

## HOUSE OF REPRESENTATIVES

THURSDAY, June 26, 1941.

The House met at 12 m.

The SPEAKER (Elmer Kilroy) in the Chair.

## PRAYER

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

Almighty God, help us to believe, in these dark times, that the Holy One who died on a cross and rose again is still in the midst of men, working the will of God and slowly but surely making God's ways triumphant. Help us to know assuredly that we are never alone as we fight valiantly the good fight of an ever living faith. Give us strength, we beseech Thee, in our struggle against unequal odds to establish a new world of justice and love.

Calm the raging waters of hate, war, and bloodshed and bring understanding to all nations. May the time speedily come when nation will sit down with nation in an endeavor to solve all problems which will eventually lead to a greater prosperity and happiness throughout the world.

Search Thou our hearts and help each of us to cast out prejudice, race hatred, revengefulness, and ill-will. Make us worthy of Thy recognition. We ask this in Thy name. 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. GREENWOOD, unanimously agreed to, and further reading was dispensed with and the Journal approved.

## LEAVE OF ABSENCE

By unanimous consent leave of absence was granted as follows:

Mr. Samuel Rose for Mr. CHUDOFF for the week.

Mr. VOGT for himself for the remainder of the week after today.

Mr. O'CONNOR for himself for the remainder of the week after today.

Mr. NAGEL for himself for the remainder of the week after 3 p. m. today.

Mr. Fleming for Mr. RONALD L. THOMPSON for the remainder of the week.

Mr. Fleming for Mr. COOPER for the remainder of the week.

Mr. CULLEN for himself for the remainder of the week after today.

Mr. KRISE for himself for the remainder of the week after 2 p. m. today.

Mr. WEINGARTNER for himself for the remainder of the week after today.

Mr. Trout for Mr. NORMAN WOOD for the remainder of the week.

Mr. WAGNER for himself for the remainder of the week after 3 p. m. today.

Mr. GREENWOOD for himself for the remainder of the week after today.

Mr. REAGAN for himself for the remainder of the week after today.

Mr. MARKS for himself for the remainder of the week after today.

Mr. Walter Rose for Mr. GROSS for the remainder of the week.

## COMMUNICATION

The SPEAKER laid before the House a communication which was read by the Clerk as follows:

The White House  
Washington

June 25, 1941.

My dear Mr. Callahan:

The President has received the certified copy of a resolution adopted by the House of Representatives of the State of Pennsylvania and is grateful for your courtesy in forwarding it to him. He asks if you will not be good enough to convey to the members of the House an expression of his appreciation of the friendly spirit which prompted their action.

Very sincerely yours,

M. H. McINTYRE,  
Secretary to the President

Honorable Thomas J. Callahan,  
Chief Clerk,  
House of Representatives,  
Harrisburg,  
Pennsylvania

## SENATE MESSAGES

## SENATE BILLS FOR CONCURRENCE

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

SENATE BILL No. 464. (HOUSE BILL No. 1922).

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

Referred to the Committee on Welfare.

SENATE BILL No. 637. (HOUSE BILL No. 1923).

An Act making an appropriation to the Trustees of the Pennsylvania State College for instruction and research in aeronautical engineering and for the acquisition construction and maintenance of airport facilities as an aid to national defense and for other purposes and empowering said trustees to enter into agreements with Federal officials or agencies with respect to the construction and use of such airports.

Referred to the Committee on Appropriations.

SENATE BILL No. 712. (HOUSE BILL No. 1924).

An Act to amend section one and section two of the act approved the seventeenth day of May one thousand nine

hundred and twenty-one (P. L. 899) entitled "An act establishing a State Highway in the County of Lebanon providing for its location construction improvement and maintenance by the Commonwealth" by amending the State Highway Route established by said act and providing that said State highway shall be located after consultation with the Executive Director of the State Game Commission instead of after consultation with the Adjutant General of the Commonwealth.

Referred to the Committee on Highways.

SENATE BILL No. 78. (HOUSE BILL No. 1925).

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 and thirty-seven (P. L. 1333) entitled "An act concerning elections including general municipal special and primary elections and 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 political 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.

Referred to the Committee on Elections.

SENATE BILL No. 457. (HOUSE BILL No. 1926).

An Act to amend the act, approved the twenty-fourth day of June, one thousand nine hundred and thirty-seven (P. L. 2051), entitled "An act relating to public assistance; providing for and regulating assistance to certain classes of persons designated and defined as dependent children, aged persons blind persons and other persons requiring relief; providing for the administration of this act by the Department of Public Assistance and county boards of assistance hereby created for this purpose; authorizing the Department of Public Assistance to cooperate with, and to accept and disburse moneys received from the United States Government for assistance to such persons; providing for the liquidation of the State Emergency Relief Board Boards of Trustees of the Mother's Assistance Fund, and Boards of Trustees of Pension Fund for the Blind; and repealing laws relating to mothers' assistance, pensions for the blind, old age assistance, and the State Emergency Relief Board." as amended, by enabling the Department of Public Assistance to take measures to rehabilitate persons receiving assistance.

Referred to the Committee on Welfare.

SENATE BILL No. 796. (HOUSE BILL No. 1927).

An Act to amend 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" as amended by changing Route 36174 Lancaster County.

Referred to the Committee on Highways.

SENATE BILL No. 797. (HOUSE BILL No. 1928).

An Act making an appropriation to the Department of Highways for the construction of roadways and parking areas on the premises included in the Pennsbury Memorial

Referred to the Committee on Highways.

SENATE BILL No. 1098. (HOUSE BILL No. 1929).

An Act relating to the sale transfer assignment and pledge of accounts receivable and requiring the assignor of accounts receivable to make appropriate record of the fact of such assignment and prescribing penalties for failure to do so.

Referred to the Committee on Judiciary General.

#### RESOLUTION FOR CONCURRENCE

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

In the Senate, June 25, 1941.

Whereas the twenty-five (25) weeks of the 1941 legislative session has demonstrated faults in the technic of operation of the General Assembly Resolved the House concurring, that the Joint Commission of State Government be and hereby instructed and directed to formulate methods of organization and procedure to minimize delay and to hasten the efficient functioning of the legislative branch of the state government.

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

Referred to the Committee on Rules.

#### COMMUNICATIONS FROM THE GOVERNOR

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

APPROVAL OF HOUSE BILLS Nos. 322, 333, 347, 1330, 1331, 1332, and 1345

Commonwealth of Pennsylvania,  
Governor's Office, Harrisburg, June 25, 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 the following:

House Bill No. 322, Printer's No. 568, entitled "An Act making an appropriation from the Game Fund to the State Employees' Retirement Board to meet the obligations of the Commonwealth to the State Employees' Retirement System with respect to State employes receiving compensation from the Game Fund."

House Bill No. 333, Printer's No. 621, entitled "An Act making an appropriation from the Fish Fund to the State Employees' Retirement Board to meet the obligations of the Commonwealth to the State Employees' Retirement System with respect to State employes receiving compensation from the Fish Fund."

House Bill No. 347, Printer's No. 584, entitled "An Act making an appropriation from the Banking Department Fund to the State Employees' Retirement Board to meet the obligations of the Commonwealth to the State Employees' Retirement System with respect to State employes receiving compensation from the Banking Department Fund."

House Bill No. 1330, Printer's No. 580, entitled "An Act making an appropriation from the State Stores Fund to

the State Employees' Retirement Board to meet the obligations of the Commonwealth to the State Employees' Retirement System with respect to State employes receiving compensation from the State Stores Fund."

House Bill No. 1331, Printer's No. 678, entitled "An Act making an appropriation from the Manufacturing Fund to the State Employees' Retirement Board to meet the obligations of the Commonwealth to the State Employees' Retirement System with respect to State employes receiving compensation from the Manufacturing Fund."

House Bill No. 1332, Printer's No. 606, entitled "An Act making an appropriation from the Motor License Fund to the State Employees' Retirement Board to meet the obligations of the Commonwealth to the State Employees' Retirement System with respect to State employes receiving compensation from the Motor License Fund."

House Bill No. 1345, Printer's No. 589, entitled "An Act making an appropriation from the State Workmen's Insurance Fund to the State Employees' Retirement System with respect to State employes receiving compensation from the State Workmen's Insurance Fund."

ARTHUR H. JAMES.

APPROVAL OF HOUSE BILLS Nos. 510, 739 AND 960

Commonwealth of Pennsylvania,

Governor's Office, Harrisburg, June 25, 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 the following:

House Bill No. 510, Printer's No. 727, entitled, "An Act to amend section five of the act approved the second day of July, one thousand nine hundred thirty-five (P. L. 599), entitled 'An act relating to motion picture exhibitions and sound, motion picture exhibitions, together with orchestral or other instrumental musical or mechanical musical accompaniment, prelude playing, or selection in connection with or incidental thereto on Sunday; prohibiting motion picture exhibitions and sound motion picture exhibitions, and orchestral or other instrumental musical or mechanical musical accompaniment, prelude, playing, or selection incidental thereto on Sunday during certain hours, and also during other hours, unless the electors of a municipality approve thereof; regulating the employment of persons in conducting such exhibitions on Sunday; providing for referendums to ascertain the will of the electors; and providing penalties; and repealing inconsistent laws' by changing the method and time whereby future referendums be initiated and held.

House Bill No. 739, Printer's No. 371, entitled, "An Act to further amend paragraph six of section one of the act approved the twenty-seventh day of June one thousand nine hundred and twenty-three (P. L. 858) entitled 'An act establishing a State employes' retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing State employes defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon the heads of departments in which State employes serve excepting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties' by further defining State employe."

House Bill No. 960, Printer's No. 909, entitled, "An Act to amend sections one and two and to further amend sections three and five of the act approved the sixth day of April one thousand nine hundred and eleven (P. L. 51), entitled "An act providing for the protection of the public health and the prevention of fraud and deception by prohibiting the sale the offering for sale or

exposing for sale or having in possession with intent to sell of adulterated or deleterious sausage defining sausage and prescribing the penalty for the violation thereof" by further defining sausage making possession of adulterated sausage prima facie evidence of intent to sell further defining and regulating the adulteration of sausage and conferring powers and duties on the Department of Agriculture."

ARTHUR H. JAMES.

APPROVAL OF HOUSE BILL No. 626.

Commonwealth of Pennsylvania,

Governor's Office, Harrisburg, June 25, 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. 525, Printer's No. 910, entitled, "An Act amending revising consolidating and changing the law relating to the borrowing of money by certain political subdivisions the authorization issuance and sale of general obligation bonds as herein defined of bonds imposing no general obligation of debt and of bonds not deemed to constitute a debt for certain purposes and to the funding of debt and the refunding of bonds regulating the keeping and use of sinking funds imposing powers and duties upon the Department of Internal Affairs and upon corporate bodies and officers of political subdivisions imposing penalties and repealing existing laws."

ARTHUR H. JAMES.

APPROVAL OF HOUSE BILL No. 1230.

Commonwealth of Pennsylvania,

Governor's Office, Harrisburg, June 25, 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. 1230, Printer's No. 629, entitled, "An Act to further amend section one and to amend section three of the act approved the fourteenth day of May one thousand nine hundred and twenty-five (P. L. 730) entitled 'An act for the protection of the public health in the manufacture and sale of carbonated beverages and still drinks providing for the registration thereof prohibiting the sale offering or exposing for sale exchange or giving away thereof in certain cases unless registered regulating the manufacture bottling preparation mixing and compounding of carbonated beverages or still drinks and the sale and dispensing thereof creating a special fund in the State Treasury and providing penalties' by excluding certain juices and combinations of juices from the operation of the act and requiring separate registration for each bottling or manufacturing plant."

ARTHUR H. JAMES.

APPROVAL OF HOUSE BILL No. 1324.

Commonwealth of Pennsylvania,

Governor's Office, Harrisburg, June 25, 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. 1324, Printer's No. 895, entitled, "An Act to further amend section thirty-two 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' further providing for ascertaining the change of classification of counties."

ARTHUR H. JAMES.



## APPROVAL OF HOUSE BILL No. 1343.

Commonwealth of Pennsylvania,  
Governor's Office, Harrisburg, June 25, 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. 1343, Printer's No. 596, entitled, "An Act making an appropriation of moneys in the Motor License Fund to the Board of Finance and Revenue for the payment of the Loan and Transfer Agent of the Commonwealth."

ARTHUR H. JAMES.

## APPROVAL OF HOUSE BILL No. 1344.

Commonwealth of Pennsylvania,  
Governor's Office, Harrisburg, June 25, 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. 1344, Printer's No. 594, entitled, "An Act making an appropriation of moneys in the Motor License Fund to the Board of Finance and Revenue to meet interest and sinking fund requirements on the State debt."

ARTHUR H. JAMES.

## APPROVAL OF HOUSE BILL No. 1463

Commonwealth of Pennsylvania,  
Governor's Office, Harrisburg, June 25, 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. 1463, Printer's No. 590, entitled, "An act making an appropriation to the Department of Property and Supplies for the payment of rates rentals and other charges that may become due on leases and other contracts executed by such department with The General State Authority for the use and occupancy by the Commonwealth of various projects, structures, buildings, and facilities of the Authority or for the services rendered by the Authority or its projects.

ARTHUR H. JAMES.

## APPROVAL OF HOUSE BILL No. 1493

Commonwealth of Pennsylvania,  
Governor's Office, Harrisburg, June 25, 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. 1493, Printer's No. 670, entitled, "An Act to amend the act approved the seventh day of June one thousand nine hundred seventeen (P. L. 600) entitled 'An act providing that appointive officers and employes employed by the Commonwealth of Pennsylvania in its civil service or by any department bureau commission or office thereof or by any county municipality township or school district shall not be deemed or held to have resigned or abandoned their offices or employments by reason of enlistment enrollment or draft in the military or naval service of the United States or any branch or unit thereof in time of war or contemplated war prohibiting the removal from their offices or employments of such officers and employes during the period of their service in the Army or Navy directing that one-half of the salaries or wages of such officers or employes as have dependent wives children or parents and not exceeding two thousand dollars per annum be paid during the term of their service in the Army or Navy to such dependents authorizing the employment during said term of substitutes to perform the duties theretofore performed by such officers or employes respectively and providing for

the compensation of such substitutes' by providing for the payment into the State Employes' Retirement Fund of certain amounts of the salaries or wages of such officers or employes under certain circumstances."

ARTHUR H. JAMES.

## SENATE MESSAGES

SENATE ADOPTS CONFERENCE COMMITTEE  
REPORT ON HOUSE BILL No. 404

The Clerk of the Senate being introduced, informed that the Senate has adopted the report of the Committee on Conference on the subject of the difference existing between the two Houses on House Bill numbered and entitled as follows:

## HOUSE BILL No. 404.

An Act relating to marriage and amending revising consolidating and changing the law relating thereto

## HOUSE BILLS CONCURRED IN BY SENATE

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

## HOUSE BILL No. 152.

An Act to amend section one of the act, approved the thirteenth day of May; one thousand nine hundred and twenty-seven (Pamphlet Laws nine hundred eighty-four) entitled "An act relating to transactions between a person acting on his own behalf and the same person acting jointly with others, and to make uniform the law relating thereto," by authorizing conveyances from either husband or wife to husband and wife as tenants by the entireties.

## HOUSE BILL No. 650.

An Act to amend section seven of the Act approved the twenty-second day of June, one thousand nine hundred and thirty-one, (P. L. 720), entitled "An act providing for the taking over by the Commonwealth, under certain terms, conditions and limitations, of certain streets in cities of the second class, second class A, and third class as State highways, and for the improvement, construction, reconstruction, resurfacing and maintenance by the Commonwealth of certain defined widths of said streets; imposing duties on such cities and on public utility companies using such streets; providing that no assessment shall be made upon the Commonwealth in the elimination of any grade crossing thereon; authorizing cities, persons, associations, or corporations to enter into agreements with the Commonwealth to bear a portion of the cost of construction or maintenance; providing for the assessment of certain portions of the cost of street improvements on abutting property owners; regulating the replacement of certain facilities of public utility companies; prohibiting the opening of said streets after improvement without a permit, and providing penalty therefor; regulating the maintenance of detours; authorizing the increase of city indebtedness in certain cases; and appropriating money in the motor license fund for the purposes of this act," as last amended, by providing for the changing of widths, lines, location or grades of streets in cities of the second class, second class A and third class, by the Department of Highways without the consent of the city in which said street is located; relieving the city from liability for damages in such cases; and imposing liability for damages upon the Commonwealth of Pennsylvania.

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



AMENDED HOUSE BILL RECALLED FROM THE  
GOVERNOR CONCURRED IN BY SENATE

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

HOUSE BILL No. 1022.

An Act to amend section thirteen and to further amend section eighteen of the act, approved the eleventh day of May, one thousand nine hundred and twenty-one (P. L. 522), entitled as amended "An act relating to dogs, and the protection of live stock, poultry, and game birds raised in captivity from damage by dogs; providing for the licensing of dogs by the Secretary of Agriculture; providing for the enumeration of dogs by assessors; regulating the keeping of dogs, and authorizing their destruction in certain cases; providing for the protection of licensed dogs, and for dogs temporarily imported for trial, show, and breeding purposes; prescribing certain privileges for hunting dogs and dogs owned or used by the Board of Game Commissioners; providing for the assessment of damages done to live stock, poultry, and game birds by dogs, and for live stock killed by, or dying from, rabies, and for the illegal killing of licensed dogs, and the payment of such damages by the Commonwealth; imposing powers and duties on certain State, county, city, borough, town, and township officers and employes, directing the payment of all moneys collected into the State Treasury; and providing penalties," permitting certain dogs to be brought into the Commonwealth under certain conditions for hunting purposes by holders of nonresident hunting licenses without securing a Pennsylvania dog license where the home states of such non-residents afford a similar exemption to residents of Pennsylvania

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

BILLS SIGNED BY SPEAKER

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

HOUSE BILL No. 61.

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

HOUSE BILL No. 267.

An Act making an appropriation to aid certain school districts.

HOUSE BILL No. 280.

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

HOUSE BILL No. 281.

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

HOUSE BILL No. 305.

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

HOUSE BILL No. 317.

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

HOUSE BILL No. 351.

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

HOUSE BILL No. 472.

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

HOUSE BILL No. 502.

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

HOUSE BILL No. 614.

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

HOUSE BILL No. 640.

An Act establishing certain public roads and streets, and certain roads and streets not yet in existence in the City of Harrisburg and the County of Dauphin as a state highway; and providing for their laying out, opening, construction and maintenance by the Department of Highways subject to certain terms and conditions.

HOUSE BILL No. 1003.

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

HOUSE BILL No. 1065.

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

HOUSE BILL No. 1068.

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

HOUSE BILL No. 1233.

An Act to amend section three hundred seventy 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," authorizing the county commissioners, from time to time, to make supplemental appropriations.

HOUSE BILL No. 1232.

An Act to further amend section one thousand eight hundred and four of the act, approved the twenty-third day of June, one thousand nine hundred and thirty-one (P. L. 932), entitled "An act relating to cities of the third class; and amending, revising, and consolidating the law

relating thereto," authorizing the council in such cities from time to time to make supplemental appropriations.

HOUSE BILL No. 1234.

An Act to further amend section one thousand seven hundred and one of the act approved the twenty-fourth day of June, one thousand nine hundred thirty-one (P. L. 1206) entitled "An act concerning townships of the first class; amending, revising, consolidating, and changing the law relating thereto," authorizing the township commissioners from time to time, to make supplemental appropriations.

HOUSE BILL No. 1235.

An Act to further amend section three hundred and nine of the act, approved the twenty-fourth day of June, one thousand nine hundred and thirty-seven, (P. L. 2017), entitled "An act creating in each county (except of the first class) as a separate corporation, and in each city of the first and second class as a part of the city government, an institution district for the care and maintenance of certain indigent persons and children; prescribing the powers and duties of county commissioners; county treasurers, city departments of public welfare, the State Department of Welfare and the State Department of Public Assistance in respect thereto; abolishing certain poor districts and terminating the terms of directors, overseers guardians and managers of the poor and poor district auditors, and providing for the temporary employment of certain of them; providing for the transfer, vesting, sale and disposition of the property of poor districts, and the payment of their obligations; imposing certain existing obligations on institutions 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," authorizing the commissioners of any county institution district from time to time, to make supplemental appropriations.

HOUSE BILL No. 1236.

An Act to further amend section nine hundred two of the act, approved the first day of May, one thousand nine hundred and thirty-three (P. L. 103), entitled "An act concerning townships of the second class; and amending, revising, consolidating, and changing the law relating thereto," authorizing the township supervisors, from time to time, to make supplemental appropriations.

HOUSE BILL No. 1441.

An Act to amend routes 52037 and 52044 as added to the act, approved the twenty-second day of June, one thousand nine hundred and thirty-one (Act No. 203), entitled "An act establishing certain township roads as State highways; authorizing their construction, maintenance, and improvement under certain conditions and restrictions; limiting the obligation of the Commonwealth in the construction of certain structures located on such highways; conferring certain powers upon the Department of Highways and local authorities, persons, associations and corporations for sharing the cost of the maintenance and constructions of such highways; and making an appropriation to carry out the provisions of said act," changing certain routes in the county of Potter.

HOUSE BILL No. 1457.

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

HOUSE BILL No. 1590.

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

HOUSE BILL No. 1591.

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

HOUSE BILL No. 1659.

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

HOUSE BILL No. 1722.

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

Whereupon,

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

FORMER MEMBER WELCOMED

The SPEAKER. The Chair welcomes to the House today a former member of the House from Schuylkill County, Hon. Cyrus M. Palmer.

SENATE MESSAGES

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

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

HOUSE BILL No. 90.

An Act providing for the correction of the designation and title of veterans of the Spanish American War in all present legislation affecting said veterans by designating such organizations as United Spanish War Veterans, Inc.

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives, is requested.

The SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend the title, page 1, line 4, by inserting after the word "as" the word "The."

Amend Section 1, page 1, at the end of line 4, by inserting after the word "read" the word "The."

On the question,

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

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

YEAS—185

Achterman,	French,	Lyons,	Riley,
Allmond,	Gallagher,	Malloy,	Rooney,
Auker,	Gates,	Marks,	Rose, S.,
Baker,	Gerard,	Maxwell,	Rosenfeld,
Balthaser,	Gillan,	McClanaghan,	Rush,
Baughner,	Gillette,	McClester,	Sarge,
Bentley,	Goodwin,	McDermott,	Sarraf,
Bentzel,	Greenwood,	McDowell,	Scanlon,
Boles,	Gryskewicz,	McFall,	Schwab,
Boney,	Gyger,	McGrath,	Shaffer,
Bower,	Habbyshaw,	McIntosh,	Shaw,
Bradley,	Haberlen,	McKinney,	Shepard,
Bretherick,	Haines,	McLanahan,	Simons,
Brunner, P. A.,	Hamilton,	McLane,	Skale,

Burns,	Hare,	McSurdy,	Sollenberger,
Burris,	Harkins,	Melchiorre,	Stambaugh,
Cadwalader,	Harris,	Mihm,	Stank,
Chervenak,	Heatherington,	Monks,	Stine,
Cochran,	Helm,	Mooney,	Stockham,
Cohen, M. M.,	Hering,	Moran,	Tarr,
Cohen, R. E.,	Herman,	Moul,	Tate,
Cook,	Hersch,	Muir,	Taylor,
Cordier,	Hewitt,	Munley,	Thompson, E. F.,
Corrigan,	Hirsch,	Nagel,	Trout,
Croop,	Holland,	Nunemacher,	Turner,
Cullen,	Imbrie,	O'Brien,	Verona,
Dalrymple,	James,	O'Connor,	Vincent,
Dennison,	Jefferson,	O'Dare,	Vogt,
DiGenova,	Jones, G. E.,	O'Mullen,	Voorhees,
Dix,	Jones, P. N.,	O'Neill,	Wagner,
Dolon,	Keenan,	Owens,	Watkins,
Duffy,	Kenehan,	Petrosky,	Weingartner,
Early,	Kline,	Pettit,	Weiss,
Eckels,	Knoble,	Polaski,	Welsh, E. B.,
Elder,	Kolankiewicz,	Polen,	Welsh, M. J.,
Elllott,	Komorowski,	Powers,	Wilkinson,
Ely,	Krise,	Prosen,	Williams,
Falkenstein,	Lee, T. H.,	Rank,	Winnier,
Finestone,	Lelsey,	Rausch,	Wolf,
Finnerty,	Lesko,	Readinger,	Wood, L. H.,
Fisher,	Levy,	Reagan,	Woodring,
Fiss,	Leydic,	Reese, D. P.,	Woodside,
Fleming,	Lichtenwaller,	Reese, R. E.,	Wright,
Fletcher,	Longo,	Regan,	Yeakel,
Flynn,	Lovett,	Reynolds,	Yester,
Poor,	McMillen,	Rhea,	Young,
			Kilroy, Speaker.

NAYS—0

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

Ordered, That the Clerk inform the Senate accordingly.

AMENDED SENATE BILLS NON-CONCURRED IN BY SENATE

The Clerk of the Senate being introduced, informed that the Senate has non-concurred in the amendments made by the House of Representatives to Senate Bills numbered and entitled as follows:

SENATE BILL No. 597.

An Act to further amend section seven hundred one of the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1225) entitled "An act concerning game and other wild birds and wild animals and amending revising consolidating and changing the law relating thereto" providing for permits authorizing possession of flesh of lawfully killed big game animals after open season therefor.

HOUSE RECEDES FROM ITS AMENDMENTS NON-CONCURRED IN BY SENATE

Mr. READINGER. Mr. Speaker, I move that the House recede from its amendments non-concurred in by the Senate.

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

YEAS—185

Achterman,	French,	Marks,	Rose, S.,
Allmond,	Gallagher,	Maxwell,	Rosenfeld,
Auker,	Gates,	McClanaghan,	Rush,
Baker,	Gerard,	McClester,	Sarge,
Balthaser,	Gillan,	McDermott,	Sarrafi,
Baughner,	Gillette,	McDowell,	Scanlon,
Bentley,	Goodwin,	McFall,	Schwab,
Bentzel,	Greenwood,	McGrath,	Shaffer,
Boles,	Gryskewicz,	McIntosh,	Shaw,
Boney,	Gyger,	McKinney,	Shepard,
Bower,	Habbyshaw,	McLanahan,	Simons,
Bradley,	Haberlien,	McLane,	Skale,
Bretherick,	Haines,	McMillen,	Sollenberger,

Brunner, P. A.,	Hamilton,	McSurdy,	Stambaugh,
Burns,	Hare,	Melchiorre,	Stank,
Burris,	Harkins,	Mihm,	Stine,
Cadwalader,	Harris,	Monks,	Stockham,
Chervenak,	Heatherington,	Mooney,	Tarr,
Cochran,	Helm,	Moran,	Tate,
Cohen, M. M.,	Hering,	Moul,	Taylor,
Cohen, R. E.,	Herman,	Muir,	Thompson, E. F.,
Cook,	Hersch,	Munley,	Trout,
Cordier,	Hewitt,	Nagel,	Turner,
Corrigan,	Hirsch,	Nunemacher,	Verona,
Croop,	Holland,	O'Brien,	Vincent,
Cullen,	Imbrie,	O'Connor,	Vogt,
Dalrymple,	James,	O'Dare,	Voorhees,
Dennison,	Jefferson,	O'Mullen,	Wagner,
DiGenova,	Jones, G. E.,	O'Neill,	Watkins,
Dix,	Jones, P. N.,	Owens,	Weingartner,
Dolon,	Keenan,	Petrosky,	Weiss,
Duffy,	Kenehan,	Pettit,	Welsh, E. B.,
Early,	Kline,	Polaski,	Welsh, M. J.,
Eckels,	Knoble,	Polen,	Wilkinson,
Elder,	Kolankiewicz,	Powers,	Williams,
Elllott,	Komorowski,	Prosen,	Winnier,
Ely,	Krise,	Rank,	Wolf,
Falkenstein,	Lee, T. H.,	Rausch,	Wood, L. H.,
Finestone,	Lelsey,	Readinger,	Woodring,
Finnerty,	Lesko,	Reagan,	Woodside,
Fisher,	Levy,	Reese, D. P.,	Wright,
Fiss,	Leydic,	Reese, R. E.,	Yeakel,
Fleming,	Lichtenwaller,	Regan,	Yester,
Fletcher,	Longo,	Reynolds,	Young,
Flynn,	Lovett,	Rhea,	Kilroy,
Foor,	Lyons,	Riley,	Speaker.
	Malloy,	Rooney,	

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the House receded from its amendments non-concurred in by the Senate.

Ordered, That the Clerk inform the Senate accordingly.

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

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

HOUSE BILL No. 892.

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

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives, is requested.

The SPEAKER. The Clerk will read the amendments. The Clerk read the amendments as follows:

Amend the title, page 1, at the end of line 3, by striking out the words "and making an appropriation."

Amend Section 1, page 2, line 1, by striking out the words "and three" and inserting in lieu thereof the word "two"; also same page, line 3, by inserting after the word "Representatives" the words "and one of which shall be appointed by the Mayor of such first class city"; also same page, line 8, by striking out the word "three" and inserting in lieu thereof the word "two"; also same page, line 10, by striking out the words "two members" and inserting in lieu thereof the words "a member"; also same page, by striking out in lines 13 and 14 the words "from a list of eligibles furnished him by the mayor of such first class city."

Amend Section 2, page 3, line 2, by inserting after the word "subject" the words "provided that it is without cost or obligation to the Commonwealth."

Amend Section 4, page 3, by striking out all of lines 19 to 23 inclusive as follows:



"Section 4 The sum of five thousand dollars (\$5,000) or so much thereof as may be necessary is hereby specifically appropriated to the commission for the expenses of said commission in carrying out the provisions of this act."

Amend Section 5, page 3, line 24, by striking out after the word "Section" the figure "5" and inserting in lieu thereof the figure "4".

On the question,

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

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

YEAS—185

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

NAYS—0

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

Ordered, That the Clerk inform the Senate accordingly.

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

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

HOUSE BILL No. 291.

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

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives, is requested.

The SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

(This bill was amended in the Senate, Printer's No. 974. The amendments were removed, Printer's No. 1047, and the bill returned to the House in its original form, Printer's No. 622).

On the question,

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

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

YEAS—185

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

NAYS—0

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

Ordered, That the Clerk inform the Senate accordingly.

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

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

HOUSE BILL No. 1106.

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

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives, is requested.

The SPEAKER. The Clerk will read the amendments. The Clerk read the amendments as follows:

Amend Section 1, page 1, line 1, by striking out the words "one hundred eighty" and inserting in lieu thereof the words "one hundred twenty"; also same page, line 2, by striking out the figures "\$180,000" and inserting in lieu thereof the figures "\$120,000".

On the question,

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

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

YEAS—187

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

NAYS—0

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

Ordered, That the Clerk inform the Senate accordingly.

AMENDED SENATE BILLS NON-CONCURRED IN BY SENATE

The Clerk of the Senate being introduced, informed that the Senate has non-concurred in the amendments made by the House of Representatives to Senate Bills numbered and entitled as follows:

SENATE BILL No. 418.

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

Mr. READINGER. Mr. Speaker, I move that the House insist on its amendments non-concurred in by the Senate. The motion was agreed to.

Ordered, That the Clerk inform the Senate accordingly.

AMENDED SENATE BILLS NON-CONCURRED IN BY SENATE

The Clerk of the Senate being introduced, informed that the Senate has non-concurred in the amendments made by the House of Representatives to Senate Bills numbered and entitled as follows:

SENATE BILL No. 624.

An Act to further amend clause seven of section one thousand two hundred ten of the act approved the eighth day of May one thousand nine hundred eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" by increasing the minimum salaries of teachers in school districts of the fourth class and requiring the Commonwealth to make certain payments on account of such salaries.

Mr. READINGER. Mr. Speaker, I move that the House insist upon its amendments non-concurred in by the Senate.

The motion was agreed to.

Ordered, That the Clerk inform the Senate accordingly.

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

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

HOUSE BILL No. 551.

A Supplement to the act approved the twenty-seventh day of June, one thousand nine hundred thirty-nine (Appropriation Acts, page 60), entitled "An act to provide for the ordinary expenses of the Executive, Legislative, and Judicial Departments of the Commonwealth, interest on the public debt and the support of the public schools for two years beginning June first, one thousand nine hundred and thirty-nine; and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending May thirty-first, one thousand nine hundred and thirty-nine," providing for a deficiency in the appropriation to the Department of Property and Supplies for the fiscal biennium ending May thirty-first one thousand nine hundred forty-one; providing for payment out of revenues of the fiscal biennial period beginning June first, one thousand nine hundred forty-one; and preventing lapsing.

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments.  
The Clerk read the amendments as follows:

Amend Section 1, page 2, at the beginning of line 2, by striking out the word "seventy" and inserting in lieu thereof the words "one hundred and five," also in same line by striking out the figures "\$70,000" and inserting in lieu thereof the figures "\$105,000"; also same page, line 6, by inserting after the word "for" the words "the following purposes (a)"; also same page, line 9, by striking out the words "the Senate"; also same page, line 10, by inserting after the word "Bureau" the words "and (b) the cost of alterations furnishings equipment and necessary improvements or space in the main Capitol building now occupied or to be occupied by the Senate."

On the question,

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

Mr. READINGER. Mr. Speaker, I move that the House do non-concur in the amendments made by the Senate.

The motion was agreed to.

Ordered, That the Clerk inform the Senate accordingly.

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

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

HOUSE BILL No. 940.

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

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives, is requested.

The SPEAKER. The Clerk will read the amendments.  
The Clerk read the amendments as follows:

Amend title, page 1, line 6, by inserting after the word "authorizing" the word "certain."

Amend Section 1, page 1, line 7, by striking out the word "To" and inserting in lieu thereof the words "For boroughs having a population of two thousand inhabitants and upwards to"; also same page, line 8, by inserting after the word "any" the word "incorporated"; also on page 2, line 2, by striking out the word "county" and inserting in lieu thereof the words "borough but no such appropriation shall exceed in any year the cost of free service extended to residents of the borough which is in excess of any amount paid by the Commonwealth toward such free service."

