

In the House of Representatives, June 24, 1941.

Resolved (if the Senate concur) That House Bill No. 251, Printer's No. 106, entitled:

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 "Workmen's Compensation Security Fund Act," 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.

be recalled from the Governor for the purpose of amendment.

Ordered, That the Clerk inform the House of Representatives accordingly.

RECONSIDERATION OF SENATE BILL NO. 952 (HOUSE BILL 348)

Mr. GELTZ. Mr. President, on page 9 of today's Calendar appears Senate Bill No. 952, on third reading which was passed finally today. We have discovered that when this bill was amended it was amended only in one place instead of two places.

Mr. GELTZ. Therefore, Mr. President, I move that the Senate do now reconsider the vote by which Senate Bill No. 952, (House Bill No. 348), entitled:

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

was passed finally, June 24, 1941.

The PRESIDENT. How did the Senator vote?

Mr. GELTZ. Mr. President, I voted "aye".

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

The PRESIDENT. How did the Senator vote?

Mr. MILLER. Mr. President, I voted "aye".

The motion was agreed to.

And the question recurring,

Shall the bill pass finally?

Mr. GELTZ. Mr. President, I move to reconsider the vote by which the bill passed third reading.

The PRESIDENT. How did the Senator vote?

Mr. GELTZ. Mr. President, I voted "aye".

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

The PRESIDENT. How did the Senator vote?

Mr. MILLER. Mr. President, I voted "aye".

The motion was agreed to.

And the question recurring,

Will the Senate agree to the bill on third reading?

BILL OVER IN ORDER

Mr. GELTZ. Mr. President, I ask unanimous consent that Senate Bill No. 952, (House Bill No. 348) on third reading, go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

ADJOURNMENT

Mr. GELTZ. Mr. President, I move that the Senate do now adjourn until Wednesday, June 25, 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 5:00 o'clock, p. m., Eastern Standard Time until Wednesday, June 25, 1941, at 1:30 o'clock, p. m. Eastern Standard Time.

HOUSE OF REPRESENTATIVES

TUESDAY, June 24, 1941.

The House met at 12 m.

The SPEAKER (Elmer Kilroy) in the Chair.

PRAYER

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

O God, Thou who hast made of one blood all the nations of the earth, have mercy upon this world of hatred and strife which has forgotten the things which belong to its peace and security. Bless the effort of all who labor to bind up the wounds of war and rebuild the shattered foundations of brotherhood.

Hasten the day, we pray Thee, when man's inhumanity to his brother shall no longer make countless thousands mourn. Do Thou direct the feet of erring men into the ways of righteousness and lead them from the city of destruction to the kingdom of God. This we pray in the name of Jesus, the Christ. Amen.

JOURNAL APPROVED

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

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

BILL INTRODUCED AND REFERRED

By Mr. McINTOSH. HOUSE BILL No. 1915.

An Act making an appropriation to the Department of Military Affairs for the payment of certain moral claims; providing for the hearing, adjustment and paying of moral claims of persons injured and dependent relatives, members of families and personal representatives of persons killed through negligence in the operation of trucks of or under the control of the Pennsylvania National Guard.

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. 489. (HOUSE BILL No. 1916).

An Act authorizing the Department of Property and Supplies to acquire by gift from the Pennsylvania State College, on behalf of the Commonwealth of Pennsylvania, that certain tract of land in Northumberland Borough, County of Northumberland, upon which is located the home of Joseph Priestley, and now the property of the

Pennsylvania State College; providing for the control, management and maintenance thereof by the said department and the Pennsylvania Historical Commission; authorizing the Pennsylvania Historical Commission to accept in trust from the American Chemical Society and other interested societies or individuals, such moneys as they may see fit to present to the Commonwealth to assist in the maintenance and development of this property as a permanent memorial; authorizing the Pennsylvania Historical Commission to accept as gifts or loan, such books, manuscripts, pamphlets, relics and furniture as interested societies or individuals may provide for the permanent utilization of the property as a museum of science; and making an appropriation.

Referred to the Committee on Appropriations.

SENATE BILL No. 1028. (HOUSE BILL No. 1917).

An Act declaring that the soil under tidal waters within the boundaries of the Commonwealth belongs and has always belonged, to the Commonwealth of Pennsylvania; vesting in the Navigation Commission for the Delaware River and its Navigable Tributaries the supervision, management and control thereof, directing the said Commission to require all persons, firms or corporations desiring to dig, dredge or remove any sand, gravel or other soil under tidal water of said river and its tributaries to obtain a license for so doing and to pay a reasonable royalty to be fixed by said Commission for the use of the Commonwealth, for appeals from any action of the navigation commission and providing penalties for the digging, dredging or removal of said, gravel or other soil without procuring such license and entering into such agreement.

Referred to the Committee on State Government.

SENATE BILL No. 1117. (HOUSE BILL No. 1918).

An Act to amend section 1 of the act approved the twenty-seventh day of May one thousand nine hundred and thirty-seven (P. L. 901) entitled "An act for the protection of producers of farm products providing for the licensing of producers of farm products providing for the regulation of certain dealers in farm produce as herein defined within this Commonwealth conferring powers and imposing duties on the Department of Agriculture providing for appeals and injunctions and prescribing penalties" by redefining the term "Dealer in farm products"

Referred to the Committee on Agriculture.

RESOLUTION INTRODUCED AND REFERRED

By Mr. ROSENFELD. RESOLUTION No. 105.

In the House of Representatives, June 23, 1941.

Whereas, There are voters in the City of Philadelphia who are registered under the Permanent Registration Act in force in the aforesaid city; and are also permanently registered under the Permanent Registration Act in force in our sister Commonwealth of New Jersey; and

Whereas, The election records of the City and County of Philadelphia show that a large percentage of these ineligible electors in violation of the registration and election laws of this Commonwealth have voted in Philadelphia County; be it therefore

Resolved, That the Speaker of the House of Representatives appoint a committee of five members of the House to investigate this situation at once, so that in the coming elections in the City and County of Philadelphia no wholesale violation of the Election Laws shall occur; and be it further

Resolved, That the said committee shall have power to issue subpoenas under the hand and seal of its chairman requesting and commanding any person or persons to appear before them and to answer such questions touching matters properly being inquired into by the committee, and to produce such books, papers, records and

documents as the committee may deem necessary. Such subpoenas may be served upon any person, and shall have the force and effect of subpoenas issued out of the courts of this Commonwealth. Each member of said committee shall have the power to administer oaths and affirmations to witnesses appearing before the committee. Any person who shall wilfully neglect or refuse to testify before said committee or to produce any books, papers, records or documents shall be subject to the penalties provided by the laws of the Commonwealth in such cases, and be it further

Resolved, That the said committee report as quickly as possible to this House with appropriate recommendations.

Referred to the Committee on Rules.

LEAVE OF ABSENCE

By unanimous consent leave of absence was granted as follows:

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

Mr. TAYLOR for himself for tomorrow's session.

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

Mr. CHARLES H. BRUNNER for himself for the remainder of the week after tomorrow's session.

Mr. Muir for Mr. HALL for the week.

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

Mr. EDWIN A. LEE for himself for the remainder of the week after tomorrow's session.

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

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

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

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

Mr. SOLLENBERGER for himself for tomorrow's session.

REPORTS FROM COMMITTEES

Mr. YOUNG, from the Committee on Banking, reported as amended, House Bill No. 1890 (Senate Bill No. 823), entitled:

An Act to amend the act, approved the fifteenth day of May, one thousand nine hundred and thirty-three (Pamphlet Laws, six hundred twenty-four), entitled "An act relating to the business of banking, and to the exercise of fiduciary powers, by corporations: providing for the organization of corporations with fiduciary powers, and of banking corporations, with or without fiduciary powers, including the conversion of National banks into State banks, and for the licensing of private bankers; defining the rights, powers, duties, liabilities, and immunities of such corporations, of existent corporations authorized to engage in a banking business, with or without fiduciary powers, of private bankers, and of the officers, directors, trustees, shareholders, attorneys, and other employees of all such corporations or private bankers, or of affiliated corporations, associations, or persons; restricting the exercise of banking powers by any other corporation, association, or person, and of fiduciary powers by any other corporation; conferring powers and imposing duties upon the courts, prothonotaries, recorders of deeds, and certain State departments, commissions, and officers; imposing penalties; and repealing certain acts and parts of acts," as amended, by further providing for the powers, liabilities and immunities and limitations upon the powers and liabilities of corporations or persons authorized to engage

in a banking or fiduciary business or both; and of affiliates of such corporations or persons; and of officers, directors, trustees and employes of such corporations and persons

Mr. WINNER, from the Committee on Banking, reported as amended, House Bill No. 1819 (Senate Bill No. 784), entitled:

An Act to amend section four hundred three of the act, approved the fifteenth day of May, one thousand nine hundred and thirty-three (P. L. 565), entitled "An act relating to the powers and duties of the Department of Banking and the Secretary of Banking in exercising supervision over, and taking possession of and conducting or liquidating the business and property of, corporations, associations, and persons receiving deposits or otherwise transacting a banking business, corporations acting as fiduciaries, and building and loan associations; providing for the payment of the expenses of the Department of Banking by supervised corporations, associations, or persons, and appropriating the Banking Department Fund; authorizing the Department of Banking, under certain circumstances, to examine corporations, associations, or persons affiliated, or having business transactions with supervised corporations, associations or persons; authorizing appeals to the Supreme Court, and prescribing and limiting the powers and duties of certain other courts and their prothonotaries, registers of wills, recorders of deeds, and certain State departments, commissions, and officers; authorizing certain local public officers and State department to collect fees for services rendered under this act; providing penalties; and repealing certain acts and parts of acts," further regulating the publication of advertisements and notices required under the provisions of said act.

MR. CADWALADER IN THE CHAIR.

BILLS ON FIRST READING

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1857, entitled:

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.

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. 1888, (Senate Bill No. 1186), entitled:

An Act authorizing the Department of Military Affairs of the Commonwealth of Pennsylvania to arrange for the design and permanent display in the County of Philadelphia of a plaque or monument in memory of the Honorable Theodore Rosen 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. 1792, (Senate Bill No. 994), entitled:

An Act making an appropriation to the Thomas Jefferson Bicentennial Commission 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 consid-

eration of House Bill No. 1807, (Senate Bill No. 1006), entitled:

An Act to amend Route 18033 established by amendment to the act, approved the twenty-second day of June, one thousand nine hundred and thirty-one (P. L. 594), entitled "An act establishing certain township roads as State highways; authorizing their construction, maintenance and improvement under certain conditions and restrictions; limiting the obligation of the Commonwealth in the construction of certain structures located on such highways; conferring certain powers upon the Department of Highways and local authorities, persons, associations and corporations for sharing the cost of the maintenance and construction of such highways; and making an appropriation to carry out the provisions of said act."

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. 1746, (Senate Bill No. 539), entitled:

An Act prescribing additional powers and duties on the Joint State Government Commission to make a survey of the educational facilities of the Commonwealth conferring upon the commission full power to issue subpoenas to carry out such additional functions and duties and conferring upon the courts of common pleas power to enforce obedience to subpoenas so issued imposing duties on departments and agencies of the State government and on colleges and universities and making an appropriation.

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. 1481, (Senate Bill No. 236), entitled:

An Act to amend section six hundred fifty-four of article six of the act, approved the seventeenth day of May, one thousand nine hundred and twenty-one (P. L. 682), entitled "An act relating to insurance, amending, revising and consolidating the law: providing for the incorporation of insurance companies, and the regulation, supervision, and protection of home and foreign insurance companies, Lloyds associations, reciprocal and inter-insurance exchanges, and fire insurance rating bureaus, and the regulation and supervision of insurance carried by such companies, associations, and exchanges, including insurance carried by the State Workmen's Insurance Fund; providing penalties; and repealing existing laws," providing for appeals from any classification, rule, rate, or schedule of the Insurance Commissioners affecting insurance of employes and employers under the Workmen's Compensation Act of one thousand nine hundred and fifteen and the supplements and amendments thereto and exempting the State Workmen's Insurance Fund from the control of the Rating Bureau and the Insurance Commissioner.

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. Cadwalader, for presiding

COMMUNICATIONS FROM THE GOVERNOR

The Secretary to the Governor being introduced, pre-

sented a communication in writing from His Excellency the Governor, which was read as follows:

APPROVAL OF HOUSE BILL No. 834

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, June 23, 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. 834, Printer's No. 552, entitled, "An Act requiring persons selling 'merchandise' as herein defined to place weighing and measuring devices in full view of the purchasers imposing certain duties on the Department of Internal Affairs and the several county and city inspectors of weights and measures and providing penalties."

ARTHUR H. JAMES.

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

APPROVAL OF RESOLUTION RECALLING
HOUSE BILL No. 1413

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, June 19, 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. 1413, Printer's No. 513, for the purpose of further consideration.

Accordingly, the original bill is herewith returned.

ARTHUR H. JAMES.

COMMUNICATION AND BILL LAID ON TABLE

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

The motion was agreed to

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. 752

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, June 19, 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 the Senate recalling from the Governor House Bill No. 752, Printer's No. 333, for the purpose of further consideration.

Accordingly, the original bill is herewith returned.

ARTHUR H. JAMES.

COMMUNICATION AND BILL LAID ON TABLE

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

The motion was agreed to.

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:

VETO OF HOUSE BILL No. 830

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, June 20, 1941.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I return herewith, without my approval, House Bill No. 830, Printer's No. 720, entitled, "An Act to further amend the act approved the twenty-ninth day of November one thousand nine hundred and thirty-three 1933-34 (P. L. 15) entitled as last amended 'An act to regulate and restrict the sale, manufacture, possession, transportation, importation, traffic in, and use of alcohol, and alcoholic and malt or brewed beverages; conferring powers and imposing duties upon the Pennsylvania Liquor Control Board and its agents, the Department of Public Instruction, other officers of the State government, courts, and district attorneys; authorizing the establishment and operation of State stores for the sale of such beverages not for consumption on the premises, and the granting of licenses, subject to local option, to sell such beverages for consumption on and off the premises; forbidding importation or bringing of such beverages into the State except as herein provided; prohibiting certain sales or practices in, connection with, and transactions in such beverages by licensees and others; providing for the forfeiture of certain property; making disposition of the receipts from State stores and of fees; and imposing penalties," changing the provisions of said act with respect to natural wines as herein defined"

This bill must be considered together with House Bill No. 831, Printer's No. 721, as the two are companion bills; and neither would serve any useful purpose without the final enactment of the other.

This bill would amend the Pennsylvania Liquor Control Act, the Act of November 29, 1933, Sp. Sess. P. L. 15, as reenacted and amended July 18, 1935, P. L. 1246 and June 16, 1937, P. L. 1762, 47 P. S. Section 744-1 et seq., by excepting unfortified wines from the definition of "liquor", and separately classifying them as "natural" wines. "Natural" wines are contrasted with fortified wines. Fortified wines are those to which alcohol is added chiefly in the form of brandies for preservative purposes which naturally results in increasing alcoholic content. The Pennsylvania Liquor Control Board now sells "natural" wines of the following classes: champagnes, clarets, zinfandel, barbera, chianti, burgundy, sauternes, several fruit wines, Rhine wine and possibly others. Of course, some of these wines classed as "natural" wines may be fortified by the addition of alcoholic products. The Pennsylvania Liquor Control Act in its present form includes all wines within its definition of "liquor"

This bill and House Bill No. 831 would liberalize materially the control of the liquor traffic in Pennsylvania. Under present legislation retail dispensers licensed under the Beverage License Law may not possess or sell liquor, which includes all wines, and all liquor must be purchased from Pennsylvania Liquor Stores. Under these two bills distributors and importing distributors of malt or brewed beverages would be permitted to purchase the defined natural wines direct from Pennsylvania manufacturers, and importing distributors direct from manufacturers outside Pennsylvania. Such distributors and importing distributors would be permitted to sell the defined natural wines direct to hotels, restaurants and clubs licensed under the Pennsylvania Liquor Control Act and to retail dispensers licensed under the Beverage License Law. The distributors of malt or brewed beverages would be in direct competition with Pennsylvania Liquor Stores, if indeed, as hereinafter indicated, such stores could legally buy and sell natural wines at all,

and it is a foregone conclusion that such distributors would undersell said stores, thereby inevitably leading to the virtual elimination of the sale of natural wines in Pennsylvania Liquor Stores. There would be over 21,000 privately owned retail outlets for the sale of natural wines in Pennsylvania, as opposed to 576 Pennsylvania Liquor Stores, the former being open for business much longer hours than Pennsylvania Liquor Stores. It would be vastly more difficult, if not impossible, to enforce the laws relating to liquor (including natural wines as defined) if retail dispensers were allowed to buy natural wines direct from the manufacturer or producer and to sell the same direct to the consumer. The present system of liquor control, whereby all liquor (including wines) is sold by Pennsylvania Liquor Stores only, is functioning satisfactorily, and regulation of such liquor can be more adequately established and maintained by continuing that system.

