

The motion was agreed to.

The Senate adjourned at 11:38 o'clock, p. m., Eastern Standard Time until Tuesday, July 8, 1941, at 1:00 o'clock, p. m., Eastern Standard Time.

HOUSE OF REPRESENTATIVES

MONDAY, July 7, 1941

The House met at 8 p. m.

The SECRETARY OF THE HOUSE (Dennis J. Mulvihill) in the Chair.

The SECRETARY OF THE HOUSE. I am directed by the Speaker to call the House to order and to request the gentleman from Westmoreland, Mr. Lovett, to preside until the Speaker returns to the Chair this evening.

MR. LOVETT IN THE CHAIR

PRAYER

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

Eternal God, our Father, Thou who hast placed us into a world of grave problems and perils, give us grace, we beseech Thee, to live for Thee in a difficult time. In the hard fight between truth and falsehood, help each of us to exact truthfulness. In the desperate struggle between love and hatred, may love be victorious. In the bitter controversy between right and wrong, help us to take our place on the side of that which is right no matter what the cost may be. Keep our motives clean and our purposes honest at all times.

Tonight, our Father, we would ask Thy blessing upon this House of Representatives. Bless each member and each officer in the dispatch of the business of the House. Bless too each guest who has assembled here to observe the conduct of the House while in session. Be with our State and Nation. May those in high places not only be wisely guided but divinely guided to the end that justice and goodness shall come to all men. Amen.

JOURNAL APPROVED

The SPEAKER pro tempore. The Clerk will read the Journal of Tuesday, July 2.

The Clerk proceeded to read the Journal of Tuesday, July 2, 1941, when, on motion of Mr. BAKER, unanimously agreed to, the further reading was dispensed with and the Journal approved.

BILL INTRODUCED AND REFERRED

By Mr. MODELL. HOUSE BILL No. 1952.

An Act fixing the salary of the Parliamentarian of the House of Representatives.

Referred to the Committee on Appropriations.

SENATE MESSAGES

RESOLUTIONS 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, July 1, 1941.

Resolved (if the Senate concur), that House Bill No. 107, Printer's No. 742, entitled "An act to amend section eleven of the act approved the twenty-seventh day of April one thousand nine hundred and twenty-seven (P. L. 395), entitled 'An act empowering the Department of Highways to acquire certain toll bridges within the Commonwealth providing the procedure therefor providing for the reimbursement of the Commonwealth from tolls and charges and making an appropriation' as amended by providing that certain of such toll bridges heretofore or hereafter acquired by the Department of Highways may be free bridges from the effective date of this act or from the date they are so acquired."

be recalled from the Governor for further consideration.

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, July 1, 1941.

Resolved (if the Senate concur), that House Bill No. 267, Printer's No. 713, entitled "An act making an appropriation to aid certain school districts."

be recalled from the Governor for further consideration.

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, July 1, 1941.

Resolved (if the Senate concur), that House Bill No. 280, Printer's No. 583, entitled "An act making an appropriation to the Trustees of the College of Lincoln University Chester County."

be recalled from the Governor for further consideration.

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, July 1, 1941.

Resolved (if the Senate concur), that House Bill No. 281, Printer's No. 586, entitled "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."

be recalled from the Governor for further consideration.

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, July 1, 1941.

Resolved (if the Senate concur), that House Bill No. 305, Printer's No. 737, entitled "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."

be recalled from the Governor for further consideration.

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, July 1, 1941.

Resolved (if the Senate concur), that House Bill No. 351, Printer's No. 600, entitled "An act making an appropriation to the Johnson Industrial School of Scranton Pennsylvania."

be recalled from the Governor for further consideration.

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, July 1, 1941.

Resolved (if the Senate concur), that House Bill No. 404, Printer's No. 1059, entitled "An act relating to marriage and amending revising consolidating and changing the law relating thereto."

be recalled from the Governor for further consideration.

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, July 1, 1941.

Resolved (if the Senate concur), that House Bill No. 472, Printer's No. 680, entitled "An act making an appropriation to the Department of Health for use in research work dealing with human nutrition for children."

be recalled from the Governor for further consideration.

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, July 1, 1941.

Resolved (if the Senate concur), that House Bill No. 502, Printer's No. 783, entitled "An act authorizing the Department of Property and Supplies with advice and approval of the Pennsylvania Historical Commission to acquire on behalf of the Commonwealth 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."

be recalled from the Governor for further consideration.

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, July 1, 1941.

Resolved (if the Senate concur), that House Bill No. 611, Printer's No. 773, entitled "An act providing for the acquisition by the Department of Forests and Waters in the name of the Commonwealth of certain lands in Luzerne Sullivan and Wyoming Counties for use as a State Park making an appropriation for said acquisition providing for the management of said property by said department and defining the uses to which the property shall be put."

be recalled from the Governor for further consideration.

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, July 1, 1941.

Resolved (if the Senate concur), that House Bill No. 614, Printer's No. 616, entitled "An act making an appropriation to the Downingtown Industrial and Agricultural School Downingtown Pennsylvania."

be recalled from the Governor for further consideration.

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, July 1, 1941.

Resolved (if the Senate concur), that House Bill No. 650, Printer's No. 164, entitled "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 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."

be recalled from the Governor for further consideration.

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, July 1, 1941.

Resolved (if the Senate concur), that House Bill No. 1003, Printer's No. 591, entitled "An act making an appropriation to the Moore Institute of Art Science and Industry formerly Philadelphia School of Design for Women at Philadelphia Pennsylvania."

be recalled from the Governor for further consideration.

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, July 1, 1941.

Resolved (if the Senate concur), that House Bill No. 1065, Printer's No. 599, entitled "An act making an appropriation to the National Farm School at Doylestown, Pennsylvania."

be recalled from the Governor for further consideration.

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, July 1, 1941.

Resolved (if the Senate concur), that House Bill No. 1068, Printer's No. 592, entitled "An act making an appropriation to the Trustees of the University of Pennsylvania."

be recalled from the Governor for further consideration.

