

ADJOURNMENT

Mr. GELTZ. Mr. President, I move that the Senate do now adjourn until Tuesday, May 27, 1941, at 12 o'clock noon, Eastern Standard Time.

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

The motion was agreed to.

The Senate adjourned at 11:59 o'clock, p. m., Eastern Standard Time, until Tuesday, May 27, 1941, at 12 o'clock noon, Eastern Standard Time.

HOUSE OF REPRESENTATIVES

MONDAY, May 26, 1941

The House met at 8 p. m.

The CHIEF CLERK (Thomas J. Callahan) in the Chair.

The CHIEF CLERK. I am directed by the Speaker to call the House to order and to request the gentleman from Delaware, Mr. Turner, to preside until the Speaker returns to the Chair this evening.

MR. TURNER IN THE CHAIR

PRAYER

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

Gracious God, our heavenly Father, we pause to thank Thee for our homes, and for the revelation they bring to us of the power of love. In them we enter into the mysteries of forgiveness, of long-suffering, and of patient love. In them we find that sweet security from a busy and uncaring world which fills us with anticipation of the joys of heaven. Guard our homes from evil, protect them from enemies without and within, and give each of us, as chosen men to represent this great commonwealth, or as citizens of this our beloved State, the spirit that shall maintain these homes from which we have come, as centers of light and of life, of joy and of peace.

God, do bless our Nation and our State. Make us ever conscious of the fact that if the home fails then the State and the Nation shall fail. Help us ever to be mindful of Thee in our relationships within our homes. In Thy name we pray. Amen.

JOURNAL APPROVED

The SPEAKER pro tempore. The Clerk will read the Journal of Thursday, May 22, 1941.

The Clerk proceeded to read the Journal of Thursday, May 22, 1941, when, on motion of Mr. RHEA, unanimously agreed to, the further reading was dispensed with and the Journal approved.

BILLS INTRODUCED AND REFERRED

By Messrs. MARKS and READINGER.

HOUSE BILL No. 1680.

An Act to amend section three hundred and five of the act, approved the eighteenth day of May, one thousand nine hundred and eleven (P. L. 309), entitled "An act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the

violation thereof; providing revenue to establish and maintain 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 regulating the suspension and dismissal of other than professional employes in the school districts of the second class, and providing for appeals to the court of common pleas.

Referred to the Committee on Education.

By Messrs. KENEHAN and O'NEILL.

HOUSE BILL No. 1681.

An Act to further amend section two of the act, approved the eleventh day of October, one thousand nine hundred thirty-eight (P. L. 62), entitled "An act to amend section two of the act, approved the eleventh day of April, one thousand nine hundred twenty-nine (P. L. 487), entitled 'An act authorizing the Department of Welfare to determine the legal residence of indigent, insane, feeble-minded and epileptic persons, returned to this Commonwealth by the authorities of another state, or transferred from one poor district to another by the department, and requiring the proper district to pay the cost of the care and treatment of such persons in accordance with the laws relating to indigent insane persons,' by relieving poor districts of certain costs and placing such costs on the Commonwealth," by deferring the operation of the act for a further period of time.

Referred to the Committee on State Government.

By Messrs. KENEHAN and O'NEILL.

HOUSE BILL No. 1682.

An Act to further amend section three of the act, approved the eleventh day of October, one thousand nine hundred thirty-eight, (P. L. 63), entitled "An act to amend the act, approved the eleventh day of July, one thousand nine hundred twenty-three (P. L. 998), entitled 'An act for the prevention and treatment of mental diseases, mental defect, epilepsy, and inebriety; regulating the admission and commitment of mental patients to hospitals for mental diseases and institutions for mental defectives and epileptics; governing the transfer, discharge, interstate rendition, and deportation of mental patients; providing for the payment by individuals, counties, or the Commonwealth of the cost of the admission, care, and discharge of mental patients; and imposing penalties,' as amended, by further defining and limiting the institutions in which persons mentally ill may receive care and treatment; relieving counties and poor districts of the payment of the cost of the admission, care, and discharge of mental patients, with certain exceptions; imposing such costs on the Commonwealth; and repealing inconsistent laws," by deferring the operation of the act for a further period of time, and permitting the care of mental patients in certain county, city or institution district institutions during such time.

Referred to the Committee on State Government.

By Messrs. KENEHAN and O'NEILL.

HOUSE BILL No. 1683.

An Act to further amend the act, approved the twenty-ninth day of September, one thousand nine hundred thirty-eight (P. L. 53), entitled "An act relating to institutions of counties, cities and institution districts for the care, maintenance, and treatment of mental patients; providing for the transfer of such institutions to the Commonwealth; providing for the management and operation or closing and abandonment thereof, and the maintenance of mental patients therein, including the collection of maintenance in certain cases; providing for the retransfer of certain property to institution districts under certain circumstances; conferring and imposing upon the Governor, the Department of Welfare, the courts of common pleas and counties, cities and institution dis-

tricts certain powers and duties; prohibiting cities, counties and institution districts from maintaining and operating institutions, in whole or in part, for the care and treatment of mental patients; and repealing inconsistent laws," by extending the time within which the Commonwealth shall take over certain institutions, and extending the time for the repeal of certain acts listed in section nine of said act.

Referred to the Committee on State Government.

By Mr. SCANLON. HOUSE BILL No. 1684.

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

Referred to the Committee on Liquor Control.

By Mr. SNYDER. HOUSE BILL No. 1685.

An Act relating to soil conservation and soil erosion, and regulating land use practices contributing to soil wastage and soil erosion; providing for the organization of soil conservation districts, as governmental subdivisions of the Commonwealth, defining their powers and duties; prescribing the officers and employes thereof, and defining their powers and duties; creating the State Soil Conservation Board in the Department of Agriculture and imposing powers and prescribing duties thereon relative to the enforcement of this act; imposing powers and duties upon all state agencies and state institutions of learning relative to the effecting of this act; authorizing county commissioners to make appropriations for the use of soil conservation districts within their counties; providing for the making of appropriations by the General Assembly; and repealing existing laws.

Referred to the Committee on Agriculture.

By Mr. MATTHEW J. WELSH. HOUSE BILL No. 1686.

An Act relating to certain civil rights and liabilities of persons in the armed service of the United States; providing for the suspension of the enforcement of certain civil liabilities; providing for the re-employment of such persons upon completion of such service; and imposing penalties.

Referred to the Committee on Military Affairs.

By Mr. BENTLEY. HOUSE BILL No. 1687

An Act to further amend section four of the act, approved the twenty-eighth day of May, one thousand nine hundred and fifteen (P. L. 596), entitled "An act requiring cities of the second class to establish a pension for employes of said cities, and regulating the administration and the payment of such pensions," by further regu-

lating the allowance of pensions to certain persons heretofore or hereafter dismissed.

Referred to the Committee on Cities—Second Class.

By Mr. ELLWOOD B. WELSH. HOUSE BILL No. 1688.

An Act to further amend section four hundred eleven of the act, approved the twenty-ninth day of November, one thousand nine hundred 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 an 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 prescribing the hours when liquor or malt or brewed beverages may be sold by licensees.

Referred to the Committee on Liquor Control.

SENATE MESSAGE

SENATE BILLS FOR CONCURRENCE

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

SENATE BILL No. 807. (HOUSE BILL No. 1689).

A Joint Resolution making application to the Congress of the United States to call a convention for proposing an amendment to the Constitution of the United States prohibiting the imposition of conditions upon grants of moneys and the invasion of states rights.

Referred to the Committee on State Government.

SENATE BILL No. 782. (HOUSE BILL No. 1690).

An Act to further amend subsections (a), (b) and (c) of section one thousand two hundred and one of the act, approved the twenty-eighth day of May, one thousand nine hundred thirty-seven (P. L. 1053), entitled "An act relating to the regulation of public utilities; defining as public utilities certain corporations, companies, associations, and persons; providing for the regulation of public utilities, including, to a limited extent, municipalities engaging in public utility business, by prescribing, defining and limiting their duties, powers, and liabilities, and regulating the exercise, surrender or abandonment of their powers, privileges, and franchises; defining and regulating contract carriers by motor vehicle and brokers in order to regulate effectively common carriers by motor vehicle; conferring upon the Pennsylvania Public Utility Commission the power and duty of supervising and regulating persons, associations companies, and corporations, including, to a limited extent, municipal corporations subject to this act, and administering the provisions of this act; authorizing the commission to fix temporary rates; placing the burden of proof on public utilities to sustain their rates and certain other matters; authorizing a permissive or mandatory sliding scale method of regulating rates; providing for the supervision of financial and contractual relations between public utilities and affiliated interests, and supervision and regulation of accounts and securities or obligations issued, assumed, or kept by persons, associations, companies, corporations or municipal

corporation subject to this act; conferring upon the commission power to vary, reform, or revise certain contracts; conferring upon the commission the exclusive power to regulate or order the construction, alteration, relocation, protection, or abolition of crossings of facilities of public utilities, and of such facilities by or over public highways, to appropriate property for the construction or improvement of such crossings, and to award or apportion resultant costs and damages; authorizing owners of such property to sue the Commonwealth for such damages; providing for ejectment proceedings in connection with the appropriation of property for crossings; conferring upon the commission power to control and regulate budgets of public utilities; imposing upon persons, associations, companies, and corporations (except municipal corporations) subject to regulation, the cost of administering this act; prescribing and regulating practice and procedure before the commission and procedure for review by the courts of commission action; giving the court of common pleas of Dauphin County exclusive original jurisdiction over certain proceedings; prescribing penalties, fines, and imprisonment for violation of the provisions of this act, and regulations and orders of the commission, and the procedure for enforcing such fines and penalties; and repealing legislation supplied and superseded by or inconsistent with this act," further providing for assessment of regulatory expenses upon public utilities.

Referred to the Committee on Public Utilities.

SENATE BILL No. 419. (HOUSE BILL No. 1691).

An Act providing for the reconnaissance survey of a State highway between the city of Harrisburg in the county of Dauphin and the borough of New Hope in the county of Bucks.

Referred to the Committee on Highways.

SENATE BILL No. 465. (HOUSE BILL No. 1692).

An Act authorizing the Secretary of Highways to lengthen or shorten State highway routes under certain conditions and providing for the payment of damages.

Referred to the Committee on Highways.

SENATE BILL No. 451. (HOUSE BILL No. 1693).

A Joint Resolution making application to the Congress of the United States to call a convention for proposing an amendment to the Constitution of the United States, prohibiting taxation of bonds and securities of States, their instrumentalities or political subdivisions and the income therefrom, without the consent of the State.

Referred to the Committee on State Government.

SENATE BILL No. 207. (HOUSE BILL No. 1694).

An Act to further amend subsections (a) and (b) of section one thousand two hundred five 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 further regulating the employment, suspension, and retirement of professional employees.

Referred to the Committee on Education.

SENATE BILL No. 303. (HOUSE BILL No. 1695).

An Act authorizing the Department of Highways to cooperate with agencies of the Federal Government in designing and installing modern illuminating systems on State highways.

Referred to the Committee on State Government.

SENATE BILL No. 362. (HOUSE BILL No. 1696).

An Act to further amend section one of article four of the act, approved the ninth day of June, one thousand nine hundred eleven (P. L. 756) entitled "An act to provide for the health and safety of persons employed in and about the bituminous coal mines of Pennsylvania, and for the protection and preservation of property connected therewith," changing the required proportion of mine foremen to other persons to be employed in bituminous mines and providing for the issuance of limited mine foremen's certificate

Referred to the Committee on Mines and Mining.

SENATE BILL No. 122. (HOUSE BILL No. 1697).

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

Referred to the Committee on Judiciary General.

SENATE BILL No. 301. (HOUSE BILL No. 1698).

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

Referred to the Committee on Appropriations.

SENATE BILL No. 571. (HOUSE BILL No. 1699).

An Act making an appropriation to the Local Government Commission to continue its work.

Referred to the Committee on Appropriations.

SENATE BILL No. 789. (HOUSE BILL No. 1700).

An Act to amend section eleven of the act, approved the thirty-first day of March, one thousand nine hundred and thirty-seven (P. L. 160), entitled "An act creating a commission to be known as the Pennsylvania Public Utility Commission; defining in part the powers and duties of such commission; abolishing The Public Service Commission of the Commonwealth of Pennsylvania, terminating the terms of the members thereof, and transferring to the Pennsylvania Public Utility Commission the records, employes, property, and equipment of The Public Service Commission of the Commonwealth of Pennsylvania; authorizing the Pennsylvania Public Utility Commission to appear in and complete all pending proceedings, legal or otherwise, instituted, by or against The Public Service Commission of the Commonwealth of Pennsylvania; providing that all certificates of public convenience, contracts, orders, and rules and regulations of the latter commission shall remain effective until repealed, changed or modified by the Pennsylvania Public Utility Commission, and transferring and appropriating to the Pennsylvania Public Utility Commission any unexpended balance of any existing appropriation to The Public Service Commission of the Commonwealth of Pennsylvania," by expressly providing for administration of the Public Utility Law of June first, one thousand nine hundred and thirty-seven (P. L. 1053), by the Public Utility Commission; and directing said commission to certify certain questions of fact as to the purity of water to the Department of Health.

Referred to the Committee on Public Utilities.

COMMUNICATIONS FROM THE GOVERNOR

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

APPROVAL OF HOUSE BILL No. 1228

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, May 22, 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 House Bill No. 1228, Printer's No. 268, entitled, "An Act to amend sections three and four of the act approved the fifth day of June one thousand nine hundred thirty-five (Pamphlet Laws 266) entitled 'An act to protect trade-mark owners distributors and the public against injuries and uneconomic practices in the distribution of articles of standard quality under a distinguished trade-mark brand or name' exempting the sale of books to libraries from the provisions of said act."

ARTHUR H. JAMES.

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

APPROVAL OF HOUSE BILL No. 1373

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, May 22, 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 House Bill No. 1373, Printer's No. 402,

entitled, "An Act to amend part of section two of the act approved the twenty-seventh day of June one thousand nine hundred thirty-nine (Appropriation Acts of one thousand nine hundred thirty-nine 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' by making the appropriation to the Department of Military Affairs for the use of the Pennsylvania National Guard also available for the use of the Pennsylvania Reserve Defense Corps."

ARTHUR H. JAMES.

COMMUNICATIONS AND PETITIONS

The SPEAKER pro tempore laid before the House the following communications and petitions which were read by the Clerk.

MILK CONTROL

A communication from Pennsylvania State Grange, addressed to the Speaker, opposing continuance of compulsory price-fixing provisions in the present State Milk Control Law.

Referred to the Committee on Agriculture.

EMPLOYES OF D. P. A.

A communication from the United Mine Workers of America, addressed to the Speaker, favoring passage of House Bill No. 777.

Referred to the Committee on Appropriations.

SCHOOL DISTRICTS

A communication from Archbald Teachers Association, addressed to the Speaker, favoring passage of Senate Bill No. 528, making a deficiency appropriation to certain school districts.

Referred to the Committee on Appropriations.

STATE-AIDED HOSPITALS

A communication from St. Francis Hospital of Pittsburgh, Inc., addressed to the Speaker, requesting increase in state appropriation.

Referred to the Committee on Appropriations.

STATE BUILDING AND LOAN INSURANCE BOARD

Communications from the Indian Queen Building and Loan Association, Philadelphia, the Laurel Hill Building and Loan Association, Philadelphia, Central Germantown Avenue Business Men's Building and Loan Association, Philadelphia, Cambria Building Association, Philadelphia, addressed to the Speaker, favoring passage of Senate Bill No. 512, creating a State Building and Loan Insurance Board.

Referred to the Committee on Banking.

SCHOOL CODE

Communications and telegrams from citizens of Pennsylvania, addressed to the Speaker, requesting that House Bill No. 1371, providing salary increments of elementary school teachers in first class school districts be reported from committee.

Referred to the Committee on Education.

TEACHERS TENURE

Communication from National Association of Business-Teacher-Training Institutions, Akron, Ohio; American Committee for Democracy and Intellectual Freedom, New York City; Teachers College of Connecticut, New Britain, Connecticut; Edward S. Allen, Ames, Iowa and a petition from Boston, Massachusetts, opposing passage of House Bill No. 1357.

Referred to the Committee on Education.

COMPULSORY AGE

A communication from Simon Gratz, High School, Philadelphia, addressed to the Speaker, protesting passage of House Bill No. 1445.

Referred to the Committee on Education.

INSURANCE ADJUSTERS

A communication from The American Druggists Fire Insurance Co., Cincinnati, Ohio, opposing passage of House Bill No. 1497, providing for the qualifications and licensure of insurance adjusters.

Referred to the Committee on Insurance.

UNFAIR SALES

A communication from Pennsylvania Grocers Association, Philadelphia, addressed to the Speaker, favoring passage of House Bill No. 1210, Unfair Sales Bill.

Referred to the Committee on Judiciary Special.

LIQUOR SALES

A petition from citizens of Oak Forrest Community, Greene County and a communication from The Orion Sunday School Class of Washington, Pa., addressed to the Speaker, protesting extension of hours during which alcoholic beverages may be sold.

Referred to the Committee on Liquor Control.

VEHICLE CODE

A communication from the Civic Club of Harrisburg, urging defeat of House Bill No. 690.

Referred to the Committee on Motor Vehicles.

RETIREMENT

A communication from Pennsylvania State Association of Boroughs, Hanover, addressed to the Speaker, favoring passage of House Bill No. 535, Municipal Retirement Act.

Referred to the Committee on Municipal Corporations.

OPTOMETRISTS

A communication from the Pittsburgh Optical Workers Local No. 18820, opposing passage of House Bill No. 966

Referred to the Committee on Professional Licensure.

NURSES

A communication from Pennsylvania State Nurses Association, submitting amendments to House Bill No. 675.

Referred to the Committee on Professional Licensure.

PROFESSIONAL LICENSURE

A communication from Pennsylvania Conference of Professional Licensees, addressed to the Speaker, requesting additional funds for administration of various licensure and registration acts.

Referred to the Committee on Professional Licensure.

PROTECTION OF WATER SOURCES

A communication from Philadelphia Bourse, addressed to the Speaker, requesting favorable consideration of House Bill No. 900.

Referred to the Committee on State Government.

PERSONAL PROPERTY TAX

A communication from the liquidating trustees of Lycoming Trust Company, Williamsport; Brookville Bank and Trust Company; Brookville Title and Trust Company; The First National Bank of Sykesville and The Peoples National Bank of Reynoldsville favoring passage of House Bill No. 1513.

Referred to the Committee on Ways and Means.

PUBLIC ASSISTANCE

A communication together with a resolution from the Cambria County Board of Public Assistance, addressed to the Speaker, urging repeal of the Compulsory Milk Act.

Referred to the Committee on Welfare.