If this bill and House Bill No. 831 became law the Commonwealth would receive only the State tax on natural wines, which is about 14c per gallon, and would lose the 10% Emergency Relief Tax now collected on all sales of wines in Pennsylvania Liquor Stores. When the increased cost of enforcement, which would result from the necessity of supervising sales of natural wines by over 21,000 retail outlets, would be added to this loss of revenue, the ultimate loss in revenue to the Commonwealth would be staggering.

Moreover, any real benefit to Pennsylvania grape growers expected to flow from these bills is illusory. The Act of February 19, 1926, P. L. 16, as reenacted and amended December 8, 1933, Sp. Sess. P. L. 57, July 18, 1935, P. L. 1283, and June 16, 1937, P. L. 1811, 47 P. S. Section 121 et seq., supra, already permits the manufacture of wine from grapes by a grower thereof, without any license, and the sale of such wine to a licensed winery. Wines so manufactured come within the definitions of natural wines in this bill and House Bill No. 831. These two bills would permit importing distributors of malt or brewed beverages to import natural wines from outside Pennsylvania, from such principal wine producing states as California, New York, Ohio, Virginia and New Jersey and not subject to the Pennsylvania Liquor Control System and to sell such wines in direct competition with wines manufactured in Pennsylvania by Pennsylvania grape growers.

The approval of this bill and House Bill No. 831 would be of little or no benefit to any deserving thereof, would open wide the door to uncontrolled traffic in wines, and would be the entering wedge to split wide open the liquor control system as presently established in Pennsylvania.

The bill would establish substantially the same classification and control for natural wines as for malt or brewed beverages, although it is common knowledge that natural wines possess a higher alcoholic content than most malt or brewed beverages, and although the Pennsylvania Liquor Control Board neither buys nor sells malt or brewed beverages.

The bill would authorize licensees under the Pennsylvania Liquor Control Act to purchase natural wines from distributors and importing distributors of malt or brewed beverages licensed under the Beverage License Law (the Act of May 3, 1933, P. L. 252, as amended December 20, 1933, Sp. Sess. P. L. 75, and as reenacted and amended July 18, 1935, P. L. 1217 and June 16, 1937, P. L. 1827, 47 P. S. Section 84 et seq.), and to sell the same for consumption on the premises, and off the premises (except clubs) in certain maximum quantities.

The bill also contains a "joker." It purports to authorize licensees under the Pennsylvania Liquor Control Act to purchase natural wines from Pennsylvania Liquor Stores, although Section 201 (a) of the bill (Section 201 of the bill would replace Section 201 of the Pennsylvania Liquor Control Act, as amended) does not empower the Pennsylvania Liquor Control Board to buy, import, possess or sell natural wines as defined in the bill.

Moreover, the bill as drawn in Section 201 (b) fails to authorize the Pennsylvania Liquor Control Board to fix the wholesale and retail prices at which natural wines as defined in the bill shall be sold at Pennsylvania Liquor

Stores; and Section 602 (1) neglects to make it unlawful to sell natural wines as defined in the bill, except as provided in the Pennsylvania Liquor Control Act, as reenacted and amended by the bill.

House Bill No. 831, Printer's No. 721, hereinbefore referred to, would reenact and amend the Beverage License Law, supra, by including therein "natural wines" and by providing for the purchase and sale of such wines. Both "natural wines" and "wineries" are identically defined in House Bill No. 831 and this bill.

House Bill No. 831 would authorize distributors and importing distributors of malt or brewed beverages to sell or deliver natural wines anywhere in Pennsylvania, provided such wines have been purchased from a licensed winery, an importing distributor, or from a Pennsylvania Liquor Store. Importing distributors would be permitted to purchase such wines only from persons from whom distributors might purchase, or from producers and persons engaged in the legal sale of such wines outside Pennsylvania.

House Bill No. 831 (by Section 2) (g), which corresponds to Section 2 (f) of the Beverage License Law, as amended) would also permit retail dispensers, formerly restricted to the sale of malt or brewed beverages, to sell natural wines in substantially the same manner as malt or brewed beverages.

The definition of "importing distributor" in Section 2 (e) of House Bill No. 831 does not embrace the purchase by such distributor of natural wines from a Pennsylvania manufacturer inasmuch as the bill does not provide for the licensure of such manufacturer.

Although it is well known that breweries, which manufacture malt or brewed beverages, do not manufacture wines, Section 5 of House Bill No. 831 would make it unlawful for anyone to manufacture or produce natural wines unless such person holds a manufacturer's license, and a manufacturer's license may be issued under Section 5 of the bill only for the production and manufacture of malt or brewed beverages or natural wines; that is, breweries, which do not make wine, would be licensed to do so, and wineries, which do not brew malt beverages, would be licensed to do so.

I fully recognize that the Pennsylvania grape growers are presented with difficulties that we would be glad to see solved, but do not believe that they should be answered by taking them from under the supervision and control of the Liquor Control Board. By amendment of the Act of June 16, 1937, P. L. 1811, a limited winery license for grapes grown in Pennsylvania, under such reasonable conditions as may be fixed by the Legislature should be equally as satisfactory as the proposed acts without their dangerous features.

For these reasons, the bill is not approved.

ARTHUR H. JAMES

On the question,

Shall the bill become a law, the objections of His Excellency the Governor to the contrary notwithstanding?

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.

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:

VETO OF HOUSE BILL NO. 831

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, June 20, 1941.

To the Honorable, the House of Representatives
of the Commonwealth of Pennsylvania:

I return herewith, without my approval, House Bill No. 831, Printer's No. 721, entitled "An act to reenact and further amend the title and the act approved the third day of May one thousand nine hundred and thirty-three (P. L. 252) entitled at last amended 'An act to regulate and restrain the traffic in malt and brewed beverages as herein defined providing for the licensing of the manufacture transportation sale and distribution of such beverages imposing license and permit fees, and providing for collection and distribution thereof restricting ownership and interest in licensed places permitting municipalities and townships by vote of the electors to prevent the licensing therein of places where such beverages may be sold for consumption on the premises, and regulating elections for this purpose; imposing duties upon the Pennsylvania Liquor Control Board, quarter sessions courts, district attorneys, the Department of Justice, proper authorities of political subdivisions of the State, and election officers; providing penalties; and repealing existing acts," including natural wines, as herein defined, within the provisions of said act; providing special licenses for the sale thereof, authorizing retail dispensers to sell natural wines without further license;

This bill would amend the Beverage License Law, (the Act of May 3, 1933, P. L. 252, as amended December 20, 1933, Sp. Sess. P. L. 75; and as reenacted and amended July 18, 1935, P. L. 1217, and June 16, 1937, P. L. 1827, 47 P. S. Section 84, et seq.) by including and defining unfortified wines as "natural wines," and by treating brewed or malt beverages and wines, for purposes of control, substantially the same. It would allow retail dispensers of malt or brewed beverages to sell wines in the same manner as said beverages.

This bill is a companion bill to House Bill No. 830, Printer's No. 720, which I have already returned without my approval.

For the reasons recited at length in my message accompanying the return of House Bill No. 830, this bill is not approved.

ARTHUR H. JAMES

On the question,

Shall the bill become a law, the objections of His Excellency the Governor to the contrary notwithstanding?

COMMUNICATION AND BILL LAID ON TABLE

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

The motion was agreed to.

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:

VETO OF HOUSE BILL NO. 1072

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, June 20, 1941.

To the Honorable, the House of Representatives
of the Commonwealth of Pennsylvania:

I return herewith, without my approval, House Bill No. 1072, Printer's No. 486, entitled, "An Act to amend section five hundred and nineteen of the act approved the second day of May one thousand nine hundred and twenty-nine (P. L. 1278) entitled 'An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto' providing for the pay-

ment of the costs of viewers by the Commonwealth in certain cases."

This bill would relieve counties subject to the provisions of the Act of Assembly approved May 2, 1929, P. L. 1278, generally known as "The General County Law," from their existing liability to pay the costs of viewers appointed by the courts of the several counties to ascertain the damages consequent to the taking of property by the Commonwealth under its right of eminent domain and place such costs upon the Commonwealth.

The improvement of State highway routes is a definite benefit to the counties in which such routes are located, and I do not deem it to be an undue burden upon the counties that they bear the cost of viewers in eminent domain proceedings.

For this reason the bill is not approved.

ARTHUR H. JAMES

On the question,

Shall the bill become a law, the objections of His Excellency the Governor to the contrary notwithstanding?

COMMUNICATION AND BILL LAID ON TABLE

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

The motion was agreed to.

SENATE MESSAGE

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

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

HOUSE BILL No. 1098

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

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

The motion was agreed to.

APPOINTMENT OF COMMITTEE OF CONFERENCE ON HOUSE BILL NO. 1098

The SPEAKER. The Chair appoints as a Committee

of Conference on said bill, Messrs. BENTLEY, SARRAF and COOPER.

Ordered, That the Clerk inform the Senate accordingly.

SENATE MESSAGE

APPOINTMENT OF CONFERENCE COMMITTEE ON HOUSE BILL NO. 588

The Clerk of the Senate being introduced, informed that the Senate has insisted upon its amendments, non-concurred in by the House of Representatives, to House Bill No. 588, entitled:

An Act providing for the acquisition by the Department of Property and Supplies of a tract of land fronting on Lake Erie, situated in the township of North East, County of Erie, and for its development and maintenance as a state park by the Department of Forests and Waters; and making an appropriation.

And has appointed Messrs. Becker, Watkins and Cox a committee of Conference to confer with a similar committee of the House of Representatives (if the House of Representatives shall appoint such committee) on the subject of the differences existing between the two houses in relation to said bill.

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

The motion was agreed to.

APPOINTMENT OF COMMITTEE OF CONFERENCE ON HOUSE BILL NO. 588

The SPEAKER. The Chair appoints as a Committee of Conference on said bill, Messrs. SKALE, BROWN and AUKER.

Ordered, That the Clerk inform the Senate accordingly.

REPORT OF COMMITTEE OF CONFERENCE ON HOUSE BILL NO. 404

Mr. McINTOSH. Mr. Speaker, I desire to offer the report of the Committee of Conference on House Bill No. 404.

The SPEAKER. The report will lie over for printing under the rules.

CONGRATULATORY RESOLUTION

Messrs. PROSEN, PETROSKY and HAINES offered a privileged resolution which was read, considered and adopted as follows:

In the House of Representatives, June 24, 1941.

An event that will linger for years in the happy memories of the members of this House who participated, was the trip that was taken to New York on Wednesday June 18, 1941, the occasion being the Conn-Louis fight.

The unprecedented success of the party was due in the first instance to the Honorable Harry O'Neill through whose tireless efforts no detail was overlooked to make the trip a marvelous success. The arrangements for refreshments and accommodations could not be surpassed. While it is quite unlikely that the Honorable Harry O'Neill had anything to do with the success of the fight itself, it cannot go unrecorded as a perfect ending to a perfect trip.

Too often the efforts of individuals who give of their

time and energy for others without thought of personal reward, goes unheralded; therefore be it

Resolved, That this House of Representatives, on behalf of those members who made the trip to the Louis-Conn fight in New York, give a rousing vote of thanks to the Honorable Harry O'Neill for his splendid efforts in arranging the trip and making it an outstanding and never to be forgotten event; and be it further

Resolved, That a copy of this resolution be presented by the Chief Clerk of this House to the Honorable Harry O'Neill as a token of its appreciation for his untiring efforts.

CONGRATULATORY RESOLUTION

Messrs. PAUL A. BRUNNER, BALTHASER, READINGER and MARKS offered a privileged resolution which was read, considered and adopted as follows:

In the House of Representatives, June 24, 1941.

Whereas, It appears that the House of Representatives and the Senate are now engaged in a deadlock; and

Whereas, It appears strange, with all this heat, that one should desire to engage in wedlock; and

Whereas, With perhaps the thought in mind of setting an example for both House and Senate of what can be accomplished by unity, the Honorable Lloyd L. Wolf of this House today married Gwendolyn Spencer; be it therefore

Resolved, That the House of Representatives pause in its deliberations to felicitate the happy couple on this the occasion of their union, and to wish them a successful journey throughout a long and happy married life.

RESOLUTION

RECALLING HOUSE BILL NO. 803 FROM THE GOVERNOR

Mr. TATE offered the following resolution which was twice read, considered and adopted:

In the House of Representatives, June 24, 1941.

Resolved (if the Senate concur), that House Bill No. 803, Printer's No. 905, entitled "An act to amend section six hundred and forty-three of the act approved the twenty-fourth day of June one thousand nine hundred and thirty-nine (P. L. 872) entitled 'An act to consolidate amend and revise the penal laws of the Commonwealth' prohibiting the selling giving away or permitting or employing minors under eighteen years of age to sing dance act or exhibit in dance houses or in concert saloons theaters or places of entertainment where or connected with which wines or spirituous or malt liquors are sold or given away prohibiting the selling giving away or permitting or employing minors under eighteen years of age to sing dance act or exhibit in tap rooms clubs cafes restaurants and eating houses where or connected with which wines or spirituous or malt liquors are sold or given away prohibiting the disrepresentation of age by the aforesaid minors and providing penalties for the violation of the provisions of this act," be recalled from the Governor for the purpose of amendment.

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

BILL ON SECOND READING

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1048, entitled:

An Act relating to and regulating the practice of the healing profession of chiropractic, and the licensure and registration of practitioners therein; creating a Chiro-

practic Board of Examination and Licensure in the Department of Public Instruction; defining its powers and duties, and providing penalties.

The first section was read.
On the question,
Will the House agree to the section?

BILL RECOMMENDED

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

On the question,
Will the House agree to the section?

QUESTION OF PARLIAMENTARY INQUIRY

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

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

Mr. SARRAF. Mr. Speaker, is this motion debatable?

The SPEAKER. The motion to recommit is debatable, but debate must be confined to the motion.

Mr. SARRAF. Mr. Speaker, is the subject matter of the bill debatable?

The SPEAKER. The main question, the bill itself, is not before the House; only the motion to recommit. Remarks must be confined to the motion.

Mr. NAGEL. Mr. Speaker, I desire to interrogate the gentleman from Allegheny, Mr. Bentley.

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

Mr. BENTLEY. I shall, Mr. Speaker.

Mr. NAGEL. Mr. Speaker, will the gentleman from Allegheny state his purpose in having this bill recommitted?

Mr. BENTLEY. I will, Mr. Speaker. There are a number of reasons which, in my opinion, are perfectly sufficient for recommitting and burying House Bill 1048, the Chiropractors' Bill. Perhaps they were best stated in a telegram which was laid on every Member's desk from the various county medical associations throughout the state. I will not read the telegram, but briefly summarize the points made by the medical associations, and I adopt their reasons.

POINT OF ORDER

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

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

Mr. SARRAF. Mr. Speaker, I believe the answer to the interrogation is not on the motion to recommit.