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, July 1, 1941.

Resolved (if the Senate concur), that House Bill No. 1321, Printer's No. 602, entitled "An act making an appropriation to the Department of Property and Supplies for payment of balances due certain contractors for additions and alterations at the Harrisburg State Hospital."

be recalled from the Governor for further consideration.

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, July 1, 1941.

Resolved (if the Senate concur), that House Bill No. 1334, Printer's No. 588, entitled "An act making an appropriation to the Department of Property and Supplies for the payment of claims arising in connection with the erection and construction of the Eastern State Penitentiary at Graterford."

be recalled from the Governor for further consideration.

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, July 1, 1941.

Resolved (if the Senate concur), that House Bill No. 1590, Printer's No. 572, entitled "An act making an appropriation to the Board of Trustees of the Philadelphia Museum Philadelphia."

be recalled from the Governor for further consideration.

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, July 1, 1941.

Resolved (if the Senate concur), that House Bill No. 1591, Printer's No. 634, entitled "An act making an appropriation to the Pennsylvania Museum and School of Industrial Art, Philadelphia."

be recalled from the Governor for further consideration.

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, July 1, 1941.

Resolved (if the Senate concur), that House Bill No. 1659, Printer's No. 775, entitled "An act making an appropriation to the Department of Revenue for the payment of accounts settled against the Commonwealth and that department in favor of certain persons associations and corporations."

be recalled from the Governor for further consideration.

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, July 1, 1941.

Resolved (if the Senate concur), that House Bill No. 1722, Printer's No. 836, entitled "An Act authorizing the Department of Property and Supplies with the approval of the Governor and the Board of Trustees of Warren State Hospital to acquire a certain tract of land for the use of said hospital and making an appropriation therefor."

be recalled from the Governor for further consideration.

COMMUNICATIONS FROM THE GOVERNOR

The Secretary to the Governor being introduced, presented communications in writing from His Excellency the Governor, which were read as follows:

APPROVAL OF RESOLUTION RECALLING HOUSE BILL No. 107

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, July 2, 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. 107, Printer's No. 742, for the purpose of further consideration.

Accordingly, the original bill is herewith returned.

ARTHUR H. JAMES.

COMMUNICATION AND BILL LAID ON TABLE

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

The motion was agreed to.

APPROVAL OF RESOLUTION RECALLING HOUSE BILL No. 267

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, July 2, 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. 267, Printer's No. 713, for the purpose of further consideration.

Accordingly, the original bill is herewith returned.

ARTHUR H. JAMES.

COMMUNICATION AND BILL LAID ON TABLE

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

The motion was agreed to.

APPROVAL OF RESOLUTION RECALLING HOUSE BILL No. 280

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, July 2, 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. 280, Printer's No. 583, for the purpose of further consideration.

Accordingly, the original bill is herewith returned.

ARTHUR H. JAMES.

COMMUNICATION AND BILL LAID ON TABLE

Mr. READINGER. Mr. Speaker, I move that the com-

munication from the Governor together with the bill be laid on the table.

The motion was agreed to.

APPROVAL OF RESOLUTION RECALLING
HOUSE BILL No. 281

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, July 2, 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. 281, Printer's No. 586, for the purpose of further consideration.

Accordingly, the original bill is herewith returned.

ARTHUR H. JAMES.

COMMUNICATION AND BILL LAID ON TABLE

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

The motion was agreed to.

APPROVAL OF RESOLUTION RECALLING
HOUSE BILL No. 305

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, July 2, 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. 305, Printer's No. 737, for the purpose of further consideration.

Accordingly, the original bill is herewith returned.

ARTHUR H. JAMES.

COMMUNICATION AND BILL LAID ON TABLE

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

The motion was agreed to.

APPROVAL OF RESOLUTION RECALLING
HOUSE BILL No. 351

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, July 2, 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. 351, Printer's No. 600, for the purpose of further consideration.

Accordingly, the original bill is herewith returned.

ARTHUR H. JAMES.

COMMUNICATION AND BILL LAID ON TABLE

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

The motion was agreed to.

APPROVAL OF RESOLUTION RECALLING
HOUSE BILL No. 404

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, July 2, 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. 404, Printer's No. 1059, for the purpose of further consideration.

Accordingly, the original bill is herewith returned.

ARTHUR H. JAMES.

COMMUNICATION AND BILL LAID ON TABLE

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

The motion was agreed to.

APPROVAL OF RESOLUTION RECALLING
HOUSE BILL No. 472

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, July 2, 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. 472, Printer's No. 680, for the purpose of further consideration.

Accordingly, the original bill is herewith returned.

ARTHUR H. JAMES.

COMMUNICATION AND BILL LAID ON TABLE

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

The motion was agreed to.

APPROVAL OF RESOLUTION RECALLING
HOUSE BILL No. 502

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, July 2, 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. 502, Printer's No. 783, for the purpose of further consideration.

Accordingly, the original bill is herewith returned.

ARTHUR H. JAMES.

COMMUNICATION AND BILL LAID ON TABLE

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

The motion was agreed to.

APPROVAL OF RESOLUTION RECALLING
HOUSE BILL No. 611

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, July 2, 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 Rep-
resentatives and the Senate recalling from the Governor
House Bill No. 611, Printer's No. 773, for the purpose of
further consideration.

Accordingly, the original bill is herewith returned.

ARTHUR H. JAMES.

COMMUNICATION AND BILL LAID ON TABLE

Mr. READINGER. Mr. Speaker, I move that the com-
munication from the Governor together with the bill be
laid on the table.

The motion was agreed to.

APPROVAL OF RESOLUTION RECALLING
HOUSE BILL No. 614

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, July 2, 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 Rep-
resentatives and the Senate recalling from the Governor
House Bill No. 614, Printer's No. 616, for the purpose of
further consideration.

Accordingly, the original bill is herewith returned.

