jefferson,	O'Neill,	Wells,
Dix,	Jones, G. E.,	Owens,	Welsh, E. B.,
Dolon,	Jones, P. N.,	Petrosky,	Welsh, M. J.,
D'Ortona,	Keenan,	Pettit,	Williams,
Early,	Keenahan,	Polaski,	Winner,
Eckels,	Kline,	Polen,	Wolf,
Eder,	Koole,	Powers,	Wood, L. H.,
Elliott,	Kolankiewicz,	Prosen,	Wood, N.,
Ely,	Komorowski,	Rank,	Woodring,
Finestone,	Krise,	Readinger,	Woodside,
Finnerty,	Lee, A.,	Reagan,	Wright,
Fisher,	Lee, T. H.,	Reese, R. E.,	Yeakel,
Fiss,	Leisey,	Reynolds,	Yester,
Fleming,	Leonard,	Rhea,	Kilroy.
Fletcher,	Lesko,	Riley,	Speaker.
Flynn,	Levy.	Rose, S.,	

## NAYS—8

Cohen, R. E.,	Duffy,	Monks,	Shepard,
Cullen,	Falkenstein,	Rausch,	Young,

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

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

## FORMER MEMBER WELCOMED

The SPEAKER. The Chair is pleased to have with us this afternoon a former member of the House, the gentleman from Northampton, Mr. Charles B. Coakley.

## PARLIAMENTARY INQUIRY

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

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

Mr. ACHTERMAN. Mr. Speaker, yesterday this House passed House Bill 124, Printer's No. 526. Is that bill still in the possession of the House.

The SPEAKER. It is on the desk and still in the possession of the House.

## RECONSIDERATION OF HOUSE BILL No. 124

Mr. ACHTERMAN. Mr. Speaker, I move that the vote by which House Bill No. 124, Printer's No. 507, entitled:

An Act to amend the title and the act approved the twenty-eighth day of April one thousand nine hundred and thirty-seven (P. L. 417), entitled "An act relating to milk and the products thereof; creating a Milk Control Commission; establishing its jurisdiction, powers and duties; regulating the production, transportation, manufacturing, processing, storage, distribution, delivery and sale of milk and certain products thereof; providing for the licensing of milk dealers and the payment of fees therefor; requiring milk dealers to file bonds to secure payment for milk to producers and certain milk dealers; authorizing the holding of hearings and the issuance of subpoenas by the commission; conferring jurisdiction upon courts to punish contempts and to prohibit violations of this act and of rules, regulations and orders of the commission; authorizing the commission to adopt rules, regulations and orders, and to enter into interstate and Federal compacts; requiring persons who weigh, measure, sample or test milk to procure permits or certificates, to take examinations, to pay fees therefor, to furnish certain notices, records and statements, and to use certain methods of weighing, measuring, sampling and testing; authorizing the commission to examine the business, papers and premises of milk dealers and pro-

cedures, requiring the keeping of records and the filing of reports by milk dealers, and permitting, with limitations, the use of information obtained thereby; authorizing the commission to fix prices for milk and certain milk products subject to the approval of the Governor, and conferring certain powers upon the Governor with respect thereto; providing for appeals to the courts from decisions of the commission, and for the burden of proof upon such appeals; prescribing penalties, fines and imprisonment for violations of this act and rules, regulations and orders of the commission; defining perjury; defining remedies; repealing legislation supplied and superseded by this act, and saving rights, duties and proceeding thereunder; and making 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 and by giving certain additional rights to producers' and farmers' unions or organizations producing milk; setting-up a price fixing procedure restricting powers of the Governor and providing for the payment of funds in the hands of the commission owing to producers and handlers passed finally on May 12, 1941, be reconsidered.

Mr. READINGER. Mr. Speaker, I second the motion.

The SPEAKER. How did the gentleman from Monroe Mr. Achterman vote on the final passage of this bill?

Mr. ACHTERMAN. Mr. Speaker, I voted in the majority.

The SPEAKER. How did the gentleman from Berks, Mr. Readinger, vote on the final passage of this bill?

Mr. READINGER. Mr. Speaker, I voted in the majority.

On the question,

Will the House agree to the motion?

It was agreed to.

On the question recurring,

Shall the bill pass finally?

Mr. WOODSIDE. Mr. Speaker, I am a very modest fellow. I have demonstrated that, and my colleague over here, Bill Habbyshaw, has demonstrated that he is modest by the number of times he has spoken on the floor of the House in the last nine years, and I hope that the House will bear with me just a moment as a very modest fellow if I attempt to blow the horn of Bill Habbyshaw and myself for just a minute.

It sometimes takes a pretty long time to demonstrate that you are right. About six years ago or a little more, Bill Habbyshaw and I introduced a bill to change the date when the license fees would expire on motor licenses. It took about six years before the Legislature and the Governor agreed we were right about that. Then a little later we introduced a party raiding bill, a pretty good bill, which was voted down in the House and it took about four years for the Legislature to find out we were right about that by finally putting it on the statute books. Then we had an amendment to the Uniform Firearms Act and it took about two years for the Legislature to finally agree we were right about that and to place it upon the statute books. So we just feel a little bit cocky today in that the Legislature is beginning to wake up and finding out within twenty-four hours that we are right about some things. I tried to tell some of these fellows around here that the milk bill was not so good. Bill Habbyshaw is the one who kept advising me on it. He was telling me, "That bill is not so hot, you had better watch it pretty carefully." There were only two Members who yelled out "No," and that was Bill Habbyshaw and myself. So we just like to "toot" a little bit and take a little credit for being right and that the House discovered we were right so soon.



I want to complement the House too for "wiseing" up more quickly; first it was six years, then four years, then two years, and now they are beginning to find out that we are right within twenty-four hours. As a matter of fact, today we did a little better than that, because some amendments came over here to my colleague, Bill Habbyslaw, and me and he immediately caught something on it. He went to the sponsor of the amendment and said, "We don't want that in here," and in two minutes it was stricken out. It was agreed there was an error that ought to be corrected. All the credit for that goes to my good friend and colleague, Bill Habbyslaw. You will just excuse us for "tooting" our own horn about this bill and for taking a little credit for being on the right side of the fence, as well as being the only Members on the right side of the fence.

Mr. ACHTERMAN. Mr. Speaker, I desire to interrogate the gentleman from Dauphin, Mr. Woodside.

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

Mr. WOODSIDE. I shall, Mr. Speaker.

Mr. ACHTERMAN. Mr. Speaker, I am curious to learn what portion of House Bill 124 the gentleman objected to because he voted "no."

Mr. WOODSIDE. Mr. Speaker, Mr. Habbyslaw tells me there are a lot of things wrong with the bill. I could point them all out as I have a copy of the amendments.

You will find the joker in the amendment. The amendment is to page 12, section 304. If the gentleman would go down into my hotel room he will find there a folded calendar which I had yesterday and he will find on the back of it written at the bottom several notations and one of those is "bottom of page 12." He will find those notations in relation to the milk bill.

If he will take his amendments which I have before me, he will find what is wrong with that amendment. Page 12—wait until I find it, I will tell you—

Mr. ACHTERMAN. Mr. Speaker, shall I read it to the gentleman?

Mr. WOODSIDE. No, Mr. Speaker, I will find it. The gentleman strikes out all of lines 16 to 29 inclusive on page 12. I think that is a good idea, but the real joker in that is not so much in the whole business as it is down at the end where it subjects him to penalty or forfeiture for or on account of any acts or transactions or matter or thing, and so forth. The gentleman could probably strike out only those words, but he is going to play safe and strike out the whole thing. I am not going to object to that but that is the real joker in it.

Mr. ACHTERMAN. Mr. Speaker, I wish to thank the gentleman from Dauphin for his cooperation. It is certainly too bad that this House has not had the benefit of the mature, careful consideration of the two gentlemen from Dauphin up until this moment.

#### PARLIAMENTARY INQUIRY

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

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

Mr. ACHTERMAN. Mr. Speaker, will the chair advise whether the bill has passed third reading?

The SPEAKER. The bill has passed third reading. A motion to re-consider is necessary.

#### MOTION TO RECONSIDER VOTE

Mr. ACHTERMAN. Mr. Speaker, I move that the vote by which this bill passed third reading be reconsidered.

Mr. WOODSIDE. Mr. Speaker, I am wondering whether the gentleman would not consider it advisable to put the bill on the postponed calendar and go over it carefully before he submits his amendments to the House.

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

Mr. ACHTERMAN. I shall, Mr. Speaker.

Mr. WOODSIDE, Mr. Speaker, I am only making a suggestion that the bill be placed on the postponed calendar instead of immediately being considered.

Mr. ACHTERMAN. Mr. Speaker, I can answer the gentleman's question more intelligently if I be permitted to ask him a question.

The SPEAKER. Will the gentleman from Dauphin, Mr. Woodside permit himself to be interrogated?

Mr. WOODSIDE. I shall, Mr. Speaker.

Mr. ACHTERMAN. Mr. Speaker, do I understand the gentleman from Dauphin to say that perhaps he and Mr. Habbyslaw have some other very substantial points that they desire to submit?

Mr. WOODSIDE. Mr. Speaker, I am advised by my very able colleague, Mr. Habbyslaw, there are some very important amendments that might be suggested to the bill, which would be very helpful and that he has them in mind.

Mr. ACHTERMAN. I thank the gentleman Mr. Speaker.

#### BILL POSTPONED

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

The motion was agreed to.

#### BILL ON FINAL PASSAGE

Mr. WEISS asked and obtained unanimous consent to call up out of order House Bill No. 1284, Printer's No. 541, on page 11 of today's calendar, bills on final passage.

Agreeably to order,

The House proceeded to the consideration on final passage of House Bill No. 1284, entitled:

An Act requiring owners and lessees of real property in counties of the third class 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

On the question,

Shall the bill pass finally?

#### RECONSIDERATION OF VOTE

Mr. WEISS. Mr. Speaker, I move that the vote by which this bill passed third reading be reconsidered.

Mr. MAXWELL. Mr. Speaker, I second the motion.

The SPEAKER. How did the gentleman from Westmoreland, Mr. Weiss, vote on the third reading of this bill?

Mr. WEISS. Mr. Speaker, I voted in the majority.

The SPEAKER. How did the gentleman from Westmoreland Mr. Maxwell vote on the third reading of this bill?

Mr. MAXWELL. Mr. Speaker, I voted in the majority. The motion was agreed to.

On the question recurring,

Will the House agree to the bill on third reading?

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

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

The Clerk read the amendments as follows:

Amend the title, page 1, first line of title by inserting after the word "Requiring" the word: "certain"

Amend sec. 1, page 1, line 4 by inserting after the word "estate" the following: "subject to taxation under the laws of the Commonwealth of Pennsylvania"

Amend sec. 2, page 2, lines 28 and 29 by striking out the words "less than nor".

Amend sec. 2, page 2, line 29 by inserting after the word "than" the words and figures: "one hundred dollars (\$100)".

Amend sec. 2, page 3, lines 1 and 2 by striking out the words "less than or".

Amend sec. 2, page 3, line 2, by inserting after the word "than" the words and figures: "thirty (30) days".

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

On the question,

Will the House agree to the amendments?

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 INTRODUCED AND REFERRED

By Messrs. HERING and EDWIN A. LEE.

HOUSE BILL No. 1528

An Act to amend and reenact section five hundred and twenty-four of the act, approved the eighteenth day of May, one thousand nine hundred and eleven (P. L. 309), entitled "An act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent therewith," as amended, by limiting to eleven and three-quarter mills the total annual school tax for any one year in school districts of the first class; and prescribing the method of fixing the levy of school taxes in such districts.

Referred to the Committee on Cities-First Class.

