

And yet, in our land, aye in this capitol, there are men who prate knowingly that "Hitler is right in destroying the insane, the crippled and the blind who are only burdens on the state." They applaud the efforts of Hitler to breed a superior race. And allow me to ask, of what are such men thinking? Their words only give comfort to the dictators and aid in spreading the subtle thought that is permeating our country. They are the type of which the poet said "A little learning is a dangerous thing."

Today as never before our Nation is being assailed by a barrage of clever propaganda designed to lead the ill informed astray and from my conversation with many men I find that some of the teachings of the subversive groups have lodged. Good men who are native born; who have made their all under the Stars and Stripes are being misled and by their remarks cause others to feel that perhaps there is something good after all under dictatorships.

To every true lover of the Land of the Free it is appalling to feel that there are men so blind as to feel that in Hitler and his cohorts there can remain one iota of decency, truth or humanity. They possess none of these traits. But I feel that in our Nation today there are many men who would sell themselves to the enemies of our country and perform acts that halt and hinder our efforts to arm, and to give aid to the Nations that are fighting the group that would destroy Democracy throughout the world.

Revert in mind again to the days of '76 when men furnished with their own rifles, when women by the light of pine knots dyed and sewed the uniforms of their men folk and sent them forth to fight and after kissing husbands and sons farewell, turned to the plow. There was a love of freedom then that would put to shame the half hearted example we are giving today.

Our sons by the thousands are pouring into camps to learn the rudiments of war and of how to die for their land. God Bless Them. On shipboard, other thousands are learning how to carry on the work of Paul Jones, Decatur; Sampson and Dewey, whose feats with ships and roaring guns have written blazing words across the pages of history.

And we at home, what are we doing. Our papers are filled with stories of strikes and of contests to get more dollars for the work of turning out planes, guns and machines, food and clothing for the fresh faced youths who at \$21. per month will be in the front lines. What a spectacle it is to find our army having to "capture factories" that men who want to work can do so! Our President by ordering the army into the California airplane plant served notice on the hyride agitators that our program will not be halted and that we are going on to victory.

In a speech earlier this year I said that: "concentration camps" should yawn for the labor leaders who in their struggle for power halt the march of our army and the sailing of our navy. I have not changed my mind and I still feel that too long have we coddled the trouble monger who is undobtedly paid by funds from abroad for stopping the onward march of our industry. Nearly five millions of man days have been lost in strikes. Suppose they had been utilized, what would they have produced.

In my minds eye, I can see Hitler and his maddened crew gloating as he hears of factories closed and production slowed by the "fifth columnists" at work here.

I read recently in a newspaper that the French are ig-

noring the German conquerers in France. That they pass the Germans with a look ahead that places the invaders out of their vision. And then and there it occurred to me that the men and women of the United States could inflict that treatment on the persons who are talking and working in the ranks of the Wheelers, Nyes and Lindberghs, Give them the stony glare, the icy gaze and the isolation treatment. They want to be isolationists so make them such. Make them a group apart and as did the people back in the days when Old Glory was born make them feel they are not of the race that loves freedom and liberty.

It is time for us to be united and we must be a Nation with a singleness of purpose oneness of aim and remember the words of the old admonition "United we stand, divided we fall."

Pray God we may not fall.

PERMISSION TO ADDRESS SENATE

Mr. HALUSKA. Mr. President, I ask permission to address the Senate.

THE PRESIDENT. The gentleman from Cambria will proceed.

Mr. HALUSKA. Mr. President, last Tuesday afternoon the gentleman from Allegheny, Mr. Geltz, moved that Senate Bill No. 522 be placed on the postponed Calendar, for further study I was informed. I threatened at that time that I would call that bill up every fifteen minutes until such time as the bill might be called up and might pass or be sent back to committee. I did not go through with my threat because of the extreme courtesy shown to me by many of my colleagues on both sides of this Senate but I wish now to serve notice—this is no warning and no threat; only a friendly notice—it is my intention tomorrow to call from the postponed Calendar Senate Bill No. 522 and I shall ask my colleagues to either defeat or pass it.

I am giving this notice to my colleague from Allegheny County or to anyone else who may be interested, so that they may take tonight and study Senate Bill No. 522 and be fairly acquainted with its contents, and if tomorrow they wish to interrogate me upon its contents I shall be too happy to stand here and answer any questions which may be asked of me.

ADJOURNMENT

Mr. GELTZ. Mr. President, I move that the Senate do now adjourn until Tuesday, June 17, 1941 at 1:30 o'clock, p. m. Eastern Standard Time.

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

The motion was agreed to.

The Senate adjourned at 9:07 o'clock, p. m., Eastern Standard Time until Tuesday, June 17, 1941 at 1:30 o'clock, p. m., Eastern Standard Time.

HOUSE OF REPRESENTATIVES

MONDAY, June 16, 1941

The House met at 8 p. m.

The SPEAKER (Elmer Kilroy) in the Chair.

PRAYER

The SPEAKER. Prayer will be offered at the consent of the Chaplain by the Reverend T. Stacy Capers, of the

First Presbyterian Church of Hollidaysburg, Pennsylvania, as the guest of the Honorable George E. Jones of Blair County.

Reverend T. Stacy Capers offered the following prayer:

Our gracious and loving Heavenly Father, we would invoke Thy kind blessing upon us as we meet together to transact the business of this our House of our grand and glorious democratic republic. God bless this great Commonwealth which we love so dearly; God bless these Thy servants who gather here tonight to transact the business of civic righteousness. We thank Thee whenever we transact the business of civic righteousness. We always represent or misrepresent Thee, Our God, and so we pray Thee tonight, to give us wisdom from above, give to these our Representatives, Thy servants, not only to know what to do, but to do Thy will when they know it.

We pray Thee tonight to help us to come with prayer in our hearts because we all do desire to do the best we can.

May we then look to Thee, O God, to help us to realize we are transacting the King's business, that this is our Father's work, and in this day when there comes a tremendous challenge to Thy great kingdom and enterprise, may we not betray the proud trust, but may we stand loyal and true for the privilege of representing Thee in the courts of free governments in the world.

Now, Our heavenly Father, we pray Thee that Thy holy spirit brood over us. May we feel that it is good to do Thy will. God bless us, God bless our whole country, God bless the Governor of this great Commonwealth and the President of the United States of America. We pray Thee tonight to bless the world, the disillusioned war torn world. May they make peace with Thee so that the time may come when they may make peace one with another.

Now, help us to do our part where we are, that we may help establish Thy kingdom on earth as it is in Heaven. May we have in mind but one end in view, the advancement of Thy kingdom and to glorify Thy name. Praise be to the Father, Son, and Holy Spirit. In the name of Him who died for us that we might live for Him, not only hereafter but here and now, we ask it all. Amen.

JOURNAL APPROVED

The SPEAKER. The Clerk will read the Journal of Thursday, June 12, 1941.

The Clerk proceeded to read the Journal of Thursday, June 12, 1941, when, on motion of Mr. WRIGHT, unanimously agreed to, the further reading was dispensed with and the Journal approved.

BILL INTRODUCED AND REFERRED

By Mr. LESKO. HOUSE BILL No. 1857.

An Act making an appropriation to the Department of Revenue for the payment of claims against the Commonwealth arising from damage by fire caused by defective wires used for operating airplane beacons.

Referred to the Committee on Appropriations.

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. 263. (HOUSE BILL No. 1858).

An Act to establish a system uniform throughout the Commonwealth for the compensation of witnesses regulating the amount payment and taxation as costs thereof and repealing inconsistent legislation.

Referred to the Committee on Judiciary General.

SENATE BILL No. 344. (HOUSE BILL No. 1859).

An Act to amend further section five of the act, approved the thirteenth day of June, one thousand eight hundred and thirty-six (P. L. 551) entitled "An act relating to roads, highways and bridges" as amended by permitting the maximum width of a public road to be two hundred feet when the right of way is acquired by the Federal Government and providing for the cost of relocating public service lines.

Referred to the Committee on Highways.

SENATE BILL No. 575. (HOUSE BILL No. 1860).

An Act to further amend sections 1, 2 and 7 of the act approved the third day of June, one thousand nine hundred and eleven (P. L. 639), entitled as amended, "An act relating to the right to practice medicine and surgery in the Commonwealth of Pennsylvania; and providing a Bureau of Medical Education and Licensure as a bureau of the Department of Public Instruction, and means and methods whereby the right to practice medicine and surgery and any of its branches may be obtained, and exemptions therefrom; and providing for an appropriation to carry out the provisions of said act, and providing for revocation and suspension of licenses by said bureau; and providing penalties for violations thereof, and repealing all acts or parts of acts inconsistent therewith," by defining certain terms; imposing certain additional duties upon the State Board of Medical Education and Licensure; making provision for graduate students from other states territories and Canada, and providing for automatic suspension of registration in case of mental incompetency.

Referred to the Committee on Public Health and Sanitation.

SENATE BILL No. 711. (HOUSE BILL No. 1861).

An Act to amend section four hundred fifteen of the act, approved the third day of June, one thousand nine hundred and thirty-seven (P. L. 1333), entitled "An act concerning elections, general, municipal, special and primary elections, the nomination of candidates, primary and election expenses and election contests creating and defining membership of county boards of elections, imposing duties upon the Secretary of the Commonwealth, courts, county boards of elections, county commissioners, imposing penalties for violation of the act and codifying, revising and consolidating the laws relating thereto and repealing certain acts and parts of acts relating to elections." by further regulating the appointment of overseers of election.

Referred to the Committee on Elections.

SENATE BILL No. 870. (HOUSE BILL No. 1862).

An Act to amend section one of the act, approved the twelfth day of June, one thousand nine hundred thirty-one (P. L. 566) entitled "An act providing for the purchase of reinsurance for the benefit of holders of outstanding policies, issued by any company authorized to insure title, of which possession may be taken by the Secretary of Banking; and providing further for the use for that purpose of reserve funds accumulated by such companies to protect such policyholders; providing also for the form of such reinsurance and defining the extent of the liability thereunder, and also for suits at law to recover thereon."

by clarifying the requirements as to amount of reserve to be held by companies selling such reinsurance.

Referred to the Committee on Insurance.

SENATE BILL No. 881. (HOUSE BILL No. 1863).

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.

Referred to the Committee on Insurance.

SENATE BILL No. 889. (HOUSE BILL No. 1864).

An Act relating to the practice of veterinary medicine; defining such practice and providing for the licensing and registration of persons engaged therein and for the revocation and suspension of such licenses and registrations subject to appeal and for their reinstatement; defining the powers and duties of the State Board of Veterinary Medical Examiners and the Department of Public Instruction; providing penalties and repealing existing laws

Referred to the Committee on Public Health and Sanitation.

SENATE BILL No. 912. (HOUSE BILL No. 1865).

An Act to further reenact and amend the title and act approved the twenty-eighth day of March, one thousand nine hundred and twenty-nine (P. L. 86), entitled, as amended, "An act relating to the grading and sale of grapes and potatoes in this Commonwealth; providing penalties for violations; and imposing certain duties upon the Department of Agriculture," extending the provisions of said act to apples.

Referred to the Committee on Agriculture.

SENATE BILL No. 905. (HOUSE BILL No. 1866).

An Act to further amend clause (a) of section two of the act, approved the seventh day of June, one thousand nine hundred and seventeen (P. L. 388), entitled "An act relating to the jurisdiction, powers, and procedure of the orphans' court and the court of common pleas as to sales, mortgages, conveyances on ground rents, leases, extinguishment of ground-rents, partition, exchange, squaring and adjusting of lines between adjoining owners, consolidation and combination of mining lands and the leasing thereof, the joining by owners of undivided interests in making and taking conveyances in order to change the route or location of any right of way or passage over adjoining or other lands, and the subdivision of premises so as to command the highest price or greatest rents, and for such purpose, the laying out or dedication of roads, streets, and alleys, or the vacation of such as have not been accepted by the public authorities, where the court shall be of opinion that such decrees will be to the interest and advantage of all those interested; and where the legal title is held by minors, lunatics, habitual drunkards or weak-minded persons, a married person whose spouse is a lunatic, or has abandoned him or her for one year or has been absent and unheard of for seven years by corporations having no capacity to convey or by any unincorporated association, by any religious, beneficial, or charitable society or association, incorporated or unincorporated, and the title is subject to forfeiture if real estate is held in excess of the amount prescribed by its charter or by law; by a corporation, or individual or in-

dividuals, and is subject to a trust of any description whatever; by any person as to whom a presumption of death may have arisen, or any interest wherein is held by any person under legal disability to dispense thereof; where the legal title is an estate tail or is subject to the lien of debts of a decedent not of record, contingent remainders, executory devises, or remainders to a class, some or all of whom may not be in being or ascertained; where estates shall have been devised or granted for special or limited purposes, where there is a power of sale but the time may not have arrived for its exercise, any preliminary act may not have been done to bring it into exercise, the time limited for its exercise may have expired, or any one or more persons required to consent or join in its exercise may be non compos mentis, have removed out of the State, have died, refuse to act, unreasonably withhold consent, or be absent and unheard of; where there has been or shall be a defective appointment in any deed or will, and the necessary power is not given to the executor, devisee, or appointee to make sale and conveyance; where a trust has been created, and no power conferred on the trustee to do any of the acts which the court is hereby empowered to authorize or confirm; and to the effects of such decrees," extending the provisions of said act to cases where real estate is held by entireties, and the one spouse has been declared weakminded or mentally incompetent.

Referred to the Committee on Judiciary General.

SENATE BILL No. 1020. (HOUSE BILL No. 1867).

An Act to amend section four of the act, approved the twenty-first day of May, one thousand nine hundred and thirty-seven (P. L. 787), entitled "An act authorizing the compromise or reduction of tax claims on real property purchased by any county, city, borough, town, school district or poor district at any sale, for the nonpayment of taxes; and the reconveyance or private sale of such property," by further regulating the terms of such compromise or private sale and the distribution of the proceeds thereof.

Referred to the Committee on Municipal Corporations.

SENATE BILL No. 1055. (HOUSE BILL No. 1868).

An Act to amend sections five, six, twenty-seven, thirty-one, thirty-two and thirty-nine of the act, approved the twenty-fifth day of May, one thousand nine hundred and thirty-seven (P. L. 849), entitled "An act to provide for the permanent personal registration of electors in cities of the third class as a condition of their right to vote at elections and primaries, and their enrollment as members of political parties as a further condition of their right to vote at primaries, prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors; and prescribing the powers and duties of citizens, parties, political bodies, registration commissions, commissioners, registrars, inspectors of registration and other appointees of registration commissions, county election boards, election officers, municipal officers, departments and bureaus, police officers, courts, judges, prothonotaries, sheriffs, county commissioners, peace officers, county treasurers, county controllers, registrars of vital statistics, certain public utility corporations, real estate brokers, rental agents, and boards of school directors; imposing penalties; and repealing existing legislation," extending the powers and duties of the registration commission and further regulating the check-up of electors and the cancellation of their registrations by the commission.

Referred to the Committee on Elections.

SENATE BILL No. 1088 (HOUSE BILL No. 1869).

An Act to amend the act approved the twenty-fifth day of May one thousand nine hundred thirty-seven (P. L. 849) entitled "An act to provide for the permanent personal registration of electors in cities of the third class

as a condition of their right to vote at elections and primaries and their enrollment as members of political parties as a further condition of their right to vote at primaries prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors and prescribing the powers and duties of citizens parties political bodies registration commissions commissioners registrars inspectors of registration and other appointees of registration commissions county election boards election officers municipal officers department and bureaus police courts judges prothonotaries sheriffs county commissioners peace officers county treasurers county controllers registrars of vital statistics certain public utility corporations real estate brokers rental agents and boards of school directors imposing penalties and repealing existing legislation" as amended by requiring and providing for the registration of persons in military service to entitle them to vote at any election.

Referred to the Committee on Elections.

SENATE BILL No. 1089. (HOUSE BILL No. 1870).

An Act to amend the act approved the twenty-ninth day of April one thousand nine hundred thirty-seven (P. L. 487) entitled "An act to provide for the permanent personal registration of electors in boroughs towns and townships as a condition of their right to vote at elections and primaries and their enrollment as members of political parties as a further condition of their right to vote at primaries prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors requiring the county commissioners of the various counties to act as a registration commission therefor and prescribing the powers and duties of citizens parties political bodies registration commissions commissioners registrars inspectors of registration and other appointees of registration commissions county election boards election officers municipal officers departments and bureaus police officers courts judges prothonotaries sheriffs county commissioners peace officers county treasurers county controllers registrars of vital statistics certain public utility corporations real estate brokers rental agents and boards of school directors and imposing penalties" as amended by requiring and providing for the registration of persons in military service before they shall be entitled to vote at any election.

Referred to the Committee on Elections.

SENATE BILL No. 1090. (HOUSE BILL No. 1871).

An Act to amend the act approved the first day of June one thousand nine hundred thirty-seven (P. L. 1132) entitled "An act to provide for the permanent personal registration of electors in cities of the second class A as a condition of their right to vote at elections and primaries and their enrollment as members of political parties as a further condition of their right to vote at primaries prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors and prescribing the powers and duties of citizens parties political bodies registration commission commissioners registrars inspectors of registration and other appointees of registration commissions county election boards election officers municipal officers departments and bureaus of police officers courts judges prothonotaries sheriffs county commissioners peace officers county treasurers county controllers registrars of vital statistics certain public utility corporations real estate brokers rental agents and boards of school directors and imposing penalties" as amended by requiring and providing for the registration of persons in military service to entitle them to vote at any election.

Referred to the Committee on Elections.

SENATE BILL No. 1091. (HOUSE BILL No. 1872).

An Act to amend the act approved the thirtieth day

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

Referred to the Committee on Elections.

SENATE BILL No. 1092. (HOUSE BILL No. 1873).

An Act to amend the act approved the twenty-fifth day of May one thousand nine hundred thirty-seven (P. L. 814) entitled "An act to provide for the permanent personal registration of electors in cities of the second class as a condition of their right to vote at elections and primaries and their enrollment as members of political parties as a further condition of their right to vote at primaries prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors and prescribing the powers and duties of citizens parties political bodies registration commissions commissioners registrars inspectors of registration and other appointees of registration commissions county election boards election officers municipal officers departments and bureaus police officers courts judges prothonotaries sheriffs county commissioners peace officers county treasurers county controllers registrars of vital statistics certain public utility corporations real estate brokers rental agents and boards of school directors and imposing penalties" as amended by requiring and providing for the registration of persons in military service to entitle them to vote at any election.

Referred to the Committee on Elections.

SENATE BILL No. 1093. (HOUSE BILL No. 1874).

An Act to amend the act approved the third day of June one thousand nine hundred and thirty-seven (P. L. 1333) entitled "An act concerning elections including general municipal special and primary elections the nomination of candidates primary and election expenses and election contests creating and defining membership of county boards of elections imposing duties upon the Secretary of the Commonwealth courts county boards of elections county commissioners imposing penalties for violation of the act and codifying revising and consolidating the laws relating thereto and repealing certain acts and parts of acts relating to elections" by changing the procedure for and regulating elections by persons in actual military service imposing duties upon the Secretary of the Commonwealth courts county boards of elections and county commissioners providing for reimbursement of counties for actual expenses incurred for canvassing the vote of electors in actual military service.

Referred to the Committee on Elections.

SENATE BILL No. 1103. (HOUSE BILL No. 1875).

An Act to further amend section two hundred twenty of the act approved the second day of May one thousand nine hundred and twenty-five (P. L. 448) entitled "An act

relating to fish and amending revising consolidating and changing the law relating to fish in the inland waters and the boundary lakes and boundary rivers of the Commonwealth" by providing for the issuing of free resident fishing licenses to persons over sixty-five years of age.

Referred to the Committee on Fisheries.

SENATE BILL No. 1104. (HOUSE BILL No. 1876).

An Act to amend section three hundred two of the act approved the third day of June one thousand nine hundred and thirty-seven (P. L. 1225) entitled "An act concerning game and other wild birds and wild animals and amending revising consolidating and changing the law relating thereto" by providing for the issuing of free hunters' licenses to persons over sixty-five years of age.

Referred to the Committee on Game.

BILL INTRODUCED AND REFERRED

By Mr. SARRAF. HOUSE BILL No. 1877.

A Supplement to Act No. , approved the day of June, one thousand nine hundred and forty-one (One thousand Nine Hundred Forty-One Appropriation Acts, page), entitled "An act to provide for the ordinary expenses of the Executive, Legislative and Judicial Departments of the Commonwealth, interest on the public debt and the support of the public schools for two years beginning June first one thousand nine hundred and forty-one and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending May thirty-first one thousand nine hundred and forty-one."

Referred to the Committee on Appropriations.

RESOLUTION INTRODUCED AND REFERRED

By Mr. HEATHERINGTON. RESOLUTION No. 102.

In the House of Representatives, June 12, 1941.

Whereas, On March 28, 1940, Rachel Taylor, a young woman student at the Pennsylvania State College, was attacked and murdered in the vicinity of State College; and

Whereas, In spite of more than a year's continuous investigation by the Pennsylvania Motor Police and by local authorities, the perpetrator or perpetrators of this brutal crime have not yet been apprehended; and

Whereas, Within the past year a dozen or more women, in or about the borough of State College, have been attacked by an unknown assailant or assailants, possibly the same who committed the murder of Rachel Taylor; and

Whereas, An attack upon a woman, in State College, was made as recently as two days ago; and

Whereas, The immediate apprehension of the person or persons responsible for these crimes is absolutely essential for the protection and safety of women residing in State College and vicinity; and

Whereas, The failure to apprehend the person or persons guilty of these attacks may well render many parents unwilling to have their daughters attend the Pennsylvania State College, at State College; and

Whereas, It would seem that the perpetration of as many as a dozen different attacks upon women, in a comparatively small community within a short period of time, should afford a sufficient clue as to the identity of the person or persons involved, so that the Pennsylvania Motor Police could solve one or all of these crimes; and

Whereas, Colonel Lynn G. Adams, Commissioner of the Pennsylvania Motor Police, has journeyed to State College on various occasions and has assumed personal supervision of the investigation into these crimes; and

Whereas, The complete failure of the officials, under his supervision, to solve even one of this series of attacks, together with the fact that the Senate of this General

Assembly has refused to confirm his appointment as Commissioner, would seem to indicate that the initiative, ability and persistence of Colonel Adams as a police officer and particularly in connection with the investigation of these assaults, should be carefully investigated; therefore be it

Resolved, That the Speaker of the House appoint a committee of five members of the House, whose duty it shall be to examine into the manner in which Colonel Lynn G. Adams has conducted the investigation of the numerous attacks upon women in the vicinity of State College during the past fifteen months, for the purpose of determining whether the failure of such investigation to produce any definite results in even a single case is due in any degree to inadequate, indifferent or careless supervision. It shall be the duty of the aforesaid committee to conduct its investigation immediately and to make its report to the House of Representatives before the adjournment of this session, together with its recommendations as to any further steps which might be taken to end this outbreak of criminal assaults in the vicinity of State College.