ARTHUR H. JAMES.

COMMUNICATION AND BILL LAID ON TABLE

Mr. READINGER. Mr. Speaker, I move that the com-
munication from the Governor together with the bill be
laid on the table.

The motion was agreed to.

APPROVAL OF RESOLUTION RECALLING
HOUSE BILL No. 650

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, July 2, 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 Rep-
resentatives and the Senate recalling from the Governor
House Bill No. 650, Printer's No. 164, for the purpose of
further consideration.

Accordingly, the original bill is herewith returned.

ARTHUR H. JAMES.

COMMUNICATION AND BILL LAID ON TABLE

Mr. READINGER. Mr. Speaker, I move that the com-
munication from the Governor together with the bill be
laid on the table.

The motion was agreed to.

APPROVAL OF RESOLUTION RECALLING
HOUSE BILL No. 1003

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, July 2, 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 Rep-
resentatives and the Senate recalling from the Governor
House Bill No. 1003, Printer's No. 591, for the purpose of
further consideration.

Accordingly, the original bill is herewith returned.

ARTHUR H. JAMES.

COMMUNICATION AND BILL LAID ON TABLE

Mr. READINGER. Mr. Speaker, I move that the com-
munication from the Governor together with the bill be
laid on the table.

The motion was agreed to.

APPROVAL OF RESOLUTION RECALLING
HOUSE BILL No. 1065

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, July 2, 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 Rep-
resentatives and the Senate recalling from the Governor
House Bill No. 1065, Printer's No. 599, for the purpose of
further consideration.

Accordingly, the original bill is herewith returned.

ARTHUR H. JAMES.

COMMUNICATION AND BILL LAID ON TABLE

Mr. READINGER. Mr. Speaker, I move that the com-
munication from the Governor together with the bill be
laid on the table.

The motion was agreed to.

APPROVAL OF RESOLUTION RECALLING
HOUSE BILL No. 1068

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, July 2, 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 Rep-
resentatives and the Senate recalling from the Governor
House Bill No. 1068, Printer's No. 592, for the purpose of
further consideration.

Accordingly, the original bill is herewith returned.

ARTHUR H. JAMES.

COMMUNICATION AND BILL LAID ON TABLE

Mr. READINGER. Mr. Speaker, I move that the com-
munication from the Governor together with the bill be
laid on the table.

The motion was agreed to.

APPROVAL OF RESOLUTION RECALLING
HOUSE BILL No. 1321

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, July 2, 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. 1321, Printer's No. 602, for the purpose of further consideration.

Accordingly, the original bill is herewith returned.

ARTHUR H. JAMES.

COMMUNICATION AND BILL LAID ON TABLE

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

The motion was agreed to.

APPROVAL OF RESOLUTION RECALLING HOUSE BILL No. 1334

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, July 2, 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. 1334, Printer's No. 588, for the purpose of further consideration.

Accordingly, the original bill is herewith returned.

ARTHUR H. JAMES.

COMMUNICATION AND BILL LAID ON TABLE

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

The motion was agreed to.

APPROVAL OF RESOLUTION RECALLING HOUSE BILL No. 1590

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, July 2, 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. 1590, Printer's No. 572, for the purpose of further consideration.

Accordingly, the original bill is herewith returned.

ARTHUR H. JAMES.

COMMUNICATION AND BILL LAID ON TABLE

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

The motion was agreed to.

APPROVAL OF RESOLUTION RECALLING HOUSE BILL No. 1591

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, July 2, 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. 1591, Printer's No. 634, for the purpose of further consideration.

Accordingly, the original bill is herewith returned.

ARTHUR H. JAMES.

COMMUNICATION AND BILL LAID ON TABLE

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

The motion was agreed to.

APPROVAL OF RESOLUTION RECALLING HOUSE BILL No. 1659

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, July 2, 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. 1659, Printer's No. 775, for the purpose of further consideration.

Accordingly, the original bill is herewith returned.

ARTHUR H. JAMES.

COMMUNICATION AND BILL LAID ON TABLE

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

The motion was agreed to.

APPROVAL OF RESOLUTION RECALLING HOUSE BILL No. 1722

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, July 2, 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. 1722, Printer's No. 836, for the purpose of further consideration.

Accordingly, the original bill is herewith returned.

COMMUNICATION AND BILL LAID ON TABLE

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

The motion was agreed to.

COMMUNICATIONS FROM THE GOVERNOR

The Secretary to the Governor being introduced, presented communications in writing from His Excellency the Governor, which were read as follows:

APPROVAL OF HOUSE BILL No. 1661

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, July 7, 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. 1661, Printer's No. 1010, entitled, "An Act to amend section three of the act

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

ARTHUR H. JAMES.

APPROVAL OF HOUSE BILL No. 152

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, July 3, 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. 152, Printer's No. 13, entitled "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."

ARTHUR H. JAMES.

APPROVAL OF HOUSE BILLS Nos. 1494 and 1495

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, July 3, 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. 1494, Printer's No. 695, entitled: "A Supplement to the act approved the twenty-seventh day of June one thousand nine hundred twenty-three (P. L. 858) as amended entitled "An act establishing a State employes' retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing State employes defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon the heads of departments in which State employes serve excepting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties"

House Bill No. 1495, Printer's No. 671, entitled: A Supplement to the act approved the twenty-ninth day of June, one thousand nine hundred thirty-seven (P. L. 2423), as amended, entitled, "An act establishing a Pennsylvania Motor Police Retirement System; providing for payments upon retirement, death, disability, involuntary retirement, and of certain medical expenses from the State Employes' Retirement Fund, under the administration of the State Employes' Retirement Board; providing for contributions by members of the Pennsylvania Motor Police and the Commonwealth; providing for the guarantee by the Commonwealth of certain of said funds; providing for the subrogation of the Commonwealth to the rights of the members or dependents against certain third parties; exempting annuities, allowances, returns, benefits, and rights from taxation and judicial processes; and providing penalties."