On the question,

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

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

YEAS—186

Achterman,	Gallagher,	Maxwell,	Rosenfeld,
Allmond,	Gates,	McClanaghan,	Rush,
Auker,	Gerard,	McClester,	Sarge,
Baker,	Gillan,	McDermott	Sarra,
Balthaser,	Gillette,	McDowell,	Scanlon,

Baughner,	Goodwin,	McFall,	Schwab,
Bentley,	Greenwood,	McGrath,	Shaffer,
Bentzel,	Gryskewicz,	McIntosh,	Shaw,
Boles,	Gyger,	McKinney,	Shepard,
Boney,	Habbyshaw,	McLanahan,	S.mons,
Bower,	Haberlen,	McLane,	Skale,
Bradley,	Haines,	McMillen,	Sollenberger,
Bretherick,	Hamilton,	McSurdy,	Stambaugh,
Brunner, P. A.,	Hare,	Melchlorre,	Stank,
Burns,	Harkins,	Mihm,	Stine,
Burriss,	Harris,	Monks,	Stockham,
Cadwalader,	Heatherington,	Mooney,	Tarr,
Chervenak,	Helm,	Moran,	Tate,
Cochran,	Hering,	Moul,	Taylor,
Cohen, M. M.,	Herman,	Muir,	Thompson, E. F.,
Cohen, R. E.,	Hersch,	Munley,	Trout,
Cook,	Hewitt,	Nagel,	Turner,
Cordier,	Hirsch,	Nummacher,	Van Allsburg,
Corrigan,	Holland,	O'Brien,	Verona,
Croop,	Imbrle,	O'Connor,	Vincent,
Cullen,	James,	O'Dare,	Vogt,
Dalrymple,	Jefferson,	C'Mullen,	Voorhees,
Dennison,	Jones, G. E.,	O'Neill,	Wagner,
DiGenova,	Jones, P. N.,	Owens,	Watkins,
Dix,	Keenan,	Petrosky,	Weingartner,
Dolon,	Keenehan,	Pettit,	Weiss,
Duffy,	Kline,	Polaski,	Weish, E. B.,
Early,	Knoble,	Polen,	Weish, M. J.,
Eckels,	Kolankiewicz,	Powers,	Wilkinson,
Elder,	Komorofski,	Prosen,	Williams,
Elliot,	Krise,	Rank,	Winnier,
Ely,	Lee, T. H.,	Rausch,	Wolf,
Falkenstein,	Lelsey,	Readinger,	Wood, L. H.,
Finestone,	Lesko,	Reagan,	Woodring,
Finnerty,	Levy,	Reese, D. P.,	Woodside,
Fisher,	Leydic,	Reese, R. E.,	Wright,
Fiss,	Lichtenwalter,	Regan,	Yeakel,
Fleming,	Longo,	Reynolds,	Yester,
Fletcher,	Lovett,	Rhea,	Young,
Flynn,	Lyons,	Riley,	Kilroy,
Floor,	Malloy,	Rooney,	Speaker.
French,	Marks,	Rose, S.,	

NAYS—0

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

Ordered, That the Clerk inform the Senate accordingly.

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

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

HOUSE BILL No. 1175.

An Act to amend section six hundred fifteen 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," excepting certain repairs and alterations to school buildings from requirement of approval by State Council of Education.

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives, is requested.

The SPEAKER. The Clerk will read the amendments.  
The Clerk read the amendments as follows:

Amend title, page 1, line 12, by striking out after the word "repairs" the words "and alterations."

Amend Section 1, page 2, by striking out in lines 24 to 27 inclusive the words "repairs or alterations are proposed



to be done which will not tend to change the basic structure or eliminate required construction features and" and inserting in lieu thereof the words "ordinary repairs are proposed such as plastering painting replacement of floors improvement of school grounds repairing or providing walks roadways or retaining walls"; also same page, line 27, by inserting after the word "which" the words "in districts of the second class"; also same page, line 28, by inserting after the figures "\$1,000" the words and figures "or in districts of the third and fourth class will not exceed one hundred dollars (\$100)"; also on page 3, at the beginning of line 1, by striking out the words "or alterations"; also same page, line 2, by inserting after the word "required" the words "Where any structural change is involved such as moving or adding doors windows partitions making additions or any excavations approval of the State Council of Education shall be required regardless of the cost of such structural change."

On the question,

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

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

YEAS—186

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

NAYS—0

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

Ordered, That the Clerk inform the Senate accordingly.

PERMISSION GRANTED COMMITTEE TO MEET DURING SESSION

Mr. CHERVENAK asked and obtained permission for the Committee on Counties to meet during the session of the House to consider House Bills Nos. 1880, 1854 and 930.

SENATE MESSAGES

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

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

HOUSE BILL No. 1559.

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

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives, is requested.

The SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend the title, page 2, lines 12 to 14 inclusive by striking out the words "therein military police and certain other persons in the armed service of the United States" and inserting in lieu thereof the words "certain officers and soldiers of the United States Army Pennsylvania National Guard and Pennsylvania Reserve Defense Corps within the definition of 'peace officer.'"

Amend Section 1, page 3, at the beginning of line 24, by striking out the word "and"; also same line by inserting after the word "Guard" the words "and Pennsylvania Reserve Defense Corps."

On the question,

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

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

YEAS—186

Achterman,	French,	Marks,	Rose, S.,
Allmond,	Gallagher,	Maxwell,	Rosenfeld,
Auker,	Gates,	McClanaghan,	Rush,
Baker,	Gerard,	McClester,	Sarge,
Balthaser,	Gillan,	McDermott,	Sarraf,
Baughner,	Gillette,	McDowell,	Scanlon,

Bentley,	Coodwin,	McFall,	Schwab,
Bentzel,	Greenwood,	McGrath,	Shaffer,
Bofes,	Gryskewicz,	McIntosh,	Shaw,
Boney,	Gyger,	McKinney,	Shepard,
Bower,	Habbyshaw,	McLanahan,	Simons,
Bradley,	Haberlen,	McLane,	Skale,
Bretherick,	Haines,	McMillen,	Sollenberger,
Brunner, P. A.,	Hamilton,	McSurdy,	Stambaugh,
Burns,	Hare,	Melchiorre,	Stank,
Burriss,	Harkins,	Mihm,	Stine,
Cadwalader,	Harris,	Monks,	Stockham,
Charvenak,	Heatherington,	Mooney,	Tarr,
Cochran,	Helm,	Moran,	Tate,
Cohen, M. M.,	Hering,	Moul,	Taylor,
Cohen, R. E.,	Herman,	Muir,	Thompson, E. F.,
Cook,	Hersch,	Munley,	Trout,
Cordier,	Hewitt,	Nagel,	Turner,
Corrigan,	Hirsch,	Nunemacher,	Van Allsburg,
Croop,	Holland,	O'Brien,	Verona,
Cullen,	Imbrie,	O'Connor,	Vincent,
Dalrymple,	James,	O'Dare,	Vogt,
Dennison,	Jefferson,	O'Mullen,	Voorhees,
DiGenova,	Jones, G. E.,	O'Neill,	Wagner,
Dix,	Jones, P. N.,	Owens,	Watkins,
Dolon,	Keenan,	Petrosky,	Weingartner,
Duffy,	Kenehan,	Pettit,	Wells,
Early,	Kline,	Polaski,	Welsh, E. B.,
Eckels,	Knoble,	Polen,	Welsh, M. J.,
Elder,	Kolankiewicz,	Prosen,	Wilkinson,
Elliott,	Komorowski,	Powers,	Williams,
Ely,	Krise,	Rank,	Winner,
Falkenstein,	Lee, T. H.,	Rausch,	Wolf,
Finestone,	Lelsey,	Readinger,	Wood, L. H.,
Finnerty,	Lesko,	Reagan,	Woodring,
Fisher,	Levy,	Reese, D. P.,	Woodside,
Fiss,	Leydic,	Reese, R. E.,	Wright,
Fleming,	Lichtenwalter,	Regan,	Yeakel,
Fletcher,	Longo,	Reynolds,	Yester,
Flynn,	Lovett,	Rhea,	Young,
Foor,	Lyons,	Riley,	Kilroy, Speaker.
	Malloy,	Rooney,	

NAYS—0

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

Ordered, That the Clerk inform the Senate accordingly.

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

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

HOUSE BILL No. 529.

An Act to further amend section 571 of the act approved the first day of May, one thousand nine hundred and thirty-three (P. L. 103), entitled "An act concerning townships of the second class and amending revising consolidating and changing the law relating thereto" by providing that the tax collector shall give but one bond for the collection of township county and institution district taxes and changing the conditions of such bond

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives, is requested.

The SPEAKER. The Clerk will read the amendments. The Clerk read the amendments as follows:

Amend Section 1, page 2, line 15, by inserting light-faced brackets before and after the word "one"; also same line by inserting after the word "one" the word "a."

On the question,

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

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

YEAS—186

Achterman,	Gallagher,	Marks,	Rooney,
Allmond,	Gates,	Maxwell,	Rose, S.,
Auker,	Gerard,	McClanaghan,	Rosenfeld.
Baker,	Gillan,	McClester,	Rush,
Balthaser,	Gillette,	McDermott,	Sarge,
Baughner,	Goodwin,	McDowell,	Sarrafi,
Bentley,	Greenwood,	McFall,	Scanlon,
Bofes,	Gryskewicz,	McGrath,	Schwab,
Boney,	Gyger,	McIntosh,	Shaw,
Bower,	Habbyshaw,	McKinney,	Shaffer,
Bradley,	Haberlen,	McLanahan,	Shepard,
Bretherick,	Haines,	McLane,	Simons,
Brunner, P. A.,	Hamilton,	McMillen,	Sollenberger,
Burns,	Hare,	McSurdy,	Stambaugh,
Burriss,	Harkins,	Melchiorre,	Stank,
Cadwalader,	Harris,	Mihm,	Stine,
Charvenak,	Heatherington,	Monks,	Stockham,
Cochran,	Helm,	Mooney,	Tarr,
Cohen, M. M.,	Hering,	Moran,	Tate,
Cohen, R. E.,	Herman,	Moul,	Taylor,
Cook,	Hersch,	Muir,	Thompson, E. F.,
Cordier,	Hewitt,	Munley,	Trout,
Corrigan,	Hirsch,	Nagel,	Turner,
Croop,	Holland,	Nunemacher,	Van Allsburg,
Cullen,	Imbrie,	O'Brien,	Verona,
Dalrymple,	James,	O'Connor,	Vincent,
Dennison,	Jefferson,	O'Dare,	Vogt,
DiGenova,	Jones, G. E.,	O'Mullen,	Voorhees,
Dix,	Jones, P. N.,	O'Neill,	Wagner,
Dolon,	Keenan,	Owens,	Petrosky,
Duffy,	Kenehan,	Petrosky,	Watkins,
Early,	Kline,	Readinger,	Weingartner,
Eckels,	Knoble,	Reagan,	Wells,
Elder,	Kolankiewicz,	Reese, D. P.,	Welsh, E. B.,
Elliott,	Komorowski,	Reese, R. E.,	Welsh, M. J.,
Ely,	Krise,	Regan,	Wilkinson,
Falkenstein,	Lee, T. H.,	Reynolds,	Williams,
Finestone,	Lelsey,	Rhea,	Williams,
Finnerty,	Lesko,	Riley,	Winner,
Fisher,	Levy,	Rooney,	Wolf,
Fiss,	Lichtenwalter,		Wood, L. H.,
Fleming,	Longo,		Woodring,
Fletcher,	Lovett,		Woodside,
Flynn,	Lyons,		Wright,
Foor,	Malloy,		Yeakel,
French,			Yester,
			Young,
			Kilroy, Speaker.

NAYS—0

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

Ordered, That the Clerk inform the Senate accordingly.

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

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

HOUSE BILL No. 581.

An Act making an appropriation to the Department of Agriculture for laboratory research in the prevention of the transmission and in the cure of mastitis in cattle.

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives, is requested.

The SPEAKER. The Clerk will read the amendments. The Clerk read the amendments as follows:

Amend title, page 1, line 3 of the title by inserting after the word "mastitis" the words "and Bang's disease."

Amend Section 1, page 1, line 5, by striking out at the end of said line the word "disease" and inserting in lieu thereof the word "diseases"; also same page, line 6, by inserting after the word "mastitis" the words "and Bang's disease"; also same page, at the end of line 7, by striking out the word "disease" and inserting in lieu thereof the word "diseases."

On the question,

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

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

YEAS—186

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

NAYS—0

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

Ordered, That the Clerk inform the Senate accordingly.

PERMISSION GRANTED COMMITTEES TO MEET DURING SESSION

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

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

SENATE MESSAGES

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

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

HOUSE BILL No. 1066.

An Act making an appropriation to the Trustees of the

Hahnemann Medical College and Hospital, of Philadelphia, Pennsylvania.

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives, is requested.

The SPEAKER. The Clerk will read the amendments. The Clerk read the amendments as follows:

Amend Section 1, page 1, by striking out in lines 2 and 3 the words and figures "one hundred twenty-five thousand dollars (\$125,000)" and inserting in lieu thereof the words and figures "one hundred fifty thousand dollars (\$150,000)."

On the question,

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

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

YEAS—186

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

NAYS—0

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

Ordered, That the Clerk inform the Senate accordingly.

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

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



## HOUSE BILL No. 943.

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

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives, is requested.

The SPEAKER. The Clerk will read the amendments. The Clerk read the amendments as follows:

Amend title, page 1, by striking out in lines 7 and 8 of the title the words "except in counties of the second class."

Amend Section 1, page 2, line 14, by striking out the words "Except in counties of the second class."

On the question,

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

Mr. READINGER. Mr. Speaker, I move that the House non-concur in the amendments made by the Senate.

The motion was agreed to.

Ordered, That the Clerk inform the Senate accordingly.

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

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

## HOUSE BILL No. 567.

An Act to reenact and amend the title and the act approved the twenty-fourth day of June, one thousand nine hundred and thirty-nine (P. L. 748), entitled "An act for the registration and regulation of certain individuals and entities selling contracting to sell or dispose of attempting or offering to dispose of, soliciting offers to buy, or inducing holders thereof to exchange, securities defined herein, including securities issued by them, or engaging in the business of inducing holders of securities to effect the sale thereof in order to produce funds to pay for other investments sold by them, or in the business of buying securities directly from individuals who are not registered thereunder; providing for the revocation and suspension of registrations; conferring powers and imposing duties on the Pennsylvania Securities Commission and otherwise providing for the administration of this act; providing for appeals to the Court of Common Pleas of Dauphin County, and to the Supreme Court of Pennsylvania; conferring jurisdiction upon the several courts of common pleas to issue injunctions against violations of this act; and prescribing fees and penalties," by providing for the registration and regulation of persons and entities engaged in the business of investment advisers and of solicitors of investment advisers and for the revocation and suspension of such registrations conferring additional jurisdictions upon the courts of common pleas and further regulating the business of buying and selling securities.

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives, is requested.

The SPEAKER. The Clerk will read the amendments. The Clerk read the amendments as follows:

Amend the title, page 1, line 3, by striking out the light-faced brackets before and after the words "An act."

Amend Section 1, page 2, line 3, by striking out the light-faced brackets before and after the words and figures "(Pamphlet Laws 748)"; also on page 4, at the end of line 2, by striking out the heavy-faced brackets before and after the word "thereunder" and inserting in lieu thereof light-faced brackets; also same page, at the beginning of line 18, by striking out the heavy-faced brackets before the word "The"; also same page, at the end of line 19, by striking out the heavy-faced bracket after the word "follows."

Amend Section 2, page 5, line 12, by striking out "[and]"; also same page, line 13, by striking out "[shall]"; also on page 8, line 5, by striking out the heavy-faced brackets before the word "national" and inserting in lieu thereof a light-faced bracket; also same page, line 6, by striking out the heavy-faced bracket after the syllable "stitutions" and inserting in lieu thereof a light-faced bracket; also same line, by striking out the heavy-faced bracket before the word "or" and inserting in lieu thereof a light-faced bracket; also same page, line 7, by striking out the heavy-faced bracket after the word "State" and inserting in lieu thereof a light-faced bracket; also same page, line 10, by striking out the heavy-faced brackets before and after the word "unsecured" and inserting in lieu thereof light-faced brackets; also on page 9, at the end of line 9, by striking out the heavy-faced brackets before and after the word "stock" and inserting in lieu thereof light-faced brackets; also on page 10, line 22, by striking out the heavy-faced brackets before and after the word and figures "and (12)" and inserting in lieu thereof light-faced brackets; also on page 11, line 1, by striking out the heavy-faced brackets before and after the word and figures "or (12)" and inserting in lieu thereof light-faced brackets; also on page 13, line 14, by striking out the word "any" and inserting in lieu thereof the word "the"; also at the end of same line by striking out the word "the" and inserting in lieu thereof the word "any"; also same page, line 15, by striking out "news magazine" and inserting in lieu thereof "news-magazine"; also same line, by inserting after the word "or" the words "business or"; also at the end of same line by striking out the word "publications" and inserting in lieu thereof the words "publication."

Amend Section 3, page 17, lines 1 and 2, by striking out the words "the business of"; also same page, at the end of line 3, by striking out the heavy-faced brackets before and after the word "and" and inserting in lieu thereof light-faced brackets.

Amend Section 4, page 18, line 3, by striking out the word "Partners" and inserting in lieu thereof the word "partners"; also same page, at the end of line 5, by striking out the heavy-faced brackets before and after the word "and" and inserting in lieu thereof light-faced brackets; also same page, line 7, by striking out after the word "business" the word "[such]" and inserting in lieu thereof the word "[Such]"; also on page 19, at the end of line 9, by striking out the heavy-faced brackets before and after the word "or" and inserting in lieu thereof light-faced brackets.

Amend Section 6, page 21, line 2, by inserting after the figure "6" the following: "[If the commission is satisfied that an applicant for registration as a dealer hereunder is of good repute and that the proposed plan of business of the applicant is not unfair unjust or inequitable the commission shall register the applicant and]"; also same page, line 6, by striking out the words "or renewal application as the case may be."

Amend Section 8, page 23, line 9, by striking out the heavy-faced brackets before and after the word "their" and inserting in lieu thereof light-faced brackets.

Amend Section 9, page 25, line 19, by striking out the heavy-faced brackets before and after the words "or fails" and inserting in lieu thereof light-faced brackets.

Amend Section 11, page 26, line 26, by inserting after the word "person" the words "except a solicitor"; also same page, line 27, by striking out the words "or solicitor"; also on page 27, line 1, by inserting after the word "when" the words "[so engaged]"; also same page, line 2, by striking out at the end of said line the word "when"; also same page, line 5, by striking out after the word "to" the

heavy-faced brackets before and after the word "any" and inserting in lieu thereof light-faced brackets; also on page 28, line 3, by striking out the word "hereinafter" and inserting in lieu thereof the word "herein."

Amend Section 13, page 29, line 6, by striking out the words "or analysis"; also on page 30, lines 8 and 9, by striking out the words "unless so registered as a dealer or salesman"; also same page, line 12, by inserting after the word "purchased" the words "No investment adviser shall issue or publish in this State any analysis until such investment adviser shall have been registered or temporary permission shall have been obtained as in this act provided."

Amend Section 14, page 35, line 12, by striking out the heavy-faced brackets before and after the letter "(a)" and inserting in lieu thereof light-faced brackets; also same page, line 13, by striking out the heavy-faced brackets before and after the letter "(b)" and inserting in lieu thereof light-faced brackets; also same page, line 14, by striking out the heavy-faced brackets before and after the letter "(c)" and inserting in lieu thereof light-faced brackets; also same page, line 15, by striking out the heavy-faced brackets before and after the letter "(d)" and inserting in lieu thereof light-faced brackets.

Amend Section 15, page 38, line 1, by striking out the words "or solicitors'" and inserting in lieu thereof the words "or solicitor's"; also same page, at the end of line 1 and the beginning of line 2, by striking out the word "registrations" and inserting in lieu thereof the word "registration."

Amend Section 16, page 38, line 25, by inserting after the word "pending" the words "[such hearing in either]"; also same page, line 26, by striking out "in" and inserting "in"; also on page 39, at the end of line 7 and at the beginning of line 8 by striking out the word "representative's"; also same page, at the end of line 9, by striking out the heavy-faced brackets before and after the word "either" and inserting in lieu thereof light-faced brackets.

Amend Section 18, page 40, line 24, by striking out the heavy-faced brackets before and after the words "if any" and inserting in lieu thereof light-faced brackets; also on page 41, line 18, by inserting after the word "sustaining" the word "[thel]".

Amend Section 19, page 43, line 11, by striking out the heavy-faced brackets before and after the words "an order" and inserting in lieu thereof light-faced brackets; also same page, line 12, by striking out the heavy-faced brackets before and after the words "obey the subpoena" and inserting in lieu thereof light-faced brackets.

Amend Section 21, page 45, line 14, by inserting after the word "manages" the word "any"; also same line by striking out the word "accounts" and inserting in lieu thereof the word "account"; also same page, line 20, by striking out the word "takes" and inserting in lieu thereof the word "taken."

Amend Section 22, page 46, line 5, by inserting between the words "and" and "any" the words "any investment adviser who shall in this State without being registered hereunder engage in the business of advising other persons either directly or through publication or writing as to the value of securities or as to the advisability of investing in purchasing or selling securities or who for compensation manages any trading or investment account for another person or who for compensation and as part of his regular business issues or promulgates analyses or reports concerning securities and any solicitor who shall in this State without being registered hereunder solicit any person to contract for or engage the services of any investment adviser and"; also same page, lines 18, 19, and 20, by striking out the words "who shall represent himself as an investment adviser or solicitor without being registered hereunder"; also same page, line 21, by striking out the heavy-faced brackets before and after the word "provision" and inserting in lieu thereof light-faced brackets; also same page, line 27, by striking out after the word "security" the heavy-faced bracket before the word "and" and inserting in lieu thereof a light-faced bracket; also same page, line 28, by striking out the heavy-faced bracket after the word "act" and inserting in lieu thereof a light-faced bracket.

Amend Section 26, page 51, line 24, by striking out the word "employe" and inserting in lieu thereof the word "employees"; also same page, at the end of line 28, by striking out the heavy-faced bracket before the word "for" and inserting in lieu thereof a light-faced bracket; also same page, at the end of line 29, by striking out the heavy-faced bracket after the word "common" and inserting in lieu thereof a light-faced bracket; also on page 52, at the beginning of line 1, by striking out the heavy-faced bracket before the word "pleas" and inserting in lieu thereof a light-faced bracket; also same page, at the end of line 3, by striking out the heavy-faced bracket after the word "bond" and inserting in lieu thereof a light-faced bracket.

Amend Section 27, page 52, line 23, by inserting light-faced brackets before and after the word "first"; also same line by inserting after the word "first" the word "thirtieth"; also same line, by inserting light-faced brackets before and after the word "July"; also same line, by inserting after the word "July" the word "June."

On the question,

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

Mr. READINGER. Mr. Speaker, I move that the House non-concur in the amendments made by the Senate.

The motion was agreed to.

Ordered, That the Clerk inform the Senate accordingly.

#### BILL SIGNED BY SPEAKER

Bill numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the title was publicly read as follows:

HOUSE BILL No. 616.

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

Whereupon,

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

#### PERMISSION GRANTED COMMITTEE TO MEET DURING SESSION

Mr. MONKS asked and obtained permission for the Committee on Military Affairs to meet during the session of the House.

#### SENATE MESSAGES

##### RESOLUTION FOR CONCURRENCE

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

In the Senate June 26, 1941.

Resolved, (if the House of Representatives concur), That Senate Bill No. 352, Printer's No. 463, entitled:

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

be recalled from the Governor for the purpose of amendment.

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

On the question,

Will the House concur in the resolution of the Senate?

It was concurred in.

Ordered, That the Clerk inform the Senate accordingly.

#### 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 25, 1941.

Resolved, (if the Senate concur), That House Bill No. 1323, Printer's No. 984, entitled "An Act authorizing the Department of Property and Supplies, with the consent of the Department of Military Affairs and the approval of the Governor, to sell and convey the property of the Pennsylvania State Arsenal at Harrisburg to the City of Harrisburg in exchange for the conveyance by said city of Wildwood Park to the Commonwealth; providing for the transfer of said park to the Department of Forests and Waters and the use thereof by the department as a State park, and by other departments, boards and commissions for their respective purposes,"

be recalled from the Governor for the purpose of amendment.

#### AMENDED SENATE BILL CONCURRED IN BY SENATE

The Clerk of the Senate being introduced informed that the Senate has concurred in the amendments made by the House of Representatives to Senate Bill numbered and entitled as follows, viz:

##### SENATE BILL No. 185.

An Act to further amend the act approved the fourth day of April one thousand nine hundred twenty-five (P. L. 127), entitled "An act relating to adoption" further regulating adoption proceedings as to the consent of and notice to be given to parents of the person proposed to be adopted as to who can be adopting parents and procedure at the adoption hearings

#### AMENDED SENATE BILL CONCURRED IN BY SENATE

The Clerk of the Senate being introduced informed that the Senate has concurred in the amendments made by the House of Representatives to Senate Bill numbered and entitled as follows, viz:

##### SENATE BILL No. 209.

An Act providing for the forfeiture and condemnation of vehicles used to store possess or transport narcotics or drugs the possession or transportation of which is in violation of law

#### AMENDED SENATE BILL CONCURRED IN BY SENATE

The Clerk of the Senate being introduced informed that the Senate has concurred in the amendments made by the House of Representatives to Senate Bill numbered and entitled as follows, viz:

##### SENATE BILL No. 697.

A Joint Resolution proposing an amendment to section

one article nine of the Constitution of the Commonwealth of Pennsylvania.

#### AMENDED SENATE BILL CONCURRED IN BY SENATE

The Clerk of the Senate being introduced informed that the Senate has concurred in the amendments made by the House of Representatives to Senate Bill numbered and entitled as follows, viz:

##### SENATE BILL No. 787.

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



ulation for carriers or brokers must be fraudulent in order to be punishable

#### AMENDED SENATE BILL CONCURRED IN BY SENATE

The Clerk of the Senate being introduced informed that the Senate has concurred in the amendments made by the House of Representatives to Senate Bill numbered and entitled as follows, viz:

##### SENATE BILL No. 1017.

An Act to amend section one of the act, approved the fifteenth day of May, one thousand eight hundred and seventy-four (P. L. 186), entitled "An act declaring what offices are incompatible," by specifically exempting persons serving in the armed forces of the United States during any war or state of emergency

#### 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. 185.

An Act to further amend the act approved the fourth day of April one thousand nine hundred twenty-five (P. L. 127), entitled "An act relating to adoption" further regulating adoption proceedings as to the consent of and notice to be given to parents of the person proposed to be adopted as to who can be adopting parents and procedure at the adoption hearings

##### SENATE BILL No. 209.

An Act providing for the forfeiture and condemnation of vehicles used to store possess or transport narcotics or drugs the possession or transportation of which is in violation of law

##### SENATE BILL No. 697.

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

##### SENATE BILL No. 787.

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

to this act conferring upon the commission power to vary reform or revise certain contracts conferring upon the commission the exclusive power to regulate or order the construction alteration relocation protection or abolition of crossings of facilities of public utilities and of such facilities by or over public highways to appropriate property for the construction or improvement of such crossings and to award or apportion resultant costs and damages authorizing owners of such property to sue the Commonwealth for such damages providing for ejectment proceedings in connection with the appropriation of property for crossings conferring upon the commission power to control and regulate budgets of public utilities imposing upon persons associations companies and corporations (except municipal corporations) subject to regulation the cost of administering this act prescribing and regulating practice and procedure before the commission and procedure for review by the courts of commission action giving the court of common pleas of Dauphin County exclusive original jurisdiction over certain proceedings prescribing penalties fines and imprisonment for violations of the provisions of this act and regulations and orders of the commission and the procedure for enforcing such fines and penalties and repealing legislation supplied and superseded by or inconsistent with this act" by exempting certain transportation from the terms "common carrier by motor vehicle" and "contract carrier by motor vehicle" further regulating the right to render service as a contract carrier by motor vehicle prohibiting the imposition of costs upon the commission in certain appeals to the Superior Court subjecting persons and corporations to certain civil penalties for violating the act prohibiting motor carriers common carriers by airplane and any operator or employe of such carriers and brokers from exceeding the authority of the certificate of public convenience granted such carriers and brokers and changing the penalty with respect thereto and eliminating the requirement that certain attempts to evade or defeat regulation for carriers or brokers must be fraudulent in order to be punishable

##### SENATE BILL No. 1017.

An Act to amend section one of the act, approved the fifteenth day of May, one thousand eight hundred and seventy-four (P. L. 186), entitled "An act declaring what officers are incompatible," by specifically exempting person serving in the armed forces of the United States during any war or state of emergency

Whereupon,

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

#### CONFERENCE REPORT ON SENATE BILL No. 588

Mr. AUKER presented the report of the Committee of Conference on the part of the House on Senate Bill No. 588.

The report was read by the Clerk.

The SPEAKER. This being a Senate Bill the report will be printed by the Senate, and placed in the files of the Members of the House.

#### PERMISSION TO ADDRESS HOUSE

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

Mr. Speaker. Several weeks ago, I made a speech on the floor of this House, appealing to the Honorable Kenneth Harkins and his Committee on Education, to bring out House Bill 396, introduced by the Honorable Ellwood J. Turner, former Speaker of the House, on February 12th and referred to said Committee on February 17th.

This is the bill which would amend the Teachers' Tenure Act so that School Boards would have the right to fire teachers of subversive and un-American philosophies in the schools of our Commonwealth. The Chairman of the Educational Committee in his reply to my remarks, attempted adroitly to befog and cover up the real issue, by reading editorials and diverting the attention of the House to the controversy over the use of Dr. Rugg's questionable text books in our schools.

I know that several substitute bills along this line have been presented to the different committees such as the Córdier-Kenehan Bills. These bills are all right in their purpose but I still think that we should have a definite amendment to the Teachers Tenure Act which would permit the school boards to fire teachers of subversive and un-American philosophies. Some of the latter bills are all right in their general purpose and perhaps are a gesture in the right direction, but this is no time for gestures. What we want is definite, specific authority in this important matter.

I now wish to reiterate and repeat my plea to the Educational Committee to bring out House Bill 396. As previously stated, this bill has a specific and direct and definite purpose aside from any discussion of Dr. Rugg's text books.

Certainly, after the deluge of newspaper editorials demanding the passage of this bill and after the interest shown by the patriotic organizations of our State, topped now by the appeal of the Democratic leader of the City of Philadelphia, Mr. Kelly, to the members of his own party, to bring out these anti-Communist bills, certainly there can be no doubt of the popular demand for this kind of legislation.

In an editorial in the Philadelphia Inquirer, the Chairman of the Educational Committee was quoted as having said, "The members of the Educational Committee can bring these bills out, if they so desire." Therefore, I now say to him that I have consulted with a number of the members of the Educational Committee and each one of them with whom I have spoken has voiced their desire for this kind of legislation.

Dr. Haas, Superintendent of Public Instruction, has publicly voiced his demand and desire for this amendment to the Teachers Tenure Law. A federation of teachers has expelled their entire local, because its membership included teachers who are alleged fellow travelers.

The C.I.O. with the assistance and approval of the Roosevelt Administration is putting on a drive to purge its organization of Communists. And yet, notwithstanding all of this public clamor, notwithstanding the patriotic demand of men and women in all walks of life, that our defense plants and above all, our schools, should be purged from this iniquitous "red poison," the Democratic controlled Committees of this House have defiantly and stubbornly refused to accede to these patriotic demands. Therefore, much as I dislike so doing, I now feel compelled to put this direct and definite question to Mr. Harkins, the Chairman of the Educational Committee and to the Democratic members of that committee: Do you want "Reds" in the schools of Pennsylvania?

In my speech of a few weeks ago, I said, that when a bill was introduced and sponsored by a gentleman who is a former Speaker of this House and by a gentleman who has had the experience and legislative background of Ellwood Turner, it should be brought out on the floor of

the House as a matter of courtesy. I also stated that if the situation were reversed and the bill were sponsored by the present Speaker of the House, I would certainly, if I were on the Committee, pay the present Speaker of the House the courtesy of voting to bring out his bill. As a matter of fact, I believe that Mr. Turner would be glad to let a Democrat's name be put on this bill if that will help to bring it out on the floor of the House.

As an American citizen, I am deeply interested in this matter. I have a special and particular interest, by reason of the fact that when I was Exalted Ruler of the B. P. O. E. in 1938 and '39, the major activity of this patriotic organization was the combating of subversive and un-American philosophies and I now quote you a letter from this and other patriotic organizations of Lebanon:

June 14, 1941.

Dear Mr. Sarge;

Lebanon Lodge of Elks takes this opportunity of commending you on your efforts in the Pennsylvania House of Representatives to get House Bill No. 396 out of committee.

Keeping in mind the Americanization Program you conducted during your reign as Exalted Ruler of the Lebanon Lodge of Elks in 1938-39, these efforts are in line with your general program.

As an Elks Lodge, interested in keeping the American ideals, we heartily endorse this program to modify the teachers tenure act so schools will have the right to fire teachers on account of subversive philosophies. We believe this bill should be passed so teachers can be stopped from teaching students these un-American philosophies.

Very truly yours,

S. D. EVANS  
Lebanon Lodge of Elks,

Lt. A. B. Gloninger Camp, No. 91, United Spanish War Veterans, Lebanon, Pennsylvania

My dear Sir:

The local Spanish-American camp heartily endorses your action in efforts to pass certain bills at Harrisburg—such as barring the Reds from Pennsylvania politics and the dismissal of certain school teachers who by their activity teach isms other than Americanism would that we had more men who had the courage of their convictions. Keep up the good work.

Very respectfully,

JNO. T. FERTIG, Adj.

Dear Legislator:

As a member of the Americanization Committee of the Veterans of Foreign Wars Post 23, Lebanon, Pa., I wish to be placed on record as being in favor of House Bill 396 and its companion bill in the Senate. I understand that these bills would help to protect the children in the public schools from Anti-American movements injected by teachers who are not teaching true American ideals.

Please use every effort at your command to get these bills before the proper bodies and voted upon in a favorable manner.

Thanking you for your kindness,

I am

Very truly yours,

FREDERICK S. FRANTZ  
Funeral Director.



Wm. H. Bollman Post No. 158  
American Legion  
Lebanon, Pennsylvania

June 16, 1941.

Dear Sir:

On behalf of the William H. Bollman Post No. 158, American Legion, Department of Pennsylvania at Lebanon, Pennsylvania, I am writing to you in regard to the status of various bills introduced in the State Assembly in reference to public teachers connected with the Communist Party or teaching un-American theories of government. I understand that there is a bill in the House Committee (H. B. 396), making it possible for school boards to dismiss public school teachers who are teaching un-American theories of government. Also, a Senate Bill that is likewise before the House Committee on similar lines. As the head of the local Post, consisting of American citizens who have fought, and in many instances suffered greivous injuries, in order to preserve our American institutions, and form of government, I am urging and respectfully insisting that you exert your vote and influence to bring before the House and secure the passage of these bills which will enable our authorities to deal with the menace of the Communistic propagandist who operates under the guise of an educator. Our best efforts for armed defense of our nation will be of no avail, if we permit the minds of our youth to be poisoned from within. You and your colleagues have sworn to uphold the Constitution of the United States and State of Pennsylvania. I suggest that this is the time and the opportunity to make your oath mean something.

Respectfully submitted,

STEPHEN R. STEELEY,  
Commander.

