

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 Veterinary Medical Examiners and the Department of Public Instruction; providing penalties and repealing existing laws.

Which was committed to the Committee on Agriculture

ADJOURNMENT

Mr. GELTZ. Mr. President, I move that the Senate do now adjourn until Monday, May 19, 1941, at 3:30 o'clock p. m. Eastern Standard Time.

Mr. EALY. Mr. President, I second the motion.
The motion was agreed to.

The Senate adjourned at 4:02 o'clock, p. m. Eastern Standard Time until Monday, May 19, 1941, at 3:30 o'clock, p. m., Eastern Standard Time.

HOUSE OF REPRESENTATIVES

WEDNESDAY, MAY 14, 1941

The House met at 12m.

The SPEAKER (Elmer Kilroy) in the Chair.

PRAYER

The SPEAKER. Prayer will be offered by the Rev. W. H. Christ, Pastor of First Evangelical Church, Perkasio, who is the guest of the gentleman from Northampton, Mr. McFall. The invocation will be delivered by Rev. Christ at the invitation of the Chaplain of the House.

Rev. W. H. Christ offered the following prayer:

Almighty God, Father of us all, Thou who art the source of light and love and truth, we reverently invoke Thy blessing upon us all as the servants of the people of this great Commonwealth, here assembled to transact their business. We pray for divine guidance and wisdom and for the impartation of high ideals and noble impulses, and especially for the enrichment of Thy constant love and peace, which we are assured comes to all who trust Thee and obey Thy righteous will.

We pray that all classes of men in America may unitedly strive to maintain the hallowed institutions and liberties of our beloved nation, and to defend those religious movements and principles which tend toward God and the welfare of all our fellow citizens. This we pray in the name of Him who loved us with an everlasting love. 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. Burris, unanimously agreed to the further reading was dispensed with and the Journal approved.

BILLS INTRODUCED AND REFERRED

By Mr. DIX. HOUSE BILL No. 1582.

An Act to amend section one of the act, approved the third

day of May, one thousand nine hundred nine (P. L. 395), entitled "An act regulating the sale of concentrated commercial feeding-stuffs, also of condimental stock and poultry-food, and patented, proprietary or trade-mark stock and poultry-food, possessing nutritive value combined with medicinal properties; defining concentrated commercial feeding-stuffs; prohibiting the adulteration of any feeding-stuff, sold, offered, or exposed for sale, in this State, with oat hulls, ground corn cobs, flax plant refuse, elevator chaff, cotton-seed hulls; ground corn stalks, rice hulls, peanut hulls, weed seeds, or other similar adulterants; providing for the collection of samples and analysis thereof by the Department of Agriculture, and the publication of information concerning the same; providing also for the expenses of the enforcement of the law, fixing penalties for its violation, and repealing act number two hundred and eleven (P. L. 1907, page 273), entitled 'An act regulating the sale of wheat-, rye-, corn- and buckwheat-bran and middlings, or any admixture thereof,' et cetera, approved the twenty-eighth day of May, one thousand nine hundred and seven," by requiring that every concentrated commercial feeding-stuff intended for domestic animals that is compounded from two or more substances shall have affixed to the container thereof, a label indicating the amounts of the various ingredients of which it is composed; or that a card bearing such information be supplied on request to purchasers where such feeding stuff is sold in bulk.

Referred to the Committee on Public Utilities.

By Mr. HEATHERINGTON. HOUSE BILL No. 1583.

An Act to regulate control and discourage inflation of public utility rates and charges during the national defense emergency placing an annual tax of 10% on all increases of public utility rates and charges taking effect subsequent to January 1, 1939 and providing for return of 60% of said tax collected by the Commonwealth to the counties wherein the said increases of rates and charges are paid by consumers.

Referred to the Committee on Public Utilities.

By Mr. SCHWAB. HOUSE BILL No. 1584.

An Act to amend section eleven of the act, approved the second day of May, one thousand eight hundred and ninety-nine (P. L. 184), entitled "An act to provide revenue by imposing a mercantile license tax on vendors of or dealers in goods, wares and merchandise, and providing for the collection of said tax," prescribing further duties on dealers and imposing penalties.

Referred to the Committee on Judiciary Special.

By Messrs. VOORHEES and McCLANAGHAN
HOUSE BILL No. 1585.

An Act authorizing political subdivisions to accept in full payment of municipal claims, taxes, penalties, interest and costs such amount as may be fixed for the discharge thereof in proceedings under the National Bankruptcy Act.

Referred to the Committee on Judiciary General.

By Mr. LEVY. HOUSE BILL No. 1586.

An Act to further amend and reenact clauses one, two, three, and four of section one thousand two hundred ten of the act, approved the eighteenth day of May, one thousand nine hundred eleven (P. L. 309), entitled "An act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent therewith," by increasing the minimum salaries and increments required to be paid certain employes in school districts of

the first class by establishing a minimum salary schedule and increments for school secretaries, school nurses, attendance officers, special class teachers, vocational school teachers, and heads of departments in high schools in school districts of the first class.

Referred to the Committee on Education.

By Mr. FALKENSTEIN. HOUSE BILL No. 1587.

An Act providing minimum salaries for permanent employes of the Commonwealth.

Referred to the Committee on State Government.

(For House Bills Nos. 1588, 1589, 1590 and 1591 see Legislative Journal of May 13, 1941.)

By Mr. FALKENSTEIN. HOUSE BILL No. 1592.

An Act to further amend subsection B of section three hundred and two of the act, approved the twenty-ninth day of November, one thousand nine hundred and thirty-three (P. L. 15, 1933-34), entitled, as amended "An act to regulate and restrain the sale, manufacture, possession, transportation, importation, traffic in, and use of alcohol, and alcoholic and malt or brewed beverages; conferring powers and imposing duties upon the Pennsylvania Liquor Control Board and its agents, the Department of Public Instruction, other officers of the State government, courts, and district attorneys; authorizing the establishment and operation of State stores for the sale of such beverages not for consumption on the premises, and the granting of licenses, subject to local option, to sell such beverages for consumption on and off the premises; forbidding importation or bringing of such beverages into the State except as herein provided; prohibiting certain sales or practices in, connection with, and transactions in such beverages by licensees and others; providing for the forfeiture of certain property; making disposition of the receipts from State stores and of fees and imposing penalties," by setting-up minimum salaries of employes of the board.

Referred to the Committee on Liquor Control.

By Mr. LEVY. HOUSE BILL No. 1593.

An Act to further amend sections twenty and twenty-one of the act, approved the third day of May, one thousand nine hundred and thirty-three (P. L. 252), entitled as amended "An act to regulate and restrain the traffic in malt and brewed beverages, as herein defined; providing for the licensing of the manufacture, transportation, sale and distribution of such beverages; imposing license and permit fees, and providing for the collection and distribution thereof; restricting ownership and interest in licensed places; permitting municipalities and townships, by vote of the electors, to prevent the licensing therein of places where such beverages may be sold for consumption on the premises, and regulating elections for this purpose; imposing duties upon the Pennsylvania Liquor Control Board, quarter sessions courts, district attorneys, the Department of Justice, proper authorities of political subdivisions of the State, and election officers; providing penalties; and repealing existing acts," by further regulating manufacturers and distributors and importing distributors of malt and brewed beverages.

Referred to the Committee on Liquor Control.

LEAVE OF ABSENCE

By unanimous consent leave of absence was granted as follows:

Mr. Munley for for Mr. REGAN for remainder of the week.

Mr. ECKELS for himself for the tomorrow's session.

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

Mr. HARMUTH for himself for tomorrow's session.

Mr. LEONARD for himself for tomorrow's session.

Mr. COCHRAN for himself for tomorrow's session.

Mr. Bentzel for Mr. MOUL for today's session.

Mr. WATKINS for himself for tomorrow's session.

Mr. SIMONS for himself for tomorrow's session.

Mr. PROSEN for himself for tomorrow's session.

Mr. FINESTONE for himself for tomorrow's session.

Mr. KOLANKIEWICZ for himself for tomorrow's session.

Mr. IMBRIE for himself for tomorrow's session.

Mr. HERMAN for himself for tomorrow's session.

Mr. GROSS for himself for tomorrow's session.

Mr. WILKINSON for himself for tomorrow's session.

Mr. WEINGARTNER for himself for tomorrow's session.

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

Mr. McCLANAGHAN for himself for tomorrow's session.

Mr. SAMUEL ROSE for himself for tomorrow's session.

Mr. FALKENSTEIN for himself for tomorrow's session.

Mr. FLYNN for himself for tomorrow's session.

Mr. CHUDOFF for himself for tomorrow's session.

Mr. RAUSCH for himself for tomorrow's session.

Mr. VINCENT for himself for tomorrow's session.

Mr. HIRSCH for himself for tomorrow's session.

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

SENATE MESSAGE

HOUSE BILLS CONCURRED IN BY SENATE

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

HOUSE BILL No. 1087

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

House Bill No. 1098.

An Act to amend section four hundred eight of article four of the act approved the third day of June one thousand nine hundred thirty-three (P. L. 1449) entitled "An act establishing a court of record in the County of Allegheny for control care guidance treatment trial placement and commitment of delinquent neglected and dependent children under sixteen years of age and of persons over sixteen years of age contributing to or encouraging delinquency neglect or dependency of children defining the jurisdiction and powers of the court and regulating procedure therein providing for the transfer thereto of certain powers functions and duties from other courts providing for the election of judges thereof the appointment of probation officers other necessary staff officials and assistants providing for housing of same and providing for detention facilities making the contributing to or encouraging of the delinquency neglect or dependency of children a misdemeanor and providing penalties" to provide for the payment of the costs of maintenance of children under care of the Juvenile Court by the city or county institution district liability to be determined on the basis of the legal settlement of such child at the time of assumption of jurisdiction by the court.

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

BILLS SIGNED BY SPEAKER

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

HOUSE BILL No. 1087

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

HOUSE BILL No. 1098

An Act to amend section four hundred eight of article four of the act approved the third day of June one thousand nine hundred thirty-three (P. L. 1449) entitled "An act establishing a court of record in the County of Allegheny for control care guidance treatment trial placement and commitment of delinquent neglected and dependent children under sixteen years of age and of persons over sixteen years of age contributing to or encouraging delinquency neglect or dependency of children defining the jurisdiction and powers of the court and regulating procedure therein providing for the transfer thereto of certain powers functions and duties from other courts providing for the election of judges thereof the appointment of probation officers other necessary staff officials and assistants providing for housing of same and providing for detention facilities making the contributing to or encouraging of the delinquency neglect or dependency of children a misdemeanor and providing penalties" to provide for the payment of the costs of maintenance of children under care of the Juvenile Court by the city or county institution district liability to be determined on the basis of the legal settlement of such child at the time of assumption of jurisdiction by the court.

Whereupon,

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

REPORTS FROM COMMITTEES

Mr. BAKER, from the Committee on Appropriations, reported as committed, House Bill No. 49, entitled:

An Act making an appropriation for the maintenance, repair, and improvement of the Port of Philadelphia.

Mr. VAN ALLSBURG, from the Committee on Appropriations, reported as committed, House Bill No. 61, entitled:

An Act making an appropriation to the Cresson Volunteer Fire Company for the protection of State property.

Mr. NORMAN WOOD, from the Committee on Appropriations, reported as committed, House Bill No. 266, entitled:

An Act making an appropriation to the Glen Mills School, situate in Delaware County, Pennsylvania.

Mr. McDERMOTT, from the Committee on Appropriations, reported as committed, House Bill No. 276, entitled:

An Act making an appropriation to the Department of Property and Supplies, for the payment of rates, rentals, and other charges that may become due on leases and other contracts executed by The Pennsylvania State Col-

lege with The General State Authority for the use and occupancy by such college of the various projects, structures, buildings, and facilities of the Authority or for the services rendered by the Authority or its projects.

Mr. BAKER, from the Committee on Appropriations, reported as committed, House Bill No. 280, entitled:

An Act making an appropriation to the Trustees of the College of Lincoln University, Chester County.

Mr. McDERMOTT, from the Committee on Appropriations, reported as committed, House Bill No. 281, entitled:

An Act making an appropriation to the Department of Labor and Industry, for the rehabilitation of the deaf and hard of hearing and for the purpose of matching additional federal funds.

Mr. VAN ALLSBURG, from the Committee on Appropriations, reported as committed, House Bill No. 284, entitled:

An Act making an appropriation from the Motor License Fund, to the Department of Property and Supplies for the payment of the costs incurred by that Department in acting as purchasing agent for the Department of Highways.

Mr. FINNERTY, from the Committee on Appropriations, reported as committed, House Bill No. 301, entitled:

An Act making an appropriation to Sleighton Farm School for Girls, situated in Delaware County, Pennsylvania.

Mr. BROWN, from the Committee on Appropriations, reported as committed, House Bill No. 305, entitled:

An Act making an appropriation to the Elwyn Training School, at Elwyn, in the County of Delaware, Commonwealth of Pennsylvania; and prescribing certain conditions upon which the appropriation will be available to the school.

Mr. McDERMOTT, from the Committee on Appropriations, reported as committed House Bill No. 310, entitled:

An Act making an appropriation to the State Veterans' Commission, for certain expenses of the commission and for the assistance of needy Pennsylvania veterans of any war, or their dependents.

Mr. WOODSIDE, from the Committee on Appropriations, reported as committed, House Bill No. 317, entitled:

An Act making an appropriation to the several fire companies of the city of Harrisburg, Pennsylvania.

Mr. VAN ALLSBURG, from the Committee on Appropriations, reported as committed, House Bill No. 322, entitled:

An Act making an appropriation from the Game Fund to the State Employees' Retirement Board to meet the obligations of the Commonwealth to the State Employees' Retirement System with respect to State employes receiving compensation from the Game Fund.

Mr. BAKER, from the Committee on Appropriations, reported as committed, House Bill No. 347, entitled:

An Act making an appropriation from the Banking Department Fund to the State Employees' Retirement Board to meet the obligations of the Commonwealth to the State Employees' Retirement System with respect to State employes receiving compensation from the Banking Department Fund.

Mr. BONEY, from the Committee on Appropriations, reported as committed, House Bill No. 351, entitled:

An Act making an appropriation to the Johnson Industrial School of Scranton, Pennsylvania.

Mr. BONEY, from the Committee on Appropriations, reported as committed, House Bill No. 371, entitled:

An Act making an appropriation to the Department of Forests and Waters, for the use of the Valley Forge Park Commission in payment of lands acquired by condemnation.

Mr. STANK, from the Committee on Appropriations, reported as committed, House Bill No. 546, entitled:

An Act making an appropriation to the Department of Agriculture to advance the potato interests in this Commonwealth.

Mr. O'BRIEN, from the Committee on Appropriations, reported as committed, House Bill No. 1003, entitled:

An Act making an appropriation to the Moore Institute of Art, Science and Industry formerly Philadelphia School of Design for Women at Philadelphia, Pennsylvania.

Mr. STANK, from the Committee on Appropriations, reported as committed, House Bill No. 1065, entitled:

An Act making an appropriation to the National Farm School, at Doylestown, Pennsylvania.

Mr. O'BRIEN, from the Committee on Appropriations, reported as committed, House Bill No. 1068, entitled:

An Act making an appropriation to the Trustees of the University of Pennsylvania.

Mr. FINNERTY, from the Committee on Appropriations, reported as committed, House Bill No. 1106, entitled:

An Act making an appropriation to the Women's Medical College of Pennsylvania, located at East Falls, Philadelphia, Pennsylvania.

Mr. MALLOY, from the Committee on Appropriations, reported as committed, House Bill No. 1321, entitled:

An Act making an appropriation to the Department of Property and Supplies for payment of balances due certain contractors for additions and alterations at the Harrisburg State Hospital.

Mr. LOVETT, from the Committee on Appropriations, reported as committed, House Bill No. 1330, entitled:

An Act making an appropriation from the State Stores Fund to the State Employees' Retirement Board, to meet the obligations of the Commonwealth to the State Employees' Retirement System with respect to State employees receiving compensation from the State Stores Fund.

Mr. MCKINNEY, from the Committee on Appropriations, reported as committed, House Bill No. 1332, entitled:

An Act making an appropriation from the Motor License Fund to the State Employees Retirement Board to meet the obligations of the Commonwealth to the State Employees' Retirement System with respect to State employees receiving compensation from the Motor License Fund.

Mr. CHERVENAK, from the Committee on Appropriations, reported as committed, House Bill No. 1334, entitled:

An Act making an appropriation to the Department of Property and Supplies for the payment of claims arising in connection with the erection and construction of the Eastern State Penitentiary at Graterford.

Mr. BOIES, from the Committee on Appropriations, reported as committed, House Bill No. 1343, entitled:

An Act making an appropriation of moneys in the Motor License Fund to the Board of Finance and Revenue for the payment of the Loan and Transfer Agent of the Commonwealth.

Mr. BOIES, from the Committee on Appropriations, reported as committed, House Bill No. 1344, entitled:

An Act making an appropriation of moneys in the Motor License Fund to the Board of Finance and Revenue to meet interest and sinking fund requirements on the State debt.