LEAVE OF ABSENCE

By unanimous consent leave of absence was granted as follows:

Mr. COOPER for himself after tonight's session for the remainder of the week.

Mr. Tarr for Mr. MATTHEW J. WELSH for the week because of illness.

Mr. Gerard for the SPEAKER for a limited time this evening.

Mr. ALLMOND for himself after tomorrow's session for the remainder of the week.

Mr. BOORSE for himself after tomorrow's session for the remainder of the week.

SENATE MESSAGE

TIME OF NEXT MEETING

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

In the Senate, May 26, 1941.

Resolved, (if the House of Representatives concur), that when the Senate adjourns this week, it reconvene on Monday, June 2, 1941, at 3:30 o'clock p. m. (Eastern Standard Time), and when the House of Representatives adjourns this week, it reconvene on Monday, June 2, 1941, at 8 o'clock p. m. (Eastern Standard Time).

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

On the question,

Will the House concur in the resolution of the Senate? It was unanimously concurred in.

Ordered, That the Clerk inform the Senate accordingly.

BILLS ON FIRST READING

BILL PASSED OVER

There being no objection House Bill No. 1505, Printer's No. 679, was passed over at the request of Mr. SCANLON.

BILLS ON FIRST READING

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 771, entitled:

An Act to amend subsection (d) of section two hundred eight of the act, approved the fifth day of December one thousand nine hundred thirty-six (1937 P. L. 2897), entitled "An act establishing a system of unemployment compensation to be administered by the Department of Labor and Industry and its existing and newly created agencies with personnel (with certain exceptions) selected on a civil service basis; requiring employers to keep records and make reports, and certain employes 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," further regulating the fixing and the increasing of salaries of persons employed for the purpose of administering said act, in certain cases.

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. 267, entitled:

An Act making an appropriation to aid certain school 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. 1429, entitled:

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

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. 1572, entitled:

An Act to amend the act approved the second day of March, one thousand nine hundred thirty-three (P. L. 6), entitled "An act to enable persons, associations, partnerships and corporations engaged in farming, and raising

breeding, fattening and marketing livestock, to borrow money and secure the repayment thereof by the execution and recordation of chattel mortgages on livestock, farm machinery, farm equipment, and crops; and designating the operation and effect of the lien of such mortgages," as amended, by extending, enlarging, and removing the limitations upon the class of those who may become chattel mortgagees, by making further provisions respecting the fees of recorders of deeds in connection with chattel mortgages, the extension of the lien and defaults of said mortgages and by defining violations and prescribing penalties.

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. 573, entitled:

An Act to provide for the ordinary expenses of the Executive, Legislative, and Judicial Department 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 forty-one; 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 forty-one.

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. 1375, entitled:

An Act providing for the payment of moneys to school districts of the fourth class, the taxes of which have been reduced by the acquisition of certain lands and property by the Commonwealth.

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. 957, entitled:

An Act to amend the act, approved the fourth day of June, one thousand nine hundred and thirty-seven (P. L. 1625), entitled "An act providing for the creation, maintenance and operation of a county employes retirement system in counties of the third class; and imposing certain charges on counties, extending and further regulating such retirement systems.

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. 1604, (Senate Bill No. 352), entitled:

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

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

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1191, entitled:

An Act to further amend clause one of section three of the act, approved the eighteenth day of July, one thou-

sand nine hundred and seventeen (P. L. 1043), entitled "An act establishing a public school employes' retirement system, and creating a retirement board for the administration thereof; establishing certain funds from contributions by the Commonwealth and contributing employes, defining the uses and purposes thereof and the manner of payments therefrom, and providing for the guaranty by the Commonwealth of certain of said funds; imposing powers and duties upon boards having the employment of public school employes; exempting annuities, allowances, returns, benefits, and rights from taxation and judicial process; and providing penalties," by further extending the time for present employes, as defined in the act, to elect to be covered by the retirement system and providing for payments by and to the funds in such cases.

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. 1556, entitled:

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

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

BILL RECOMMITTED

Mr. MARKS. Mr. Speaker, I move that this bill be re-committed to the Committee on Cities—Third Class for the purpose of further study.

The motion was agreed to.

BILLS ON FIRST READING

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1670, entitled:

An Act validating the action of cities of the third class in constructing sections of their sewer systems outside of their territorial limits; and making such sections lawful sewers of such cities.

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. 189, entitled:

An Act to amend section 2002 of the act approved the twenty-third day of June, one thousand nine hundred thirty-one (P. L. 932), entitled "An act relating to cities of the third class; and amending, revising, and consolidating the law relating thereto;" providing that council shall designate the chief and other officers of the police force.

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

BILL RECOMMITTED

Mr. READINGER. Mr. Speaker, I move that this bill be re-committed to the Committee on Cities—Third Class for the purpose of further study.

The motion was agreed to.

BILLS ON FIRST READING

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1293, entitled:

An Act to carry into effect section one of article fifteen of the Constitution giving cities of the third class the right and power to frame, adopt and amend their own charters, and to exercise the powers and authority of local self-government, and providing the procedure therefor; imposing certain restrictions, limitations and regulations; imposing duties upon city councils, city officers, county boards of elections, courts of common pleas, and the Secretary of the Commonwealth; and providing for the payment of certain expenses by cities of the third class.

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. 1226, entitled:

An Act to amend section one thousand two hundred and eleven 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," providing for payment of one-fourth of fines collected for violations 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.

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. 1578, (Senate Bill No. 284), entitled:

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

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

BILL RECOMMITTED

Mr. REUBEN E. COHEN. Mr. Speaker, I move that this bill be re-committed to the Committee on Judiciary Special for the purpose of further study.

The motion was agreed to.

BILLS ON FIRST READING

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 329, entitled:

An Act to further amend the definition of "Restaurant" in section two and section four hundred eleven of the act approved the twenty-ninth day of November, one thousand nine hundred 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," eliminating some of the requirements heretofore imposed upon restaurant licensees.

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. 1302, entitled:

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

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. 1407, (Senate Bill No. 597), entitled:

An Act to further amend section seven hundred one of the act, approved the third day of June, one thousand nine hundred 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," providing for permits authorizing possession of flesh of lawfully killed big game animals after open season therefor.

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

BILLS ON SECOND READING

BILL PASSED OVER

There being no objection House Bill No. 1537, Senate Bill No. 381, Printer's No. 233, was passed over at the request of the SPEAKER pro tempore.

BILLS ON SECOND READING

Agreeably to order,
The House proceeded to the second reading and consideration of House Bill No. 788, entitled:

An Act to promote the general public health and welfare by regulating the business of "strip mining" or mining coal by removing the overlying soil or strata therefrom; authorizing the Department of Mines to issue permits for "strip mining" operations; requiring those proposing to engage in strip mining operations to file a bond with the Department of Mines to secure the leveling and replacement of the surface soil; imposing certain additional duties upon the Department of Mines and the various mine inspectors; and providing penalties.

And said bill having been read at length the second time and agreed to,
Ordered, To be transcribed for a third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1636, entitled:

An Act authorizing the Secretary of Property and Supplies to give and transfer certain visual and radio aviation navigational aids to the Federal Government

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. 1451, entitled:

An Act creating a commission to make a study and investigation of the various phases of aeronautics and aviation in the Commonwealth of Pennsylvania for the purpose of advising the General Assembly with respect to the expenditure of public funds in these fields directing such commission to make a report and recommendations to the General Assembly conferring certain powers upon such commission including the powers to issue subpoenas retain employes and expend funds and making an appropriation

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

Ordered, To be transcribed for a third reading.

BILL RECOMMENDED

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

The motion was agreed to.

BILLS ON SECOND READING

Agreeably to order,
The House proceeded to the second reading and consideration of House Bill No. 910, entitled:

An Act providing State-aid for certain agricultural associations and counties holding annual agricultural exhibitions regulating the payment thereof and conferring powers and imposing duties on the Department of Agriculture

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. 678, entitled:

An Act to safeguard life, health and property; defining, regulating and licensing contractors and journeymen engaged in the business of painting, paperhanging and decorating; fixing license fees; providing for the revocation of such licenses and appeals therefrom; creating the Painting and Paperhanging Licensing Board as a departmental administrative board in the Department of Labor and Industry, and conferring powers and imposing duties thereon; providing penalties and making an appropriation.

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

Ordered, To be transcribed for a third reading.

BILL RECOMMENDED

Mr. HIRSCH. Mr. Speaker, I move that this bill be re-

committed to the Committee on Appropriations for the purpose of further study and amendment.

The motion was agreed to.

BILLS ON SECOND READING

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 811, entitled:

An Act to further amend section three of the act, approved the nineteenth day of February, one thousand nine hundred and twenty-six (P. L. 16) entitled, as amended: "An act regulating, under permit, through the Pennsylvania Liquor Control Board, the manufacture, production, distillation, development, use in manufacture, denaturation, redistillation, rectification, blending, recovery, reuse, holding in bond, holding in storage by bailees for hire, and transportation for hire, of any alcohol, alcoholic liquid or alcoholic beverage, by certain persons; requiring the registration of Federal permits; also providing for fees and the disposition thereof, and for appeals to the courts; also authorizing the inspection of the records of permittees and purchasers of said alcohol, alcoholic liquid, and alcoholic beverages; also declaring certain places nuisances and providing for their abatement; also providing penalties; and also repealing all acts or parts of acts inconsistent with this act," further providing for the rights of manufacturerers of wine.

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. 830, entitled:

An Act to further amend the act, approved the twenty-ninth day of November, one thousand nine hundred and thirty-three (1933-34 P. L. 15), entitled, as last 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," changing the provisions of said act with respect to natural wines as herein defined:

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. 831, entitled:

An Act to re-enact and further amend the title and the act, approved the third day of May, one thousand nine hundred and thirty-three (P. L. 252), entitled as last 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 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," including natural wines, as herein defined, within the provisions of said act; providing special licenses for the sale thereof, authorizing retail dispensers to sell natural wines without further license;

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

Ordered, To be transcribed for a third reading.

BILL PASSED OVER

There being no objection House Bill No. 1208, Senate Bill No. 80, Printer's No. 331, was passed over at the request of the SPEAKER, pro tempore.

BILLS ON SECOND READING

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1597, entitled:

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

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. 1437, entitled:

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

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. 706, entitled:

An Act authorizing and empowering school districts to furnish food including milk free to needy school children in their districts providing for payment of the cost thereof permitting cooperation with public and private agencies for such purposes imposing duties on the Superintendent of and the Department of Public Instruction making an appropriation and providing procedure for the apportionment thereof to such school districts

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

Ordered, To be transcribed for a third reading.

BILL RECOMMITTED

Mr. LEVY. Mr. Speaker, I move that this bill be re-committed to the Committee on Appropriations for the purpose of further study.

The motion was agreed to.

BILL ON SECOND READING

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1586, entitled:

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 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" 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

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. LEVY. Mr. Speaker, I move that this bill be re-committed to the Committee on Education, for the purpose of further study.

The motion was agreed to.

BILL ON SECOND READING

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 637, entitled:

An Act for safeguarding persons and property and promoting the welfare of the public creating an electrical administrative board of the Commonwealth of Pennsylvania and prescribing its duties and authority establishing minimum standards for electrical equipment and its installation providing for State-wide inspection of installations of electrical equipment providing for the appointment of electrical inspectors for carrying out the provisions of this act and prescribing their qualifications duties rights and authority making it unlawful to undertake or perform the installation of electrical equipment without applying for inspection therefor except as other-

wise provided providing for the licensing by the electrical administrative board of persons firms or corporations engaged in the business of electrical contracting and electrical journeymen employed by them in the work of installing maintaining altering or repairing electrical equipment making it unlawful to undertake or perform the installation of electrical equipment without a license except as otherwise provided providing penalties for the violation of this act and repealing all statutes and parts of statutes in conflict with this act

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. SCANLON. Mr. Speaker, I move that this bill be re-committed to the Committee on Professional Licensure 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. 1559, entitled:

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

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

Ordered, To be transcribed for a third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1423, entitled:

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

benefits and rights from taxation and judicial process and providing penalties" by extending the service allowance of certain employes

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. 94, entitled:

An Act to amend section fifteen hundred and nine of the act approved the eighteenth day of May one thousand nine hundred and eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" by providing that the board of directors of any school district may appropriate funds to pay for medical examination for tuberculosis for pupils teachers janitors or other employes

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. 1470, entitled:

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

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. 1331, entitled:

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

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. 472, entitled:

An Act making an appropriation to the Department of Health for use in research work dealing with human nutrition for children

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. 568, entitled:

An Act to further amend 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" redefining the powers and duties of the Pennsylvania Labor Relations Board redefining "labor dispute" the rights of employers and certain unfair labor practices by employers and employes further changing the provision for designation and selection of representatives for the purpose of labor bargaining changing the practice and procedure before the board further prescribing the qualifications for and increasing the salaries of members of the board eliminating the provision making the rules and regulations of the board subject to the approval of the Secretary of Labor and Industry and eliminating certain forfeiture of rights

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. 786, entitled:

An Act to further amend section forty-three of the act approved the seventh day of June one thousand nine hundred and one (P. L. 493) entitled "An act providing for the examination licensure and registration of persons firms or corporations engaged or engaging in the business or work of plumbing or house drainage and prescribing certain rules regulations and requirements for the construction of plumbing house drainage and cesspools in cities of the second class and imposing fines penalties and forfeitures for violation thereof" by permitting the use of enclosed woodwork about sinks in all except tenement-houses and lodging-houses

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

Ordered, To be transcribed for a third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1380, entitled:

An Act to further amend the Act approved the eighteenth day of July one thousand nine hundred and seventeen (P. L. 1043) entitled "An act establishing a public school employes' retirement system and creating a retirement board for the administration thereof establishing

certain funds from contributions by the Commonwealth and contributing employes denying the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon boards having the employment of public school employes exempting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties" by permitting certain contributors to contribute on the basis of salary earnable during the year one thousand nine hundred and thirty-two one thousand nine hundred and thirty-three or on the basis of salary earnable in the payroll period for which the deductions are made and permitting certain contributors who have heretofore elected to contribute either on the basis of salary earnable during the year one thousand nine hundred thirty-two one thousand nine hundred and thirty-three or on the basis of the salary earnable in the payroll period for which the deductions are made to change their elections and requiring the Commonwealth to contribute on the same basis as the contributor

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. 1611, entitled:

An Act creating a presumption of release or discharge of certain mortgages held by the Commonwealth and requiring the Department of Justice to enter satisfaction thereof at the cost of the property owners

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. FRENCH. Mr. Speaker, I move that this bill be re-committed to the Committee on Judiciary General 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. 848, entitled:

An Act to further amend paragraph nineteen 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" providing for the continuation of payments for closed schools to districts which by reason of any increase in population have been changed from a fourth class district to one of another class

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. 1508, (Senate Bill No. 645), entitled:

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

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. 1605, (Senate Bill No. 32), entitled:

An Act to facilitate vehicular traffic between the eastern and western sections of the Commonwealth by providing for the construction operation and maintenance of a turnpike from a point at or near Irwin in Westmoreland County the western terminus of the turnpike heretofore constructed by said commission to a point on the western boundary line of the Commonwealth of Pennsylvania touching on the State of Ohio or the State of West Virginia and conferring powers and imposing duties on the Pennsylvania Turnpike Commission authorizing the issuance of turnpike revenue bonds of the Commonwealth payable solely from tolls to pay the cost of such turnpike providing that no debt of the Commonwealth shall be incurred in the exercise of any of the powers granted by this act providing for the collection of tolls for the payment of such bonds and for the cost of maintenance operation and repair of the turnpike making such turnpike bonds exempt from taxation constituting such bonds legal investments in certain instances requiring suits against the commission to be brought in Dauphin County prescribing conditions upon which such turnpike shall become free providing for grade separations grade changes and relocation and restoration of public roads and State highways affected by the turnpike providing for condemnation granting certain powers and authority to municipal subdivisions and agencies of the Commonwealth to cooperate with the commission and authorizing the issuance of turnpike revenue refunding bonds

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 rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1551, (Senate Bill No. 551), entitled:

An Act to amend route 25008 of section two of the act, approved the first day of June, one thousand nine hundred and thirty-three (P. L. 1172), entitled "An act establishing certain streets in boroughs and incorporated towns as State highways, and providing for their construction and maintenance at the expense of the Commonwealth."

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. 1552, (Senate Bill No. 552), entitled:

An Act to abolish and repeal route 25008 in Girard Township, Erie County, established by the act, approved the twenty-second day of June, one thousand nine hundred and thirty-one (Act No. 203), entitled "An act establishing certain township roads as State highways; authorizing their construction, maintenance and improvement under certain conditions and restrictions; limiting the obligation of the Commonwealth in the construction of certain structures located on such highways; conferring certain powers upon the Department of Highways and local authorities, persons, associations and corporations for sharing the cost of the maintenance and construction of such highways; and making an appropriation to carry out the provisions of said act."

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. 1096, entitled:

An Act to regulate the practice of general contracting in Pennsylvania to establish a State Registration Board for Contractors and to define its powers and duties to provide the method of obtaining a certificate of registration to engage in the practice of general contracting and to fix fees for such certificates to dispose of the moneys raised to provide the method of suspension and cancellation of such certificate of registration and to prescribe the punishment for violation of the provisions of this act

The first section was read.

On the question,

Will the House agree to the section?

BILL RECOMMITTED

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

The motion was agreed to.

BILLS ON SECOND READING

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 571, entitled:

An Act making an appropriation to the Department of Public Assistance for the purpose of carrying out the Public Assistance Law for the two fiscal years beginning June first one thousand nine hundred forty-one and for the payment of assistance and expenses accrued or in-

curred prior to and remaining unpaid on May thirty-first one thousand nine hundred forty-one and providing for certain allocations from such appropriation by the Department of Public Assistance and also by the Governor the Auditor General and the State Treasurer or the majority 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. 736, entitled::

An Act to further amend section two thousand five hundred and sixty-three of the act, approved the twenty-third day of June, one thousand nine hundred and thirty-one (F. L. 932), entitled "An act relating to cities of the third class; and amending, revising and consolidating the law relating thereto," changing the penalties and interest imposed for the nonpayment of taxes.

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

Ordered, To be transcribed for a third reading.