Mr. Speaker, I wish it understood that it is my desire to be entirely impersonal in my anxiety about this important matter. I have many friends of the Democratic side of the House and I have a high regard for the Chairman of the Educational Committee and for the Democratic members of that Committee, but in a crisis such as America faces today, I can not conceive of such a mental quirk or queer philosophy that would make anyone so determined and so obstinate as to refuse to comply with such a reasonable and such a patriotic request on the part of the people of Pennsylvania, to bring this Bill out in the floor of the House and let the members of the legislature decide whether or not we want to give the School Boards the right to fire disloyal teachers.

I say to the Chairman of the Educational Committee and to the Democratic members thereon, that President Franklin D. Roosevelt has stated that neither Hitler nor Stalin nor their minions believe in a Supreme Being.

And I ask the Chairman of this Educational Committee, and the Democratic members thereon, do you realize what a real danger there is, to have even a few teachers in our public schools give your children and mine the fundamentals of a system that would (1) destroy the churches of God in America; (2) that would tear God's image from the hearts of our people; and (3) that would have our children trample over the American Flag to salute with fists upraised, the "red" flag of revolution?

The opposition has used the old worn out theory of witch hunting, trying to make us believe that the purpose of these bills was to give rise to witch hunting. Let us not forget that it was this same cry, coupled with Fifth Column activities that started the undermining of France and caused her ruin! And now some people are

trying to confuse the issue by the recent development in the war situation which has allied Russia with England. I quote you from an editorial in the June 23rd issue of the Lebanon Daily News, entitled "When Thieves Fall Out Just Men Get Their Due."

"Just because the Comrades find themselves unwillingly lined up with — of all people — Winston Churchill, it is no reason for Uncle Sam to relax in his drive to clean them out of key positions in America.

"For until Hitler pulled his latest double cross, the Reds were perfectly willing to stage acts of sabotage in both England and America. Let us not be fooled by Communists bearing gifts. Don't be mistaken, they aren't fighting to make the world safe for democracy or capitalism. They are just a bunch of mocracy or capitalism. They are just a bunch of croaching upon their home territory."

I also call your attention to the statement made on Sunday afternoon by Prime Minister Churchill in which he said that he reiterates everything that he said in the past 25 years against Communism. In other words, the fact that Russia is now fighting against Germany is no reason for refusing to pass House Bill 396.

Naturally, the teachers of Local 192, suspended by the American Federation of Teachers on grounds of Communistic sympathies are against it. Mr. Weinstein, Secretary of a C.I.O. local is against it, according to the newspapers. So are Stalin and Hitler, and what else would you expect?

Mr. Speaker, I want a specific amendment to the Teachers Tenure Law that will definitely give School Boards the right to fire subversive teachers from the public school system. The people of Pennsylvania are entitled to such a law. It won't hurt a single loyal American teacher.

Let's get together and lick this system of ferocious barbarism in the schools of Pennsylvania. Let's assure the people of Pennsylvania that the anarchistic and atheistic doctrines of Stalin shall not be taught in the schools of Pennsylvania.

In conclusion, Mr. Speaker, as I stand here and as I see the picture of the gentleman on the right reading the Declaration of Independence, as I see the picture of Thadeus Stevens the father of the public school system in America, and as I see on the wall at the rear Washington at Valley Forge, and as I look upon the inscription on the ceiling overhead, "Ye Shall Know The Truth and The Truth Shall Make You Free," and as I think of the man who said, "Suffer little children to come unto me for of such is the kigdom of Heaven," and "Blessed is the nation that has the Lord in thought."

Again I say to the Democratic party, that the refusal of this Legislature to pass this anti-Communistic legislation will leave a stench in the nostrils of all the Christian people in this great Commonwealth, and your refusal to cooperate in this matter will go down in history as the greatest political bungling ever perpetrated in the hall of this Legislature. In fact, gentlemen, it will be nothing short of a catastrophic cataclysm.

#### MEMBERS EXPRESS THANKS

Mr. WOLF. Mr. Speaker, yesterday afternoon there was handed to me a copy of a resolution which had been read in this House the preceding day. It was a resolution of congratulation.



Mr. Speaker, on behalf of Mrs. Wolf and myself I wish to express to the Members from Berks County my sincere appreciation for having had this resolution prepared. I wish to express my sincere appreciation and thanks to you, Mr. Speaker, for having it read, and to the Members of the House for having it adopted. It is something that will be long remembered and appreciated so in conclusion I say to you, Mr. Speaker, and members of the House, I thank you.

#### PERMISSION TO ADDRESS HOUSE

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

Mr. Speaker, I desire to answer the gentleman from Lebanon, Mr. Sarge, and in doing so I believe I can also make an answer to an editorial which appeared in the Pittsburgh Post Gazette on Thursday morning, June 19, 1941 regarding the same situation.

I note with pleasure, Mr. Speaker, that the gentleman from Lebanon, Mr. Sarge informed the Members that he has at least a high if not the highest regard for me personally, and I can return the same compliment to the gentleman from Lebanon. We personally are the best of friends. It is true that while I think we both desire to obtain the same general objectives, we look at the problem through different eyes, and Mr. Speaker, that is not strange, that is not unusual. What a peculiar world this would be if all of us from different sections of the state of Pennsylvania saw the same problems that concerned us in exactly the same way? We would all come down here as Members of one party, perchance, instead of Members of the two parties that do exist in strength today.

Mr. Speaker, I note that the gentleman quoted the motto inscribed on the ceiling of the Hall "And ye shall know the truth and the truth shall make you free." I say that is exactly what I want to have maintained in the Commonwealth of Pennsylvania.

I am not opposed to any of these bills which have been introduced by the Republican members of the House because they have been introduced by Republicans. There are men who sit on the other side of the House who today know and who will say to you that they received fair and considerate treatment from me as Chairman of the Committee of which I am Chairman. They will tell you that they received fair treatment on their individual bills. But this is not a local matter, this is a matter which goes to the fundamental principles of our government.

It is easy enough to wrap ourselves around with the flag and to assume that all leadership and that all knowledge rests within our own individual brain, and that our judgment is absolute. But, Mr. Speaker, that is not the case as far as I am concerned in this particular matter, because in my judgment it is the considered judgment of the committee that the particular bills referred to do not accomplish the aims which they purport to accomplish.

Now, Mr. Speaker, I have heard considerable from Members of the House concerning Communistic teachers. I say if there is a superintendent or supervising principal in the Commonwealth of Pennsylvania who has under his guidance or his direction teachers who are teaching subversive principals, that superintendent or supervising

principal ought to resign. I have heard no complaints from supervising principals or from superintendents about these teachers. I have seen agitation in the newspapers, I have heard it from a few particular individuals, but, Mr. Speaker, what has been attempted is not to dismiss teachers because of what they have done, but rather it is for what some members of the school boards or what some people of the community think the teachers think.

It is the same question that is wrapped up in the amendments that we debated and discussed yesterday afternoon.

Now, Mr. Speaker, I said a moment ago that I would like to answer the editorial that appears in the Pittsburgh Post-Gazette. I would have written a letter to that particular newspaper had I believed that the reactionary newspaper dictatorship which guides its editorial policy would have been fair enough to have given a proportionate amount of space and publicity to my answer that was accorded to its editorial.

In the editorial, the same thesis that the gentleman from Lebanon advanced was promulgated, namely that every bill that was introduced in committee should be reported to this floor for action. I would not have any objection to that, Mr. Speaker, personally. I think that that would be a better way of getting good laws. I think however, that we might be here much longer than we have been so far if that were to occur.

I am not sure however, that the particular newspaper which advocates that doctrine would be so anxious to have the bills which regularly are introduced in every session to limit newspaper legal advertising, brought out for discussion. In other words, it is a situation where you damn the person who keeps in committee, or who may be on a committee which retains a bill in which you have a particular interest. With the two thousand or more bills that have been introduced here, under our system it is our common knowledge that all bills should not be reported out, and it has not been the practice so to do.

Now, Mr. Speaker, I don't know whether anyone here has questioned my patriotism, I have not so understood it so far. I think the gentleman from Lebanon said he was a member of a patriotic order, the order of Elks. I too happen to be a member of that order, and I believe in the principles of that order, but nowhere have I found that the principles of that order dictate any bills such as have been under discussion in this particular session.

I believe in the Bill of Rights, in the Declaration of Independence and in the Constitution of the Commonwealth and of the United States of America.

When I took my oath as a member of this Assembly in January of this year, I swore for the fourth time in as many sessions thus, "I do solemnly swear that I will support, obey and defend the Constitution of the United States and the Constitution of this Commonwealth, and that I will discharge the duties of my office with fidelity . . . ." When I became a member of the Bar of the Supreme Court of Pennsylvania, I took a similar oath. These words have impressed themselves on me and Mr. Speaker, it is with a full knowledge of their meaning that I believe in them and believe in other sections of the Constitution as well.

Take for example Section 7 of Article I of the State Constitution, regarding Freedom of the Press which states, "The printing press shall be free to every person who may undertake to examine the proceedings of the legislature

or any branch of government, and no law shall ever be made to restrain the right thereof. The free communication of thoughts and opinions is one of the invaluable rights of man and every citizen may freely speak, write and print on any subject, being responsible for the abuse of that liberty . . . .”

I would recommend that the editor of the Post-Gazette read and study Section 7 of Article I of the Constitution because there are many people who would restrict the rights of the press and limit freedom which it enjoys today.

Even though I believe the editorial policy above referred to suffers greatly from a combination of near-sighted partisanship, lack of care, in the examination of the proceedings of this House and a desire to selfishly serve reactionary principles which carried to their conclusion would prevent real freedom of speech, and of the press; nevertheless, I believe that freedom of speech is necessary even though abused by some incompetent editors.

The agitation for modification of the Teachers Tenure Act at this session has taken a novel turn. This year it takes the form of the inclusion of the words, “subversive or un-American teaching” as a cause for dismissal. I object, Mr. Speaker, to any newspaper or any member questioning directly or indirectly my loyalty or patriotic motives when I say that in my opinion we have today on the statute books sufficient law to dismiss any teacher who teaches subversive or un-American doctrines. The plain answer is that the people who are only directing their attacks at teachers are members of the Republican Party, who are unable to understand that teachers have been removed from political control by the Democratic Teachers Tenure Act of 1937. It is an admitted fact that the large majority of the school boards of the State are Republican controlled and I say that any instructor who inadvertently made a complimentary statement about a Democratic office holder or the principles of the Democratic Party would be subject to dismissal as “subversive.”

Teachers of Pennsylvania awake yourselves to the subterfuge and “subversive” activity of the Republican Party which would return you to the group of people who must register as the politicians of the school board dictate and who must have no opinion on any subject lest it offend a board member.

It has been stated on the floor of the House by the gentleman from Delaware, Mr. Turner, that “the Democrats are trying to protect a small group of teachers who are trying to bend the wills and minds of the children in our schools.” I say that the Democrats are trying to protect the children so that competent teachers honestly interpreting the Bill of Rights, the Constitution and the other fundamental principles of our government will not be forced to defend themselves from vicious attacks led by Republican controlled school boards, hungry for jobs and by pseudo patriots either unacquainted with the Constitution or willing to deny its protection to minority groups.

The gentleman from Delaware suggested last week that he has been aware of this problem for many years. In 1937 when discussing the tenure act he spoke in similar vein of his desire to include the cause of sedition as a reason for dismissal. However, when the gentleman from Delaware as Speaker of the House in 1939 session was the most important man in the Commonwealth, did he amend the Tenure Act? The answer is the gentleman did

not. And if the remarks of the gentleman from Delaware made in March 1937 are read it is apparent that his philosophy has undergone no basic change.

Again in that debate as in his statement of last week the gentleman from Delaware states that it is allright to curb the freedom of speech of some of the teachers in order to avoid the teaching of dangerous doctrines. The gentleman from Delaware said as is recorded on page 2067 of Volume 21 No. 37, on March 31, 1937 in speaking on the question of subversive teaching.

“I want to say to you that as far as I am concerned I am willing to infringe somewhat upon the freedom of speech of some of these people, if that be necessary, in order that we may not here have people who are undermining, boring and sapping into this government of ours, and into our schools, in order to teach doctrines that are subversive to our Democratic form of government that we have under our Constitution.”

Now, Mr. Speaker, any weakening of or attack on or denial of free speech is a denial of the entire principle and likewise a denial of the Constitution. For who is going to judge how far the right of free speech should be curtailed and who should curtail it? It is like the eggshell, which though fragile is yet solid and perfect, but once cracked ever so slightly is completely broken and ruined.

Let me call your attention to something which I think is subversive. On November 3, 1938, Arthur H. James, then a judge of the Superior Court of Pennsylvania, in an effort to be elected Governor of this Commonwealth, sent a letter addressed to the Teachers of Pennsylvania in which he stated he favored certain principles, two of which are as follows:

Item (1) Sufficient appropriations to meet the subsidy requirements the present educational laws on the statute books.

Item (2) The basic requirements of the Edmonds Act, including increments for teachers of fourth-class school districts.

These two campaign pledges the Governor has tried to evade; does this not seem to you to shake the confidence of the fourth-class district teachers in the highest official in our State? And to make it more outrageous each of these fourth-class district teachers knows that the Governor who thus sees fit to break his promise of increments since they are not included in his budget, drew his full salary as a judge while he actually spent his time campaigning at the public expense for the Governorship. I ask you, what can be more subversive than that? What greater indictment of our Democratic system has any of us ever seen?

Mr. Speaker and fellow-members, I believe that when we teach the boys and girls to revere and respect and pay tribute to Old Glory we should honestly try to teach them the greatness of our Republic and that our actions should conform to our words. The beauty of the Stars and Stripes should not be dimmed by the broken pledges of those in high public office.

Our boys and girls in our schools should be taught to scorn those who would undermine their faith in democracy by the cheap way of making campaign pledges only to break them; to bring to public judgment dishonest public officials and those who would subvert the peoples will by such incompetence and intrigue as has been shown to exist in the Philadelphia Republican controlled registration Commission.



As that great orator Daniel Webster said, "Let our object be our country, our whole country, and nothing but our country," but let us also remember that he said "Liberty exists in proportion to wholesome restraint." The course that I urge is that of wholesale restraint not one of rash and impetuous hysteria. Webster also declared that "God grants liberty only to those who love it and are always ready to guard and defend it." The best way to guard and defend our liberties is to view with deliberation and calmness these propositions to take from the people rights reserved by the people to themselves in the Bill of Rights.

I know, Mr. Speaker and Members of the House, that it is easy to be misunderstood in such times as we live in today. But danger of possibility of being misunderstood will not justify lack of thought or the shirking of duty on our part. And our duty is to think and think clearly.

For my part, I am not ready to accept the principles of McClure of Delaware or Grundy of Bucks as the principles of Americanism. If to declare my faith in the principles uttered by those who framed the Declaration of Independence, the Bill of Rights, and the Constitution is to drink the poison hemlock of political ostracism, then, Mr. Speaker and Members of the House, I am supported and strengthened by the knowledge that ultimately these principles will prevail and that I have not failed in my duty.

#### REPORTS FROM COMMITTEES

Mr. THOMAS H. LEE, from the committee on Professional Licensure, reported as committed House Bill No. 1813, entitled:

An Act to amend section seven of the act, approved the third day of May, one thousand nine hundred and thirty-three (P. L. 242), entitled "An act to promote the public health and safety by providing for examination and registration of those who desire to engage in the occupation of beauty culture; defining beauty culture, and regulating beauty culture shops, schools, students, apprentices, teachers, managers and operators; conferring powers and duties upon the Department of Public Instruction; providing for appeals to certain courts by applicants and licensees; and providing penalties," permitting beauty culture schools, in certain cases, to charge for materials used by students in giving treatments to the public

Mr. FINNERTY, from the Committee on Professional Licensure, re-reported as committed House Bill No. 1096, entitled:

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

Mr. McLANAHAN, from the Committee on Counties, reported as committed, House Bill No. 1854, entitled:

An Act to further amend section three hundred eleven of the act, approved the second day of May, one thousand nine hundred and twenty-nine (P. L. 1278), entitled "An act relating to counties of the second, third, fourth, fifth, sixth, seventh and eighth classes; and revising,

amending and consolidating the laws relating thereto," by protecting and regulating the retirement rights of county employes in counties of the second class who are required to enter active service with the military or naval forces of the United States.

Mr. WALTER E. ROSE, from the Committee on Counties, reported as committed, House Bill No. 1880, entitled:

An Act to add section three hundred twenty-eight to article three of the act, approved the second day of May, one thousand nine hundred twenty-nine (P. L. 1278), entitled "An act relating to counties of the second, third, fourth, fifth, sixth, seventh and eighth classes; and revising, amending and consolidating the laws relating thereto," defining the pension rights and obligations of certain employes of second class counties when by operation of law such employes become State employes.

Mr. HOLLAND, from the Committee on Military Affairs, reported as committed, House Bill No. 1816, (Senate Bill No. 1040), entitled:

An Act to further amend section one of the act, approved the eighth day of July, one thousand nine hundred and nineteen (P. L. 737), entitled "A supplement to an act, entitled 'An act to establish a Board of Commissioners of Navigation for the River Delaware and its navigable tributaries; regulating their jurisdiction over ships, vessels, and boats, and wharves, piers, bulkheads, docks, slips, and basins; and exempting cities of the first class from certain of its provisions; and making an appropriation therefor,' approved the eighth day of June, Anno Domini one thousand nine hundred and seven; authorizing and directing the commissioners to provide and maintain a nautical school for the education and training of pupils from the various counties of the Commonwealth of Pennsylvania in the science and practice of navigation; and making an appropriation for two years from the first day of June, Anno Domini one thousand nine hundred and nineteen, towards its maintenance," giving preference to applications for admission of sons of persons who served during any war in which the United States shall have engaged.

Mr. MARKS, from the Committee on Highways, reported as committed, House Bill No. 1160, (Senate Bill No. 401), entitled:

An Act repealing and abandoning as a State highway, State highway route 15181 in Chester County; and providing for the reversion thereof to the township.

Mr. GRYSKEWICZ, from the Committee on Highways, reported as committed, House Bill No. 1843, (Senate Bill No. 484) entitled:

An Act defining the rate of interest and fixing the rate and the time from which interest shall begin to run on any award for damages for the taking of property in the construction or improvement of highways.

Mr. SHAFFER, from the Committee on Counties, reported as committed, House Bill No. 1898, (Senate Bill No. 934), entitled:

An Act requiring recorders of deeds to accept and record deeds prior to registry, where registry is required, and to have the same registered; and fixing fees therefor

Mr. HEATHERINGTON, from the Committee on Highways, reported as committed, House Bill No. 1808, (Senate Bill No. 463), entitled:

An Act to amend sections one and three of the act, approved the tenth day of April, one thousand nine hundred and twenty-nine (P. L. 478), entitled "Conferring authority on the Department of Highways, or any county or township to enter upon private property



adjacent to any public road or highway, and place thereon snow fence, between November first and April first of the succeeding year; providing the method of ascertaining damages and payment of same by the authorities responsible for the maintenance of the said public road or highway to the owner of adjacent property; and repealing certain acts," by including the Pennsylvania Turnpike Commission.

Mr. HAMILTON, from the Committee on Counties, reported as committed, House Bill No. 1845, (Senate Bill No. 1015), entitled:

An Act authorizing and directing the county treasurers of the several counties in the Commonwealth of Pennsylvania to provide and maintain an index or indexed record of the several sales of property in their several counties for delinquent taxes and providing that the reasonable cost thereof shall be borne by the several counties.

Mr. TROUT, from the Committee on Highways reported as committed, House Bill No. 1553 (Senate Bill No. 557), entitled:

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

Mr. EDWIN F. THOMPSON, from the Committee on Highways, reported as amended, House Bill No. 491, (Senate Bill No. 145), entitled:

An Act to amend further section fourteen of an act, approved the seventh day of August, one thousand nine hundred thirty-six (P. L. 106), entitled "An act relating to flood control: prescribing the powers and duties of the Water and Power Resources Board of the Department of Forests and Waters in relation to the creation of flood control districts, adoption of plans for flood control works and improvements, carrying into effect of such plans, assistance, aid and cooperation with public and private agencies and the Federal Government in Federal flood control works and improvements, and entering into compacts and agreements with other states for flood control works and improvements; conferring the power of eminent domain; providing for the setting off of benefits; imposing certain charges upon the Commonwealth; providing for appeals; and conferring certain powers on municipalities, counties, and townships, and the Department of Highways," as reenacted and amended, by conferring additional powers on the Department of Highways.

Mr. WATKINS, from the Committee on Highways, reported as amended, House Bill No. 1859, (Senate Bill No. 344), entitled:

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

Mr. PAUL A. BRUNNER, from the Committee on High-

ways, re-reported as committed, House Bill No. 1692, (Senate Bill No. 465), entitled:

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

Mr. GRYSKEWICZ, from the Committee on Mines and Mining, re-reported as amended, House Bill No. 1462, entitled:

An Act to regulate the locating, drilling, casing, filling and abandoning of natural gas and petroleum wells on property underlaid with workable bituminous coal beds, having for its object the protection of life and property, by preventing intrusion of oil and gas therefrom into coal mines in territory containing workable coal beds and conferring powers and imposing duties upon the Department of Mines and providing penalties.

Mr. SHAW, from the Committee on Welfare, reported as committed, House Bill No. 1781, (Senate Bill No. 555), entitled:

An Act to amend the act, approved the twenty-fourth day of June, one thousand nine hundred and thirty-seven (P. L. 2051), entitled "An act relating to public assistance; providing for and regulating assistance to certain classes of persons designated and defined as dependent children, aged persons, blind persons and other persons requiring relief; providing for the administration of this act by the Department of Public Assistance and county boards of assistance hereby created for this purpose; authorizing the Department of Public Assistance to cooperate with, and to accept and disburse moneys received from, the United States Government for assistance to such persons; providing for the liquidation of the State Emergency Relief Board, Boards of Trustees of the Mothers' Assistance Fund, and Boards of Trustees of Pension Fund for the Blind; and repealing laws relating to mothers' assistance, pensions for the blind, old age assistance, and the State Emergency Relief Board," as amended by regulating the use or disclosure of public assistance lists and records, and adding to penal provisions

#### BILL ON FIRST READING

Mr. SHAW asked and obtained unanimous consent for House Bill No. 1781, (Senate Bill No. 555), to be read for the first time.

Agreeably to order

The House proceeded to the first reading and consideration of House Bill No. 1781, (Senate Bill No. 555), entitled:

An Act to amend the act, approved the twenty-fourth day of June, one thousand nine hundred and thirty-seven (P. L. 2051), entitled "An act relating to public assistance; providing for and regulating assistance to certain classes of persons designated and defined as dependent children, aged persons, blind persons and other persons requiring relief; providing for the administration of this act by the Department of Public Assistance and county boards of assistance hereby created for this purpose; authorizing the Department of Public Assistance to cooperate with, and to accept and disburse moneys received from the United States Government for assistance to such persons; providing for the liquidation of the State Emergency Relief Board, Boards of Trustees of the Mothers' Assistance Fund, and Boards of Trustees of Pension Fund for the Blind; and repealing laws relating to mothers' assistance, pensions for the blind, old age assistance and the State Emergency Relief Board," as amended, by regulating the use or disclosure of public assistance lists and records, and adding to penal provisions

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

## RECESS

The SPEAKER. If there is no objection the Chair is about to declare a recess until 3:30 p.m. Is there objection? The Chair hears none and a recess is declared.

## AFTER RECESS

The House reconvened at 3:30 p.m.  
The SPEAKER (Elmer Kilroy) in the Chair.

## REPORT FROM COMMITTEE

Mr. McFALL, from the Committee on Agriculture, reported as committed, House Bill No. 1842, (Senate Bill No. 1102), entitled:

An Act to further amend the act, approved the eleventh day of March, one thousand nine hundred and nine (P. L. 13), entitled "An act for the protection of the public health, by prohibiting the sale, offering for sale, exposing for sale, or having in possession with intent to sell, of eggs unfit for food, as therein defined, and prohibiting the use of such eggs in the preparation of food products; providing penalties for the violation thereof, and providing for the enforcement thereof," by providing for the licensing by the Department of Agriculture of persons copartnerships associations and corporations engaged in the business of breaking eggs and separating the contents thereof for any purpose; regulating the opening of eggs unfit for food; and providing for the denaturing of such eggs, authorizing the Department of Agriculture to take samples of eggs for the purpose of analysis; further regulating the right to sell or otherwise deal with eggs subjected to incubation; providing that certain violations of the act shall be punishable in summary proceedings; prescribing penalties, and repealing certain legislation.

## BILLS SIGNED BY SPEAKER

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

## HOUSE BILL No. 152.

An Act to amend section one of the act, approved the thirteenth day of May, one thousand nine hundred and twenty-seven (P. L. 984), entitled "An act relating to transactions between a person acting on his own behalf and the same person acting jointly with others, and to make uniform the law relating thereto," by authorizing conveyances from either husband or wife to husband and wife as tenants by the entireties.

## HOUSE BILL No. 650.

An Act to amend section seven of the act approved the twenty-second day of June, one thousand nine hundred and thirty-one, (P. L. 720), entitled "An act providing for the taking over by the Commonwealth, under certain terms, conditions and limitations, of certain streets in cities of the second class, second class A, and third class as State highways, and for the improvement, construction, reconstruction, resurfacing and maintenance by the Commonwealth of certain defined widths of said streets; imposing duties on such cities and on public utility companies using such streets; providing that no assessment shall be made upon the Commonwealth in the elimination of any grade crossing thereon; authorizing cities, persons, associations, or corporations to enter into agreements with the Commonwealth to bear a portion of the cost of construction or maintenance; providing for the assessment of certain portions of the cost of street improvements on abutting property owners; regulating the re-

placement of certain facilities of public utility companies; prohibiting the opening of said streets after improvement without a permit, and providing penalty therefor; regulating the maintenance of detours; authorizing the increase of city indebtedness in certain cases; and appropriating money in the motor license fund for the purposes of this act," as last amended, by providing for the changing of width, lines, location or grades of streets in cities of the second class, second class A and third class, by the Department of Highways without the consent of the city in which said street is located; relieving the city from liability for damages in such cases; and imposing liability for damages upon the Commonwealth of Pennsylvania.

## HOUSE BILL No. 404.

An Act relating to marriage and amending revising consolidating and changing the law relating thereto

## HOUSE BILL No. 1022.

An Act to amend section thirteen and to further amend section eighteen of the act approved the eleventh day of May one thousand nine hundred and twenty-one (P. L. 522) entitled as amended "An act relating to dogs and the protection of live stock poultry and game birds raised in captivity from damage by dogs providing for the licensing of dogs by the Secretary of Agriculture providing for the enumeration of dogs by assessors regulating the keeping of dogs and authorizing their destruction in certain cases providing for the protection of licensed dogs and for dogs temporarily imported for trial show and breeding purposes prescribing certain privileges for hunting dogs and dogs owned or used by the Board of Game Commissioners providing for the assessment of damages done to live stock poultry and game birds by dogs and for live stock killed by or dying from rabies and for the illegal killing of licensed dogs and the payment of such damages by the Commonwealth imposing powers and duties on certain State county city borough town and township officers and employes directing the payment of all moneys collected into the State Treasury and providing penalties" permitting certain dogs to be brought into the Commonwealth under certain conditions for hunting purposes by holders of nonresident hunting licenses without securing a Pennsylvania dog license where the home states of such non-residents afford a similar exemption to residents of Pennsylvania

Whereupon,

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

## SENATE MESSAGE

## HOUSE BILLS CONCURRED IN BY SENATE

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

## HOUSE BILL No. 389.

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

## HOUSE BILL No. 1167.

An Act to amend section three hundred seventeen of the act, approved the third day of June, one thousand nine hundred and thirty-seven (P. L. 1225), entitled "An act concerning game and other wild birds and wild animals; and amending, revising, consolidating, and changing the law relating thereto," changing the provisions of said act as to the right of residents to hunt and trap without a license.



## HOUSE BILL No. 1083.

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

## HOUSE BILL No. 1263.

An Act relating to the extradition of persons charged with crime and to make uniform the law with reference thereto

## HOUSE BILL No. 1483.

An Act to repeal the act approved the sixteenth day of January one thousand seven hundred and ninety-nine (3 Sm Laws page 338) entitled "An act to declare Frankford Creek as public highway"

## HOUSE BILL No. 1660.

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

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

## PERMISSION TO ADDRESS HOUSE

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

Just prior to recess, Mr. Speaker, I listened with rapt attention to the verbal vaporings of the gentleman from Allegheny who professes such a deep and reverend respect for the Constitution and laws of the United States of America and everything that it stands for, but at the same time loses no opportunity to rise to the defense of a group of teachers in our Commonwealth who would inoculate our children with the virus of that slimy thing called Communism. I do not have such a deep and abiding respect for the Americanism of that gentleman as does the gentleman from Lebanon, Mr. Sarge.

I cannot imagine any one who prides himself on his patriotism rising to defend that group of school teachers in our state who, as I say, inoculate our children with the virus of Communism. As I stated two weeks ago on the floor of this House the bill which would amend

the Teachers Tenure Act to make it possible to eliminate from our school system those who are teaching Communism to our children, is the most important piece of legislation before this House today. I have been trying for months, not to pass the bill, but just to get a hearing on it, and I challenge the gentleman who is the Chairman of the Committee on Education to release that bill from his Committee and get it on the floor of this House. I dare say to you, Mr. Speaker, that ninety per cent of the Members of this House will vote for it, because I dare say that ninety per cent of the membership of this House are just as interested in preserving the principles of democratic government, the principles of our Constitution, the principles of our liberty and freedom that we all admire and adore, we are just as anxious as Mr. Sarge to preserve those liberties and freedoms, and all we ask, Mr. Speaker, is that the gentleman release the bill from committee and let it be put to a vote on the floor of this House. I know that this bill will pass unanimously, because I know that the Members of this House do not want their children taught the principles of Communism.

I wonder if the Members realize, Mr. Speaker, what Communism is doing to this country? Let me read from House Report No. 153, made on February 15, 1935 by a Special Committee appointed to Investigate Subversive Activities in the United States. The report contains the following:

"The nature and extent of organized Communistic activity in the United States have been established by testimony and the objective of such activities clearly defined. Both from documentary evidence submitted to the Committee and from the frank admission of Communistic leaders (Browder and Ford, New York hearing, July 12, 1934) these objectives include:

1. The overthrow by force and violence of the Republic form of government guaranteed by Article IV, Sec. 4 of the Federal Constitution.

2. The substitution of a soviet form of government on class domination to be accomplished by abolition of elective representatives both to the legislative and executive branches as provided by Article I, by the several sections of Article II, of the same constitution, and by the fourteenth amendment.

3. The confiscation of private property by governmental decree, without the due process of law and compensation guaranteed by the fifth amendment.

4. Restricting the rights of religious freedom, freedom of speech and of the press, as guaranteed by the first amendment.

These specific purposes by Communist admission, are to be achieved not by peaceful exercise of the ballot under constitutional right but by revolutionary upheaval, by fomenting class hatred, by incitement to class warfare and by other illegal as well as legal methods."

Now, Mr. Speaker, it seems to me where we have an opportunity to prevent the teaching to our children of principles which will ultimately tear down our American system of Government there ought to be lost no opportunity to see that the children of our Commonwealth are not to be taught those principles. I ask you again, Mr. Speaker and Members of this House to release that bill from committee; get it out here on the floor of the House so that the Members on both sides of the House may vote upon it, and I know that about ninety per cent of the Members of this House know what that bill does. It certainly is not democratic, it is certainly not American



to bury in committee a bill which is wanted by a great majority of the people of Pennsylvania, and which I believe will be voted upon favorably by the vast majority of the members of this House.

Mr. Speaker, I could babble interminably; I could continue to erupt as did the gentleman from Allegheny about freedom and liberty, but I am going to ask permission of this House to have copied into the journal an outline of a publication by Rev. Philip J. Sheehan on the subject of "Communism and what it stands for." I think it is the slimiest ism that exists in the world today, and the mere fact that Russia, or the Soviet Government happens to be fighting against the other form of government, Nazziism, should not relax our vigilance in seeing that the isms do not find a foothold in the United States of America.

Mr. Speaker, I am going to ask unanimous consent to have copied into the Journal, a compilation by the Rev. Philip J. Sheehan, a Roman Catholic clergyman who has done more, probably, than any other man to prevent the spread of Communism in America.

The SPEAKER. If there is no objection the matter referred to by the gentleman will be extended on the Journal. The Chair hears none.

#### COMPILATION BY REV. PHILLIP J. SHEEHAN

1. The Capitalist has only an economic power over his worker, in the sense that he may pay whatever salary he pleases, and therefore exploit the worker.

2. The Communist employer (the State) exercises not only economic rights over the worker, but even judicial rights in that the employer (State) has the right to punish any of his workers. Any refusal to obey the employer in any way is interpreted as sedition which in Russia is punishable by death.

3. The so-called "freedom" to criticize even unjust or brutal conditions has had disastrous results for those who dared to criticize. Is it any wonder that resolutions are always passed unanimously? In this country Communist agitators openly advocate revolution; they openly assert that "soldiers and sailors must be won for the revolution." To make such a statement in Russia would mean instant condemnation to death. A worker in Russia goes to a labor camp if he criticises Stalin. If he favorably mentions the name of Trotsky he may be shot.

4. When Communists prattle about freedom, remind them that the Commissar of Justice, Kvylenko, at a meeting of the Executive Central Committee, made a report on the new laws and new constitutions and said: "The methods of dictatorship remain the same, based on the implacable suppression of adversaries and on terror, and in perfect agreement with the ideas of Lenin."

5. When they preach about "freedom of the press," remind them that Article 125 of the New Constitution puts all the printing presses of the Nation in the hands of the Communist Party and forbids any individual from setting up a printing shop of his own? Were our government to interpret "freedom of the press" as it is interpreted in Russia, there would be no newspapers in this country favorable to Communism.

6. When the Communist boasts about the "freedom of labor," remind him that Article 118 gives its citizens "the right to work." That is not freedom. Freedom consists in the right not to work, or the freedom to choose where you will work and for whom you will work. You may not choose "for whom" you will work, for there is only one boss—the State. And certainly one may not choose "where" to work, since, for instance, if a man reside in the country and is unemployed he is forbidden to move to the city without special permission.

7. In Russia a man may not choose the kind of work he would perform. The State determines that! Though the Communist is free from work every sixth day, the State reserves the right to mobilize them for extra work. In six weeks an automobile factory sent 2800 of its workers "voluntarily" to carry brick on their "Subbotnik," or day off. As a matter of fact they may be called upon for "gratuitous" duties to the State "after they have finished their eight hours of industrial labor."

