

HOUSE OF REPRESENTATIVES

THURSDAY, May 29, 1941

The House met at 10 a. m.

The SPEAKER (Elmer Kilroy) in the Chair.

PRAYER

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

Almighty God, thou hast said, "Call upon me in the day of trouble, and I will deliver thee, and thou shalt glorify me." In a penitent spirit we approach Thee today. On this Memorial Day, as we listen, as we march, as we decorate, as we bow our heads in prayer, make us conscious of the futility of war as a means to an end. Instead, our heavenly Father, help us to build friendship, to pluck the thorns of hatred and suspicion, and to plant roses of love and understanding, lest it be true that those who died on the field of battle shall have died in vain.

We beg of Thee, let Thy grace alight upon our land as we bring to memory Thy great mercies of old which have never failed. Forgive us our sins of omission and commission as we pray in the name of Thy Son. Amen.

JOURNAL APPROVED

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

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

BILLS INTRODUCED AND REFERRED

By Mr. FLEMING. HOUSE BILL No. 1735.

An Act to amend route number six hundred seventy-eight of section one of the act, approved the fifth day of May, one thousand nine hundred and twenty-seven (P. L. 787), entitled "An act establishing certain public roads as State highways, and providing for their construction and maintenance at the expense of the Commonwealth," by extending said route.

Referred to the Committee on Highways.

By Messrs. BAKER and SARRAF. HOUSE BILL No. 1736.

An Act to regulate and control the manufacture, sale, transportation, processing, storage, distribution and delivery of bread; providing for the licensing of bread manufacturers and dealers, creating the Bread Control Board, and prescribing its powers and duties; authorizing the board to establish reasonable trade practices and geographical marketing areas, to fix fees for licenses, to fix prices for bread, to adopt and enforce rules, regulations and orders to examine the business papers and premises of bread manufacturers and dealers, and to enter into interstate and Federal compacts; providing appeals from the orders and rules of the board; creating the Bread Control Fund and appropriating the moneys therein to the board for the purpose of carrying out the provisions of this act, and providing penalties.

Referred to the Committee on Professional Licensure.

By Mr. RILEY. HOUSE BILL No. 1737.

An Act relating to named, marked, stamped or other-

wise identified cylinders used for the manufacture, bottling or sale of liquified petroleum gas; providing for the advertisement and registration of the name, device or mark of the owner of such cylinders; prohibiting the filling, defacing, using, trafficking in or possession of cylinders for which the name or mark has been so advertised and registered unless the written consent of the owner has first been obtained; providing for the issuance of process in the nature of a search warrant; prescribing penalties for improper use or possession of such cylinders; and imposing certain additional duties upon and vesting certain additional powers in the Secretary of the Commonwealth and the courts.

Referred to the Committee on Judiciary Special.

By Messrs. WATKINS and SARGE. HOUSE BILL No. 1738.

An Act to amend Route 2204t of the act, approved the twenty-second day of June, one thousand nine hundred and thirty-one (P. L. 594), entitled "An act establishing certain township roads as State highways; authorizing their construction, maintenance, and improvement under certain conditions and restrictions; limiting the obligation of the Commonwealth in the construction of certain structures located on such highways; conferring certain powers upon the Department of Highways and local authorities, persons, associations and corporations for sharing the cost of the maintenance and construction of such highways; and making an appropriation to carry out the provisions of said act."

Referred to the Committee on Military Affairs.

By Messrs. WATKINS and SARGE. HOUSE BILL No. 1739.

An Act to amend Route 38043 of the act, approved the twenty-second day of June, one thousand nine hundred and thirty-one (P. L. 594), entitled "An act establishing certain township roads as State highways; authorizing their construction, maintenance, and improvements 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."

Referred to the Committee on Military Affairs.

By Mr. HARKINS. HOUSE BILL No. 1740.

An Act to further amend section twelve 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 employees' retirement system, and creating a retirement board for the administration thereof; establishing certain funds from contributions by the Commonwealth and contributing employees; defining the uses and purposes thereof, and the manner of payments therefrom, and providing for the guaranty by the Commonwealth of certain of said funds; imposing powers and duties upon boards having the employment of public school employees; exempting annuities allowances, returns, benefits, and rights from taxation and judicial process; and providing penalties," granting certain retirement rights to persons who have withdrawn from and shall hereafter return to school service.

Referred to the Committee on Education.

By Mr. HARKINS. HOUSE BILL No. 1741.

An Act to control the practice of accounting by defining and regulating the practice of public accountancy

by those qualified by the Commonwealth to practice as certified public accountants or as public accountants.

Referred to the Committee on Education.

By Messrs. MARSHALL M. COHEN and NORMAN WOOD. HOUSE BIL LNo. 1742.

An Act to further amend section one thousand six hundred one 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 permitting the fixing of school terms of one hundred sixty days in fourth class districts.

Referred to the Committee on Education.

By Mr. HARKINS. HOUSE BILL No. 1743.

An Act to amend section six of the act, approved the fourth day of June, one thousand nine hundred and one (P. L. 404), entitled "An act relating to insolvency; embracing, among other matters, voluntary assignments for the benefits of creditors, and adverse proceedings in insolvency by creditors; forbidding, also, certain preferences; providing for the distribution of the insolvent's estate, and in certain contingencies relieving him, and others liable with him, from further liability for his or their debts," permitting persons confined for the non-payment of fines or upon conviction of fornication and bastardy to apply for discharge under the insolvency law at any time after confinement.

Referred to the Committee on Judiciary Special.

SENATE MESSAGES

SENATE BILLS FOR CONCURRENCE

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

SENATE BILL No. 803. (HOUSE BILL No. 1744).

An Act to further amend section one of the act, approved the eighteenth day of April, one thousand nine hundred and thirty-five (P. L. 48), entitled "An act requiring banks, trust companies, bank and trust companies, private bankers, and building and loan associations to disclose the amount of deposits and investments of persons applying for or receiving unemployment relief under certain circumstances," making the said information available to county institution districts and city departments of welfare.

Referred to the Committee on Banking.

SENATE BILL No. 839. (HOUSE BILL No. 1745).

An Act to further amend Section 7 of the act, approved the fifth day of May, one thousand nine hundred twenty-one (P. L. 374), entitled "An act providing for the licensing and regulation of corporations, copartnerships, associations, and individuals, engaged in the business of receiving payments or contributions to be held or used in any plan of accumulation or investment, or of issuing, negotiating, offering for sale or selling any certificates, securities, contracts, or other choses in actions evidenced by writing on the partial payment or instalment plan, or of assuming fixed obligations, or issuing, in connection therewith, a contract based upon payments being made upon instalments or single payments, under which all or part of the total amount received is to be repaid at some

future time, with or without profit; and imposing penalties," requiring corporations and persons licensed under said act to deposit additional security with the Commission for the fulfillment of their contracts.

Referred to the Committee on Banking.

SENATE BILL No. 559. (HOUSE BILL No. 1746).

An Act creating a joint legislative commission to be known as the Educational Survey Commission; prescribing its powers and duties; conferring upon the commission full power to issue subpoenas and conferring upon the courts of common pleas power to enforce obedience to subpoenas so issued; imposing duties on departments and agencies of the State government and on colleges and universities; and making an appropriation.

Referred to the Committee on Appropriations.

SENATE BILL No. 788. (HOUSE BILL No. 1747).

An Act to amend sections one and two of the act, approved the eighth day of May, one thousand nine hundred and twenty-nine (P. L. 1647), entitled "An act relating to the registration of motor vehicles, and the licensing of certain operators thereof; and providing for the suspension of the registration of any motor vehicle, or of the operator's license of any operator of a motor vehicle, by the Secretary of Revenue, for violation of the provisions of the public (servicel) utility company law; authorizing the rescission of such suspension; and providing for the disposition of fees," by extending the provisions thereof to contract carriers by motor vehicle.

Referred to the Committee on Motor Vehicles.

RESOLUTION FOR CONCURRENCE

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

In the Senate, April 14, 1941.

Whereas, The Commonwealth of Pennsylvania recognizing the duty of the Commonwealth to provide for its unfortunate blind citizens has provided for the payment to them of a pension; and

Whereas, The Federal Government contributes toward the care of blind persons but insists that moneys apportioned to any state for such purpose must and can only be contributed on a basis of the actual need of the blind; and

Whereas, This Commonwealth receives no part of Federal funds apportioned for blind persons because its system of assistance for the blind is on a liberal pension basis instead of the basis of actual need as required by the Federal Social Security Act; therefore be it

Resolved (if the House concur) That the Congress of the United States is hereby memorialized to amend the Social Security Law of the Federal Government by providing for the contribution of Federal funds for assistance to blind persons to states which provide for such assistance either on a basis of actual need or on a pension basis; and be it further

Resolved, That a copy hereof be transmitted to the President and Vice President of the United States, to the President of the Senate and the Speaker of the House of Representatives of the Congress of the United States and to the Senators and Representatives in the Congress of the United States from this Commonwealth.

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

Referred to the Committee on Rules.

RESOLUTION CONCURRED IN BY SENATE

The Clerk of the Senate being introduced, informed that

the Senate has concurred in the resolution from the House of Representatives, as follows:

In the House of Representatives, May 28, 1941.

Resolved (if the Senate concur), that House Bill No. 401, Printer's No. 564, entitled "An act to further amend section five hundred eleven of the act approved the ninth day of April one thousand nine hundred and twenty-nine (P. L. 177) entitled 'An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined' appropriating to the Department of Military Affairs the proceeds of the sale of certain products to be expended for the Indian-town Gap Military Reservation," be recalled from the Governor for further consideration.

HOUSE BILLS CONCURRED IN BY SENATE

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

HOUSE BILL No. 192.

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

HOUSE BILL No. 228.

An Act to reenact and amend the title and the act approved the fourteenth day of June one thousand nine hundred thirty-five (P. L. 341) entitled as amended "An act to provide revenue by imposing a State tax upon sales of cigarettes by dealers as herein defined requiring persons engaged in the sale of cigarettes at wholesale and retail to secure permits prescribing the method and manner of collecting such tax conferring powers and imposing duties on the Department of Revenue and persons as herein defined engaged in the sale of cigarettes at retail or wholesale and providing penalties" as previously reenacted and amended by extending the provisions of the act for a further limited period of time and exempting from its provisions certain sales of cigarettes for the use of personnel subject to regulations of the Secretary of War and Secretary of the Navy of the United States and persons engaged in making such sales

HOUSE BILL No. 229.

An Act to further amend section four of the act approved the twenty-first day of May one thousand nine hundred thirty-one (P. L. 149) entitled "An act imposing a State tax payable by those herein defined as distributors on liquid fuels used or sold and delivered within the Commonwealth which are ordinarily practically and commercially usable in internal combustion engines for the generation of power providing for the collection and lien of the tax and the distribution and use of the proceeds thereof

requiring such distributors to secure permits to file corporate surety bonds and reports and to retain certain records imposing duties on retail dealers common carriers county commissioners and such distributors providing for rewards imposing certain costs on counties conferring powers and imposing duties on certain State officers and departments providing for refunds imposing penalties and making an appropriation" by imposing and continuing the additional emergency tax on liquid fuels for a further limited period of time

HOUSE BILL No. 231.

An Act to reenact and amend the title and the act approved the sixteenth day of May one thousand nine hundred thirty-five (P. L. 208) entitled as amended "An act to provide revenue for State purposes by imposing an excise tax for a limited period of time on the net incomes of certain corporations joint-stock associations and limited partnerships providing for the assessment collection settlement and resettlement of taxes and reviews and appeal therefrom conferring powers and imposing duties on certain persons corporations joint-stock associations limited partnerships State and county officers boards and departments making an appropriation and providing penalties" as previously reenacted and amended by extending the provisions of the act for a further limited period of time

HOUSE BILL No. 232.

An Act to further amend the act approved the first day of June one thousand eight hundred eighty-nine (P. L. 420) entitled "A further supplement to an act entitled 'An act to provide revenue by taxation' approved the seventh day of June Anno Domini one thousand eight hundred and seventy-nine" by increasing for a further limited period of time the rate of tax imposed by the act upon the gross receipts of certain companies limited partnerships associations joint-stock associations copartnerships and persons

HOUSE BILL No. 233.

An Act to further amend section one of the act approved the thirteenth day of June one thousand nine hundred seven (P. L. 640) entitled "An act to provide revenue by levying a tax upon the shares of stock of companies incorporated under the provisions of section twenty-nine of an act entitled 'An act to provide for the incorporation and regulation of certain corporations' approved April twenty-ninth one thousand eight hundred and seventy-four and the supplements thereto for the insurance of owners of real estate mortgages and others interested in real estate from loss by reason of defective titles liens and encumbrances and of companies entitled to the benefits of and of companies having any of the powers of companies entitled to the benefits of an act entitled 'An act conferring upon certain fidelity insurance safety deposit trust and savings companies the powers and privileges of companies incorporated under the provisions of section twenty-nine of an act entitled "An act to provide for the incorporation and regulation of certain corporations" approved April twenty-ninth Anno Domini one thousand eight hundred and seventy-four and of the supplements thereto' approved June twenty-seventh one thousand eight hundred and ninety-five commonly known as title insurance or trust companies" by continuing the increased rate of tax for a further limited period of time and reducing the rate of tax after such limited period of time

HOUSE BILL No. 235.

An Act to reenact and amend the title and the act approved the ninth day of June one thousand nine hundred thirty-six (Special Session of one thousand nine hundred thirty-six (P. L. 13) entitled "An act imposing an emergency State tax for a limited period of time on liquor as herein defined sold by the Pennsylvania Liquor Control Board providing for the collection and payment of such tax and imposing duties upon the Department of Revenue and the Pennsylvania Liquor Control Board"

as previously reenacted and amended by extending the provisions thereof for a further limited period of time

HOUSE BILL No. 960.

An Act to amend sections one and two and to further amend sections three and five of the act approved the sixth day of April one thousand nine hundred and eleven (P. L. 51) entitled "An act providing for the protection of the public health and the prevention of fraud and deception by prohibiting the sale the offering for sale or exposing for sale or having in possession with intent to sell of adulterated or deleterious sausage defining sausage and prescribing the penalty for the violation thereof" making possession of adulterated sausage prima facie evidence of intent to sell further defining and regulating the adulteration of sausage and conferring powers on the Department of Agriculture

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

LEAVE OF ABSENCE

By unanimous consent leave of absence was granted as follows:

The SPEAKER for Messrs. STOCKHAM and YEAKEL for today's session.

Mr. Leonard for Mr. O'CONNOR for today's session.

Mr. MARKS for himself for Monday, Tuesday and Wednesday of next week.

Mr. Marks for Mr. WRIGHT for today's session.

Mr. Scanlon for Mr. BRETH for today's session.

REPORTS FROM COMMITTEES

Mr. PAUL A. BRUNNER, from the Committee on Printing, reported as committed House Bill No. 1679, entitled:

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

Mr. LESKO, from the Committee on State Government, reported as committed House Bill No. 1522, entitled:

An Act to further amend sections two hundred five and seven hundred eleven of the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 177), entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions, and officers thereof, including the boards of trustees of State Normal Schools, or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards, and commissions; defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, commissions, and officers; fixing the salaries of the Governor, Lieutenant Governor, and certain other executive and administrative officers; providing for the appointment of certain administrative officers, and of all deputies and other assistants and employes in certain departments, boards, and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments, boards and commissions shall be determined," by creating a Motor Police Trial Board; setting forth its powers and duties; and regulating the conduct, hours of work, and compensation of members of the Pennsylvania Motor Police.

Mr. YESTER, from the Committee on State Government, reported as committed House Bill No. 1706, entitled:

An Act authorizing the Pennsylvania Historical Commission, on behalf of the Commonwealth of Pennsylvania, to acquire by gift the Harmony Society Graveyard in the Borough of Ambridge, Pennsylvania; providing for the control, management, and maintenance thereof; authorizing the Commission to make and enforce rules and regulations for the preservation, maintenance and visitation thereof.

Mr. McDERMOTT, from the Committee on State Government, reported as committed, House Bill No. 1723, entitled:

An Act to amend section four of the act, approved the first day of July, one thousand nine hundred and nineteen (P. L. 717), entitled "An act fixing the number, compensation, mileage, and duties of the officers and employes of the General Assembly, and providing for their election or appointment, term of office, and manner of filling vacancies," by providing for the appointment, compensation and duties of clerks and pages to the majority and minority floor leaders, respectively of the Senate and of the House of Representatives.

Mr. STINE, from the Committee on State Government, reported as committed, House Bill No. 1366, entitled:

An Act to amend the title and act, approved the twenty-fifth day of May, one thousand nine hundred thirty-three (P. L. 1001), entitled "An act providing for the regulation of aeronautics within this Commonwealth; conferring powers and imposing duties upon the Department of Revenue in respect thereto; providing for the licensing and registration of airman and aircraft; establishing the legal status of air navigation; providing for sovereignty in, and ownership of, space; providing for lawfulness of flights; regulating civil causes of action arising out of operation of aircraft; fixing the status of contracts, crimes and torts in, by, or by means of operation of aircraft; imposing duties upon officers, burgesses, magistrates, aldermen, justices of the peace, the courts and clerks thereof; providing for denial or revocation of licenses; providing for certain penalties and their disposition; and repealing certain existing laws" as amended, by transferring from the Department of Revenue to the Department of Military Affairs powers and duties with respect to aeronautics.

Mr. STINE, from the Committee on State Government, reported as committed, House Bill No. 1367, entitled:

An Act to amend the title and the act, approved the seventh day of May, one thousand nine hundred thirty-five (P. L. 130), entitled "An act providing for the service of process in civil suits on nonresident operators or nonresident owners, or a resident who becomes a nonresident and conceals his whereabouts, of aircraft operated within or above the Commonwealth of Pennsylvania; and making the operation of such an aircraft within or above the Commonwealth of Pennsylvania, the equivalent of the appointment of the Secretary of Revenue of the Commonwealth of Pennsylvania as the agent of the said nonresident upon whom civil process may be served; and providing for further notice to the defendant in any such suit," by making the Adjutant General in lieu of the Secretary of Revenue the agent for the service of process in certain civil suits involving aircraft.

Mr. STINE, from the Committee on State Government, reported as committed, House Bill No. 1368, entitled:

An Act to further amend the act approved the first day of May, one thousand nine hundred twenty-nine (P. L. 1046), entitled "An act appropriating the moneys in the Motor License Fund," as reenacted and amended,

by making the moneys in the Motor License Fund available to the Department of Military Affairs, instead of the Department of Revenue, with respect to aeronautical matters.

Mr. STINE, from the Committee on State Government, reported as committed, House Bill No. 1369, entitled:

An Act to amend the title and the act, approved the twenty-fifth day of May, one thousand nine hundred thirty-three (P. L. 1016), entitled "An act relating to aeronautics; providing for the maintenance and operation of intermediate landing fields and air navigation facilities by the Commonwealth alone or in cooperation with the United States Government or political subdivisions of the Commonwealth; providing for the execution of leases or the issuance of licenses to the United States Government or to political subdivisions of the Commonwealth for the maintenance of navigation facilities on intermediate landing fields of the Commonwealth, conferring powers and duties on the Department of Revenue with respect thereto; and repealing certain acts and parts of acts," by transferring from the Department of Revenue to the Department of Military Affairs certain powers and duties with respect to aeronautics.

Mr. McFALL, from the Committee on State Government, reported as committed, House Bill No. 1323, entitled:

An Act authorizing the Department of Property and Supplies, with the consent of the Department of Military Affairs and the approval of the Governor, to sell and convey the property of the Pennsylvania State Arsenal at Harrisburg to the City of Harrisburg, in exchange for the conveyance by said city of Wildwood Park to the Commonwealth, for the use of the Pennsylvania Game Commission in maintaining a wild life sanctuary.

Mr. STAMBAUGH, from the Committee on State Government, reported as committed, House Bill No. 1722, entitled:

An Act authorizing the Department of Property and Supplies, with the approval of the Governor and the Board of Trustees of Warren State Hospital, to acquire a certain tract of land for the use of said hospital, and making an appropriation therefor.

Mr. YESTER, from the Committee on State Government, reported as committed, House Bill No. 1693, (Senate Bill No. 451), entitled:

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.

Mr. McKINNEY, from the Committee on State Government, reported as committed, House Bill No. 1673, (Senate Bill No. 592), entitled:

An Act to further amend section one of the act, approved the thirtieth day of May, one thousand eight hundred and ninety-three (P. L. 183), entitled "An act providing for the acquisition by the State of certain ground at Valley Forge for a public park, and making an appropriation therefor" reducing the amount of land to be acquired by the Valley Forge Park Commission.

BILL RE-REFERRED

Mr. BROWN, returned from the Committee on Judiciary General with the recommendation that it be re-referred to the Committee on Judiciary Special, House Bill No. 1665, entitled:

An Act to amend section six hundred and five of the act, approved the twenty-fourth day of June, one thousand nine hundred and thirty-nine (P. L. 872), entitled "An act to consolidate, amend and revise the penal laws of the Commonwealth," by providing that said section shall not apply to certain games or devices where free plays are given or allowed; and providing that such free plays shall not be considered things of value.

The SPEAKER. The bill is re-referred to the Committee on Judiciary Special.

BILL AND MESSAGE TAKEN FROM TABLE

Mr. ACHTERMAN. Mr. Speaker, I move that House Bill No. 616, Printer's No. 657, together with the message from the Senate which were laid on the table May 28, 1941, be taken from the table.

The motion was agreed to.

The message was read by the Clerk as follows:

SENATE MESSAGE

AMENDED HOUSE BILL RECALLED FROM THE GOVERNOR NON-CONCURRED IN BY SENATE

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

HOUSE BILL No. 616.

An Act to amend section seven of the act approved the thirty-first day of March one thousand eight hundred and sixty (P. L. 427) entitled "An act to Consolidate Revise and Amend the Laws of this Commonwealth relating to Penal Proceedings and Pleadings" providing for the fixing of bail and the admission to bail by magistrates committing magistrates justices of the peace or aldermen and the fixing of bail by coroners in certain cases involving involuntary manslaughter

Said bill having been recalled from the Governor for the purpose of amendment. The vote had on final passage and third reading on said bill was reconsidered in the House of Representatives and the bill amended, in which amendments the Senate has non-concurred.

Mr. ACHTERMAN. Mr. Speaker, I move that the House insist on its amendments non-concurred in by the Senate and that a Committee of Conference be appointed.

The motion was agreed to.

CONFERENCE COMMITTEE APPOINTED ON HOUSE BILL NO. 616

The SPEAKER. The Chair appoints as a Committee of Conference on said bills Messrs. D'ORTONA, REUBEN E. COHEN and WALTER E. ROSE.

Ordered, That the Clerk inform the Senate accordingly.

BILLS SIGNED BY SPEAKER

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

HOUSE BILL No. 107.

An Act to amend section eleven of the act approved the twenty-seventh day of April one thousand nine hundred and twenty-seven (P. L. 395) entitled "An act empowering the Department of Highways to acquire certain toll bridges within the Commonwealth providing the pro-

cedure therefor providing for the reimbursement of the Commonwealth from tolls and charges and making an appropriation" as amended by providing that certain of such toll bridges heretofore or hereafter acquired by the Department of Highways [shall] may be free bridges from the effective date of this act or from the date they are so acquired.

HOUSE BILL No. 192.

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

HOUSE BILL No. 228.

An Act to reenact and amend the title and the act approved the fourteenth day of June one thousand nine hundred thirty-five (P. L. 341) entitled as amended "An act to provide revenue by imposing a State tax upon sales of cigarettes by dealers as herein defined requiring persons engaged in the sale of cigarettes at wholesale and retail to secure permits prescribing the method and manner of collecting such tax conferring powers and imposing duties on the Department of Revenue and persons as herein defined engaged in the sale of cigarettes at retail or wholesale and providing penalties" as previously reenacted and amended by extending the provisions of the act for a further limited period of time and exempting from its provisions certain sales of cigarettes for the use of personnel subject to regulations of the Secretary of War and Secretary of the Navy of the United States and persons engaged in making such sales

HOUSE BILL No. 229.

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

HOUSE BILL No. 231.

An Act to reenact and amend the title and the act approved the sixteenth day of May one thousand nine hundred thirty-five (P. L. 208) entitled as amended "An act to provide revenue for State purposes by imposing an excise tax for a limited period of time on the net incomes of certain corporations joint-stock associations and limited partnerships providing for the assessment collection settlement and resettlement of taxes and reviews and appeal therefrom conferring powers and imposing duties on certain persons corporations joint-stock associations limited partnerships State and county officers boards and departments making an appropriation and providing penalties" as previously reenacted and amended by extending the provisions of the act for a further limited period of time

HOUSE BILL NO. 232

An Act to further amend the act approved the first day of June one thousand eight hundred eighty-nine (P. L. 420) entitled "A further supplement to an act entitled

'An act to provide revenue by taxation' approved the seventh day of June Anno Domini one thousand eight hundred and seventy-nine" by increasing for a further limited period of time the rate of tax imposed by the act upon the gross receipts of certain companies limited partnerships associations joint-stock associations co-partnerships and persons

HOUSE BILL NO. 233

An Act to further amend section one of the act approved the thirteenth day of June one thousand nine hundred seven (P. L. 640) entitled "An act to provide revenue by levying a tax upon the shares of stock of companies incorporated under the provisions of section twenty-nine of the act entitled 'An act to provide for the incorporation and regulation of certain corporations' approved April twenty-ninth one thousand eight hundred and seventy-four and the supplements thereto for the insurance of owners of real estate mortgages and others interested in real estate from loss by reason of defective titles liens and encumbrances and of companies entitled to the benefits of and of companies having any of the powers of companies entitled to the benefits of an act entitled 'An act conferring upon certain fidelity insurance safety deposit trust and savings companies the powers and privileges of companies incorporated under the provisions of section twenty-nine of an act entitled "An act to provide for the incorporation and regulation of certain corporations" approved April twenty-ninth Anno Domini one thousand eight hundred and seventy-four and of the supplements thereto approved June twenty-seventh one thousand eight hundred and seventy-four and of the supplements thereto approved June twenty-seventh one thousand eight hundred and ninety-five commonly known as title insurance or trust companies" by continuing the increased rate of tax for a further limited period of time and reducing the rate of tax after such limited period of time

HOUSE BILL No. 235.

An Act to reenact and amend the title and the act approved the ninth day of June one thousand nine hundred thirty-six (Special Session of one thousand nine hundred thirty-six—P. L. 13) entitled "An act imposing an emergency State tax for a limited period of time on liquor as herein defined sold by the Pennsylvania Liquor Control Board providing for the collection and payment of such tax and imposing duties upon the Department of Revenue and the Pennsylvania Liquor Control Board" as previously reenacted and amended by extending the provisions thereof for a further limited period of time

HOUSE BILL No. 960.

An Act to amend sections one and two and to further amend sections three and five of the act approved the sixth day of April one thousand nine hundred and eleven (P. L. 51) entitled "An act providing for the protection of the public health and the prevention of fraud and deception by prohibiting the sale the offering for sale or exposing for sale or having in possession with intent to sell of adulterated or deleterious sausage defining sausage and prescribing the penalty for the violation thereof" making possession of adulterated sausage prima facie evidence of intent to sell further defining and regulating the adulteration of sausage and conferring powers on the Department of Agriculture

Whereupon,

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

RECONSIDERATION OF HOUSE BILL No. 1493

Mr. READINGER. Mr. Speaker, I move that the vote by which House Bill No. 1493, Printer's No. 670, entitled:

An Act to amend the act approved the seventh day of June one thousand nine hundred seventeen (P. L. 600) entitled "An act providing that appointive officers and employees employed by the Commonwealth of Pennsylvania

vania in its civil service or by any department bureau commission or office thereof or by any county municipality township or school district shall not be deemed or held to have resigned or abandoned their offices or employments by reason of enlistment enrollment or draft in the military or naval service of the United States or any branch or unit thereof in time of war or contemplated war prohibiting the removal from their offices or employments of such officers and employes during the period of their service in the Army or Navy directing that one-half of the salaries or wages of such officers or employes as have dependent wives children or parents and not exceeding two thousand dollars per annum be paid during the term of their service in the Army or Navy to such dependents authorizing the employment during said term of substitutes to perform the duties theretofore performed by such officers or employes respectively and providing for the compensation of such substitutes by providing for the payment into the State Employees' Retirement Fund of certain amounts of the salaries or wages of such officers or employes under certain circumstances

was agreed to on third reading as amended on Wednesday, May 28, be reconsidered.

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

The SPEAKER. How did the gentleman from Berks, Mr. Readinger, vote on the third reading as amended of this bill?

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

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

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

On the question,

Will the House agree to the motion?

It was agreed to.

Mr. READINGER. Mr. Speaker, I move that the vote by which the House agreed to the amendments to this bill be reconsidered.

The motion was agreed to.

Mr. READINGER. Mr. Speaker, I wish to withdraw the amendments.

The SPEAKER. The amendments having been withdrawn House Bill No. 1493 will remain on the third reading calendar.

RECONSIDERATION OF HOUSE BILL No. 1494

Mr. READINGER. Mr. Speaker, I move that the vote by which House Bill No. 1494, Printer's No. 695, entitled:

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

was agreed to on third reading as amended on Wednesday, May 28, be reconsidered.

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

The SPEAKER. How did the gentleman from Berks, Mr. Readinger, vote on the third reading as amended of this bill?

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

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

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

On the question,

Will the House agree to the motion?

It was agreed to.

Mr. READINGER. Mr. Speaker, I move that the vote by which the House agreed to the amendments to this bill be reconsidered.

The motion was agreed to.

Mr. READINGER. Mr. Speaker, I wish to withdraw the amendments.

The SPEAKER. The amendments having been withdrawn House Bill No. 1494 will remain on the third reading calendar.

RECONSIDERATION OF HOUSE BILL No. 1495

Mr. READINGER. Mr. Speaker, I move that the vote by which House Bill No. 1495, Printer's No. 671, entitled:

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

was agreed to on third reading as amended on Wednesday, May 28, be reconsidered.

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

Mr. READINGER. Mr. Speaker, I move that the vote by which the House agreed to the amendments to this bill be reconsidered.

The motion was agreed to.

Mr. READINGER. Mr. Speaker, I wish to withdraw the amendments.

The SPEAKER. The amendments having been withdrawn House Bill No. 1495 will remain on the third reading Calendar.

The SPEAKER. How did the gentleman from Berks, Mr. Readinger, vote on the third reading as amended of this bill?

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

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

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

On the question,

Will the House agree to the motion?

It was agreed to.

MR. SERRILL IN THE CHAIR

BILL 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. 1661, entitled:

An Act to amend section three of the act, approved the tenth day of May, one thousand nine hundred thirty-nine (P. L. 111), entitled "An act relating to, and providing for, the promotion and development of business, industry and commerce in the Commonwealth; conferring powers and duties upon the Department of Commerce and other agencies of the Commonwealth; abolishing the Pennsylvania State Publicity Commission, terminating the terms of its members and conferring its powers upon, and transferring and appropriating the balance of its current appropriation to, the Department of Commerce; and repealing certain laws," providing for the promulgation or adoption and administration by the Department of Commerce of voluntary plans to control the output of mineral resource industries located preponderantly within 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. 1441, entitled:

An Act to amend routes 52037 and 52044 as added to 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 constructions of such highways; and making an appropriation to carry out the provisions of said act," changing certain routes in the county of Potter.

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. 1482, entitled:

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

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

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. 611, entitled:

An Act providing for the acquisition by the Department of Forests and Waters, in the name of the Commonwealth, of certain lands in Luzerne, Sullivan, and Wyoming Counties, for use as a State Park; making an appropriation for said acquisition; providing for the management of said property by said department and defining the uses to which the property shall be put.

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

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1519, entitled:

An Act making an appropriation to the trustees of the Pennsylvania State College for the construction of certain necessary buildings for use by the School of Agriculture.

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

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1659, entitled:

An Act making an appropriation to the Department of Revenue for the payment of accounts settled against the Commonwealth and that department in favor of certain persons, associations and corporations.

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

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1676, entitled:

An Act to further amend the act, approved the second day of May, one thousand nine hundred and twenty-nine (P. L. 1518), entitled, as amended "An act regulating the construction, equipment, maintenance, operation and inspection of elevators; granting certain authority to and imposing certain duties upon the Department of Labor and Industry; providing fees for inspection of elevators, certificates of operation, and approval of plans; providing penalties for violations of this act; and repealing all acts or parts of acts inconsistent with this act," by defining and making further provision relative to the installation and use of "man lift" elevators.

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

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1457, entitled:

An Act establishing certain public roads in Porter Township, Clarion County, and Mahoning Township, Armstrong County, as a State highway; providing for their construction and maintenance by the Department of Highways; and making an appropriation.

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

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1663, entitled:

An Act making an appropriation to the Special Committee of the House of Representatives which completed an investigation of the administration of W. P. A. Sewing Projects of the Commonwealth to reimburse the committee for expenses incurred by it in making such an investigation

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

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1570, entitled:

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

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

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1716, entitled:

An Act to further amend sections three and ten of the act, approved the fifth day of May, one thousand nine hundred and thirty-three (P. L. 284), entitled, as amended "An act imposing a State tax, payable by those herein defined as manufacturers and by others, on malt or brewed beverages used, sold, transported, or delivered within the Commonwealth; prescribing the method and manner of evidencing the payment and collection of such tax; conferring powers and imposing duties on the Department of Revenue, and those using or engaged in the sale, at retail or wholesale, or in the transportation of malt or brewed beverages taxable hereunder; and providing penalties," by prescribing malt beverage tax rates for certain

original containers or standard fractions thereof; fixing a minimum quantity of malt or brewed beverages which may be sold in cases, cartons or boxes; and providing for refunds of tax for malt or brewed beverages sold to commissaries, ship's stores and voluntary unincorporated organizations of the Army or of the Navy personnel operating under regulations promulgated by the Secretary of War or the Secretary of the Navy.

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

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1631, entitled:

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

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

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 605, entitled:

An Act making an appropriation to the Pennsylvania State College for expenditure by the School of Mineral Industries thereof, under the supervision of the Department of Mines, for the purpose of developing new uses and markets for anthracite and bituminous coal.

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

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 502, entitled:

An Act authorizing the Department of Property and Supplies with advice and approval of the Pennsylvania Historical Commission to acquire on behalf of the Commonwealth, certain land which is the site of an old fortress known as Old Garrison in the City of Franklin, Venango County, or so much thereof as may be necessary as a historical memorial; providing for the control, management, supervision and improvement thereof; authorizing the Pennsylvania Historical Commission in cooperation with other agencies to make and enforce rules and regulations for the preservation and visitation thereof; authorizing the Pennsylvania Historical Commission to cooperate with the Daughters of the American Revolution and interested patriotic societies in providing funds for a restoration of Old Garrison; and making an appropriation.

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

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1686, entitled:

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.

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

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1487, entitled:

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

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. 970, entitled:

An Act to further amend section six of the act approved the twenty-first day of May, one thousand nine hundred thirty-one (P. L. 149), as amended by the act approved the fifth day of June, one thousand nine hundred thirty-seven (P. L. 1703), and to further amend section ten of the act approved the twenty-first day of May, one thousand nine hundred thirty-one (P. L. 149), as last amended by the act approved the twenty-first day of June, one thousand nine hundred thirty-nine (P. L. 634), entitled "An act imposing a State tax, payable by those herein defined as distributors, on liquid fuels used or sold and delivered within the Commonwealth, which are ordinarily, practically, and commercially usable in internal combustion engines for the generation of power; providing for the collection and lien of the tax, and the distribution and use of the proceeds thereof; requiring such distributors to secure permits, to file corporate surety bonds and reports, and to retain certain records; imposing duties on retail dealers, common carriers, county commissioners, and such distributors; providing for rewards; imposing certain costs on counties; conferring powers and imposing duties on certain State officers, and departments; providing for refunds; imposing penalties; and making an appropriation," to provide for the making of Separate reports on liquid fuels sold for aviation purposes, and to further provide for the establishment of an Aviation Liquid Fuels Tax Fund and the return of said taxes to counties of the second 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. 941, entitled:

An Act making an appropriation to the Department of Public Instruction for the use of the Pennsylvania Historical Commission for the purpose of completing restoration and preparing for public use as a museum the property at Ambridge, Beaver County, Pennsylvania, formerly owned and occupied by the Harmony Society and known as "Old Economy."

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. 1337, entitled:

An Act making an appropriation to the Department of Property and Supplies, for the payment of claims against the Commonwealth arising from failure to lease premises after owners thereof had been induced to expend money thereon.

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. 1541, entitled:

An Act providing for uniform reports by political subdivisions to departments, boards and commissions of the State Government.

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. 223, entitled:

An Act authorizing the Department of Property and Supplies to acquire on behalf of the Commonwealth of Pennsylvania certain land upon which is still standing the birthplace of Robert Fulton in Fulton Township, Lancaster County, or so much thereof as may be necessary, as a memorial; providing for the control, management, supervision, improvement, restoration and maintenance thereof; authorizing the Pennsylvania Historical Commission to make and enforce rules for the preservation and visitation thereof; and making an appropriation.

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. 1558, entitled:

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

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. 1660, entitled:

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

certain confidential information to other states and the United States.

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. 1496, entitled:

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

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. 566, entitled:

An Act to provide revenue by imposing a license tax on the owners of all lawful coin or token operated vending machines, devices or equipment, as herein defined, kept, possessed, used exhibited or operated for profit; providing for the collection of said tax; imposing certain duties upon the Department of Revenue; prescribing penalties and dedicating the proceeds from such tax to the payment of appropriations for general relief.

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. 353, entitled:

An Act making an appropriation to the Department of Military Affairs, for the maintenance and education of children of soldiers, sailors, marines, female field clerks, yeomen (female) and nurses who were killed in action or died during the World War; and conferring certain duties upon the State Veterans' Commission.

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. 486, entitled:

An Act to facilitate vehicular traffic between the western and eastern sections of the Commonwealth, and afford transportation for defense purposes by providing for the construction, operation and maintenance of a turnpike, from a point at Middlesex in Cumberland County to a point on the boundary line between the Commonwealth of Pennsylvania and the State of New Jersey; 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 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. 1513, entitled:

An Act to further amend section three of the act approved the twenty-second day of June, one thousand nine hundred thirty-five (P. L. 414), entitled, as amended, "An act to provide revenue for State purposes; imposing taxes upon certain classes of personal property; providing for the assessment, collection, and lien of the same, and the distribution of the proceeds thereof; imposing duties on executors, administrators, registers of wills, recorders of deeds, prothonotaries, and court clerks, and on persons, corporations, associations, banks, national banks, trust companies, and other corporations receiving deposits of money, and on certain corporations and limited partnerships, conferring powers and imposing duties on certain State officers and departments; imposing penalties; and making an appropriation," by exempting assets held by liquidating trustees.

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. 220, entitled:

An Act to amend section four of the act, approved the twenty-second day of June, one thousand nine hundred and thirty-one (P. L. 720), entitled "An act providing for the taking over by the Commonwealth, under certain terms, conditions and limitations, of certain streets in cities of the second class, second class A, and third class as State highways, and for the improvement, construction, reconstruction, resurfacing and maintenance by the Commonwealth of certain defined widths of said streets; imposing duties on such cities and on public utility companies using such streets; providing that no assessment shall be made upon the Commonwealth in the elimination of any grade crossing thereon; authorizing cities, persons, associations, or corporations to enter into agreements with the Commonwealth to bear a portion of the cost of construction or maintenance; providing for the assessment of certain portions of the cost of street improvements on abutting property owners; regulating the replacement of certain facilities of public utility companies; prohibiting the opening of said streets after improvement without a permit, and providing penalty therefor; regulating the maintenance of detours; authorizing the increase of city indebtedness in certain cases; and appropriating money in the Motor License Fund for the purpose of this act," requiring the Department of Highways to take over bridges and viaducts on State Highways in 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. 1650, entitled:

An Act providing for the cooperation of the Commonwealth and certain political subdivisions thereof with the United States in respect to flood control projects; authorizing the Secretary of Highways on behalf of the Commonwealth, and the authorities of the various counties, cities, boroughs and townships to grant and convey certain rights and easements in and relative to the highways, streets, roads and bridges thereof and lands

bordering the same over which such governmental units may have control.

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. 1182, entitled:

An Act to increase the usefulness of the Farm Show Building and Arena; providing for holding of various exhibitions and shows; creating State show commissions as departmental administrative commissions in various departments and agencies of the State government; and making appropriations.

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

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1662, entitled:

An Act to amend the title and further amend section one of the act, approved the twenty-second day of June, one thousand nine hundred and thirty-one (P. L. 844), entitled "An act authorizing the Commonwealth of Pennsylvania; or any department or division thereof, and counties, cities, boroughs, incorporated towns, townships, school districts and poor districts to make contracts of life, health, and accident policies for the benefit of employes thereof, and contracts for pensions for such employes; and providing for the payment of the cost thereof," authorizing the making of contracts for hospitalization, and extending the provisions of the act to vocational school districts and institution 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. 1678, entitled:

An Act to further amend section one thousand one hundred thirty-three 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 removing certain limitations of the appointment of district superintendents.

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. 1525, entitled:

An Act to amend section seven hundred and one and to further amend section seven hundred six 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," authorizing the various boards of school directors to pur-

chase and furnish, free of charge, uniforms for the members of school bands and orchestras.

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. 1692, (Senate Bill No. 465), entitled:

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

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. 1691, (Senate Bill No. 419), entitled:

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.

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. 1382, (Senate Bill No. 448), entitled:

An Act to amend sections three hundred and eight and four hundred and one of the act, approved the twenty-first day of June, one thousand nine hundred and thirty-nine (P. L. 566), entitled "An act defining the liability of an employer to pay damages for occupational disease contracted by an employe arising out of and in the course of employment; establishing an elective schedule of compensation; providing procedure for the determination of liability and compensation thereunder; imposing duties on the Department of Labor and Industry, the Workmen's Compensation Board, Workmen's Compensation Referees, and deans of medical schools, creating a medical board to determine controverted medical issues; establishing an Occupational Disease Fund in custody of the State Workmen's Insurance Board, imposing upon the Commonwealth a part of the compensation payable for certain occupational diseases; making an appropriation; and prescribing penalties," by changing the method of handling the funds made available from time to time to meet the obligation of the Commonwealth to pay a part of the compensation payable for certain occupational diseases; clarifying the procedure for establishing such liability of the Commonwealth; and providing for the transfer and lapsing of certain moneys into the General Fund.

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. 1445, (Senate Bill No. 302), entitled:

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

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. 997, entitled:

An Act to amend subsection (e) of section three hundred and one of the act, approved the twenty-first day of June, one thousand nine hundred and thirty-nine (P. L. 536), entitled "An act defining the liability of an employer to pay damages for occupational disease contracted by an employe arising out of and in the course of employment; establishing an elective schedule of compensation; providing procedure for the determination of liability and compensation thereunder; imposing duties on the Department of Labor and Industry, the Workmen's Compensation Board, Workmen's Compensation Referees, and deans of medical schools; creating a medical board to determine controverted medical issues, establishing an Occupational Disease Fund in custody of the State Workmen's Insurance Board; imposing upon the Commonwealth a part of the compensation payable for certain occupational diseases; making an appropriation; and prescribing penalties," by allowing common law actions 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. 1529, 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 additional routes to be used as a part of the national defense program in the County of Cambria.

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. 1509, entitled:

An Act providing for increase in salaries of all teachers, school secretaries, nurses, attendance officers and all other regular employes of school districts of the first 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. 1709, entitled:

An Act to further amend the definition of "Liquid Fuels" contained in section two of the act, approved the twenty-first day of May, one thousand nine hundred and thirty-one (F. L. 149), entitled "An act imposing a State tax, payable by those herein defined as distributors, on liquid fuels used or sold and delivered within the Commonwealth which are ordinarily, practically, and commercially usable in internal combustion engines for the generation of power; providing for the collection and lien of the tax, and the distribution and use of the proceeds thereof; requiring such distributors to secure permits, to file corporate surety bonds and reports, and to retain certain

records; imposing duties on retail dealers, common carriers, county commissioners, and such distributors; providing for rewards; imposing certain costs on counties; conferring powers and imposing duties on certain State officers and departments; providing for refunds; imposing penalties; and making an appropriation," by excluding certain gasoline not used in internal combustion engines to propel vehicles on the public highways in 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. 1530, entitled:

An Act authorizing and directing the Department of Highways to erect and construct a bridge over the Lackawanna River between a point in or near the Borough of Blakely, Lackawanna County, and a point in or near the Borough of Olyphant in Lackawanna County and to provide the necessary approaches thereto; and making an appropriation.

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. 991, entitled:

An Act to add section 435 to the act approved June second, one thousand nine hundred fifteen (P. L. 736) entitled "An act defining the liability of an employer to pay damages for injuries received by an employe in the course of employment; establishing an elective schedule of compensation; providing procedure for the determination of liability and compensation thereunder; and prescribing penalties," providing that hospitals, institutions, physicians, surgeons and others furnishing medical, dental or nursing services, hospital treatment, artificial appliances, medicines and supplies for which the employer is liable, shall be deemed parties in interest to present claims and to enforce awards in Workmen's Compensation proceedings.

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. 1638, entitled:

An Act to repeal subdivision (d) of article six containing sections 651, 652, 653, 654, and 655 of the act approved the seventeenth day of May one thousand nine hundred and twenty-one (P. L. 682) entitled "An act relating to insurance amending revising and consolidating the law providing for the incorporation of insurance companies and the regulation supervision and protection of home and foreign insurance companies Lloyds association reciprocal and inter-insurance exchanges and fire insurance rating bureaus and the regulation and supervision of insurance carried by such companies associations and exchanges including insurance carried by the State Workmen's Insurance Fund providing penalties and repealing existing laws" eliminating provisions relating to Workmen's Compensation Insurance.

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. 1542, entitled:

An Act to amend route 55121, as added 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," changing a route in the County of Somerset.

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. 989, entitled:

An Act to amend section four hundred and eighteen of the act, approved the seventeenth day of May, one thousand nine hundred and twenty-one (P. L. 682), entitled "An act relating to insurance; amending, revising, and consolidating the law providing for the incorporation of insurance companies, and the regulation, supervision, and protection of home and foreign insurance companies; Lloyds associations, reciprocal and inter-insurance exchanges, and fire insurance rating bureaus, and the regulation and supervision of insurance carried by such companies, associations, and exchanges, including insurance carried by the State Workmen's Insurance Fund; providing penalties; and repealing existing laws," by allowing certain exemptions to be waived in favor of labor unions.

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. 1640, entitled:

An Act to amend the act approved the second day of June one thousand nine hundred and fifteen (P. L. 762) entitled "An act providing for the creation and administration of State Fund for the insurance of compensation for injuries to employes of subscribers thereto declaring false oaths by the subscribers to be misdemeanors and providing penalties for the violation thereof" providing for insurance in said fund of all employers liable to pay workmen's compensation eliminating provisions relating to insurance corporations or associations and workmen's compensation insurance covering officers and employes of the board.

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. 1639, entitled:

An Act to further amend the title and the act approved the second day of June one thousand nine hundred and fifteen (P. L. 736) entitled as amended "An act defining the liability of an employer to pay damages for injuries received by an employe in the course of employment establishing an elective schedule of compensation providing thereunder and prescribing penalties" by making the schedules of compensation compulsory upon all employers providing that the State Workmen's Insurance Fund shall be the sole agency in which the payment of compensation may be insured providing for the termination of existing workmen's compensation insurance contracts issued by other agencies eliminating provisions relating to self-insurance and repealing certain sections and subsections.

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. 722, entitled:

An Act to further amend section twenty-one of the act, approved the fourteenth day of June, one thousand nine hundred and twenty-three (P. L. 710), entitled "An act allowing and regulating boxing, sparring, and wrestling matches and exhibitions; establishing a State Athletic Commission; making an appropriation therefor; and appropriating moneys received from monument and memorial purposes; and prescribing penalties," by imposing a tax on the privilege of attending such spectacles; and repealing former tax.

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. 723, entitled:

An Act to further amend section fourteen 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," extending the retirement provisions relating to former teachers to additional cases who separated from school service because of physical or mental disability prior to the first day of July, one thousand nine hundred and nineteen.

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. 1477, (Senate Bill No. 418), entitled:

An Act requiring the Governor of the Commonwealth to issue annual proclamations setting apart September thirteenth of each year as Commodore John Barry Day.

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

QUESTION OF PERSONAL PRIVILEGE

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

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

Mr. MARKS. Mr. Speaker, yesterday afternoon about five minutes to four, after I had voted against the recommendation of House Bill 849, I went to the rear of the House because I was feeling very badly. Not knowing there would be a long discussion on House Bill 849, I had to go to the hotel in a hurry. The House adjourned sometime around five o'clock, and by that time the House had reached a vote on Senate Bill 507 on which I am recorded as not having voted. I wish to state that the Berks County delegation had definitely decided to vote against the Wade Bill, and against the amendments offered by Mr. Achterman.

I ask that my remarks be spread upon the Legislative Journal because there was a definite understanding among the five members of the Berks County delegation we would not support the Wade Bill. I thank you.