Mr. CHERVENAK, from the Committee on Appropriations, reported as committed, House Bill No. 1345, entitled:

An Act making an appropriation from the State Workmen's Insurance Fund to the State Employees' Retirement Board to meet the obligations of the Commonwealth to the State Employees' Retirement System with respect to State employees receiving compensation from the State Workmen's Insurance Fund.

Mr. MALLOY, from the Committee on Appropriations, reported as committed, House Bill No. 1417, entitled:

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

Mr. NORMAN WOOD, from the Committee on Appropriations, reported as committed, House Bill No. 1418, entitled:

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

Mr. O'BRIEN, from the Committee on Appropriations, reported as committed, House Bill No. 1419, entitled:

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

Mr. CHERVENAK, from the Committee on Appropriations, reported as committed, House Bill No. 1463, entitled:

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

Mr. BOIES, from the Committee on Appropriations, reported as committed House Bill No. 1534, entitled:

An Act making an appropriation to the Joint State Government Commission.

Mr. REUBEN E. COHEN, from the Committee on Appropriations, reported as committed, House Bill No. 1590, entitled:

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

Mr. BONEY, from the Committee on Appropriations, reported as amended, House Bill No. 291, entitled:

An Act making appropriations for aid to free public non-sectarian county libraries, and for the purchase and transportation of books.

Mr. NORMAN WOOD, from the Committee on Appropriations, reported as amended, House Bill No. 333, entitled:

An Act making an appropriation from the Fish Fund to the State Employees' Retirement Board to meet the obligations of the Commonwealth to the State Employees' Retirement System with respect to State employes receiving compensation from the Fish Fund.

Mr. BAKER, from the Committee on Appropriations, reported as amended, House Bill No. 348, entitled:

An Act making an appropriation to the Department of Welfare, to pay for the care, treatment, removal, and maintenance of the indigent insane in The Dixmont Hospital, at Dixmont, Allegheny County.

Mr. O'BRIEN, from the Committee on Appropriations, reported as amended, House Bill No. 378, entitled:

An Act making an appropriation to the Chief Clerk of the House of Representatives for the payment of expenses and compensation of the Electoral College of 1940.

Mr. BAKER, from the Committee on Appropriations, reported as amended, House Bill No. 489, entitled:

An Act making an appropriation to the Trustees of the University of Pittsburgh for the general maintenance of, and the purchase of apparatus and equipment for, the University of Pittsburgh, and for the maintenance of teaching facilities in hospitals for students in the School of Medicine.

Mr. McKINNEY, from the Committee on Appropriations reported as amended, House Bill No. 5572, entitled:

A Supplement to the act, approved the twenty-seventh day of June, one thousand nine hundred thirty-nine (Appropriation Acts, page sixty), entitled "An act to provide for the ordinary expenses of the Executive, Legislative, and Judicial Departments of the Commonwealth, interest on the public debt, and the support of the public schools for two years beginning June first, one thousand nine hundred and thirty-nine; and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending May thirty-first, one thousand nine hundred and thirty-nine," providing for deficiencies in certain appropriations made by the act for the fiscal biennium ending May thirty-first, one thousand nine hundred forty-one.

Mr. MELCHIORRE, from the Committee on Appropriations, reported as amended, House Bill No. 614, entitled:

An Act making an appropriation to the Downingtown Industrial and Agricultural School, Downingtown, Pennsylvania.

Mr. LOVETT, from the Committee on Appropriations, reported as amended, House Bill No. 954, entitled:

An Act authorizing the Department of Property and Supplies to acquire by purchase, gift, lease or condemnation on behalf of the Commonwealth of Pennsylvania, a tract of land near the present site of the Joseph T. Rothrock memorial for the purpose of erecting a new and suitable memorial to the memory of Joseph T. Rothrock thereon; providing for the selection of such a site and memorial by and with the consent of the Pennsylvania Historical Commission; providing for the control, management, supervision, improvement and preservation and maintenance thereof; authorizing the Pennsylvania Historical Commission to make and enforce rules and regulations for the preservation and visitation thereof; and making an appropriation.

Mr. REUBEN E. COHEN, from the Committee on Appropriations, reported as amended, House Bill No. 1066, entitled:

An Act making an appropriation to the Trustees of the Hahnemann Medical College and Hospital, of Philadelphia, Pennsylvania.

Mr. MELCHIORRE, from the Committee on Appropriations, reported as amended, House Bill No. 1083, entitled:

An Act making an appropriation to the Trustees of Temple University, at Philadelphia, Pennsylvania.

Mr. REUBEN E. COHEN, from the Committee on Appropriations, reported as amended, House Bill No. 1130, entitled:

An Act making an appropriation to the Department of Commerce, towards expenses of the National Encampment in Philadelphia.

Mr. FALKENSTEIN, from the Committee on Appropriations, reported as amended, House Bill No. 1203, entitled:

An Act making an appropriation to the Jefferson Medical College, of Philadelphia, Pennsylvania, for medical education.

Mr. FINNERTY, from the Committee on Appropriations, reported as amended, House Bill No. 1591, entitled:

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

Mr. ELLIOT, from the committee on Fisheries, reported as committed, House Bill No. 955, entitled:

An Act to amend section ninety-five of the act, approved the second day of May, one thousand nine hundred and twenty-five (P. L. 448), entitled "An act relating to fish; and amending, revising, consolidating, and changing the law relating to fish in the inland waters and the boundary lakes and boundary rivers of the Commonwealth," further regulating use of nets in boundary lakes.

Mr. BALTHASER, from the Committee on Boroughs, reported as committed, House Bill No. 757, entitled:

An Act providing for and regulating the validation of certain borough ordinances.

Mr. DUFFY, from the committee on Public Health and Sanitation reported as committed, House Bill No. 1230, entitled:

An Act to further amend section one and to amend section three of the act, approved the fourteenth day of May, one thousand nine hundred and twenty-five (P. L. 730), entitled "An act for the protection of the public health in the manufacture and sale of carbonated beverages and still drinks: providing for the registration thereof; prohibiting the sale, offering or exposing for sale, exchange or giving away thereof in certain cases unless registered; regulating the manufacture, bottling, preparation, mixing, and compounding of carbonated beverages or still drinks, and the sale and dispensing thereof; creating a special fund in the State Treasury; and providing penalties," by excluding certain juices and combinations of juices from the operation of the act; and requiring separate registration for each bottling or manufacturing plant.

Mr. HERING, from the Committee on Boroughs, reported as committed, House Bill No. 940, entitled:

An Act to amend section 1202 by adding thereto clause IX, of the act approved the fourth day of May, one thousand nine hundred twenty-seven (P. L. 519), entitled "An act concerning boroughs, and revising, amending, and consolidating the law relating to boroughs;" authorizing boroughs to appropriate money for the support of hospitals.

Mr. HERSCH, from the Committee on Banking, reported as committed, House Bill No. 1399, entitled:

An Act to amend the act, approved the fifteenth day of May, one thousand nine hundred thirty-three (P. L. 624), entitled "An act relating to the business of banking, and to the exercise of fiduciary powers by corporations; providing for the organization of corporations with fiduciary powers, and of banking corporations, with or without fiduciary powers, including the conversion of National banks into State banks, and for the licensing of private bankers; defining the rights, powers, duties, liabilities, and immunities of such corporations, of existent corporations authorized to engage in a banking business, with or without fiduciary powers, of private bankers, and of the officers, directors, trustees, shareholders, attorneys, and other employes of all such corporations or private bankers, or of affiliated corporations, associations, or persons; restricting the exercise of banking powers by any other corporation, association, or person, and of fiduciary powers by any other corporation, conferring powers and imposing duties upon the courts, prothonotaries, recorders of deeds, and certain State departments, commission, and officers; imposing penalties; and repealing certain acts and parts of acts," as amended, by requiring certificates of the payment of taxes and other charges to be filed with the Department of State in certain cases.

Mr. McFALL, from the Committee on Constitutional Amendments, reported as committed, House Bill No. 1485, entitled:

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

Mr. GROSS, from the Committee on Fisheries, reported as committed, House Bill No. 1218, entitled:

An Act to amend section two hundred and eighty-two of the act, approved the second day of May, one thousand nine hundred and twenty-five (P. L. 448), entitled "An act relating to fish; and amending, revising, consolidating, and changing the law relating to fish in the inland waters and the boundary lakes and boundary rivers of the Commonwealth," providing for payment of one-fourth of fines collected for violation of said act to the counties for maintenance of prisoners committed for such violations; and imposing duties on magistrates, aldermen, and justices of the peace.

Mr. SAMUEL ROSE, from the Committee on Judiciary General, reported as amended, House Bill No. 1025, entitled:

An Act relating to attorneys-at-law; regulating the admission of persons to said office, by prescribing the conditions upon which, and the method by which law colleges and schools shall be entitled to receive certificates of approval as institutions of learning, properly qualified to prepare registered law students for admission to any final examination for the practice of law in this Commonwealth, and the effect thereof upon such law students and upon examining boards or commissions; authorizing the collection of fees for services to be rendered hereunder; prohibiting certain acts or omissions; and imposing penalties; prescribing the procedure by which such approval may be enforced, suspended, revoked and reinstated; limiting the construction of this act; and repealing all acts and parts of acts inconsistent herewith.

Mr. HERMAN, from the Committee on Highways, reported as amended, House Bill No. 1315, entitled:

An Act to amend the title and the act, approved the seventh day of May, one thousand nine hundred thirty-seven (P. L. 589), entitled "An act providing for the taking over by the Commonwealth, under certain terms, conditions and limitations, of certain streets in cities of the first

class as State highways, and for the improvement, construction, reconstruction, resurfacing, and maintenance by the Commonwealth of said streets; imposing duties on such cities and on public utility companies using such streets; providing that no assessment shall be made upon the Commonwealth in the elimination or reconstruction of any grade crossing thereon; authorizing cities, persons, associations, or corporations to enter into agreements with the Commonwealth to bear a portion of the cost of construction; regulating the replacement of certain facilities of public utility companies; prohibiting the making of any opening in said street after improvement without a permit, and providing penalty therefor; regulating the maintenance of detours; authorizing the increase of city indebtedness in certain cases; and appropriating money in the Motor License Fund for the purposes of this act," by adding new sections; making certain streets taken over as State highways, and adding thereto certain additional streets; providing for the taking, opening, relocation, widening, or change of grade of such state highways by the Commonwealth at the expense of the Commonwealth and the city, or either of them; designating the city as agent for the Commonwealth in such taking, opening, relocation, widening or change of grade and the determination of damages arising therefrom; authorizing agreements for the taking, opening, relocation, widening, change of grade, construction, reconstruction, repair, and maintenance of such State highways; appropriating money in the Motor License Fund for the purposes of the act as amended.

Mr. ELDER, from the Committee on Boroughs, reported as amended House Bill No. 861, entitled:

An Act to further amend the act, approved the fourth day of May, one thousand nine hundred and twenty-seven (P. L. 519), entitled "An act concerning boroughs, and revising, amending, and consolidating the law relating to boroughs," by further regulating the affairs of boroughs; and revising, amending and changing the law relating thereto.

Mr. HAMILTON, from the Committee on Counties, reported as committed, House Bill No. 1537, (Senate Bill No. 381), entitled:

An Act to amend the act, approved the second day of May, one thousand nine hundred and twenty-nine (P. L. 1278), entitled "An act relating to counties of the second, third, fourth, fifth, sixth, seventh and eighth classes; and revising, amending and consolidating the laws relating thereto," by authorizing the acquisition and operation of aviation landing fields and airdromes, by counties of the first, second, third, fourth, fifth and sixth classes.

Mr. McKINNEY, from the Committee on Appropriations, reported as committed, House Bill No. 1359, (Senate Bill No. 447), entitled:

An Act making an appropriation to the Department of Labor and Industry to meet the obligation of the Commonwealth to pay a part of the compensation payable for certain occupational diseases; and repealing and lapsing certain appropriations.

Mr. LONGO, from the Committee on Counties, reported as committed, House Bill No. 872, (Senate Bill No. 66), entitled:

An Act to further amend the last paragraph of section four hundred thirty-nine of the act, approved the second day of May, one thousand nine hundred and twenty-nine (P. L. 1278), entitled "An act relating to counties of the second, third, fourth, fifth, sixth, seventh and eighth classes; and revising, amending and consolidating the laws relating thereto," imposing additional duties on and providing for additional compensation of veterans' grave registrars.

Mr. BAUGHER, from the Committee on Townships, re-

ported as committed, House Bill No. 938, (Senate Bill No. 270), entitled:

An Act to amend section seven hundred and two of the act, approved the first day of May, one thousand nine hundred and thirty-three (P. L. 103), entitled "An act concerning townships of the second class; and amending, revising, consolidating and changing the law relating thereto," by authorizing such townships to regulate the use of certain parks and recreational grounds; providing penalties for violation of rules prescribed therefor; and authorizing police officers to arrest violators thereof on view.

Mr. SIMONS, from the Committee on Judiciary Special, reported as amended, House Bill No. 1210, (Senate Bill No. 24), entitled:

An Act defining and prohibiting unfair sales providing remedies for violations thereof and establishing penalties therefor

Mr. FALKENSTEIN, from the Committee on Appropriations re-reported as committed, House Bill No. 892, entitled:

An Act authorizing a commission to study recreational facilities available in first class cities; imposing powers and duties on said commission; and making an appropriation.

Mr. STANK, from the Committee on Appropriations, re-reported as amended House Bill No. 726, entitled:

An Act authorizing and directing the Department of Highways to erect, construct and maintain a free bridge over the Susquehanna River in or near the Borough of Plymouth, Luzerne County, and to provide the necessary approaches and connections with state highways providing for the acceptance of Federal aid, empowering counties to pay certain damages; making an appropriation.

Mr. NORMAN WOOD, from the Committee on Appropriations, re-reported as committed, House Bill No. 522, entitled:

An Act making an appropriation to the Pennsylvania State College to advance the tobacco interest of this Commonwealth.

Mr. WOODWIN, from the Committee on Townships, re-reported as committed, House Bill No. 826, entitled:

An Act to amend section one thousand four hundred one 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," further regulating the establishment and maintenance of sidewalks.

Mr. MALLOY, from the Committee on Appropriations, re-reported as committed, House Bill No. 1251, entitled:

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

Mr. BROWN, from the Committee on Appropriations, re-reported as amended, House Bill No. 11, entitled:

An Act to create a uniform and exclusive system for the administration of parole in this Commonwealth establishing the "Pennsylvania Board of Parole" conferring and defining its jurisdiction duties powers and functions including the supervision of persons placed upon probation in certain designated cases provided for the method of appointment of its members regulating the appointment removal and discharge of its officers clerks and employes dividing

the Commonwealth into administrative districts for purposes of parole fixing the salaries of members of the board and of certain other officers and employes thereof making violations of certain provisions of this act misdemeanors providing penalties therefor and for other cognate purposes and making an appropriation.

Mr. BONEY, from the Committee on Appropriations, re-reported as amended, House Bill No. 53, entitled:

An Act providing for the acquisition of the Admiral Peary Memorial Park, and for its management and development by the Pennsylvania Historical Commission; and making an appropriation.

Mr. DOLON, from the Committee on Banking, reported as amended, House Resolution No. 91.

Mr. GOODWIN, from the Committee on Townships, re-reported as amended, House Bill No. 1526, entitled:

An Act to amend section two hundred seven of the act, approved the twenty-fourth day of June, one thousand nine hundred and thirty-one (P. L. 1206), entitled "An act concerning townships of the first class; amending, revising consolidating, and changing the law relating thereto," further prescribing method by which second class townships may be classified as first class townships; and providing for the costs and holding of special elections for that purpose.

Mr. FISS, from the Committee on Fisheries, reported as amended, House Bill No. 1193, entitled:

An Act to further amend section fifty of the act approved the second day of May, one thousand nine hundred twenty-five (P. L. 448), entitled "An act relating to fish; and amending, revising, consolidating, and changing the law relating to fish in the inland waters and the boundary lakes and boundary rivers of the Commonwealth," further regulating the taking of eels.

Mr. OWENS, from the Committee on Labor, reported as amended, House Bill No. 1203, (Senate Bill No. 80), entitled:

An Act to further amend the act approved the fifth day of December, one thousand nine hundred and thirty-six (P. L. 2897-1937), entitled "An act establishing a system of unemployment compensation to be administered by the Department of Labor and Industry and its existing and newly created agencies with personnel (with certain exceptions) selected on a civil service basis, requiring employers to keep records and make reports, and certain employers to pay contributions based on payrolls to provide moneys for the payment of compensation to certain unemployed persons, providing procedure and administrative details for the determination, payment and collection of such contributions; and the payment of such compensation providing for cooperation with the Federal Government and its agencies; creating certain special funds in the custody of the State Treasurer and prescribing penalties" by further defining "contributions" to be paid by certain employers; changing the procedure and administrative details for the determination and payment of compensation; further regulating the appointment, promotion, dismissal, suspension and furlough of civil service employes; further defining the powers of, and procedure before, the board; making payments out of the Unemployment Compensation Fund subject to agreement between the State Treasurer and the Social Security Board; and making the Administration Fund subject to certain charges.