Referred to the Committee on Rules.

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 HOUSE BILL No. 1270.

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, June 13, 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. 1270, Printer's No. 413, entitled, "An Act to further amend sections one two and seven of the act approved the twelfth day of June one thousand nine hundred and thirty-one (P. L. 510) entitled 'An Act providing for the licensure and regulation of certain private nursing homes and private hospitals conferring certain powers and duties upon the Department of Welfare and providing penalties' limiting the provisions of said act to exclude nursing homes and hospitals operated on a non-profit basis."

ARTHUR H. JAMES.

LEAVE OF ABSENCE

By unanimous consent leave of absence was granted as follows:

Mr. BURRIS for himself for tomorrow's session.

Mr. Stine for Mr. BENTZEL for the week.

Mr. KRISE for himself for the remainder of the week after tonight.

Mr. George E. Jones for Mr. FISHER for the week.

Mr. Stambaugh for Mr. WAGNER for the week.

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

The Speaker for Mr. WILKINSON for the week on account of illness.

REPORT FROM COMMITTEE

Mr. BENTZEL from the Committee on Highways reported as committed House Bill No. 1217, entitled:

An Act regulating and establishing prevailing wage rates to be used by contractors employed by the Department of Highways in the construction of highways and street paving; and imposing certain duties on the Department of Highways.

PERMISSION TO ADDRESS HOUSE

Mr. PRESLEY N. JONES asked and obtained unanimous consent to address the House.

Mr. Speaker, on April 16th of this year, I introduced House Bill No. 1281, which relates to Venue of Civil Actions against insurance companies or commonly called "Service of Process." This bill was referred to the Insurance Committee whose able chairman is Mr. John J. Baker. Due to the introduction of this bill, an association, which I hold in very high regard, has now taken cognizance of the evil as it exists and I am deeply flattered by the fact that the Special Advisory Committee of the Pennsylvania Bar Association under the direction of the very capable Mr. John H. Fertig, Esq. will very shortly comprehend this subject within the rules of procedure to be promulgated by the Supreme Court in the field of rules called Corporations or similar entities as parties. Naturally, these new rules, will, by an Act of Assembly of 1937, supersede the Venue Sections I desired to amend. Therefore, since the correction will soon be made due to the introduction of this bill, I respectfully suggest that H. R. 1281 be not reported out.

PERMISSION TO ADDRESS HOUSE

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

Mr. Speaker, on March 13 of this year the Legislature of our sister State of North Carolina enacted by an overwhelming vote a concurrent resolution memorializing the President and the Congress of the United States to take steps toward the establishment of a Federal Union of the democratic nations of the civilized world, to the end that human freedom, peace, and prosperity might be perpetuated in a world where the advances in science have made the elimination of war a matter of impelling necessity. In so doing the North Carolina Legislature has earned the distinction of being the first legislative body in the world formally to endorse a movement for International Government which is steadily gaining favor among the American people and among other free peoples.

It is fitting and proper that we in Pennsylvania should take our place in the leadership of this cause, at once so idealistic and so practical, and so decidedly American in its basic philosophy. It was on the sacred soil of Pennsylvania that the greatest Federal Union of free men in all human history was formed. It was here that a plan of government was given birth which has brought peace and progress to an entire continent and has brought forth fruits of civilized living far exceeding the fondest dreams of the Constitutional Fathers.

To urge the extension of our Federal principles to embrace our sister democracies of the Western world is to be in accord with the soundest concepts of reasoning. And in the Federalist Papers themselves may be found the suggestion that so perfect is our Federal plan of union among free states and free men that its principles very well might be extended upon a worldwide basis.

I have the honor to report that it was in the County of Northampton, and in the District which I represent, that the movement for International Federal Union, in its modern form, which is growing so rapidly, was first proclaimed six years ago. In 1935 Mr. John Francis Gold-

smith, a member of the bar, and a year earlier the candidate of his party for a seat in this very House, published a book entitled "President Randolph, As I Knew Him". The work was a narrative essay setting forth in accurate detail a plan of International Federal Union, modelled upon the American Constitution, for the preservation of the peace and security and democratic way of life of our Western civilization. Today that movement is becoming the hope of Mankind.

This book is of particular interest to us. President Randolph, the leading character of the story, was a native of Stroudsburg in my neighboring County of Monroe. He began his political career with membership in this very House, proceeding then to the Senate of Pennsylvania, then becoming Governor of this State, and finally President of the United States. In his high office as Chief Magistrate of the Nation he played his important role in bringing into being, in the year 1957, a Federal Union of the democracies.

In many other respects the book is of interest. It has an amazing prophetic quality in predicting an American armament program and an American air fleet in the proportions which we witness today, as well as a collaboration between the President of the United States and the Prime Minister of Great Britain as close and as significant as that which is now taking place. The book was widely and highly proclaimed by the press of three nations at the time of its appearance.

I have the further honor to report that its author has kindly collaborated with me in the preparation of a resolution which I have introduced to which I invite the especial attention and consideration of all the Members of this House when the Resolution comes before them for passage and adoption.

SENATE MESSAGE

HOUSE BILL 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. 573.

An Act to provide for the ordinary expenses of the Executive Legislative and Judicial Departments of the Commonwealth interest on the public debt and the support of the public schools for two years beginning June first one thousand nine hundred and forty-one and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending May thirty-first one thousand nine hundred and forty-one

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

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. 573.

An Act to provide for the ordinary expenses of the Executive, Legislative, and Judicial Department of the Commonwealth, interest on the public debt, and the support of the public schools for two years beginning June first, one thousand nine hundred and forty-one; and for

the payment of bills incurred and remaining unpaid at the close of the fiscal year ending May thirty-first, one thousand nine hundred and forty-one.

Whereupon,

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

PERMISSION TO ADDRESS HOUSE

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

Mr. Speaker, last week the Governor in his message to this House made certain statements relative to what he proposed to do to the particular bill which the Speaker has just signed. Without any thought of discussing the bill in its entirety, but only a portion of that bill, I desire to make these remarks.

I call first to the attention of this House the Governor's statement in relation to the appropriation contained in that bill for the taking over of the mental institutions. I do this, Mr. Speaker, for the reason that I have already warned the Budget Secretary that if the Governor follows out his announced purpose, a condition will arise that will cause veritable chaos in the state of Pennsylvania insofar as it relates to the mental hospitals. I have advised the Budget Secretary that the Governor must of necessity go slowly on his announced budget, and if he blunders—if he follows out his thought he will blunder—then upon him and him alone will rest the entire burden and responsibility.

I call the attention now of the Members of this House to that portion of his statement in which he states:

"No provision having been made by the Legislature to raise moneys to cover the twelve million dollars additional cost which would be saddled upon the state by the taking over of these institutions"—and he refers to the mental institutions—"and no final decision having been made by the Legislature on my urgent recommendation that the effective date of these laws will be postponed for two years and, further, it appearing that the appropriations included for the purpose are inadequate to carry out this program, I shall therefore reduce the appropriations in this field to the amounts set forth in my budget message of last February."

I point out to the membership of this House first of all that twelve million dollars is not necessary in the particular appropriation. Over half of that figure, Mr. Speaker, is represented by loss of revenues and is not reflected in the appropriation bill. Why the Governor of Pennsylvania would wish to mislead the membership of this House by quoting the figures of twelve million dollars and then subsequently sending it out through the mails to various municipalities of this state is more than I can see.

The Governor knows it is not true, and the membership of this House know it is not true. Then again, why he should say that this Legislature has not acted upon his recommendation of postponement I do not understand. He requested it and we have ignored the request, and that is action final. I am saying to the Governor he has long since known that he is taking over the mental hospitals; that has been the mandate of our party, and no further action is necessary.

Might I say, Mr. Speaker, that that is now an accom-

plished fact, it is the law of this state. Those hospitals now are state property and the Governor recognized them as such in his proclamation. Of course it is true after his proclamation he has tried at various places to indicate that he is not taking them over. Nevertheless, he has so proclaimed in accordance with the law, and those hospitals are a part of the state institutions now.

Then, he speaks of inadequacy. Mr. Speaker, may I state that his recommendation for institutions owned by the state prior to June first was seventeen million dollars. The Appropriations Committee went over this request and cut that amount down to \$16,500,000. And then we considered the need of these particular mental institutions involving the expenditure, as he said, of \$6,900,000. We went into some considerable study in relation to that, and finally came to the conclusion that the amount needed was \$6,100,000, and we added that to the sum of \$16,500,000, and that total sum is the amount that appears in the appropriation bill.

Now, if the Governor of Pennsylvania wishes to cut that amount down to seventeen million dollars, he will find himself in a position that he must not only operate the State's own institutions prior to June first, but also those institutions which under the law he was forced to take over on June first, and I now publicly state, Mr. Speaker, that if the Governor of Pennsylvania cuts the amount mentioned there, then the burden and the censure will be his. He can not, Mr. Speaker, run away from the problem of taking care of our mental cases in Pennsylvania by the mere gesture of running a red pencil through the appropriation bill and saying, "We are not responsible."

I am saying, Mr. Speaker, that the responsibility for the care of our mental cases in Pennsylvania belongs to the State under the laws of this land, and the Governor of Pennsylvania must meet that burden, and he can not meet it facetiously by saying, "I will reduce the appropriation," to a sum which sum later will prove not to be adequate.

Then in passing, Mr. Speaker, may I make a few comments in regard to his letter, a political letter, which was sent throughout Pennsylvania at the expense of the taxpayers of Pennsylvania, a letter in which he tried to explain why the subsidies due school districts were not paid on their due date, payments due in November of 1940 and payments due in February of 1941.

Can you imagine a Governor of this state sending out to officers of the municipalities of this state a letter laying at the doors of the Democrats responsibility for his failure, the Republican failure to make payments due in November of 1940, before this legislature was in session? Yes, before any man in this House was sworn into his office, the Governor of Pennsylvania now says that you men are responsible because he did not pay his bills on that day.

I am pointing it out, Mr. Speaker, only for the purpose of showing the chicanery of this man who sits in our Governor's chair endeavoring to fool, to bamboozle the people of Pennsylvania in an effort to cover up his mismanagement. I am saying to that Governor of Pennsylvania, I am saying to your party that I am now warning the Governor of Pennsylvania not to cut the appropriation to the mental institutions. We are giving you fair warning that the responsibility will be yours if you do.

PERMISSION TO ADDRESS HOUSE

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

Mr. Speaker, on June 1st, 1941, the State took over and assumed the management of the Allegheny County Home at Woodville, and as the result of this action over six hundred men and women employes were transferred to the State payroll. As state employes these six hundred men and women are entitled to become members of the State Retirement System. Until May 31, 1941, these same six hundred men and women had been employes of Allegheny County and as such had contributed to the Allegheny Retirement Fund. Their contributions were matched by Allegheny County, and they established a certain number of years of service to their credit. Realizing that these employes have now, through no act of their own become members of the state payroll and no longer able to retain their status with the Allegheny County Retirement Fund, my colleague Mr. Thompson and I have had a series of conferences with the Secretary of the State Employes' Retirement Fund as well as its Actuary, looking toward a solution or rather a preservation of the rights of these six hundred men and women Allegheny County employes now in the Allegheny County Retirement Fund.

As a result of those conferences a bill has been drawn up and introduced this evening by Mr. Thompson and I to protect the right and benefit of those employes in the Allegheny County Retirement Fund. If this bill or a similar bill is not passed by this Legislature then the rights of those employes as former employes of Allegheny County must be held in abeyance until the next Legislature meets, and realizing that we are drawing closer and closer to adjournment, and time is very essential in this matter, the purpose of these remarks this evening is to plead with the Chairman and the Members of this Committee to which this bill will be referred, to earnestly consider this bill with a view that the same may become a law at this session of the Legislature.

SENATE MESSAGE

TIME OF NEXT MEETING

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

In the Senate, June 16, 1941.

Resolved, (if the House of Representatives concur), That when the Senate adjourns this week, it reconvenes on Monday, June 23, 1941, at 3:30 o'clock p. m. (Eastern Standard Time), and when the House of Representatives adjourns this week, it reconvenes on Monday, June 23, 1941, at 8 o'clock p. m. (Eastern Standard Time).

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

On the question,

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

Ordered, That the Clerk inform the Senate accordingly.

FORMER MEMBER WELCOMED

The SPEAKER. The Chair welcomes to the House this evening a former member from Adams County, Mr. G. R. Thompson.

REPORT OF COMMITTEE OF CONFERENCE ON
HOUSE BILL No. 616

Mr. D'ORTONA. Mr. Speaker, I desire to offer the report of the Committee of Conference on House Bill No. 616. The SPEAKER. The report will lie over for printing under the rules.

PERMISSION TO ADDRESS HOUSE

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

Mr. Speaker, many bills have been introduced in this Session relating to subversive un-American activities.

Not one of these measures have been reported out of the Committee of Education.

Does it not seem strange that all of these measures have been kept in committee, and not a single one reported out for vote upon the floor of the House?

When nearly every newspaper in the Commonwealth carries headlines of subversive teaching and unusual un-American activities, does the Committee of Education wish to assume full responsibility, and not report out any one of these bills?

The people of this Commonwealth do not want you to keep bottled up in your committee all these bills, but expect you to report out one or more so that the boards of education may have power by law to expel teachers in our public schools who encourage and teach subversive and un-American teachings.

Laws referred to are badly needed in many school districts of Pennsylvania, but if you do not need these laws in your own immediate district the law can do you no harm, you have no need for it.

If on the other hand the law is needed in one or more districts you are doing untold injury to the schools and scholars.

School children are our greatest assets, but if we do not give them this needed legislation they are bound to become decided liabilities.

Our Forefathers who founded this Commonwealth handed down to us one of the richest legacies man could give. The inheritance of a great public school system with more than 2,000,000 boys and girls.

Shall we permit a single boy or girl to become Nazi, Fascist, or Communist and a liability of the State?

Shall we be worthy keepers of so great a trust?

Is it your desire, Mr. Chairman and members of the Educational Committee to carry so great a responsibility which extends to every home and fireside; even to the least of these two million boys and girls?

Shall we say to the people of this Commonwealth, that you are inexorable, that the responsibility, the resultant effects for good or evil rests upon your shoulders?

Let us place at least one law upon the statute books of Pennsylvania which will defeat the purpose of every anti-American group.

PERMISSION TO ADDRESS HOUSE

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

Mr. Speaker, I listened with a great deal of interest to the remarks of the gentleman from Monroe concerning the budget and the action of the Governor and the statements in his speech. I want first to call particular atten-

tion to the fact concerning the twelve million dollar shortage to which the Governor referred, and to which the gentleman from Monroe took exception. What the Governor said was that no provision had been made by the Legislature to raise the money, to cover the twelve million dollars additional cost which would be saddled upon the state by the taking over of these institutions.

Now, the gentleman says there is no twelve million dollars additional cost, but approximately half of that is loss of revenue, and approximately half of it is increase of appropriations, but whether it is loss of revenue or whether it is increase of appropriations, there is twelve million dollars of revenue that would have to be provided in order to balance the budget. What the Governor said very clearly was that those twelve million dollars had not been provided, and that is a fact which everybody who is acquainted with the provisions of the budget well knows to be true, and the gentleman from Monroe, Mr. Achterman, well knows that to be true. And what is the result? Why, it just throws the budget another twelve million dollars out of balance, and that is the thing to which the Governor was referring.

I was interested also in the remarks that the gentleman made concerning the failure to meet the payments which are due at this time to a number of institutions, as were outlined particularly in the Governor's speech. I just want very briefly to review the things I have said on the floor of this House before in relation to that. I call your attention first to the fact that early in this session, there was introduced the Tax Anticipation Note bill. No action was taken on it, and a letter which I wrote to the gentleman from Allegheny who is the Chairman of the Ways and Means Committee, I called his attention to the importance of this piece of legislation and what the effect would be if it were not promptly passed. A copy of that letter was sent to the majority floor-leader of this House. Still no action was taken on it. Then quite late the bill was finally passed, and I call attention to the fact that when that bill was passed it contained in it a provision estimating the revenues unofficially at an amount higher than they were officially estimated to be, and that that would interfere with the sale of those tax anticipation notes.

The bill was passed by this House and sent over to the Senate with that defect in it. The Senate corrected it and then it was sent back here. The Senate had possession of that bill for a total of three days and that is all. Then it was sent back and a Conference Committee was appointed. It was suggested at that time that we take the estimate that was the lower of those amounts and insert in the bill the words "at least". That was not yielding to the other side, but it did put the bill in such form that the bankers after consideration of it agreed it would be satisfactory, and the attorneys that would pass upon the tax anticipation note issue agreed would meet the legal requirements and satisfy them as to form. But in spite of that fact the Conference Committee has failed to make a report because the gentlemen on the other side insist that they will not go along with putting in the official estimate, which is the lower of the two and inserting the words "Whereas at least this amount of revenue has been provided".

Now, the people of this Commonwealth can gather from that action only one thing, and that one thing is that there was a deliberate effort being made by the

majority of this House to ruin the financial situation of the Commonwealth of Pennsylvania and to deliberately and willfully violate a pledge made by this House of Representatives as well as the Senate and the Governor to return to the special funds the moneys borrowed from them, during this month of June.

It now becomes too late to keep that solemn pledge made by this House of Representatives, not only during the 1929 Session, but made during the session of 1941, while the House was under the control of the present majority of this House. The people of Pennsylvania ought to know—I know it seems the majority of them do know, but everyone of these people ought to know the truth of that situation, and they ought to know why the money will not be paid to the firemen during the month of June. Why it is not paid today, Mr. Speaker, is because the Democratic party all during this session has hamstrung the Tax Anticipation Note bill and has continued to do so.

They ought to know, Mr. Speaker, that the reason why the Highway Department is being handicapped is because the majority of this House has bottled up and continued to bottle up the Tax Anticipation Note bill. All the counties and municipalities ought to know the truth of that situation.

Now, the gentleman picks out one or two small items upon which payment was delayed for a considerable length of time. He says, "Oh now they are blaming that on the Tax Anticipation Notes." I say to you, Mr. Speaker, that those payments would have been made over a month ago, and the reason why the school teachers of the first, second and third class districts, some of whom are not receiving their pay, are not receiving it is because the Tax Anticipation Note bill was not passed by this House, and that they continue to bottle up that bill.

The reason why subsidies to hospitals and other institutions, including the institutions of higher learning, have not been paid is because the Tax Anticipation Note bill has not been passed by this House. If that bill had been on the Governor's desk when it should have been on the Governor's desk, in the early part of May, those bills could have been paid at that time, because on the fifth of June we would have had money available, and the cash balance of the Commonwealth would have been in satisfactory condition, but back in May when the Tax Anticipation Note bill was not being passed by this House, back there when I had written a letter to the majority members of this House and they paid no attention to what was going on, and were paying no attention to the necessity for the passage of this bill, the State had to continue to hold cash enough to carry on its functions. I insist, Mr. Speaker, that had the State not done that, the State's cash balance today would have been so low that it would not be able to carry on the functions of government and send out relief checks.

Had the Tax Anticipation Note bill been passed in May, or had the Governor of this Commonwealth known that the Tax Anticipation Note money would have been in on June 5th as it should have been, then all those bills could have been paid during the month of May, because it would not have been necessary to save the cash balance of the Commonwealth in condition to carry on the necessary functions of the government and to send out the relief checks, and that is the reason why those

few small items, as well as the larger item of seventy million dollars plus which was borrowed from the special funds was held up, because of the failure of the majority of this House to keep their pledge to the people of the Commonwealth of Pennsylvania and pass the Tax Anticipation Note bill to provide the money for carrying out the provisions of the transfer act.

PERMISSION TO ADDRESS HOUSE

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

Mr. Speaker, I will read a part of the letter that went out to some of these municipalities. It says "I have been requested by Governor James to explain the reason for the State being unable to make the payments referred to above on the date when due."

Now, certainly these payments were due in November of 1940, and the Tax Anticipation Note bill could have been passed in May or March or February of this year and still the payments would not have been made on their due dates.

I am pointing that out and wondering whether the gentleman, the minority leader will kindly explain to me, and even more than to me, he ought to explain to the school districts that received the letter, why the Governor didn't pay in November of 1940, before the Legislature was in session, before we had any right to be in session, before we had any right to take office.

Of course, we know the answer. The Governor guessed wrong in his budget of 1939-1941 just as he has been guessing wrong all the time; just as he is guessing wrong now. That is why he did not pay in 1940 and that is why he did not pay in 1941.

May I also correct the gentleman, the minority leader, and suggest that the mere passage of the Tax Anticipation Note bill is not sufficient; that in addition to that there are tax measures that have to be passed. In other words, the picture must be complete before the bill in relation to Tax Anticipation Notes is in shape or is able to be passed.

May I say, Mr. Speaker, and may I lay special emphasis on this, that if the Governor of Pennsylvania had a balanced budget in 1939-1941 he would not need Tax Anticipation Notes now to pay the bills due last year, and that is what he is complaining about, and the fault is his, Mr. Speaker, his because he did not have a balanced budget then, even though he pays lip service to the balanced budget. If he had he would not be in the position he is in today, and if he listens to the Democrats he will find that in the next two years he will give proper administration to this state. If he does not, then of course, the people are the losers.

PERMISSION TO ADDRESS HOUSE

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

Mr. Speaker, anybody who has been following the remarks of the gentleman for the last month would certainly be interested again in his remarks today. He started to shift around today again. You know he backed up on the question of deficits. It certainly is interesting that the gentleman would come on the floor of the House today and talk about a balanced budget when the budget which

he himself submitted unofficially to this House of Representatives left out a number of items, showing definitely that it was not balanced, and then increased estimates of revenue way over that of the Governor's in order to cover up another unbalanced budget.

I am not going to go over all that debate again; we have gone over it on the floor of the House a number of times, but it was interesting to see him make another right-about-face in his suggestions.

I do, however, feel that there should be inserted, inasmuch as there has been so much discussion about it, the entire letter to which the gentleman has referred. Therefore, Mr. Speaker, I would like to read into the record this letter.