ARTHUR H. JAMES.

APPROVAL OF HOUSE BILL No. 640

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, July 2, 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. 640, Printer's No. 420, entitled "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."

ARTHUR H. JAMES.

APPROVAL OF HOUSE BILL No. 1441

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, July 2, 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. 1441, Printer's No. 771, entitled "An Act to amend routes 52037 and 52044 as added to the act approved the twenty-second day of June one thousand nine hundred and thirty-one (Act No. 203) entitled 'An act establishing certain township roads as State highways authorizing their construction maintenance and improvement under certain conditions and restrictions limiting the obligation of the Commonwealth in the construction of certain structures located on such highways conferring certain powers upon the Department of Highways and local authorities persons associations and corporations for sharing the cost of the maintenance and construction of such highways and making an appropriation to carry out the provisions of said act' changing certain routes in the county of Potter."

ARTHUR H. JAMES.

APPROVAL OF HOUSE BILL No. 364

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, July 2, 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. 364, Printer's No. 987, entitled, "An Act to amend the act approved the twenty-first day of June one thousand nine hundred and thirty-nine (P. L. 566), entitled 'A supplement to the act approved the second day of June one thousand nine hundred and fifteen (Pamphlet Laws seven hundred thirty-six) entitled as amended "An act defining the liability of an employer to pay damages for injuries received by an employe in the course of employment establishing an elective schedule of compensation providing procedure for the determination of liability and compensation thereunder and prescribing penalties" as reenacted and amended providing for the payment of compensation to volunteer firemen or their dependents' amplifying the provisions thereof as to persons entitled to such payments"

ARTHUR H. JAMES.

APPROVAL OF HOUSE BILL No. 317

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, July 2, 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. 317, Printer's No. 569, entitled "An Act making an appropriation to the several fire companies of the City of Harrisburg Pennsylvania."

ARTHUR H. JAMES.

APPROVAL OF HOUSE BILL No. 1457

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, July 2, 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. 1457, Printer's No. 845, entitled "An Act establishing certain public roads in Porter Township Clarion County and Mahoning Township Armstrong County as a State highway providing for their construction and maintenance by the Department of Highways."

ARTHUR H. JAMES.

APPROVAL OF HOUSE BILL No. 61

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, July 2, 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. 61, Printer's No. 573, entitled "An Act making an appropriation to the Cresson Volunteer Fire Company for the protection of State property."

ARTHUR H. JAMES.

APPROVAL OF HOUSE BILL No. 1022

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, July 2, 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. 1022, Printer's No. 1036, entitled "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 livestock, poultry and game birds 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 for hunting purposes by holders of non-resident hunting licenses, without securing a Pennsylvania dog license where the home states of such non-residents afford a similar exemption to residents of Pennsylvania"

ARTHUR H. JAMES.

APPROVAL OF HOUSE BILL No. 949

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, July 2, 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. 949, Printer's No. 717, entitled "An Act to further amend section nine of the act approved the seventh day of June one thousand nine hundred and seventeen (P. L. 363) entitled 'An act

relating to the organization jurisdiction and procedure of the orphans' courts the powers and duties of the judges thereof and appeals therefrom' by imposing liability on executors administrators or trustees for real estate broker's commissions in certain cases."

ARTHUR H. JAMES.

APPROVAL OF HOUSE BILL No. 616

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, July 2, 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. 616, Printer's No. 993, entitled, "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."

ARTHUR H. JAMES.

APPROVAL OF HOUSE BILLS Nos. 1232, 1233, 1234, 1235 and 1236

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, July 2, 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. 1232, Printer's No. 754, entitled "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 'o make supplemental appropriations."

House Bill No. 1233, Printer's No. 755, entitled "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. 1234, Printer's No. 767, entitled "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, Printer's No. 756, entitled "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 and institution district for the care and maintenance of certain indigent persons and children prescribing the powers and duties of county commissioners county treasurers city departments of public welfare the State Department of

Welfare and the State Department of Public Assistance in respect thereto abolishing certain poor districts and terminating the terms of directors overseers guardians and managers of the poor and poor district auditors and providing for the temporary employment of certain of them providing for the transfer vesting sale and disposition of the property of poor districts and the payment of their obligations imposing certain existing obligations on institution districts and on the Commonwealth regulating the affairs of poor districts until abolished revising amending changing and consolidating the law relating to the care of the poor and repealing existing laws' authorizing the commissioners of any county institution district from time to time to make supplemental appropriations."

House Bill No. 1236, Printer's No. 757, entitled "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."

ARTHUR H. JAMES.

RETURN OF RESOLUTION RECALLING HOUSE BILL No. 1639

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, July 2, 1941.

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

I return herewith, without my approval, concurrent resolution recalling from the Governor for further consideration House Bill No. 1639, Printer's No. 775, entitled "An act making an appropriation to the Department of Revenue for the payment of accounts settled against the Commonwealth and that department in favor of certain persons associations and corporations."

According to the House History the latest Printer's No. of House Bill No. 1639 was No. 1055, and it was entitled "An Act to further amend the title and the act approved the second day of June one thousand nine hundred and fifteen (P. L. 736), entitled as amended 'Workmen's Compensation Act of 1915' by making the schedules of compensation compulsory upon all employers providing that the State Workmen's Insurance Funds shall be the sole agency in which the payment of compensation may be insured providing for the termination of existing workmen's compensation insurance contracts issued by other agencies eliminating provisions relating to self-insurance and repealing certain sections and subsections," and this bill was defeated on final passage in the House on June 25, 1941. I, therefore, do not have House Bill No. 1639 in my possession.

For this reason the concurrent resolution is not approved.

ARTHUR H. JAMES.

COMMUNICATION AND BILL LAID ON TABLE

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

The motion was agreed to.

PERMISSION GRANTED COMMITTEES TO MEET DURING SESSION

Mr. MIHM asked and obtained permission for the Committee on Cities Second-Class to meet during the session of the House.