The SPEAKER. The Chair rules the point of order not well taken. The gentleman will proceed.

Mr. NAGEL. Mr. Speaker, has the gentleman concluded his answer to my interrogation?

Mr. BENTLEY. Mr. Speaker, I most certainly have not.

The SPEAKER. The gentleman will proceed.

Mr. BENTLEY. Mr. Speaker, in further answer to the gentleman from Beaver, Mr. Nagel I might state that the first reason for recommitting House Bill 1048 is that it proposes legislation unnecessary — —

POINT OF ORDER

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

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

Mr. NAGEL. Mr. Speaker, the gentleman is talking on the bill. I asked for a reason for the gentleman's request to recommit this bill. I contend the gentleman has not answered my question.

Mr. BENTLEY. Mr. Speaker, if the gentleman does not want to hear about my reasons — — —

The SPEAKER. Will the gentleman yield? The gentleman will confine his reply to the motion to recommit. Certainly, for the information of the gentleman from Beaver, a limited amount of latitude is necessary to explain why the motion is made to recommit. The gentleman will proceed.

Mr. BENTLEY. Mr. Speaker, I am going to acquiesce in the limits placed on me by the gentleman from Beaver, and I shall expect him also to be so limited. I propose this bill be recommitted so that it can be given further study.

Mr. NAGEL. Mr. Speaker, does the gentleman feel that he has not had ample time to study this bill?

Mr. BENTLEY. No. Mr. Speaker, the bill should be given further study on its merits, which are of a very broad nature. I think about four years would be enough.

Mr. NAGEL. Mr. Speaker, I hesitate to say what I think of the extensive time suggested by the gentleman from Allegheny which is required to study this bill. That is all for this gentleman, Mr. Speaker, but I would like to talk further on this motion to recommit.

The SPEAKER. The chair recognizes the gentleman from Beaver, Mr. Nagel.

Mr. NAGEL. Mr. Speaker, I regret very much it is not within the province of parliamentary procedure to discuss at this time the merits of this bill, and because of this I will endeavor to confine my remarks entirely to the motion to recommit.

You will note, Members of the House that I asked for the reason for recommitting this bill and none was given until it was forced at last, for further study and a suggestion that it might take four years to dig down into the bottom of this bill so that it might be understood. I think the gentleman has uncovered or has shown to us the thin veil that covers the motion in asking that this bill be recommitted when he referred to a telegram that was placed on every Member's desk, and by the way, Mr. Speaker, one was not placed on my desk, from the Medical Association, showing why this bill should be recommitted or be defeated. That revealed to us why this association desires to have this bill recommitted. The Medical Association of Pennsylvania is back of this recommittal.

In order to clarify this I have in my possession a telegram which was sent yesterday to a member of this House who kindly handed it to me. I will not give his name unless request is made to do so. This telegram is as follows:

"House Bill ten forty-eight may be considered this week stop please vote to recommit or against."

This telegram is signed by Doctor John P. Griffith President, Doctor George R. Harris, Secretary, Doctor C. L. Palmer, Chairman Public Health Legislation Com-

mittee, Allegheny County Medical Society.

There, gentleman, you have the analysis of the whole problem. You have before you the exact reason why they want this bill recommitted. I contend this is a most unfair method of procedure; a bill that has been before the Legislature for the last four sessions at least, and many sessions before, a bill that passed this House in 1927 which at that time showed so much merit that a committee was appointed to study the healing arts of Pennsylvania, and a report made from this committee which I will disclose on the floor of this House when this bill is discussed on third reading. I will say that this is a stab in the back. They fear to have this bill on the floor of the House, lest the real facts be revealed to the Legislature and to the people of the State concerning this bill which has had a public hearing at which public hearing there were one hundred thousand names signed to a petition without any coercion being exerted.

POINT OF ORDER

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

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

Mr. SARRAF. Mr. Speaker, I do not believe the gentleman is speaking relative to the motion before the House.

The SPEAKER. The gentleman will continue his remarks to the motion to recommit. The gentleman will proceed.

Mr. NAGEL. Mr. Speaker, I am simply trying to show to the Members of this House that this bill should not be recommitted, because the citizens of this great Commonwealth do not want it recommitted and we are representing these citizens. Why should we not accede to their wishes? I say to recommit this bill is a most cowardly act, it is a stab in the back, it is striking below the belt.

I have here, Mr. Speaker, another communication from an organization in Pennsylvania that it outstanding. It is from the Brotherhoods of Railroad Workers. That communication reads as follows:

"The citizens of Pennsylvania have a constitutional right to the methods of healing and the doctors of their choice."

"Forty-two states of the Union

POINT OF ORDER

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

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

Mr. BENTLEY. Mr. Speaker, the gentleman is now speaking on the merits of the bill. He has just mentioned constitutional rights.

The SPEAKER. The Chair is of the opinion that the points of order are dilatory. The gentleman should be permitted to conclude his remarks.

Mr. BENTLEY. Mr. Speaker, I was perfectly willing to open this question but the gentleman rose to a point of order and then said I did not give reasons.

The SPEAKER. The Chair requests the gentleman from Beaver to confine his remarks to the motion to recommit. The gentleman will proceed in order.

Mr. NAGEL. Mr. Speaker, I am simply calling to the attention of the Members of the House the urgent request made by citizens of our state not to recommit this

bill, and if there is anything that comes within our parliamentary procedure that should be included, it seems to me this should be so included.

I will continue reading from the communication as follows, Mr. Speaker:

"Forty-two States of the Union, including District of Columbia and the Territories of the United States, do now have regulatory laws for Chiropractic treatments.

"The Chiropractic treatments have been tested through more than forty years and fully one-fourth of the entire population of the United States has, at one time or another, received chiropractic attention. The clientele ranks second in numbers—surpassed only by medicine and surgery.

"House Bill No. 1048, has the endorsement of the four Railroad Transportation Brotherhoods of the State of Pennsylvania, for the reason, the method of treatment used by the Chiropractors is very beneficial to those of us employed in the railroad industry, due to the fact that our bodies, while performing our natural duties, are often in a very abnormal condition with the result when a sudden shock or something of that nature occurs, it often results in dislocated nerves, etc. We have found that chiropractic treatment does reach the affected parts of our bodies, and we hope, therefore, that the Legislature will give the Chiropractors an opportunity to practice their profession without being violators of the law.

"We do not, by any means, have too many professional men and women who are practicing the art of healing, which is shown by the records and findings of the United States Government when examining our young men for military service.

"The passage of House Bill No. 1048 will not nullify previously established health laws; nor will it interfere with any other form of practice. It will, however, improve the public's opportunity to receive the Chiropractic health service under the supervision and control of Chiropractic Examiners.

"This bill if enacted into law will be a public health benefit measure and we appeal to you for favorable action."

W. A. MAJOR, Chairman,
Order of Railway Conductors

L. V. BYRNES, Legislative Representative,
Brotherhood of Locomotive Engineers

H. A. WALSH, Chairman
Brotherhood of Railroad Trainmen

JAMES A. FOX, Chairman
Brotherhood of Locomotive Firemen
and Enginemen."

Mr. MAXWELL. Mr. Speaker, I desire to interrogate the gentleman from Beaver, Mr. Nagel.

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

Mr. NAGEL. I shall, Mr. Speaker.

Mr. MAXWELL. Mr. Speaker, may I ask if that last letter that the gentleman just read is on the official letterhead and is signed or are those names just typewritten on there?

Mr. NAGEL. Mr. Speaker, in answer to the gentleman I would say it is typewritten on a plain piece of paper and it is not signed. It is entirely typewritten. However, if the gentleman desires I can get from Mr. Fox the original of this letter.

Mr. MAXWELL. Mr. Speaker, in view of the fact that the gentleman from Beaver has just admitted that this letter which he just read is on a plain piece of paper and not on the official letterhead and is not signed by anyone, it is just typewritten, I ask the Members of this

House to disregard anything that is in that letter as being unofficial and not authentic.

Mr. NAGEL. Mr. Speaker, I desire to interrogate the gentleman from Westmoreland, Mr. Maxwell.

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

Mr. MAXWELL. I shall, Mr. Speaker.

Mr. NAGEL. Mr. Speaker, a telegram offered by the gentleman from Allegheny, Mr. Bentley, in support of his reason for recommitting this bill was said to have been laid on every Member's desk. I want to ask the gentleman from Westmoreland if this was an original or whether it was signed.

Mr. MAXWELL. Mr. Speaker, may I ask the gentleman if he ever saw a telegram that was signed?

Mr. NAGEL. I will say I did not, but I will contend that it is no more authentic than this article that has just been read.

Mr. HARKINS. Mr. Speaker, in voting for this motion to recommit ---

The SPEAKER. Will the gentleman yield? For what purpose does the gentleman rise?

Mr. HARKINS. Mr. Speaker, I rise to speak on the motion to recommit.

The SPEAKER. The gentleman is out of order. The gentleman from Beaver, Mr. Nagel, has the floor.

Mr. HARKINS. I beg your pardon, Mr. Speaker, I thought the gentleman had finished.

Mr. NAGEL. Mr. Speaker, For the information of the gentleman just leaving the floor, I will say that my remarks will not be continued much longer, but I do want to say to the Members of this House that I know and I am aware of the fact that powerful pressure has been brought upon certain Members by the medical association of Pennsylvania to vote against this bill. I have had Members come to me and say, "I would like to support your bill but I dare not do it."

Now, members of the House, are we going to submit to such heat and such pressure that we cannot go to our homes and back to our districts which sent us here and say to them that we voted independently of any pressure that was brought upon us? I feel that every Member of this House has a great degree of intelligence, I do not believe that there is a Member of this House who can be corrupted, I do not believe that there is a Member of the House who would take any boodle that is laid upon the barrel-head. I do not feel so. I think you are going to vote on this measure as it should be voted on. I have confidence in you.

I want to call your attention to one other matter. I don't like to refer to myself in any legislative work, but I want to call your attention to the fact that in this House in the last three of four sessions, three in particular, in this Legislature, in which I took part in deliberating on all legislative matters that came before the House. I have never stooped to such tactics as to move that a bill be put back in committee and I even voted to keep a bill on the floor of the House and then voted against that bill after it was on the floor of the House. It is only fair to your constituents back home, it is only fair to suffering humanity that is going to benefit from chiropractic treatments, to give them the benefit of the discussion of this bill on the floor of the House. Are we going to yield and not grant to our constituents and to the people of this great Commonwealth of Pennsyl-

vania the right to know what this chiropractic bill means, the right to know what place it should have and what place the features of this bill should have in the laws of our Commonwealth? I say again, Mr. Speaker, it is a cowardly trick and I ask you Members of the House, this not being a partisan affair, this being a matter which concerns both sides of this House equally, I ask you to extend to me as a Member of this House at this particular time the same courtesy that I have always extended to you, whether I thought your bills were good or bad. If it had any merits whatever, if there was any reason to believe that a certain number of our citizens wanted that bill, I would vote against a motion to recommit that bill, and I ask you to extend to me that same courtesy today. I ask you to give some thought to this, I ask you not to stoop and lie under the pressure that has been put upon you. Be free American citizens so that when you reach your homes after this session is adjourned finally you can say to your own constituents "I voted according to the way I thought was right." I thank the Members of the House and I ask you to vote against the motion to recommit.

Mr. BENTLEY. Mr. Speaker, I should perhaps be astonished and even amazed at the charge of cowardice and unfair practices coming from the gentleman from Beaver, Mr. Nagel, but I am not when I find that he rose to interrogate me and asked me to explain my reasons for moving to recommit this bill, and then immediately falls on a point of parliamentary procedure to stifle any reasons that I may have cared to give.

I ask only one thing of the Members of this House in voting on this motion to recommit. I ask you to recall who showed obedience and respect for the Chair in observing the Chair's decision, to speak only on the motion to recommit, myself or Mr. Nagel. I recall for the Members of the House that Mr. Nagel read a so-called message from the Brotherhood of Firemen and I ask you whether or not that was speaking on the merits of the bill. If he did not speak on the merits of the bill, the very thing that he refused to allow me to do, then I do not understand the English language. I ask you only to recall who used the unfair tactics, who played fair and observed the ruling of the Chair, when I asked you to support this motion to recommit the bill.

Mr. HARKINS. Mr. Speaker, in rising to support the motion to recommit this bill I want to say that my vote for the motion is not influenced or determined by the opposition of the Allegheny County Medical Association to this bill. My vote for the recommitment of this bill is being determined by the fact that I believe this bill is not the proper type of legislation to have upon the statute books. I would not hesitate to vote against the bill, voting on the merits of it. I am particularly calling this to the attention of the Allegheny County Medical Association, because I think in the past few years this association has been inaccurate and inexact in its reporting of the vote of Members of this House to the various medical doctors in the various communities which it serves. I feel that this is the proper opportunity to call the attention of this association to the fact that is inaccurate method of reporting does not obtain any votes for it.

Therefore, Mr. Speaker, I want it clearly understood that my vote for the recommitment of this bill is not in

any way determined by the fact that the Medical Association happens to oppose the bill.

Mr. SARRAF. Mr. Speaker, I rise to support the motion to recommit this bill. One of the arguments advanced by the gentleman from Beaver, Mr. Nagel, for not recommitting this bill was that forty-two states of the Union have chiropractic legislation. Mr. Nagel forgot to inform the House that one of the forty-two states is Pennsylvania. Another reason why I think this bill should be recommitment is because on the statutes of the state of Pennsylvania today are laws which regulate medical practice, and they have been to the Supreme Court of the United States and the Superior Court of the state and they have been upheld, and included in these laws, incorporated in them, under drugless therapeutists are the chiropractors. I think that this is in unnecessary law and an unnecessary board. I feel that this bill should be returned to committee.

Mr. CULLEN. Mr. Speaker, Mr. Bentley in giving his reasons for recommitting the bill, stated as one of them the fact that the medical profession was against it. Well, that is the particular reason why he should vote against the recommitment of this bill. When the question came up about the welfare of the community, I might enlighten the gentleman in regard to certain medical organizations in the advancement of different things.

Mr. Speaker, I am now reading from an issue of the Detroit News:

"Bathtubs, back in the fifties and sixties were bitterly opposed by the medical profession on the grounds that the use of them led to pneumonia. In 1853, Philadelphia Common Council considered an ordinance forbidding the use of bathtubs during the winter months and it failed to pass by only two votes. In 1845, Boston passed an ordinance forbidding bathing in a tub without a medical order, but it never was enforced, and in 1852 it was repealed. By 1860, despite the hostility of the physicians there was a bathtub in every big New York hotel, and some boasted two and even three."

POINT OF ORDER

Mr. MAXWELL. Mr. Speaker, I rise to a point of order. The SPEAKER. The gentleman from Westmoreland will state his point of order.

Mr. MAXWELL. Mr. Speaker, the gentleman is not speaking on the motion to recommit.

The SPEAKER. The point of order is well taken. The gentleman will confine himself to the motion to recommit the bill.

PARLIAMENTARY INQUIRY

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

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

Mr. LEVY. Mr. Speaker, one of the proponents of the motion, Dr. Sarraf from Allegheny I believe touched upon the merits of the motion to recommit the bill, and I feel in all fairness that Mr. Cullen of Philadelphia should be also entitled to answer one of the questions that was brought up in the argument.

The SPEAKER. For the information of the gentleman from Philadelphia, Mr. Levy, when the gentleman from Beaver, Mr. Nagel, interrogated the gentleman

from Allegheny Mr. Bentley, he raised the point of order that he was not confining his remarks to the motion to recommit. The Chair has tried to be very fair during the discussion on the motion to recommit.

POINT OF ORDER

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

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

Mr. LEVY. Mr. Speaker, I made a direct assertion regarding Dr. Sarraf's statement relative to the recommitment of this bill, and I think what Mr. Cullen of Philadelphia is attempting to do is to answer the assertion made by the doctor, or by Mr. Bentley. Now, I believe if one side has been allowed a broad latitude on the subject, I think then certainly that Mr. Cullen's remarks should be entitled to a broad scope.