BILL ON FINAL PASSAGE RECALLED FROM GOVERNOR

Agreeably to order,

The House proceeded to the consideration on final passage of House Bill No. 610, as follows:

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 and limiting the amount of such appropriations

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

Section 1 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" is hereby amended to read as follows

Section 2403 Specific Powers In addition to other powers granted by this act the council of each city shall have power by ordinance

* * * * *

47 Aid to Historical Societies To make annual appropriations not exceeding two hundred fifty dollars (\$250.00) for the support and maintenance of the principal historical society located therein which shall be incorporated under the laws of the Commonwealth shall [owr: its own building and keep 't] maintain permanent quarters and shall keep the same open to the public shall have a membership of at least two hundred persons who pay annual dues of at least two dollars shall hold annually at least six regular meetings that shall be open to the public and shall at all times maintain facilities for the free storage deposit and inspection of official documents and records of the city and other proper public or historical archives and records

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—204

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

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. 1355, as follows:

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

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

Section 1 Section one thousand one hundred three 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" as last amended by section twenty-two of the act approved the twenty-ninth day of May one thousand nine hundred thirty-one (P. L. 243) is hereby further amended to read as follows:

Section 1103 No person shall be eligible for election or appointment as a county district or assistant county or district superintendent or associate superintendent unless he holds a diploma from a college or other institution approved by the State Council of Education of this Commonwealth and unless he has had not less than six years successful teaching experience at least three years of which shall have been in a supervisory or administrative capacity or he has had not less than four years successful teaching experience and has successfully completed twenty-four semester hours of graduate courses in education in a college or university approved by the State Council of Education Provided That serving either as county district or assistant county or district superintendent or associate superintendent in this Commonwealth at the time this act becomes effective shall be considered sufficient qualification for any of the aforesaid offices

[Provided That no person shall be elected or appointed a county district or assistant county or district superintendent or associate superintendent who has not had six years successful teaching experience not less than three of which shall have been in a supervisory or administrative capacity And provided further That he has completed in a college or university a graduate course in education approved by the State Council of Education And provided further That serving either as county district or assistant county or district superintendent or associate superintendent in this Commonwealth at the time this act becomes effective shall be considered sufficient qualification for any of the aforesaid offices]

Section 2 Section one thousand one hundred four of said act is hereby amended to read as follows

Section 1104 Every [four] six years there shall be elected as herein provided in every county in this Commonwealth a person to be known as the county superintendent

Section 3 Section one thousand one hundred five of said act as amended by section one of the act approved the twenty-third day of May one thousand nine hundred twenty-three (P. L. 349) is hereby further amended to read as follows

Section 1105 The school directors of each county of this Commonwealth in which a county superintendent is to be elected shall meet in convention at the county seat of their county in the courthouse or some other suitable place to be furnished by the county commissioners at the expense of the county on the second Tuesday of April one thousand nine hundred and eighteen (1918) and on the same day of every fourth forty-two (1942) and on the same day of every sixth year thereafter and by a majority vote of those present elect as herein provided one duly qualified person as county superintendent to serve for [four] six years from the first Monday of July next following Provided That [on the second Tuesday of April one thousand nine hundred and twenty-six (1926) county superintendents shall be elected as herein provided to serve from the first Monday of May one thousand nine hundred and twenty-six (1926) until the first Monday of July one thousand nine hundred and thirty (1930)] county superintendents elected on the second Tuesday of April one thousand nine hundred and thirty-eight (1938) shall serve until the first Monday of July one thousand nine hundred and forty-two (1942)

Section 4 Sections one thousand one hundred six one thousand one hundred eight and one thousand one hundred eleven of said act are hereby amended to read as follows

Section 1106 It shall be the duty of every person serving as county superintendent of public schools to give notice of the convention of school directors to be held for the purpose of electing a county superintendent [on the second Tuesday in April one thousand nine hundred and fourteen (1914) and thereafter] which notice shall be published in the county in at least two newspapers once a week for three consecutive weeks the last publication to be at least ten days prior to the date of said convention said notice to be in the following form

Election of County Superintendent

Notice is hereby given that the school directors ofCounty will meet at the.....in..... on Tuesday! the.....day of.....19.... at...o'clockMeridian for the purpose of electing a legally qualified person as county superintendent of public schools for the ensuing term

.....
Superintendent of Public Schools

The cost of publishing such notice shall be paid by the [Superintendent] Department of Public Instruction out of the appropriation for the salaries of county and assistant county superintendents

Section 1108 [No votes for a candidate for county superintendent at any such convention shall be counted unless said candidate has before the vote is taken filed with the president thereof] No person elected as a county superintendent at any such convention shall be eligible to serve in the position to which he has been elected unless he shall within thirty days after such election record in the office of the recorded of deeds a county district or assistant county or district superintendent's commission which has been issued within the previous four years by the Superintendent of Public Instruction or such other evidence of eligibility as is required by this act In the event that any person so elected shall fail to qualify as required in this section another convention of the school directors of the county shall be held on the second Tuesday of June to elect another duly qualified person as county superintendent Notice of such other convention shall be given as hereinbefore provided in the case of the first convention

Section 1111 If no valid objections to the election of a county superintendent be filed with the Superintendent of Public Instruction within fifteen days after his election and he shall have recorded his evidences of eligibility as required by section one thousand one hundred eight of this act a proper commission shall be issued to the person so elected for the ensuing term by the Superintendent of Public Instruction under the seal of his department

On the question,

Shall the bill pass finally?

Mr. VAN ALLSBURG. Mr. Speaker, I desire to interrogate the gentleman from Allegheny, Mr. Goodwin.

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

Mr. GOODWIN. I shall, Mr. Speaker.

Mr. VAN ALLSBURG. Mr. Speaker, I would like the gentleman from Allegheny, Mr. Goodwin, to refer to page 2, section 1103 of the bill and to read with me this particular section which says,

"No person shall be eligible for election or appointment as a county district or assistant county or district superintendent or associate superintendent unless he holds a diploma from a college or other institution approved by the State Council of Education of this Commonwealth and unless he has had not less than six years successful teaching experience at least three years of which shall have been

in a supervisory or administrative capacity or he has had not less than four years successful teaching experience and has successfully completed twenty-four semester hours of graduate courses in education in a college or university approved by the State Council of Education provided that serving either as county district or assistant county or district superintendent or associate superintendent or association superintendent in this Commonwealth at the time this act becomes effective shall be considered sufficient qualification for any of the aforesaid offices."

In anticipating a final vote on this bill I read it for the first time. I would like to have the gentleman from Allegheny explain the purport of the language beginning with the words "Provided" in line 27, and I would like to ask the gentleman whether that last provision which provides that a person may be eligible "who has served as a county, district or assistant county or district superintendent or as a associate superintendent of this Commonwealth", does not mean that it would be possible for a person who has served in that capacity as an assistant but who has but very little teaching experience, possibly a year or so, to be eligible to the office of county superintendent?

Mr. GOODWIN. Mr. Speaker, in answer to the gentleman from Erie, Mr. Van Allsburg, I think the bill as presented is very clear. It provides as follows:

"Providing that serving either as county district or assistant county or district superintendent or associate superintendent in this Commonwealth at the time this act becomes effective shall be considered sufficient qualification for any of the aforesaid offices".

I believe that anybody in any of these capacities will have served more than one year.

Mr. VAN ALLSBURG. Mr. Speaker, I fail to understand the bill that way. The original bill provides that no person shall be eligible for this position unless he holds a diploma from a college or other institution approved by the State Council of Education of this Commonwealth. Then you amend it by providing an additional qualification, "unless he has had not less than six years of successful teaching experience, not less than three of which shall have been in a supervisory or administrative capacity." The bill further provides as follows:

"Unless he has had not less than four years of successful teaching experience and has successfully completed twenty-four semester hours of graduate courses in education in a college or university approved by the State Council of Education."

Then the bill provides however that regardless of the amendment up to this point, if he has had experience as an assistant to a county superintendent of a year or two—there is no specification of the length of time of experience that he must have as an assistant,—he is ready and eligible to be promoted or elected to the superintendency of a county. It seems to me that is a very dangerous provision.

Mr. GOODWIN. Mr. Speaker, I gather then, that is the law today.

Mr. VAN ALLSBURG. Mr. Speaker, it is not the law today. Those words are underscored which I just read.

Mr. GOODWIN. That is the provision today, Mr. Speaker.

Mr. VAN ALLSBURG. Mr. Speaker, that provision is a new part of the law, it is apart of the amendment to the law. Will the gentleman please answer me directly whether

it is not a fact that a person whose qualifications as provided for under the law, that is, he must hold a diploma from a college or from an "approved institution", that he can without the experience spoken of become a county superintendent, and can be eligible with almost no experience provided he has a little experience as an assistant county superintendent?

Mr. GOODWIN. Mr. Speaker, I hold that that is the intention of this amendment. Why should those people who fill the position as stated here be deprived of an opportunity to become a superintendent of schools, if they have the other qualifications. Is the superintendency at the present time a closed corporation and is it so scared that nobody else may be permitted to be a candidate for that office?

Mr. VAN ALLSBURG. Mr. Speaker, I would like to ask the gentleman further if he infers, for example, a year or two of experience as a certified teacher, is equivalent to what you are providing for in the first part of the amendment, namely six years of experience as a teacher of which three years have been in a supervisory capacity.

Mr. GOODWIN. Mr. Speaker, if there is no objection I would like to yield to the gentleman from Cambria Mr. O'Connor.

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

Mr. O'CONNOR. I shall, Mr. Speaker.

Mr. VAN ALLSBURG. Mr. Speaker, I would like to ask the gentleman from Cambria, Mr. O'Connor a question about the proviso clause at the end of page 609 in the amendment. What I am fearful of is that this amendment would make it possible for a person with very limited teaching experience to become county superintendent, as a result of merely having possibly a short experience as an assistant county superintendent.

Mr. O'CONNOR. Mr. Speaker, in reply to the gentleman from Erie, if he will refer to the beginning of section 1103 he will find the qualifications for an assistant county superintendent are identical with the qualifications for the county superintendent, which would of itself eliminate any such happening as he suggests. The purpose of the proviso in the bill, as I understand it, and I had charge of the bill in the sub-committee is that anyone now serving in the capacity of assistant county superintendent who has not had the additional semester hours of training would be eligible without taking those additional semester hours of training.

Mr. VAN ALLSBURG. Mr. Speaker, I would like to call the gentleman's attention to the fact that although any person now serving as assistant county superintendent may have the qualifications provided for in the terms of the old law as referred to by the gentleman from Cambria, nevertheless I cannot read anything else into this proviso clause than that if a person with those educational qualifications had no more experience than a year or two, which would be possible but not probable, with no other teaching experience, than that he would be eligible to be promoted to the position of county superintendent.

Mr. O'CONNOR. Mr. Speaker, to my knowledge under the present law in Pennsylvania no one can be an assistant county superintendent unless he has qualifications for being a superintendent, no one can be a superintendent unless he has experience. In 1931 the law relating to the qualifications for a county superintendent was changed.

We have quite a number of assistant county superintendents in Pennsylvania serving today who served prior to 1931. This amendment it to protect those people who have served,—one for instance to my knowledge has served for eighteen years as assistant county superintendent. If this bill should not be enacted into law that particular teacher with eighteen years experience could not become county superintendent.

Mr. VAN ALLSBURG. Mr. Speaker, I see very well what the gentleman wishes to accomplish for one who has had long experience but I am talking about the man who has qualified to the degree that he has completed such requirements as approved by the State Council but has not had the experience as approved by the State Council.

Mr. O'CONNOR. Mr. Speaker, in answer to the question of the gentleman I might say that is impossible under the present law, and under this bill he must have four years experience at least. An inexperienced teacher could not become a superintendent or assistant county superintendent under the provisions of this law.

Mr. VAN ALLSBURG. Mr. Speaker, I hope the gentleman is right about this.

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—198

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

NAYS—6

McClester, Reagan, Trout, Wood, N.,
McKinney, Rose, W. E., Weingartner,

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

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

PERMISSION GRANTED COMMITTEE TO MEET
DURING SESSION

Mr. D'ORTONA asked and obtained permission for the Special Committee on the Philadelphia Gas Explosion to meet during the session of the House.

BILLS PASSED OVER

There being no objection House Bill No. 1094, Printer's No. 659, was passed over at the request of the SPEAKER.

There being no objection House Bill No. 849, Printer's No. 707, was passed over at the request of the SPEAKER.

BILL ON FINAL PASSAGE

Agreeably to order,

The House proceeded to the consideration on final passage 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 prescribing the method of fixing the fair market value of such property and limiting the amount collectible thereafter on such judgments

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

Whenever any real property has heretofore been or is hereafter sold directly or indirectly to the plaintiff in execution proceedings and the price for which such property has been sold was or is not sufficient to satisfy the amount of the judgment interest and costs and the plaintiff seeks to collect the balance due on said judgment interest and costs the plaintiff or plaintiffs shall petition the court having jurisdiction to fix the fair market value of the real property sold as aforesaid Said petition shall be signed and sworn to by the plaintiff or plaintiffs

Section 2 The petition (a) shall set forth the location and description of the real property sold and the name or names of all persons known to petitioner to be or who may be directly or indirectly liable to petitioner or any other person for the payment of the debt for which the judgment was entered

(b) Shall contain a statement of the fair market value of said property and

(c) Shall name as respondents the debtors obligors and guarantors and any other persons directly or indirectly liable to petitioner or any other person for the payment of said debt and the owners of the property affected thereby together with the addresses of such persons to the extent that such addresses are known to petitioner or may have been ascertainable upon reasonable inquiry and an affidavit that he does not know and after reasonable inquiry has been unable to ascertain the residence or business address of the others

Section 3 The court shall thereupon fix a date for hearing on said petition not less than fifteen days after the filing thereof and said petition shall be served upon each of the persons named therein as respondents at

least ten days prior to the date fixed for hearing At any time prior to the hearing any respondent or other person in interest may appear and answer setting up in his answer the nature and extent of his interest in the proceedings and answering the averments of the petition

Section 4 Said petition may be served by the sheriff of the County or by the sheriff of any other county specially deputized for that purpose upon the respondents named therein

(a) By handing an exact copy thereof to each of them personally or

(b) By leaving an exact copy thereof at the residence of each of them with an adult member of his family or

(c) If service cannot be had in either of the above methods the court may direct service by publishing in the legal newspaper of the county and one newspaper of general circulation in the county at least fifteen days prior to the day fixed for the hearing of such petition a notice to the said respondent or respondents of the filing of said petition and the date fixed for hearing thereon If there is no legal newspaper in the county then publication in one newspaper of general circulation in said county shall be sufficient

Any debtor obligor guarantor mortgagor and any other person directly or indirectly liable to the petitioner for the payment of the debt and any owner or owners of the property affected thereby who is not named in said petition nor served with a copy thereof or notice of the filing thereof as provided in this section shall be deemed to be discharged from all personal liability to the petitioner on the debt interest and costs but any such failure to name such person in said petition or to serve the petition or notice of the filing thereof shall not prevent proceedings against respondent or respondents named and served

Section 5 Return of the service of any petition shall set forth particularly the time place and manner of service and shall be filed before the time fixed for hearing No hearing shall be had until the court shall be satisfied that service has been made upon all the respondents in any of the methods herein provided

Section 6 At such hearings the only issue before the court shall be the fair market value of the property sold and any party in interest may introduce into evidence testimony of such fair market value

If no answer is filed within the time provided for in this act or if an answer is filed which does not controvert the allegation of the fair market value of the property as averred in the petition the court shall determine and fix as the fair market value of the property sold the amount thereof alleged in the petition to be the fair market value

If an answer is filed controverting the averment in the petition as to the fair market value of the property but no testimony is produced at the hearing supporting such denial of the fair market value the court shall determine and fix as the fair market value of the property the amount thereof alleged in the petition to be the fair market value thereupon enter a decree directing the petitioner to file release of the debtors obligors guarantors or any other persons directly or indirectly liable for the debts to the extent of the fair value so fixed whereupon execution may be issued for the balance of the debt

If answer is filed alleging as the fair market value an amount in excess of the fair market value of the property as averred in the petition the plaintiff or plaintiffs may agree to accept as the fair market value of the property the value set up in the answer and in such case may file a stipulation releasing the debtors obligors and guarantors and any other persons liable directly or indirectly for the debt and the owners of the property affected thereby from personal liability to the plaintiff to the extent of the fair market value as averred in the answer less the amount of any prior liens costs taxes and municipal claims not discharged by the sale and also less the amount of any such items paid as distribution on the sale If an answer shall be filed and testimony produced setting forth that the fair market value of the

property is more than the value stated in the petition the court shall determine and fix the fair market value of the property which shall in no event exceed the amount of the debt interest costs taxes and municipal claims

After the hearing and the determination by the court of the debtor obligor guarantor and any other person liable directly or indirectly to the plaintiff or plaintiffs for the payment of the debt shall be released and discharged of such liability to the plaintiff to the extent of the fair market value of said property as previously agreed to by the plaintiff or plaintiffs or determined by the court less the amount of all prior liens costs taxes and municipal claims not discharged by the sale and also less the amount of any such items paid the distribution on the sale and shall also be released and discharged of such liability to the extent of any amount by which the sale price less such prior liens costs taxes and municipal claims exceeds the fair market value as agreed to by the plaintiff or plaintiffs or fixed and determined by the court as aforesaid and thereupon petitioner may proceed by appropriate proceedings to collect the balance of the debt

Section 7 The plaintiff or plaintiffs shall file all petitions in accordance with section one and section two of this act not later than six months after the sale of any real property provided however that if the sale occurred prior to the effective date of this act the plaintiff shall file such petition within six months after the effective date of this act In the event no petition is filed within such period the debtor obligor guarantor and any other person liable directly or indirectly to the plaintiff or plaintiffs for the payment of the debt shall be released and discharged of such liability to the plaintiff or plaintiffs

Section 8 Nothing in this act shall be construed to affect present procedure for the public sale of real estate or the private sale thereof under order of court except to the extent herein expressly provided or necessary for the purpose of giving proper effect to the provisions hereof

Section 9 Nothing in this act shall be construed to affect the right of any person liable directly or indirectly for the payment of the debt to the benefit of any amount realized on any execution sale in excess of the fair market value fixed or agreed to in accordance with the provisions of this act and nothing in this act shall be construed to effect a release or discharge of any person otherwise than nor to any greater extent than as herein expressly provided

Section 10 It shall be incompetent for any debtor obligor or guarantor at any time either before or after or at the time of incurring any obligation to waive the benefits of this act or to release any obligee from compliance with the provisions thereof Any such waiver or release shall be absolutely void unenforceable and of no effect

Section 11 The provisions of this act shall be severable and if any section provision or clause thereof shall be held to be unconstitutional the decision so holding shall not be construed to affect or impair any other section provision or clause of this act It is hereby declared as the legislative intent that this act would have been enacted had such unconstitutional section provision or clause not been included therein In the event the provisions of this act as applied to the sales of real property held prior to the effective date of this act are held to be unconstitutional it is the intention of the Legislature that this act then apply only to all sales of real property held after the effective date of this act in the event the provisions of this act as applied to obligations created prior to the effective date of this act are held to be unconstitutional it is the intention of the legislature that this act do then apply only to obligations created after the effective date of this act

Section 12 The provisions of this act shall become effective immediately upon its 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 203

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

NAYS 1

Woodring,

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 ON THIRD READING

Agreeably to order,

The House proceeded to the third 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 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 201

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

NAYS 3

- | | | |
|------------|---------------|---------|
| Habbyshaw, | Reese, D. P., | Taylor, |
|------------|---------------|---------|

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 amendments.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 814, entitled:

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

On the question,

Will the House agree to the bill on third reading?