BILL RE-REFERRED

Mr. ROONEY, returned from the Committee on Banking with the recommendation that it be re-referred to the Committee on Building and Loan House Bill No. 1535, entitled:

An Act to further amend sections six hundred eighteen and six hundred twenty of, and to add section six hundred twenty-two, to the act, approved the fifth day of May, one thousand nine hundred and thirty-three (P. L. 457) entitled "An act relating to the business of building and loan associations; providing for the organization and voluntary dissolution of such associations; defining the rights, powers, duties, liabilities, and immunities of such associations, and of their officers, directors, shareholders, solicitors, and other employes; prohibiting the transaction of business in this Commonwealth by foreign building and loan associations; conferring powers and imposing duties upon the courts, recorders of deeds, and certain State departments, commissions, and officers; establishing limitations of actions; imposing penalties; and repealing certain acts and parts of acts," by further defining the rights, powers, duties, and liabilities of such associations, and of their officers, directors, shareholders and other employes, and providing for the capitalization of dividends.

The SPEAKER. The bill is re-referred to the Committee on Building and Loan.

Mr. HARKINS IN THE CHAIR.

BILLS ON FIRST READING

Agreeably to order,

The House proceeded to the first reading and consideration of 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.

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. 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.

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. 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 inhabitants, 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.

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. 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 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," further defining "new member."

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. 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.

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. 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 provisions relating to appropriations.

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. 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.

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. 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.

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. 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 (P. L. 127), entitled "An act relating to adoption," by imposing exclusive jurisdiction in adoption proceedings in the municipal court in first class counties.

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

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 900, entitled:

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

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. 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 employees' retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing State employees defining the uses and purposes thereof and the manner of payments therefrom, and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon the heads of departments in which State employes serve excepting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties 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 members' salary for the repayment of such amounts into the member's accumulated deductions.

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. 1406, (Senate Bill No. 588), entitled:

An Act to protect the debtors, obligors 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.

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. 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.

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. 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.

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 Allegheny, Mr. Harkins, for presiding.

BILL ON SECOND READING

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1097, entitled:

An Act to amend section three of the act, approved the first day of June, one thousand nine hundred and thirty-seven (P. L. 1168), entitled "An act to protect the right of employes to organize and bargain collectively; creating the Pennsylvania Labor Relations Board; conferring powers and imposing duties upon the Pennsylvania Labor Relations Board, officers of the State government, and courts; providing for the right of employes to organize and bargain collectively; declaring certain labor practices by employers to be unfair; further providing that representatives of a majority of the employes be the exclusive representatives of all the employes; authorizing the board to conduct hearings and elections, and certify as to representatives of employes for purposes of collective bargaining; empowering the board to prevent any person from engaging in any unfair labor practice, and providing a procedure for such cases, including the issuance of a complaint, the conducting of a hearing, and the making of an order; empowering the board to petition a court of common pleas for the enforcement of its order, and providing a procedure for such cases; providing for the review of an order of the board by a court of common pleas on petition of any person aggrieved by such order, and establishing a procedure for such cases; providing for an appeal from the common pleas court to the Supreme Court; providing the board with investigatory powers, including the power to issue subpoenas and the compelling of obedience to them through application to the proper court; providing for service of papers and process of the board; prescribing certain penalties," extending the provisions of said act to include employers who operate for charitable purposes to those who operate not for profit, and to those who secure aid from the Commonwealth, or any agency or political subdivision thereof.

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

Ordered, To be transcribed for a third reading.

BILL RECOMMITTED

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

The motion was agreed to.

BILLS ON SECOND READING

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 525, entitled:

An Act amending revising consolidating and changing the law relating to the borrowing of money by certain political subdivisions the authorization issuance and sale of general obligation bonds as herein defined of bonds imposing no general obligation of debt and of bonds not deemed to constitute a debt for certain purposes and to the funding of debt and the refunding of bonds regulating the keeping and use of sinking funds imposing powers and duties upon the Department of Internal Affairs and upon corporate bodies and officers of political subdivisions imposing penalties and repealing existing laws.

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. 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 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. 543, entitled:

An Act authorizing cities boroughs incorporated towns and townships to abate certain interest 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 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. 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 this act.

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. 1459, entitled:

An Act to enable the county commissioners of counties of the first second and third classes to establish by resolution the requirement 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 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. 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 second time, and agreed to,

Ordered, To be transcribed for a third reading.

TIME EXTENDED ON BILL

Mr. HARKINS. Mr. Speaker, I move that the time on House Bill No. 931, Printer's No. 411, entitled:

An Act to further amend section six of the act, approved the first day of July, one thousand nine hundred and thirty-seven (P. L. 2603), entitled "An act relating to vocational education; creating vocational school districts for the purpose of conducting systems of vocational schools, departments or classes; providing for their government; prescribing their powers and duties; conferring powers and duties; conferring powers and imposing duties on school districts and on the State Board for Vocational Education; and providing for referendum in certain cases." fixing the rate of the annual tax levy; requiring county commissioners or boards for the assessment and revision of taxes to furnish, at the expense of the county, certified duplicates of last adjusted valuations of real estate; making the same taxable for vocational school purposes; and making further provision with reference to the bond of tax collectors.

on page 10 of today's Calendar, bills on second reading postponed, be extended five days.

The motion was agreed to.

BILL ON FINAL PASSAGE RECALLED FROM GOVERNOR

Agreeably to order,

The House proceeded to the consideration on final passage of House Bill No. 254, as follows:

An Act to further amend section two hundred and ten of the act approved the second day of May one thousand nine hundred and twenty-five (P. L. 448) entitled "An act relating to fish and amending revising consolidating and changing the law relating to fish in the inland waters and the boundary lakes and boundary rivers of the Commonwealth" by prohibiting the purchase sale or exposure for sale of striped bass or rock fish under eighteen inches in length

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

Section 1 Section two hundred and ten of the act approved the second day of May one thousand nine hundred and twenty-five (P. L. 448) entitled "An act relating to fish and amending revising consolidating and changing the law relating to fish in the inland waters and the boundary lakes, and boundary rivers of the Commonwealth" as amended by the act approved the twenty-second day of June one thousand nine hundred and thirty-one (P. L. 846) is hereby further amended to read as follows

Section 210 Sale of Certain Fish, Prohibited No person and no proprietor manager clerk or agent of any market hotel boarding house eating house restaurant or saloon shall purchase sell or expose for sale (a) any brook trout or any species of trout except lake trout caught in waters wholly within this Commonwealth (b) any small mouth bass or large mouth bass caught in waters wholly within this Commonwealth and received in interstate commerce or otherwise 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 No person and no proprietor manager clerk or agent of any market hotel boarding house eating house restaurant or saloon shall contract with or employ any person to catch and keep such fish for him by the day or otherwise

Section 2 The provisions of 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—190

- Achterman, Allmond, Auker, Baker, Balthaser, Baugher, Bentzel, Botes, Boney, Boorse, Bower, Bradley, Breth, Brown, Brunner, C. H., Brunner, P. A., Burns, Burris, Cadwalader, Chervenak, Chudoff, Cochran, Cohen, M. M., Cohen, R. E., Cook, Cooper, Cordier, Corrigan, Croop, Cullen, Dalrymple, Dennison, Dix, Dolon, Duffy, Early, Eckels, Elder, Elliott, Ely, Falkenstein, Finestone, Finnerly, Gallagher, Gerard, Gillan, Gillette, Goodwin, Gross, Gryskewicz, Gyger, Habbyslaw, Haberman, Haines, Hall, Hamilton, Hare, Harkins, Harmuth, Harris, Heathersington, Helm, Hering, Herman, Hersch, Hewitt, Hirsch, Holland, Huntley, Imbrie, James, Jefferson, Jones, P. N., Keenan, Kenehan, Kilne, Knoble, Kolankiewicz, Komorowski, Krise, Lee, T. H., Lelsey, Leonard, Lesko, Levy, Leydic, Malloy, Marks, Maxwell, McClanaghan, McClester, McDermott, McFall, McIntosh, McKinney, McLanahan, McLane, McMillen, McSurdy, Melchorre, Mihm, Modell, Monks, Mooney, Moran, Muir, Munley, Nagel, Nunemacher, O'Brien, O'Connor, O'Dare, O'Mullen, O'Neill, Owens, Petrosky, Pettit, Polaski, Polen, Powers, Prosen, Rank, Rausch, Readinger, Reagan, Reese, D. P., Reese, R. E., Reynolds, Rhea, Riley, Rosenfeld, Royer, Rush, Sarge, Sarraf, Scanlon, Schwab, Serrill, Shaffer, Shaw, Shepard, Simons, Skale, Sollenberger, Stambaugh, Stank, Stine, Tarr, Tate, Taylor, Thompson, E. F., Thompson, R. L., Trout, Turner, Van Allsburg, Verona, Vogt, Voidow, Voorhees, Wagner, Watkins, Weingartner, Wells, Welsh, E. B., Welsh, M. J., Williams, Winner, Wolf, Wood, L. H., Wood, N., Woodring, Woodside, Wright, Yeakel

- Fisher, Fiss, Fletcher, Foor, French, Lichtenwalter, Longo, Lovett, Lyons, Rooney, Rose, S., Rose, W. E., Yester, Young, Kilroy, Speaker

NAYS—0

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

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

BILLS ON FINAL PASSAGE

Agreeably to order,

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

An Act requiring certain 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

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

Section 1 Hereafter in all counties of the third class whenever construction improvements or additions costing more than five hundred dollars (\$500) have been made on or to any real estate subject to taxation under the laws of the Commonwealth of Pennsylvania the owner or lessee of such real estate shall within thirty days after the completion of the construction additions or improvements file a report thereof with the county board for the assessment and revision of taxes Such reports shall be submitted under oath or affirmation on forms prescribed by that board and furnished at the cost of the county

In addition to such other information as the board may require every report of construction improvement or addition on or to real property shall set forth

- (a) The location of the property
(b) The owner or owners thereof
(c) The use being made of the property
(d) The nature and purpose of the improvement addition or construction
(e) The total cost of the improvement addition or construction

(f) The date on which the improvement addition or construction was completed

Whenever any construction improvements or additions on or to real estate are made in any political subdivision where a building permit is required the report hereinbefore directed to be filed shall contain such reference to the number or other designation of the permit involved as to facilitate ready location and identification thereof by the board in case it desires to examine such permit

Section 2 Any person firm association or corporation violating any of the provisions of this act shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine of not more than one hundred dollars (\$100) or to undergo imprisonment for a term of not more than thirty (30) days or both in the discretion of the court

Section 3 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—190

- Achterman, Allmond, Auker, French, Gallagher, Gates, Lyons, Malloy, Marks, Royer, Rush, Rosenfeld

Baker,	Gerard,	Maxwell,	Sarge,
Balthaser,	Gillan,	McClanaghan,	Sarraf,
Baugher,	Gillette,	McClester,	Scanlon,
Bentzel,	Goodwin,	McDermott,	Schwab,
Boles,	Gross,	McFall,	Serrill,
Boney,	Gryskewicz,	McIntosh,	Shaffer,
Boorse,	Gyger,	McKinney,	Shaw,
Bower,	Habbyshaw,	McLanahan,	Shepard,
Bradley,	Haberlen,	McLane,	Simons,
Breth,	Haines,	McMillen,	Skale,
Brown,	Hall,	McSurdy,	Sollenberger,
Brunner, C. H.,	Hamilton,	Melchiorre,	Stambaugh,
Brunner, P. A.,	Hare,	Mihm,	Stank,
Burns,	Harkins,	Modell,	Stine,
Burris,	Harmuth,	Monks,	Tarr,
Cadwalader,	Harris,	Mooney,	Tate,
Cheryenak,	Heatherington,	Moran,	Taylor,
Chudoff,	Helm,	Muir,	Thompson, E. F.,
Cochran,	Hering,	Munley,	Thompson, R. L.,
Cohen, M. M.,	Herman,	Nagel,	Trout,
Cohen, R. E.,	Hersch,	Nunemacher,	Turner,
Cook,	Hewitt,	O'Brien,	Van Allsburg,
Cooper,	Hirsch,	O'Connor,	Verona,
Cordier,	Holland,	O'Dare,	Vogt,
Corrigan,	Huntley,	O'Mullen,	Voldow,
Croop,	Imbrle,	O'Neill,	Voorhees,
Cullen,	James,	Owens,	Wagner,
Dalrymple,	Jefferson,	Petrosky,	Watkins,
Dennison,	Jones, P. N.,	Pettit,	Weingartner,
Dix,	Keenan,	Polen,	Weiss,
Dolon,	Kilne,	Powers,	Weish, E. B.,
Duffy,	Knoble,	Prosen,	Weish, M. J.,
Early,	Kolankiewicz,	Rank,	Williams,
Eckels,	Komorofski,	Rausch,	Winnar,
Elder,	Krise,	Readinger,	Wolf,
Elllott,	Lee, T. H.,	Reagan,	Wood, L. H.,
Ely,	Lelsey,	Reese, D. P.,	Wood, N.,
Falkenstein,	Leonard,	Reese, R. E.,	Woodring,
Finestone,	Lesko,	Reynolds,	Woodside,
Finnerty,	Levy,	Rhea,	Wright,
Fisher,	Leydic,	Riley,	Yeakel,
Fiss,	Lichtenwalter,	Rooney,	Yester,
Fletcher,	Longo,	Rose, S.,	Young,
Foor,	Lovett,	Rose, W. E.,	Kilroy,
			Speaker.

NAYS—0

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

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

Agreeably to order,

The House proceeded to the consideration on final passage of House Bill No. 1094, as follows:

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

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

Section 1 Definitions The following words as used in this act shall for the purposes of this act be construed as follows

(a) "Pharmacy" means a retail drugstore where drugs and medical supplies are hereinafter defined are compounded dispensed prepared and sold at retail or where physicians prescriptions are compounded

(b) "Drug" means (1) articles recognized in the official United States Pharmacopoeia the official National Formulary or the official Homeopathic Pharmacopoeia or any supplement to any of them (2) articles intended for use in the diagnosis cure mitigation treatment or prevention of diseases in man or other animals (3) articles (other than food) intended to affect the structure or any function of

the body of man or other animals and (4) articles intended for use as a component of any article specified in clause (1) (2) or (3) hereof but does not include devices or their components parts or accessories

(c) "Medical supplies" means in addition to drugs absorbent cotton bandages gauze sutures compacts compresses surgical dressings of all kinds and descriptions and all other products preparations used in the diagnosis cure mitigation or prevention of disease in man or other animals or intended to affect the structure of any function of the body of man or other animals but shall not include instruments appliances or devices used by physicians dentists nurses or veterinarians in the pursuit of their professional practice

(d) "Manufacture" includes manufacture making producing packing packaging or preparing drugs or medical supplies

(e) "Person" means an individual copartnership association or corporation

(f) "Broker" includes broker jobber agent or distributor engaged in the vending of drugs and medical supplies

(g) "Hospital" includes hospital clinic dispensary or other similar place where drugs are compounded or drugs and medical supplies are dispensed to the public

(h) The words "drug" and "medical supplies" as used in this act do not include surgical or dental instruments or laboratory materials gases oxygen therapy equipment X-ray apparatus or therapeutic equipment their components parts or accessories or equipment instruments apparatus or contrivances used to render such articles effective in medical surgical or dental treatment or for use or consumption in or for mechanical industrial manufacturing or scientific applications or purposes

Section 2 Permits Required No pharmacy hospital place of manufacture broker's or wholesale druggist's place of business shall be conducted or kept open for the transaction of business until it has been registered with and a permit which shall not be transferable has been issued by the State Board of Pharmacy Provided however that nothing in this act shall be construed to apply to the sale of patent or proprietary medicines or commonly used household drugs medical or dental supplies at wholesale or retail when in either the original package of the manufacturer or in the manufacturer's consumer unit sale package

Section 3 Regulation of Manufacture No drugs or medical supplies shall be manufactured made produced packed packaged or prepared in this Commonwealth except under the personal supervision of a registered pharmacist chemist or other persons possessing at least five years experience in the manufacture of said drugs or medicinal supplies or such other person approved by the State Board of Pharmacy after an investigation and determination by the said Board that such person is qualified by scientific or technical training or experience to perform such duties of supervision as may be necessary to protect the public health and safety

Section 4 Applications for Permits Permit Year Applications for registration and for permits required under the provisions of this act shall be made on forms prepared and furnished by the State Board of Pharmacy and shall be accompanied by the fee hereinafter prescribed A separate application shall be made and a separate permit shall be required for each pharmacy hospital place of manufacture broker's or wholesale druggist's place of business except that a separate permit shall not be required for a clinic or dispensary conducted in a hospital having a permit Permits issued under the provisions of this act shall at all times be conspicuously displayed in the pharmacy hospital place of manufacture broker's or wholesale druggist's place of business Permits shall be issued for a permit year commencing July first of one year and expiring with June thirtieth of the year following