The SPEAKER. The Chair has been trying to be very liberal on this question. When a point of order is raised the Chair can but ask the Members to confine their remarks to the motion to recommit the bill. If the House wants to discuss the merits of this bill it must either vote down the motion to recommit or the motion will have to be withdrawn.

The rules of the House say that a motion to recommit stops discussion on the main question. The gentleman will confine his remarks to the motion to recommit.

PARLIAMENTARY INQUIRY

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

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

Mr. CULLEN. Mr. Speaker ---

The SPEAKER. Will the gentleman yield? We have a very long calendar and it is the intention to declare a recess very shortly, with the permission of the House, for the purpose of holding a caucus. The Chair is of the opinion that this question can be handled expeditiously if the Members will confine their remarks to the question of recommitment. The gentleman will proceed.

PARLIAMENTARY INQUIRY

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

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

Mr. CULLEN. Mr. Speaker, in the interrogation of Mr. Bentley he raised a certain point. The point I am making is that I cannot answer Mr. Bentley as to one of his reasons for recommitting the bill—that the medical profession was against the bill.

The SPEAKER. What is the gentleman's question?

Mr. CULLEN. Mr. Speaker, cannot I answer the gentleman's question and show him that the medical profession, even though they are against the bill, should not be considered?

The SPEAKER. A point of order was raised by the gentleman from Philadelphia. The Chair has ruled that the gentleman shall confine his remarks to the motion to recommit. The gentleman from Philadelphia may only discuss the reasons why the bill should or should not be recommitment. The gentleman will proceed.

Mr. CULLEN. Mr. Speaker, I was trying to explain that I was answering the reason given by the gentleman who made the motion. It is my contention that he gave a certain reason for recommitting the bill as one of his reasons, and an answer to that is perfectly in order. That is my contention Mr. Speaker. He raised his reason and I'm only answering his reason.

The SPEAKER. The gentleman will proceed in order.

Mr. CULLEN. Well, Mr. Speaker, if I am out of order by reading this, then that is the reason I am against the motion to recommit this bill.

Mr. LEVY. Mr. Speaker, I feel confident that the controversy relative to House Bill 1048 could best be described as one that need not be argued on a motion to recommit, but if any Member or group of Members feel that House Bill 1048 should be sent back to committee then the rules of procedure as outlined by the Speaker should in all regularity be adhered to.

I am not so much concerned with the argument propounded by the gentleman from Allegheny that the Medical Association of the Commonwealth of Pennsylvania is opposed to House Bill 1048, nor on the other hand that the Brotherhoods of Railroad Trainmen are in favor of House Bill 1048. I only want to bring to the attention of the Members of the House the fact that House Bill 1048 was introduced on March 31st and sent to the Committee on Professional Licensure on April 1st of 1941. House Bill 1048 was in committee approximately two and a half months and there was ample study and diligent attention given to the bill. The proponents of the recommittal motion will admit that the bill was studied from every angle, and I call upon you in the name of fairness, and I say to you it is only fair to the proponents of this measure and to the people of the Commonwealth who think that House Bill 1048 is fair and just, to permit the bill to remain on the calendar, be advanced to third reading and the merits or demerits be amply and intelligently discussed.

MR. ACHTERMAN IN THE CHAIR

Mr. NAGEL. Mr. Speaker, I want to correct a statement made some time ago by Dr. Sarraf. He said in my remarks I had forgotten to mention that the state of Pennsylvania had a law licensing chiropractors. I want to deny that. That is not correct. Pennsylvania has no law giving the chiropractor his own licensing board. The states in the United States that do not have such a law are Alabama, Louisiana, Mississippi, New York, Pennsylvania and Texas. I have copies of the laws ---

Mr. SARRAF. Mr. Speaker, I do not care to interrupt the speaker, but statements are being made erroneously and they accuse me ---

The SPEAKER pro tempore. For what purpose does the gentleman from Allegheny rise?

POINT OF ORDER

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

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

Mr. SARRAF. Mr. Speaker, my remarks were made with reference to recommitting this bill. My remarks are a matter of record. The gentleman is using my remarks and misconstruing them in an attempt to prove that this bill should not be recommitted. The gentleman is also

speaking on the merits of the bill. Mr. Speaker, I raise that point of order.

The SPEAKER pro tempore. The Chair has already ruled on the question. The gentleman will confine his remarks to the motion to recommit.

Mr. NAGEL. Mr. Speaker, I was simply trying to correct a statement which I know is not correct and I think I have proof and evidence to show it is not correct. I defy anyone to show me on the statutes of Pennsylvania wherein the chiropractor has his own licensing board, the same as in many of these other states which do have a chiropractic law, and which do have a licensing board. Pennsylvania does not have. Do not be led astray by a statement of that kind because it is not correct.

On the question recurring,

Will the House agree to the motion?

The yeas and nays were required by Mr. Nagel and Mr. Russell E. Reese.

Messrs Russell E. Reese, Nagel and Cullen asked for a verification of the roll.

The roll was verified and was as follows:

YEAS—113

Baker,	Finestone,	Malloy,	Schwab,
Balthaser,	Fiss,	Marks,	Serrill,
Baughner,	Foor,	Maxwell,	Shaw,
Bentley,	Greenwood,	McClanaghan,	Shepard,
Bentzel,	Gross,	McClester,	Simons,
Boney,	Gryskewicz,	McDermott,	Snyder,
Bower,	Habbyshaw,	McDowell,	Sollenberger,
Brown,	Haines,	McFall,	Sorg,
Brunner, C. H.,	Harkins,	McIntosh,	Stambaugh,
Brunner, P. A.,	Harmuth,	McMillen,	Tate,
Burris,	Harris,	McSurdy,	Taylor,
Cadwalader,	Helm,	Meichlorre,	Thompson, E. F.,
Chervenak,	Hersch,	Mihm,	Thompson, R. L.,
Chudoff,	Hewitt,	Muir,	Trout,
Cochran,	Imbrle,	Munley,	Vincent,
Cooper,	Jones, G. E.,	O'Brien,	Voldow,
Cordier,	Keenan,	O'Dare,	Wagner,
Croop,	Kenehan,	O'Neill,	Watkins,
Dairymply,	Kolankiewicz,	Polaski,	Weise,
Dennison,	Komorofski,	Powers,	Welsh, M. J.,
DiGenova,	Krise,	Prosen,	Wilkinson,
D'Ortona,	Lee, E. A.,	Rausch,	Winner,
Duffy,	Leisey,	Reese, D. P.,	Wood, L. H.,
Early,	Leonard,	Reynolds,	Woodring,
Eckels,	Leydic,	Rose, W. E.,	Woodside,
Elliott,	Lichtenwalter,	Royer,	Yester,
Ely,	Longo,	Sarge,	Kilroy,
Falkenstein,	Lyons,	Sarraf,	Speaker.

NAYS—55

Allmond,	French,	Levy,	Reese, R. E.,
Boles,	Gillan,	Lovett,	Rhea,
Boorse,	Goodwin,	McKinney,	Rush,
Bradley,	Gyger,	Monks,	Shaffer,
Burns,	Haberlen,	Mooney,	Stockham,
Cohen, R. E.,	Hamilton,	Moran,	Van Allsburg,
Cook,	Heatherington,	Nagel,	Vogt,
Cullen,	Hirsch,	Nunemacher,	Weingartner,
Dix,	Huntley,	O'Connor,	Welsh, E. B.,
Dolon,	Jefferson,	O'Mullen,	Williams,
Fisher,	Jones, P. N.,	Owens,	Wright,
Fleming,	Kilne,	Petrosky,	Yeakel,
Fletcher,	Knoble,	Pettit,	Young,
Flynn,	Lesko,	Polen,	

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

THE SPEAKER (Elmer Kilroy) IN THE CHAIR

The SPEAKER. The Chair thanks the gentleman from Monroe, Mr. Achterman, for presiding.

BILL INTRODUCED AND REFERRED

By Mr. HABERLEN.

HOUSE BILL No. 1919.

An Act to amend section 103, 301, 304, 305, 307, 308, 310, 311, 401, 402, 403, 404, 405, 410, 501, 502, 503, 505, 506, 508, 510, 511, 512, 513, 703, 801, 802, 803, 804, 807, 808, 808, 904, 1013, and 1101 of the act approved the twenty-eighth day of April, one thousand nine hundred and thirty-seven (P. L. 417), entitled "An act relating to milk and the products thereof; creating a Milk Control Commission; establishing its jurisdiction, powers and duties; regulating the production, transportation, manufacturing, processing, storage, distribution, delivery and sale of milk and certain products thereof; providing for the licensing of milk dealers and the payment of fees therefor; requiring milk dealers to file bonds to secure payment for milk to producers and certain milk dealers; authorizing the holding of hearings and the issuance of subpoenas by the commission; conferring jurisdiction upon courts to punish contempts and to prohibit violations of this act and of rules, regulations and orders of the commission; authorizing the commission to adopt rules, regulations and orders, and to enter into interstate and Federal compacts; requiring persons who weigh, measure, sample or test milk to procure permits or certificates, to take examinations, to pay fees therefor, to furnish certain notices, records and statements, and to use certain methods of weighing, measuring, sampling and testing; authorizing the commission to examine the business, papers and premises of milk dealers and producers, requiring the keeping of records and the filing of reports by milk dealers, and permitting, with limitations, the use of information obtained thereby; authorizing the commission to fix prices for milk certain milk products subject to the approval of the Governor, and conferring certain powers upon the Governor with respect thereto; providing for appeals to the courts from decisions of the commission, and for the burden of proof upon such appeals; prescribing penalties, fines and imprisonment for violations of this act and rules, regulations and orders of the commission; defining perjury; defining remedies; repealing legislation supplied and superseded by this act, and saving rights, duties and proceedings thereunder and making appropriations," by adding the term "handler" as a synonym for the term "milk dealer," defining the terms "handle" and "handler"; extending the provisions of the act to those who handle milk by bailment, brokerage, consignment or purchase; authorizing special agents or examiners to conduct hearings on behalf of the Milk Control Commission; enabling certain officers, employes and agents to administer oaths; providing the method and effect of service of certain orders and the posting of rules, regulations and certain orders; enabling employes of the commission to photograph, photostat, mark or stamp for identification books and papers that they have inspected; providing for action with milk control agencies of other states and of the United States in holding hearings and promulgating and enforcing orders; requiring milk dealers or handlers to be licensed; stating grounds for refusal, suspension, revocation of licenses and the right to transfer licenses; stating grounds for refusal of the right to apply for a license; stating the effect of service by registered mail; enlarging requirements of milk dealers or handlers to file bonds to secure payment to producers and certain milk dealers or handlers; prescribing the effective date and term of such bonds and providing for their release; providing for the increase or decrease of the amounts of bonds; prescribing the effect or orders and findings of fact of the commission relating to licenses in suits or bonds; providing for payment to those entitled thereto of moneys in the hands of the commission owing from dealers or handlers to producers and from subdealers or subhandlers to dealers or handlers; increasing the scope of regulation of subdealers or subhandlers; making certain information available to cooperatives and producers' groups; clarifying the requisites of orders fixing prices

for milk; providing for the competency of certain statistical testimony and data; providing that all provisions of price-fixing orders shall be presumed to be valid and placing the burden of proving any invalidity of any order or part thereof; stating the effect of partial invalidity of price-fixing orders; defining violations of orders of the commission fixing prices; making milk dealers or handlers responsible for acts of their directors, officers, agents or other persons acting for or on behalf of them; giving certain additional rights to cooperatives and producers' and farmers' unions or organizations of producers of milk; further regulating and imposing duties on milk dealers or handlers; prescribing procedure on appeal from orders of the commission; further defining and prescribing penalties, defenses, rights and remedies; and providing for the payment of funds in the hands of the commission owing producers or dealers or handlers to those entitled thereto.

Referred to the Committee on Dairy Industries.

RESOLUTION

RECALLING HOUSE BILL No. 1513 FROM THE GOVERNOR

Mr. DENNISON offered the following resolution which was twice read, considered and adopted:

In the House of Representatives, June 24, 1941.

Resolved, (if the Senate concur), That House Bill No. 1513, Printer's No. 797, entitled "An Act to further amend section three of the act approved the twenty-second day of June, one thousand nine hundred thirty-five (P. L. 414), entitled as amended 'An act to provide revenue for State purposes, imposing taxes upon certain classes of personal property; providing for the assessment, collection and lien of the same, and the distribution of the proceeds thereof; imposing duties on executors, administrators, registers of wills, recorders of deeds, prothonotaries and court clerks, and on persons, copartnerships, associations, banks, national banks, trust companies, and other corporations receiving deposits of money, and on certain corporations and limited partnerships; conferring powers and imposing duties on certain State officers and departments; imposing penalties, and making an appropriation,' by exempting assets held by liquidating trustees," be recalled from the Governor for the purpose of amendment.

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

HOUSE BILL No. 107 TAKEN FROM TABLE

Mr. PRESLEY N. JONES. Mr. Speaker, I move that House Bill No. 107, together with the communication from the Governor, which was laid on the table June 9, 1941, be taken from the table.

The motion was agreed to.

The communication was read by the Clerk as follows:

COMMUNICATION FROM THE GOVERNOR

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

APPROVAL OF RESOLUTION RECALLING HOUSE BILL No. 107

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, June 6, 1941.
To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the Honor to inform you that I have this day approved and signed a resolution of the House of Representatives and Senate recalling from the Governor House Bill No. 107, Printer's No. 742, for the purpose of further consideration.

Accordingly, the original bill is herewith returned.

ARTHUR H. JAMES.

RESOLUTION

RETURNING HOUSE BILL No. 107 TO THE GOVERNOR

Mr. PRESLEY N. JONES offered the following resolution which was twice read, considered and adopted:

In the House of Representatives, June 24, 1941.

Resolved, (if the Senate concur), That House Bill No. 107, Printer's No. 742, entitled "An Act to amend section eleven of the act approved the twenty-seventh day of April, one thousand nine hundred and twenty-seven, (P. L. 395), entitled 'An act empowering the Department of Highways to acquire certain toll bridges within the Commonwealth; providing the procedure therefor; providing for the reimbursement of the Commonwealth from tolls and charges, and making an appropriation,' as amended; by providing that certain of such toll bridges heretofore or hereafter acquired by the Department of Highways may be free bridges from the effective date of this act, or from the date they are so acquired," which was recalled from the Governor on June 6th for amendment, and laid on the table on June 9th, be returned to the Governor without amendment.

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

PUPILS OF LANSDALE SCHOOL WELCOMED

The SPEAKER. The Chair welcomes to the House this afternoon Prof. Goering, Principal of Green Street School of Lansdale and nine cyclists, who are on a tour of eastern Pennsylvania on bicycle. They are the guests of the Montgomery County members.

RECESS

The SPEAKER. If there is no objection the Chair is about to declare a recess until 3 p. m.

Is there objection? The Chair hears none and a recess is declared.

AFTER RECESS

The House reconvened at 3 p. m.

The SPEAKER (Elmer Kilroy) in the Chair.

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. 849

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, June 24, 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. 849, Printer's No. 985, entitled, "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."

ARTHUR H. JAMES.

SENATE MESSAGE

RESOLUTION CONCURRED IN BY SENATE

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

In the House of Representatives, June 24, 1941.

Resolved (if the Senate concur), that House Bill No. 803, Printer's No. 905, entitled "An Act to amend section six hundred and forty-three of the act approved the twenty-fourth day of June one thousand nine hundred and thirty-nine (P. L. 872) entitled 'An act to consolidate amend and revise the penal laws of the Commonwealth' prohibiting the selling giving away or permitting or employing minors under eighteen years of age to sing dance act or exhibit in dance houses or in concert saloons theaters or places of entertainment where or connected with which wines or spirituous or malt liquors are sold or given away prohibiting the selling giving away or permitting or employing minors under eighteen years of age to sing dance act or exhibit in tap rooms clubs cafes restaurants and eating houses where or connected with which wines or spirituous or malt liquors are sold or given away prohibiting the misrepresentation of age by the aforesaid minors and providing penalties for the violation of the provisions of this act" be recalled from the Governor for the purpose of amendment.