BILL POSTPONED

Mr. PETROSKY. Mr. Speaker, I move that this bill be placed upon the postponed calendar.
The motion was agreed to.

BILLS ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1210, (Senate Bill No. 24), entitled:

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

On the question,

Will the House agree to the bill on third reading?

BILL POSTPONED

Mr. READINGER. Mr. Speaker, I move that this bill be placed upon the postponed calendar.
The motion was agreed to.

BILLS ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1526, as follows:

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

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

Section 1 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" is hereby amended to read as follows

Section 207 Submission of Question to Voters At the first general or municipal election occurring or at a special election held at least ninety days after the ascertainment by special enrollment or from the United States census including the United States census of one thousand nine hundred and thirty and each subsequent census that any township of the second class has a population of at least three hundred inhabitants to the square mile the question whether such township of the second class shall become a township of the first class shall be submitted to the voters of the township and the county commissioners shall cause to be printed on separated ballots to be used in such township at such election a proper question framed in accordance with the election laws of the Commonwealth A special election for such purpose shall be held on a day to be fixed by the court of quarter sessions of the county upon petition signed by at least five per centum of the registered voters of the township The costs and expenses of such a special election shall be paid by the township

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 204

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

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. 931, as follows:

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 imposing duties on school districts and on the State Board of Vocational Education and providing for referendum in certain cases" fixing the rate of the annual tax levy on real estate and authorizing the computation and entry for collection purposes in tax duplicates of the county or school districts of the taxes due to vocational school districts and the separate ac-

counting and return thereof and making further provision with reference to the bond of tax collectors.

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

Section 1 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 imposing duties on school districts and on the State Board for Vocational Education and providing for referendum in certain cases" as amended by the act approved the twenty-fourth day of June one thousand nine hundred and thirty-nine (P. L. 800) is hereby further amended to read as follows:

Section 6 The board of directors of vocational schools of each vocational school district shall have power if and when necessary to levy an annual tax on all property within the district taxable for such school purposes on the assessed valuation used for county tax purposes not more than three mills on the dollar of the total assessment of all real property assessed and certified for taxation in the territory constituting the district. Said taxes shall be levied and assessed due and payable at the same time and in the same manner as school taxes are levied and assessed and due and payable in the respective school districts and the same shall be included in the school tax item on the tax notice as rendered. The boards of directors shall prepare duplicates of such taxes and provide for the collection of such taxes by issuing warrants to the respective collectors of taxes in each city borough incorporated town and township within the districts. The compensation for the collection of such taxes shall be fixed by the board of directors. In the collection of such taxes the respective tax collectors shall have all the powers of collectors of county taxes. If any collector of taxes shall refuse or neglect to collect such district taxes or for fifteen days after notice so to do neglect or refuse to furnish a bond as herein provided the board of directors shall have power to appoint a tax collector for such district. Each tax collector shall give a separate bond annually to the Commonwealth for the use of said district in such amount as the board of directors may fix. Such bond may cover the collection of vocational school district taxes only or may cover the collection of such taxes and the taxes of other political subdivisions that are collected by the same tax collector. The same discounts for prompt payment and the same penalties for delinquency shall apply to such taxes as in the case of county taxes and exonerations of district taxes may be allowed by the directors thereof in the same manner as other taxes are now exonerated. Delinquent taxes of the district may be collected by return and county treasurer's sale thereon or by lein filed in the office of the prothonotary in the same manner as county taxes.

In order to enable the board of directors of vocational schools to assess and levy the annual tax hereby authorized the said board is hereby authorized to enter into suitable arrangements either with the county commissioners or with the various school districts or tax collectors of the municipal subdivisions involved whereby the taxes due to the vocational school district shall be computed and entered for collection purposes in separate columns either in the county or school tax duplicates. The various tax collectors shall make separate accounting and returns covering the taxes due the vocational school districts.

The Commonwealth shall reimburse the vocational school districts herein established in the same manner and to the same extent as is provided by existing law for salaries of teachers transportation and tuition of pupils and any other reimbursement to which school districts are now or shall hereafter be entitled. Provided That any vocational school district [consisting of all the school districts that are under the jurisdiction of the county superintendent] shall be reimbursed to an amount which when added to all other items of reimbursement from the Common-

wealth as provided by law shall total eighty per centum (80%) of the sum expended for approved salaries and travel of the teaching supervisory and administrative staffs for the transportation and tuition of pupils during the previous year and any other reimbursements to which school districts are now or shall hereafter be entitled.

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

An 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—203

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

NAYS—1

Ely,

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 bill having been called up from the postponed calendar by Mr. SAMUEL ROSE.

The House resumed the consideration on third reading of House Bill No. 1166, entitled:

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

On the question,

Will the House agree to the bill on third reading?

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

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

The Clerk read the amendments as follows:

Amend Sec. 1 (Sec. 2), page 2, lines 17 to 25, both inclusive, by striking out all of said lines.

Amend Sec. 1 (Sec. 2), page 3, lines 1 to 8, by striking out all of lines 1 to 7, both inclusive, and the word "character" in line 8, and inserting in lieu thereof:

"Section 2. Upon application, on a form to be prescribed and furnished it, and the payment of a fee of two dollars (\$2.00), the Pennsylvania Board of Pharmacy shall issue a permit to conduct a pharmacy to such persons, associations, copartnerships, or corporations, as the board deems qualified to conduct such business. Qualification to conduct such business shall include such physical requirements as may be established by the board, including stock, equipment, library, sanitation, adequate space, and such other conditions as may be necessary to protect the public safety in the matter of drugs and prescriptions. All applicants shall be citizens of the United States: Provided, however, That in the case of copartnerships, associations and corporations the members or officers of such copartnership, association or corporation shall be citizens of the United States. When the conditions which obtained when the permit was issued have changed, then a new permit must be applied for."

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

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

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

It was agreed to.

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

Agreeably to order,

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

The House resumed the consideration on third reading of 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 condi-

tions upon which the appropriation will be available to the school

On the question,

Will the House agree to the bill on third reading?

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

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

The clerk read the amendments as follows:

Amend section 1, page 1, line 3, by inserting after the word "maintenance" the words: "and clothing".

Amend section 1, page 1, lines 4 and 5, by striking out the words and figures "three hundred and fifty dollars (\$350)" and inserting in lieu thereof the following: "three hundred and ninety dollars (\$390)."

Amend section 1, page 1, line 6, by striking out the words and figures "four hundred and twenty thousand dollars (\$420,000)" and inserting in lieu thereof the following: "four hundred and sixty-eight thousand dollars (\$468,000)."

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

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

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

It was agreed to.

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

BILLS PASSED OVER

There being no objection House Bill No. 1521, Printer's No. 642, was passed over at the request of The SPEAKER pro tempore.

There being no objection House Bill No. 667 Printer's No. 165 was passed over at the request of Mr. LOVETT.

BILLS ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1545, entitled:

An Act to amend section one of the act approved the twenty-seventh day of May one thousand nine hundred and thirty-seven (P. L. 901) entitled "An act for the protection of producers of farm produce providing for the licensing bonding or holding collateral of and the regulation of certain dealers in farm produce as herein defined within this Commonwealth conferring powers and imposing duties on the Department of Agriculture providing for appeals and injunctions and prescribing penalties" by redefining the term dealer

On the question,

Will the House agree to the bill on third reading?

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

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

The Clerk read the amendment as follows:

Amend Sec. 1 (Sec. 1), page 2, line 18, by inserting after the word "stores" the following: "or those owning or operating retail grocery stores, and maintaining warehouses or farm product assembly stations in conjunction therewith."

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

On the question,

Will the House agree to the amendment?

It was agreed to.

On the question,

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

It was agreed to.

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

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1489, as follows:

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

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

Section 1 Sections six eleven twelve sixteen and twenty-one of the act approved the twenty-first day of April one thousand nine hundred and thirty-seven (P. L. 318) entitled "An act relating to the protection of agriculture and horticulture including all field crops vegetables trees shrubs vines florist and nursery stock and all other plants and parts or products thereof from plant pests and revising consolidating and changing the law relating thereto defining the powers and duties of the Department of Agriculture relating thereto providing penalties and repealing present laws" are hereby amended to read as follows:

Section 6 The department shall cause to be issued to nurserymen in this State after the nursery stock in their nurseries has been officially inspected as provided in this act and found to be apparently free from any plant pests a certificate of inspection setting forth the fact of such inspection and the number of acres or fraction thereof inspected. Said certificate shall be valid not to exceed one year from October first and shall not be transferable or used to cover uninspected infested or infested nursery stock from any source.

The department shall in addition thereto provide regulations under which nursery stock brought into the Commonwealth may be sold under the above provided certificate and in accordance with the further provisions of this act and it shall be unlawful after the promulgation of such regulations for any person or common carrier to transport nursery stock in violation of the same.

Section 11 Nurserymen dealers or other persons residing or doing business outside the State desiring to solicit orders for nursery stock in the State shall upon filing with the department a certified copy of their original current resident State certificate together with a statement setting forth the exact acreage owned by the applicants and the acreage being grown for them on contract and the payment of the fee to be fixed by the Secretary be entitled to a certificate permitting such persons to solicit orders for nursery stock in this State. The Secretary shall fix and collect a fee from each such applicant in the same amount as the State in which such applicant resides or doing business requires from nurserymen dealers or other persons residing in this Common-

wealth who desire to solicit orders for nursery stock in said State.

Section 12 (a) All nursery agents selling nursery stock or soliciting orders for nursery stock for any nurseryman or dealer located within the State or outside the State shall be required to secure and carry a nursery agent's certificate bearing a copy of the certificate held by the principal. Said agent's certificate shall be issued by the department only to persons authorized by their principal or upon request of their principal and such agent selling or soliciting orders for a nurseryman or dealer located in another state shall pay the same fee for such certificate as a similar agent is required to pay for selling or soliciting orders in such other state for nurserymen or dealers located in this State. Names and addresses of such agents shall not be divulged by the department or any of its agents.

(b) Every person selling nursery stock in the State shall if requested furnish the department with copies of his order forms contracts and agreements with his customers which are furnished for the use of nursery agents or customers or both.

Section 16 In case of nursery stock brought or shipped into the Commonwealth from without the Secretary shall provide by regulation for the acceptance of proper certificates from other states and when so accepted shall issue an official tag designating the fact and nursery stock carrying the same may be reshipped under the certificate above provided for. It shall be unlawful for any person to bring or cause to be brought into the Commonwealth from any other state territory district or country any nursery stock unless there is plainly and legibly marked thereon or affixed thereto or on or to the car or other vehicle carrying or on the bundle package or other container of the same in a conspicuous place a statement or tag or other device showing the names and addresses of the consignor or shipper and the consignee or the person to whom shipped the general nature of the contents together with a certificate of inspection of the proper official of the state territory district or country from which it was brought or shipped showing that such nursery stock was found or believed to be free from plant pests the official tag hereinbefore provided for. In case any nursery stock is shipped or transported into the Commonwealth from another state territory district or country without a valid certificate such official tag plainly affixed as aforesaid the fact must be promptly reported to the department or an inspector by the person carrying the same or the person receiving the same together with the names of the consignor and consignee and the nature of the shipment and such person carrying or receiving such stock shall immediately return such stock to the consignor or shall hold such stock subject to inspection by or instructions from the department and while awaiting such inspection or instruction shall not remove such stock from the original box bundle package or other container. This section shall not be so construed as to affect the action of common carriers in the transportation of nursery stock under the provisions of interstate commerce.

Section 21 Any person copartnership association or corporation violating neglecting or failing to comply with any provision or requirement of this act or any quarantine rule or regulation made or of any notice given pursuant thereto or who shall forge alter counterfeit deface destroy or wrongfully use any permit tag or certificate or copy thereof offered or used in lieu of any original valid permit tag or certificate provided for in this act or in any order rule or regulation made pursuant thereto upon conviction thereof in summary proceeding shall be subject to a fine of not more than one hundred dollars for each offense and in case of nonpayment of said fine and costs to undergo an imprisonment in the county jail of the county in which such conviction takes place for a period of one day for each dollar of fine imposed. Provided That any person so convicted shall have the right of appeal as in other cases of summary conviction. The fines collected under this act shall be paid to the de-

partment and by it shall be paid into the State Treasury through the Department of Revenue.

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 204

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

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. 1350, as follows:

An Act validating certain deeds and conveyances made by trustees without setting forth their authority to convey

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

Section 1 Whenever heretofore real property has been conveyed to any person as "trustee" without naming the cestuis que trustent and without declaring the purpose of the trust and such trustee has thereafter in good faith

made a conveyance of such property to a third person in his own name as "trustee" without disclosing the cestuis que trustent or without showing his right to make such conveyance when the deed given by such trustee is otherwise in proper form and capable of conveying the estate intended such deed and conveyance are hereby made good and valid and effectual to transfer pass and convey the estate right title and interest of the cestuis que trustent for whom the trustee held in and to such real property

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 204

- | | | | |
|-----------------|----------------|---------------|------------------|
| Allmond, | Foor, | Lovett, | Rose, S., |
| Auker, | French, | Lyons, | Rose, W. E., |
| Baker, | Gallagher, | Malloy, | Rosenfeld, |
| Balthaser, | Gates, | Marks, | Royer, |
| Baughner, | Gerard, | Maxwell, | Rush, |
| Bentley, | Gillan, | McClanaghan, | Sarge, |
| Bentzel, | Gillette, | McClester, | Sarra, |
| Boles, | Goodwin, | McDermott, | Scanlon, |
| Boney, | Greenwood, | McDowell, | Schwab, |
| Boorse, | Gross, | McFall, | Serrill, |
| Bower, | Gryskewicz, | McGrath, | Shaffer, |
| Bradley, | Gyger, | McIntosh, | Shaw, |
| Breth, | Habbyshaw, | McKinney, | Shepard, |
| Bretherick, | Haberlen, | McLanahan, | Simons, |
| Brown, | Haines, | McLane, | Skale, |
| Brunner, C. H., | Hall, | McMillen, | Snyder, |
| Brunner, P. A., | Hamilton, | McSurdy, | Sollenberger, |
| Burns, | Hare, | Melchiorre, | Sorg, |
| Burris, | Harkins, | Mihm, | Stambaugh, |
| Cadwalader, | Harmuth, | Modell, | Stank, |
| Chervenak, | Harris, | Monks, | Stine, |
| Chudoff, | Heatherington, | Mooney, | Stockham, |
| Cochran, | Helm, | Moran, | Tarr, |
| Cohen, M. M., | Hering, | Moul, | Tate, |
| Cohen, R. E., | Herman, | Muir, | Taylor, |
| Cook, | Hersch, | Munley, | Thompson, E. F., |
| Cooper, | Hewitt, | Nagel, | Thompson, R. L., |
| Cordier, | Hirsch, | Nunemacher, | Trout, |
| Corrigan, | Holland, | O'Brien, | Turner, |
| Croop, | Huntley, | O'Connor, | Van Allsburg, |
| Cullen, | Imbrie, | O'Dare, | Verona, |
| | James, | O'Mullen, | Vincent, |
| | | O'Neill, | Vogt, |
| | | Owens, | Voldow, |
| | | Petrosky, | Voorhees, |
| | | Pettit, | Wagner, |
| | | Polaski, | Watkins, |
| | | Polen, | Weingartner, |
| | | Powers, | Weiss, |
| | | Prosen, | Welsh, E. B., |
| | | Rank, | Wilkinson, |
| | | Rausch, | Williams, |
| | | Readinger, | Winnier, |
| | | Reagan, | Wolf, |
| | | Reese, D. P., | Wood, L. H., |
| | | Reese, R. E., | Wood, N., |
| | | Regan, | Woodring, |
| | | Reynolds, | Wright, |
| | | Rhea, | Yeakel, |
| | | Riley, | Yester, |
| | | Rooney, | Young, |

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. 1346, as follows:

An Act designating certain days of each year as Arbor Days and Bird Days one of which shall be the ninth day of April except when the ninth day of April falls on Saturday Sunday or Good Friday providing that the week of the ninth of April be proclaimed as Conservation Week and directing suitable observance of Arbor Days and Bird Days in public schools under the direction of superintendents and teachers

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

Section 1 The Governor each year shall appoint appropriate days to be designated as Arbor Days and shall recommend by proclamation to the people that such days be suitably observed by widespread planting of trees and shrubs and by group and community programs stressing the value and importance of trees and forests

Section 2 One of the days designated as Arbor Day shall be the ninth day of April the birthday of Dr. J T Rothrock as a memorial to the "Father of Forestry in Pennsylvania" except when the ninth day of April falls on Saturday Sunday or Good Friday

Section 3 The week in which the ninth day of April in any year falls shall be designated by the Governor also by proclamation as Conservation Week in Pennsylvania during which week the citizens shall be encouraged to consider through suitable activities the broader subject of the conservation of all the natural resources from which the wealth of the Commonwealth is derived

Section 4 Each day designated and proclaimed as Arbor Day shall be known also as Bird Day and it shall be the duty of every teacher in the public schools of this Commonwealth to devote together with their pupils at least two hours of such school day to the study of birds trees and general conservation of resources and it shall be the duty of all school superintendents within the Commonwealth county or otherwise to see to it that the requirements of this act are complied with

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

Section 6 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 203

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

Dalrymple, Jefferson, O'Neill, Vogt,
Dennison, Jones, G. E., Cwens, Voidow,
DiGenova, Jones, P. N., Petrosky, Voorhees,
Dix, Keenan, Pettit, Wagner, Watkins,
Dolon, Kenehan, Polaski, Weingartner,
D'Ortona, Kiine, Polen, Weiss,
Duffy, Knoble, Prosen, Welsh, E. B.,
Early, Kolankiewicz, Rank, Wilkinson,
Eckels, Komorofski, Rausch, Williams,
Elder, Krise, Readinger, Winner,
Elliott, Lee, E. A., Reagan, Wolf,
Ely, Lee, T. H., Reese, D. P., Wood, L. H.,
Falkenstein, Lelsey, Reese, R. E., Wood, N.,
Finestone, Leonard, Regan, Woodring,
Finnerty, Lesko, Reynolds, Wright,
Fisher, Levy, Reynolds, Yeakel,
Fiss, Leydic, Rhea, Yester,
Fleming, Lichtenwatter, Riley, Young,
Fletcher, Longo, Rooney,