### BILL ON FINAL PASSAGE

Agreeably to order,

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

The House resumed the consideration on final passage of House Bill No. 891, as follows:

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

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

Section 1 Sections three hundred and two and three hundred and three of 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" are hereby amended to read as follows

Section 302 Resident License Fee Each such resident as provided in the preceding section upon presentation of a properly signed hunter's registration card as hereafter provided and the payment of two dollars (\$2.00) or upon application made in writing to [any agent authorized to issue such licenses with the Commonwealth] any county treasurer or any of his agents appointed by him to issue such licenses or to the Department of Revenue the presentation of proof that he is a citizen of the United States and a bona fide resident of this Commonwealth under the requirements of this article and the establishment of his identity to the satisfaction of the authority issuing the license [or to the satisfaction of the justice of the peace magistrate or notary public or any agent designated to receive applications for licenses when taking such applications as hereinafter authorized] by producing a bank book letters lodge cards police cards a motor vehicle driver's license or some other positive means of identification and in the case of naturalized foreign-born applicants the production of such applicant's naturalization papers unless any such person has been disqualified for a license or fails to pass an examination in the manner hereinafter specified and the payment to [said agent or] the county treasurer or his agent or the Department of Revenue of two dollars (\$2.00) shall be entitled to a resident hunter's license and a tag with the number of the license thereon which shall entitle the holder to hunt or trap for all wild birds and wild animals which may legally be hunted or trapped in this Commonwealth except as otherwise provided.

Section 303 Nonresident and Alien Nonresident License Fees Every nonresident of this Commonwealth upon presentation of a properly signed nonresident hunter's registration card as hereinafter provided and the payment of fifteen dollars (\$15.00) or upon application made in writing [to any agent authorized to issue such license or] to any county treasurer or any of his agents appointed by him to issue licenses or to the Department of Revenue and the presentation of proof that he is a citizen of the United States unless any such person has been disqualified for a license or fails to pass an examination in the manner hereinafter specified and upon payment [to said agent or commission] of fifteen dollars (\$15.00) shall be entitled to the license herein designated as a Nonresident Hunter's License and a tag with the number of the license thereon which shall entitle the holder to hunt or trap for all wild birds and wild animals which may legally be hunted or trapped in this Commonwealth except as otherwise provided

Every alien nonresident of this Commonwealth who is also a nonresident of the United States upon written application made to any county treasurer or any of his agents appointed by him to issue such licenses or to the Department of Revenue setting forth satisfactory evidence of his mental and physical fitness to carry and use firearms unless any such person has been disqualified for a license or fails to pass an examination in the manner hereinafter specified and upon the payment [to the Department of Revenue] of the fees above designated for non-residents shall be entitled to a nonresident hunters' license and the proper tag issued therewith but [the Department of Revenue shall indicate] on the face of the license it shall be indicated that the holder is an alien nonresident

Section 2 Article III of said act is hereby amended by adding thereto after section three hundred and three a new section to read as follows

Section 303.1 Examinations for License Exceptions Any person except as herein otherwise provided applying for a resident or a nonresident hunter's license shall be required

to secure an application from the county treasurer or his authorized agents or the Department of Revenue prior to October first of any year in order to undergo an examination conducted by field officers of the commission provided by it for such purposes at the offices of the Department of Revenue the commission or any other place in the Commonwealth designated by the commission for such purposes. The issuance of a license shall be determined by the results of such examination showing the applicant's knowledge of hunting safety rules and regulations, the game laws and the handling and use of firearms. Provided however That in lieu of this examination an applicant for a nonresident hunting license may submit on a form provided by the Department of Revenue for that purpose a sworn affidavit from his own state's conservation department or game commission or their authorized agents certifying to his knowledge of hunting safety rules and regulations the game laws and the handling and use of firearms. Any person holding a resident or nonresident hunter's license expiring the thirty-first day of August one thousand nine hundred and forty-two or thereafter shall not be required to undergo the examination provided for by this section in order to secure a renewal of such license unless such person shall fail to renew such license for a period covering two consecutive license years.

Section 3 Section three hundred and five of said act is hereby amended to read as follows

Section 305 License Issuance Supervision The issuance of all hunting licenses shall be under the direct supervision of the Department of Revenue [which shall designate the several county treasurers and such other issuing agents throughout the Commonwealth or otherwise as it may find essential to control the lawful issuance thereof]. Each county treasurer shall be an issuing agent of the said department and is hereby authorized to issue hunting licenses as provided by this act and each such treasurer shall appoint his own agents in the various parts of the county for the purpose of facilitating the issuance of such licenses throughout the county. Each county treasurer shall appoint not more than one agent for each one thousand hunting licenses and not less than one agent for every two thousand hunting licenses issued in such county for the preceding license year. All such agents of the county treasurer shall be authorized by the treasurer to issue resident and nonresident hunting licenses and they shall receive all licenses tags and necessary supplies forms and material 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. The Department of Revenue may [recall the appointment of any county treasurer or other agent at any time with or without cause and shall recall the appointment of] remove any county treasurer [or other agent] as issuing agent either upon receipt of evidence that such county treasurer [or other agent] has not complied with the requirements of this act or upon receipt of a recommendation from the commission that such county treasurer [or other agent] be recalled because of carelessness or negligence in the issuance of licenses. In case of such removal the said department shall appoint another issuing agent in and for such county with the same powers rights and obligations of the issuing agent so removed.

It is unlawful for any issuing agent or any of his agents employees or representative or the Department of Revenue or its employees to issue any license to hunt to any applicant or [for any justice of the peace magistrate notary public or other agent authorized to receive applications] to accept an application for such a license from any applicant who has not established satisfactory identification as hereinbefore required or to any person physically or mentally unfitted to carry or use firearms or to any person who has failed to pass an examination when required or who has been denied the right to secure a license in any manner hereinafter specified by revocation.

Section 4 Article III of said act is hereby amended by adding thereto after section three hundred and five four new sections to read as follows

Section 305.1 Permanent Registration of Hunters Established The Department of Revenue shall establish a system for the permanent registration of persons who desire

to hunt or trap in the Commonwealth. Said system shall be set-up in such a manner that all persons holding a resident or nonresident hunting license which expires on August thirty-first one thousand nine hundred forty-two and who forward to the department their game kill report for such license year and all persons who shall receive a resident or nonresident hunting license for any license year thereafter shall be registered thereunder and their names addresses breitzed descriptions and other information deemed necessary by the department entered in the files and records provided for such systems in the manner deemed most suitable by the department for carrying out the provisions of this amendment.

Section 305.2 Loss of Registration The names of all persons registered under such permanent registration system shall remain in the records and files thereof permanently or until such person shall fail for two consecutive license years to forward his game kill report to the department. If any registered person shall fail for such period to forward said game kill report whether or not through neglect or because of failure to take out a hunting license for one or both of such years his name shall be removed from the permanent registration records and files.

Section 305.3 Registration Cards The Department of Revenue shall forward to each person registered under the permanent registration system before August first of each year so long as such person's name remains in the registration files a certificate of registration in the form of a registration card which card when signed by the person to whom issued and presented together with the proper fee to any person authorized to issue hunting licenses shall entitle such person to the hunting license for which he is qualified without his personal appearance and without any other action or signature on his part.

Section 305.4 Powers of 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 5 Section three hundred and nine of said act is hereby repealed.

Section 6 Section three hundred and ten three hundred and eleven three hundred and twelve and three hundred and thirteen of said act are hereby amended to read as follows

Section 310 Issuing Agents to Keep Record and Make Report Each issuing agency of this Commonwealth agent shall keep a correct and complete record of all resident and nonresident hunters' 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 names and addresses of 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 and the said department and retained in the office of the issuing agent which shall be open at any reasonable hour to the inspection of any officer of the Commonwealth whose duty it is by law to protect the game of the Commonwealth or to any landowner or his representative to any representative of the Department of Revenue or to any representative of the Department of the Auditor General.

Section 311 Agents to Collect and Remit License Fees Reports Compensation The [agents designated by the Department of Revenue] issuing agents provided by this act for the collection of said license fees for their services rendered in collecting and paying over the same shall as long as they continue to be issuing agents of the Department of Revenue [be allowed to retain not to exceed] shall retain the sum of ten cents from the amount paid for each resident hunter's license and [not to exceed] twenty-five cents from the amount paid for each non-

resident hunter's license which amount shall be full compensation for services rendered by them and their personally appointed agents under the provisions of this act such compensation to be disposed of by the respective issuing agents as may now or hereafter be provided by law Each issuing agent shall remit all balances arising from this source at the end of each week to the State Treasurer through the Department of Revenue upon a form to be supplied by the Department of Revenue which weekly remittance shall be accompanied by a copy of the list of licenses issued during the previous week All such moneys shall be placed in the Game Fund by the State Treasurer

[Every agent designated to issue hunter's licenses unless already under bond to cover the handling of public funds shall give bond to the Commonwealth in the sum of one thousand dollars (\$1,000.00) before the annual supply of licenses is delivered to him]

Any issuing agent who shall fail to comply with any of the provisions of this act relating to hunter's licenses shall not be entitled to retain the sum hereinbefore fixed for his services but such sum shall be paid to the State Treasurer and if not so paid may be recovered by the Commonwealth by suit in the same manner as like amounts are now by law recoverable

Section 312 Replacement of Registration Cards Lost Licenses and Tags Any holder of a hunter's license or of a hunter's registration card who shall lose either the license or the tag issued therewith or both the license and tag or the registration card upon application to the Department of Revenue or other agent who issued the same accompanied by a sworn statement setting forth the pertinent facts relative thereto and in the case of a license or tag the remaining portion if any of the original and the payment of one dollar shall be entitled to a new license and tag of the same kind and value as the original and in the case of a registration card the payment of fifty cents shall be entitled to a duplicate registration card

The [issuing agent] Department of Revenue or agent who issues such license shall indicate on the face of the license so issued also on the stub or carbon copy thereof that it is a replacement with the number of the original license The affidavit so filed and any remaining portion of the original license also shall be fastened to the stub or carbon copy of the replacement license for the information of the auditors

For such services the [Department of Revenue may authorize any] issuing agent [to retain not to exceed] may retain the sum of ten cents from the said one dollar fee and five cents from the said fifty cent fee and remit the balance of the replacement license fee or duplicate registration card fee as hereinbefore provided

Section 313 Power to Administer Oaths Each [agent] issuing agent and each of his agents authorized or designated by him to issue hunting licenses and each employe who may be authorized or designated by the Department of Revenue to issue hunting licenses [and each agent] employe who may be authorized or designated by the Department of Revenue to receive applications for such licenses in accordance with the provisions of this act is hereby empowered to administer any oath that may be required in connection with the issuance of such licenses or receiving applications therefor.

On the question recurring,  
Shall the bill pass finally?

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

A verification of the roll was requested by Messrs. MIHM, POWERS and HEATHERINGTON.

The roll was verified and was as follows:

YEAS—94

Achterman,	Fletcher,	Lovett,	Rooney,
Allmond,	Flynn,	McClanaghan,	Rose, S.,
Baker,	Gerard,	McFall,	Rosenfeld,
Baughner,	Goodwin,	Melchiorre,	Rush,
Bentzel,	Haberlen,	Modell,	Sarraf,
Boles,	Hall,	Monks,	Scanlon,
Boney,	Hamilton,	Mooney,	Shaffer,

Breth,	Hare,	Moran,	Shaw,
Brown,	Harkins,	Moul,	Shepard,
Burns,	Harmuth,	Nagel,	Tate,
Chervenak,	Heatherington,	O'Brien,	Thompson, E. F.,
Chudoff,	Hering,	O'Connor,	Verona,
Cochran,	Herman,	O'Dare,	Vincent,
Cohen, M. M.,	Hersch,	O'Mullen,	Voldow,
Cohen, R. E.	Hirsch,	Owens,	Weiss,
Cooper,	Holland,	Petrosky,	Welsh, E. B.,
Croop,	Jefferson,	Pettit,	Welsh, M. J.,
Cullen,	Jones, P. N.,	Polaski,	Williams,
Dolon,	Kolankiewicz,	Polen,	Woodring,
Early,	Leonard,	Powers,	Yester,
Elliott,	Lesko,	Prosen,	Young,
Falkenstein,	Levy,	Reagan,	Kilroy,
Finestone,	Leydic,	Reese, R. E.,	Speaker.
Finnerty,	Longo,	Reynolds,	

NAYS—87

Auker,	Gates,	Malloy,	Schwab,
Balthaser,	Gillette,	Marks,	Serrill,
Boorse,	Greenwood,	Maxwell,	Simons,
Bretherick,	Gross,	McClester,	Skale,
Brunner, C. H.,	Gryskewicz,	McDermott,	Snyder,
Brunner, P. A.,	Gyger,	McGrath,	Sollenberger,
Burris,	Habbyshaw,	McIntosh,	Stambaugh,
Cook,	Haines,	McKinney,	Stank,
Cordier,	Harris,	McLane,	Tarr,
Dalrymple,	Helm,	McMillen,	Thompson, R. L.,
Dennison,	Hewitt,	McSurdy,	Trout,
Dix,	Huntley,	Mihm,	Turner,
Luffy,	Imbrie,	Muir,	Van Aillsburg,
Eckels,	James,	Munley,	Wagner,
Elder,	Kenehan,	O'Neill,	Watkins,
Ely,	Kline,	Rank,	Weingartner,
Fisher,	Knoble,	Rausch,	Wolf,
Fiss,	Lee, E. A.,	Readinger,	Wood, L. H.,
Fleming,	Lee, T. H.,	Riley,	Wood, N.,
Poor,	Leisey,	Rose, W. E.,	Woodside,
French,	Lichtenwalter,	Sarge,	Wright,
Gallagher,	Lyons,		Yeakel,

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

PERMISSION GRANTED COMMITTEE TO MEET DURING SESSION

Mr. FINNERTY asked and obtained permission for the Committee on Cities—First Class to meet during the session of the House.