BILLS SIGNED BY SPEAKER

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

SENATE BILL No. 122.

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 appraisalment 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

SENATE BILL No. 151.

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

SENATE BILL No. 174.

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 width of said streets imposing duties on such cities and on public utility companies using such streets providing that no assessment shall be made upon the Commonwealth in the elimination of any grade crossing thereon authorizing cities persons associations or corporations to enter into agreements with the Commonwealth to bear a portion of the cost of construction or maintenance providing for the assessment of certain portions of the cost of street improvements on abutting property owners regulating the replacement of certain facilities of public utility companies prohibiting the opening of said streets after improvement without a permit and providing penalty therefor regulating the maintenance of detours authorizing the increase of city indebtedness in certain cases and appropriating money in the Motor License Fund for the purpose of this act" by establishing additional routes in the City of Erie

SENATE BILL No. 213.

An Act authorizing the Department of Property and Supplies acting for the Commonwealth of Pennsylvania, to acquire by gift from the owner thereof, Pottsgrove Mansion with tract of land situate in the Ninth ward of the Borough of Pottstown, Montgomery County, Pennsylvania; providing for the control, management, supervision, improvement and maintenance thereof by the Pennsylvania Historical Commission; authorizing the Pennsylvania Historical Commission to make and enforce rules and regulations for the preservation, maintenance and visitation thereof; and creating an advisory board to assist in such functions.

SENATE BILL No. 224.

An Act to amend section three hundred and ten of the act, approved the twenty-fourth day of June, one thousand nine hundred and thirty-seven (P. L. 2017), entitled "An act creating in each county (except of the first class) as a separate corporation, and in each city of the first and second class as a part of the city government, an insti-

tution district for the care and maintenance of certain indigent persons and children; prescribing the powers and duties of county commissioners, county treasurers, city departments of public welfare, the State Department of Welfare and the State Department of Public Assistance in respect thereto; abolishing certain poor districts and terminating the terms of directors, overseers, guardians and managers of the poor and poor district auditors, and providing for the temporary employment of certain of them; providing for the transfer, vesting, sale and disposition of the property of poor districts and the payment of their obligations; imposing certain existing obligations on institution districts and on the Commonwealth; regulating the affairs of poor districts until abolished; revising, amending, changing and consolidating the law relating to the care of the poor; and repealing existing laws," providing for the administration of the finances of institution districts in counties having a county controller; and conferring powers and imposing duties on county controllers, commissioners and treasurers

SENATE BILL No. 303.

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

SENATE BILL No. 346.

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

SENATE BILL No. 419.

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

SENATE BILL No. 486.

An Act relating to sheriffs' sales of personal property, providing that when personal property is sold at sheriff's sale to the plaintiff in the writ of execution, the sheriff shall accept in payment a receipt from such purchaser for the amount to which he is entitled under the writ, subject to certain deductions for costs and priority claims.

SENATE BILL No. 566.

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 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 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 non-resident 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

SENATE BILL No. 572.

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

SENATE BILL No. 592.

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

SENATE BILL No. 599.

An Act to amend section three of the act approved the twenty-third day of March, one thousand eight hundred and sixty-five (P. L. 607), entitled "An act for the better management of the Allegheny county prison" by requiring all contracts involving an expenditure of one hundred dollars to be in writing and prohibiting the making of any contract involving the expenditure of over five hundred dollars unless made with the lowest and best bidder after due advertising and requiring all purchases to be made through the purchasing department of the county.

SENATE BILL No. 645.

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

SENATE BILL No. 655.

An Act to amend the first paragraph of section one of the act approved the seventh day of June one thousand nine hundred seventeen (P. L. 570), entitled "An act fixing the salaries and providing for the expenses of county commissioners in the counties of this Commonwealth" by increasing the salary of county commissioners in eighth class counties.

SENATE BILL No. 724.

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

Whereupon,

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

SENATE MESSAGE

APPOINTMENT OF CONFERENCE COMMITTEE ON SENATE BILL No. 381

The Clerk of the Senate being introduced, informed that the Senate insists on its non-concurrence in the amendments made and insisted upon by the House of Representatives to Senate Bill No. 381, entitled:

An Act to amend the act approved the second day of May one thousand nine hundred and twenty-nine (P. L. 1278), entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" by authorizing the acquisition operation and leasing of aviation landing fields and airdromes by counties of the second third fourth fifth sixth seventh and eighth classes conferring certain powers of eminent domain upon such counties for the acquisition of lands for aviation landing fields and airdromes authorizing such counties to appropriate for such purposes unredeemed lands purchased at tax sales providing for the jurisdiction of condemnation proceedings where lands are situated in more than one county authorizing such counties to act jointly with certain political subdivisions in the operation and maintenance of aviation landing fields and airdromes and providing for the expenditure of funds for such purposes in cooperation with certain State Federal or other public agencies.

And has appointed Messrs. Chapman, Letzler and Mundy a committee of conference to confer with a similar committee of the House of Representatives (already ap-

pointed) on the subject of the differences existing between the two Houses in relation to said bill.

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

The motion was agreed to.

APPOINTMENT OF COMMITTEE OF CONFERENCE ON SENATE BILL. No. 381

The SPEAKER. The Chair appoints as a Committee of Conference on said bill, Messrs. O'NEILL, SCHWAB and KNOBLE.

Ordered, That the Clerk inform the Senate accordingly.

CONGRATULATORY RESOLUTION

Mr. LLOYD H. WOOD offered a privileged resolution which was read, considered and adopted as follows:

In the House of Representatives, June 24, 1941.

Thirty-se en years ago last Thursday the Honorable Charles H. Brunner, Jr. was born in Lancaster and at an early age displayed the unusual intelligence which accounts for his present place in public life, by leaving Lancaster and attending the grade schools and the High School in Norristown. His remarkable career best proves that Lancaster is a good place to come from.

As a boy he thrilled to the sound of the fire alarm, the prancing of galloping fire horses and the excitement and consternation attending fires. Upon graduation from the Norristown High School in 1920 he entered Colgate University graduating from that institution in 1927 having majored in fire-fighting and hose placement. Not being satisfied with the knowledge in this particular field thus far acquired, he entered Temple University Law School graduating in 1931 with the degrees of A. B. and L. L. B. also C. E. P. H. (Chief Engineer Placement of Hose with all the legal knowledge pertaining thereto).

His extreme interest and efficiency in this field was noted by the firemen of his home community and they determined that they must have an officer well versed in this subject and accordingly made him vice president of the Norristown Hose Company No. 1 for the year 1939. His record during that year compelled his election to the presidency of the Company in 1940.

He represents the third generation of attorneys of the Brunner family in Montgomery County but so far no provision has been made for the continuation of this record.

He came into this House as a freshman in 1939 and at his very first session sponsored the largest piece of legislation passed and approved by the Governor. Covering two hundred and four pages of the pamphlet laws of 1939 the Penal Code, after failing of passage at many previous sessions, was finally put across, in great measure, as the result of his diligent efforts.

His record with the Code of Criminal Procedure at this session is however, not so good.

Our associate from Montgomery County is a member of Colgate Theta Phi Chapter of Phi Gamma Delta fraternity, Norristown Lions Club, Norristown Maennuckor, Knights of Golden Eagle, Norristown Hose Company No. 1; member Loyal Order of Moose, Montgomery County Firemen's Association; regional vice-president of Schuylkill River Valley Restoration Association, for Montgomery County; therefore be it

Resolved, That today the Members of this House, belatedly extends to the Honorable Charles H. Brunner, Jr. their warmest congratulations and their best wishes for many returns thereof and for the arrival soon of the son who can carry out the family tradition and become Lawyer Brunner, number four of the County of Montgomery; and be it further

Resolved, That as a permanent token of our esteem and regard for him, the Chief Clerk shall immediately prepare a copy of this resolution and transmit the same to the Honorable Charles H. Brunner, Jr.

The SPEAKER. The Chair recognizes the gentleman from Montgomery, Mr. Brunner.

Mr. CHARLES H. BRUNNER, Jr. Mr. Speaker, and members of the House after all that, all I can say is "period."

Seriously, however, the efforts of my colleagues from Montgomery County in preparing such a voluminous and extensive resolution bespeaks the interest with which we hold one another. I thank them for it and I thank the membership, but I warn the membership to pay no attention whatsoever to the contents other than the fact that I was born in Lancaster on June 19, 1904, which is a very good County to come from. I may explain that the reason I was born in Lancaster County was that I was the first born in my family and my mother went home for the occasion; she happened to come from Lancaster County.

Again may I remind you all that the contents of the resolution are not to be taken seriously, and that you will get back to the old adage, "No matter how thin you slice it, it's still baloney."

BILL ON FIRST READING

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 602, entitled:

An Act to amend sections eight hundred one and nine hundred seventy-six of the act, approved the third day of June one thousand nine hundred 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 further defining parties and political bodies; providing procedure for rejection of nomination petitions, papers or certificates in certain cases; imposing duties on the Governor and the Attorney General and imposing additional duties on county boards of elections, the Secretary of the Commonwealth and the courts.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

BILLS ON SECOND READING

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 924, entitled:

An Act to amend section four hundred and two of the act approved the first day of May one thousand nine hundred and twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act

conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" further regulating the registration of motor vehicles

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. 1878, entitled:

An Act to further amend the act approved the eighteenth day of May one thousand nine hundred and eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" as amended by providing for the appointment of a deputy school treasurer a deputy school controller and clerks to the school controller

The first and second sections were separately read and agreed to.

The third section was read.

On the question,

Will the House agree to the question?

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

The amendments were read by the Clerk as follows:

Amend Sec. 3 (Sec. 2212), page 4, line 23, by inserting after the word "controller" the following: "and school treasurer respectively."

Amend Sec. 3 (Sec. 2212), page 4, line 24, by striking out the word "he".

Amend Sec. 3 (Sec. 2212), page 4, line 24, by inserting a light face bracket before and after the word "deems."

Amend Sec. 3 (Sec. 2212), page 4, line 24, by inserting after the word "deems" the following: "they deem".

Amend Sec. 3 (Sec. 2212), page 4, line 25, by striking out the word "him" and inserting in lieu thereof: "them".

Amend Sec. 3 (Sec. 2212), page 4, line 25, by striking out the word "his" and inserting in lieu thereof: "their".

Amend Sec. 3 (Sec. 2212), page 4, line 27, by inserting after the word "controller" the following: "and school treasurer".

The amendments were agreed to.

The section was agreed to as amended.

The fourth, fifth and sixth sections were separately read and agreed to.

The title was read.

On the question,

Will the House agree to the title?

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

The amendment was read by the Clerk as follows:

Amend title, page 1, last line of title, by inserting at the end of said line the following: "and school treasurer."

The amendment was agreed to.

The title was agreed to as amended.

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

Ordered, To be transcribed for a third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 513, entitled:

An Act to further amend section twelve of the act approved the eighteenth day of July one thousand nine hundred and seventeen (P. L. 1043) entitled "An act establishing a public school employees' retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing employees defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon boards having the employment of public school employees exempting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties" granting certain retirement rights to persons who have withdrawn from and returned to school service.

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. 1671, entitled:

An Act to further amend subsections seven and nineteen of section one thousand two hundred ten of the act approved the eighteenth day of May one thousand nine hundred and eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" fixing the minimum annual salary and increments of members of the teaching and supervisory staff in school districts of the fourth class increasing the percentage of state-aid for all districts and providing additional state-aid through an equalization fund created by this act to be maintained from state appropriations.

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

Ordered, To be transcribed for a third reading.

BILL RECOMMITTED

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

The motion was agreed to.

BILLS ON SECOND READING

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1790, (Senate Bill No. 806), entitled:

An Act to further amend clause (a) of section one thousand two hundred sixteen of the act, approved the eighteenth day of May, one thousand nine hundred eleven (P. L. 309), entitled "An act to establish a public school system in the Commonwealth of Pennsylvania, together

with the provisions, by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent therewith," by further regulating sabbatical leaves for certain school employes

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

Ordered, To be transcribed for a third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1476, (Senate Bill No. 459), entitled:

An Act to outlaw claims against the State Emergency Relief Board for which invoices have not been presented within six months of the date of this Act.

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

Ordered, To be transcribed for a third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1757, (Senate Bill No. 508), entitled:

An Act to amend section two thousand three hundred twenty of the act approved the ninth day of April, one thousand nine hundred and twenty-nine (P. L. 177), entitled "An act providing for and reorganizing the conduct of the executive 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 authorizing the State Council for the Blind to furnish certain aids and services to needy blind persons or persons with impaired vision for the purpose of restoring or improving their vision, and authorizing the State Council for the Blind to accept and expend Federal moneys in furtherance of such purpose.

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. 1823, (Senate Bill No. 367), entitled:

An Act authorizing the Department of Public Instruction, with the approval of the Board of Trustees of the Millersville State Teachers' College, to contract with the Borough of Millersville for the erection of a sewage disposal plant and the connection therewith and use thereof by the Millersville 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.

BILL RECOMMENDED

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

The motion was agreed to.

BILLS ON SECOND READING

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1782, (Senate Bill No. 785), entitled:

An Act to further amend section nine of the act, approved the first day of May, one thousand nine hundred and thirteen (P. L. 138), entitled "An act defining vocational education; providing for the establishment and regulation of vocational schools; and providing for State aid in the maintenance thereof; and for the payment of tuition by certain school districts, and reimbursement thereof by the State," further regulating State reimbursements to school districts for vocational education and making provision for additional types of vocational education for which funds may be provided by Congress

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. 1107, (Senate Bill No. 51), entitled:

An Act authorizing and empowering school districts to furnish food including milk to undernourished and poor school children in their districts.

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. 1549, (Senate Bill No. 241), entitled:

An Act to further amend section two thousand six hundred and four of an act approved the eighteenth day of May, one thousand nine hundred and eleven, (P. L. 309), entitled "An act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special, or local, or any parts thereof, that are or may be inconsistent therewith," by providing for the audit of accounts of fourth class school districts by the borough or township controller or auditors.

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. 1841, (Senate Bill No. 1095), entitled:

An Act to further amend paragraph nineteen of section one thousand two hundred and ten of the act, approved the eighteenth day of May, one thousand nine hundred and eleven (P. L. 309), entitled "An act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general special or local, or any parts thereof, that are or may be inconsistent therewith," providing for minimum salary and increments of part-time teachers of children of exceptional physical or mental condition unable to attend regular public school, and for payments by the Commonwealth on account thereof.

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

Ordered, To be transcribed for a third reading.

BILL RECOMMITTED

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

The motion was agreed to.

BILLS ON SECOND READING

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1866, (Senate Bill No. 905), entitled:

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 the opinion that such decree 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 individuals, 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 dispose 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 weak-minded or mentally incompetent.

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. 1209, (Senate Bill No. 1), entitled:

An Act providing that when inmates of an orphans' home or other children's institution, or private home, are maintained at the cost of any county other than a county of the second class or at the cost of a county institution district other than in a county of the second class and attend public school and are not legal residents of such school district the county shall pay their tuition charges and collect the same from the school district liable therefor

The first section was read.

On the question,

Will the House agree to the section?

BILL POSTPONED

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

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. 1014, entitled:

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

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. 1914, (Senate Bill No. 1218), entitled:

An Act making an appropriation to the Department of Public Assistance and providing for certain allocations therefrom for the purpose of carrying out the Public Assistance Law for the two fiscal years beginning June first one thousand nine hundred forty-one.

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 2, line 2, by inserting at the end of said line the following: "and for the payment of expenses accrued or incurred prior to and remaining unpaid on May thirty-first, one thousand nine hundred and forty-one."

The amendment was agreed to.

The section was agreed to as amended.

The second section was read and agreed to.