BILLS ON SECOND READING

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1195, entitled:

An Act to amend article three of the act approved the second day of May one thousand nine hundred and twenty-nine (P. L. 1278) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" by authorizing the formation of State and county associations of assessors or other assessing and taxing officers providing for the organization operation and meetings thereof and imposing the duty of paying certain expenses connected therewith upon counties

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

Ordered, To be transcribed for a third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1197, entitled:

An Act to amend Sections 201 202 204 205 211 and 805 of the act approved the fourth day of May one thousand nine hundred twenty-seven (P. L. 519) entitled "An act concerning boroughs and revising amending and consolidating the law relating to boroughs" changing certain provisions relating to the incorporation of new boroughs and providing for the incorporation of boroughs from townships of the first class having a population of eight thousand or more and for the organization of the government therein

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. 1653, (Senate Bill No. 587), entitled:

An Act to amend section three hundred six of the act, approved the twenty-fourth day of June, one thousand nine hundred thirty-seven (P. L. 2017) entitled "An act creating in each county (except of the first class) as a separate corporation, and in each city of the first and second class as a part of the city government, an institution district for the care and maintenance of certain indigent persons and children; prescribing the powers and duties of county commissioners, county treasurers, city departments of public welfare, the State Department of Welfare and the State Department of Public Assistance in respect thereto; abolishing certain poor districts and terminating the terms of directors, overseers, guardians and managers of the poor and poor district auditors, and providing for the temporary employment of certain of them; providing for the transfer, vesting, sale and disposition of the property of poor districts and the payment of their obligations; imposing certain existing obligations on institution district; and on the Commonwealth; regulating the affairs of poor districts until abolished; revising, amending, changing and consolidating the law relating to the care of the poor; and repealing existing laws," authorizing the county commissioners to appoint and fix the compensation of a solicitor for county institution districts in counties of the third 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. 1672, (Senate Bill No. 572), entitled:

An Act extending the time for taking appeals to the Supreme and Superior Courts in actions or proceedings at law or in equity in the courts of common pleas orphans' courts municipal court of Philadelphia and county court of Allegheny County where petitions for rehearing or reargument are filed

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. 1474, (Senate Bill No. 365), entitled:

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

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. 790, (Senate Bill No. 151), entitled:

An Act authorizing and directing county treasurers to execute deeds for unseated and seated lands sold by their predecessors in office and validating deeds heretofore so executed

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. 1619, (Senate Bill No. 346), entitled:

An Act to amend section two hundred one and to further amend sections two hundred two and four hundred four of the act, approved the twenty-second day of May, one thousand nine hundred and thirty-three (P. L. 853), entitled "An act relating to taxation; designating the subjects, property and persons subject to and exempt from taxation for all local purposes; providing for and regulating the assessment and valuation of persons, property and subjects of taxation for county purposes, and for the use of those municipal and quasi-municipal corporations which levy their taxes on county assessments and valuations; amending revising and consolidating the law relating thereto, and repealing existing laws," making the levying of a tax on trades, occupations, professions and persons who follow no occupation or calling optional in counties.

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

Ordered, To be transcribed for a third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1424, entitled:

An Act prescribing the degree of care to be exercised by the driver of any vehicle at the crossing of a highway and a railroad or railway at grade providing that the failure to stop shall not in itself constitute negligence or contributory negligence and providing that the issue of negligence or contributory negligence in such case shall be a question of fact for the jury.

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. 1475, (Senate Bill No. 364), entitled:

An Act requiring receivers of Taxes in and for cities of the first class to furnish certificates of taxes water rents and claims which are liens on real estate without charge to owners of said real estate or other parties having an interest therein and limiting the liability of the Receiver for errors in said certificates and retaining the liens of all unpaid taxes water rents and claims against such property though the same are not set forth in said certificate and repealing inconsistent legislation

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. 1581, (Senate Bill No. 224), entitled:

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

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. 687, entitled:

An Act to further amend the title and section one of the act approved the third day of May one thousand nine

hundred and nine (P. L. 424) entitled "An act providing that in all counties having more than five hundred thousand inhabitants advertisements and notices required by law or rules of court to be published in newspapers of general circulation unless dispensed with by special order of court shall be published in the legal newspaper issued at least weekly of the proper county designated by rules of court for the publication of court or other legal notices" as amended extending the provisions of the said act to counties of the sixth 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. 1328, entitled:

An Act to reenact and amend the title and the act approved the twenty-ninth day of April one thousand nine hundred thirty-seven (P. L. 526) entitled "An act providing for and regulating joint purchases by counties (other than counties of the first and second classes) cities of the third class boroughs towns townships school districts and poor districts" by including second class counties cities of the second class and institution districts within 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. 1248, entitled:

An Act providing for proceedings by petition in non-support and desertion cases

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

Ordered, To be transcribed for a third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1256, entitled:

An Act requiring all police officers in cities of the first class to slate for hearing all persons arrested by such officers without warrant in the station house of the district in which the arrest was made providing for the confinement of such persons imposing certain duties on magistrates and imposing 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. 1626, entitled:

An Act to protect public health safety and morals and to promote the common welfare by regulating the use and occupancy re-use and re-occupancy and the renting and re-renting for use and occupancy of all buildings in cities of the first class planned in whole or in part for residential purposes and any living quarters connected with a business or commercial establishment by requiring the issuance of certificates of occupancy and by requiring owners agents and tenants to obtain such certificates of occupancy conferring powers and imposing duties upon the Department of Public Health and upon the Department of Public Safety of cities of the first class providing appeals to the Zoning Board from refusals of the Department of Health to issue certificates providing for inspections and inspection fees and the institution of prosecu-

tions for failure to obtain certificates of occupancy imposing penalties and repealing inconsistent acts or parts of acts

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. 129, entitled:

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

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

Ordered, To be transcribed for a third reading.

PERMISSION TO ADDRESS HOUSE

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

Mr. Speaker, it is not often that I arise to address the House, but in this instance I must make a statement with respect to Memorial Day which all of us will so solemnly celebrate Friday, May 30.

Memorial Day found its origin in the patriotism of survivors who wished to memorialize their departed comrades of the battlefields. Down the years this has been observed as fitting and proper, but since the first Memorial Day, which years ago was called by most of us, Decoration Day, there has arisen another reason for the nation-wide celebration of this day in the United States.

This new reason has not been widely observed, but I believe it should be included along with the observance of the day by the military and naval authorities.

In peace and in war, labor, as we refer to those who are not executives in our tremendous industrial organization, always, year after year serve their nation as patriotically as any group. Often those who toil in offices, on farms, in factories and in mines are either exempt or are too old to perform military service. Many of these have felt that they too should have a part in the celebration of Memorial Day since without the industry to supply equipment to fight we never could put a man in the field or aboard ship.

Those who worked in industry to provide the sinews with which to fight take great pride in the fact that this nation of ours never lost a war. A considerable part of the credit for winning each of our wars rightfully belongs to the man who stands behind the man behind the gun.

This crisis in which we now find ourselves is no different from any other in which the United States has become involved. But this time, there is greater emphasis on labor's part than in the last two major wars that I can remember.

We all know there are divergent views between employers and the employes. We all know that this situation will probably always exist so long as we have our form of government, and as for me I hope that we shall always have this form of government, but that it shall not always be necessary to have intermittent industrial strife.

In this grave international emergency when all our cherished heritages of freedom, of liberty, of opportunity are at stake, there have been industrial dislocations unnecessarily caused by both the employers and by the employes.

It seems to me that this tremendous waste occasioned by these interruptions of production could have been avoided, not only in the interest of equitable consideration, but also as each side's contribution toward the saving of our democracy.

This is not the time, nor the place, to rattle skeletons of industrial strife, nor to attempt to fix the responsibility for the lost time.

We in Pennsylvania, are intelligent enough to realize that one of the many causes of the downfall of France was the ever widening differences between employers and the employes. Neither side wished to acknowledge that the other had a right to equitable treatment. The result was chaos when the crucial hour arrived. Men were not at their places, and the employers were negotiating with those whom they unfortunately thought would be their friends. What has happened to these appeasers now is well known. Both the employers and the employes have lost all they had accumulated in property and in savings.

We in the United States are not going to follow the ways of those who have been destroyed by a short-sightedness that finds its germination in greed, in inconsiderateness, and the unwillingness of either employers or employees to attempt to reconcile their differences without resorting to unnecessary stoppage of defense production.

No honest employe, or employer wishes that to befall our nation which now plagues business, industry and labor in some former industrial European nations.

I think there should be a period of discussing the claims of either side before any man leaves his place. I also think that no employer should refuse to consider the beliefs of his employes. Moreover, I believe that where there is genuine collective bargaining, there would be a period of mediation—a cooling-off period, as it has sometimes been called, during which each side could specifically state its case, leaving out factors which have nothing to do whatsoever with the demands, or the compromises of either side. In agreeing to negotiate for a period without first "going on the street" I think that both employes and employers can make a contribution toward our complete national security that will shake the knees of those dictators who would have us fight among ourselves and when we are divided, to administer the opiate of so-called security disguised as the "New Order," that in reality has become a new form of virtual slavery.

I know that the honest employes are as anxious to rid themselves of those who would cause unnecessary dissension and consequent disruption in defense-production, as are employers to avoid any break-down.

In this situation, it is all for one and one for all, or there will be confiscation and slavery for all of us.

SENATE BILL No. 1004 MADE SPECIAL ORDER

Mr. ACHTERMAN. Mr. Speaker I move that House Bill No. 1724 (Senate Bill No. 1004), Printers No. 361, on page 47 of today's calendar, bills on third reading, be made a special order of business immediately.

The motion was agreed to.

BILL ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1724, (Senate Bill No. 1004), as follows:

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 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

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

Section 1 The sum of six million two hundred fifty-three thousand six hundred dollars (\$6,253,600) or as much thereof as may be necessary is hereby specifically appropriated from the General Fund to the Department of Public Assistance for the payment of assistance administrative expenses and expenses of liquidating the State Emergency Relief Board as provided by the Public Assistance Law and for the payment of attorneys' fees and court costs necessary for the proper conduct of the work of the Department of Public Assistance for the two fiscal years beginning June first one thousand nine hundred forty-one

Section 2 Out of the moneys appropriated by section one of this act the Department of Public Assistance shall

allocate funds from time to time for the several assistance programs (old age assistance aid to dependent children pensions for the blind general assistance and other programs provided by the Public Assistance Law) for administrative expenses of the several county boards of assistance for such administrative expenses incurred by the department which are chargeable to such boards and for the payment of attorneys' fees and court costs necessary for the proper conduct of the work of the department

Section 3 Out of the moneys appropriated by section one of this act the Governor the Auditor General and the State Treasurer or the majority thereof shall from time to time allocate to the Department of the Auditor General and the Treasury Department respectively such sums as may be deemed necessary to pay the administrative expenses of the Department of the Auditor General and the Treasury Department in auditing and disbursing appropriations for or relating to public assistance including any Federal funds supplementing such appropriations

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—183

Achterman,	Gerard,	McClanaghan,	Royer,
Baker,	Gillan,	McClester,	Rush,
Balthaser,	Goodwin,	McDermott,	Sarraf,
Bentley,	Greenwood,	McDowell,	Scanlon,
Bentzel,	Gryskewicz,	McFall,	Schwab,
Boles,	Gyger,	McGrath,	Serrill,
Boney,	Habbyshaw,	McIntosh,	Shaffer,
Bower,	Haberlen,	McKinney,	Shaw,
Bradley,	Haines,	McLanahan,	Shepard,
Breth,	Hall,	McLane,	Simons,
Bretherick,	Hamilton,	McMillen,	Skale,
Brown,	Hare,	McSurdy,	Snyder,
Brunner, P. A.,	Harkins,	Melchiorre,	Sorg,
Burns,	Harmuth,	Modell,	Stambaugh,
Burriss,	Heatherington,	Monks,	Stank,
Cadwalader,	Helm,	Mooney,	Stine,
Chervenak,	Hering,	Moran,	Tarr,
Chudoff,	Herman,	Moul,	Tate,
Cochran,	Hersch,	Muir,	Taylor,
Cohen, M. M.,	Hewitt,	Munley,	Thompson, E. F.,
Cohen, R. E.,	Holland,	Nagei,	Thompson, R. L.,
Cordier,	Huntley,	Nunemacher,	Trout,
Corrigan,	James,	O'Brien,	Turner,
Croop,	Jefferson,	O'Dare,	Van Allsburg,
Dalrymple,	Jones, P. N.,	O'Mullen,	Verona,
Dennison,	Keenan,	O'Neill,	Vincent,
DiGenova,	Kenehan,	Owens,	Vogt,
Dix,	Kline,	Petrosky,	Voldow,
Dolon,	Knoble,	Pettit,	Voorhees,
D'Ortona,	Kolankiewicz,	Polaski,	Wagner,
Duffy,	Komorofski,	Polen,	Watkins,
Early,	Krise,	Powers,	Welss,
Elder,	Lee, E. A.,	Prosen,	Welsh, E. B.,
Elliott,	Lee, T. H.,	Rank,	Wilkinson,
Ely,	Lelsey,	Readinger,	Williams,
Falkenstein,	Leonard,	Reagan,	Winner,
Finestone,	Lesko,	Reese, D. P.,	Wolf,
Finnerty,	Levy,	Reese, R. E.,	Wood, N.,
Fliss,	Leydic,	Regan,	Woodring,
Fletcher,	Lichtenwaiter,	Reynolds,	Woodside,
Flynn,	Longo,	Rhea,	Yester,
Foor,	Lyons,	Riley,	Young,
French,	Malloy,	Rooney,	Kilroy,
Gallagher,	Marks,	Rosenfeld,	Speaker.
	Maxwell,		

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 with amendments in which the concurrence of the Senate is requested.

BILLS ON FINAL PASSAGE NOT ON FILE

The SPEAKER. House Bill No. 1166, Printer's No. 736; House Bill No. 891, Printer's No. 744 and House Bill No. 1094, Printer's No. 805, bills on final passage on page 27 of today's calendar, are not on file and will be passed over.

BILL ON THIRD READING

BILL PASSED OVER

There being no objection House Bill No. 788, Printer's No. 637 was passed over at the request of the SPEAKER.

BILLS ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1636, as follows:

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

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

Section 1 In the interests of national defense and the advancement of aviation the Secretary of Property and Supplies with the approval of the Governor is hereby authorized to give and transfer unto the Government of the United States or any department agency or instrumentality thereof including among others the Civil Aeronautics Administration all visual and radio aviation navigational aids now the property of the Commonwealth of Pennsylvania and in the possession of the Division of Aeronautics of the Department of Revenue

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—183

- | | | | |
|-----------------|----------------|--------------|------------------|
| Achtzman, | Gerard, | Maxwell, | Royer, |
| Baker, | Gillan, | McClanaghan, | Rush, |
| Baltaser, | Goodwin, | McClester, | Sarraf, |
| Bentley, | Greenwood, | McDermott, | Scanlon, |
| Bentzel, | Gryskewicz, | McDowell, | Schwab, |
| Boies, | Cyger, | McFall, | Serrill, |
| Bonez, | Habbyshaw, | McGrath, | Shaffer, |
| Bower, | Haberlen, | McIntosh, | Shaw, |
| Bradley, | Haines, | McKinney, | Shepard, |
| Bretterick, | Hall, | McLanahan, | Simons, |
| Brown, | Hamilton, | McLane, | Skale, |
| Brunner, P. A., | Hare, | McMillen, | Snyder, |
| Burns, | Harkins, | McSurdy, | Sorg, |
| Burris, | Harmuth, | Melchiorre, | Stambaugh, |
| Cadwalader, | Heatherington, | Modell, | Stank, |
| Cheremak, | Heim, | Monks, | Stine, |
| Chudoff, | Hering, | Mooney, | Tarr, |
| Cochran, | Herman, | Moran, | Tate, |
| Cohen, M. M., | Hersch, | Moul, | Taylor, |
| Cohen, R. E., | Hewitt, | Muir, | Thompson, E. F. |
| Cordner, | Holland, | Munley, | Thompson, R. L., |
| Corrigan, | Huntley, | Nagel, | Trout, |
| Crook, | James, | Nunemacher, | Turner, |
| Dalrymple, | Jefferson, | O'Brien, | VanAllsburg, |
| Denison, | Jones, P. N., | O'Dare, | Verona, |
| DiGerova, | Keenan, | O'Mullen, | Vincent, |
| Dix, | Kenehan, | O'Neill, | Vogt, |
| Doloz, | Kline, | Owens, | Voldow, |
| D'Orona, | Knoble, | Petrosky, | Voornees, |
| Duffy, | Kolankiewicz, | Pittit, | Wagner, |
| Early, | Komorowski, | Polaski, | Watkins, |
| Elder, | Krise, | Polen, | Weiss, |
| Ellert, | Lee, E. A., | Powers, | Welsh, E. B., |
| Ely, | Lee, T. H., | Prosen, | Wilkinson, |
| | | Rank, | |

- | | | | |
|--------------|----------------|---------------|-----------|
| Falkenstein, | Leisey, | Readinger, | Williams, |
| Finestone, | Leonard, | Reagan, | Winner, |
| Finnerty, | Lesko, | Reese, D. P., | Wolf, |
| Fiss, | Levy, | Reese, R. E., | Wood, N., |
| Fleming, | Leydic, | Regan, | Woodring, |
| Fletcher, | Lichtenwalter, | Reynolds, | Woodside, |
| Flynn, | Longo, | Rhea, | Yester, |
| Foor, | Lyons, | Riley, | Young, |
| French, | Malloy, | Rooney, | Kilroy, |
| Gallagher, | Marks, | Rosenfeld, | Speaker. |

NAYS—0

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

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

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 910, as follows:

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

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

Section 1 Short Title This act shall be known and may be cited as the "Agricultural Exhibitions Law"

Section 2 Definitions "Agricultural Exhibition" shall mean any public exhibition conducted annually by an incorporated agricultural association or by a county for the purpose of encouraging and promoting agriculture (including vegetable seeds and grains) horticulture floriculture poultry-raising stock-raising dairying beekeeping domestic arts vocational education 4-H Club work and kindred products and activities

"Department" shall mean the Department of Agriculture of this Commonwealth

"Premiums" shall mean premiums paid for exhibits of products and activities of this Commonwealth approved by the department and shall not include premiums paid on trials of seed

Section 3 Payments by Commonwealth For the purpose of encouraging agriculture domestic arts and the holding of agricultural exhibitions an incorporated agricultural association or county conforming to the requirements of this act is entitled to receive from the Commonwealth an annual sum not exceeding one thousand dollars equal to the amount paid by such association or county as premiums at its annual exhibition

Section 4 More Than two Annual Exhibitions In case there is more than two association holdings such annual exhibitions in a county such associations shall be entitled to receive from the Commonwealth a sum not exceeding in the aggregate the sum of two thousand five hundred dollars to be apportioned by the department among such associations according to the amount of premiums not in excess of one thousand dollars paid at the last exhibition of each of such associations No association or county shall receive from the Commonwealth a greater sum than that actually paid in cash to bona fide exhibitors by the association or county as premiums

Section 5 Qualifications for Benefits (a) In order to participate in the benefit of this act incorporated agricultural associations and counties shall hold annual agricultural exhibitions which shall continue at least three consecutive days

(b) No immoral lewd obscene or indecent shows or exhibitions no gambling and no unlawful sale of liquor or malt or brewed beverages shall be permitted on the grounds of any agricultural exhibition or in so far as the same can be controlled by the association or county conducting the exhibition on any ground adjacent thereto

(c) All receipts of every agricultural association from every source whatsoever and all receipts from or in con-

nection with any agricultural exhibition conducted by any county shall be deposited in a separate account in a banking institution of this Commonwealth and all payments made by such association or by any county in connection with such exhibitions shall be made by check. All records papers checks stubs vouchers and orders of any agricultural association and of any county pertaining to the holding of agricultural exhibitions shall be preserved for a period of five years and shall be open to examination by the department.

(d) Any agricultural association or county failing to comply with any of the provisions of this act or the character of whose annual exhibition is in the opinion of the department not worthy of such benefits may be refused participation therein.

Section 6 Annual Reports Payments Not later than thirty days after the holding of each annual exhibition each association or county applying for the benefits of this act shall file with the department a statement setting forth (1) the name of the association or county (2) the time and place of the exhibition (3) the amount of premiums actually paid (4) the names and addresses of the persons to whom such premiums were paid (5) the class kind or department in which paid and (6) such additional information as the department may require. In the case of associations such statements shall be sworn to by its president and shall bear the seal of the association duly attested by its secretary. In the case of counties such statements shall be sworn to by the chairman of the board of county commissioners and shall bear the seal of the county duly attested by the chief clerk of the county commissioners. All payments by the Commonwealth shall be made on or before the fifteenth day of January of the year following the year in which the exhibition was held.

Section 7 Associations and Counties Not Heretofore Receiving State Aid Every incorporated agricultural association and every county not heretofore receiving State appropriations intending to avail itself of the benefits of this act shall file with the department a declaration of its intention to apply therefor. No such association or county shall be entitled to participate in the benefits of this act until it shall have (1) held two consecutive annual agricultural exhibitions (2) paid premiums during the second year of not less than one hundred fifty dollars and (3) filed its reports for such two years in the manner herein provided in the case of associations and counties receiving such benefits. The benefits to any such association or county for its third and fourth years shall be limited to the amount it paid in premiums during its second year. This section shall not apply to a county agricultural association heretofore incorporated owning their own buildings and grounds which shall hold annual agricultural exhibitions nor to a county agricultural association heretofore or here after incorporated which shall resume the holding of annual agricultural exhibitions after such exhibitions have been for a period of not more than two consecutive years temporarily discontinued.

Section 8 Administration The provisions of this act shall be administered by the Department of Agriculture which for such purpose shall have power to adopt and enforce such rules and regulations as it shall deem necessary.

Section 9 Repeals Status Under Repealed Acts The act approved the twenty-fifth day of July one thousand nine hundred and seventeen (P. L. 1195) entitled "An act for the encouragement of agriculture and the holding of agricultural exhibitions providing State aid for certain agricultural associations and regulating the payment thereof" and its amendments are hereby repealed.

All other acts and parts of acts inconsistent herewith are hereby repealed.

No such repeal shall effect the status acquired by any incorporated agricultural association or county under any law hereby repealed but such associations and counties upon compliance with the provisions of this act shall be entitled to participate in the benefits hereof in all respects as though such acts had not been repealed.

Section 10 Effective Date The provisions of this act shall become effective immediately upon final enactment.

And said bill having been read at length the third time,
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—183

Achterman,	Gillan,	McClanaghan,	Royer,
Baker,	Goodwin,	McClester,	Rush,
Balthaser,	Greenwood,	McDermott,	Sarraff,
Bentley,	Gryskewicz,	McDowell,	Scanlon,
Bentzel,	Cyger,	McFall,	Schwab,
Boles,	Habbyshaw,	McGrath,	Serrill,
Boney,	Haberlen,	McIntosh,	Shaffer,
Bower,	Halmes,	McKinney,	Shaw,
Bradley,	Hall,	McLanahan,	Shepard,
Bretherick,	Hamilton,	McLane,	Simons,
Brown,	Hare,	McMillen,	Skale,
Brunner, P. A.,	Harkins,	McSurdy,	Snyder,
Burns,	Harmuth,	Melchiorre,	Sorg,
Burriss,	Heatherington,	Modell,	Stambaugh,
Cadwalader,	Helm,	Monks,	Stank,
Chervenak,	Hering,	Mooney,	Stine,
Chudoff,	Herman,	Moran,	Tarr,
Cochran,	Hersch,	Muir,	Tate,
Cohen, M. M.,	Hewitt,	Munley,	Taylor,
Cohen, R. E.,	Holland,	Nagel,	Thompson, E. F.,
Cordier,	Huntley,	Nunemacher,	Thompson, R. L.,
Corrigan,	James,	O'Brien,	Trout,
Croop,	Jefferson,	O'Dare,	Turner,
Dalrymple,	Jones, P. N.,	O'Mullen,	Van Allsburg,
Dennison,	Keenan,	O'Neill,	Verona,
DiGenova,	Kenehan,	Owens,	Vincent,
Dix,	Kline,	Petrosky,	Vogt,
Dolon,	Knoble,	Pettit,	Voldow,
D'Ortona,	Kolankiewicz,	Polaski,	Voorhees,
Duffy,	Komorowski,	Polen,	Wagner,
Early,	Krise,	Powers,	Watkins,
Elder,	Lee, E. A.,	Prosen,	Weiss,
Elliott,	Lee, T. H.,	Rank,	Welsh, E. B.,
Ely,	Leisey,	Readinger,	Wilkinson,
Falkenstein,	Leonard,	Reagan,	Williams,
Finestone,	Lesko,	Reese, D. P.,	Winner,
Flannerty,	Levy,	Reese, R. E.,	Wolf,
Floss,	Leydic,	Regan,	Wood, N.,
Fletcher,	Lichtenwalter,	Reynolds,	Woodring,
Flynn,	Longo,	Rhea,	Woodside,
Foor,	Lyons,	Riley,	Yester,
French,	Malloy,	Rooney,	Young,
Gallagher,	Marks,	Rosenfeld,	Kilroy,
Gerard,	Maxwell,		Speaker.

NAYS—0

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

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

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 811, as follows:

An Act to 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 denaturization 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 manufacturers of wine

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

Section 1 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 denaturalization 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" as last amended by the act approved the eighteenth day of July one thousand nine hundred and thirty-five (P. L. 1283) and section three of the act approved the sixteenth day of June one thousand nine hundred and thirty-seven (P. L. 1811) is hereby further amended to read as follows

Section 3 It shall be unlawful for any person without a license from the Commonwealth obtained as hereinafter provided except as exempted by section five hereof to manufacture produce distill develop or use in the process of manufacture denature distill recover rectify blend reuse hold in bond hold in storage as bailee for hire or transport for hire within this Commonwealth any alcohol or alcoholic liquid [except that a person may manufacture wine out of grapes grown in Pennsylvania by fermentation only and with no alcohol or alcoholic product added thereto by way of fortification, and sell the same to permit-holding winery or to Pennsylvania State Stores upon the filing by such manufacturer of a bond in the penal sum of five hundred dollars (\$500) and the securing of a permit] [at a fee of twenty dollars (\$20) per annum The bond and permit shall be under the same terms and provisions as other bonds and permits provided for by this act Any person may manufacture wine out of grapes grown by him without a permit or without filing a bond for the purpose of selling the same to a permit-holding winery or to Pennsylvania State Stores]

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—182

Achterman,	Goodwin,	McClanaghan,	Rosenfeld,
Baker,	Greenwood,	McClester,	Royer,
Balthasar,	Gryskewicz,	McDermott,	Rush,
Bentley,	Gyger,	McDowell,	Sarraf,
Bentzel,	Habbyhaw,	McFall,	Scanlon,
Boles,	Haberlen,	McGrath,	Schwab,
Boney,	Haines,	McIntosh,	Serrill,
Bower,	Hall,	McKinney,	Shaffer,
Bradley,	Hamilton,	McLanahan,	Shaw,
Bretherick,	Hare,	McLane,	Shepard,
Brown,	Harkins,	McMillen,	Simons,
Brunner, P. A.	Harmuth,	McSurdy,	Skale,
Burns,	Heatherington,	Melchiorre,	Snyder,
Cadwalder,	Helm,	Mohr,	Sorg,
Chervinak,	Hering,	Monks,	Stambaugh,
Chudoff,	Herman,	Mooney,	Stank,

Cochran,	Hersch,	Moran,	Stine,
Cohen, M. M.,	Hewitt,	Moul,	Tarr,
Cohen, R. E.,	Holland,	Muir,	Tate,
Cordier,	Huntley,	Munley,	Taylor,
Corrigan,	James,	Nagel,	Thompson, E. F.,
Croop,	Jefferson,	Nunemacher,	Thompson, R. L.,
C. Lymple,	Jones, P. N.,	O'Brien,	Trout,
Dennison,	Keenan,	O'Dare,	Turner,
DiGenova,	Kenehan,	O'Mullen,	Van Allsburg,
Dix,	Kilne,	O'Neill,	Verona,
Dolon,	Knoble,	Owens,	Vincent,
D'Ortona,	Kolankiewicz,	Petrosky,	Vogt,
Duffy,	Komorowski,	Pettit,	Voldow,
Early,	Krise,	Polaski,	Voorhees,
Elder,	Lee, E. A.,	Polen,	Wagner,
Elliott,	Lee, T. H.,	Powers,	Watkins,
Ely,	Lelsey,	Prosen,	Wels,
Falkenstein,	Leonard,	Rank,	Welsh, E. B.,
Finestone,	Lesko,	Readinger,	Wilkinson,
Finnerty,	Levy,	Reagan,	Williams,
Fiss,	Leydic,	Reese, David P.,	Winner,
Fletcher,	Lichtenwalter,	Reese, R. E.,	Wolf,
Flynn,	Longo,	Regan,	Wood, N.,
Foor,	Lyons,	Reynolds,	Woodring,
French,	Malloy,	Rhea,	Woodside,
Gallagher,	Marks,	Riley,	Yester,
Gerard,	Maxwell,	Rooney,	Young,
Gillan,			Kilroy, Speaker.

NAYS—1

Burris,

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. 830, as follows:

An Act to amend the act approved the twenty-ninth day of November 1933 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

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

Section 1 Sections 2 3 201 401 406 subsection (b) of section 409 sections 410 411 412 413 the first paragraph of section 414 the first paragraph of section 415 sections 503 602 604 607 subsection (d) of section 609 and section 611 of 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" as last amended by the act approved the sixteenth day of June one thousand nine hundred and thirty-seven (P. L. 1762) are hereby further amended to read as follows

Section 2 Definitions The following words or phrases unless the context clearly indicates otherwise shall have the meanings ascribed to them in this section

"Association" shall mean a partnership limited partnership or any form of unincorporated enterprise owned by two or more persons

"Board" shall mean the Pennsylvania Liquor Control Board of this Commonwealth

"Club" shall mean any reputable group of individuals associated together not for profit for legitimate purposes of mutual benefit entertainment fellowship or lawful convenience having some primary interest and activity to which the sale of liquor shall be only secondary which if incorporated has been in continuous existence and operation for at least one year and if first licensed after the effective date of these amendments shall have been incorporated in this Commonwealth and if unincorporated for at least ten years immediately preceding the date of its application for a license under this act and which regularly occupies as owner or lessee a clubhouse or quarters for the use of members Continuous existence must be proven by satisfactory evidence The board shall refuse to issue a license if it appears that the charter is not in possession of the original incorporators or their direct or legitimate successors The club shall hold regular meetings conduct its business through officers regularly elected admit members by written application investigation and ballot and charge and collect dues from elected members and maintain such records as the board shall from time to time prescribe

"Original container" shall mean all bottles casks kegs or other suitable containers that have been securely capped sealed or corked by the manufacturer or winery at the place of manufacture or production with the name and address of the manufacturer or winery of the malt or brewed beverages or natural wines contained or to be contained therein permanently affixed to the bottle cask keg or other container or to the cap or cork used in sealing the same or to a label securely affixed to a bottle

"Corporation" shall mean a corporation or joint-stock association organized under the laws of this Commonwealth the United States or any other state territory or foreign country or dependency

"Hotel" shall mean any reputable place operated by responsible persons of good reputation where the public may for a consideration obtain sleeping accommodations with meals and which in a city has at least ten and in any other place at least six permanent bedrooms for the use of guests a public dining room or rooms operated by the same management accommodating at least thirty persons at one time and a kitchen apart from the public dining room or rooms in which food is regularly prepared for the public

The word "alcohol" means ethyl alcohol originally produced by the distillation of any fermented liquid whether rectified or diluted with or without water whatever may be the origin thereof and shall include synthetic ethyl alcohol but shall not mean or include ethyl alcohol whether or not diluted that has been denatured or otherwise rendered unfit for beverage purposes

"Liquor" shall mean and include any alcoholic spirituous vinous fermented or other alcoholic beverage or combination of liquors and mixed liquor a part of which

is spirituous vinous fermented or otherwise alcoholic including all drinks or drinkable liquids preparations or mixtures and reused recovered or redistilled denatured alcohol usable or taxable for beverage purposes which contain more than one-half of one per cent of alcohol by volume except pure ethyl alcohol [and] malt or brewed beverages and natural wines

"Malt or Brewed Beverages" means any beer lager beer ale porter or similar fermented malt liquor containing one-half of one per centum or more of alcohol by volume by whatever name such liquor may be called

"Manufacturer" shall mean any person association or corporation engaged in the producing manufacturing distilling rectifying or compounding of liquor alcohol [and] malt or brewed beverages and natural wines in this Commonwealth or elsewhere

"Municipality" shall mean any city borough incorporated town or township of this Commonwealth

"Natural Wines" shall mean any beverage obtained by the natural fermentation only of the sugar contents of fruits or other agricultural products containing sugar or by adding sugar and to which no alcohol or alcoholic product has been added by way of fortification and which contains one-half of one per centum or more of alcohol by volume

"Package" shall mean any container or containers or receptacle or receptacles used for holding liquor or alcohol as marketed by the manufacturer

"Person" Every natural person association or corporation Whenever used in a clause prescribing or imposing a fine or imprisonment or both the term "person" as applied to "association" shall mean the partners or members thereof and as applied to "corporation" shall mean the officers thereof except as to incorporated clubs the term "person" shall mean such individual or individuals who under the by-laws of such club shall have jurisdiction over the possession and sale of liquor therein

"Restaurant" shall mean a reputable place operated by responsible persons of good reputation and habitually and principally used for the purpose of providing food for the public the place to have an area within a building of not less than four hundred square feet equipped with tables and chairs accommodating at least thirty persons at one time

"Sale" or "Sell" shall include any transfer of liquor alcohol [or] malt or brewed beverages or natural wines for a consideration "Winery" shall mean and include all persons holding licenses issued by the board to engage in the production transportation and sale of natural wines and all persons engaged in the local production of natural wines within the territorial limits of the United States outside the Commonwealth of Pennsylvania

Section 3 Interpretation of Act (a) This act shall be deemed an exercise of the police power of the Commonwealth for the protection of the public welfare health peace and morals of the people of the Commonwealth and to prohibit forever the open saloon and all of the provisions of this act shall be liberally construed for the accomplishment of this purpose

(b) The provisions of this act are severable and if any of its provisions shall be held unconstitutional the decision of the court shall not affect or impair any of the remaining provisions of this act It is hereby declared to be the legislative intent that this act would have been adopted had such unconstitutional provisions not been included herein

(c) Except as otherwise expressly provided the purpose of this act is to prohibit transactions in liquor alcohol [and] malt or brewed beverages and natural wines which take place in this Commonwealth except by and under the control of the board as herein specifically provided and every section and provision of the act shall be construed accordingly The provisions of this act dealing with the importation sale and disposition of liquor alcohol [and] malt or brewed beverages and natural wines within the Commonwealth through the instrumentality of the board and otherwise provide the means by which such control shall be made effective

This act shall not be construed as forbidding affecting or regulating any transaction which is not subject to the legislative authority of this Commonwealth.

(d) Any reference in this act to the provisions of law on any subject shall apply to statutes becoming effective after the effective date of this act as well as to those then in existence.

(e) Section headings shall not be taken to govern or limit the scope of the sections of this act. The singular shall include the plural and the masculine shall include the feminine and the neuter.

Section 201 General Powers of Board Under this act the board shall have the power and its duty shall be

(a) To buy import or have in its possession for sale and sell liquor and alcohol in the manner set forth in this act.

Provided however That all purchases shall be made subject to the approval of the Auditor General or his designated deputy.

(b) To control the manufacture production possession sale consumption importation use transportation and delivery of liquor alcohol [and] malt or brewed beverages and natural wines in accordance with the provisions of this act and to fix the wholesale and retail prices at which liquors and alcohol shall be sold at Pennsylvania liquor stores. Provided That in fixing sale prices the board shall not give any preference or make any discrimination as to classes brands or otherwise except where special sales are deemed necessary to move unsalable merchandise. The board shall require each Pennsylvania manufacturer and each nonresident manufacturer of liquors other than wine selling such liquors to the board which are not manufactured in this Commonwealth to make application for and be granted a permit by the board before such liquors not manufactured in this Commonwealth shall be purchased from such manufacturer. Each such manufacturer shall pay for such permit a fee which in the case of a manufacturer of this Commonwealth shall be equal to that required to be paid if any by a manufacturer or wholesaler of the state territory or country of origin of the liquors for selling liquors manufactured in Pennsylvania and in the case of a nonresident manufacturer shall be equal to that required to be paid if any in such state territory or country by Pennsylvania manufacturers doing business in such state territory or country. In the event that any such manufacturer shall in the opinion of the board sell or attempt to sell liquors to the board through another person for the purpose of evading this provision relating to permits the board shall require such person before purchasing liquors from him or it to take out a permit and pay the same fee as hereinbefore required to be paid by such manufacturer. All permit fees so collected shall be paid into the State Stores Fund. The board shall not purchase any liquor fermented distilled rectified compounded or bottled in any state territory or country the laws of which result in prohibiting the importation therein of liquors fermented distilled rectified compounded or bottled in Pennsylvania.

(c) To determine the municipalities within which Pennsylvania Liquor Stores shall be established and the locations of the stores within such municipalities.

(d) To grant issue suspend and revoke all licenses and permits authorized to be issued under this act and the regulations of the board.

(e) Through the Department of Property and Supplies as agent to lease and furnish and equip such buildings rooms and other accommodations as shall be required for the operation of this act.

(f) To appoint fix the compensation and define the powers and duties of such managers officers inspectors examiners clerks and other employees as shall be required for the operation of this act subject to the provisions of The Administrative Code of 1929 except as otherwise provided in this act.

Such employees of the board as are designated "enforcement officer" or "investigator" are hereby declared to be peace officers and are hereby given police power

and authority throughout the Commonwealth to arrest on view except in private homes without warrant any person actually engaged in the unlawful sale importation manufacture production or transportation or having unlawful possession of liquor alcohol or malt or brewed beverages or natural wines contrary to the provisions of this act or any other law of this Commonwealth. Such officers and investigators shall have power and authority upon reasonable and probable cause to search for and to seize without warrant or process except in private homes any liquor alcohol [and] malt or brewed beverages and natural wines unlawfully possessed manufactured sold imported or transported and any stills equipment materials utensils vehicles boats vessels animals aircraft or any of them which are or have been used in the unlawful manufacture sale importation or transportation of the same. Such liquor alcohol malt or brewed beverages natural wines stills equipment materials utensils vehicles boats vessels animals or aircraft so seized shall be disposed of as hereinafter provided.

(g) To determine the nature form and capacity of all packages and original containers to be used for containing liquor alcohol or malt or brewed beverages or natural wines any other law to the contrary notwithstanding.

(h) Without in any way limiting or being limited by the foregoing to do all such things and perform all such acts as are deemed necessary or advisable for the purpose of carrying into effect the provisions of this act and the regulations made thereunder.

Section 401 Authority to Issue Liquor Licenses to Hotels Restaurants and Clubs (a) Subject to the provisions of this act and regulations promulgated under this act the board shall have authority to issue a liquor license for any premises kept or operated by a hotel restaurant or club and specified in the license entitling the hotel restaurant or club to purchase liquor from a Pennsylvania Liquor Store and to keep on the premises such liquor and subject to the provisions of this act and the regulations made thereunder to sell the same and also malt or brewed beverages and natural wines to guests patrons or members for consumption on the hotel restaurant or club premises. Such licensees other than clubs shall be permitted to sell malt or brewed beverages for consumption off the premises where sold in quantities of not more than seventy-two fluid ounces in a single sale to one person and natural wines in quantities of not more than one hundred twenty-eight fluid ounces in a single sale to one person. Such licenses shall be known as hotel liquor licenses restaurant liquor licenses and club liquor licenses respectively. No person who holds either by appointment or election any public office which involves the duty to enforce any of the penal laws of the United States of America or the penal laws of the Commonwealth of Pennsylvania or any penal ordinance or resolution of any municipal subdivision of this Commonwealth shall be issued any hotel or restaurant liquor license nor shall such a person have any interest directly or indirectly in any such license.

Section 406 All Licensees to Furnish Bond A liquor license shall not be granted and issued to any hotel restaurant or club until the applicant therefor has filed with the board an approved bond payable to the Commonwealth of Pennsylvania in the amount of two thousand dollars (\$2,000). Such bond shall have as surety a duly authorized surety company or shall have deposited therewith as collateral security cash or negotiable obligations of the United States of America or the Commonwealth of Pennsylvania in the same amount as herein provided for the penal sum of bonds. In all cases where cash or securities in lieu of other surety have been deposited with the board the depositor shall be permitted to continue the same deposit from year to year on each renewal of license but in no event shall he be permitted to withdraw his deposit during the time he holds said license or until six months after the expiration of the license held by him or while revocation proceedings are

pending against such license All cash or securities received by the board in lieu of other surety shall be turned over by the board to the State Treasurer and held by him The State Treasurer shall repay or return money or securities deposited with him to the respective depositors only on the order of the board After notice from the board that such a bond has been forfeited the State Treasurer shall immediately pay into the State Stores Fund all cash deposited as collateral with such a bond and when securities have been deposited as collateral with such a bond the State Treasurer shall sell at private sale at not less than the prevailing market price any such securities so deposited as collateral with any such forfeited bond The State Treasurer shall thereafter deposit in the State Stores Fund the net amount realized from the sale of such securities except that if the amount so realized after deducting proper costs and expenses is in excess of the penal amount of the bond such excess shall be paid over by him to the obligor on such forfeited bond All such bonds shall be conditioned for the faithful observance of all the laws of this Commonwealth relating to alcoholic liquors alcohol [and] malt or brewed beverages and natural wines Such bond shall be filed with and retained by the board Every such bond shall be turned over to the Department of Justice to be collected if and when the licensee's license shall have been revoked and his bond forfeited as provided in this act

Section 409 License Year Renewal of Licenses

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(b) All applications for renewal of licenses shall be filed at least sixty days before the expiration date of same and not thereafter Unless the board shall have given ten days' previous notice of objections to the renewal of his license based upon violation by the licensee or his servants agents or employes of any of the laws of the Commonwealth or regulations of the board relating to the manufacture transportation use storage importation possession or sale of liquors alcohol [or] malt or brewed beverages or natural wines or the conduct of a licensed establishment or unless the applicant has by his own act become a person of ill repute or unless the premises do not meet the requirements of this act and the regulations of the board the license of a licensee shall be renewed when the applicant shall file with the board a new approved bond and shall pay the requisite application fee and license fee specified in this act

Section 410 Revocation and Suspension of License Upon learning of any violation of this act or any laws of this Commonwealth relating to liquor alcohol [or] malt or brewed beverages or natural wines or of any regulations of the board adopted pursuant to such laws or any violation of any laws of this Commonwealth or of the United States of America relating to the tax payment of liquor or malt [or] brewed beverages or natural wines by any licensee his officers servants agents or employes or upon any other sufficient cause shown the board may within one year from the date of such violation or cause appearing cite such licensee to appear before it or its examiner not less than ten nor more than fifteen days from the date of sending such licensee by registered mail a notice addressed to him at his licensed premises to show why such license should not be suspended or revoked Hearings on such citation shall be held in the same manner as provided herein for hearings on applications for license Upon such hearing if satisfied that any such violation has occurred or for other sufficient cause the board shall immediately suspend or revoke the license notifying the licensee thereof by registered letter addressed to his licensed premises When a license is revoked the licensee's bond may be forfeited by the board Any licensee whose license is revoked shall be ineligible to have a license under this act or under any other act of the Commonwealth of Pennsylvania relating to the manufacture transportation or sale of liquor [or] malt or brewed beverages or natural wines until the expiration of three years from the date such license was revoked In the event the board

shall revoke a license no license shall be granted for the premises or transferred to the premises in which the said license was conducted for a period of at least one year after the date of the revocation of the license conducted in the said premises except in cases where the licensee or a member of his immediate family is not the owner of the premises in which case the board may in its discretion issue or transfer a license within said year In all such cases the board shall file of record at least a brief statement in the form of an opinion of the reasons for the ruling or order In the event the person whose license was suspended or revoked by the board shall feel aggrieved by the action of the board he shall have the right to appeal to the court of quarter sessions in the same manner as herein provided for appeals from refusals to grant licenses Such appeal shall act as a supersedeas unless upon sufficient cause shown the court shall determine otherwise In those cases where the board shall suspend a license the board may accept from the licensee an offer in compromise as a penalty in lieu of such suspension and thereupon rescind such suspension In the case of hotel restaurant and club licensees the offer in compromise shall be at the rate of ten dollars for each day of suspension and in the case of importers and sacramental wine licensees the offer in compromise shall be at the rate of thirty dollars per day No offer in compromise may be accepted by the board in those cases where the suspension is for a period in excess of one hundred days

Section 411 Sales of Liquor by Licensees Every hotel restaurant or club licensee may sell liquor [and] malt or brewed beverages and natural wines by the glass open bottle or other container and in any mixture for consumption only in that part of the hotel or restaurant habitually used for the serving of food to guests or patrons and in the case of hotels to guests and in the case of clubs to members in their private rooms in the hotel or club No club licensee nor its officers servants agents or employes other than one holding a catering license shall sell any liquor [or] malt or brewed beverages or natural wines to any person except a member of the club No club holding a catering license nor its officers servants agents or employes shall sell on Sunday to non-members any liquor [or] malt or brewed beverages or natural wines In the case of a restaurant located in a hotel which is not operated by the owner of the hotel and which is licensed to sell liquor under this act liquor may be sold for consumption in that part of the restaurant habitually used for the serving of meals to patrons and also to guests in private guest rooms in the hotel

Hotel restaurant and public service licensees their servants agents or employes may sell liquor [and] malt or brewed beverages and natural wines only after seven o'clock antemeridian of any week day and until two o'clock antemeridian of the following week day and shall not sell on Sunday or after two o'clock antemeridian on any day on which a general municipal special or primary election is being held until one hour after the time fixed by law for closing the polls No club licensee or its servants agents or employes may sell liquor [or] malt or brewed beverages or natural wines between the hours of three o'clock antemeridian and seven o'clock antemeridian on any day

The board may with the approval of the Governor temporarily close all licensed places within any municipality during any period of emergency proclaimed to be such by the Governor

The board may with the approval of the Governor advance by one hour the hours herein prescribed as those during which liquor [and] malt or brewed beverages and natural wines may be sold in any municipality during such part of the year when daylight saving time may be observed generally in such municipality

Section 412 Sale of Malt or Brewed Beverages Every license issued to a hotel restaurant club or a railroad pullman or steamship company under this act for the sale of liquor shall authorize the licensee to sell malt or brewed beverages and natural wines at the same places but subject to the same restrictions and penalties as apply to sales of liquor except that licensees other than

clubs may sell malt or brewed beverages for consumption off the premises where sold in quantities of not more than seventy-two fluid ounces in a single sale to one person and natural wines in quantities of not more than one hundred twenty-eight fluid ounces in a single sale to one person. No licensee under this act shall at the same time be the holder of any other license except a retail dispensers license authorizing the sale of malt or brewed beverages and natural wines only.

Section 413 Public Service Liquor Licenses Subject to the provisions of this act and regulations promulgated under this act the board upon application shall issue liquor licenses to railroad or pullman companies permitting liquor [and] malt or brewed beverages and natural wines to be sold in dining club or buffet cars to passengers for consumption while en route on such railroad and may issue liquor licenses to steamship companies permitting liquor [or] malt or brewed beverages or natural wines to be sold in the dining compartments of steamships or vessels wherever operated in the Commonwealth except when standing or moored in stations terminals or docks within a municipality wherein sales of liquor for consumption on the premises are prohibited. Such licenses shall be known as public service liquor licenses. The board may issue a master license to railroad or pullman companies to cover the maximum number of cars which the company shall estimate that it will operate within the Commonwealth on any one day. Such licensees shall file monthly reports with the board showing the maximum number of cars operated in any one day during the preceding month and if it appears that more cars have been operated than covered by its license it shall forthwith remit to the board the sum of twenty dollars for each extra car so operated.

For the purpose of considering an application by a steamship company for a public service liquor license the board may cause an inspection of the steamship or vessel for which a license is desired. The board may in its discretion grant or refuse the license applied for and there shall be no appeal from its decision except that an action of mandamus may be brought against the board in the manner provided by law.

Every applicant for a public service liquor license shall before receiving such license pay to the board for each of the maximum number of dining club or buffet cars which the applicant estimates it will have in operation on any one day an annual fee of twenty dollars (\$20) and for each steamship or vessel for which a license is desired an annual fee of one hundred dollars (\$100).

A public service liquor license shall not be granted and issued to any railroad pullman or steamship company until the applicant therefor has filed with the board a surety bond similar to that required to be filed by a hotel restaurant or club licensee under this act except that in the case of a railroad or pullman company such bond shall cover every dining club or buffet car of such company operated under a license issued under this section.

Unless previously revoked every license heretofore issued by the board under this section shall expire and terminate on the thirty-first day of December in the year for which the license is issued. Licenses issued under the provisions of this section shall be renewed annually as herein provided upon the filing of applications in such form as the board shall prescribe but no license shall be renewed until the applicant shall file with the board a new surety bond and shall pay the requisite license fee specified in this section.

Sales of liquor [and] malt or brewed beverages and natural wines by public service licensees shall be made in accordance with and shall be subject to the provisions of this act relating to the sale of liquors by restaurant licensees.

Section 414 Sacramental Wine Licenses Every applicant for a sacramental wine license shall file a written application with the board in such form as the board shall from time to time prescribe which shall be accompanied by a filing fee of ten dollars a license fee of one hundred dollars and a surety bond in the sum of ten thousand dollars conditioned for the faithful observance by the licensee of all the laws of this Commonwealth and the regulations

of the board relating to liquor alcohol [and] malt or brewed beverages and natural wines. Every such application shall contain a description of the premises for which the applicant desires a license and shall set forth such other material information as may be required by the board.

Section 415 Importers' Licenses Every applicant for an importer's license shall file a written application with the board in such form as the board shall from time to time prescribe which shall be accompanied by a filing fee of ten dollars a license fee of one hundred dollars and a surety bond in the sum of ten thousand dollars conditioned for the faithful observance by the licensee of all the laws of the Commonwealth and the regulations of the board relating to liquor alcohol [and] malt or brewed beverages and natural wines. Every such application shall contain a description of the principal place of business for which the applicant desires a license and shall set forth such other material information as may be required by the board.

Section 503 Unlawful to Sell Liquor for Consumption in Certain Local Option Areas It shall be unlawful for any person firm or corporation to sell liquor for consumption on the premises of any hotel restaurant club or other place after the expiration of his existing license in any local option area where the electors have voted against such sales but the sale of malt or brewed beverages or natural wines by retailers shall not be unlawful in such areas unless the electors have also voted to prohibit such sales as provided in the Beverage License Law.

Section 602 Unlawful Acts (1) Except as provided in this act it shall be unlawful for any person by himself or by an employe or agent to expose or keep for sale or directly or indirectly or upon any pretense or upon any devise to sell or offer to sell any liquor within this Commonwealth but this clause shall not be construed to prohibit hospitals physicians dentists or veterinarians who are licensed and registered under the laws of this Commonwealth from administering liquor in the regular course of their professional work and taking into account the cost of the liquor so administered in making charges for their professional service or a pharmacist duly licensed and registered under the laws of this Commonwealth from dispensing liquor on a prescription of a duly licensed physician dentist or veterinarian or selling medical preparations containing alcohol or using liquor in compounding prescriptions or medicines and making a charge for the liquor used in such medicines or a manufacturing pharmacist or chemist from using liquor in manufacturing preparations unfit for beverage purposes and making a charge for the liquor so used. All such liquors so administered or sold by hospitals physicians dentists veterinarians pharmacists or chemists shall conform to the Pharmacopoeia of the United States the National Formulary or the American Homeopathic Pharmacopoeia.