8. When you hear the Communist in our midst asserting the "freedom to strike," remind him again that to strike in Russia makes one an "enemy of the people." Communism preaches its doctrines in America by inciting strikes and violence, and yet exiles or murders those who strike in Russia. Communism in America forms unions "for the sake of the workers," and yet in Russia, where Communism is established, it forms unions "for the sake of the State"—the employer. The union in Russia is in the hands of the employer—the state, and they protect the state in the exploitation of its workers. The Ninth Union Congress in 1932, for example, states that "workers' organizations have for their principal objects the increase of the output of labor, the lowering of price as a result of that increased output, and the amelioration of its quality. Not a word about the rights of the worker to a living wage, or to decent living conditions. The September 1935 issue of the Moladaia Guardia states that the Soviet jails in Siberia are jammed with those who protested against Soviet working conditions. Those who refuse to work for the Communist state are shot. Concerning them the newspaper Pravda on December 11, 1932, stated "the workers must be shot, and shot, and shot."

9. In Russia they have passed a new law providing that anyone guilty of political crime may be condemned without the right of defense? Judges are appointed for only a year and they may "be recalled at any time by the Communist Party"—at any time they do not please that party. We complain about third degree methods used by our police, but in Russia they are a thousand times worse. There they stoop so low as to torture a prisoner's children before his eyes—often for the purpose of forcing false confessions. When a Soviet soldier flees across the frontier, his family—wife, mother, father, and children are punished for the crime.

10. In Russia a man has not the right to be present at his own trial, for "the case is examined and tried in the absence of parties and no appeal and no recommendations for mercy are entertained." In America the Communists praise the worker who throws a monkey-wrench into a machine. In Russia they shoot him! They do the first to "establish" liberty, and the second to "preserve" it.

11. Seventy per cent of Russian Judges have not received a primary education. In many cases they can not even write their own names. No wonder the worker Kliniova, of Stalingrad, was condemned to ten months of hard labor for having sold six pounds of bread. He did not steal it. He sold it—which was worse. Only the State can sell it. And this is called "liberty" and "democracy."

12. A farmer may have a "small private farm, (from ½ to 1.8 acres per family) but a worker has no such right. Only a worker who has distinguished himself in a particular manner and for the honor and glory of Communism is entitled to the use of an automobile. An attempt is being made to eliminate these small farms and put an end to individual farming. Farmers working their tiny plots, must also work on the collective farm.

13. In Russia "liberty" means "slavery"; "liquidation" means "murder"; "dictatorship of the proletariat" means "dictatorship over the proletariat." For a man to desire, or do, or think, anything other than what the State does is treason. The right to disagree, even in non-essentials, is denied.

## OLD FORGE REPUBLICAN CLUB WELCOMED

The SPEAKER. The Chair at this time welcomes members of the Old Forge Republican Club of Lackawanna County, who are guests of Messrs. Knoble and Cordier.

## PERMISSION TO ADDRESS HOUSE

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

Mr. Speaker, during yesterday's session the gentleman from Delaware, Mr. Turner, made the following statement, and I read from a transcript of the Journal, or rather from the stenographer's notes that will be inserted in the Journal. Mr. Turner had this to say, and I quote:

"I said something about philosophy and I said something about the differences in philosophy. I was not at that time referring to any particular philosophy which the gentleman from Philadelphia, Mr. Levy, might hold, if he holds any. I was merely stating that I know there was a difference between the gentleman from Allegheny, Mr. Brown, and the gentleman from Philadelphia, Mr. O'Brien, and the gentleman from Philadelphia, Mr. Levy, that by my association I knew something, I thought, of their mental approach to a subject, but I wonder what the gentleman from Philadelphia, Mr. Levy, wants us to think." "Here is an article from a Philadelphia paper the other day speaking about a meeting of the Philadelphia Local Teachers that were ousted by the A. F. of L. because the A. F. of L. said they were Communistic. This article said: 'Members of the ousted local at their meeting heard State Representative J. Harold Levy, Democrat, Philadelphia, condemn bills pending in the Legislature which would dismiss state employes and remove from relief persons advocating philosophies providing for the overthrow of the Government. He called the bills reactionary.' I am wondering what the gentleman from Philadelphia Mr. Levy wants us to think of that when he read it in the newspapers?"

Gentlemen, that is in toto what the gentleman said, and that is in essence what I intend to answer. I am a member of the Democratic party and I am a member of this Legislature. I was asked by a group of teachers, not to appear at a meeting of that union, because there was no such meeting,—I was asked to appear at a rally of citizens of the city of Philadelphia protesting the passage of House Bill No. 413 and House Bill No. 448, and that rally was scheduled on Friday last. I appeared there, Mr. Speaker, along with the President of the American Federation of Labor, Teacher's Union of the state of New Jersey and I spoke against House Bill No. 413 and I spoke against House Bill No. 448. I am happy to say that yesterday afternoon the objections that I had to House Bill No. 413 and House Bill No. 448 were removed from the bill by amendments.

I want to say to the gentleman from Delaware, if that is the kind of statement he makes on the floor, that he knows a man's philosophy because a Democratic member of the House accepts to speak at a rally opposing bills which he conscientiously opposes, then I say I am happy to oppose this philosophy trash that the gentleman from Delaware has attempted to put on this floor. And gentlemen, when I say trash, I mean it, because from the definition of an overt act which the gentleman attempted to define yesterday on the floor of the House, I am sure he cannot define the word, "philosophy." Certainly I am against the word, "philosophy"; why shouldn't I be? Does

it state in the bill who is to accept or reject the philosophy of an individual? No, it leaves that to the imagination.

As I pointed out yesterday, the secretary of some Board in Harrisburg might set up a particular philosophy in his own mind, and he might attempt to demand that all his employes live up to his definition of philosophy under the pretext that they might be fired or dismissed from employment in the Bureau.

What is philosophy, gentlemen? What is philosophy, I would ask the gentleman from Delaware? It is American philosophy to adhere to doctrines of the Republican party? It is American philosophy to adhere to the policies of the Democratic Party? Or maybe it is the proper American philosophy to follow the leadership of John J. McClure of Delaware County, I don't know. I say to you, Members of the House, that if you want to do away with the Fascist, Nazi and Communist elements in Pennsylvania, write it into a bill, and I will ask the gentleman from Delaware to prepare the bill and I will vote for it and I will not speak against it, but do not attempt by yelling anti-Naziism to sacrifice the young American girls and boys in the employment of the state who have every right to live like you and I. I say to the gentleman from Delaware he doesn't know what philosophy means, because his philosophy differs from mine; my philosophy may differ from the gentleman's from Philadelphia, Mr. O'Brien. We haven't been called, gentlemen, to vote on a bill that is anti-Red, we haven't been asked to vote on a bill that is anti-Nazi.

This House Bill No. 413 without its amendments is a dangerous disgrace to the General Assembly, because any one's philosophy might be different from that of the person in whose power it is to take or grant a position.

I say to you, Mr. Speaker, coming back to the inference that the gentleman made concerning the Teacher's Union in Philadelphia, let me say to him and to the Members of the House that not only Mr. Harkins of Allegheny County, but I also want to direct my remarks to the gentleman from Delaware, Mr. Bretherick, who is a friend of mine; there are sufficient laws on the statute books of Pennsylvania to fire every Communist teacher in the Commonwealth of Pennsylvania, and I am going to prove to you why there is such a law and how it was created.

I wonder if the gentleman from Delaware remembers the name of one Bessie R. Burchett, teacher in the South Philadelphia High School for girls? I want to read this into the record, Miss Burchett in 1938 had this to say—and she has written an article in the Women's Clubs of Pennsylvania Magazine, "Every Woman". Miss Burchett denounced the teaching of sex hygiene in the schools, and she said it was dangerous to the womanhood of America and particularly, Mr. Speaker, she said it was dangerous to the people of the Commonwealth of Pennsylvania.

Who is Bessie Burchett? Bessie Burchett was a teacher in the South Philadelphia High School for girls who openly, without fear of prosecution, taught Naziism and Fascism in the Philadelphia High School. What happened to her? That I am going to tell you later, but what did the Republican Women's of Pennsylvania Magazine have to say about the article of Bessie Burchett on sex hygiene? I'll tell you what they said on the back of the magazine: "The editors of the Tocsin express their appreciation to Dr. Burchett for her contribution on Page 10 of the



January 1938 issue." What did they further say? They said: "The Tocsin extends its hearty thanks and sincere appreciation to all the kind contributors who are making our magazine what it is, especially Senator Arthur H. Vandenberg of Michigan, Mr. Dupont, the National Association of Manufacturers, Mrs. Philips K. Parker, Vice President of the Virginia State Republican Committee and Dr. Burchett."

Now, why did they compliment Dr. Burchett? They said in commenting on her: "We extend our hearty thanks and sincere appreciation to Dr. Burchett for her fearless setting forth of the dangers that we are developing around our growing girls, the next generation of women in Pennsylvania."

Do you know what happened to Dr. Burchett, gentlemen of the House? She openly advocated what I told you as she did, and the Board of Education in Philadelphia through the Teachers' Tenure Act, through the very Tenure Act that the gentleman from Delaware wishes to destroy, fired her, and they had cause for doing it, and she is no longer a teacher in the South Philadelphia High School for girls.

Now, what about the Communists in the school system? Why doesn't the Board of Education fire them? If you could fire a person teaching Naziism, and I say that Naziism is just as terrible and just as vicious, and I laud the remarks of the gentleman from Delaware, Mr. Bretherick, then why cannot we dismiss the Communists under the Teachers' Tenure Act? Do you know why? The gentleman from Delaware knows why we cannot; it is because the Board of Education under three separate investigations could not find any teacher in Philadelphia who taught Communism. And this afternoon in the solemnity of this hall I ask the gentleman from Delaware, Mr. Turner, if that is what he said, that if there are Communist teachers in Philadelphia then why doesn't the Board of Education get something on them? I know of no Communist teachers. I have a little sister fifteen years old who goes to the Kensington High School for girls, just graduated from the Penn Treaty High School, and she had a teacher in English who happened to be a member of this union, and that child didn't come home and talk Communism; that child came home humming, "God bless America."

I say to the gentleman from Delaware, he made charges, he said there are Communist teachers that are getting their roots into our system. I say to him it is his sworn duty to place those incidents and instances before the Board of Public Education, and if he does not, I say to him he then becomes derelict in his duty.

Gentlemen, House Bill 413, as the gentleman from Allegheny so ably pointed out yesterday, is not the passage of speeches, it is the passage of law. We do not want to hear those flag waving and Red baiting speeches, at least I do not, and I am not a Communist. I love America and everything it holds dear, but I am not going to listen to red-baiting speeches without the facts. If there are Communists in Philadelphia in the school system, the Tenure Act takes care of them. The only reason the Tenure Act has not taken care of them now—and it is a matter of record—is that Dr. Stafford, along with Add B. Anderson, secretary of the school system of Philadelphia made an investigation, and they exonerated all these people; they are not teaching Communism in the schools;

but I say if there is one among them, he should be properly punished, and it is the duty of the gentleman from Delaware to tell us where he or she is.

Now, Mr. Speaker, I agree with the gentleman from Delaware, Mr. Bretherick. He said we ought to hold dear the American ideals and principles, and if we do, then we have a right to oppose certain bills that we feel are un-American, and I say to the gentleman from Delaware, Mr. Turner, I attended this rally, I am proud of it, I didn't see any Peace signs in the hall of this great amphitheater; I didn't see any Hammer and Sickles posted along the walls. I didn't hear any Communists making any speeches, and I say that five or six or seven hundred teachers and their friends did attend this rally to show their protest against House Bill 413 and House Bill 448. If that is Communism, then I say, Mr. Speaker, we ought to end our careers as members of the Legislature. If that is Communism then I don't know what the word means, and I think I can define Communism. I say to the gentleman from Delaware he erred when he inferred to this House that because a man journeyed to a rally and discussed his own feelings about a bill that is before his Legislature, he erred in making those inferences, and I say to you, Mr. Speaker, that is the American way. I am grateful for the opportunity and the time in these closing days of the Session, to make this statement.

#### BILLS INTRODUCED AND REFERRED

By Mr. JEFFERSON

HOUSE BILL No. 1931.

An Act requiring all persons operating motor vehicles on the public highways of the Commonwealth of Pennsylvania, to stop and render reasonable assistance when so requested by a peace officer, to all persons injured on or near such public highways; providing for the reimbursement to such operators for property damage sustained by them while rendering such assistance; and imposing penalties.

Referred to the Committee on Highways.

By Mr. WILLIAMS

HOUSE BILL No. 1932.

An Act to further amend section three of article five, of the act, approved the ninth day of June, one thousand nine hundred and eleven (P. L. 756), entitled "An act to provide for the health and safety of persons employed in and about the bituminous coal-mines of Pennsylvania, and for the protection and preservation of property connected therewith," by requiring fire bosses to include all places adjacent to working places in the examination made during working hours and in the report thereof.

Referred to the Committee on Mines and Mining.

#### 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. 726

(HOUSE BILL No. 1933).

An Act to provide for two additional law judges of the Court of Common Pleas of the Fifth Judicial District.

Referred to the Committee on Judiciary General.

SENATE BILL No. 1256

(HOUSE BILL No. 1934).

An Act authorizing the Department of Property and



Supplies with the approval of the Governor to sell and convey certain plots of land.

Referred to the Committee on State Government.

#### BILL INTRODUCED AND REFERRED

By Messrs. IMBRIE and YESTER HOUSE BILL No. 1935

An Act to further amend clause six of section one and section three of the act, approved the twenty-seventh day of June, one thousand nine hundred and twenty-three (P. L. 858), entitled "An act establishing a State employes' retirement system, and creating a retirement board for the administration thereof; establishing certain funds from contributions by the Commonwealth and contributing State employes, defining the uses and purposes thereof and the manner of payments therefrom, and providing for the guaranty by the Commonwealth of certain said funds; imposing powers and duties upon the heads of departments in which state employes serve; excepting annuities, allowances, returns, benefits, and rights from taxation and judicial process; and providing penalties," by further defining "State employe" so as to include certain employes of the Board of Fish Commissioners and the Pennsylvania Game Commission; providing that such employes shall have the option of joining the State Employes Retirement Association; and permitting their membership in such association to be retroactive upon the making of certain back payments by them and by the Board of Fish Commissioners and the Pennsylvania Game Commission.

Referred to the Committee on State Government.

#### PERMISSION TO ADDRESS HOUSE

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

Mr. Speaker, the article which I read from the newspaper yesterday must have pinched pretty hard. The gentleman from Philadelphia, Mr. Levy, errs in his statement when he connects what I said about philosophy with the statement which I read from the newspaper. What I said about philosophy was in reply to a statement made by the gentleman from Allegheny, Mr. Brown, in which he said you couldn't tell about a man's philosophy. I said I thought from my association in this House that I knew the philosophy of the gentleman from Allegheny, Mr. Brown, and that I knew that was a different philosophy from that of the gentleman from Philadelphia, Mr. Levy, and of the gentleman from Philadelphia, Mr. O'Brien, and if I by that inference led any one to believe that I thought there was any similarity in the philosophies of the gentleman from Philadelphia, Mr. Levy, and of the gentleman from Philadelphia, Mr. O'Brien, I wish to apologize to the gentleman from Philadelphia, Mr. O'Brien.

The gentleman from Philadelphia, Mr. Levy, has said that I do not know the definition of philosophy. I think any of us can give a homespun definition of philosophy, but yesterday I sent to the desk for Webster's dictionary, and I looked up the definition of philosophy, because I hoped that therein I might find something that I might apply to the gentleman from Philadelphia, Mr. Levy. I might say in reading the definition of philosophy in Webster's Dictionary, which you can read by applying to the desk and getting the volume, I couldn't find anything that applied to the gentleman from Philadelphia, Mr. Levy. The gentleman from Philadelphia, Mr. Levy, has clearly shown to me that he doesn't know the de-

fnition of philosophy, because he has tried to apply the definition of philosophy to what he terms the philosophy of certain individuals.

Well, I realize as I said, there is a difference of philosophy of certain individuals. I am sure that he is opposed, as he said, to the philosophy of certain individuals, and I am sure that I could not subscribe to the philosophy of David Stern, Albert Greenfield or Joseph Guffey, if they have any philosophy.

Now, the gentleman from Philadelphia seems to be worried about this meeting of these teachers and the fact that he says there are no Communists among the teachers in the schools in Philadelphia.

I think the gentleman from Allegheny, Mr. Harkins, this morning said that I had said I had spent a number of years, or had known, or had been interested for a number of years in the subject, and I distinctly remember that I referred in my remarks a few days ago to certain individuals, who, as had many organizations, been interested in this question in the schools in Philadelphia but who had never been able to get any action in the schools. But, Mr. Speaker, if the gentleman from Philadelphia can stand here on the floor of this House and try to bluff us into believing that there are no Communists in the schools of Philadelphia and he wants me definitely to prove that there are Communists among the teachers in the schools of Philadelphia, why, I will name names and state places,—I think that's what was recently said in the Senate,—by saying that the American Federation of Labor threw out a group of teachers in Pennsylvania who were organized into a branch of that union, and whom they threw out on the ground that they were Communists. Therefore, I cannot see how I need go any further in offering my evidence than by stating again, as I said yesterday, that the American Federation of Labor said there were Communists in the schools of Philadelphia.

Now then, Mr. Speaker, I will go still further, if the gentleman from Philadelphia would like me to present something in the way of evidence, by saying that I hold in my hand a letter which came to me in the mail this morning from a very eminent citizen of Philadelphia, and he addresses me this way:

"I have been intending to drop you a line for some time to say how happy I am that you are actively behind a move to curb subversive activities. I have been interested in this subject a long while, and I know of conditions in our schools in Philadelphia that are perfectly disgusting. I have had in my office the original books taken from the library of the South Philadelphia High School for girls, for instance, and have a photostat of title pages and book plates and have purchased copies of several of these books. I understand there is a bill for approximately fifty thousand dollars to be used in investigating subversive activities detrimental to the defense program. If this investigation lifts the lid off what is going on in Philadelphia schools and probably in schools all over the state, it would raise a stench that would reach to high heaven, and I hope would result among other things in forcing out of office the members of the Board of Education who are aiding and abetting and encouraging these activities."

Now, Mr. Speaker, the gentleman from Philadelphia made a lot out of the singing of, "God Bless America." Why, certainly the Communists are singing, "God bless America." Try to get them to go back to Russia! Cer-

tainly they want to stay in America. I do not mean to imply in any way that the little sister of the gentleman from Philadelphia coming home from school had any other intention than being a good American child and believing in America, but the singing of "God bless America" is also done by many of our subversive groups and by many people who certainly want to stay in America; who believe America is a great place, but just want to change it over and make it into something else.

The thing I have tried to say to the gentleman from Allegheny, Mr. Brown, and to the gentleman from Allegheny, Mr. Harkins; and the thing I am now saying to the gentleman from Philadelphia, Mr. Levy, is this, that what they are saying is what we ought to enact a law, and we to enact a law that is drawn in terms which they will approve, and not make speeches, as they say. The thing we are aiming at today is something that goes further and deeper than that. As I said yesterday, these people will not be out in the front ranks with bayonets and guns seeking to overthrow the government of the United States. Oh no, they won't be in the front line of the parade. Oh no, they wouldn't permit their names to appear in any connection in any way that would indicate they might be thrown out for seeking to overthrow the Government of the United States.—O no!

Now, what do these gentlemen propose that the gentleman from Philadelphia, Mr. Levy, praises so much? What amendments did they place in the bill yesterday?

"He who hereafter advocates and actively participates by an overt act or acts in a movement proposing a change in the form of government of the United States by means not provided for in the Constitution of the United States."

What does that mean? If they had said, "or actively participates," I might have felt that they were sincere in their attempt to do something in this matter, but they didn't say, "or actively participates"; they say, "and participate." You have fotten down to the point where you must go out and advocate and actively participate. In what? In an overt act. They go over all the defense in the criminal law, which says, "an open act with a criminal intent," and they so word this that it would be impossible to get at that which those of us on this side of the House have been battling for five or six months in an attempt to reach.

I beg pardon—I see the gentleman from Allegheny, Mr. Harkins, is in the House. The gentleman from Allegheny, Mr. Harkins, has plead on two occasions in the last couple days all of the Bill of Rights, all of the freedom of speech and freedom of the press. That's the very thing behind which these people operate, that is the very thing they cry and hold up to us.

Now, we know what happens. On the other side of the water we know what happened and what they want to establish in America. We know how much freedom of the press and freedom of speech they have.

Let me read something to the gentleman from Allegheny, Mr. Harkins, who wants us to study and read, and also give him something to think about. Of course any one can quote something for his purpose; you can take a speech of Abraham Lincoln and take excerpts from it about free government, but let me tell you what Justice Oliver Wendall Holmes said in the case of Schenck vs. United States in 63 Law 50-52:

"We admit that in many places and in ordinary

times the defendants, in saying all that was said in the circular, would have been within their constitutional rights. But the character of every act depends upon the circumstances in which it is done. Aikens v. Wisconsin, 195 U. S. 194, 205, 206, 49 L. ed. 154, 159, 160, 25 Sup. Ct. Rep. 3. The most stringent protection of free speech would not protect a man in falsely shouting fire in a theater, and causing a panic. It does not even protect a man from an injunction against uttering words that may have all the effect of force. Gompers v. Buck's Stove & Range Co. 221 U. S. 418, 439, 55 L. ed. 797, 805, 34 L.R.A. (N.S.) 874, 31 Sup. Ct. Rep. 492. The question in every case is whether the words used are used in such circumstances and are of such a nature as to create a clear and present danger that they will bring about the substantive evils that Congress has a right to prevent. It is a question of proximity and degree. When a nation is at war many things that might be said in time of peace are such a hindrance to its effort that their utterance will not be endured so long as men fight, and that no court could regard them as protected by any constitutional right. It seems to be admitted that if an actual obstruction of the recruiting service were proved, liability for words that produced that effect might be enforced."

Of course I believe in freedom of speech and freedom of the press; I do not deny the right of the Communists or any other group to go into a meeting or to issue publications properly worded as to their masthead so that it shows clearly who is issuing it. I do not deny freedom of speech, if they want to preach their doctrine. We have ignored and laughed at it because we didn't think it could get any place in free America, but, my friends, that hasn't anything to do with the school teacher who is hired by this government, who is paid out of the taxpayers' pocket, who goes into our schools and teaches, not the overthrow of the government, no, they don't do it that way; they do it by planting in the child's mind those things that make them dissatisfied, those things that make them feel that Russia has the only kind of government that is good, the only place where the people are happy, the only place where the employer looks after the good of the common man, and by planting that seed in the minds of children of twelve or thirteen or fifteen they hope to plow the ground and fertilize it so that when the time comes the seed will ripen into the revolution that they want to bring about in this country.

If that is curtailment of the freedom of speech, to say that a teacher cannot teach that sort of thing in America, then I stand indicted as being against that kind of freedom of speech, but I have here the words of Oliver Wendall Holmes, a great liberal on the Supreme Court of the United States, a man whose liberality cannot be gainsaid, a man who was on the liberal side, even in civil life, but these are times and circumstances in which we have a right to our heritage, and we have a right to hand on to our children that heritage that men fought and bled and died to give us, that heritage of freedom. There is no freedom or liberty in Communism or Fascism or Naziism. You are subjected to a minority group. You are dominated until liberty is stifled and driven away from the individual, and the last one that should get up on this floor and say anything against the fight on Communism, Naziism and Fascism is the gentleman from Philadelphia. He ought to be fighting to see that these bills are passed. The gentleman from Allegheny, Mr. Harkins, the chairman of the Education Committee, with his background and his training as a member and officer

of the Court ought to have been doing everything he could in the last five months to see that the teachers' Tenure Act is amended. If the bills before you are bills that will permit you to proceed against teachers, then why not amend the Teachers' Tenure Act so that we can keep out these teachings instead of holding it and not letting it see the light of day in this House. Why don't you do it? I'll tell you why you don't do it; I'll tell you the reason. You are trying to defend minority groups, that's the reason; not because you believe that the language of these bills is un-American, not because you believe the language of these bills cannot be enforced. If the language of these bills cannot be enforced, then how can the United States Government at the present time drive out of our defense industries the people that they say and that they know are Communists?

During the time that the Joint State Government Commission was working on the Unemployment Relief Program, we tried to make some surveys in Philadelphia as to Communism in DPA. I went to Washington frequently to talk to the Dies Committee in order that they might give us some help and some information from their files, but they would give us nothing because they said they had men in Pennsylvania working on this subject, and in the last few months in Philadelphia I have seen statements of the Dies Committee that the City of Philadelphia, among the working people, among the school teachers and the DPA employes are infested with Communism. Is that proof enough for the gentleman from Philadelphia, Mr. Levy?

#### 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. 1470

Commonwealth of Pennsylvania,  
Governor's Office, Harrisburg, June 26, 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. 1470, Printer's No. 677, for the purpose of amendment.

Accordingly, the original bill is herewith returned.

ARTHUR H. JAMES.

#### RECONSIDERATION OF VOTE

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

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

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

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

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

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

On the question,

Will the House agree to the motion?

It was agreed to.

Mr. READINGER. Mr. Speaker, I move that the vote

by which this bill passed third reading be reconsidered.

The motion was agreed to.

On the question recurring,

Will the House agree to the bill on third reading?

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

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

The Clerk read the amendments as follows:

Amend Section 4, page 3, line 26 by inserting after the word "Instruction" and before the word "to" the following: "for the two fiscal years beginning June first one thousand nine hundred forty-one".

Amend Section 5, page 4, line 3 by striking out at the end of the line the following: "[on the first]."

Amend Section 5, page 4, line 4 by striking out at the beginning of the line the following: "[day of June one thousand nine hundred forty-one]" and inserting in lieu thereof the following: "immediately upon final enactment."

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.

#### 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. 1513

Commonwealth of Pennsylvania,  
Governor's Office, Harrisburg, June 26, 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. 1513, Printer's No. 797, for the purpose of amendment.

Accordingly, the original bill is herewith returned.

ARTHUR H. JAMES.

#### RECONSIDERATION OF VOTE

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

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

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

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

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

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

On the question,

Will the House agree to the motion?

It was agreed to.



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

The motion was agreed to.

On the question,

Will the House agree to the bill on third reading?

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

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

The Clerk read the amendments as follows:

Amend Section 1, page 2, line 15, by inserting after the word "amended" the following: "and reenacted."

Amend Section 1, page 2, line 15, by striking out after the word "the" the word "fifth" and inserting in lieu thereof the following: — — —

Amend Section 1, page 2, line 15, by striking out after the word "of" the word "May" and inserting in lieu thereof: — — —

Amend Section 1, page 2, line 16, by striking out the word "thirty-nine" and inserting in lieu thereof, "forty-one."

Amend Section 1, page 2, line 16, by striking out the numeral "76" and inserting in lieu thereof: — — —

Amend page 8, by inserting after line 8, the following: Section 2. This Act shall become effective immediately upon its final enactment.

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.

#### SENATE MESSAGE

##### APPOINTMENT OF CONFERENCE COMMITTEE ON SENATE BILL No. 80

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. 80, entitled:

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

the State Treasurer and the Social Security Board; and making the Administration Fund subject to certain charges.

And has appointed Messrs. Heyburn, H. I. Wilson and Coleman a committee of conference to confer with a similar committee of the House of Representatives (if the House of Representatives shall appoint such committee) on the subject of the differences existing between the two Houses in relation to said bill.

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

##### APPOINTMENT OF COMMITTEE OF CONFERENCE ON SENATE BILL No. 80

The SPEAKER. The Chair appoints as a Committee of Conference on said bill Messrs. REUBEN E. COHEN, HARKINS and TROUT.

Ordered, That the Clerk inform the Senate accordingly.

##### COMMUNICATIONS FROM THE GOVERNOR

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

##### APPROVAL OF HOUSE BILL No. 378

Commonwealth of Pennsylvania,  
Governor's Office, Harrisburg, June 26, 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. 378, Printer's No. 619, entitled "An Act making an appropriation to the Chief Clerk of the House of Representatives for the payment of expenses and compensation of the Electoral College of 1940."

ARTHUR H. JAMES.

##### APPROVAL OF HOUSE BILL No. 300

Commonwealth of Pennsylvania,  
Governor's Office, Harrisburg, June 26, 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. 300, Printer's No. 681, entitled "An Act making an appropriation for the purpose of maintaining the public roads and improving and replacing bridges thereon through the Cornplanter Indian Reservation in Elk Township, Warren County, Pennsylvania."

ARTHUR H. JAMES.

##### APPROVAL OF HOUSE BILL No. 358

Commonwealth of Pennsylvania,  
Governor's Office, Harrisburg, June 26, 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. 358, printer's No. 903, entitled "An Act to further amend clauses three and four of subsection (b) of section 913 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 mem-

bership 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 fixing the fee for filing nomination petitions in certain cases."

ARTHUR H. JAMES.

#### APPROVAL OF HOUSE BILL No. 284

Commonwealth of Pennsylvania,  
Governor's Office, Harrisburg, January 26, 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. 284, Printer's No. 571, entitled "An act making an appropriation from the Motor License Fund to the Department of Property and Supplies for the payment of the costs incurred by that Department in acting as purchasing agent for the Department of Highways."

ARTHUR H. JAMES.

#### APPROVAL OF RESOLUTION RETURNING HOUSE BILL No. 107

Commonwealth of Pennsylvania,  
Governor's Office, Harrisburg, January 26, 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 returning to the Governor without amendment House Bill No. 107, Printer's No. 742.

ARTHUR H. JAMES.

#### APPROVAL OF RESOLUTION RETURNING HOUSE BILL No. 949

Commonwealth of Pennsylvania,  
Governor's Office, Harrisburg, January 26, 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 returning to the Governor without amendment House Bill No. 949, Printer's No. 717.

ARTHUR H. JAMES.

#### APPROVAL OF RESOLUTION RECALLING HOUSE BILL No. 1323

Commonwealth of Pennsylvania,  
Governor's Office, Harrisburg, January 26, 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. 1323, Printer's No. 984, for the purpose of amendment.

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 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:

#### APPROVAL OF RESOLUTION RECALLING HOUSE BILL No. 1676

Commonwealth of Pennsylvania,  
Governor's Office, Harrisburg, January 26, 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. 1676, Printer's No. 776, for the purpose of amendment.

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 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:

#### APPROVAL OF RESOLUTION RECALLING HOUSE BILL No. 803

Commonwealth of Pennsylvania,  
Governor's Office, Harrisburg, January 26, 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. 803, Printer's No. 905, for the purpose of amendment.

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 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. 869

Commonwealth of Pennsylvania,  
Governor's Office, Harrisburg, January 26, 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. 869, Printer's No. 293, 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 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. 251

Commonwealth of Pennsylvania,  
Governor's Office, Harrisburg, June 26, 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. 251, Printer's No. 106, for the purpose of amendment.

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 together with the bill be laid on the table. The motion was agreed to.

RECONSIDERATION OF VOTE

Mr. READINGER. Mr. Speaker, I move that the vote by which the House non-concurred in the amendments made by the Senate to House Bill No. 567, Printer's No. 933, entitled:

An Act to reenact and amend the title and the act approved the twenty-fourth day of June, one thousand nine hundred and thirty-nine (P. L. 748), entitled "An act for the registration and regulation of certain individuals and entities selling, contracting to sell or dispose of, attempting or offering to dispose of, soliciting offers to buy, or inducing holders thereof to exchange, securities defined herein, including securities issued by them, or engaging in the business of inducing holders of securities to effect, the sale thereof in order to produce funds to pay for other investments sold by them, or in the business of buying securities directly from individuals who are not registered thereunder; providing for the revocation and suspension of registrations; conferring powers and imposing duties on the Pennsylvania Securities Commission and otherwise providing for the administration of this act; providing for appeals to the Court of Common Pleas of Dauphin County, and to the Supreme Court of Pennsylvania; conferring jurisdiction upon the several courts of common pleas to issue injunctions against violations of this act; and prescribing fees and penalties" by providing for the registration and regulation of persons and entities engaged in the business of investment advisers and of solicitors of investment advisers and for the revocation and suspension of such registrations conferring additional jurisdictions upon the courts of common pleas and further regulating the business of buying and selling securities.

be reconsidered.

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

The SPEAKER. How did the gentleman from Berks, Mr. Readinger, vote on the motion to non-concur?

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

The SPEAKER. How did the gentleman from Westmoreland, Mr. Lovett vote on the motion to non-concur?

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

On the question,

Will the House agree to the motion?

It was agreed to.

On the question recurring,

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

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

YEAS—183

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

Speaker

NAYS—0.

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

Ordered, That the Clerk inform the Senate accordingly.

PERMISSION TO ADDRESS HOUSE

Mr. HOLLAND asked an obtained unanimous consent to address the House.

Mr. Speaker, it is not a surprise to sit in this House and hear the Members of the Republican party drag through the halls of this House the red herring of Com-



munism, because they are merely uttering and carrying on a propaganda that has been started by the National Association of Manufacturers. I want to read for you, members of the House, from a magazine that I know no Member will call Communistic, because on its first pages it attacks different members of Congress who opposed the help and aid that we are giving to Britain.

This article is as follows:

"The National Association of Manufacturers, not content with acting as a whip for reactionary business men in the area of economics and government, has laid its heavy hand on American education. Several months ago it hired Ralph Robey, who teaches banking at Columbia to conduct a survey of un-American attitudes in school text books in the social science. Now, through the generous front page space accorded by the New York Times and other papers Mr. Robey announces his results. One gathers that they made him despair of his country, because they are derogatory of the American form of government and critical of free business enterprise.

"What are the subversive doctrines? Extracts from the curriculum are given by the New York Times. Here are some of the un-American doctrines that our high school students are learning; that there are a small number of powerful corporations in America; that there are trusts and monopolies; that there are sharp differences in living standards; that vast amounts of money are spent in advertising to break down the consumer's resistance; that the press has enormous power and speaks in general for a minority; that in actual operation the guarantees in our Bills of Rights are often infringed; that politics, especially in Delaware County is not always clean and that, most subversive of all subversive doctrines, the N A M has itself been guilty of subsidizing propaganda against social legislation.

"Yet the fact is that the N A M is placing in the hands of its members and school authorities everywhere a book containing abstracts of supposed dangerous passages from six hundred text books. What can this mean except the victimization of the more liberal, or less reactionary books? What can it mean in actual practice except a glorified burning of the text books in our free schools?

"What will happen if the N A M is allowed to have its way? Pressure will be applied by local reactionaries and intellectual vigilantes upon any school board that dares teach or mention the unfinished business of American democracy. What sort of reign of terror this will mean has already been revealed in the campaign carried on by Merwin K. Hart and others against the books of Harold Rugg. Neither the drive against Rugg nor that of the N A M is an isolated affair. They are parts of a concerted campaign to suppress free thought in the social sciences, and to turn the school system into an arm of the reactionaries in imprinting stereotypes on the minds of our children.

"When the holders of economic power in any society grow panicky because they are bewildered at the forces loose in our world, their first impulse is toward suppression of thought. They hit out against the idea whose truth they cannot face. It is well known that the N A M has in the past sought to introduce its own propaganda in our high schools textbooks. Finding their propaganda attempts not wholly successful, they now turn to censorship, and the yelling and speaking of Communism.