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

The amendment was read by the Clerk as follows:

Amend Bill, page 2, by inserting between lines 13 and 14 the following section:

Section 3. Out of the moneys appropriated by section one of this act, there shall be allocated to the Treasury Department the sum of sixty thousand dollars (\$60,000), and to the Department of the Auditor General the sum of fifteen thousand dollars (\$15,000) to pay the administrative expenses of said departments in auditing and disbursing appropriations for or relating to public assistance, including any Federal funds supplementing such appropriations.

The amendment was 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 Sec. 3, page 2, line 14, by striking out the figure "3" and inserting in lieu thereof: "4".

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 amendment.

The amendment was read by the Clerk as follows:

Amend title, page 1, last line of title, by inserting at the end of said line the following: "and for the payment of expenses accrued or incurred prior to and remaining unpaid on May thirty-first, one thousand nine hundred and forty-one; and providing for certain allocations from such appropriation to the Department of the Auditor General and the Treasury Department."

The amendment was 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.

RESOLUTION

RECALLING HOUSE BILL No. 251 FROM THE GOVERNOR

Mr. O'NEILL offered the following resolution which was twice read, considered and adopted:

In the House of Representatives, June 24, 1941.

Resolved (if the Senate concur), that House Bill No. 251, Printer's No. 106, entitled "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",

be recalled from the Governor for the purpose of amendment.

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

BILLS ON FINAL PASSAGE

BILL PASSED OVER

There being no objection House Bill No. 1639, Printer's No. 1055, was passed over at the request of the SPEAKER.

BILL ON FINAL PASSAGE

Agreeably to order,

The House proceeded to the consideration on final passage of House Bill No. 1765, as follows:

An Act repealing and abandoning as a State highway State highway Route 03123 in Armstrong County and providing for the reversion thereof to the township.

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

Section 1 State highways Route 03123 in Armstrong County adopted by section two of the act approved the twenty-fifth day of June one thousand nine hundred thirty-seven (P. L. 2143) entitled "An act to amend the act approved the twenty-second day of June one thousand nine hundred thirty one (P. L. 594) entitled 'An act establishing certain township roads as State highways authorizing their construction maintenance and improvement under certain conditions and restrictions limiting the obligation of the Commonwealth in the construction of certain structures located on such highways conferring certain powers upon the Department of Highways and local authorities persons associations and corporations for sharing the cost of the maintenance and construction of such highways and making an appropriation to carry out the provisions of said act' as amended by changing certain routes and adding certain new routes" and now described as follows is hereby repealed and abandoned as a State highway and the same shall revert to and be maintained by the township in which it is located as provided by law in the case of roads abandoned as State highways.

Route 03123 Beginning at a point on Route 03084 at Rimer thence easterly and northerly through Madison Township to a road intersection at Rimer Hill School in Armstrong County a distance of 2.4 miles.

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

On the question,

Shall the bill pass finally?

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

YEAS—198

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

NAYS—0

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

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

HOUSE BILLS ON THIRD READING MADE SPECIAL ORDER

Mr. ACHTERMAN. Mr. Speaker, I move that all House Bills on Third Reading, in their numerical order be made a special order of business immediately.

The motion was agreed to.

BILLS ON THIRD READING

BILLS PASSED OVER

There being no objection House Bill No. 1002, Printer's No. 341, House Bill No. 990, Printer's No. 275, and House Bill No. 566, Printer's No. 898, were passed over at the request of the SPEAKER.

BILL ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1638, as follows:

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

On the question,

Will the House agree to the bill on third reading?

BILL RECOMMITTED

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

The motion was agreed to.

BILL ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1640, as follows:

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

On the question,

Will the House agree to the bill on third reading?

BILL RECOMMITTED

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

The motion was agreed to.

BILLS PASSED OVER

There being no objection House Bill No. 259, Printer's No. 964, House Bill No. 1216, Printer's No. 986, House Bill No. 1727, Printer's No. 957, House Bill No. 1728, Printer's No. 958, and House Bill No. 934, Printer's No. 1037, were passed over at the request of Mr. YESTER.

BILLS ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1720, as follows:

An Act authorizing the Department of Property and Supplies with the approval of the Governor and the

Board of Trustees of Harrisburg State Hospital to acquire a certain tract of land for the use of said hospital and making an appropriation therefor.

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

Section 1 The Department of Property and Supplies with the approval of the Governor and the Board of Trustees of Harrisburg State Hospital is hereby authorized to purchase in the name of the Commonwealth of Pennsylvania a certain tract of land of approximately one and one-fifth acres known as the "Dare property" situated in Susquehanna Township Dauphin County Pennsylvania and entirely surrounded by the present property of said hospital so as to avoid private ownership of property so located and the necessity of maintaining a public highway thereto over the lands of said hospital and to make possible the use of said lands with the buildings thereon for the said hospital

Section 2 Said tract of land when purchased shall be added to the lands of the Harrisburg State Hospital. The deeds of conveyance shall be deposited with the Secretary of Internal Affairs.

Said lands shall not be acquired until the titles thereto have been approved by the Department of Justice.

Section 3. The Sum of two thousand four hundred dollars (\$2,400) or as much thereof as may be necessary is hereby appropriated to the Department of Property and Supplies for the payment of the purchase price of said tract of land and the expenses incidental thereto including title searches.

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

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

On the question,

Shall the bill pass finally?

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

YEAS—198

Achterman,	Flynn,	Lovett,	Rose, W. E.,
Allmond,	Foor,	Lyons,	Rosenfeld,
Auker,	French,	Malloy,	Royer,
Baker,	Gallagher,	Marks,	Rush,
Balthaser,	Gerard,	Maxwell,	Sarge,
Baughner,	Gillan,	McClanaghan,	Sarra,
Bentley,	Gillette,	McClester,	Schwab,
Bentzel,	Goodwin,	McDermott,	Serrill,
Boles,	Greenwood,	McDowell,	Shaffer,
Boney,	Gryskewicz,	Cross,	Shaw,
Boorse,	Gyger,	McGrath,	Shepard,
Bower,	Habbyshaw,	McIntosh,	Simons,
Bradley,	Haberlen,	McKinney,	Skale,
Breth,	Haines,	McLanahan,	Snyder,
Bretherick,	Hamilton,	McLane,	Sollenberger,
Brown,	Hare,	McMillen,	Sorg,
Brunner, C. H.,	Harkins,	McSurdy,	Stambaugh,
Brunner, P. A.,	Harmuth,	Melchiorre,	Stine,
Burns,	Harris,	Mihm,	Stockham,
Burriss,	Heatherington,	Modell,	Tarr,
Cadwalader,	Helm,	Monks,	Tate,
Chervenak,	Hering,	Mooney,	Taylor,
Chudoff,	Herman,	Moran,	Thompson, E. F.,
Cochran,	Hersch,	Muir,	Thompson, R. L.,
Cohen, M. M.,	Hewitt,	Munley,	Trout,
Cohen, R. E.,	Hirsch,	Nagel,	Turner,
Cook,	Holland,	Nunemacher,	Van Alieburg,
Cooper,	Huntley,	O'Brien,	Verona,
Cordier,	Imbrie,	O'Connor,	Vincent,
Croop,	James,	O'Dare,	Vogt,
Cullen,	Jefferson,	O'Mullen,	Voldow,
Dalrymple,	Jones, G. E.,	O'Reill,	Voorhees,
Dennison,	Jones, P. N.,	Owens,	Wagner,
DiGenova,	Keenan,	Petrosky,	Watkins,
Dix,	Kenehan,	Pettit,	Wetgartner,
Dolon,	Kline,	Polaski,	Weiss,
D'Ortona,	Knoble,	Polen,	Welsh, E. B.,
Duffy,	Kolankiewicz,	Powers,	Welsh, M. J.,
Early,	Komorowski,	Prosen,	Williams,
Eckels,	Krise,	Rank,	Winner,
		Rausch,	Wood, L. H.,

Elder,	Lee, E. A.,	Readinger,	Wood, N.,
Elliott,	Lee, T. H.,	Reese, D. P.,	Woodring,
Ely,	Lelsey,	Reese, R. E.,	Woodside,
Falkenstein,	Leonard,	Regan,	Wright,
Finestone,	Lesko,	Reynolds,	Yeakel,
Finnerty,	Levy,	Rhea,	Yester,
Fisher,	Leydic,	Riley,	Young,
Fiss,	Lichtenwalter,	Rooney,	Kilroy,
Fleming,	Longo,	Rose, S.,	Speaker.
Fletcher,			

NAYS—0

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

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

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1336, entitled as follows:

An Act authorizing and directing the Department of Property and Supplies to reprint the Report of the Commission to Locate the Sites of the Frontier Forts of Pennsylvania and providing for the distribution thereof.

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

Section 1. The Department of Property and Supplies is hereby authorized and directed to reprint and bind at the expense of the Commonwealth two thousand copies of the publication entitled "Report of the Commission to Locate the Sites of the Frontier Forts of Pennsylvania" which was authorized by concurrent resolution approved the twenty-fourth day of January one thousand eight hundred ninety-five and directed to be reprinted by the act approved the twenty-fifth day of June one thousand nine hundred thirteen (P. L. 1267). The publication shall be revised and edited under the direction of the Pennsylvania Historical Commission and shall be printed with illustrations in two volumes and bound in cloth.

Section 2. Copies of the publication hereby authorized shall be distributed by the Department of Property and Supplies in the manner provided in the case of State publications by section two thousand four hundred and six of the Administrative Code of 1929.

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—198

Achterman,	Flynn,	Lovett,	Rose, W. E.,
Allmond,	Foor,	Lyons,	Rosenfeld,
Auker,	French,	Malloy,	Royer,
Baker,	Gallagher,	Marks,	Rush,
Balthaser,	Gerard,	Maxwell,	Sarge,
Baughner,	Gillan,	McClanaghan,	Sarra,
Bentley,	Gillette,	McClester,	Schwab,
Bentzel,	Goodwin,	McDermott,	Serrill,
Boles,	Greenwood,	McDowell,	Shaffer,
Boney,	Cross,	McFall,	Shaw,
Boorse,	Gryskewicz,	McGrath,	Shepard,
Bower,	Gyger,	McIntosh,	Simons,
Bradley,	Habbyshaw,	McKinney,	Skale,
Breth,	Haberlen,	McLanahan,	Snyder,
Bretherick,	Haines,	McLane,	Sollenberger,
Brown,	Hamilton,	McMillen,	Sorg,
Brunner, C. H.,	Hare,	McSurdy,	Stambaugh,
Brunner, P. A.,	Harkins,	Melchiorre,	Stine,
Burns,	Harmuth,	Mihm,	Stockham,
Burriss,	Harris,	Modell,	Tarr,
Cadwalader,	Heatherington,	Monks,	Tate,
Chervenak,	Helm,	Mooney,	Taylor,
Chudoff,	Hering,	Moran,	Thompson, E. F.,
Cochran,	Herman,	Muir,	Thompson, R. L.,
Cohen, M. M.,	Hersch,	Munley,	Trout,

Cohen, R. E.,	Hewitt,	Nagel,	Turner,
Cook,	Hirsch,	Nunemacher,	VanAllsburg,
Cooper,	Holland,	O'Brien,	Verona,
Cordier,	Huntley,	O'Connor,	Vincent,
Croop,	Imbrie,	O'Dare,	Vogt,
Cullen,	James,	O'Mullen,	Voidow,
Dalrymple,	Jefferson,	O'Neill,	Voorhees,
Dennison,	Jones, G. E.,	Owens,	Wagner,
DiGenova,	Jones, P. N.,	Petrosky,	Watkins,
Dix,	Keenan,	Pettit,	Weingartner,
Dolon,	Keenan,	Polaski,	Weiss,
D'Ortona,	Kilne,	Polen,	Welsh, E. B.,
Duffy,	Knobis,	Powers,	Welsh, M. J.,
Early,	Kolankiewicz,	Prosen,	Williams,
Eckels,	Komorowski,	Rank,	Winner,
Elder,	Krise,	Fausch,	Wood, L. H.,
Ellott,	Lee, A.,	Readinger,	Wood, N.,
Liy,	Lee, T. H.,	Reagan,	Woodring,
Faikenstein,	Lelsey,	Reese, D. P.,	Woodside,
Finestone,	Leonard,	Reese, R. E.,	Wright,
Finnerty,	Lesko,	Reynolds,	Yeakel,
Fisher,	Ievy,	Rhea,	Yester,
Fiss,	Leydic,	Riley,	Young,
Fleming,	Lichtenwalter,	Rooney,	Kilroy,
Fletcher,	Longo,	Rose, S.,	Speaker.

NAYS—0

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

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

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1703, entitled:

An Act limiting the amount of costs of prosecution payable by persons when appeals from the payment of fines for summary convictions are not sustained.

On the question,

Will the House agree to the bill on third reading?

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

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

The Clerk read the amendments as follows:

Amend title, page 1, last line of title, by inserting after the word "convictions" the following: "in counties of the first class".

Amend Sec. 1, page 1, line 2, by inserting after the word "conviction" the following: "in counties of the first class".

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

On the question,

Will the House agree to the amendments?

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.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1501, as follows:

An Act authorizing the Secretary of the Department of Forests and Waters to lease a tract of land in Jackson Township Dauphin County to the Susquehannock Indian Tribe

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

Section 1. The Secretary of Forests and Waters with the approval of the State Forest Commission is hereby authorized to lease at a nominal rental to the Susquehannock Indian Tribe a tract of land not exceeding one hundred acres situated in the Haldeman Tract in Jackson Township Dauphin County the boundaries and extent of said tract to be fixed by the Secretary of Forests and Waters with the approval of the State Forest Commission.

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

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. TURNER. Mr. Speaker, I desire to interrogate Chief Habbyshaw.

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

(No response from Mr. Habbyshaw).

Mr. TURNER. Mr. Speaker, the gentleman not desiring to break his rule of never making a speech says that they stole this land from the Indians and now they are going to give it back to them. My question pertained to what I thought was a personal interest of the gentleman from Dauphin. I understand that..

The SPEAKER. The Chair would like to get some of that personal interest.

Mr. TURNER. Do I understand that the Chair wants personal interest?

The SPEAKER. The gentleman said personal interest.

Mr. TURNER. Personal interest of Chief Habbyshaw?

The SPEAKER. For the information of the gentleman from Delaware this is also a Taylor bill. The Clerk will call the roll.

On the question recurring,

Shall the bill pass finally?

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

YEAS—198

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

Dalrymple, Dennison, DiGenova, Dix, Dolon, D'Ortona, Duffy, Early, Eckels, Elder, Elliott, Ely, Falkenstein, Finestone, Finnerty, Fisher, Fiss, Fleming, Fletcher,	Jefferson, Jones, G. E., Jones, P. N., Keenan, Kenehan, Kline, Knoble, Kolankiewicz, Komorowski, Krise, Lee, E. A., Lee, T. H., Lelsey, Leonard, Lesko, Levy, Leydic, Lichtenwalter, Longo,	O'Neill, Owens, Petrosky, Pettit, Polaski, Polen, Powers, Prosen, Rank, Rausch, Readinger, Reagan, Reese, D. P., Reese, R. E., Reynolds, Rhea, Riley, Rooney, Rose, S.,	Voorhees, Wagner, Watkins, Weingartner, Weiss, Welsh, E. B., Welsh, M. J., Williams, Winner, Wood, L. H., Wood, N., Woodring, Woodside, Wright, Yeakel, Yester, Young, Kilroy, Speaker.
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NAYS—0

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

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

QUESTION OF PERSONAL PRIVILEGE

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

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

Mr. HEWITT. Mr. Speaker, I don't know whether it makes any difference or not, but I notice that House Bill 1336 and House Bill 1703 have the same Printer's Number.

The SPEAKER. The Chair thanks the gentleman from Indiana. For the information of the gentleman from Indiana, it makes no difference whether the Printer's numbers appearing on the Calendar are correct or not. Members vote on the bills and not on the titles as they appear on the Calendar.