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, June 13, 1941.

In Re: Payments Due Firemen' Relief Associations
by the Commonwealth

I have been requested by Governor James to explain the reason for the State being unable to make the payment referred to above on the date when due.

The entire financial program of the State has been thrown into confusion by failure of the majority party in the lower House of the General Assembly either to accept Governor James' budget or to enact an alternative program which could legally be accepted by the Administration.

Payment of the items listed above is dependent upon the sale of tax anticipation notes to provide cash needed for State operations. Legislation authorizing the sale of such notes is under consideration, but passage of it has failed thus far, for the reason that the majority leaders of the House have refused to accept the official estimates of State revenues, whereas the Administration is legally bound by those estimates and, further, the use of other than the official estimates of revenue would, we are informed, destroy the market for these notes.

Attempts to compromise this matter by the inclusion of the words "at least," ahead of the official estimate of receipts, have been rejected by the House majority leaders.

For this reason all State payments, such as the one referred to in this letter, must necessarily be delayed indefinitely.

My purpose in writing you is to let you know that this Administration fully recognizes the solemn obligation imposed upon us to make these overdue payments and has used every means of persuasion to secure the necessary action from the majority leaders in the House to prevent further delay.

I can assure you that we will proceed to make these payments at the earliest possible moment when legislation permitting this has been enacted.

Sincerely yours,

EDWARD B. LOGAN
Budget Secretary

Enclosure.

PERMISSION TO ADDRESS HOUSE

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

Mr. Speaker, in line with the remarks made by Representative Fiss, I would like to read to the Members of the House of Representatives a telegram which has been sent to some of the Members by the American Legion of the State of Pennsylvania, of which organization I have the honor to be a member. That telegram reads as follows:

"Pennsylvania Legislature now holding in committee Legion sponsored bills dealing with subversive activities particularly bills removing that element from ballot and from our schools. We believe their objec-

tives are strictly non partisan and no American can legitimately take issue with intent of the proposed legislation. Eighty thousand Pennsylvania Legionnaires and forty-five thousand women of Auxiliary view with concern the inactivity of the House on our legislation. As a representative of the American form of government we urge your cooperation in preserving the bulwarks of democracy by insisting upon action on our bills designed to thwart the activities of the foreign agents in our midst."

I wonder if I may read an excerpt from an editorial in this morning's Philadelphia Inquirer dealing with this same legislation:

"One of the measures would outlaw the Communist Party from the ballot in Pennsylvania, in step with similar action taken by a number of other states."

Mr. Speaker, I am going to ask you to please call the House to order. The gentlemen on the other side of the House are apparently not interested in this measure because it deals with subversive legislation.

The SPEAKER. The House will be in order.

Mr. BRETHERICK. The editorial continues:

"This bill would deprive the Reds of rights and privileges they have enjoyed too long and have never deserved; rights and privileges that belong to regular American political parties but not to a branch agency of a foreign Power dedicated to the overthrow of American institutions.

"The Communists are against this bill, of course, but why should any loyal American oppose it? Yet it has been stified in the House Committee on Elections for the past two months.

"Another important anti-Red proposal, already passed by the Senate, would put an end to the intolerable situation now existent whereby Boards of Education are powerless to dismiss school teachers for Communistic activity.

"The bill would grant the Boards the required authority to get rid of teachers who try to contaminate their charges with Communist doctrine. Is there any good reason why a legislator worthy the name patriot should not support this measure, particularly in view of the recent revelations concerning Philadelphia teachers? Yet this bill has been held inactive for two months in the House Committee on Education."

Mr. Speaker, I say to you there is no more important piece of legislation before this House of Representatives than the bills which are now languishing in Committee, which if passed would tend to eliminate these subversive activities in our great Commonwealth.

The Department of Education in Pennsylvania has just ruled that one who engages in Communistic activity does not come within the provisions of the Teacher's Tenure Act, and such a person may with impunity continue to teach the slimy principles of Communism to your children and my children while we must look upon it powerless to do anything at all.

Mr. Speaker, the American Federation of Labor has seen fit to revoke the charter of the Philadelphia Federation of Teachers, a radical, and I think a Communistic organization. Notwithstanding the fact that the American Federation of Labor has seen fit to revoke the charter of the Philadelphia Federation of Teachers, the Philadelphia taxpayers must continue to have the members of that organization teach their children. I say to you, Mr. Speaker, that it is a crime and a disgrace to the state of Pennsylvania when a body of representatives sent to this hall to do the right thing as far as the taxpayers are concerned, refuses to bring out on the floor of this House

for consideration, whether they be passed or not, bills which tend to prevent foreignisms from creeping into our schools and into our form of government. I say to you, Mr. Speaker, that the bills which have been introduced to prevent subversive activities are bills which will prove a bulwark in our fight to preserve freedom and democracy as we know them, and I urge every member of this House, regardless of his political complexion, to see that these bills are blasted out of committee and placed on the floor of this House so that we who pride ourselves on being Americans will have an opportunity to vote on them.

PERMISSION GRANTED COMMITTEE TO MEET DURING SESSION

Mr. FALKENSTEIN asked and obtained permission for the Committee on Public Utilities to meet during the session of the House.

MR. WINNER IN THE CHAIR.

BILLS ON FIRST READING

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1465, entitled:

An Act to amend the act, approved the twenty-ninth day of April one thousand nine hundred thirty-seven (P. L. 487), entitled "An act to provide for the permanent personal registration of electors in boroughs, towns, and townships as a condition of their right to vote at elections and primaries, and their enrollment as members of political parties as a further condition of their right to vote at primaries; prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors; requiring the county commissioners of the various counties to act as a registration commission therefor; and prescribing the powers and duties of citizens, parties, political bodies, registration commissions, commissioners, registrars, inspectors of registration and other appointees of registration commissions county election boards, election officers, municipal officers, departments and bureaus, police officers, courts, judges, prothonotaries, sheriffs, county commissioners, peace officers, county treasurers, county controllers, registrars of vital statistics, certain public utility corporations, real estate brokers, rental agent, and boards of school directors; and imposing penalties," as amended, by requiring and providing for the registration of persons in military service before they shall be entitled to vote at any election.

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. 1727, entitled:

An Act providing that proceedings, acts and bonds issued, by Authorities incorporation under the Municipality Authorities Act, as amended and supplemented, shall not be invalid by reason of certain circumstances.

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. 1728, entitled:

An Act relating to the compatibility of officer of members of the Boards and officers of the Authorities incor-

porated under the Municipality Authorities Act, as amended and supplemented.

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

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 753, entitled:

An Act authorizing the Department of Property and Supplies, with the approval of the Governor and the Department of Welfare to acquire certain land adjacent to, and for the use of the Scranton State Hospital; providing for the improvement and use 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. 1805, (Senate Bill No. 697), entitled:

A Joint Resolution proposing an amendment to section one article nine of the Constitution of the Commonwealth of Pennsylvania.

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. 871, (Senate Bill No. 9), entitled:

An Act concerning the permanent recordation of certain births, birth certificates, the issuance of copies of such certificates, and prescribing the procedure therefor; enlarging the powers and duties of the Department of Health and the Bureau of Vital Statistics

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. 1573, (Senate Bill No. 30), entitled:

An Act providing for the establishment construction operation and maintenance of a mountain ridge road or parkway in the Pocono Mountains through bordering or accessible to the counties of Monroe Northampton Carbon Luzerne Lackawanna Wayne and Pike to be known as the "Rim Parkway" Providing for the creation of the Pennsylvania Parkway Commission and conferring powers and imposing duties on said commission authorizing the issuance of parkway revenue bonds of the Commonwealth payable solely from tolls to pay the cost of such parkway providing that no debt of the Commonwealth shall be incurred in the exercise of any of the powers granted by this act providing for the collection of tolls for the payment of such bonds and for the cost of maintenance operation and repair of the parkway making such bonds exempt from taxation constituting such bonds legal investments in certain instances prescribing conditions upon which such parkway shall become free providing for condemnation granting certain powers and authority to municipal subdivisions and other agencies of the Commonwealth to cooperate with the commission conferring powers and imposing duties on the Department of Highways and authorizing the issuance of parkway revenue refunding bonds 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. 1828, (Senate Bill No. 787), entitled:

An Act to further amend the act approved the twenty-eighth day of May one thousand nine hundred and thirty-seven (P. L. 1053), entitled "An act relating to the regulation of public utilities defining as public utilities certain corporations companies associations and persons providing for the regulation of public utilities including to a limited extent municipalities engaging in public utility business by prescribing defining and limiting their duties powers and liabilities and regulating the exercise surrender or abandonment of their powers privileges and franchises defining and regulating contract carriers by motor vehicle and brokers in order to regulate effectively common carriers by motor vehicle conferring upon the Pennsylvania Public Utility Commission the power and duty of supervising and regulating persons associations companies and corporations including to a limited extent municipal corporations subject to this act and administering the provisions of this act authorizing the commission to fix temporary rates placing the burden of proof on public utilities to sustain their rates and certain other matters authorizing a permissive or mandatory sliding scale method of regulating rates providing for the supervision of financial and contractual relations between public utilities and affiliated interests and supervision and regulation of accounts and securities or obligations issued assumed or kept by persons associations companies corporations or municipal corporations subject to this act conferring upon the commission power to vary reform or revise certain contracts conferring upon the commission the exclusive power to regulate or order the construction alteration relocation protection or abolition of crossings of facilities of public utilities and of such facilities by or over public highways to appropriate property for the construction or improvement of such crossings and to award or apportion resultant costs and damages authorizing owners of such property to sue the Commonwealth for such damages providing for ejectment proceedings in 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 exempting certain transportation from the terms "common carrier by motor vehicle" and "contract carrier by motor vehicle" further regulating the right to render service as a contract carrier by motor vehicle prohibiting the imposition of costs upon the commission in certain appeals to the Superior Court subjecting persons and corporations to certain civil penalties for violating the act prohibiting motor carriers common carriers by airplane and any operator or employe of such carriers and brokers from exceeding the authority of the certificate of public convenience granted such carriers and brokers and changing the penalty with respect thereto and eliminating the requirement that certain attempts to evade or defeat regulation for carriers or brokers must be fraudulent in order to be punishable.

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 con-

sideration of House Bill No. 1603, (Senate Bill No. 169), entitled:

An Act to amend the act approved the twenty-fifth day of May, one thousand nine hundred and thirty-seven (P. L. 814), entitled "An act to provide for the permanent personal registration of electors in cities of the second class as a condition of their right to vote at elections and primaries, and their enrollment as members of political parties as a further condition of their right to vote at primaries; prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors; and prescribing the powers and duties of citizens, parties, political bodies, registration commissions, commissioners, registrars, inspectors of registration and other appointees of registration commissions, county election boards, election officers, municipal officers, departments and bureaus, police officers, courts, judges, prothonotaries, sheriffs, county commissioners, peace officers, county treasurers, county controllers registrars of vital statistics, certain public utility corporations, real estate brokers, rental agents, and boards of school directors; and imposing penalties," abolishing the existing registration commission for cities of the second class and providing that the county commissioners of each county in which any such city is located shall act as a registration commission therefor, providing for the consolidation of the second class city general register with the general register of cities of the third class and boroughs, towns and townships of the county, providing for the transfer of the registration of electors upon change of residence from a third class city, borough, town or township in the same county, changing the period during which changes of enrollment of political party may be made, eliminating preparation and distribution of preliminary street lists, and permitting the destruction of certain records.

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. 1484, entitled:

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

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. 846, entitled:

An Act requiring school boards in all school districts to

grant leaves of absence to all school employes who shall volunteer or be called for military naval or similar service under the Selective Service Law of 1940 or subsequent laws of the United States of America and to all school employes in the National Guard, land or naval reserve forces who shall be called for active duty; preserving certain contracts, salaries, increments, retirement rights, seniority, State contributions and grants to local school boards, eligibility lists, re-employment; requiring school boards to employ substitutes in place of such employes; reserving all rights and privileges of employes granted leaves of absence under the provisions herein; superseding or repealing all contrary laws.

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. 539, entitled:

An Act to further amend section four of the act, approved the twenty-fourth day of June, one thousand nine hundred and thirty-seven (P. L. 2045), entitled "An act relating to the support of indigent persons publicly cared for or assisted; providing for the support of such persons by certain relatives, and for the recovery of public moneys expended for care and assistance from the property and estates of such persons; providing for guardians of the person and property of such persons; providing for the arrest and seizure and sale of the property of deserters; and providing procedure," by exempting certain property from execution 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. 1675, (Senate Bill No. 566), entitled:

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

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. 1216, entitled:

An Act to amend sections two and six of the act, approved the twenty-seventh day of June, one thousand nine hundred and thirty-nine (P. L. 1184), entitled "An act requiring all employable persons receiving public assistance, with certain exceptions, to perform certain work, or be refused further assistance; conferring powers and imposing duties on county boards of assistance, and on charitable institutions, persons, copartnership, associations, corporations, and State and Federal employment officers; and requiring payments to the Commonwealth on account of certain work performed," by further defining the work to be done, and rate of pay to be received by employables.

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

THE SPEAKER (Elmer Kilroy) IN THE CHAIR

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

BILL ON SECOND READING

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1119, entitled:

An Act exempting automatic merchandise vending machines and their contents located on leased premises and held under conditional sale bailment lease or other like agreement from levy and sale on execution or distress for rent if certain written notice of such agreement is given the lessor of the premises on which such machines are located and saving the right of lessors to levy on and sell or distrain any rights which lessees may have in such automatic merchandise vending machines under a conditional sale bailment lease or other like agreement.

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

Ordered, To be transcribed for a third reading.

BILL RECOMMENDED

Mr. CHUDOFF. Mr. Speaker, I move that this bill be recommended to the Committee on Judiciary General for the purpose of further study.

The motion was agreed to.

BILLS ON SECOND READING

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 259, entitled:

An Act to further amend sections four hundred eleven of the act approved the twenty-ninth day of November, one thousand nine hundred and thirty-three (P. L. 15—1933-34), entitled, as amended, "An act to regulate and restrain the sale, manufacture, possession, transportation, importation, traffic in, and use of alcohol, and alcoholic and malt or brewed beverages; conferring powers and imposing duties upon the Pennsylvania Liquor Control Board and its agents, the Department of Public Instruction, other officers of the State government, courts, and district attorneys; authorizing the establishment and operation of State stores for the sale of such beverages not for

consumption on the premises, and the granting of licenses, subject to local option, to sell such beverages for consumption on and off the premises; forbidding importation or bringing of such beverages into the State except as herein provided; prohibiting certain sales or practices in, connection with, and transactions in such beverages by licensees and others; providing for the forfeiture of certain property; making disposition of the receipts from State stores and of fees; and imposing penalties," by further fixing the hours during which liquor, malt or brewed beverages may be sold;

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. 636, entitled:

An Act to amend the act, approved the thirtieth day of March, one thousand nine hundred thirty-seven (P. L. 115), entitled "An act to provide for the permanent personal registration of electors in cities of the first class as a condition of their right to vote at elections and primaries, and their enrollment as members of political parties as a further condition of their right to vote at primaries; prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors; and prescribing the powers and duties of citizens, parties, bodies of electors, registration commissions, commissioners, registrars, inspectors of registration and other appointees of registration commission, election officers, municipal officers, departments, and bureaus, police officers, courts, judges, prothonotaries, sheriffs, county commissioners, peace officers, county treasurers, county controllers, registrars of vital statistics, real estate brokers, rental agents, certain public service companies, persons, firms, and corporations operating vehicles for moving furniture and household goods, and boards of school directors; and imposing penalties, "as amended, redefining the powers and duties of the registration commission and its employes; revising the provisions regulating the filing of removal notices and the cancellation of registrations; changing the provisions and times for registration, change of party enrollment and the cancellation of registrations; imposing duties on certain city officers; revising the procedure on appeals to the courts; providing for the manner of reckoning time; and imposing additional 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. 777, entitled:

An Act to amend section two thousand five hundred five A 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 com-

compensation of the deputies and all other assistants and employes of certain departments, boards and commissions shall be determined," further regulating the fixing of maximum and minimum salaries by the Department of Public Assistance and the employment Board, and providing for increases of salaries in certain 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. 1322, entitled:

An Act to further amend the act approved the twenty-eighth day of June, one thousand nine hundred and thirty-five (P. L. 463), entitled as amended "An act providing for the incorporation, as bodies corporate and politic, of "Authorities" for municipalities, counties, and townships; defining the same; prescribing the rights, powers, and duties of such authorities; authorizing such Authorities to acquire, construct, improve, maintain, and operate projects, and to borrow money and issue bonds therefor; providing for the payment of such bonds, and prescribing the rights of the holders thereof; conferring the right of eminent domain on such Authorities; authorizing such Authorities to enter into contracts with and to accept grants from the Federal Government or any agency thereof; and for the other purposes," by changing the method by which notice of the formation of a municipal authority shall be made public further regulating incorporation purposes and existence of the authority defining procedure whereby an authority can enter into contracts and dispose of its bonds imposing additional qualifications and duties on members of the authority imposing civil liability on members of the board and officers of an authority in certain cases requiring annual audits imposing additional duties on the court of common pleas giving authorities right of eminent domain in certain cases and extending with certain limitations the power of Authorities to make certain purchases

The first section was read and agreed to.

The second section was read.

On the question,

Will the House agree to the section?

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

The amendment was read by the Clerk as follows:

Amend sec. 2, (sec. 3) page 7, line 20, by inserting after the word "section" the following: "Provided, That if any Authority fails to begin substantial operation on any project or projects as set forth in its articles of incorporation within a period of two years thereafter it shall have no authority to act on such project or projects."

The amendment was agreed to.

The section was agreed to as amended.

The third section was read.

On the question,

Will the House agree to the section?

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

The amendments were read by the Clerk as follows:

Amend sec. 3, (sec. 7) page 20, line 6, by inserting after the word "Authority" the following: "or management service or supervisory service".

Amend sec. 3, (sec. 7) page 20, lines 8 to 12, both inclusive, by striking out the words "and no contract for management" in line 8, and all of lines 9 to 12 inclusive.

The amendments were agreed to.

The section was agreed to as amended.

The fourth and fifth sections and title were separately read and agreed to.

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

Ordered, To be transcribed for a third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1771, entitled:

An Act requiring clerks of courts to forward to the Department of Health a certificate of decrees in divorce annulment of marriage adoption and annulment of adoption proceedings providing for the registration of such certificates by the said department the issuance of certified copies thereof and fixing fees and 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. 1643, entitled:

An Act to amend the act approved the ninth day of April one thousand nine hundred and twenty-nine (P. L. 343), entitled "An act relating to the finances of the State government providing for the settlement assessment collection and lien of taxes bonus and all other accounts due the Commonwealth the collection and recovery of fees and other money or property due or belonging to the Commonwealth or any agency thereof including escheated property and the proceeds of its sale the custody and disbursement or other disposition of funds and securities belonging to or in the possession of the Commonwealth and the settlement of claims against the Commonwealth the resettlement of accounts and appeals to the courts refunds of moneys erroneously paid to the Commonwealth auditing the accounts of the Commonwealth and all agencies thereof of all public officers collecting moneys payable to the Commonwealth or any agency thereof and all receipts of appropriations from the Commonwealth and imposing penalties affecting every department board commission and officer of the State government every political subdivision of the State and certain officers of such subdivisions every person association and corporation required to pay assess or collect taxes or to make returns or reports under the laws imposing taxes for State purposes or to pay license fees or other moneys to the Commonwealth or any agency thereof every State depository and every debtor or creditor of the Commonwealth" by providing for the manner of payment of escheator's fees informant's commissions and other lawful charges due from moneys escheated to the Commonwealth and escheatable moneys paid to the Commonwealth without escheat designating the funds to which such moneys shall be credited and making an appropriation

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

Ordered, To be transcribed for a third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1719, entitled:

An Act to add clause (k) to section two thousand one hundred two and to repeal clause (d) of section two thousand one hundred ten 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" transferring the power to determine questions of fact regarding the purity of water supplied to the public from the Sanitary Water Board to the Department of Health to conform with the provisions of the Public Utility Law

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. 1835, entitled:

An Act creating a Highway Traffic Advisory Committee to the War Department of the United States of America providing for its appointment prescribing the powers and duties and authorizing the use by the committee of the employes equipment supplies and facilities of certain State agencies

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. 1397, entitled:

An Act to amend the act approved the fifth day of May one thousand nine hundred thirty-three (P. L. 457), entitled "An act relating to the business of building and loan associations providing for the organization and voluntary dissolution of such associations defining the rights powers duties liabilities and immunities of such associations and of their officers directors shareholders solicitors and other employes prohibiting the transaction of business in this Commonwealth by foreign building and loan associations conferring powers and imposing duties upon the courts recorders of deeds and certain State departments commissions and officers establishing limitations of actions imposing penalties and repealing certain acts and parts of acts" as amended by requiring certificates of the payment of taxes and other charges to be filed with the Department of State in certain 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. 1797, entitled:

An Act making an appropriation to the committee appointed by the Speaker of the House of Representatives to investigate the maintenance operation and conduct of all State hospitals

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. 1013, entitled:

An Act to repeal section five of the act approved the fourth day of May one thousand nine hundred five (P. L. 385) entitled "An act creating the Water Supply Commission of Pennsylvania defining its duties fixing the scope of its authority and powers and making an appropriation for the payment of the salaries and expenses connected therewith" prohibiting the issuance of letters patent to water companies until approved by the Water Supply Commission

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. 1466, entitled:

An Act to amend the act approved the third day of June one thousand nine hundred and thirty-seven (P. L. 1333) entitled "An act concerning elections including general municipal special and primary elections the nomination of candidates primary and election expenses and election contests creating and defining membership of county boards of elections imposing duties upon the Secretary of the Commonwealth courts county boards of elections county commissioners imposing penalties for violation of the act and codifying revising and consolidating the laws relating thereto and repealing certain acts and parts of acts relating to elections" by changing the procedure for and regulating elections by persons in actual military service imposing duties upon the Secretary of the Commonwealth courts county boards of elections and county commissioners providing for reimbursement of counties for actual expenses incurred for canvassing the vote of electors in actual military service

The first section was read.

On the question,

Will the House agree to the section?

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

The amendments were read by the Clerk as follows:

Amend Sec. 1 (Sec. 102), page 5, lines 12 to 15, by striking out the words "shall be in" in line 12, all of lines 13 to 15, both inclusive, and inserting in lieu thereof: "are or may be, by enlistment, enrollment or draft in the military or naval service of the United States or any branch or unit thereof or in the military service of the Commonwealth."