"To be sure, Mr. Robey speaks in lofty terms of the skepticism which is undermining the morals of our youth.

"But that is an old dodge by now. It is not hard to infer that the real intent of the N A M is to use the defense emergency to force an entrance into our educational system that it has thus far not been able

to effect. What then can be done? Our first reliance must be on what Mr. Justice Holmes called 'the competition of ideas in the market place.' Whatever may be said about particular textbooks, the school authorities have many varieties to choose from, without the intimidation of the N A M. But Mr. Robey charges that the general level of the text books is amazingly low. That may or may not be true. Who is Mr. Robey to say so? He teaches banking and has been a financial writer for the papers. We have never known him to be considered an authority of any sort on educational methods or an authority on the matters on which he is sitting in judgment."

The public had better be wise, or under the guise of finance the National Association of Manufacturers due to their yelling of Communism in our schools will destroy all the liberal social and labor reforms that have been enacted in the last eight years in America.

MR. TAYLOR IN THE CHAIR

### BILLS ON FIRST READING

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1858, (Senate Bill No. 263), entitled:

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

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. 1893, (Senate Bill No. 908), entitled:

An Act to amend section seventeen of the act approved the seventh day of June one thousand nine hundred and seventeen (P. L. 415) entitled "An act relating to the qualification jurisdiction powers and duties of registers of wills and regulating proceedings before said registers and the costs thereof the effects of their acts and appeals therefrom" further regulating proceedings before the register of wills and in the orphans' court.

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. 1829, (Senate Bill No. 171), entitled:

An Act to further amend subsection (a) of section five hundred and three of the act, approved the ninth day of April, one thousand nine hundred and twenty-nine (P. L. 343), entitled "An act relating to the finances of the State government; providing for the settlement, assessment, collection, and lien of taxes, bonus, and all other accounts due the Commonwealth, the collection and recovery of fees and other money or property due or belonging to the Commonwealth, or any agency thereof, including escheated property and the proceeds of its sale, the custody and disbursement or other disposition of funds and securities belonging to or in the possession of the Commonwealth, and the settlement of claims against the Commonwealth, the resettlement of accounts and appeals to the courts, refunds of moneys erroneously paid to the Commonwealth, auditing the accounts of the Commonwealth and all agencies thereof, of all public officers collecting moneys payable to the Commonwealth, or any agency

thereof, and all receipts of appropriations from the Commonwealth and imposing penalties; affecting every department, board, commission, and officer of the State government, every political subdivision of the State, and certain officers of such subdivisions, every person, association and corporation required to pay, assess, or collect taxes, or to make returns or reports under the laws imposing taxes for State purposes, or to pay license fees or other moneys to the Commonwealth, or any agency thereof, every State depository and every debtor or creditor of the Commonwealth," further regulating refunds

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. 1924, (Senate Bill No. 712), entitled:

An Act to amend section one and section two of the act approved the seventeenth day of May one thousand nine hundred and twenty-one (P. L. 899) entitled "An act establishing a State Highway in the County of Lebanon providing for its location construction improvement and maintenance by the Commonwealth" by amending the State Highway Route established by said act and providing that said State highway shall be located after consultation with the Executive Director of the State Game Commission instead of after consultation with the Adjutant General of the Commonwealth

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

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1927, (Senate Bill No. 796), entitled:

An Act to amend 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" as amended by changing Route 36174 Lancaster County

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. 1403, entitled:

An Act creating a commission to be known as the State Tax Commission; defining in part its powers and duties in relation to taking over the duties of the Department of Revenue and the Board of Finance and Revenue; abolishing the Department of Revenue and the Board of Finance and Revenue of the Commonwealth of Pennsylvania and transferring to the State Tax Commission the records, property and equipment of the Department of Revenue and the Board of Finance and Revenue; authorizing the State Tax Commission to appear in and complete all pending proceedings instituted by, against or in the Department of Revenue and the Board of Finance and Revenue; providing that all decisions, orders and rules and regulations of the Department of Revenue and the Board of Finance and Revenue shall remain effective until repealed, changed or modified by the State Tax Commission; transferring and appropriating to the State Tax

Commission any unexpended balance of any existing appropriation to the Department of Revenue and the Board of Finance and Revenue; defining the powers and duties of the State Tax Commission in relation to the assessment of real estate for taxation, and the ascertainment of the true market value of taxable real estate for the distribution of school subsidies, and the true value of other real estate and in relation to tax statistics and budgetary procedures.

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 Dauphin, Mr. Taylor, for presiding.

#### BILLS ON SECOND READING

Agreeably to order,

The House proceeded to the second 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 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. 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 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. 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 second time and agreed to.

Ordered, To be transcribed for a third reading.

Abreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1746, (Senate Bill No. 559), 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 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. 1919, entitled:

An Act to amend sections 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 1003 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 and certain milk products subject to the approval of the Governor and conferring certain powers upon the Governor with respect thereto providing for appeals to the courts from decisions of the commission and for the burden of proof upon such appeals prescribing penalties fines and imprisonment for violations of this act and rules regulations and orders of the commission defining perjury defining remedies repealing legislation supplied and superseded by this act and saving rights duties and proceedings thereunder and making appropriations" by 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 employees 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 employees 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 of orders and findings of fact of the commission relating to licenses in suit 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 denying 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

The first to the thirty-first sections inclusive were separately read and agreed to.

The thirty-second section was read:

On the question,

Will the House agree to the section?

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

The amendments were read by the Clerk as follows:

Amend Sec. 32, page 44, line 15, by inserting a light-faced bracket before and after the word "or"

Amend Sec. 32, page 44, line 15, by inserting after the word "corporation" at the end of the line, the following: "producers' or farmers' union or organizations"

Amend Sec. 32, page 44, line 16, by striking out with light-faced brackets the word "section" and inserting in lieu thereof "act"

The amendments were not agreed to.

The section was agreed to.

The thirty-third to the thirty-sixth sections inclusive and the title were separately read and agreed to.

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. 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 (P. L. 624) entitled "An act relating to the business of banking and to the exercise of fiduciary powers by corporations providing for the organization of corporations with fiduciary powers and of banking corporations with or without fiduciary powers including the conversion of National banks into State banks and for the licensing of private bankers defining the rights powers duties liabilities and immunities of such corporations of existent corporations authorized to engage in a banking business with or without fiduciary powers of private bankers and of the officers directors trustees shareholders attorneys and other employees of all such corporations or private bankers or of affiliated corporations associations or persons restricting the exercise of banking powers by other corporation associa-



tion 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 eligibility of directors or trustee of incorporated institutions and 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

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. 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 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 departments 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

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

The House resumed the consideration on second reading of House Bill No. 1209, (Senate Bill No. 1), entitled:

An Act providing that when inmates of an orphan's 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

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

Ordered, To be transcribed for a third reading.

REPORT OF COMMITTEE OF CONFERENCE ON  
HOUSE BILL No. 1098.

Mr. SARRAF. Mr. Speaker, I desire to call up the re-

port of the Committee of Conference on House Bill No. 1098, Printer's No. 1081.

The report was read by the Clerk as follows:

To the Members of the Senate and House of Representatives:

We the undersigned Committee of Conference on the part of the Senate and House of Representatives for the purpose of considering House Bill No. 1098 entitled:

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, (Pamphlet Laws one thousand four hundred forty-nine), 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 \* \* \* 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"

Respectfully submit the following bill as our report:

J. W. CARR

JOHN F. COX

JOHN M. WALKER

(Committee on the Part of the Senate)

JOHN R. BENTLEY

GEORGE J. SARRAF

GEORGE L. COOPER

(Committee on the part of the House of Representatives)

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

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

Section 1 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" is hereby amended to read as follows

Section 408 Support Orders The court may in any case make an order upon the parent or parents guardian or other relative legally responsible for the support of such child to contribute such sum for the support of the child as it may determine The court shall have power to enforce any such support order in like manner as courts of quarter sessions may enforce orders for support under the laws of this Commonwealth

Where a child is placed in a suitable family home or institution for child care not maintained by the county or State and the payment of board and other support is required in case provision is not made for such board and other support by voluntary contribution or court order on the parent or parents guardian or other relative legally responsible for the support of such child the court [may] shall direct that such board and the expense of clothing and necessary medical and surgical care be paid either by the city or county institution district liability to be determined on the basis of the legal settlement of the child at the time of assumption of jurisdiction of the Juvenile Court until provision is made for the placing of such child in a suitable family home without payment of board In all cases of children now being maintained in family homes or institutions for child care the judge of the Juvenile Court shall make a finding as to the legal settlement of the child at the time of assumption of jurisdiction by the Court and shall make an order effective January 1, 1942 upon the appropriate city or county institution district for the future board and other support of such child

In the case of the commitment of a child to an industrial training school or other correctional institution the court may order the county to pay for the board and clothing of and necessary medical and surgical attendance upon and the care of such child and its maintenance generally and the necessary expenses of placing and replacing the child and may fix the amount which shall be paid for the child Provided That in all cases of commitments to [houses of refuge or] industrial training schools that are not exclusively under State control or that are exclusively under State control the amount of the order for maintenance clothing instruction medical and surgical care shall be fixed according to existing legislation governing the payment of expenses of maintenance clothing instruction medical and surgical care of children committed to such institution

In all cases where the cost of board or care and maintenance of a child has been ordered paid by the city or county institution district or county [it] said city or county institution district or county shall be directly liable to the person family association society or institution having the care guidance and control of the child but the city or county institution district or county shall in all cases have full recourse to recover the amounts so paid from the person or persons or institution districts [or poor district] liable for the support of such child

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

On the question,

Will the House adopt the report of the Committee of Conference?

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

YEAS—183

Achterman,	Foor,	Malloy,	Rooney,
Allmond,	French,	Marks,	Rose, S.,
Auker,	Gallagher,	Maxwell,	Rosenfeld,
Baker,	Gates,	McClanaghan,	Rush,
Balthaser,	Gerard,	McClester,	Sarge,

Baughner,	Gillan,	McDermott,	Sarraf,
Bentley,	Gillette,	McDowell,	Scanlon,
Bentzel,	Goodwin,	McFall,	Schwab,
Boles,	Greenwood,	McGrath,	Shaffer,
Boney,	Gryskewicz,	McIntosh,	Shaw,
Bower,	Gyger,	McKinney,	Shepard,
Bradley,	Habbyshaw,	McLanahan,	Simons,
Bretherick,	Haberlen,	McLane,	Skale,
Brunner, C. H.,	Haines,	McMillen,	Sollenberger,
Brunner, P. A.,	Hamilton,	McSurdy,	Stambaugh,
Burns,	Hare,	Melchiorre,	Stank,
Burris,	Harkins,	Milhm,	Stine,
Cadwalader,	Harris,	Monks,	Stockham,
Chervenak,	Heatherington,	Mooney,	Tarr,
Cochran,	Helm,	Moran,	Tate,
Cohen, M. M.,	Hering,	Moul,	Taylor,
Cohen, R. E.,	Herman,	Muir,	Thompson, E. F.,
Cook,	Hersch,	Munley,	Trout,
Cordier,	Hewitt,	Nagel,	Turner,
Corrigan,	Hirsch,	Nunemacher,	Verona,
Croop,	Holland,	O'Brien,	Vincent,
Cullen,	Imbrle,	O'Connor,	Vogt,
Dairymple,	James,	O'Dare,	Voorhees,
Dennison,	Jefferson,	O'Mullen,	Wagner,
DiGenova,	Jones, G. E.,	O'Neill,	Watkins,
Dix,	Jones, P. N.,	Owens,	Weingartner,
Dolon,	Keenan,	Petrosky,	Weiss,
Duffy,	Kenehan,	Pettit,	Welsh, E. B.,
Early,	Kilne,	Polaski,	Welsh, M. J.,
Eckels,	Knoble,	Polen,	Wilkinson,
Elder,	Kolankiewicz,	Powers,	Williams,
Ellott,	Komorofski,	Prosen,	Winner,
Ely,	Lee, T. H.,	Rank,	Wolf,
Falkenstein,	Lelsey,	Rausch,	Wood, L. H.,
Finestone,	Leonard,	Readinger,	Woodring,
Finnerty,	Lesko,	Reagan,	Woodside,
Fisher,	Levy,	Reese, D. P.,	Wright,
Fiss,	Leydic,	Reese, R. E.,	Yeakel,
Fleming,	Lichtenwalter,	Regan,	Yester,
Fletcher,	Longo,	Reynolds,	Young,
Flynn,	Lovetti,	Rhea,	Kilroy,
	Lyons,	Riley,	Speaker.

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the report of the Committee of Conference was adopted.

Ordered, That the Clerk inform the Senate accordingly.

BILLS ON FINAL PASSAGE

Agreeably to order,

The House proceeded to the consideration on final passage of House Bill No. 1703, as follows:

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

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

Section 1 Whenever an appeal is taken from a summary conviction in counties of the first class under which a fine is imposed and such appeal is not sustained the costs of prosecution payable by the person taking such appeal shall in no instance exceed the amount of the fine imposed by reason of the summary conviction

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

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

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—181

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

Speaker.

NAYS—2

Lichtenwalter, McKinney, Weiss,

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

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

Agreeably to order,

The House proceeded to the consideration on final passage of House Bill No. 1603, (Senate Bill No. 169), as follows:

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

shall act as a registration commission therefor further regulating the appointment of employes and assistants by the registration commission and removing the present appointees providing for the consolidation of the second class city general register with the general register of cities of the third class and boroughs towns and townships of the county providing for the transfer of the registration of electors upon change of residence from third class city borough town or township in the same county changing the period during which changes of enrollment of political party may be made eliminating preparation and distribution of preliminary street lists and permitting the destruction of certain records

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

Section 1 Subsections (a) and (b) of section three section four subsections (a) and (c) of section six sections seven, eight, twenty-five, twenty-seven, twenty-eight subsection (a) of section twenty-nine subsection (d) of section thirty-two sections thirty-three, thirty-four, thirty-six and forty of the act approved the twenty-fifth day of May one thousand nine hundred and thirty-seven (P. L. 814) entitled "An act to provide for the permanent personal registration of electors in cities of the second class as a condition of their right to vote at elections and primaries and their enrollment as members of political parties as a further condition of their right to vote at primaries prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors and prescribing the powers and duties of citizens, parties, political bodies, registration commissions, commissioners, registrars, inspectors of registration and other appointees of registration commissions, county election boards, election officers, municipal officers, departments and bureaus, police officers, courts, judges, prothonotaries, sheriffs, county commissioners, peace officers, county treasurers, county controllers, registrars of vital statistics certain public utility corporations, real estate brokers, rental agents and boards of school directors and imposing penalties" are hereby amended to read as follows:

Section 3 Definitions (a) The word "Commission" shall mean any [registration commission having jurisdiction in any city of the second class] board of county commissioners in any county within which is located a city of the second class acting as a registration commission

(b) "Commissioner" shall mean a member of a board of county commissioners acting as a registration commissioner

Section 4 Registration Commission Membership.

[Bipartisan Term of Office Vacancies Removal Compensation Oath of Office Organization Chairman Secretary] Actions by Vote of Majority of Members Record of Proceedings. [Annual Report]

(a) There shall be a registration commission [n and for each] consisting of the county commissioners in each county in which there is located a city of the second class which commission shall have jurisdiction over the registration of electors of such city and county under the provisions of this act The terms of office of the existing registration commissioners shall end as soon as this act becomes effective

(b) The registration commission shall consist of three commissioners who shall be qualified electors of the City not more than two of whom shall be enrolled members of the same political party who shall be appointed by the Governor with the advice and consent of the Senate and shall hold office for terms of four years or until their successors qualify unless sooner removed or otherwise disqualified. Provided however That the terms of office of the commissioners first appointed by the Governor under this act shall commence upon the date of their appointment and shall expire on the first Monday of January one thousand nine hundred forty-five. Upon the appointment by the Governor of the registration commission for [any [such city the terms of office of the existing registration commission or commissioners of any such city of the second class shall terminate.

(c) The Governor shall fill any vacancy in any such commission within ten days after the vacancy shall occur



by appointing a qualified elector of the city to hold office during the remainder of the term of the commissioner whose place shall have become vacant.

(d) The Governor may at any time remove any commissioner for cause and may appoint a duly qualified elector of the city as his successor for the remainder of his term.

(e) Each commissioner shall receive compensation at the rate of four thousand five hundred (\$4500) dollars per annum except the chairman who shall receive five thousand (\$5000) dollars per annum.

(f) As soon after their appointment as may be the members of each commission shall take the oath of office required by the Constitution of this Commonwealth and shall organize by selecting from their number a chairman and a secretary who shall not be members of the same party.

(b) The commissioners shall receive no compensation in addition to their compensation as county commissioners

[(g)] (c) All actions of a commission shall be decided by a majority vote of all members except as may be otherwise provided herein

[(h)] (d) Each commission shall keep a record in permanent form of all its proceedings and shall make an annual written report to the Governor

Section 6 Employees Registrars Inspectors of Registration Duties Appointment Incompatible Offices.

(a) The commission shall have power to appoint such assistants and employes as from time to time it may deem necessary to carry out the provisions of this act and may at any time remove the same. The number and compensation of all such assistants and employes shall be fixed by the salary board of the county. The commission may [with the consent of the county commissioners] appoint employes of the county commissioners to act as such for the registration commission without any additional compensation as such. All appointments of assistants and employes made by the commission shall be divided between the majority commissioners and the minority commissioner so that as near as mathematically possible without increasing or decreasing the number of employes actually required the majority commissioners shall name two-thirds of all registrars two-thirds of all inspectors of registration and two-thirds of all other appointees and the minority commissioner shall name one-third of all the registrars one-third of all the inspectors of registration and one-third of all other appointees. The term of employment of each person now employed under the commission and having been originally appointed by the commission shall cease as of the effective date of this act.

(c) Registrars and inspectors of registration shall be qualified electors of the [city] county. No person who holds or is a candidate for public or party office shall be appointed to or hold any office or employment under any commission except as otherwise provided by this act. Registrars and inspectors of registration shall receive such compensation either on a per diem basis for time actually employed or on the basis of work actually done by them as shall be fixed by the salary board of the county.

Section 7 Counsel [Compensation Duties] The commission may employ special counsel at a compensation not exceeding three thousand (\$3,000) dollars per annum. The county solicitor shall be counsel for the commission and shall receive no compensation in addition to his compensation as county solicitor. Such counsel shall advise the commission from time to time regarding its powers and duties and the rights of electors and concerning the best methods of legal procedure for carrying out the various provisions of this act and shall appear for and represent the commission on all appeals taken from its decisions or orders to a court of common pleas as herein provided.

Section 8 Appropriations by County Commissioners Unexpended Balances of Appropriations Heretofore Made Additional Appropriations.

(a) The county commissioners shall appropriate annually and from time to time the funds that shall be necessary for the maintenance and operation of the commission

and the carrying out of the provisions of this act therein including the payment of the compensation of the commissioners counsel a sufficient number of registrars inspectors of registration and other assistants and employes and the fees of witnesses as herein provided and likewise for preparing in accordance with the direction of the commission securing and distributing or receiving and preserving all street lists registration cards affidavits vouchers notices accounts books stationery and other supplies which the commission shall consider necessary for the purposes of this act and for all other necessary expenses.

(b) The county commissioners shall provide the commission with suitable and adequate offices properly furnished for keeping its records holding its public sessions and otherwise performing its duties and such offices shall as soon as the county commissioners deem it practicable be joined to the offices furnished to the registration commission for boroughs towns and townships.

(c) Any unexpended balances of any appropriations heretofore made by the county commissioners for the purpose of carrying out any provision of [any existing registration act or the amendments thereto] the act to which this is an amendment shall be transferred to and made available for the commission hereby created or constituted for the expenses of carrying out the provisions of this act immediately after the effective date of this act. All moneys required in addition to any original appropriation in the current year or any other year shall be appropriated from time to time as soon as it shall appear what extra sums are needed.

Section 25 General Register. The duplicate registration cards for the entire city shall be placed in exact alphabetical order and shall be indexed and shall be kept at the office of the commission in a place and in such manner as to be properly safeguarded. [These cards shall constitute the general register of such city.] In any county where the registration cards of the second class cities are of the same type as those used in the third class cities boroughs towns and townships and in the opinion of the commission can be consolidated into one duplicate registration it shall be the duty of the commission to place the duplicate registration cards for all such cities and all boroughs towns and townships in exact alphabetical order which shall be indexed and shall be kept at the office of the commission in a place and in such manner as to be properly safeguarded. These cards shall constitute the general register of the second class cities or the general register of all such second class cities third class cities boroughs towns and townships as the case may be and shall not be removed from the office of the commission except under order of a court of record of the county.

Section 27 Removal Notices—(a) The commission shall provide removal notices which it shall cause to be made available for the convenient use of [registered] electors who are registered either in any second or third class city or in any borough town or township within the county. These notices shall be printed upon cards suitable for mailing addressed to the office of the registration commission and shall contain spaces wherein the elector shall write—(1) the street and number of his present residence and the specific location thereof including the number of the room or rooms apartment flat or floor if his residence is a portion only of a house (2) the street and number of the address or the borough town or township and the election district therein from which he was last registered (3) the date of his removal to his present residence and (4) space wherein the elector shall sign his name. The removal notice shall contain a statement that the elector may by filling out properly and signing a removal notice and returning it to the office of the commission secure the transfer of his registration to the election district in which he resides effective as to elections and primaries occurring at least two months after the date of his removal into the new district. Each removal notice shall contain a warning to the elector that the notice will not be accepted as an application for transfer of the elector's registration unless the signature thereon can be identified by the commission as the elector's signature in the general and district register for such city or for the borough town or township of his previous residence. Each removal notice

to be effective must be received at the office of the commission at least thirty days prior to any primary or election which warning shall also be contained on the removal notice.

(b) Any elector who removes his residence from one place to another within the election district must notify the commission by filing a removal notice with the commission not later than [ten] thirty days next preceding the primary or election.

Section 28 Transfer of Registration—(a) [Upon receipt not later than the thirtieth day next preceding any primary or election of a signed removal notice properly filled out or a signed request containinf the required information and setting forth a removal of residence to another location in the same city the commission shall cause the signature thereon to be compared with the signature on the registration card of the elector from whom the removal notice purports to come and if the signature shall appear authentic shall enter the change of residence in the general and district registers and if the removal shall have been from one election district to another in the same city shall transfer the registration card of the elector from the district register of the election district of his previous residence to the district register of the election district of his new residence

(b) When a request for transfer believed authentic by the commission is received at the office of the commission and shows thereon a removal within the period of two months next preceding an election or primary and the removal shall have been from one election district to another the commission shall transfer the registration card of the elector from the district register of the election district of his previous residence but shall not include it in the register of the district of his new residence until after the election or primary In any case the commission shall advise the elector promptly in writing of its action Upon receipt not later than the thirtieth day next preceding any primary or election of a signed removal notice properly filled out or a signed request containing the required information and setting forth a removal of residence to another location in the same city or to a location in the city from an election district in a city of the third class borough town or township within the county the commission if it has previously determined by resolution that the personal registration system for the city and the system for the third class cities boroughs towns and townships are so set up that registration cards of one system may be used for the other system shall cause the signature thereon to be compared with the signature on the registration card of the elector from whom the removal notice purports to come as filed in the general and district registers of the election district of his previous residence and if the signature shall appear authentic shall enter the change of residence on his registration cards and if the removal shall have been made two months or more next preceding an election or primary shall transfer the registration card of the elector from the general register of the county or of a city of the third class to the general register of the said city and the registration card from the district register of the election district of his previous residence to the district register of the election district of his new residence in the city If such request for transfer shows a removal within the period of two months next preceding an election or primary the commission shall transfer the registration card of the elector from the district register of his previous residence but shall not include it in the district registers of his new residence in the city until after the election or primary In any such case the commission shall advise the elector promptly in writing of its action

[(c)] (b) If the commission shall doubt that the request for transfer is authentic it shall without transferring the registration of the elector promptly notify the elector that it will be necessary for him to apply in person at the office of the commission for the transfer of his registration.

[(d)] (c) No elector who is unable to write his name shall be permitted to apply for transfer of registration by use of a written removal notice but each such elector must apply in person at the office of the commission or before a registrar at any registration place designated by the com-

mission and establish his identity and state under oath or affirmation to which he shall affix his mark in the presence of a registrar a commissioner or clerk who shall affix his own signature thereto as a witness the information required of registered electors in a removal notice.

Section 29 Change of Enrollment of Political Party Cancellation of Party Enrollment Persons Suffering Disability. After Registration to Have Fact Recorded Cancellation—(a) At any time prior to the [fifteenth] thirtieth day next preceding a primary or an election excepting the thirty days next following each election and the five days next following each primary any person who desires to change the enrollment of his political designation or who although registered has not hitherto enrolled as a member of a party may appear before a registrar commissioner or clerk and state in writing over his signature the political party in which he desires to be enrolled and the registrar commissioner or clerk shall cause the enrollment of the elector's political designation to be made or altered accordingly in the general and district registers. In such cases the signature of the elector shall be verified by comparison with his signature on the general and district registers before the change of enrollment is made. If any elector desiring to change his party enrollment is unable to sign his application he shall make his mark thereto in the presence of the registrar commissioner or clerk and shall produce such other evidence as may be necessary to establish his identity. When an elector has applied for a change in the enrollment of his political designation as provided herein the registrar commissioner or clerk shall upon request stamp or mark the change so made on the elector's card attesting his registration.

#### Section 32 Canvass of Registered Voters—

\* \* \*

(d) Such special inspectors shall have and may exercise the power conferred by this act upon inspectors of registration. They shall be qualified electors of the [city] county and shall be appointed without reference to residence in election districts or to their political affiliations or beliefs.

#### Section 33 Comparison and Correction of Registers— [Preliminary Street Lists—

[(a)] Commencing thirty days prior to each election or primary the commission shall compare and correct the general and district registers

[(b)] Three months after each municipal election and seven months after each general election the commission shall prepare for each election district a preliminary street list of the names and addresses of all registered electors as of that date resident in the district arranged by streets and house numbers

(c) The commission shall cause to be made a sufficient number of exact copies of each such list and as soon as possible and not later than the first day of March in each even-numbered year and the first day of July in each odd-numbered year shall distribute the same among the inspectors and special inspectors of registration and the officials concerned with the conduct of primaries and elections and among the parties political bodies candidates and organized bodies of citizens interested therein giving at least ten copies of each street list to the city committee of each political party or political body upon the written application of the chairman thereof and at least ten copies of each street list to the executive or governing board or committee of each organized body [of citizens having as its purpose or among its purposes the investigation and prosecution of election frauds upon the written application of the presiding officer of such body of citizens and at least one copy of each street list with which his candidacy is concerned to each candidate upon his written request and keeping two complete sets of such street lists on file at the office of the commission convenient for public inspection during all the hours when the other records of the commission are open to public inspection as herein provided]

Section 34 [Corrected] Street Lists Posting (a) Commencing not later than the thirtieth day prior to each primary and election the commission shall prepare for each election district a [corrected] street list of the names and addresses of all registered electors as of that date



resident in the district arranged by streets and house numbers [The commission shall cause to be made a sufficient number of exact copies of each such list which may be made by correcting and supplementing exact copies of the preliminary street lists Said lists shall be distributed in the same manner as required for the distribution of preliminary street lists in section 33 (c) herein Two complete set of such lists shall be kept on file at the office of the commission convenient for public inspection during all the hours when the other records of the commission are open to public inspection as herein provided]

(b) The commission shall cause to be made sufficient number of exact copies of each such list and as soon as possible shall distribute the same among the inspectors and special inspectors of registration and the officials concerned with the conduct of primaries and elections and among the parties political bodies candidates and organized bodies of citizens interested therein giving at least ten copies of each street list to the county committee of each political party or political body upon the written application of the chairman thereof and at least ten copies of each street list to the executive or governing board or committee of each organized body of citizens having as its purpose or among its purposes the investigation and prosecution of election frauds upon the written application of the presiding officer of such body of citizens and at least one copy of each street list with which his candidacy is concerned to each candidate upon his written request and keeping two complete sets of such street lists on file at the office of the commission convenient for public inspection during all the hours when the other records of the commission are open to public inspection as herein provided.

Section 36 Delivery of District Registers to [County Election Boards] Election Officers (a) Not later than noon of the third day preceding an election or primary the commission shall [deliver to the county election board of the proper county the district register accurately corrected to date for each election district in order that the same may be delivered] have the district register accurately corrected to date for each election district and shall deliver the same to the election officers with other election materials for use on election day in the manner in which the county election boards now are or hereafter may be required to deliver [the same] election material Provided That the registration commission shall not deliver to the county election board the registration card for use at the polls on election day of any person who has removed from one election district to another within two months of any general municipal primary or special election The registration commission shall withdraw from the district registers the cards of all such persons before the registers are so delivered [to the election board]

(b) District registers when so delivered [to the county election board] shall be contained in suitable binders so constructed and locked that the name address voting record and other data on each card may be visible and that entries may be made on each card but that the cards can not be removed by the election officer. Said binders shall have printed or written thereon the words "District Register of Voters" and the number of the district and ward. Said binders shall be enclosed within a case or container and shall be locked and sealed by the commission before delivery [to the county election board]

Section 40 Cancellation Removal and Preservation of Registration Cards and Records (a) Whenever the registration of an elector is cancelled for any cause the commission shall mark on the registration cards of the elector the word "Cancelled" and the date and cause of cancellation and shall remove them from the general and district registers but each such card shall be kept for five years after which the commission may destroy it

(b) All records which are not essential for maintaining the current status of any qualified elector may be destroyed by the commission after three years

Section 2 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—183

Achterman,	Foor,	Malloy,	Rooney,
Allmond,	French,	Marks,	Rose, S.,
Auker,	Gallagher,	Maxwell,	Rosenfeld,
Baker,	Gates,	McClanaghan,	Rush,
Balthaser,	Gerard,	McClester,	Sarge,
Baughner,	Gillan,	McDermott,	Sarra,
Bentley,	Gillette,	McDowell,	Scanlon,
Bentzel,	Goodwin,	McFall,	Schwab,
Boles,	Greenwood,	McGrath,	Shaffer,
Boney,	Gryskewicz,	McIntosh,	Shaw,
Bower,	Gyger,	McKinney,	Shepard,
Bradley,	Habbyslaw,	McLanshan,	Simons,
Bretherick,	Haberlen,	McLane,	Skale,
Brunner, C. H.,	Haines,	McMillen,	Sollenberger,
Brunner, P. A.,	Hamilton,	McSurdy,	Stambaugh,
Burns,	Hare,	Melchiorre,	Stank,
Burris,	Harkins,	Mihm,	Stine,
Cadwalader,	Harris,	Monks,	Stockham,
Chervenak,	Heatherington,	Mooney,	Tarr,
Cochran,	Helm,	Moran,	Tate,
Cohen, M. M.,	Hering,	Moul,	Taylor,
Cohen, R. E.,	Herman,	Muir,	Thompson, E. F.,
Cook,	Hersch,	Munley,	Trout,
Corrigan,	Hewitt,	Nagel,	Turner,
Candler,	Hirsch,	Nunemacher,	Verona,
Croop,	Holland,	O'Brien,	Vincent,
Cullen,	Imbrie,	O'Connor,	Vogt,
Dairymple,	James,	O'Dare,	Voorhees,
Dennison,	Jefferson,	O'Mullen,	Wagner,
DiGenova,	Jones, G. E.,	O'Neill,	Watkins,
Dix,	Jones, P. N.,	Owens,	Weingartner,
Dolon,	Keenan,	Petrosky,	Weiss,
Duffy,	Kenehan,	Pettitt,	Weish, E. B.,
Early,	Kilne,	Polaski,	Weish, M. J.,
Eckels,	Knoble,	Polen,	Wilkinson,
Elder,	Kolankiewicz,	Powers,	Williams,
Elliot,	Komorowski,	Prosen,	Winner,
Elv,	Lee, T. H.,	Rank,	Wolf,
F-ikenstein,	Leisey,	Rausch,	Wood, L. H.,
Finestone,	Leonard,	Readinger,	Woodring,
Finnerty,	Lesko,	Reagan,	Woodside,
Fisher,	Levy,	Reese, D. P.,	Wright,
Fiss,	Leydic,	Reese, R. E.,	Yeakel,
Fleming,	Lichtenwalter,	Regan,	Yester,
Fletcher,	Longo,	Reynolds,	Young,
Flynn,	Lovett,	Rhea,	Kilroy,
	Lyons,	Riley,	Speaker.

## NAYS—0

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

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

## BILLS ON THIRD READING

## BILLS PASSED OVER

There being no objection House Bill No. 1653, Senate Bill No. 587, Printer's No. 242, and House Bill No. 1474,

Senate Bill No. 365, Printer's No. 197, were passed over at the request of the Speaker.

## BILLS ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1536, (Senate Bill No. 212), entitled:

An Act with reference to trust receipts and pledges of personal property unaccompanied by possession in the pledgee and to make uniform the law with reference thereto

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



On the question,  
Shall the bill pass finally?