NAYS 1

Hare,

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

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

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1550, (Senate Bill No. 345), entitled:

An Act to amend subsection (a) of section sixteen of the act approved the seventh day of June one thousand nine hundred and seventeen (P. L. 415) entitled "An act relating to the qualification jurisdiction powers and duties of registers of wills and regulating proceedings before said registers and the costs thereof the effects of their acts and appeals therefrom" decreasing the period within which appeals may be taken from decrees of registers of wills probating or refusing to probate wills

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 204

Allmond, Flynn, Longo, Rooney,
Auker, Foor, Lovett, Rose, S.,
Baker, French, Lyons, Rose, W. E.,
Balthaser, Gallagher, Malloy, Rosenfeld,
Baugher, Gates, Marks, Royer,
Bentley, Gerard, Maxwell, Rush,
Bentzel, Gillan, McClester, Sarge,
Boles, Gillette, McDermott, Scannlon,
Boney, Goodwin, McDowell, Schwab,
Boorse, Greenwood, McFall, Serrill,
Bower, Gross, McGrath, Shaffer,
Bradley, Gryskewicz, McIntosh, Shaw,
Breth, Gyger, McKinney, Shepard,
Bretherick, Habbyslaw, McLanahan, Simons,
Brown, Haberlen, McLane, Skale,
Brunner, C. H., Haines, Hall, Snyder,
Brunner, P. A., Hamilton, McSurdy, Sollenberger,
Burns, Hare, Melchiorre, Sorg,
Burriss, Harkins, Mihm, Stambaugh,
Cadwalader, Harmuth, Modell, Stank,
Chervenak, Harris, Monks, Stine,
Chudoff, Heatherington, Mooney, Stockham,
Cochran, Helm, Moran, Tarr,
Cohen, M. M., Hering, Moul, Tate,
Cohen, R. E., Herman, Mulr, Taylor,
Cook, Hersch, Munley, Thompson, E. F.,
Cooper, Hewitt, Nagel, Thompson, R. L.,
Cordier, Hirsch, Nunemacher, Trout,
Corrigan, Holland, O'Brien, Turner,
Croop, Huntley, O'Connor, Van Allsburg,

Cullen, Imbrie, O'Dare, Verona,
Dalrymple, James, O'Mullen, Vincent,
Dennison, Jefferson, O'Neill, Vogt,
DiGenova, Jones, G. E., Owens, Voidow,
Dix, Jones, P. N., Petrosky, Voorhees,
Dolon, Keenan, Pettit, Wagner,
J'Ortona, Kenehan, Polaski, Watkins,
Duffy, Kiine, Polen, Weingartner,
Early, Knoble, Prosen, Weiss,
Eckels, Kolankiewicz, Rank, Welsh, E. B.,
Elder, Komorofski, Rausch, Wilkinson,
Elliott, Krise, Readinger, Williams,
Ely, Lee, E. A., Reagan, Winner,
Falkenstein, Lee, T. H., Reese, D. P., Wolf,
Finestone, Lelsey, Reese, R. E., Wood, L. H.,
Finnerty, Leonard, Regan, Wood, N.,
Fisher, Lesko, Reynolds, Woodring,
Fiss, Levy, Reynolds, Wright,
Fleming, Leydic, Rhea, Yeakel,
Fletcher, Lichtenwatter, Riley, Yester,
Young,

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. 1655, (Senate Bill No. 141), entitled,

An Act providing that a juvenile court adjudication against a juvenile shall not bar his appointment to a position with the Commonwealth or its political subdivisions

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 204

Allmond, Flynn, Longo, Rooney,
Auker, Foor, Lovett, Rose, S.,
Baker, French, Lyons, Rose, W. E.,
Balthaser, Gallagher, Malloy, Rosenfeld,
Baugher, Gates, Marks, Royer,
Bentley, Gerard, Maxwell, Rush,
Bentzel, Gillan, McClester, Sarge,
Boles, Gillette, McDermott, Scannlon,
Boney, Goodwin, McDowell, Schwab,
Boorse, Greenwood, McFall, Serrill,
Bower, Gross, McGrath, Shaffer,
Bradley, Gryskewicz, McIntosh, Shaw,
Breth, Habbyslaw, McKinney, Shepard,
Bretherick, Haberlen, McLanahan, Simons,
Brown, Haines, McLane, Skale,
Brunner, C. H., Hall, McSurdy, Sollenberger,
Brunner, P. A., Hamilton, McSurdy, Sorg,
Burns, Hare, Melchiorre, Stambaugh,
Burriss, Harkins, Mihm, Stank,
Cadwalader, Harmuth, Modell, Stine,
Chervenak, Harris, Monks, Stockham,
Chudoff, Heatherington, Mooney, Tarr,
Cochran, Helm, Moran, Tate,
Cohen, M. M., Hering, Moul, Taylor,
Cohen, R. E., Herman, Mulr, Thompson, E. F.,
Cook, Hersch, Munley, Thompson, R. L.,
Cooper, Hewitt, Nagel, Trout,
Cordier, Hirsch, Nunemacher, Turner,
Corrigan, Holland, O'Brien, Van Allsburg,
Croop, Huntley, O'Connor, Verona,
Cullen, Imbrie, O'Dare, Vincent,
Dalrymple, James, O'Mullen, Vogt,
Dennison, Jefferson, O'Neill, Voidow,
DiGenova, Jones, G. E., Owens, Voorhees,
Dix, Jones, P. N., Petrosky, Wagner,
Dolon, Keenan, Pettit,

D'Ortona,	Kenehan,	Polaski,	Watkins,
Duffy,	Kline,	Polen,	Weingartner,
Early,	Knoble,	Powers,	Weiss,
Eckels,	Kolankiewicz,	Prosen,	Welsh, E. B.,
Elder,	Komorowski,	Rank,	Wilkinson,
Elliott,	Krise,	Rausch,	Williams,
Ely,	Lee, E. A.,	Readinger,	Winner,
Falkenstein,	Lee, T. H.,	Reagan,	Wolf,
Finestone,	Leisey,	Reese, D. P.,	Wood, L. H.,
Finnerty,	Leonard,	Reese, R. E.,	Wood, N.,
Fisher,	Lesko,	Regan,	Woodring,
Fiss,	Levy,	Reynolds,	Wright,
Fleming,	Leydic,	Rhea,	Yeakel,
Fletcher,	Lichtenwalter,	Riley,	Yester,
			Young,

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. 1548, (Senate Bill No. 223), entitled:

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

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

On the question,

Shall the bill pass finally?

YEAS—205

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

Dalrymple,	Jefferson,	O'Neill,	Vogt,
Dennison,	Jones, G. E.,	Owens,	Voldow,
DiGenova,	Jones, P. N.,	Petrosky,	Voorhees,
Dix,	Keenan,	Pettit,	Wagner,
Dolon,	Kenehan,	Polaski,	Watkins,
D'Ortona,	Kline,	Polen,	Weingartner,
Duffy,	Knoble,	Powers,	Weiss,
Early,	Kolankiewicz,	Prosen,	Welsh, E. B.,
Eckels,	Komorowski,	Rank,	Wilkinson,
Elder,	Krise,	Rausch,	Williams,
Elliott,	Lee, E. A.,	Readinger,	Winner,
Ely,	Lee, T. H.,	Reagan,	Wolf,
Falkenstein,	Leisey,	Reese, D. P.,	Wood, L. H.,
Finestone,	Leonard,	Reese, R. E.,	Wood, N.,
Finnerty,	Lesko,	Regan,	Woodring,
Fisher,	Levy,	Reynolds,	Wright,
Fiss,	Leydic,	Rhea,	Yeakel,
Fleming,	Lichtenwalter,	Riley,	Yester,
Fletcher,			Young,

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 amendments.

BILL PASSED OVER

There being no objection House Bill No. 1385, (Senate Bill No. 507), Printers No. 292, was passed over at the request of the SPEAKER pro tempore.

RECONSIDERATION OF VOTE ON SENATE BILL NO. 588

Mr. SKALE. Mr. Speaker, I move that the vote by which House Bill No. 1406, (Senate Bill No. 588), Printer's No. 338, entitled:

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

on page 28 of today's calendar, passed finally be reconsidered.

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

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

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

The SPEAKER pro tempore. How did the gentleman from Delaware, Mr. Rush vote on final passage of this bill?

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

On the question,

Will the House agree to the motion?

It was agreed to.

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

The motion was agreed to.

On the question recurring,

Will the House agree to the bill on third reading?

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

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

The Clerk read the amendments as follows:

Amend Page 2, line 26, by striking out the word "shall" and insert in lieu thereof the following: "Shall".

Amend Page 7, line 27, by inserting after the word "paid" the following: "at."

Amend Page 10, line 24, by striking out the word "in" and insert in lieu thereof the following "In".

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

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

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

It was agreed to.

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

THE SPEAKER (Elmer Kilroy) IN THE CHAIR

The SPEAKER. The Chair thanks the gentleman from Delaware, Mr. Turner, for presiding.

COMMUNICATION AND BILL TAKEN FROM TABLE

Mr. HAINES. Mr. Speaker, I move that House Bill No. 1021, Printers No. 528, together with the communication from the Governor, which was laid on the table May 22, 1941, be taken from the table.

The motion was agreed to.

The communication was read by the Clerk as follows:

COMMUNICATION FROM THE GOVERNOR

The Secretary of 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. 1021

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, May 22, 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. 1021, Printer's No. 528, for the purpose of amendment.

Accordingly the original bill is herewith returned.

ARTHUR H. JAMES.

RECONSIDERATION OF VOTE

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

Mr. EDWIN A. LEE. Mr. Speaker, I second the motion.

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

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

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

Mr. EDWIN A. LEE. Mr. Speaker, I voted in the majority.

On the question,

Will the House agree to the motion?

It was agreed to.

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

The motion was agreed to.

On the question,

Will the House agree to the bill on third reading?

Mr. HAINES. 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. 617.1), page 2, line 15, by inserting after the word "God" the following: "obsolescence, overcrowding, inadequacy or lack of facilities."

The SPEAKER. Will the House give unanimous consent to the offering of an amendment at this time? Is there objections? 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.

COMMUNICATION AND BILL TAKEN FROM TABLE

Mr. HEATHERINGTON. Mr. Speaker, I move that House Bill No. 364, Printers No. 500, together with the communication from the Governor, which was laid on the table May 22, 1941, be taken from the table.

The motion was agreed to.

The communication was read by the Clerk as follows:

COMMUNICATION FROM THE GOVERNOR

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

APPROVAL OF RESOLUTION RECALLING HOUSE BILL No. 364

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, May 22, 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. 364, Printer's No. 500, for the purpose of amendment.

Accordingly, the original bill is herewith returned.

ARTHUR H. JAMES.

RECONSIDERATION OF VOTE

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

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

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

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

The SPEAKER. How did the gentleman from Alle-

gheny, Mr. Keenan, vote on the final passage of this bill?

Mr. KEENAN. Mr. Speaker, I voted in the majority.
On the question.

Will the House agree to the motion?

It was agreed to.

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

The motion was agreed to.

On the question,

Will the House agree to the bill on third reading?

Mr. HEATHERINGTON. 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 Section 1 (Section 1), page 2, line 26 by inserting at the end of the line the following: "or volunteer fire departments."

Amend Section 1 (Section 1), page 3, line 9, by inserting after "panies" and before the word "authorized" the following: "or fire department."

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.

COMMUNICATION AND BILL TAKEN FROM TABLE

Mr. SARRAF. Mr. Speaker, I move that House Bill No. 1098, Printers No. 296, together with the communication from the Governor, which was laid on the table May 22, 1941, be taken from the table.

The motion was agreed to.

The communication was read by the Clerk as follows:

COMMUNICATION FROM THE GOVERNOR

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

APPROVAL OF RESOLUTION RECALLING HOUSE BILL No. 1098

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, May 22, 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. 1098, Printer's No. 296, for the purpose of amendment.

Accordingly, the original bill is herewith returned.

ARTHUR H. JAMES.

RECONSIDERATION OF VOTE

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

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

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

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

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

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

On the question,

Will the House agree to the motion?

It was agreed to.

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

The motion was agreed to.

On the question,

Will the House agree to the bill on third reading?

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

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

The Clerk read the amendments as follows:

Amend page 2, line 5 of the title, by inserting after the word "to" and before the "provide" the word "further".

Amend page 2, line 5 of the title, by inserting after the word "of" and before the word "the" the following: "and liability for".

Amend page 2, line 7 of the title, by inserting after the word "Court" and before the word "by" the following: "by certain persons and".

Amend page 2, line 8 of the title, by inserting after "trict" and before the word "liability" the following: "or county".

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

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

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

It was agreed to.

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

BILL ON THIRD READING

Mr. SHAW asked and obtained unanimous consent to call up out of order House Bill No. 1521, Printers No. 642, on page 31, of today's calendar, bills on third reading.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1521, as follows:

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

mothers' assistance pensions for the blind old age assistance and the State Emergency Relief Board" as amended eliminating from said act the provisions requiring milk to be furnished as a necessary part of assistance

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

Section 1 Section two and clause (b) of section four of the act approved the twenty-fourth day of June one thousand nine hundred and thirty-seven (P. L. 2051) entitled "An act relating to public assistance providing for and regulating assistance to certain classes of persons designated and defined as dependent children aged persons blind persons and other persons requiring relief providing for the administration of this act by the Department of Public Assistance and county boards of assistance hereby created for this purpose authorizing the Department of Public Assistance to cooperate with and to accept and disburse moneys received from the United States Government for assistance to such persons providing for the liquidation of the State Emergency Relief Board Boards of Trustees of the Mothers' Assistance Fund and Boards of Trustees of Pension Fund for the Blind and repealing laws relating to mothers' assistance pensions for the blind old age assistance and the State Emergency Relief Board" as amended by the act approved the twenty-sixth day of June one thousand nine hundred and thirty-nine (P. L. 1089) and by the act approved the twenty-sixth day of June one thousand nine hundred and thirty-nine (P. L. 1091) are hereby further amended to read as follows

Section 2 Definitions As used in this act unless otherwise indicated

"Assistance" means assistance in money [milk] goods shelter medical care or services provided from or with State or Federal funds for indigent persons who reside in Pennsylvania and need assistance to enable them to maintain for themselves and their dependents a decent and healthful standard of living and for indigent homeless or transient persons The word assistance shall be construed to include pensions for those blind persons who are entitled to pensions as provided in this act and to include also burial for those indigent persons who were receiving assistance at the time of their death

"General Assistance" means assistance provided from or with State funds only to persons entitled under this act to assistance other than dependent children aged persons and blind persons

"Local Board" means any county board of assistance established under the provisions of this act

The masculine pronoun includes the feminine

Section 4 General Powers and Duties of Department of Public Assistance

The Department of Public Assistance shall have the power and its duties shall be

* * * * *

(h) To establish with the approval of the State Board of Public Assistance rules regulations and standards consistent with the law as to eligibility for assistance and as to its nature and extent [Provided however That such rules and regulations shall provide that in any case in which the report of the investigating or interviewing employe shall disclose that there are dependent children of the applicant for assistance or when it shall appear from such report that any other person who is an applicant requires the use of milk for his physical welfare fresh fluid milk shall be provided through orders to milk dealers of the relief recipients' selection holding permits from the State Department of Health and the cost thereof shall be a charge against the allowance awarded to the applicant for assistance]

Section 2 This act shall become effective immediately upon final enactment

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. D'ORTONA. Mr. Speaker, House Bill 1521 repeals that part of the Assistance Law which compels families on assistance rolls to take, as a part of their grants, one pint of fresh milk each day for each member of the family 16 years of age or under. This law was enacted in 1939 on the pretext that it would help the poor children.

In an effort to beat the law a number of rackets have grown up such as one whereby a person receiving 3 quarts of milk each day and having use for not more than two quarts arranges with the milk driver to deliver two quarts while the family is on relief rolls and the balance to be delivered after the family has left the rolls. Another is the selling of the milk orders for considerably less than the face value. These incidents show the necessity for repeal of this law insofar as they go.

That this law has proved impractical and unenforceable is further shown by the fact that most of the County Assistance Boards and the public-spirited agencies, as well as large numbers of our citizens have petitioned for its repeal. The cost to the Commonwealth for administering this law has been \$360,000 for the biennium while the loss due to Federal non-participation in the program amounts to \$1,080,000 for this period.

The reasons advanced for adoption of this part of the law were plausible, but in reality the law was designed to help certain interests and not the poor children.

Adoption of this provision was really a return to the old commodity relief system abandoned in 1936. We enact laws in order to promote the well-being of our citizens and to prevent rackets. When, as in this case such results are not achieved then such a law should immediately be repealed. I ask this House to support this view and vote for House Bill 1521, thus enabling those on assistance rolls to regain the right to spend their grants to the best advantage.

Mr. ECKELS. Mr. Speaker, in rising to oppose this bill I feel that my remarks should possibly come under the heading of "personal privilege." As many of the Members of this House know I was sponsor of the relief milk act. A barrage of abuse has been leveled at the act and at myself personally, and many misstatements have been made as to the purposes of this act and as to my purpose and intent in introducing the bill, as well as to my statements made in regard to the bill.

If this relief milk act is bad of course, it should be repealed, but I am not satisfied that it is bad. I desire to call attention to the statement contained in the "Rural Legislator" of May 19th, 1941, purporting to be signed by the Chairman of the House Welfare Committee in which it discusses at considerable length this relief milk measure. It says: "Most of the people on relief rolls spend their money in the corner taproom for beer and liquor." I desire to say, Mr. Speaker and Members of the House, that I never made any such statement and I would ask the gentlemen who are responsible for this article to produce the quotation or the statement on my part from which that is alleged to have been a quotation. That does not represent my views and never did. It is my belief and it always has been that most of the people, the great majority of people on relief rolls are honest, conscientious and good citizens of this country who are on those rolls because of misfortune and because of the times which did not enable them to obtain enough to make a living. It was

never my intention to say that most of the people on relief rolls, and I never made such a statement, so spent their money.

I desire to just briefly quote one of the few published statements that I have made in relation to this law which was made at the time the bill was on second reading in 1939, when I was interrogated by Mr. Shaw. This is what I said in relation to the liquor question

"While I don't want to slander or malign anyone who is on relief, because I know we have very worthy people who are on relief at the present time for the reason that they are unfortunate and can't find work, yet I also know that there are a great many others on our relief rolls for the reason that the head of the family, the man who should be taking care of the family, is too lazy and shiftless to do his job, and when he gets his relief check, in a great many instances, he spends it at the corner taproom for whiskey and beer for himself, rather than for milk for his children."