On the question,

Will the House agree to the amendments?

Mr. WOODSIDE. Mr. Speaker, this is one of the series of bills which was suggested by the Department of State to enable soldiers in the service to vote during the time they are in the service. I understand there are a number of amendments proposed to this bill and to the others in this series. Some of these amendments have been acted upon or recommended by the Department of State. Certain of the others have not been seen by them, I think. However, I see no objection to the inserting of these amendments. The important thing at the present time is to get this bill passed and sent over to the Senate, and if after careful consideration it is found that any of these amendments ought to be changed I feel sure we will be able to work it out in conference between the two Houses. It seems to me the important thing at the present time is to get this bill passed, and I feel con-

fidant that the gentlemen on the other side as well as on our own side feel that the best interests of the Commonwealth would be carried out by enacting this bill into law. For that reason we have no objections to these amendments although we may not subscribe to all of them.

On the question recurring,

Will the House agree to the amendments?

They were agreed to.

The section was agreed to as amended.

The second section was read and agreed to.

The third section was read.

On the question,

Will the House agree to the section?

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

The amendment was read by the Clerk as follows:

Amend bill, by striking out Sections 3 to 32 inclusive and inserting in lieu thereof two new sections, Sections 3 and 4 as follows:

Section 3. Article thirteen of said act, is hereby repealed absolutely.

Section 4. Said act is hereby amended by adding thereto a new article thirteen to read as follows:

ARTICLE XIII

VOTING BY PERSONS IN ACTUAL MILITARY SERVICE

Section 1301. Qualified Electors in Actual Military Service.—Whenever any of the qualified electors of this Commonwealth shall be in any actual military service under a requisition from the President of the United States or by the authority of this Commonwealth, and as such absent from their place of residence on the days appointed by law for holding any election within this State, or on the days for holding special elections to fill vacancies, such electors shall be entitled at such times to exercise the right of suffrage as fully as if they were present at their usual places of election in the manner prescribed in this article and whether at the time of voting such electors shall be within the limits of this State or not.

Section 1302. Ballots.—Ballots for use by electors in actual military service under the provisions of this article shall be prepared sufficiently in advance by the county boards of election and shall be by such boards distributed as hereinafter provided to the electors in actual military service entitled to vote at any election. Such ballots shall be in substantially the form prescribed by article ten of this act for ballots to be used at the same elections within this Commonwealth, but in cases where there is not time in the opinion of the county boards of elections to print on said ballots the names of the various candidates for district, county and local offices, the ballots shall contain blank spaces only under the titles of such offices in which the voters may insert the names of the candidates for whom they desire to vote and in such cases the county boards of elections shall furnish to the elector in actual military service, a sufficient number of printed lists containing the names of all the candidates who have been regularly nominated under the provisions of this act for the use of the elector in preparing his ballot.

Section 1303. Duties of County Boards.—In the case of any election at which votes are cast by electors in actual military service under the provisions of this article, it shall be the duty of each county board of elections to withhold the completion of the computation of the returns of the county until the second Friday after such election within which period all votes cast by electors of the county in actual military service as provided in this article shall be added to and included in its computation of the returns of such election but not afterwards.

Section 1304. Manner of Voting by Electors in Actual Military Service.—Electors mentioned in section one thousand three hundred and one, shall have the right to apply not less than thirty (30) days and not more than fifty (50) days before any election for a "military ballot." The application shall be in writing signed by the applicant in his own hand and addressed to the county board of elections of the county wherein the applicant is registered to vote and shall state the county and the city, borough or township and the precise ward or election district in or the street and number at which the applicant is registered to vote. If the application is for a ballot for a primary election it shall also state the political party in which the applicant is enrolled.

Section 1305. Ballots and Envelopes for Electors in Actual Military Service.—The county boards of elections shall prepare and upon request, deliver to the said electors in actual military service, a ballot by registered mail in an envelope addressed to each such elector at the address furnished by the elector in his application for a military ballot. Such ballots shall be prepared and printed in the same form as the ballots provided for by section one thousand three hundred and two of this act, but shall have in addition, printed, stamped or endorsed thereon the words "Military Ballot." The county boards of elections shall also provide and deliver as aforesaid, three envelopes for each military ballot of such size and shape that will permit the placing of one within the other. On the first, shall be printed, stamped or endorsed only the words "Military Ballot." On the second, shall be printed, the affidavit of the elector together with the jurat of the officer in whose presence the ballot is marked and before whom the affidavit is made, such affidavit and jurat to be in form prescribed by the Secretary of the Commonwealth. On the third, shall be placed the name and address of the county board of elections of the proper county. All military ballots and envelopes shall be mailed, at least fifteen (15) days before the election involved, to the electors requesting them.

Each county board of elections shall print and post in a conspicuous public place at its office a list setting forth the name, present location, and local voting district or ward of every elector to whom a military ballot has been sent. This list shall be posted at least ten (10) days before the primary or election involved and shall also set forth the total number of military ballots prepared by the county board of elections. Copies of such list shall be furnished upon request to the county chairman of each political party and political body.

Section 1306. Voting by Electors in Actual Military Service.—Any such elector may make application prior to the day of any election to the county boards of elections for a "Military Ballot." At any time after receiving such military ballot but on or before the day of the election, such elector in actual military service may appear before any commissioned officer of the military or naval forces either within or without the Commonwealth or before any officer of this or any other state or territory of the United States authorized to administer oaths and mark such ballot under the scrutiny of such officer in the following manner. The voter shall first display the ballot to such officer as evidence that the same is unmarked and shall then proceed to mark the ballot in the presence of such officer, but in such manner that such officer is unable to see how the same is marked, and then fold the ballot, enclose and securely seal the same in the envelope on which is printed, stamped or endorsed "Military Ballot." This envelope shall then be placed in the one on which is printed the affidavit of the elector and the jurat of the officer before whom the elector appears and such envelope, sealed in like manner by the elector. The elector shall then make out, subscribe and swear to the affidavit printed on the face of such envelope and the jurat shall be subscribed by the officer before whom the affidavit was taken. Such ballot and envelope shall then be securely sealed in the third envelope which the elector shall send by mail to the county board of elections of the proper county with postage prepaid.

Section 1307. Receipt and Counting of Military Ballots.—The county board of elections, upon receipt of such third envelope, shall safely keep the same in their office until they meet to canvass the vote of such election under the provisions of this act.

At such time the members of the county board of elections, may, in person, dispose of military ballots in the manner hereinafter set forth or they may designate a sufficient number of clerks to perform such duties. When it is determined that clerks shall be appointed, the total number, shall, in every case be in multiples of three, each member of the county board of elections shall appoint an equal number thereof.

Watchers appointed in the manner prescribed by and subject to the restrictions imposed by section four hundred and seventeen of this act, insofar as applicable, shall be permitted to be present whenever any of the envelopes containing military ballots are opened and whenever any such ballots are counted and recorded.

In disposing of military ballots, the county board of elections or the clerks designated as aforesaid shall first examine the third envelope and set aside, unopened, all such envelopes which bear a post mark later than the date of the particular election day involved. The envelopes thus set aside shall be retained for a period of one year and then destroyed unopened.

They shall then open the third envelopes not thus set aside and after examining the affidavit and jurat, shall compare the signature of such absent voter with his signature upon any register or other record in their possession. If the county board is satisfied that the signatures correspond, that the affidavit and jurat are sufficient and that the voter has been duly registered as provided by law, they shall announce the name of the elector and shall give any person present an opportunity to challenge the same in like manner and for the same causes as such elector could have been challenged had he presented himself in his own district to cast his vote. If there are no challenges they shall open the second envelope in such manner as not to destroy the affidavit and jurat printed thereon, which envelope shall be kept in their office for a period of one year thereafter. All envelopes on which are printed, stamped or endorsed the words "Military Ballot" and containing the ballots shall be put into one depository at one time and said depository well shaken and the envelopes containing the ballots mixed before any ballot is taken therefrom. The county board shall then break the seals of such envelopes and record the said ballots in the same manner as district election officers are required to record votes under the provisions of this act. In like manner all military ballots received prior to completion of the computation of the returns of the county shall be counted and recorded and upon the completion of the computation of the returns of the county, the votes cast upon the military ballots shall then be added to the votes cast within the county, city, borough, incorporated town, township, ward or election district as designated on each ballot. Military ballots shall be safely kept by the county board of elections for a period of one year.

The amendments were agreed to.

The sections were agreed to as amended.

The thirty-third section was read.

On the question.

Will the House agree to the section?

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

The amendment was read by the Clerk as follows:

Amend Sec. 33, page 17, line 13, by striking out the figure "33" and inserting in lieu thereof: "5".

The amendment was agreed to.

The section was agreed to as amended.

The title was read.

On the question,

Will the House agree to the title?

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

The amendments were read by the Clerk as follows:

Amend title, page 1, line 14 of title on page 1, by inserting after the word "regulating" the following: "voting in".

Amend title, page 1, line 15 of title on page 1, by inserting after the word "service" the following: "conferring powers and".

The amendments were agreed to.

The title was agreed to as amended.

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

Ordered, To be transcribed for a third reading.

BILL RECOMMENDED

Mr. MELCHIORRE. Mr. Speaker, I move that House Bill No. 1322, Printer's No. 969, entitled:

An Act to further amend the act approved the twenty-eighth day of June one thousand nine hundred and thirty-five (P. L. 463) entitled as amended "An act providing for the incorporation as bodies corporate and politic of 'Authorities' for municipalities counties and townships defining the same and prescribing the rights powers and duties of such Authorities authorizing such Authorities to acquire construct improve maintain and operate projects and to borrow money and issue bonds therefor providing for the payment of such bonds and prescribing the rights of the holders thereof conferring the right of eminent domain on such Authorities authorizing such Authorities to enter into contracts with and to accept grants from the Federal Government or any agency thereof and for other purposes" by changing the method by which notice of the formation of a municipal authority shall be made public further regulating incorporation purposes and existence of the authority defining procedure whereby an authority can enter into contracts and dispose of its bonds imposing additional qualifications and duties on members of the authority imposing civil liability on members of the board and officers of an authority in certain cases requiring annual audits imposing additional duties on the court of common pleas giving authorities right of eminent domain in certain cases and extending with certain limitations the power of Authorities to make certain purchases.

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. RUSH. Mr. Speaker, I rise to oppose this motion to recommit this bill, House Bill 1322, Printer's No. 969, because it has been on the Calendar and has been before this House of Representatives since early in April. There has been ample time to study the bill and I think the only purpose of recommitting this bill is because certain amendments were put in tonight that eliminated the possibility of appointing employes of the authorities to life time positions.

Under the original provisions of the bill the employes could not be employed for a period longer than four years, but the amendments that were inserted when this bill was in committee, before it was reported out on the floor of the House, provided that under the management service or supervisory service of the municipal authorities, contracts could be entered into for a period as long as the maturity date of the bonds, four years. I don't know of any elective office in the state of Pennsylvania

or in the United States except the judges of our courts who are elected for a period longer than six years, I cannot understand why they would want to make an employe of municipal authorities, an employe under contract, for a period of four years. I think that there are certain people who have a personal interest in having these amendments concurred in. I do not think it is good legislation and I do not think this bill ought to be sent back to committee. As most of you know there are in the courts of Pennsylvania today suits pending where municipal authorities have been formed who have been selling bonds and have been stealing money from the citizens of those communities. I cite for example my own district in the city of Chester where there are pending today in the courts suits where the municipal authorities themselves have misused public funds. During the December session of court there was a grand jury appointed to investigate certain activities of the municipal authorities in the city of Chester where the Mayor and members of council by an ordinance set up a municipal authority and then proceeded to acquire a water works within the city of Chester to supply not only the city of Chester but several outlying municipalities. I would like to read an excerpt or two from the findings of the grand jury.

The SPEAKER. The Chair would advise the gentleman that the question before the House is on the motion to recommit. The gentleman will confine himself to that question.

Mr. RUSH. Mr. Speaker, I am giving reasons why this bill should not be recommitted for the purpose of pickling.

The SPEAKER. The gentleman may not debate the merits of the bill. The gentleman will proceed in order.

Mr. RUSH. Mr. Speaker, I oppose the motion to recommit this bill because there has been ample time for the House to study the contents thereof. Public hearings have been held on a similar bill which was introduced in the Senate. There have been many conferences held by interested people in the state of Pennsylvania, and the citizens of Pennsylvania desire that there be legislation enacted by this House of Representatives to correct the evil which now exists because of a certain amendment that was placed in the Municipal Authority Act of 1939. Unless this bill is enacted into law they are still going to legalize the stealing of public funds from the citizens of Pennsylvania, and I say to you that every Member of this House who votes to recommit this bill, to send it back to committee, is saying to the citizens of Pennsylvania that they are placing their stamp of approval on the stealing of public funds by those very officials who are going to be members of the municipal authorities.

Therefore, Mr. Speaker, I ask every Member of this House to vote against the recommitment of House Bill 1322.

Mr. TROUT. Mr. Speaker, I desire to interrogate the gentleman from Philadelphia, Mr. Melchiorre.

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

Mr. MELCHIORRE. I shall, Mr. Speaker.

Mr. TROUT. Mr. Speaker, I should like to ask the gentleman from Philadelphia the purpose of recommitting this bill.

Mr. MELCHIORRE. Because, Mr. Speaker, amendments

were offered to this bill that were not agreed upon by the members of our party.

Mr. TROUT. Mr. Speaker, I would like to ask the gentleman from Philadelphia if that is the case, then this is purely Democratic legislation and the Republicans have nothing to say about it, and if it is enacted, it will be enacted in the interests of the Democrats of Pennsylvania?

Mr. MELCHIORRE. Mr. Speaker, in answer to the gentleman from Lancaster, I might ask him whether he has offered any amendment to this bill to clarify it or make it any better than it is?

Mr. TROUT. Mr. Speaker, in answer to the gentleman, I should say no, but I should like to have an opportunity of discussing this bill on the floor of the House.

Mr. MELCHIORRE. Mr. Speaker, is that a question the gentleman is asking me?

Mr. TROUT. No, Mr. Speaker, that is not a question. That is an answer to the gentleman's question. I did not submit any amendments. The reason for that is I would like to have the opportunity of discussing it on the floor of the House.

Mr. MELCHIORRE. Mr. Speaker, does the gentleman want me to answer that question? I will answer the gentleman by saying that this bill will come out on the floor of the House again, at which time the gentleman from Lancaster, Mr. Trout, will have an opportunity to discuss the merits of the bill. Does that satisfy the gentleman?

Mr. TROUT. Mr. Speaker, is the gentleman speaking now for the Democratic majority of the House and does he have authority to so speak?

Mr. MELCHIORRE. Mr. Speaker, I am speaking as an individual and not as the leader on this side of the House.

Mr. TROUT. Mr. Speaker, that does not carry out my idea.

Mr. Speaker, I would like 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. TROUT. Mr. Speaker, I would like to ask the gentleman from Monroe whether if this bill is recommitment tonight it will come back on the floor of the House in time to take action on the same.

Mr. ACHTERMAN. Mr. Speaker, of course the gentleman is familiar with the fact that while the Committee has charge of the bill it may, if it so wishes, report the bill out in sufficient time to have action, and then again if they so desire they may retain it for such a length of time that no action could be had on it. I am not going to commit myself on the action of any committee.

Mr. TROUT. Mr. Speaker, the first bill that was introduced by the gentleman from Delaware, Mr. Rush, was House Bill No. 203, Printer's No. 145, which was referred to the Committee on Public Utilities on February 4, and then another bill House Bill 1322, Printer's No. 470, which was referred to the Committee on Public Utilities on April 21st. I understand during all this time there were a number of conferences concerning the bills, and I want to oppose the recommitment of this bill. I am vitally interested in some of the provisions of the bill. My people back home are interested in the provisions of this bill and they are interested in certain provisions being placed into the bill which will give the people of the municipalities an opportunity of knowing what is transpiring and

of having some knowledge of the regulations, some knowledge of the rates and some knowledge of the cost of operation. This is important; it is important to every municipality in this Commonwealth. The gentleman from Monroe said he is not going to guarantee the return of this bill. It is my opinion, Mr. Speaker, that if this bill is recommitted now, the influences back of it are sufficiently strong to keep it in committee and the municipal authorities under the 1939 Act will continue to operate.

I want to say to the Members of this House that this Legislature cannot afford to permit the 1939 regulations of the municipal authorities to continue.

On the question recurring,

Will the House agree to the motion?

The yeas and nays were required by Mr. Nagle and Mr. Hamilton.

Messrs. Rush, Moul and Russell P. Reese asked for a verification of the roll.

The roll was verified and was as follows:

YEAS—112

Allmond,	Flynn,	Leonard,	Reese, D. P.,
Auker,	Foor,	Levy,	Reynolds.
Baker,	Gillette,	Leydic,	Rhea.
Balthaser,	Greenwood,	Lichtenwaiter,	Rosenfeld,
Bentley,	Gross,	Longo,	Sarra,
Boles,	Gryskewicz,	Lyons,	Schwab,
Boorse,	Gyger,	Malloy,	Serrill,
Bower,	Habbyshaw,	Marks,	Shaffer,
Bretherick,	Haines,	McClanaghan,	Shaw,
Brunner, P. A.,	Hall,	McClester,	Skale,
Chudoff,	Heatherington,	McDermott,	Snyder,
Cohen, R. E.,	Helm,	McFall,	Sorg,
Cook,	Hering,	McIntosh,	Stambaugh,
Cooper,	Herman,	McLane,	Stockham.
Corrigan,	Hersch,	McSurdy,	Tate,
Croop,	Hewitt,	Melchiorre,	Thompson, E. F.,
Cullen,	Imbrie,	Mihm,	Thompson, R. L.,
Dalrymple,	James,	Modell,	Turner,
Dennison,	Jefferson,	Munley,	Verona,
DiGenova,	Jones, G. E.,	O'Brien,	Voldow,
D'Ortona,	Keenan,	O'Dare,	Welsh, E. B.,
Duffy,	Kenehan,	O'Mullen,	Williams,
Early,	Kline,	Pettit,	Winnor,
Elder,	Knoble,	Polaski,	Woodring,
Ely,	Kolankiewicz,	Polen,	Woodside,
Finestone,	Krise,	Powers,	Yeakel,
Finnerty,	Lee, E. A.,	Prosen,	Kilroy.
Fiss,	Lee, T. H.,	Rank,	Speaker.
	Leisey,		

NAYS—55

Bradley,	Gallagher,	Maxwell,	Rose, W. E.,
Brown,	Gates,	McKinney,	Royer,
Burns,	Haberlen,	Mooney,	Rush,
Burris,	Hamilton,	Moran,	Stank,
Chervenak,	Harkins,	Moul,	Stine,
Cochran,	Harmuth,	Muir,	Tarr,
Cohen, M. M.,	Harris,	Nagel,	Trout,
Cordier,	Hirsch,	Nunemacher,	Vincent.
Dix,	Holland,	O'Connor,	Weingartner,
Dolon,	Huntley,	Owens,	Wells,
Elliott,	Jones, P. N.,	Petrosky,	Wood, N.,
Fleming,	Komorowski,	Rausch,	Wright,
Fletcher,	Lesko,	Reese, R. E.,	Yester,
French,	Lovett,	Riley,	

So the question was determined in the affirmative and the motion was agreed to.

SENATE MESSAGES

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. 849.

An Act to further amend the act approved the nineteenth day of July one thousand nine hundred thirty-five (P. L. 1356), entitled "An act to regulate the sale and delivery of solid fuel as herein defined providing for appointments of licensed weighmasters prescribing their powers and duties authorizing substitute licensed weighmasters imposing certain duties on the Department of Internal Affairs and providing penalties" further regulating the issuing to and revocation and suspension of licenses of weighmasters requiring the use of suitable scales regulating the issuing use and keeping of weighmaster's certificates conferring powers and imposing duties upon state city and county inspectors of weights and measures and the Department of Internal Affairs declaring certain proofs to constitute prima facie evidence of a violation of the act extending the provisions of said act to cases heretofore exempted and prescribing additional and increased penalties.

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 11, by striking out the word "are" and inserting in lieu thereof the word "is".

Amend Section 3, page 4, at the end of line 4, by striking out the word "weighed"; also same page, at the beginning of line 5, by striking out the words "separately and"; also page 5, line 5, by striking out the words "copy of a"; also same page, line 6, by inserting before the word "made" the words "typewritten or"; also same line by striking out the word "typewritten"; also same page, by striking out in lines 22 to 24 inclusive the words "on the same scales and without said vehicle having left the premises where said weights are determined" and inserting in lieu thereof the words "in accordance with the rules and regulations of the department."

Amend Section 6, page 8, line 24, by striking out before the word "treasurer" the word "county"; also same line by inserting before the words "county wherein" the words "city or"; also page 9, line 7, by striking out before the word "treasurer" the word "county"; also same line by inserting before the words "county wherein" the words "city or"; also page 10, at the end of line 16, by inserting after the word "absent" the words "or disabled."

Amend Section 7, page 11, line 20, by striking out the word "and" and inserting in lieu thereof the word "or".

Amend Section 8.2, page 13, line 22, by striking out the heavy-faced bracket before the word "Section"; also same page, at the end of line 26, by striking out the heavy-faced bracket after the word "act".