(2) It shall be unlawful for any person except a manufacturer or the board or the holder of a sacramental wine license or of an importer's license to possess or transport any liquor or alcohol within this Commonwealth which was not lawfully acquired prior to January first one thousand nine hundred and thirty-four or has not been purchased from a Pennsylvania Liquor Store or in accordance with the board's regulations. The burden shall be upon the person possessing or transporting such liquor or alcohol to prove that it was so acquired. But nothing herein contained shall prohibit the manufacture or possession of wine by any person in his home for consumption of himself his family and guests and not for sale not exceeding during any one calendar year two hundred gallons any other law to the contrary notwithstanding. Such wine shall not be manufactured possessed offered for sale or sold on any licensed premises.

(3) It shall be unlawful for any person within this Commonwealth by himself or by an employe or agent to attempt to purchase or directly or indirectly or upon any pretense or devise whatsoever to purchase any liquor or alcohol from any person or source other than a Pennsylvania Liquor Store except in accordance with the provisions of this act or the regulations of the Board.

(4) It shall be unlawful for any person except a manu-

facturer or the board or the holder of a sacramental wine license or of an importer's license or a priest clergyman or rabbi who has purchased wine from the holder of a sacramental wine license to have or keep any liquor within the Commonwealth unless the package (except the decanter or other receptacle containing liquor for immediate consumption) in which the liquor is contained has while containing that liquor been sealed with the official seal of the board. The use of decanters or other similar receptacles by licensees shall be permitted only in the case of wines and then only in accordance with the regulations of the board but nothing herein contained shall prohibit the manufacture and possession of wine as provided in clause (b) of this section.

(5) It shall be unlawful for any licensee or the board or any employe servant or agent of such licensee or of the board to sell furnish or give any liquor [or] malt or brewed beverages or natural wines or to permit any liquor [or] malt or brewed beverages or natural wines to be sold furnished or given to any person visibly intoxicated or to any insane person or to any minor or to habitual drunkards or persons of known intemperate habits.

(6) It shall be unlawful for any licensee his agent servant or employe to sell or offer to sell or purchase or receive any liquor [or] malt or brewed beverages or natural wines except for cash excepting credit extended by a hotel or club to a bona fide guest or member. No right of action shall exist to collect any claim for credit extended contrary to the provisions of this clause. Nothing herein contained shall prohibit a licensee from crediting to a purchaser the actual place charged for package or original containers returned by the original purchaser as a credit on any sale or from refunding to any purchaser the amount paid by such purchaser for containers or as a deposit on containers when title is retained by the vendor if such original containers or packages have been returned to the licensee. Nothing herein contained shall prohibit a manufacturer from extending usual and customary credit for liquor [or] malt or brewed beverages or natural wines sold to customers or purchasers who live or maintain places of business outside of the Commonwealth of Pennsylvania when the liquor [or] malt or brewed beverages or natural wines so sold are actually transported and delivered to points outside of the Commonwealth. Provided however That as to all transactions affecting malt or brewed beverages or natural wines to be resold or consumed within this Commonwealth every licensee shall pay and shall require cash deposits on all returnable original containers which contain not more than one hundred twenty-eight fluid ounces.

(7) It shall be unlawful for any licensee or the board or any employe servant or agent of a licensee or of the board to sell offer to sell or furnish any liquor [or] malt or brewed beverages or natural wines to any person on a pass book or store order or to receive from any person any goods wares merchandise or other articles in exchange for liquor or malt or brewed beverages.

(8) It shall be unlawful for any person to hawk or peddle any liquor in this Commonwealth.

(9) It shall be unlawful for any licensee or his servants agents or employes except a manufacturer on his own premises to display in any manner whatsoever on the outside of any licensed premises or on any lot of ground on which the licensed premises are situate or on any building of which the licensed premises are a part any advertisement whatever relating to liquor [or] malt or brewed beverages or natural wines unless the actual value of such advertisement if hereafter erected shall not be more than twenty-five dollars. No sign or advertisement leased furnished or sold by a manufacturer importer importing distributor or distributor shall contain thereon anything except the trade name trade-mark or place of manufacture of the liquor or malt or brewed beverages manufactured or sold by him.

(10) It shall be unlawful for any manufacturer or licensee or his servants agents or employes to hereafter give furnish lease or sell or for any other licensee to hereafter lease purchase or receive for display or to display on the inside of any licensed premises any advertising matter indicating the trade-mark or trade name of

any particular liquor [or] malt or brewed beverages or natural wines or the manufacturer producer or place of manufacture or production of any liquor or malt or brewed beverages unless the actual value of such advertising device including all displays in connection therewith shall not exceed ten dollars (\$10). It shall be unlawful for any licensee to display or permit to be displayed any window or exterior advertising except in accordance with the regulations of the board.

(11) It shall be unlawful for any licensee his servants agents or employes to advertise or hold out for sale any liquor [or] malt or brewed beverages or natural wines by trade name or other designation which would indicate the manufacturer or place of production of the said liquor [or] malt or brewed beverages or natural wines unless he shall actually have on hand and for sale a sufficient quantity of the particular liquor [or] malt or brewed beverages or natural wines so advertised to meet requirements to be normally expected as a result of such advertisement or offer.

(12) It shall be unlawful for any licensee his agents servants or employes to furnish or serve any malt or brewed beverages from any faucet spigot or other dispensing apparatus unless the trade name or brand of the product served shall appear in full sight of the customer and in legible lettering upon such faucet spigot or dispensing apparatus.

(13) It shall be unlawful for any licensee or his servants agents or employes to transport sell deliver or purchase any malt or brewed beverages or natural wines upon which there shall appear a label or other informative data which in any manner refers to the alcoholic contents of the malt or brewed beverage or natural wines or which refers in any manner to the original alcoholic strength extract or balling proof from which such malt or brewed beverage was produced. This clause shall not be construed to prohibit a manufacturer from designating upon the label or descriptive data the alcoholic contents of malt or brewed beverages or natural wines intended for shipment into another state or territory when the laws of such state or territory require that the alcoholic content of the malt or brewed beverage or natural wines must be stated upon the package.

(14) It shall be unlawful for any licensee except club licensees to permit in any licensed premises or in any place operated in connection therewith dancing theatricals floor shows or moving picture exhibitions of any sort unless the licensee shall first have obtained from the board a special permit to provide such entertainment or for any licensee under any circumstances to permit in any licensed premises any lewd immoral or improper entertainment regardless of whether a permit to provide entertainment has been obtained or not. The board shall have power to provide for the issue of such special permits and to collect a fee for such permits equal to one-fifth of the annual license fee but not less than twenty-five dollars (\$25). All such fees shall be paid into the State Stores Fund. No such permit shall be issued in any municipality which by ordinance prohibits amusements in licensed places. Any violation of this clause shall in addition to the penalty herein provided subject the licensee to suspension or revocation of his permit and his liquor license.

(15) It shall be unlawful for any manufacturer or other licensee to issue publish or post or cause to be issued published or posted any advertisement of any malt or brewed beverage or natural wines including a label which shall refer in any manner to the alcoholic strength of the malt or brewed beverage or natural wine manufactured sold or distributed by such licensees or to use in any advertisement or label such words as "full strength" "extra strength" "high test" "high proof" "pre-war strength" or similar words or phrases which would lead or induce a consumer to purchase a brand of malt or brewed beverage or natural wine on the basis of its alcoholic content or to use in or on any advertisement or label any numeral unless adequately explained in type of the same size prominence and color or for any licensee to purchase transport sell or distribute any malt or brewed beverage or natural wine advertised or labeled contrary to the provisions of this clause.

(16) It shall be unlawful for any retail licensee his

agent; servants or employes to furnish give or sell below a fair cost any lunch to any consumer except such articles of food as the board may authorize and approve

(17) It shall be unlawful for any person to have alcohol in his possession except in accordance with this act and the regulations of the board

(18) It shall be unlawful for any hotel restaurant or club licensee or any servant agent or employe of such licensee to be at the same time employed directly or indirectly by any other person engaged in the manufacture sale transportation or storage of liquor malt or brewed beverages natural wines or alcohol

(19) It shall be unlawful for any licensee to fail to keep on the licensed premises for a period of at least two years complete and truthful records covering the operation of his licensed business particularly showing the date of all purchases of liquor [and] malt or brewed beverages and natural wines the actual price paid therefor and the name of the vendor including State store receipts or to refuse the board or an authorized employe of the board access thereto or the opportunity to make copies of the same when the request is made during business hours

(20) It shall be unlawful for any hotel restaurant or club licensee to employ any minor or to permit any minor to render any service whatever in or about the licensed premises except in accordance with board regulations nor shall any entertainer be employed or permitted to perform in any licensed premises in violation of the labor laws of this Commonwealth

(21) It shall be unlawful for any hotel restaurant or club licensee his servants agents or employes to permit persons of ill repute known criminals prostitutes or minors to frequent his licensed premises or any premises operated in connection therewith except minors accompanied by parents guardians or under proper supervision

(22) It shall be unlawful for any licensee or his servants agents or employes to cash pay roll checks except in accordance with board regulations

(23) It shall be unlawful for any restaurant hotel or club licensee his servants agents or employes to fail to break any package in which liquors were contained within twenty-four hours after the original contents were removed therefrom

(24) It shall be unlawful for any licensee his servants agents or employes to give furnish trade barter serve or deliver any liquor [or] malt or brewed beverages or natural wines to any person during hours or on days when the licensee is prohibited by this act from selling liquor [or] malt or brewed beverages or natural wines

(25) It shall be unlawful for any licensee or any officer director stockholder servant agent or employe of any licensee to own any interest directly or indirectly in or be employed or engaged in any business which involves the manufacture or sale of any equipment furnishings or fixtures to any hotel restaurant or club licensee licensed under this act or to any importing distributors distributors package retailers or retail dispensers licensed under any other act of this Commonwealth relating to liquor [or] malt or brewed beverages or natural wines

(26) It shall be unlawful for any restaurant or hotel licensee his servants agents or employes to sell any liquor [or] malt or brewed beverages or natural wines for consumption on the licensed premises except in a room or rooms or place on the licensed premises at all times accessible to the use and accommodation of the general public but this section shall not be interpreted to prohibit a hotel licensee or a restaurant licensee when the restaurant is located in a hotel from selling liquor [or] malt or brewed beverages or natural wines in any room of such hotel occupied by a bona fide guest

(27) It shall be unlawful for any restaurant hotel or club licensee or the servants agents or employes of such licensees to display on the outside of any licensed premises or to display any place within the licensed premises if it can be seen from the outside of the licensed premises any advertisement whatsoever referring directly or indirectly to the price at which the licensee will sell liquor [or] malt or brewed beverages or natural wines except in the interior of the licensed premises where the display cannot be seen from the outside the price at which liquor

[or] malt or brewed beverages or natural wines will be sold by him

(28) It shall be unlawful for any licensee or his servants agents or employes to refuse the board or any of its authorized employes the right to inspect completely the entire licensed premises at any time during which the premises are open for the transaction of business

(29) It shall be unlawful for any licensee or his servants agents or employes to offer pay make or allow or for any licensee or his servants agents or employes to solicit or receive any allowance or rebate refunds or concessions whether in the form of money or otherwise to induce the purchase of liquor [or] malt or brewed beverages or natural wines or any other commodity manufactured or sold by the licensee

(30) It shall be unlawful for any licensee or any agent employe or representative of any licensee to give or permit to be given directly or indirectly money or anything of substantial value in an effort to induce agents employes or representatives of customers or prospective customers to influence their employer or principal to purchase or contract to purchase liquor [or] malt or brewed beverages or natural wines from the donor of such gift or to influence such employers or principals to refrain from dealing or contracting to deal with other licensees

Section 604 Things of Value Not to be Offered It shall be unlawful for any licensee or the board or any manufacturer or any employe or agent of a manufacturer licensee or of the board to offer to give anything of value or to solicit or receive anything of value as a premium for the return of caps stoppers corks stamps or labels taken from any bottle case barrel or package containing liquor [or] malt or brewed beverage or natural wine or to offer or give or solicit or receive anything of value as a premium or present to induce the purchase of liquor [or] malt or brewed beverage or natural wine or for any other purpose whatsoever in connection with the sale of such liquor [or] malt or brewed beverage or natural wine or for any licensee manufacturer or other person to offer or give to trade or consumer buyers any prize premium gift or other similar inducement except advertising novelties of nominal value which the board shall define Provided however That this section shall not apply to the return of any monies specifically deposited for the return of the original containers to the owners thereof

Section 607 Restrictions on Members and Employes of the Board (a) A member or employe of the board shall not be directly or indirectly interested or engaged in any other business or undertaking dealing in liquor alcohol [or] malt or brewed beverages or natural wines whether as owner part owner partner member of syndicate shareholder agent or employe and whether for his own benefit or in a fiduciary capacity for some other person

(b) No members or employe of the board nor any employe of the Commonwealth shall solicit or receive directly or indirectly any commission remuneration or gift whatsoever from any person having sold selling or offering liquor or alcohol for sale to the board for use in Pennsylvania Liquor Stores

(c) It shall be unlawful for any person selling or offering to sell liquor or alcohol to or purchasing at wholesale liquor or alcohol from the board either directly or indirectly to pay or offer to pay any commission profit or remuneration or to make or offer to make any gift to any member or employe of the board or other employe of the Commonwealth or to anyone on behalf of such member or employe

Section 609 Interlocking Business Prohibited

* * * * *

(d) Excepting as herein provided no hotel licensee restaurant licensee or club licensee and no officer director stockholder agent or employe of any such licensee shall in any wise be interested either directly or indirectly in the ownership or leasehold of any property or the equipment of any property or any mortgage lien against the same used by a manufacturer in manufacturing liquor [or] malt or brewed beverages or natural wines nor shall any hotel restaurant or club licensee or any officer director stockholder agent or employe of any such licensee either directly or indirectly lend any moneys credit or

give anything of value or the equivalent thereof to any manufacturer for equipping fitting out or maintaining and conducting either in whole or in part an establishment used for the manufacture of liquor or malt or brewed beverages

Section 611 Forfeiture of Property Illegally Possessed or Used (a) No property rights shall exist in any liquor alcohol malt or brewed beverage or natural wine illegally possessed or in any still equipment material utensil vehicle boat vessel animals or aircraft used in the illegal manufacture or illegal transportation of liquor alcohol malt or brewed beverages or natural wines and the same shall be deemed contraband and shall be forfeited to the Commonwealth No such property when in the custody of the law shall be seized or taken therefrom on any writ of replevin or like process

(b) If upon petition as hereinafter provided and hearing before the court of quarter sessions it appears that any liquor alcohol [or] malt or brewed beverage or natural wine was so illegally possessed or property so used in the illegal manufacture production or transportation of liquor alcohol [or] malt or brewed beverage or natural wine such liquor alcohol or brewed beverage natural wine or property shall be adjudged forfeited and condemned and shall be disposed of as hereinafter provided unless the court shall otherwise order

(1) Upon the conviction of any person of a violation of any of the provisions of this act the court shall order the sheriff to destroy all such condemned liquor alcohol [or] malt or brewed beverage or natural wine and property seized or obtained from such defendants except that the court may order the liquor alcohol [or] malt or brewed beverages or natural wines or any part thereof to be delivered to a hospital for its use and make return to the court of compliance with said order Except that any vehicle container boat vessel animals or aircraft seized under the provisions of this act shall be disposed of as hereinafter provided

(2) In any case in which (I) the defendant is acquitted of a violation of this act and denies the ownership or possession thereof or (II) no claimant appears for same or (III) appearing is unable to sustain his claim therefor the court shall order all such condemned liquor alcohol [and] malt or brewed beverages and natural wines and property (except vehicles boats vessels containers animals and aircraft) publicly destroyed by the sheriff except that the court may order the liquor alcohol [or] malt or brewed beverages and natural wines or any part thereof to be delivered to a hospital for its use Return of compliance with said order shall be made by the sheriff to the court

(3) In the case of any vehicle boat vessel container animal or aircraft seized under the provisions of this act and condemned the court shall order the same to be delivered to the board for its use or for sale or disposition by the board in its discretion Notice of such sale shall be given in such manner as the board may prescribe The proceeds of such sale shall be paid into the State Stores Fund

(c) In addition to the foregoing provisions the court may in its order of condemnation and in every conviction under this act where it shall appear that liquor alcohol [or] malt or brewed beverages or natural wines were unlawfully transported in a motor vehicle declare that the license issued by the Department of Revenue for any motor vehicle so forfeited and condemned or issued to any defendant convicted of transporting liquor alcohol [or] malt or brewed beverages or natural wines in any motor vehicle shall be forfeited and revoked and it shall be the duty of the clerk of the court in which such conviction is had and order of condemnation made to certify such conviction to the Secretary of Revenue who shall suspend or revoke the license issued for such motor vehicle Provided That a license may be issued for such motor vehicle to the board or to any purchaser of the vehicle after the sale thereof as above provided

(d) (1) The proceedings for the forfeiture or condemnation of all property shall be in rem in which the Com-

monwealth shall be the plaintiff and the property the defendant A petition shall be filed in the court of quarter sessions verified by oath or affirmation of any officer or citizen containing the following (I) A description of the property so seized (II) a statement of the time and place where seized (III) the owner if known (IV) the person or persons in possession if known (V) an allegation that the same had been possessed or used or was intended for use in violation of this act (VI) and a prayer for an order of forfeiture that the same be adjudged forfeited to the Commonwealth unless cause be shown to the contrary

(2) A copy of said petition shall be served personally on said owner if he can be found within the jurisdiction of the court or upon the person or persons in possession at the time of the seizure thereof Said copy shall have endorsed thereon a notice as follows

"To the Claimant of Within Described Property

You are required to file an answer to this petition setting forth your title in and right to possession of said property within fifteen (15) days from the service hereof and you are also notified that if you fail to file said answer a decree of forfeiture and condemnation will be entered against said property"

Said notice shall be signed by petitioner or his attorney or the district attorney or the Attorney General

(3) If the owner of said property is unknown or outside the jurisdiction of the court and there was no person in possession of said property when seized or such person so in possession can not be found within the jurisdiction of the court notice of said petition shall be given by an advertisement in only one newspaper of general circulation published in the county where such property shall have been seized once a week for two (2) successive weeks No other advertisement of any sort shall be necessary any other law to the contrary notwithstanding Said notice shall contain a statement of the seizure of said property with a description thereof the place and date of seizure and shall direct any claimants thereof to file a claim therefor on or before a date given in said notice which date shall not be less than ten (10) days from the date of the last publication

(4) Upon the filing of any claim for said property setting forth a right of possession thereof the case shall be deemed at issue and a time be fixed for the hearing thereof

(5) At the time of said hearing if the Commonwealth shall produce evidence that the property in question was unlawfully possessed or used the burden shall be upon the claimant to show (I) that he is the owner of said property (II) that he lawfully acquired the same and (III) that it was not unlawfully used or possessed In the event such claimant shall prove by competent evidence to the satisfaction of the court that said liquor alcohol [or] malt or brewed beverage or natural wine or still equipment material utensil vehicle boat vessel container animal or aircraft was lawfully acquired possessed and used then the court may order the same returned or delivered to the claimant but if it appears that the property was unlawfully used it shall be destroyed or be turned over to the board (as the case may be) as hereinabove provided

(e) The provisions of this section shall apply to the disposition of any liquor alcohol [or] malt or brewed beverage or natural wine or property in the custody of the law or of any officer at the time of the passage of this act

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

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

On the question,

Shall the bill pass finally?

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

YEAS—182

Achtman,	Gillan,	McClanaghan,	Rush,
Baker,	Goodwin,	McDermott,	Sarraf,
Balthaser,	Greenwood,	McDowell,	Scanlon,
Bentley,	Gryskewicz,	McFall,	Schwab,
Bentzel,	Cyger,	McGrath,	Serrill,
Boles,	Habbyshaw,	McIntosh,	Shaffer,
Boney,	Haberlen,	McKinney,	Shaw,
Bower,	Haines,	McLanahan,	Shepard,
Bradley,	Hall,	McLane,	Simons,
Bratherick,	Hamilton,	McMillen,	Skale,
Brown,	Hare,	McSurdy,	Snyder,
Brunner, P. A.	Harkins,	Melchiorre,	Sorg,
Burns,	Harmuth,	Modell,	Stambaugh,
Burriss,	Heatherington,	Monks,	Stank,
Cadwader,	Heim,	Mooney,	Stine,
Chervonak,	Hering,	Moran,	Tarr,
Chudoff,	Herman,	Moul,	Tate,
Cochran,	Hersch,	Muir,	Taylor,
Cohen M. M.	Hewitt,	Munley,	Thompson, E. P.
Cohen R. E.,	Holland,	Nagei,	Thompson, R. L.
Cordie,	Huntley,	Nunemacher,	Trout,
Corrigan,	James,	O'Brien,	Turner,
Croop,	Jefferson,	O'Darc,	VanAillsburg,
Dalyapple,	Jones, P. N.,	O'Mullen,	Verona,
Dennison,	Keenan,	O'Neill,	Vincent,
DiGeneva,	Kenahan,	Owens,	Vogt,
Dix,	Kline,	Petrosky,	Voidow,
Dolon,	Knoble,	Pettit,	Voorhees,
D'Ortoia,	Kolankiewicz,	Polaski,	Wagner,
Duffy,	Komorowski,	Polen,	Watkins,
Early,	Krise,	Powers,	Welss,
Elder,	Lee, E. A.,	Prosen,	Weish, E. E.,
Elliot,	Lee, T. H.,	Rank,	Wilkinson,
Ely,	Leisey,	Readinger,	Williams,
Falkentein,	Leonard,	Reagan,	Wluner,
Finestone,	Lesko,	Reese, D. P.,	Wolf,
Finnerly,	Levy,	Reese, R. E.,	Wood, N.,
Fiss,	Leydic,	Regan,	Woodring,
Fletcher,	Lichtenwalter,	Reynolds,	Woodside,
Flynn,	Longo,	Rhea,	Yester,
Foot,	Lyons,	Riley,	Young,
French,	Malloy,	Rooney,	Kilroy,
Gallagher,	Marks,	Rosenfeld,	
Gerard,	Maxwell,	Royer,	Speaker.

NAYS—1

McCleser,

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. 831, as follows:

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 and authorizing retail dispensers to sell natural wines without further license

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

Section 1 The title of and the entire 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" as last re-enacted and amended by the act approved the sixteenth day of June one thousand nine hundred and thirty-seven (P. L. 1827) are hereby re-enacted and further amended to read as follows

An Act to regulate and restrain the traffic in malt and brewed beverages and natural wines as herein defined providing for the licensing of the manufacture transportation sale and distribution of such beverages and wines 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 or wines 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

Section 1 Short Title This act shall be known and may be cited as the "Beverage License Law"

Section 2 Definitions The following words and terms as used in this act shall be construed as defined in this section

(a) The term "malt or brewed beverage" means any beer lager beer ale porter or similar fermented malt or brewed beverage containing one-half of one per centum or more of alcohol by volume by whatever name such malt or brewed beverages may be called

(b) The word "person" means and includes natural persons associations partnerships and corporations

(c) The word "manufacturer" means and includes all persons holding licenses issued by the board to engage in the manufacture transportation and sale of malt or brewed beverages also all persons engaged in the legal manufacture of malt or brewed beverages within the territorial limits of the United States outside the Commonwealth of Pennsylvania

(d) The term "distributor" means and includes persons licensed by the board to engage in the purchase only from Pennsylvania manufacturers and from importing distributors and the resale of malt or brewed beverages or of malt or brewed beverages and natural wines except to importing distributors and distributors in the original sealed containers as prepared for the market by the manufacturer at the place of manufacture but not for consumption on the premises where sold [and in quantities of not less than two hundred eighty-eight fluid ounces]

(e) The term "importing distributor" means and includes persons licensed by the board to engage in the purchase from manufacturers and other persons located outside this Commonwealth and from persons licensed as manufacturers and importing distributors under this act and the resale of malt or brewed beverages or malt or brewed beverages and natural wines in the original sealed containers as prepared for the market by the manufacturer at the place of manufacture but not for consumption on the premises where sold [and in quantities of not less than two hundred eighty-eight fluid ounces]

(g) The term "retail dispenser" means and includes persons licensed to engage in the retail sale of malt or brewed beverages and natural wines for consumption on the premises of such licensee with the privilege of selling

malt or brewed beverages in quantities not in excess of seventy-two fluid ounces and natural wines in quantities not in excess of one hundred twenty-eight fluid ounces in a single sale to one person to be carried from the premises by the purchaser thereof

(g) The term "original containers" means and includes bottles casks kegs or other suitable containers that have been securely capped sealed or corked by the manufacturer or winery at the place of manufacture or production with the name and address of the manufacturer or winery permanently affixed to the bottle cask keg or other container or to the cap or cork used in sealing same or to a label securely affixed to a bottle

(h) The term "license" means and includes both the person making the application therefor and the premises upon which the privileges of the license are to be exercised and includes licenses issued under the provisions of this act

(i) "Eating place" means a premise where food is regularly and customarily prepared and sold having a total area of not less than three hundred square feet available to the public in one or more rooms other than living quarters and equipped with tables and chairs accommodating thirty persons at one time

(j) "Club" means any reputable group of individuals associated together not for profit for legitimate purposes of mutual benefit entertainment fellowship or lawful convenience having some primary interest and activity to which the sale of malt and brewed beverages or natural wines shall be only secondary which if incorporated has been in continuous existence and operation for at least one year and if first licensed after the effective date of these amendments shall have been incorporated in this Commonwealth and if unincorporated for at least ten years immediately preceding the date of its application for a license under this act and which regularly occupies as owner or lessee a club house or quarters for the use of members Continuous existence must be proven by satisfactory evidence The board shall refuse to grant a license if it appears that the charter is not in possession of the original incorporators or their direct and legitimate successors the club shall hold regular meetings conduct its business through officers regularly elected admit members by written application investigation and ballot and charge and collect dues from elected members and maintain such records as the board may prescribe

(k) "Board" means the Pennsylvania Liquor Control Board of this Commonwealth

(l) As used in this act the singular shall include the plural and the masculine gender shall include the feminine and neuter

(m) The term "manufacture" shall mean and include all means methods and processes used employed and made uses of to produce make and manufacture for commercial purposes malt or brewed beverages from raw materials

(n) "Hotel" shall mean any reputable establishment operated by responsible persons of good reputation where the public may for a consideration obtain sleeping accommodations and meals and which in a city has at least ten and in any other place at least six permanent bedrooms for the use of guests and a public dining room or rooms operated by the same management accommodating at least thirty persons at one time and a kitchen in which food is regularly prepared for the public apart from the public dining room or rooms

(o) The term "sale" or "sell" shall include any transfer of malt or brewed beverages or natural wines for a consideration

(p) "Natural wines" shall mean any beverage obtained by the natural fermentation only of the sugar contents of fruits or other agricultural products containing sugar or by adding sugar and to which no alcohol or alcoholic product has been added by way of fortification and which contains one-half of one per centum or more of alcohol by volume

(q) "Special license" shall mean a license issued to a distributor or importing distributor authorizing him to sell natural wines

(r) "Winery" shall mean and include all persons holding licenses issued by the board to engage in the produc-

tion transportation and sale of natural wines and all persons engaged in the legal production of natural wines within the territorial limits of the United States outside the Commonwealth of Pennsylvania

Section 3 Sales for Consumption on the Premises It shall be unlawful for any person to sell to another for consumption upon the premises where sold or to permit another to consume upon the premises where sold any malt or brewed beverages or natural wines unless such person holds a valid retail dispenser license issued under this act permitting such sale or a valid license issued under any other act authorizing the sale of spirituous and vinous liquors and malt or brewed beverages for consumption upon such premises

Section 4 Sales Not for Consumption on the Premises It shall be unlawful for any person to sell to another except as herein otherwise provided in the case of retail dispensers or as may be otherwise authorized by law any malt or brewed beverages or natural wines not for consumption upon the premises where sold unless such person holds a valid license issued under this act permitting such sale

Section 5 Manufacturers' Distributors' and Importing Distributors' licenses (a) It shall be unlawful for any person to manufacture or produce malt or brewed beverages or natural wines unless such person holds a valid manufacturer's license issued by the board The board shall issue to any person a resident of this Commonwealth of good repute who applies therefor pays the license fee hereinafter prescribed and files the bond hereinafter required a manufacturer's license to produce and manufacture malt or brewed beverages or natural wines and to transport sell and deliver malt or brewed beverages or natural wines at or from one or more places of manufacture or storage only in original containers in quantities

of not less than two hundred eighty-eight fluid ounces anywhere within the Commonwealth Each individual applicant for manufacturer's license and in the case of partnerships and associations each member thereof shall be a citizen of the United States and have been residents of this Commonwealth at least two years prior to the date of their respective applications In the case of corporations organized or registered under the laws of this Commonwealth it must appear that all of the officers and directors and the owners of at least fifty-one per centum of the capital stock of the corporation are citizens of the United States and have for a period of at least two years prior to the date of application been residents of this Commonwealth Licenses for places of storage shall be limited to those maintained by manufacturers on July 18, 1935 and thereafter the board shall issue no licenses for places of storage in addition to those maintained on July 18, 1935 The application for such license shall be in such form and contain such information as the board shall require All such licenses shall be granted for the calendar year Every manufacturer shall keep at his or its principal place of business within the Commonwealth daily permanent records which shall show (a) the quantities of raw materials received and used in the manufacture of malt or brewed beverages and the quantities of malt or brewed beverages manufactured and stored (b) the sales of malt or brewed beverages (c) the quantities of malt or brewed beverages stored for hire or transported for hire by or for the licensee and (d) the names and addresses of the purchasers or other recipients thereof Every place licensed as a manufacturer shall be subject to inspection by members of the board or by persons duly authorized and designated by the board at any and all times of the day or night as they may deem necessary (a) for the detection of violations of this act or of the rules and regulations of the board or (b) for the purpose of ascertaining the correctness of the records required to be kept by licensees The books and records of such licensees shall at all times be open to inspection by members of the board or by persons duly authorized and designated by the board Members of the board and its duly authorized agents shall have the right without hindrance to enter any place which is subject to inspection hereunder or any place where such records are kept for

the purpose of making such inspections and making transcripts thereof

(b) The board shall issue to any reputable person who applies therefor and pays the license fee hereinafter prescribed and files the bond hereinafter required a distributor's or importing distributor's license for the place which such person desires to maintain for the sale of malt or brewed beverages or natural wines not for consumption on the premises where sold and in quantities of not less than two hundred eighty-eight fluid ounces and in original containers as prepared for the market by the manufacturer at the place of manufacture. Such licenses shall be issued only to reputable individuals, partnerships and associations who are or whose members are citizens of the United States and have for two years prior to the date of their applications been residents of the Commonwealth of Pennsylvania or to reputable corporations organized or duly registered under the laws of the Commonwealth of Pennsylvania. Such licenses shall be issued to corporations duly organized or registered under the laws of the Commonwealth of Pennsylvania only when it appears that all of the officers and directors of the corporation are citizens of the United States and have been residents of the Commonwealth of Pennsylvania for a period of at least two years prior to the date of application and that at least fifty-one per centum of the capital stock of such corporation is actually owned by individuals who are citizens of the United States and have been residents of the Commonwealth of Pennsylvania for a period of at least two years prior to the date of application. Such license shall authorize the holder thereof to sell or deliver malt or brewed beverages in quantities of not less than two hundred eighty-eight fluid ounces anywhere within the Commonwealth of Pennsylvania which in the case of distributors have been purchased only from persons licensed under this act as manufacturers or importing distributors and in the case of importing distributors have been purchased from manufacturers or persons outside this Commonwealth engaged in the legal sale of malt or brewed beverages or natural wines or from manufacturers or importing distributors licensed under this act.

(c) The board shall issue to any person to whom it shall issue a distributor's or importing distributor's license and who applies therefor and pays the additional license fee hereinafter required a special distributor's license or a special importing distributor's license as the case may be for the place covered by the distributor's or importing distributor's license. Such special license shall authorize the holder thereof to sell or deliver natural wines not for consumption on the premises where sold anywhere within the Commonwealth of Pennsylvania which have been purchased from a licensed winery or from an importing distributor holding a special license under this act or from any Pennsylvania Liquor Store. Importing distributors may purchase natural wines only from the persons from whom distributors may purchase and in addition thereto from producers and persons outside this Commonwealth engaged in the legal sale of natural wines.

Section 6 [Malt or Brewed Beverages] Retail Dispensers Licenses (a) Subject to the restrictions hereinafter provided in this act and upon being satisfied of the truth of the statements in the application that the premises and the applicant meet all the requirements of this act and regulations of the board that the applicant seeks a license for a reputable hotel eating place or club as defined in this act the board shall in the case of a hotel or eating place grant and issue and in the case of a club may in its absolute discretion grant and issue to the applicant a retail dispensers license.

In the case of hotels and eating places licenses shall be issued only to reputable persons who are citizens of the United States and have for two years been residents of the Commonwealth of Pennsylvania at the date of their application or to reputable corporations organized or duly registered under the laws of the Commonwealth of Pennsylvania all of whose officers and directors are citizens of the United States. In the case of incorporated clubs licenses shall be issued only to those incorporated under the laws of Pennsylvania.

No retail dispensers license shall be granted in any municipality or township in which the electors shall as here-

inafter provided have voted against the licensing therein of places where malt or brewed beverages or malt or brewed beverages and natural wines may be sold for consumption on the premises where sold.

(b) In the case of any new license or the transfer of any license to a new location the board shall in its discretion grant or refuse such new license or transfer if such place proposed to be licensed is within three hundred feet of any church, hospital, charitable institution, school or public playground or if such new license or transfer is applied for a place where the principal business conducted is the sale of liquid fuels and oil. The board shall not issue new licenses except as herein otherwise provided in any license district more than twice each license year effective from specific dates fixed by the board and new licenses shall not be granted unless the application therefor is filed at least thirty days before the effective date of the license. Every applicant for a new or for the transfer of an existing license to another premises not then licensed shall post for a period of at least fifteen days beginning with the day the application is filed with the board in a conspicuous place on the outside of the premises or in a window plainly visible from the outside of the premises for which the license is applied a notice of such application in such form of such size and containing such provisions as the board may require by its regulations. Proof of the posting of such notice shall be filed with the board.

Section 7 License Hearings Appeals from Refusal of Licenses The board may of its own motion and shall upon the written request of any applicant for license or for renewal or transfer thereof whose application for such license renewal or transfer has been refused fix a time and place for hearing of such application for license or for renewal or transfer thereof notice of which hearing shall be mailed to the applicant at the address given in his application. Such hearing shall be before the board a member thereof or an examiner designated by the board. At such hearing the board shall present its reasons for its refusal or withholding of license renewal or transfer thereof. The applicant may appear in person or by counsel may cross-examine the witnesses for the board and may present evidence which shall likewise be subject to cross-examination by the board. Such hearing shall be stenographically recorded. The examiner shall thereafter report to the board upon such hearing. The board shall thereupon grant or refuse the license renewal or transfer thereof. If the board shall refuse such license renewal or transfer following such hearing notice in writing of such refusal shall be mailed to the applicant at the address given in his application. In all such cases the board shall file of record at least a brief statement in the form of an opinion of the reasons for the ruling or order. Any person aggrieved by the refusal of the board to issue renewal or transfer a license may appeal to the court of quarter sessions of the county in which the premises applied for are located within twenty days of date of refusal. Such appeal shall be upon petition of the applicant who shall serve a copy thereof upon the board. The court shall hear the application de novo at such time as it shall fix of which notice shall be given to the board. The court shall either sustain the refusal of the board or order an issuance of the license to the applicant. There shall be no further appeal. Any appeal shall act as a supersedeas unless upon sufficient cause shown the court shall determine otherwise.

Section 8 Public Service Licenses The board may issue public service malt and brewed beverage and natural wine licenses to a railroad pullman or steamship company permitting malt or brewed beverages and natural wines to be sold at retail in dining club or buffet cars or the dining compartments of steamships or vessels for consumption on the trains, steamships or vessels wherever operated in the State except when standing in stations or terminals within a municipality wherein retail sales are prohibited. Such licenses shall only be granted to reputable persons and for fit places. The board may issue a master license to railroad or pullman companies to cover the maximum number of cars which the company shall estimate that it will operate within the Commonwealth on

any one day Such licensees shall file monthly reports with the board showing the maximum number of cars operated at any time on any day during the preceding month and if it appears that more cars have been operated than covered by its license it shall forthwith remit to the board the sum of ten dollars for each extra car so operated The board shall have the power to suspend or revoke any such licenses for cause after granting a hearing thereon to the licensee Any person aggrieved by the decision of the board in refusing suspending or revoking any such license may appeal to the court of quarter sessions of Dauphin County in the same manner as provided in this act for appeals from refusals of license

Section 9 License Year Mercantile License Exemption (a) Licenses issued under this act to distributors importing distributors and retail dispensers shall unless revoked in the manner provided in this act be valid for the license year which may be established by the board for the particular license district in which the license issues

(b) Licenses issued under this act to manufacturers and public service companies shall unless revoked in the manner provided in this act be valid for the calendar year for which they are issued Licenses to manufacturers and public service companies may be issued at any time during a calendar year

No licensee under this act shall be required to obtain any mercantile license whatsoever to sell malt or brewed beverages or natural wines and every licensee under this act who is also the holder of a mercantile license may deduct the gross income received from sales of malt or brewed beverages or natural wines from his gross income from all sources in making his returns for mercantile license tax purposes

Section 10 Filing of Applications for Distributors' Importing Distributors' [and] Retail Dispensers' and Special Licenses Every person intending to apply for a distributor's importing distributors' [or] retail dispensers' or special license as aforesaid in any municipality or township of this Commonwealth shall file with the board his or its application All such applications shall be filed at a time to be fixed by the board for the particular license district as set up by the board under the provisions of the Pennsylvania Liquor Control Act [The] Except in the case of applications for special licenses the applicant shall at the time of filing the application and bond pay said board the filing fee of ten dollars as specified in this act

Section 11 Application for Distributors' Importing Distributors' [and] Retail Dispensers' and Special Licenses Application for distributors' importing distributors' and retail dispensers' licenses shall contain the following information and statements

(a) The name and residence of the applicant and how long he has resided there and if an association partnership or corporation the residences of the members officers and directors for the period of two years next preceding the date of such application

(b) The particular place for which the license is desired and a detailed description thereof

(c) Place of birth of applicant and if a naturalized citizen where and when naturalized and if a corporation organized or registered under the laws of the Commonwealth when and where incorporated with the names and addresses of each officer and director all of whom shall be citizens of the United States if the application is for a distributor's importing distributor's license and the applicant therefor is a corporation the application shall also contain a statement that all of the officers and directors are citizens of the United States have been residents of the Commonwealth of Pennsylvania for a period of at least two years prior to the date of application and the further statement that at least fifty-one per centum of the capital stock of the corporation is actually owned by individuals who are citizens of the United States and who have been residents of the Commonwealth of Pennsylvania for a period of at least two years prior to the date of application together with the names and addresses of all stockholders

(d) Name of owner of premises and his residence

(e) That the applicant is not or in case of a partnership or association that the members or partners are not and

in the case of a corporation that the officers and directors are not in any manner pecuniarily interested either directly or indirectly in the profits of any other class of business regulated under this act except as hereinafter permitted

(f) That applicant is the only person in any manner pecuniarily interested in the business so asked to be licensed and that no other person shall be in any manner pecuniarily interested therein during the continuance of the license except as hereinafter permitted

(g) Whether applicant or in case of a partnership or association any member or partner thereof or in case of a corporation any officer or director thereof has during the three years immediately preceding the date of said application had a license for the sale of malt or brewed beverages or spirituous and vinous liquors revoked or has during the same period been convicted of any criminal offense and if so a detailed history thereof

(h) A full description of that portion of the premises for which license is asked and if any other business is to be conducted concurrently with the sale and distribution of malt or brewed beverages or natural wines a full history of such business relating the nature thereof the length of time it has so previously been conducted by the applicant or his predecessor at such location and such additional information as the board may require

(i) Every club applicant shall file with and as a part of its application a list of the names and addresses of its members directors officers agents and employes together with the dates of their admission election or employment and such other information with respect to its affairs as the board shall require The board shall refuse to issue licenses to clubs when it appears that the operation of the club license would inure to the benefit of individual members officers agents or employes of the club rather than to the benefit of the entire membership of the club or if incorporated it was not incorporated in Pennsylvania

Every application for a special distributor's or special importing distributor's license shall accompany the application for the distributor's or importing distributor's licenses in connection with which it is desired and shall refer to such other application without repeating the facts contained therein

There shall be annexed to such application a certificate signed by at least twelve reputable qualified electors of the ward borough or township in which such malt or brewed beverages or natural wines are to be sold setting forth that they have been acquainted with the applicant or applicants or the members of the association or partnership or the directors and officers of the corporation where the applicant is a corporation that they have good reason to believe that each and all the statements contained in the petition are true and they therefore believe that the application should be granted and that the license should issue

The application must be verified by affidavit of applicant and if any false statement is intentionally made in any part of the application the affiant shall be deemed guilty of the crime of perjury A license shall not be granted by the board unless the application contains the information herein required and the premises meet such reasonable sanitary requirements as the board by regulation shall prescribe

Section 12 Prohibitions Against the Grant of Licenses

(a) Any retail dispenser may be granted licenses to maintain operate or conduct any number of places for the sale of malt or brewed beverages and natural wines but a separate license must be secured for each place where malt or brewed beverages and natural wines are sold

(b) No person shall possess or be issued more than one distributor's importing distributor's license no person shall possess or be issued more than one class of license except that distributor's and special distributor's licenses and importing distributor's and special importing distributor's licenses may be possessed by and issued to the same person No distributor or importing distributor shall maintain or operate any place where sales are made other than that for which the license is granted No distributor or importing distributor shall maintain any place for the storage of malt or brewed beverages or natural wines

except in the same municipality or township in which the licensed premises is located and unless the same has been approved by the board. In the event there is no place of cold storage in the same municipality or township the board may approve for an importing distributor or distributor a place of cold storage in the nearest municipality or township. No distributor's importing distributor's or package retailer's license shall be issued for any premises in any part of which there is operated any retail license for the sale of liquor or malt or brewed beverages and natural wines.

(c) Licenses shall be granted by the board only to reputable individuals or to associations partnerships and corporations whose numbers or officers and directors are reputable individuals.

A retail dispenser license shall not be issued to any individual unless such individual for one year immediately preceding the date of his application has been a resident of the county wherein his place of business is or is to be located.

No special distributor's or special importing distributor's license shall be granted to any person unless a distributor's license or importing distributor's license is also issued to him.

No person who holds either by appointment or election any public office which involves the duty to enforce any of the penal laws of the United States of America or any of the penal laws of the Commonwealth of Pennsylvania or any penal ordinance or resolution of any municipal subdivision of this Commonwealth shall be issued any manufacturer's importing distributor's distributor's or retail dispenser's license nor shall such a person have any interest directly or indirectly in any such license.

Section 13 Revocation and Suspension of Licenses Upon learning of any violation of this act or any laws of this Commonwealth relating to liquor alcohol [or] malt or brewed beverages or natural wines or of any regulations of the board adopted pursuant to such laws or any intentional violation of any laws of this Commonwealth or of the United States of America relating to the tax-payment of liquor [or] malt or brewed beverages or natural wines by any licensee his officers servants agents or employees or upon any other sufficient cause shown the board may within one year from the date of such violation or cause appearing cite such licensee to appear before it or its examiner not less than ten nor more than fifteen days from the date of sending such licensee by registered mail a notice addressed to him at his licensed premises to show cause why such license should not be suspended or revoked. Hearings on such citations shall be held in the same manner as provided herein for hearings on applications for license. Upon such hearing if satisfied that any such violation has occurred or for other sufficient cause the board shall immediately suspend or revoke the license notifying the licensee thereof by registered letter addressed to his licensed premises. When a license is revoked the licensee's bond may be forfeited by the board. Any licensee whose license is revoked shall be ineligible to have a license under this act or under any other act of the Commonwealth of Pennsylvania relating to the manufacture transportation or sale of liquor [or] malt or brewed beverages or natural wines until the expiration of three years from the date such license was revoked. In the event the board shall revoke a license no license shall be granted for the premises or transferred to the premises in which the said license was conducted for a period of at least one year after the date of the revocation of the license conducted in the said premises except in cases where the licensee or a member of his immediate family is not the owner of the premises in which case the board may in its discretion issue or transfer a license within the said year. In all such cases the board shall file a record at least a brief statement in the form of an opinion of the reasons for the ruling or order. In the event the person whose license was suspended or revoked by the board shall feel aggrieved by the action of the board he shall have the right to appeal to the court of quarter sessions in the same manner as herein provided for appeals from refusals to

grant licenses. In those cases where the board shall suspend a license the board may accept from the licensee an offer in compromise as a penalty in lieu of such suspension and thereupon rescind such suspension. In the case of a manufacturer the offer in compromise shall be at the rate of one hundred dollars (\$100) for each day of suspension in the case of an importing distributor thirty dollars (\$30) and if also the holder of a special license then forty dollars (\$40) for each day of suspension and a distributor twenty dollars (\$20) and if also the holder of a special license then twenty-five dollars (\$25) for each day of suspension and in the case of a retail dispenser or transporter for hire ten dollars (\$10) for each day of suspension. No offer in compromise may be accepted by the board in those cases where the suspension is for a period in excess of 100 days.

Section 14 Licenses Not Assignable Transfers (a) Licenses issued under this act may not be assigned. The board upon payment of the transfer filing fee and the execution of a new bond is hereby authorized to transfer any license issued by it from one person to another or from one place to another or both within the same municipality or township as the board may determine but no transfer shall be made to a person who would not have been eligible to receive the license originally nor for the transaction of business at a place for which the license could not lawfully have been issued originally nor except as herein provided to a place as to which a license has been revoked. Except in cases of emergency such as death serious illness or circumstances beyond the control of the licensee as the board may determine such circumstances to justify its action transfers of licenses may be made only at time fixed by the board. In the case of the death of a licensee the board may transfer the license to the surviving spouse or personal representative or to a person designated by him. From any refusal to grant a transfer the person aggrieved shall have the right to appeal to the court of quarter sessions of the county in which the licensed premises are situated in the same manner as herein provided for appeals from refusals to grant licenses.

(b) In the event that any person to whom a license shall have been issued under the provisions of this act by the board shall become insolvent make an assignment for the benefit of creditors become a bankrupt by either voluntary or involuntary action the license of such person shall immediately terminate and be cancelled without any action on the part of the board and there shall be no refund made or credit given for the unused portion of the license fee for the remainder of the license year for which said license was granted. Thereafter no license shall be issued by the board for the premises wherein said license was conducted to any assignee committee trustee receiver or successor of such licensee until a hearing has been held by the board as in the case of a new application for license. In all such cases the board shall have the sole and final discretion as to the propriety of the issuance of a license for such premises and as to the time it shall issue and the period for which it shall be issued and shall have the further power to exact conditions under which said license shall be conducted.

Section 15 Applications for Transfers Fee Every applicant for a transfer of a license shall file a written application together with a filing fee of ten dollars with the board in such form as the board shall prescribe and at such time as the board shall fix and shall also file a bond as required on original applications for licenses.

Whenever any license is transferred no license or other fees shall be required from the persons to whom such transfer is made for the balance of the then current license year except the filing fee of ten dollars (\$10).