BILLS PASSED OVER

There being no objection House Bill No. 1166, Printer's No. 461, was passed over at the request of Mr. SAMUEL ROSE.

There being no objection House Bill No. 1355, Printer's No. 475, was passed over at the request of the SPEAKER.

There being no objection House Bill No. 1070, Printer's No. 284, was passed over at the request of the SPEAKER.

BILL ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 709, as follows:

An Act to further amend section four hundred and twelve of the act approved the twenty-ninth day of November one thousand nine hundred and thirty-three (P. L. 15 1933-34) entitled as amended 'An act to regulate and restrain the sale manufacture possession transportation importation traffic in and use of alcohol and alcoholic and malt or brewed beverages conferring powers and imposing duties upon the Pennsylvania Liquor Control Board and its agents the Department of Public Instruction other officers of the State government courts and district attorneys authorizing the establishment and op-

eration 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 the transactions in such beverages by licensees and others providing for the forfeiture of certain property making disposition of the receipts from State stores and of fees and imposing penalties" by further defining the sales of malt or brewed beverages

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

Section 1 Section four hundred and twelve of the act approved the twenty-ninth day of November one thousand nine hundred and thirty-three (P. L. 15 1933-34) entitled as amended "An act to regulate and restrain the sale manufacture possession transportation importation traffic in and use of alcohol and alcoholic and malt or brewed beverages conferring powers and imposing duties upon the Pennsylvania Liquor Control Board and its agents the Department of Public Instruction other officers of the State government courts and district attorneys authorizing the establishment and operation of State stores for the sale of such beverages not for consumption on the premises and the granting of licenses subject to local option to sell such beverages for consumption on and off the premises forbidding importation or bringing of such beverages into the State except as herein provided prohibiting certain sales or practices in connection with and transactions in such beverages by licensees and others providing for the forfeiture of certain property making disposition of the receipts from State stores and of fees and imposing penalties" as last reenacted and amended by the act approved the sixteenth day of June one thousand nine hundred and thirty-seven (P. L. 1762) is hereby further amended to read as follows

Section 412 Sale of Malt or Brewed Beverages Every license issued to a hotel restaurant club or a railroad pullman or steamship company under this act for the sale of liquor shall authorize the licensee to sell malt or brewed beverages at the same places but subject to the same restrictions and penalties as apply to sales of liquor except that licensees other than clubs may sell malt or brewed beverage for consumption off the premises where sold in quantities of not more than [seventy-two] one hundred forty-four fluid ounces in a single sale to one person No licensee under this act shall at the same time be the holder of any other license except a retail dispensers license authorizing the sale of malt or brewed beverages only

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:

A verification of the roll was requested by Messrs. ELLWOOD B. WELSH, PAUL A. BRUNNER and MOONEY.

The roll was certified and was as follows:

YEAS—86

Allmond,	Harmuth,	McKinney,	Reynolds,
Baker,	Herman,	McLanahan,	Rhea,
Balthaser,	Hersch,	McLane,	Rooney,
Boles,	Hirsch,	McSurdy,	Rose, S.,
Bradley,	Holland,	Meichiorre,	Rose, W. E.,
Breth,	Jefferson,	Mlhm,	Scanlon,
Brunner, P. A.,	Kenehan,	Modell,	Schwab,
Burns,	Kline,	Monks,	Shepard,
Chudoff,	Kolankiewicz,	Mooney,	Skale,
Cook,	Komorowski,	Moran,	Stank,
Cooper,	Lee, E. A.,	Munley,	Tate,
Cordier,	Leonard,	O'Brien,	Thompson, E. F.,
Dolon,	Lesko,	O'Mullen,	Thompson, R. L.,
Duffy,	Levy,	O'Neill,	Turner,

Early,	Longo,	Owens,	Verona,
Falkenstein,	Lovett,	Petrosky,	Voldow,
Finnerty,	Malloy,	Pettit,	Watkins,
Flynn,	Marks,	Polaski,	Weiss,
Gallagher,	Maxwell,	Polen,	Welsh, E. B.,
Gerard,	McClanaghan,	Powers,	Woodring,
Gryskewicz,	McDermott,	Rausch,	Young,
Harkins,	McGrath,	Reese, R. E.,	Kilroy,

Speaker.

NAYS—71

Achterman,	Gillan,	Jones, P. N.,	Shaffer,
Baughner,	Goodwin,	Knoble,	Simons,
Bentzel,	Gross,	Leydic,	Snyder,
Bretherick,	Gyger,	Lyons,	Sollenberger,
Burris,	Habbyshaw,	McClester,	Stambaugh,
Chervenak,	Haberlen,	McFall,	Stine,
Cochran,	Haines,	McIntosh,	Trout,
Cullen,	Hall,	McMillen,	Van Allsburg,
Dennison,	Hamilton,	Moul,	Vincent,
Dix,	Hare,	Muir,	Wagner,
D'Ortona,	Harris,	Nagel,	Weingartner,
Ely,	Heatherington,	O'Connor,	Welsh, M. J.,
Fisher,	Helm,	Rank,	Wood, N.,
Fiss,	Hering,	Reagan,	Woodside,
Fleming,	Hewitt,	Riley,	Wright,
Foor,	Huntley,	Rush,	Yeakel,
French,	Imbrie,	Sarge,	Yester,
Gates,	James,	Serrill,	

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

BILL PASSED OVER

There being no objection House Bill No. 943, Printer's No. 489, was passed over at the request of the SPEAKER.

BILL ON THIRD READING

Agreeably to order,

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

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—188

Achterman,	Fiss,	Leonard,	Rhea,
Allmond,	Fleming,	Lesko,	Riley,
Auker,	Fletcher,	Levy,	Rose, S.,
Baker,	Flynn,	Leydic,	Rose, W. E.,
Balthaser,	French,	Lichtenwalter,	Rosenfeld,
Baughner,	Gallagher,	Longo,	Royer,
Bentley,	Gates,	Lovett,	Rush,
Boles,	Gerard,	Lyons,	Sarraf,
Boney,	Gillette,	Malloy,	Scanlon,
Bower,	Goodwin,	Marks,	Schwab,
Bradley,	Greenwood,	Maxwell,	Serrill,
Breth,	Gross,	McClanaghan,	Siaw,
Bretherick,	Gryskewicz,	McClester,	Shepard,

Brown,	Gyger,	McDermott,	Simons,
Brunner, C. H.,	Habbyshaw,	McFall,	Skale,
Brunner, P. A.,	Haberlen,	McGrath,	Snyder,
Burns,	Haines,	McIntosh,	Sollenberger,
Burris,	Hall,	McKinney,	Stambaugh,
Cadwalader,	Hamilton,	McMillen,	Stank,
Chervenak,	Hare,	McSurdy,	Tarr,
Chudoff,	Harkins,	Melchiorre,	Tate,
Cochran,	Harmuth,	Mihm,	Taylor,
Cohen, M. M.,	Harris,	Modell,	Thompson, E. F.,
Cohen, E. E.,	Heatherington,	Monks,	Thompson, R. L.,
Cook,	Helm,	Mooney,	Trout,
Cooper,	Hering,	Moran,	Turner,
Cordier,	Herman,	Moul,	Van Allsburg,
Corrigan,	Hersch,	Muir,	Verona,
C...p,	Hewitt,	Munley,	Vincent,
Cullen,	Hirsch,	Nunemacher,	Voldow,
Dalrymple,	Holland,	O'Erlen,	Voorhees,
Dennison,	Huntley,	O'Connor,	Wagner,
DiGenova,	Imbrie,	O'Dare,	Watkins,
Dix,	James,	O'Mullen,	Weiss,
Dolon,	Jefferson,	O'Neill,	Welsh, E. B.,
D'Ortona,	Jones, G. E.,	Owens,	Welsh, M. J.,
Duffy,	Jones, P. N.,	Petrosky,	Williams,
Early,	Keenan,	Pettit,	Winner,
Eckels,	Kenehan,	Polaski,	Wolf,
Elder,	Kilne,	Polen,	Wood, L. H.,
Elliott,	Knoble,	Powers,	Wood, N.,
Ely,	Kolankiewicz,	Prosen,	Woodring,
Falkenstein,	Komorofski,	Rank,	Woodside,
Finestone,	Krise,	Rausch,	Wright,
Finerty,	Lee, E. A.,	Readinger,	Yeakel,
Fisher,	Lee, T. H.,	Reagan,	Yester,
	Leisey,	Reese, R. E.,	Young,
		Reynolds,	Kilroy, Speaker.

## NAYS—0

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

Ordered, That the Clerk return it to the Senate with information that the House has passed it without amendment.

## BILLS PASSED OVER

There being no objection House Bill No. 870, Printer's No. 510, was passed over at the request of Mr. LEVY.

There being no objection House Bill No. 567, Printer's No. 508, was passed over at the request of Mr. LEVY.

## BILL ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 801, as follows:

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

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

Section 1 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" as amended by the act approved the fourteenth day of April one thousand nine hundred and thirty-one (P. L. 29) is hereby further amended to read as follows

Section 9 That no person or persons shall after the passing of this act by any deed will or otherwise settle or dispose of any real or personal property so and in such manner that the rents issues interest or profits thereof shall be wholly or partially accumulated for any longer term than the life or lives of any such grantor or grantors settler or settlers or testator and the term of twenty-one years from the death of any such grantor settler or

testator that is to say only after such decease during the minority or respective minorities with allowance for the period of gestation of any person or persons who under the uses or trusts of the deed will or other assurance directing such accumulation would for the time being if of full age be entitled unto the rents issues interests and profits so directed to accumulate and in every case where any accumulation shall be directed otherwise than as aforesaid such direction shall be null and void in so far as it shall exceed the limits of this act and the rents issues interests and profits so directed to be accumulated contrary to the provisions of this act shall go to and be received by such person or persons as would have been entitled thereto if such accumulation had not been directed Provided That any donation bequest or devise for any literary scientific charitable or religious purpose shall not come within the prohibition of this section which shall take effect and be in force as well in respect to wills heretofore made by persons yet living and of competent mind as in respect to wills hereafter to be made And provided That notwithstanding any direction to accumulate rents issues interests and profits for the benefit of any minor or minors it shall be lawful for the proper court as aforesaid on the application of the guardian where there shall be no other means for maintenance or education to decree an adequate allowance for such purpose but in such manner as to make an equal distribution among those having equal rights or expectations whether at the time being minors or of lawful age And provided That whenever in the course of the administration of a trust including trusts containing spendthrift provisions created by deed or by the will of a decedent who either before or after the passage of this act shall have died domiciled in this State by the provisions of which deed or will the grantor or testator shall have directed the payment of an annuity or annuities or created an estate for life or for lives or for a term of years with vested remainder to a corporation or association formed for literary scientific charitable or religious purposes it shall be made to appear to the court having jurisdiction of the administration of such estate or trust that all parties in interest in said estate or trust still living or in corporate existence have agreed that the trust be settled and ended upon terms mutually satisfactory to them or that the interests of the annuitant or annuitants or of the beneficial owner or owners of the estate for life or for years have been donated to or acquired by the corporation or association formed for literary scientific charitable or religious purposes holder of the vested interest in remainder said court may in its discretion due notice having been given to all parties in interest and the court being satisfied that all parties who are or may be interested in the trust property are in existence are sui juris and are agreed and that annuitants or cestui que trustent are properly protected decree that the trust be settled and ended in whole or in part and award to such literary scientific charitable or religious corporation or association the sums to which it may be entitled Provided further however That the provisions of the foregoing proviso shall not be effective to bring about the termination of a trust created by deed or will as aforesaid if in the instrument under which the trust arises the grantor or testator as the case may be shall have declared his purpose to create by accumulation a fund for the benefit of a literary scientific charitable or religious corporation or association and shall also have specified the number of years during which such accumulation shall be made by his trustees for that purpose which term shall not have expired or shall have specified a sum that it was his intention to accumulate which sum shall not have been attained or shall have specified a particular object to be accomplished for which the trust fund is not yet sufficient

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

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

On the question,

Shall the bill pass finally?