On the question,

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

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

YEAS—198

Achterman,	Gallagher,	Lyons,	Rose, S.,
Auker,	Gates,	Malloy,	Rose, W. E.,
Allmond,	Gerard,	Marks,	Rosenfeld,
Baker,	Gillan,	Maxwell,	Royer,
Balthaser,	Gillette,	McClanaghan,	Rush,
Baughner,	Goodwin,	McClester,	Sarra,
Bentley,	Greenwood,	McDermott,	Scanlon,
Boles,	Gross,	McFall,	Schwab,
Boorse,	Gryskewicz,	McGrath,	Serrill,
Bower,	Gyger,	McIntosh,	Shaffer,
Bradley,	Habbyshaw,	McKinney,	Shaw,
Breth,	Haberlen,	McLanahan,	Simons,
Bretherick,	Haines,	McLane,	Skale,
Brown,	Hall,	McMillen,	Snyder,
Brunner, C. H.,	Hamilton,	McSurdy,	Sollenberger,
Brunner, P. A.,	Harkins,	Melchiorre,	Sorg,

Burns,	Harmuth,	Mihm,	Stambaugh,
Burris,	Harris,	Modell,	Stank.
Cadwalader,	Heatherington,	Monks,	Stine.
Chervenak,	Helm,	Mooney,	Stockham.
Chudoff,	Hering,	Moran,	Tarr,
Cochran,	Herman,	Moul,	Tate,
Cohen, M. M.,	Hersch,	Muir,	Taylor,
Cohen, R. E.,	Hewitt,	Munley,	Thompson, E. F.,
Cook,	Hirsch,	Nagel,	Thompson, R. L.,
Cooper,	Holland,	Nunemacher,	Trout,
Cordier,	Huntley,	O'Brien,	Turner,
Corrigan,	Imbrie,	O'Connor,	VanAllsburg,
Croop,	James,	O'Dare,	Verona,
Cullen,	Jefferson,	O'Mullen,	Vincent,
Dalrymple,	Jones, G. E.,	O'Neill,	Vogt,
Dennison,	Jones, P. N.,	Owens,	Voldow,
DiGenova,	Keenan,	Petrosky,	Voorhees,
Dix,	Kenehan,	Pettit,	Watkins,
Dolon,	Kilne,	Polaski,	Weingartner,
D'Ortona,	Knoble,	Polen,	Weiss,
Duffy,	Kolankiewicz,	Powers,	Welsh, E. B.,
Early,	Komorowski,	Prosen,	Welsh, M. J.,
Elder,	Krise,	Rank,	Williams,
Elliott,	Lee, E. A.,	Rausch,	Winner,
Ely,	Lee, T. H.,	Readinger,	Woif,
Falkenstein,	Lelsey,	Reagan,	Wood, L. H.,
Finestone,	Leonard,	Reese, D. P.,	Wood, N.,
Finnerty,	Lesko,	Reese, R. E.,	Woodring,
Fiss,	Levy,	Regan,	Woodside,
Fleming,	Leydic,	Reynolds,	Wright,
Fletcher,	Lichtenwalter,	Rhea,	Yeakel,
Flynn,	Longo,	Riley,	Yester,
Poor,	Lovett,	Rooney,	Young,
French,			Kilroy, Speaker

NAYS—0

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

Ordered, That the Clerk inform the Senate accordingly.

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. 525.

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

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.

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. 869:

An Act to amend the act, approved the fifteenth day of July, one thousand nine hundred thirty-six (P. L., First Extraordinary Session, 47), entitled "An act to enable persons, associations, partnerships, and corporations to borrow money and secure the repayment thereof by the execution and recordation of chattel mortgages on any chattels of

any kind or description; providing for bonds with confessions of judgments; regulating the assignment and release of such mortgages; and designating the operation and effect of the lien of such mortgages" by extending, enlarging, and removing the limitations from the class of those who may become chattel mortgagees; by making further provision respecting fees of recorders of deeds in connection with chattel mortgages, extension of the lien of said mortgages and defaults of said mortgages; and by defining violations and prescribing penalties.

HOUSE BILL No. 251:

An Act to amend section eleven of the act approved the first day of July, one thousand nine hundred and thirty-seven (P. L. 2532), entitled "An act to establish funds to provide security for the payment of benefits in event of the insolvency of an insurance carrier authorized to write workmen's compensation insurance in this Commonwealth; and to provide for the administration thereof," by providing that payment of an award from the funds established by said act shall not provide any right of recovery against the employer; and that the employer may pay the award in advance of payment from the fund and shall thereupon be subrogated to the rights of the employe or any other party in interest against the fund.

HOUSE BILL No. 179:

An Act validating the title to real estate purchased at judicial sales for unpaid taxes or municipal assessments where there is a defect in the names of the parties in certain cases and providing certain exceptions

HOUSE BILL No. 739:

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

HOUSE BILL No. 834:

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

HOUSE BILL No. 322:

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

HOUSE BILL No. 333:

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

HOUSE BILL No. 347:

An Act making an appropriation from the Banking Department Fund to the State Employes' Retirement Board to meet the obligations of the Commonwealth to the State

Employees' Retirement System with respect to the State employes receiving compensation from the Banking Department Fund.

HOUSE BILL No. 378:

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

HOUSE BILL No. 1230:

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

HOUSE BILL No. 1330:

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

HOUSE BILL No. 1332:

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

HOUSE BILL No. 1343:

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

HOUSE BILL No. 1344:

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

HOUSE BILL No. 1345:

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

HOUSE BILL No. 1463:

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

HOUSE BILL No. 1331:

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 employes receiving compensation from the Manufacturing Fund.

HOUSE BILL No. 1470:

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.

HOUSE BILL No. 1493:

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

HOUSE BILL No. 1636:

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

HOUSE BILL No. 1670:

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

HOUSE BILL No. 1676:

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.

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

BILL SIGNED BY SPEAKER

Bill numbered and entitled as follows having been pre-

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

HOUSE BILL No. 849.

An Act to further amend the act approved the nineteenth day of July one thousand nine hundred thirty-five (P. L. 1356), entitled "An act to regulate the sale and delivery of solid fuel as herein defined providing for appointments of licensed weighmasters prescribing their powers and duties authorizing substitute licensed weighmasters imposing certain duties on the Department of Internal Affairs and providing penalties" further regulating the issuing to and revocation and suspension of licenses of weighmasters requiring the use of suitable scales regulating the issuing use and keeping of weighmaster's certificates conferring powers and imposing duties upon state city and county inspectors of weights and measures and the Department of Internal Affairs declaring certain proofs to constitute prima facie evidence of a violation of the act extending the provisions of said act to cases heretofore exempted and prescribing additional and increased penalties

Whereupon,

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

SENATE MESSAGES

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. 717.

An Act relating to criminal procedure: providing for the securing of attendance of witnesses from within or without the State in criminal cases; and making uniform the law in reference thereto.

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.

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. 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 by further defining sausage making possession of adulterated sausage prima facie evidence of intent to sell further defining and regulating the adulteration of sausage and conferring powers and duties on the Department of Agriculture.

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.

PERMISSION GRANTED COMMITTEE TO MEET DURING SESSION

Mr. ALLMOND asked and obtained permission for the Committee on Elections to meet during the session of the House.

CONGRESSMAN WELCOMED

The SPEAKER. The Chair welcomes to the House the Honorable J. William Ditter, Congressman from the Seventeenth Congressional District.

BILLS ON SECOND READING

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1467, entitled:

An Act to amend the act approved the first day of June one thousand nine hundred thirty-seven (P. L. 1132), entitled "An act to provide for the permanent personal registration of electors in cities of the second class A as a condition of their right to vote at elections and primaries and their enrollment as members of political parties as a further condition of their right to vote at primaries prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors and prescribing the powers and duties of citizens parties political bodies registration commissions commissioners registrars inspector of registration and other appointees of registration commission county election boards election officers municipal officers departments and bureaus police officers courts judges prothonotaries sheriffs county commissioners peace officers county treasurers county controllers registrars of vital statistics certain public utility corporations real estate brokers rental agents and boards of school directors and imposing penalties" as amended by requiring and providing for the registration of persons in military service to entitle them to vote at any election

The first section was read.

On the question,

Will the House agree to the section?

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

The amendment was read by the Clerk as follows:

Amend Sec. 1, page 3, lines 5 to 8, both inclusive, by striking out all of said lines, and inserting in lieu thereof: "(u) 'Persons in military service' shall mean qualified electors of this Commonwealth who are or may be by enlistment, enrollment or draft, in actual military or naval service of the United States or any branch or unit thereof, or in the military service of the Commonwealth."

The amendment was agreed to.

The section was agreed to as amended.

The second section was read and agreed to.

The third section was read.

On the question,

Will the House agree to the section?

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

The amendment was read by the Clerk as follows:

Amend section 3 (section 19.1) page 6, line 8, by striking out the word "date" and inserting in lieu thereof the word: "data".

The amendment was agreed to.

The section was agreed to as amended.

The fifth section was read.

On the question,

Will the House agree to the section?

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

The amendments were read by the Clerk as follows:

Amend Sec. 5, page 10, line 1 and 2, by striking out all of said lines.

Amend Sec. 5 (Sec. 29), page 10, line 3 to 28, both inclusive, by striking out all of said lines.

Amend Sec. 5 (Sec. 29), page 11, lines 1 to 9, both inclusive, by striking out all of said lines.

The amendments were agreed to.

The section was agreed to as amended.

The sixth section was read.

On the question,

Will the House agree to the section?

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

The amendment was read by the Clerk as follows:

Amend Sec. 6, page 11, line 10, by striking out the figure "6" and inserting in lieu thereof: "5".

The amendment was agreed to.

The section was agreed to as amended.

The seventh section was read.

On the question,

Will the House agree to the section?

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

The amendment was read by the Clerk as follows:

Amend Sec. 7, page 12, line 26, by striking out the figure "7" and inserting in lieu thereof: "6".

The amendment was agreed to.

The section was agreed to as amended.

The eighth section was read.

On the question,

Will the House agree to the section?

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

The amendment was read by the Clerk as follows:

Amend Sec. 8, page 13, line 9, by striking out the figure "8" and inserting in lieu thereof: "7".

The amendment was agreed to.

The section was agreed to as amended.

The title was read and agreed to.

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

Ordered, To be transcribed for a third reading.

Agreeably to order.

The House proceeded to the second reading and consideration of House Bill No. 1468, entitled:

An Act to amend the act approved the twenty-fifth day of May one thousand nine hundred thirty-seven (P. L. 114), entitled "An act to provide for the permanent personal registration of electors in cities of the second class as a condition of their right to vote at elections and primaries and their enrollment as members of political parties as a further condition of their right to vote at primaries prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors and prescribing the powers and duties of citizens parties political bodies registration commissions commissioners registrars inspectors of registration and other appointees of registration commissions county election boards election officers municipal officers departments and bureaus police officers courts judges prothonotaries sheriffs county commissioners peace officers county treasurers county controllers regis-

trars of vital statistics certain public utility corporations real estate brokers rental agents and boards of school directors and imposing penalties" as amended by requiring and providing for the registration of persons in military service to entitle them to vote at any election

The first section was read.

On the question,

Will the House agree to the section?

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

The amendments were read by the Clerk as follows:

Amend Sec. 1 (Sec. 3), page 5, lines 28 and 29, by striking out all of said lines.

Amend Sec. 1 (Sec. 3), page 6, lines 1 and 2, by striking out all of said lines, and inserting in lieu thereof: "(u) 'Persons in military service' shall mean qualified electors of this Commonwealth who are or may be by enlistment, enrollment or draft, in actual military or naval service of the United States or any branch or unit thereof, or in the military service of the Commonwealth."

The amendments were agreed to.

The section was agreed to as amended.

The second, third and fourth sections were separately read and agreed to.

The fifth section was read.

On the question,

Will the House agree to the section?

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

The amendments were read by the Clerk as follows:

Amend Sec. 5, page 12, lines 24 and 25, by striking out all of said lines.

Amend Sec. 5 (Sec. 29), page 12, lines 26 to 29, both inclusive, by striking out all of said lines.

Amend Sec. 5 (Sec. 29), page 13, lines 1 to 28, both inclusive, by striking out all of said lines.

Amend Sec. 5 (Sec. 29), page 14, lines 1 to 3, both inclusive, by striking out all of said lines.

The amendments were agreed to.

The section was agreed to as amended.

The sixth section was read.

On the question,

Will the House agree to the section?

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

The amendment was read by the Clerk as follows:

Amend Sec. 6, page 14, line 4, by striking out the figure "6" and inserting in lieu thereof: "5"

The amendment was agreed to.

The section was agreed to as amended.

The seventh section was read.

On the question,

Will the House agree to the section?

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

The amendment was read by the Clerk as follows:

Amend Sec. 7, page 15, line 22, by striking out the figure "7" and inserting in lieu thereof: "6".

The amendment was agreed to.

The section was agreed to as amended.

The eighth section was read.

On the question,

Will the House agree to the section?

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

The amendment was read by the Clerk as follows:

Amend Sec. 8, page 16, line 5, by striking out the figure "8" and inserting in lieu thereof: "7".

The amendment was agreed to.

The section was agreed to as amended.

The title was read and agreed to.

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

Ordered, To be transcribed for a third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1469, entitled:

An Act to amend the act approved the twenty-fifth day of May one thousand nine hundred thirty-seven (P. L. 849), entitled "An act to provide for the permanent personal registration of electors in cities of the third class as a condition of their right to vote at elections and primaries and their enrollment as members of political parties as a further condition of their right to vote at primaries prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors and prescribing the powers and duties of citizens parties political bodies registration commissions commissioners registrars inspectors of registration and other appointees of registration commissions county election boards election officers municipal officers departments and bureaus police officers courts judges prothonotaries sheriffs county commissioners peace officers county treasurers county controllers registrars of vital statistics certain public utility corporations real estate brokers rental agents and boards of school directors imposing penalties and repealing existing legislation" as amended by requiring and providing for the registration of persons in military service to entitle them to vote at any election.

The first section was read.

On the question,

Will the House agree to the section?

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

The amendment was read by the Clerk as follows:

Amend Sec. 1 (Sec. 3), page 6, lines 4 to 7, both inclusive, by striking out all of said lines, and inserting in lieu thereof. (u) "Persons in military service" shall mean qualified electors of this Commonwealth who are or may be by enlistment, enrollment or draft in actual military or naval service of the United States or any branch or unit thereof, or in the military service of the Commonwealth."

The amendment was agreed to.

The section was agreed to as amended.

The second, third and fourth sections were separately read and agreed to.

The fifth section was read.

On the question,

Will the House agree to the section?

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

The amendments were read by the Clerk as follows:

Amend Sec. 5, page 12, lines 28 and 29, by striking out all of said lines.

Amend Sec. 5, page 13, lines 1 to 3, both inclusive, by striking out all of said lines.

Amend Sec. 5 (Sec. 29), page 13, lines 4 to 28, both inclusive, by striking out all of said lines.

Amend Sec. 5 (Sec. 29), page 14, lines 1 to 10, both inclusive, by striking out all of said lines.

The amendments were agreed to.

The section was agreed to as amended.

The sixth section was read.

On the question,

Will the House agree to the section?

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

The amendment was read by the Clerk as follows:

Amend Sec. 6, page 14, line 11, by striking out the figure "6" and inserting in lieu thereof: "5".

The amendment was agreed to.

The section was agreed to as amended.

The seventh section was read.

On the question,

Will the House agree to the section?

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

The amendment was read by the Clerk as follows:

Amend Sec. 7, page 16, line 1, by striking out the figure "7" and inserting in lieu thereof: "6".

The amendment was agreed to.

The section was agreed to as amended.

The eighth section was read.

On the question,

Will the House agree to the section?

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

The amendment was read by the Clerk as follows:

Amend Sec. 8, page 16, line 12, by striking out the figure "8" and inserting in lieu thereof: "7".

The amendment was agreed to.

The section was agreed to as amended.

The title was read and agreed to.

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

Ordered, To be transcribed for a third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1838, entitled:

An Act making an appropriation to the Department of Highways for the purpose of making a survey of a certain State highway and conferring certain powers upon the Department of Highways.

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. 1765, entitled:

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.

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. 1237, entitled:

An Act to amend Route 64248 of section two of the act approved the first day of June one thousand nine hun-

dred and thirty-three (P. L. 1172), entitled "An act establishing certain streets in boroughs and incorporated towns as State highways and providing for their construction and maintenance at the expense of the Commonwealth."

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

Ordered, To be transcribed for a third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1051, entitled:

A Supplement to 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 purposes of this act" by establishing additional routes in the City of Jeannette

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. 1827, entitled:

An Act making an appropriation out of the Motor License Fund to the Department of Highways to be used with the advice of the Pennsylvania Historical Commission for construction and improvement of roads within and approaches to The Ephrata Cloisters and for the landscaping thereof

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

Ordered, To be transcribed for a third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1826, entitled:

An Act to amend part of section two 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 construc-

tion 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 purposes of this act" changing a certain route in the City of Johnstown.

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. 1483, entitled:

An Act to repeal the act approved the sixteenth day of January one thousand seven hundred and ninety-nine (3 Sm. L. P. 338), entitled "An act to declare Frankford Creek a public highway."

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. 1832, entitled:

An Act making an emergency appropriation to the Department of Highways for allocation to and distribution among boroughs and townships for the repair of certain roads and streets in Western Pennsylvania

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. 1777, (Senate Bill No. 174), entitled:

A Supplement to 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, and 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 purposes of this act," by establishing additional routes in the City of Erie.

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. 1791, (Senate Bill No. 724), entitled:

An Act to amend section four hundred one 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" by providing for the length of the terms and the method of appointing the members of the boards of trustees of various State Schools and Teachers Colleges enumerated

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. 1721, entitled:

An Act authorizing the Department of Property and Supplies with the approval of the Governor and the Department of Welfare to acquire a certain tract of land for the use of Pennsylvania Industrial School and making an appropriation therefor

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. 1704, entitled:

An Act authorizing the Department of Public Instruction with the approval of the Board of Trustees of the Indiana State Teachers' College to contract with the Borough of Indiana for the erection of a sewage disposal plant and the connection therewith and use thereof by the Indiana State Teachers' College and the payment of part of the cost of maintenance thereafter and making an appropriation

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

Ordered, To be transcribed for a third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1837, entitled:

An Act to further amend clauses (6) and (7) of section two and section nine hundred eight 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 en-

gaging 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" changing the definitions of "Common Carrier by Motor Vehicle" and "Contract Carrier by Motor Vehicle" and giving the Public Utility Commission the right to inspect and access to facilities and records of all persons and corporations subject to this act

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

Ordered, To be transcribed for a third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1585, entitled:

An Act authorizing political subdivisions to accept in full payment of municipal claims taxes penalties interests and costs such amount as may be fixed for the discharge thereof in proceedings under the National Bankruptcy 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. 1770, entitled:

An Act to amend the title and to further amend section forty-three of the act approved the seventh day of June one thousand nine hundred and one (P. L. 493), entitled "An act providing for the examination licensure and registration of persons firms or corporations engaged

or engaging in the business or work of plumbing or house drainage and prescribing certain rules regulations and requirements for the construction of plumbing house drainage and cesspools in cities of the second class and imposing fines penalties and forfeitures for violation thereof" by permitting the use of enclosed woodwork about sinks in all except tenement-houses and lodging-houses in cities of the second class second class A and 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. 1697, (Senate Bill No. 122), entitled:

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

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

Ordered, To be transcribed for a third reading.

BILL ON FINAL PASSAGE

Agreeably to order,

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

The House resumed the consideration on final passage of House Bill No. 1166, as follows:

An Act to amend section two of the act approved the twenty-sixth day of May one thousand nine hundred and twenty-one (P. L. 1172), entitled "A supplement

to the act approved the seventeenth day of May one thousand nine hundred seventeen (P. L. 208), entitled 'An act to regulate the practice of pharmacy and sale of poisons and drugs and providing penalties for the violation thereof defining the words "drug" and "poison" and providing for the appointment of a board which shall have in charge the enforcement of said law and the power to make rules and regulations for the enforcement of said law and providing for the purchase of samples of drugs for determining their quality strength and purity' requiring permits to conduct pharmacies providing for the revocation thereof and prescribing penalties" further regulating the issuance of permits to conduct pharmacies

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

Section 1 Section two of the act approved the twenty-sixth day of May one thousand nine hundred and twenty-one (P. L. 1172), entitled "A supplement to the act approved the seventeenth day of May one thousand nine hundred seventeen (P. L. 208), entitled 'An act to regulate the practice of pharmacy and sale of poisons and drugs and providing penalties for the violation thereof defining the words "drug" and "poison" and providing for the appointment of a board which shall have in charge the enforcement of said law and the power to make rules and regulations for the enforcement of said law and providing for the purchase of samples of drugs for determining their quality strength and purity' requiring permits to conduct pharmacies providing for the revocation thereof and prescribing penalties" is hereby amended to read as follows

Section 2 Upon application on a form to be prescribed and furnished it and the payment of a fee of two dollars (\$2.00) the Pennsylvania Board of Pharmacy shall issue a permit to conduct a pharmacy to such persons associations copartnerships or corporations as the board deems qualified to conduct such business Qualifications to conduct such business shall include such physical requirements as may be established by the board including stock equipment library sanitation adequate space and such other conditions as may be necessary to protect the public safety in the matter of drugs and prescriptions All applicants shall be citizens of the United States Provided however That in the case of copartnerships associations and corporations the members or office of such copartnership association or corporation shall be citizens of the United States When the conditions which obtained when the permit was issued have changed then a new permit must be applied for All permits issued under the provisions of this act shall be exposed in a conspicuous place in the pharmacy for which it was issued and shall expire on the first day of July following the date of issue No permit shall be issued unless it appears to the satisfaction of the board that the management of the pharmacy is in the charge of a pharmacist registered under the provisions of the act to which this is a supplement All permit fees collected under the provisions of this act shall be paid into the State Treasury

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

On the question,

Shall the bill pass finally?

Mr. SAMUEL ROSE. Mr. Speaker, when this bill was called up for a vote a week or so ago several of the Members voted against it, laboring under a misapprehension. This bill was sponsored by the State Board of Pharmacy and the Retail Druggists' Association, who were interested in granting to the State Board of Pharmacy the right to deny to organizations whose officers are not men of good repute, the right to obtain a license. It is a valid exercise of the police power and I feel that in this particular measure we are attempting to regulate something which is a profession. We are not dealing with an ordinary

business, and I believe and I feel that the Members of this House should go along on this, that in those instances where the State Board believes that associations whose members may not be men of good moral repute, applying for a license, the board should be entitled to judge upon that. I call upon every Member of the House to vote for this particular bill.

On the question recurring,

Shall the bill pass finally?