Application forms for permits shall be mailed by the State Board of Pharmacy to each applicant or permittee on or before the first day of June of each year or shall be furnished on request and if application is not made before the first day of July the existing permit shall expire and become null and void on said date except upon the production of good and sufficient evidence satisfactory to the

State Board of Pharmacy explaining the failure to file an application for a permit within the time prescribed by this act and the payment to the board of a fee of ten dollars (\$10.00)

Section 5 Permit Fees The annual fee for a permit under the provisions of this act shall be as follows (a) Permit for a place of manufacture broker's or wholesale Druggist's place of business five dollars (\$5.00) and (b) Permit for a pharmacy or hospital two dollars (\$2.00) All permit fees received and collected by the State Board of Pharmacy under the provisions of this act shall be paid into the State Treasury through the Department of Revenue

Section 6 Inspection The State Board of Pharmacy shall have power through its duly authorized and qualified agents to inspect at all reasonable hours in a lawful manner the drugs and medical supplies in any pharmacy hospital place of manufacture broker's or wholesale druggist's place of business or those vended by any person and for such purposes shall have power to enter any pharmacy hospital place of manufacture broker's or wholesale druggist's place of business or to require any person or broker to permit an examination of the drugs and medical supplies which he is engaged in vending and to take samples of such drugs and medical supplies upon payment therefor for the purpose of examining and testing the same

Section 7 Formularies and Publications Required There shall be kept in each pharmacy hospital place of manufacture broker's or wholesale druggist's place of business for which a permit is issued a copy of the latest revision of the United States Pharmacopoeia the latest edition of the National Formulary and the latest edition of the Year Book of the Pennsylvania Pharmaceutical Association and copy of the latest revision of the American Homeopathic if homeopathic remedies are compounded and dispensed a Pharmacopoeia or the Homeopathic Pharmacopoeia of the United States which books and publications must be available for and open to the inspection of the State Board of Pharmacy or its duly authorized agents

Section 8 Refusal Suspension Revocation of Permits Appeals The State Board of Pharmacy shall have power to suspend refuse or revoke the permit of any pharmacy hospital place of manufacture broker's or wholesale druggist's place of business when information in its possession shall disclose that the pharmacy hospital place of manufacture broker's or wholesale druggist's place of business insofar as respects the manufacture or vending of drugs and medical supplies is conducted contrary to law or contrary to the rules and regulations adopted by the State Board of Pharmacy pursuant to the Ninth Section of this act or in any manner so as to endanger the public health and safety

The State Board of Pharmacy shall reinstate any permit where it shall determine the same to be just and proper

No permit shall be suspended or revoked until the permittee shall have been afforded an opportunity for a public hearing at a time and place to be fixed by the State Board of Pharmacy At least ten days' notice of such hearing and of the charges preferred against him shall be given the permittee by registered mail at the address of the permittee as shown on the books of the board At such hearing the permittee may be represented by counsel may cross-examine the witnesses for the board and may present evidence which shall likewise be subject to cross-examination by the board

Immediate notice of the action of the State Board of Pharmacy shall be given to the permittee by registered mail at the address shown on the books of the board

Any permittee aggrieved by the action of the State Board of Pharmacy in suspending or revoking a permit may appeal from the action of the Board by petition to the Court of Common Pleas of Dauphin County Such appeals must be taken within thirty days after such suspension or revocation No appeal shall act as a supersedeas

Appeals shall be taken by serving upon the State Board of Pharmacy and the Superintendent of Public Instruction a copy of the appeal petition Within thirty days after the service of the copy of the appeal petition the State Board of Pharmacy shall file with the prothonotary of the

said court of common pleas a transcript of the proceedings and a complete transcript of the stenographic notes of testimony and notice of the filing of the same shall be given to the permittee by registered mail as above provided

The court upon application of the Board or the permittee shall fix a time and place of hearing at which any judge or judges of said court shall hear the appeal without a jury The court after reviewing the record and testimony and hearing argument may sustain modify or reverse the action of the Board as in its judgment the facts shall warrant

From any decision of the court of common pleas an appeal shall lie to the Superior Court as in other cases

Section 9 Rules and Regulations The State Board of Pharmacy shall have power from time to time to adopt and promulgate such rules and regulations as may be necessary to carry out the provisions of this act and as it deems necessary for the protection of the public health and safety with respect to the sanitation materials equipment and supplies of pharmacies hospitals places of manufacture broker's or wholesale druggist's place of business for which permits are issued

Section 10 Equity Jurisdiction The State Board of Pharmacy may in its discretion in addition to other remedies provided for in this act apply to any court of common pleas having jurisdiction over the parties for a writ of injunction to restrain repetitious violations of the provisions of this act

Section 11 Penalties Any person violating any of the provisions of this act or any of the rules and regulations adopted thereunder shall be guilty of a misdemeanor and on conviction thereof shall be sentenced to pay a fine not exceeding five hundred dollars (\$500) or undergo imprisonment for a period not exceeding six months or both

Section 12 All acts and parts of acts inconsistent with this act are hereby repealed Provided however that this act shall not be deemed to repeal or otherwise affect section thirteen of the act approved the seventeenth day of May one thousand nine hundred and seventeen (P. L. 208) entitled "An act to regulate the practice of pharmacy and sale of poisons and drugs and providing penalties for the violation thereof defining the words 'drug' and 'poison' and providing for the appointment of a board which shall have in charge the enforcement of said law and the power to make rules and regulations for the enforcement of said law and providing for the purchase of samples of drugs for determining their quality strength and purity" as variously amended which said section is hereby reenacted and incorporated into the within Act

Section 13 Effective Date This act shall become effective on the thirtieth day of June one thousand nine hundred and forty-one No prosecutions shall be brought under the provisions of this act until ninety days after the effective date of this act

On the question,

Shall the bill pass finally?

ELLWOOD B. WELSH. Mr. Speaker, the measure now before us, House Bill 1094, has brought much comment from the members of the House on both sides. In all my experience as a legislator I have never found so many persons eager and anxious to understand exactly what this bill does. I have met with all groups that have presented themselves, I have accepted their objections with good grace and I have incorporated in this bill such amendments as they have suggested. In many cases I have permitted them to write their own amendments.

The bill in itself, in its prime motivation, relates to the manufacture of drugs. The Commonwealth of Pennsylvania has a Board of Pharmacy which is vested with the power to regulate and supervise the manufacture of drugs, but in spite of that we find that the general public in many instances has suffered as a result of oversight, as a result of errors on the part of those who manufacture

that most vital product, that product which you and all of your family at sometime or other are obliged to use. It seems to me that main objection to this bill has been the question as to whether or not those who deal in proprietary drugs are interfered with. If you will consult the bill, page three, you will find, starting at line 21, that there is a provision, and this provision has been incorporated in the bill after the pink sheet had been printed, which gives every consideration to those who deal in proprietary and patent medicines. It makes no restriction whatsoever in the manufacturing clause of the bill. It deals directly with the same type of product. Similar exceptions have been made and the only restriction remaining in the bill is that those who manufacture drugs, those who manufacture medicinal products, and have been manufacturing them for five years must show the State board of Pharmacy that they have been manufacturing or supervising the manufacturing of these commodities for five years.

This in my estimation is a fair requirement, and I believe if you will read the bill you will get a comprehensive idea as to exactly what its intention is.

House Bill No. 1094 extends and broadens the powers of the present State Board of Pharmacy. It requires registration with and the securing of permits from the present board, by persons, co-partnerships, associations and corporations engaged in the manufacture, producing and dealing in drugs and medicinal supplies. It gives to the State Board of Pharmacy powers which it sorely needs to enforce and regulate the production of drugs.

House Bill No. 1094 seeks to protect you from the handiwork of those who are ill trained in the production of drugs and medicinal supplies and makes general allowance for those who, even though they are not registered pharmacists, but who can show that they have sufficient experience in the production of such drugs and medicinal supplies as are permitted by the State Board of Pharmacy, after an investigation and determination by the board that such persons are qualified by scientific, or technical training or experience to perform such duties of supervision as may be necessary to protect the public health and safety.

To carry out the provisions of this act, the State Board of Pharmacy shall have power through its duly authorized and qualified agents to inspect at all reasonable hours in a lawful manner the drugs and medicinal supplies produced under the provisions of this act.

If you will but read the reports issued by the State Pharmacy Laboratory you will gain a sound understanding of the work and accomplishments of the State Board. You will find that its prime aim is to provide the citizens of this Commonwealth with pure drugs.

Samples of drugs are purchased in the open market by Investigators affiliated with the Bureau of Professional Licensing. These drugs are tested by competent chemists in the State Laboratory, located at 114 Walnut Street, right here in Harrisburg.

These drug samples are of a great variety and last years' report showed that a total of seven hundred and six samples were tested. A goodly number of commonly used products as well as some which are not so commonly used, are sent to the State Laboratory by the investigators. Each year the laboratory is attempting to en-

large its service by running a greater number of tests and of a more complicated nature.

Disinfectants, Liniments, Milks (Magma), Mixtures, Oils, Ointments, Pills, Tablets, Lozenges, solutions, tincture and many other miscellaneous products are constantly under the watchful eyes of your tried and trusted chemists. In addition to this, in the year I mention, 706 Proprietary Medicines were carefully analyzed and examined. Samples of these were obtained from 27 different sources, as follows:

Pharmacies, Cut Rate Stores, Food Distributors, Groceries, Candy and Confectionery Stores, Groceries and Meats, Luncheonettes, Meat Markets, Peddlers, 5 and 10 cent stores, Fairs, Manufacturers, Individual Consumers, Department Stores, General Wholesale Jobbers, Herb Doctors, Canvassers, Wholesale Druggists, Physicians, Midwives, Perfume Stores, Gift Shops, Notion and Novelty Stores, Inns, Cigar Stores, News Stands and one was taken from a Pool Room.

It is interesting to note that of the 706 Proprietary samples tested, 229 were found to be produced in violation of the present laws.

In the group tested was the usual collection of therapeutically superfluous nostrums. The group included a sampling project of proprietary cold remedies, and sampling from county fairs.

The samples from one Antiseptic Powder, for example, consisting of merely a mixture of carbonates and a borate were sold for the treatment of such ills as wounds, snake-bite, gastric ulcers, diabetes, diphtheria, amoebic dysentery and constipation, and even to be inhaled for influenza, pneumonia, and tuberculosis.

I commend the State Board for its work thus far and I am in sympathy with any measure that will strengthen its hand as it stands guard between the health of the general public and that unthinking minority of persons who would profit by the sale of fake products and who are not sufficiently honest and willing to submit their articles to the careful, unbiased and capable examination of our State Board of Pharmacy.

For your sake, and for the general good of all who must use drugs, I ask you to vote to enact the bill now under consideration.

House Bill No. 1094 would give an even and complete control by our present State Board, and I urge every member of this House to give his earnest consideration to this measure. I feel that it would benefit one and all, and I ask you to vote for House Bill 1094.

Mr. HUNTLEY. Mr. Speaker, I desire to interrogate the gentleman from Philadelphia, Mr. Welsh.

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

Mr. ELLWOOD B. WELSH. I will, Mr. Speaker.

Mr. HUNTLEY. I should like to ask the gentleman from Philadelphia, Mr. Speaker, if this bill will prevent little country stores from selling iodine, carbolic acid and other drugs of that kind which are often needed as a disinfectant to wash stores or something of that kind, on a horse or man.

Mr. ELLWOOD B. WELSH. Mr. Speaker, I would say in answer to the gentleman that there is nothing in this measure that will interfere with this group whatsoever. The only provision is that the contents of the original packages may not be taken out, no mixing may take place

or no division of the contents of the real original package. Mr. HUNTLEY. The original package, as I understand, Mr. Speaker, will have to be bought from some wholesaler who has the good graces of the State Board of Pharmacy.

Mr. ELLWOOD B. WELSH. Well, I wouldn't say that would be a necessary qualification, Mr. Speaker. It might happen that it would come from manufacturers outside of the state, from reputable manufacturing concerns who would have no relations with our State Board.

Mr. HUNTLEY. I thank the gentleman from Philadelphia, Mr. Speaker, I think experience is the best teacher, and from past experience I am suspicious of this kind of bill. You know the fox never tells the goose that he is going to devour him until he gets him by the neck. These people always come around and tell you how they are going to protect your health and do a lot of nice things for you, and generally after they get what they want you are disappointed with their promises.

I have had experiences running a commissionery back in the sticks where you couldn't get to a pharmacy without traveling as far as forty-five miles over dirt roads. The law passed through the influence of the State Board of Pharmacy prohibits these little out of the way stores from selling carbolic acid and iodine and other disinfectants without an order from a pharmacy. The result was that if a horse was hurt and you wanted a little carbolic acid to wash the sore or the injury, or if they wanted some iodine to make a little salve to put on the horse you had to go forty-five miles to get it. It would be the same way if a man were injured. The very things that these little stores ought to carry that are very necessary for the community are the things that are prohibited by this law. It is not a new law nor a new idea; it has been incorporated in many states where I have lived and had experiences, and it is simply giving the pharmacists a monopoly and forcing people to come to the pharmacy to get what they might want instead of at a little country drug store. The result has been, according to my experience, that the little fellow that could not pay a fine is indicted, and the big fellow out of whom they might get something does not have to walk the chalk line.

Mr. ELLWOOD B. WELSH. Mr. Speaker, I think Mr. Huntley's main objection is covered by section two of the bill, which I would especially invite him to read. Line 21 reads as follows:

"That nothing in this act shall be construed to apply to the sale of patent or proprietary medicines or commonly used household drugs, medical or dental supplies at wholesale or retail when in either the original package of the manufacturer or in the manufacturer's consumer unit sale package."

It seems to me that is very definite and very understandable, and I trust the gentleman upon reading that will have his doubts wiped away.

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—60

Allmond,	Fleming,	Melchiorre,	Tate,
Auker,	Fletcher,	Modell,	Thompson, E. F.,
Boles,	Gross,	Monks,	Thompson, R. L.,
Boney,	Hamilton,	Munley,	Turner,
Boorse,	Harkins,	O'Brien,	Voldow,

Bretherick.	Hering,	O'Mullen,	Voorhees,
Brunner, C. H.,	Hersch,	Powers,	Weiss,
Chudoff,	James,	Prosen,	Welsh, E. B.,
Cohen, R. E.,	Jefferson,	Rooney,	Welsh, M. J.,
Cordier,	Kenehan,	Rose, S.,	Wilkinson.
Cullen,	Kolankiewicz,	Rose, W. E.,	Wood, L. H.,
Duffy,	Lee, E. A.,	Sarrat,	Woodside,
Elder,	Lee, T. H.,	Scanlon,	Yester,
Finestone,	McClanaghan,	Shepard,	Young,
Finnerty,	McIntosh,	Skale,	Kilroy, Speaker.

NAYS—94

Achterman.	Gates,	Leydic.	Rhea,
Baker,	Gerard,	Lichtenwalter.	Riley,
Balthaser,	Gillette,	Longo,	Royer,
Baughner,	Goodwin,	Lovett,	Rush,
Bentzel,	Greenwood.	Lyons,	Sarge,
Bower,	Gyger,	Marks,	Serrill,
Bradley,	Habbyshaw.	Maxwell,	Shaffer,
Brunner, P. A.,	Haines,	McClester,	Snaw,
Burns,	Hare,	McDermott,	Simons,
Burriss,	Harmuth,	McFall,	Stank,
Chervenak,	Harris,	McKinney,	Stine,
Cochran,	Heatherington,	McLanahan,	Tarr,
Cohen, M. M.,	Hewitt,	McMillen,	Taylor,
Cooper,	Hirsch,	McSurdy,	Trout,
Dennison,	Holland,	Mooney,	Van Allsburg,
Dix,	Huntley.	Muir,	Vogt,
Dolon,	Imbrie.	Nunemacher.	Wagner,
Early,	Jones, P. N.,	O'Dare,	Watkins.
Eckels,	Keenan,	Petrosky,	Weingartner,
Elliott,	Kilne,	Polaski,	Wolf,
Fisher,	Komorofski,	Rausch,	Wood, N.,
Foor,	Lelsey,	Readinger,	Woodring,
French,	Leonard,	Reagan,	Wright,
Gallagher,	Lesko,	Reese, R. E.,	

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

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. 364.

An Act to amend the act, approved the twenty-first day of June, one thousand nine hundred and thirty-nine (P. L. 566), entitled "A supplement to the act approved the second day of June one thousand nine hundred and fifty-two (P. L. 736), entitled as amended 'An act defining the liability of an employer to pay damages for injuries received by an employe in the course of employment establishing an elective schedule of compensation providing procedure for the determination of liability and compensation thereunder and prescribing penalties' as reenacted and amended providing for the payment of compensation to volunteer firemen or their dependents" amplifying the provisions thereof as to persons entitled to such payments.

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 Section 1, page 3, line 9, by inserting after the syllable "panies" the words "authorized by such cities boroughs incorporated towns and townships."

On the question,

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

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

YEAS—195

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

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative, and the amendments were concurred in. Ordered, That the Clerk inform the Senate accordingly.

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. 610.