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

YEAS—188

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

BILLS PASSED OVER

There being no objection House Bill No. 1454, Printer's No. 516, was passed over at the request of the SPEAKER.

There being no objection House Bill No. 1455, Printer's No. 515, was passed over at the request of the SPEAKER.

BILL ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1413, as follows:

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

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

Section 1 Whenever as a result of construction or repairs along or to any State highway it has proved necessary or advisable to designate any other highway as a detour and to divert traffic over such other highway it shall be the duty of the Department of Highways of the Commonwealth of Pennsylvania promptly after the use of such highway as a detour shall have been discontinued to restore it to substantially the same condition as it was prior to its use as a detour

Section 2 In order to carry out the provisions of this act the Department of Highways is hereby authorized to expend any of the moneys appropriated to it from time to time for highway purposes

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

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

On the question,

Shall the bill pass finally?

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

YEAS 187

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

NAYS—1

Hewitt,

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

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

## BILL PASSED OVER

There being no objection House Bill No. 1188, Printer's No. 511, was passed over at the request of the SPEAKER.

## BILL ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 986, as follows:

An Act to amend section two thousand one of the act approved the twenty-third day of June one thousand nine hundred and thirty-one (P. L. 932) entitled "An act relating to cities of the third class and amending revising and consolidating the law relating thereto" by fixing the minimum compensation for patrolmen in such cities

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

Section 1 Section two thousand one of the act approved the twenty-third day of June one thousand nine hundred and thirty-one (P. L. 932) entitled "An act relating to cities of the third class and amending revising and consolidating the law relating thereto" is hereby amended to read as follows

Section 2001 Appointment Number Rank Compensation and Qualifications of Policemen The council shall fix by ordinance the number rank and compensation of the members of the city police force who shall be appointed in accordance with the civil service provisions of this act No policeman shall after his appointment and qualification hold at the same time the office of constable Council shall prescribe all necessary rules and regulations for the organization and government of the police force The compensation of patrolmen shall in no case be less than the following amounts

Fourteen hundred dollars (\$1,400) per annum for the first year of service and an additional annual increment of ninety-five dollars (\$95) for each year of service after the first year not however exceeding seven such annual increments All patrolmen employed in any city shall from the time this act becomes effective be entitled to compensation in accordance with this act including the increment credits accrued for service prior to the effective date of this act Provided That compensation of a patrolman shall not after the effective date of this act be reduced below the amount he is receiving at the time this act becomes effective for the reason that he has not sufficient annual increment credits to entitle him according to the preceding provisions of this act to the compensation he is then receiving or be reduced for any other reason whatsoever

Section 2 The provisions of this act shall become effective the first day of January one thousand nine hundred and forty-two.

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 Fayette, Mr. Tarr.

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

Mr. TARR. I shall, Mr. Speaker.

Mr. DIX. Mr. Speaker, will the gentleman from Fayette explain the salaries provided in this bill for policemen?

Mr. TARR. Mr. Speaker, does the gentleman have a copy of the bill there?

Mr. DIX. I think I have.

Mr. TARR. Mr. Speaker, for the information of the gentleman from Wayne, the salary range is very clearly

set forth in the bill. The bill starts the policemen in third class cities at an annual salary of \$1400, and has seven increments of \$95 each.

Mr. DIX. Mr. Speaker, are the increments retroactive?

Mr. TARR. Mr. Speaker, if the gentleman will read lines 16 and 17 of the bill, he will find, "After the first year, not however exceeding seven such annual increments. All the patrolmen employed in any city shall from the time this act becomes effective be entitled to compensation in accordance with this act including the increment credits accrued for service prior to the effective date of this act."

Mr. DIX. Mr. Speaker, then I understand that the bill includes increments for years prior to the passage of this bill?

Mr. TARR. Mr. Speaker, it does for seven years.

Mr. DIX. Mr. Speaker, I understand the gentleman from Fayette is an educator, a school teacher.

Mr. TARR. Mr. Speaker, I have been called that, sir.

Mr. DIX. Mr. Speaker, may I inquire what salary the gentleman gets at the present time, if I am not a little bit personal?

Mr. TARR. Mr. Speaker, that is rather personal but I will say that I make, when I am teaching school, more than the policemen get when they get all their increments. May I state that I work for a good Democratic school board.

Mr. DIX. Mr. Speaker, may I inquire what the gentleman's starting salary was?

Mr. TARR. My starting salary was not in the state of Pennsylvania but my salary was \$175 per month.

Mr. DIX. Mr. Speaker, does the gentleman from Fayette think that a policeman is worth more to aid safety and to regulate traffic than one who teaches our children the American way of life, and how to use his faculties for the best interests of himself and his family?

Mr. TARR. Mr. Speaker, in answer to the gentleman from Wayne, I would say that I cannot compare the teacher and the policemen in the matter of salary. I might answer the gentleman by asking him this question, "Do you think a technician in some of our industries who receive five six or seven thousand dollars a year are worth more than the teacher or the policeman?" I believe both the policeman and the school teacher have a definite part to play in our society, and I say further I think that they both should be adequately paid.

## MR. WOODSIDE IN THE CHAIR

Mr. DIX. Mr. Speaker, is not the gentleman from Fayette the sponsor of this bill?

Mr. TARR. Mr. Speaker, I am the sponsor of this bill.

Mr. DIX. Did not the gentleman from Fayette support a bill which provided for teachers' starting salary to be one thousand dollars a few days ago?

Mr. TARR. Mr. Speaker, I supported a bill and I also supported a bill to start the teachers. If you will look back in your history, you will notice that I have there a bill starting the teachers in the fourth class districts at fourteen hundred dollars and having four one hundred dollar increments. That bill is in print under my name but I have not been able as yet to get it moved from any committee.

Mr. DIX. Mr. Speaker, did the gentleman from Fayette add an amendment to this bill which was passed a few



days ago, starting teachers at one thousand dollars? Did the gentleman offer any amendment to that bill?

Mr. TARR. I did not, Mr. Speaker.

#### POINT OF ORDER

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

The SPEAKER pro tempore. The gentleman from Allegheny will state his point of order.

Mr. MORAN. Mr. Speaker, the interrogation is not on the bill before the House.

The SPEAKER pro tempore. The gentleman will confine his remarks to the question before the House.

Mr. DIX. Mr. Speaker, I am comparing the salaries of policemen with the salaries of teachers and I think that is perfectly proper. Mr. Tarr comes in here with a bill starting the policemen's salary at fourteen hundred dollars a year with increments bringing their final salary up to two thousand dollars, but when the teacher's bill came up here providing for a starting salary of one thousand dollars with two increments of fifty dollars each, or a total of eleven hundred dollars, the gentleman from Fayette did not offer an amendment to that bill.

#### QUESTION OF PERSONAL PRIVILEGE

Mr. TARR. Mr. Speaker, I rise to a question of personal privilege.

The SPEAKER pro tempore. The gentleman from Fayette will state his question of personal privilege.

Mr. TARR. Mr. Speaker, it seems to me that every time a bill is sponsored by me or has any part of my name on it, certain Members of the House seem to rise to their feet to express the poison that seems to be in their system concerning me. Now, I am not a bad fellow and if you do not believe me, ask my mother. It seems to me that every time anything comes up. I am asked all sorts of questions as to when I started to teach school, how long ago, which was fifteen years ago, and how much money I make. I, therefore, ask the Chair to request the gentleman to confine his remarks to the bill now before us.

Mr. DIX. Mr. Speaker, I am not as squeamish as that—

The SPEAKER pro tempore. The gentleman from Fayette, Mr. Tarr, is not required to answer any questions which relate to his personal conduct. He has the right to refuse to answer any questions that are put to him. The gentleman from Wayne will confine his remarks to the bill before the House.

Mr. DIX. Mr. Speaker, I am not so squeamish and I would be very glad to answer any questions the gentleman wishes to ask me.

Mr. TARR. Mr. Speaker, I desire to interrogate the gentleman from Wayne Mr. Dix.

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

Mr. DIX. I shall, Mr. Speaker.

Mr. TARR. Mr. Speaker, I would like to ask the gentleman from Wayne the same question I asked a couple of weeks ago. First, does the gentleman represent any third class city?

Mr. DIX. No, I do not. But I think I represent the taxpayers of Pennsylvania to a certain extent as a state Representative.

Mr. TARR. I thank the gentleman, Mr. Speaker. Does the gentleman from Wayne have any taxpayers in his county who will be affected by the passage of this bill?

Mr. DIX. Mr. Speaker, we are likely to have that very soon, we are approaching a city stature and that is the only reason why I am opposing this bill. Just as soon as this bill is passed they will be asking the same thing for boroughs.

Mr. TARR. Mr. Speaker, does the gentleman know the amount of money that is returned to third class cities by the Commonwealth for law enforcement each year?

Mr. DIX. Mr. Speaker, I must say I am not familiar with the amount returned to the cities for law enforcement.

Mr. TARR. Mr. Speaker, does the gentleman know whether or not the state of Pennsylvania pays any part of the law enforcement bill to third class cities?

Mr. DIX. I understand the state does Mr. Speaker.

Mr. TARR. Mr. Speaker, can the gentleman from Wayne tell me any way that they do contribute the money directly to law enforcement in third class cities?

Mr. DIX. Mr. Speaker, I will be glad to answer that question to the best of my ability. I imagine that the cities get some refunds from traffic violations and things of that sort.

Mr. TARR. That is all, Mr. Speaker.

Mr. DIX. Mr. Speaker, I have here before me letters from half of the third class cities of Pennsylvania. I do not intend to read the contents of these letters but I would like to read a few brief extracts and then ask permission to file certain portions of these letters of record.

Mr. Speaker, I sent a questionnaire to every mayor of all third class cities of Pennsylvania and I received a reply to ninety percent of those questionnaires and there is not one of those questionnaires except possibly one, where the mayor and the council are in favor of raising the salaries of third class city policemen. All these councilmen and mayors are elected by the people and there is no reason why these duly elected officers should not be the ones to set the salaries. This bill is definitely an anti-home rule bill and I for one am going to speak every time a bill of this kind comes up. I think it is an imposition upon the taxpayers for the legislature to set the salaries of policemen of third class cities when they have officials elected for that purpose. I would therefore like to just read a few extracts from these letters and then turn the letters over for the record if I may do so.

Here is a letter from city number one, which says:

"There are seventy-three patrolmen who are each receiving \$1,800 salary a year and seven patrolmen each receiving \$650 per year making the total to be extended for patrolmen for the year \$142,950. Under the system as proposed by the new act the total to be extended for the year for patrolmen would be \$184,100, or an increase of \$41,150".

"Should this bill be passed I believe we would be obliged to increase our tax rate one mill and this would most certainly be a burden to the taxpayer to pay this additional tax".

For your information I will read a letter from City No. 2 which is as follows:

"For your information, if the salaries of the Police Officers are increased as contemplated by the Act of the Legislature, the Police Payroll will be increased approximately \$30,000."

"We do not believe it would be fair for the Legislators to set the salaries for men for whom they are not responsible. There is nobody in a better position to judge the salaries than the public officials who are responsible for the affairs of the City."