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

YEAS—111

Achterman,	Goodwin,	Mihm,	Sarraf,
Balthaser,	Gross,	Modell,	Scanlon,
Bentley,	Gryskewicz,	Moran,	Schwab,
Brunner, P. A.,	Habbyshaw,	Moul,	Shaffer,
Burns,	Haberlen,	Muir,	Shaw,
Burris,	Harris,	Munley,	Skale,
Chervenak,	Heatherington,	Nunemacher,	Snyder,
Chudoff,	Hering,	O'Brien	Stank,
Cohen, M. M.,	Hersch,	O'Connor,	Tarr,
Cohen R. E.,	Hirsch,	O'Dare,	Tate,
Cordier,	Jefferson,	O'Mullen,	Taylor,
Corrigan,	Jones, P. N.,	O'Neill,	Thompson E.,
Croop,	Keenan,	Owens,	Trout,
Cullen,	Kenehan,	Petrosky,	Turner,
DiGenova,	Kolaniewicz,	Pettit,	Van Aillsburg,
Doion,	Komorowski,	Polaski,	Verona,
D'Ortona,	Lee, T. H.,	Polen,	Vincent,
Duffy,	Leonard,	Powers,	Voldow,
Early,	Lesko,	Prosen,	Weiss,
Finestone,	Levy,	Rank,	Welsh, E. B.,
Finnerty,	Longo,	Rausch,	Williams,
Fleming,	Lovett,	Readinger,	Wolf,
Fletcher,	Malloy,	Reese, D. P.,	Woodring,
Flynn,	Marks,	Reynolds,	Woodside,
French,	Maxwell,	Rooney,	Yester,
Gallagher,	McClanaghan,	Rose, S.,	Young,
Gates,	McDermott,	Rose, W. E.,	Kilroy, Speaker.
Gerard,	McFall,	Rosenfeld,	

NAYS—36

Auker,	Fiss,	Krise,	Reese, R. E.,
Baker,	Foor,	Lelsey,	Rhea,
Boorse,	Gillette,	Leydic,	Sorg,
Bower,	Greenwood,	McClester,	Stockham,
Breth,	Helm,	McKinney,	Thompson, R. L.,
Brunner, C. H.,	Imbric,	McLanahan,	Watkins,
Cochran,	James,	McMillen,	Weingartner,
Dennison,	Kline,	McSurdy,	Wood L. H.,
Elder,	Knoble,	Mooney,	Wood N.,

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

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

PERMISSION GRANTED COMMITTEE TO MEET DURING SESSION

Mr. WEISS asked and obtained permission for the Committee on Municipal Corporations to meet during the session of the House.

BILL PASSED OVER

There being no objection House Bill No. 1195, Printer's No. 929 was passed over at the request of Mr. AUKER.

BILL ON FINAL PASSAGE

Agreeably to order,

The House proceeded to the consideration on final passage of House Bill No. 814, entitled:

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

On the question,

Shall the bill pass finally?

RECONSIDERATION OF VOTE

Mr. PETROSKY. Mr. Speaker, I move that the vote by which this bill was agreed to on third reading be reconsidered.

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

The SPEAKER. How did the gentleman from Westmoreland, Mr. Petrosky, vote to transcribe the bill for a third reading?

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

The SPEAKER. How did the gentleman from Philadelphia, Mr. McClanaghan, vote to transcribe the bill for a third reading?

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

On the question,

Will the House agree to the motion?

It was agreed to.

On the question recurring,

Will the House agree to the bill on third reading?

Mr. PETROSKY. 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 Sec. 8, page 7, lines 7 to 22, by striking out the following: all of lines 7 to 21, both inclusive, and the letter "(c)" in line 22.

Amend Sec. 9, page 8, lines 16 to 24, both inclusive, by striking out all of said lines.

Amend Sec. 10, page 8, line 25, by striking out the figure "10" and inserting in lieu thereof: "8".

Amend Sec. 10, page 8, line 27, by inserting after the word "act" the following: "after notice by the Department of Labor and Industry."

Amend Sec. 10, page 9, line 10, by striking out the word "three" and inserting in lieu thereof: "one."

Amend Sec. 10, page 9, lines 11 and 12, by striking out the words "or by imprisonment of not less than ten nor more than ninety days."

Amend Sec. 11, page 10, line 5, by striking out the figure "11" and inserting in lieu thereof: "9".

Amend Sec. 12, page 10, line 24, by striking out the figure "12" and inserting in lieu thereof: "10".

Amend Sec. 13, page 12, line 8, by striking out the figure "13" and inserting in lieu thereof: "11".

Amend Sec. 14, page 12, line 21, by striking out the figure "14" and inserting in lieu thereof: "12".

Amend Sec. 15, page 12, line 26, by striking out the figure "15" and inserting in lieu thereof: "13".

Amend Sec. 16, page 12, line 28, by striking out the figure "16" and inserting in lieu thereof: "14".

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

On the question,

Will the House agree to the amendments?

The amendments were agreed to.

On the question,
Will the House agree to the bill on third reading as amended?
It was agreed to.
Ordered, That the bill as amended lie over for printing.

BILLS ON FINAL PASSAGE

Agreeably to order,
The House proceeded to the consideration on final passage of House Bill No. 1604, (Senate Bill No. 352), as follows:

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

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

Section 1 The following words and phrases as used in this act shall be construed to have the following meanings

"Board" the county retirement board created by this act
"County Employee" an officer or employe of the county whose salary or compensation is paid on a yearly or monthly basis and also any officer or employe regularly employed whose compensation is paid on a per diem basis
"Fund" the county employes retirement fund created by this act

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

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

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

"Prior Service" all service as a county employe served not later than December thirty-first preceding the year the retirement system shall be established in any county

"Original Member" a county employe who was at any time a member of the retirement system prior to January first of the year the retirement system is established in any county

"New Member" a county employe who shall have become a member of the retirement system subsequent to date the retirement system is established in any county

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

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

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

"County Annuity" payments for life or during disability derived from contributions made by the county

"Member's Annuity" payments for life or during disability derived from contributions made by the contributor

"Retirement Allowance" the State annuity plus the member's annuity

Section 2 County Retirement System and County Retirement Board Created A retirement system may be established for county employes by resolution of the county commissioners in any county of the fifth class which system when established shall be administered by a county retirement board which shall consist of the chairman of the board of county commissioners or his representative who shall be its chairman the county controller or his representative and one county employe to be selected from time to time by the county employe for a term of two years Each member of the board shall take an oath of office that he will diligently and honestly administer the affairs of the board and that he will not

knowingly violate or permit to be violated any of the provisions of this act Such oath shall be subscribed by the member taking it and shall be filed among the records of the board The members of the board shall not receive any compensation for their services but shall be reimbursed for all expenses necessarily incurred in the performance of their duty

Two members of the board shall constitute a quorum
The retirement system herein provided for shall be established on the first day of January of the year succeeding the one in which the resolution of the county commissioners was adopted

Section 3 Personal Administrative Expenses The board may appoint and fix the compensation of an actuary The controller shall be the secretary of the board and shall receive such compensation for his services as may be fixed by the salary board The secretary shall keep a record of all of the proceedings of the board which shall be open to inspection by the public The expense of the administration of this act exclusive of the payment of retirement allowances shall be paid by the county by appropriations made on the basis of estimates submitted by the board

Section 4 Rules and Regulations Actuarial Data The board shall from time to time establish such rules and regulations for meetings of the board and for the administration of the county employes retirement fund created by this act and the various accounts thereof as may be deemed necessary It shall keep such data as shall be necessary for actuarial valuation purposes The actuary of the board shall periodically make an actuarial investigation into the mortality and service experience of the contributors to and beneficiaries of the fund and shall adopt for the retirement system one or more mortality tables and certify to the board annually the amount of appropriation to be made by the county to the fund to build up and maintain adequate reserves for the payment of the county's share of the retirement allowances provided by this act

Section 5 County Employes Retirement Fund There is hereby created in each county of the fifth class in which a retirement system has been established a county employes retirement fund which shall consist of all moneys arising from appropriations made by the county and from contributions made by the members of the county employes retirement system and all interest earned by the investments or moneys of the fund created by this act The moneys contributed by the county shall be credited to a county annuity reserve account and those contributed by the members shall be credited to a member's annuity reserve account and the interest earnings shall be apportioned to the member's and county annuity reserve accounts The actuary shall determine the present value of the liability on account of all county annuities payable to original members and the percentage of such liability which shall be contributed by the county each year over a period of fifteen years from the time the system is established until the accumulated reserve equals the present value of said liability All such contributions shall be credited to the county annuity reserve account The actuary shall also determine the amount which shall be contributed by the county into the fund periodically for credit to the county annuity reserve account on account of service of all new and original members subsequent to the time the retirement system is established

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

Section 6 Custody of and Payments from Fund All moneys and securities in the fund created by this act shall be placed in the custody of the county treasurer for safekeeping and all payments from said fund on account of retirement allowances shall be made only on

requisition signed by the chairman and secretary of the board

Section 7 Management and Investment of Fund The members of the board shall be trustees of the fund created by this act and shall have exclusive management of said fund with full power to invest the moneys therein subject to the terms conditions limitations and restrictions imposed by law upon fiduciaries Subject to like terms conditions limitations and restrictions said trustees shall have power to hold purchase sell assign transfer or dispose of any of the securities and investments in said funds as well as the proceeds of said investments and of the moneys belonging to said fund

The board shall annually allow regular interest on the mean amount for the preceding year to the credit of each of the accounts created in accordance with the provisions of this act The amount so allowed shall be credited to each contributor's account

Section 8 Compulsory Membership Each county officer may and each county employe shall be required to become a member of the retirement system established under the provisions of this act at such date as may be specified in the resolution establishing the retirement system and thereafter when first becoming a county employe Those becoming members prior to January first of the year the retirement system is established shall be known as original members and those becoming members after said date as new members Provided however That if any person who becomes a county employe subsequent to January first of the year the retirement fund was established shall have been at any time theretofore a county employe he shall receive credit for the service prior to January first of the year the system was established and shall be known as an original member

Section 9 County Guarantee Annual Budgets The regular interest charges payable and the creation and maintenance of the necessary reserves for the payment of the county and members' annuities in accordance with this act are hereby made obligations of the county The board shall prepare and submit to the county commissioners on or before the first day of November of each year an itemized estimate of the amounts necessary to be appropriated by the county to complete the payment of the obligations of the county during the next fiscal year

Section 10 Service Allowance In computing the length of service of a contributor for retirement purposes full credit shall be given to each original member for each year of service rendered to the county prior to January first of the year the retirement system was established As soon as practicable the retirement board shall issue to each original member a certificate certifying the aggregate length of his service prior to January first of the year the retirement system was established Such certificate shall be final and conclusive as to his prior service unless thereafter modified by the board upon application of the member The time during which a member is absent from service without pay shall not be counted in computing the service of a contributor unless allowed by the county commissioners and approved by the board

Section 11 Super-annuation Retirement Allowance Any contributor who has reached super-annuation retirement age may retire for super-annuation by filing with the board a written statement duly signed by the contributor setting forth at what time he desires to be retired Said application shall retire said contributor at the time so specified

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

Section 12 Options on Super-annuation Retirement At the time of his super-annuation retirement any beneficiary may elect to receive his retirement allowance payable

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

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

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

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

Section 13 Involuntary Retirement Allowances Should a contributor be discontinued from service not voluntarily after having completed ten years of total service but before reaching super-annuation retirement age he shall be paid as he may elect as follows (a) The full amount of the accumulated deductions standing to his credit in the members' annuity reserve account or (b) a member's annuity of equivalent actuarial value to his accumulated deductions standing to his credit in the members' annuity reserve account and in addition a county annuity having a value equal to the present value of a county annuity beginning at super-annuation retirement age as provided in this act with respect to county annuities for super-annuation retirement The same options shall be available to beneficiaries in case of involuntary retirement as provided herein in the case of super-annuation retirement

Section 14 Total Disability Retirement Allowance If a contributor after five years of service as a county employe is disabled while in service and is unable to continue as a county employe as shown by medical examination he shall be paid a retirement allowance of twenty-five per centum of his final salary which shall be payable one-third from the members' annuity reserve account and two-thirds from the county annuity reserve account

Section 15 Payment of Balances Where Disability Annuitant Dies Should a person receiving a disability retirement allowance die before receiving a total allowance equal to the amount standing to his credit in the member's annuity reserve account at the time of retirement there shall be paid to his estate or beneficiary the difference between such credit and the total retirement allowance received

Section 16 Monthly Payments of Retirement Allowances The retirement allowances granted under the provisions of this act shall be paid in equal monthly installments and shall not be increased decreased revoked or repealed except as otherwise provided in this act All members annuities shall be payable from the members annuity reserve account and all county annuities from the county annuity reserve account

Section 17 Refunds in Case of Withdrawal or Death Where a contributor resigns from service or where a contributor has died then the amount standing to the credit of the contributor in the members' annuity reserve account shall be paid to him or his estate or to the person named in any beneficiary certificate filed by the contributor with the board When a contributor or a beneficiary has died and there shall be due to the estate of such contributor or beneficiary a sum less than one hundred dollars and letters testamentary or of administration have not been taken out on the estate of such contributor or beneficiary within six months of death the board may pay the amount due on the claim of the undertaker or to any

person or persons or political subdivision who or which shall have paid the claim of the undertaker

Section 18 Exemption from Taxation and Execution Etc The right to a member's annuity or a county annuity or to the return of contributions shall be exempt from any State or municipal tax and from levy sale garnishment attachment or any other process whatsoever and shall be unassignable

Section 19 Fraud Correction of Errors Any person who shall knowingly make any false statement or shall falsify or permit to be falsified any record or records of the retirement system herein established in any attempt to defraud such system shall be guilty of a misdemeanor and upon conviction shall be sentenced to pay a fine not exceeding one thousand dollars or suffer imprisonment not exceeding one year or both in the discretion of the court

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

Section 20 This act shall become effective on the first day of July one thousand nine hundred and forty-one

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—198

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

NAYS—0

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

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

Agreeably to order,

The House proceeded to the consideration on final passage of House Bill No. 1798, as follows:

An Act setting up a procedure for the adoption of annual budget ordinances in cities of the second class A

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

Section 1 In all cities of the second class A in this Commonwealth the city council of such cities shall adopt an annual budget only in accordance with the procedure set forth in this act

The city council of said city shall first agree upon a tentative or proposed annual budget and shall thereupon authorize the clerk of said council to advertise in at least two newspapers of general circulation in such city a notice of the fact that such proposed or tentative budget shall be enacted finally twenty days after such advertisement for public inspection in the office of the city clerk of such city The said city council shall then fix a date between ten to fifteen days after such advertisement for a public hearing on said proposed budget at which hearing all interested taxpayers of such city may appear and state their positions and views relative to such budget On the date fixed by the advertisement aforesaid the said city council shall proceed with the consideration of the proposed budget ordinance and its adoption in any final form it may desire in accordance with the law governing the passage of such an ordinance

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—198

- | | | | |
|-----------------|----------------|--------------|------------------|
| Achterman, | Gallagher, | Malloy, | Rose, W. E., |
| Allmond, | Gates, | Marks, | Rosenfeld, |
| Auker, | Gerard, | Maxwell, | Royer, |
| Baker, | Gillan, | McClanaghan, | Rush, |
| Balthaser, | Gillette, | McClester, | Sarraf, |
| Baughner, | Goodwin, | McDermott, | Scanlon, |
| Bentley, | Greenwood, | McFall, | Schwab, |
| Boles, | Gross, | McGrath, | Serrill, |
| Boorse, | Gryskewicz, | McIntosh, | Shaffer, |
| Bower, | Gyger, | McKinney, | Shaw, |
| Bradley, | Habbyshaw, | McLanahan, | Simons, |
| Breth, | Haberlen, | McLane, | Skale, |
| Bretherick, | Haines, | McMillen, | Snyder, |
| Brown, | Hall, | McSurdy, | Sollenberger, |
| Brunner, C. H., | Hamilton, | Melchiorre, | Sorg, |
| Brunner, P. A., | Harkins, | Mihm, | Stambaugh, |
| Burns | Harmuth, | Modell, | Stank, |
| Burriss, | Harris, | Monks, | Stine, |
| Cadwalader, | Heatherington, | Mooney, | Stockham, |
| Chervenak, | Helm, | Moran, | Tarr, |
| Chudoff, | Hering, | Moul, | Tate, |
| Cochran, | Herman, | Muir, | Taylor, |
| Cohen, M. M., | Hersch, | Munley, | Thompson, E. F., |
| Cohen, R. E., | Hewitt, | Nagel, | Thompson, R. L., |
| Cook, | Hirsch, | Nunemacher, | Trout, |
| Cooper, | Holland, | O'Brien, | Turner, |
| Cordier, | Huntley, | O'Connor, | Van Allsburg, |
| Corrigan, | Imbrie, | O'Dare, | Verona, |
| Croop, | James, | O'Mullen, | Vincent, |
| Cullen, | Jefferson, | O'Neill, | Vogt, |
| Dalrymple, | Jones, G. E., | Owens, | Voldow, |
| Dennison, | Jones, P. N., | Petrosky, | Voorhees, |
| DiGenova, | Keenan, | Pettit, | Watkins, |
| Dix, | Kenehan, | Polaski, | Weingartner, |
| Dolon, | Kilne, | Polen, | Weiss, |

D'Ortona,	Knoble,	Powers,	Welsh, E. B.,
Duffy,	Kolankiewicz,	Prosen,	Welsh, M. J.,
Early,	Komorowski,	Rank,	Williams,
Elder,	Krise,	Rausch,	Winner,
Elliott,	Lee, E. A.,	Readinger,	Wolf,
Ely,	Lee, T. H.,	Reagan,	Wood, L. H.,
Falkenstein,	Leisey,	Reese, David P.,	Wood, N.,
Finestone,	Leonard,	Reese, R. E.,	Woodring,
Finnerty,	Lesko,	Regan,	Woodside,
Fiss,	Levy,	Reynolds,	Wright,
Fleming,	Leydic,	Rhea,	Yeakel,
Fletcher,	Lichtenwalter,	Riley,	Yester,
Flynn,	Longo,	Rooney,	Young,
Poor,	Lovett,	Rose, S.,	Kilroy, Speaker.
French,	Lyons,		

NAYS—0

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

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

Agreeably to order,

The House proceeded to the consideration on final passage of House Bill No. 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

On the question,

Shall the bill pass finally?

BILL RECOMMITTED

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

On the question,

Will the House agree to the motion?

Mr. TROUT. I desire 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. TROUT. I would like to ask the gentleman from Monroe the purpose of recommitting this bill?

Mr. ACHTERMAN. Mr. Speaker, I believe that there may be some question, and there is some question relative to the application of this particular bill as it is now drawn in relation to our Child Labor Laws of Pennsylvania. The question is whether there is ample protection thrown around the children who would be affected by this particular bill. I realize that it has relation only to agricultural pursuits, but the question of the power that may be vested in the Superintendent of Public Instruction, the superintendent of schools in the county, the entire subject, we feel needs a bit further study and possibly as a result of that study further amendment. It is for that purpose that it is being sent back to the Committee on Education.

Mr. TROUT. Mr. Speaker, we are not objecting to sending this bill back under those conditions but we would like to give the House an opportunity of voting on this proposed legislation. It has been before the House session after session and the Members are all acquainted with the provisions. That is why we are asking for some legislation along this line, and I trust that the Committee on Education will carry out the suggestion made by the gentleman from Monroe.

On the question recurring,

Will the House agree to the motion?

It was agreed to.

BILLS ON THIRD READING MADE SPECIAL ORDER

Mr. ACHTERMAN. Mr. Speaker, I move that all House Bills on the third reading calendar, in their numerical order be made special order of business immediately.

The motion was agreed to.

BILLS ON THIRD READING

BILLS PASSED OVER

There being no objection House Bill No. 1558 Printer's No. 791 was passed over at the request of Mr. ACHTERMAN.

There being no objection House Bill No. 1002, Printer's No. 341, was passed over at the request of Mr. LEVY.

There being no objection House Bill No. 990, Printer's No. 275, 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. 1709, as follows:

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 (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 excluding certain gasoline not used in internal combustion engines to propel vehicles on the public highways in the Commonwealth

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

Section 1 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 (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" as amended by the act approved the first day of June one thousand nine hundred and thirty-one (P. L. 298) is hereby further amended to read as follows

Section 2 Definitions The following words terms and phrases when used in this act shall have the meanings ascribed to them in this section except in those instances where the context clearly indicates a different meaning

* * * *

"Liquid Fuels" All distillates of and condensates from petroleum natural gas coal tar vegetables ferments and other oils including among others gasoline naphtha benzol benzene or alcohols which are ordinarily practically and commercially usable in internal combustion engines for the generation of power except kerosene fuel oil and gas oil Provided That petroleum naphtha which distill by American Society of Testing Materials Method D 86-27 or United States Bureau of Mines Method 100.13 not more than nine (9) per centum at 176° F sold for any purpose other than use in internal combustion engines for the generation of power and which are not ordinarily practically and commercially usable in internal combustion engines are not included in the definition of "liquid fuels" Provided further That gasoline which distill by American Society of Testing Materials Method provides distillation ten (10) per centum evaporated at 158° F maximum fifty (50) per centum evaporated at 212° F maximum ninety (90) per centum evaporated at 257° F maximum the sum of ten (10) per centum and fifty (50) per centum evaporated temperatures of a minimum of 307° F and which with this distillation range the Reid Test vapor pressure at 100° F does not exceed seven pounds per square inch which meets the specifications of the United States Government "AN-VV-F-776 and 781" and which are not ordinarily practically and commercially usable in internal combustion engines to propel vehicles which use the public highways in this Commonwealth are not included in the definition of "liquid fuels" And provided further That kerosene fuel oil and gas oil used in internal combustion engines for the generation of power to propel vehicles of any kind or character which use the public highways in this Commonwealth shall be included within the definition of "liquid fuels"

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

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. FISS. Mr. Speaker, I would like to call to the attention of the Members of the House to House Bill 1709, a bill which in itself is simple and which simply means that all gasoline used by aeroplanes shall be exempt from tax. I think in the beginning possibly the reason for this bill is that many of the schools using gasoline, training schools and aeroplane service, are using gasoline and they should be exempt. Mr. Speaker, with that part of the bill and with that thought we agree, but why should every private aeroplane be exempt from the tax on gasoline, including our great commercial airlines? I ask the Members of the House whether this is not another slap in the face of the farmer? The farmers and those using domestic engines do not use the roads of the Commonwealth; neither do the aeroplanes, but they are supposed to pay the tax on every bit of gasoline they use. Of

course, this bill is unique in the sense that it defines the type or grade of gasoline they use, which could not be used by any farm implement, whether it be a tractor or an automobile. The fact of the matter is that farmers have been asking an exemption for this type of work for many years, the work only on their farms, and not their automobiles.

Mr. Speaker, here is a bill asking every private aeroplane, every commercial airline to be exempt from the tax, and it just gives the farmers of Pennsylvania another slap in the face. Why should aeroplanes be exempt from this tax, when every municipality that has an airport is in crying need of funds? If we need airports in many municipalities in the state of Pennsylvania then the proper thing to do would be not to exempt them from this tax but to place that money in a fund to keep up, build and maintain airports in every one of our municipalities.