Mr. McDERMOTT asked and obtained permission for the Committee on Cities Third-Class to meet during the session of the House for the purpose of considering House Bill No. 1851.

LEAVE OF ABSENCE

By unanimous consent leave of absence was granted as follows:

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

REPORTS FROM COMMITTEES

Mr. MARKS, from the Committee on Cities—Third Class, reported as committed, House Bill No. 1851, entitled:

An Act to amend sections three thousand seven hundred nineteen, four thousand four hundred one and four thousand four hundred two 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," by extending civil service provisions to include park guards.

Mr. KEENAN, from the committee on Cities—Second Class, reported as committed, House Bill No. 1687, entitled:

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

Mr. SHAW, from the Committee on Cities—Second Class, reported as amended, House Bill No. 248, entitled:

An Act authorizing taxpayers in cities of the second class A to inspect the books and records of such cities at any reasonable time and prescribing a procedure for enforcing such right of inspection.

BILLS ON FIRST READING

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1930, entitled:

An Act authorizing the Pennsylvania Historical Commission, on behalf of the Commonwealth of Pennsylvania, to acquire, by gift, the monument erected in Greene County to Sarah Jane Price Ackley; and providing for the control, management, supervision, and maintenance thereof.

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. 1831, entitled:

An Act to further amend section twenty-one of the act, approved the seventh day of June, one thousand nine hundred fifteen (P. L. 900), entitled "An act to provide for the immediate registration of all births and deaths throughout the Commonwealth of Pennsylvania, by means of certificates of births and deaths, and burial or removal permits; requiring prompt returns to the Central Bureau of Vital Statistics, as required to be established by the

State Department of Health; and, in order to secure prompt and faithful registration of births, marriages, deaths, and diseases, of practitioners of medicine and surgery, of midwives, nurses, and undertakers, and of all persons whose occupation is deemed to be of importance in obtaining complete registration of births, deaths, marriages, and diseases throughout the State, as provided in section ten of an act, entitled 'An act creating the Department of Health and defining its powers and duties,' approved the twenty-seventh day of April, nineteen hundred and five, and providing penalties for violations of this act," by directing the Department of Health to maintain branch offices in counties of the second class for the filing of death certificates; authorizing such offices to issue certified copies of death certificates and make searches of their files; imposing additional duties upon local registrars in such counties; and prescribing fees.

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. 1895, entitled:

An Act to amend section five of the act, approved the fourth day of April, one thousand nine hundred twenty-nine (P. L. 144), entitled "An act prescribing the powers and duties of the Department of agriculture with regard to farm products; providing for cooperation with the Department of Internal Affairs to establish standard receptacles for farm products; authorizing the Department of Agriculture to establish and promulgate standards for the grade and other classification of farm products, and to promulgate regulations for the enforcement thereof; defining farm products to include agricultural, horticultural, vegetable, fruit, and flori-cultural products of the soil, live stock and meats, wool, hides, poultry, eggs, dairy products, nuts, mushrooms, and honey; and providing penalties," by including certificates of the United States Department of Agriculture as evidence of grade and classification.

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. 1733, (Senate Bill No. 262), entitled:

A Supplement to the act approved the twelfth day of June, one thousand nine hundred and thirty-nine (P. L. 335), entitled "An act creating a temporary commission to examine, report upon, and recommend measures to improve the economic, cultural, health and living conditions of the urban colored population of the State, and making an appropriation of the expenses of such commission," by extending the term of such commission until the next regular session of the General Assembly; and making an appropriation.

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

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1903, (Senate Bill No. 1173), entitled:

An Act authorizing the Department of Property and Supplies to purchase coal underlying the Cresson State Sanatorium and making an appropriation therefor.

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. 1754, (Senate Bill No. 509), entitled:

An Act making an appropriation to the State Council for the Blind for use in supplying medical treatment, surgical operations, eye-glasses or other necessary aids or services to needy blind persons or persons with impaired vision.

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. 1894, (Senate Bill No. 935), entitled:

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

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. 1891, (Senate Bill No. 1019), entitled:

An Act authorizing the Department of Property and Supplies, with the approval of the Governor and the Board of Trustees of Pennsylvania Soldiers' Orphan School to acquire a certain tract of land for the use of said school and making an appropriation therefor.

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. 1674, (Senate Bill No. 374), entitled:

An Act to provide for the settlement of disputes among states with respect to domiciliary death taxes, and imposing certain duties upon the Department of Revenue, the Attorney General and executors and administrators.

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. 1821, (Senate Bill No. 77), entitled:

An Act to further amend section one of the act, approved the seventeenth day of June, one thousand nine hundred and thirteen (P. L. 507), entitled "An act to provide revenue for State and county purposes, and, in cities co-extensive with counties, for city and county purposes; imposing taxes upon certain classes of personal property; providing for the assessment and collection of the same; providing for the duties and compensation of prothonotaries and recorders in connection therewith, and modifying existing legislation which provided for raising revenue for State purposes," by exempting assets held by liquidating trustees.

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

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1768, entitled:

An Act to further amend the act, approved the fifth day of December, one thousand nine hundred thirty-six (P. L. 1937, page 2897), entitled "An act establishing a system of unemployment compensation to be administered by the Department of Labor and Industry and its existing and newly created agencies with personnel (with certain 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 providing therein as to the replacement of certain moneys received pursuant to the provisions of Section three hundred two of the Federal Social Security Act as amended.

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. 1734, (Senate Bill No. 618), entitled:

An Act to further amend section two of the act approved the sixteenth day of June one thousand nine hundred thirty-three (P. L. 252 1933-34), entitled as amended "An act to regulate and restrain the traffic in malt and brewed beverages as herein defined providing for the licensing of the manufacture transportation sale and distribution of such beverages imposing license and permit fees and providing for collection and distribution thereof restricting ownership and interest in licensed places permitting municipalities and townships by vote of the electors to prevent the licensing therein of places where such beverages may be sold for consumption on the premises and regulating elections for this purpose imposing duties upon the Pennsylvania Liquor Control Board quarter sessions courts district attorneys the Department of Justice proper authorities of political subdivisions of the State and election officers providing penalties and repealing existing acts" by permitting clubs to waive or reduce dues payable by members in military service.