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

YEAS—183

- |                 |                |               |                  |
|-----------------|----------------|---------------|------------------|
| Achterman,      | French,        | Marks,        | Rose, S.         |
| Allmond,        | Gallagher,     | Maxwell,      | Rosenfeld,       |
| Auker,          | Gates,         | McClanaghan,  | Rush,            |
| Baker,          | Gerard,        | McClester,    | Sarge,           |
| Balthaser,      | Gillan,        | McDermott,    | Sarraf,          |
| Baughner,       | Gillette,      | McDowell,     | Scanlon,         |
| Bentley,        | Goodwin,       | McFall,       | Schwab,          |
| Bentzel,        | Greenwood,     | McGrath,      | Shaffer,         |
| Boles,          | Gryskewicz,    | McIntosh,     | Shaw,            |
| Boney,          | Gyger,         | McKinney,     | Shepard,         |
| Dower,          | Habbyshaw,     | McLanahan,    | Simons,          |
| Bradley,        | Haberlen,      | McLane,       | Skale,           |
| Bretherick,     | Haines,        | McMillen,     | Sollenberger,    |
| Brunner, C. H., | Hamilton,      | McMurphy,     | Stambaugh,       |
| Brunner, P. A., | Hare,          | Melchiorre,   | Stank,           |
| Burns,          | Harkins,       | Mihm,         | Stine,           |
| Burris,         | Harris,        | Monks,        | Stockham,        |
| Cadwalader,     | Heatherington, | Mooney,       | Tarr,            |
| Chervenak,      | Helm,          | Moran,        | Tate,            |
| Cochran,        | Hering,        | Moul,         | Taylor,          |
| Cohen, M. M.,   | Herman,        | Muir,         | Thompson, E. F., |
| Cohen, R. E.,   | Hersch,        | Munley,       | Trout,           |
| Cook,           | Hewitt,        | Nagel,        | Turner,          |
| Cordier,        | Hirsch,        | Nunemacher,   | Verona,          |
| Corrigan,       | Holland,       | O'Brien,      | Vincent,         |
| Croop,          | Imbrie,        | O'Connor,     | Vogt,            |
| Cullen,         | J mes,         | O'Dare,       | Voorhees,        |
| Dalrymple,      | Jefferson,     | O'Mullen,     | Wagner,          |
| Dennison,       | Jones, G. E.,  | O'Neill,      | Watkins,         |
| DiGenova,       | Jones, P. N.,  | Owens,        | Weingartner,     |
| Dix,            | Keenan,        | Petrosky,     | Welsh,           |
| Dolon,          | Kenehan,       | Pettit,       | Welsh, E. E.,    |
| Duffy,          | Kline,         | Polaski,      | Welsh, M. J.,    |
| Early,          | Knoble,        | Polen,        | Wilkinson,       |
| Eckels,         | Kolankiewicz,  | Powers,       | Williams,        |
| Elder,          | Komorowski,    | Prosen,       | Winnor,          |
| Elliot,         | Lee, T. H.,    | Rank,         | Wolf,            |
| Ely,            | Lelsey,        | Rausch,       | Wood, L. H.,     |
| Falkenstein,    | Leonard,       | Readinger,    | Woodr g.,        |
| Finestone,      | Lesko,         | Reagan,       | Woodside,        |
| Finnerty,       | Levy,          | Reese, D. P., | Wright,          |
| Fisher,         | Leydic,        | Reese, R. E., | Yeakel,          |
| Fiss,           | Lichtenwaller, | Regan,        | Yester,          |
| Fleming,        | Longo,         | Reynolds,     | Young,           |
| Fletcher,       | Lovett,        | Rhea,         | Riley            |
| Flynn,          | Lyons,         | Riley,        | Rooney,          |
| Foor,           | Malloy,        |               |                  |

NAYS—0

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

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

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 566, entitled:

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

On the question,

Will the House agree to the bill on third reading?

BILL RECOMMENDED

Mr. SARRAF. Mr. Speaker, I move that this bill be recommitted to the Committee on Ways and Means for the purpose of further study.

The motion was agreed to.

BILL PASSED OVER

There being no objection House Bill No. 259, Printer's No. 964, was passed over at the request of the SPEAKER.

BILL ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1573, (Senate Bill No. 30), as follows:

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

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

Section 1 The Department of Highways shall as soon as possible after the effective date of this act make surveys estimates of costs and plans for the construction of a mountain ridge road or parkway over the Pocono Mountains through or bordering or accessible to the counties of Monroe Northampton Carbon Luzerne Lackawanna Wayne and Pike from a point at or near Delaware Water Gap in Monroe County to a point at or near Bushkill in Pike County a distance of about sixty miles to be known as the "Rim Parkway"

Section 2 It shall be the plan of the parkway to avoid congested areas if possible The highway shall have as light grades as possible and shall be designed primarily for tourist traffic and passenger vehicles No intersecting highways carrying more than three hundred vehicles per day shall enter at grade level nor shall any public driveways of any sort be permitted to enter thereon at intervals more frequent than five miles apart at such points as the Secretary of Highways shall designate No advertisements of any sort shall be permitted to be erected along said highway or within five hundred feet thereof under any circumstances and no notices signals or directions other than those erected by the Department of Highways Bridle trails and pedestrian foot paths may be constructed and maintained as their prospective use may seem to warrant Landscaping and plantings shall be so planned that the Commonwealth's native plant life be utilized and in such a manner that trees high shrubbery or plantings will not obstruct the view of the valley side of the parkway The parkway shall be constructed

wherever possible over and through lands now owned by the Commonwealth as State forest game or fish lands.

The commission hereinafter created may from time to time as it sees fit prohibit the use of the parkway by any commercial vehicle and it shall so prohibit the use thereof during the months of June July August and September by any commercial vehicles except for forest fire protection local deliveries maintenance or emergency work involving service lines or military purposes.

Section 3 The Pennsylvania Parkway Commission hereinafter created is hereby authorized and empowered to construct operate and maintain the said parkway in accordance with the survey made by the Department of Highways together with connecting tunnels and bridges and to issue parkway revenue bonds of the Commonwealth payable solely from tolls to pay the cost of such construction.

Parkway revenue bonds issued under the provisions of this act shall not be deemed to be a debt of the Commonwealth or a pledge of the faith and credit of the Commonwealth but such bonds shall be payable exclusively from the fund herein provided therefor from tolls. All such bonds shall contain a statement on their face that the Commonwealth is not obligated to pay the same or the interest thereon except from tolls and that the faith and credit of the Commonwealth is not pledged to the payment of the principal or interest of such bonds. The issuance of parkway revenue bonds under the provisions of this act shall not directly or indirectly or contingently obligate the Commonwealth to levy or to pledge any form of taxation whatever therefor or to make any appropriation for their payment.

Section 4 The following words and terms shall have the following meanings

(a) The word "commission" shall mean the Pennsylvania Parkway Commission hereinafter created or if said commission shall be abolished any board commission or officer succeeding to the principal functions thereof or upon whom the powers given by this act to said commission shall be given by law.

(b) The word "owner" shall include all individuals copartnerships associations or corporations having any title or interest in any property rights easements or franchises authorized to be acquired by this act.

(c) The word "parkway" shall mean the Rim Parkway to be constructed as herein provided either bordering on or accessible to the Counties of Monroe, Northumberland Carbon Luzerne Lackawanna Wayne and Pike and shall be deemed to include not only the road and all tunnels and bridges and connecting roads not exceeding one thousand feet in length connected herewith but also all property rights easements franchises relating thereto and deemed necessary or convenient for the construction or operation thereof.

(d) The term "cost of the parkway" shall embrace the cost of constructing the parkway and all connecting tunnels and bridges and connecting roads not more than one thousand feet in length the cost of all lands property rights easements and franchises required which are deemed necessary for such construction the cost of all machinery and equipment financing charges and interest the cost of traffic estimates and of engineering and legal expenses plans specifications surveys estimates of cost and of revenues other than expenses necessary or incident to determining the feasibility or practicability of the enterprise administrative expense and such other expenses as may be necessary or incident to the financing herein authorized the condemnation of property necessary for such construction and bridges the placing of the same in operation and the condemnation of property necessary for such construction and operation. Any obligation or expense heretofore or hereafter incurred by the Department of Highways of the Commonwealth for surveys traffic surveys preparation of plans and specifications supervision of construction and other engineering services performed by the department and its agents and employes in connection with the construction of the parkway or any of the connecting tunnels and bridges shall be regarded as a part of the cost of the parkway and shall be reimbursed

to the Department of Highways out of the proceeds of the tolls collected and hereinafter authorized.

Section 5 There is hereby created a commission to be known as the "Pennsylvania Parkway Commission" and by that name the commission may sue and be sued plead and be impleaded contract and be contracted with and have an official seal. The commission is hereby constituted an instrumentality of the Commonwealth and the exercise by the commission of the powers conferred by this act in the construction operation and maintenance of the parkway shall be deemed and held to be an essential governmental function of the Commonwealth. The commission shall consist of three members and the Secretary of Highways shall be a member ex officio. The two remaining members shall be appointed by the Governor by and with the advice and consent of two-thirds of the members of the Senate and shall be residents of the Commonwealth of Pennsylvania at the time of their appointment and qualification and shall also at such time have been qualified electors therein for a period of at least one year next preceding their appointment. The appointed members of the commission shall continue in office for terms of eight and ten years respectively from the dates of their appointment and until their respective successors shall be duly appointed and qualified the term of each appointed member to be designated by the Governor at the time of his appointment but their successors shall each be appointed for a term of ten years except that any person appointed to fill a vacancy shall serve only for the unexpired term and any member of the commission shall be eligible for reappointment. Immediately after such appointments the members of the commission shall enter upon their duties. Each appointed member of the commission before entering upon his duties shall take the oath prescribed by Article VIII of the Constitution of the Commonwealth. The commission shall elect one of the appointed members as chairman of the commission and shall also elect a secretary and treasurer who may not be a member of the commission. Two members of the commission shall constitute a quorum who for all purposes must act unanimously. No vacancy in the commission shall impair the right of a quorum of the commissioners to exercise all the rights and perform all the duties of the commission. Before the issuance of any parkway revenue bonds under the provisions of this act each appointed member of the commission shall execute a bond in the penalty of twenty-five thousand dollars (\$25,000) and the secretary and treasurer shall execute a bond in the penalty of fifty thousand dollars (\$50,000) each such bond to be approved by the Governor and to be conditioned upon the faithful performance of the duties of his office which bonds shall be filed in the office of the Secretary of the Commonwealth. The commission shall make necessary rules and regulations for its own government and shall have power and authority to acquire own use hire lease operate and dispose of personal property real property and interests in real property and to make and enter into all contracts and agreements necessary or incidental to the performance of its duties and the execution of its powers under this act and to employ engineering traffic architectural and construction experts and inspectors and attorneys and such other employes as may be necessary in its judgment and fix their compensation. Provided however That all contracts and agreements relating to the construction of the parkway and connecting tunnels and bridges shall be approved by the Department of Highways and the parkway and connecting tunnels and bridges shall be constructed under the supervision of the Department of Highways. Each appointed member of the commission shall receive an annual salary of five thousand dollars (\$5,000) payable in monthly installments and each member of the commission shall be reimbursed for necessary expenses incurred in the performance of his duties. All such compensation and salaries and all expenses incurred in carrying out the provisions of this act shall be paid solely from funds provided under the authority of this act and no liability or obligation shall be incurred hereunder beyond the extent to which money shall have been provided under the authority of this act. All public or private property damaged



or destroyed in carrying out the powers granted by this act shall be restored or repaired and placed in their original condition as nearly as practicable or adequate compensation made therefor out of funds provided under the authority of this act

Section 6 The commission with the approval of the Department of Highways is hereby authorized and empowered to acquire by purchase whenever it shall deem such purchase expedient such tunnels whether wholly or partly constructed rights of ways franchises easements and other interests in lands as it may deem necessary for the construction and operation of the parkway upon such terms and at such price as may be considered by it to be reasonable and can be agreed upon between the commission and the owner thereof and to take title thereto in the name of the commission

Section 7 Whenever a reasonable price cannot be agreed upon or whenever the owner is legally incapacitated or is absent or is unable to convey valid title or is unknown the commission is hereby authorized and empowered to acquire by condemnation any such tunnel or tunnels whether wholly or partly constructed or interest or interests therein and any lands rights easements franchises and other property deemed necessary or convenient for the construction or the efficient operation of the parkway in the manner hereinafter provided In such event application shall be made by the commission acting through the Department of Justice or by any owner or owners to the court of common pleas of the county in which the property is located or in the case of property on the boundary line between two or more counties then in any such counties for the appointment of viewers Whereupon said court or any law judge thereof shall appoint three disinterested freeholders to view such property and estimate the value thereof None of the freeholders shall be a resident of the county wherein such application shall be made The court shall fix a time not less than twenty nor more than thirty days thereafter when the viewers shall meet upon the property and view the same The viewers shall cause at least ten days' personal notice of the time and place of such meeting to be given to the Attorney General and to the owner or owners if resident within said county If the owner is a corporation such notice shall be given to the president secretary or treasurer thereof if such officer resides within said county If neither owner nor any of such officers reside within the county or cannot be found therein or is unknown notice of such first meeting shall be given as the court may direct The viewers having been duly sworn or affirmed faithfully and impartially to perform the duties required of them under the provisions of this act shall at the time fixed for the first meeting proceed to ascertain as accurately as may be the value of such tunnel land rights easements or franchises and to that end may require the attendance of any person whose testimony may be pertinent thereto and production of any such books or paper as the viewers may deem necessary If any person shall refuse to appear and testify before such viewers or refuse to produce such books and papers when they are required then the court or any judge thereof shall on application of the viewers or a quorum thereof make such order therein as may be necessary Whenever the viewers shall have ascertained the value of the tunnel lands rights easements or franchises they shall prepare a full report of their labors Upon the completion of the report the viewers shall fix a time when they shall meet and exhibit same Ten days' written notice of the time and place of such meeting together with a copy of said report shall be given to the chairman of the commission to the Attorney General and to the owner or owners of the property condemned At the time and place mentioned in such notice the viewers shall meet and publicly exhibit the report and hear all exceptions thereto After making any changes in such report as they may deem necessary the same shall be filed in the court Within thirty days after the filing of the report in the court the commission acting through the Department of Justice or any person interested may file

exceptions thereto Whereupon the court may confirm the report absolutely or modify it or refer it back to the same or to any viewers with like powers and duties of the former viewers Within thirty days after final action on the report by the court the commission acting through the Department of Justice or any person interest may demand a trial by jury From the action of the court on exceptions or from any judgment after a jury trial an appeal may be taken by any party to the Supreme or Superior Court Each of the viewers shall receive a sum not exceeding ten dollars for each day actually and necessarily employed in the performance of the duties herein prescribed and all necessary expenses actually incurred in the performance of his duties Title to any property condemned by the commission shall be taken in the name of the commission The commission shall be under no obligation to accept and pay for any property condemned or any costs incidental to any condemnation proceedings and shall in no event pay for the same except from the funds provided by this act and in any condemnation proceedings the court having jurisdiction of the suit action or proceeding may make such orders as may be just to the commission and to the owners of the property to be condemned and may require an undertaking or other security to secure such owners against any loss or damage by reason of the failure of the commission to accept and pay for the property but such undertaking or security shall impose no liability upon the Commonwealth except such as may be paid from the funds provided under the authority of this act

In addition to the foregoing powers the commission and its authorized agents and employes may enter upon any lands waters and premises in the State for the purpose of making surveys soundings drillings and examinations as it may deem necessary or convenient for the purpose of this act and such entry shall not be deemed a trespass Provided however that the commission shall make reimbursement for any actual damages resulting to such lands waters and premises as the result of such activities

All counties cities boroughs townships and other political subdivisions and municipalities and all public agencies and commissions of the Commonwealth of Pennsylvania notwithstanding any contrary provision of law are hereby authorized and empowered to lease lend grant or convey to the commission upon its request upon such terms and conditions as the proper authorities of such counties cities boroughs townships political subdivisions or other municipalities may deem reasonable and fair and without the necessity for any advertisement order of court or other action or formality other than the regular and formal action of the authorities concerned any real property which may be necessary or convenient to the effectuation of the authorized purposes of the commission including real property already devoted to public use

Section 8 Whenever the commission decides to acquire any such tunnel or tunnels lands right easements and franchises or interests therein by condemnation as hereinafter provided and has tendered a bond or other security in sufficient sum to secure the owner or owners for damages and the same has been accepted or if the acceptance of said bond has been refused and the same has been filed in and approved by the court in which such condemnation proceeding is instituted the commission shall have the right to immediate possession of the property which is the subject matter of the condemnation proceedings and may enter thereon in the name of the commission If the owner lessee or occupier of any of said premises shall refuse to remove his personal property therefrom or give up possession thereof the commission may proceed to obtain possession in the manner now provided by law for the obtaining possession by the Secretary of Highways of occupied structures

Section 9 The commission is hereby authorized to provide by resolution at one time or from time to time for the issuance of parkway revenue bonds of the Commonwealth for the purpose of paying the cost as hereinabove defined of the parkway which resolution shall recite an



estimate of such cost The principal and interest of such bonds shall be payable solely from the special fund herein provided for such payment The bonds shall be dated shall bear interest at such rate or rates not exceeding six per centum per annum payable semi-annually shall mature at such time or times not exceeding forty years from their date or dates as may be determined by the commission and may be made redeemable before maturity at the option of the commission at such price or prices and under such terms and conditions as may be fixed by the commission prior to the issuance of the bonds Provided however That the amount of premium on any bonds shall not cause the yield to be more than six per centum per annum from the date of such bonds to the date of their redemption The bonds may be issued in series with varying provisions as to rates of interest maturity and other provisions not inconsistent with this act but all bonds of whatever series shall share ratably in the tolls hereinafter pledged as security therefor The principal and interest of such bonds may be made payable in any lawful medium The commission shall determine the form of the bonds including any interest coupons to be attached thereto and shall fix the denomination or denominations of the bonds and the place or places of payment of principal and interest thereof which may be at any bank or trust company within or without the Commonwealth The bonds shall be signed by the Governor and by the chairman of the commission and the official seal of the commission shall be affixed thereto and attested by the secretary and treasurer of the commission and any coupons attached thereto shall bear the facsimile signature of the chairman of the commission In case any officer whose signature shall appear on any bonds or coupons shall cease to be such officer before the delivery of such bonds such signature shall nevertheless be valid and sufficient for all purposes the same as if he had remained in office until such delivery All parkway revenue bonds issued under the provisions of this act shall have and are hereby declared to have all the qualities and incidents of negotiable instruments under the negotiable instruments law of the Commonwealth The bonds may be issued in coupon or in registered form or both as the commission may determine and provision may be made for the registration of any coupon bond as to principal alone and also as to both principal and interest and registered and coupon bonds shall be interchangeable The commission may sell such bonds in such manner and for such price as it may determine to be for the best interests of the Commonwealth but no such sale shall be made at a price so low as to require the payment of interest on the money received therefor at more than six per centum per annum computed with relation to the absolute maturity of the bonds in accordance with standard tables of bond values The proceeds of such bonds shall be used solely for the payment of the cost of the parkway and shall be disbursed upon requisition of the chairman of the commission under such restrictions if any as the resolution authorizing the issuance of the bonds or the trust indenture hereinafter mentioned may provide If the proceeds of such bonds by error of calculation or otherwise shall be less than the cost of the parkway additional bonds may in like manner be issued to provide the amount of such deficit and unless otherwise provided in the resolution authorizing the issuance of the bonds or in the trust indenture shall be deemed to be of the same issue and shall be entitled to payment from the same fund without preference or priority of the bonds first issued If the proceeds of the bonds shall exceed the cost of the parkway the surplus shall be paid into the fund hereinafter provided for the payment of principal and interest of such bonds Prior to the preparation of definitive bonds the commission may under like restrictions issue temporary bonds with or without coupons exchangeable for definitive bonds upon the issuance of the latter The commission may also provide for the replacement of any bond which shall become mutilated or be destroyed or lost Such parkway revenue bonds may be issued without any other proceedings or the hap-

pening of any other conditions or things than those proceedings conditions and things which are specified and required by this act

Such bonds are hereby made securities in which all State and municipal officers and administrative departments boards and commissions of the Commonwealth all banks bankers savings banks trust companies saving and loan associations investment companies and other persons carrying on a banking business all insurance companies insurance associations and other persons carrying on an insurance business and all administrators executors guardians trustees and other fiduciaries and all other persons whatsoever who now or may hereafter be authorized to invest in bonds or other obligations of the Commonwealth may properly and legally invest any funds including capital belonging to them or within their control and said bonds or other securities or obligations are hereby made securities which may properly and legally be deposited with and received by any State or municipal officers or agency of the Commonwealth for any purpose for which the deposits of bonds or other obligations of the Commonwealth is now or may hereafter be authorized by law

Section 10 All moneys received from any bonds issued pursuant to this act shall be applied solely to the payment of the cost of the parkway or to the appurtenant fund and there shall be and hereby is created and granted a lien upon such moneys until so applied in favor of holders of such bonds or the trustee hereinafter provided for in respect of such bonds

Section 11 In the discretion of the commission such bonds may be secured by a trust indenture by and between the commission and a corporate trustee which may be any trust company or bank having the powers of a trust company within or outside of the Commonwealth Such trust indenture may pledge or assign tolls and revenue to be received but shall not convey or mortgage the parkway or any part thereof Either the resolution providing for the issuance of such bonds or such trust indenture may contain such provisions for protecting and enforcing the rights and remedies of the bondholders as may be reasonable and proper and not in violation of law including covenants setting forth the duties of the commission in relation to the acquisition of properties and the construction maintenance operation and repair and insurance of the parkway and the custody safe-guarding and application of all moneys It shall be lawful for any bank or trust company incorporated under the laws of this Commonwealth to act as depository of the proceeds of the bonds or revenues and to furnish such indemnity bonds or to pledge such securities as may be required by the commission Such indenture may set forth the rights and remedies of the bondholders and of the trustee and may restrict the individual right of action of bondholders as is customary in trust indentures securing bonds and debentures of corporations In addition to the foregoing such trust indenture may contain such other provisions as the commission may deem reasonable and proper for the security of bondholders All expenses incurred in carry out such trust indenture may be treated as part of the cost of maintenance operation and repair of the parkway

Section 12 The accomplishment by the commission of the authorized purposes stated in this act being for the benefit of the people of the Commonwealth and for the improvement of their commerce and prosperity in which accomplishment the commission will be performing essential governmental functions the commission shall not be required to pay any taxes or assessments on any property acquired or used by it for the purposes provided in this act and the bonds or other securities and obligations issued by the commission their transfer and the income therefrom including any profits made on the sale thereof shall at all times be free from taxation within the Commonwealth

Section 13 The parkway when completed and opened to traffic shall be maintained and repaired by and under the control of the commission through the Department of

Highways of the Commonwealth and all charges and costs for such maintenance and repairs actually expended by said Department of Highways shall be paid to it by the commission upon certification thereof out of tolls. Such parkway shall also be policed and operated by such force of police toll-takers and other operating employes as the commission may in its discretion employ.

The commission is hereby authorized to (a) fix and to revise from time to time tolls for the use of the parkway and the different parts or sections thereof and to charge and collect the same except that no toll shall be collected from officers of the Departments of Forests and Waters Game and Fish or Highways operating vehicles thereon when on official business of the Commonwealth and (b) contract with any person partnership association or corporation desiring the use of any part thereof including the right of way adjoining the paved portion for placing thereon telephone telegraph electric light or power lines gas stations garages stores hotels restaurants and advertising signs or for any other purpose except for tracks for railroad or railway use and to fix the terms conditions rents and rates of charges for such use. Such tolls shall be so fixed and adjusted as to provide a fund at least sufficient with other revenues of the parkway if any to pay (a) the cost of maintaining repairing and operating the parkway and (b) the bonds and the interest thereon and all sinking fund requirements and other requirements provided by the resolution authorizing the issuance of the bonds or by the trust indenture as the same shall become due. Such tolls shall not be subject to supervision or regulation by any other State commission board bureau or agency. The tolls and all other revenues derived from the parkway except such part thereof as may be required to pay the cost of maintenance repairing and operating the parkway and to provide such reserves therefor as may be provided for in the resolution authorizing the issuance of the bonds or in the trust indenture shall be set aside at such regular intervals as may be provided in such resolution or such trust indenture in a sinking fund which is hereby pledged to and charged with the payment of (1) the interest upon such bonds as such interest shall fall due (2) the principal of the bonds as the same shall fall due (3) the necessary fiscal agency charges for paying principal and interest and (4) any premium upon bonds retired by call or purchase as herein provided. The use and disposition of such sinking fund shall be subject to such regulations as may be provided in the resolution authorizing the issuance of bonds or in the trust indenture but except as may otherwise be provided in such resolution or trust indenture such sinking fund shall be a fund for the benefit of all bonds issued hereunder without distinction or priority of one over another. Subject to the provisions of the resolutions authorizing the issuance of bonds or of the trust indenture any moneys in such sinking fund in excess of an amount equal to one year's interest on all bonds then outstanding may be applied to the purchase or redemption of bonds. All bonds so purchased or redeemed shall forthwith be cancelled and shall not again be issued.

Section 14 The commission is hereby authorized to provide by resolution for the issuance of parkway revenue refunding bonds of the Commonwealth for the purpose of refunding any parkway revenue bonds issued under the provisions of this act and then outstanding. The issuance of such parkway revenue refunding bonds the maturities and other details thereof the rights of the holders thereof and the duties of the Commonwealth and of the commission in respect to the same shall be governed by the foregoing provisions of this act in so far as the same may be applicable and by the following provisions:

(a) No parkway revenue refunding bonds shall be delivered unless delivered in exchange for parkway revenue bonds to be refunded thereby except in the amount necessary to provide for the payment of matured or redeemable parkway revenue bonds or parkway revenue bonds maturing or redeemable within three months including any redemption premium thereon.

(b) No parkway revenue refunding bonds shall be issued unless issued to refund parkway revenue bonds which have matured or will mature within three months or unless the interest rate of the parkway revenue refunding bonds shall be at least one-fourth of one per centum less than the interest rate borne by the parkway revenue bonds to be refunded.

Section 15 Any holder of bonds issued under the provisions of this act or any of the coupons attached thereto and the trustee under the trust indenture if any except to the extent the rights herein given may be restricted by resolution passed before the issuance of the bonds or by the trust indenture may either at law or in equity by suit action mandamus or other proceedings protect and enforce any and all rights granted hereunder or under such resolution or trust indenture and may enforce and compel performance of all duties required by this act or by such resolution or trust indenture to be performed by the commission or any officer thereof including the fixing charging and collecting of tolls for the use of the parkway.

Section 16 When all bonds and the interest thereon shall have been paid or a sufficient amount for the payment of all bonds and the interest to maturity thereon shall have been set aside in trust for the benefit of the bondholders and shall continue to be held for that purpose the parkway and the connecting tunnels and bridges shall become a part of the system of State highways and shall be maintained by the Department of Highways free of tolls and thereupon the commission shall be dissolved and all funds of the commission not required for the payment of the bonds and all machinery equipment and other property belonging to the commission shall be vested in the Department of Highways.

Section 17 The foregoing sections of this act shall be deemed to provide an additional and alternative method for the doing of the things authorized thereby and shall be regarded as supplemental and additional to powers conferred by other laws and shall not be regarded as in derogation of any powers now existing. Such sections being necessary for the welfare of the Commonwealth and its inhabitants shall be liberally construed to effect the purposes thereof.

Section 18 The sum of one hundred thousand dollars (\$100,000) or as much thereof as may be necessary is hereby appropriated out of the moneys in the Motor License Fund to the Department of Highways for the purpose of making surveys estimates of costs and plans for the construction of the parkway.

Section 19 This act shall become effective immediately upon final enactment.

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

On the question,

Shall the bill pass finally?

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

YEAS—183

Achterman,	Foor,	Malloy,	Rooney,
Allmond,	French,	Marks,	Rose, S.,
Auker,	Gallagher,	Maxwell,	Rosenfeld,
Baker,	Gates,	McClanaghan,	Rush,
Balthaser,	Gerard,	McClester,	Sarge,
Baughner,	Gillan,	McDermott,	Sarraf,
Bentley,	Gillette,	McDowell,	Scanlon,
Bentzel,	Goodwin,	McFall,	Schwab,
Boles,	Greenwood,	McGrath,	Shaffer,
Boney,	Gryskewicz,	McIntosh,	Shaw,
Bower,	Gyger,	McKinney,	Shepard,
Bradley,	Habbyshaw,	McLanahan,	Simons,
Bretherick,	Haberlen,	McLane,	Skale,
Brunner, C. H.,	Haines,	McMillen,	Sollenberger,
Brunner, P. A.,	Hamilton,	McSurdy,	Stambaugh,
Burns,	Hare,	Melchiorre,	Stank,
Burris,	Harkins,	Mihm,	Stine,
Cadwalader,	Harris,	Monks,	Stockham,
Chervenak,	Heatherington,	Mooney,	Tarr,



Cochran,	Helm,	Moran,	Tate,
Cohen, M. M.,	Hering,	Moul,	Taylor,
Cohen, R. E.,	Herman,	Muir,	Thompson, E. F.,
Cook,	Hersch,	Munley,	Trout,
Cordier,	Hewitt,	Nagel,	Turner,
Corrigan,	Hirsch,	Nunemacher,	Verona,
Croop,	Holland,	O'Brien,	Vincent,
Cullen,	Imbrle,	O'Connor,	Vogt,
Dalrymple,	James,	O'Dare,	Voorhees,
Dennison,	Jefferson,	O'Mullen,	Watkins,
DiGenova,	Jones, G. E.,	O'Neill,	Weingartner,
Dix,	Jones, P. N.,	Owens,	Weiss,
Dolon,	Keenan,	Petrosky,	Welsh, E. B.,
Duffy,	Kenehan,	Pettit,	Welsh, M. J.,
Early,	Kilne,	Polaski,	Wilkinson,
Eckels,	Knoble,	Polen,	Williams,
Elder,	Kolankiewicz,	Powers,	Winner,
Elliott,	Komorofski,	Prosen,	Wolf,
Ely,	Lee, T. H.,	Rank,	Wood, L. H.,
Falkenstein,	Lelsey,	Rausch,	Woodring,
Finestone,	Leonard,	Readinger,	Woodside,
Finnerty,	Lesko,	Reagan,	Wright,
Fisher,	Levy,	Reese, D. P.,	Yeakel,
Fiss,	Leydic,	Reese, R. E.,	Yester,
Fleming,	Lichtenwalter,	Regan,	Young,
Fletcher,	Longo,	Reynolds,	Kilroy,
Flynn,	Lovett,	Rhea,	Speaker.
	Lyons,	Riley,	

NAYS—0

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

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

BILLS PASSED OVER

There being no objection House Bill No. 1216, Printer's No. 986, House Bill No. 1727, Printer's No. 957, and House Bill No. 1728, Printer's No. 958, were passed over at the request of the SPEAKER.

BILLS ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1700, (Senate Bill No. 789), entitled:

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

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

On the question,

Shall the bill pass finally?

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

YEAS—183

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

NAYS—0

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

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

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 934, entitled:

An Act for the preservation of eyesight and the prevention of blindness; declaring a policy in reference thereto; conferring powers and imposing duties on the Department of Health; and prescribing qualifications for persons administering such work.

On the question,

Will the House agree to the bill on third reading?

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

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



The Clerk read the amendment as follows:

Amend Sec. 3, page 3, line 11, by inserting after the word "physicians" the following: "or optometrists."

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

On the question,

Will the House agree to the amendment?

The amendment was agreed to.

On the question,

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

It was agreed to.

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

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 871, (Senate Bill No. 9), as follows:

An Act concerning the permanent recordation of certain births birth certificates the issuance of copies of such certificates and prescribing the procedure therefor and enlarging the powers and duties of the Department of Health and the Bureau of Vital Statistics providing for appeals from the action of the Bureau of Vital Statistics to the Orphans' Court and imposing duties and powers on such Orphans' Court

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

Section 1 It shall be the duty of the Bureau of Vital Statistics of the Department of Health to issue copies of birth certificates as hereinafter recorded and in accordance with such rules and regulations as the Department of Health may promulgate from time to time for the issuance thereof

Section 2 In any case where an individual born in this Commonwealth applies for a certified copy of his or her birth certificate which birth is not at the time of such application a part of the permanent record of the Bureau of Vital Statistics of the Department of Health of the Commonwealth it shall be the duty of said Bureau to accept for recording from such person either

(1) a certified copy of a county record of birth or if it is impossible to obtain such record then

(2) a statement written in the English language signed and sworn to by the doctor or midwife in attendance at the birth of such person or if it is impossible to obtain such statement then

(3) a statement written in the English language signed and sworn to by such person accompanied by a baptismal record kept by a bona fide ecclesiastical body and certified by a priest minister or other officer of said body or if it is impossible to obtain such records then

(4) a statement written in the English language signed and sworn to by such person and by a parent or near relative of such person who has lived with the person or family and has knowledge of the facts contained in such affidavit and accompanied by other record or records satisfactory to the Bureau or if it is impossible to obtain such statement then

(5) a statement written in the English language signed and sworn to by such person and by two other persons who have had adequate means of knowledge of the facts contained in such affidavit or of the family tradition thereon Provided That such last mentioned persons need not be related by blood or marriage if they have been connected with the family so long and so intimately as to have acquired knowledge of the facts and accompanied by other record or records satisfactory to the Bureau

The said Bureau may register a birth on the basis of public or private records satisfactory to it

The following items shall be included in such statement

(a) Place and date of birth including State county city borough town township or village If in a hospital or other institution the name of the same shall be given as well

as the residence of the parents and the post office address of the parents

(b) Full name

(c) Sex

(d) Whether a twin or other plural birth

(e) Whether the birth was legitimate or illegitimate

(f) Full name of father when legitimate

(g) Color or race of father

(h) Birthplace of father and age at birth of applicant if known

(i) Occupation of father if known

(j) Residence of parents if living and known

(k) Occupation

(l) Maiden name of mother

(m) Color or race of mother

(n) Birthplace of mother and age at birth of applicant if known

(o) Occupation of mother if known

(p) Number of children of this mother if known and number of children of this mother now living if known

(q) The doctor or midwife in attendance if known

(r) Such other information as may be required by the Bureau

From the information received in such statements and records the Bureau of Vital Statistics shall prepare and keep on permanent file a certificate of the birth of such person and issue copies thereof in accordance with such rules and regulations as the Department of Health shall promulgate from time to time governing the issuance of the same provided a fee of two dollars and fifty cents (\$2.50) shall first be paid to the Bureau This fee shall be the only fee charged an applicant for an original birth certificate under the provisions of this act The fee for the issuance of a copy of a birth certificate granted under the provisions of this act shall be one dollar (\$1.00) All applicants for birth certificates under provisions of existing legislation shall continue to pay only those fees prescribed in such legislation In the event the Bureau of Vital Statistics shall deem the evidence adduced insufficient it shall notify the applicant for a birth certificate in writing by registered mail of its refusal to issue such certificate within thirty days after application has been made to it for such birth certificate and shall set forth in such letter the grounds for its refusal

Section 3 Any person who shall feel himself aggrieved by the refusal of the Bureau of Vital Statistics to issue such birth certificate shall have sixty days after receipt by him of such notice or refusal to appeal to the Orphans' Court of the county in which he resides Such appeal shall be made in accordance with the provisions now governing appeals from the decisions of the register of wills of said county and a copy of said appeal shall be served on the Bureau of Vital Statistics of the Department of Health In the event the applicant fails to file an appeal as aforesaid after such sixty day period the decision of the Bureau of Vital Statistics shall be final In the event an appeal is taken to the Orphans' Court the matter shall be heard de novo in the said Orphans' court and if in the opinion of the said Orphans' Court the evidence adduced is sufficient the said Orphans' Court shall order the Bureau of Vital Statistics to issue a birth certificate to the aggrieved party The Orphans' Court shall render its decision in any such appeal within sixty days after argument has been heard thereon and its judgment shall be final

Section 4 Any person who shall make any affidavit statement record or certification under the provisions of this Act knowing the same to be false shall upon summary conviction therefor be sentenced to pay a fine of not less than twenty dollars (\$20.00) nor more than one hundred dollars (\$100) and the costs of prosecution and upon failure to pay such fine and costs shall be imprisoned not less than ten (10) days nor more than thirty (30) days

Section 5 All acts and parts of acts inconsistent herewith are hereby repealed

Section 6 This act shall become effective immediately upon final enactment

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

On the question,  
Shall the bill pass finally?