The aviation program that we have in Pennsylvania is vitally necessary especially at a time like this. If it is a question strictly for national defense there is no question about the exemption. Otherwise, the program that seems to me to be the sensible thing is that they should not be exempt from the tax, but they should be taxed, and every bit of this tax money should be used to build and maintain airports throughout the Commonwealth. Then we would have a program that would really mean something to the people of the Commonwealth of Pennsylvania. Otherwise, a simple exemption from this tax for private airplanes and commercial airlines would get us nowhere, and the State would be losing revenue.

There is another bill that follows this that is somewhat similar and that bill, it seems to me, Mr. Speaker, is nearer right than this bill. It only asks that this tax be returned to second class counties. That is all right as far as it goes but why only second-class counties? If second-class counties need this tax to build airports, why should it not be included to take care of every municipality in the state that needs an airport?

For this reason, Mr. Speaker, and for a number of other reasons which I have given, I say that this bill is wrong and it should be defeated. There should be a program that will mean something to the people of this Commonwealth; it should be carried out over a period of time so that everyone of our localities wherever an airport is needed can build and maintain one. I know that you will agree with me that even in our larger cities of the Commonwealth it is hard to build an airport and maintain it. Then what are we going to do with the smaller municipalities? I recall one municipality very near to me where it is kept up by local subscription. The people are willing to help them. We need these airports and we need a program that will sponsor aviation in Pennsylvania, but let us get at it in the right way. This bill certainly does not answer the problem.

Mr. ACHTERMAN. Mr. Speaker, I am rather surprised at the opposition voiced by the gentleman from the other side, especially in view of the fact that the amount of revenue involved in the instant case is only in the neighborhood of \$80,000. I am speaking in relation to the biennium. In other words, it is not particularly harmful to any program that the Highway Department might have in mind, but the measure is of vast importance in the line of national defense.

May I point out to the gentleman that I doubt that there is any school of advanced education in the state of Pennsylvania where the students are not taking flying courses, taking them for the distinct purpose of securing knowledge of aviation with the thought later on of entering into the Naval or Army service or the Marines of the United States. These boys in the main are doing it on their own; they are spending their own money. The gentleman then wants to compare them with the operation of a gasoline engine on a farm. It is a question of whether you want to have your boys prepare themselves for national defense and pay a tax to do it or whether it should be compared with a gasoline engine on a farm. I have heard of ludicrous comparisons but none that by any stretch of the imagination could compare this with the operation of a gasoline engine on a farm and say it is similar. I am saying, Mr. Speaker, that the amount of revenue involved in the training of our boys, every need that this Commonwealth can conceive of in the present emergency, would show that this measure is one that is playing only a small part toward the needs of this Commonwealth and the needs of this Nation. Why penalize the boys who are desirous of going out to defend those particular farm engines which are now being operated? Why penalize youth in its great desire to help? Why insist that we should have the last ounce of blood? Why insist that this is breaking down something that means so little to the Commonwealth in revenue, but means so much to this Nation and to this State? If that is the answer of any gentleman in the House, let him proceed to vote so that we will know where he stands, whether he believes in national defense, whether he thinks it is wise that our youth be encouraged in this field. It will be interesting to watch the vote on that subject.

That is all that is before this House. True, a few aeroplane companies that are commercial in nature will benefit by it, but the little benefit they will get in comparison to what the public will get in the encouragement of our youth will more than offset the few pennies we are going to lose. It is for that reason that I urge not only the men on this side of the House but the men on the other side of the House to take this step forward in the cause of national defense, and perhaps even more than in the cause of national defense, in the cause of youth who are interested and anxious to play their part in national defense. We should not penalize them in that effort. We have not hesitated, and the Members on the other side have not hesitated to take off the tax on cigarettes. We passed the bill to take off the tax on cigarettes and this bill which is now before the House is merely to take the tax off gasoline. Is it wrong to take off the tax on gasoline when you take the tax off cigarettes, when they are going to school, getting their education, getting their training with the thought of subsequently of joining the Army or Navy or Marines? Mr. Speaker, I say that this measure is one that is timely and is needed.

Mr. TURNER. Mr. Speaker, I had not intended to say anything on this measure because I felt that the remarks of the gentleman from Snyder, Mr. Fiss, were so potent against this measure, but after listening to the appeal of the majority leader in which he waved the flag and brought in national defense and the students who are training, it seems to me we ought to get our feet solidly on the ground and not lose sight of the real issue. Cer-

tainly any of us would like to relieve any student who is taking a course in aviation from any burden that he might be put under by reason of any taxation. I doubt whether any students who are taking courses are burning up very much gasoline in the air or are paying for any gasoline to any extent. If you want to carry that to a logical conclusion let us exempt the gasoline that they put in their automobiles going back and forth. There are going to be thousands of our citizens in the next few months who are going to be engaged in Civilian Defense efforts under the new set-up of the Federal Government, and many of them will be burning up many gallons of gasoline in their free offer of service to the government in its hour of need. I think, therefore, Mr. Speaker, that the question pertaining to the student flyer is a very small question in view of the very large, and very broad questions involved in this issue.

In 1927 or 1929, I have forgotten which, I persuaded Governor Fisher to allow an appropriation of \$10,000 from the Motor License Fund for the purpose of establishing aviation facilities in Pennsylvania. I remember at that time it was freely predicted that there would be no flying east of the Allegheny Mountains because of the very bad conditions that existed over the Allegheny Mountains. I remember that I went on the first flight to the Coast by train and aeroplane. We took off from the Columbus airport as the first place they felt flying was feasible. Therefore, in 1927-29 we were interested in securing in Pennsylvania aviation facilities in order that Pennsylvania would not become a way station on future aviation lines, but that Pennsylvania would take its proper place. In 1929 we got a larger appropriation of about \$200,000. We did not think that the tax on the gasoline consumed in Pennsylvania by the aeroplanes that traversed Pennsylvania or stopped in Pennsylvania would reach \$200,000, but the Governor was a little optimistic and helped us out in order that we might develop aviation further in Pennsylvania.

With the advent of national defense and with the tremendous impetus in aviation because of the great flying program and because of the things that are going to happen after this war because of the development of aviation and air transportation, we must in Pennsylvania develop not only the facilities for national defense but we must look towards the future. Aviation gasoline and the tax paid on it should be used for those purposes; it should not be used on the highways, but it should be used for the purpose of aviation and the development of those facilities, and if we exempt them now in Pennsylvania we are not only taking out the student fliers who are using a small amount but we are taking out all of the transportation companies. Are we setting a precedent for the future when we are going to need this money? I am convinced that the municipalities of Pennsylvania or the municipalities of many other states cannot afford to develop airports and maintain flying fields of the size and importance required for the future. They must be airports of tremendous size. They must be airports with facilities greater than any small municipality can maintain. If we are going to develop them we must have a long range program in the state of Pennsylvania; there must be help from the Federal Government to develop proper aviation facilities and in order that we may build for the highways of the air the proper landing fields. Therefore, no matter what the immediate advan-

tage may be to a few, no matter how we may be imposing a tax on a few who are giving their efforts to defend our country, I think this bill should be defeated.

MR. BRETHERICK IN THE CHAIR.

Mr. FISS. Mr. Speaker, I just want to call to the attention of the Members of this House to the fact that the very first thing I mentioned was, if there was one thing that might be a good thing in this bill, it was that it might help some of the boys in the training schools in aviation. So I want to correct the gentleman from Monroe in saying that I made light of that fact.

I also want to say that I know of many boys who are working on farms today that are paying their way. If there is a line of defense that would come nearer to being the first line of defense today, it is agriculture and the boys back on the farm. Now you are going to say to them, "Oh, no, you are no good. We do not want anything to do with you." I venture to say that the gentleman from Monroe has many of these boys who are also actively engaged in defense work at the present time back home on their farms who will appreciate anything we can do for them.

That is not the question; the bill in itself does not take that in; it is not large enough. The program should be larger; we should have more airports in Pennsylvania; there should be a better and bigger program in aviation in Pennsylvania, and the little money that is spent for taxes on gasoline should not be exempted, but it should be put into a fund to help build and maintain more and better airports in the Commonwealth of Pennsylvania.

On the question recurring,

Shall the bill pass finally?

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

YEAS—54

Achterman,	Finnerty.	McIntosh.	Rosenfeld,
Balthaser,	Gryskewicz,	Melchiorre,	Scanlon,
Boies,	Herman,	Modell,	Schwab,
Breth.	Hersch,	Nunemacher	Stank,
Chudoff,	Hirsch,	O'Brien,	Stine,
Cohen, M. M.,	Jefferson,	O'Mullen,	Tate,
Cohen, R. E.,	Kenehan,	Petrosky,	Vogt,
Corrigan,	Kolankiewicz,	Polaski,	Voldow,
Dolon,	Komorowski,	Prosen,	Weish, E. B.,
D'Ortona,	Longo,	Rank,	Wolf,
Duffy,	Lovett,	Rausch,	Woodring,
Early,	Malloy,	Readinger,	Kilroy.
Falkenstein,	McClanaghan,	Rooney,	Speaker.
Finestone,	McFall,	Rose, S.,	

NAYS—115

Allmond,	Gallagher,	Lesko,	Serrill.
Baker,	Cates,	Leydic,	Shaffer,
Bentley,	Gerard,	Lichtenwalter,	Simons,
Boorse,	Gillan,	Lyons,	Snyder,
Bradley,	Greenwood,	Marks,	Sollenberger,
Bretherick,	Gross,	Maxwell,	Sorg,
Brown,	Cyger,	McClester,	Stambaugh,
Brunner, C. H.,	Habbyshaw,	McDermott,	Stockham,
Burns,	Haines,	McKinney,	Tarr,
Burris,	Hall,	McLane,	Taylor,
Chervenak,	Hamilton,	McMillen,	Thompson, R. L.
Cochran,	Harkins,	McSurdy,	Trout,
Cook,	Harmuth,	Mihm,	Turner,
Cooper,	Harris,	Mooney,	VanAlsburg,
Cordier,	Heatherington,	Moran,	Verona,
Cullen,	Heim,	Muir,	Vincent,
Dalrymple,	Hewitt,	Munley,	Voorhees,
Dennison,	Holland,	O'Connor,	Watkins,
Dix,	Huntley,	O'Dare,	Weingartner,
Eckels,	Imbrie,	Pettit,	Weiss,

Elder,	James,	Powers,	Welsh, M. J.,
Elliott,	Jones, G. E.,	Reese, D. P.,	Williams,
Ely,	Keenan,	Reese, R. E.,	Wood, L. H.,
Fiss,	Knoble,	Reynolds,	Wood, N.,
Fleming,	Krise,	Rhea,	Woodside,
Fletcher,	Lee, E. A.,	Riley,	Yeakel,
Flynn	Lee, T. H.,	Rose, W. E.,	Yester,
Foor,	Leisey,	Sarraff,	Young,
French,	Leonard,		

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

THE SPEAKER (Elmer Kilroy) IN THE CHAIR

The SPEAKER. The Chair thanks the gentleman from Delaware, Mr. Bretherick, in the Chair.

BILLS ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 970, as follows:

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

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

Section 1 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), 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" is hereby amended to read as follows

Section 6 Distributor's Report and Payment of Tax

For the purpose of ascertaining the amount of tax payable under this act it shall be the duty of every distributor on or before the last day of each month to transmit to the department upon a form prescribed prepared and furnished by the department a report under oath or affirmation of the liquid fuels used or delivered by him within this Commonwealth during the preceding month. Such report shall show the number of gallons of liquid fuels used or delivered within the Commonwealth during the period for which it is made and such further information as the department shall prescribe. Such report in the case of distributors selling liquid fuels in second class counties shall also indicate separately the number of gallons of liquid fuels sold or delivered for aviation purposes. The tax due on liquid fuels sold or delivered for aviation purposes shall be computed and paid separately in the same manner as the general liquid fuels tax and subject to the same rights of discounts. A distributor having more than one place of business within this Commonwealth shall combine in each report the use or delivery of liquid fuels at all such separate places of business.

Every distributor at the time of making every report required by this section shall compute and pay to the department the tax due to the Commonwealth on liquid fuels used or sold and delivered by him during the preceding month less a discount if the report is filed and the tax paid on time computed as follows: two per centum if such tax shall amount to fifty thousand dollars (\$50,000) or less; one and one-half per centum on tax in excess of fifty thousand dollars (\$50,000) and not exceeding seventy-five thousand dollars (\$75,000); one per centum on tax in excess of seventy-five thousand dollars (\$75,000) and not exceeding one hundred thousand dollars (\$100,000); and one-half of one per centum on tax in excess of one hundred thousand dollars (\$100,000). The amount of all taxes imposed under the provisions of this act for each month shall be due and payable on the last day of the next succeeding month and shall bear interest at the rate of one per centum per month or fractional part of a month from the date they are due and payable until paid.

If any distributor shall neglect or refuse to make any report and payment as herein required an additional ten per centum of the amount of the tax shall be added by the department and collected as hereinafter provided and in addition thereto the liquid fuels permit of such distributor may be suspended or revoked by the department.

Section 2 Section ten of said act as last amended by the act approved the twenty-first day of June one thousand nine hundred thirty-nine (P. L. 634) is hereby amended to read as follows:

Section 10 Disposition and use of Tax. (a) From and after the first day of June one thousand nine hundred forty-one all permanent taxes collected under the provisions of this act on liquid fuels sold in second class counties exclusively for use by airplanes and other aircraft for aviation purposes are hereby directed to be paid into a separate fund to be known as the Aviation Liquid Fuels Tax Fund. Such moneys paid into said fund are hereby specifically appropriated to second class counties to be used for the purpose of construction reconstruction maintenance operation and repair of airports maintained in whole or in part by said counties and for the payment of interest and sinking fund charges on bonds issued or used for airport purposes. The moneys so paid into the Aviation Liquid Fuels Tax Fund shall be distributed to said second class counties on the first day of June and of December of each year said payments to amount to the total permanent tax paid within said county for the previous six-month period. All moneys collected under the provisions of this act with the exception of moneys paid into the Aviation Liquid Fuels Tax Fund shall be disposed of as follows:

[(a)] (b) One-half cent per gallon of the permanent tax collected under the provisions of this act shall be paid into the Liquid Fuels Tax Fund of the State Treas-

ury and such moneys paid into said fund are hereby specifically appropriated for the purposes hereinafter set forth.

The moneys so paid into the Liquid Fuels Tax Fund except those that are refunded as hereinafter provided shall be paid to the respective counties of this Commonwealth on the first day of June and December of each year in the ratio that the average return made during the (3) preceding years to each county bears to the average amount returned to all counties for the three preceding years [Provided That the distribution of tax to the counties from the Liquid Fuels Tax Fund that is payable the first day of August one thousand nine hundred and thirty-one shall be made under the provisions of the acts of Assembly repealed by this act].

All moneys received by the counties hereunder except such funds as are hereby specifically appropriated to second class counties out of the Aviation Liquid Fuels Tax Fund to be used for the construction reconstruction maintenance operation and repair of airports in said counties shall be used only for the purpose of construction reconstruction maintenance and repair of roads highways and bridges including the payment of property damage now due or hereafter to become due occasioned by [or] the relocation or construction of highways and bridges and for the payment of interest and sinking fund charges on bonds issued or used for highways and bridge purposes or on so much of any bonds as have been used for such purposes and all such payments heretofore made are hereby validated. The county commissioners of each county shall make to the department on or before the first day of May and November of each year on forms prescribed prepared and furnished by the department a report showing the receipts and expenditures of such moneys received during the preceding six months by the county from the Commonwealth under the provisions of this section. Such reports shall be transmitted to the Department of the Auditor General for audit. Upon the failure of the county commissioners to file any such report the department shall withhold further payments to the county out of the Liquid Fuels Tax Fund until the delinquent report is filed.

[(b)] (c) The remaining two and one-half cents per gallon of the permanent tax collected under the provisions of this act all penalties and interests and all interest earned on deposits of the Liquid Fuels Tax Fund shall be paid into the Motor License Fund and are hereby specifically appropriated for the same purposes for which moneys in the Motor License Fund are appropriated by law.

[(c)] (d) The entire amount of the additional emergency tax of one cent per gallon or fractional part thereof collected under the provisions of this act before June first one thousand nine hundred thirty-six shall be paid into the State Treasury by and through the department and shall be used only for unemployment relief purposes and for such purposes is hereby appropriated and all such tax paid into the State Treasury on and after June first one thousand nine hundred thirty-six shall be credited to the General Fund.

Section 3 All acts and parts of acts inconsistent herewith are hereby repealed.

Section 4 This act shall become effective the first day of June one thousand nine hundred 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—78

Allmond,
Auker,
Baker,
Baughner,

Fleming,
Fletcher,
Flynn,
French,

Leonard,
Leydic,
Longo,
Lovett,

Rosenfeld,
Sarraff,
Scanlon,
Schwab,

Bentley,	Gallagher,	McClanaghan,	Shaffer,
Boies,	Gerard,	McDermott,	Shaw,
Bower,	Goodwin,	McFall,	Tarr,
Bradley,	Gryskewicz,	McLane,	Tate,
Breth,	Harmuth,	Melchiorre,	Thompson, R. L.,
Bretherick,	Heatherington,	Mooney,	Verona,
Brown,	Herman,	Moran,	Vogt,
Burns,	Hersch,	Munley,	'oldow,
Burris,	Holland,	O'Brien,	Welsh, E. B.,
Chudoff,	Jefferson,	O'Mullen,	Welsh, M. J.,
Cohen, M. M.,	Jones, P. N.,	O'Neill,	Williams,
Cooper,	Keenan,	Pettit,	Yester,
Corrigan,	Kenehan,	Polaski,	Young,
DiGenova,	Knoble,	Polen,	Kilroy,
D'Ortona,	Kolankiewicz,	Reynolds,	
Fiss,	Komorofski,	Rhea,	Speaker.

NAYS—78

Achterman,	Habbyschaw,	McKinney,	Snyder,
Balthaser,	Haines,	McLanahan,	Sorg,
Boorse,	Hall,	McMillen,	Stambaugh,
Brunner, C. H.,	Hamilton,	McSurdy,	Stank,
Brunner, P. A.,	Harkins,	Mihm,	Stockham,
Chervenak,	Helm,	Muir,	Trout,
Cochran,	Hewitt,	Nunemacher,	Turner,
Cohen, R. E.,	Hirsch,	O'Connor,	Van Allsburg,
Croop,	Imbrie,	O'Dare,	Vincent,
Dalrymple,	James,	Petrosky,	Watkins,
Dennison,	Kline,	Powers,	Weingartner,
Dix,	Krise,	Readinger,	Weiss,
Eckels,	Lee, E. A.,	Reagan,	Winner,
Ely,	Lee, T. H.,	Reese, D. P.,	Wolf,
Foor,	Leisey,	Reese, R. E.,	Wood, L. H.,
Gates,	Lichtenwalter,	Riley,	Wood, N.,
Gillan,	Lyons,	Rose, W. E.,	Woodside,
Gillette,	Marks,	Royer,	Yeakel,
Gross,	Maxwell,	Serrill,	
Gyger,	McClester,		

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

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 HOUSSE BILL No. 573

Commonwealth of Pennsylvania.
Governor's Office, Harrisburg, June 16, 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. 573, Printer's No. 708, entitled, "An Act to provide for the ordinary expenses of the Executive Legislative and Judicial Departments of the Commonwealth interest on the public debt and the support of the public schools for two years beginning June first one thousand nine hundred and forty-one and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending May thirty-first one thousand nine hundred and forty-one." except as to the following items and subject to the following comments:

GENERAL COMMENT

There are in this bill certain increases and decreases from the recommendations in my budget which are capricious and unreasonable. These were all made by the House of Representatives which is in the control of a partisan leadership who has been obstructive and completely non-cooperative, and who would risk wrecking the State Government in trying to gain what it considers to be political advantage.

Ordinarily differences of opinion between Senate and House are ironed out in conference committee. If the House were not dominated by factional interests such procedure could be used with reference to this bill.

However, because of the attitude of the House majority, any changes in the bill by the Senate would only have resulted in the same kind of deadlock which is delaying other vital legislation. Therefore, the Senate has passed the bill, objectionable as some of its provisions are, in the same form as it was received from the House, and has left it to the Governor's Constitutional power to correct such conditions as it can. Had this not been done, there is no telling how long the State Government would have been deprived of funds with which to operate.

DEPARTMENT OF THE AUDITOR GENERAL

The item which provides as follows:

"For the payment of salaries wages and other compensation of a deputy Auditor General and other employes for the payment of general expenses for the payment of rentals of patented leased office devices for the purchase of automobiles furniture furnishings and equipment and for the purchase of supplies printing binding patent indices records law books and other books necessary for the proper conduct of the work of the department the sum of one million six hundred twenty-nine thousand seven hundred fifty-nine dollars (\$1,629,759)."

I approved this item in the amount of one million two hundred three thousand five hundred dollars (\$1,203,500). This amount is seventeen (17) per cent less than the amount I recommended in my budget. This percentage reduction is the same as was made by the House Appropriations Committee in the appropriation which I recommended to the Department of Commerce. The Department of Commerce has been playing an outstanding part in Pennsylvania's contribution to National Defense, and if the House of Representatives believes the Department of Commerce can operate as effectively on seventeen (17) per cent less than I recommended, then surely the Department of the Auditor General which has no direct part to play in National Defense can operate with the same reduction from my recommendation.

TREASURY DEPARTMENT

The item which provides as follows:

"For the payment of salaries wages or other compensation of a deputy State Treasurer and other employes for the payment of general expenses for the purchase of insurance covering the loss of any or all cash and securities of which the Treasury Department or State Treasurer is custodian and covering forgeries of all kinds on checks drafts warrants and requisitions for the payment of rentals of patented lease office devices and for the purchase of automobiles furniture furnishings and equipment for the purchase of supplies printing binding patent indices records law books and other books necessary for the proper conduct of the work of the department the sum of nine hundred fourteen thousand dollars (\$914,000)."

I approved this item in the amount of five hundred thirty-nine thousand five hundred dollars (\$539,500). The percentage of reduction below my budget recommendations and the reasons therefor are the same as for the reduction in the appropriation to the Auditor General. The State Treasurer has no defense activities and no increase activities of any nature. Yet the Democratic majority in the House boosted his appropriation 40% over what it was in the previous biennium while at the same time cutting some departments with heavy defense duties, such as the Department of Commerce, as much as 17%. This serves to indicate the absurdity of the so-called Democratic budget.