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

Agreeably to order,

The House proceeded to the first reading and con-

sideration of House Bill No. 1732, (Senate Bill No. 619), entitled:

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

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

Agreeably to order.

The House proceeded to the first reading and consideration of House Bill No. 1926, (Senate Bill No. 457), 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 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.

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. 1922, (Senate Bill No. 464), 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' assist-

ance pensions for the blind old age assistance and the State Emergency Relief Board" as amended by changing the residence requirement for general assistance.

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. 1935, entitled:

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 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" so as to include certain employes of the Board of Fish Commissioners 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 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. 629, entitled:

An Act to amend section one of, and to add section three and one-tenth to the act, approved the twentieth day of June, one thousand nine hundred and one (P. L. 582), entitled "An act to provide for the registration of labels, trade-marks, trade-names, stamps, designs, devices, shop-marks, terms, brands, designations, descriptions, or forms of advertisement and protect and secure the right, property and interest therein of the persons, copartnerships or corporations adopting and filing the same, and providing penalties for the violations of the act," further regulating the registration of labels, trade-marks, trade-names, devices, shopmarks, designations and forms of advertisement, and providing for the cancellation of such registrations in certain cases.

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

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1822, (Senate Bill No. 158), entitled:

An Act making an appropriation to the Department of Military Affairs for the maintenance and education of children of certain soldiers, sailors, marines, female field clerks, yeoman (female) and nurses.

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. 1929, (Senate Bill No. 1098), entitled:

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.

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. 1899, (Senate Bill No. 1029), entitled:

An Act creating a Joint Legislative Committee for the purpose of making a thorough study and investigation of the State Employes Retirement System; providing for its appointment; authorizing the employment of necessary clerks and assistants; authorizing the subpoenaing of witnesses and records and making an appropriation.

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

SENATE MESSAGES

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. 550.

An Act to repeal the act approved the twenty-eighth day of March one thousand eight hundred and seventy-eight (P. L. 9), entitled "An act relative to the employment of females in hotels taverns saloons and eating houses or other places for the sale of intoxicating and other drinks and the penalty for the violation thereof"

HOUSE BILL No. 1597.

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

HOUSE BILL No. 1286.

An Act relative to the employment of females in hotels taverns saloons and eating houses for the mixing or sale of alcoholic drinks and the penalty for violation thereof

HOUSE BILL No. 1585.

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

Whereas during the years of the economic depression many corporations and individuals became insolvent or unable to pay their debts as they matured and are now or may hereafter be in the process of reorganization or arrangement proceedings under the National Bankruptcy Act and

HOUSE BILL No. 1704.

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

HOUSE BILL No. 1738.

An Act to amend Route 22045 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."

HOUSE BILL No. 1739.

An Act to amend Route 38043 of the act, approved the twenty-second day of June, one thousand nine hundred and thirty-one (P. L. 594), entitled "An act establishing certain township roads as State highways; authorizing their construction, maintenance, and improvements under certain conditions and restrictions; limiting the obligation of the Commonwealth in the construction of certain structures located on such highways; conferring certain powers upon the Department of Highways and local authorities, persons, associations and corporations for sharing the cost of the maintenance and construction of such highways; and making an appropriation to carry out the provisions of said act."

With the 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. 1470.

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

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

PERMISSION TO ADDRESS HOUSE

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

Mr. Speaker, I wish to express my thanks for the kind resolution adopted in this House on Tuesday, July 1st.

I wish at this time to say it is a pleasure to have known that the House was kind enough to have adopted the resolution.

BILL ON SECOND READING

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 799, entitled:

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

The first section was read.

On the question,

Will the House agree to the section?

BILL RECOMMENDED

Mr. O'BRIEN. Mr. Speaker, I move that this bill be recommitted to the Committee on Liquor Control for the purpose of further study and possible amendment.

The motion was agreed to.

BILLS ON SECOND READING

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1319, (Senate Bill No. 269), entitled:

An Act authorizing the redemption of real property purchased by political subdivisions at tax sales upon the payment of the amount charged against the same and costs by installment payments and prescribing the procedure therefor.

The first section was read.

On the question,

Will the House agree to the section?

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

The amendment was read by the Clerk as follows:

Amend Sec. 1, page 1, lines 3 to 6, by striking out the following "it shall be" in line 3, all of lines 4 and 5, and the following "real property or part thereof" in line 6, and in setting in lieu thereof: "any person who was or is entitled under existing law to redeem such property shall have such right of redemption."

The amendment was agreed to.

The section was agreed to as amended.

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

The fourth section was read.

On the question,

Will the House agree to the section?

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

The amendment was read by the Clerk as follows:

Amend Sec. 4, page 3, line 17, by striking out the following: "have power to".

The amendment was agreed to.

Thee section was agreed to as amended.

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

The title was read.

On the question,

Will the House agree to the section?

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

The amendment was read by the Clerk as follows:

Amend title, page 1, line 1 of title, by striking out the following, "Authorizing" and inserting in lieu thereof: "Providing for".

The amendment was agreed to.

The title was agreed to as amended.

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

Ordered, To be transcribed for a third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 355, entitled:

An Act to provide for the change of object of the corporate existence of beneficial and relief associations as herein defined and authorizing and providing a mode for the dissolution and surrender of the charter of such associations

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. 1008, (Senate Bill No. 377), entitled:

An Act validating certain proceedings and elections of counties, cities, boroughs, school districts or other municipalities or incorporated districts, had and held pursuant to the provisions of an act, approved the twentieth day of April, one thousand eight hundred seventy-four (P. L. 65), entitled "An act to regulate the manner of increasing the indebtedness of municipalities, to provide for the redemption of the same, and to impose penalties for the illegal increase thereof," and the amendments and supplements thereto; and validating bonds issued or authorized to be issued in pursuance of such proceedings and elections.