Here is an excerpt from a letter received from City No. 3:

"I am very much opposed to the legislature fixing a minimum salary for police and firemen as was proposed at a former session. It seems to me that that denies the city the right to control its financial affairs and would unquestionably work a serious hardship."

Mr. HEATHERINGTON. Mr. Speaker, I have just looked at a map I have here in my desk and I cannot find City No. 1, City No. 2 or City No. 3.

Mr. DIX. Mr. Speaker, these letters are confidential. The SPEAKER (pro tempore). The gentleman from Wayne is talking about cities 1, 2 and 3.

Mr. DIX. Mr. Speaker, these letters are confidential and a newspaperman never violates a confidence.

Mr. Speaker, may I read for the benefit of the House the following from a letter received from City No. 4:

"Please let me say that I am unalterably opposed to the proposed bill whereby the salaries of policemen would be set by the legislature."

I will quote an excerpt from a letter received from City No. 6 which is as follows:

"I wish to first congratulate you and the other members of the House that opposed this police bill two years, and I feel you showed a keen sense of business ability in so doing.

"I feel that the State has no right to take from the local communities the right of setting the salaries of our policemen. Each community knows best what they can afford to pay.

"We as officials of our city have tried to run it on a business like basis, one in which industry would be glad to locate in Pennsylvania in, so please do not spoil this by taking away any more local rights."

Mr. BAKER. Mr. Speaker, I just noticed the gentleman from Wayne, Mr. Dix, skipping over one or two cities. The gentleman first mentioned cities 1, 2 and 3 and then he jumped over City No. 5 and took up City No. 6. I think this House is entitled to know where these letters are coming from. I think it is foolish for us to sit here and listen to Cities 1, 2 and 3 and then jump over 5 and then come to City No. 6. I think the gentleman from Wayne, Mr. Dix has been in the House long enough to know better.

Mr. DIX. Mr. Speaker, I could read all these letters but I know that nobody wants to hear everything that is in the letters. If the gentleman insists I will read them all.

Mr. MIHM. Mr. Speaker, I want to hear about City No. 7.

Mr. DIX. Mr. Speaker, I will read from a letter received from City No. 7 as follows.

"I do not believe it to be the best interest of the taxpayers and citizens to abolish the local rights of setting up salaries and to have that done by the legislature.

"I believe very much in home rule and that the city should be allowed to make its own budget and I would very much favor our city patrolmen having the above increases as suggested."

Mr. BAKER. Mr. Speaker, I would like to interrogate the gentleman from Wayne, Mr. Dix.

The SPEAKER (pro tempore). Will the gentleman from Wayne permit himself to be interrogated?

Mr. Dix. I shall Mr. Speaker.

Mr. BAKER. Will the gentleman from Wayne tell this House where City No. 7 is, east, west, north, or south?

Mr. DIX. I will tell the gentleman where it is, it is in the state of Pennsylvania.

Mr. BAKER. Mr. Speaker, the state of Pennsylvania covers a lot of territory. Will the gentleman tell us what the name of the city is?

Mr. DIX. No I will not, Mr. Speaker.

Mr. BAKER. Will the gentleman tell us what county it is in?

Mr. DIX. No, I will not Mr. Speaker.

Mr. BAKER. Will the gentleman tell us the name of the Mayor of that city?

Mr. DIX. No, I will not, Mr. Speaker, because this is confidential.

Mr. BAKER. Mr. Speaker, since the gentleman from Wayne, Mr. Dix, does not know where these cities exist, I move that they be expunged from the record, those cities exist only on paper.

Mr. DIX. Mr. Speaker, I do know where they exist, they exist in the Commonwealth of Pennsylvania.

The SPEAKER (pro tempore). If the gentleman desires to make that motion, he may make it after the vote is taken on the bill.

Mr. BAKER. Mr. Speaker, I withdraw my motion.

Mr. DIX. Mr. Speaker, if I had not been delayed by the opposition, by the tactics of the gentleman on the other side, I would have been through with this long ago.

The following is an excerpt from City No. 11:

"I am opposed to interference with the present local right of setting salaries of all municipal employes as the legislation intended for all third class cities cannot comprehend the problems of this city. We are not only unable to increase the present salaries but we are also unable to increase the police force, although such increase is really necessary because of traffic conditions."

Mr. PETROSKY. Mr. Speaker, I desire to interrogate the gentleman from Wayne, Mr. Dix.

The SPEAKER (pro tempore). Will the gentleman from Wayne permit himself to be interrogated?

Mr. DIX. I shall, Mr. Speaker.

Mr. PETROSKY. Mr. Speaker, due to the fact that I have five third class cities in my county, it has always been my principle to vote intelligently on these bills, and not having any communication from them, I would like to have the gentleman read the data from his letters from the cities of Monessen, Jeannette, Greensburg, Arnold and New Kensington in Westmoreland County. I believe that courtesy should be shown to the members so that they can vote intelligently. If the gentleman will show letters such as he has been reading, from the cities I have named, then I will be in favor of opposing this bill, and not until then.

Mr. DIX. Mr. Speaker, that is exactly what I am going to do. I have here a survey of practically every third class city in Pennsylvania and the data relating to them and I will be glad to answer anyone's question from this data.

Mr. PETROSKY. Mr. Speaker, will the gentleman from Wayne tell me the status of the letters from the city of New Kensington in Westmoreland County.

Mr. DIX. Mr. Speaker, I will give the gentleman the status of the questionnaire from what I have listed here. I cannot give the gentleman these letters because they are confidential.

Mr. PETROSKY. Mr. Speaker, does the gentleman from Wayne have the data of the city of New Kensington?

Mr. DIX. Mr. Speaker, if the gentleman will bear with me just a moment, I will get down to the data which I have collected. The gentlemen on the other side have taken

up far more time than I have and I would like to continue with my statement with reading excerpts from these third class cities.

Mr. Speaker, I will now read for the benefit of the members a portion of a letter received from City No. 13 which is as follows:

"Our City Council have gone on record opposing the bill for the reason that it will mean an increase of the cost of maintaining our police department the first year of \$12,500, and our city is not in a financial condition to stand an increase of that kind.

"I would say that the police are well paid considering everything. They have one day a week off, with pay, ten days sick leave with pay, and in addition fourteen days vacation with pay, and we pay our patrolmen \$140 a month.

#### QUESTION OF PERSONAL PRIVILEGE

Mr. MAXWELL. Mr. Speaker, I rise to a question of personal privilege.

The SPEAKER. The gentleman from Westmoreland will state his question of personal privilege.

Mr. MAXWELL. Mr. Speaker, being from a third class city, the great city of Monessen, I object to that city being labeled, as one, two, three, four, five or six. I would like the gentleman to enumerate the names of these cities that he has on those letters.

#### POINT OF ORDER

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

The SPEAKER, pro tempore. The gentleman from Delaware will state his point of order.

Mr. TURNER. Mr. Speaker, the gentleman is not speaking on a question of personal privilege.

The SPEAKER, pro tempore. The point of order is well taken.

Mr. DIX. Mr. Speaker, these interruptions are getting on my nerves.

The SPEAKER, pro tempore. The gentleman from Wayne will keep his nerves.

Mr. DIX. Mr. Speaker, if I have any more interruptions, I am going to say something that perhaps I should not say.

Mr. MATTHEW J. WELSH. Mr. Speaker, the gentleman from Wayne has stated that the interruptions are getting on his nerves. He also stated—

#### POINT OF ORDER

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

The SPEAKER pro tempore. The gentleman from Delaware will state his point of order.

Mr. TURNER. Mr. Speaker, the gentleman is speaking and addressing the House during the time the gentleman from Wayne, Mr. Dix has the floor.

The SPEAKER pro tempore. The point of order is well taken. The gentleman from Wayne, Mr. Dix has the floor and will proceed.

Mr. DIX. Mr. Speaker, I want to repeat again that there are certain gentlemen on the other side—

Mr. ACHTERMAN. Mr. Speaker, I would like the consent of the gentleman from Delaware to make a motion.

The SPEAKER pro tempore. What is the nature of the motion?

Mr. ACHTERMAN. I desire to recommit to the committee on Health and Welfare the frayed nerves of the gentleman from Wayne, Mr. Dix.

The SPEAKER pro tempore. The motion should be delayed until it covers all of the gentleman's remarks.

Mr. DIX. I thank you, Mr. Speaker. I would like to interrogate the majority floor-leader, the gentleman from Monroe, Mr. Achterman.

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

Mr. ACHTERMAN. I shall, Mr. Speaker.

Mr. DIX. Mr. Speaker, how are the conditions of the nerves of the gentleman from Monroe, Mr. Achterman, at the present time?

Mr. ACHTERMAN. Will the gentleman from Wayne please repeat his question?

Mr. DIX. Mr. Speaker, what is the condition of the gentleman's nerves at the present time?

Mr. ACHTERMAN. Mr. Speaker, I am still managing to bear up even with the impressive comments on the other side.

Mr. DIX. Mr. Speaker, if the gentleman can bear up with the comments, I think I can bear up with the more impressive comments from the other side.

Mr. BAKER. Mr. Speaker, I desire to interrogate the gentleman from Wayne, Mr. Dix.

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

Mr. DIX. I shall be delighted, Mr. Speaker.

Mr. BAKER. Can the gentleman from Wayne, Mr. Speaker, tell this House whether or not this is one of those bills that we saw so well portrayed the other night, "Somebody stole my bill"?

Mr. DIX. Well, Mr. Speaker, I certainly did not steal this one. I would not acknowledge ownership of it.

Mr. BAKER. Mr. Speaker, will the gentleman tell this House how much they pay policemen in Honesdale, where I spent some months ago the sum of twenty or thirty dollars?

Mr. DIX. Mr. Speaker, they pay them a pretty good salary, more than they pay the teachers, I am sorry to say.

Mr. BAKER. Mr. Speaker, that is another one of those answers, one, two, three and four. How much do they pay the police in Honesdale?

Mr. DIX. Mr. Speaker, we have various scales of wages—they run all the way from \$1,000 to \$1,200 or \$1,400.

Mr. BAKER. Mr. Speaker, since the nerves of the gentleman in this debate have been shattered, along with the nerves of Mr. Achterman, I refer both of the gentlemen to the doctor back here, Doctor Sarraf.

Mr. DIX. Mr. Speaker. I will add one more letter.

The SPEAKER pro tempore. The gentleman will read the last letter.

Mr. DIX. Mr. Speaker, this is from City No. 14, which reads as follows

"Our city has a police force of about 100 men and it pays our patrolmen the same amount; \$1,890 each per annum."

#### QUESTION OF PARLIAMENTARY INQUIRY

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

The SPEAKER pro tempore. The gentleman from Berks will state his question of parliamentary inquiry.

Mr. READINGER. Are we Mr. Speaker in the midst of an anonymous filibuster?

The SPEAKER pro tempore. The Chair believes so. The gentleman will proceed with the final letter.

Mr. DIX. Mr. Speaker, I will continue with reading the excerpts from the letter from City No. 14:

"We have figured that this would increase the pay of our police force \$42,660 or more than half a mill additional levy on our property taxes."

"Conditions are such in our city that this would be a very great burden on our taxpayers who are demanding a reduction rather than an increase."

Mr. Speaker, I would have been through with my entire talk in regard to this police bill if it had not been for so many interruptions from the other side, but at the present time I would like to introduce here a copy of a tax bill, a tax advertisement that was put in the papers this morning. This is from a Harrisburg newspaper. I find here that there are around three hundred tax sales advertised in the city of Harrisburg. Some of the taxes only run a few cents and up to as high as \$500. I contend that any city, and there are many of the third class cities that are in worse shape than Harrisburg, I contend that any city that has hundreds of tax sales for delinquent taxes is in no shape to pay the policemen additional sums of money at the present time.

I have here now, Mr. Speaker, a survey of all of the third class cities in the state of Pennsylvania and if there is any gentleman who would like to get some information in regard to any particular city I will be glad to answer his question.

Mr. TARR. Mr. Speaker, I desire to remind the Members of the House that the No. 1 City in the State of Pennsylvania is the city of Uniontown.

In all seriousness we have had quite a bit of fun this afternoon but we have a question before us which we must decide. I think if the figures are properly presented and if the towns are called by name, as I am going to call them, we will find that it is not so much a question of taxes for police purposes as it is for other purposes.