I feel it necessary to point out that the party leadership which controls the House of Representatives also

controls the Department of the Auditor General and the Treasury Department. The only increases in departmental appropriations approved by the House were for these two departments. Since there have been no increases in the duties of these departments, it would appear that the party leadership expects these departments to be less efficient; or, if this is not the reason, then the intention can only have been to grab more jobs.

The item which provides as follows:

"For the payment of salaries wages or other compensation to employes and for the payment of general expenses necessary for the proper conduct of the Treasury Department's functions relating to payments from the Unemployment Compensation Fund and the Administration Fund the amounts charged against the Administration Fund by the Treasury Department and paid into the General Fund are hereby specifically appropriated to the Treasury Department out of the General Fund."

I withhold my approval from this item. There is no reason why the present arrangement under which the Treasury costs of disbursing the Unemployment Compensation Fund are paid from the Administration Fund should not continue.

DEPARTMENT OF AGRICULTURE

The item which provides as follows:

"For the payment of salaries wages or other compensation of employes and for the payment of all other expenses necessary for carrying out the provisions of the 'soil Conservation Districts Law' the sum of fifty-seven thousand five hundred dollars (\$57,500)."

I approve this item in the amount of \$10,000. The experience in the operation of the Soil Conservation Districts law for which the appropriation was never more than \$10,000 shows that this amount is ample.

The item which provides as follows:

"For the payment of indemnities for and payment of expenses of testing animals appraised and destroyed to prevent the spread of dangerous contagious and infectious diseases as provided by law the sum of three million dollars (\$3,000,000)."

I approve this item in the amount of \$1,400,000.00. The appropriation of \$1,400,000 for the biennium of 1939-1941 enabled the Bureau of Animal Industry to test 1,122,190 cattle and certify 17 counties as modified and accredited areas, as against 860,840 cattle with 3 accredited counties for the biennium of 1937-1939. The amount of \$3,000,000 would require doubling of our force of veterinarians, increased laboratory facilities, and additional Federal support, all of which are impossible during this period of defense preparations.

DEPARTMENT OF COMMERCE

The item which provides as follows:

"For the payment of salaries wages or other compensation of a deputy secretary and other employes for the payment of general expenses advertising supplies printing and equipment necessary for the proper conduct of the work of the department including the work of the department with respect to collecting press information and distributing it to the several administrative departments boards and commissions and to legislative offices and legislative agencies the sum of two hundred thirty thousand dollars (\$230,000) and in addition thereto any amount appropriated to the department out of the Motor License Fund which shall be credited to the appropriation made by this paragraph and shall be available for the purposes herein enumerated."

I approve in the full amount with the comment that this amount represents a seventeen (17) per cent reduction by the House of Representatives below the amount I recommended in the budget. Our National Defense effort being largely one of production and manufacture, this department has been in position to render invaluable service both to the Commonwealth and to the Nation. It is to be regretted that fair financial provision for its activities was denied the Department by the majority leaders in the House.

DEPARTMENT OF HEALTH

The item which provides as follows:

"For the payment of salaries wages or other compensation of a deputy secretary and other employes for the payment of general expenses supplies printing and equipment necessary for the proper conduct of the work of the department the Sanitary Water Board the Advisory Health Board and other boards the sum of two million nine hundred forty-seven thousand dollars (\$2,947,000) and in addition to said amount all contributions received by the department from private sources for the express use of the department in public health work shall be paid into the General Fund and credited to this appropriation."

I approve in the full amount with the comment that this is a reduction by the House of Representatives of \$147,000 below the amount recommended in my budget. The Department of Health is another department which is closely concerned with National Defense not only in general health activities as a result of military concentrations in the State but also in the furnishing of birth certificates to persons desiring to prove citizenship to gain employment in Defense industries. The work of the department in this latter respect alone is five and a half times what it was before the Nation began to re-arm. My budget recommendation was carefully studied. How the department is to operate with the reduction made by the House has not been pointed out by the House.

DEPARTMENT OF LABOR AND INDUSTRY

The item which provides as follows:

"For the payment of salaries wages or other compensation of the members of the Workmen's Compensation Board Workmen's Compensation Referees Pennsylvania Labor Relations Board and members of the Industrial Board a deputy secretary and other employes for the payment of general expenses supplies printing and equipment necessary for the proper conduct of the work of the department the Workmen's Compensation Board the Workmen's Compensation Referees Pennsylvania Labor Relations Board and the Industrial Board and for compensation and expenses of wage boards the sum of two million four hundred twenty-five thousand dollars (\$2,425,000)."

I approve in the full amount. This is \$175,000 less than I recommended for this department. Here is another instance of deliberate obstructive shortsightedness on the part of the majority party in the House. The work of this Department as a result of the expansion in industry in the State has increased in every function. It is hard to realize that the House majority, who claim to be such friends of Labor, would make any reduction in this appropriation.

DEPARTMENT OF PUBLIC INSTRUCTION

The item which provides as follows:

"For the payment of salaries wages or other compensation of a deputy members and other employes for the payment of general expenses supplies printing and equipment necessary for the proper conduct of the work of the Department of Public Instruction with respect to professional education and licensure and the professional

examining boards and advisory committees within the department the sum of five hundred thousand dollars (\$500,000) Provided That no part of this appropriation shall be expended for any purpose other than the work of the department with respect to the certification of teachers professional education and licensure and the professional examining boards and advisory committees within the department"

I approve in the full amount. My budget recommendation provided for an increase of \$100,000 in the appropriation for this work after study convinced me that past appropriations were not sufficient. In the absence of explanation, the reduction made by the House of Representatives seems arbitrary and unreasonable.

The item which provides as follows:

"For the payment of salaries wages or other compensation of a secretary and other employes for the payment of general expenses supplies printing and equipment necessary for the proper conduct of the work of the Pennsylvania Historical Commission and for the purchase of archaeological collections and maintenance of historical monuments sites buildings and markers as provided by law and as authorized and approved by the Superintendent of Public Instruction the sum of one hundred fifty thousand dollars (\$150,000)."

I approve in the full amount. The majority leaders in the House reduced this appropriation \$50,000, a 25% reduction below my recommendations. This will not be sufficient to maintain properly all the parks and monuments under the supervision of the Historical Commission which the General Assembly has had the State acquire.

The item which provides as follows:

"For reimbursing fourth class school districts upon the increase in the salaries of teachers of elementary schools of such districts in accordance with law the sum of three million two hundred thousand dollars (\$3,200,000)."

I approve in the amount of two million, four hundred thousand dollars (2,400,000) which is estimated by the Department of Public Instruction to be sufficient not only under present legislation but under any legislation pending before either branch of the General Assembly.

PUBLIC UTILITY COMMISSION

The item which provides as follows:

"For the payment of salaries wages or other compensation of a secretary and other employes and for the payment of general expenses supplies printing and equipment necessary for the proper conduct of the work of the commission the sum of one million seven hundred fifty thousand dollars (\$1,750,000)."

I approve in the full amount. This is a reduction of \$100,000 below my recommendation. I recommended an appropriation of \$1,850,000. During the last biennium of the Democratic administration, 1937-1939, that appropriation amounted to \$2,900,000. My recommendation was \$1,050,000 below that amount. Still the Democratic majority in the House saw fit to cut it \$100,000. The amount the Democratic majority now believes sufficient for the Commission is \$1,150,000 less than the Commission had in the Earle Administration. If the Democratic majority is right now the question which arises in anyone's mind is what was done with the extra \$1,150,000 back in the Democratic Administration.

DEPARTMENT OF REVENUE

The item which provides as follows:

"For the payment of salaries wages or other compensa-

tion of a deputy secretary and other employes for the payment of general expenses rentals equipment and other expenses incidental to the collection of inheritance and estate taxes and mercantile license taxes supplies printing and equipment necessary for the proper conduct of the work of the department for the payment of cost of filing liens for the purchase of tax stamps and for the payment of costs of advertising required by any act of Assembly in connection with the escheat of moneys and property to the Commonwealth or in connection with the payment of unclaimed moneys into the State Treasury without escheat the sum of three million forty-five thousand dollars (\$3,045,000) Provided however That to the extent to which appropriations have been made to the department out of special funds for any of the foregoing purposes this appropriation shall not be used for such purposes."

I approve in the full amount. The House majority has been making a great ado about an increased estimate of revenue. Yet they give the Department of Revenue (7) per cent less appropriation with which to collect these revenues they expect to be greatly enlarged.

DEPARTMENT OF STATE

The item which provides as follows:

"For the payment of salaries wages or other compensation of a deputy secretary and other employes for the payment of general expenses supplies printing and equipment necessary for the proper conduct of the work of the department and for proof-reading the Pamphlet Laws the sum of one hundred sixty-two thousand dollars (\$162,000)"

I approve in the full amount. The reduction made by the House of Representatives brings this appropriation to four thousand dollars (\$4,000) less than it was during the current biennium, although the department is still cleaning up the undone work of the past administration.

The item which provides as follows:

"For the payment of salaries wages or other compensation of commissioners and other employes and for the payment of printing and other expenses of the department in taking the vote of citizens of the Commonwealth who are in the active Military Service of the United States the sum of one hundred thousand dollars (\$100,000)."

I approve this item in the full amount with the warning that the arbitrary reduction made by the House may result in the disfranchisement of some of our citizens who have been called out of the State into Federal military services. The Department of State informs me that the amount of this appropriation as it stands is woefully insufficient under present law or any bill pending before the General Assembly. This amount should be supplemented in another bill.

DEPARTMENT OF WELFARE

The item which provides as follows:

"For the payment of salaries wages or other compensation of the superintendents of wardens and other employes for the payment of general expenses supplies and printing for repairs alterations and improvements to plant and equipment for improvements to land for the purchase of equipment furniture furnishings and live stock for expenses of the boards of trustees and incidental expenses for the payment of gratuities clothing and parole expenses and for all other expenses of maintenance and operation necessary for the proper conduct of the work of the Pennsylvania Industrial School at Huntingdon the Pennsylvania Training School at Morgantown the State Industrial Home for Women at Muncy the Eastern Penitentiary at Philadelphia and Graterford the Western State Penitentiary at Pittsburgh the State Penitentiary at Rockview and any other institution hereafter established for the custody of prisoners as may be authorized and ap-

proved by the Secretary of Welfare the sum of seven million five hundred thousand dollars (\$7,500,000)."

I approve in the full amount. My recommendation was based upon current operating costs. These costs will undoubtedly increase during the next two years. Yet the House majority has made an arbitrary reduction of \$100,000.

The item which provides as follows:

"For the payment of salaries wages or other compensation of the Superintendent and other employes for the payment of general expenses supplies and printing for repairs alterations and improvements to plant and equipment for improvements to land for the purchase of equipment furniture furnishings and live stock for expenses of the boards of trustees and incidental expenses and for all other expenses of maintenance and operation necessary for the proper conduct of the work of the Allentown State Hospital at Allentown the Danville State Hospital at Danville the Farview State Hospital at Farview the Harrisburg State Hospital at Harrisburg the Norristown State Hospital at Norristown the Torrance State Hospital at Torrance the Warren State Hospital at Warren the Philadelphia State Hospital at Philadelphia State Hospital at Philadelphia the Wernersville State Hospital at Wernersville and any other institution established for the care and treatment of the insane as may be authorized and approved by the Secretary of Welfare the sum of twenty-two million eight hundred fifty thousand dollars (\$22,850,000)."

I approve in the amount of seventeen million dollars (\$17,000,000). I withhold my approval from the remainder of this appropriation which was ostensibly added to provide for the county institutions which the inaction of the House requires the State to take over. If the House insists upon its stand in this instance, it must provide additional revenue to meet the added appropriation.

The item which provides as follows:

"For the payment of salaries wages or other compensation of the superintendents and other employes for the payment of general expenses supplies and printing for repairs alterations and improvements to plant and equipment for improvements to lands for the purchase of equipment furniture furnishings and live stock for expenses of the boards of trustees and incidental expenses and for all other expenses of maintenance and operation necessary for the proper conduct of the work of the Laurelton State Village at Laurelton the Pennhurst State School at Pennhurst the Polk State School at Polk the Selinsgrove State Colony for Epileptics at Selinsgrove and any other institution established for the care and treatment of mental defectives and epileptics as authorized and approved by the Secretary of Welfare the sum of three million eight hundred fifty thousand dollars (\$3,850,000)."

I approve this item in the full amount with the same comment as I made under the first paragraph of the Department of Welfare.

The item which provides as follows:

"For the payment of salaries wages or other compensation of the superintendents and other employes for the payment of general expenses supplies and printing for repairs for the purchase of equipment furniture and furnishings for expenses of the boards of trustees and incidental expenses and for all other expenses of maintenance and operation necessary for the proper conduct of the work of the Ashland State Hospital at Ashland the Blossburg State Hospital at Blossburg the Coaldale State Hospital at Coaldale the Connelville State Hospital at Connelville the Hazleton State Hospital at Hazleton the Locust Mountain State Hospital at Shenandoah the Nanticoke State Hospital at Nanticoke the Philipsburg State Hospital at Philipsburg the Scranton

State Hospital at Scranton and the Shamokin State Hospital at Shamokin as may be authorized and approved by the Secretary of Welfare the sum of two million nine hundred thousand dollars (\$2,900,000)."

I approve this item in the full amount with the same comment as I made under the first paragraph of the Department of Welfare.

LEGISLATIVE DEPARTMENT TO THE SENATE

The items which read as follows:

"For the payment of the salary of the clerks to the majority and minority floor leaders respectively of the Senate for the two years beginning June first one thousand nine hundred and forty-one the sum of nine thousand six hundred dollars (\$9,600)

"For the payment of the salary of the pages for the majority and minority floor leaders respectively of the Senate for the two years beginning June first one thousand nine hundred and forty-one the sum of two thousand eight hundred eighty dollars (\$2,880)

"For the payment of contingent expenses of the majority floor leader of the Senate including clerical stenographic traveling and discretionary charges for the two years beginning June first one thousand nine hundred and forty-one the sum of two thousand five hundred dollars (\$2,500)

"For the payment of contingent expenses of the minority floor leader of the Senate including clerical stenographic traveling and discretionary charges for the two years beginning June first one thousand nine hundred and forty-one the sum of two thousand five hundred dollars (\$2,500)"

I withhold approval from these four items. All of these are new items—the State has never before paid these costs.

TO THE HOUSE OF REPRESENTATIVES

The items which provide as follows:

"For the payment of the salary of the clerks to the majority and minority floor leaders respectively of the House of Representatives for the two years beginning June first one thousand nine hundred and forty-one the sum of nine thousand six hundred dollars (\$9,600)

"For the payment of the salary of the pages for the majority and minority floor leaders respectively of the House of Representatives for the two years beginning June first one thousand nine hundred and forty-one the sum of two thousand eight hundred eighty dollars (\$2,880)

"For the payment of contingent expenses of the majority floor leader of the House of Representatives including clerical stenographic traveling and discretionary charges for the two years beginning June first one thousand nine hundred and forty-one the sum of two thousand five hundred dollars (\$2,500)

"For the payment of contingent expenses of the minority floor leader of the House of Representatives including clerical stenographic traveling and discretionary charges for the two years beginning June first one thousand nine hundred and forty-one the sum of two thousand five hundred dollars (\$2,500)."

I withhold approval from these four items. All of these are new items—the State has never before paid these costs.

The items which provide as follows:

"For the payment of necessary expenses including extra labor in the office of the chief clerk and library for the year beginning June first one thousand nine hundred and forty-one the sum of twenty-two thousand six hundred dollars (\$22,600) and for the six months beginning June first one thousand nine hundred and

forty-two the sum of ten thousand nine hundred dollars (\$10,900)."

I approve the item for the year beginning June first, one thousand nine hundred and forty-one, in the amount of nineteen thousand dollars (\$19,000), and the item for the six months beginning June first, one thousand nine hundred and forty-two, in the amount of nine thousand one hundred dollars (\$9,100).

JOINT STATE GOVERNMENT COMMISSION

The item which provides as follows:

"For the payment of wages and other compensation of the employes and for the payment of general expenses necessary for the proper conduct of the work of the Joint State Government Commission the sum of one hundred and fifty thousand dollars (\$150,000) to be paid on warrants of the Auditor General in favor of the chairman of said commission on the presentation of his requisition for the same. The chairman shall file an accounting of said expenses with the Auditor General."

I withhold approval from this item in its entirety. Legislation now pending before the General Assembly contemplates fundamental changes in the powers and setup of the Commission. Consideration of an appropriation should in my judgment await determination of this legislation.

ARTHUR H. JAMES.

COMMUNICATION AND BILL LAID ON TABLE

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

The motion was agreed to.

PERMISSION TO ADDRESS HOUSE

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

Mr. Speaker, Governor James is deliberately violating the laws of this Commonwealth.

By his action in cutting the appropriation made by the General Assembly for the operation of the former county mental institutions, the Governor is openly, frankly, and maliciously thumbing his nose at the Legislature, at the people who elected the legislators to office and, what is even more contemptible, at the mentally sick who cannot defend themselves against this dastardly action.

Governor James has violated his oath of office to obey the laws of the Commonwealth. His guilt is open and self-confessed. In his political spleen and warped conception of high office he is using as a shield against political opponents the helpless bodies of these unfortunates who are the wards of the State.

This contemptible action can but fill every decent person in this Commonwealth with disgust and disdain. But the Governor cannot evade his responsibility and the mental hospitals are in the hands of the State. If he deliberately refuses to provide for their maintenance he will subject himself and his Administration to the severe penalties which await any elected official guilty of violation of the law and his sworn duty.

The Governor is no longer the repository of public confidence. The people of Pennsylvania repudiated him and his party last fall. Their vote for the members of this House illustrates the esteem in which they hold

this politician who has disgraced the high office to which he was elected in 1938.

We, in the General Assembly, now speak for the people. And until a new Legislature is elected in 1942, we shall continue to speak for them.

Governor James has won a Pyrrhic victory at the expense of the mental sick. But he has lost his war. We will never agree to this program of postponement which he is trying by blackmail and political pressure back home to jam down our throats.

The Governor is defying the Legislature and the whole State. His defiance makes good reading, but he is impotent to back up his action. He is defeated soundly. This last act is the final gesture in his financial comedy on which the people rang down the curtain last November.

By his act tonight, the Governor has made even more difficult bringing order out of the chaos into which his financial blundering and fiscal stupidity have plunged the State.

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. 727

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, June 12, 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. 727, Printer's No. 821, for the purpose of further consideration.

Accordingly, the original bill is herewith returned.

ARTHUR H. JAMES.

COMMUNICATION AND BILL LAID ON TABLE

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

The motion was agreed to.

REPORTS FROM COMMITTEES

Mr. MUNLEY, from the Committee on Municipal Corporations, reported as committed, House Bill No. 1613, entitled:

An Act authorizing counties, cities, boroughs, towns, townships, school districts and county institution districts to install a system for the collection and payment of current taxes by the purchase at any time during the fiscal year of tax payment certificates by the taxpayers.

Mr. JAMES, from the Committee on Highways, reported as committed, House Bill No. 1825, entitled:

An Act establishing a certain section of public road as a State highway; and providing for its construction and maintenance at the expense of the Commonwealth.

Mr. CULLEN, from the Committee on Municipal Corporations, reported as committed, House Bill No. 1178, entitled:

An Act providing that the compensation of tax collectors shall be fixed by the taxing authorities at least ninety days prior to their election.

Mr. PRESLEY N. JONES, from the Committee on Municipal Corporations, reported as committed, House Bill No. 1629, entitled:

An Act to further amend sections one and two of the act, approved the eighteenth day of July, one thousand nine hundred and thirty-five (P. L. 1286), entitled, as amended, "An act empowering cities, boroughs, incorporated towns, and townships to charge and collect annual rentals for the use of certain sewers, sewage systems and treatment works, including charges for operation, inspection, maintenance, repair, depreciation, and the authorization of indebtedness and interest thereon," taking away the power to enter into contracts with private corporations for the furnishing of sewer or sewage treatment services, and the imposition and collection of rentals or charges and the entry of liens in connection therewith.

Mr. CORDIER, from the Committee on Municipal Corporations, reported as committed, House Bill No. 1503, entitled:

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

Mr. MARKS, from the Committee on Public Utilities, reported as committed, House Bill No. 1700, (Senate Bill No. 789), entitled:

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

pressly providing for administration of the Public Utility Law of June first, one thousand nine hundred and thirty-seven (P. L. 1053), by the Public Utility Commission; and directing said commission to certify certain questions of fact as to the purity of water to the Department of Health.

Mr. GERARD, from the Committee on Rules, reported as committed, House Resolution No. 95.

Mr. LOVETT, from the Committee on Rules, reported as committed, House Resolution No. 101.

Mr. DALRYMPLE, from the Committee on Elections, reported as amended, House Bill No. 1577, (Senate Bill No. 561), entitled:

An Act to amend the act approved the thirtieth day of March one thousand nine hundred thirty-seven (P. L. 115), entitled "An act to provide for the permanent personal registration of electors in cities of the first class as a condition of their right to vote at elections and primaries and their enrollment as members of political parties as a further condition of their right to vote at primaries prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors and prescribing the powers and duties of citizens parties bodies of electors registration commissions commissioners registrars inspectors of registration and other appointees of registration commission election officers municipal officers departments and bureau police officers courts judges prothonotaries sheriffs county commissioners peace officers county treasurers county controllers registrars of vital statistics real estate brokers rental agents certain public service companies persons firms and corporations operating vehicles for moving furniture and household goods and boards of school directors and imposing penalties" as amended by amplifying and changing the powers and duties of the commission its employes and commissioners further regulating and changing the provisions of said act relating to the appointment and removal of registrars and the powers privileges rights and duties of registrars watchers election officers and electors revising and changing the provisions of said act relating to the times places and manner of registering electors and their enrollment as members of political parties change of party enrollment cancellation of registrations preparation and distribution of street lists appeals to the commission and to courts and the procedure thereon providing for appeals by the commission to appellate courts changing certain provisions of said act relating to removal notices providing for the manner of reckoning time imposing additional duties on certain city officers clarifying and coordinating certain provisions of said act and imposing additional penalties.

PUBLIC HEARING

A Public Hearing on House Bill No. 1626 will be held before the Committee on Cities-First Class on June 17, at 10:30 a. m., E.S.T., in Room 521.

ADJOURNMENT

Mr. NUNEMACHER. Mr. Speaker, I move that this House do now adjourn until Tuesday, June 17, at 12 m.

The motion was agreed to, and (at 11:18 p. m.) the House adjourned.