Section 16 Renewal of Licenses All applications for renewal of licenses shall be filed at least sixty days before the expiration of same and not thereafter as provided in board regulations. Unless the applicant shall have been formally notified by the board of objections to

the renewal of his license based upon violation by the licensee or his servants agents or employes of any of the laws of the Commonwealth or regulations of the board relating to the manufacture transportation use storage importation possession or sale of liquors alcohol [or] malt or brewed beverages or natural wines or the conduct of a licensed establishment or unless the applicant has by his own act become a person of ill repute or unless the premises do not meet the requirements of this act or the regulations of the board the license of a licensee shall be renewed when the applicant shall file with the board a new bond and shall pay the requisite filing fee and license fee specified in this act

[(c)] In case where a licensee or his servants agents or employes are arrested charged with violating any of the laws of this Commonwealth relating to liquor alcohol [or] malt or brewed beverages or natural wines and where the board has on file in such cases reports of its enforcement officers or investigators or from other source that a licensee or his servants agents or employes have violated any of the aforementioned laws and a proceeding to revoke such licensee's license is or is about to be instituted and such arrest occurs or report of violations is received or revocation proceeding instituted or about to be instituted during the time a renewal application of such license is pending before the board the board may in its discretion renew the license notwithstanding such alleged violations but such renewal license may be revoked by the board in the manner herein provided for the revocation of licenses if and when the licensee or any of his servants agents or employes are convicted of or plead guilty to violations under the previous license as aforesaid or if and when such previous license is for any reason revoked

In the event such renewal license is revoked by the board neither the license fee paid for such license nor any part thereof shall be returned to the licensee but the license bond filed with the application for such renewal of license shall not be forfeited

Section 17 Display of License Every licensee shall frame his or its license under a transparent substance and display the same in a conspicuous space so that it may easily be read in his or its place of business and no license shall authorize sales until this section has been complied with

Section 18 All Licensees to Furnish Bond No license shall be issued to any manufacturer distributor importing distributor or retail dispenser or to any railroad pullman or steamship company until the licensee shall have first executed a bond to the Commonwealth of Pennsylvania and a warrant of attorney to confess judgment in the penal sum hereinafter prescribed Bonds of all applicants shall have as surety a surety company authorized to do business in this Commonwealth or shall have deposited therewith as collateral security cash or negotiable obligations of the United States of America or the Commonwealth of Pennsylvania in the same amount as herein provided for the penal sum of bonds In all cases where cash or securities in lieu of other surety have been deposited with the board the depositor shall be permitted to continue the same deposit from year to year on each renewal of license but in no event shall he be permitted to withdraw his deposit during the time he holds said license or until six months after the expiration of the license held by him or while revocation proceedings are pending against such license All cash or securities received by the board in lieu of other surety shall be turned over by the board to the State Treasurer and held by him The State Treasurer shall repay or return money or securities deposited with him to the respective depositors only on the order of the board After notice from the board that such a bond has been forfeited the State Treasurer shall immediately pay into the State Stores Fund all cash deposited as collateral with such bond and when securities have been deposited with such a bond the State Treasurer shall sell at private sale at not less than the prevailing market price any such securities so deposited as collateral with any such forfeited bond The State

Treasurer shall thereafter deposit in the State Stores Fund the net amount realized from the sale of such securities except that if the amount so realized after deducting proper costs and expenses is in excess of the penal amount of the bond such excess shall be paid over by him to the obligor on such forfeited bond Such bonds shall not be accepted until approved by the board All such bonds shall be conditioned for the faithful observance of all the laws of this Commonwealth relating to alcohol alcoholic liquors [and] malt or brewed beverages and natural wines and the regulations of the board All bonds shall be filed with and retained by the board The penal sum of bonds filed by the manufacturer shall be ten thousand (\$10,000) dollars for each place at which the licensee is authorized to manufacture The penal sum of bonds filed by distributors shall be one thousand (\$1,000) dollars and for importing distributors two thousand (\$2,000) dollars No additional bond shall be required for special distributor's licenses or special importing distributor's licenses The penal sum of bonds filed by all other licensees shall be one thousand (\$1,000) dollars for each place at which the licensee is authorized to sell malt or brewed beverages and natural wines except that in the case of railroad pullman or steamship companies the penal sum of the bond to be filed shall be one thousand (\$1,000) dollars irrespective of the number of licensed cars or ships operated by such companies Every such bond may be forfeited when a license is revoked and shall be turned over to the Attorney General for collection if and when the licensee's license shall have been revoked and his bond forfeited as herein provided

Section 19 License Fees Distribution of Revenues No license shall be issued to any manufacturer distributor importing distributor or retail dispenser and no public service licenses shall be issued until the licensee shall have first paid an annual license fee as follows

(a) In the case of a manufacturer the license fee shall be one thousand (\$1,000) dollars for each place of manufacture and shall be paid to the board The fee for all such licenses when applied for and issued on or after April 1 but prior to July 1 shall be three-fourths of the annual fee July 1 but prior to October 1 shall be one-half of the annual fee October 1 but prior to January 1 shall be one-quarter of the annual fee

(b) In the case of a distributor the license fee shall be four hundred (\$400) dollars and if a special distributor's license is also granted then the license fee shall be four hundred fifty (\$450) dollars and shall be paid to the board

(c) In the case of an importing distributor the license fee shall be nine hundred dollars (\$900) and if a special importing distributor's license is also granted then the license fee shall be one thousand (\$1,000) dollars and shall be paid to the board

(d) In the case of a retail dispensers except clubs the license fee shall be graduated according to the population of the municipal unit or township in which the place of business is located and shall be paid to the board as follows

(1) Less than 10,000	\$100
(2) 10,000 and more but less than 50,000	150
(3) 50,000 and more but less than 100,000	\$200
(4) 100,000 and more but less than 150,000	250
(5) 150,000 and more	300

(e) In the case of a club the fee shall be twenty-five dollars in all cases and shall be paid to the board

(f) In the case of a public service license for cars the fee shall be ten dollars per car for the maximum number of cars operated on any one day on which malt or brewed beverages are sold to be paid to the board

(g) In the case of a public service license for the sale of malt or brewed beverages and natural wines on a boat or vessel the fee shall be fifty dollars for each such vessel or boat and shall be paid to the board

(h) The fee for filing applications for licenses and for renewals (except special licenses and renewals for

which there shall be no filing fee) shall be ten dollars which together with fees for transfers shall be paid to the board

() The license fees fixed by this section shall be paid before the license or renewal is issued

() The license fees for manufacturers distributors importing distributors and public service licenses special licenses and all filing fees for such licenses and all permit fees forfeitures and compromise penalties collected received or recovered under the provisions of this act shall be transmitted to the State Treasurer by the board and shall be paid into the State Stores Fund Fees paid for retail dispensers licenses shall be paid in the State Treasury through the Department of Revenue into the special fund known as the "Liquor License Fund" The moneys in the "Liquor License Fund" shall on the first days of February and August of each year be paid by the board to the municipalities and townships in which the licensed places are located in such amounts as represent the aggregate license fees collected from retail dispenser licensees in such municipalities and townships during the preceding period

(x) The board shall have the power to appropriate moneys in the Liquor License Fund for the payment of claims for refunds allowed and approved by the board for moneys paid into the Liquor License Fund because of the over-payment or overcharge on license fees In the event that the moneys in the Liquor License Fund have been distributed to the respective municipalities and townships the board shall have the authority to deduct from the next semiannual payment to the respective municipalities and townships the amount of any over-payment previously refunded by the board to any person on account of an overcharge or over-payment on a license fee

Section 20 Sales by Manufacturers Minimum Quantities No manufacturer shall sell any malt or brewed beverages for consumption on the premises where sold nor sell or deliver any such malt or brewed beverages in other than original containers approved as to capacity by the board nor in quantities of less than two hundred and eighty-eight (288) fluid ounces nor shall any manufacturer maintain or operate within the Commonwealth any place or places other than the place or places covered by his or its license where malt or brewed beverages are sold or where orders are taken

Section 21 Sales by Distributors and Importing Distributors No distributor or importing distributor shall purchase receive or resell any malt or brewed beverages or natural wines except in the original containers as prepared for the market by the manufacturer or winery at the place of manufacture or production No distributor or importing distributor shall sell any malt or brewed beverages in quantities of less than two hundred eighty-eight fluid ounces Provided That no malt or brewed beverages or natural wines sold or delivered shall be consumed upon the premises of the distributor or importing distributor or in any place provided for such purpose by such distributor or importing distributor

Section 22 Sales by Retail Dispensers (a) No retail dispenser shall purchase or receive any malt or brewed beverages or natural wines except in original containers as prepared for the market by the manufacturer or winery at the place of manufacture or production The retail dispenser may thereafter break the bulk upon the licensed premises and sell or dispense the same for consumption on or off the premises so licensed Provided however That no retail dispenser may sell malt or brewed beverages for consumption off the premises in quantities on excess of seventy-two fluid ounces nor any natural wines in quantities in excess of one hundred twenty-eight fluid ounces And provided further That no club licensee may sell any malt or brewed beverages or natural wines for consumption off the premises where sold or to persons not members of the club

No retail dispenser shall sell any malt or brewed beverages or natural wines for consumption on the licensed premises except in a room or rooms or place on

the licensed premises at all times accessible to the use and accommodation of the general public but this section shall not be interpreted to prohibit a retail dispenser from selling malt or brewed beverages or natural wines in a hotel or club house in any room of such hotel or club house occupied by a bona fide registered guest or member entitled to purchase the same

(b) The board may with the approval of the Governor temporarily close all licensed premises within any municipality or township during any period of emergency proclaimed to be such by the Governor

Section 23 Unlawful Acts It shall be unlawful

(I) For any manufacturer importing distributor or distributor or the servants agents or employes of the same to sell trade or barter in malt or brewed beverages or natural wines between the hours of twelve o'clock midnight of any Saturday and two o'clock in the forenoon of the following Monday

(II) For any hotel or eating place holding a retail dispenser's license or public service license or the servants agents or employes of such licensees to sell trade or barter in malt or brewed beverages or natural wines between the hours of twelve o'clock midnight of any Saturday and seven o'clock in the forenoon of the following Monday or between the hours of two o'clock antemeridian and seven o'clock antemeridian of any week day

(III) For any licensee or his servants agents or employes to sell furnish or give any malt or brewed beverages or natural wines to any person visibly intoxicated or to any insane persons or to any minor or to habitual drunkards or persons of known intemperate habits

(IV) For any hotel or eating place holding a retail dispenser's license or public service licensee or his servants agents or employes to sell furnish or give any malt or brewed beverages or natural wines to any person after two o'clock antemeridian or until one hour after the time fixed by law for the closing of polling places on days on which a general municipal special or primary election is being held

(V) For any licensee or his servants agents or employes to sell or offer to sell or purchase or receive any malt or brewed beverages or natural wines except for cash excepting credit extended by a hotel or club to bona fide registered guests or members No right of action shall exist to collect any claims for credits extended contrary to the provisions of this clause Nothing herein contained shall prohibit a licensee from crediting to a purchaser the actual price charged for original containers returned by the original purchaser as a credit on any sale or from refunding to any purchaser the amount paid by such purchaser for such containers or as a deposit on such containers when title is retained by the vendor if such containers have been returned to the manufacturer distributor importing distributor or other vendor Nothing herein contained shall prohibit a manufacturer from extending usual and customary credit for malt or brewed beverages or natural wines sold to customers or purchasers who live or maintain places of business outside of the Commonwealth of Pennsylvania when the malt or brewed beverages or natural wines so sold are actually transported and delivered to points outside of the Commonwealth Provided however That as to all transactions affecting malt or brewed beverages or natural wines to be resold or consumed within this Commonwealth every licensee shall pay and shall require cash deposits on all returnable original containers which contain not more than one hundred twenty-eight fluid ounces

(VI) For any licensee or his servants agents or employes to sell offer to sell or furnish any malt or brewed beverages or natural wines to any person on a pass book or store order or to receive from any person any goods wares merchandise or other articles except containers returned in exchange for malt or brewed beverages

(VII) For any manufacturer importing distributor or distributor his servants agents or employes to hereafter give furnish lease or sell or for any licensee or his servants agents or employes except a manufacturer on his

own premises to hereafter lease purchase or receive for display or to display in any manner whatsoever on the outside of any licensed premises or on any lot of ground on which licensed premises are situate or on any building of which the licensed premises are a part any advertisement whatsoever relating to malt or brewed beverages or natural wines unless the actual value of such advertisement shall be not more than twenty-five dollars (\$25) No sign or advertisement furnished leased or sold by any manufacturer importing distributor or distributor shall contain anything except the trade name trade-mark or place of manufacture or production of the malt or brewed beverage or natural wine manufactured or sold by him

(VIII) For any manufacturer importing distributor or distributor his servants agents or employes to hereafter give furnish lease or sell or for any other licensee or his servants agents or employes to hereafter lease purchase or receive for display or to display on the inside of any licensed premises any advertising matter indicating the trade-mark or trade name of any particular malt or brewed beverage or natural wine or the manufacturer producer or place of manufacture or production of any malt or brewed beverage or natural wine unless the actual value of such advertising device including all displays in connection therewith shall not exceed ten dollars (\$10) It shall be unlawful for any licensee to display or permit to be displayed any window advertising except in accordance with the regulations of the board

(IX) For any licensee or his servants agents or employes to advertise or hold out for sale any malt or brewed beverage or natural wine by trade name or other designation which would indicate the manufacture winery or place of production of the said malt or brewed beverage or natural wine unless he shall actually have on hand and for sale a sufficient quantity of the particular malt or brewed beverage or natural wine so advertised to meet requirements to be normally expected as a result of such advertisement or offer

(X) For any retail dispenser or his servants agents or employes to furnish or serve any malt or brewed beverages from any faucet spigot or other dispensing apparatus unless the trade name or brand of the product served shall appear in full sight of the customer and in legible lettering upon such faucet spigot or dispensing apparatus

(XI) For any licensee or his servants agents or employes to transport sell deliver or purchase any malt or brewed beverage or natural wine upon which there shall appear a label or other informative data which in any manner refers to the alcoholic contents of the malt or brewed beverage or natural wine or which refers in any manner to the original alcoholic strength extract or balling proof from which such malt or brewed beverages was produced This clause shall not be construed to prohibit a manufacturer or winery from designating upon the label or descriptive data the alcoholic contents of malt or brewed beverages or natural wines intended for shipment into another state or territory when the laws of such state or territory require that the alcoholic content of the malt or brewed beverage or natural wine must be stated upon the package

(XII) For any licensee his servants agents or employes except clubs to permit in any licensed premises dancing theatricals floor shows or moving picture exhibitions of any sort unless the licensee shall have first received from the board a special permit to provide such entertainment or for any retail licensee under any circumstances to permit in any licensed premises any lewd immoral or improper entertainment regardless of whether or not a permit to provide entertainment has been obtained The board shall have power to provide for the issue of such special permits and to require a fee for permits equal to one-fifth of the annual license fee but not less than twenty-five dollars All such fees shall be paid into the State Stores Fund No such permit shall be issued in any municipality which by ordinance prohibits amusements in licensed places Any violation of this

clause shall in addition to the penalty herein provided subject the licensee to suspension or revocation of his permit and his license

(XIII) For any distributor or importing distributor or his servants agents or employes without the approval of the board and then only in accordance with board regulations to engage in any other business whatsoever except the business of distributing malt or brewed beverages and natural wines

(XIV) For any distributor importing distributor or retail dispenser or his servants agents or employes to have in his possession or to permit the storage of on the licensed premises or in any place contiguous or adjacent thereto accessible to the public or used in connection with the operation of the licensed premises any spirituous vinous or alcoholic liquors or alcohol of any sort except malt or brewed beverages and except natural wines in cases where the sale of natural wines is authorized under the provisions of this act

(XV) For any licensee or his servants agents or employes except a manufacturer to manufacture import sell transport store trade or barter in any spirituous vinous or other alcoholic liquors or alcohol except malt or brewed beverages and except natural wines in cases where the sale of natural wines is authorized under the provisions of this act

(XVI) For any licensee or his servants agents or employes to issue publish or post or cause to be issued published or posted any advertisement of malt or brewed beverages or natural wines including a label which shall refer in any manner to the alcoholic strength of the malt or brewed beverages or natural wines manufactured sold or distributed by such licensees or to use in any advertisement or label such words as "full strength" "extra strength" "high test" "high proof" "pre-war strength" or similar words or phrases which would lead or induce a consumer to purchase a brand of malt or brewed beverage or natural wine on the basis of its alcoholic content or to use in or on any advertisement or label any numeral unless adequately explained in type of the same size prominence and color or for any licensee to purchase transport sell or distribute any malt or brewed beverage or natural wine advertised or labeled contrary to the provisions of this clause

(XVII) For any licensee or any agent employe or representative of any licensee to give or permit to be given directly or indirectly money or anything of substantial value in an effort to induce agents employes or representatives of customers or prospective customers to influence their employers or principals to purchase or contract to purchase malt or brewed beverages or natural wines from the donor of such gift or to influence such employer or principals to refrain from dealing or contracting to deal with other licensees

(XVIII) For any licensee or his servants agents or employes to offer or give any prize premium gift or other similar inducement to either trade or consumer buyers except advertising novelties or nominal value which the board shall define

(XIX) For any licensee or his servants agents or employes to offer pay make or allow or for any licensee or his servants agents or employes to solicit or receive any allowance or rebate refunds or concessions whether in the form of money or otherwise to induce the purchase of malt or brewed beverages natural wine or any other commodity manufactured or sold by the licensee

(XX) For any importing distributor distributor retail dispenser or his servants agents or employes to fail to keep on the licensed premises for a period of at least two years such complete and truthful records as the board may prescribe covering the operation of his licensed business and particularly showing the date of all purchases of malt or brewed beverages and natural wines the actual price paid therefor and the name of the vendor or for any licensee his servants agents or employes to refuse the board or an authorized employe of the board access thereto or the opportunity to make copies of the same when the request is made during business hours

(CXXI) For any licensee or his servants agents or employes to refuse the board or any of its authorized employes the right to completely inspect the entire licensed premises at any time during which the premises are open for the transaction of business

(CXXII) For any retail dispenser or his servants agents or employes to furnish give or sell below a fair cost any lunch to any consumer except such articles of food as the board may authorize and approve

(CXXIII) For any person to hawk or peddle malt or brewed beverages or natural wines

(CXXIV) For any licensee or his servants agents or employes to be directly or indirectly employed by any person engaged in the manufacture storage transportation or sale of spirituous or vinous liquors alcohol or malt or brewed beverages

(CXXV) For any licensee or his servants agents or employes to knowingly sell any malt or brewed beverages or natural wines to any person engaged in the business of illegally selling liquor natural wines or malt or brewed beverages

(CXXVI) For any person to transport within or import any malt or brewed beverages or natural wines into this Commonwealth except in accordance with the rules and regulations of the board or for any person to transport malt or brewed beverages or natural wines into or within this Commonwealth unless there shall be affixed to the original container in which such malt or brewed beverages or natural wines are transported stamps or crowns evidencing the payment of the malt liquor tax or wine tax to the Commonwealth Provided however That this clause shall not be construed to prohibit transportation of malt or brewed beverages or natural wines through this Commonwealth and not for delivery therein if such transporting is done in accordance with the rules and regulations of the board

(CXXVII) For any manufacturer importing distributor or distributor or his servants agents or employes except with board approval to deliver or transport any malt or brewed beverages or natural wines in any vehicle in which any other commodity is being transported except that malt or brewed beverages and natural wines may be transported in the same vehicle by importing distributors and distributors who hold special licenses

(CXXVIII) For any importing distributor distributor or retail dispenser or the servants agents or employes of such licensees to display on the outside of any licensed premises or to display any place within the licensed premises if it can be seen from the outside of the licensed premises any advertisement whatsoever referring directly or indirectly to the price at which the licensee will sell malt or brewed beverages or natural wines except in the interior of the licensed premises where the display cannot be seen from the outside the price at which malt or brewed beverages or natural wines will be sold by him

(CXXIX) For any retail dispenser to employ any minor or to permit any minor to render any service whatsoever in or about the licensed premises except in accordance with board regulations nor shall any entertainer be employed or permitted to perform in any licensed premises in violation of the labor laws of this Commonwealth

(CXXX) For any licensee his servants agents or employes to cash pay roll checks except in accordance with board regulations

(CXXXI) For any retail dispenser his servants agents or employes to permit persons of ill repute known criminals prostitutes or minors to frequent his licensed premises or any premises operated in connection therewith except minors accompanied by parents guardians or under proper supervision

(CXXXII) For any licensee his servants agents or employes to give furnish trade barter serve or deliver any malt or brewed beverages or natural wines to any person during hours or on days when the licensee is prohibited by this act from selling malt or brewed beverages and natural wines

(CXXXIII) For any club retail dispenser or its servants agents or employes to sell malt or brewed beverages or natural wines between the hours of three o'clock antemeridian and seven o'clock antemeridian on any day

(CXXXIV) For any importing distributor or distributor

engaged in the sale of products other than malt or brewed beverages and natural wines to fail to keep such complete separate records covering in every respect his transactions in malt or brewed beverages and natural wines as the board shall by regulation require

(CXXXV) For any licensee or any officer director stockholder servant agent or employe of any licensee to own any interest directly or indirectly in or be employed or engaged in any business which involves the manufacture or sale of any equipment furnishings or fixtures to importing distributors distributors or retail dispensers licensed under this act or to hotel restaurant or club licensees licensed under any other act of this Commonwealth relating to liquor natural wines or malt or brewed beverages Provided however That the provisions of this subsection shall not apply to such a conflicting interest if it has existed for a period of not less than three years prior to January first one thousand nine hundred and thirty-seven and the board shall approve

Section 24 Things of Value Not to Be Offered It shall be unlawful for any person licensed to sell malt or brewed beverages or natural wines or his servants agents or employes to offer or give anything of value or to solicit or receive anything of value as a premium for the return of caps stoppers corks stamps or labels taken from any bottle case barrel or package containing such malt or brewed beverages or natural wines or to offer or give or solicit or receive anything of value as a premium or present to induce the purchase of such malt or brewed beverages or natural wines or for any other purpose whatsoever in connection with the sale of such malt or brewed beverages or natural wines Provided however That this section shall not apply to the return of any moneys specifically deposited for the return of the original containers to the owners thereof

Section 25 Unlawful to Fortify Adulterate or Contaminate (Malt or Brewed Beverages) It shall be unlawful to fortify adulterate contaminate or in any wise to change the character or purity of the malt or brewed beverages or natural wines from that as originally marketed by the manufacturer or winery at the place of manufacture or production

Section 26 Transportation in Original Packages It shall be unlawful for any person to transport any malt or brewed beverages or natural wines except in the original containers It shall be unlawful for any person to transport for another any malt or brewed beverages or natural wines within this Commonwealth unless such person shall hold a permit issued by the board and shall have paid to the board such permit fee not exceeding one hundred dollars and shall have filed with the board a bond in the penal sum of not more than two thousand dollars as may be fixed by the rules and regulations of the board any other law to the contrary notwithstanding

Section 27 Delivery Vehicles to Bear Name and Address of Licensee It shall be unlawful for a licensee to deliver or transport any malt or brewed beverages or natural wines excepting in vehicles bearing the name and address and license number of such licensee painted or affixed on each side of such vehicle in letters no smaller than four inches in height

Section 28 Interlocking Business Prohibited (a) No manufacturer and no officer or director of any manufacturer shall at the same time be a distributor importing distributor or retail dispenser or an officer director or stockholder or creditor of any distributor importing distributor or retail dispenser nor except as hereinafter provided be the owner proprietor or lessor of any place for which a license has been issued for any importing distributor distributor or retail dispenser under this act or for which a hotel restaurant or club liquor license has been issued under any other act of this Commonwealth

(b) No distributor or importing distributor and no officer or director of any distributor or importing distributor shall at the same time be a manufacturer a retail dispenser or a liquor licensee or be an officer director stockholder or creditor of a manufacturer a retail dispenser or a liquor licensee or directly or indirectly own any stock of or have any financial interest in or be the owner proprietor or lessor of any place covered by any other malt or brewed beverage or liquor license

(c) No licensee licensed under this act and no officer or director of such licensee shall directly or indirectly own any stock of or have any financial interest in any other class of business licensed under this act.

(d) Excepting as hereinafter provided no manufacturer importing distributor or distributor shall in any wise be interested either directly or indirectly in the ownership or leasehold of any property or in any mortgage against the same for which a liquor or retail dispenser's license is granted nor shall a manufacturer importing distributor or distributor either directly or indirectly lend any moneys credit or equivalent thereof to or guarantee the payment of any bond mortgage note or other obligation of any liquor licensee or retail dispenser in equipping fitting out or maintaining and conducting either in whole or in part an establishment or business operated under a liquor or retail dispenser's license excepting only the usual and customary credits allowed for returning original containers in which malt or brewed beverages or natural wines were packaged for market by the manufacturer or winery at the place of manufacture or production.

(e) Excepting as hereinafter provided no manufacturer shall in any wise be interested either directly or indirectly in the ownership or leasehold of any property or any mortgage lien against the same for which a distributor's or importing distributor's license is granted nor shall a manufacturer either directly or indirectly lend any moneys credit or their equivalent to or guarantee the payment of any bond mortgage note or other obligation of any distributor or importing distributor in equipping fitting out or maintaining and conducting either in whole or in part an establishment or business where malt or brewed beverages or natural wines are licensed for sale by a distributor or importing distributor excepting only the usual credits allowed for the return of original containers in which malt or brewed beverages or natural wines were originally packaged for the market by the manufacturer or winery at the place of manufacture or production.

(f) No distributor importing distributor or retail dispenser shall in anywise receive either directly or indirectly any credit loan moneys or the equivalent thereof from any other licensee or from any officer director or firm member of any other licensee or from or through a subsidiary or affiliate of another licensee or from any firm association or corporation except banking institutions in which another license or any officer director or firm member of another licensee has a substantial interest or exercises a control of its business policy for equipping fitting out payment of license fee maintaining and conducting either in whole or in part an establishment or business operated under a distributor's importing distributor's or retail dispenser's license excepting only the usual and customary credits allowed for the return of original containers in which malt or brewed beverages or natural wines were packaged for the market by the manufacturer or winery at the place of manufacture or production.

The purpose of this section is to require a separation of the financial and business interests between the various classes of business regulated by this act and no person or corporation shall by any device whatsoever directly or indirectly evade the provisions of this section. But in view of existing economic conditions nothing contained in this section shall be construed to prohibit the ownership of property or conflicting interest by a manufacturer of any place occupied by a distributor importing distributor or retail dispenser after the manufacturer has continuously owned and had a conflicting interest in such place for a period of at least five years prior to July 18 1935.

The term "manufacturer" as used in this section shall include manufacturers as defined in this act and any person manufacturing any malt or brewed beverages outside of this Commonwealth.

Section. 29 Malt or Brewed Beverages and Natural Wines Manufactured or Produced Outside This Commonwealth. In addition to compliance with all other provisions of this act the board shall require each person desiring to sell any malt or brewed beverages or natural wines manufactured or produced outside this Commonwealth to Pennsylvania licensees and shall require each Pennsylvania licensee who desires to purchase and resell any

such malt or brewed beverages or natural wines to pay to the board the same fees as are required to be paid by Pennsylvania licensees or by persons or licensees in any state territory or country outside of Pennsylvania who desire to sell malt or brewed beverages or natural wines manufactured or produced in Pennsylvania to licensees in such other state territory or country of origin of such malt or brewed beverages or natural wines not manufactured or produced in Pennsylvania and to observe and comply with the same regulations prohibitions and restrictions as are required of or enforced against Pennsylvania licensees or persons who desire to purchase and resell malt or brewed beverages or natural wines manufactured or produced in Pennsylvania in such other state territory or country of origin. In all cases where the board shall have issued any reciprocal regulations or orders concerning malt or brewed beverages or natural wines manufactured or produced in any state territory or country other than Pennsylvania no Pennsylvania licensee shall purchase any such malt or brewed beverages or natural wines if their importation has been prohibited or if not entirely prohibited unless such regulations or orders have been observed and complied with by the Pennsylvania licensee and by the person from or through whom the Pennsylvania licensee desires to purchase. Any malt or brewed beverages or natural wines manufactured or produced outside of Pennsylvania which are sold transported or possessed in Pennsylvania contrary to any such regulations or orders of the board or without the payment of the fees herein required shall be considered contraband and shall be confiscated by the board and disposed of in the same manner as any other illegal liquor natural wines or malt or brewed beverages.

Upon learning of the commission by a manufacturer of malt or brewed beverages or a winery whose principal place of business is outside this Commonwealth or by any servant agent employe or representative of such manufacturer or winery within or partly within and partly outside this Commonwealth of any violation of this act or any laws of this Commonwealth relating to liquor alcohol natural wines or malt or brewed beverages or of any regulation of the board adopted pursuant thereto or of any violation of any laws of this Commonwealth or of the United States of America relating to the tax payment of liquor natural wines or malt or brewed beverages the board shall cite such manufacturer or winery to appear before it or its examiner not less than ten nor more than fifteen days from the date of mailing such manufacturer or winery at his principal place of business wherever located by registered mail a notice to show cause why the further importation into this Commonwealth of malt or brewed beverages or natural wines manufactured or produced by him should not be prohibited. Upon such hearing whether or not an appearance was made by such outside manufacturer or winery if satisfied that any such violation has occurred the board is specifically empowered and directed to immediately issue an order prohibiting the importation of malt or brewed beverages or natural wines manufactured or produced by such manufacturer or winery into this Commonwealth for a period of not less than six months nor more than three years. Notice of such board action shall be given immediately to such manufacturer or winery and to all persons licensed to import malt or brewed beverages or natural wines within this Commonwealth by mailing a copy of such order to such manufacturer or winery at its principal place of business wherever located and to such licensees at their licensed premises. Thereafter it shall be unlawful for any person licensed to import malt or brewed beverage, or natural wines within this Commonwealth to purchase or sell any malt or brewed beverages or natural wines manufactured or produced by such outside manufacturer or winery during the term of such prohibition. Any violation of such prohibitory order shall be a misdemeanor and shall be punished in the same manner as herein provided for any other violation of this act and shall also constitute grounds for revocation or suspension of a license to import malt or brewed beverages or natural wines. In all such cases the board shall file of record at least a brief statement in the form of an opinion of the reasons for the ruling or order. Any outside manufacturer

aggrieved by the action of the board may appeal to the quarter sessions court of Dauphin County in the same manner as herein provided for appeals from refusals to grant licenses

Section 30 Penalty (a) Any person copartnership association or corporation or any officer director servant employe or agent of any copartnership association or corporation violating any of the provisions of this act shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine of not less than one hundred dollars (\$100) nor more than three hundred dollars (\$300) and on failure to pay such fine to imprisonment for not less than one month nor more than three months for the first offense and for any second or subsequent offense shall be sentenced upon conviction to pay a fine of not less than three hundred dollars (\$300) nor more than five hundred dollars (\$500) and shall be sentenced to imprisonment for a term of not less than three months nor more than one year

(b) Upon proof being made that any licensee or any servant agent or employe of such licensee under this act has violated any of the provisions of this act or regulations of the board or any of the laws of the Commonwealth relating to liquor alcohol natural wines or malt or brewed beverages or the payment of tax thereon or the laws of the United States of America relating to the payment of tax on liquor alcohol natural wines or malt or brewed beverages the board may in its discretion revoke or suspend any license issued under this act to any such licensee The right to suspend or revoke licenses as herein set forth shall be an additional penalty to those set forth in paragraph "A" of this section

Section 31 Nuisance (a) Any room house building boat vehicle structure or place where malt or brewed beverages or natural wines are manufactured sold transported offered for sale bartered or furnished in violation of this act and all such beverages wines and property kept or used in maintaining the same are hereby declared to be common nuisances and any person who maintains such a common nuisance shall be guilty of a misdemeanor and upon conviction thereof shall be subject to the penalties provided in this act

(b) An action to enjoin any nuisance defined in this act may be brought in the name of the Commonwealth of Pennsylvania by the Attorney General or by the district attorney of the proper county Such action shall be brought and tried as an action in equity and may be brought in any court having jurisdiction to hear and determine equity cases within the county in which the offense occurs If it is made to appear by affidavit or otherwise to the satisfaction of the court that such nuisance exists a temporary writ of injunction shall forthwith issue restraining the defendant from conducting or permitting the continuance of such nuisance until the conclusion of the proceedings If a temporary injunction is prayed for the court may issue an order restraining the defendant and all other persons from removing or in any way interfering with the beverages wines or other things used in connection with the violation of this act constituting such nuisance No bond shall be required in instituting such proceedings It shall not be necessary for the court to find the property involved was being unlawfully used as aforesaid at the time of the hearing but on finding that the material allegations of the petition are true the court shall order that no malt or brewed beverage or natural wine shall be manufactured sold offered for sale transported bartered or furnished in such room house building structure boat vehicle or place or any part thereof Upon the decree of the court ordering such nuisance to be abated the court may upon proper cause shown order that the room house building structure boat vehicle or place shall not be occupied or used for one year thereafter but the court may in its discretion permit it to be occupied or used if the owner lessee tenant or occupant thereof shall give bond with sufficient surety to be approved by the court making the order in the penal and liquidated sum of not less than five hundred dollars (\$500.00) payable to the Commonwealth of Pennsylvania

for use of the county in which said proceedings are instituted and conditioned that malt or brewed beverages or natural wines will not thereafter be manufactured sold transported offered for sale bartered or furnished therein or thereon in violation of this act and that he will pay all fines costs and damages that may be assessed for any violation of this act upon said property

Section 32 Local Option In any municipality or township an election may be held but not oftener than once in four years on the date of the primary election immediately preceding any municipal election to determine the will of the electors with respect to the granting of licenses to retail dispensers under the provisions of this act Provided however Where an election was therefore held at the municipal election in any year another election may be held under the provisions of this act at the primary occurring the fourth year after such prior election Whenever electors equal to at least twenty-five per centum of the highest vote cast for any office in the municipality or township at the last preceding general election shall petition the county commissioners of the county for a referendum on the question of granting such licenses the said county commissioners shall cause a question to be submitted at the primary immediately preceding the municipal election occurring at least sixty days thereafter on the ballot or on voting machines at such election in the manner provided by the election laws of the Commonwealth

Such question shall be in the following form

Do you favor the granting of malt and brewed beverage and natural wine retail dispenser licenses for consumption on premises where sold in the of	Yes	_____
	No	_____

In case of a tie vote or if a majority of the persons voting on such question vote "yes" then malt and brewed beverage and natural wine retail dispenser licenses shall be granted by the board in such municipality or township under the provisions of this act but if a majority of the persons voting on such question vote "no" then the board shall thereafter have no power to grant or to renew upon their expiration any retail dispenser's licenses in such municipality or township under the provisions of this act

No such licenses shall be granted under the provisions of this act as amended in any municipality or township wherein the electors under the provisions of the Beverage License Law of May third one thousand nine hundred and thirty-three (P. L. 252) and its amendments voted prior to the adoption of this amendment against the granting of retail dispenser licenses unless in accordance with the provisions of this act as amended the action of the electors is hereafter reversed

Section 33 Constitutionality The provisions of this act shall be severable and if any of the provisions shall be held to be unconstitutional such decision shall not affect the validity of any of the remaining provisions of this act It is hereby declared as the legislative intent that this act would have been adopted had such unconstitutional provision not been included therein

Section 34 [All licensees heretofore granted by county treasurers for the license year ending May thirty-first one thousand nine hundred and thirty-seven and in force when this act becomes effective and all licenses and amusement permits granted by the board shall remain in full force and effect (unless sooner revoked) until the end of the license year for which issued and no additional license or permit fees shall be required to be paid by such licensees for such license year In the event that any county treasurer shall have received under the provisions of the act hereby re-enacted and amended from any person an application for the issuance or the renewal of a retail dispenser license together with a filing fee and/or a license fee for such license which has become effective

for the license year beginning June first one thousand nine hundred and thirty-seven such license or renewal thereof issued by a county treasurer shall confer upon any person the right to sell malt or brewed beverages for the license year for which issued in the same manner and subject to the terms and conditions of this act as of issued under this act by the board. The board upon application to it shall have the power to grant a retail dispenser license notwithstanding the fact that an application therefor had previously been made to a county treasurer and either had been refused or not acted upon by said county treasurer. The board shall have the right to authorize applicants for retail dispenser licenses whose licenses expire on May thirty-first one thousand nine hundred thirty-seven to continue the sale of malt and brewed beverages by issuing temporary permits pending investigation by the board to determine the propriety of issuing a renewal license. First Licenses Under Act. The first licenses and amusement permits issued by the board under the provisions of this act shall be issued for license years or fractions thereof according to the license districts in which issued and applications for all such licenses and permits shall be filed at such time as may be specified by the board. The board shall have power to grant the first licenses and permits under this act in any district for a period of one year or any period more or less than one year in order to provide a staggered system of license dates in the various districts and in such cases the fees for such licenses and amusement permits shall be one-twelfth of that fixed by this act multiplied by the number of months the first license or permit shall be effective.

Special licenses shall be granted by the board to all distributors and importing distributors who apply therefor within sixty days after the effective date of this act and pay the proper fee therefor. Licenses so issued shall expire at the end of the current license year of the distributor or importing distributor to whom it is issued. The fees for such special licenses shall be one-twelfth of that fixed by this act multiplied by the number of months the first special license shall be effective.

Any distributor or importing distributor to whom a special license has been granted and any retail dispenser may purchase from any Pennsylvania Liquor Store natural wines in stock on the effective date of this act and sell the same subject to the provisions of the act to which this is an amendment.

Section 35 General Power to Make Regulations. The board may from time to time make such regulations not inconsistent with this act as it may deem necessary for the efficient administration of this act. The board shall cause such regulations to be published and disseminated through the Commonwealth in such manner as it shall deem necessary and advisable. Such regulations adopted by the board shall have the same force as if they formed a part of this act.

Wherever it is provided in this act that any act matter or thing may be done if permitted or authorized by the regulations or may be done in accordance with the regulations or as provided by the regulations prescribed by the board under this act the board subject to the provisions of this act shall have the power to prescribe regulations respecting such act matter or thing.

Section 2 This act and the amendments thereto 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—182

Achterman,	Gerard,	Maxwell,	Royer,
Baker,	Gillan,	McClanaghan,	Rush,

Balthaser,	Goodwin,	McDermott,	Sarraf,
Bentley,	Greenwood,	McDowell,	Scanlon,
Bentzel,	Gryskewicz,	McFall,	Schwab,
Boles,	Gyger,	McGrath,	Serrill,
Boney,	Habbyshaw,	McIntosh,	Shaffer,
Bower,	Haberlen,	McKinney,	Shaw,
Bradley,	Haines,	McLanahan,	Shepard,
Bretherick,	Hall,	McLane,	Simons,
Brown,	Hamilton,	McMillen,	Skale,
Brunner, P. A.	Hare,	McSurdy,	Snyder,
Burns,	Harkins,	Melchiorre,	Sorg,
Burriss,	Harmuth,	Modell,	Stambaugh,
Cadwalader,	Heatherington,	Monks,	Stank,
Chervenak,	Helm,	Mooney,	Stine,
Chudoff,	Hering,	Moran,	Tarr,
Cochran,	Eerman,	Moul,	Tate,
Cohen, M. M.	Hersch,	Muir,	Taylor,
Cohen, R. E.	Hewitt,	Munley,	Thompson, E. F.,
Cordier,	Holland,	Nagel,	Thompson, R. L.,
Corrigan,	Huntley,	Nunemacher,	Trout,
Croop,	James,	O'Brien,	Turner,
Dalrymple,	Jefferson,	O'Dare,	Van Allsburg,
Dennison,	Jones, P. N.,	O'Mullen,	Verona,
DiGenova,	Keenan,	O'Neill,	Vincent,
Dix,	Kenehan,	Owens,	Vogt,
Dolon,	Kline,	Petrosky,	Voidow,
D'Ortona,	Knoble,	Pettit,	Voorhees,
Duffy,	Kolankiewicz,	Polaski,	Wagner,
Early,	Komorowski,	Polen,	Watkins,
Elder,	Krise,	Powers,	Weiss,
Elliott,	Lee, E. A.,	Prosen,	Welsh, E. B.,
Ely,	Lee, T. H.,	Rank,	Wilkinson,
Falkenstein,	Leisey,	Readinger,	Williams,
Finestone,	Leonard,	Reagan,	Winner,
Finnerty,	Lesko,	Reese, D. P.,	Wolf,
Fiss,	Levy,	Reese, R. E.,	Wood, N.,
Fletcher,	Leydie,	Regan,	Woodring,
Flynn,	Lichtenwaiser,	Reynolds,	Woodside,
Foor,	Longo,	Rhea,	Yester,
Franch,	Lyons,	Riley,	Young,
Gallagher,	Malloy,	Rooney,	Kilroy,
	Marks,	Rosenfeld,	Speaker.

NAYS—1

McClester,

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. 1597, as follows:

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.

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

Section 1 In addition to the township roads adopted as State highways in the County of Lebanon by the act to which this is a supplement the following section of township road in said county is hereby adopted to be taken over and to be maintained and constructed at the expense of the Commonwealth upon the terms and conditions and subject to the limitations and conditions provided in the act to which this is a supplement.

Beginning at a point on Route 38048 about 0.5 of a mile west of its intersection with Route 38062 thence in a general northerly direction through Union Township to a

point on Route 38003 in Lebanon County a distance of about 1.1 miles

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

On the question,

Shall the bill pass finally?

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

YEAS—183

Achterman.	Gerard.	Maxwell.	Rosenfeld.
Baker.	Gillan.	McClanaghan.	Royer.
Balthaser.	Goodwin.	McClester.	Rush.
Bentley.	Greenwood.	McDermott.	Sarraf.
Bentzel.	Gryskewicz.	McDowell.	Scanlon.
Bales.	Gyger.	McFall.	Schwab.
Boney.	Habbyshaw.	McGrath.	Sherrill.
Bower.	Haberlen.	McIntosh.	Shaffer.
Bradley.	Haines.	McKinney.	Shaw.
Betherick.	Hall.	McLanahan.	Shepard.
Brown.	Hamilton.	McLane.	Simons.
Brunner, C. H..	Hare.	McMillen.	Skale.
Brunner, P. A..	Harkins.	McSurdy.	Snyder.
Burns.	Harmuth.	Melchiorre.	Sorg.
Burris.	Heatherington.	Modell.	Stambaugh.
Cadwalader.	Helm.	Monks.	Stank.
Crervenak.	Hering.	Mooney.	Stine.
Cudoff.	Herman.	Moran.	Tarr.
Cochran.	Hersch.	Moul.	Tate.
Cohen, M. M..	Hewitt.	Muir.	Taylor.
Cohen, R. E..	Holland.	Munley.	Thompson, E. F..
Cordier.	Huntley.	Nagel.	Thompson, R. L..
Corrigan.	James.	Nunemacher.	Trout.
Croop.	Jefferson.	O'Brien.	Turner.
Dairympie.	Jones, P. N..	O'Dare.	Van Alisburg.
Lennison.	Keenan.	O'Mullen.	Verona.
ElGenova.	Kenehan.	O'Neill.	Vincent.
Dix.	Kline.	Owens.	Vogt.
Lolon.	Knoble.	Petrosky.	Voldow.
Ortona.	Kolankiewicz.	Pettit.	Voorhees.
Luffy.	Komorowski.	Polaski.	Wagner.
Early.	Krise.	Powers.	Watkins.
Eder.	Lee, E. A..	Prosen.	Weiss.
Ellott.	Lee, T. H..	Rank.	Welsh, E. E..
E. V.	Lelsey.	Readinger.	Wilkinson.
Falkenstein.	Leonard.	Reagan.	Williams.
Finestone.	Lesko.	Reese, David P..	Winnor.
Finnerty.	Levy.	Reese, R. E..	Wolf.
Fiss.	Leydic.	Regan.	Wood, N..
Fletcher.	Lichtenwalter.	Reynolds.	Woodring.
Flynn.	Longo.	Rhea.	Woodside.
Foor.	Lyons.	Riley.	Yester.
French.	Malloy.	Rooney.	Young.
Callagher.	Marks.		Kilroy.

Speaker.

NAYS—0

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

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

BILL PASSED OVER

There being no objection House Bill No. 1437, Printer's No. 668, was passed over at the request of the SPEAKER.

BILL ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1423, as follows:

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 employees' retirement system and creating a retirement board for the administra-

tion 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

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

Section 1 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 use 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 the boards having the employment of public school employes exempting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties" as last amended by section one of the act approved the twenty-third day of April one thousand nine hundred and twenty-nine (P. L. 638) is hereby further amended to read as follows

Section 11 In computing the length of service of a contributor for retirement purposes under the provisions of this act full credit shall be given to each contributor by the retirement board for each school year of service as an employe as defined in section one paragraph seven of this act and for each school year for which credit is not otherwise provided for in this act and during which the contributor was a member of the American Expeditionary Force in the World War or in activities connected therewith approved by the retirement board or who were either enlisted or drafted into the Army Navy Marine Corps or the Enlisted Nurses' Corps of the United States and for each school year during which the contributor was prior to the eighteenth day of July one thousand nine hundred and seventeen a teacher instructor or supervisor in any state or semi-state orphan school institution for mental defectives or correctional institution Under such rules and regulations as the retirement board shall adopt each employe shall file with the retirement board a detailed statement of all such service rendered by him or her As soon as practicable thereafter the retirement board shall verify such statement as to prior service and shall issue to each employe a certificate certifying to the aggregate length of his or her prior service Such certificate shall be final and conclusive as to his or her prior service unless thereafter modified (a) by the retirement board upon application by employe or (b) by the State Superintendent of Public Instruction upon application by the employe or by the retirement board provided such application for modification be made to said State Superintendent of Public Instruction within one year after the issuance of a certificate or a modified certificate by the retirement board A certificate for prior service issued to a present employe shall certify the total number of completed years of prior service allowances for said present employe to and including the thirtieth day of June nineteen hundred nineteen The time during which an employe is absent without pay shall not be counted in computing the prior service the total service or the average salary of a contributor unless allowed by the employer by whom said contributor was employed at the time said leave of absence was granted and further unless said allowance is approved by the retirement board

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

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

On the question,
Shall the bill pass finally?

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

YEAS—183

Achterman,	Gillan,	McClanaghan,	Royer,
Baker,	Goodwin,	McClester	Rush,
Balthaser,	Greenwood,	McDermott,	Strraf,
Bentley,	Gryskewicz,	McDowell,	Scanlon,
Bentzel,	Gyger,	McFall,	Schwab,
Boles,	Habbyshaw,	McGrath,	Serrill,
Boney,	Haberlen,	McIntosh,	Shaffer,
Bower,	Haines,	McKinney,	Shaw,
Bradley,	Hall,	McLanahan,	Shepard,
Bretherick,	Hamilton,	McLane,	Simons,
Brown,	Hare,	McMillen,	Skale,
Brunner, P. A.,	Harkins,	McSurdy,	Snyder,
Burns,	Harmuth,	Melchiorre,	Sorg,
Burris,	Heatherington,	Modell,	Stambaugh,
Cadwalader,	Helm,	Monks,	Stank,
Chervenak,	Hering,	Mooney,	Stank,
Chudoff,	Herman,	Moran,	Tarr,
Cochran,	Hersch,	Moul,	Tate,
Cohen, M. M.,	Hewitt,	Muir,	Taylor,
Cohen, R. E.,	Holland,	Munley,	Thompson, E. F.,
Cordier,	Huntley,	Nagel,	Thompson, R. L.,
Corrigan,	James,	Nunemacher,	Trout,
Croop,	Jefferson,	O'Brien,	Turner,
Dalrymple,	Jones, P. N.,	O'Dare,	Van Allsburg,
Dennison,	Keenan,	O'Mullen,	Verona,
Dix,	Kenehan,	O'Neill,	Vincent,
Dolon,	Kline,	Owens,	Vogt,
D'Ortona,	Knoble,	Petrosky,	Voldow,
Duffy,	Kolankiewicz,	Pettit,	Voorhees,
Early,	Komorowski,	Polaski,	Wagner,
Elder,	Krise,	Polen,	Watkins,
Elliott,	Lee, E. A.,	Powers,	Weiss,
Ely,	Lee, T. H.,	Prosen,	Welsh, E. E.,
Falkenstein,	Lelsey,	Rank,	Wilkinson,
Finestone,	Leonard,	Readinger,	Williams,
Finnerty,	Lesko,	Reagan,	Winner,
Fiss,	Levy,	Reese, D. P.,	Wolf,
Fletcher,	Leydic,	Reese, R. E.,	Wood, N.,
Flynn,	Lichtenwalter,	Regan,	Woodside,
Foor,	Longo,	Reynolds,	Woodring,
French,	Lyons,	Riley,	Yester,
Gallagher,	Malloy,	Riley,	Young,
Gerard,	Marks,	Rooney,	Kilroy,
	Maxwell,	Rosenfeld,	Speaker.

NAYS—0

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

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

BILL PASSED OVER

There being no objection, House Bill No. 94, Printer's No. 676, was passed over at the request of the SPEAKER.