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. 902, (Senate Bill No. 254), entitled:

An Act authorizing municipalities to file liens against real estate beyond the municipal limits for certain municipal rates; validating liens heretofore filed; and providing for the procedure thereon.

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

Ordered, To be transcribed for a third reading.

PERMISSION GRANTED COMMITTEE TO MEET DURING SESSION

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

HOUSE BILL No. 1676 TAKEN FROM TABLE

Mr. McFALL. Mr. Speaker, I move that House Bill No. 1676, together with the communication from the Governor which was laid on the table June 26, 1941, be taken from the table.

The motion was agreed to.

The communication was read by the Clerk as follows:

COMMUNICATION FROM THE GOVERNOR

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

APPROVAL OF RESOLUTION RECALLING HOUSE BILL No. 1676

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. 1676, Printer's No. 776, for the purpose of amendment.

Accordingly, the original bill is herewith returned.

ARTHUR H. JAMES.

RECONSIDERATION OF VOTE

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

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

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

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

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

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

On the question,

Will the House agree to the motion?

It was agreed to.

Mr. McFALL. 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?

Messrs. McFALL and ELLWOOD B. WELSH. Mr. Speaker, we ask unanimous consent to offer amendments at this time.

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

The Clerk read the amendments as follows:

Amend page 1, line 12 of the title, by striking out after the word "the" and before the word "use" the following "[installation and]."

Amend section 2 (section 2), page 4, by striking out, with boldface brackets, line 1.

Amend section 2 (section 2), page 4, line 2 by striking out at the beginning of the line, with boldface brackets, the following: "[ardous per se nor shall a]," and inserting in lieu thereof the word: "No."

Amend section 2 (section 2), page 4, line 3 by inserting after the word "lift" and before the word "be" the word: "shall."

Amend section 3 (section 3), page 4, by striking out, with boldface brackets, lines 22 to 24, inclusive, and inserting in lieu thereof the following:

No rules and regulations shall be adopted prohibiting the use of man lifts except only when such man lifts are found to have been incorrectly installed to be mechanically defective or to be operating under some unnecessary hazard

Amend section 3 (section 9), page 5, by striking out, with boldface brackets, lines 25 to 27, inclusive.

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

On the question,

Will the House agree to the amendments?

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.

HOUSE BILL No. 1323 TAKEN FROM TABLE

Mr. DAVID P. REESE. Mr. Speaker, I move that House Bill No. 1323, together with the communication from the Governor which was laid on the table June 26, 1941, be taken from the table.

The motion was agreed to.

The communication was read by the Clerk as follows:

COMMUNICATION FROM THE GOVERNOR

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

APPROVAL OF RESOLUTION RECALLING HOUSE BILL No. 1323

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. 1323, Printer's No. 984, for the purpose of amendment.

Accordingly, the original bill is herewith returned.

ARTHUR H. JAMES.

RECONSIDERATION OF VOTE

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

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

The SPEAKER pro tempore. How did the gentleman

from Daughin, Mr. Taylor, vote on the final passage of bill?

RECONSIDERATION OF VOTE

Mr. DAVID P. REESE. Mr. Speaker, I voted in the majority.

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

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

On the question,

Will the House agree to the motion?

It was agreed to.

Mr. DAVID P. REESE. 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?

Messrs. DAVID P. REESE and HABBYSYAW. Mr. Speaker, we ask unanimous consent to offer amendments at this time.

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

The Clerk read the amendments as follows:

Amend title, page 1, last line of title, by inserting after the word 'purposes' the following: "and providing that such exchange of property shall not be effected unless and until a suitable additional building is made available for use by the Department of Military Affairs as an arsenal or as an administrative building."

Amend sec. 5, page 3, line 18, by inserting after the word "enactment" the following: "but the exchange of property hereinbefore authorized shall not be effected until and unless a suitable additional building is made available for use by the Department of Military Affairs, either as an arsenal or as an administrative building."

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

On the question,

Will the House agree to the amendments?

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.

THE SPEAKER (Elmer Kilroy) IN THE CHAIR

The SPEAKER. The Chair thanks the gentleman from Westmoreland, Mr. Lovett, for presiding.

HOUSE BILL, No. 803 TAKEN FROM TABLE

Mr. TATE. Mr. Speaker, I move that House Bill 803, together with the communication from the Governor which was laid on the table June 26, 1941, be taken from the table.

The motion was agreed to.

The communication was read by the Clerk as follows:

COMMUNICATION FROM THE GOVERNOR

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

APPROVAL OF RESOLUTION RECALLING HOUSE
BILL No. 803

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. 803, Printer's No. 905, for the purpose of amendment.

Accordingly, the original bill is herewith returned.

ARTHUR H. JAMES.

RECONSIDERATION OF VOTE

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

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

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

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

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

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

On the question,

Will the House agree to the motion?

It was agreed to.

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

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

The clerk read the amendments as follows:

Amend page 1, line 5 of the title, by inserting after the word "Commonwealth" and before the word "prohibiting" the word: "by."

Amend page 1, line 5 of the title, by striking out at the end of the line the following: "[the sell-]."

Amend page 1, line 6 of the title, by striking out at the beginning of the line the following: "[ing giving away or]," and inserting in lieu thereof the following: "certain persons from."

Amend page 1, line 8 of the title, by striking out at the end of the line the following: "[danc. houses or in concert sal-]."

Amend page 1, by striking out line 9 of the title.

Amend page 1, line 10 of the title, by striking out at the beginning of the line the following: "[connected with which]" and inserting in lieu thereof the following: "any place where."

Amend page 1, line 11 of the title, by striking out at the end of the line the following: "[prohibiting the sell-]."

Amend page 1, line 12 of the title, by striking out at the beginning of the line the following: "[ing giving away or]," and inserting in lieu thereof the following: "or any place connected therewith and prohibiting certain persons from."