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

YEAS—183

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

NAYS—0

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

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

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1747, (Senate Bill No. 788), entitled:

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

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

On the question,  
Shall the bill pass finally?

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

YEAS—183

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

NAYS—0

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

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

BILL PASSED OVER

There being no objection House Bill No. 1804, Senate Bill No. 1023, Printer's No. 373, was passed over at the request of the SPEAKER.

BILLS ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1690, (Senate Bill No. 782), entitled:

An Act to further amend subsections (a) (b) and (c) of section one thousand two hundred and one of the act approved the twenty-eighth day of May one thousand nine hundred thirty-seven (P. L. 1053) entitled "An act relating to the regulation of public utilities defining as public utilities certain corporations companies associations



and persons providing for the regulation of public utilities including to a limited extent municipalities engaging in public utility business by prescribing defining and limiting their duties powers and liabilities and regulating the exercise surrender or abandonment of their powers privileges and franchises, defining and regulating contract carriers by motor vehicle and brokers in order to regulate effectively common carriers by motor vehicle conferring upon the Pennsylvania Public Utility Commission the power and duty of supervising and regulating persons associations companies and corporations including to a limited extent municipal corporations subject to this act and administering the provisions of this act authorizing the commission to fix temporary rates placing the burden of proof on public utilities to sustain their rates and certain other matters authorizing a permissive or mandatory sliding scale method of regulating rates providing for the supervision of financial and contractual relations between public utilities and affiliated interests and supervision and regulation of accounts and securities or obligations issued assumed or kept by persons associations companies corporations or municipal corporations subject to this act conferring upon the commission power to vary reform or revise certain contracts conferring upon the commission the exclusive power to regulate or order the construction alteration relocation protection or abolition of crossings of facilities of public utilities and of such facilities by or over public highways to appropriate property for the construction or improvement of such crossings and to award or apportion resultant costs and damages authorizing owners of such property to sue the Commonwealth for such damages providing for ejection proceedings in connection with the appropriation of property for crossings conferring upon the commission power to control and regulate budgets of public utilities imposing upon persons associations companies and corporations (except municipal corporations) subject to regulation the cost of administering this act prescribing and regulating practice and procedure before the commission and procedure for review by the courts of Dauphin County exclusive original jurisdiction over certain proceedings prescribing penalties fines and imprisonment for violations of the provisions of this act and regulations and orders of the commission and the procedure for enforcing such fines and penalties and repealing legislation supplied and superseded by or inconsistent with this act" further providing for assessment of regulatory expenses upon public utilities

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

On the question,

Shall the bill pass finally?

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

YEAS—183

- |                 |                |             |               |
|-----------------|----------------|-------------|---------------|
| Achterman,      | Flynn,         | Lyons,      | Rhea,         |
| Allmond,        | Poor,          | Malloy,     | Riley,        |
| Auker,          | French,        | Marks,      | Rooney,       |
| Baker,          | Gallagher,     | Maxwell,    | Rose, S.,     |
| Balthaser,      | Gates,         | McClanaghan | Rosenfeld,    |
| Baughner,       | Gerard,        | McClester   | Rush,         |
| Bentley,        | Gillan,        | McDermott   | Sarge,        |
| Bentzel,        | Gillette,      | McDowell    | Sarra,        |
| Boies,          | Goodwin,       | McFall      | Scanlon,      |
| Boney,          | Greenwood,     | McGrath     | Schwab,       |
| Bower,          | Gryskewicz,    | McIntosh    | Shaffer,      |
| Bradley,        | Gyger,         | McKinney    | Shaw,         |
| Bretherick,     | Habbyshaw,     | McLanahan   | Shepard,      |
| Brunner, C. H., | Haberlen,      | McLane,     | Simons,       |
| Brunner, P. A., | Haines,        | McMillen,   | Skale,        |
| Burns,          | Hamilton,      | McSurdy,    | Sollenberger, |
| Burriss,        | Hare,          | Melchiorre, | Stambaugh,    |
| Cadwalader,     | Harkins,       | Mihm,       | Stank,        |
| Chervenak,      | Harris,        | Monks,      | Stine,        |
| Chudoff,        | Heatherington, | Mooney,     | Stockham      |
| Cochran,        | Heim,          | Moran,      | Tarr,         |

- |               |                |                  |                  |
|---------------|----------------|------------------|------------------|
| Cohen, M. M., | Hering,        | Moul,            | Taylor,          |
| Cohen, R. E., | Herman,        | Muir,            | Thompson, E. F., |
| Cook,         | Hersch,        | Munley,          | Trout,           |
| Cordier,      | Hewitt,        | Nagel,           | Turner,          |
| Corrigan,     | Hirsch,        | Nunemacher,      | Verona,          |
| Croop,        | Holland,       | O'Brien,         | Vincent,         |
| Cullen,       | Imbrie,        | O'Connor,        | Vogt,            |
| Dalrymple,    | James,         | O'Dare,          | Voorhees,        |
| Dennison,     | Jefferson,     | O'Mullen,        | Watkins,         |
| DiGenova,     | Jones, G. E.,  | O'Neill,         | Weingartner,     |
| Dix,          | Jones, P. N.,  | Owens,           | Weiss,           |
| Dolon,        | Keenan,        | Petrosky,        | Welsh, E. E.,    |
| Duffy,        | Kenehan,       | Pettit,          | Welsh, M. J.,    |
| Early,        | Kline,         | Polaski,         | Wilkinson,       |
| Eckels,       | Knoble,        | Polen,           | Williams,        |
| Elder,        | Kolankiewicz,  | Powers,          | Winner,          |
| Elliott,      | Komorowski,    | Prosen,          | Wolf,            |
| Ely,          | Lee, T. H.,    | Rank,            | Wood, L. H.,     |
| Falkenstein,  | Lelsey,        | Rausch,          | Woodring,        |
| Finestone,    | Lesko,         | Readinger,       | Woodside,        |
| Finnerty,     | Levy,          | Reagan,          | Wright,          |
| Fisher,       | Leydic,        | Reese, David P., | Yeakel,          |
| Fiss,         | Lichtenwalter, | Reese, R. E.,    | Yester,          |
| Fleming,      | Longo,         | Regan,           | Young,           |
| Fletcher,     | Lovett,        | Reynolds,        | Kilroy, Speaker. |

NAYS—0

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

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

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1577, (Senate Bill No. 561), as follows:

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



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

Section 1 Section two of the Act approved the Thirtieth day of March one thousand nine hundred thirty-seven (P. L. 115) entitled "An act to provide for the permanent personal registration of electors in cities of the first class as a condition of their right to vote at elections and primaries and their enrollment as members of political parties as a further condition to their right to vote at primaries prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors and prescribing the powers and duties of citizens parties bodies of electors registration commissions commissioners registrars inspectors of registration and other appointees of registration commission election officers municipal officers departments and bureaus police officers courts judges prothonotaries sheriffs county commissioners peace officers county treasurers county controllers registrars of vital statistics real estate brokers rental agents certain public service companies persons firms and corporations operating vehicles for moving furniture and household goods and boards of school directors and imposing penalties" is hereby amended by adding thereto after clause (r) a new clause to read as follows

Section 2 Definitions

(s) In determining or reckoning any period of time mentioned in this act the day upon which the act is done paper filed or notice given shall be excluded from and the date of the primary election hearing or other subsequent event as the case may be shall be included in the calculation or reckoning Provided however That if the last day upon which any act may be done paper filed or notice given shall fall on a Sunday or a legal holiday the next following ordinary business day shall be considered as the last day for said purpose

Section 2 Clauses (a) (b) and (c) of section four of said act are hereby amended to read as follows

(a) The commission may make regulations not inconsistent with this act or the laws of this Commonwealth (1) to govern the public sessions of such commission (2) to carry into effect the provisions of this act and to permit the efficient administration thereof (including the designation of the duties to be performed and functions to be exercised hereunder at its respective offices) and [(2)] (3) for the performance of the duties imposed [by this act] hereunder and may enforce such regulations and all its orders and subpoenas to witnesses as herein provided and if necessary shall have the assistance of the court of common pleas of the county and of all public officers subservient thereto in enforcing the same which assistance said officers as well as the judges of said court shall render when requested to do so subject however to the right of certain persons to appeal from the orders of the commission as herein provided

(b) The commission shall have power to correct direct or permit the correction of any error or any irregularity in registration to change or permit the change on the registration affidavits and its records of the name of any registered elector changed by order of a court of competent jurisdiction or by reason of her marriage or divorce and to cancel the registration of any person whom it may find to be improperly registered and to cancel the party enrollment of any registered elector whom it may find to be improperly enrolled as a member of a party subject only to the provisions of this act and provided that notice in writing shall be given to or left at the address of each person whose registration or enrollment is cancelled [A like notice as well as a copy of any notice served upon or left at the address of any elector with respect to his right to be registered or enrolled as a member of the political party designated by him as hereinafter provided shall be sent promptly to the city chairman of the political party of which such person was registered as a member] Notice in writing of the cancellation of the registration or enrollment of any elector as well as notice of the serving of any paper

upon or left at the address of any elector with respect to his right to be registered or enrolled as a member of the party designated by him shall be sent promptly to the city chairman of the party of which such person was or may be registered as a member if such party has headquarters within the city known to the commission

(c) The commission and any commissioner shall have power on its or his own [option] motion (1) to summon and interrogate any person concerning the registration of electors or any matter related thereto (2) to investigate any irregularities in registration (3) to summon and examine witnesses and (4) to require the production of any relevant books and papers

Section 3 Clauses (a) (b) (c) (d) (g) and (h) of section five of said act are hereby amended to read as follows

(a) The commission shall have power to appoint such assistants clerks and employes (including inspectors) as from time to time it may deem necessary to carry out the provisions of this act The commission shall also have power to assign such of its assistants employes or clerks to act as registrars who shall not receive any additional compensation therefor at its office or offices as it may from time to time deem necessary and when so acting such employes or clerks shall have and may exercise the powers and shall perform the duties and obligations conferred by or in accordance with the law upon registrars

(b) The commission [shall in the year one thousand nine hundred thirty-seven at such time as it shall deem necessary of which due public notice shall be given appoint four registrars for each election district From and after the first day of January one thousand nine hundred thirty-eight the commission not later than the fifteenth day of August] in each year shall designate the place or places in each ward to be used as registration places and shall appoint [not less than] two or more [than four] registrars for each such registration place as it may deem necessary Not more than one-half of the number of registrars appointed [for each election district in the year one thousand nine hundred thirty-seven and] for each registration place in each [subsequent] year shall be members of the same political party [In the year one thousand nine hundred thirty-seven all] All registrars appointed shall be qualified electors of the election district or [for which they have been appointed and in all subsequent years shall be qualified electors of the] ward for which they have been appointed shall be of good moral character shall not have been convicted of any crime shall be able to read English in an intelligent manner and to write legibly and shall be familiar with qualifications of electors and duties of the registrars Such registrars shall be empowered to register the qualified electors of such election districts or wards and in so doing to administer oaths and affirmations and shall perform all other duties imposed on registrars by this act and by the registration commission

Each registrar shall receive as compensation ten dollars (\$10.00) for each day during which he is engaged in the active performance of his duties as registrar The commission shall designate the duties to be performed by each such registrar appointed by it The said registrars shall be appointed in the manner as hereinafter provided in subsection (c) of this section

[(c) In the year one thousand nine hundred thirty-seven at such time as shall be determined by the commission of which time due public notice shall be given any five or more qualified electors of any election district of the same political party and in all subsequent years not later than the twentieth day of July of each year any five or more qualified electors of any ward of the same political party may file with the commissioners their petition for the appointment of not more than two qualified persons also members of said party as registrars The petition shall set forth the name address qualifications occupation and political affiliation of each person suggested for appointment as a registrar shall give the respective residences of the petitioners and shall declare

that each of them belongs to the same party as that designated as the party of each candidate which petition shall be signed by each petitioner in his own handwriting and sworn to by one of them and by each candidate. More than one petition may be filed on behalf of the same party for each ward or district provided that no elector shall be competent to sign petitions for more than two candidates but if any candidate dies withdraws or becomes disqualified before the last day of filing petitions aforesaid any elector who recommended him may sign a petition for another candidate. All petitions shall be open to public inspection and in the year one thousand nine hundred and thirty-seven at such time as the commission may designate and not earlier than July twenty-sixth of each subsequent year the commissioners shall commence public hearings thereof considering them on consecutive week days in the numerical order of the wards and of the election districts within each ward to which they relate respectively unless reasonable cause be shown for postponing any hearing to a later time or date and reasonable notice of such postponement given to all concerned. The commissioners shall publish one general notice of the place and times or days when they will examine the candidates from the election districts of the various wards at least three days prior to the first hearing in at least two daily newspapers each having a paid circulation of at least fifty thousand copies daily in the city and shall mail to each candidate a special notice of the time and place where he will be examined regarding his qualifications at least three days before the day fixed for same except that the commissioners need not notify any candidate who had previously been appointed a registrar to appear but may reappoint him without such examination. If more candidates are duly nominated as members of any party than it is entitled to have appointed the commissioners shall appoint the candidate or candidates whom they consider most fit and if there are not sufficient fit candidates nominated on behalf of any party the commissioners may appoint any other persons without regard to party of whom they have knowledge. Any person appointed a registrar must perform his duties as prescribed by this act unless excused therefrom by the commissioners for cause shown.

(c) In each year at such time as shall be determined by the commission of which at least fifteen days notice shall be given by publishing one general notice in at least two daily newspapers each having a paid circulation of at least fifty thousand copies daily in the city the city chairman of the party having polled the highest vote in the city at the last preceding November election and the city chairman of the party having polled the second highest vote in the city at such election may file with the commission a written list of names of members of said party whom such chairman recommends for appointment as registrars. Such lists shall contain the name address qualifications and occupations of each person so recommended and shall be open to public inspection in the office of the commission. The commission shall appoint persons whose names appear on such list as the registrars representing such parties. If more candidates are recommended by the chairman of any such party than it is entitled to have appointed the commission shall appoint those candidates from the names appearing on such list whom the commission finds to be qualified in accordance with the provisions of clause (b) of this section and if there are not sufficient candidates qualified to serve recommended by any city chairman the commission may appoint such other persons whom it believes qualified.

(d) Should any vacancy occur in the office of registrar of [any election district in the year one thousand nine hundred thirty-seven or of] any registration place in any [subsequent] year by reason of death resignation removal from the district or ward or other cause the commission shall fill said vacancy by appointing an elector of the district or ward as the case may be who is qualified according to subsection (b) of this section and who is a registered and enrolled member of the same

political party as the registrar or registrars whose office was vacated. The appointment shall be made in like manner as the annual appointments of registrars as provided by this act.

(g) The registration commission shall have the power to remove any employe inspector registrar or other officer appointed or employed by it but no registrar appointed by the commission under the provisions of clause (c) of this section shall be removed except for cause.

(h) Any inspector of registration on his own motion or on complaint of any person of known responsibility [to him] may and when directed by the commission shall

1 Investigate all questions relating to the registration of electors in such city and for that purpose shall have power to enter and inspect any house dwelling building inn lodging-house or hotel within such city and to interrogate any inmate householder lodger lessee keeper caretaker owner proprietor or agent thereof or therein regarding any person or persons residing or claiming to reside thereat or therein without being required to show any warrant for so doing except his certificate of appointment.

2 Inspect [in like manner] and copy any register of lodgers in any lodging-house inn or hotel relating to or affecting the rights of any persons to vote or to be registered in any such city.

3 Arrest any person without warrant except any herein privileged from such arrest who in the presence of the inspector of registration violates or attempts to violate any of the provisions of this act when such violation is punishable as a crime.

4 Call on any police or peace officer of such city to assist the inspector of registration in the maintenance of peace at any place of registration or in making any arrest or in the performance of any of his duties.

Section 4 Section six of said act is hereby amended to read as follows:

Section 6 Removal of Registrars (a) [Anyone claiming to be a] Any qualified elector of [this] the city may appear before the commission and show wherein any person nominated selected or appointed as a registrar does not possess the qualifications requisite for the performance of the duties of his office or has violated the provisions of this act. If after public hearing the commission shall find the charges brought by such elector to be true the commission shall decline to appoint such person or remove such registrar.

(b) The commissioners shall expect as hereinbefore provided provide [at all times] a board of registrars for each place of registration not more than one-half of whom shall be of the same [political faith] party. If [therefore] it appears at any time that by reason of a change in [political] [affiliations] affiliation or because of error in [the] appointment a board is not so divided any ten registered electors of the city [any election] [district] may file a petition with the commissioners setting forth the facts and praying that one or more of the appointments may be revoked and that other appointments may be made. Upon presentation of such a petition one of the commissioners shall fix a time not less than five days thereafter and at least three days' notice shall be given by mail to all the registrars of such board who are alleged to be of the same [political faith] party when a public hearing shall be given all concerned and if the facts are then found to be as represented the commissioners shall [give] grant the relief [asked for] prayed for.

Section 5 Clause (b) of section eight of said act is hereby amended to read as follows:

(b) The appropriating authorities of the city shall provide the commission thereof with suitable and adequate main offices properly furnished for keeping its records holding its public sessions and otherwise performing its duties and such other offices which it may from time to time deem advisable to establish for the convenience of the electors in exercising their rights powers and functions and performing their duties hereunder and upon failure to do so [within sixty days after the effective date of this act] the commission may lease such office space as is reasonably required for the performance of the functions and duties under this act.



Section 6 Section eleven of said act is hereby amended to read as follows

Section 11 Immunity from Arrest

[Commissioners] Employes or clerks of the commission while acting as registrars registrars commissioners and inspectors of registration shall be privileged from arrest while performing their duties as such except upon warrant of a court of record or judge thereof for felony for wanton breach of the peace or for a criminal violation of this act

Section 7 Section thirteen of said act is hereby amended to read as follows

Section 13 Records and Documents to Be Open to Public Inspection The records of the commission and all district registers street lists voting check lists voters' certificates affidavits petitions appeals witness lists accounts contracts reports and other documents in its custody except the general registers shall be open to public inspection except as herein provided and may be inspected and copied by any qualified elector of the city during ordinary business hours [at any time] except when they are [not necessarily] being used by the commission or its employes having duties to perform in reference thereto Such public inspection thereof shall only be in the presence of a commissioner or an authorized employe of a commission and shall be subject to proper regulation for safekeeping of the records and documents and subjects to the further provisions of this act

Section 8 Section fourteen of said act is hereby amended to read as follows

Section 14 Watchers at Places of Registration Privileges

(a) Any party or body of electors which now is or hereafter may be entitled to have watchers at any election may recommend not more than three electors to act as watchers without expense to the county at any place of registration or any office of the commission during the time when it shall remain open for the registration of electors The commission shall appoint such persons as watchers and provide them with proper certificates stating their names and the party which they represent respectively unless any be shown to have previously been convicted of any crime

(b) Any watcher shall be entitled to remain at any place of registration or any office of the commission during the time when it shall remain open for the registration of electors and to keep a list or other memorandum of or concerning the persons applying for registration and to challenge any person regarding his right to be registered and to inspect any papers produced by such person The registrars clerks or employes of the commission acting as registrars commission and commissioners shall give every watcher ample opportunity and afford him every convenience for the discharge of his duties Provided however That a registrar clerk or employe of the commission acting as registrar [commission or] inspector commissioner or the commission may at any time require any watcher to show his certificate of appointment And provided That not more than one watcher for each party or body of electors represented shall be allowed in a place of registration or an office of the commission at any one time unless the commission by regulation shall provide otherwise

Section 9 Clause (c) of section fifteen of said act is hereby amended to read as follows

(c) All watchers or attorneys appointed or selected in the manner provided by sub-sections (a) and (b) of this section may exercise the same rights under the same conditions at any public session or sessions of the commission as watchers at places of registration or offices of the commission open for the registration of electors

Section 10 Clauses (a) (d) and (e) of section seventeen of said act are hereby amended to read as follows

(a) [From and after the first day of June one thousand nine hundred and thirty-seven the] The commission [or] any commissioner employe or [clerks] clerk assigned for that purpose shall at the main office of the commission during ordinary business hours and during such additional hours as the commission shall from time to time prescribe on each day and on such days and during such hours as the commission may from time to time design-

nate at other offices in the city which the commission shall from time to time have power to establish and discontinue except Sundays holidays the days hereinafter provided for the registration of electors in the districts or wards the day of each election and each primary the [thirty] fifty days next preceding each general and each primary election [and each primary] the thirty-five days next preceding each municipal or any special election not held on a day fixed for the holding of November or primary elections and the thirty days next following each election and the five days next following each primary [at the office of the commission] receive personal applications from persons who claim that they are entitled to be registered as electors of the city and who appear for registration Provided however [That in the year one thousand nine hundred and thirty-seven the commission shall arrange to have four registrars present to receive applications for the personal registration of electors at the polling place or some other suitable place in each election district of the city on at least three separate days prior to August fifteenth (one of them being in June another in July and another in August) And provided further] That in each year [thereafter] the commission may when it considers it necessary for the convenience of the electors provide one or more places of registration in each ward of the city at which two or more registrars as the commission may deem necessary shall be present to receive personal applications from persons who claim that they are entitled to be registered which registrars shall be present thereat between the hours of seven antemeridian and one post-meridian and between the hours of four and ten post-meridian on [two] such day as may be selected by the commission [in even-numbered years one to be not earlier than the sixth Saturday nor later than the fifth] [Saturday before the spring primary and the other to be] [not earlier than the sixth Saturday and not later than the fifth Saturday before the] which shall be not more than sixty days and not less than fifty days prior to each general election and primary election [and on one day in odd-numbered years not earlier than the twelfth Saturday nor later than the eleventh Saturday before the] and not more than forty days and not less than thirty-five days prior to each municipal election Provided further however That with respect to any person who shall become a citizen of the United States on a day subsequent to the sixtieth day prior to any election or primary but at least one month prior to the day of such election or primary the commission any commissioner employe or clerk assigned for that purpose shall receive personal applications from such person if he or she is otherwise qualified at the office of the registration commission until the thirtieth day prior to such election or primary during ordinary business hours except Sundays holidays and the days hereinbefore provided for the registration of electors in the districts or wards

(d) The proper city or county authorities shall furnish suitable space room or rooms in the city hall or any of its annexes or other municipal or county building under their jurisdiction or control and shall cause such space room or rooms to be open on each day when such space room or rooms may be desired by the commission for use as a place of registration or as an office of the commission Provided That such use shall not interfere with the use for which such room or rooms is primarily designed

(e) The commission shall in reasonable time publicly announce the addresses of each place of registration each office of the commission established for the registration of electors other than [the] its main office [of the commission] and the days and hours when the place or office shall be open for the registration of electors by posting thereat and at its main office a notice thereof [at its office at such place of registration] and at least five placards or notices thereof in conspicuous places in the neighborhood of such place of registration or office and by publication at least once in a newspaper of general circulation published in the city at least three days prior to the date when the place shall be so opened and in proper order for use as a place of registration

Section 11 Clauses (a) (c) and (d) of section nineteen of said act are hereby amended to read as follows

(a) For the purpose of registering the qualified electors of the city the commission shall prepare registration cards serially numbered in duplicate or triplicate as the commission may determine and containing spaces for entering the information required by section twenty of this act and the following affidavit

Registration Affidavit

State of Pennsylvania }  
County of } ss

I hereby swear or affirm that I am a citizen of the United States that on the day of the next election I shall be at least twenty-one years of age and shall have resided in the State of Pennsylvania for one year (or having previously been a qualified elector or native born citizen of the State and having removed and returned then six months) next preceding said election and in the election district two months that I am legally qualified to vote that I have read (or have had read to me) the foregoing statements made in connection with my registration and that they are true and correct

Subscribed and sworn to before me this .....day of

.....  
Signature of Registrar

.....  
Signature of Voter

c) Each card shall be printed on stock of good quality shall be of suitable uniform size and shall be filled out in triplicate for such applicant for registration The commission shall provide suitable binders for filing and indexing the original and duplicate registration cards which binders can be locked The keys of all such binders shall at all times be retained by the commission

(d) The commission shall keep a record of the serial numbers of the registration cards issued from time to time to each registrar and may if the commission deems it advisable keep a record by serial number of each registration card prepared by or for it showing the name ward and district of the elector if any registered upon such card and whether such registration or card has been canceled voided lost destroyed or otherwise removed from the district registers

Section 12 Clauses (a) (b) (c) (d) and (f) of section twenty of said act are hereby amended to read as follows

(a) Every person claiming the right to be registered as an elector must appear in person before the commission a commissioner a clerk or employe of the commission acting as registrar or a registrar at the main office of the commission or at such other office or place as the commission shall have designated and answer the questions required to be asked in accordance with the act

(b) He shall first be sworn or affirmed to the truth of the statements which he is about to make and informed that any wilful false statement will constitute perjury and will be punishable as such He then shall be asked to state the facts required herein and his answers together with the other information herein required shall be recorded in his presence by the registrar or commission in permanent writing or typewriting in triplicate or duplicate as the commission may determine in the proper spaces on the registration cards as follows

(c) (1) The surname of the applicant (2) his Christian name or names (3) his occupation (4) the street and number of his residence (5) if his residence is a portion only of the house the location or number of the room apartment flat or floor which he occupies (6) the length of his residence in the State and district respectively (7) [his residence address when he last registered and the year of such registration] such information relating to the applicant's prior registration and voting record as the commission shall by regulation deem it necessary or advisable to require (8) the sex of the applicant (9) the color of the applicant (10) the state or territory of the United States or the foreign country where he was born (11) the date when place where and the court by which naturalized and number of the naturalization certificate (12) If not naturalized personally the name of father mother or husband through whom naturalized (13) whether he [is unable by reason of illiteracy to read the names on the

ballot or on the voting machine labels or whether he has a physical disability which will render him unable to see or mark the ballot or operate the voting machine or to enter the voting compartment or voting machine booth without assistance at the ensuing election and if so his declaration of that fact that his statement of the exact nature of such disability] is entitled to receive assistance in voting because by reason of illiteracy he is unable to read the names on the ballot or on the voting machine label or because he has a physical disability which renders him unable to see or mark the ballot or operate the voting machine or to enter the voting compartment or voting machine booth without assistance and if so his declaration of this fact and his statement of the exact nature of such disability (14) the designation of the political party of the elector for the purpose of voting at primaries (15) the affidavit of registration which shall be signed by the elector attested by the signature of the registrar commissioner or clerk and dated by him (16) his height in feet and inches (17) the color of his hair (18) the color of his eyes and (19) the date of his birth or unless he claims to have been naturalized through either his father or mother or unless such date is otherwise material in the determination of citizenship a statement that he has attained his majority (20) if an elector claims naturalization through her marriage to a citizen the date and place of marriage Each registration card shall also have a sufficient number of space thereon for the insertion of [(20)] (21) the ward and election district [in which the elector resides and to which he may from time to time remove] together with his street address in [each] such district and the street address therein where he may from time to time remove and the other data required to be given upon such removal [(21)] (22) the date of each election and primary at which the elector votes and the number of stub of ballot issued or number of admission to voting machine and party at primary [(22)] (23) the signature or initials of the election officer who enters the record of voting on the card Provided however That the commission may to more effectually carry out the provisions of this act from time to time alter or change the form of registration cards the order in which the information shall be recorded thereon and provide additional spaces for the recording of such other information concerning the naturalization data of foreign born electors as it may deem necessary

(d) The applicant shall subscribe by oath or affirmation to the registration affidavit on all copies of the registration card This card will hereafter be referred to in this act as the registration card or registration affidavit When filed for the whole city the registration affidavits will be known as the General Registers when filed by election districts as the Districts Registers

(f) Any person employed in the service of this Commonwealth or in the service of the Federal Government and required thereby to be absent from the city wherein he resided when entering such employment his wife or her husband unless actually separated and living apart shall be registered as of the district wherein he or she shall have resided immediately prior to entering such service and be enrolled as a member of the political party he or she designates without declaring a residence by street and number All persons employed by this Commonwealth who register in this manner shall produce a certificate from the Auditor General under the seal of his office setting forth that said person or the husband or wife of said person is actually employed in the service of this Commonwealth and also setting forth the nature of such employment and the time when such person first entered such employment

All persons employed by the Federal Government who register in this manner shall produce a certificate from the head of the proper department or chief of the proper department or chief of the proper division or bureau under the seal of his office setting forth that said person or the husband or wife of said person is actually employed in the service of the United State and also setting forth the nature of such employment and the time when such person first entered such employment

The commission shall retain such certificates and shall cause to be noted on the registration card of each per-



son so registered the fact that such person is an employe of this Commonwealth or of the Federal Government as the case may be

Section 13 The said act is hereby amended by adding thereto after section twenty a new section to read as follows

Section 20.1 On and after the thirtieth day after the effective date of this act when the registration of an elector registered thereafter has been completed the registrar commissioner employe or clerk shall deliver to such registered elector a written or printed statement signed by such registrar commissioner employe or clerk setting forth the name and address of the elector his ward and district the fact of registration designation of party enrollment the date thereof the serial number of the elector's registration card and such other information as the commission may deem advisable Each such statement shall contain a warning to the effect that the statement relates only to the time of the issuance thereof and is not of itself evidence or proof of the elector's qualifications to vote at any election or primary Upon request made at the office of the commission by any registered elector who has been registered prior thereto the commission if satisfied that such elector is a qualified elector of the district in which he is registered shall mail or deliver such a statement of his registration to such elector

Section 14 Section twenty-one of said act is hereby amended to read as follows

Section 21 Who May Register Who May Vote Electors Need Register Only Once Exception

Every person who shall possess all the qualifications of an elector as provided in the Constitution and laws of this Commonwealth or who by continued residence in his election district will obtain such qualifications before the next ensuing general or municipal election shall be entitled to be registered as herein provided and from and after the twentieth day of September one thousand nine hundred and thirty-seven no person shall be permitted to vote at any election or primary held in such city unless he shall have been so registered [except by order of a court of common pleas as hereinafter provided] and no elector so registered shall be required to register again for any election or primary while he continues to reside at the same address or has removed his residence to another district in the city and has filed a removal notice as provided by this act unless his registration is cancelled by the commission by reason of his failure to vote during [a] the certain period [of four years] as hereinafter provided or for any other reason under the provisions of this act

Section 15 Section twenty-three of said act is hereby amended to read as follows

Section 23 Naturalized Applicants Applicants Whose Fathers Mothers or Husbands Were Naturalized All persons claiming the right to vote by reason of naturalization shall produce the proper naturalization papers or a certified copy thereof before they shall be registered Provided That any person claiming citizenship by reason of the naturalization of his father or mother during his minority may be registered either by the production of his father's or mother's original papers or a certified copy thereof or by making affidavit as to the court in which and time when his father or mother was naturalized and the date of his birth indicating that he the applicant was then less than twenty-one years of age and that he is unable to produce his father's or mother's naturalization papers or a certified copy thereof stating the reason therefor And provided further That any woman claiming citizenship by reason of her marriage prior to September twenty-second one thousand nine hundred and twenty-two may be registered either (a) by the production of her husband's original naturalization papers or a certified copy thereof or by making affidavit that her husband was naturalized prior to their marriage stating therein the date and place of their marriage the time when and the court in which such naturalization was effected and that she is unable to produce his original naturalization papers or a certified copy [of them] thereof stating the reason therefor or (b) by the production of evidence that her husband was a native born citizen of the United States or by making

affidavit of such fact stating therein the place and date of her husband's birth and the date and place of their marriage Each such affidavit shall be filed with the registration affidavit of the person whose registration it affects and shall be returned therewith to the office of the registration commission

Section 16 Section twenty-five of said act is hereby amended to read as follows

Section 25 Appeal of Rejected Applicant Any person whose application to be registered has been denied by a registrar clerk or by a commissioner may file a petition with the commission not later than the fifteenth day [prior to an election or primary] thereafter setting forth the ground of his complaint under oath and praying to be registered The Commission shall fix a time for a public hearing [thereof] thereon at its office not later than the tenth day [prior to the election or primary] after the filing of the petition At the time so fixed the commission shall hear and dispose of the petition having first given at least forty-eight hours' notice of the hearing to the registrar clerk or commissioner who rejected the petitioner's application for registration In the taking of testimony the commission shall not be bound by technical rules of evidence The commission is satisfied upon competent evidence that the petitioner is entitled to be registered shall direct a registrar employe clerk or commissioner to register him in the usual manner and shall amend accordingly the records affected but any registrar or inspector of registration or qualified elector of the city may appear and show cause why the petitioner should not be registered [The testimony presented at such hearing shall be stenographically recorded and made a part of the records of the commission The decision of the commission upon such petition shall be final and conclusive Provided however That the commission shall grant a rehearing in any case upon reasonable cause shown or where the interests of justice require it And provided further however That the said decision shall be subject to review by the court of common pleas of the county as hereinafter provided]

Section 17 Section twenty-six of said act is hereby amended to read as follows

Section 26 General Register A copy of the registration affidavits for the entire city shall be placed in visible cabinets in exact alphabetical order and visibly indexed as to name and voting record and shall be kept at the office of the commission in a place and in such manner as to be properly safeguarded These affidavits shall constitute the general register of such city and shall not be removed from the office of the commission except upon order of the court of common pleas of the county wherein such city is located upon sufficient cause having been shown

Section 18 Section twenty-seven of said act is hereby amended to read as follows

Section 27 District Registers [Street List Registers] Triplicate Registration Cards

(a) [District Registers] The original registration affidavits shall be filed by election districts and within each election district in exact alphabetical order or in the order in which their residences appear upon the streets of the election district and in exact alphabetical order for each residence and visibly indexed as to name and voting record The affidavits so filed for each election district shall constitute the district register for such district The district register shall be kept at the office of the commission except as herein provided and shall be open to public inspection at all times subject to reasonable safeguards rules and regulations and to the provisions of this act

[(b) Street List Register] The triplicate registration affidavits shall be filed by election districts and within each district in the order in which their residences appear upon the streets of the election district and shall be open to public inspection at all times subject to reasonable safeguards rules and regulations]

(b) The commission shall safely retain all triplicate registration affidavits or cards now in its custody and such as it may under the provisions of this act hereafter require to be used in the registration of electors for the same period of time as the commission is required to retain all other registration affidavits or cards and in such

order or manner as it may by regulation direct. Any such triplicate registration affidavit or card may be substituted for a lost destroyed or mislaid original or duplicate affidavit or card of the same elector on order of the commission endorsed thereon and signed by a commissioner and such triplicate affidavit or card when so substituted shall be deemed and considered for all purposes as though it shall be the original or duplicate affidavit or card as the case may be.