BILLS ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1470, as follows:

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

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

Section 1 The Superintendent of Public Instruction shall have power to investigate the need for and to establish supervise and conduct practical arts and vocational agriculture home economics and industrial and commercial schools and classes through public school districts and in cooperation with employment offices for the training retraining instruction and occupational adjustment of out-of-school unadjusted persons over sixteen years of age who have left school and who due to changing conditions are in need of training retraining and instruction and occupational adjustment in order to enter or reenter employment or to continue in employment and for such purposes shall have power to employ the necessary teachers supervisors and coordinators to conduct such special schools classes and adjustment offices in an effective manner and to pay from the appropriation made by this act and from other available state funds appropriated to aid school districts in the establishment and maintenance of such schools departments or classes and from Federal funds provided for the development and further development of vocational education and for the salaries of said teachers supervisors and coordinators

Section 2 No practical arts or vocational agriculture homemaking industrial or commercial school or class established by a school district under the provisions of this act shall be deemed to replace supplant or discontinue any vocational agriculture home economics industrial or commercial school or class established by a school district under the provisions of the act approved the first day of May one thousand nine hundred and thirteen (P. L. 138) entitled "An act defining vocational education providing for the establishment and regulation of vocational schools and providing for State aid in the maintenance thereof and for the payment of tuition by certain school districts and reimbursement 'hereof by the State' and the amendments thereto unless a school district presents evidence satisfactory to the Superintendent of Public Instruction that it is no longer able to share the expense incident to the payment of salaries of teachers in such schools and classes as required by said act and nothing herein contained shall be construed to alter amend repeal or suspend any of the provisions of said act of May first one thousand nine hundred and thirteen and its amendments

Section 3 If during the first fiscal year any appropriation allocated by the Department of Public Instruction for that year is not expended such remaining portion of the appropriation may be allocated to other school districts or to districts which have exceeded the amounts allocated to them on the basis of the need and in such amounts as the Superintendent of Public Instruction may direct Salaries of teachers of classes and activities authorized by this act for which no Federal contribution is made shall be paid from state funds

Section 4 The sum of seventy-five thousand dollars (\$75,000) or so much thereof as may be necessary is hereby specifically appropriated to the Department of Public Instruction to carry out the provisions of this act for the payment of salaries of teachers supervisors and coordinators for necessary traveling and hotel expenses and for the payment of all other necessary and proper expenses incidental to carrying into effect the provisions of this act

Section 5 This act shall become effective on the first day of June one thousand nine hundred forty-one and shall remain in force until May thirty-first one thousand nine hundred forty-three

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—183

Achterman,	Gillan,	McClanaghan,	Royer,
Baker,	Goodwin,	McClester,	Rush,
Balthaser,	Greenwood,	McDermott,	Sarraf,
Bentley,	Gryskewicz,	McDowell,	Scanlon,
Benzel,	Gyger,	McFall,	Schwab,
Boies,	Habbyshaw,	McGrath,	Serrill,
Bony,	Haberlen,	McIntosh,	Shaffer,
Bower,	Haines,	McKinney,	Shaw,
Bracley,	Hall,	McLanahan,	Shepard,
Bretherick,	Hamilton,	McLane,	Simons,
Brown,	Hare,	McMillen,	Skale,
Bruener, P. A.,	Harkins,	McSurdy,	Snyder,
Burris,	Harmuth,	Melchiorre,	Sorg,
Burris,	Heatherington,	Modell,	Stambaugh,
Cadwalader,	Helm,	Monks,	Stank,
Chervenak,	Hering,	Mooney,	Stine,
Chudoff,	Herman,	Moran,	Tarr,
Cocaran,	Hersch,	Moul,	Tate,
Cohen, M. M.,	Hewitt,	Muir,	Taylor,
Cohen, R. E.,	Hirsch,	Munley,	Thompson, E. F.,
Corcier,	Holland,	Nagel,	Thompson, R. L.,
Corrigan,	Huntley,	Nunemacher,	Trout,
Croop,	James,	O'Brien,	Turner,
Dalrymple,	Jefferson,	O'Dare,	Van Allsburg,
Dennison,	Jones, P. N.,	O'Mullen,	Verona,
DiGenova,	Keenan,	O'Neill,	Vincent,
Dix,	Kenehan,	Owens,	Vogt,
Dolan,	Kline,	Petrosky,	Voidow,
D'Otona,	Knoble,	Pettit,	Voorhees,
Duffy,	Kolankiewicz,	Polaski,	Wagner,
Earl,	Komorowski,	Polen,	Watkins,
Elder,	Krise,	Powers,	Weiss,
Ellcott,	Lee, E. A.,	Prosen,	Welsh, E. B.,
Ely,	Lee, T. H.,	Rank,	Wilkinson,
Falkenstein,	Leisey,	Readinger,	Williams,
Finestone,	Leonard,	Reagan,	Winnor,
Finnerty,	Lesko,	Reese, D. P.,	Wolf,
Fiss,	Levy,	Reese, R. E.,	Wood, N.,
Fletcher,	Leydic,	Regan,	Woodring,
Flynn,	Lichtenwalter,	Reynolds,	Woodside,
Forch,	Longo,	Rhea,	Yester,
Gallagher,	Lyons,	Riley,	Young,
Gerard,	Malloy,	Rooney,	Kilroy,
	Marks,	Rosenfeld,	Speaker.
	Maxwell,		

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. 1331, as follows:

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

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

Section 1 The sum of seven thousand three hundred fifty dollars (\$7,350) or as much thereof as may be necessary is hereby specifically appropriated out of the Manufacturing Fund to the State Employees' Retirement Board for the two fiscal years commencing the first day of June one thousand nine hundred forty-one for payment from time to time into the State Employees' Retirement Fund to meet the obligations of the Commonwealth to the State Employees' Retirement System with respect to State employees receiving compensation from the Manufacturing Fund

Section 2 Of the sum appropriated by this act there shall be paid into the State Employees' Retirement Fund to the credit of the State Annuity Reserve Account Number Two the sum of three thousand one hundred fifty

dollars (\$3,150) and to the credit of the Contingent Reserve Account the sum of four thousand two hundred dollars (\$4,200)

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—183

Achterman,	Gillan,	McClanaghan,	Royer,
Baker,	Goodwin,	McClester,	Rush,
Balthaser,	Greenwood,	McDermott,	Sarraf,
Bentley,	Gryskewicz,	McDowell,	Scanlon,
Benzel,	Gyger,	McFall,	Schwab,
Bony,	Habbyshaw,	McGrath,	Serrill,
Bower,	Haberlen,	McIntosh,	Shaffer,
Bradley,	Haines,	McKinney,	Shaw,
Bretherick,	Hall,	McLanahan,	Shepard,
Brown,	Hamilton,	McLane,	Simons,
Brunner, P. A.,	Hare,	McMillen,	Skale,
Burns,	Harkins,	McSurdy,	Snyder,
Burris,	Harmuth,	Melchiorre,	Sorg,
Cadwalader,	Heatherington,	Modell,	Stambaugh,
Chervenak,	Helm,	Monks,	Stank,
Chudoff,	Hering,	Mooney,	Stine,
Cochran,	Herman,	Moran,	Tarr,
Cohen, M. M.,	Hersch,	Moul,	Tate,
Cohen, R. E.,	Hewitt,	Muir,	Taylor,
Cordier,	Hirsch,	Munley,	Thompson, E. F.,
Corrigan,	Holland,	Nagel,	Thompson, R. L.,
Croop,	Huntley,	Nunemacher,	Trout,
Dalrymple,	James,	O'Brien,	Turner,
Dennison,	Jefferson,	O'Dare,	Van Allsburg,
DiGenova,	Jones, P. N.,	O'Mullen,	Verona,
Dix,	Keenan,	O'Neill,	Vincent,
Dolan,	Kenehan,	Owens,	Vogt,
D'Otona,	Kline,	Petrosky,	Voidow,
Duffy,	Knoble,	Pettit,	Voorhees,
Earl,	Kolankiewicz,	Polaski,	Wagner,
Elder,	Komorowski,	Polen,	Watkins,
Ellcott,	Krise,	Powers,	Weiss,
Ely,	Lee, E. A.,	Prosen,	Welsh, E. B.,
Falkenstein,	Lee, T. H.,	Rank,	Wilkinson,
Finestone,	Leisey,	Readinger,	Williams,
Finnerty,	Leonard,	Reagan,	Winnor,
Fiss,	Lesko,	Reese, D. P.,	Wolf,
Fletcher,	Levy,	Reese, R. E.,	Wood, N.,
Flynn,	Leydic,	Regan,	Woodring,
Forch,	Lichtenwalter,	Reynolds,	Woodside,
Gallagher,	Longo,	Rhea,	Yester,
Gerard,	Lyons,	Riley,	Young,
	Malloy,	Rooney,	Kilroy,
	Marks,	Rosenfeld,	Speaker.
	Maxwell,		

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. 472, as follows:

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

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

Section 1 The sum of twenty thousand dollars (\$20,000) or so much thereof as may be necessary is hereby specifically appropriated to the Department of Health for the use of the Land Grant College of Pennsylvania engaged by the department for the purpose of advancing research in human nutrition for children so as to continue

the work now in progress in certain areas and in order that this research work may be extended into other areas The Department of Health shall commission this research to said Land Grant College and remain in an advisory capacity so as to benefit and be directed in its work by such findings as may ensue The moneys so appropriated shall be advanced to the Land Grant College of Pennsylvania at such time or times and in such amount or amounts as the college shall request

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—183

Achterman,	Gerard,	Maxwell,	Rosenfeld,
Baker,	Gillan,	McClanaghan,	Royer,
Balthaser,	Goodwin,	McClester,	Rush,
Bentley,	Greenwood,	McDermott,	Sarra,
Bentzel,	Gryskewicz,	McDowell,	Scanlon,
Boies,	Gyger,	McFall,	Schwab,
Boney,	Habbyslaw,	McGrath,	Serrill,
Bower,	Haberien,	McIntosh,	Shaffer,
Bradley,	Haines,	McKinney,	Shaw,
Bretherick,	Hall,	McLanahan,	Shepard,
Brown,	Hamilton,	McLane,	Simons,
Brunner, C. H.,	Hare,	McMillen,	Skale,
Brunner, P. A.,	Harkins,	McSurdy,	Snyder,
Burns,	Harmuth,	Melchiorre,	Sorg,
Burriss,	Heatherington,	Mihm,	Stambaugh,
Cadwalader,	Helm,	Modell,	Stank,
Chervenak,	Hering,	Monks,	Stine,
Chudoff,	Herman,	Mooney,	Tarr,
Cochran,	Hersch,	Moran,	Tate,
Cohen, M. M.,	Hewitt,	Moul,	Taylor,
Cohen, R. E.,	Hirsch,	Muir,	Thompson, E. F.,
Cordier,	Holland,	Munley,	Thompson, R. L.,
Corrigan,	Huntley,	Nagel,	Trout,
Croop,	James,	Nunemacher,	Turner,
Dalrymple,	Jefferson,	O'Brien,	Van Allsburg,
Dennison,	Jones, P. N.,	O'Dare,	Verona,
DiGenova,	Keenan,	O'Mullen,	Vincent,
Dix,	Keenan,	O'Neill,	Vogt,
Dolon,	Kline,	Owens,	Voldow,
D'Ortona,	Knoble,	Petrosky,	Voorhees,
Duffy,	Kolankiewicz,	Pettit,	Wagner,
Early,	Komorofski,	Polaski,	Watkins,
Elder,	Krise,	Polen,	Welss,
Elliot,	Lee, E. A.,	Powers,	Welsh, E. B.,
Ely,	Lee, T. H.,	Prosen,	Wilkinson,
Falkenstein,	Leisey,	Rank,	Williams,
Finestone,	Leonard,	Readinger,	Winner,
Finnerty,	Lesko,	Regan,	Wolf,
Fiss,	Levy,	Reese, D. P.,	Wood, N.,
Fletcher,	Leydic,	Reese, R. E.,	Woodring,
Fynn,	Lichtenwauer,	Reagan,	Woodside,
Foor,	Longo,	Reynolds,	Yeakel,
French,	Lyons,	Rhea,	Yester,
Gallagher,	Malloy,	Riley,	Young,
	Marks,	Rooney,	Kilroy,

Speaker.

NAYS—0

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

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

BILL PASSED OVER

There being no objection House Bill No. 786, Printer's No. 685, was passed over at the request of the SPEAKER.

BILLS ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1380, as follows:

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 employees' retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing employees defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon boards having the employment of public school employees 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 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

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

Section 1 Clause five of Section seven 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 employees' retirement system and creating a retirement board for the administration thereof of establishing certain funds from contributions by the Commonwealth and contributing employees defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon boards having the employment of public school employees exempting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties" as last amended by Section two of the Act approved the twelfth day of July one thousand nine hundred thirty-five (P. L. 698) is hereby further amended to read as follows

Five Each employer shall cause to be deducted on each and every payroll of a contributor for each and every payroll period subsequent to June thirtieth nineteen hundred thirty-five such per centum as shall be certified to said employer by the retirement board as proper in accordance with the provisions of this act The percentage so deducted shall be computed at the option of the contributor either (1) on the total amount of salary earnable by the contributor in the payroll period for which the deductions are made or (2) in the case of contributors who were employed during the year which began July first one thousand nine hundred and thirty-two and ended June thirtieth one thousand nine hundred and thirty-three [if such contributors so elect] on the total amount of salary which was earnable by such contributor during such year [Each contributor shall notify] Every contributor who has heretofore elected to contribute under (1) or (2) of this clause may change his or her election by notifying in writing his employer on or before September first one thousand nine hundred and [thirty-five] forty-two upon which salary he or she elects to contribute

Section 2 This act shall become effective immediately upon its 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—183

Acherman,	Gerard,	McClanaghan,	Royer,
Baker,	Gillan,	McClester,	Rush,
Balchaser,	Goodwin,	McDermott,	Sarraf,
Benley,	Greenwood,	McDowell,	Scanlon,
Benzel,	Gryskewicz,	McFall,	Schwab,
Boles,	Gyger,	McGrath,	Serrill,
Boney,	Habbyshaw,	McIntosh,	Shaffer,
Boose,	Haberlen,	McKinney,	Shaw,
Bower,	Haines,	McLanahan,	Shepard,
Braley,	Hall,	McLane,	Simons,
Brethrick,	Hamilton,	McMillen,	Skale,
Brown,	Hare,	McSurdy,	Snyder,
Bruaner, P. A.,	Harkins,	Melchiorre,	Sorg,
Burns,	Harmuth,	Modell,	Stambaugh,
Burris,	Heatherington,	Monks,	Stank,
Cadwalader,	Helm,	Mooney,	Stine,
Chervenak,	Hering,	Moran,	Tarr,
Chudoff,	Herman,	Moul,	Tate,
Cockran,	Hersch,	Muir,	Taylor,
Cohn, M. M.,	Hewitt,	Munley,	Thompson, E. F.,
Cohn, R. E.,	Holland,	Nagel,	Thompson, R. L.,
Corcier,	Huntley,	Nunemacher,	Trout,
Corrigan,	James,	O'Brien,	Turner,
Crocp,	Jefferson,	O'Dare,	Van Allsburg,
Dalrymple,	Jones, P. N.,	O'Mullen,	Verona,
Danielson,	Keenan,	O'Neill,	Vincent,
DiG-nova,	Kenehan,	Owens,	Vogt,
Dix,	Kline,	Petrosky,	Waldow,
Dolcn,	Knoble,	Pettit,	Voorhees,
D'Ortona,	Kolankiewicz,	Polaski,	Wagner,
Duffy,	Komorofski,	Polen,	Watkins,
Earl,	Krise,	Powers,	Weiss,
Elder,	Lee, E. A.,	Prosen,	Welsh, E. B.,
Ellictt,	Lee, T. H.,	Rank,	Wilkinson,
Ely,	Lelsey,	Readinger,	Williams,
Falkenstein,	Leonard,	Regan,	Winner,
Finestone,	Lesko,	Reese, D. P.,	Wolf,
Finerty,	Levy,	Reese, R. E.,	Wood, N.,
Fiss,	Leydic,	Reagan,	Woodside,
Fletcher,	Lichtenwalter,	Reynolds,	Woodring,
Flynn,	Longo,	Rhea,	Yester,
Fool,	Lyons,	Riley,	Young,
Frerch,	Malloy,	Rooney,	Kilroy,
Gallagher,	Marks,	Rosenfeld,	Speaker.
	Maxwell,		

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. 848, as follows:

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

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

Section 1 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" as last amended by section twenty-eight 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

Nineteen Of the salaries herein provided for full-time teachers supervisors principals and all other full-time members of the teaching and supervisory staff in the public schools of the Commonwealth the Commonwealth shall pay for the biennium year beginning June first one thousand nine hundred and twenty-three and each biennium year thereafter to such school districts as comply with the laws governing the public schools of the Commonwealth for the payment of the salaries of each of said persons employed therein as shown by the certificate herein required to be filed with the Superintendent of Public Instruction in the November immediately preceding any such biennium year as follows In school districts of the first class for each member of the teaching and supervisory staff twenty-five per centum (25%) of the annual minimum salary prescribed herein for elementary teachers in such districts in school districts of the second and third class for each member of the teaching and supervisory staff thirty-five per centum (35%) of the annual minimum salary prescribed herein for elementary teachers in such districts except that where such districts are organized upon a quarterly basis and the schools thereof are being operated and kept open throughout the entire twelve months of the school year the Commonwealth shall pay for each member of the teaching and supervisory staff so employed in such districts forty-six and two-thirds per centum (46-2/3%) of the annual minimum salary prescribed herein for elementary teachers in such districts in school districts of the fourth class for each member of the teaching and supervisory staff fifty per centum (50%) of the annual minimum salary prescribed herein for teachers in such districts Provided That the amount paid by the Commonwealth to a school district of the first second and third class which has a true valuation per teacher of assessable property of fifty thousand dollars (\$50,000) or less shall be seventy-five per centum (75%) of the annual minimum salary prescribed herein for elementary teachers in such districts and that the amount paid to a school district of the first second and third class which has a true valuation per teacher of assessable property of more than fifty thousand dollars (\$50,000) and not more than one hundred thousand dollars (\$100,000) shall be sixty per centum (60%) of the annual minimum salary prescribed herein for elementary teachers in such districts Provided That the amount paid by the Commonwealth to a school district of the fourth class which has a true valuation per teacher of assessable property of fifty thousand dollars (\$50,000) or less shall be seventy-five per centum (75%) of the annual minimum salary prescribed herein for teachers in such districts and that the amount paid to a school district of the fourth class which has a true valuation per teacher of assessable property of more than fifty thousand dollars (\$50,000) and not more than one hundred thousand dollars (\$100,000) shall be sixty per centum (60%) of the annual minimum salary prescribed herein for teachers in such districts Provided That where any member of the teaching or supervisory staff receives less salary than the minimum salary prescribed by the foregoing salary schedule for the class of district in which he is teaching there shall be paid to the district a corresponding per centum of the salary paid to such person Provided further That in districts of the first second third and fourth classes the minimum salary of part-time teachers supervisors and principals employed in the extension schools and classes of the Commonwealth established for the education of adults and legally employed minors and not designated as continuation or other vocational schools or classes shall be one dollar (\$1.00) per hour the minimum annual increment in salary in such extension schools and classes shall be twenty-five cents (\$.25) per hour the minimum number of such annual increments shall be two (2) And providing further That for each part-time member of the teaching and supervisory

staff employed by any school district in extension schools and classes approved by the Department of Public Instruction established for the education of adults and legally employed minors and not designated as continuation or other vocational schools or classes the Commonwealth shall pay to the several districts the same per centum of the minimum salary herein required to be paid to part-time teachers in such extension schools and classes as is paid to such districts of the minimum salary of the full-time teachers And provided further That for each full-time teachers of a special class and for each full-time supervisor or principal of special schools or classes organized by any school district and approved under legislation providing for the special education of physically or mentally handicapped pupils there shall be paid to the district in addition to other payments herein provided sums as follows To districts of the first class twenty-five per centum (25%) and to other districts thirty per centum (30%) of the minimum salary respectively prescribed herein for elementary teachers in such respective districts and for each part-time teacher supervisor or principal employed in approved special education a fraction of such amounts proportional to the time for which such person is employed And provided further That the total amount paid to any school district on account of any such teacher supervisor or principal employed in special education shall not exceed eighty per centum (80%) of the salary actually paid to such person Provided further That the Superintendent of Public Instruction shall annually apportion to each fourth class district the sum of two hundred dollars (\$200) for each school permanently closed or discontinued in such district since nineteen hundred eleven or which may hereafter be permanently closed or discontinued or which was heretofore permanently closed or discontinued under the provisions of the act of April twenty-fifth one thousand nine hundred and one (P. L. 105) entitled "An act to provide for the centralization of township schools and to provide high schools for townships" and all payments heretofore made by the Commonwealth and all requisitions and warrants heretofore drawn for payments for schools permanently closed or discontinued under the provisions of said act are hereby ratified validated and declared legal Such annual apportionment shall continue to be made to such districts notwithstanding that they may be changed from fourth class districts to other classes by reason of an increase in population And provided further That in addition to the payments herein provided on account of members of the teaching and supervisory staff employed in any school district and on account of schools permanently closed or discontinued in any district each district shall receive its proportionate share of the minimum salaries required to be paid to such additional members of the teaching and supervisory staff as may have been employed subsequent to the certificate to the Superintendent of Public Instruction in the November previous to the biennium year and its apportionment as herein provided for additional schools permanently closed or discontinued subsequent to such certificate Payments required by this proviso shall be made after certificate to the Superintendent of Public Instruction in the November of the biennium year in addition to the last quarterly payment of the biennium as hereinafter provided

The true valuation per teacher for each district shall be determined by the State Council of Education on data and material submitted by the officers of such district in the annual report to the Superintendent of Public Instruction if such data and material shall after investigation by the State Council of Education be found correct otherwise upon such data and material as modified corrected and approved by said Council of Education The true valuation per teacher shall be found by dividing the true valuation of the district by the number of full-time teachers which number shall include all teachers principals supervisors and superintendents employed in the vocational and non-vocational schools of the district for the year covered by such report which number in district of the fourth class shall also include one teacher for each teacher who at the time of the closing of any school in such district subsequent to June first one thousand nine hundred

and twenty-three not since reopened was employed in such school The true valuation of the taxable property of each school district shall be obtained by dividing the amount of the assessed valuation certified in the annual report of the district for the school year ending June thirtieth one thousand nine hundred and twenty-two and every second year thereafter as corrected and approved by the State Council of Education after investigation by the average rate of assessment certified in such annual reports for the three years immediately preceding the date on which such true valuation is determined as corrected and approved by the State Council of Education after investigation The true valuation of each school district for the two fiscal years beginning on June first one thousand nine hundred and twenty-five and ending May thirty-first one thousand nine hundred and twenty-seven and for each biennium thereafter shall be determined during the month of October one thousand nine hundred and twenty-four and in the month of October of every second year thereafter The State Council of Education is hereby given full power and authority to make such investigations to take such action and to institute such proceedings as may be necessary to determine any of the questions that may be raised in the determination and adjustment of the aforesaid true valuations and the decisions which such council reaches in such questions shall be final and conclusive

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—183

Achterman,	Gerard,	Maxwell,	Rosenfeld,
Baker,	Gillan,	McClanaghan,	Royer,
Balthaser,	Goodwin,	McClester,	Rush,
Bentley,	Greenwood,	McDermott,	Sarraf,
Bentzel,	Gryskewicz,	McDowell,	Scanlon,
Boles,	Gyger,	McFall,	Schwab,
Boney,	Habbyshaw,	McGrath,	Serrill,
Bower,	Haberlen,	McIntosh,	Shaffer,
Bradley,	Haines,	McKinney,	Siaw,
Bretherick,	Hall,	McLanahan,	Shepard,
Brown,	Hamilton,	McLane,	Simons,
Brunner, P. A.,	Hare,	McMillen,	Skale,
Burns,	Harkins,	McSurdy,	Snyder,
Burriss,	Harmuth,	Melchiorre,	Soz,
Cadwalader,	Heatherington,	Modell,	Stambaugh,
Chervenak,	Helm,	Monks,	Stank,
Chudoff,	Hering,	Mooney,	Stine,
Cochran,	Herman,	Moran,	Tarr,
Cohen, M. M.,	Hersch,	Moul,	Tate,
Cohen, R. E.,	Hewitt,	Muir,	Taylor,
Cordier,	Holland,	Munley,	Thompson, E. F.,
Corrigan,	Huntley,	Nagel,	Thompson, R. L.,
Croop,	James,	Nunemacher,	Trout,
Dairymple,	Jefferson,	O'Brien,	Turner,
Dennison,	Jones, P. N.,	O'Dare,	Van Allsburg,
DiGenova,	Keenan,	O'Mullen,	Verona,
Dix,	Kenehan,	O'Neill,	Vincent,
Dolon,	Kline,	Owens,	Vogt,
D'Ortona,	Knoble,	Petrosky,	Voldow,
Duffy,	Kolankiewicz,	Pettit,	Voorhees,
Duffy,	Komorofski,	Polaski,	Wagner,
Early,	Krise,	Polen,	Watkins,
Elder,	Lee, E. A.,	Powers,	Wells,
Elliott,	Lee, T. H.,	Prosen,	Welsh, E. B.,
Ely,	Leisey,	Rank,	Wilkinson,
Falkenstein,	Leonard,	Readinger,	Williams,
Finestone,	Lesko,	Reagan,	Winner,
Finnerty,	Levy,	Reese, D. P.,	Wolf,
Fiss,	Leydic,	Reese, R. E.,	Wood, N.,
Fletcher,	Lichtenwalter,	Regan,	Woodring,
Flynn,	Longo,	Reynolds,	Woodside,
Foor,	Lyons,	Rhea,	Yester,
French,	Malloy,	Riley,	Young,
Gallagher,	Marks,	Rooney,	Kilroy,

Speaker.

NAYS—0

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

affirmative.

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

BILL PASSED OVER

There being no objection House Bill No. 1508, Senate No. 645, Printer's No. 181, was passed over at the request of the SPEAKER.

BILLS ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 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 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—183

- Achterman, Gillan, McClanaghan, Royer, Baker, Goodwin, McClester, Rush, Balthaser, Greenwood, McDermott, Sarraf, Bentley, Grysiewicz, McDowell, Scanlon, Bentzel, Gyger, McFall, Schwab, Boles, Habbyslaw, McGrath, Serrill, Boney, Haberen, McIntosh, Shaffer, Bower, Haines, McKinney, Hall, McLanahan, McLane, Simons, Bretherick, Hamilton, McMillen, Hare, Skale, Brunner, P. A., Harkins, McSurdy, Burns, Harkins, Harmuth, Snyder, Burris, Cadwalader, Heatherington, Chervenak, Helm, Cordier, Chudoff, Hering, Croop, Dalrymple, Dennison, DiGenova, Dix, Dolon, D'Ortona, Duffy, Early, Elder, Elliott, Falkenstein, Finestone, Finnerty, Fiss, Fletcher, Flynn, Foor, French, Gallagher, Gerard, Kenehan, Kline, Knoble, Komorowski, Krise, Lee, E. A., Lee, T. H., Leonard, Lesko, Leisey, Levy, Leydic, Lichtenwalter, Longo, Lyons, Malloy, Marks, Maxwell, O'Neill, Owens, Petrosky, Pettit, Polaski, Polen, Powers, Prosen, Reese, D. P., Reese, R. E., Regan, Reynolds, Rhea, Riley, Rooney, Rosenfeld, Vincent, Vogt, Voldow, Voorhees, Wagner, Watkins, Weiss, Welsh, E. B., Wilkinson, Williams, Winner, Wolf, Wood, N., Woodring, Woodside, Yester, Young, Kilroy, Speaker.

- DiGenova, Kenehan, O'Neill, Vincent, Dix, Kline, Owens, Vogt, Dolon, Knoble, Petrosky, Voldow, D'Ortona, Komorowski, Pettit, Voorhees, Duffy, Polaski, Polaski, Wagner, Early, Krise, Polen, Watkins, Elder, Lee, E. A., Powers, Weiss, Elliott, Lee, T. H., Prosen, Welsh, E. B., Falkenstein, Leonard, Rank, Wilkinson, Finestone, Lesko, Readinger, Williams, Finnerty, Leisey, Reagan, Winner, Fiss, Levy, Reese, D. P., Wolf, Foor, Leydic, Reese, R. E., Wood, N., Fletcher, Lichtenwalter, Regan, Woodring, Flynn, Longo, Reynolds, Woodside, Foor, Lyons, Rhea, Yester, French, Malloy, Riley, Young, Gallagher, Marks, Rooney, Kilroy, Gerard, Maxwell, Rosenfeld, Speaker.

NAYS—0

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

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

Agreeably to order,

The House proceeded to the third 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 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—183

- Achterman, Gerard, Maxwell, Rosenfeld, Baker, Gillan, McClanaghan, Royer, Balthaser, Goodwin, McClester, Rush, Bentley, Greenwood, McDermott, Sarraf, Bentzel, Grysiewicz, McDowell, Scanlon, Boles, Gyger, McFall, Schwab, Boney, Habbyslaw, McGrath, Serrill, Bower, Haberen, McIntosh, Shaffer, Bradley, Haines, McKinney, Hall, McLanahan, McLane, Simons, Bretherick, Hamilton, McMillen, Hare, Skale, Brunner, P. A., Harkins, McSurdy, Burns, Harkins, Harmuth, Snyder, Burris, Cadwalader, Heatherington, Chervenak, Helm, Cordier, Chudoff, Hering, Croop, Dalrymple, Dennison, DiGenova, Dix, Dolon, D'Ortona, Duffy, Early, Elder, Elliott, Falkenstein, Finestone, Finnerty, Fiss, Fletcher, Flynn, Foor, French, Gallagher, Gerard, Kenehan, Kline, Knoble, Komorowski, Krise, Lee, E. A., Lee, T. H., Leonard, Lesko, Leisey, Levy, Leydic, Lichtenwalter, Longo, Lyons, Malloy, Marks, Maxwell, O'Neill, Owens, Petrosky, Pettit, Polaski, Polen, Powers, Prosen, Reese, D. P., Reese, R. E., Regan, Reynolds, Rhea, Riley, Rooney, Rosenfeld, Vincent, Vogt, Voldow, Voorhees, Wagner, Watkins, Weiss, Welsh, E. B., Wilkinson, Williams, Winner, Wolf, Wood, N., Woodring, Woodside, Yester, Young, Kilroy, Speaker.

Ely.	Lelsey.	Rank.	Wilkinson.
Falkenstein,	Leonard,	Readinger,	Williams,
Finestone,	Lesko,	Reagan,	Winnier,
Finnerty,	Levy.	Reese, D. P.,	Wolf,
Fiss,	Leydic,	Reese, R. E.,	Wood, N.,
Fletcher,	Lichtenwalter.	Regan,	Woodring,
Flynn,	Longo,	Reynolds,	Woodside,
Foor,	Lyons,	Rhea,	Yester,
French,	Malloy.	Riley,	Young,
Gallagher,	Marks,	Rooney,	Kilroy,

Speaker.

NAYS—0

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

Agreeably to order,

The House proceeded to the third 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 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—183

Achterman,	Gerard,	Maxwell,	Royer,
Baker,	Gillan,	McClanaghan,	Rush,
Balthaser,	Goodwin,	McClester,	Sarraf,
Bentley,	Greenwood,	McDermott,	Scanlon,
Bentzel,	Gryskewicz,	McDowell,	Schwab,
Boles,	Gyger,	McFall,	Serrill,
Boney,	Habbyshaw,	McGrath,	Shaffer,
Bower,	Haberlen,	McIntosh,	Shaw,
Bradley,	Haines,	McKinney,	Shepard,
Bretherick,	Hall,	McLanahan,	Simons,
Brown,	Hamilton,	McLane,	Skale,
Brunner, P. A.,	Hare,	McMillen,	Snyder,
Burns,	Harkins,	McSurdy,	Sorg,
Burril,	Harmuth,	Melchiorre,	Stambaugh,
Cadwalader,	Heatherington,	Modell,	Stank,
Chervenak,	Heim,	Monks,	Stine,
Chudoff,	Hering,	Mooney,	Tarr,
Cochran,	Herman,	Moran,	Tate,
Cohen, M. M.,	Hersch,	Muir,	Taylor,
Cohen, E. E.,	Hewitt,	Munley,	Thompson, E. F.,
Cordier,	Holland,	Nagel,	Thompson, R. L.,
Corrigan,	Huntley,	Nunemacher,	Trout,
Croop,	James,	O'Brien,	Turner,
Dalrymple,	Jefferson,	O'Dare,	Van Allsburg,
Dennison,	Jones, P. N.,	O'Mullen,	Verona,
DiGenova,	Keenan,	O'Neill,	Vincent,
Dix,	Kenehan,	Owens,	Vogt,
Doion,	Klitne,	Petrosky,	Voldow,
D'Ortona,	Knoble,	Pettit,	Voorhees,
Duffy,	Kolankiewicz,	Polaski,	Wagner,
Early,	Komorofski,	Polen,	Watkins,
Elder,	Krise,	Powers,	Weiss,
Elliot,	Lee, E. A.,	Prosen,	Welsh, E. B.,
Ely,	Lee, T. H.,	Rank,	Wilkinson,
Falkenstein,	Lelsey,	Readinger,	Williams,
Finestone,	Leonard,	Reagan,	Winnier,
	Lesko,	Reese, D. P.,	Wolf,

Finnerty,	Levy,	Reese, R. E.,	Wood, N.,
Fiss,	Leydic,	Regan,	Woodring,
Fletcher,	Lichtenwalter,	Reynolds,	Woodside,
Flynn,	Longo,	Rhea,	Yester,
Foor,	Lyons,	Riley,	Young,
French,	Malloy,	Rooney,	Kilroy,
Gallagher,	Marks,	Rosenfeld,	Speaker,

NAYS—0

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

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

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 736, as follows:

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 (P. 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

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

Section 1 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 (P. L. 932) entitled "An act relating to cities of the third class and amending revising and consolidating the law relating thereto" as amended by the act approved the twenty-second day of May one thousand nine hundred and thirty-three (P. L. 927) is hereby further amended to read as follows

Section 2536 Reductions Penalties and Interest All persons who shall make payment during the months of March and April in each year of city and poor tax shall be entitled to a reduction or abatement of one per centum from the amount thereof All such taxes shall be payable at their face during the months of May and June in each year Upon all city and poor taxes remaining unpaid on the first day of July in each year one per centum shall be added thereto and upon the first day of each succeeding month thereafter there shall be added or charged an additional penalty for nonpayment of one per centum until and including the month of December which penalty shall be added to the taxes by said treasurer as collector and be collected by him All taxes remaining unpaid on January first of the year following the year of levy shall bear interest on the tax [and penalty] at the rate of six per centum per annum until paid said interest to be computed only to the first day of the month in which the tax is paid which interest shall be added to the taxes by said treasurer as collector and be collected by him

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—183

Achterman,	Gillan,	McClanaghan,	Royer,
Baker,	Goodwin,	McClester,	Rush,
Balthaser,	Greenwood,	McDermott,	Sarraf,
Bentley,	Gryskewicz,	McDowell,	Scanlon,
Bentzel,	Gyger,	McFall,	Schwab,
Boles,	Habbyshaw,	McGrath,	Serrill,
Boney,	Haberlen,	McIntosh,	Shaffer,
Bower,	Haines,	McKinney,	Shaw,
Bradley,	Hall,	McLanahan,	Shepard,

Brethrick,	Hamilton,	McLane,	Simons,
Brown,	Hare,	McMillen,	Skale,
Brunner, P. A.,	Harkins,	McSurdy,	Snyder,
Burris,	Heatherington,	Melchiorre,	Sorg,
Burris,	Helm,	Modell,	Stambaugh,
Cadwalader,	Hering,	Monks,	Stank,
Chervenak,	Hersch,	Mooney,	Stine,
Chudoff,	Harmuth,	Moran,	Tarr,
Cochran,	Herman,	Moul,	Tate,
Cohen, M. M.,	Hewitt,	Muir,	Taylor,
Cohen, R. E.,	Holland,	Munley,	Thompson, E. F.,
Cordier,	Huntley,	Nagel,	Thompson, R. L.,
Corigan,	James,	Nunemacher,	Trout,
Croop,	Jefferson,	O'Brien,	Turner,
Dalrymple,	Jones, P. N.,	O'Dare,	Van Allsburg,
Dennison,	Keenan,	O'Mullen,	Verona,
DiGenova,	Kenehan,	O'Neill,	Vincent,
Dix,	Kline,	Vogt,	Voldow,
Dolan,	Knoble,	Petrosky,	Voorhees,
D'Ortona,	Kolankiewicz,	Pettit,	Wagner,
Duffy,	Komorowski,	Polaski,	Watkins,
Early,	Krise,	Polen,	Welsh, E. B.,
Elder,	Lee, E. A.,	Powers,	Wilkinson,
Elliott,	Lee, T. H.,	Prosen,	Williams,
Ely,	Lelsey,	Rank,	Winnier,
Falkenstein,	Leonard,	Readinger,	Wolf,
Finestone,	Lesko,	Reagan,	Wood, N.,
Finerty,	Levy,	Reese, D. P.,	Woodring,
Fiss,	Leydic,	Reese, R. E.,	Woodside,
Fletcher,	Lichtenwalter,	Regan,	Yester,
Flynn,	Longo,	Reynolds,	Young,
Foor,	Lyons,	Rhea,	Kilroy,
French,	Malloy,	Riley,	Speaker.
Gallagher,	Marks,	Rooney,	
Gerard,	Maxwell,	Rosenfeld,	

NAYS—0

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

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

BILLS PASSED OVER

There being no objection House Bill No. 1559, Printer's No. 674, was passed over at the request of the SPEAKER.

There being no objection House Bill No. 568, Printer's No. 683, was passed over at the request of the SPEAKER.

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

BILL ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 300, as follows:

An Act making an appropriation for the purpose of maintaining the public roads and improvins and replacing bridges thereon through the Cornplanter Indian Reservation in Elk Township Warren County Pennsylvania

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

Section 1 The sum of six hundred dollars (\$600) or as much thereof as may be necessary is hereby specifically appropriated for the two fiscal years beginning June first one thousand nine hundred and forty-one to be paid to the treasurer of Elk Township Warren County Pennsylvania for the purpose of improving and maintaining in good repair the public roads and highways passing through the Cornplanter Indian Reservation in said township and for the purpose of improving and replacing bridges and their abutments on such roads and highways Such money shall be paid on warrant drawn on the State Treasurer by the Auditor General and shall be disbursed under the direction of the supervisors of Elk Township

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—183

Achterman,	Gillan,	McClanaghan,	Royer,
Baker,	Goodwin,	McClester,	Rush,
Balthaser,	Greenwood,	McDermott,	Saraf,
Bentley,	Gryskewicz,	McDowell,	Scanlon,
Bentzel,	Gyger,	McFall,	Schwab,
Boles,	Habbyshaw,	McGrath,	Serrill,
Boney,	Haberlen,	McIntosh,	Shaffer,
Bower,	Haines,	McKinney,	Shaw,
Bradley,	Hall,	McLanahan,	Stepard,
Bretherick,	Hamilton,	McLane,	Simons,
Brown,	Hare,	McMillen,	Skale,
Brunner, P. A.,	Harkins,	McSurdy,	Snyder,
Burns,	Harmuth,	Melchiorre,	Sorg,
Burris,	Heatherington,	Modell,	Stambaugh,
Cadwalader,	Helm,	Monks,	Stank,
Chervenak,	Hering,	Mooney,	Stine,
Chudoff,	Herman,	Moran,	Tarr,
Cochran,	Hersch,	Moul,	Tate,
Cohen, M. M.,	Hewitt,	Muir,	Taylor,
Cohen, R. E.,	Holland,	Munley,	Thompson, E. F.,
Cordier,	Huntley,	Nagel,	Thompson, R. L.,
Corrigan,	James,	Nunemacher,	Trout,
Croop,	Jefferson,	O'Brien,	Turner,
Dalrymple,	Jones, P. N.,	O'Dare,	Van Allsburg,
Dennison,	Keenan,	O'Mullen,	Verona,
DiGenova,	Kenehan,	O'Neill,	Vincent,
Dix,	Kline,	Owens,	Vogt,
Dolan,	Knoble,	Petrosky,	Voldow,
D'Ortona,	Kolankiewicz,	Pettit,	Voorhees,
Duffy,	Komorowski,	Polaski,	Wagner,
Early,	Krise,	Polen,	Watkins,
Elder,	Lee, E. A.,	Powers,	Weiss,
Elliott,	Lee, T. H.,	Prosen,	Welsh, E. B.,
Ely,	Lelsey,	Rank,	Wilkinson,
Falkenstein,	Leonard,	Readinger,	Williams,
Finestone,	Lesko,	Reagan,	Winnier,
Finerty,	Levy,	Reese, D. P.,	Wolf,
Fiss,	Leydic,	Reese, R. E.,	Wood, N.,
Fletcher,	Lichtenwalter,	Regan,	Woodring,
Flynn,	Longo,	Reynolds,	Woodside,
Foor,	Lyons,	Rhea,	Yester,
French,	Malloy,	Riley,	Young,
Gallagher,	Marks,	Rooney,	Kilroy,
Gerard,	Maxwell,	Rosenfeld,	Speaker.

NAYS—0

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

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

BILL PASSED OVER

There being no objection House Bill No. 820, Printer's No. 684, was passed over at the request of the SPEAKER.

BILLS ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1657, as follows:

An Act to amend sections one and four of the act approved the twelfth day of July one thousand nine hundred and thirty-five (P. L. 722), entitled "An act authorizing cities of the second class to issue and sell short term promissory notes" by providing that cities of the second class may issue and sell short term promissory notes to raise funds for any lawful purpose and further providing that said short term notes may be paid and

funded out of the proceeds of bonds issued and sold for the authorized purpose

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

Section 1 Sections one and four of the act approved the twelfth day of July one thousand nine hundred and thirty-five (P. L. 722) entitled "An act authorizing cities of the second class to issue and sell short term promissory notes" are hereby amended to read as follows

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That any city of the second class shall have power to issue and sell negotiable short term promissory notes of the city payable not more than three years from the date thereof for the purpose of raising funds for any one or more of the following purposes (a) To pay judgments against the city (b) to pay claims for damages finally determined against the city in connection with municipal improvements (c) to pay other items of floating indebtedness to the city (d) to pay the engineering architectural and other expenses incurred or to be incurred in connection with contracts for municipal improvements [and] (e) to pay for the construction of public improvements within the city and the preliminary expenses in connection therewith and (f) for any other lawful purpose

Section 4 When an increase of the indebtedness of the city for a specific purpose has been duly authorized in the manner required by law the indebtedness so authorized may first be incurred by the city by issuing from time to time as funds for the specific purpose are required short term notes as hereinbefore provided and the notes so issued [shall] may thereafter be paid and funded out of the proceeds of bonds issued and sold for the authorized purpose

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

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

On the question,

Shall the bill pass finally?

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

YEAS—183

Achterman,	Gerard,	Maxwell,	Rooney,
Baker,	Gillan,	McClanaghan,	Rosenfeld,
Balthaser,	Goodwin,	McClester,	Royer,
Bentley,	Greenwood,	McDermott,	Rush,
Bentzel,	Gryskewicz,	McDowell,	Sarra,
Boles,	Gyger,	McFall,	Scanlon,
Boney,	Habbyshaw,	McGrath,	Schwab,
Bower,	Haberlen,	McIntosh,	Serrill,
Bradley,	Haines,	McKinney,	Shaffer,
Bretherick,	Hall,	McLanahan,	Shaw,
Brown,	Hamilton,	McLane,	Shepard,
Brunner, P. A.,	Hare,	McMillen,	Simons,
Burns,	Harkins,	McSurdy,	Skale,
Burriss,	Harmuth,	Melchiorre,	Snyder,
Cadwalader,	Heatherington,	Mihm,	Sorg,
Chervenak,	Helm,	Modell,	Stambaugh,
Chudoff,	Hering,	Monks,	Stank,
Cochran,	Herman,	Mooney,	Stine,
Cohen, M. M.,	Hersch,	Moran,	Tarr,
Cohen, R. E.,	Hewitt,	Moul,	Tate,
Cordier,	Holland,	Muir,	Taylor,
Corrigan,	Huntley,	Munley,	Thompson, E. F.,
Croop,	James,	Nagel,	Thompson, R. L.,
Dalrymple,	Jefferson,	Nunemacher,	Trout,
Dennison,	Jones, P. N.,	O'Brien,	Turner,
DiGenova,	Keenan,	O'Dare,	Van Allsburg,
Dix,	Kenehan,	O'Mullen,	Verona,
Dolon,	Kilne,	O'Neill,	Vincent,
D'Ortona,	Knoble,	Owens,	Vogt,
Duffy,	Kolankiewicz,	Petrosky,	Voidow.,
Early,	Komorofski,	Pettit,	Voorhees,
Elder,	Krise,	Polaski,	Wagner,
Elliott,	Lee, E. A.,	Polen,	Warkins,
	Lee, T. A.,	Powers,	Weiss,

Ely,	Lelsey,	Prosen,	Welsh, E. B.,
Falkenstein,	Leonard,	Rank,	Wilkinson,
Finestone,	Lesko,	Readinger,	Williams,
Finnerty,	Levy,	Reagan,	Winner,
Fiss,	Leydic,	Reese, D. P.,	Wolf,
Fletcher,	Lichtenwalter,	Reese, R. E.,	Wood, N.,
Flynn,	Longo,	Regan,	Woodring,
Foot,	Lyons,	Reynolds,	Woodside,
French,	Malloy,	Rhea,	Yester,
Gallagher,	Marks,	Riley,	Young,
			Kilroy, Speaker.

NAYS—0

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

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

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1658, as follows:

An Act to further amend the first paragraph of section one of article fifteen of the act approved the seventh day of March one thousand nine hundred and one (P. L. 20) entitled "An act for the government of cities of the second class" by further regulating the manner of letting contracts relating to city affairs

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

Section 1 The first paragraph of section one of article fifteen of the act approved the seventh day of March one thousand nine hundred and one (P. L. 20) entitled "An act for the government of cities of the second class" as last amended by section one of the act approved the fourteenth day of April one thousand nine hundred and thirty-seven (P. L. 310) is hereby further amended to read as follows

Section 1 All contracts relating to city affairs shall be let to the lowest responsible bidder after reasonable notice When the contracts exceeds five hundred dollars such notice shall be by advertisement when less than that amount or when purchased at public sale advertisement may be dispensed with Every contract shall be let [by the mayor and head of the proper department] in the manner prescribed by the council of said city and shall be countersigned by the city controller All bids shall be filed with the city controller and shall be opened publicly [by the mayor and head of the proper department or either of them] in the manner prescribed by the council of said city at a time and place to be designated in the advertisement or notice to bidders and the figures stated to those present No contract shall be let until [councils have] council has passed an ordinance providing for the letting of the same [by the mayor and head of the proper department]

Section 2 All acts and parts of acts inconsistent with the provisions of this act are hereby repealed

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

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

On the question,

Shall the bill pass finally?

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

YEAS—183

Achterman,	Gillan,	McClanaghan,	Royer,
Baker,	Goodwin,	McClester,	Rush,
Balthaser,	Greenwood,	McDermott,	Sarra,
Bentley,	Gryskewicz,	McDowell,	Scanlon,
Bentzel,	Gyger,	McFall,	Schwab,
Boles,	Habbyshaw,	McGrath,	Serrill,
Boney,	Haberlen,	McIntosh,	Shaffer,
Bower,	Haines,	McKinney,	Shaw,

Bradley.	Hall,	McLanahan,	Shepard,
Bretlerick,	Hamilton,	McLane,	Simons.
Brown,	Hare,	McMillen,	Skale.
Brunner, P. A.,	Harkins,	McSurdy,	Snyder,
Burns,	Harmuth,	Melchiorre,	Sorg,
Burris,	Heatherington,	Modell,	Stambaugh,
Cadwalader,	Helm,	Monks,	Stank,
Chervenak,	Hering,	Mooney,	Stine,
Chudoff,	Herman,	Moran,	Tarr,
Cochran,	Hersch,	Moul,	Tate,
Coher, M. M.,	Hewitt,	Muir,	Taylor,
Coher R. E.,	Holland,	Munley,	Thompson, E. F.,
Cordier,	Huntley,	Nagel,	Thompson, R. L.,
Corrigan,	James,	Nunemacher,	Trout,
Croop,	Jefferson,	O'Brien,	Turner,
Dalrymple,	Jones, P. N.,	O'Dare,	Van Allsburg,
Dennison,	Keenan,	O'Mullen,	Verona.
DiGenova,	Kenehan,	O'Neill,	Vincent,
Dix,	Kilne,	Owens,	Vogt,
Dolon,	Knoble,	Petrosky,	Voldow,
D'Ortona,	Kolankiewicz,	Pettit,	Voorhees,
Duffy,	Komorowski,	Polaski,	Wagner,
Early,	Krise,	Polen,	Watkins,
Elder,	Lee, E. A.,	Powers,	Weiss,
Elllott,	Lee, T. H.,	Prosen,	Welsh, E. B.,
Ely,	Lelsey,	Rank,	Wilkinson,
Falkenstein,	Leonard,	Readinger,	Williams,
Finestone,	Lesko,	Reagan,	Winner,
Finnerty,	Levy,	Reese, D. P.,	Wolf,
Fiss,	Leydic,	Reese, R. E.,	Wood, N.,
Fletcher,	Lichtenwalter,	Regan,	Woodring,
Flynn,	Longo,	Reynolds,	Woodside,
Foor,	Lyons,	Rhea,	Yester,
French,	Malloy,	Riley,	Young,
Gallagher,	Marks,	Rooney,	Kilroy,
Gerarc,	Maxwell,	Rosenfeld,	Speaker.

NAYS—0

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

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

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 267, as follows:

An Act making an appropriation to aid certain school districts

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

Section 1 The sum of three million dollars (\$3,000,000) is hereby specifically appropriated to the Department of Public Instruction for the purpose of aiding financially handicapped and distressed school districts in such sums and in such manner as the Superintendent of Public Instruction shall determine and for defraying the necessary cost for the administration thereof

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—183

Achterman,	Gerard,	McClanaghan,	Royer,
Baker,	Gillan,	McClester,	Rush,
Balthaser,	Goodwin,	McDermott,	Sarraf,
Bentley,	Greenwood,	McDowell,	Scanlon,
Bentzel,	Gryskewicz,	McFall,	Schwab,
Botes,	Gyger,	McGrath,	Serrill,
Boney,	Habbyshaw,	McIntosh,	Shaffer,
Bower,	Haberlen,	McKinney,	Shaw,
Bradley,	Haines,	McLanahan,	Shepard,
Bretherick,	Hall,	McLane,	Simons,
Brown,	Hamilton,	McMillen,	Skale,
Brunner, P. A.,	Hare,	McSurdy,	Snyder,
Burns,	Harkins,	Melchiorre,	Sorg,

Burris,	Heatherington,	Modell,	Stambaugh,
Cadwalader,	Helm,	Monks,	Stank,
Chervenak,	Hering,	Mooney,	Stine,
Chudoff,	Herman,	Moran,	Tarr,
Cochran,	Hersch,	Moul,	Tate,
Cohen, M. M.,	Hewitt,	Muir,	Taylor,
Cohen, R. E.,	Holland,	Munley,	Thompson, E.,
Cordier,	Huntley,	Nagel,	Thompson, R.,
Corrigan,	James,	Nunemacher,	Trout,
Croop,	Jefferson,	O'Brien,	Turner,
Dalrymple,	Jones, P. N.,	O'Dare,	Van Allsburg,
Dennison,	Keenan,	O'Mullen,	Verona.
DiGenova,	Kenehan,	O'Neill,	Vincent,
Dix,	Kilne,	Owens,	Vogt,
Dolon,	Knoble,	Petrosky,	Voldow,
D'Ortona,	Kolankiewicz,	Pettit,	Voorhees,
Duffy,	Komorowski,	Polaski,	Wagner,
Early,	Krise,	Polen,	Watkins,
Elder,	Lee, E. A.,	Powers,	Weiss,
Elllott,	Lee, T. H.,	Prosen,	Welsh, E. B.,
Ely,	Lelsey,	Rank,	Wilkinson,
Falkenstein,	Leonard,	Readinger,	Williams,
Finestone,	Lesko,	Reagan,	Winner,
Finnerty,	Levy,	Reese, D. P.,	Wolf,
Fiss,	Leydic,	Reese, R. E.,	Wood, N.,
Fletcher,	Lichtenwalter,	Regan,	Woodring,
Flynn,	Longo,	Reynolds,	Woodside,
Foor,	Lyons,	Rhea,	Yester,
French,	Malloy,	Riley,	Young,
Gallagher,	Marks,	Rooney,	Kilroy,
Gerarc,	Maxwell,	Rosenfeld,	Speaker.