An Act to amend clause forty-seven of section two thousand four hundred three 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" changing the qualifications of historical societies to receive appropriations.

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 Section 1, page 2, at the beginning of line 6, by inserting after the syllable "priations" and before the word "for" the words and figures "not exceeding two hundred fifty dollars (\$250.00)."

On the question,

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

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

YEAS—195

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

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative, and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly,

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. 1021.

An Act to add section six hundred seventeen and one-tenth to the act approved the eighteenth day of May one thousand nine hundred and eleven (P. L. 309) entitled "An

act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" authorizing school districts under certain conditions to appropriate money to non-profit corporations established for the purpose of constructing school buildings for the use of the district

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 Section 1, page 2, line 17, by striking out after the word "power" the words "with the approval of the Department of Public Instruction"; also on page 3, line 2, by inserting after the word "price" the words "provided however that none of the powers granted by this act shall be used by the board of school directors of said school district without the specific and written approval of the State Department of Public Instruction."

On the question,

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

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

YEAS—195

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

Speaker.

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative, and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

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. 481.

An Act to amend section eighteen of the act approved the second day of July, one thousand nine hundred and thirty-five (P. L. 539), entitled "An act to safeguard human health and life by providing for the issuance of permits to, and regulation of persons and entities selling milk and milk products; conferring powers, and imposing duties on the Secretary of Health, the Advisory Health Board; and otherwise providing for the administration of the act; and imposing penalties" requiring local ordinances in certain cases to conform to this act and the regulations made thereunder.

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 word "section" and inserting in lieu thereof the word "sections"; also in same line by inserting after the word "eighteen" the words "and nineteen"; also in line 10, by inserting after the word "penalties" the words "requiring the filing of local ordinances rules and regulations with the Dairy Advisory Council"; also in same line, by inserting after the word "ordinances" the words "rules and regulations"; also in next to last line by striking out after the word "to" the words "conform to this act and the regulations made thereunder," and inserting in lieu thereof the following: "Be consistent requiring inspectors employed by municipalities to be approved inspectors eliminating the power of the Advisory Health Board to make rules and regulations establishing a Dairy Advisory Council in the Department of Health conferring powers and imposing duties thereon and providing for appeals to the Court of Common Pleas."

On the question,

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

Amend Section 1, page 2, line 7, by striking out after the word "penalties" the word "is" and inserting in lieu thereof the word "is"; also in line 10, by striking out the light face brackets before the word "not"; also in line 11, by striking out the light face brackets after the word "to", before the word "nor" and after the word "to"; also in same line, by striking out after the last light face bracket the word "and"; also in line 13, by striking out the light face bracket before the word "for"; also in line 14, by striking out after the word "this" the following: "[inconsistent with provisions of this act This"; also in line 16, by striking out the light face bracket before the word "and"; also in line 23, by striking out the light face brackets after the word "ordinances".

Amend bill, page 2, line 23, by inserting after the word "ordinances" the following:

"Provided That all such ordinances rules and regulations shall be filed with the Dairy Advisory Council and that if any person is aggrieved by the action of any municipality its rules and regulations or the enforcement thereof or by the action of any approved inspector such person may appeal to the Dairy Advisory Council and if such grievance is caused by the application of conflicting provisions of municipal ordinances rules or regulations or the enforcement thereof with regard to physical conditions of dairy farms or milk plants including structures and equipment thereon the Dairy Advisory Council shall decide which provisions such persons shall comply with to properly protect the public health and Provided further that all inspectors of dairy farms and milk plants employed by municipalities shall be approved inspectors

Section 19 [The advisory health board of the State Department of Health is hereby authorized to adopt and promulgate rules and regulations for the proper enforcement of this act]

a There is hereby created and established in the Department of Health a Board to be known and designated as the Dairy Advisory Council. The Dairy Advisory Council shall consist of seven (7) members

The Secretary of Agriculture or his authorized representative shall be the Chairman of the Council. The Secretary of Health or his authorized representative shall be a member of the Council. One member shall be a person actually connected with the Health Department of one of the municipalities of the Commonwealth and shall be appointed by the Secretary of Health. The other four members shall be appointed by the Secretary of Agriculture. Two members shall be persons familiar with and possessing either training or experience in dairying and the production and marketing of milk. In making said appointments the Secretary of Agriculture shall recognize nominations made by the bona fide dairy cooperative organizations doing business in the Commonwealth. Two members shall be persons who through training or experience are familiar with the operation of milk plants and the handling and distribution of milk in making such appointments the Secretary of Agriculture shall recognize the nominations made by the substantial organizations of milk dealers in the Commonwealth.

The Secretary of Health or his authorized representative is hereby authorized to convene meetings of the Dairy Advisory Council whenever in his opinion such meetings are necessary and shall convene meetings thereof at any time upon the request in writing of three members thereof and he shall be the custodian of the records and proceedings of such Council

The members of the Dairy Advisory Council other than those employed and paid by the Commonwealth or a municipality shall be paid at the rate of ten dollars per day while actually engaged in the work of the Council and shall receive their necessary traveling expenses

The term of office of all appointed members of the Dairy Advisory Council shall run concurrently with the term of the office of the Governor of the Commonwealth and until their successors shall have been appointed

b The Dairy Advisory Council is hereby authorized to adopt and promulgate rules and regulations not inconsistent with the provisions of this Act for its proper administration and enforcement. Such rules and regulations shall be adopted only after a public hearing for the consideration thereof notice of which hearing shall be mailed at least seven (7) days prior thereto to each applicant for or holder of a permit and to any other person who shall have requested notice of public hearings and notice of such hearing shall be given to the public in such newspaper or newspapers as will afford an opportunity to all persons affected to attend such a hearing. Such rules and regulations shall be filed in the office of the Secretary shall be open to inspection by the public and copies thereof shall be mailed at least seven (7) days prior to the effective date thereof to each applicant for or holder of a permit and to any other person who shall have requested such copies provided however that such mailing shall not be a condition precedent to the validity of such rule or regulation. Such rules and regulations may contain all provisions

necessary to carry into effect the intent of the provisions of the Act concerning quality or grades of milk and milk products standards of milk plants and equipment standards of physical condition of dairy farms and cattle sanitary requirements of dairy farms and milk plants sanitary requirements relating to shipping transporting and delivering milk and milk products qualifications and classification of approved inspectors and all other standards practices or sanitary requirements necessary to the effective administration and enforcement of this Act

c Any person aggrieved by any decision rule or regulation made prescribed or adopted by the Dairy Advisory Council may within twenty (20) days after the decision or adoption of such rule or regulation file an appeal therefrom in the Court of Common Pleas of Dauphin County or of the County in which such person resides or has his principal place of business. No such appeal shall be permitted to act as a supersedeas except on special order of the court. A special order of court permitting the appeal to act as a supersedeas may be made only after reasonable notice to the Secretary of Health. The appeal from the action of the Dairy Advisory Council shall be by petition against the Secretary of Health officially as defendant alleging therein in brief detail the action of the Dairy Advisory Council complained of and praying for a reversal thereof. Such petition shall specify the petitioner's objections to the action of the Dairy Advisory Council and shall state the reasons in support of such objections. All averments in the petition reciting facts shall be supported by oath or affirmation and the petition shall include as part thereof under oath or affirmation an averment that the appeal is not filed for the purpose of delay. Upon service of a summons upon the Secretary of Health returnable at least ten (10) days from the date of service the Secretary of Health may on or before the return day file a motion to dismiss the appeal raising questions of law or attacking the form or sufficiency of the petition. If such motion is not sustained the Secretary of Health shall be given leave to file an answer within not less than ten (10) days after the order of court overruling the motion. Upon the filing of the answer by the Secretary of Health the case shall be at issue without further pleadings and upon application of either party the case shall be advanced and heard without further delay

The Secretary of Health shall on the return day of such summons certify to the court the record of the proceedings before the Dairy Advisory Council to which the petition refers. Such record shall include the testimony if any taken relative thereto the findings of facts of the Dairy Advisory Council and a copy of the rules and regulations complained of in the petition

Mere technical irregularities in the procedure of the Dairy Advisory Council shall not be the basis of the decisions of the court. In an appeal from the decision and action of the Dairy Advisory Council the case shall be heard upon the record certified to the court by the Secretary of Health. No evidence shall be received at the hearing of an appeal but if any party shall satisfy the court that evidence has been discovered since the hearing before the Dairy Advisory Council that could not have been obtained for use at that hearing by the exercise of reasonable diligence and will materially affect the merits of the case the court may in its discretion remand the record and proceedings to the Dairy Advisory Council with directions to take such after-discovered evidence and after consideration thereof to make such findings and so modify the decision rules and regulations complained of in the petition as the Dairy Advisory Council may deem proper and re-certify and re-submit to the court the record together with such additional supplemental findings decision rules and regulations as the Dairy Advisory Council shall have issued. Whereupon the court of common pleas shall proceed with the hearing of said appeal on the original and supplemental record

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.

BILL ON FINAL PASSAGE

Agreeably to order,

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

The House resumed the consideration on final passage of House Bill No. 124, entitled:

An Act to reenact and 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 of 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 producers, requiring the keeping of records and the filing of reports by milk dealers, and permitting with limitations, the use of information obtained thereby; authorizing the commission to fix prices for milk and certain milk products subject to the approval of the Governor, and conferring certain powers upon the Governor with respect thereto; providing for appeals to the courts from decisions of the commission, and for the burden of proof upon such appeals; prescribing penalties, fines, and imprisonment for violations of this act and rules, regulations and orders of the commission; defining perjury; defining remedies; repealing legislation supplied and superseded by this act, and saving rights, duties and proceedings thereunder; and making appropriations," by substituting the term "handler" for the term "milk dealer"; defining the terms "handle" and "handler" extending the provisions of the act to those who handle milk by bailment, brokerage, consignment or purchase by giving certain additional rights to producers and farmers' unions or organizations producing milk; setting up a price fixing procedure; restricting powers of the Governor; and providing for the payment of funds in the hands of the commission owing to producers and handlers.

On the question recurring,
Shall the bill pass finally?

RECONSIDERATION OF VOTE

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

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

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

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

The SPEAKER. How did the gentleman from Philadelphia, Mr. Levy, vote in the third reading of this bill.

Mr. LEVY. 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,

Will the House agree to the bill on third reading?

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

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

The Clerk read the amendment as follows:

Amend Sec. 1 (Sec. 304), page 12, lines 16 to 29, both inclusive, by striking out all of said lines.

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.

MT. LEBANON SENIOR HIGH SCHOOL WELCOMED

The SPEAKER. We are pleased to welcome to the House this afternoon members of the Social Studies Class of the Mt. Lebanon Senior High School. They are the guests of the gentlemen from Allegheny, Mr. Cooper and Mr. Ronald L. Thompson.

BILL PASSED OVER

There being no objection House Bill No. 1166, Printer's No. 461, 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. 1355, entitled:

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

On the question,

Will the House agree to the bill on third reading?

Mr. GOODWIN. Mr. Speaker, I ask unanimous consent to offer an 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 (Sec. 1105), page 4, line 19, by striking out the word "only".

The SPEAKER. Will the House give unanimous con-

sent 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.

BILL PASSED OVER

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. 943, entitled:

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

On the question,

Will the House agree to the bill on third reading

Mr. WOLF. 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, 7th line of title, by inserting after the word "commissioners" the following: "except in counties of the second class."

Amend sec. 1, (sec. 441), page 2, line 12 by striking out the word "And" and inserting in lieu thereof the following: "Except in counties of the second class."

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.

BILLS PASSED OVER

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

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

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.

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

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

BILLS ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1257, as follows:

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

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

Section 1 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" is hereby amended by adding thereto after section three a new section to read as follows

Section 3.1 If by reason of unfavorable weather the display for which a permit has been granted does not take place at the time so authorized the person to whom such permit was issued may within twenty-four hours apply to the authority having granted the same setting forth under oath the fact that such display was not made giving the reason therefor and requesting a continuance of such permit for a day designated therein not later than one week after the day fixed originally in said permit Upon receiving such application for a continuance the said authority if it believes the facts stated therein are true shall extend the provisions of said permit to the day fixed in said application not later than one week after the original day designated in the permit and such extension of time shall be granted without the payment of any additional fee and without requiring any bond other than the one given for the original permit the provisions of which shall extend to and cover all damages which may be caused by reason of the said display taking place at such extended date in the same manner and to the same extent as if such display had taken place at the date originally fixed in the permit

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—195

Achterman,	Foor,	Lovett,	Rose, W. E.,
Allmond,	French,	Lyons,	Rosenfeld,
Auker,	Gallagher,	Malloy,	Royer,
Baker,	Gates,	Marks,	Rush,
Balthaser,	Gerard,	Maxwell,	Sarge,
Baughner,	Hillan,	McClanaghan,	Sarraf,
Bentzel,	Gillette,	McClester,	Scanlon,
Boles,	Goodwin,	McDermott,	Schwab,
Boney,	Gross,	McFall,	Serrill,
Boorse,	Gryskewicz,	McIntosh,	Shaffer,

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

NAYS—0

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

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

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1301, (Senate Bill No 217) as follows:

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

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

Section 1 It shall be the duty of the Department of Welfare whenever a person is discharged from any State institution under its supervision immediately to notify the clerk of court and the controller of the county from which such person was committed of the fact of his discharge or release

Section 2 This act shall become effective immediately upon final enactment

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

On the question,

Shall the bill pass finally?

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

YEAS—195

Achterman,	Flynn,	Longo,	Rose, W. E.,
Allmond,	Foor,	Lovett,	Rosenfeld,
Auker,	French,	Lyons,	Royer,
Baker,	Gallagher,	Malloy,	Rush,
Balthaser,	Gates,	Marks,	Sarge,
Baughner,	Gerard,	Maxwell,	Saraf,
Bentzel,	Gillan,	McClanaghan,	Scanlon,

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

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.

Agreeably to order,

The House proceeded to the third 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 times during which the benefits shall be payable and the amounts thereof and to whom payable

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

Section 1 The act approved the seventh day of June one thousand nine hundred seventeen (P. L. 600) entitled "An act providing that appointive officers and employes

Speaker.

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" is hereby amended to read as follows

Section 1 That whenever any appointive officer or employe regularly 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 within the Commonwealth and who shall have been regularly employed thereby for a period of not less than one year prior thereto shall in time of war or [contemplated war] emergency declared by the President of the United States or by the Governor of this Commonwealth enlist enroll or be called or drafted [in] into the active military or naval service of the United States or any branch or unit thereof he shall not be deemed or held to have thereby resigned from or abandoned his said office or employment nor shall he be removed therefrom during the period of his said service during such war or emergency as hereinafter defined but the duties of his said office or employment shall if there is no other person authorized by law to perform the powers and duties of such officer or employe during said period be performed by a substitute who shall be appointed by the same authority who appointed such officer or employe if authority shall deem the employment of such substitute necessary Such substitute shall receive so much of the salary or wages attached to said office or employment as shall not be paid to the dependent or dependents of said officer or employe as hereinafter provided and such substitute may receive such further compensation from appropriations made for that purpose [or otherwise] as may be required when added to the amount received under the provisions of this act to constitute a reasonable compensation for his services in the opinion of the authority appointing him Provided however that in the case of any County municipality township or school district the number and compensation of such substitutes shall be fixed by the body authorized by law to legislate for such county municipality township or school district

Section 2 And said officer or employe so enlisting enrolling called or drafted and having a dependent or dependents as aforesaid may at the time of his enlistment enrollment call or draft or immediately thereafter file with the head or chief of the department bureau commission or office in which he is employed a statement in writing executed under oath setting forth the fact and date of his enlistment enrollment call or draft his intention to retain his said office or employment and to resume the duties thereof after the expiration of his active service in the military or naval service or any branch or unit thereof and the names and addresses of his wife children and dependent parent or parents if any such he have and requesting and directing that one-half of the salary or wages of his said office or employment not exceeding two thousand (\$2,000) dollars per annum shall be paid during his active service in the military or naval service or any branch or unit thereof as follows [If he have a wife to his wife for her use and that of his children if he have children and no wife then to such person as he may designate for the use and benefit of his children. If he have a dependent parent or parents then he shall direct such sum as he has theretofore been accustomed to contribute to their support to be paid to them and the amount payable to his wife or children if any he have shall be pro-

portionately decreased. If he have no wife or children he may direct the entire one-half of his said salary or wages not exceeding two thousand (\$2,000) dollars per annum to be paid to his dependent parent or parents if any such he have]

If he has a wife and no children or dependent parents to his wife for her use provided however that if he is living separate and apart from his wife at the time of his entry into service the payment to her shall not exceed the amount contributed by him to her voluntarily or by order of Court prior to his entry into service

If he has a wife and minor children and no dependent parents to his wife for her use and that of the said children

If he has no wife or dependent parents but has minor children to a person designated by him for the use and benefit of such children

If he has no wife or minor children but has a dependent parent or parents to such parent or parents for their use provided however that the payment to such parent or parents shall not exceed the amount contributed by him to them prior to his entry into service

If he has a dependent parent or parents and a wife or minor children then the benefits shall be allocated among them in proportion of his contribution to them prior to his entry into service provided however that the payment to any dependent parent or parents and to any wife living separate and apart from such officer or employe shall not exceed the amount contributed by him prior to his entry into service. And provided further that the amount of benefits paid under this act shall in no case exceed an amount which added to the aggregate amount paid to such officer or employe by the United States as compensation commutation and other allowances totals more than the salary or wages paid to such officer or employe by the Commonwealth or by any County municipality township or school district within the Commonwealth at the time of his entry into such military or naval service all sums so directed to be paid shall be paid to the person designated in the same proportional instalments as nearly as may be as the salary or wages of such person were theretofore paid to him. With such statement he shall also file powers of attorney authorizing the proper dependents to receive their proportion of said salary or wages as aforesaid

Section 3 The statement required to be filed by section two of this act shall be prima facie evidence of the dependency of any person named as a dependent in said statement but the head of [any] the department bureau commission or office [may in the case of doubt satisfy himself] shall investigate and certify his findings as to the fact of such dependency and if the person so [nominated] named as a dependent was not in fact dependent upon the officer or employe enlisting enrolling called or drafted in the active military or naval service or any branch or unit thereof at the time of his enlistment enrollment call or draft shall refuse to make any payment to such person on account of the salary or wages of such officer or employe. Such head of a department bureau commission or office shall also satisfy himself before making payments to dependents under the provisions of this act that the officer or employe was alive during the period for which any payment is made. No payment shall be made under the provisions of this act to any officer or employe enlisting enrolling called or drafted as aforesaid and so much of the salary or wages of such officer employe as is not paid under the provisions of this act to his dependents and his substitute shall [be recovered back into the fund] remain to the credit of the appropriation fund or item from which said salary or wages is paid

Section 4 As used in this act the term "war" shall mean the period between the opening and ending of hostilities and shall not include the period after the ending of hostilities notwithstanding the fact that no treaty of peace has been negotiated or concluded and the term "emergency" shall mean the period between a declaration that a state of emergency exists and a declaration that the state of emergency has been terminated

Section 5 The benefits of this act shall apply to any officer or employe entitled thereto until one month after the termination of the term of service or training in which

the said officer or employe shall be engaged at the conclusion of such hostilities or state of emergency but shall not apply to any term of service voluntarily entered into by the said officer or employe after the conclusion of such hostilities or emergency

Section 2 This act shall become effective immediately upon final enactment

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

On the question,

Shall the bill pass finally?