That was my statement at that time. I stand by that statement and I do not retract a single line of it. Those of you who know the internes and nurses or the people connected with hospitals will tell you that those hospitals can tell without reading about it when the relief checks go out, by reason of tremens cases and the alcoholic cases which come into those hospitals. I say that a great deal of the relief funds are misused, but I never said that most of the people on relief do that and I do not believe they do. There has been a great deal said and a great many arguments advanced in regard to this relief milk act but the fact remains and it cannot be answered, and cannot be denied that practically every medical authority in the country says that a growing child, a small child, an infant, needs one quart of milk, not one pint of milk, a day, in order to properly grow and properly develop the bones, muscles, teeth and mind. I could refer you by taking time to many authorities, I could refer you to "Good House-keeping Institute," which fixes one quart as an absolute minimum.

I could refer you to many other cases but the fact remains that prior to the passage of this bill a great many children on relief were not getting a quart of milk, they were not getting a pint of milk, they were not getting any milk per day. It has been said that that act was introduced for the sake of the milk dealers. In "Social Legislation" published by the Public Charities Association of Pennsylvania, it says

"The truth of the matter is that the Bartlett Bill would deprive a small group of milk dealers of a very lucrative source of income which at the present time is made possible because food is being taken out of the mouths of children on relief. The Eckles Milk Act, which we are anxious to have repealed, was not conceived as a measure to improve the nutrition of families, on relief; it was and should be labeled as a bill to provide relief for the milk dealers."

Mr. Speaker, I think having introduced that act and having conceived it, I stated at the time it was under discussion here that the primary object I had in mind was the welfare of children in relief families, and if this object could not be justified, the act could not be justified. I said then and I say now, while it undoubtedly does help the farmer and does help those in the milk business, my primary object was the welfare of the children on relief, and I ask the Members of this House who know me to believe that I am sincere in that statement.

There was a statement made over a year ago by a Dr. Thomas Parran, Surgeon General of the United States

Public Health Service, whose ideas, I believe, are entitled to respect from this House, particularly from the Democratic Members of the House, in which he says

"A new kind of starvation—due to faulty nutrition—is gripping more than one-third of the Nation, Dr. Thomas Parran, Surgeon General of the U. S. Public Health Service said to-day.

Declaring 'More than 40 per cent of the people of the country are not getting a diet adequate to maintain good health and vigor,' he said in a lecture at Massachusetts Institute of Technology that improved nutrition should be recognized as a 'National Problem.'

"The new kind of starvation," said he, "may be even worse in its ultimate social effect than the ancient famines which periodically killed off a large part of the population.

"The foods of which the nation has an apparent surplus he said, 'are those in which the national dietary is deficient—milk and milk products, citrus fruits, green vegetables, and meats.'"

I am not going to prolong this debate. I have heard many arguments against the act which I believe will not hold water. There are one or two arguments against the act which are bona fide but which in my opinion do not balance the benefit that has come from the act. I have letters and I have been interviewed by teachers and by public health nurses and others who have told of the improved conditions they found.

I desire to correct one other thing that has been said tonight, and that is that the law provides that one pint be given a child. The law does not provide the quantity to be given each child. The law merely provides that milk shall be given to children in relief families in instances where milk is needed, and it leaves to the Department of Public Assistance the discretion to say how much milk. I say under this law the Department of Public Assistance has the right to remedy any of the so-called cases of hardship that might occur or might have occurred under this act. If the situation should arise that the quota of the family should be too large the Department of Public Assistance has the right and has the duty to correct that situation.

My attention has been called to the issue of today's Evening Bulletin of Philadelphia on page 8 under the heading "Health Yardstick set up for U. S.," and the yardstick includes, "one pint of milk for an adult and more for a child a serving of meat, of which the cheaper cuts are just as nutritious as the more expensive ones."

Probably there will be something said about the food stamp question. I believe that is unfortunate, and I believe perhaps it could be worked out properly but I do not believe the bad effects of that nearly balances the good effects of this act.

Something will be said about the cost of this relief administration, and I desire to say to you, Mr. Speaker and Members of the House, that I am not concerned very much with that argument, because we spend money on schools, and if by spending money on behalf of these children of families on relief we can assure these children of relief families that they will grow up with decent health in bone and teeth and mind, I say that this money will be well spent. I say to you, Mr. Speaker, that argument is not very effective.

I will not take up any more time because I think all these matters have been gone into very thoroughly and have been well discussed. I simply desire to say, I make no apology for introducing the act. I believe it has done some good and it has helped to give strength. If it has

helped in the growth or has helped in the maturing of some child of a relief family, then I feel it has served a good purpose.

Mr. SHAW. I desire to interrogate the gentleman from Crawford, Mr. Eckels.

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

Mr. ECKELS. I shall, Mr. Speaker.

Mr. SHAW. Will the gentleman from Crawford tell this House whether or not he considers the various county assistance boards are good judges as to the enforceability and desirability of this law, which they have tried to enforce for the past two years.

Mr. ECKELS. Mr. Speaker, in answer to that question, while I would admit that undoubtedly the Department of Public Assistance should have some knowledge of these things, nevertheless I say that the Department of Public Assistance and the Relief Boards throughout the state were prejudiced for the reason that they opposed this act when it was first passed, and they have consistently opposed it ever since, and have done everything they could to foster a movement to have it repealed. I believe their objections to this bill go to something more and something different than the merits of the bill itself.

Mr. SHAW. Mr. Speaker, is the gentleman from Crawford conversant with the attitude of the various county boards of assistance throughout the Commonwealth?

Mr. ECKELS. Mr. Speaker, in answer to that question, I understand that the majority, that is the great majority, of the boards have expressed themselves as being in favor of the repeal of this bill. I understand that some of them would not go along with that attitude even though considerable pressure was brought to get them to do so.

Mr. SHAW. Mr. Speaker, is the gentleman from Crawford conversant with the fact that a large majority of the public spirited agencies are on record as in favor of the repeal of the Eckels Milk Bill?

Mr. ECKELS. I am not, Mr. Speaker.

Mr. SHAW. That is all, Mr. Speaker.

Mr. FRENCH. Mr. Speaker, according to the best authorities, there is more food value in a quart of milk than any thing that we can buy or use of the same bulk. They tell me, and I guess it is true, that milk has a little bit of everything in it that is needed for the benefit of young life, the growth of children or animals or anything else along that line. Now, we all know, and I guess we will agree that there are a few chiselers in anything that is undertaken in any line; we will find chiselers wherever we go. It seems to me that the people who are in favor of the bill that is before us at the present time, and who want to do away with what we know as the Eckels Bill are the ones that would like to get hold of that money in bulk to use it to their own choosing. It is my experience as having been a member of the Poor Board in my County for four years, and I have been up against these things and I know that these people desire to use this money for their own purposes rather than for the children they are raising, and they are willing to let the children do without.

The purpose of the Eckels Bill, as I understand it, is to compel those parents that do not care a "doggone" about their children, to take this milk and give it to their kiddies. If that act is repealed, Mr. Speaker, those children will go hungry and suffer for the want of the very thing

that is needed for their development and growth, both in body and in mind.

I believe the larger proportion of the people who are receiving this milk are mighty glad they are receiving it, and it is only a very few that want to receive this money in bulk to spend for their own benefit or advantage in some other manner.

Another thing, for the last three months or more the Members of this House have been falling all over themselves, Mr. Speaker, in an effort to help the farmers. Now they are talking about doing something that is going to be a detriment to the farmer, something which without a doubt cannot help but pile up a surplus of milk which we have already, and add to the surplus of milk that we have in this State by doing away with the relief milk. It is only adding to the surplus, and in that way it will surely reduce the price of the milk to the farmer if we vote this bill in tonight and vote the Eckels Act out. There isn't much use in our trying to kid the farmer any longer. Here we have a chance to help the farmer and keep down the surplus of milk that he has on his hands, but by voting on this bill favorably it will only increase the surplus to the detriment of the farmers. If we do that we might as well not try to kid the farmers any longer that we are attempting to do anything for them. I suggest that we vote down this bill.

Mr. O'CONNOR. Mr. Speaker, I desire to interrogate the gentleman from Philadelphia, Mr. D'Ortona.

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

Mr. D'ORTONA. I will, Mr. Speaker.

Mr. O'CONNOR. Mr. Speaker, I desire to ask the sponsor of this bill what part of the Act of 1939 known as the Eckels bill provides what quantity of milk shall be given each child each day.

Mr. D'ORTONA. Mr. Speaker, I didn't state in my speech that they were supposed to buy a certain quantity, but I know that they cannot buy less than one pint.

Mr. O'CONNOR. Mr. Speaker, I would like to ask the gentleman from Philadelphia what law on the statute books of Pennsylvania today provides what quantity of milk shall be purchased for or supplied to any child whose parents are on relief.

Mr. D'Ortona. Mr. Speaker, in answer to the gentleman I will say this, that they are served a certain amount of milk and that is taken out of their grant. Some families are compelled to buy two quarts of milk.

Mr. O'CONNOR. Mr. Speaker, the gentleman has not answered my question by telling me what law we have in Pennsylvania today that states what quantity of milk, if any, must be purchased or supplied for any child on relief, and that is the question I would like to have answered.

Mr. D'ORTONA. Mr. Speaker, there is no law, but it is a rule under the Eckels Act for the Department of Public Assistance to carry on.

Mr. O'CONNOR. Mr. Speaker, I thank the gentleman, that is all.

Mr. Speaker, on the 22nd day of May, 1939, when I voted for the notorious, world-famous Eckels Milk Bill, I voted for it with a great feeling of pride and satisfaction, that I, as the father of a family, had the opportunity to help my neighbors, not only in my own county, but throughout this Commonwealth, to provide the most

essential food for their children. I wish to state tonight in rising to oppose the present bill that nothing is to be gained to my knowledge by stating that the Eckels Bill provides that a certain quantity of milk must be furnished for each child. To my knowledge, there is no statute in Pennsylvania which requires that. Repealing the Eckels Bill is like cutting off the head of an individual because there is a pimple on his nose. There is no question if we repeal this bill that milk will not be furnished to those who need it, and since we are trying to secure the distribution of the milk to the recipients of relief, it is very evident that the source of the trouble is in the administration of the law.

The Eckels Law does not require a pint or a quart or a glass or any particular quantity of milk to be furnished. The Eckels Law provides for the very humane practice of seeing or making it possible for the proper authorities to provide the milk for the children on relief, and to repeal this bill would be in my opinion a step backward.

I wish to say, Mr. Speaker and Members of this House, that I am very proud of the fact that I stand before you and say that in Cambria County, which I have the honor to represent, no parent, no father, no mother has asked me to vote to repeal the Eckels Bill, and I believe that no honest father of a family will vote to repeal the Eckels Bill. I thank you.

Mr. D'ORTONA. Mr. Speaker, I wish to interrogate the gentleman from Cambria, Mr. O'Connor.

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

Mr. O'CONNOR. I will, Mr. Speaker.

Mr. D'ORTONA. Mr. Speaker, I would like to ask the gentleman from Cambria whether he would say that his County Board of Assistance is well versed in coming in contact with the relief recipients.

Mr. O'CONNOR. Mr. Speaker, I am glad to say "yes" in response to that question, and state to the gentleman from Philadelphia that they are interested in the distribution of the milk from the financial point of view and not from the necessity of it for the children.

Mr. D'ORTONA. That is all, Mr. Speaker, I wish to bring to the attention of the Members of this House that in Cambria County the Cambria County Board of Assistance adopted the following resolution at a meeting on April 26, 1940:

"Whereas, Many assistance recipients have expressed their objections to this milk program to members of the Board and their staff, and

"Whereas, Upon investigation of these complaints and objections to the milk program by members of the Board and their staff they have found many of these valid and well founded, and

"Whereas, It is unfair exercise of power over the less fortunate members of society in dictating the type and form of milk to be purchased from their assistance gran, and

"Whereas, Many families in normal and better financial circumstances do not habitually purchase this quantity, type, or form of milk, and

"Whereas, Many recipient families are at a loss as to how to cook with fresh whole fluid milk because of the experience and training received from other agencies in planning low budget meals with canned milk and milk substitutes, and

"Whereas, In many assistance families there are no refrigeration facilities available, the excess milk spoils, is unhealthful, and is wasted, and

"Whereas, In some rural sections, deliveries of

milk are irregular and often at a distance from the home, thus exposing the milk to the weather until collected by a member of the family, and

"Whereas, Assistance families could increase their already minimized purchasing power by being permitted to purchase milk in any form they choose, and

"Whereas, This program increases the cost of an already expensive governmental function, defeating the object of economy and providing no additional benefits to the indigent of Pennsylvania in spite of the added administrative cost, therefore

"Be it Resolved, That the Cambria County Board of Assistance respectfully recommends that Act No. 383, approved June 26, 1939, be modified at the earliest session of the General Assembly possible, and

"Be it Further Resolved, That a copy of this resolution be forwarded to the President Pro Tempore of the Senate, Speaker of the House, the Honorable Howard L. Russell, Secretary of the Department of Public Assistance, Senator from Cambria County, Assemblymen from Cambria County, State Board of Assistance, all County Boards of Assistance, and interested charitable agencies."

Now, Mr. Speaker, we have heard arguments pro and con on the repeal of this act. In my first speech here tonight I spoke of the racket that was created by the Eckels Milk Bill, and no man responded to that argument by trying to prove that there was no racket. As far as saying that milk is nutritious, as the gentleman from Cambria, Mr. O'Connor, stated, that no decent father would vote for the repeal of this act, I want to say this, that any decent father does not need a law to compel him to give his son milk. My only reason for introducing this bill at this time is because of the racket that is going on between the people who cannot use milk and the people that sell the milk.

We all love our children, and I do not believe there is any mother or father that I know of that would deprive their children of any type of food that would be of benefit to them. They want this act repealed. I have a record here of every County Board in the state of Pennsylvania, excluding one, Juniata County, and every County Board includes a report as to what they found. We all well know, people that are on relief will not come to any individual and make a complaint, they feel the place to make the complaint is when the visitor visits them at their homes, and I say to the Members of this House, that we as Members, being here to legislate, it is up to us to see that laws are enacted so that no rackets can come from them. Therefore, I ask for the support of this bill.

Mr. WOODSIDE. Mr. Speaker, I yield to the gentleman from Cambria, Mr. O'Connor.

Mr. O'CONNOR. Mr. Speaker, I do not believe I used the term "decent parent" in my remarks, and therefore I desire to correct that. I believe the term I used was "honest parent." I am acquainted with the members of the Assistance Board in my own county, nine of them. I praise them for the great job they have done, but I also am not going to stand up here before the membership of this House and say they are infallible because I know they are not. The argument presented to me by those interested in the distribution of milk to recipients of relief in my county is not that milk should not be used and not that there has been a racket,—that term has not been used,—but that they would substitute for the fluid milk which is now being supplied either canned or condensed or powdered milk so that they would eliminate

the waste. That there is waste in the use of milk, no one who has investigated it can deny, by the fact that there has been waste in the distribution is no reason why in my opinion the needy should be denied the right and opportunity and privilege of getting milk, and I therefore ask you to defeat this bill.

Mr. WOODSIDE. Mr. Speaker, I am interested in helping the farmer, I am interested in doing anything that is right to improve their economic condition and I agree with the gentleman from Mifflin, that the passage of this bill is going to be harmful to the farmer. I think this bill contains a principle that extends much further than that. It seems to me that the question to be decided in the passage of this bill is whether we are interested in doing everything in our power to see that the youth of Pennsylvania will grow up to be stronger men and women or whether we are going to be satisfied to let them grow up as many have been growing up in the past, and as it appears today from the defense authorities or growing up without the proper food and proper nutrition.

It seems to me we have this evening before us a matter of primary importance in which we are interested, namely, the health of the boys and girls of Pennsylvania who most need our help. I think we should vote down this bill today. I know these relief boards. I think my own relief board has had a considerable amount of difficulty. My colleague, Mr. Habbyshaw, and I sat down with the board and went over their difficulties with them. I realize that there are certain questions which are difficult in the administration of this bill. I realize there are certain things which are very expensive in connection with the administration of the bill, and because of the difficulty of administration and because of the fact that it is more expensive they are hunting an easy way out and they say "It will be much easier for us if we are able to sit down and send out our checks without bothering with this double bookkeeping and without the trouble of working out this milk distribution." But I say, Mr. Speaker and Members of the House, the easiest way is not always the best way. The various boards in their interest to administer relief as economically as possible, have been hunting the easiest way rather than the best way. I think we all know that a pint of milk is not too much for a child. I think we all realize that except in a very few isolated cases a pint of milk each day per child can very profitably be used by any family. In a few isolated cases where there are difficulties of distribution and there is the necessity to keep the milk over a period of time, it might work some hardship, but it is within the power of the Department of Public Assistance in Harrisburg and particularly the Boards in the various counties to work out a solution.

I know what our Board did. There was one case they pointed out where milk was not distributed within a mile and a half or two miles or a little farther from the party receiving the relief, but they worked out a system that that milk was not given to those who were in that particular situation. If there are such situations, they can be worked out by the Boards under the law, but for this body to go on record and say that the milk we are giving to those children whose parents are on relief is a waste of money and is a waste of effort and is a false move, and I say to you, Members of the House, that is not said with

the interest of the boys and girls of Pennsylvania at heart.

We are entering into a great and important stage in this country. We are interested in the health of the boys and girls of this country. We are finding as we never found before the fact that large numbers of people are not in proper health as the result of not having had proper food, particularly when they were young. So I say, Members of the House, we at this time ought to be careful to do everything in our power to help these boys and girls to be fed properly. I do not believe anybody can seriously contend that they could receive better food than the milk that they would receive under these orders, and therefore, I think that this bill should be defeated.

Mr. REUBEN E. COHEN. Mr. Speaker, like the minority leader, I also feel very, very keenly about those who get milk to preserve their health, and when the minority leader or any other Member of this House can tell me when and where relief recipients will get enough money for shoes, for warm clothes, for proper shelter, for good schools, for all the other things needed to be healthy, for playgrounds and such, I am perfectly willing to be in favor of the principle of buying milk, but unless you can show me where they can get these things necessary for the health of the children of this Commonwealth I am against this sop which is thrown to the poor people of Pennsylvania.

Mr. VINCENT. Mr. Speaker, I have heard a lot of farmers in here, so called farmers, and a lot more too speaking on milk, but I just want to ask all the Members one question, are they considering the poor and also the farmers? When you cut out this relief milk I want to tell you one thing, we have a Milk Control Board, and they classify milk. We have seven different classes under which the farmer sells his milk in this state, and when we cut out the relief milk that goes to these children, we are cutting out hundreds of thousands of gallons of milk that goes to the children and that affects the producers. You farmers beware of what you are doing tonight; you are going to take all of that milk out of class 1 and put it in,—I don't know what class, 6 or 7, and you want to consider what you are doing. When you say that you are giving this milk, that is true, you are giving meat and you are giving potatoes. I have talked to several members in this House and they said they do not believe in forcing on the poor a certain commodity. Why force bread and meat or potatoes? Milk is one of the essential foods. A quart of milk equals a pound of beef steak; a quart of milk equals a dozen eggs. As far as the nutrition of this product is concerned it far surpasses any other food that we are putting on the market.