NAYS—0

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

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

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1429, as follows:

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 Central Bureau of Vital Statistics as required to be established by the State Department of Health and in order to secure prompt and faithful registration of births marriages deaths and diseases of practitioners of medicine and surgery of midwives nurses and undertakers and of all persons whose occupation is deemed to be of importance in obtaining complete registration of births deaths marriages and diseases throughout the State as provided in section ten of an act entitled 'An act creating the Department of Health and defining its powers and duties' approved the twenty-seventh day of April nineteen hundred and five and providing penalties for violations of this act" providing for the appointment of local registrars of vital statistics by county commissioners and removing certain appointees from office and declaring such offices vacant

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

Section 1 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 Central Bureau of Vital Statistics as required to be established by the State Department of Health and in order to secure prompt and faithful registration of births marriages deaths and diseases of practitioners of medicine and surgery of midwives nurses and undertakers and of all persons whose occupation is

deemed to be of importance in obtaining complete registration of births deaths marriages and diseases throughout the State as provided in section ten of an act entitled 'An act creating the Department of Health and defining its powers and duties approved the twenty-seventh day of April nineteen hundred and five and providing penalties for violations of this act' is hereby amended to read as follows

Section 4 [That the Commissioner of Health shall appoint a local registrar of vital statistics for each registration district of the State The term of office of local registrars shall be for four years beginning with the first day of January of the year nineteen hundred and thirteen and their successors shall be appointed at least ten days before the expiration of their term of office Provided however That all local registrars now serving under appointment of the Commissioner of Health shall continue to serve until the expiration of their term for which they have been appointed] The county commissioners of each county shall appoint a local registrar of vital statistics for each registration district in their respective counties The term of office of local registrars shall be for four years beginning with the first day of January one thousand nine hundred and forty-one Their successors shall be appointed at least ten days before the expiration of their term of office All local registrars appointed by the Secretary of Health prior to the effective date of these amendments and serving on such date are hereby removed and such offices are hereby declared to be vacant Any local registrar [appointed by the said Commissioner of Health] who fails or neglects to efficiently discharge the duties of his office or who fails to make prompt and complete returns of births and deaths as required hereby shall be forthwith removed from his office by the [said Commissioner of Health] county commissioners and his successor appointed in addition to any other penalties that may be imposed under other sections of this act for failure or neglect to perform his duty Each local registrar [appointed by the Commissioner of Health] shall immediately upon his acceptance of appointment as such appoint a deputy whose duty it shall be to act in his stead in case of absence illness or disability and who shall accept such appointment in writing and who shall be subject to all rules and regulations governing the actions of local registrars and when it may appear necessary for the convenience of the people in any township a local registrar is hereby authorized with the approval of the State Registrar to appoint one or more suitable and proper persons to act as sub-registrars who shall be authorized to receive certificates and to issue burial or removal permits in and for such portions of the township as may be designated and each sub-registrar shall note over his signature the date on which each certificate was filed and forward all certificates to the registrar of the township within ten days and in all cases before the third day of the following month Provided That all sub-registrars shall be subject to the supervision and control of the State Registrar and may be by him removed for neglect or failure to perform their duties in accordance with the provisions of this act or the rules and regulations of the State Registrar and they shall be liable to the same penalties for neglect of duties as the local registrar

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—183

Achterman,	Gillan,	McClanaghan.	Rush,
Baker,	Goodwin,	McClester.	Sarraf,
Balthaser,	Greenwood,	McDermott,	Scanlon,
Bentley,	Gryskewicz,	McDowell,	Schwab,
Bentzel,	Cyger,	McFall,	Serrill,

Boies.	Habbyshaw,	McGrath,	Shaffer,
Boney,	Haberlen,	McIntosh,	Shaw,
Bower,	Haines,	McKinney,	Shepard,
Bradley,	Hall,	McLanahan,	Simons,
Bretherick,	Hamilton,	McLane,	Skale,
Brown,	Hare,	McMillen,	Snyder,
Brunner, P. A.,	Harkins,	McSurdy,	Sorg,
Burns,	Harmuth,	Melchiorre,	Stambaugh,
Burriss,	Heatherington,	Modell,	Stank,
Cadwalader,	Heim,	Monks,	Stine,
Chervenak,	Hering,	Mooney,	Tarr,
Chudoff,	Herman,	Moran,	Tate,
Cochran,	Hersch,	Moran,	Taylor,
Cohen, M. M.,	Hewitt,	Muir,	Thompson, E. F.,
Cohen, R. E.,	Holland,	Munley	Thompson, R. L.,
Cordier,	Huntley,	Nagel	Turner,
Corrigan,	James,	Nunemacher	Trout,
Croop,	Jefferson,	O'Brien,	VanAllsburg,
Dalrymple,	Jones, P. N.,	O'Dare,	Verona,
Dennison,	Keenan,	O'Mullen,	Vincent,
DiGenova,	Kenehan,	O'Neill,	Vogt,
Dix,	Kilne,	Owens,	Voidow,
Dolon,	Knoble,	Petrosky,	Voorhees,
D'Ortona,	Kolankiewicz,	Pettit,	Wagner,
Duffy,	Komorofski,	Polaski,	Watkins,
Early,	Krise,	Polen,	Weiss,
Elder,	Lee, E. A.,	Powers,	Welsh, E. B.,
Elliott,	Lee, T. H.,	Prosen,	Wilkinson,
Ely,	Leisey,	Rank,	Williams,
Falkenstein,	Leonard,	Readinger,	Winner,
Finestone,	Lesko,	Reagan,	Wolf,
Finnerty,	Levy,	Reese, D. P.,	Wood, N.,
Fiss,	Leydic,	Reese, R. E.,	Woodring,
Fletcher,	Lichtenwalter,	Reynolds,	Woodside,
Flynn,	Longo,	Regan,	Yester,
Foor,	Lyons,	Rhea,	Young,
French,	Malloy,	Riley,	Kilroy,
Gallagher,	Marks,	Rooney,	
Gerard,	Maxwell,	Rosenfeld,	Speaker.
		Royer,	

NAYS—0

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

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

BILLS PASSED OVER

There being no objection House Bill No. 1572, Printer's No. 700, was passed over at the request of the SPEAKER.

There being no objection House Bill No. 957, Printer's No. 745, was passed over at the request of the SPEAKER.

There being no objection House Bill No. 1604, Senate Bill No. 352, Printer's No. 330, was passed over at the request of the SPEAKER.

BILL ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1670, as follows:

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

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

Section 1 Wherever heretofore any city of the third class shall have constructed any portion of its sewer system outside the territorial limits of such city by laying sewer pipes out from such city through a portion of a township and back into the city the action of the city in so doing is hereby ratified confirmed and made valid notwithstanding the fact that such action was not authorized by any act of Assembly in force at such time And the section of the sewer system of such city so laid

outside of its territorial limits shall be and remain a lawful sewer of such city in like manner as though it had been constructed pursuant to lawful authority

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

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

On the question,

Shall the bill pass finally?

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

YEAS—183

Achterman,	Gerard,	Maxwell,	Royer,
Baker,	Gillan,	McClanaghan,	Rush,
Balthaser,	Goodwin,	McClester,	Sarraf,
Bentley,	Greenwood,	McDermott,	Scanlon,
Bentzel,	Gryskewicz,	McDowell,	Schwab,
Boles,	Cyger,	McFall,	Serrill,
Boner,	Habbyshaw,	McGrath,	Shaffer,
Bowe,	Haberlen,	McIntosh,	Shaw,
Bradley,	Haines,	McKinney,	Shepard,
Bretherick,	Hall,	McLanahan,	Simons,
Brown,	Hamilton,	McLane,	Skale,
Brunner, P. A.,	Hare,	McMillen,	Snyder,
Burns,	Harkins,	McSurdy,	Sorg,
Burri,	Harmuth,	Melchiorre,	Stambaugh
Cadwader,	Heatherington,	Modell,	Stank,
Chervenak,	Helm,	Monks,	St'ne,
Chudoff,	Hering,	Mooney,	Tarr,
Cochran,	Herman,	Moran,	Tate,
Coker, M. M.,	Hersch,	Moul,	Taylor,
Coker, R. E.,	Hewitt,	Muir,	Thompson, E. F.
Cordier,	Holland,	Munley,	Thompson, R. L.
Corrigan,	Huntley,	Nagel,	Trout,
Croop,	James,	Nunemacher	Turner,
Dalrymple,	Jefferson,	O'Brien,	VanAllsburg,
Dennison,	Jones, P. N.,	O'Dare,	Verona,
DiGerova,	Keenan,	O'Mullen,	Vincent,
Dix,	Kenehan,	O'Neill,	Vogt,
Dolon,	Kline,	Owens,	Voidow,
D'Ort-na,	Knoble,	Petrosky,	Voorhees,
Duffy,	Kolankiewicz,	Pettit,	Wagner,
Early,	Komorofski,	Polaski,	Watkins,
Elder,	Krise,	Polen,	Weiss,
Elliott,	Lee, E. A.,	Powers,	Welsh, E. B.,
Ely,	Lee, T. H.,	Prosen,	Wilkinson,
Falkenstein,	Leisey,	Rank,	Williams,
Finestone,	Leonard,	Readinger,	Winnor,
Finnerty,	Lesko,	Reagan,	Wolf,
Floss,	Levy,	Reese, D. P.,	Wood, N.,
Fletcher,	Levitic,	Reese, R. E.,	Woodring,
Flynn,	Lichtenwalter,	Regan,	Woodside,
Foor,	Longo,	Reynolds,	Yester,
French,	Lvons,	Rhea,	Young,
Gallagher,	Malloy,	Riley,	Kilroy,
	Marks,	Rooney,	
		Rosenfeld,	Speaker

NAYS—0

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

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

BILLS PASSED OVER

There being no objection House Bill No. 329, Printer's No. 733, was passed over at the request of the SPEAKER.

There being no objection House Bill No. 1302, Printer's No. 733, was passed over at the request of the SPEAKER.

There being no objection House Bill No. 1407, (Senate Bill No. 597), Printer's No. 339, was passed over at the request of the SPEAKER.

BILLS ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1493, as follows:

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

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

Section 1 Section two of the act approved the seventh day of June one thousand nine hundred seventeen (P. L. 600) entitled "An act providing that appointive officers and employes employed by the Commonwealth of Pennsylvania in its civil service or by any department bureau commission or office thereof or by any county municipality township or school district shall not be deemed or held to have resigned or abandoned their offices or employments by reason of enlistment enrollment or draft in the military or naval service of the United States or any branch or unit thereof in time of war or contemplated war prohibiting the removal from their offices or employments of such officers and employes during the period of their service in the Army or Navy directing that one-half of the salaries or wages of such officers or employes as have dependent wives children or parents and not exceeding two thousand dollars per annum be paid during the term of their service in the Army or Navy to such dependents authorizing the employment during said term of substitutes to perform the duties theretofore performed by such officers or employes respectively and providing for the compensation of such substitutes" is hereby amended to read as follows

Section 2 Any said officer or employe so enlisting enrolling or drafted and having a dependent or dependents as aforesaid may at the time of his enlistment enrollment or draft or immediately thereafter file with the head or chief of the department bureau commission or office in which he is employed a statement in writing executed under oath setting forth the fact and date of his enlistment enrollment or draft his intention to retain his said office or employment and to resume the duties thereof after the expiration of his service in the military or naval service or any branch or unit thereof and the names and addresses of his wife children and dependent parent or parents if any such he have and requesting and directing that one-half of the salary or wages of his said office or employment not exceeding two thousand (\$2,000) dollars per annum shall be paid during his service in the military or naval service or any branch or unit thereof as follows

If he is a member of the State Employees' Retirement Association or the Pennsylvania Motor Police Retirement System he may direct the State Treasurer to pay into the State Employees' Retirement Fund an amount certified to

the State Treasurer by the State Employees' Retirement Board in a manner now or hereafter provided by law The balance thereof if [If] he have a wife to his wife for her use and that of his children if he have children and no wife then to such person as he may designate for the use and benefit of his children If he have a dependent parent or parents then he shall direct such sum as he has theretofore been accustomed to contribute to their support to be paid to them and the amount payable to his wife or children if any he have shall be proportionately decreased If he have no wife or children he may direct the entire one-half of his salary or wages not exceeding two thousand (\$2,000) dollars per annum to be paid to his dependent parent or parents if any such he have all sums so directed to be paid shall be paid to the Commonwealth agency and/or the person designated in the same proportional instalments as nearly as may be as the salary or wages of such person were theretofore paid to him With such statement he shall also file powers of attorney authorizing the Commnwealth agency and/or the proper dependents to receive their proportion of said salary or wages as aforesaid

Section 2 This act shall be 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—183

- | | | | |
|-----------------|----------------|---------------|------------------|
| Achterman, | Gillan, | Malloy, | Rosenfeld, |
| Baker, | Goodwin, | McClanaghan, | Royer, |
| Balthaser, | Greenwood, | McClester, | Rush, |
| Bentley, | Gryskewicz, | McDermott, | Sarraf, |
| Bentzel, | Cyger, | McDowell, | Scanlon, |
| Boles, | Habbyshaw, | McFall, | Schwab, |
| Boney, | Haberlen, | McGrath, | Serrill, |
| Bower, | Haines, | McIntosh, | Shaffer, |
| Bradley, | Hall, | McKinney, | Shaw, |
| Bretherick, | Hamilton, | McLanahan, | Shepard, |
| Brown, | Hare, | McLane, | Simons, |
| Brunner, P. A., | Harkins, | McMillen, | Skale, |
| Burns, | Harmuth, | McSurdy, | Snyder, |
| Burris, | Heatherington, | Melchiorre, | Sorg, |
| Cadwalader, | Helm, | Modell, | Stambaugh, |
| Chervenak, | Hering, | Monks, | Stank, |
| Chudoff, | Herman, | Mooney, | Stine, |
| Cochran, | Hersch, | Moran, | Tarr, |
| Cohen, M. M., | Hewitt, | Moul, | Tate, |
| Cohen R. E., | Holland, | Muir, | Taylor, |
| Cordier, | Huntley, | Munley, | Thompson, E. F. |
| Corrigan, | James, | Nagel, | Thompson, R. L. |
| Croop, | Jefferson, | Nunemacher, | Trout, |
| Dalrymple, | Jones, P. N., | O'Brien, | Turner, |
| Dennison, | Keenan, | O'Dare, | VanAllsburg, |
| DiGenova, | Kenehan, | O'Mullen, | Verona, |
| Dix, | Kilne, | O'Neill, | Vincent, |
| Dolon, | Knoble, | Owens, | Vogt, |
| D'Ortona, | Kolankiewicz, | Petrosky, | Voldow, |
| Duffy, | Komorowski, | Pettit, | Voorhees, |
| Early, | Krise, | Polaski, | Wagner, |
| Elder, | Lee, E. A., | Polen, | Watkins, |
| Elliott, | Lee, T. H., | Powers, | Welss, |
| Ely, | Leisey, | Prosen, | Welsh, E. B., |
| Falkenstein, | Leonard, | Rank, | Wilkinson, |
| Finestone, | Lesko, | Readinger, | Williams, |
| Fiss, | Levy, | Reagan, | Winner, |
| Fletcher, | Leydic, | Reese, D. P., | Wolf, |
| Flynn, | Lichtenwalter, | Reese, R. E., | Wood, N., |
| Foor, | Longo, | Regan, | Woodring, |
| French, | Lyons, | Reynolds, | Woodside, |
| Gallagher, | Maxwell, | Rhea, | Yester, |
| Gerard, | Marks, | Riley, | Young, |
| | | Rooney, | Kilroy, Speaker. |

NAYS—0

The majority required by the Constitution having voted

in the affirmative, the question was determined in the affirmative.

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

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1494, as follows:

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

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

Section 1 Definitions The following words and phrases as used in this act unless a different meaning is plainly required by the context shall have the following meanings

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

2 "State employe" shall mean any person who is a "State employe" as defined in the act to which this is a supplement

3 "Salary deductions" shall mean the amount certified by the State Employees' Retirement Board and either (a) deducted from the salary of a contributor to the State Employees' Retirement Fund and paid by the State Treasurer into the fund created by the act to which this is a supplement through the Department of Revenue under the provisions of section seven of said act or (b) deducted from any grant-in-aid subsidy or benefit payable or paid by the Commonwealth of Pennsylvania to a State employe or his dependent or dependents while in active military service as defined in this act and paid into the Retirement Fund by the State Treasurer through the Department of Revenue

4 "Board" shall mean the State Employees' Retirement Board created by the act to which this is a supplement

5 "Active military service" shall mean full time service in the armed forces of the United State under a requisition from or by executive order of the President of the United States or in the armed forces organized for the defense of the Commonwealth of Pennsylvania by the authority of this Commonwealth

6 "Head of the Department" shall mean the agency of the Commonwealth defined in the act to which this is a supplement

Section 2 A State employe who enters into active military service may elect to continue to pay into the State Employees' Retirement Fund his salary deductions on the basis of his salary on the date of his entry into such active military service Such election shall be in writing on the form prescribed by the Board and it shall be

filed with the Board within thirty (30) days after the effective date of this act or within thirty (30) days after the member's induction into active military service By such election a State employe shall authorize and direct the State Treasurer to pay into the State Employees' Retirement Fund an amount certified to the State Treasurer by the Board as the member's salary deduction The State Treasurer shall deduct such amount from any moneys payable to such State employe or his dependent or dependents under the provisions of the act approved the seventh day of June one thousand nine hundred seventeen (P. L. 600) entitled "An act providing that appointive officers and employes employed by the Commonwealth of Pennsylvania in its civil service or by any department bureau commission or office thereof or by any county municipality township or school district shall not be deemed or held to have resigned or abandoned their offices or employments by reason of enlistment enrollment or draft in the military or naval service of the United States or any branch or unit thereof in time of war or contemplated war prohibiting the removal from their offices or employments of such officers and employes during the period of their service in the Army or Navy directing that one-half of the salaries or wages of such officers or employes as have dependent wives children or parents and not exceeding two thousand dollars per annum be paid during the term of their service in the Army or Navy to such dependents authorizing the employment during said term of substitutes to perform the duties theretofore performed such officers or employes respectively and providing for the compensation of such substitutes" or under any act of assembly extending the benefits of said act to State employes or providing for the payment of grants-in-aid or subsidies to a State employe while in active military service or under any law now in force or hereafter enacted and the State Treasurer shall pay the amount so deducted into the Fund created by the act to which this is a supplement.

Section 3 A State employe who does not elect to pay into the State Employees' Retirement Fund during the period of his active military service an amount equal to his salary deductions may during the period of such active military service and for a further period of forty (40) days after completion of such active military service pay into the State Employees' Retirement Fund an amount which shall be equal to the salary deductions multiplied by the number of the semi-monthly periods during which he or she was absent from State employment or State service in active military service to the credit of the annuity savings account in such manner as may be agreed upon by the State employe and the Board but in no event shall such payments be made in installments less than sufficient to pay such amount by the time the member attains superannuation retirement age.

Section 4 A State employe who complies with the provisions of section two or section three of this act shall after such election be classified by the Board as a State employe in active military service and shall thereafter during such active military service and for a period of forty (40) days after the completion of such active military service be entitled to all benefits to which he or she may be entitled upon the date of entry into active military service under the provisions of the act to which this is a supplement as fully as though such State employe continued to be in the actual employ and service of the Commonwealth of Pennsylvania at the salary such State employe had been receiving on the date of his or her entry into active military service Provided however That such State employe shall not have the right to retire upon disability under the provisions of section twelve of the act to which this is a supplement except as hereinafter provided If such member returns to the actual employ and service of the Commonwealth within a period of forty (40) days after such active military service the head of the department shall certify such member as an employe with active military service

Section 5 A State employe who does not file with the Board an election to pay his salary deductions into

the State Employees' Retirement Fund as provided in section two of this act shall be classified as a nonpaying member in active military service of the State Employees Retirement Association until he shall return to the actual employ and service of the Commonwealth of Pennsylvania or until such member complies with section three of this act in the manner provided or for the period of such active military service and for forty (40) days after the completion of such active military service Such member shall enjoy all the benefits to which the member was entitled on the date of entry into active military service under any law of the Commonwealth of Pennsylvania relating to the State Employees' Retirement Association and the State Employees' Retirement Fund Provided however That such member shall not have the right to retire upon disability under the provisions of section twelve of the act to which this is a supplement except as hereinafter provided If such member returns to the actual employ and service of the Commonwealth within a period of forty (40) days after such active military service the head of the department shall certify such member as an employe with active military service

Section 6 A State employe who shall have withdrawn from actual State employment or actual State service for active military service may after his or her return to actual State employment or actual State service but not later than forty (40) days after the completion of such active military service request the Board for a physical and medical examination At a time and place within the Commonwealth and by an examiner or examiners to be designated by the Board the applicant shall appear for and submit to such examination If the examiner or examiners shall find as a fact that such State employe is free from physical or mental incapacity which renders him or is likely to render him incapable of performing the duties of his employment the examiner or examiners shall so certify to the Board whereupon the Board shall classify the applicant as a member free from active military service disability and thereupon such member shall become entitled to enjoy all the benefits to which the member was entitled under the act to which this is a supplement on the date of entry into active military service If the examiner or examiners shall find as a fact that such State employe is physically or mentally incapacitated for the performance of the duties of the employment which he had when last in the actual employ and service of the Commonwealth the examiner or examiners shall certify to the Board the nature and degree of such physical or mental incapacity or disability where upon the Board shall classify the applicant as a member with active military service disability and thereupon such member may elect to accept the benefit of the provisions of section eleven of the act to which this is a supplement or the benefit of section eight of this act or the benefits of the act to which this is a supplement without disability rights and shall be classified by the Board as State employe without disability rights Such State employe shall enjoy all the rights incident to membership in the Retirement System except the right to retire for disability or upon disability and to receive a disability retirement allowance Such member's salary deduction shall be reduced accordingly Such election shall be in writing in form prescribed by the Board and shall be filed with the Board not later than fifty (50) days after the completion of such active military service

Section 7 The form and content of the examination and certificate required by section six of this act shall be prescribed by the Board with the advice of the Boards actuary and a physician and/or psychiatrist to be by the Board employed for that purpose

Section 8 All State employes who shall have been engaged in active military service and who shall have returned to State employment or State service without examination or certification as required by sections six and seven of this act shall be classified by the Board as State employes without disability rights Such State employe shall enjoy all the rights incident to membership in the Retirement System except the right to retire for

disability or upon disability and to receive a disability retirement allowance Such members salary deduction shall be reduced accordingly

Section 9 The amount by which the salary deduction of a State employe without disability rights to be paid into the Fund shall be reduced shall be determined by the Board in accordance with tables to be prepared and certified by the actuary

Section 10 The provisions and benefits of this act shall be applied and extended to all State employes who were members of the State Employes' Retirement System on October fifteenth one thousand nine hundred forty

Section 11 This act shall become effective immediately upon approval

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—183

Achterman,	Gillan.	McClanaghan.	Royer.
Baker,	Goodwin.	McClester	Rush
Balthaser,	Greenwood.	McDermott.	Sarraf.
Bentley,	Gryskewicz.	McDowell.	Scanlon.
Bentzel,	Gyger.	McFall.	Schwab.
Boles,	Habbyshaw.	McGrath.	Serrill.
Boney,	Haberlen.	McIntosh.	Shaffer.
Bower,	Haines.	McKinney.	Shaw.
Bradley.	Hall.	McLanaban.	Shepard.
Bretherick,	Hamilton.	McLane.	Simons.
Brown.	Hare.	McMillen.	Skale.
Brunner, P. A..	Harkins.	McSurdy.	Snyder.
Burns.	Harmuth.	Melchiorre.	Sorg.
Burriss.	Heatherington.	Modell.	Stambaugh.
Cadwalader.	Helm.	Monks.	Stank.
Chervenak.	Hering.	Mooney.	Stine.
Chudoff.	Herman.	Moran.	Tarr.
Cochran.	Hersch.	Moul.	Tate.
Cohen, M. M.,	Hewitt.	Muir.	Taylor.
Cohen, R. E.,	Holland.	Munley.	Thompson, E. P.,
Cordier.	Huntley.	Nagel.	Thompson, R. L.,
Corrigan.	James.	Numemacher.	Trout.
Croop.	Jefferson.	O'Brien.	Turner.
Dalrymple.	Jones, P. N.,	C'Dare.	Van Allsburg.
Dennison.	Keenan.	O'Mullen.	Verona.
DiGenova.	Kenehan.	O'Neill.	Vincent.
Dix.	Kilne.	Owens.	Vogt.
Dolon.	Knoble.	Petrofsky.	Voldow.
D'Ortona.	Kolanikewicz.	Pettit.	Voorhees.
Duffy.	Komorofski.	Polaski.	Wagner.
Early.	Krise.	Polen.	Watkins.
Elder.	Lee, E. A.,	Powers.	Welsh.
Elllott.	Lee, T. H.	Prosen.	Welsh, E. B.,
Ely.	Lelsey.	Rank.	Wilkinson.
Falkenstein.	Leonard.	Readinger.	Williams.
Finestone.	Lesko.	Reagan.	Winner.
Finnerty.	Levy.	Reese, D. P.,	Wolf.
Fiss.	Leydic.	Reese, R. E.,	Wood, N.,
Fletcher.	Lichtenwalter.	Regan.	Woodring.
Flynn.	Longo.	Reynolds.	Woodside.
Foor.	Lyons.	Rhea.	Yester.
French.	Malloy.	Riley.	Young.
Gallagher.	Marks.	Rooney.	Kilroy.
Gerard.	Maxwell.	Rosenfeld.	Speaker.

NAYS—0

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

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

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1495, as follows:

A Supplement to the act approved the twenty-ninth day of June one thousand nine hundred thirty-seven (P. L. 2423) as amended entitled "An act establishing a

Pennsylvania Motor Police Retirement System providing for payments upon retirement death disability involuntary retirement and of certain medical expenses from the State Employes Retirement Fund under the Administration of the State Employes' Retirement Board providing for contributions by members of the Pennsylvania Motor Police and the Commonwealth providing for the guarantee by the Commonwealth of certain of said funds providing for the subrogation of the Commonwealth to the rights of the member or dependents against certain third parties exempting annuities allowances returns benefits and rights from taxation and judicial processes and providing penalties"

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

Section 1 Definitions The following words and phrases as used in this act unless a different meaning is plainly required by the context shall have the following meanings

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

2 "Board" shall mean the State Employes' Retirement Board

3 "Member" shall mean a person defined as either "Original Member" or "New Member" by the act to which this is a supplement

4 "Salary deductions" shall mean the amount certified by the State Employes' Retirement board and either (a) deducted from the salary of a member and paid through the Department of Revenue by the State Treasury into the Fund created by the act to which this is a supplement or (b) deducted from any grant-in-aid subsidy or benefit payable or paid by the Commonwealth of Pennsylvania to a member or his dependent or dependents while in active military service as defined in this act and paid into the said Fund by the State Treasurer through the Department of Revenue

5 "Active military service" shall mean full time service in the armed forces of the United States under a requisition from or by executive order of the President of the United States or in the armed forces organized for the defense of the Commonwealth of Pennsylvania

6 "Fund" shall mean the State Employes' Retirement Fund into which payments and contributions are required to be made by section four of the act to which this is a supplement

7 "Head of the Department" shall mean as applied to State employes the head of the department or branch of service not a department of the Commonwealth of Pennsylvania of which the State employe is a member

Section 2 A member who enters into active military service may elect to continue to pay into the Fund his salary deductions on the basis of his salary on the date of his entry into such active military service Such election shall be in writing on the form prescribed by the Board and it shall be filed with the Board within thirty (30) days after the effective date of this act or within thirty (30) days after the member's induction into active military service By such election a member shall authorize and direct the State Treasurer to pay into the Fund an amount certified to the State Treasurer by the Board as the member's salary deduction The State Treasurer shall deduct such amount from any moneys payable to such member or his dependent or dependents under the

provisions of the act approved the seventh day of June one thousand nine hundred seventeen (P. L. 600) entitled "An act providing that appointive officers and employes employed by the Commonwealth of Pennsylvania in its civil service or by any department bureau commission or office thereof or by any county municipality township or school district shall not be deemed or held to have resigned or abandoned their offices or employments by reason of enlistment enrollment or draft in the military or naval service of the United States or any branch or unit thereof in time of war or contemplated war prohibiting the removal from their offices or employments of such officers and employes during the period of their service in the Army or Navy directing that one-half of the salaries or wages of such officers or employes as have dependent wives children or parents and not exceeding two thousand dollars per annum be paid during the term of their service in the Army or Navy to such dependents authorizing the employment during said term of substitutes to perform the duties theretofore performed by such officers or employes respectively and providing for the compensation of such substitutes" or under any act of assembly extending the benefits of said act to members or providing for the payment of grants-in-aid or subsidies to a member while in active military service or under any law now in force or hereafter enacted and the State Treasurer shall pay the amount so deducted into the Fund created by the act to which this is a supplement.

Section 3 A member who does not elect to pay into the Fund during the period of his active military service an amount equal to his salary deductions may during the period of his active military service and for a further period of forty (40) days after the completion of such active military service pay into the Fund an amount which shall be equal to the salary deductions multiplied by the number of the semi-monthly periods during which he or she was absent from State employment or State service in active military service to the credit of the annuity savings account in such manner as may be agreed upon by the member and the Board but in no event shall such payments be made in installments less than sufficient to pay such amount by the time the member attains superannuation retirement age.

Section 4 A member who complies with section two or section three of this act shall be classified by the Board as a Pennsylvania Motor Police member in active military service and shall thereafter during such active military service and for a period of forty (40) days after the completion of such active military service be entitled to all the benefits to which he or she may be entitled upon the date of entry into active military service under the provisions of the act to which this is a supplement as fully as though such member continues to be in the actual employment and service of the Commonwealth of Pennsylvania at the salary such member had been receiving on the date of his or her entry into active military service. Provided however That such member and his dependent or dependents shall not have the right to those payments upon death for which provision is made in section eleven or to retire upon disability under the provisions of section thirteen or to receive or to have paid for the member's benefit medical surgical and hospital expenses under the provisions of section twenty-two of the act to which this is a supplement except in each case as hereinafter provided. If such member returns to the actual employ and service of the Commonwealth within a period of forty (40) days after such active military service the head of the department shall certify such member as an employe with active military service.

Section 5 A member who does not file with the Board an election to pay his salary deductions into the Fund as provided in section two of this act shall be classified as a non-paying Motor Police member in active military service of the Pennsylvania Motor Police Retirement System until he or she shall return to the actual employ or service of the Commonwealth or until such member complies with section three of this act in the manner provided or for the period of such active military

service and for forty (40) days after the completion of such active military service. Such member shall enjoy all the benefits to which the member was entitled upon the date of entry into active military service under the laws of the Commonwealth of Pennsylvania relating to the Pennsylvania Motor Police Retirement System and the State Employees' Retirement Association and the State Employees Retirement Fund. Provided however That such member and his dependent or dependents shall not have the right to the benefit of payment upon death for which provision is made in section eleven of the act to which this is a supplement or the right to the benefit of payment for medical surgical or hospital expenses for which provision is made in section twenty-two of the act to which this is a supplement or the right to retire upon disability under the provisions of section thirteen of the act to which this is a supplement except in each case as hereinafter provided. If such member returns to the actual employ and service of the Commonwealth within a period of forty (40) days after such active military service the head of the department shall certify such member as employe with active military service.

Section 6 A member who shall have withdrawn from actual State employment or actual State service for active military service may after his or her return to actual State employment or actual State service but not more than forty (40) days after the completion of such active military service request the Board for a physical and medical examination. At a time a place and by an examiner or examiners to be designated by the Board the applicant shall appear for and submit to such examination. If the examiner or examiners shall find as a fact that such member is free from physical or mental incapacity which renders him or her or is likely to render him or her incapable of performing the duties of his or her employment the examiner or examiners shall so certify to the Board whereupon the Board shall classify the applicant as a Pennsylvania Motor Police member free from active military service disability and thereupon such member shall become entitled to enjoy all the benefits to which the member was entitled under the act to which this is a supplement on the date of entry into active military service including the retirement allowance payable upon the death of a contributor as a direct and proximate result of injuries received in the course of his employment under the provisions of section eleven of the act to which this is a supplement and the right to retire upon disability under the provisions of section thirteen of the act to which this is a supplement if the cause for disability is not incurred in or related to the members active military service and the right to medical surgical or hospital expenses thereafter incurred and for which provision is made in section twenty-two of the act to which this is a supplement. If the examiner or examiners find as a fact that such member is physically or mentally incapacitated for the performance of the duties of the employment which he had when last in the actual employ or service of the Commonwealth the examiner or examiners shall certify to the Board the nature and degree of such physical or mental incapacity or disability whereupon the Board shall classify the applicant as a member with active military service disability and thereupon such member may elect to accept the benefit of the provisions of section eleven of the act approved the twenty-seventh day of June one thousand nine hundred twenty-three (P. L. 858) as amended or the benefit of section eight of this act or the benefits of the act to which this is a supplement without disability rights and shall be classified by the Board as State employe without disability rights. Such State employe shall enjoy all the rights incident to membership in the Retirement System except the right to retire for disability or upon disability and to receive a disability retirement allowance. Such member's salary deduction shall be reduced accordingly. Such election shall be in writing in form prescribed by the Board and shall be filed with the Board not later than fifty (50) days after the completion of such active military service.

Section 7 The form and content of the examination and certificate required by section six of this act shall be prescribed by the Board with the advice of the Board's actuary and a physician and/or psychiatrist to be by the Board employed for that purpose

Section 8 Every employe who shall have been engaged in active military service and who shall have returned to State employment or State service without examination or certificate as required by sections six and seven of this act shall be classified by the Board as Pennsylvania Motor Police members without disability rights Such member shall enjoy all rights incident to membership in the System except the right to retire for disability or upon disability and to receive a disability retirement allowance Such member's salary deduction shall be reduced accordingly

Section 9 The amount by which the salary deductions of a member without disability rights to be paid into the Retirement Fund shall be reduced shall be determined by the Board in accordance with tables to be prepared and certified by the actuary

Section 10 The provisions and benefits of this act shall be applied and extended to all members who were members of the Pennsylvania Motor Police Retirement System on October 15 1940

Section 11 This act shall become effective immediately upon approval

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—183

- | | | | |
|-----------------|----------------|---------------|------------------|
| Achterman, | Gillan, | McClanaghan, | Royer, |
| Baker, | Goodwin, | McClester, | Rush, |
| Balthaser, | Greenwood, | McDermott, | Sarraf, |
| Bentley, | Gryskewicz, | McDowell, | Scanlon, |
| Bentzel, | Gyger, | McFall, | Schwab, |
| Boles, | Habbyshaw, | McGrath, | Serrill, |
| Boney, | Haberlen, | McIntosh, | Shaffer, |
| Bower, | Haines, | McKinney, | Shaw, |
| Bradley, | Hall, | McLanahan, | Shepard, |
| Bretherick, | Hamilton, | McLane, | Simons, |
| Brown, | Hare, | McMillen, | Skale, |
| Brunner, P. A., | Harkins, | McSurdy, | Snyder, |
| Burns, | Harmuth, | Melchiorre, | Sorg, |
| Burris, | Heatherington, | Modell, | Stambaugh, |
| Cadwalader, | Helm, | Monks, | Stank, |
| Chervenak, | Hering, | Mooney, | Stine, |
| Chudoff, | Herman, | Moran, | Tarr, |
| Cochran, | Hersch, | Moul, | Tate, |
| Cohen, M. M., | Hewitt, | Muir, | Taylor, |
| Cohen, R. E., | Holland, | Munley, | Thompson, E. F., |
| Cordier, | Huntley, | Nagel, | Thompson, R. L., |
| Corrigan, | James, | Nunemacher, | Trout, |
| Croup, | Jefferson, | O'Brien, | Turner, |
| Dalrymple, | Jones, P. N., | O'Dare, | Van Allsburg, |
| Dennison, | Keenan, | O'Mullen, | Verona, |
| DiGenova, | Kenehan, | O'Neill, | Vincent, |
| Dix, | Kilne, | Owens, | Vogt, |
| Dolon, | Kncble, | Petrosky, | Voldow, |
| D'Ortona, | Kolankiewicz, | Pettit, | Voorhees, |
| Duffy, | Komorowski, | Potaski, | Wagner, |
| Early, | Krise, | Polen, | Wakins, |
| Elder, | Lee, E. A., | Powers, | Weiss, |
| Elliott, | Lee, T. H., | Prosen, | Welsh, E. B., |
| Ely, | Lelsey, | Rank, | Wilkinson, |
| Falkenstein, | Leonard, | Readinger, | Williams, |
| Finestone, | Lesko, | Reagan, | Winner, |
| Finnerty, | Levy, | Reese, D. P., | Wolf, |
| Fiss, | Leydic, | Reese, R. E., | Wood, N., |
| Fletcher, | Lichtenwalter, | Regan, | Woodring, |
| Flynn, | Longo, | Reynolds, | Woodside, |
| Foor, | Lyons, | Rhea, | Yester, |
| French, | Malloy, | Riley, | Young, |
| Gallagher, | Marks, | Rooney, | Kilroy, |
| Gerard, | Maxwell, | Rosenfeld, | Speaker. |

NAYS—0

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

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

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1480, as follows:

An Act authorizing the Commonwealth political subdivisions and certain institutions to purchase services from organizations for the blind and of the blind without contracts or advertisement providing for the fixing of fair market prices for such services by a committee composed of heads of certain departments and representatives of institutions for the blind and of the blind imposing certain duties upon the Department of Property and Supplies and the State Council for the Blind

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

Section 1 The Department of Property and Supplies on behalf of the Commonwealth and its agencies any county city borough town township school district and institution district and any institution maintained by or receiving aid from the Commonwealth are hereby authorized to purchase services furnished by organizations for the blind endorsed by the State Department of Welfare

All orders for services to be purchased by the Department of Property and Supplies for the Commonwealth and its agencies under the provisions of this act shall be transmitted by the purchaser to the State Council for the Blind of the Department of Welfare and shall be allocated by said council to the several agencies for the blind or of the blind furnishing such services on the basis of geographical location number of blind employes involved and the ability to meet standard requirements

Section 2 All purchases made under this act shall be at the fair market price for the particular services The fair market price for the particular services shall be fixed by a committee composed of the Secretary of Property and Supplies the Secretary of Labor and Industry the Auditor General and two representatives of participating agencies for the blind and of the blind to be appointed by the State Council for the Blind Such price fixing committee shall meet from time to time at the call of the State Council for the Blind and at a time and place at the State Capitol fixed by said council

The prices so fixed by the said committee and any change therein from time to time to meet changing market conditions shall be furnished to the various agencies authorized to make purchases under the provisions of this act No change in price shall become effective prior to the expiration of fifteen days from the date on which such change is made by the committee

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

Section 4 The provisions of this act shall become effective on the first day of June one thousand nine hundred and forty-one

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—183

- | | | | |
|------------|-------------|--------------|----------|
| Achterman, | Gillan, | McClanaghan, | Rush, |
| Baker, | Goodwin, | McClester, | Sarraf, |
| Balthaser, | Greenwood, | McDermott, | Scanlon, |
| Bentley, | Gryskewicz, | McDowell, | Schwab, |
| Bentzel, | Gyger, | McFall, | Serrill, |
| Boles, | Habbyshaw, | McGrath, | Shaffer, |
| Boney, | Haberlen, | McKinney, | Shaw, |
| Bower, | Haines, | McLanahan, | Shepard, |

Bradley.	Hall,	McLane,	Simons,
Bretherick,	Hamilton,	McMillen,	Skale,
Brown,	Hare,	McSurdy,	Snyder,
Brunner, P. A.	Harkins,	Melchiorre,	Sorg,
Burns,	Harmuth,	Modell,	Stambaugh,
Burriss,	Heatherington,	Monks,	Stank,
Cadwalader,	Helm,	Mooney,	Stine,
Chervenak,	Hering,	Moran,	Tarr,
Chudoff,	Herman,	Moul,	Tate,
Cochran,	Hersch,	Muir,	Taylor,
Cohen, M. M.,	Hewitt,	Munley,	Thompson, E.,
Cohen, R. E.,	Holland,	Nagel,	Thompson, R.,
Cordier,	Huntley,	Nunemacher,	Trout,
Corrigan,	James,	O'Brien,	Turner,
Croop,	Jefferson,	O'Dare,	Van Allsburg,
Dalrymple,	Jones, P. N.,	O'Mullen,	Verona,
Dennison,	Keenan,	O'Neill,	Vincent,
DiGenova,	Kenehan,	Owens,	Vogt,
Dix,	Kline,	Petrosky,	Voldow,
Dolon,	Knoble,	Pettit,	Voorhees,
D'Ortona,	Kolankiewicz,	Polaski,	Wagner,
Duffy,	Komorowski,	Polen,	Watkins,
Early,	Krise,	Powers,	Weiss,
Elder,	Lee, E. A.,	Prosen,	Welsh, E. B.,
Elliott,	Lee, T. H.,	Rank,	Wilkinson,
Ely,	Lelsey,	Readinger,	Williams,
Falkenstein,	Leonard,	Reagan,	Winner,
Fines-one,	Lesko,	Reese, D. P.,	Wolf,
Finnerty,	Levy,	Reese, R. E.,	Wood, N.,
Fiss,	Leydic,	Regan,	Woodring,
Fletcher,	Lichtenwalter,	Reynolds,	Woodside,
Flynn,	Longo,	Rhea,	Yester,
Foor,	Lyons,	Riley,	Young,
French,	Malloy,	Rooney,	Kilroy,
Gallagher,	Marks,	Rosenfeld,	Speaker.
Gerard,	Maxwell,	Royer,	

or resolution No money shall be paid out of the city treasury except upon appropriation made according to law and on warrant drawn by the proper officer in pursuance thereof No work shall be hired to be done no materials purchased no contracts made and no order issued for the payment of any moneys in any amount which will cause the sums appropriated to specific purposes to be exceeded In every case in which an appropriation shall be exhausted and the object of which is not completed the director of accounts and finance shall immediately report the fact to the city council and accompany such report with a statement of the moneys which have been drawn on such appropriation and the particular purpose for which they were drawn The council may at any time by ordinance make supplemental appropriations for any lawful purpose from any funds on hand or estimated to be received within the fiscal year and not appropriated to any other purpose including the proceeds of any borrowing now or hereafter authorized by law The council shall have the power to authorize the transfer within the same fund of any unexpended balance or any portion thereof from one spending agency to another but such action shall be taken only on the recommendation of a director of one of the department and only during the last nine months of the fiscal year

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

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

On the question,
Shall the bill pass finally?

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

YEAS—183

Achterman,	Gillan,	McClanaghan,	Royer,
Baker,	Goodwin,	McClester,	Rush,
Balthaser,	Greenwood,	McDermott,	Sarraf,
Bentley,	Gryskewicz,	McDowell,	Scanlon,
Bentzel,	Gyger,	McFall,	Schwab,
Boles,	Habbyshaw,	McGrath,	Serrill,
Boney,	Haberlen,	McIntosh,	Shaffer,
Bower,	Haines,	McKinney,	Shaw,
Bradley,	Hall,	McLanahan,	Shepard,
Bretherick,	Hamilton,	McLane,	Simons,
Brown,	Hare,	McMillen,	Skale,
Brunner, P. A.,	Harkins,	McSurdy,	Snyder,
Burns,	Harmuth,	Melchiorre,	Sorg,
Burriss,	Heatherington,	Modell,	Stambaugh,
Cadwalader,	Helm,	Monks,	Stank,
Chervenak,	Hering,	Mooney,	Stine,
Chudoff,	Herman,	Moran,	Tarr,
Cochran,	Hersch,	Moul,	Tate,
Cohen, M. M.,	Hewitt,	Muir,	Taylor,
Cohen, R. E.,	Holland,	Munley,	Thompson, E. F.,
Cordier,	Huntley,	Nagel,	Thompson, R. L.,
Corrigan,	James,	Nunemacher,	Trout,
Croop,	Jefferson,	O'Brien,	Turner,
Dalrymple,	Jones, P. N.,	O'Dare,	VanAllsburg,
Dennison,	Keenan,	O'Mullen,	Verona,
DiGenova,	Kenehan,	O'Neill,	Vincent,
Dix,	Kline,	Owens,	Vogt,
Dolon,	Knoble,	Petrosky,	Voldow,
D'Ortona,	Kolankiewicz,	Pettit,	Voorhees,
Duffy,	Komorowski,	Polaski,	Wagner,
Early,	Krise,	Polen,	Watkins,
Elder,	Lee, E. A.,	Powers,	Weiss,
Elliott,	Lee, T. H.,	Prosen,	Welsh, E. B.,
Ely,	Leonard,	Rank,	Wilkinson,
Falkenstein,	Lelsey,	Readinger,	Williams,
Finesstone,	Lesko,	Reagan,	Winner,
Finnerty,	Levy,	Reese, D. P.,	Wolf,
Fiss,	Leydic,	Reese, R. E.,	Wood, N.,
Fletcher,	Lichtenwalter,	Regan,	Woodring,
Flynn,	Longo,	Reynolds,	Woodside,
Foor,	Lyons,	Rhea,	Yester,
French,	Malloy,	Riley,	Young,
Gallagher,	Marks,	Rooney,	Kilroy, Speaker.
Gerard,	Maxwell,	Rosenfeld,	

NAYS—0

NAYS—0

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

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

BILLS PASSED OVER

There being no objection House Bill No. 771, Printer's No. 752, was passed over at the request of the SPEAKER.

There being no objection House Bill No. 1283, Printer's No. 759, was passed over at the request of the SPEAKER.

There being no objection House Bill No. 908, Printer's No. 753, was passed over at the request of the SPEAKER.

BILL ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1232, as follows:

An Act to further amend section one thousand eight hundred and 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" authorizing the council in such cities from time to time to make supplemental appropriations

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

Section 1 Section one thousand eight hundred and 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" as amended by the act approved the eighteenth day of July one thousand nine hundred and thirty-five (P. L. 1180) is hereby further amended to read as follows

Section 1804 Regulations Concerning Appropriation No debt shall be created by any department of the city except in pursuance of previous authority of law ordinance

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

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

BILLS PASSED OVER

There being no objection House Bill No. 1233, Printer's No. 755, was passed over at the request of Mr. GERARD.

There being no objection House Bill No. 1235, Printer's No. 756, was passed over at the request of Mr. GERARD.

BILLS ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1236, as follows:

An Act to further amend section nine hundred two of the act approved the first day of May one thousand nine hundred and thirty-three (P. L. 103) entitled "An act concerning townships of the second class and amending revising consolidating and changing the law relating thereto" authorizing the township supervisors from time to time to make supplemental appropriations

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

Section 1 Section nine hundred two of the act approved the first day of May one thousand nine hundred and thirty-three (P. L. 103) entitled "An act concerning townships of the second class and amending revising consolidating and changing the law relating thereto" as amended by the act approved the fifth day of June one thousand nine hundred and thirty-seven (P. L. 1738) is hereby further amended to read as follows

Section 902 Annual Budget (1) The board of township supervisors of townships of the second class shall annually before their organization meeting in January or as soon thereafter as practicable and at least thirty days prior to the adoption of the annual budget prepare a proposed budget or annual estimate of revenues and expenditures for the fiscal year beginning on the first Monday of January which shall be filed with the treasurer in all townships in which the estimated expenditures in the budget exceed five thousand dollars (\$5,000) the budget shall be prepared on a uniform form prepared and furnished as hereafter provided The estimate in the budget for the purpose of aiding the board in determining how much road and other taxes to levy shall specify

(a) The amount of money necessary for the maintenance repair and improvement of highways including sluices

(b) The amount of money necessary for the repair and construction of culverts and bridges

(c) The amount of money necessary for the purchase hire repair and custody of tools implements and machinery

(d) The amount of money necessary for each other governmental activity of the township for which a special tax levy may or may not be authorized

(e) The amount of money necessary for the payment of debts or other miscellaneous purposes

(2) Upon the preparation of a proposed budget in which the estimated expenditures exceed five thousand dollars (\$5,000) the supervisors shall either give public notice of the detailed contents thereof or of the fact that the proposed budget will be available for public inspection at a designated place in the township After the expiration of twenty (20) days following the giving of public notice of the detailed contents of the budget or after the budget has been available for twenty (20) days as herein provided such supervisors shall after making such revisions therein as appear advisable adopt the budget and the necessary appropriation measures required to put

it into effect In townships in which the estimated expenditures do not exceed five thousand dollars (\$5,000) the supervisors shall as soon as possible after the expiration of thirty days following the preparation of the proposed budget adopt the budget and the necessary appropriation measures required to put it into effect

(3) The total appropriation shall not exceed the revenues estimated as available for the fiscal year In all townships in which the estimated expenditures in the budget exceed five thousand dollars (\$5,000) the board of supervisors shall within fifteen days after the adoption of the budget file a copy of the same in the office of the Department of Internal Affairs

(4) The supervisors may at any time by resolution make supplemental appropriations for any lawful purpose from any funds on hand or estimated to be received within the fiscal year and not otherwise appropriated including the proceeds of any borrowing now or hereafter authorized by law Such supplemental appropriations may be made whether or not an appropriation for the same purpose was included in the original budget as adopted except that no supplemental appropriation shall be made for any purpose in respect to which the court on an appeal pursuant to section nine hundred eight of this act has ordered a specific reduction or elimination of an item of the original budget for the same purpose

(5) The supervisors may by resolution transfer unencumbered moneys from one road tax account to another but no moneys shall be transferred from the fund allocated for the payment of debts or from any fund raised by a special tax levy for a particular purpose Such transfers shall not be made during the first three months of the fiscal year No money shall be paid out of the township treasury except upon appropriations made according to law

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

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

On the question,

Shall the bill pass finally?