Section 19 Section twenty-eight of said act is hereby amended to read as follows

Section 28 Removal Notices (a) The commission shall provide removal notices which it shall cause to be made available for the convenient use of registered electors. These notices shall be printed upon cards suitable for mailing addressed to the office of the registration commission and shall contain spaces wherein the elector shall write (1) the street and number of his present residence and the specific location thereof including the number of the room apartment flat or floor in his residence if a portion only of a house (2) the street and number of the address from which he was last registered (3) the date of his removal to his present address (4) the serial number of his registration card [(4)] (5) space wherein the elector shall sign his name and [(5)] (6) space wherein two registered electors of the district [to which he was removed] shall sign their names and addresses certifying to the truth of the statement on said notice as to his present place of residence. The removal notice shall contain a statement that the elector may by filling out properly and signing a removal notice having it witnessed as aforesaid and returning it to the office of the commission secure the transfer of his registration to the election district in which he resides effective as to elections and primaries occurring at least two months after the date of his removal into the new district. Each removal notice shall contain a warning to the elector that the notice will not be accepted as an application for transfer of the elector's registration unless the signature thereon can be identified by the commission with the elector's signature in the general and district register and that if he notifies the commission of a change of his residence address knowing or having reason to know that he is not entitled to have his residence address changed he shall be guilty of a misdemeanor and subject to the penalties as provided by this act. Each removal notice to be effective must be received through the mail at the office of the commission postmarked not later than the [thirtieth] fiftieth day prior to any general or primary [or] election [of which warning shall also be contained on the removal notice] and not later than the thirty-fifth day prior to any municipal election and warning of this provision shall also appear on each removal notice form.

(b) Any elector who removes his residence from one place to another within the same election district shall notify the commission by filing a removal notice with the commission not later than ten days next preceding the primary or election.

Section 20 Section twenty-nine of said act is hereby amended to read as follows

Section 29 [Transfer of Registration] Recording of Change of Residence (a) Upon receipt through the mail postmarked not later than the [thirtieth] fiftieth day next preceding any general or primary [or] election or postmarked not later than the thirty-fifth day next preceding any municipal election of a signed removal notice properly filled out [or a signed request] containing the required information and setting forth a removal of residence to another location in the same city the commission shall cause the signature thereon to be compared with the signature on the registration affidavit of the elector from whom the removal notice purports to come and if the signature shall appear authentic shall enter the change of residence in the [general and district] registers and if the removal shall have been from one election district to another in the same city shall transfer the registration affidavit of the elector from the district register of the election district of his previous residence to

the district register of the election district of his new residence. In any case the commission shall within fifteen days of the receipt by it of such notice advise the elector [promptly] in writing of its action.

(b) Provided That when a request for transfer believed authentic by the commission as aforesaid shall have been received at the office of the commission and shows thereon a removal within the period of two months next preceding an election or primary and the removal shall have been from one election district to another the commission shall transfer the registration affidavit of the elector from the district register of the election district of his previous residence but shall not include it in the register of the district of his new residence until after the election or primary. In any case the commission shall advise the elector [promptly] in writing of its action within fifteen days of the receipt by it of such request.

(c) If the commission shall doubt that the request [for transfer] is authentic it shall without transferring the registration or entering the change of residence as the case may be promptly notify the elector that it will be necessary for him to apply in person at [the] any office of the commission [for the transfer of his registration] to have the transfer or change of residence entered in the registers. (d) No elector who is unable to write his name shall be permitted to apply for [transfer of registration] the recording of his change of residence by the use of a written removal notice but each such elector must apply in person at [the] any office of the commission or before the registrars in the ward or district in which he resides on one of the days and at such time as prescribed for the registration of electors establish his identity and state under oath or affirmation to which he shall affix his mark in the presence of a registrar or a commissioner who shall affix his own signature thereto as a witness the information required of registered electors in a removal notice. Any elector may also appear in person at any office of the commission or before the registrars in his ward or district on any of the said days and apply for the recording of his change of residence within the city in which case the signatures of two registered electors of the district shall not be required if such elector shall establish his identity and after stating under oath or affirmation the information required in a removal notice shall sign the same in the presence of a registrar clerk or commissioner who shall affix his own signature thereto as a witness.

(e) Nothing contained in this act shall be construed as to prevent any elector who after having been registered under the provisions hereof has removed his residence to another location in the city from again applying for registration at any office of the commission or before the registrars of his ward or district and being registered as an elector of the district in which he shall then reside if such elector shall then be qualified. The commission shall thereupon cancel such elector's prior registration or registrations.

Section 21 Section thirty of said act is hereby amended to read as follows

Section 30 Change of Party Enrollment Notice Change of Enrollment of Political Party Cancellation of Party Enrollment Persons Suffering Disability after Registration to Have Fact Recorded Cancellation (a) The commission shall provide change of party enrollment notices which it shall cause to be available for the convenient use of registered electors. Those notices shall be printed upon cards and shall contain spaces wherein shall be recorded under oath (1) the street and number of the elector's residence (2) his ward and election district (3) the political party in which he is enrolled (4) the political party in which he desires to be enrolled (5) the signature of the elector (6) the serial number of his registration card.

(b) At any time prior to the thirtieth day next preceding [a] any primary [or] an election excepting the thirty days next following an election [and the five days next following each primary] any person who desires to



change his party enrollment or who although registered has not hitherto enrolled as member of a party shall appear at [the] any office of the commission or before the registrars in his ward or district and sign the change of party enrollment notice containing the information required by sub-section (a) of this section stating the designation of the political party in which he desires to be enrolled. Provided however That no registered elector shall be permitted to change his party enrollment between any primary and the following general or municipal election nor more than once between any November election and the thirtieth day next preceding the following primary election. The commission shall cause the signature thereon to be compared with the signature on the general and district registers and if the signatures appear authentic shall enter the change of enrollment of political party in the [general and district] registers unless such elector is prohibited from changing his party enrollment as foresaid.

(c) Any elector who is unable to write his name shall in addition establish his identity and shall affix his mark in lieu of his signature in the presence of a registrar clerk or commissioner who shall affix his own signature thereto as a witness to the information required in the change of party enrollment notice.

(d) At any time not later than the twentieth day preceding any primary any qualified elector of the city including any watcher may petition the commission to cancel the party enrollment of any registered elector of such city who has previously enrolled as a member of a party for the purpose of voting at primary elections setting forth under oath that he believes that such elector is not a member of the party with which he has been enrolled and also setting forth that due notice of the time and place when said petition would be presented had been given to the person so registered at least forty-eight hours prior to presentation of the same by delivering a copy of the said petition to him personally or by leaving it with an adult member of the family with which he resides. If at or before the hearing of any such petition the elector against whom the petition is filed [appears] files an affidavit with the commission in which he [and] swears or affirms that at the last election at which he voted he voted for a majority of the candidates of the party [with] as a member of which he [was then] desires to be enrolled all of the candidates of a party for presidential elector being counted as two candidates the petition shall be refused otherwise the party enrollment of such elector shall be forthwith cancelled [The testimony presented at such hearing shall be stenographically recorded and made a part of the records of the commission].

(e) Any elector who has since the time of registration suffered a physical disability which renders him unable to see or mark the ballot or prepare the voting machine or to enter the voting compartment or voting machine booth without assistance shall at least seven days prior to the next succeeding primary or election personally make application under oath to the commission or [a registrar] registrars to have such fact entered on his registration affidavit together with the exact nature of his physical disability which entry shall be made accordingly.

(f) When the commission shall ascertain that any elector who has declared his need for assistance is no longer illiterate or no longer suffers from the disability stated by him [or has voted without assistance] it shall [forthwith] cancel on his registration affidavit the entry relating to illiteracy or physical disability which authorized him to have assistance and shall forthwith notify such elector by mail of this action.

Section 22 Clause (c) of section thirty-one of said act as amended\* by the act approved the ninth day of June one thousand nine hundred and thirty-nine (P. L. 283) is hereby further amended and clauses (d) (e) and (f) are hereby added to said section to read as follows:

(c) All public service companies furnishing electricity or gas to householders in any city shall report in writing from time to time to the registration commission upon the request of the commission all cases of discontinuance of their service to residences together with the names of port in writing from time to time to the commission

the persons who contracted for such service and the addresses to which such persons have removed if known to them. All real estate brokers and rental agents shall report upon the request of the commission all cases of residence property managed by them which have been vacated by the tenants and the addresses to which they have removed if known to them. All persons firms and corporations operating vehicles for moving furniture and household goods in any city of the first class shall report in writing from time to time to the registration commission upon the request of the commission all cases of removals of furniture and household goods together with the names of such persons whose furniture or household goods have been removed and the addresses to which they have removed if known to them [The commission shall forthwith send to each such person who is found to be registered as an elector from the addresses given in said report and to all members of his family and household who are electors registered from the same addresses the notice provided for by section thirty-two of this act and shall proceed thereupon in accordance with the provisions of that section].

(d) The mayor of each city of the first class or other officer of such city charged with the duty of examination and licensing hotels and lodging houses under the provisions of the act approved the second day of July one thousand eight hundred and ninety-five (P. L. 428) entitled "An act to regulate and license public lodging houses in the different cities in this Commonwealth" shall at least once in every three months furnish the registration commission the names and addresses of persons partnerships firms or corporations licensed under the provisions of that act together with the names or designations and addresses of hotels and lodging houses for which licenses have been issued. The registration commission may require each licensee of an hotel or lodging house to report from time to time the names of all persons who have resided in any hotel or lodging house owned or operated by such licensee for a period of two calendar months or more and to designate in such report whether or not such persons have removed and the addresses to which they have removed if known to the licensee.

(e) The registration commission shall cause the information received under this section to be placed on file and retained for at least one year. For this purpose the commission may in its discretion cause to be printed file cards of uniform size on which such information may be entered and from time to time corrected on the basis of new reports received by the commission.

(f) Upon receipt of any report provided for in this section the commission shall forthwith cause to be sent by mail to each person so reported and to each member of his family and household who is registered under the provisions of this act a notice warning such persons that it will be necessary for them to execute and file a removal notice in order for them to be eligible to vote at ensuing elections if they continue to live in the same city. Where the report lists the residence address to which such persons have removed and that residence address is located in the same city the notice together with a removal notice form shall be sent to the new residence address of such persons. Where the report does not list the residence addresses to which such persons have removed it shall be sent to the last residence listed on the registration affidavit of the person reported or to the address listed on the report if they differ or to both addresses. For the purpose of this subsection the commission shall cause to be printed postcards of suitable size in such manner that a removal notice in the form provided for by subsection (a) of section twenty-nine of this act shall be physically attached thereto. The notice shall contain a direction to the postmaster that he is to forward the postcard or if no forwarding address is known to return the card within five days to the offices of the commission.

Section 23 Section thirty-two of said act is hereby amended to read as follows:

Section 32 Mail Check-up of Register (a) At any time prior to the thirtieth day next preceding an election or primary the commission may send by mail to any elector whose name appears in any district register a notice setting forth the elector's name and address as

it shall appear in the register and requesting him in case of any error to present the notice on or before the tenth day next ensuing at the office of the commission and secure the correction of the error and warning the elector that any discrepancy between his actual name and address and his name and address as recorded in the original register will constitute ground for challenging his vote. Such notice shall contain on the outside a request to the postmaster to return it within five days if it cannot be delivered to the addressee at the address given thereon.

(b) At any time prior to the thirtieth day next preceding an election or primary the commission may cause a check-up to be made by postmen of the United States Post Office of any elector whose name appears in any district register.

(c) At least once in each four years the commission shall conduct a check-up of each registered elector in the city by either of the methods provided for in subsections (a) and (b) of this section.

(d) Upon the return by the post office of any such notice which it has been unable to deliver at the given address because the addressee cannot be found there or upon report by the post office that any registered elector does not reside at the address given on his registration card the commission shall direct an authorized employe to visit in person the address of the elector and if he shall find that the elector does not reside at the address he shall leave at such address the notice prescribed by section thirty-three of this act and the commission shall at the expiration of the time specified in such notice cancel the registration of such person unless his qualifications as an elector are proved. [The testimony taken at such time shall be stenographically recorded and made a part of the records of the commission.]

Section 24 Section thirty-four of said act is hereby amended to read as follows:

Section 34 Comparison and Correction of Registers Street Lists (a) Commencing [thirty (30)] fifty days prior to each primary and each general election [or primary] and thirty-five days prior to each municipal election the commission shall compare and correct the general and district registers.

(b) After the [fifth Saturday preceding the Spring primary and after the last registration day in the fall of the even-numbered years and after the fifth Saturday preceding the Fall primary in odd-numbered years] last day preceding each primary municipal and general election when electors may be registered the [registration] commission shall prepare for each election district a street list of the names and addresses of all registered electors as of that date resident in the district arranged by streets and house numbers and except before each municipal election shall cause to be made at least a hundred exact copies of such list and not later than [twenty days following the aforesaid days] fifteen days preceding each primary and general election shall distribute copies of such lists among the inspectors and special inspectors of registration and the officials concerned with the conduct of primaries and elections and among the parties, bodies of electors, candidates and organized bodies of citizens interested therein giving at least ten copies of each street list to the city committee of each political party or body of electors upon the written application of the chairman thereof and at least ten copies of each street list to the executive or governing board or committee of each organized body of citizens having as its purposes the investigation and prosecution of election frauds upon the written application of the presiding officer of such a body of citizens and at least one copy of each street list with which his candidacy is concerned to each candidate upon his written request and keeping two complete sets of such street lists on file at the office of the commission convenient for public inspection during all the hours when the other records of the commission are open to public inspection as herein provided. Not later than the seventh day preceding each election and primary the commission shall post or cause to be posted at each polling place in such city at a point accessible to the public one of the said

street lists to be maintained at such place until the closing of the polls on the succeeding election day.

Section 25 Section thirty-five of said act is hereby amended to read as follows:

Section 35 Petitions to Strike Off Names Filing and Notice At any time not later than the twenty-fifth day preceding any election or primary any qualified elector of the city including any watcher registrar or inspector of registration [of the city] may [file his] petition [with] the commission [praying for the cancellation of] to cancel the registration of any registered elector of the city [upon such grounds as may be set forth in such petition] setting forth under oath supported by the affidavits of at least two qualified electors of the city sufficient grounds for such cancellation. One of the commissioners shall fix a time and place for a hearing thereon not later than [ten (10)] fifteen (15) days before any primary or election and the petitioners shall cause forty-eight (48) hours notice of the proceeding to be given to the person [whose registration is in question by a duly authorized employe of the commission] so registered by service by an adult person of known responsibility of a copy of the said petition with the time and place fixed for the hearing endorsed thereon either personally or by leaving a copy of the petition [with the time and place fixed for the hearing of the same endorsed thereon] so endorsed with an adult person at his place of residence as given by him and recorded in the registers if he cannot be found at the place given in the district register as his residence and upon the filing by such [duly authorized employe] person of an affidavit that the copy so endorsed has been so served by him or that there is no adult person residing at the address given the [commissioners] commission or a commissioner assigned by the commission for that purpose shall proceed with [the] a public hearing [of] on the petition.

Section 26 Section thirty-six of said act is hereby amended to read as follows:

Section 36 Hearings on Petition to Strike off Names At the time so fixed the commission or commissioner assigned by the commission for that purpose shall hear testimony not being bound by technical rules of evidence and if satisfied upon competent evidence that any such person is not legally entitled to be registered shall cancel the registration of such person and amend accordingly the general street and district registers and any other records affected thereby. Provided however That the commission may without hearing cancel the registration of any such person and amend accordingly the registers and the other records affected if the petitioners shall have filed with the commission an affidavit by an adult person of known responsibility of the service of a copy of the petition as provided in section thirty-five of this act and if the person so registered was not served personally that he could not be found at the place given in the district register as his residence and that the person in charge thereof or some other person having knowledge of the names of all persons residing at the address given as such residence to be mentioned by name had declared that he or she was well acquainted with the names of all persons residing at the address given as such residence and that the person so registered had never been or was no longer one of them or that no such person is residing at the address given or an affidavit that there is no adult person residing at the address given and although due inquiry has been made no information can be obtained as to the whereabouts of the person so registered unless he shall appear and show cause why the same should not be done [shall hear testimony not being bound by technical rules of evidence and if satisfied upon competent evidence that the said person is not legally entitled to be registered it shall cancel the registration of such elector and amend accordingly the general street and district registers and any other records affected thereby. The testimony presented at such hearing shall be stenographically recorded and made a part of the records of the commission. The decision of the commission upon such petition shall be final and conclusive. Provided however That the commission shall grant a rehearing in any case



upon reasonable cause shown or where the interests of justice require it And provided further however That the said decision shall be subject to review by the court of common pleas of the county as hereinafter provided

Section 27 Section thirty-seven of said act is hereby amended by adding thereto a new clause to read as follows

Section 37 Delivery of District Registers to Commissioners in Charge of Elections

\* \* \*

(c) In the event that any of said district registers when so delivered shall contain the names of registered electors not contained in the street list posted in the district as required by section thirty-four (b) or shall omit names of registered electors contained in said street list then the said registers shall be accompanied by a list showing such names as were added and such names as were omitted with a brief explanation or key showing the cause for such addition or omission Such list shall remain in the polling place on election day open to public inspection One copy of such list shall be posted at the offices of the commission at the time of the delivery of the binders and shall remain posted until after the next succeeding election and one copy of such list shall be furnished to the chairman of the city committee of each party entitled to a ballot at the preceding primary

Section 28 Clause (a) of section thirty-eight of said act is hereby amended to read as follows

(a) Any person whose registration affidavit appears [name is] in the district register of any election district in [such] the city and who upon applying to vote shall have signed his name to a voter's certificate in the form hereinafter provided as a means of identification and whose signature thereon shall have been compared by the election officers in the presence and view of the watchers with the signature of the applicant as recorded in the district register and shall have been deemed authentic by said election officers shall be entitled to vote in such district at any general municipal or special election unless it be shown to the satisfaction of the election officers that he has become disqualified by removal from the district since registration or that he has violated any law of this Commonwealth prohibiting bribery at elections [Provided That if] If however the signature on the voter's certificate as compared with the signature as recorded in the district register shall not be deemed authentic by any of the election officers such elector shall nevertheless not be denied the right to vote for that reason but shall be considered challenged as to identity and required to make the affidavit and produce the evidence as provided in [subsection] clause (e) of this section Provided however That any person applying to vote who claims that he is a duly registered and qualified elector of the election district although his registration affidavit does not appear in the district register if upon application the proper court of common pleas shall have ordered the election officers to accept such elector's vote shall be permitted to vote subject to all other requirements and provisions of this section Provided further that any such person shall be considered challenged as to identity and residence and be required to produce the evidence as provided in clause (e) of this section and provided further that such person shall also be required to swear or affirm to a special affidavit on forms furnished by the commission stating his name address the date when and place where he was registered that since having registered he has resided continuously at the same address or if he has since changed his registration to another address in the city that he has in all respects complied with the provisions of this act to secure the transfer of his registration to his present address stating the time when and the manner in which he complied with such requirements that his registration has not been cancelled for any reason that he is in all respects entitled to vote as a qualified and registered elector of the district and that the absence of his registration affidavit in the district register of the district is not due to any fault or omission on his part All such affidavits shall be numbered in the

order in which they are executed and the election officer in charge of the voters' certificates shall note on the voter's certificate of any such person being so permitted to vote that fact the reason therefor as hereinbefore provided and the number of the special affidavit executed by him After the closing of the polls all such affidavits shall be arranged in numerical order by the election officers which together with such orders of the court or certified copies thereof and such notices by the commission received by them as aforesaid shall be sealed in an envelope to be furnished to them by the commission and returned to the commission with the voting check list

Section 29 Clause (f) of section thirty-eight of said act is hereby amended to read as follows

(f) The commissioners in charge of elections shall cause to be printed for each election district a suitable number of Voter's Certificates which shall be in form approved by the Secretary of the Commonwealth substantially as follows

Voter's Certificate

Number (serially numbered) (Primary) (Election) ..... 19.... I hereby certify that I am qualified to vote at this (primary) (election)  
Signature .....  
Address ..... Pennsylvania  
If voter's registration card is not in register insert the number of his special affidavit here .....  
Approved .....  
Refused .....  
Number of stub of ballot issued (or number of admission to voting machine) .....  
(and party at primary) .....

The voter's certificates shall be so prepared as to be capable of being inserted by the election officers in a suitable file or binder to be furnished by the commissioners conducting the election After a voter's certificate has been presented by an elector and has been compared with his signature in the district register and approved or in the case of an elector who is unable to write the notations [herein above] hereinbefore required have been made thereon one of the election officers who made the comparison shall sign his name or initials thereon and if the elector's signature is not readily legible shall print such elector's name over his signature After the elector has been admitted to vote the number of the stub of the ballot issued to him or his number in the order of admission to the voting machines and at primaries a letter or abbreviation designating the party in whose primary he votes shall be entered on his voter's certificate and the same shall thereupon be inserted in the file or binder One such file or binder shall be furnished for each election district for each primary and election and shall have printed or written thereon the words "Voting Check List" and the name of the district and date of the primary or election The voter's Certificates so bound shall constitute the voting check list of the district All voter's certificates prepared by persons applying to vote whose applications to vote are refused by the election officers shall be carefully preserved and returned to the commission with the voting check list

Section 30 Clause (g) of section thirty-eight of said act is hereby amended to read as follows

(g) The district register shall constitute the ballot check list of the district As each voter is found to be qualified and votes unless such voter is permitted to vote notwithstanding the absence of his registration affidavit in the register as hereinbefore provided the election officer in charge of the district register shall write or stamp the date of the election or primary the number of the stub of the ballot issued to him or his number in the order of admission to the voting machines and at the primaries a letter or abbreviation designating the party in whose primary he votes and sign his name or initials in the proper space on the registration affidavit of such voter contained in the district register After the polls are closed the names of all electors on the district register

so marked or stamped as having voted together with such others whose registration affidavits did not appear in the register who may nevertheless have been permitted to vote as aforesaid shall be immediately counted and the result compared with the number of persons voting shown by the voting check list and numbered lists of voters and announced and the cause of any difference ascertained if possible before the ballot box or voting machine is opened. The district register [and] the voting check list the voters' certificates prepared by persons whose applications to vote are refused and the orders of the court or certified copies thereof and the special affidavits as provided in clause (a) of this section shall be immediately sealed or locked in envelopes or containers and shall be returned to the custody of the registration commission by the judge of election before noon on the day following the election or primary.

Section 31 Clause (c) of section thirty-nine of said act is hereby amended to read as follows:

(c) The commission specifically shall cause the signature of each elector on each voter's certificate to be compared with his signature in the district register or on such other records in its custody on which it may appear and shall report forthwith in writing to the district attorney any evidence or indication of probable fraud, personation or forgery which may appear to the commission by reason of any comparison of the voter's certificates and registers [hereby prescribed] or other records in its custody.

Section 32 Section forty of said act is hereby amended to read as follows:

Section 40 Cancellation of Registration upon Failure to Vote Within [Four Years] Certain Periods Request for Reinstatement Correction of Errors of the Commission in Cancellation of Registrations Within three months after any general or municipal election held in the year one thousand nine hundred and forty-one and within three months after each general and municipal election held thereafter the commission shall cause all of the district registers or general registers to be examined and in the case of each registered elector who is not recorded as having voted at any election or primary within the period of four years immediately preceding the date of said municipal or general election held in the year one thousand nine hundred and forty-one and in the case of each registered elector who is not recorded as having voted at any election or primary within the period of two years immediately preceding any municipal or general election held in any subsequent year the commission shall send to such elector by mail at his address appearing upon his registration affidavit a notice setting forth that the records of the commission indicate that he has not voted within a period of four years or two years as the case may require and that his registration will be cancelled at the expiration of ten days from the date of mailing such notice unless he shall within that period file with the commission either personally or by mail a written request for reinstatement of his registration setting forth place of residence and signed by him [A copy of said notice.] A list of the persons to whom such notices shall have been mailed shall be sent promptly to the city chairman of the political party of which [such elector was] the electors were registered as [a member] members. At the expiration of the time specified in the notice the commission shall cause the registration of such elector to be cancelled unless he has filed with the commission a signed request for reinstatement of his registration as above provided. The cancellation of the registration of any such elector for failure to vote within a period of four years or two years as the case may require shall not affect the right of any such elector to subsequently register by personal application [to the commission or a registrar] in the manner provided by this act.

Whenever the registration of an elector has been cancelled through error such elector may petition the commission for the reinstatement of his registration not later than the tenth day preceding any primary or election and after a hearing on said application if error on the part of the commission is proved the commission shall re-

instate the registration of such elector [The testimony presented at such hearing shall be stenographically recorded and made a part of the records of the commission].

Section 33 Section forty-two of said act is hereby amended to read as follows:

Section 42 Appeals to Court Time of Hearing Notice Postponement Hearing Decision of Court Costs and Fees (a) Any person whose claim for registration has been denied by the commission or whose name although previously registered has been removed and not restored by the commission upon a petition filed for that purpose as herein provided or any qualified elector of the city whose rights are impaired by any order of the commission not including registration of particular names by the commission on personal application made to it as aforesaid or refusals to remove names upon any petition of any kind aforesaid may file an appeal with the proper court of common pleas not later than the seventh day preceding any election or primary setting forth why he feels that an injustice has been done and praying for such order as will give him relief. Provided That if the order of the commission appealed from was entered within ten days of any election or primary such appeal shall be filed within two days thereafter. Thereupon any judge of the said court [may] shall fix a time and place for hearing the matter in dispute of which notice shall be served with a copy of said appeal by the appellant upon the commission or upon counsel of the commission and upon any elector or his attorney who opposed the contention of the appellant before the commission at least forty-eight hours before such matter may be reviewed by the court. Proof of notice or the waiver thereof must be filed therein.

(b) Any judge of said court may enlarge the time of notice or postpone such hearing as may be reasonable with due regard for the time remaining before the succeeding election or primary. At the time so fixed the court or any judge thereof assigned for the purpose [shall] review the record made before the commission. Provided however That no additional testimony shall be taken before said court [shall] hear all the witnesses and other evidence that may be offered de novo unless the issue can be decided in some other manner by agreement of the parties concerned.

(c) [The said court on appeal from any decision or action of the registration commission shall be limited to the determination of the regularity of such decision or action and whether the findings and decision of the registration commission are reasonable in the light of the competent evidence presented before said commission and in conformity with law.] If after such public hearing the said court shall find that [the decision or action of the registration commission has been erroneous it shall direct the commission to correct its decision] an injustice has been done it may reverse or alter the decision of the commission and modify any order made by it accordingly and if necessary issue its mandate to the election officers of any election district to permit the appellant to vote at any designated election or primary although his name may not have been entered in or restored to the district [registry] register of such district. If the appellant shall not satisfy the court that an injustice has been done the decision of the commission shall be affirmed.

(d) The said court may compel the appellant unless his appeal is sustained or any opposing party other than the commission or in proper cases the county to pay all the witness fees and other legal costs of such appeal which may be taxed by the prothonotary in the usual manner.

Section 34 Clause (b) and (c) of section forty-three of said act are hereby amended to read as follows:

(b) The commission shall be a party appellee to all such appeals [but the commission shall not be obliged to answer any appeal and shall not be obliged by subpoena or otherwise to appear at any such hearing unless it shall deem it expedient to do so] and may itself appeal from any judgment order or decree made or entered by the court of common pleas to such court of appellate jurisdiction as may have jurisdiction over the



subject matter of the controversy and shall be deemed and considered a proper party appellant and in interest to file and prosecute such appeal

(c) The stenographic record of any proceeding required by this act to be stenographically recorded shall when certified by any commissioner present at such proceeding be prima facie evidence of the events therein recorded

Section 35 Clause (n) of section forty-five of said act is hereby amended and a new clause (o) is hereby added to the said section to read as follows

(n) Any person who shall [serve any paper being or purporting to be a copy of a petition to strike a voter's name from the registers or a copy of a notice or order of the commission without being duly authorized so to serve as provided herein] intentionally remove deface or destroy a copy of a street list posted by the commission in accordance with section thirty-four (b) of this act shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine not exceeding one [thousand (\$1,000)] hundred (\$100.00) dollars [and] or to undergo an imprisonment of not [less] more than [three] six months [nor more than three years] or both in the discretion of the court

(o) Any person who shall sign his name to the removal notice of any elector certifying to the truth of the statement therein as to the place of residence of such elector knowing or having reason to know that the statement is false shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine not exceeding five hundred (\$500.00) dollars or to undergo an imprisonment of not more than two (2) years or both in the discretion of the court

Section 36 It is the intention of the General Assembly that if this act cannot take effect in its entirety because of the judgment of any court of competent jurisdiction holding unconstitutional any part or parts thereof the remaining provisions of the act shall be given full force and effect as completely as if the part or parts held unconstitutional had not been included herein

Section 37 The provisions of this act shall become effective immediately upon final enactment

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

On the question,

Shall the bill pass finally?

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

YEAS—183

- |                 |                |              |                  |
|-----------------|----------------|--------------|------------------|
| Achterman,      | Foor,          | Lyons,       | Rhea,            |
| Allmond,        | French,        | Malloy,      | Riley,           |
| Auker,          | Gallagher,     | Marks,       | Rooney,          |
| Baker,          | Gates,         | Maxwell,     | Rose, S.,        |
| Balthaser,      | Gerard,        | McClanaghan, | Rosenfeld,       |
| Baughner,       | Gillan,        | McClester    | Rush,            |
| Bentley,        | Gillette,      | McDermott    | Sarge,           |
| Bentzel,        | Goodwin,       | McDowell     | Sarrat,          |
| Boles,          | Greenwood,     | McFall       | Scanlon,         |
| Boney,          | Gryskewicz,    | McGrath      | Schwab,          |
| Bower,          | Gyger,         | McIntosh     | Shaffer,         |
| Bradley,        | Habbyshaw,     | McKinney     | Shaw,            |
| Bretherick,     | Haberlen,      | McLanahan    | Shepard,         |
| Brunner, C. H., | Haines,        | McLane,      | Simons,          |
| Brunner, F. A., | Hamilton,      | McMillen,    | Skale,           |
| Burns,          | Hare,          | McSurdy,     | Sollenberger,    |
| Burriss,        | Harkins,       | Melchiorre,  | Stambaugh,       |
| Cadwalader,     | Harris,        | Mihm,        | Stank,           |
| Chervenak,      | Heatherington, | Moons,       | Stine,           |
| Cochran,        | Helm,          | Mooney,      | Stockham,        |
| Cohen, M. M.,   | Hering,        | Moran,       | Tarr,            |
| Cohen, R. E.,   | Herman,        | Moul,        | Tate,            |
| Cook,           | Hersch,        | Muir,        | Taylor,          |
| Cordier,        | Hewitt,        | Munley,      | Thompson, E. F., |
| Corrigan,       | Hirsch,        | Nagel,       | Trout,           |
| Croop,          | Holland,       | Nunemacher,  | Turner,          |
| Cullen,         | Imbrie,        | O'Brien,     | Verona,          |
| Dalrymple,      | James,         | O'Connor,    | Vincent,         |
| Dennison,       | Jefferson,     | O'Dare,      | Vogt,            |
| DiGenova,       | Jones, G. E.,  | O'Mullen,    | Voorhees,        |
| Dix,            | Jones, P. N.,  | O'Neill,     | Wagner,          |
|                 |                |              | Watkins,         |

- |              |                |               |                  |
|--------------|----------------|---------------|------------------|
| Dolon,       | Keenan,        | Owens,        | Weingartner,     |
| Duffy,       | Kenehan,       | Petrosky,     | Weiss,           |
| Early,       | Kline,         | Pettit,       | Welsh, E. B.,    |
| Eckels,      | Knoble,        | Polski,       | Welsh, M. J.,    |
| Elder,       | Kolankiewicz,  | Polen,        | Wilkinson,       |
| Elliott,     | Komorowski,    | Powers,       | Williams,        |
| Ely,         | Lee, T. H.,    | Prosen,       | Winner,          |
| Falkenstein, | Lelsey,        | Rank,         | Wolf,            |
| Finestone,   | Leonard,       | Rausch,       | Wood, L. H.,     |
| Finnerty,    | Lesko,         | Readinger,    | Woodring,        |
| Fisher,      | Levy,          | Reagan,       | Woodside,        |
| Fiss,        | Leydic,        | Reese, D. P., | Wright,          |
| Fleming,     | Lichtenwalter, | Reese, R. E., | Yeakel,          |
| Fletcher,    | Longo,         | Regan,        | Yeater,          |
| Flynn,       | Lovett,        | Reynolds,     | Young,           |
|              |                |               | Kilroy, Speaker. |

NAYS—0

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

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

BILL PASSED OVER

There being no objection House Bill No. 924, Printer's No. 1023, was passed over at the request of the SPEAKER.

CALENDAR POSTPONED

Mr. WOODSIDE. Mr. Speaker, we are not going to get anywhere apparently because the gentleman on the other side is about ready to bite the microphone, so I suggest that we have the announcements by the clerk and prepare to adjourn.

Mr. ACHTERMAN. Mr. Speaker, as far as postponing any further action on the calendar, I agree with and join the gentleman from Dauphin, and move that further action on the calendar be postponed.

The motion was agreed to.

CONDOLENCE RESOLUTION

Mr. BAUGHER 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 26, 1941.

Whereas, On January 8, 1821, there was born in Edgefield, South Carolina, a boy who was destined to write soldierly and heroic history in two wars—James Longstreet. A graduate of West Point Military Academy, he served with the United States forces in the Mexican War. When the war broke between the States, General Longstreet took up the Southern Cause, and fought gallantly under the Stars and Bars and in the uniform of Southern Gray; and

Whereas, From days at West Point, through the Mexican and the Civil Wars, General Longstreet gave heroic military service to the causes in which he felt he was right. At the close of the war—with Chapultapec and Gettysburg and Appomattox behind him—he turned to the ways of peace, and, in a country united by the blood of the Gray and the Blue, became a still greater man, devoted completely to his beloved United States; and

Whereas, Now on July 2nd, 78 years after his heroic and gallant fight at Gettysburg, a site is to be dedicated along the Emmitsburg Road, where later an equestrian statue will be erected in his honor and his memory by his widow, Mrs. Helen Dortch Longstreet, survivors of his old commands, and the Longstreet Memorial Association; and

Whereas, Present at the dedication ceremonies will be the Hon. H. Breckenridge Long, who will represent President Franklin D. Roosevelt, a representative of the Governor of this Commonwealth, Mary Pickford, the 71st Coast Artillery Unit, consisting of 1,600 men, 75 officers, and 250 vehicles; be it therefore

Resolved, That the House of Representatives pause in its deliberations to pay tribute to this former great citizen of our Commonwealth, and to request all the citizens thereof to observe the week commencing July 2, 1941, as General Longstreet week; and be it further

Resolved, That a copy of this resolution be transmitted

by the Chief Clerk of the House to his widow, Mrs. Helen Dortch Longstreet, as a testimonial of the House of Representatives' great respect for her distinguished husband.

#### ADJOURNMENT

Mr. PRESLEY N. JONES. Mr. Speaker, I move that this House do now adjourn until Monday, June 30, 1941, at 8 p. m.

The motion was agreed to, and (at 5:25 p. m.) the House adjourned.