Therefore, I say to you do not only consider the poor, but consider the poor farmer who is producing this essential food. It may be that this bill, the Eckels bill, is considered a Republican bill, but that doesn't make any difference to me. I want to see the poor getting what is coming to them; I want to see the farmer that must toil from six to six get what is coming to him. Having been a dairyman for the last forty years I know what it is to get up at four o'clock in the morning and milk cows, and I hope every Member in this House will vote against the repeal of this bill.

Mr. LOVETT. Mr. Speaker, I did not intend to speak on this bill. I fought this bill during the last session when the bill was passed. I listened to the debate this evening

on this particular bill, and I have commenced to wonder who is on relief. Maybe it is the farmers we should put on relief and take the other people off, because it seems to me we are fighting here to protect the farmers in this particular piece of legislation.

I said when this bill was passed that the farmers wouldn't get any more money for their milk than they did before. I still feel the same, that if you repeal the bill the farmers will never notice any difference. I rise to support this bill because I think it is wrong that we should ask any people, regardless of whether they are on relief or not, to except milk or any other commodity. I feel that the relief money should be given to the people on relief. I feel that the fathers and mothers of the state are capable of buying milk for their children if they are in need of it. I feel that the principle is wrong when we legislate that people on relief must take a certain quantity of milk anymore than we legislate any other commodity. Therefore I ask for the support of this bill.

Mr. HOLLAND. Mr. Speaker, we have listened to a lot of figures tonight. It costs \$360,000 for administration expenses. We lose a million and a half of Federal grants, the relief recipient loses a considerable amount of money in not being able to use the purchasing power in the surplus food orders. When we add it all up, we see that it would come close to around four or five million dollars that it might be said must be spent to give a pint of milk to a relief recipient. I believe that brings the cost of a pint of milk up to a very exorbitant price, and I would suggest to the Members of this House who are farmers, the Members who are interested in the relief recipients, that with that four million dollars I could buy enough cows to give all the people in Pennsylvania milk free.

Mr. TURNER. Mr. Speaker, I am amazed at the statements coming from some of the gentlemen in this House, counting the cost of the distribution of this milk, and the cost of the milk itself for the benefit of the children of Pennsylvania. I have listened for a number of years to many statements that we are putting property rights above human rights, that when human rights are being effected, we are counting the dollars rather than human rights. Yet here is one of the very fundamental things, because if these children are going to get this milk, then it seems to me the people on relief would not be complaining because no one can say whether the law provides or whether the law does not provide that milk shall be given. No one can say that a pint of milk a day is too much milk for any child.

You are talking now about spending some twelve million dollars by the state for the care of the insane; you are talking about the spending of hundreds of thousands of dollars by our school districts to supply milk for the underprivileged and undernourished children in our schools. The Federal Government is spending millions of dollars upon health campaigns; you are going into all kinds of regulation of business; you are getting down into the intimate details of administration of business. Yet here is something that vitally affects the future citizens of Pennsylvania, that vitally affects the administrative cost of our homes and hospitals and affects perhaps some of the costs of the county hospitals for accomplishing something that will raise our children, the children of Pennsylvania to be healthy children in the future and not charges upon the State; that will make them citizens able

to take their place in the workshop and in industry and business of the Commonwealth, something that is going to help them do that. Yet you are here talking about the cost; you are here talking about the difficulties of administration; you are here talking about forcing something on our population, but we are supporting that part of the population, and we as citizens of Pennsylvania and taxpayers, I will say to the gentleman from Westmoreland, have a right to say to those people who are receiving relief from Pennsylvania, paid for out of the taxpayers money, —we have a right to say "You shall feed your children that which will make them stronger in the future, that which will enable them to advance in their schools and absorb the learning that is extended to them."

We say the children of the Commonwealth must go to school until they reach a certain age; we say they must remain until they reach a certain status in our schools and we say other things pertaining to the children of the Commonwealth. The Department of Welfare and the Child Welfare Department of the federal government are taking a great interest in our children. Our state government and departments of our state government are taking a great interest in the children who are under-privileged and under-nourished, and we are saying to the people of Pennsylvania on relief, "We are giving you this milk in order to insure that the children of the people who are on relief shall receive what is proper."

Who cannot count the cost. What if the cost is \$2,000,000! Who can count the benefit to the children of Pennsylvania in dollars and cents. I am surprised that here in this House there should be a bill presented that would wipe out this benefit to the children, and that we should count the cost of administration, or that we should count the difficulties of administration, or that we should be concerned with the question of whether we are going to inconvenience some people and say perhaps they ought to have the right to buy what they want. You go out in the country where there are large gatherings, where there are a lot of children, and see some of the things that are fed to our children at times. Lots of our fathers and mothers need to have education forced upon them, because we have a stake in the children and we have a right to demand it because the future of Pennsylvania, the future of the nation, the future of democracy and the future of the world is dependent upon the kind of children we raise.

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

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

Mr. TURNER. I will, Mr. Speaker.

Mr. LOVETT. Mr. Speaker, does the gentleman from Delaware think that children live on milk alone?

Mr. TURNER. No, I know they do not, Mr. Speaker. I have raised five.

Mr. LOVETT. If the gentleman thinks, Mr. Speaker, that if they do not live on milk alone, does he not think there are other commodities they should have?

Mr. TURNER. I do think that there are other commodities they should get, but I think of all commodities milk is the most essential and will supply most of the food values that they should receive. I would rather see my children drink milk in large quantities, even after they have grown up.

Mr. LOVETT. Does the gentleman believe, Mr. Speaker, in having the Department of Public Assistance supply the other commodities?

Mr. TURNER. That question, Mr. Speaker, was passed on a long time ago, because it seems to be the policy of those administering relief and those passing the laws that we should get away from the distribution of food. I don't know, but I think at times there are some reasons why we should supply certain kinds of food in order that our people should have a certain kind of nourishing food.

Mr. LOVETT. If the gentleman felt that way about it, Mr. Speaker, then two years ago why did he not vote that way and have the relief boards supply all kinds of commodities?

Mr. TURNER. Mr. Speaker, I did not change it two years ago. It was changed longer ago than that. It was changed in the Democratic administration.

Mr. LOVETT. Mr. Speaker, it was two years ago that we introduced the Eckles Milk Bill.

Mr. TURNER. That is a different proposition, Mr. Speaker.

Mr. LOVETT. Mr. Speaker, at the same time they supply milk, does the gentleman not think that it would be proper for them to supply other commodities?

Mr. TURNER. Mr. Speaker, I think the gentleman and I could get into a long debate as to food and other commodities. At the start we undertook to supply food and other things, but after that they supplied money, mostly because of the agitation of the people getting food orders and because of the cost of administration on the part of those administering relief.

Mr. LOVETT. Mr. Speaker, does not the gentleman think that was a good thing?

Mr. TURNER. What was a good thing, Mr. Speaker?

Mr. LOVETT. To supply them with relief checks and let them buy their own, Mr. Speaker.

Mr. TURNER. I would say, Mr. Speaker, outside of the complications that might arise, there may be many times when it might be well for us to supply food. The Federal Government supplies food.

Mr. LOVETT. They do, Mr. Speaker, but it does not come out of the relief checks.

Mr. TURNER. That is a different proposition, that is in addition to it.

Mr. LOVETT. Well, Mr. Speaker, I am certainly willing to give them all the food requirements.

Mr. TURNER. Oh no, Mr. Speaker, milk contains so many of the elements that are necessary that if they get milk they do not need a lot of other kinds of food.

Mr. LOVETT. Mr. Speaker, I did not raise the question of cost particularly. I stressed the idea of forcing any commodity on relief recipients as being wrong. If we want to educate our people, if we want to teach our people that milk is good for them, let us put on a campaign, but let us not through the Department of Public Assistance say to the individual family on relief, "You must use so much milk." Now, that is the point I raised, that the principle is wrong, and we therefore should repeal this bill and educate the people that milk is good for them and that they should buy it out of their relief checks.

Mr. REUBEN E. COHEN. Mr. Speaker, I would like to interrogate the gentleman from Delaware, Mr. Turner.

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

Mr. TURNER. I will, Mr. Speaker.

Mr. REUBEN E. COHEN. Mr. Speaker, will the gentleman from Delaware tell me whether or not the question of supplying milk relief recipients was a subject of study by the Joint State Government Commission in the past two years?

Mr. TURNER. It came up in the study on relief. It was discussed in reference to that subject, yes.

Mr. REUBEN E. COHEN. And does the gentleman recall, Mr. Speaker, what the recommendation was of the State Government Commission with regard to that subject?

Mr. TURNER. Mr. Speaker, I don't remember exactly what the Commission did say on relief milk. It is my recollection that there was no special recommendation on that subject.

Mr. REUBEN E. COHEN. May I suggest to the gentleman, Mr. Speaker, that the recommendation of the Joint State Government Commission was that the distribution of milk to relief recipients was wrong economically, and was wrong in every other respect and the recommendation was that the Eckels Milk Bill be repealed? Would the gentleman not state that that is so according to the report of the Joint State Government Commission?

Mr. TURNER. My recollection, Mr. Speaker, is that the Joint State Government Commission felt that there might be some variation in order to take care of the hard cases but I recollect no such recommendation as the gentleman states.

Mr. REUBEN E. COHEN. Mr. Speaker, will the gentleman make an agreement with me that at some future time we will pore over the report of the Joint State Government Commission and if either of us finds he is wrong he will make such a statement on the floor?

Mr. TURNER. Absolutely, Mr. Speaker, I will always make such a statement, and if that recommendation is as the gentleman states I will say that I was wrong then and that I am right now.

Mr. BROWN. Mr. Speaker, it is absolutely unnecessary to prolong the debate, but I do want to challenge the thought as I gather it from some of the remarks of my learned friend, the gentleman from Delaware, Mr. Turner. In the 1939 Session I opposed the Eckels Milk Bill. In the 1940 Special Session I presented a bill to repeal the Eckels Milk Mill. I have taken no part in the discussion tonight, but I would like to call to the attention of the members the very thing in this bill which should defeat it, and that is the question of class legislation. I say class legislation because it applies only to those who are on relief. It is true, as the gentleman from Delaware says, we are compelling children to go to school; we are compelling all of the children to go to school. There is a vast difference between legislation by this House or any other body that compels all of the people to do one thing and another Law that compels certain people to do another thing. This bill is undemocratic; it is unscientific; it compels a person to buy a certain amount of milk because he is on relief and only because he is on relief. If you can pass legislation of this kind you can compel people on relief to wear a certain shirt, to wear certain shoes, to live in a certain house. We may have the power

should have no part in a free House of Representatives.

Mr. D'ORTONA. Mr. Speaker, I do not wish to prolong this argument, but there were a few remarks made by the gentleman from Delaware, Mr. Turner, which I would like to answer. As long as I have been in this House, since January, this has been the first time I have heard they were not worrying about the cost of money, after their cry about economy. I want to say that every member who opposed this bill brought up the question that children needed milk, and they were all worrying about the children. I wonder when this bill was passed in 1939 whether they were worrying about the children, to see that they received milk so that they could grow up and be good children and healthy children for this nation, and whether they ever gave it a thought that in compelling these people to buy their milk they might raise their relief grants and force them to buy milk. I know that some of the people who have been worrying about these children who are receiving milk and who want them to be helped by House Bill 1401, when we desired to give the parents of these children the right to go out and earn a few extra dollars so they could feed their children a lot better to make them healthy, they opposed the bill. Now they want the parents to feed these children with their own money. In 1939 the Department of Public Assistance gave a certain grant to a family and after they forced them to buy milk, they still received the same grant and took the amount of money for the milk from the grant they gave them. Yes, we can feed them, and we can say, "You must give your children milk; you pay for it." I say if they want to give them milk, let the Department of Public Assistance pay for it, if they are not worrying about the cost.

On the question recurring,

Shall the bill pass finally?

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

YEAS—116

Achterman,	Elliott,	Malloy,	Rose, S.,
Allmond,	Falkenstein,	Marks,	Rose, W. E.,
Baker,	Finestone,	McClanaghan,	Rosenfeld,
Balthaser,	Finnerty,	McDermott,	Rush,
Bentley,	Fleming,	McFall,	Sarraf,
Bentzel,	Gerard,	McLanahan,	Scanlon,
Boies,	Goodwin,	McLane,	Schwab,
Boney,	Gross,	Melchiorre,	Shaffer,
Bradley,	Gryskewicz,	Mihm,	Shaw,
Breth,	Hamilton,	Modell,	Skale,
Brown,	Harkins,	Monks,	Stank,
Brunner, C. H.,	Harmuth,	Mooney,	Tarr,
Brunner, P. A.,	Harris,	Moran,	Tate,
Burns,	Heatherington,	Munley,	Thompson, E. F.,
Chervenak,	Hering,	Nagel,	Thompson, R. L.,
Chudoff,	Herman,	O'Brien,	Verona,
Cochran,	Hersch,	O'Mullen,	Vogt,
Cohen, M. M.,	Holland,	O'Neill,	Volzow,
Cohen, R. E.,	Jefferson,	Pettit,	Weiss,
Cooper,	Jones, P. N.,	Polaski,	Welsh, E. E.,
Cordier,	Keenan,	Polen,	Wilkinson,
Corrigan,	Kenehan,	Powers,	Williams,
Cullen,	Kolankiewicz,	Prosen,	Wolf,
DiGenova,	Komorowski,	Rausch,	Woodring,
Dolon,	Leonard,	Readinger,	Wright,
D'Ortona,	Lesko,	Reese, R. E.,	Yester,
Duffy,	Levy,	Regan,	Young,
Early,	Leydic,	Reynolds,	Kilroy,
Elder,	Longo,	Rhea,	Speaker.
	Lovett,	Rooney,	

NAYS—78

Auker,	Gillette,	Lyons,	Simons,
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Boorse,	Greenwood,	McClester,	Snyder,
Bower,	Gyger,	McDowell,	Sollenberger,
Bretherick,	Habbyshaw,	McGrath,	Sorg,
Burriss,	Haberlen,	McIntosh,	Stambaugh,
Cadwalader,	Haines,	McKinney,	Stockham,
Cook,	Hall,	McMillen,	Taylor,
Croop,	Hare,	McSurdy,	Trout,
Dalrymple,	Helm,	Mulr,	Turner,
Dennison,	Hewitt,	Nunemacher,	Van Allsburg,
Dix,	Hirsch,	O'Connor,	Vincent,
Eckels,	Huntley,	O'Dare,	Voorhees,
Ely,	Imbrie,	Owens,	Wagner,
Fiss,	James,	Rank,	Watkins,
Fletcher,	Jones, G. E.,	Reagan,	Weingartner,
Flynn,	Kline,	Reese, D. P.,	Wood, L. H.,
Foor,	Knoble,	Riley,	Wood, N.,
French,	Lee, E. A.,	Royer,	Woodside,
Gates,	Lee, T. H.,	Serrill,	Yeakel,
Gillan,	Leisey,		

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 ON FINAL PASSAGE

Agreeably to order,

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

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

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

RECONSIDERATION OF VOTE

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

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

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

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

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

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

On the question,

Will the House agree to the motion?

It was agreed to.

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

The motion was agreed to.

On the question recurring,

Will the House agree to the bill on third reading?

Mr. BRETH. 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 title, page 1, line 7 of title, by inserting after the word "hunters" the following: "and."

Amend title, page 1, line 9 to 11 of title, by striking out the following "and eliminating the power of" in line 9, all of lines 10 and 11.

Amend Sec. 1 (Sec. 302), page 2, lines 20 and 23, by striking out the light-face bracket before the word "or" in line 20, and after the word "authorized" in line 23.

Amend Sec. 3 (Sec. 305), page 7, lines 2 and 4, by striking out the light-face bracket before the word "for" in line 2, and after the part-word "tions" in line 4.

Amend Sec. 5, page 9, lines 1 and 2, by striking out all of said lines.

Amend Sec. 6, page 9, line 3, by striking out the figure "6" and inserting in lieu thereof: "5."

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.

PERMISSION TO ADDRESS HOUSE

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

Mr. Speaker, This evening this House passed on first reading the General Appropriation Bill, and in connection with that bill I desire on behalf of the Appropriation Committee to make a report of our studies, and at the same time read a prepared statement with relation to that report.

On the third day of February last, Governor James delivered to this General Assembly his Budget Message for the fiscal biennium June 1, 1941 to May 31, 1943, with the account of the revenues which he estimated would be collected.

We believed then, and as a consequence of our investigations have confirmed that belief, that these estimates of revenue were not arrived at as a result of the application of any accepted formula, rule, or method upon which future incomes can accurately be gauged.

Having determined this fact, the majority in the House of Representatives and the minority in the Senate pledged themselves to a thorough and intensive study in order that they might determine the amount which logically can be expected in the form of revenue for the biennium June 1, 1941 to May 31, 1943.

Inasmuch as the Budget Office has no acceptable formula for estimating revenues we were obliged to determine our own yardstick of projection in order to scientifically measure the future amounts to be received from Normal Taxes, Bonus, Licenses and Fees, Miscellaneous Revenues, and Emergency Taxes. There can be no question of the soundness of the system we adopted and which I now outline:

First, an examination of the records for the past ten years shows that the income of the State of Pennsylvania bears an average ratio of 8.2 per cent to the National Income.

Secondly, it has been estimated by the fiscal authorities of the United States Government that the National income for the year 1941 will amount to \$90,000,000,000.

Thirdly, the application of the fixed factor of 8.2 per cent to the estimated National income of \$90,000,000,000 in 1941 gives conclusive evidence that the State income for that year will amount to approximately \$7,380,000,000.

Fourth, a comparison of this estimated income for Pennsylvania for the year 1941 to the known income for 1940 which amounted to \$6,036,000,000 shows a 21 per cent increase.

Having determined by this method the factors upon which can be based increased revenues in the Commonwealth of Pennsylvania for the fiscal years 1941-1943, we made a close study of the actual receipts for the present and past fiscal years in order to determine which revenues remain static.

We also determined those receipts which show a normal, steady year by year growth and applied to them the factor of 7.7 per cent increase, which is based on the average for the seven years from 1933 to 1940.

Having thus determined all the factors which can properly be taken into consideration, in order to arrive at a correct estimate of tax revenue for the next biennium, we applied these formulas to the respective taxes affected and determined the following results:

That the Commonwealth of Pennsylvania will receive in Normal Taxes, for the biennium 1941-1943, the sum of \$174,609,944 or an amount \$8,933,344 greater than the estimate for these same revenues contained in the Governor's Budget message.