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

YEAS—183

Achterman,	Gillan,	McClanaghan,	Rosenfeld,
Baker,	Goodwin,	McClester,	Royer,
Balthaser,	Greenwood,	McDermott,	Rush,
Bentley,	Gryskewicz,	McDowell,	Sarraf,
Bentzel,	Gyger,	McFall,	Scanlon,
Boles,	Habbyshaw,	McGrath,	Schwab,
Boney,	Faberlen,	McIntosh,	Serrill,
Bower,	Kaines,	McKinney,	Shaffer,
Bradley,	Hall,	McLanahan,	Shaw,
Bretherick,	Hamilton,	McLane,	Shepard,
Brown,	Hare,	McMillen,	Simons,
Brunner, P. A.,	Harkins,	McSurdy,	Skale,
Burns,	Harmuth,	Melchorre,	Snyder,
Burriss,	Heatherington,	Modell,	Sorg,
Cadwalader,	Helm,	Monks,	Stambaugh,
Chervenak,	Hering,	Mooney,	Stank,
Chudoff,	Herman,	Moran,	Stine,
Cochran,	Hersch,	Moul,	Tarr,
Cohen, M. M.,	Hewitt,	Muir,	Tate,
Cohen, R. E.,	Holland,	Munley,	Taylor,
Cordier,	Huntley,	Nagel,	Thompson, E. F.,
Corrigan,	James,	Nunemacher,	Thompson, R. L.,
Croop,	Jefferson,	O'Brien,	Trout,
Dalrymple,	Jones, P. N.,	O'Dare,	Turner,
Dennison,	Keenan,	O'Mullen,	VanAillsburg,
DiGenova,	Kenehan,	O'Neill,	Verona,
Dix,	Kline,	Owens,	Vincent,
Dolon,	Knoble,	Petrosky,	Vogt,
D'Ortona,	Kolankiewicz,	Pettit,	Voldow,
Duffy,	Komorowski,	Polaski,	Voorhees,
Early,	Krise,	Polen,	Wagner,
Elder,	Lee, A.,	Powers,	Watkins,
Elliott,	Lee, T. H.,	Prosen,	Wells,
Ely,	Leonard,	Rank,	Welsh, E. E.,
Falkenstein,	Leisey,	Readinger,	Wilkinson,

Fines one, Finnerty, Fiss, Fletcher, Flynn, Foor, French, Gallagher, Gerard,	Lesko, Levy, Leydic, Lichtenwalter, Longo, Lyons, Malloy, Marks, Maxwell,	Reagan, Reese, D. P., Reese, R. E., Regan, Reynolds, Rhea, Riley, Rooney,	Williams, Winner, Wolf, Wood, N., Woodring, Woodside, Yester, Young, Kilroy, Speaker.
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NAYS—0

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

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

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1234, as follows:

An Act to further amend section one thousand seven hundred and one of the act approved the twenty-fourth day of June one thousand nine hundred thirty-one (P. L. 206) entitled "An act concerning townships of the first class amending revising consolidating and changing the law relating thereto" authorizing the township commissioners from time to time to make supplemental appropriations

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

Section 1 Section one thousand seven hundred and one of the act approved the twenty-fourth day of June one thousand nine hundred thirty-one (P. L. 1206) entitled "An act concerning townships of the first class amending revising consolidating and changing the law relating thereto" as amended by the act approved the eighteenth day of July one thousand nine hundred thirty-five (P. L. 1176) is hereby further amended to read as follows

Section 1701 Annual Budget Regulation of Appropriations The board of township commissioners of townships shall each year within sixty days after the first Monday of January and at least thirty days prior to the adoption of the annual budget prepare a proposed budget showing an estimate of the several amounts of money which will be required for the several specific purposes of township government and expenses during the current fiscal year and by ordinance appropriate out of the revenues available for the year the specific sums required as shown by the budget as finally adopted The tax levied by the township authorities shall be fixed at such figure within the limit allowed by law as with all other sources of revenue will meet and cover said appropriations The total appropriation shall not exceed the revenues available for the fiscal year If the funds available from taxation and other sources shall be estimated to be in excess of the requirements of the current fiscal year an appropriation may be made for the payment of township orders or indebtedness of the previous years

The budget shall be prepared on a uniform form prepared and furnished as provided in section one thousand seven hundred and one A of this act Final action shall not be taken on the proposed budget until after at least ten days' public notice The proposed budget shall be published or otherwise made available for public inspection at least twenty days prior to the date set for the adoption of the budget The township commissioners after making such revisions and changes therein as appear advisable shall adopt the budget

The township commissioners may at any time by resolution make supplemental appropriations for any lawful purpose from any funds on hand or estimated to be received within the fiscal year and not appropriated to any other purpose including the proceeds of any borrowing now or hereafter authorized by law

The township commissioners shall have power to authorize the transfer within the same fund of any unen-

cumbered balance or any portion thereof from one spending agency to another but such action shall be taken only during the last nine months of the fiscal year

Within fifteen days after the adoption of the budget the township commissioners shall file a copy of the same in the office of the Department of Internal Affairs

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—183

Achterman, Baker, Balthaser, Bentley, Bentzel, Boles, Boney, Bower, Bradley, Bretherick, Brown, Brunner, P. A., Burns, Burris, Cadwalader, Chervenak, Chudoff, Cochran, Cohen, M. M., Cohen, R. E., Cordier, Corrigan, Croop, Dalrymple, Dennison, DiGenova, Dix, Dolon, D'Ortona, Duffy, Early, Elder, Elliott, Ely, Falkenstein, Finestone, Finnerty, Fiss, Fletcher, Flynn, Foor, French, Gallagher, Gerard,	Gillan, Goodwin, Greenwood, Gryskewicz, Cyger, Habbyshaw, Haberlen, Haines, Hall, Hamilton, Hare, Harkins, Harmuth, Heatherington, Helm, Hering, Herman, Hersch, Hewitt, Holland, Huntley, James, Jefferson, Jones, P. N., Keenan, Kenehan, Kline, Knoble, Kolankiewicz, Komorowski, Krise, Lee, E. A., Lee, T. H., Lelsey, Leonard, Lesko, Levy, Leydic, Lichtenwalter, Longo, Lyons, Malloy, Marks, Maxwell,	McClanaghan, McClester, McDermott, McDowell, McFall, McGrath, McIntosh, McKinney, McLanahan, McLane, McMillen, McSurdy, Melchiorre, Modell, Monks, Mooney, Moran, Moul, Muir, Munley, Nagel, Nunemacher O'Brien, O'Dare, O'Mullen, O'Neill, Owens, Petrosky, Pettit, Polaski, Polen, Powers, Prosen, Rank, Readinger, Reagan, Reese, D. P., Reese, R. E., Regan, Reynolds, Rhe, Riley, Rooney, Rosenfeld, Royer,	Rush, Sarraf, Scanlon, Schwab, Serrill, Shaffer, Shaw, Shepard, Simons, Skale, Snyder, Sorg, Stambaugh, Stank, Stine, Tarr, Tate, Taylor, Thompson, E. F., Thompson, R. L., Trout, Turner, VanAlsburg, Verona, Vincent, Vogt, Voldov, Voorhees, Wagner, Watkins, Weiss, Welsh, E. E., Wilkinson, Williams, Winner, Wolf, Wood, N., Woodring, Woodside, Yester, Young, Kilroy, Speaker.
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NAYS—0

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

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

BILLS PASSED OVER

There being no objection House Bill No. 2, Printer's No. 453, was passed over at the request of the SPEAKER.

There being no objection House Bill No. 909, Printer's No. 305, was passed over at the request of the SPEAKER.

BILL ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1203, as follows:

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

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

Section 1 The sum of one hundred fifty thousand dollars (\$150,000) or so much thereof as may be necessary be and the same is hereby specifically appropriated to the Jefferson Medical College of Philadelphia Pennsylvania for the two fiscal years beginning June first one thousand nine hundred forty-one for the support and promotion of medical education.

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—183

Achterman,	Gillan,	McClanaghan,	Royer,
Baker,	Goodwin,	McClester,	Rush,
Balthaser,	Greenwood,	McDermott,	Sarraf,
Bentley,	Gryskewicz,	McDowell,	Scanlon,
Bentzel,	Gyger,	McFall,	Schwab,
Boles,	Habbyshaw,	McGrath,	Serrill,
Boney,	Haberlen,	McIntosh,	Shaffer,
Bower,	Haines,	McKinney,	Shaw,
Bradley,	Hall,	McLanahan,	Shepard,
Bretherick,	Hamilton,	McLane,	Simons,
Brown,	Hare,	McMillen,	Skale,
Brunner, P. A.,	Harkins,	McSurdy,	Snyder,
Burns,	Harmuth,	Melchiorre,	Corg,
Burriss,	Heatherington,	Modell,	Stambaugh,
Cadwalader,	Helm,	Monks,	Stank,
Chervenak,	Hering,	Mooney,	Stine,
Chudoff,	Herman,	Moran,	Tarr,
Cochran,	Eersch,	Moul,	Tate,
Cohen, M. M.,	Hewitt,	Muir,	Taylor,
Cohen, R. E.,	Holland,	Munley,	Thompson, E. F.,
Cordier,	Huntley,	Nagel,	Thompson, R. L.,
Corrigan,	James,	Nunemacher,	Trout,
Croop,	Jefferson,	O'Brien,	Turner,
Dalrymple,	Jones, P. N.,	O'Dare,	Van Allsburg,
Dennison,	Keenan,	O'Mullen,	Verona,
DiGenova,	Kenehan,	O'Neill,	Vincent,
Dix,	Kline,	Owens,	Vogt,
Dolon,	Knoble,	Petrosky,	Voldow,
D'Ortona,	Kolankiewicz,	Pettit,	Voorhees,
Duffy,	Pomorojski,	Polaski,	Wagner,
Early,	Krise,	Polen,	Watkins,
Elder,	Lee, E. A.,	Powers,	Weiss,
Elliott,	Lee, T. H.,	Prosen,	Veish, E. B.,
Ely,	Lelsey,	Rank,	Wilkinson,
Falkenstein,	Leonard,	Readinger,	Williams,
Finestone,	Levy,	Reagan,	Winner,
Finnerty,	Leydic,	Reese, D. P.,	Wolf,
Fiss,	Lesko,	Reese, R. E.,	Wood, N.,
Fletcher,	Lichtenwalter,	Regan,	Woodring,
Flynn,	Longo,	Reynolds,	Woodside,
Foor,	Lyons,	Rhea,	Yester,
French,	Malloy,	Riley,	Young,
Gallagher,	Marks,	Rooney,	Kilroy, Speaker.
Gerard,	Maxwell,	Rosenfeld,	

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 THIRD READING NOT ON FILE

The SPEAKER. House Bill No. 1537, (Senate Bill No.

381), Printer's No. 360 and House Bill No. 1630, Printer's No. 806, bills on third reading, are not on file and will be passed over.

BILL ON SECOND READING

Mr. MELCHIORRE asked and obtained unanimous consent to call up out of order House Bill No. 1450, Printer's No. 561, on page 18, of today's calendar, bills on second reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1450, entitled:

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

The first section was read.

On the question,

Will the House agree to the section?

BILL RECOMMITTED

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

On the question,

Will the House agree to the motion?

Mr. HOLLAND. Mr. Speaker, I rise to oppose this motion because the bill we are considering is one that is very essential in the State of Pennsylvania, and inasmuch as the days of this session are now numbered, to recommit it to the Committee on Public Utilities means a delay of a week or more and may mean the loss and defeat of the bill. The bill which has been asked to be recommitted is to give reduced street car fares to school children. This bill may seem drastic in Pennsylvania, but it is interesting to note what they have done in other cities.

In 1936 I was successful in having this House pass a Resolution requesting the Pittsburgh Railway Company, of the City of Pittsburgh, and the Public Utility Commission to get together and secure for the school children of Pittsburgh a 25 cents Weekly School Pass. After a number of meetings that were held with the Pittsburgh Railway Company, I was successful in securing for these school children of Pittsburgh a 50 Cents Weekly School Pass.

This Pass is good between the hours of 7 o'clock in the morning and 4:30 o'clock in the afternoon.

A number of you may be interested in knowing just how this pass has worked out. The passes are sold at the schools. The average number of passes in any one year of the four years they have been used is 173,238. This means that the parents of the school children of the City of Pittsburgh have saved 33-1/3 cents a week, which makes an accumulated savings of \$57,746—which, I might add, can buy a lot of shoes for the school kiddies of Pittsburgh.

Now this is not a loss to the Pittsburgh Railway Company, because it has been estimated by the Board of Education that the additional riders who are able to use the street cars, due to the cut in carefare, are around

41,000 riders per year. And, I might add, that in some cases his pass is used at noon for the kiddies to come home for lunch which makes an additional saving for the parent.

Let us now consider what they are doing outside of Pennsylvania, and I am going to use quotations direct from the letters received from the School Boards of the following cities:

Detroit, Michigan. School children, under 18 years of age, are entitled to a 6c rate of fare on buses as well as free transfers between street car and bus. The regular fare on street cars is 6c, the transfer from a street car to a bus cost 4c, and the bus fare is 10c.

San Francisco, California. Children purchase half fare tickets by presenting a blank signed by the principal of the school. Tickets are good on Saturdays and holidays up to 6 p. m. Regular fare is 5c.

Cincinnati, Ohio. 5c rate for pupils when on their way to and from school is in effect. Regular fare is 9c when tickets are purchased.

Los Angeles, California. Regular fare on the Los Angeles Railway is 7c, or 4 tokens for 25c. School children may purchase 40 ride tickets for \$1.40, which is 3½c per ride.

Norfolk, Virginia. Regular transportation rate is 3 tokens for 25c. School tickets are purchased through schools for 24 rides for \$1.00. Or, 4-1/6c per ride.

Salt Lake City, Utah. The Utah Light and Transit Company sell a book of 50 rides for \$2.00 or 4c per ride. Regular fare is 3 rides for 25c.

Baltimore, Maryland. Baltimore Transit Company permits school children to ride for a 5c rate. Regular rate is 10c per ride.

New York, N. Y. Regular fare is 5c. A monthly school ticket is sold for \$1.00 which is a little better than half fare.

Newark, N. J. The School Board furnishes transportation which is supplied the children free. The School Board pays 3c per school ticket which is good between the hours 8 a. m. and 5 p. m.

Cleveland, Ohio. School children, 12 years and under, may ride on any street car or bus by paying 1c to the conductor. Junior and senior high school children use a weekly pass costing 50c each. The regular fare for a single ride is 10c or 6 tickets for 50c.

Milwaukee, Wisconsin. A 50c street car pass is used by school children between the hours 7:30 a. m. and 5 p. m. daily and between 12 noon and 5:30 p. m. on Saturday. The Saturday arrangement is to give the children an opportunity to attend athletic events as well as going to the parks. The adult fare is \$1.00 for a weekly pass.

Denver, Colorado. The regular street carfare in Denver is 10c and school children are permitted to ride for 5c during school hours.

St Louis, Mo. The regular fare is 4 tokens for 35c. Children are sold tickets 10 rides for 70c. I might add that I lived in this town and it is politically controlled by the utilities.

Birmingham, Alabama. Regular street carfare is 7c. Children are supplied a book of tickets of 50 for \$1.25.

Atlanta, Georgia. Here school children receive one-half fare.

Chicago, Illinois. School children receive one-half fare here, also.

Providence, Rhode Island. Regular fare 5 tokens for 35c and school children ride 10 tickets for 40c.

Now, in comparison with the quotations from the above letters, let me read to you from a letter received from the School Board of the City of Philadelphia, in the great Commonwealth of Pennsylvania:

"The Philadelphia Rapid Transit Company has made no concessions in rates whatsoever with regard to fares for school children."

I think it is high time that if the Public Utility Com-

mission of this State cannot within their jurisdiction take direct action with the Transportation Companies to secure such concessions for our school children, that it is up to this General Assembly to take drastic action and demand a reduction of fares. And—this will be done when this Bill passes both Houses and is signed by the Governor.

In every State concessions are made by the transportation company to school children and, I might add, that in every State the Utilities pay a school tax on their real estate that they do not pay in Pennsylvania. Certainly, in the millions of dollars they are saving by not paying their local real estate taxes for school purposes, they should be willing to give at least some assistance to our great educational system in Pennsylvania.

This move should have been made voluntarily by every street car company as well as every bus company without the necessity of an Act of Legislature. However, we have waited too long for them to become interested in our educational problem.

Let us show the people of Pennsylvania that at least the Members of this House are doing a little worrying over the future citizens of tomorrow—an put transportation within the reach of their pocketbooks.

Mr. TURNER. Mr. Speaker, I desire to interrogate the gentleman from Allegheny, Mr. Holland.

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

Mr. HOLLAND. I shall, Mr. Speaker.

Mr. TURNER. Mr. Speaker, do I understand that this bill states that the Public Utility Commission may reduce the rates to school children?

Mr. HOLLAND. Mr. Speaker, will the gentleman allow me to look at the bill?

Mr. TURNER. Mr. Speaker, I withdraw by request to interrogate the gentleman from Allegheny.

Mr. Speaker, this bill provides that—

"All the public utilities now engaged in transportation of passengers for hire in this Commonwealth shall hereafter charge only half fares to all school children in using their facilities during such hours as the local school authorities shall designate."

Mr. Speaker, I do not want to debate the bill, but I do think it is important as far as this motion is concerned. I think all of us would like to see the school children get as low a rate as possible. I know in my own county on one line that I am familiar with, the line which runs from 69th Street to Media, they issue a book at lower rates, which I think a lot of companies do. But to say that they "shall", seems to me is unconstitutional. I do not think this bill would be constitutional, because we have a law providing for the regulation of utilities, the Public Utility Law. This would be taking property without due process of law. You cannot just say that a utility must cut a certain rate in half. In a rate-making proposition, that must be submitted to the Commission, it must hear the facts and upon those facts it must make its determination. When I first heard of the bill, I gave it very little consideration because I never thought it would even get out of Committee because of the unconstitutionality, as I see it, of the bill. Therefore, even if the bill should pass this House, I do not think it will get any place because of that fact.

On the question recurring,

Will the House agree to the motion?

The yeas and nays were required by Mr. Holland and Mr. Petrosky.

Messrs. Holland, Bentley and Yester asked for a verification of the roll. The roll was verified and was as follows:

YEAS—64

Achterman,	Gyger,	McClester,	Rooney.
Balthaser,	Habbyshaw,	McIntosh,	Rosenfeld,
Bentzel,	Haines,	McKinney,	Royer,
Bower,	Hall,	McMillen,	Scanlon,
Brunner, P. A.,	Hamilton,	Melchiorre,	Serrill,
Chervenak,	Hare,	Monks,	Snyder,
Cohen, R. E.,	Helm,	Muir,	Sorg,
Corrigan,	Huntley,	O'Brien,	Tarr,
Croop,	Kilne,	O'Neill,	Taylor,
Dennison,	Kolaniewicz,	Owens,	Turner,
D'Ortona,	Lelsey,	Polen,	Van Allsburg,
Ely,	Levy,	Rank,	Wagner,
Finestone,	Leydic,	Readinger,	Welsh, E. B.,
Fiss,	Marks,	Reese, D. F.,	Wood, N.,
Foor,	Maxwell,	Rhea,	Young,
Gillan,	McClanaghan,	Riley,	Kilroy, Speaker.

NAYS—58

Baker,	Early,	Knoble,	Polaski,
Bentley,	Elliott,	Komorofski,	Powers,
Boles,	Flynn,	Krise,	Prosen,
Boney,	French,	Leonard,	Regan,
Bradley,	Gallagher,	Longo,	Reynolds,
Burns,	Gerard,	McDermott,	Rush,
Burris,	Goodwin,	McFall,	Shaffer,
Cochran,	Gryskewicz,	McLanahan,	Stine,
Cohen, M. M.,	Harkins,	McSurdy,	Tate,
Cook,	Heatherington,	Moran,	Verona,
Cordier,	Hersch,	Nagel,	Williams,
DiGenova,	Holland,	O'Mullen,	Wolf,
Dix,	Jefferson,	Petrosky,	Woodring,
Dolon,	Jones, P. N.,	Pettit,	Yester,
Duffy,	Kenehan,		

So the question was determined in the affirmative and the motion was agreed to.

PERMISSION GRANTED COMMITTEE TO MEET DURING SESSION

Mr. O'NEILL asked and obtained permission for the Committee on Mines and Mining to meet during the session of the House.

SENATE MESSAGES

AMENDED SENATE BILLS NONCONCURRED IN BY SENATE

The Clerk of the Senate being introduced, informed that the Senate has nonconcurred in the amendments made by the House of Representatives to Senate Bill numbered and entitled as follows:

SENATE BILL No. 507.

An Act to apportion the State into congressional districts.

Mr. ACHTERMAN. Mr. Speaker, I move that the House insist upon its amendments non-concurred in by the Senate.

The motion was agreed to.

Ordered, That the Clerk inform the Senate accordingly.

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

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

HOUSE BILL No. 230.

An Act to reenact and amend the title and the act approved the twenty-second day of June one thousand nine hundred thirty-five (P. L. 414), entitled "An act to provide revenue for State purposes imposing taxes upon certain classes of personal property providing for the assessment collection and lien of the same and the distribution of the proceeds thereof imposing duties on executors administrators registers of wills recorders of deeds prothonotaries and court clerks and on persons copartnerships associations banks national banks trust companies and other corporations receiving deposits of money and on certain corporations and limited partnerships conferring powers and imposing duties on certain State officers and departments imposing penalties and making an appropriation" as previously reenacted and amended by continuing the State personal property tax at a reduced rate for a further limited period of time and the emergency rate of tax on scrip bonds certificates and evidences of indebtedness assumed or on which interest is paid by corporations for a further limited period of time.

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

The SPEAKER. The Clerk will read the amendments. The Clerk read the amendments as follows:

Amend title, page 2, line 4, by striking out after the word "tax" the words "at a reduced rate for a further limited period of time"; also in last line of title, by inserting after the word "time" the following: "exempting casualty insurance corporations not having capital stock and relieving life insurance corporations from the duty of reporting and paying tax under section seventeen of said act".

Amend Section 1, page 5, line 2, by striking out the word "three" and inserting in lieu thereof the word "four"; also on page 6, line 28, by striking out the word "three" and inserting "four"; also on page 7, line 4, by striking out the word "three" and inserting the word "four"; also in line 9, by inserting after the word "life" the word "casualty"; also on page 26, by inserting light faced brackets before and after the word "or" and inserting after the word "or" in said line the words "insurance companies casualty or"; also on page 32, line 26, by inserting light faced brackets before and after the word "and"; also in line 27, by striking out after the word "forty-one" the words "at the rate of four mills on each dollar of value and for the years"; also on page 33, by striking out after the word "hundred" the word "and"; also in line 2, by striking out after the word "forty-three" the words "at the rate of three mills on each dollar of value".

On the question,

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

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

The motion was agreed to.

Ordered, That the Clerk inform the Senate accordingly.

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

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

HOUSE BILL No. 234.

An Act to further amend section one of the act approved the fifteenth day of July one thousand eight hun-

dred ninety-seven (P. L. 292), entitled "An act to provide revenue by taxation" by increasing the rate of tax for a further limited period of time.

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

The SPEAKER. The Clerk will read the amendments. The Clerk read the amendments as follows:

Amend Section 1, page 2, line 25, by striking out after the word "thirty-nine" the word "and"; also in line 26 by inserting after the word "forty" the words "December thirty-first one thousand nine hundred forty-one and December thirty-first one thousand nine hundred forty-two"; also in line 29 by striking out after the word "thereof" the following: "For the calendar years ending December thirty-first one thousand nine hundred forty-one and December thirty-first one thousand nine hundred forty-two at the rate of seven mills upon each dollar of the actual value thereof"; also on page 3, line 19 by striking out after the word "mills" the words "or seven mills".

On the question,

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

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

The motion was agreed to.

Ordered, That the Clerk inform the Senate accordingly.

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

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

HOUSE BILL No. 663.

An Act authorizing the Commonwealth to negotiate temporary emergency loans to defray the current and other expenses of the State government during the two fiscal years beginning the first day of June one thousand nine hundred forty-one evidenced by tax anticipation notes secured by and payable from current revenues levied assessed collectible and accruing during such two fiscal years defining the powers and duties of the Governor the Auditor General and the State Treasurer in relation thereto providing for the payment of interest on and the repayment of such loans and making an appropriation.

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

The SPEAKER. The Clerk will read the amendments. The Clerk read the amendments as follows:

Amend Whereas Clause, page 1, line 3, by striking out "four hundred twenty-six million dollars (\$426,000,000)" and inserting in lieu thereof "four hundred thirteen million dollars (\$413,000,000)".

On the question,

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

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

The motion was agreed to.

Ordered, That the Clerk inform the Senate accordingly.

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

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

HOUSE BILL No. 645.

An Act to further amend article four section three hundred forty-eight of the act approved the second day of May one thousand nine hundred and twenty-nine (P. L. 1278), as amended by the act approved the seventh day of May one thousand nine hundred and thirty-five (P. L. 143) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" by requiring all contracts of county commissioners in counties of the second class over five hundred dollars to be made with the lowest and best bidder after due notice published

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

The SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend Section 1, page 2, line 23, by inserting light-faced brackets before the word "when" and after the word "commissioners."

On the question,

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

BILL AND MESSAGE LAID ON TABLE

Mr. ACHTERMAN. Mr. Speaker, I move that the bill together with the message from the Senate be laid on the table.

The motion was agreed to.

SENATE MESSAGE

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

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

HOUSE BILL No. 762.

An Act to further amend section twelve of the act approved the eleventh day of May one thousand nine hundred and twenty-one (P. L. 522) entitled as amended "An act relating to dogs and the protection of live stock poultry and game birds raised in captivity from damage by dogs providing for the licensing of dogs by the Secretary of Agriculture providing for the enumeration of dogs by assessors regulating the keeping of dogs and authorizing their destruction in certain cases providing for the protection of licensed dogs and for dogs temporarily imported for trial show and breeding purposes prescribing certain privileges for hunting dogs and dogs owned or used by the Board of Game Commissioners providing for the assessment of damages done to live stock poultry and game birds by dogs and for live stock killed by or dying from rabies and for the illegal killing of licensed dogs and the payment of such damages by the Commonwealth imposing powers and duties on certain State county city borough town and township officers and employees directing the payment of all moneys collected into the State Treasury and providing penalties" permitting dogs kept in a kennel to be taken out for training exercise or entry in field trials

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

The SPEAKER. The Clerk will read the amendments. The Clerk read the amendments as follows:

Amend title, page 1, line 1, by striking out after the word "amend" the word "section" and inserting in lieu thereof the words "sections eleven and"; also on page 2, line 6 of title, by inserting after the syllable "ties" the words "by providing for the issuance of metal tags with kennel certificates requiring such tags to be kept on dogs kept in kennels"; also in line 7, by inserting after the word "for" the word "hunting"; also in same line by inserting after the word "trials" the words "and dog shows and requiring keepers of kennels to maintain certain records."

Amend Section 1, page 2, line 1, by striking out after the figure "1" the word "Section" and inserting in lieu thereof the words "Sections eleven and" also on page 3, line 4, by inserting after the figure "833" the following:

On the question,
Will the House concur in the amendments made by the Senate?

"and as last amended by section three of the act approved the ninth day of April one thousand nine hundred and twenty-nine (P. L. 456) are hereby further amended to read as follows

Section 11 Any person who keeps or operates a kennel may in lieu of the license for each dog required by this act apply to the Department of Revenue or to the county treasurer for a kennel certificate entitling him to keep or operate such kennel. The certificate shall describe the premises where the kennel is located and the actual number of dogs which are permitted to be kept within the kennel. Such certificates shall be issued by the Department of Revenue or by the county treasurer on a form prepared and supplied by the Department of Revenue and shall entitle the person to keep any number of dogs six months old or over not at any time exceeding a certain number to be specified in the certificate. The fee to be paid for each kennel certificate shall be ten dollars for ten dogs or less and twenty dollars for more than ten dogs permitted to be kept under the kennel certificates. If the license is issued by the county treasurer the applicant shall also pay an additional fee of ten cents for the services of the county treasurer in issuing recording and reporting said kennel certificate to the Department of Revenue and remitting the license fee to the State Treasurer through the Department of Revenue. With each kennel certificate the Department of Revenue or the county treasurer shall issue a number of metal tags equal to the number of dogs authorized to be kept in the kennel. All such tags shall bear the name of the county where it is issued, the number of kennel certificate and shall be readily distinguishable from the individual license tags for the same year.

Section 12 The licensee of a kennel shall keep one of such tags attached to a collar on each dog six months old or over kept by him under a kennel certificate when and during such time as such dog is without the kennel. Such tags may be transferred from one dog to another whenever any dog is removed from the kennel.

also on same page, line 5, by striking out after the word "kept" the word "in" and inserting in lieu thereof the word "under"; also by inserting after the word "kennel" the word "certificate"; also in line 9, by inserting after the word "of" the word "hunting"; also in line 10, by inserting after the word "trials" the following:

"and dog shows Every keeper of a kennel shall keep a permanent record of each dog at any time kept in the kennel. Such record shall show (1) the breed color markings sex and age of each dog (2) the date on which each dog entered the kennel (3) where it came from (4) to whom it belongs (5) for what purpose each dog is kept in the kennel (6) the date on which each dog leaves the kennel (7) how and to whom it is disposed of. Such record

shall be open to inspection by any police officer or agent of the Department of Revenue Agriculture or Game Commission."

On the question,
Will the House concur in the amendments made by the Senate?

BILL AND MESSAGE LAID ON TABLE

Mr. ACHTERMAN. Mr. Speaker, I move that the bill together with the message from the Senate be laid on the table.

The motion was agreed to.

PERMISSION TO ADDRESS HOUSE

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

Mr. Speaker, nestled in the heart of Lackawanna county, adjacent to the fair city of Scranton, is the Borough of Dunmore. This borough is composed of a great number of decent thinking and decent living citizens. They have been unfortunately plagued in selecting to represent them on their school board a group of men who have mismanaged and misconducted and produced a financial mess in the affairs of that school district.

For some time both the Democratic and the Republican newspapers of Lackawanna County have exposed the conditions prevalent in the affairs of the Dunmore School Board. Pictures have been printed in the newspapers showing that among the purchases of equipment for the various school, was a pile of beer coils. Allegations have been made of misconduct, of bankruptcy and other mismanagement in the affairs of the Dunmore School Board. Now, because of these allegations and because of the printing of these things in the newspapers, a group of taxpayers of Dunmore requested the school board to allow them to conduct an impartial audit of the financial affairs of the Dunmore School District. This, they were refused. Accordingly, they went to the courts of Lackawanna County and secured a court order, issued by Judge Leach one week ago, in which the Court instructed the Dunmore School district to allow an impartial audit by a public accountant of the financial affairs of the school board. Immediately after this Court order was issued the directors of the Dunmore school district brought their body to the Department of Public Instruction at Harrisburg, and appealed the Court order of Judge Leach on the basis of the fact that they were attempting to get an emergency grant from the Department of Public Instruction to carry on their affairs. This appeal to the Supreme Court will defeat the efforts of the taxpayers of Dunmore to secure a fair and impartial audit of their affairs. Accordingly, by this subterfuge the people have no way, except perhaps by a legislative investigation, of finding out what is wrong in the Dunmore School district. Accordingly, I have been requested and I intend to present a resolution to this House calling for a complete investigation of the affairs of that school district.

Mr. Speaker, I believe you may have on your desk a letter from these same school directors who welcome in that letter this impartial investigation. However, in that letter, I am informed by newspaper items in this morning's Scranton paper, if this investigation goes on, it will hamper the request of the Dunmore School District for this emergency grant. Accordingly, I have contacted

Dr. Haas the Superintendent of Public Instruction, who informed me he completed his investigation, insofar as the request for the emergency grant is concerned, over a week ago. There is no necessity for the books of Dunmore School District being in Harrisburg at this time. He did not request them and there is no need for them. In my opinion it is only an attempt at further stalling and an attempt to reduce the possibility of the taxpayers of Dunmore getting the truth insofar as the conduct of the members of their school district is concerned.

I say, Mr. Speaker, in presenting this resolution it is not conceived in politics. It is being presented for the simple reason of finding out the truth of what is happening in the affairs of the Dunmore school district.

Mr. Speaker, I ask the indulgence of the House while I read an editorial from the Scranton Tribune of May 28, which is headed "A Last Laugh." The editorial then goes on as follows:

"The decent citizens of the Borough of Dunmore are entitled to some measure of sympathy—in the fantastic situation into which they have been thrust by their own elected school directors.

"For weeks and weeks past a group of these citizens has been endeavoring to ascertain the true fiscal condition of their school district through an examination of the district's so-called public records. They have been rebuffed, refused and, in political parlance, given the "run around." Finally, reaching a point of distraction, they resorted to the courts to obtain a right which is inherently theirs and which in practically every other municipality would be granted without question.

"Now, after successfully establishing that right in one court they find they are subjected to further delay by reason of legal technicalities raised by their public servants through an appeal to the state's highest court. This may conceivably restrain the taxpayers another six months.

"Isn't it only natural in view of the ducking and dodging practiced by Dunmore's school directors to ask, What are they hiding?

"It is a known fact that the Dunmore school district under the political management which has been in control of it for many years back is a bankrupted wreck.

"It is also known that its affairs have been conducted in anything but a businesslike manner. Its present directors are forever attempting to explain away situations in which no well-regulated body would have become involved. In the past its former directors, have been hauled into court and fired from their positions. But even that has not cleaned up the dirty mess which is Dunmore's school management.

"It's a job for the decent citizens of the borough. That is why we say they have not been entirely blameless. They either elected, or by their negligence allowed to be elected, the motley crew which is now laughing up its collective sleeve at the very people whom it took an oath to serve.

"There is a chance for a last laugh. But it will come only if an intelligently-informed, united, decent citizenry goes to the polls in Dunmore."

I also desire to quote from the issue of the Scranton Tribune under date of May 28th as follows:

"Reports that Judge William R. Lewis will be requested to direct a Grand Jury investigation into the affairs of Dunmore School District were confirmed last night by Mrs. Genevieve Noone, secretary, Dunmore Taxpayers' Association.

"This climaxed a day of fast moving developments following the school board's appeal to the State Supreme Court from a mandamus writ authorizing ac-

countants of the taxpayers' association to inspect the board's books.

"While the board rested behind a probable three-month respite before the appellate tribunal acts on its appeal, the taxpayers' leaders moved to force a showdown and decided to request the Grand Jury probe."

I desire at this time to also quote from the issue of the Scranton Times under date of May 29th the following article:

"The directors, in a statement issued last night, a copy of which has been sent to Speaker Elmer Kilroy, State House of Representatives, said, in part:

"As to Mr. Cordier's resolution in the Legislature we are forwarding a copy of this statement to Elmer Kilroy, Esq., Speaker of the House of Representatives at Harrisburg, with the request that it be read to that body at the same time as his resolution; that we hereby advise that body that we invite and welcome any impartial and non-political investigation made with a proper motive and will cooperate to the fullest with any such committee appointed."

There were editorials in the Democratic newspapers of Scranton along the same vein, which I do not now have in my possession. Mr. Speaker, insofar as forestalling the granting of an emergency grant is concerned, I charge that it is a further subterfuge in the attempt to stop the people of Dunmore from getting the truth, because I am reliably informed that the same school district went many months ago to the Department of Public Instruction for an emergency grant and it was refused them because of the fact that they refused to accede to the requests and to the rules and regulations of the Department of Public Instruction. They continued to load up the school district with additional maintenance employes and further contributed to the cost of operation of that school district.

Mr. Speaker, it is not my intention to take up too much time of the House, but in presenting this resolution I respectfully urge that this is the court of last resort that the citizens of Dunmore have in their attempt to get at the truth of what is happening in the Dunmore School District. If the resolution that I present does not prevail the taxpayers of Lackawanna County may construe it as a further whitewash and as an aid to the subterfuge now resorted to in desperation by the Dunmore School Board who have violated by every form of trickery, chicanery and deceit the efforts of the taxpayers of Dunmore to learn the simple truth as to what this discredited school board has been doing.

Mr. Speaker, there is something rotten in Dunmore which the decent citizens are seeking to eradicate. They are looking with anxious eyes to this General Assembly to give them relief.

Mr. Speaker, I offer the resolution to which I referred.

The SPEAKER. The resolution will be filed with the Clerk under the rules.

PERMISSION TO ADDRESS HOUSE

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

Mr. Speaker, I ask the consent of the House to read an article appearing in the Scranton Tribune under the date of May 29th. The article is headed, "Dunmore's Board Welcomes Probe." The article goes on as follows:

Dunmore's majority school directors last night invited a legislative probe into their financial affairs

and urged the investigation be expanded to include an inquiry into the activities of Rep. Robert Cordier, whom they charge with blocking their attempt to get a special state grant to pay Dunmore's teachers.

Representative Cordier yesterday at Harrisburg announced his intention to sponsor a resolution asking for a probe into "the entire matter" of the district's fiscal affairs. It followed Mrs. Genevieve Noone's announcement that the Dunmore Taxpayers' Association is considering a grand jury inquiry.

The directors, in a statement issued last night, a copy of which has been sent to Speaker Elmer Kilroy, State House of Representatives, said, in part:

Copy Sent to Kilroy

"As to Mr. Cordier's resolution in the Legislature we are forwarding a copy of this statement to Elmer Kilroy, Esq., Speaker of the House of Representatives at Harrisburg, with the request that it be read to that body at the same time as his resolution; that we hereby advise that body that we invite and welcome any impartial and non-political investigation made with a proper motive and will cooperate to the fullest with any such committee appointed; that we further request that the scope of any such inquiry be widened to include an investigation of the actions, motives and purposes of Representative Cordier in hindering the receipt of state funds for teachers salaries by a school district not located in his own Legislative district, and whether or not the same constitutes an effort on his part to make such financial aid a political issue."

Although they were quick to respond to Representative Cordier's attack, in which he characterized the board's appeal as "subterfuge to defeat the will of the court," the directors held continued silence concerning a grand jury investigation and the attempts of the taxpayers' association to inspect their books.

Charles Waters, Supreme Court prothonotary, yesterday was quoted as reporting that he received the board's appeal from President Judge Will Leach's mandamus writ by mail. However, Attorney George Morrow, taxpayers' counsel, has not received any formal notice of the action, it was learned.

Doesn't Need Records

Representative Cordier yesterday quoted Dr. Francis B. Haas, state superintendent of public instruction, as repeating his previous contention that his departure has no need of the Dunmore records, as claimed by the directors.

He also quoted Dr. Haas as saying that because of "happenings in Dunmore," the state department will move slowly in passing on the board's request for a \$45,000 grant from the special \$500,000 fund voted recently by the Legislature.

The board last night accused the legislator of blocking the board's first application last February and charged the department of public instruction with refusing to take action on the application upon Representative Cordier's request.

I request the Speaker to read the resolution.

QUESTION OF INQUIRY

Mr. CORDIER. Mr. Speaker, I rise to a question of inquiry.

The SPEAKER. The gentleman from Lackawanna will state his question of inquiry.

Mr. CORDIER. Mr. Speaker, what resolution is to be read to the House?

Mr. KENEHAN. Mr. Speaker, the resolution that was sent by the Dunmore School Board to the Speaker of the House.

The SPEAKER. For the information of the gentleman

from Lackawanna, Mr. Kenehan, a resolution presented by the Dunmore School Board is not read when presented. Such resolutions are referred to appropriate committees under the rules of the House.

Mr. KENEHAN. Mr. Speaker, I withdraw my request.

PERMISSION TO ADDRESS HOUSE

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

Mr. Speaker, I don't know whether all the Members of the House were listening to my previous remarks, but in them I stated specifically that the Speaker was in possession of a letter and a resolution sent by the Dunmore school district, and I presume, judging from the reports contained in the newspapers of Scranton, in that resolution they stated they welcomed an impartial investigation but that they thought the investigation would impair their request for an emergency grant from the Department of Public Instruction. Accordingly, I further stated that I contacted the Department of Public Instruction and Dr. Haas informed me that he was through with his investigation of the Dunmore school district insofar as the request for an emergency grant was concerned; that at no time did he request the Dunmore school district to bring their books and records to Harrisburg, so that this request for an investigation of the affairs of the Dunmore school district by a committee of the House will in no way stop or hinder their request for an emergency grant. All the people of Dunmore want to know is the simple truth as to what is happening in the affairs of the school district.

BILL ON THIRD READING

Agreeably to order,

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

The House resumed the consideration on third reading of House Bill No. 1070, as follows:

An Act prohibiting owners of restaurants pool rooms bowling alleys confectionery stores barber shops grocery stores or hotels from encouraging or permitting gambling and prescribing penalties

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

Section 1 Penalty for Encouraging Gambling If any owner of a restaurant pool room bowling alley confectionery store barber shop grocery store or hotel shall incite promote or encourage any game of address hazard horsing or any playing betting or gaming for money or other things of value whatsoever either by cards dice billiards bowls shuffle boards or any game or device in any other manner shall upon conviction before any justice of the peace in same municipality pay a fine of fifty dollars (\$50.00) for the first offense or in default thereof be imprisoned for a period of not less than fifteen (15) days nor more than thirty (30) days and for any other subsequent conviction shall pay a fine of not less than one hundred dollars (\$100.00) and not more than three hundred dollars (\$300.00) and in default of the payment thereof shall be imprisoned for a period of not less than sixty (60) days and not more than one hundred and twenty (120) days

Section 2 Penalty for Permitting Gambling If such person shall permit and allow any kind of game of address or hazard or any playing betting or gaming for money or other valuable things of value whatsoever either of cards dice billiards bowls shuffle boards or any game or device in any other manner to be practiced

played or carried on within his or her dwelling house outhouse shed or other place in his or her occupancy such person shall upon conviction before any justice of the peace in the same municipality pay a fine of fifty dollars (\$50.00) for the first offense or in default thereof be imprisoned for a period of thirty (30) days and for any subsequent conviction shall pay a fine of not less than one hundred dollars (\$100.00) and not more than three hundred dollars (\$300.00) and in default of the payment any subsequent conviction shall pay a fine of not less than sixty (60) days and not more than one hundred and twenty (120) days

Section 3 Sections eighteen and nineteen of the act approved the eleventh day of March one thousand nine hundred and thirty-four (P. L. 117) entitled "An act relating to inns taverns and retailers of vinous and spirituous liquors" are hereby repealed

All other acts and parts of acts inconsistent herewith are hereby repealed

On the question recurring,

Will the House agree to the bill on third reading?

Mr. McLANAHAN. 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, page 1, line 8, by inserting before the word "conviction" the following: "summary".

Amend Section 1, page 1, lines 9 and 10, by striking out the words and figures "fifty dollars (\$50.00)" and inserting in lieu thereof the following: "fifteen dollars (\$15.00)".

Amend section 1, page 2, line 3, by striking out the words and figures "one hundred dollars (\$100.00)" and inserting in lieu thereof the following: "fifty dollars (\$50.00)".

Amend section 2, page 2, lines 20 and 21, by striking out the words and figures "one hundred dollars (\$100.00)" and inserting in lieu thereof the following: "fifty dollars (\$50.00)".

Amend section 3, page 2, line 27, by striking out the word "nine" and inserting in lieu thereof the word: "eight".

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.

CONGRATULATORY RESOLUTION

Mr. PRESLEY N. JONES offered a privileged resolution which was read, considered and adopted as follows:

In the House of Representatives, May 29, 1941.

Whereas, This day marks the 40th wedding anniversary of the Honorable George T. Weingartner and Anna Hazen Weingartner, his wife; and

Whereas, During those two score years of happy married life, Mr. Weingartner, in addition to devoting his time to the practice of Law and banking, was a Member of this House from 1904 to 1908, a Member of the Senate from 1908 to 1912 and from 1924 to 1932, and is now once again a Member of this House from the 2nd Legislative District of Lawrence County, of which he and Mrs. Weingartner have been lifelong residents; and

Whereas, During this same period, Mrs. Weingartner by her indomitable will and courage fostered a fine appreciation of the values of democracy in their four children, which has likewise been inculcated in their three grandchildren; and Whereas, The successful course of human progress depends to a great extent upon the success of the family life of our citizens; and

Whereas, Mr. and Mrs. Weingartner have contributed so much to this progress; therefore be it

Resolved, That the House of Representatives congratulates the Honorable George T. Weingartner and Anna Hazen Weingartner, his wife, on this the 40th anniversary of their marriage, and by this resolution, wish them continued success, health and happiness for many years to come; and be it further

Resolved, That the Chief Clerk of the House of Representatives prepare and deliver a certified copy of this resolution to the Honorable George T. Weingartner and his wife, Anna Hazen Weingartner.

PERMISSION TO ADDRESS HOUSE

Mr. ELLWOOD B. WELSH asked and obtained unanimous consent to address the House.

Mr. Speaker, a couple days ago the distinguished gentleman from Delaware, indicted one of the newspaper men at the bar of this House, and one of those who was appointed to represent that man stepped before the microphone in the middle of the House smoking a pipe. It seems to me from that point on I began to notice that the pipe smokers of the Democratic side were increasing. Only this morning we saw Mr. O'Mullen of Philadelphia and Mr. Boney walk into the House smoking pipes. Pipe smokers, of course, are old in this House. One of them was Mr. Turner, the gentleman from Delaware who occasionally indulges in pipe smoking. In the newspaper field we have Hi Andrews who always puzzled me by carrying a large cork around in his vest pocket. I never could determine what that cork was for until one day down at this very spot I noticed Mr. Andrews proceeded to clean his pipe and he started to take this cork out of his pocket. In this cork was a sharp instrument which he carried around for the purpose of keeping his pipe clean. We in Subsection 523, or whatever our number is in the rear of the House, are considerably troubled by one of the Members of the House smoking a corn cob pipe day after day. He comes before us puffing away on that pipe, and it seems to me we are well informed when we are told he buys his pipes wholesale. It happened however that this morning he came in here smoking an old briar pipe. The pipe itself was no prize.

In order that the gentleman may continue to enjoy smoking his pipe as he has in the past I take great pleasure, Mr. Speaker, this morning in presenting him with this pipe. It is a distinguished looking pipe inasmuch as it holds about three times the amount of tobacco that his present pipe holds. I hope, Mr. Speaker, this gentleman, Mr. McClanaghan of Philadelphia, will enjoy this pipe to the fullest extent.

It seems to me pipe smokers are doing a grave injustice to us cigarette smokers inasmuch as they are evading the tax, because every time we light up and smoke a cigarette, we are paying a portion of that extra two cents in taxes, but the pipe smoker does not do that. I want Mr. McClanaghan to have this pipe so that he may live long and play an important part in this House.

The SPEAKER. For the information of the gentleman

from Philadelphia, Mr. Welsh, a pipe is a pipe whether it is a gas pipe, a corn-cob pipe, or the turnpike.

The Chair recognizes the gentleman from Philadelphia, Mr. McClanaghan. "Pipe up" now.

Mr. McCLANAGHAN. Mr. Speaker, it is with great pleasure that I accept this token from Mr. Welsh, and if he will move his chair out in the aisle and give me room I will be pleased to smoke the pipe.

QUESTION OF PERSONAL PRIVILEGE

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

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

Mr. EARLY. Mr. Speaker, on page 1620 of the Legislative Journal, in considering House Bill 1157 I am recorded as "aye". I voted "no" on that bill and I would like to be so recorded.

REPORT FROM COMMITTEE

Mr. GRYSKEWICZ, from the Committee on Mines and Mining, reported as committed, House Bill No. 1462, entitled:

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

RECESS

The SPEAKER. There are a number of communications in the Senate upon which the House must act when they are received. The Chair would request the members to remain until we adjourn.

If there is no objection the Chair will declare a recess for fifteen minutes.

Mr. WOODSIDE. Mr. Speaker, I would like to interrogate the gentleman from Monroe, Mr. Achterman, and address the House afterwards. I am willing to do so before recess or afterwards. I will leave it to the Chair to determine.

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

Mr. ACHTERMAN. I shall, Mr. Speaker.

Mr. WOODSIDE. Mr. Speaker, strange to say the gentleman from Delaware, Mr. Turner, seems to be hungry and has suggested that perhaps some of the other Members also are hungry and that it would be a good idea to recess now and take up this interrogation later. It is satisfactory to me if the Chair wishes to do it in that way.

Mr. HUNTLEY. Mr. Speaker, the floor leader lives in Harrisburg and he can stay here all afternoon. I think we should go on.

Mr. WOODSIDE. Since the House is waiting for the Senate to act on the appropriation bill for relief, it is likely we will be here for some considerable length of time.

The SPEAKER. That is correct.

Mr. WOODSIDE. Mr. Speaker, the question of recess will have nothing to do with the time when we are likely to adjourn.

The SPEAKER. That is correct. The House must await

the Senate's action on the relief bill.

Mr. BAKER. Mr. Speaker, the excuse of the gentleman from Dauphin, Mr. Woodside, that Mr. Turner is hungry, I just cannot believe that because he does not look hungry.

Mr. TURNER. Mr. Speaker, you ought to see that fellow Baker eat.

Mr. HUNTLEY. Mr. Speaker, I rise to object to taking a recess now and suggest that we permit the minority leader to use that time to address the House. There is no use killing this time because somebody wants to eat. I think we ought to go ahead. If the minority floor leader wants to question the majority floor leader and then address the House, I think this is a good time to do it. Some of the Members here must go many miles to get home this afternoon.

The SPEAKER. For the information of the gentleman, we cannot adjourn until we receive certain communications from the Senate.

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

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

Mr. TURNER. I shall, Mr. Speaker.

Mr. REUBEN E. COHEN. Mr. Speaker, I should like to ask the gentleman from Delaware, Mr. Turner, whether or not he has a supply of popcorn downstairs for the Members.

Mr. TURNER. Mr. Speaker, a supply of popcorn is not in my line.

Mr. REUBEN E. COHEN. Mr. Speaker, the gentleman from Delaware spoke with a great deal of authority yesterday, if I remember correctly, on the subject of popcorn and butter that was put on it.

Mr. TURNER. Mr. Speaker, the gentleman is off again. He never gets things straight. That was cheese I was talking about.

Mr. REUBEN E. COHEN. Mr. Speaker, cheese is a form of butter. If the rodents didn't get the cheese, I think the gentleman from Delaware ought to give us popcorn, plain or otherwise.

Mr. TURNER. Mr. Speaker, the statement is still cheese.

Mr. REUBEN E. COHEN. Mr. Speaker, no matter how thin you slice it, it is still cheese.

Mr. WOLF. Mr. Speaker, you were talking about pipes a while ago, so I suggest we all pipe down while Mr. Turner and Mr. Kilroy eat their lunches.

Mr. TURNER. Mr. Speaker, the gentleman from Dauphin said he could make his statement either before or after the recess. If we are going to have a recess I thought this would be a convenient time to have it, and I thought we would all enjoy his statement much better after we have a little something in the boiler. That was my reason for suggesting it. If it inconveniences the gentleman from Cambria, Mr. Huntley, to stay and have this recess, I don't know why it is he says he wants to go home—I don't think he is going any place when he does start out, and therefore he might as well stay here along with the rest of us.

The SPEAKER. The Chair would inform the gentleman from Cambria, Mr. Huntley, there is going to be a big parade in town tomorrow and he might as well stay and see it.

PERMISSION TO ADDRESS HOUSE

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

Mr. Speaker, I do not like to ask for unanimous consent to address the House. That is something I never did in my life before, so I do not think I will address the House. You all know what my opinion is. While we are taking this recess, the minority floor leader could be speaking and then we could get out earlier.

Mr. TURNER. Mr. Speaker, while all this conversation is going on, we could have had the recess.

Mr. HUNTLEY. Go and eat. I don't care, Mr. Speaker.

Mr. BAKER. Mr. Speaker, if the minority floor leader would not detain the Senators, we probably could get them to work and get us through.

The SPEAKER. Is there a Senator in the House?

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. 1016. (House Bill No. 1752).

An Act providing that the Commonwealth of Pennsylvania enter into the interstate compact to conserve oil and gas with other States of the United States of America which are signatories thereto.

Referred to the Committee on State Government.

SENATE BILL No. 1025. (House Bill No. 1753).

An Act to amend 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 (Pamphlet Laws four hundred eighty-seven) 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" as amended by deferring the operation of the act for a further period of time.

Referred to the Committee on Welfare.

RECESS

The SPEAKER. If there is no objection the Chair will declare a recess until 1:30 p. m. The Chair hears none and a recess is declared.

AFTER RECESS

The time of recess having expired the House was called to order.

The SPEAKER (Elmer Kilroy) IN THE CHAIR.

LEAVE OF ABSENCE

By unanimous consent leave of absence was granted as follows:

RONALD L. THOMPSON for himself for the remainder of the day.

SENATE MESSAGE

AMENDED SENATE BILL NONCONCURRED
IN BY SENATE

The Clerk of the Senate being introduced, informed that the Senate has nonconcurred in the amendments made by the House of Representatives to Senate Bill numbered and entitled as follows:

SENATE BILL No. 1004.