Let me illustrate with the city of Uniontown which employs only twenty-two policemen? The city of Uniontown according to the figures I have from the Liquor Control Board received last year \$18,840 for law enforcement. The city of Uniontown took in on its various fines during the past year or \$14,000. The city of Uniontown also received from the parking meters, and this will apply to parking meters in all third class cities in the state of Pennsylvania, they received an average of one dollar per person in the city. In other words, the city of Uniontown received, exclusive of the real estate taxes, a sum which was \$20,000 in excess of the amount required to run its police department. Let me explain that further by saying that in the city of Uniontown the policemen receive \$140 a month after they have worked one year, then salaries stay at \$140. This is after having worked the first year when they receive \$120 a month.

I am sincere in saying that the problem of the policeman is a very serious problem. He is one of those persons who must be taken care of, not by the local politicians, not by the local councilmen or mayors who are elected by some political group, but they are the men who we call when we are in trouble. As long as we pay our policemen the sum of \$120 or \$130 a month, just so

long we will have fat gangsters and number writers riding the streets and eating in the best of restaurants, and just so long are we going to have this problem of helping our policemen out, and we will have the battle of juvenile delinquency. The policeman must put up a good front. He has to buy his own uniform, he must even buy the bullets that are sometimes taken from him and pumped into his own body. We quibble here and have a lot of fun about the police department, yet we are not paying the policemen enough. My bill only starts the policemen at a salary of \$1,400 a year. That is, of course, subject to the retirement tax. Again let me point out the dangers that are attendant upon being a policeman in any third class city. I know there are very few men in this House who would have the intestinal fortitude to walk up to a parked car on a dark street and open the door of that car to see who was in there, knowing that any time someone might pull a gun on him. We have the opposition of some members who purport to represent certain leagues of cities of first, second and third class, but I say, gentlemen, in all fairness the policemen who protect our homes, my wife and my children and my parents, should give them a decent living wage by voting for this bill at this time.

Mr. DIX. Mr. Speaker, the only persons that tried to make a joke out of this bill are the members of the majority party. I would just like to summarize so long as no one has asked me that question as to my own city. I hope that the Members of the House will not interrupt me again. I might say that the number of third class cities is forty-six, I have statistics here from thirty-eight of these cities. The councils and mayors of the cities who are in favor of increasing the salaries are to the extent of one; those who are opposed to the legislature setting the salaries are thirty-three; those who do not send any data are four. In 1940 the population of all these cities ran into a tremendous figure, up into the millions. The largest city is the city of Erie with 116,243 population, and the smallest city is the city of Titusville with a population of 8055. I am just wondering if the Members of this House who are thinking of voting for this bill know that there is only one policeman in every thousand population. In other words, you are voting to take money away from one thousand people and to hand it over to one person. That is all there is to it.

There is a waiting list of from two hundred and seventy-four to none in these cities. A high school education is required in only two cities. No high school education is required in 36 of the 38. The policemen are satisfied with their salaries in 35 of the cities; only two cities are dissatisfied with the salaries paid to their policemen. Uniforms are furnished by nine cities and by contributions by six—

Mr. MATTHEW J. WELSH. Mr. Speaker, I desire to interrogate the gentleman from Wayne, Mr. Dix.

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

Mr. DIX. I shall, Mr. Speaker.

Mr. MATTHEW J. WELSH. Mr. Speaker, is the gentleman for this bill or against it?

Mr. DIX. Mr. Speaker, I do not want to question the intelligence of the gentleman from Fayette. The gentleman from Fayette certainly knows that I am against the bill.

Mr. MATTHEW J. WELSH. Mr. Speaker, does the

gentleman think by holding this House here for another couple of hours it will make any difference in the result?

Mr. DIX. Mr. Speaker, I do not know that it will make any difference, but I would have been through some time ago if I had not had these constant interruptions on the part of the gentlemen of the majority party.

Mr. MATTHEW J. WELSH. The gentleman will proceed.

Mr. DIX. Mr. Speaker, the cities that have a retirement system are 31. The maximum salary, and I want each Member of the House to note this, as there is absolutely no need for this bill, because the policemen are already getting practically what this bill calls for, there are only two cities that I can find which have a salary of twelve hundred dollars. I say that under those circumstances there is no need for this bill at all. The number of cities who have salaries of fifteen hundred dollars run from Lock Haven up to New Kensington, which has a salary of \$2,220. As to minimum salaries, there are two cities, one is York, which has a salary of \$1,200, and that is practically the only city in the state that has a \$1,200 starting salary. The tax rate in the cities runs from 6 mills to 22 mills

#### MR. MATTHEW J. WELSH IN THE CHAIR

The SPEAKER (pro tempore). The Chair now recognizes the gentleman from Allegheny, Mr. Baker, who moves the previous question. All those in favor of the motion for the previous question will please arise.

Mr. DIX. Mr. Speaker, I appeal from the ruling of the Chair. I still have the floor.

The SPEAKER (pro tempore). The Chair regrets to say he does not see enough seconders. The gentleman from Wayne has the floor. The gentleman will proceed.

Mr. DIX. Thank you, Mr. Speaker. You are more courteous as a Speaker than you are as a Member of the House.

The SPEAKER (pro tempore). Will the gentleman please repeat the remark.

Mr. DIX. I said, Thank you, you are more courteous as a Speaker of the House than you are as a Member of the House.

The SPEAKER (pro tempore). The presiding officer at this time thanks the gentleman for the kind remarks, and suggests that he confine his remarks. Most of us have not had our lunch.

Mr. DIX. Neither have I, Mr. Speaker. I just have a few more words to say.

Mr. MOUL. Mr. Speaker, I desire to interrogate the gentleman from Wayne, Mr. Dix.

The SPEAKER (pro tempore). Will the gentleman from Wayne permit himself to be interrogated?

Mr. DIX. I shall, Mr. Speaker.

Mr. MOUL. Mr. Speaker, the gentleman from Wayne has been mentioning City No. 1, No. 2, No. 3, No. 4, No. 5 and so on, and in his last remark he referred to the City of York. In behalf of myself and my colleagues who come from the City of York, since the City of York was mentioned specifically, I would like to know what correspondence the gentleman has from the City of York. I think that is a fair question as long as the gentleman has mentioned particularly the City of York as one that stood out by itself.

Mr. DIX. Mr. Speaker, as I said before, when I wrote

and sent out these questionnaires I told each Mayor that the information conveyed was absolutely confidential and it will be confidential.

THE SPEAKER (Elmer Kilroy) in the Chair.

The SPEAKER. The Chair thanks the gentleman from Dauphin, Mr. Woodside and the gentleman from Fayette, Mr. Welsh, for presiding.

Mr. MOUL. Mr. Speaker, did not the gentleman violate that confidence when he singled out the city of York a minute ago and said something about the city of York? He mentioned cities by numbers, City No. 1, No. 2, 3 and 4 but he mentioned specifically the city of York.

Mr. DIX. Mr. Speaker, I would be very glad if the gentleman wants to take up the time to take the questionnaire and read it. I was giving my information from the questionnaire and not from the letters.

Mr. MOUL. Mr. Speaker, we are going to be asked to vote on this question and since the city of York has been specifically mentioned by the gentleman from Wayne, I would like to know what information the gentleman has when he mentioned the city of York. I think that is a fair question, if the information supplied by the gentleman is to be used as a basis to decide this vote.

Mr. DIX. That is a perfectly fair question and I will give him the information I have. The population is 56,666, the number of officers without the chief is given as 52; the waiting list is 50; high school education is not required; satisfied with their salary, the majority of them; uniforms, I understand are not furnished. I think that is the way to answer that. Retirement system, yes, they have their retirement system. Maximum salary is \$2,000 and the minimum salary is \$1,200 and the tax rate is .0105.

Mr. MOUL: Since the gentleman from Wayne has given out that much information we are entitled to know what was the recommendation of the gentleman who wrote the letter. The gentleman has given us the major portion of the information and we are entitled to know what the recommendation was, are they for or against the increase in salary?

Mr. DIX. Mr. Speaker, I see no necessity for giving out the entire contents of these letters.

Mr. MOUL. Mr. Speaker, the gentleman from Wayne has given out at least some portion of them and therefore we are entitled to know whether or not they were given as being in favor or as being against the increase in salaries.

#### PARLIAMENTARY INQUIRY

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

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

Mr. TURNER. Mr. Speaker, a member of the House having stated a fact which he had received in a confidential communication, is he compelled to disclose the fact of that confidential communication?

The SPEAKER. In answer to the question of parliamentary inquiry he is not compelled to do so.

Mr. TURNER. Mr. Speaker, then it seems to me it is highly unfair to continue this interrogation. Mr. Dix has stated that he has communications which he considers confidential. There can be no purpose in disclosing what is in these confidential communications. He has given the

facts. It seems to me in consideration of the Members of the House, this sort of tactics should be discontinued, and Mr. Dix should be allowed to close as quickly as possible.

PARLIAMENTARY INQUIRY

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

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

Mr. MOUL. Mr. Speaker, is it permissible for a member to use anonymous information in an effort to swing votes in this House, to convince us that we should vote for or against the bill? We are being quoted a lot of anonymous information. If we have no names and the gentleman refuses to give them, except No. 1, No. 2, No. 3, No. 4, No. 5 and so on, if that is to be a part of the record to convince us, is the gentleman permitted to use anonymous information in order to influence our minds as representatives?

The SPEAKER. Each individual Member will determine for himself whether he will permit such information to influence his vote.

Mr. RUSH. Mr. Speaker, I desire to interrogate the gentleman from Wayne, Mr. Dix.

The SPEAKER. Will the gentleman from Wayne, Mr. Dix, permit himself to be interrogated?

Mr. DIX. I shall, Mr. Speaker.

Mr. RUSH. Mr. Speaker, I would like to ask the gentleman from Wayne, Mr. Dix, whether he has received any communication from the city of Chester, Pennsylvania, concerning this bill?

Mr. DIX. I have, Mr. Speaker.

Mr. RUSH. Mr. Speaker, I understood Mr. Dix to say that there is one City in the state of Pennsylvania that approved an increase in wages to the policemen of that city. Was that city the City of Chester, Pennsylvania.

Mr. DIX. Mr. Speaker, that would be violating a confidence again. I think the gentlemen on the other side are more imbued with curiosity than they are with justice.

The SPEAKER. Will the gentleman please confine his remarks to the bill. The Chair has given him plenty of latitude.

Mr. DIX. I will do that, Mr. Speaker.

Mr. RUSH. Mr. Speaker, I would like to have that information, if the gentleman from Wayne will give it to us.

Mr. TARR. Mr. Speaker, the information which is being given out by the gentleman from Wayne is taken from a questionnaire about satisfaction with wages, and so forth, and does not deal directly with the bill before us. The bill before us is, whether or not we shall vote to set a minimum wage for policemen and set a salary schedule. The only thing in that is whether the policemen are satisfied, which is a statement by the Mayor; also whether they buy uniforms or not. I do not think it has any bearing on the bill, and I think the gentleman is out of order.

Mr. DIX. Mr. Speaker, this is a tax measure as well as a salary grab and the taxpayer will have to foot the bill, and I submit that anything that is pertinent to the salaries of policemen is certainly pertinent to this bill.

Mr. RUSH. Mr. Speaker, within the period of the last six weeks the mayor and council of our city have definitely made a statement to the Police Association of the city of

Chester that they do favor an increase in wages and it would be provided for in the next budget which is to be set up at the beginning of next year.

POINT OF ORDER

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

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

Mr. TURNER. Mr. Speaker, the gentleman is speaking on the measure and not interrogating.

The SPEAKER. The gentleman asked permission to have the floor and the Speaker granted it—

Mr. DIX. Mr. Speaker, if you will just give me two minutes—

The SPEAKER. Will the gentleman from Wayne yield? The gentleman from Wayne, Mr. Dix had the floor. The gentleman from Delaware, Mr. Rush, asked permission to interrogate the gentleman and then addressed the House. Therefore, the point of order of the gentleman from Delaware is not well taken.

Mr. RUSH. Mr. Speaker, I thought that the gentleman from Wayne was through and I asked permission to make a statement and was granted permission.