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

YEAS—195

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

NAYS—0

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

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

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1295, as follows:

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

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

Section 1 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" is hereby amended to read as follows

Section 4402 Appointment of Examining Boards There shall be the following civil service boards in each city (a) A board for the examination of applicants for appointment to any position in the police department (b) a board for the examination of applicants for appointment to any salaried position in the fire department (except volunteer departments) or health officers other than registered physicians or as sanitary policemen or inspectors of the health department (c) a board for the examination of applicants for appointment to any position in the engineering or electrical departments or to the position of building inspectors

Each of said boards shall consist of three citizens who shall be elected by council for terms of four years or until their successors are elected and qualified One of the members of the boards provided for in clauses (a) and (b) of this section shall be an educator and one shall be a physician Any person may be appointed to one or more of said boards In addition to the three members hereinbefore provided for who shall have full power to vote on all questions coming before the board the board for examination of applicants for appointment of any position in the police department under clause (a) above shall have a fourth member who shall be a paid policeman of the city but who shall have no right to vote on any question coming before the board and in cities having a paid fire department only the board for the examination of applicants for appointment to any salaried position in the fire department (except volunteer departments) or health officers other than registered physicians or as sanitary policemen or inspectors of the health department under clause (b) above shall have a fourth member who shall be a paid fireman of the city but who shall have no right to vote on any question coming before the board Such additional members shall be elected by council for terms of four years or until their successors are elected and qualified.

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. AUKER. Mr. Speaker, I would like to interrogate the sponsor of the bill, the gentleman from Erie, Mr. Polaski.

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

Mr. POLASKI. I will, Mr. Speaker.

Mr. AUKER. Mr. Speaker, I would like to ask the sponsor of this bill what the purpose is in putting firemen and policemen on the Civil Service Boards of third class cities when they do not have a vote.

Mr. POLASKI. Mr. Speaker, the purpose of this bill is to give the policemen and firemen a chance to serve as advisors on these Civil Service Boards. That is the only purpose of the bill.

Mr. AUKER. Mr. Speaker, what good would they be on the board, even in an advisory capacity, if they do not have any vote?

Mr. POLASKI. Mr. Speaker, the police and firemen contend that they are better able to determine the fitness of men who are applying for positions, and therefore would like to have the opportunity to pass judgment on any applications.

Mr. AUKER. Will the sponsor of the bill answer me whether or not the Civil Service Boards do not now have the prerogative to consult the policemen and firemen before any appointments are made?

Mr. POLASKI. The law does not specify anything about that fact, Mr. Speaker.

Mr. AUKER. There isn't anything in the law to prevent it, is there, Mr. Speaker?

Mr. POLASKI. Mr. Speaker, no, there is not. I admit that.

Mr. AUKER. That is all, Mr. Speaker, I thank the gentleman from Erie. I would like to debate the bill. I can't see any purpose in the bill at all, inasmuch as there is no voting power in the representatives of the policemen and firemen who might be placed on the Civil Service Board in an advisory capacity. There is no question now that the Civil Service Board has the power and authority to consult the policemen and firemen, and we are not giving them anything today that they do not already have. I think it is superfluous legislation, and therefore bad. I ask the members to vote against the bill.

Mr. POLASKI. Mr. Speaker, the bill as originally written specified that a fourth member policeman be placed on the Policemen's Civil Service Board, and a fourth member fireman be placed on the Firemen's Civil Service Board. The original bill specified that these members would have voting power. When this bill came on the calendar various members objected to the fact that these fourth members would have voting power, because in case they voted with four members on the Board there might be a deadlock of two and two. Therefore, as a compromise measure we suggested an amendment to make these fourth members non-voting members, which means that there will never be a possibility of a deadlock.

I think the bill has certain merits. It gives the policeman and firemen a chance to say something in regard to the applicant as to his fitness and his aptness for the position applied for, and it does not necessarily give them the power to sway the board in its consideration of an applicant. I suggest that the House vote for the bill.

Mr. AUKER. Mr. Speaker, I would like to ask the gentleman whether or not the other municipal employes have any representation on these boards?

Mr. POLASKI. No, they have not, Mr. Speaker.

Mr. AUKER. Doesn't the gentleman think, Mr. Speaker, that it is being unfair to the other municipal employes in not giving them any representation on the board when the policemen and firemen have representation?

Mr. POLASKI. Mr. Speaker, we might introduce a bill to the effect that the engineers might also have an engineer on the Board, so that there would be representation on all three boards.

Mr. AUKER. Mr. Speaker, if we follow that out to its logical conclusion, every particular department in the city would possibly be entitled to a member on the Board in an advisory capacity.

Mr. POLASKI. There are only three boards at the present time. This will provide for firemen and policemen on two boards, leaving out the one board.

Mr. AUKER. Mr. Speaker, how are the other municipal employes going to be taken care of?

Mr. POLASKI. The other municipal employes, Mr.

Speaker, do not have a Civil Service Board, outside of the engineers.

Mr. AUKER. Are there not bills pending here now that will give civil service tenure status to all municipal employes, Mr. Speaker?

Mr. POLASKI. I believe there are, Mr. Speaker.

Mr. AUKER. One such bill, Mr. Speaker, has already passed the Senate, isn't that correct?

Mr. POLASKI. I believe it is, Mr. Speaker.

Mr. AUKER. Mr. Speaker, what will be the status then if that bill becomes law and this bill becomes law?

Mr. POLASKI. I haven't proved that question, Mr. Speaker.

Mr. AUKER. Doesn't the gentleman think, Mr. Speaker, that it would be a good idea to hold this bill up until we see what happens to that bill?

Mr. POLASKI. I ask that the bill be voted on, Mr. Speaker.

Mr. AUKER. That is all, and I thank the sponsor.

Mr. Speaker, this legislation in my opinion is very superfluous,—Mr. Rose gave me that word yesterday and I think it is a good one. I believe it is going to throw the Civil Service Board and the regulation of such boards in third class cities more or less into confusion, so that they will not be able to regulate in nearly as good a manner as they are now capable of doing. Furthermore, if these other municipal employes come under the Civil Service Board under the act now pending in the House which has already passed the Senate, then we will have the odd situation of two classes of municipal employes being recognized by a Civil Service Board in the capacity of advisors and the other municipal employes will not be recognized. It will be unfair to all the other municipal employes.

I am not against representation on the Civil Service Board by either policemen or firemen or municipal employes, but I do believe that this bill should be held up until we see whether or not this other act is going to pass the House, and then have a bill passed which will give representation upon the board, perhaps, of two members elected from the municipal employes. Then we would have a well-balanced bill. I feel that they should have representation possibly on the board,—I am not against it, but I am against legislation being passed at this time which will only create a hodge podge and be superfluous.

In view of legislation now passed and in view of the fact that the sponsor will not agree to hold the bill over until third reading and final passage I ask the members of the House to vote against the bill with the hope that we can get another tenure bill passed.

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—140

Achterman,	Gerard,	Malloy,	Reese, R. E.,
Allmond,	Gillette,	Marks,	Reynolds,
Baker,	Goodwin,	Maxwell,	Rooney,
Balthaser,	Greenwood,	McClanaghan,	Rose, S.,
Baughner,	Gryskewicz,	McDermott,	Rose, W. E.,
Bentzel,	Cyger,	McFall,	Rosenfeld,
Boles,	Habbyshaw,	McIntosh,	Sarraf,
Boney,	Haberlen,	McKinney,	Scanlon,
Boorse,	Haines,	McLanahan,	Schwab,
Bradley,	Hall,	McLane,	Shaffer,
Breth,		McMillen,	Shaw,

Brunner, P. A.,	Hamilton,	McSurdy,	Simons,
Burris,	Hare,	Melchiorre,	Tarr,
Chervenak,	Harkins,	Mihm,	Tate,
Chudoff,	Harmuth,	Modell,	Taylor,
Cochran,	Harris,	Monks,	Thompson, E. P.,
Cohen, M. M.,	Heatherington,	Mooney,	Thompson, R. L.,
Cohen, R. E.,	Heim,	Moran,	Trout,
Cook,	Hering,	Moul,	Turner,
Cooper,	Herman,	Muir,	VanAillsburg,
Cordier,	Hersch,	Munley	Verona,
Duffy,	Hirsch,	Nagel	Vincent,
Early,	Holland,	Nunemacher	Vogt,
Elder,	Huntley,	O'Brien,	Voldow,
Elliott,	Jefferson,	O'Connor,	Watkins,
Ely,	Jones, P. N.,	O'Dare,	Weiss,
Falkenstein,	Keenan,	O'Mullen,	Weish, E. E.,
Finestone,	Kenehan,	O'Neill,	Weish, M. J.,
Finnerty,	Kline,	Owens,	Williams,
Fisher,	Kolankiewicz,	Petrosky,	Wolf,
Fiss,	Leonard,	Pettit,	Woodring,
Fleming,	Lesko,	Polaski,	Wright,
French,	Levy,	Polen,	Yester,
Gallagher,	Leydic,	Powers,	Young,
Gates,	Lovett,	Prosen,	Kilroy,
	Lyons,		Speaker.

NAYS—10

Auker,	Imbrie,	McClester,	Voorhees,
Dix,	James,	Reagan,	Weingartner,
Hewitt,	Lee, E. A.,		

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 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. 295:

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 provisions of the contract for publication of such reports and advance sheets

Whereupon,

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

BILLS ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 532, as follows:

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 (P. L. 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

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

Section 1 Section one thousand and forty-seven of the act approved the fourth day of May one thousand nine hundred and twenty-seven (P. L. 519) entitled "An act concerning boroughs and revising amending and consoli-

dating the law relating to boroughs" as amended by section six of the act approved the eighteenth day of July one thousand nine hundred and thirty-five (P. L. 1290) is hereby further amended to read as follows

Section 1047 Compensation of Auditors Each auditor shall receive five dollars per day for each day necessarily employed in the discharge of his duties to be paid by the borough A day shall consist of not less than five hours in the aggregate In completing their audit the auditors shall not be employed more than the following number of days In boroughs having a population of less than three thousand twenty days in boroughs having a population of three thousand and more but less than ten thousand thirty days and in boroughs having a population of ten thousand and more forty days

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

On the question,

Shall the bill pass finally?

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

YEAS—195

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

NAYS—0

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

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

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 530, as follows:

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 (P. L. 1333) entitled "An act concerning elections including general municipal special and primary elections the nomination of candidates primary and election expenses and election contests creating and defining membership of county boards of elections imposing duties upon the Secretary of the Commonwealth courts county boards of elections county commissioners imposing penalties for violation of the act and codifying revising and consolidating the laws relating thereto and repealing certain acts and parts of acts relating to elections" by providing for the reimbursement of counties by the Commonwealth for primary and election costs incurred in even-numbered years

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

Section 1 Section three hundred and five of the act approved the third day of June one thousand nine hundred and thirty-seven (P. L. 1333) entitled "An act concerning elections including general municipal special and primary elections the nomination of candidates primary and election expenses and election contests creating and defining membership of county boards of elections imposing duties upon the Secretary of the Commonwealth courts county boards of elections county commissioners imposing penalties for violation of the act and codifying revising and consolidating the laws relating thereto and repealing certain acts and parts of acts relating to elections" is hereby amended to read as follows

Section 305 Expenses of County Boards and of Primaries and Elections to be paid by County Expenses of Special Elections Boards to be Provided with Offices (a) The county commissioners or other appropriating authorities of the county shall appropriate annually and from time to time to the county board of elections of such county the funds that shall be necessary for the maintenance and operation of the board and for the conduct of primaries and elections in such county including the payment of the compensation of the employes of the board custodians election officers and other assistants and employes herein provided for and the fees of witnesses as herein provided for the purchase or printing under contracts made by the board of all ballots and other primary and election supplies required by this act or which the board shall consider necessary to carry out the provisions of this act for the purchase under contracts made by the board and maintenance of voting machines when adopted as herein provided and of all other primary and election equipment required by this act or which the board shall consider necessary to carry out the provisions of this act for the publication of notices authorized by this act under contracts made by the board and for all other necessary expenses hereunder Provided however That bonds or other evidences of indebtedness payable not later than ten years from their dates of issuance may be issued by the county commissioners or other appropriating authorities of the county in accordance with the provisions of law relating to the increase of indebtedness of such county to meet all or any part of the cost of voting machines

1 The county shall be liable for the expenses of holding special elections for any city borough township school district or other municipality or incorporated district contained therein which is held on the day of any general municipal or primary election and on any special question which is required by law to be or which is at the discretion of the county board as hereinafter provided printed on the regular ballot after the list of the candidates or on the same voting machine as the list of candidates

2 Any city borough township school district or other municipality or incorporated district contained in any county holding a special election as authorized by law on the question of increase of indebtedness or any other

question to be voted on by the electors of such subdivision which special election is held on the day of any general municipal or primary election and which is required by law to be conducted or at the discretion of the county board as hereinafter provided is conducted by special ballots for such question shall be liable to the county for the expenses necessarily incurred in the printing of such special ballots

3 If any other day than the day of any general municipal or primary election be fixed by the corporate authorities of any municipality school district or incorporated district for the holding of a special election on the question of increase of indebtedness or any other question as authorized by law such municipality school district or incorporated district shall be liable for and pay the entire expense of holding such election including the cost of printing ballots and supplies pay of election officers the rental of polling places and the cost of canvassing and computing the votes cast

(b) The county commissioners or other appropriating authorities of the county shall provide the county board with suitable and adequate offices at the county seat properly furnished for keeping its records holding its public sessions and otherwise performing its public duties and shall also provide such branch offices for the board in cities other than the county seat as may be necessary

(c) The Commonwealth shall reimburse each county for election expenses incurred at the general and primary election conducted in each even-numbered year as follows

1 The sum of seventy-five dollars (\$75.00) for each borough and township not divided into wards and a like amount for each ward in each city borough and township divided into wards and

2 The sum of seventy-five dollars (\$75.00) for each eight hundred registered electors or major fraction thereof after the first one thousand in each borough and township not divided into wards and a like amount for each like number registered electors in each ward of each city borough and township divided into wards and

3 The sum of ten cents for each registered elector in the county the number to be determined by the total number of electors on the district registers at date of the general election held in November of each even-numbered year

The county Board of Elections shall transmit to the Department of State not later than November thirtieth of each even-numbered year on a form prescribed and furnished by the Department of State (a) the names of the boroughs and townships not divided into wards and the names or numbers of each ward in each city borough and township divided into wards (b) the number of electors registered on the date of the general election in each borough and township not divided into wards and in each ward of each city borough and township divided into wards (c) the total number of registered electors in such county and (d) such other information as the Department of State shall require