That through Special Emergency Taxes the Commonwealth will receive, for the biennium 1941-1943, the sum of \$192,131,624 or an amount \$7,556,124 greater than the estimated revenue from this source contained in the Governor's Budget Message.

It is to be noted here that these figures represent income estimated for the coming biennium after the reduction in taxes later herein referred to.

From Liquor Store profits we estimate that during the coming biennium the Commonwealth will receive the sum of \$40,000,000 an increase of \$4,000,000 over the estimate contained in the Governor's Budget Message, after allowance has been made for certain increases of salaries to employes.

It is thus disclosed that for the biennium 1941-1943 the Commonwealth's income will approximate \$427,598,510 or \$14,202,153 in excess of the sum estimated in the Governor's Budget Message.

With these facts and figures before us, the conclusion must be drawn that there is no honest reason or necessity for the acquiescence of the Legislature in the Governor's request for postponement of additional aid to the school districts of the Commonwealth approved by previous Sessions of the Legislature; namely:

Act 485, July 1, 1937, which provides for the State's payment of the cost of Supervisors of Special Education in the various school districts of the Commonwealth. We, therefore, recommend an appropriation in the amount of \$200,410 to carry out the provisions of this act, for the coming biennium.

Act 483, July 1, 1937, which provides for the State's payment of transportation costs for students in various school districts of the Commonwealth. We, therefore, recommend an appropriation of \$1,729,500 for this purpose during the coming biennium.

Act 141, May 7, 1937, which provides for the State's payment of the cost of education in high schools of students resident in districts where high schools are not operated. We, therefore, recommend an appropriation of \$4,388,280 for this purpose during the coming biennium.

The Governor's request for further postponement of the

assumption by the Commonwealth of responsibility for the care and maintenance of the insane, feeble minded, and epileptic, raises one of the most important questions with which this Commonwealth has been faced during the past decade. Every authority, not only in Pennsylvania but throughout the Country, is in agreement that the responsibility for the maintenance of the insane, feeble minded, and epileptics is properly that of the State. Were we to acquiesce in the Governor's request for a further postponement of the State's assumption of this obligation, we would deliberately contribute to the continuance of a policy which fails to provide maximum opportunity for recovery where possible of those mentally ill, and the maximum care of those most unfortunate citizens of our State who are destined to be so stricken all the days of their lives.

We have, therefore, determined that not only is it financially possible for the State to carry out this obligation but it would be gross neglect were we to do otherwise. We, therefore, make the following recommendation:

Act 21, approved September 29, 1938, which provides for the assumption of control by the State of County Mental Institutions now existent, shall be made effective as of the first day of the biennium. We have provided \$6,100,000 to cover the cost thereof. The State, however, as a result of the above expenditures, will save the sum of \$2,545,000.

Act 25, approved October 1, 1938, which relieves counties of the responsibility for contributing to the maintenance of indigent, feeble minded, and epileptics in State institutions, shall also be made effective as of the first day of the biennium. This will effect a great saving to the taxpayers in very one of the sixty-seven counties of the State, and will cost the State the sum of \$6,500,000 as a result of the loss of income in Institutional Reimbursement collections from counties.

May I digress for a moment from my prepared statement in that particular. To advise the House that today a representative of the Department of Welfare told me that their department is now resigned to the acceptance of this responsibility. A responsibility, Mr. Speaker, that the Democratic Party has forced the Republican administration to acknowledge.

Having provided adequately for the assumption by the Commonwealth of those duties which are a proper charge against the State, we have determined that it is still possible at this time to reduce the tax burden. After careful study we arrived at the conclusion that the first tax to which a reduction should be applied, on the basis of making the taxes in the Commonwealth more equitable, is the elimination, where possible, of taxes now levied on non-revenue producing property. We, therefore, provided a reduction of 25% in the state personal property tax and the related tax on Shares of banks and trust companies, thereby effecting a saving of \$7,650,000 to the taxpayers of the Commonwealth during the coming biennium.

During the Special Session of 1940, the Legislature borrowed \$59,550,000 from Special Funds. To this was added \$6,400,000 in February, 1941, and \$4,150,000 in April, 1941, making a total of \$70,100,000 which must be repaid by June 30, 1941. We have made provision in our budget for repaying these Special Fund borrowings.

The total appropriations recommended by us for the 1941-1943 biennium amount to \$355,085,436.50. While this reflects an increase of \$12,593,029 over the appropriations

recommended by the Governor, it includes the cost of taking over the mental institutions and the additional aid to school districts previously outlined.

We do this because we feel that even though this is increased spending, it appears to be a sounder method of financing to make adequate provision from the beginning and to maintain a balanced budget than short-change appropriations in the name of so-called economy which in effect is false, because it would require deficiency appropriations at later sessions.

During the past few months we have sought and received the cooperation of the secretaries of the various departments, commissions and bureaus of the State and to them we desire to express our thanks. Their assistance, except in a few instances, has been of considerable help in aiding us to ascertain the adequate provisions which would be necessary for State needs consistent with good government.

Attached to the statement, Mr. Speaker, we have outlined in detail our budget recommendations as well as our analysis of receipts and revenue. The entire statement, Mr. Speaker, I ask to be made a part of the official record of this House.

The SPEAKER. The report on the budget presented by the Committee on Appropriations will be noted in the Journals of the House and printed in the appendix to the Legislative Journal, as requested by the chairman of the Appropriations Committee, Mr. Achterman.

Copies of this report are available, have been distributed and placed upon the desks of all the Members.

TIME EXTENDED ON BILL

Mr. ACHTERMAN. Mr. Speaker, I move that the time on House Bill No. 709, Printer's No. 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 (P. L. 15, 1933-34), entitled, as amended "An act to regulate and restrain the sale, manufacture, possession, transportation, importation, traffic in, and use of alcohol, and alcoholic and malt or brewed beverages; conferring powers and imposing duties upon the Pennsylvania Liquor Control Board and its agents, the Department of Public Instruction, other officers of the State government, courts, and district attorneys; authorizing the establishment and operation of State stores for the sale of such beverages not for consumption on the premises, and the granting of licenses, subject to local option, to sell such beverages for consumption on and off the premises; forbidding importation or bringing of such beverages into the State except as herein provided; prohibiting certain sales or practices in, connection with, and transactions in such beverages by licensees and others; providing for the forfeiture of certain property; making disposition of the receipts from State stores and of fees; and imposing penalties," by further defining the sales of malt or brewed beverages

on page 29 of today's Calendar, bills on final passage postponed, be extended five days.

The motion was agreed to.

PERMISSION TO ADDRESS HOUSE

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

Mr. Speaker, after sixteen weeks with the budget we now have the suggestions made by the Democratic Party. I am not going to attempt to go over many of the items

tonight, because I know that the hour is late and I haven't had an opportunity to examine the budget in any detail.

I do want to call your attention, however, to the fourth paragraph in the gentleman's statement, in which he refers to the fact that "inasmuch as the budget office has no acceptable formula for estimating revenues we are obliged"—etc. May I again call to the confused gentleman that the budget office does not make the estimate of revenues and that under the laws of the Commonwealth of Pennsylvania there is only one official estimate of revenues upon which the Auditor General can pass and check and that is the Department of Revenue.

Mr. Speaker, I would like to make reference to just two or three estimates of taxes contained in the budget which have not been previously referred to in the debate on the floor of the House. Let us take for example the corporate loan tax, and we find that the original figure in the budget estimate was \$5,250,000, and the New Deal estimate, \$6,150,000.

Now, what does the record show about the figure that the gentleman submitted? They show that in 1938 the amount received by the Commonwealth was \$3,300,000; in 1939 it was \$2,900,000 and in 1940 \$2,700,000; and in 1941 it was \$2,600,000, and yet they say that in spite of that trend we are now going to receive a lot more money.

Let us look at the transfer inheritance tax. The transfer inheritance tax in the 1935-1937 biennium was \$34,682,000. In 1937-1939 it went up to \$47,953,000. Of course all of us acquainted with the budget know that the reason for that was that it was the time that the twelve million dollars plus of the Mellon Estate came into the transfer inheritance tax fund, so that the amount used in the budget was thirty-five million dollars, the same as in the present biennium. But what happened to that item? In spite of an estimate of thirty-five million dollars plus we will receive in the end of the biennium how much? Over \$5,500,000 less than the estimate of \$33,675,000, and in spite of that official estimate, and in spite of the knowledge that we were going to be \$5,500,000 short, their figure was \$43,217,000, the gentleman with the knowledge that the sum was \$5,500,000 too high for this estimate, turns around and increases that estimate to \$43,000,000 plus.

What did New York State do? They are comparable to Pennsylvania; they make an intelligent attempt to estimate their budget,—what do they do?

For 1940, and by that I mean the year ending June 30, their estimate was \$27,900,000. In 1941, \$25,000,000, and in 1942 the New York state estimate was the same? No. Was it more? Certainly not, it was \$24,000,000.

Now, what does the Federal Government record show in that regard? They show in 1938 \$382,000,000; in 1939 \$332,000,000, in 1940 \$330,000,000 and in 1941 \$317,000,000.

I think the gentlemen of this House know that there are no longer any real large estates in the Commonwealth of Pennsylvania. It is very likely that there will not again in the history of the Commonwealth of Pennsylvania, or at least in our time, be a transfer inheritance tax payment of over \$5,000,000, and yet in spite of all this experience, in spite of that six months additional information, which the gentleman have got and ought to be able to use to arrive at a just estimate, in spite of the decreasing revenues they have increased the estimate of revenues.

Mr. Speaker, just one more point, let us take the personal property tax, and what has experience shown on

that? It has shown that in 1938 there was \$11,900,000; in 1939 there was \$12,100,000; in 1940 it was down again to \$11,500,000 and in 1941 it was \$11,000,000 or \$2,500,000 short of what it was believed would be realized when this budget was made up.

All this experience at the time when the gentleman on the other side had the budget has indicated that the amount of revenue received from the personal property tax will be less than what was estimated at that time, and specifically less because not only has the amount realized as of January 1st of this year been \$2,500,000 less than it was expected to be, but the stock market has gone down approximately 16 per cent from the day the estimates were made to the present time. So that every bit of experience that has been accumulated from the time the Governor's budget was given to the time of the New Deal estimate given here today would indicate that the estimates made by the Governor were not too high but were in fact too low, but there is no indication that the other side on these taxes or any other took into consideration the experiences which have occurred during this period, nor have they adjusted their tax estimate in accordance with those experiences.

PERMISSION TO ADDRESS HOUSE

Mr. REUBEN E. COHEN asked and obtained unanimous consent to address the House.

Mr. Speaker, after the interrogation a short while ago I promised the gentleman from Delaware, Mr. Turner and the Members of the House that the truth should be known. I have before me the corpus delicti, the report on relief prepared by the Joint State Government Commission and published in January 1941. Page 81 reads as follows:—this comes after recommendations of the State Government Commission on Milk Orders:

"The cost of the milk program should also be considered by the legislature. Under the existing laws and regulations which require that every child under sixteen for which state aid is provided receive a pint of milk per day, the state's monthly milk bill amounts to approximately \$375,000. There are other factors that also should be considered. Members of county boards complain that in some cases the granting of milk has become nothing more than a milk graft by some companies. It was also shown that many recipients of milk trade or sell the milk for other commodities or money. However, in thousands of cases the result of the operation of this law has been to build healthier children. This is an important factor, as the Federal Government pays no part of the cost of milk grants, whereas similar grants in cash would be borne by both the State and the Federal Government on all A. D. C. Cases, thereby reducing in some measure Pennsylvania's overall cost for relief."

I will refer to the recommendations on page "V" under section "C".

"Consideration should be given to amending the milk order law enacted in 1939 to meet valid objections. However, it is imperative that children of families on relief should receive an adequate supply of milk.

Mr. Speaker and gentlemen of the House, in all fairness to the gentleman I thought I should read this statement which I think refutes in some measure his statement and substantiates the statement I made.

PERMISSION TO ADDRESS HOUSE

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

Mr. Speaker, I desire to thank the gentleman for his very fair action in reading from the reports. What he has read there exactly carries out what I said on the floor of the House in answer to his interrogation, that my recollection was that the Commission felt that there should be some amendment or change to meet the objections, and to meet some of the things that might be considered expensive. In other words as I recall the investigation on that subject, when it came before the Commission we felt that perhaps in some instances the order that provided for a pint of milk to every child in a family, where the family was large and under certain conditions might not work out, might be an arbitrary rule, some changes are necessary. But, I want to point out to the gentleman from Philadelphia it does not state what he said on the floor of the House, that it should be repealed and something further in reference to the milk order. I am positive that the language is just about as I understand it, and my interpretation of the language is the interpretation that I had in mind.

PARLIAMENTARY INQUIRY

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

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

Mr. TURNER. Mr. Speaker, does the Legislative Journal contain fiction?

The SPEAKER. The gentleman should know.

Mr. TURNER. Mr. Speaker, I thought up until now it contained facts and not fiction. It seems to me that the report which the gentleman from Monroe is spreading upon the pages of the Journal is phantasy and fiction.

Mr. ACHTERMAN. Mr. Speaker, at this late hour I rather hesitate to characterize what the Governor said back in February. Perhaps the old story of pulling the wool over our eyes, giving misinformation to the House—call it fiction if you wish, or just another bubble burst perhaps, Mr. Speaker. I believe if the gentleman desires to characterize it as fiction, it is the kind of fiction that is coming home to plague them, next year.

PERMISSION TO ADDRESS HOUSE

Mr. WOODSIDE asked and obtained unanimous consent to address the House in three words.

Mr. Speaker, "Hope, Faith and Charity."

PERMISSION TO ADDRESS HOUSE

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

Mr. Speaker, I thought the gentleman from Dauphin was going to sing the first lines of a quite well known popular air, but I realized afterwards it couldn't be in three words. The words are "I'm Forever Blowing Bubbles" and it seems to me the gentleman from Monroe. Mr. Achterman is engaged in that practice now. He has talked a lot to us since back in February, I think it was, when the Governor gave the budget to the legislature, about the deceit and the phantasy of the Governor's budget

and about the untruths in it, but after struggling these one hundred seven days and laboring so hard, all of the things that they were going to find, I don't see that the gentleman from Monroe, Mr. Achterman has produced anything. In other words the mountain has labored and produced a mouse.

It was amusing to me to see in a number of newspapers that the Democratic State Chairman said that the Democratic Party,—he and Mr. Kelly had had a meeting and what the Democratic Party was going to do in line with its well known policy, which was that it was going to reduce those taxes which affected the people the most, and hit the hardest upon those least able to pay.

And then I took a look back in the journal. I have a pretty good memory for things said on the floor of the House that later appear in the Journal. I found when that four mill tax was proposed, that is the four mill state tax on top of the four mill county tax, that George Earle said there was too much wealth in Pennsylvania that was escaping, and the gentleman from Monroe, Mr. Achterman, came on the floor with a sort of chorus to the same tune, and talked about how they were going to levy this tax in Pennsylvania on the wealth that was escaping, and escaping too long its fair share of taxes.

I have been wondering since I read that statement by the State Chairman that they were going to take this one mill from those least able to pay, whether that was some of this phantasy and fiction on the part of the Democratic Party, whether the Earles, the Bullits, the Drexels and Biddles and the rest of the moneyed people in the Democratic Party—whether that association has now changed the entire policy of the Democratic Party. Where are they taking this tax off? We in the Republican Party didn't like that four mill tax; we always wanted them to take it off. Are they taking it off the bank shares and off personal property? They say it was a "soak the rich" tax which they were placing upon the people. It seems to me in talking about deception, and in waving the flag, I know they say it will come back and haunt the Republican Party, but it will not haunt the Republican Party a bit. If we get into a situation such as we had in 1938, the Republican Party will have to extricate them as it has done in the last two years.

PERMISSION TO ADDRESS HOUSE

Mr. ACHTERMAN asked and obtained permission to address the House.

Mr. Speaker, I was amused over the word "fantasy." I recall a few years ago the Republican Party campaigning over this State. That you will recall, Mr. Speaker. I will not take a lot of time to tell how they denounced the tax measures of the Democrats including these particular tax measures, the tax measures that passed just last week; the tax measures that now the Republicans love so well and that just a few short years ago they were going to destroy, iniquitous tax measures. Remember that? Remember how they cried against them? Talk about fantasies and mirages. Can you imagine them, the same party standing on the floor of this House and raising that question? After all, who is going to pay these taxes? Who has started to reduce them The Republicans? No, Mr. Speaker, we had to force them to do it; they never would do away with them if they were allowed to follow their own desires and their own inclinations. It required the Democratic Party to point the way.

Mr. Speaker, may I say to the gentleman from Dauphin, Mr. Woodside, in three words that they will need hope, faith and charity in 1942.

PUBLIC HEARING

There will be a Public Hearing before the Committee on Ways and Means on House Bill No. 1403 on Tuesday, May 27, at 7:00 p. m., Eastern Standard Time, in the New House Caucus Room.

DINNER

Reservations are still available for the dinner to be held at Hershey Hotel on Wednesday, May 28th, in honor of the Majority Floor Leader. Tickets for the dinner may be procured from Walter Miller in the Chief Clerk's Office. Transportation will be available for those who do not intend to drive. The evening of May 28th will be devoted to the consumption of fine food and the dissemination of good fellowship. There will be no talk of budgets or anything of that kind, and since none of the money from the tickets is going into the Democratic Party coffers I expect to see a great many Republicans there.

JOINT HEARING ON HOUSE BILLS Nos. 1671 AND 1403

The Committee on Education will hold a Joint Hearing

on H. B. 1671, now substituted for H. B. No. 1, on Tuesday, May 27 at 7:00 p. m., Eastern Standard Time, with the Ways and Means Committee which will hold a hearing on H. B. 1403 at the same time, in the New House Caucus Room—Main Floor.

COMMITTEE MEETINGS

EASTERN STANDARD TIME

Boroughs, Tuesday, May 27, at 10:30 a. m., in Room 330.
Cities—First Class, Tuesday, May 27, at 11 a. m., in Room 521.

Counties, Tuesday, May 27, at 11 a. m., in Room 522.
Dairy Industries, Tuesday, May 27, at 11 a. m., in Room 329.

Judiciary General, Tuesday, May 27, at 10 a. m., in Room 246.

Judiciary Special, Tuesday, May 27, at 11:45 a. m., in Room 246.

Public Utilities, Tuesday, May 27, at 9:30 a. m., in Room 331.

ADJOURNMENT

Mr. DENNISON. Mr. Speaker, I move that this House do now adjourn until Tuesday, May 27, 1941, at 12 m.

The motion was agreed to, and (at 12:15 a. m.) the House adjourned.