BILLS ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1161, entitled as follows:

An Act requiring cities of the third class to allot the sum of sixty dollars to all uniformed officers and men employed in the police department fire department and health department for the purchase of their prescribed uniforms

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

Section 1 All uniformed officers and men employed by any city of the third class in the police department fire department or health department of such city shall be allotted the sum of sixty dollars per annum to be used for the purchase of their prescribed uniforms. Such allotments shall be paid in four quarterly installments

Section 2 All acts and parts of acts inconsistent herewith are hereby repealed

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

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

On the question,

Shall the bill pass finally?

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

YEAS—198

Achterman, Allmond, Auker, Baker, Balthaser, Baughner, Bentley, Bentzel, Boies, Boney, Boorse, Bower, Bradley, Breth, Bretherick, Brown, Brunner, C. H., Brunner, P. A., Burns, Cadwalader, Chervenak, Chudoff, Cochran, Cohen, M. M., Cohen, R. E., Cook, Cooper, Cordier, Croop, Cullen, Dalrymple, Dennison, DiGenova, Dix, Dolon, D'Ortona, Duffy, Early, Eckels, Elder, Elliott, Ely, Falkenstein, Finestone, Finnerty, Fisher, Fiss, Fleming, Fletcher,	Flynn, Foor, French, Gallagher, Gerard, Gillan, Gillette, Goodwin, Greenwood, Gross, Gryskewicz, Cyger, Habbyshaw, Haberlen, Haines, Hamilton, Hare, Harkins, Harmuth, Harris, Heatherington, Helm, Hering, Herman, Hersch, Hewitt, Hirsch, Holland, Huntley, Imbrie, James, Jefferson, Jones, G. E., Jones, P. N., Keenan, Kenehan, Kline, Knoble, Kolankiewicz, Komorowski, Krise, Lee, E. A., Lee, T. H., Lelsey, Leonard, Lesko, Levy, Leydic, Lichtenwalter, Longo,	Lovett, Lyons, Malloy, Marks, Maxwell, McClanaghan, McClester, McDermott, McDowell, McFall, McGrath, McIntosh, McKinney, McLanahan, McLane, McMillen, McSurdy, Melchiorre, Mihm, Modell, Monks, Mooney, Moran, Muir, Munley, Nagel, Nunemacher, O'Brien, O'Connor, O'Dare, O'Mullen, O'Neill, Owens, Petrosky, Pettit, Polaski, Polen, Powers, Prosen, Rank, Rausch, Readinger, Reagan, Reese, D. P., Reese, R. E., Reynolds, Rhea, Riley, Rooney, Rose, S.,	Rose, W. E., Rosenfeld, Royer, Rush, Sarge, Sarrafi, Schwab, Serrill, Shaffer, Shaw, Shepard, Simons, Skale, Snyder, Sollenberger, Sorg, Stambaugh, Stine, Stockham, Tarr, Tate, Taylor, Thompson, E. F., Thompson, R. L., Trout, Turner, VanAalsburg, Verona, Vincent, Vogt, Voldow, Voorhees, Wagner, Watkins, Weingartner, Weiss, Welsh, E. B., Welsh, M. J., Williams, Winner, Wood, L. H., Wood, N., Woodring, Woodside, Wright, Yeakel, Yester, Young, Kilroy, Speaker.
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NAYS—0

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

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

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1631, as follows:

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

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

Section 1 The Department of Highways is hereby authorized and directed to erect and construct a three lane bridge over the Allegheny River at a convenient point in or near the Borough of Tarentum in Allegheny County to a point on the opposite side of said river in the county of Westmoreland to connect the State highways on both sides of said river and to acquire the necessary land for approaches thereto

In the construction of said bridge and the approaches thereto and connections with existing State highways the

Department of Highways shall have all of the powers and authority conferred with respect to the relocation widening or construction of State highways Any damages sustained by reason of taking property in the relocation widening or construction of any such bridge the approaches thereto and connections with State highways shall be ascertained in accordance with laws applicable to the ascertainment of damages in relocating widening and constructing State highways and such damages when ascertained shall be paid by the Commonwealth or county or counties as may be agreed upon in accordance with the laws relating to State highways

Section 2 The Department of Highways is hereby authorized to accept grants of funds from any Federal agency for the construction of such bridge and the approaches thereto and connections with State highways Any such moneys shall be held by the State Treasurer as custodian for the Department of Highways and the same shall be paid out on requisition of the department without further appropriation

Section 3 If such bridge is to be constructed under contract and to be paid for wholly or in part from Federal funds and the project involves additional work to be contracted and paid for by a county or counties the advertisement by the Department of Highways shall be the only advertising necessary any other acts or requirements to the contrary notwithstanding

Section 4 The Department of Highways shall have authority to make and carry out contracts and to do every other act necessary to carry out the project herein authorized and is authorized to conform to the requirements and rules and regulations of the proper Federal authorities with respect to such projects if Federal moneys are advanced for such project Nothing herein contained shall in anywise diminish any authority or powers now or hereafter conferred on the Department of Highways by any other act of Assembly

Section 5 The Department of Highways shall after the completion of such bridge maintain the same free of tolls for the use of the public

Section 6 The sum of one million dollars (\$1,000,000) or so much thereof as may be necessary is hereby specifically appropriated out of the Motor License Fund in the State Treasury to the Department of Highways for the construction of such bridge the approaches thereto the connections with State highways and for the payment of damages for property taken injured or destroyed

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. McMILLEN. Mr. Speaker, I realize there has been a reduction in the amount appropriated to build the bridge provided for in the bill. I am wondering whether the reduction in the bill will permit the building of a bridge sufficiently strong to carry the weight of Mr. Leydic over it. I should hate to think that the building of a bridge would not carry the gentleman into his home town.

On the question recurring,

Shall the bill pass finally?

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

YEAS—198

Achterman,	Flynn,	Lovett,	Rose, W. E.,
Allmond,	Foor,	Lyons,	Rosenfeld,
Auker,	French,	Malloy,	Royer,
Baker,	Gallagher,	Marks,	Rush,
Balthaser,	Gerard,	Maxwell,	Sarge,
Baughner,	Gillan,	McClanaghan,	Sarraf,
Bentley,	Gillette,	McClester,	Schwab,

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

NAYS—0

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

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

BILL ON FINAL PASSAGE

Agreeably to order,

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

The House resumed the consideration on final passage of House Bill No. 814, as follows:

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 violations of the act and providing for their collection and disposition and repealing inconsistent legislation.

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

Section 1. Definitions (a) Whenever used in this act "employer" includes every person firm partnership association corporation receiver or other officer of a court of this State and any agent or officer of any of the above-mentioned classes employing any person in this State. Provided however That employers engaged in agriculture or employing only domestic servants shall not be subject to the provisions of this act.

(b) "Wages" shall mean all amounts at which the labor or service rendered is recompensed whether the

amount is fixed or ascertained on a time task piece commission basis or other method of calculating such amount.

Section 2. Semi-monthly Pay Day. Every employer shall pay to his employes the wages earned at least semi-monthly or twice during each calendar month on days to be designated in advance by the employer as the regular pay day. Provided, That all wages earned in any pay period shall be paid within seven days after the expiration of said pay period. He shall pay such wages in full in lawful money of the United States or checks on banks convertible into cash on demand at full face value thereof.

Nothing in this section shall interfere or change in any manner any agreements on pay schedules contained in contracts between bona fide labor unions and employers.

Section 3. Posting and Notification. (a) It shall be the duty of every employer to notify his employes in writing at the time of hiring of the day the hour therein and place of payment of the rate of pay and of any change with respect to any of these items prior to the time of said change. Alternatively however every employer shall have the option of giving such notification by posting the aforementioned facts and keeping them posted conspicuously at the employer's place of business.

(b) Failure to post and to keep posted any notice as well as any failure to give written notice as prescribed in this section shall be deemed a misdemeanor and punishable as set forth in section eleven hereof.

Section 4. Employes who are Separated from Pay Roll Before Pay Days. (a) Discharged Employes Whenever an employer separates an employe from the pay roll the unpaid wages or compensation of such employe shall become due immediately and the employer shall pay such wages to the employe within twenty-four hours of the time of separation.

(b) Employes Quitting. Whenever an employe (not having a written contract for a definite period) quits or resigns his employment the wages or compensation earned shall become due and payable at the next regular pay day of his employer.

(c) Industrial Disputes. In the event of the suspension of work as the result of an industrial dispute the wages and compensation earned and unpaid at the time of said suspension shall become due and payable at the next regular pay day as provided in section two of this act including without abatement or reduction all amounts due all persons whose work has been suspended as a result of such industrial dispute together with any deposit or other guaranty held by the employer for the faithful performance of the duties of the employment.

Section 5. Unconditional Payment of Wages Conceded to be Due. In case of a dispute over wages the employer shall give written notice to the employe of the amount of wages which he concedes to be due and shall pay such amount without condition within the time set by this act. Provided, That acceptance by the employe of any payment made hereunder shall not constitute a release as the balance of his claim.

Section 6. Provisions of Law may not be Waived by Agreement. Nothing contained in this act shall in any way limit or prohibit the payment of wages or compensation at more frequent intervals or in greater amounts or in full when or before due but no provision of this act can in any way be contravened or set aside by a private agreement.

Section 7. Enforcement. It shall be the duty of the Secretary of the Department of Labor and Industry to insure compliance with the provisions of this act to investigate as to any violations of this act and to institute or cause to be instituted actions for penalties and forfeitures provided hereunder. The Secretary of the Department of Labor and Industry may hold hearings to satisfy himself as to the justice of any claim and he shall cooperate with any employe in the enforcement of a claim against his employer in any case whenever he finds upon investigation that the provisions of this act have been violated.

Any effort of any employer to obstruct the Secretary

of the Department of Labor and Industry and his authorized representatives in the performance of their duties shall be deemed a violation of this act and punishable as such.

Section 8. Forfeiture and Penalties. (a) Any employer who shall violate or fail to comply with any of the provisions of this act after notice by the Department of Labor and Industry shall forfeit ten dollars to the Department of Labor and Industry for each such violation or noncompliance. Each day of failure to pay wages due such employes at the time specified in this act shall raise a separate and distinct forfeiture. All such forfeitures shall be recovered in an action of debt by the Department of Labor and Industry in the name of the State of Pennsylvania.

(b) Any employed who shall violate or fail to comply with any of the provisions of this act shall be guilty of a misdemeanor and upon conviction thereof in summary proceedings shall be punished by a fine of not less than twenty-five dollars nor more than one hundred dollars for each separate offense.

Section 9. Assignment of Wage Claims to Secretary of the Department of Labor and Industry for Recovery by Civil Action. The Secretary of the Department of Labor and Industry shall have power and authority to take assignments of wage claims rights of action for penalties provided by section four of this act mechanics' and other liens of workers not to exceed two hundred dollars in the case of any one claim and shall have power and authority to prosecute actions for the collection of such claims of persons who in the judgment of the Secretary of the Department of Labor and Industry are entitled to the services of the Secretary of the Department of Labor and Industry and who in his judgment have claims which are valid and enforceable in the courts.

Section 10. Costs of Civil Actions by Secretary of the Department of Labor and Industry. (a) In all actions brought by the Secretary of the Department of Labor and Industry as assignee under section twelve of this act no court costs of any nature shall be required to be advanced nor shall any bond or other security therefor be required from the said Secretary of the Department of Labor and Industry in connection with the same.

(b) Any sheriff constable or other officer requested by the said Secretary of the Department of Labor and Industry to serve summons writs complaints orders including any garnishment papers and all necessary and legal papers within his jurisdiction shall do so without requiring the Secretary of the Department of Labor and Industry to advance the fees or furnish any security or bond therefor.

(c) Whenever the Secretary of the Department of Labor and Industry shall require that the sheriff constable or other officer whose duty it is to seize property or levy thereon in any attachment proceedings or to satisfy any wage claim judgment said officer shall do so without requiring the Secretary of the Department of Labor and Industry to furnish any security or bond in such action. Such officer in carrying out the provisions of this paragraph shall not be responsible in damages for any wrongful seizure made in good faith.

But whenever anyone other than the defendant claims the right of possession or ownership to such seized property then in such case the officer may permit such claimant to have the custody of such property pending a determination of the court as to who has right of possession or ownership of such property.

(d) Out of any recovery on a judgment in such a suit there shall be paid first the witness fees to the garnishee defendant second the wage claims involved third the sheriffs' or constables' fees and fourth the court costs.

Section 11. Provided that anything contained herein to the contrary notwithstanding an employer may enter into a contract or agreement with a bona fide labor union representing the employes of such employer through recognized collective bargaining which agreement or contract may provide that the employer shall deduct from wages due to the employes union initiation fees dues and assess-

ments which are to be paid over to the union or moneys owing to the employer for the payment of merchandise equipment tools or other accessories used in the occupation by the employes and which have been purchased by them from the employer or for other legitimate accounts upon proper assignments by the employes.

Section 12. Separability of Provisions. If any provision of this act or the application thereof to any person or circumstances is held invalid the remainder of the act and the application of such provision to the person or circumstances shall not be affected thereby.

Section 13. All acts or parts of acts inconsistent herewith are hereby repealed.

Section 14. This act shall become effective immediately upon final enactment.

On the question,

Shall the bill pass finally?

Mr. JAMES. Mr. Speaker, I am sorry that I seemed to be a little late in asking for the floor on this bill, but I understood that the sponsor was going to explain the bill to the House.

I want to say that I am delighted that at long last dear old House Bill 814 is to have its day. Mr. Speaker, I do not think it would be mete to allow this dear friend to depart from amongst us and pass into the ethereal vastness without at least some comment, a few words shall we say, of obituary. This House Bill 814 has followed the tortuous course of this Legislature uphill and down dale, over bridges and around curves, for lo! these many months. It has been our constant companion on the daily calendar since long before winter's snow gave way to summer's showers.

Mr. Speaker, I believe House Bill 814 has established a record that is unique for bills in this Legislature. It has suffered every legislative torture that could be inflicted on any bill and still have it remain on the calendar without interruption. Everything has happened to House Bill 814 that can possibly happen to a bill under the rules of the House, except recommitting it to committee and I believe a bill that has such a record for tenacity should have a decent burial. I do not believe it would be decent for me to recommend to the members of the House that they vote against the bill. To do a thing like that to a bill that has won a place of real affection in our hearts would be to commit an act that might be comparable to slapping your grandmother in the face.

Mr. Speaker, in the days of its pristine glory, House Bill 814 was designed to do something very wonderful for about one half of one percent of all the people employed in Pennsylvania who have the misfortune to tie in their services with some chiseler or cheat who either does not have the money or does not have the wish to pay the wages they earn when they are due. To accomplish that purpose House Bill 814 set up one of the most wonderful and gorgeous fabrics of collection techniques that could possibly be devised. Of course, Mr. Speaker, in what has happened to House Bill 814 nothing of that remains. The only thing that remains in House Bill 814 is the damn nuisances that were written into it in the first place. It might not be good legislative effort if we pass this bill; perhaps it is our duty in spite of everything that has been said about the affection that we all must feel for it, to vote against it. But Mr. Speaker and Members of the House I certainly do not want to be guilty of murder.

Mr. PETROSKY. Mr. Speaker, I certainly must thank the gentleman from Delaware Mr. James for the flowery

adjectives he used to describe the bill, and inasmuch as he has taken such a liking to it, if the rules of the House will permit I will be willing to extend the courtesy of co-sponsorship to him at this time.

In considering the legal aspects of House Bill 814 it is advisable to break up the act into three component parts so that all of its provisions may be thoroughly considered.

By sections one and two, employers are required, unless the contract of employment provides otherwise, to pay wages semi-monthly. Employers engaged in agriculture or employing only domestic servants are exempted from the provisions of the act.