In order to enable the County Board of Elections to furnish such information to the Department of State it shall be the duty of the Registration Commissioners in cities of the first second and second A classes upon request to furnish to the County Board of Elections all information necessary to enable it to make the report

Upon the receipt of each report from the County Board of Elections the Department of State shall ascertain and fix the amount due to each county for the general and primary election held that year in accordance with the formula above prescribed and by requisition in the usual course provide for the payment of such amounts so found due from moneys appropriated to the Department of State for such purposes

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—195

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

NAYS—0

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

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

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1259, as follows:

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

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

Section 1 This act shall be known and may be cited as the "Fourth Class County Retirement Law"

Section 2 Definitions The following words and phrases as used in this act shall be construed to have the following meanings

"Board" the county retirement board created in any county under the provisions of this act

"County employe" any person whether elected or appointed who is employed by the county the county institution district in the county prison or in any other institution maintained by the county from county moneys whose salary or compensation is paid in regular periodic installments but shall not include any person paid on a

per diem basis In all cases of doubt the board shall determine whether a person is an employe within the meaning of this act

"Fund" the county employes' retirement fund created in any county under the provisions of this act

"Accumulated deductions" the total of the amounts deducted from the salary of a contributor and paid into the fund and standing to the credit of the members' annuity reserve account together with regular interest thereon

"Contributor" any person who has accumulated deductions in the fund standing to the credit of the members' annuity reserve account

"Beneficiary" any person in receipt of a retirement allowance under this act

"Prior service" all service as a county employe served before the establishment of the retirement system in said county

"Original employe" a county employe who was at any time a county employe before the establishment of the retirement system in said county

"New member" a county employe who shall have become a member of the retirement system after the establishment of the retirement system in said county

"Superannuation age" as applied to a contributor means sixty years of age or upwards

"Average salary" the average annual salary received by a contributor for the five years of service immediately preceding retirement or in the event a member has not served five years the total salary received divided by the number of years served

"Regular interest" interest at the rate of three and one-half per centum compounded annually

"County annuity" payments for life or during disability derived from contributions made by the county and the interest earnings thereof

"Members' annuity" payments for life or during disability derived from contributions made by the contributor and the interest earnings thereof

"Retirement allowance" the county annuity plus the members' annuity

Section 3 County Retirement System County Retirement Board The county commissioners are hereby authorized to establish a system for the retirement of county employes in each county of the fourth class which shall if established be administered by a county retirement board which shall consist of the county commissioners the county controller the treasurer the register-of-wills the clerk of the courts and the recorder of deeds The chairman of the board of county commissioners shall be chairman of the board Each member of the board may designate a deputy or clerk to act on said board in his stead Five members of the board shall constitute a quorum

Each member of the board shall take an oath of office that he will diligently and honestly administer the affairs of the board and they will not knowingly violate or permit to be violated any of the provisions of this act Such oath shall be subscribed by the member taking it and shall be filed among the records of the board The members of the board shall not receive any compensation for their services but shall be reimbursed for all expenses necessarily incurred in the performance of their duties

The retirement system created by this act shall be established in each county as of the date fixed by resolution of the county commissioners for such system to become effective

Section 4 Personnel and Expenses The board shall appoint and fix the compensation of an actuary The controller shall act as secretary of the board and shall receive such compensation for his services as may be fixed by the salary board The secretary shall keep a record of all proceedings of the board which shall be open to inspection by the public The expense of the administration of this act exclusive of the payment of retirement allowances shall be paid by the county by appropriations made by the commissioners on the basis of estimates submitted by the board

Section 5 Rules and Regulations Actuarial Data The Board shall from time to time establish such rules and regulations for meetings of the board and for the administration of

the fund and the various accounts thereof as may be deemed necessary It shall keep such data as shall be necessary for actuarial valuation purposes The actuary of the board shall periodically make an actuarial investigation into the mortality and service experience of the contributors to and beneficiaries of the fund and shall adopt for the retirement system one or more mortality tables and certify to the board annually the amount of appropriation to be made to build up and maintain adequate reserves for the payments of the county's share of the retirement allowances provided by this act

Section 6 County Employes' Retirement Fund Where a county retirement system has been established under the provisions of section three hereof there shall be created in each such county of the fourth class a county employes' retirement fund which shall consist of all moneys arising from appropriations made by the county and from contributions made by the members of the county employes' retirement system and all interest earned by the investments or moneys of the fund created by this act The moneys contributed by the county shall be credited to a county annuity reserve account and those contributed by the members shall be credited to a members' annuity reserve account The depository shall be selected by the treasurer of the board Upon the granting of a retirement allowance to any contributor whether as a superannuation retirement allowance an involuntary retirement allowance or a total disability retirement allowance as hereinafter provided the amount of such contributor's accumulated deductions in the members' annuity reserve account shall lose their status as accumulated contributions and shall be transferred to a retired members' reserve account and the actuarial equivalent of the county annuity shall be similarly transferred from the county annuity reserve account to the retired members' reserve account The interest earnings shall be apportioned to the members' annuity and county annuity and retired members' reserve accounts The actuary shall determine the present value of the liability on account of all county annuities payable to original members and the percentage of such liability which shall be contributed by the county each year over a period of fifteen years from the time the system is established until the accumulated reserve equals the present value of said liability All such contributions shall be credited to the county annuity reserve account The actuary shall also determine the amount which shall be contributed by the county into the fund periodically for credit to the county annuity reserve account on account of service of all new and original members subsequent to the time the retirement system is established

Each member of the retirement system shall be required to contribute to the fund such per centum of his salary as shall be computed by the actuary to be sufficient with regular interest to procure for him on superannuation retirement one one-hundred-twentieth (1-120) of his average salary for each year of service after he becomes a member of the retirement system which contributions shall be paid into the fund through payroll deductions in such manner as the board may require All contributions by members shall be credited to the members' annuity reserve account

Section 7 Custom of and Payments from Fund All moneys and securities in the fund created by this act shall be placed in the custody of the county treasurer for safekeeping and all payments from said fund on account of retirement allowances shall be made only on requisition signed by the chairman and secretary of the board

Section 8 Management and Investment of Fund The members of the board shall be trustees of the fund created by this act and shall have exclusive management of said fund with full power to invest the moneys therein subject to the terms conditions limitations and restrictions imposed by law upon fiduciaries Subject to like terms conditions limitations and restrictions said trustees shall have power to hold purchase sell assign transfer or dispose of any of the securities and investments in said funds as well as the proceeds of said investments and of the moneys belonging to said fund

The board shall annually allow regular interest on the mean account for the preceding year to the credit of

each of the accounts created in accordance with the provisions of this act the amount so allowed shall be credited to each contributor's account

Section 9 Membership Each elected officer may and each appointed county employe shall be required to become a member of the retirement system established under the provisions of this act as of the date the same is established or when such county employe first becomes an employe if after such retirement system is established Those becoming members when the retirement system is originally established shall be known as original members and those entering county employment thereafter as new members Provided however That if any person who becomes a county employe subsequent to the time the system was established shall at any time theretofore have been a county employe he shall receive credit for the service prior to the time the system was established and be known as an original member

Section 10 County Guarantee Annual Budgets The regular interest charges payable and the creation and maintenance of the necessary reserves for the payment of the county and members' annuities in accordance with this act are hereby made obligations of the county The board shall prepare and submit to the county commissioners on or before the first day of November of each year an itemized estimate of the amounts necessary to be appropriated by the county to complete the payment of the obligations of the county during the next fiscal year

Section 11 Service Allowance In computing the length of service of a contributor for retirement purposes full credit shall be given to each original member for each year of service rendered to the county prior to the time the system became effective As soon as practicable the board shall issue to each original member a certificate certifying the aggregate length of his service unless thereafter modified by the board upon application of the member The time during which a member is absent from service without pay shall not be counted in computing the service of a contributor unless allowed by the board

Section 12 Superannuation Retirement Allowance Any contributor who has reached superannuation retirement age may retire for superannuation by filing with the board a written statement duly signed by the contributor setting forth at what time he desires to be retired Said application shall retire said contributor at the time so specified

On retirement for superannuation a beneficiary shall receive a retirement allowance which shall consist of (a) a member's annuity which shall be the actuarial equivalent of his accumulated deductions standing to his credit in the member's annuity reserve account and (b) a county annuity equal to one one-hundred-twentieth (1-120) of his average salary multiplied by each year of total service and in addition thereto in the case of an original member one one-hundred-twentieth (1-120) of his average salary multiplied by each year of prior service but the total county annuity shall never exceed fifty per centum of the average salary

Section 13 Opinions on Superannuation Retirement At the time of his superannuation retirement any beneficiary may elect to receive his retirement allowance payable throughout life or if such retirement allowance shall amount to less than ten dollars per month he may elect to receive the full amount of the accumulated deductions standing to his individual credit in the member's annuity reserve account or he may in any event elect to receive the actuarial equivalent of his member's and county annuity in a lesser retirement allowance payable throughout life with provisions that

Option One If he die before receiving in payments the present value of his member's annuity and county annuity as it was at the time of his retirement the balance shall be paid to his legal representative or to such person having an insurable interest in his life as he shall nominate by written designation duly acknowledged and filed with the board at the time of his retirement

Option Two Upon his death his member's annuity and county annuity shall be continued through the life of and paid to such person having an insurable interest in his life as he shall nominate by written designation duly acknowledged and filed with the retirement board at the

time of his retirement

Option Three Upon his death one-half of his member's and county annuity shall be continued through the life of and paid to such person having an insurable interest in his life as he shall nominate by written designation duly acknowledged and filed with the board at the time of his retirement

Section 14 Involuntary Retirement Allowances Should a contributor be discontinued from service not voluntarily after having completed ten years of total service but before reaching superannuation retirement age he shall be paid as he may elect as follows (a) The full amount of the accumulated deductions standing to his credit in the members' annuity reserve account or (b) a member's annuity of equivalent actuarial value to his accumulated deductions standing to his credit in the members' annuity reserve account and in addition a county annuity having a value equal to the present value of a county annuity beginning at superannuation retirement age as provided in this act with respect to county annuities for superannuation retirement The same options shall be available to beneficiaries in case of involuntary retirement as provided herein in the case of superannuation retirement

Section 15 Total Disability Retirement Allowance If a contributor after five years of service as a county employe and before reaching superannuation retirement age is disabled while in service and is unable to continue as a county employe as shown by medical examination he shall be paid a retirement allowance consisting of a county annuity of twenty per centum of his average salary and a member's annuity which shall be the actuarial equivalent of his accumulated deductions standing to his credit in the member's annuity reserve account

Section 16 Payment of Balances Where Disability Annuity Dies Should a person receiving a disability retirement allowance die before receiving total member's annuity payments equal to the amount standing to his credit in the member's annuity reserve accounts at the time of retirement there shall be paid to his estate or beneficiary the difference between such credit and the total member's annuity payments received

Section 17 Monthly Payments of Retirement Allowances The retirement allowances granted under the provisions of this act shall be paid in equal monthly installments and shall not be increased decreased revoked or repealed except as otherwise provided in this act

Section 18 Refund in Case of Withdrawal or Death Where a contributor's service has been terminated voluntarily or involuntarily and he has not become entitled to a retirement allowance under any of the provisions of this act or where a contributor has died prior to receiving a retirement allowance under any of the provisions of this act then the amount standing to the credit of the contributor in the members' annuity reserve account shall be paid to him or his estate or to the person named in any beneficiary certificate filed by the contributor with the board When a contributor or a beneficiary has died and there shall be due to the estate of such contributor or beneficiary a sum less than one hundred dollars and letters testamentary or of administration have not been taken out on the estate of such contributor or beneficiary within six months of death the board may pay the amount due on the claim of the undertaker or to any person or persons or political subdivision who or which shall have paid the claim of the undertaker

Section 19 No Simultaneous Payments of Salary and Retirement Allowances Should a person receiving a superannuation retirement allowance or an involuntary retirement allowance or a total disability retirement allowance be re-employed by the county the retirement allowance of such person shall immediately cease Such person shall thereupon be reinstated as a contributor and there shall be restored to his credit as accumulated deductions the actuarial value of his member's annuity computed as of the date of his re-employment

Section 20 Exemption from Taxation and Execution Etc The right to a member's annuity or a county annuity or to the return of contribution shall be exempt from any State or municipal tax and from levy sale garnishment attachment or any other process whatsoever and shall be unassailable

Section 21 Fraud Correction of Errors Any person who shall knowingly make any false statement or shall falsify or permit to be falsified any record or records of the retirement system herein established in any attempt to defraud such system shall be guilty of a misdemeanor and upon conviction shall be sentenced to pay a fine not exceeding one thousand dollars or suffer imprisonment not exceeding one year or both in the discretion of the court

Should any such change in records fraudulently made or any mistake in records inadvertently made result in any contributor or beneficiary receiving more or less than he would have been entitled to had the records been correct then on the discovery of such error the board shall correct such error and shall adjust the payments which shall be made to the contributor or annuitant in such manner that the actuarial equivalent of the benefit to which he was correctly entitled shall be paid

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—195

Achterman.	Foor.	Lovett.	Rosenfeld.
Allmond.	Frunch.	Lyons.	Royer.
Auker.	Gallagher.	Malloy.	Rush.
Baker.	Gates.	Marks.	Sarge.
Balthaser.	Gerard.	Maxwell.	Sarraf.
Beucher.	Gillan.	McClanaghan.	Scanlon.
Bentzel.	Gillette.	McClester.	Schwab.
Boles.	Goodwin.	McDermott.	Serrill.
Boney.	Greenwood.	McFall.	Shaffer.
Boorse.	Gross.	McIntosh.	Shaw.
Bower.	Gwskewicz.	McKinney.	Shepard.
Bradley.	Gyger.	McLanahan.	Simons.
Breth.	Habbshaw.	McLane.	Skale.
Bretherick.	Haberlen.	McMillen.	Snyder.
Brown.	Haines.	McSurdv.	Sollenberger.
Brunner, C H.	Hall.	Melchiorre.	Stambaugh.
Brunner, P A.	Hamilton.	Mihm.	Stank.
Burns.	Hare.	Modell.	Stine.
Burris.	Harkins.	Monks.	Tarr.
Cadwalader.	Harmuth.	Mooney.	Tate.
Chervenak.	Harris.	Moran.	Taylor.
Chudoff.	Heatherington.	Muir.	Thompson E F.
Cochran.	Helm.	Munley.	Thompson R L.
Cohen M M.	Hering.	Nagel.	Trout.
Cohen R E.	Fermer.	Nonemacher.	Turner.
Cook.	Hersch.	O'Brien.	Van Allsburg.
Cooper.	Hewitt.	O'Connor.	Verona.
Cordier.	Hirsch.	O'Dare.	Voet.
Corrigan.	Holland.	O'Mullen.	Voldow.
Croop.	Huntley.	O'Neill.	Voorhees.
Cullen.	Imbrie.	Owens.	Wagner.
Dairympie.	James.	Petrocky.	Watkins.
Dennison.	Jefferson.	Pettit.	Weingartner.
Dix.	Jones, P N.	Polecki.	Weiss.
Dolon.	Keenan.	Polen.	Welsh E B.
Duffy.	Kenehan.	Powers.	Welsh M J.
Early.	Kilne.	Prosen.	Williams.
Eckels.	Knoble.	Pank.	Winner.
Elder.	Kolankiewicz.	Rausch.	Wolf.
Elliott.	Komorowski.	Readinger.	Wood L H.
Ely.	Krise.	Reagan.	Wood N.
Falkenstein.	Lee, T H.	Reese, D P.	Woodring.
Finestone.	Lelsey.	Reese, R E.	Woodside.
Finnerty.	Leonard.	Reynolds.	Wright.
Fisher.	Lesko.	Rhea.	Yeakel.
Fiss.	Levy.	Rliev.	Yester.
Fleming.	Leydie.	Rooney.	Young.
Fletcher.	Lichtenwatter.	Rose, S.	Kilroy.
Flynn.	Longo.	Rose, W E.	Speaker.