An Act making an appropriation to the Department of Public Assistance and providing for certain allocations therefrom 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 incurred prior to and remaining unpaid on May thirty-first one thousand nine hundred forty-one

Mr. ACHTERMAN. Mr. Speaker, I move that the House insist upon its amendments non-concurred in by the Senate.

The motion was agreed to.

Ordered, That the Clerk inform the Senate accordingly.

PERMISSION TO ADDRESS HOUSE

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

Mr. Speaker, I would like to ask unanimous consent to address the House and at the same time to interrogate the gentleman from Monroe, Mr. Achterman.

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

Mr. ACHTERMAN. I shall, Mr. Speaker.

Mr. WOODSIDE. Mr. Speaker, I would like to know from the gentleman from Monroe where in his budget he has listed the deficiency appropriations, and I call his particular attention to the deficiency appropriation bill which was passed by this House. The original amount was \$4,900,000. That item is not accurate to the dollar, but it is somewhere in that neighborhood at the present time.

Mr. ACHTERMAN. Mr. Speaker, we listed our deficiency appropriations the same as the Governor listed his: "As I have already explained, if an additional appropriation is necessary for this biennium, the amount will have to be taken from the \$131,390,000." Perhaps we have used the same kind of twisting that the Governor used.

Mr. WOODSIDE. Mr. Speaker, I am glad that the gentleman admits that he is twisted in the budget because I certainly know that he is. I am glad he is willing to admit it. I take it from the gentleman they have deliberately omitted that item from the budget in order to trick the public, and give as the excuse that the Governor did so in his budget, which, of course, is not true because it is in his budget.

Mr. ACHTERMAN. Mr. Speaker, I presume the interrogation is on?

The SPEAKER. That is correct.

Mr. ACHTERMAN. Mr. Speaker, may I say that the Governor has not included it in his budget. I ask the gentleman to point out where the \$6,300,000 is taken care of in their budget.

Mr. WOODSIDE. Mr. Speaker, I am not talking about the \$6,300,000.

Mr. ACHTERMAN. I am, Mr. Speaker.

Mr. WOODSIDE. Mr. Speaker, I am talking about the deficiency appropriation of \$4,900,000.

Mr. ACHTERMAN. Mr. Speaker, I am speaking of the \$6,300,000.

Mr. WOODSIDE. All right, Mr. Speaker, I am going to answer the gentleman on that in one minute, but before doing so I would like to know whether he has included the item of \$2,150,000 postponed payment of Veterans' Bonds in his budget figures.

Mr. ACHTERMAN. I believe, Mr. Speaker, it is possibly included in the \$70,000,000 although I am not certain at the moment.

Mr. WOODSIDE. Mr. Speaker, is the gentleman from Monroe able to tell me now whether that is included in the \$70,000,000?

Mr. ACHTERMAN. No, Mr. Speaker, I haven't the figures.

Mr. WOODSIDE. Mr. Speaker, I know it is not, but I would be glad to have the gentleman check the figures and find out for himself.

Mr. ACHTERMAN. May I ask, Mr. Speaker, whether those are the last borrowings?

Mr. WOODSIDE. Mr. Speaker, that is the item which was used along with a transfer to make up the \$6,300,000, which was appropriated for relief in this biennium.

Mr. ACHTERMAN. Mr. Speaker, then I can answer the gentleman we treated it in the same manner in which the Governor treated his last borrowings.

Mr. WOODSIDE. Mr. Speaker, did the gentleman make any reference to it in his remarks, either in the budget or in his remarks to this House?

Mr. ACHTERMAN. Mr. Speaker, there is no reference to it except the reference I am now making, in the Governor's address to the House.

Mr. WOODSIDE. Mr. Speaker, that was totally ignored by the gentleman from Monroe in presenting his budget this week, was it not?

Mr. ACHTERMAN. That is not correct, Mr. Speaker. It was not totally ignored, it was treated in the same manner in which the Governor treated future borrowings.

Mr. WOODSIDE. Mr. Speaker, the gentleman knows that it was an item which developed after the Governor's budget was given out.

Mr. ACHTERMAN. Mr. Speaker, it was also an item that was anticipated or expected, otherwise I presume he would not have mentioned it in his budget message.

Mr. WOODSIDE. Mr. Speaker, he did make reference to it in his budget message.

Mr. ACHTERMAN. Mr. Speaker, he made reference to possible future borrowings, yes.

Mr. WOODSIDE. Mr. Speaker, the gentleman from Monroe did take into consideration, however, in arriving at the sum of \$70,100,000 item, the transfer of that \$6,300,000 appropriation?

Mr. ACHTERMAN. I didn't get the question, Mr. Speaker.

Mr. WOODSIDE. Mr. Speaker, let me go over the facts. We made an appropriation of \$6,300,000 for relief to the end of this biennium. That was the last appropriation made this biennium for relief.

Of that amount \$2,150,000 was realized from the postponed payments to the Veteran's fund, and the balance was realized by a transfer from the Motor Fund. Now, in arriving at that figure of \$7,100,000 the gentleman from Monroe used the balance which was transferred from the Motor Fund, and he has that item set up in his budget, but the other item which is of equal importance,

in the sum of \$2,150,000, postponed payment to the Veterans he does not set up in his budget.

Mr. ACHTERMAN. Mr. Speaker, we treated it in the same matter as the Governor treated it. In other words, there is no difference in the treatment of that particular fund or borrowing; we treated it the same.

Mr. WOODSIDE. Mr. Speaker, by "treating it the same" the gentleman means it is not in his budget, does he not?

Mr. ACHTERMAN. Mr. Speaker, it is just as much in the budget as the Governor's.

Mr. WOODSIDE. Mr. Speaker, where is there any mention or any reference either in the gentleman's speech or in his budget to the item?

Mr. ACHTERMAN. Mr. Speaker, in the same place that you will find it in the Governor's.

Mr. WOODSIDE. But, Mr. Speaker, the Governor made reference to that in his speech.

Mr. ACHTERMAN. Mr. Speaker, I know he did not.

Mr. WOODSIDE. Mr. Speaker, he made reference to the possibility.

Mr. ACHTERMAN. Mr. Speaker, I presume he contemplated it.

Mr. WOODSIDE. Mr. Speaker, he made mention of that contemplation. The budget of the gentleman from Monroe is supposed to be based on relief up to this time, is it not?

Mr. ACHTERMAN. Mr. Speaker, we tried to count on the Governor to make the budget. To a large extent we left it up to him to point the way and we followed it.

Mr. WOODSIDE. Mr. Speaker, but the gentleman has totally ignored the \$2,150,000 item in his budget, has he not?

Mr. ACHTERMAN. I have not ignored it, Mr. Speaker. I treated it in the same manner which the Governor treated it.

Mr. WOODSIDE. Mr. Speaker, does the gentleman say the Governor ignored it?

Mr. ACHTERMAN. Mr. Speaker, if the gentleman from Dauphin wishes to say that.

Mr. WOODSIDE. And, Mr. Speaker, the gentleman from Monroe ignored it, too.

Mr. ACHTERMAN. Mr. Speaker, we treated it as something payable out of relief just as the Governor did.

Mr. WOODSIDE. Mr. Speaker, but the gentleman did not reduce the appropriation for relief?

Mr. ACHTERMAN. Neither did the Governor, Mr. Speaker.

Mr. WOODSIDE. Mr. Speaker, it was the Governor's recommendation which made that necessary.

Mr. ACHTERMAN. No, Mr. Speaker, it was not.

Mr. WOODSIDE. Mr. Speaker, if the gentleman will refer to the Governor's speech, he will find there was an \$11,000,000 cushion and in his speech he said the cushion may not be in existence at the time when the final appropriation would be made and therefore the appropriation for relief for the next biennium would have to be reduced. That is in the budget message.

Mr. ACHTERMAN. Mr. Speaker, unfortunately the Governor did not state that. He just stated that the amount will have to be taken from the \$131,390,000.

Mr. WOODSIDE. Mr. Speaker, isn't that saying it? There is one other thing—

Mr. ACHTERMAN. Mr. Speaker, may I supplement that by saying that that follows immediately after 'I

recommend that you make this appropriation of \$131,300,000 for public assistance." The next sentence refers to it in the same place—

Mr. WOODSIDE. Mr. Speaker, the gentleman is willing to admit now, I think, that there is not now available even under his budget the sum of \$131,000,000 for relief, is that correct?

Mr. ACHTERMAN. Mr. Speaker, in relation to relief our position is the same.

Mr. WOODSIDE. Mr. Speaker, I did not ask the gentleman what his position was. I am asking him whether he admits that there is not now available \$131,000,000 for relief.

Mr. ACHTERMAN. Mr. Speaker, either under the Governor's budget or ours.

Mr. WOODSIDE. Mr. Speaker, does the gentleman realize that the actual amounts of revenue realized during this biennium have not equalled the estimates?

Mr. ACHTERMAN. Mr. Speaker, I do not have at the present moment the totals, although I have more or less figures indicating the receipts generally for the different tax subjects. If the gentleman is asking me whether I have the complete totals at the present moment, the answer is no.

Mr. WOODSIDE. Mr. Speaker, the gentleman has totally disregarded in his budget any shortage of revenues which existed during this biennium, has he not?

Mr. ACHTERMAN. Mr. Speaker, we still don't know whether there is any shortage of revenues.

Mr. WOODSIDE. Mr. Speaker, I can advise the gentleman that there is. He told me a month ago there is, and I can advise him now that there is. It is compatible with the figure which he gave us, only a little lower.

Mr. ACHTERMAN. Mr. Speaker, was that at the time the gentleman from Dauphin denied there was going to be any such shortage?

Mr. WOODSIDE. Mr. Speaker, I denied that there was going to be a 90 million dollar deficit.

Mr. ACHTERMAN. Mr. Speaker, is the gentleman prepared to tell me what the deficit is now?

Mr. WOODSIDE. Mr. Speaker, I can go into a discussion with the gentleman on that, and I will be glad to do so a little later on. The gentleman has totally disregarded it in his budget, has he not?

Mr. ACHTERMAN. No, Mr. Speaker, we have not disregarded it.

Mr. WOODSIDE. Mr. Speaker, the gentleman from Monroe disregarded the shortage of revenue, did he not?

Mr. ACHTERMAN. Mr. Speaker, we treated the entire problem the same as the Governor did on that subject.

Mr. WOODSIDE. In other words, after four months and within one week of the end of the biennium, the gentleman made no use of the information which everybody in the Commonwealth of Pennsylvania had between the date when the budget was submitted by the Governor and the date when the gentleman submitted his so-called budget.

Mr. ACHTERMAN. Mr. Speaker, I assumed from the information which I received, and I think we received it on the floor of this House, as to the extraordinary efforts being made by, I believe, the Department of Revenue, at least some agency of the government, to collect every possible dollar, a more or less definite assurance that our thoughts in relation to a deficit were definitely

wrong, and we would find out by the end of the biennium that we were in error. We received all those deficits in taxes from the minority and we treated them at one hundred per cent face value, that their party was going to do what they said they were going to do.

Mr. WOODSIDE. Mr. Speaker, there were never any remarks made in the entire session to the effect that the amount of revenue realized would equal the amount of the estimate. As a matter of fact the gentleman from Monroe knows that he and I argued that on the floor of the House in reference to the estimate, starting with the gasoline tax and all of the other taxes, and on down the list and pointed out that the total to be realized during this biennium would be less than the estimate, in other words there would be a deficiency in the amount. I argued that question with the gentleman from Monroe. I asked the gentleman what he used in making up his estimate of revenue.

Mr. ACHTERMAN. Mr. Speaker, I disagree with the gentleman.

Mr. WOODSIDE. That is all the interrogation I have, Mr. Speaker.

Last Monday night, less than one week before the end of the biennium, the gentleman from Monroe, Mr. Achterman, presented to this House what the Democrats call, "their budget." One hundred and twelve days before the Governor had submitted to the Legislature his budgetary recommendations. The Democratic Party in submitting this so-called budget has exhibited a unique right about face.

Since the advent of the James Administration the New Deal Party had attacked the James Administration for not increasing taxes. During the 1939 Session the Governor was maligned because an additional tax burden was not imposed upon the people of Pennsylvania. During the Special Session of 1940, again the Democratic Party urged, in no uncertain terms, the imposition of additional taxes. The policy of the New Deal Party during the years 1939 and 1940 is so ably set forth by their Floor Leader in an address made before this House on May 9, 1940, that I desire to quote from it at considerable length.

"I think," said Mr. Cohen, "everything that I could have said has been said not only in this session but very peculiarly was said at the general session in 1939. At that time if you will refer to my comments and the comments of the minority on the general appropriation bill and the tax program as instituted by the James Administration, I pleaded with the membership of this House as their solemn duty and responsibility to the people of the Commonwealth of Pennsylvania . . . was to raise additional revenue, just as the problem today is the very same thing."

"At the 1939 session, the membership of this House had neither the originality or the desire to impose taxes. Today our problem is the same as it was in 1939, and today the only solution given by the majority is the same as that given in 1939. . . . I am thinking of the responsibility that you are taking off your own shoulders and placing upon the shoulders of the men who will be in this House in 1941, and I am thinking of the problems that the men who follow us will have to meet. I am thinking of the fact that when they come back in 1941, every available sum, every available security, every available penny, every available resource of the Com-

monwealth of Pennsylvania will have been placed in pawn."

Now listen to the Democratic solution in May of 1940.

"I say," continues Mr. Cohen, "that we have a solution, and a good solution. Let this session of the Legislature adjourn, let the Governor immediately issue a new call and include in that call all the necessary methods for the raising of revenues to save the Commonwealth of Pennsylvania."

When the Governor delivered his speech on February 3rd, the gentleman from Monroe gave his famous, "faith, hope and charity" speech, in which he ridiculed the Governor for submitting a budget based upon the hope of increased revenue, making impossible the balancing of the budget—a hope which the gentleman indicated was not justified.

When the tax bills were reported from Committee on February 10th, the position of the Democratic Party in the House was still consistent with their attitude in 1939 and 1940. When the bills were reported from Committee there was no indication and no intention on the part of the Committee, or on the part of the Democratic leaders of this House that those bills would be returned to the Committee after second reading.

The leadership of this House realized then, as they must now, that in order to have a balanced budget taxes could not be reduced and the mental hospitals could not be taken over. I believe they were making an effort to meet the situation fairly and honestly, and would have passed the tax bills during the month of February. If they had we would have long since adjourned this Session, much to the credit of all of us as Legislators, both Republicans and Democrats. But something happened in the Democratic Party between February 10th and February 12th. The apparent intent of the Democratic leadership of this House to solve our problems promptly and sincerely met with opposition from without. The tax bills were returned to Committee and nothing further was done with them for over three months.

During that time the New Deal about face was executed with the precision of Hitler's goose steppers. With it the talk of deficit abruptly ceased. What was but a few days before, a deficit, quickly turned into a surplus. The effort to meet the problems promptly and sincerely was abandoned. A program that was political and tricky was adopted. They realized that few people had any substantial knowledge concerning estimating revenue and by the simple device of making fictitious and fanciful estimates they increased appropriations, decreased taxes and transferred a deficit into a surplus; all on paper, of course—a typical New Deal method of financing, designed to upset the budget and ruin the finances of the Commonwealth with the hope that the chaos which it will create will be laid at the doorsteps of the present Administration.

I do not propose to make a detailed analysis of this budget at this time, but I assure you that it will be shot full of holes. However, in order that the Members of the Legislature and the people of Pennsylvania are not misled I deem it advisable at this time to point out that the actual receipts realized during this biennium will be approximately \$382,500,000. If those same sources of revenue were maintained on the basis of the estimates made by the Democrats there would be \$441,748,000

realized during the next biennium. This figure is demonstrated as follows:

\$427,598,000	Democratic estimated income for the biennium;
\$6,500,000	Deduction of income by taking over mental hospitals;
\$6,900,000	Estimated loss of revenue by reduction of Personal Property Tax;
\$750,000	Loss of revenue by reduction in bank taxes.

This represents an increase of \$58,500,000 or 15% over actual revenues for this biennium. That this figure is fanciful seems evident on its face, but when it is considered that it includes license fees, hospital payments and a vast number of taxes which the Democrats themselves referred to as "static" we can appreciate how truly fantastic the estimate really is.

The books of the Commonwealth, for this biennium, have been closed this afternoon. I am advised by the Department of Revenue that the actual cash receipts fall approximately \$5,500,000 below estimates revenue.

Although the gentleman from Monroe knew about this a month ago, no cognizance was taken of it in the preparation of his so-called "budget". To consider it would have made even more fantastic his estimates of revenue. But that is not all. The \$5,500,000 shortage of revenues makes \$5,500,000 less available for appropriations in the coming biennium. The Democratic "budget" conveniently forgets about this.

After spending two sessions urging additional taxes they now decide that taxes must be reduced, so they drop a \$5,500,000 item into the hat and pull out a \$6,900,000 reduction of Personal Property Tax. Swell, if the magician could only make that \$5,500,000 disappear but there it stands as plain as the nose on your face, and disregarding it will be of no avail.

We learned last night that the gentleman from Monroe is a very wise Democrat and an intelligent man, and I am not taking issue with that, but Solomon in all his wisdom, Houdini with all his magic, could not have made that \$5,500,000 item disappear, and I doubt if the gentleman from Monroe will be able to do so.

There are other items which have been disregarded in the budget. The postponement of payment to Veterans Sinking Fund passed by this House, in order to provide necessary money to make the relief appropriation of \$6,300,000 has been omitted. The deficiency appropriation of \$4,900,000 passed by this House has been totally ignored. What a simple thing it is to reduce taxes, by failing to include items which must be paid.

There is much more to be said about this budget, including that it is likely between \$40,000,000 and \$50,000,000 out of balance. I assure you that we will be pleased to discuss it in greater detail in the very near future.

The gentleman has raised some question about the reason he ignored some of these things. I think he has admitted on the floor of the House on interrogation that he has deliberately disregarded certain items. He must admit that that deliberate disregard of those particular items shows a false picture to the people of the Commonwealth of Pennsylvania. I appreciate the fact that he did not know and could not have ascertained exactly what the shortage of revenue would be, but I do recall that he on the floor of the House suggested that it was

in the neighborhood of six million, or maybe in the neighborhood of eleven million dollars, by adding five million dollars to it. The gentleman was arguing at that time that there wasn't really going to be a deficit, and when it was in accord with their policy to recognize it, they did so, but as soon as it developed to be unwise to carry out their program of fooling the people they ignore it. Now, Mr. Speaker, the gentleman says that the \$6,300,000 is not in the Governor's budget, and since the Governor disregarded it, he was entitled to disregard it. Did you ever hear of anything more ridiculous than that. On February 3rd, the Governor came before this Legislature and he said, "I think you should make a \$14,500,000 appropriation for relief," and then the Governor shows how the money should be raised. Then he said, "It is impossible to say whether there will be an additional amount necessary but there likely will be." Now, of course, there is nothing in the budget about the \$6,300,000 because it was something at that time that was in doubt. There was no knowledge as to how much it should be or how the money should be raised. The gentleman has ignored the whole business, although there were two bills, one making the transfer from the Motor Fund and one making the postponement of payment to the Veterans' Fund, but both were passed by this House at the same time and on the same day, and both of them should have gone in the budget. He puts one of them in and the other one he does not put in. I think the gentleman just forgot it. I won't say he did it deliberately, but I think he forgot it. His budget contained items of that kind which were forgotten and as a result of that his budget is definitely misleading to the people of the Commonwealth of Pennsylvania, and does not represent the true situation as it existed on the day when it was submitted to this Legislature, and as the gentleman knew, or should have known, did exist on that day. Then he tries to refute that on the ground that the Governor did not know on February 3rd how much money will be necessary for relief for the balance of the biennium, and so frankly stated to this Legislature in his message.

Now, Mr. Speaker, let us talk about the \$4,900,000. That is an approximate sum, it is not the exact sum, but it is close to that amount.

That is another item that the gentleman just totally disregarded. It is not in his budget, he just dismissed it. Yet, he submits that budget after 112 days of studying the Governor's budget, but he does not bring his own budget up to date, and he even disregards some of the items which were in the Governor's budget, items of a substantial amount, and disregarded those items entirely, throwing them out of the picture. Then he said, "We got plenty of money, we are going to up the estimate of revenue to an amount which is fantastic, and we are going to reduce taxes." Anyone can reduce taxes by ignoring items that have to be paid and say it is not necessary to have those items in the budget, merely forgetting to put them in and forgetting to make any reference to them.

Mr. Speaker, as I stated, there are a lot of other things to be said about this budget but I think I have pointed out enough. The gentleman on the other side has frankly admitted on the floor of this House that his budget does not represent the true picture as of the date when it was submitted to this Legislature.

Mr. ACHTERMAN. Mr. Speaker, the gentleman from Dauphin, Mr. Woodside, seems to be greatly concerned over the fact that we have treated certain borrowings by the Governor in the same manner in which the Governor has treated them. I for the life of me cannot understand why exception should be taken to our method of proceeding. If that method of procedure could be used by the Governor why should it not be available to our party? May I call to the attention of the Members of the House once again the method utilized by the Governor of Pennsylvania? He made a great fanfare and stated, "I recommend that you make this appropriation of \$131,390,000 for public assistance." Then almost in the same breath he says, "However, if there are deficiencies I recommend that the amount be taken from \$131,390,000 mentioned above." I presume he excuses that by somewhere prior to that time having mentioned an \$11,000,000 cushion, although the \$11,000,000 was then added to the relief.

What is wrong, Mr. Speaker, if the Governor was permitted to do that if we also follow in the same vein and the same pattern laid down by the Governor? It is very true we have made no mention of certain borrowings from the Veteran's Fund, or rather the postponement of certain payments to the Sinking Fund. Neither has the Governor. They both are in the same category. There is no difference between the two. However, we did one thing the Governor did not do. The funds that he borrowed at the same time, which he was going to take from one particular fund, that is from this \$131,000,000 to pay back the funds that he had transferred, that is from the Motor License Fund and the other funds. We treated in another manner. We did not take it from the items that the Governor named, but we took it from other items to be received, from general revenues to be received, the payments to be covered, nevertheless, under our budget just the same as under the Governor's, except that he treated it as a nebulous fund which he was taking from the Relief Fund. It does not make a great deal of difference if we take the deficiency that the gentleman mentioned and substitute for it the other, and anticipated that payment should be made in the same manner. The total sums, Mr. Speaker, are approximately the same, so that our borrowings, or shall I say the payments, from the \$131,300,000 fund are the same type and the same amount of payments that are anticipated by the Governor in his message. Are we to be condemned because in balancing our budget, the budget that we submitted, we used the same identical method used by the Governor in his message to this House? I have at no time, Mr. Speaker, condemned the Governor for it. If condemnation is to be heaped upon anyone since the gentleman from Dauphin, Mr. Woodside spoke of ours as a proposed budget, the condemnation in a greater manner should be heaped upon the Governor of the State of Pennsylvania and it should come from the mouth of the minority leader of this House.

Now Mr. Speaker, the gentleman says that we have underestimated the receipts. May I say just briefly, without a complete analysis, we have been modest in our estimates. May I point out just a few items, not in an effort to give a complete story, but to indicate that we have been conservative? May I point out for instance that the receipts in the domestic bonus tax have been two hundred and twenty-six thousand dollars plus in

this biennium, and that is not the complete figure. We left the Governor's estimate undistributed at two hundred twenty-five thousand dollars.

May I point out Mr. Speaker that the Loans Tax, the Corporations Domestic has yielded five million four hundred and nineteen thousand dollars in this biennium, and those figures are not complete, although the Governor in his estimate for the coming biennium has only indicated an estimate of receipts of five million two hundred fifty thousand dollars, some several hundred thousand dollars less. Do you believe that is fair to the Commonwealth? Do you believe in that method of procedure of continuing to tax the people, although the experience of the present time has indicated that the receipts from taxes are in excess in this biennium of his estimates for the coming biennium? Would it not be more fair to the people of Pennsylvania to place his figures somewhere in relation to his receipts so that if a tax reduction were possible that they would receive it?

May I point out another figure in relation to the loan tax for counties, where his receipts are four million six hundred and forty-one thousand dollars, although his estimate for the coming biennium was one million and one half dollars less, or the sum of three million one hundred thousand dollars. We in our estimates have even underestimated the amount of receipts. Have we been proceeding incorrectly or have we moving conservatively? Moving conservatively, Mr. Speaker, but still able to show and still able to produce a very comfortable saving to the taxpayers of Pennsylvania, a saving that can be realized and will be realized in a two fold manner. First, by taking over the necessary and essential governmental functions which of course will relieve and release the local taxpayers from the expense thereof. Secondly, in a direct reduction in taxes.

I might say, Mr. Speaker, I do not intend at this time to go through all the figures and analyze the results or the methods by which we arrived at our figures. I have only pointed out certain facts in connection with just a few phases, but I am saying that the receipts, with the thought of the amount of increased business that is apparent and the consequent increased tax, that we have been more than conservative in our estimates and that there is nothing fantastic about the manner in which we have arrived at our results.

Perhaps, Mr. Speaker, the thing that is difficult for the Republican administration to realize is that the increase of business in Pennsylvania, the increase of business in the United States, the tremendous upsurge, is something that is difficult to imagine or to understand. The tremendous sum that is being pumped into every industry in Pennsylvania and in the nation as the result of national defense deserves and must receive very careful consideration by the administration. They have, Mr. Speaker, totally disregarded this, disregarded it to the point of where they are now estimating for the coming biennium certain taxes at an amount less than they received in this biennium now closing.

Mr. Speaker, I am saying that no administration can maintain that they are treating the people fairly and honestly as long as they maintain a budget that is so uncertain and so untrue. The people of Pennsylvania have a right to expect this administration to see that the figures are reasonably accurate and that the estimates are at least as reasonably true as all of the circumstances

warrant. That means, Mr. Speaker, that this administration must take into consideration the upsurge of business, the effect of the defense program, and they must compute their figures and budget with that thought in mind, and that, I say, Mr. Speaker, is what the Democratic Party will insist on.

SENATE MESSAGE

AMENDED HOUSE BILL RECALLED FROM THE GOVERNOR CONCURRED IN BY SENATE

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

HOUSE BILL NO. 1021.

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

Said bill having been recalled from the Governor for the purpose of amendment, the vote had on final passage and third reading reconsidered in the House and the bill amended, in amendments the Senate has concurred.

BILL SIGNED BY SPEAKER

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

HOUSE BILL NO. 1021.

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

Whereupon,

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

COMMUNICATIONS 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 HOUSE BILL NO. 666

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, May 29, 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. 666, Printer's No. 658, entitled, "An act to further amend section one of the act approved the twenty-sixth day of August one thousand nine hundred thirty-two (Pamphlet Laws 101) entitled 'An act authorizing collectors of delinquent taxes except in cities of the first class to accept payments of delinquent taxes or water-rents or rates in installments' by extending its provisions to counties of the second class."

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 CONCURRENT RESOLUTION
NO. 79

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, May 29, 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 concurrent resolution No. 79 requesting the Governor to issue a proclamation designating October 11, 1941, as "General Pulaski's Memorial Day."

ARTHUR H. JAMES

SENATE MESSAGE

APPOINTMENT OF CONFERENCE COMMITTEE ON
SENATE BILL NO. 1004

The Clerk of the Senate being introduced, informed that the Senate insists on its nonconcurrence in the amendments made and insisted upon by the House of Representatives to Senate Bill No. 1004 entitled:

An Act making an appropriation to the Department of Public Assistance and providing for certain allocations therefrom 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 incurred prior to and remaining unpaid on May thirty-first one thousand nine hundred forty-one

And has appointed Messrs. BARTLETT, EDMONDS and COLEMAN, a committee of conference to confer with a similar committee of the House of Representatives (if the House of Representatives shall appoint such committee) on the subject of the differences existing between the two Houses in relation to said bill.

Mr. ACHTERMAN. Mr. Speaker, I move that the House insist upon its amendments non-concurred in by the Senate and that a Committee of Conference be appointed.

The motion was agreed to.

APPOINTMENT OF CONFERENCE COMMITTEE ON
SENATE BILL NO. 1004

The SPEAKER. The Chair appoints as a Committee of Conference on said bill Messrs. Achterman, McClanaghan and Urner.

Ordered, That the Clerk inform the Senate accordingly.

RECESS

The SPEAKER. If there is no objection the Chair will declare a recess for one hour. The Chair hears none and a recess is declared for one hour.

AFTER RECESS

The time of the recess having expired the House was called to order.

The SPEAKER (Elmer Kilroy) in the Chair.

BILL INTRODUCED AND REFERRED

By Mr. ROSENFELD.

HOUSE BILL No. 1748

An Act to further amend section two of the act, approved the first day of May, one thousand nine hundred seven (P. L. 135), entitled "An act relating to the appointment of stenographers and assistant stenographers to report proceedings in the several courts of common pleas, the orphans' courts, courts of oyer and terminer and general jail delivery, and courts of quarter sessions of the peace, of this Commonwealth, as well as before commissioners, masters, and special masters in chancery, referees, examiners, auditors, and other officers; prescribing their powers and duties, and when such reports shall be evidence of the facts reported; prescribing their compensation and allowances for expenses, when the same shall be paid by the county wherein such stenographers or assistant stenographers are employed, and when the parties to such proceedings; and repealing an act, entitled 'An act directing the appointment of official stenographers in the several civil courts of this Commonwealth; authorizing the appointment of stenographers by examiners, masters, referees, commissioners, and auditors; authorizing the appointment of assistant stenographers; repealing 'An act to authorize the appointment of stenographers in the several courts of this Commonwealth, prescribing their duties and fixing their compensation,' approved May fifteenth, one thousand eight hundred and seventy-four; repealing 'An act to authorize the appointment of stenographers in the several courts of this Commonwealth, prescribing their duties and fixing their compensation,' approved May eighth, one thousand eight hundred and seventy-six, and repealing 'An act defining the duty of court stenographers in the several counties in this State,' approved June tenth, one thousand eight hundred and eighty-one, approved the twenty-fourth day of May, one thousand eight hundred and eighty-seven; but such repeal not to revive any law repealed by the said act of twenty-fourth of May, one thousand eight hundred and eighty-seven," further prescribing regulations for the furnishing of copies of testimony.

Referred to the Committee on Judiciary General.

SENATE MESSAGE

SENATE BILLS FOR CONCURRENCE

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

SENATE BILL No. 54.

(HOUSE BILL No. 1749)

An Act to add clause forty-seven to section one thousand five hundred two 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" authorizing the furnishing of meeting rooms to veterans' organizations and the payment of rentals of certain buildings and rooms by such organizations.

Referred to the Committee on Townships.

SENATE BILL No. 55.

(HOUSE BILL No. 1750)

An Act to add clause twenty-two to section seven hundred and two of the act approved the first day of May one thousand nine hundred and thirty-three (P. L. 103), en-

titled "An act concerning townships of the second class and amending revising consolidating and changing the law relating thereto" authorizing the furnishing of meeting rooms to veterans' organizations and the payment of rentals of certain buildings and rooms by such organizations.

Referred to the Committee on Townships.

SENATE BILL No. 213. (HOUSE BILL No. 1751)

An Act authorizing the Department of Property and Supplies acting for the Commonwealth of Pennsylvania to acquire by gift from the owner thereof Pottsgrove Mansion with tract of land situate in the ninth ward of the Borough of Pottstown Montgomery County Pennsylvania providing for the control management supervision improvement and maintenance thereof by the Pennsylvania Historical Commission authorizing the Pennsylvania Historical Commission to make and enforce rules and regulations for the preservation maintenance and visitation thereof and creating an advisory board to assist in such functions.

Referred to the Committee on State Government.

SENATE BILL No. 509. (HOUSE BILL No. 1754)

An Act making an appropriation to the State Council for the Blind for use in supplying medical treatment surgical operations eyeglasses or other necessary aids or services to needy blind persons or persons with impaired vision.

Referred to the Committee on Appropriations.

SENATE BILL No. 655. (HOUSE BILL No. 1755)

An Act to amend the first paragraph of section one of the act approved the seventh day of June one thousand nine hundred seventeen (P. L. 570), entitled "An act fixing the salaries and providing for the expenses of county commissioners in the counties of this Commonwealth" by increasing the salary of county commissioners in eighth class counties.

Referred to the Committee on Counties.

SENATE BILL No. 491. (HOUSE BILL No. 1756)

An Act to protect property by making criminal certain unlawful entries on injuries to and interference with property and attempts or conspiracies to do so and providing penalties.

Referred to the Committee on Judiciary Special.

SENATE BILL No. 508. (HOUSE BILL No. 1757)

An Act to amend section two thousand three hundred twenty of the act approved the ninth day of April one thousand nine hundred and twenty-nine (P. L. 177), entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assist-

ants and employes of certain departments boards and commissions shall be determined" by authorizing the State Council for the Blind to furnish certain aids and services to needy blind persons or persons with impaired vision for the purpose of restoring or improving their vision and authorizing the State Council for the Blind to accept and expend Federal moneys in furtherance of such purpose.

Referred to the Committee on Welfare.

SENATE BILL No. 1026. (HOUSE BILL No. 1758)

An Act to 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 districts 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" as amended by extending the time within which the Commonwealth shall take over all such institutions extending the time for the repeal of certain acts listed in section nine of said act and making further provision for the adjustment of various matters between the Commonwealth and counties cities institution districts boroughs towns townships wards and other municipal subdivisions of the Commonwealth in order to effectuate the purposes of said act.

Referred to the Committee on Welfare.

SENATE BILL No. 1027. (HOUSE BILL No. 1759)

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 making further provision for the care of mental patients in certain county city or institution district institutions during such time.

Referred to the Committee on Welfare.

BILLS INTRODUCED AND REFERRED

By Messrs. O'NEILL and BROWN. HOUSE BILL No. 1760

An Act creating a commission to make a study and investigation of the various problems related to the surface subsidence frequently caused by the mining of

anthracite coal, directing such commission to make a report and recommendations to the General Assembly; conferring certain powers upon such commission, including the power to issue subpoenas, administer oaths and affirmations, retain employes and expend funds; and making an appropriation.

Referred to the Committee on Mines and Mining.

By Mr. WILLIAMS. HOUSE BILL No. 1761

An Act to repeal certain obsolete laws relating to or imposing duties upon county commissioners.

Referred to the Committee on Counties.

By Mr. BONEY. HOUSE BILL No. 1762

An Act to further amend section one thousand two hundred one 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 further defining professional employes.

Referred to the Committee on Education.

By Mr. ROSENFELD. HOUSE BILL No. 1763

An Act to amend section six of the act, approved the seventh day of May, one thousand eight hundred and eighty-nine (P. L. 103), entitled "An act for the identification of habitual criminals," by making certain copies of the criminal records of convicts available for the inspection of attorneys-at-law.

Referred to Committee on Judiciary Special.

By Mr. PETROSKY. HOUSE BILL No. 1764

An Act to further amend section eleven of the act, approved the seventeenth day of February, one thousand nine hundred and six, (P. L. 45), entitled "An act to regulate the deposits of State funds, to prescribe the method of selecting State depositories, to limit the amount of State deposits, to provide for the security of such deposits, to fix the rate of interest thereon, to provide for the publication of monthly statements of moneys in the general and sinking funds, to declare it a misdemeanor to give or take anything of value for obtaining the same, and prescribing penalties for violations of this act," by further regulating the rendition and advertisement of statements of moneys to the credit of the various funds in the State Treasury.

Referred to the Committee on State Government.

By Mr. ELLIOTT. HOUSE BILL NO. 1765.

An Act repealing and abandoning as a State Highway State highway Routes 03123 and 03133 in Armstrong County; and providing for the reversion thereof to the townships.

Referred to the Committee on Highways.

By Messrs. READINGER and HAINES.
HOUSE BILL NO. 1766.

A Supplement to the act, approved the eighteenth day of July, one thousand nine hundred 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 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," defining the rights and obligations of members of the School Employes' Retirement Association engaged in active military service.

Referred to the Committee on State Government.

By Mr. WOODSIDE. HOUSE BILL NO. 1767.

An Act providing for the acceptance by the Commonwealth of Pennsylvania of the provisions of the act of Congress now contained in Senate Bill 1313, entitled "A bill to strengthen the national defense and promote the general welfare through the appropriation of funds to assist the States and Territories in meeting financial emergencies in education and in reducing inequalities of educational opportunities," if and when the same shall become a law and conferring powers and imposing duties on the State Treasury, the Department of Public Instruction, the Department of the Auditor General and on school districts.

Referred to the Committee on State Government.

By Mr. WOODSIDE. HOUSE BILL NO. 1768.

An Act to further amend the act, approved the fifth day of December, one thousand nine hundred thirty-six (P. L. 1937, page 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 exemptions) selected on a civil service basis requiring employers to keep records and make reports and certain employers to pay contributions based on payrolls to provide moneys for the payment of compensation to certain unemployed persons providing procedure and administrative details for the determination payment and collecting of such contributions and the payment of such compensation, providing for cooperation with the Federal Government and its agencies creating certain special funds in the custody of the State Treasurer and prescribing penalties" by providing therein as to the replacement of certain moneys received pursuant to the provisions of Section three hundred two of the Federal Security Act as amended.

Referred to the Committee on Workmen's Compensation.

By Mr. WOODSIDE. HOUSE BILL NO. 1769.

An Act to further amend paragraph nineteen of section one thousand two hundred and 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" providing for minimum salary and increments of part-time teachers of children of exceptional physical or mental condition unable to attend regular public school, and for payments by the Commonwealth on account thereof.

Referred to the Committee on Education.

RESOLUTIONS INTRODUCED AND REFERRED

By Mr. CORDIER. RESOLUTION NO. 98.

In the House of Representatives, May 29, 1941.
Whereas, It has been alleged that gross irregularities,

mismanagement and misuse of public funds exist in the conduct of the affairs of Dunmore School District in Lackawanna County; and

Whereas, The citizens of the borough of Dunmore have for some time vainly attempted to secure from the board of school directors a statement of the affairs of the district; and to obtain an impartial audit by qualified public accountants employed by such citizens; but every such effort has been met with subterfuge and technicalities to block an honest audit and an accurate report of the condition of the school district; therefore be it

Resolved, That the Speaker of the House of Representatives appoint a special committee of five members to make immediate inquiry and investigation into the affairs of the Dunmore School District, and to compel the production by the officials of the school district of all their books, records and papers to facilitate the making of a proper audit; and be it further

Resolved, That said special committee shall have the power to issue subpoenas under the hand and seal of its chairman, requesting and commanding any person or persons to appear before them and to answer such questions touching matters properly being inquired into by the committee, and to produce such books, papers, records and documents as the committee may deem necessary. Such subpoena may be served upon any person, and shall have the force and effect of subpoenas issued out of the courts of this Commonwealth. Each member of said committee shall have power to administer oaths and affirmations to witnesses appearing before the committee. Any person who shall willfully neglect or refuse to testify before said committee or to produce any books, papers, records or documents shall be subject to the penalties provided by the laws of the Commonwealth in such cases.

Referred to the Committee on Rules.

By Messrs. BALTHASER and EARLY.

RESOLUTION NO. 99.

In the House of Representatives, May 29, 1941.

The State highway, known as U. S. Route No. 22, from Harrisburg to Easton is used as one of the main arteries of travel between the eastern and western ends of the Commonwealth. It has, ever since its improvement a few years ago, taken a ceaseless stream of traffic during every hour of each period of twenty-four hours.

Since the establishment of the Federal cantonment at Indiantown Gap, one mile north of this highway, it has become of tremendous military importance, for the movement of troops and munitions.

The present improved two lane roadway of Route 22 has for some time been wholly inadequate, and is becoming increasingly more so. A three or four lane highway over this route has become an imperative necessity; therefore, be it

Resolved, That the House of Representatives hereby urges upon the Governor and the Department of Highways the pressing need for the immediate construction of one or two additional lanes on U. S. Highway Route No. 22, between the cities of Harrisburg and Easton, and for the relocation of the roadway wherever the widening is, for any reason, impractical or impossible; and requests that the project of widening this highway be at once undertaken for the safety and convenience of the people of this Commonwealth, the furtherance of its commercial progress, and to aid in speeding up the National program for defense; and be it

Resolved, That certified copies of this resolution be transmitted by the Chief Clerk to the Governor and to the Secretary of Highways.

Referred to the Committee on Highways.

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. 401

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, May 29, 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. 401, Printer's No. 564, for the purpose of further consideration.

Accordingly, the original bill is herewith returned.

ARTHUR H. JAMES

COMMUNICATION AND BILL LAID ON TABLE

Mr. ACHTERMAN. Mr. Speaker, I move that House Bill No. 40., together with the communication from the Governor, be laid on the table.

The motion was agreed to.

SENATE MESSAGES

SENATE INSISTS ON AMENDMENTS NON-CONCURRED IN BY HOUSE

The Clerk of the Senate being introduced, informed that the Senate has insisted upon its amendments, non-concurred in by the House of Representatives, to House Bill No. 230, entitled:

An Act to reenact and amend the title and the act approved the twenty-second day of June one thousand nine hundred thirty-five (P. L. 414), entitled "An act to provide revenue for State purposes imposing taxes upon certain classes of personal property providing for the assessment collection and lien of the same and the distribution of the proceeds thereof imposing duties on executors administrators registers of wills recorders of deeds probate notaries and court clerks and on persons copartnerships associations banks national banks trust companies and other corporations receiving deposits of money and on certain corporations and limited partnerships conferring powers and imposing duties on certain State officers and departments imposing penalties and making an appropriation" as previously reenacted and amended by continuing the State personal property tax and the emergency rate of tax on scrip bonds certificates and evidences of indebtedness assumed or on which interest is paid by corporations for a further limited period of time exempting casualty insurance corporations not having capital stock and relieving life insurance corporations from the duty of reporting and paying tax under section seventeen of said act

Mr. ACHTERMAN. Mr. Speaker, I move that the bill together with the message from the Senate be laid on the table.

The motion was agreed to.

SENATE INSISTS ON AMENDMENTS NON-CONCURRED IN BY HOUSE

The Clerk of the Senate being introduced, informed that the Senate has insisted upon its amendments, non-concurred in by the House of Representatives, to House Bill No. 234, entitled:

An Act to further amend section one of the act approved the fifteenth day of July one thousand eight hundred ninety-seven (P. L. 292), entitled "An act to pro-

vice revenue by taxation" by increasing the rate of tax for a further limited period of time.

Mr. ACHTERMAN. Mr. Speaker, I move that the bill together with the message from the Senate be laid on the table.

The motion was agreed to.

SENATE INSISTS ON AMENDMENTS NON-CONCURRED IN BY HOUSE

The Clerk of the Senate being introduced, informed that the Senate has insisted upon its amendments, non-concurred in by the House of Representatives, to House Bill No. 663, entitled:

An Act authorizing the Commonwealth to negotiate temporary emergency loan to defray the current and other expenses of the State government during the two fiscal years beginning the first day of June one thousand nine hundred forty-one evidenced by tax anticipation notes secured by and payable from current revenues levied assessed collectible and accruing during such two fiscal years defining the powers and duties of the Governor the Auditor General and the State Treasurer in relation thereto providing for the payment of interest on and the repayment of such loans and making an appropriation.

Mr. ACHTERMAN. Mr. Speaker, I move that the bill together with the message from the Senate be laid on the table.

The motion was agreed to.

RECESS

The SPEAKER. If there is no objection the Chair will declare a recess until 6:30 p.m. The Chair hears none and a recess is declared.

AFTER RECESS

The House reconvened at 6:30 p.m.

The SPEAKER (Elmer Kilroy) IN THE CHAIR.

SENATE MESSAGE

SENATE ADOPTS CONFERENCE COMMITTEE REPORT ON SENATE BILL No. 1004

The Clerk of the Senate being introduced, informed that the Senate has adopted the report of the Committee of Conference on the subject of the difference existing between the two Houses on House Senate Bill numbered and entitled as follows:

SENATE BILL No. 1004.

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 providing for certain allocations from such appropriation by the Department of Public Assistance and also allocations to the Department of the Auditor General and the Treasury Department.

REPORT OF COMMITTEE OF CONFERENCE ON SENATE BILL No. 1004

Mr. ACHTERMAN. Mr. Speaker, I desire to call up the Report of the Committee of Conference on Senate Bill No. 1004, Printer's No. 384.

The report was read by the Clerk as follows:

To the Members of the Senate and House of Representatives:

We, the undersigned, Committee of Conference on the part of the Senate and House of Representatives for the purpose of considering Senate Bill No. 1004, 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 providing for certain allocations from such appropriation by the Department of Public Assistance and also allocations to the Department of the Auditor General and the Treasury Department"

Respectfully submit the following bill as our report

C. A. P. BARTLETT
FRANKLIN S. EDMONDS
EDWARD J. COLEMAN
(Committee on the Part of the Senate)

LEO A. ACHTERMAN
FRANCIS X. McCLANAGHAN
ELLWOOD J. TURNER
(Committee on the Part of the House of Representatives.)

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 providing for certain allocations from such appropriation by the Department of Public Assistance and also allocations to the Department of the Auditor General and the Treasury Department

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

Section 1 The sum of six million two hundred fifty-three thousand six hundred dollars (\$6,253,600) or as much thereof as may be necessary is hereby specifically appropriated from the General Fund to the Department of Public Assistance for the payment of assistance administrative expenses and expenses of liquidating the State Emergency Relief Board as provided by the Public Assistance Law and for the payment of attorneys' fees and court costs necessary for the proper conduct of the work of the Department of Public Assistance for the two fiscal years beginning June first one thousand nine hundred forty-one

Section 2 Out of the moneys appropriated by section one of this act the Department of Public Assistance shall allocate funds from time to time for the several assistance programs (old age assistance aid to dependent children pensions for the blind general assistance and other programs provided by the Public Assistance Law) for administrative expenses of the several county boards of assistance for such administrative expenses incurred by the department which are chargeable to such boards and for the payment of attorneys' fees and court costs necessary for the proper conduct of the work of the department

Section 3 Out of the moneys appropriated by section one of this act there is hereby allocated to the Treasury Department the sum of sixty-six thousand dollars (\$66,000) and to the Department of the Auditor General the sum of fifteen thousand dollars (\$15,000) to pay the administrative expenses of said departments in auditing and disbursing the appropriation made by this act during the month of June one thousand nine hundred forty-one

On the question,

Will the House adopt the report of the Committee of Conference?

Mr. TURNER. Mr. Speaker, as one of the conferees on this report, I agreed to the inclusion of the sum of \$6,253,600 for the month of June, with the assurance of the majority leader, Mr. Achterman, that no advantage would

be taken of the Governor, so that he might have the full time of thirty days to act upon the appropriation bills and in the event this session should not adjourn in time that this amount would be sufficient to carry us through, and allow the Governor sufficient time, he would be willing that sufficient time be given.

The gentleman from Monroe said he had no desire or disposition to hamstring the Governor in any way on that proposition and therefore we are agreeable to this amount.

Mr. ACHTERMAN. Mr. Speaker, I wish to concur in the remarks of the gentleman from Delaware, Mr. Turner. It is not the desire of the Democratic Members of this House to prevent the Governor from having the usual and legal amount of time for the consideration of bills passed by this House before he signs them.

On the question recurring,

Will the House adopt the report of the Committee of Conference?

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

YEAS 179

Achterman,	Gerard,	Maxwell,	Rosenfeld.
Auker,	Gillan,	McClanaghan.	Royer,
Baker,	Goodwin,	McClester.	Rush,
Balthaser,	Greenwood,	McDermott.	Sarraf,
Bentley,	Gryskewicz,	McDowell.	Scanlon.
Bentzel,	Gyger,	McFall.	Schwab.
Boies,	Habbyshaw,	McGrath.	Serrill,
Boney,	Haberlen,	McIntosh.	Shaffer.
Bower,	Haines,	McKinney.	Shaw,
Bradley,	Hall,	McLanahan.	Shepard.
Bretherick,	Hamilton.	McLane.	Simons,
Brown,	Hare,	McMillen.	Skale,
Brunner, P. A.,	Harkins,	McSurdy.	Snyder,
Burns,	Harmuth.	Melchiorre.	Sora.
Burriss,	Heatherington.	Modell.	Stambaugh
Cadwalader,	Hein,	Monks.	Stank.
Chervenak,	Hering,	Mooney.	Stine,
Chudoff,	Herman,	Moran.	Tarr,
Cochran,	Hersch,	Moul.	Tate,
Cohen, M. M.,	Hewitt,	Muir.	Taylor,
Cohen, R. E.,	Holland,	Munley.	Thompson, E. F.
Cordier,	Huntley,	Nagel.	Thompson, R. L.
Corrigan,	James,	Nunemacher.	Trout.
Croop,	Jefferson,	O'Brien.	Turner,
Dalrymple,	Jones, P. N.,	O'Dare.	VanAllesburg.
Dennison,	Keenan,	O'Mullen.	Verona,

DiGenova.	Kenehan,	O'Neill,	Vincent,
Dix,	Kilne,	Owens.	Vogt,
Dolon,	Knoble,	Petrosky.	Voldow,
D'Ortona.	Kolankiewicz,	Pettit,	Voorhees,
Duffy,	Komorofski.	Polaski,	Wagner,
Early,	Krise,	Polen,	Watkins,
Elder,	Lee, E. A.,	Powers,	Wells,
Elliott.	Lee, T. H.,	Prosen,	Welsh, E. B.,
Ely,	Lelsey.	Rank,	Wilkinson,
Falkenstein.	Leonard.	Readinger,	Williams,
Finestone.	Lesko.	Reagan.	Winnier,
Finnerty.	Levy.	Reese, D. P.,	Wolf,
Fiss.	Leydic.	Reese, R. E.,	Wood, N.,
Fletcher.	Lichtenwalter.	Regan,	Woodring.
Flynn	Longo.	Reynolds.	Woodside.
Foor.	Lyons.	Rhea,	Yester.
French.	Malloy.	Riley.	Young,
Gallagher.	Marks.	Rooney,	Kilroy, Speaker

NAYS 0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative, and the report of the Committee of Conference was adopted.

Ordered, That the Clerk inform the Senate accordingly.

BILL SIGNED BY SPEAKER

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

SENATE BILL NO. 1004.

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 providing for certain allocations from such appropriation by the Department of Public Assistance and also allocations to the Department of the Auditor General and the Treasury Department

ADJOURNMENT

Mr. PRESLEY N. JONES. Mr. Speaker, I move that this House do now adjourn until Monday, June 2, 1941, at 8 p. m.

The motion was agreed to, and (at 7:25 p. m.) the House adjourned.