The SPEAKER. The gentleman from Wayne has the floor.

Mr. DIX. Mr. Speaker, if those Members of the House on the other side—

The SPEAKER. The gentleman is out of order. The gentleman will have to confine himself to the bill before the House.

Mr. BAKER. Mr. Speaker, I move the previous question.

The motion was seconded by Messrs. Marks, Wright, McDermott, Rausch, Leonard, Finestone, Hering, Hersch, Malloy, Melchiorre, Reynolds, Polaski, Cochran, O'Mullen, Bentzel, Stine, Moul, Gryskewicz, Gallagher, Komorowski, and others.

On the question,

Shall the main question be now put?

It was agreed to.

On the question recurring,

Shall the bill pass finally?

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

YEAS—130

Achterman,	French,	Maxwell,	Rooney.
Allmond,	Gallagher,	McClanaghan,	Rose, S.
Baker,	Gerard,	McDermott,	Rose, W. E.,
Balthaser,	Goodwin,	McFall,	Rush,
Bentzel,	Gross,	McGrath,	Sarraf,
Boles,	Gryskewicz,	McIntosh,	Scanlon,
Boney,	Habbyshaw,	McLanahan,	Schwab,
Bradley,	Haberlen,	McLane,	Shaffer,
Breth,	Haines,	McSurdy,	Shepard,
Brunner, P. A.,	Harkins,	Melchiorre,	Stank,
Burns,	Harmuth,	Mihm,	Stine,
Burriss,	Harris,	Modell,	Tarr,
Chervenak,	Heatherington,	Monks,	Tate,
Chudoff,	Hering,	Mooney,	Taylor,
Cochran,	Herman,	Moran,	Thompson, E. F.,
Cohen, M. M.,	Hersch,	Moul,	Thompson, R. L.,
Cohen, R. E.,	Hirsch,	Munley,	Verona,
Cook,	Jefferson,	Nunemacher,	Vincent,
Cooper,	Jones, P. N.,	O'Brien,	Vogt,
Cordier,	Kenehan,	O'Connor,	Voldow,
Corrigan,	Kline,	O'Mullen,	Watkins,
Croop,	Kolankiewicz,	O'Neill,	Weiss,
Cullen,	Komorowski,	Owens,	Welsh, E. B.,
Dalrymple,	Lee, T. H.,	Petrosky,	Welsh, M. J.,

Dolon, D'Ortona, Duffy, Elliott, Falkenstein, Finestone, Finnerty, Fleming, Flynn,	Leonard, Lesko, Levy, Leydic, Lichtenwalter, Longo, Lovett, Malloy, Marks,	Pettit, Polaski, Pfen, Powers, Prosen, Rausch, Readinger, Reese, R. E., Reynolds,	Wilkinson, Williams, Wolf, Woodside, Wright, Young, Kilroy,  Speaker.
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NAYS—39

Auker, Boorse, Bretherick, Dennison, Dix, Early, Eckels, Elder, Ely, Fisher,	Fletcher, Foor, Gates, Gillette, Gyger, Hall, Helm, Imbrie, James, Lelsey,	Lyons, McClester, McKinney, Muir, O'Dare, Rank, Riley, Royer, Sarge, Snyder,	Stambaugh, Trout, Turner, Van Allsburg, Weingartner, Wood, N., Woodring, Yeakel, Yester,
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The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

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

REASON FOR VOTE

Mr. RANK filed the following reason for his vote:

My reason for voting against House Bill 986, is that I object to the delegation from Allegheny and Philadelphia Counties telling the Cities of the 3rd Class what they shall pay their police officers. Its our city officials problems and not one of the Legislature. Home rule should apply here.

Mr. WOODRING filed the following reason for his vote:

On Tuesday, April 22, 1941, this House voted upon House Bill 571, Printer's No. 264. At that time I caused reasons to be filed explaining my thoughts concerning the type of legislation now proposed by House Bill 986, Printer's No. 512. Those reasons which appear in the Legislative Journal, page 1597, are equally applicable to the instant Bill. I therefore am compelled to vote in the negative on House Bill 986. I do so with the greatest reluctance, with the utmost sympathy for the policemen's cause, and with the sincere hope that local consideration will be afforded them; or, that a proper Bill, whereby the increases to salaries would be provided by State funds, will be speedily introduced and enacted.

BILL PASSED OVER

There being no objection House Bill No. 139, Printer's No. 514, was passed over at the request of the SPEAKER.

BILLS ON THIRD READING

Agreeably to order,

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

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

On the question,

Will the House agree to the bill on third reading?  
Mr. ELLWOOD B. WELSH. Mr. Speaker, I ask unanimous consent to offer amendment at this time.

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

The Clerk read the amendment as follows:

Amend Sec. 3, page 4, line 5, by inserting after the word "supplies" the following: "or such other person."

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

On the question,

Will the House agree to the amendment.

It was agreed to.

On the question,

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

It was agreed to.

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

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1265, as follows:

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

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

Section 1 The following route established by section sixty-five of the act approved the twenty-second day of June one thousand nine hundred and thirty-one (P. L. 594) entitled "An act establishing certain township roads as State highways authorizing their construction maintenance and improvement under certain conditions and restrictions limiting the obligation of the Commonwealth in the construction of certain structures located on such highways conferring certain powers upon the Department of Highways and local authorities persons associations and corporations for sharing the cost of the maintenance and construction of such highways and making an appropriation to carry out the provisions of said act" is hereby amended to read as follows

Section 35 The township roads to be taken over under the provisions of this act in the County of Westmoreland are those situate and described as follows

\* \* \* \* \*  
Route 64060 Beginning at a county improved road in Waterford and extending in a southerly direction to Willow Grove School thence in a southwesterly direction to the village of Laughlinton on Route 119 and from Route 119 in a general westerly direction to intersect with Route 64062 thence along and coincident with Route 119 in a general westerly direction to the Hanover Farm School thence intersecting with and coincident with Route 64062 in a general southwesterly direction to a road intersection near Speedwell School thence in a southwesterly direction to the village of Rector thence westerly to and across Route 302 thence in a general northwesterly direction by way of Fairview School to intersection with Route 64075 thence in a general northerly direction down Four Mile Run to the west side of Loyalhanna Creek and thence down said creek to Route 119 at McCane in Westmoreland County a distance of about 13.7 1/2 miles

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—188

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

HOUSE BILL NO. 692 TAKEN FROM TABLE

Mr. ACHTERMAN. Mr. Speaker, I move that House Bill No. 692, together with the message from the Senate, which was laid on the table May 8, 1941, be taken from the table.

The motion was agreed to.

The message was read by the Clerk as follows:

SENATE MESSAGE

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, returned bill

from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 692.

An Act to amend clauses (k) and (l) and to add clause (n) to section two thousand four hundred two of the act, approved the ninth day of April one thousand nine hundred and twenty-nine (P. L. 177), entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof, and the administrative departments, boards, commissions and officers thereof; including the board of trustees of State Normal Schools or Teachers Colleges, abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards, and commissions, defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments, boards, commissions and officers fixing the salaries of the Governor, Lieutenant Governor and certain other executive and administrative officers, providing for the appointment of certain administrative officers, and of all deputies and other assistants and employees in certain departments, boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employees of certain departments, boards and commissions shall be determined," authorizing the leasing of Indiantown Gap Military Reservation to the United States.

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives, is requested:

The SPEAKER. The Clerk will read the amendments:

The Clerk read the amendments as follows:

Amend title, page 1, line 1, by striking out after the word "amend" the words "clauses (k) and (l) and to add clause (n) to section two thousand four hundred two of"; also on page 2, by inserting after the word "determined" in the third from the last line of the title, the following: "as amended by making further provisions for the granting of easements or rights-of-way upon across over under or along lands and waters of the Commonwealth making further provision for the granting of commissions to certain air pilots authorizing the Pennsylvania Historical Commission to charge certain admission fees conferring power upon the Department of Property and Supplies to control and supervise certain buildings devised to the Commonwealth authorizing the micro filming of records in the various administrative departments boards or commissions and"; also in the next to the last line, by inserting after the word "Reservation" the words "and certain other real estate of the Commonwealth."

Amend Section 1, page 2, line 1, by striking out after the figure "1" the words "Clause (k) of section two thousand four hundred two" and inserting in lieu thereof the words "Section five hundred fourteen"; also on page 3, line 8, by striking out after the word "as" the words "added by the act approved the twenty-first" and inserting in lieu thereof the following:

"last amended by the act approved the twenty-second day of May one thousand nine hundred thirty-five (Pamphlet Laws two hundred forty-one) and the act approved the twelfth day of July one thousand nine hundred thirty-five (Pamphlet Laws seven hundred ninety-one) is hereby further amended to read as follows

Section 514. Sale of Real Estate and Grants of Rights of Way or Other Rights Over or in Real Estate Tapping Water Lines of Institutions and Sanatoria (a) Except as otherwise in this act expressly provided a department board or commission shall not sell or exchange any real estate belonging to the Commonwealth or grant any easement right of way or other interest over or in such real estate without specific authority from the General Assembly so [to do but a department board or commission may with the approval of the Governor grant a license to any public] service corporation to place upon in or over any dry or



submerged land or bridge of or maintained by the Commonwealth any public service line if such line will enable any State building or State institution to receive better service or if such line is necessary for the service of [persons living adjacent to the Commonwealth's land upon in or over which it is proposed to run the line] the public and it is necessary or reasonably required to cross the Commonwealth's land to afford such service or if the running of such line over a bridge will be more economical than the erection of a separate bridge for the line. Every such license shall be revocable for reasonable cause upon six months' written notice by the Commonwealth and [upon] also after like notice for violation of such [other] proper terms and conditions as the department board or commission with the approval of the Governor shall prescribe when the license issues [and unless] Unless any such line is primarily for the benefit of a State building or State institution the license shall provide for the payment to the Commonwealth of compensation for the use of its property in such amount as the department board or commission granting it shall with the approval of the Governor prescribe.

But nothing herein contained shall authorize the Commonwealth to impose and collect from any municipality or township any compensation for a license granted to such municipality or township for the running of a public service line over any such bridge.

This section shall be deemed the exclusive system for the granting of licenses consents and permits to place public service lines upon in or over any dry or submerged lands of the Commonwealth. In the case of submerged lands such licenses shall be granted only by the Water and Power Resources Board and the permit shall prescribe such terms and conditions as shall be deemed necessary by the board to protect the interests of the public. In the case of dry lands licenses shall be issued by the department board or commission having the management of such lands.

(b) Any department board or commission having control over lands of the Commonwealth underlaid with veins of coal may with the approval of the Governor exchange part of such coal for coal in place owned by private interests which may be necessary to insure lateral or surface support for any building reservoir or structure erected or to be erected on such lands of the Commonwealth. Provided That the coal given by the department board or commission to private interests shall be approximately equivalent in value to the coal received in exchange therefor every such department board or commission is hereby authorized and empowered to execute and deliver and to receive legal instruments and deeds necessary to effectuate any exchange authorized hereunder which instruments and deeds shall have the prior approval of the Department of Justice and a copy thereof shall be filed with the Department of Internal Affairs.

(c) Any department board or commission having control over any water supply serving any State institution or sanitorium may with the approval of the Governor permit and authorize the public authorities of any political subdivision to which no other source of supply is available under suitable regulations to tap the lines of any such water supply for the purpose of supplying water to the people of any community living in proximity to such institution or sanitorium and may impose reasonable charges payable periodically by such political subdivision for the water so furnished. All moneys received under the provisions of this clause shall be paid into the State Treasury through the Department of Revenue.

(d) In the event that the facilities of any corporation heretofore created under the act, approved the twenty-ninth day of April one thousand eight hundred seventy-four (Pamphlet Laws seventy-three) section two clause eleven as amended by the act approved the eighth day of May one thousand eight hundred eighty-nine (Pamphlet Laws one hundred thirty-six) are located by virtue of a permanent easement right of way upon across over under or along lands of the Commonwealth which lands were acquired by it subject to such easement or right of way

and in the interest of National Defense such corporation consents or is required to remove or dispose of such facilities and abandon such easement or right of way any department board or commission having control over such lands of the Commonwealth may with the approval of the Governor and upon the surrender to the Commonwealth of the easement or right of way pertaining to such facilities grant to such corporation a permanent easement or right of way upon across over under or along other lands of the Commonwealth in the same locality. Every such department board or commission is hereby authorized and empowered to execute and deliver and to receive deeds or other legal instruments necessary to effectuate such grant and surrender which deeds or instruments shall have the prior approval of the Department of Justice and a copy thereof shall be filed with the Department of Internal Affairs.