NAYS—0

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

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

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 834, as follows:

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 General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 That the word "person" as used in this act shall mean any individual firm partnership unincorporated association corporation association or agent representative or employe thereof

The word "department" when used in this act shall mean the Department of Internal Affairs

The word "merchandise" as used in this act shall mean any goods wares commodities mixtures or other preparation or thing which may be lawfully kept or offered for sale by weight or measurement at a fixed place of business

The words "weighing and measuring devices" shall mean any instrument device or object used for selling or offering for sale merchandise as approved by the department under the act approved the fifth day of May one thousand nine hundred twenty-one (P. L. 389) entitled "An act to regulate and control the manufacture sale offering for sale giving away and use of weights and measures and of weighing and measuring devices in the Commonwealth of Pennsylvania providing for the approval and disapproval of such weights measures and devices by the Bureau of Standards and prescribing penalties"

Section 2 Every person selling or offering for sale any merchandise at a fixed place of business shall place weighing and measuring devices in a position that their indicators may be accurately read and the weighing or measuring operation observed by the purchaser the position of the weighing and measuring device to depend upon the size and character of the indicating elements of the device which shall be determined by the department and the several county and city inspectors of weights and measures

Section 3 It shall be the duty of the department and the inspectors of weights and measures of the several counties and cities to enforce the provisions of this act

Section 4 The secretary of the department shall have power to adopt and promulgate such rules and regulations not inconsistent with the provisions of this act as may be deemed necessary to carry into effect the intent and purpose of this act

Section 5 Any person violating any of the provisions of this act shall upon summary conviction before a magistrate alderman or justice of the peace be sentenced for the first offense to pay a fine of not less than ten dollars (\$10.00) nor more than twenty-five dollars (\$25.00) and costs of prosecution and in default thereof to undergo imprisonment of not less than ten days nor more than twenty-five days and for the second offense to pay a fine of not less than twenty-five dollars (\$25.00) nor more than fifty dollars (\$50.00) and costs of prosecution and in default thereof to undergo imprisonment of not less than twenty days nor more than sixty days and for the third and all subsequent offenses to pay a fine of one hundred dollars (\$100.00) and costs of prosecution and in default thereof to undergo imprisonment of not less than ninety days All such fines shall be paid over to the treasurer of the respective political subdivisions in which the offense was committed

Section 6 All acts and parts of acts inconsistent with the provisions of this act are hereby repealed

Section 7 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—195

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

NAYS—0

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

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

Agreeably to order,

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

On the question,

Will the House agree to the bill on third reading?

BILL POSTPONED

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

The motion was agreed to.

BILLS SIGNED BY SPEAKER

Bills numbered and entitled as follows having been pre-

pared for presentation to the Governor, and the same being correct, the titles were publicly read as follows:

HOUSE BILL No. 364

An Act to amend the act approved the twenty-first day of June one thousand nine hundred and thirty-nine (P. L. 566) entitled "A supplement to the act approved the second day of June one thousand nine hundred and fifteen (Pamphlet Laws seven hundred thirty-six) entitled as amended 'An act defining the liability of an employer to pay damages for injuries received by an employe in the course of employment establishing an elective schedule of compensation providing procedure for the determination of liability and compensation thereunder and prescribing penalties' as reenacted and amended providing for the payment of compensation to volunteer firemen or their dependents" amplifying the provisions thereof as to persons entitled to such payments

HOUSE BILL No. 610

An Act to amend clause forty-seven of section two thousand four hundred three 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" changing the qualifications of historical societies to receive appropriations

HOUSE BILL No. 1021

An Act to add section six hundred seventeen and one-tenth to the act approved the eighteenth day of May one thousand nine hundred and eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" authorizing school districts under certain conditions to appropriate money to non-profit corporations established for the purpose of constructing school buildings for the use of the district

Whereupon,

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

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. 666

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, May 14, 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. 666, Printer's No. 208, for the purpose of amendment.

Accordingly, the original bill is herewith returned.

ARTHUR H. JAMES.

COMMUNICATION AND BILL LAID
ON TABLE

Mr. GERARD. Mr. Speaker, I move that the communication together with the bill be laid on the table.

The motion was agreed.

HOUSE RESOLUTION No. 87

Mr. PETROSKY. Mr. Speaker, I desire to call up House Resolution No. 87, Printer's No. 442.

The resolution was read by the Clerk as follows:

In the House of Representatives, April 24, 1941.

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

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

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

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

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

On the question,

Will the House adopt the resolution?

Mr. PETROSKY. Mr. Speaker, I rise at this time to ask the gentlemen on both sides of this House to support House Resolution 87. In the many instances that I have had an opportunity to contact the Bureau of Vital Statistics for certificates or certified copies of birth certificates I have found that due to a number of causes they were very hard to obtain. I am much concerned over this resolution and over an investigation that would possibly eliminate the bottle-neck that now exists in obtaining certified copies of births. My interest in this is due to the fact that in the western part of the state of Pennsylvania it is an absolute essential item to have a certified copy of birth certificates before a person can obtain employment in any industry engaged in national defense work.

I say to those Members who come from the centralized area of Philadelphia and Allegheny that they may not know of the hardships that are placed upon the shoulders of the members of this Legislature from the rural areas, but we do have a job on our hands when our constituency asks us to plead for them in obtaining certified copies of birth certificates from the Bureau. In my mind I believe there is a great inefficiency in the administration in that department, and I think it is a gross maladministration of the Bureau.

Inasmuch as the resolution is so essential to the National Defense Program that is now under way I wish to ask and appeal to all Members to support this resolution so that we may in some manner obtain a medium for getting the certified copies of birth certificates when they are really needed. In many instances I have had people come to me who have been kept out of employment for a period of not only one or two or six months,—

in instances I say to you that I have had people who have had applications with the Bureau of Vital Statistics for certified copies of records of birth for as long as a year and three months.

This condition should not exist in the Department of Health and the Bureau of Vital Statistics, and I certainly would appreciate receiving the findings of the investigating committee if this House chooses to select one and bring before the legislative body proper recommendations to eliminate the bottle-neck that now exists.

Mr. WOODSIDE. Mr. Speaker, I didn't care particularly to be recognized at this time, but I was going to say that after the resolution is adopted, if it is adopted, I think the Speaker on all these investigating committees should be careful not to appoint anybody who has made statements on the floor of the House which would indicate that he could not be an impartial judge.

The SPEAKER. The Chair will follow the suggestion of the gentleman from Dauphin.

On the question recurring,

Will the House adopt the resolution?

It was adopted.

HOUSE RESOLUTION NO. 92

Mr. EDWIN F. THOMPSON. Mr. Speaker, I desire to call up House Resolution No. 92, Printer's No. 544,

The resolution was read by the Clerk as follows:

In the House of Representatives, May 6, 1941.

Whereas There has been in existence in the City of Philadelphia since 1934 an organization known as the Philadelphia Youth Movement and

Whereas That organization was formed for the purpose of establishing a more direct personal contact with youth in crowded slum areas where conditions are conducive to a life of crime and delinquency and against good wholesome moral and spiritual training and

Whereas Since its inception in 1934 against enormous odds the movement has grown from a group of ten to forty-two hundred members achieving in the meantime great success in securing positions providing recreational activities increasing educational opportunities and generally providing opportunities lacking to youth in such areas and

Whereas This movement similar in its operation to rather Flanagan's Boys Town has fostered the processes and ideals of Democratic Government by electing its own officers enacting its own laws and impressing youth with the necessity of becoming active and cooperative members of a wholesome society and

Whereas This movement was initiated by Samuel L. Evans and has been under his direction and supervision since its inception and

Whereas The said Samuel L. Evans has given of his time energy and finances to the success of this movement without regard to personal reward and

Whereas In the course of human progress such sacrifice by individuals for the benefit of society is often unheralded and unrewarded therefore be it

Resolved That the House of Representatives hereby acknowledges and commends the said Samuel L. Evans for his personal sacrifices and inspiring efforts in contributing to the cultural moral spiritual and physical development of youth in his community by endorsing the activities of the Philadelphia Youth Movement which he conceived and supervises and by wishing it continued success and be it further

Resolved That the Chief Clerk of the House be directed to mail a copy of this resolution to the Philadelphia Youth Movement in order to apprise the members thereof of the esteem in which the membership of this House hold the organization and its founder

On the question,

Will the House adopt the resolution?

Mr. WOODSIDE. Mr. Speaker, this is a bad "d" resolution; not that the gentleman who is complimented is not doing a splendid piece of work according to the information that I have received, nor that we should refuse to compliment him for the work he is doing. The Members on this side of the House would like to vote for this resolution, if the word Democrat is spelled with a capital D we might have a little difficulty in doing it. If you will refer to the last line on the first page you will find the word "Democratic". Now, if that word were spelled with a small "d" I do not believe we would have any trouble in voting for it, but the gentleman put it in there with a big "D". I wonder whether the sponsors of this resolution are complimenting the gentleman in this resolution for carrying out the "big D" Democratic party principles and policies, or whether they are complimenting him for carrying out the "small d" democratic principles or policies. I believe the sponsors really mean a "small d" and if they do we will be willing to go along with it.

I hope the Clerk when he sends the resolution to the gentleman, does make it a small "d", so that we can wholeheartedly go along with it, which would be somewhat difficult if we had the "D" because we are a little bit worried about complimenting these fellows who are fostering big "D" Democratic ideas.

The SPEAKER. The Chair would like to ask the gentleman from Philadelphia, Mr. Cohen, if he is responsible for putting the big "D" in.

Mr. REUBEN E. COHEN. Mr. Speaker, I am partly responsible for putting the big "D" in the resolution, but Mr. Evans is responsible for putting the "small d" in a marvelous movement.

Mr. EDWIN F. THOMPSON. Mr. Speaker, I am sure the minority floor leader and the Members on the other side of the House will be with us in supporting this resolution since they know it is going to be a small "d".

On the question recurring,

Will the House adopt the resolution?

It was adopted.

CONGRATULATORY RESOLUTION

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

In the House of Representatives, May 14, 1941.

Whereas, Today marks the third anniversary on which the Honorable Joseph Hersch entered into the bonds of holy matrimony; said event being signalized on May 14, 1938; and

Whereas, The married life of this happy pair is a shining example to those Members of the House who have recently entered into such contracts, or who have pledged themselves to do so; therefore be it

Resolved, That the House of Representatives felicitates the Honorable Joseph Hersch and his wife, Mary Elizabeth, on their third wedding anniversary and wishes them many, many more filled to the brim with happiness throughout the ensuing years; and be it further

Resolved, That the Chief Clerk of the House of Representatives will mail a copy of this resolution to the said Joseph Hersch and his wife, Mary Elizabeth, on this their third wedding anniversary.

The SPEAKER. The Chair recognizes the gentleman from Philadelphia, Mr. Hersch.

Mr. HERSCH. Mr. Speaker, I want to thank you for that resolution, but I am going to condemn the men that put it up there today. I will possibly meet them some place else. I am very sorry that I did not know about it or I would have had my wife up here in the General Assembly. She is sick, our dog caught cold last night, and she is resting at home. I thank you.

PERMISSION TO ADDRESS HOUSE

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

Mr. Speaker, it is the duty of the General Assembly in these critical days to offer every cooperation to our National Defense Program. There is more than one way in which we can be of assistance. The establishment of the State Council of Defense, the elimination of subversive activities, arousing of the people into feeling of interest, cooperation and enthusiasm for the defense of our American form of government and freedom are illustrations of action taken by the Administration and the Legislature. Additional steps can be taken in such matters as health, industry and the extension of our road system to make the products purchased move over these roads quickly and aid in the movement of our soldiers, tanks and military equipment.

As a part of improving our transportation facilities, I recommend the taking over by the Commonwealth of a road which comes out at the eastern end of Ono, in Lebanon County, on to Route 22 and goes past Cavalry Hill where the Cavalry Brigade is located. The road is approximately 2.7 miles, of which 1.2 miles is township road. This bill which will carry out this recommendation, would permit the Commonwealth to take over the 1.2 miles of township road, and would relieve the movement of traffic in and out of Indiantown Gap Military Reservation.

It may appear as a small, insignificant road; it may appear quite unimportant to the average person, but when we realize the thousands and thousands of machines that move in and out of the Gap onto the main highway, especially on Sundays, and the congestion which so often is found on the main road, and when we further consider the necessity of moving soldiers, tanks and military equipment along the highway to and from the Gap, in addition to thousands of visitors, it is apparent that this small road becomes of major importance because it would make another avenue of approach to the Indiantown Gap Reservation.

General Martin and Colonel Stackpole have emphasized the importance of this road and it is at their request that the same is being introduced.

I, therefore, urge that the request for taking over of this township road by the Commonwealth be given favorable consideration and that the General Assembly should not lose any time on the passage of this measure.

I have today introduced this bill.

RECONSIDERATION OF HOUSE BILL No. 709

Mr. CULLEN. Mr. Speaker, I move that the vote by which House Bill No. 709, Printer's number 456, entitled An Act to further amend section four hundred and twelve of the act approved the twenty-ninth day of November one thousand nine hundred and thirty-three

(Pamphlet Laws 15 1933-1934) entitled as amended "An act to regulate and restrain the sale manufacture possession transportation importation traffic in and use of alcohol and alcoholic and malt or brewed beverages conferring powers and imposing duties upon the Pennsylvania Liquor Control Board and its agents the Department of Public Instruction other officers of the State government courts and district attorneys authorizing the establishment and operation of State stores for the sale of such beverages not for consumption on the premises and the granting of licenses subject to local option to sell such beverages for consumption on and off the premises forbidding importation or bringing of such beverages into the State except as herein provided prohibiting certain sales or practices in connection with and transactions in such beverages by licensees and others providing for the forfeiture of certain property making disposition of the receipts from State stores and of fees and imposing penalties" by further defining the sales of malt or brewed beverages, was defeated on final passage on Tuesday, May 13, 1941, be reconsidered.

Mr. RUSH. 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 Delaware, Mr. Rush, vote on the final passage of this bill?

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

On the question,

Will the House agree to the motion?

The SPEAKER declared the "nays" appeared to have it. Whereupon, a division was called for, eighty members having voted in the affirmative and thirty-six in the negative the question was determined in the affirmative and the motion was agreed to.

BILL POSTPONED

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

The motion was agreed to.

CONGRATULATORY RESOLUTION

Messrs. SAMUEL ROSE, SHEPARD AND CHUDOFF offered a privileged resolution which was read, considered and adopted as follows:

In the House of Representatives, May 14, 1941.

Whereas, The Honorable John Finnerty today celebrates another birthday, and

Whereas, The Honorable John Finnerty in his long legislative career has devoted himself to making Pennsylvania a better place to live in and incidentally a better place to be shaved in, and

Whereas, It is fitting and proper that the House signalize another year of this veteran legislator's terrestrial existence, therefore be it

Resolved, That the House of Representatives congratulates the Honorable John Finnerty on this another birthday in his brilliant career, and by this resolution wishes him continued success in his terrestrial and tonsorial activities.

The SPEAKER. The Chair recognizes the gentleman from Philadelphia, Mr. Finnerty.

Mr. FINNERTY. Mr. Speaker, another birthday is here. I notice the gentleman did not put my age in the resolution. Of course, I am not going forward; I am going

backwards. I am glad for one thing in introducing this resolution; my friend, Mr. Woodside, over there has said he is going to create "Days." Now, he may create a Fin-nerty Day. I thank the gentleman who introduced the resolution and I hope I will be able to be here on my next birthday to celebrate with everybody in this House. I thank you.

The SPEAKER. The Chair knows how old the gentleman is.

PERMISSION TO ADDRESS HOUSE

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

Mr. Speaker, I brought a group of high school students here just at the beginning of the Session today, and if I infringed on any of the rules of the House in taking them through,—I am not sure whether we had had the prayer or not or whether we had gone into session, but if I infringed in any way I wish to apologize to the Speaker.

The SPEAKER. The Chair thanks the gentleman from Indiana. We were not in Session when the gentleman's guests came through the House. The Chair appreciates the courtesy extended by the gentleman from Indiana.

Mr. McMILLEN. Mr. Speaker, I appreciate that the Chair has a difficult task and I do not wish to take advantage in any way.

Now, I have a short statement to make. You know the old saying that you shouldn't explain anything; you don't need to explain to your friends, and your enemies won't believe you, but I do have one thing that I would like to have threshed out here. A man handed me a piece of paper taken from the Philadelphia Ledger; I think it was an AP dispatch of yesterday stating that McMillen opposed the bill presented by Mr. Harkins, and had me listed as a Democrat. Well, gentlemen, I don't intend to explain or make apologies, nor say anything about what I did on the floor, but for goodness sake, I would ask that I be reported as a Republican, because I don't want to be thrown over to that group. I know, coming from a county that has never gone Democratic in its history, that they don't want me over there, and I know that my people back home are going to wonder what this is all about. I ask the boys up front to note that McMillen from Indiana,

the county that never went Democratic, is still a Republican.

The SPEAKER. For the information of the gentleman from Indiana, there is always a first time.

Mr. WOODRING. Mr. Speaker, I would like to inquire from the gentleman from Indiana if he is bragging.

WILLIAMSON GRAMMAR SCHOOL WELCOMED

The SPEAKER. We have as guests today the fourth class district graduating class from the grammar school at Williamson, Franklin County. This class is on a short tour of "Seeing Pennsylvania First." They are the guests of Representative Gillan of St. Thomas, Pennsylvania.

COMMITTEE MEETINGS

Mines and Mining, Wednesday, May 14, immediately after the session in Room 522.

Ways and Means, Wednesday, May 14, immediately after today's session in Room 327.

Welfare, Wednesday, May 14, immediately after today's session in Room 246.

PUBLIC HEARING

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 Philadelphia Caucus scheduled for Saturday will be held Monday at 2:30 p. m., E. S. T. in the New House Caucus Room.

There will be a caucus meeting of the Republican members at the Harrisburg Republican Club, third floor, 26 North Second Street at 6:30 p. m., Daylight Saving Time, today, May 14.

ADJOURNMENT

Mr. POLASKI. Mr. Speaker, I move that this House do now adjourn until Thursday, May 15, 1941, at 10 a. m.

The motion was agreed to, and (at 2:36 p. m.) the House adjourned.