The provisions relative to the semi-monthly payment of wages is a reenactment of the act, approved April 24, 1913, P. L. 114. This act has been upheld as constitutional in a great many common pleas decisions. The outstanding being Commonwealth vs. Hanse, 29 Del. County 429 and Commonwealth vs. Lipschutz, 19 District & County 415. There is no question that this provision cannot be objected to legally. Considering the exemption given to agricultural and domestic servants you are, of course, familiar with these exemptions in the Unemployment Compensation Act and the Workmen's Compensation Act, and these exemptions have been universally sustained.

The second component part of House Bill 814 is the fact that it provides a penalty for the nonpayment of wages. Such penalty is made in the nature of a forfeiture and is not intended to persecute the honest employer. Again the decisions sustaining the 1913 act referred to above hold that the penalty provisions are valid.

The third and final component part of the bill is one setting up a procedure whereby the Secretary of the Department of Labor and Industry may, as assignee of any wage claimant, institute civil actions against the defaulting employers. The question that these facts of the bill raise is whether or not they contravene article three, section seven of the Pennsylvania Constitution, which provides that the General Assembly shall not pass any local or special law regulating labor, trade, mining or manufacturing, or providing or changing the methods for the collection of debts. As to the first proposition, the 1913 act was held to be a valid regulating act and was not special legislation affecting labor or trade. As to the second possible objection, namely, setting forth a new method of collection in view of the fact that the act authorizes the Secretary of the Department of Labor and Industry merely to act as assignee of any wage claimant or as his duly authorized agent, I can see that this is in no way contravenes that provision of our Constitution. Acts allowing the Secretary of the Department of Revenue to act as agent for the acceptance of legal process or the Insurance Commissioner to do so have been upheld, and such a procedure has been sustained as not changing the method for the collection of debts.

To sum up then, House Bill 814 is, in the opinion of the sponsor, constitutional in every respect. The language sustaining it could be taken directly from Commonwealth ex relation vs. Lipschutz, cited above, which states "The act is a proper exercise of the police power, as it is obviously designed to protect employes from unscrupulous employers who would fail to provide a definite time for the payment of earnings or wages in making contracts of employment, and then by deferring the payment of the wages for an excessive period of time, either defraud their employes or reduce them to a condition tantamount to

serfdom. It in no manner restricts or impairs the rights of employes or employers to agree as to the time of payment. Nor is the act subject to the objection that it is special legislation." It remedies an outstanding weakness of the 1913 act, and its provisions are not unduly burdensome on employers who are scrupulous and honest.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken.

Messrs. Petrosky, Lesko and Marshall M. Cohen asked for a verification of the roll.

The roll was verified and was as follows:

YEAS—116

Achterman,	Finnerty,	Marks,	Reynolds,
Baker,	Fleming,	McKwell,	Rooney.
Balthaser,	Flynn,	McClanaghan,	Rose, S.,
Baughner,	French,	McDermott,	Rosenfeld,
Boles,	Gallagher,	McFall,	Rush,
Boney,	Gerard,	McLane,	Sarrafi,
Bradley,	Goodwin,	McSurdy,	Scanlon,
Breth,	Gryskiewicz,	Melchiorre,	Schwab,
Brown,	Haberlen,	Mihm,	Shaffer,
Brunner, P. A.,	Haines,	Modell,	Shaw,
Burns,	Hamilton,	Monks,	Shepard,
Chervenak,	Harmuth,	Mooney,	Skale,
Chudoff,	Heatherington,	Moran,	Tarr,
Cohen, M. M.,	Herman,	Munley,	Tate,
Cohen R. E.,	Hersch,	Nagel,	Vincent,
Cordier,	Hirsch,	Nunemacher,	Vogt.
Corrigan,	Holland,	O'Brien,	Voldow,
Croop,	Jefferson,	O'Connor,	Watkins,
Cullen,	Jones, P. N.,	O'Dare,	Weiss,
Dalrymple,	Kenehan,	O'Mullen,	Weish, E. B.,
Dennison,	Kline,	O'Neill,	Weish, M. J.,
DiGenova,	Kolankiewicz,	Owens,	Wilkinson.
Dolon,	Komorowski,	Petrosky,	Williams,
D'Ortona,	Krise,	Pettit,	Woodring,
Duffy,	Leonard,	Polaski,	Wright,
Early,	Lesko,	Polen,	Yester,
Elliot,	Levy,	Powers,	Young,
Ely,	Longo,	Prosen,	Kilroy.
Falkenstein,	Lovett,	Rausch,	Speaker.
Finestone,	Mallory,	Reese, R. E.,	

NAYS—42

Auker,	Hewitt,	Reagan,	Stockham.
Bretherick,	Imbrie,	Reese, D. P.,	Taylor,
Cadwalader,	James,	Rhea,	Thompson, R. L.,
Cook,	Jones, G. E.,	Rose, W. E.,	Trout,
Cooper,	Lee, E. A.,	Royer,	Turner,
Fiss,	Lyons,	Sarge,	Van Allsburg,
Foor,	McClester,	Simons,	Wagner,
Greenwood,	McDowell,	Snyder,	Wood, N.,
Gross,	McKinney,	Sorg,	Woodside,
Gyger,	McMillen,	Stambaugh,	Yeakel,
Habbyshaw,	Muir,		

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.

RESOLUTION

RECALLING HOUSE BILL No. 1470 FROM THE GOVERNOR

Mr. WOODSIDE offered the following resolution which was twice read, considered and adopted:

In the House of Representatives, June 24, 1941.

Resolved (if the Senate concur), that House Bill No. 1470, Printer's No. 677, entitled "An Act providing for practical arts and vocational agriculture home economics industrial and commercial schools and classes through public school districts and in cooperation with employ-

ment 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," be recalled from the Governor for the purpose of amendment.

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

HOUSE BILL No. 949 TAKEN FROM TABLE

Mr. REUBEN E. COHEN. Mr. Speaker, I move that House Bill No. 949, together with the communication from the Governor which was laid on the table June 12, 1941, be taken from the table.

The motion was agreed to.

The communication was read by the Clerk as follows:

COMMUNICATION FROM THE GOVERNOR

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

APPROVAL OF RESOLUTION RECALLING HOUSE BILL No. 949

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. 949, Printer's No. 717, for the purpose of amendment.

Accordingly, the original bill is herewith returned.

ARTHUR H. JAMES.

RESOLUTION

RECALLING HOUSE BILL No. 949 FROM THE GOVERNOR

Mr. REUBEN E. COHEN offered the following resolution which was twice read, considered and adopted:

In the House of Representatives, June 24, 1941.

Resolved, (if the Senate concur), That House Bill No. 949, Printer's No. 717, entitled "An Act to further amend section nine of the act approved the seventh day of June, one thousand nine hundred and seventeen, (P. L. 363), entitled 'An act relating to the organization, jurisdiction and procedure of the orphans' courts, the powers and duties of the judges thereof, and appeals therefrom,' by imposing liability on executors, administrators or trustees for real estate brokers' commissions in certain cases," which was recalled from the Governor June 12th, and laid on the table June 12th, be returned to the Governor without amendment.

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

PERMISSION GRANTED COMMITTEE TO MEET DURING SESSION

Mr. HABERLEN asked and obtained permission for the Committee on Dairy Industries to meet during the session of the House.

QUESTION OF PERSONAL PRIVILEGE

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

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

Mr. HEWITT. Mr. Speaker, a short time ago I called the Chair's attention to the fact that two bills on today's calendar had the same Printer's Number, at which time the Chair thanked me. I wish to thank the Speaker for informing me that Members vote on bills and not on the titles on the calendar. I was under the wrong impression for several years.

MINORITY REPORT OF HOUSE COMMITTEE TO INVESTIGATE PHILADELPHIA GAS EXPLOSION

Mr. THOMAS H. LEE. Mr. Speaker, I desire to submit the minority report of the House Committee appointed to investigate the Philadelphia Gas Explosion appointed pursuant to House Resolution No. 25, adopted February 19, 1941.

The SPEAKER. The report will be noted in the Journal of the House and printed in the Appendix to the Legislative Journal.

REPORT FROM COMMITTEE

Mr. LESKO, from the Committee on Dairy Industries, reported as committed House Bill No. 1919, entitled:

An Act to amend section 103, 301, 304, 305, 307, 308, 310, 311, 401, 402, 403, 404, 405, 410, 501, 502, 503, 505, 506, 508, 510, 511, 512, 513, 703, 801, 802, 803, 804, 807, 808, 809, 904, 1013 and 1101 of the act approved the twenty-eighth day of April, one thousand nine hundred and thirty-seven (P. L. 417) entitled "An act relating to milk and the products thereof; creating a Milk Control Commission; establishing its jurisdiction, powers and duties; regulating the production, transportation, manufacturing, processing, storage, distribution, delivery and sale of milk and certain products thereof; providing for the licensing of milk dealers and the payment of fees therefor; requiring milk dealers to file bonds to secure payment for milk to producers and certain milk dealers; authorizing the holding of hearings and the issuance of subpoenas by the commission; conferring jurisdiction upon courts to punish contempts and to prohibit violations of this act and of rules, regulations and orders of the commission; authorizing the commission to adopt rules, regulations and orders, and to enter into interstate and Federal compacts; requiring persons who weigh, measure, sample or test milk to procure permits or certificates, to take examinations, to pay fees therefor, to furnish certain notices, records and statements, and to use certain methods of weighing, measuring, sampling and testing; authorizing the commission to examine the business, papers and premises of milk dealers and producers, requiring the keeping of records and the filing of reports by milk dealers, and permitting, with limitations, the use of information obtained thereby; authorizing the commission to fix prices for milk certain milk products subject to the approval of the Governor, and conferring certain powers upon the Governor with respect thereto; providing for appeals to the courts from decisions of the commission, and for the burden of proof upon such appeals; prescribing penalties, fines and imprisonment for violations of this act and rules, regulations and orders of the commission; defining perjury; defining remedies; repealing legislation supplied and superseded by this act, and saving rights, duties and proceedings thereunder and making appropriations," by adding the term "handler" as a synonym for the term

"milk dealer", defining the terms "handle" and "handler"; extending the provisions of the act to those who handle milk by bailment, brokerage, consignment or purchase; authorizing special agents or examiners to conduct hearings on behalf of the Milk Control Commission; enabling certain officers, employes and agents to administer oaths; providing the method and effect of service of certain orders and the posting of rules, regulations and certain orders; enabling employes of the commission to photograph, photostat, mark or stamp for identification books and papers that they have inspected; providing for action with milk control agencies of other states and of the United States in holding hearings and promulgating and enforcing orders; requiring milk dealers or handlers to be licensed; stating grounds for refusal, suspension, revocation of licenses and the right to transfer licenses; stating grounds for refusal of the right to apply for a license; stating the effect of service by registered mail; enlarging requirements of milk dealers or handlers to file bonds to secure payment to producers and certain milk dealers or handlers; prescribing the effective date and term of such bonds and providing for their release; providing for the increase or decrease of the amounts of bonds; prescribing the effect or orders and findings of fact of the commission relating to licenses in suits or bonds; providing for payment to those entitled thereto of moneys in the hands of the commission owing from dealers or handlers to producers and from subdealers or subhandlers to dealers or handlers; increasing the scope of regulation of subdealers or subhandlers; making certain information available to cooperatives and producers' groups; clarifying the requisites of orders fixing prices for milk; providing for the competency of certain statistical testimony and data; providing that all provisions of price-fixing orders shall be presumed to be valid and placing the burden of proving any invalidity of any order or part thereof; stating the effect of partial invalidity of price-fixing orders; defining violations of orders of the commission fixing prices; making milk dealers or handlers responsible for acts of their directors, officers, agents or other persons acting for or on behalf of them; giving certain additional rights to cooperatives and producers' and farmers' unions or organizations of producers of milk; further regulating and imposing duties on milk dealers or handlers; prescribing procedure on appeal from orders of the commission; further defining and prescribing penalties, defenses, rights and remedies; and providing for the payment of funds in the hands of the commission owing producers or dealers or handlers to those entitled thereto.

RESOLUTION

RECALLING HOUSE BILL No. 869 FROM THE GOVERNOR

Messrs. McKINNEY and BROWN offered the following resolution which was twice read, considered and adopted:

In the House of Representatives, June 24, 1941.

Resolved (if the Senate concur), that House Bill No. 869, Printer's No. 293, entitled "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 mortgages 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,"

be recalled from the Governor for further consideration.

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

ANNOUNCEMENT BY SPEAKER

The SPEAKER. The membership is advised that it is anticipated that we will remain in session Thursday and Friday of this week. The Members are expected to be present, and to make arrangements accordingly. This is very important.

CONDOLENCE RESOLUTION

Mr. WOODSIDE. Mr. Speaker, I am sure it is with sadness that we learned of the untimely death of the Honorable John Joseph Shaw, our very able Secretary of Health. Therefore, on behalf of myself and on behalf of the gentleman from Monroe, Mr. Achterman I present the following resolution.

Messrs. WOODSIDE and ACHTERMAN offered the following resolution and asked and obtained unanimous consent for its immediate consideration.

The resolution was twice read, considered and adopted:

In the House of Representatives, June 24, 1941.

Whereas, Almighty God, in His Infinite Wisdom, has gathered unto Himself today, the Honorable John J. Shaw, Secretary of Health of the Commonwealth of Pennsylvania; and

Whereas, The sudden passing of one of the most eminent members of the Governor's Cabinet, has come with a sense of profound shock to the citizens of this Commonwealth; and

Whereas, The Honorable John J. Shaw during his lifetime exemplified and personified those great traits of character with which we associate the highest type of our fellow-citizens; and

Whereas, His entire lifetime was devoted to fostering the physical and spiritual well-being of the people of this Commonwealth; and

Whereas, Though his political affiliation was Republican, in his treatment of all the citizens of this Commonwealth, he arose above partisan politics, and treated all on the basis of humane consideration alone; and

Whereas, Since his appointment as Secretary of Health, he elevated Pennsylvania to the foremost of all the states of the Nation in its scientific and modern care of persons afflicted with tuberculosis; and

Whereas, Because of his activities as Secretary of Health, he was signally honored at the recent exercises held at the University of Pennsylvania, by having conferred upon him the degree of Doctor of Science; and

Whereas, That his activities throughout a lifetime devoted to the interests of the medical profession extend beyond the State, is evidenced by his active membership in the American Medical Association, as well as the Medical Society of the State of Pennsylvania, Philadelphia County Medical Society, the American Public Health Association, and the Pennsylvania Public Health Association; and

Whereas, During the short span of fifty-three years, he carried out to the letter the solemn duties imposed upon all who take it, embodied in the immortal words of the Hippocratic Oath; and

Whereas, Of him it can be truly said that above all things he loved his fellow-man; be it therefore

Resolved, That the House of Representatives notes with profound sorrow the passing of this great and distinguished citizen of our Commonwealth; and be it further

Resolved, That the Chief Clerk of the House forward a copy of this resolution to the family of the deceased, conveying thereby the profound sympathy of the House of Representatives to them in their great bereavement.

The SPEAKER. For the information of the Members the Chair has lost a life-long personal friend.

Mr. TURNER IN THE CHAIR.

COMMITTEE MEETING

State Government, Wednesday, June 25 at 11 a. m., E. S. T., in Room 325.

PUBLIC HEARING

There will be a Public Hearing before the Committee on Banking on House Bill No. 1622, Printer's No. 1032 on Wednesday, June 25, 1941 at 10 a. m., E. S. T., in the Old House Caucus Room, 3d floor.

ADJOURNMENT

Mr. EDWIN A. LEE. Mr. Speaker, I move that this House do now adjourn until Wednesday, June 25, 1941, at 2 p. m. out of respect to the Honorable John J. Shaw, former Secretary of Health of the Commonwealth of Pennsylvania.

The motion was agreed to.

The SPEAKER pro tempore. Out of respect to Honorable John Joseph Shaw, in recognition of his distinguished public career this House now stands adjourned (at 5 p. m.) until Wednesday, June 25, 1941, at 2 p. m.