Section 2 Paragraph (j) of section seven hundred one of the said act which was added to said section by the act approved the twenty-first day of June one thousand nine hundred thirty-seven (P. L. 1865) is hereby amended to read as follows:

Section 701 The Governor The Governor shall have the power and it shall be his duty:

\* \* \* \* \*

(j) To grant to pilots, engaged in [the] aeronautical work [of the Department of Revenue] under the provisions of The Aeronautical Code of May twenty-five one thousand nine hundred thirty-three (P. L. 1001) and its amendments commissions of such grades as the Governor may prescribe.

Section 3 Paragraph (f) of section one thousand three hundred nine of the said act is hereby amended to read as follows:

Section 1309 Pennsylvania Historical Commission Subject to any inconsistent provisions of this act contained the Pennsylvania Historical Commission shall have the power:

\* \* \* \* \*

(f) To assume the preservation care and maintenance of historical buildings grounds monuments or antiquities committed to its custody by the General Assembly and to make and enforce rules and regulations for the visitation of such places by the public and at its discretion to charge admission fees therefor such fees to be paid into the State Treasury through the Department of Revenue and credited to the General Fund.

Section 4 Paragraph (a) of section two thousand four hundred two of the said act as amended by the act approved the sixteenth day of May one thousand nine hundred forty (Act No. 7) is hereby further amended to read as follows paragraph (i) of said section is hereby amended to read as follows paragraph (k) of said section as added by the act approved the twenty-first; also in line 11 by striking out after the syllable "lows" the word "clause" and inserting in lieu thereof the word "paragraph"; also in line 15, by striking out after the word "new" the word "clause" and inserting in lieu thereof the word "paragraph"; also by inserting after the word "be" the following:

(a) Subject to the powers by this act vested in the Board of Commissioners of Public Grounds and Buildings to control and supervise the State Capitol Building and the public grounds and buildings connected with the State Capitol including the State Arsenal any building or buildings that may have been devised or may hereafter be devised to the Commonwealth within the City of Harrisburg the Northwest Office Building now occupied by the Pennsylvania Liquor Control Board and the Executive Mansion and to make or supervise the making of all repairs alterations and improvements in and about such grounds and buildings including the furnishing and re-furnishing of the same and also to have general supervision over repairs alterations and improvements to all other buildings lands and property of the State except as in this act otherwise provided.

\* \* \* \* \*

(i) To rent to individuals, firms, or corporations or the Government of the United States or any branch or agency thereof such real estate owned by the Common-

wealth as is not being used in connection with the work of any department board or commission thereof upon such terms and conditions as the Secretary of Property and Supplies may prescribe with the approved of the Governor in writing Provided however That no lease executed under the authority hereby conferred shall be for a longer term than one year and so on from year to year; also on page 4, line 8, by inserting after the word "writing" the following:

Section 5 Article five of the said act is hereby amended by adding at the end thereof a new section to be known as section five hundred twenty-five and to read as follows:

Section 525 Any administrative department board or commission may with the approval of the Executive Board have micro film records made of any correspondence records or other papers for the purpose of protecting and safeguarding the original correspondence records or other papers or for the purpose of conserving filing space and such micro film reproduction shall when properly identified be admitted in evidence in any proceedings in place of the original correspondence records or other papers.

Section 6 All acts or parts of acts inconsistent herewith are hereby repealed

Amend Section 2, page 4, line 9, by striking out after the word "Section" the figure "2" and inserting in lieu thereof the figure "7."

On the question,

Will the House concur in the amendments made by the Senate?

Mr. ACHTERMAN. Mr. Speaker, I move that the House do non-concur in the amendments made by the Senate.

The motion was agreed to.

Ordered, That the Clerk inform the Senate accordingly.

### SENATE MESSAGE

#### RESOLUTION CONCURRED IN BY SENATE

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

In the House of Representatives, May 7, 1941.

Resolved (if the Senate concur), that House Bill No. 666, Printer's No. 208, entitled "An act to amend section one of the act approved the twenty-sixth day of August A D one thousand nine hundred thirty-two (Pamphlet Laws 101) entitled 'An act authorizing collectors of delinquent taxes except in cities of the first class to accept payments of delinquent taxes or water rents or rates in installments by including counties.' be recalled from the Governor for the purpose of amendment.

#### HOUSE BILL NO. 524 TAKEN FROM TABLE

Mr. CULLEN. Mr. Speaker, I move that House Bill No. 524, Printer's No. 130, together with the communication from the Governor, which was laid on the table, May 6, 1941, be taken from the table.

The motion was agreed to.

The communication was read by the Clerk as follows:

#### COMMUNICATION FROM THE GOVERNOR

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

#### APPROVAL OF 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.

#### RECONSIDERATION OF VOTE

Mr. CULLEN. Mr. Speaker, I move that the vote by which this bill passed finally be reconsidered.

Mr. MODELL. Mr. Speaker, I second the motion.

The SPEAKER. How did the gentleman from Philadelphia, Mr. Cullen vote on the final passage of this bill?

Mr. CULLEN. Mr. Speaker, I voted in the majority.

The SPEAKER. How did the gentleman from Philadelphia Mr. Modell vote on the final passage of this bill?

Mr. MODELL. Mr. Speaker, I voted in the majority.

On the question,

Will the House agree to the motion?

It was agreed to.

Mr. MODELL. Mr. Speaker, I move that the vote by which this bill passed third reading be reconsidered.

The motion was agreed to.

On the question recurring,

Will the House agree to the bill on third reading?

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

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

The Clerk read the amendments as follows:

Amend page 1, line 7 of the title, by inserting after the word "Commonwealth" and before the word "prohibiting" the word: "by."

Amend page 1, line 7 of the title, by inserting at the end of the line the word: "purchase."

Amend page 1, line 8 of the title, by inserting after the word "sale" and before the word "of" the following: "or exposure for sale."

Amend section 1 (section 210), page 2 line 8 by inserting after the word "sale" and before the word "any" the following: "(a)."

Amend section 1 (section 210), page 2, line 9 by inserting after the word "trout" and before the word "any" the following: "caught in waters wholly within this Commonwealth "(b)."

Amend section 1 (section 210), page 2, line 10 by striking out at the end of the line, with boldface brackets, the following: "or striped bass or rock fish un-1".

Amend section 1 (section 210), page 2, line 11, by striking out at the beginning of the line, with boldface brackets, the following: "[der eighteen (18) inches in length]".

Amend section 1 (section 210) page 2, by striking out, with boldface brackets, line 13.

Amend section 1 (section 210), page 2, line 14, by striking out at the beginning of the line, with boldface brackets, the following: "in length]".

Amend section 1 (section 210), page 2, line 15, by inserting after the word "otherwise" and before the word "No" the following: "or (c) any striped bass or rock fish under eighteen (18) inches in length caught in waters wholly within this Commonwealth or any striped bass or rock fish under eighteen (18) inches in length caught in waters without this Commonwealth and received in interstate commerce or otherwise".

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

On the question,

Will the House agree to the amendments.

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.

#### REPORTS FROM COMMITTEES

Mr. MODEL, from the Committee on Cities-First Class, reported as committed, House Bill No. 1588, entitled:

An Act to amend and reenact section five hundred and twenty-four of the act, approved the eighteenth day of May, one thousand nine hundred and eleven (P. L. 309), entitled "An act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the methods of collecting such revenue and repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent therewith," as amended, by limiting to eleven and three-quarter mills the total annual school tax for any one year in school districts of the first class; and prescribing the method of fixing the levy of school taxes in such districts.

Mr. VOLDOW, from the Committee on Judiciary General, reported as committed, House Bill No. 1444 (Senate Bill No. 315), entitled:

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

Mr. HOLLAND, from the Committee on Public Utilities, reported as amended, House Bill No. 1450, entitled:

An Act requiring public utilities engaged in the transportation of passengers for hire in this Commonwealth, to charge only half-fare for all school children transported by such companies; imposing duties on the heads of certain schools in this Commonwealth; and imposing penalties.

#### BILL SIGNED BY SPEAKER

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

SENATE BILL No. 528.

Making a deficiency appropriation to aid certain school districts

Whereupon,

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

#### BILLS INTRODUCED AND REFERRED

By Messrs. O'NEILL and MUNLEY.

HOUSE BILL No. 1589.

An Act to further amend subsection (a) of 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 estate 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," limiting the right of the Department of Public Assistance to recover moneys expended for direct assistance, and setting aside pending actions and judgments therefor.

Referred to the Committee on Welfare.

By Mr. MELCHIORRE. HOUSE BILL No. 1590.

An Act making an appropriation to the Board of Trustees of the Philadelphia Museum, Philadelphia.

Referred to the Committee on Appropriations.

By Messrs. HERMAN and YOUNG.

HOUSE BILL No. 1591.

An Act making an appropriation to the Pennsylvania Museum and School of Industrial Art, Philadelphia.

Referred to the Committee on Appropriations.

#### REPORT FROM SLATE COMMITTEE

Mr. LOVETT offered a privilege resolution which was read, considered and adopted as follows:

In the House of Representatives, May 13, 1941.

Resolved that Charles Wadowsky, 931 North 6th Street, Philadelphia be appointed as clerk to committee as of May 14th, 1941 in place of Anthony A. Camarese, resigned.

#### CONGRATULATORY RESOLUTION

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

In the House of Representatives, May 13, 1941.

Whereas, Three score years are generally more than are allotted the average mortal, and

Whereas, A veteran member of this House has now attained his sixty-eighth birthday, and

Whereas, The said member of the House has during the terms he served in the Legislature ably represented his constituents and his party, and

Whereas, It is fitting that the House of Representatives pay homage to one of its members, who, though sixty-eight years of age is still youthful in spirit, verve and statesmanship, therefore be it

Resolved, That the House of Representatives hereby felicitates the Honorable John E. Van Allsburg on this his sixty-eighth birthday and wishes him many many more happy returns of the day.

The SPEAKER. The Chair congratulates the gentleman from Erie, Mr. VanAllsburg.

The Chair recognizes the gentleman from Erie Mr. VanAllsburg.

Mr. Van Allsburg. Thank you, Mr. Speaker.

#### COMMITTEE MEETINGS

Appropriations, Wednesday, May 14 at 8 a. m. in Room 327.

Banking, Wednesday, May 14 at 9 a. m. in Room 330

Boroughs, Wednesday, May 14 at 10:30 a. m. in Room 330.

Constitutional Amendments, Wednesday, May 14, at 10:30 a. m. in Room 325.

Counties, Wednesday, May 14 at 11:30 a. m. in Room 521.

Education, Wednesday, May 14 at 10 a. m. in Room 326.

Fisheries, Wednesday, May 14 at 10:30 a. m. in Room 324.

Highways, Wednesday, May 14 at 9 a. m. in Room 324.

Labor, Wednesday, May 14 at 10 a. m. in Room 522.

Public Health and Sanitation, Wednesday, May 14 at 11:30 a. m. in Room 326.

Townships, Wednesday, May 14 at 10 a. m. in Room 329.

Welfare, Wednesday, May 14 immediately after the session in Room 246.

#### PUBLIC HEARINGS

There will be a Public Hearing before the Committee on Workmen's Compensation on House Bills Nos 990 and 1002 on Tuesday, 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 Judiciary Special on House Bill No. 365, Printer's No. 495, on Wednesday, May 14, 1941 at 7:00 p. m., E.S.T. in the New House Caucus Room—Main Floor.

The Public Hearing before the Committee on Professional Licensure on House Bill No. 1118, will be held on Tuesday, May 13, 1941 at 7:00 p. m., E.S.T. in the Hall of the House.

#### ADJOURNMENT

Mr. GROSS. Mr. Speaker, I move that this House do now adjourn until Wednesday, May 14, 1941, at 12 m.

The motion was agreed to, and (at 4:05 p. m.) the House adjourned.