Amend page 1, line 14 of the title, by striking out at the end of the line the following: "[lap rooms clubs cafes restaurants and eat-]."

Amend page 1 by striking out line 15 of the title.

Amend page 2, by striking out line 1 of the title and

inserting in lieu thereof the following: "any dance hall or dance house."

Amend section 1 (section 643), page 2, line 7 by striking out, with boldface brackets, after "643" and before the word "Employment" the word: "[Certain]."

Amend section 1 (section 643), page 2, line 7 by striking out after the word "Minors" and before "[in" the following "in Places Where Wines or Spirituous or Malt Liquors Are Sold or Given Away and in Dance Halls."

Amend section 1 (section 643), page 2, line 10 by striking out, with slanted lightfaced brackets, after the word "years" and before the word "permits" the following: "[sells gives away or]."

Amend section 1 (section 643), page 2, line 16 by inserting at the end of the line the following: "or being a proprietor or manager employs or permits."

Amend section 1 (section 643), page 2, line 11 by striking out at the end of the line, with slanted lightfaced brackets, the word: "[dancel]."

Amend section 1 (section 643), page 2, by striking out line 12 with slanted lightfaced brackets.

Amend section 1 (section 643) page 2 line 13 by striking out at the beginning of the line with slanted lightfaced brackets, the following: "[theater or place of entertainment], and inserting in lieu thereof the word: "place."

Amend section 1 (section 643), page 2, line 14 by striking out at the end of the line, with boldface brackets, the following: "[or with]."

Amend section 1 (section 643), page 2, by striking out line 15 with boldface brackets.

Amend section 1 (section 643), page 2, line 16 by striking out at the beginning of the line, with boldface brackets, the following: "[malt liquors is directly or indirectly], and inserting in lieu thereof the following: "or any place."

Amend section 1 (section 643), page 2, line 16 by inserting after the word "connected" and before the word "by" the word "therewith."

Amend section 1 (section 643), page 2, line 17 by striking out, with slanted lightfaced brackets, at the end of the line the following: "[or being the proprietor of any]."

Amend section 1 (section 643), page 2, by striking out, with slanted lightfaced brackets, lines 18 and 19.

Amend section 1 (section 643), page 2, line 20 by striking out, at the beginning of the line, with slanted lightfaced brackets, the word: "[minor]," and inserting in lieu thereof the following: "where wines or spirituous or malt liquors are sold or given away."

Amend section 1 (section 643), page 2, line 21 by striking out, with slanted lightfaced brackets, the following: "[in a summary proceeding]."

Amend section 1 (section 643), page 2, line 22 by striking out after the word "exceeding" and before the word "hundred," with slanted lightfaced brackets, the word: "[one], and inserting in lieu thereof the word: "two."

Amend section 1 (section 643), page 2, line 22 by striking out, with slanted lightfaced brackets, after the word "dollars" and before the word "and" the following: "[\$100], and inserting in lieu thereof the following: "(\$200)."

Amend section 1 (section 643), page 3, line 1 by striking out at the end of the line, with slanted lightfaced brackets, the following: "[three (3)]" and inserting in lieu thereof the following: "six (6)."

Amend section 1 (section 643), page 3 by striking out, with boldface brackets, lines 3 to 21, inclusive, and inserting in lieu thereof the following: "(b) Whoever having the care custody or control of any minor under the age of eighteen (18) years permits or being a proprietor or manager employs or permits any such child to sing dance act or exhibit in any dance hall or dance house is guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine not exceeding one hundred dollars (\$100) and in default in the payment of such fine and costs shall be sentenced to imprisonment not exceeding three (3) months."

Amend page 3 by inserting after line 28 the following new section: "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 MESSAGES

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. 9.

An Act concerning the permanent recordation of certain births birth certificates the issuance of copies of such certificates and prescribing the procedure therefor enlarging the powers and duties of the Department of Health and the Bureau of Vital Statistics 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 Clerk of the Senate being introduced informed that the Senate has concurred in the amendments by the House of Representatives to Senate Bill numbered and entitled as follows: viz:

SENATE BILL No. 30.

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.

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. 381

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

amending and consolidating the laws relating thereto" by authorizing the acquisition operation and leasing of aviation landing fields and airdromes by counties of the second third fourth fifth sixth and seventh classes conferring certain powers of eminent domain upon such counties for the acquisition of lands for aviation landing fields and airdromes authorizing such counties to appropriate for such purposes unredeemed lands purchased at tax sales providing for the jurisdiction of condemnation proceedings where lands are situated in more than one county authorizing such counties to act jointly with certain political subdivisions in the operation and maintenance of aviation landing fields and airdromes and providing for the expenditure of funds for such purposes in cooperation with certain State Federal or other public agencies

SENATE BILL No. 588.

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

SENATE BILL No. 9.

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

SENATE BILL No. 30.

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

SENATE BILL No. 555

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 mother's 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

SENATE BILL No. 712.

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

SENATE BILL No. 796.

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

Whereupon,

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

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. 348.

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

HOUSE BILL No. 550.

An Act to repeal the act approved the twenty-eighth day of March one thousand eight hundred and seventy-eight (P. L. 99), entitled "An act relative to the employment of females in hotels taverns saloons and eating houses or other places for the sale of intoxicating and other drinks and the penalty for the violation thereof"

HOUSE BILL No. 1092.

An Act making an appropriation for the expenses of the Committee of the House of Representatives created by House Resolution Serial Number forty-nine, adopted the nineteenth day of February, one thousand nine hundred forty-one.

HOUSE BILL No. 1286.

An Act relative to the employment of females in hotels taverns saloons and eating houses for the mixing or sale of alcoholic drinks and the penalty for violation thereof

HOUSE BILL No. 1585.

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

Whereas during the years of the economic depression many corporations and individuals became insolvent or unable to pay their debts as they matured and are now

or may hereafter be in the process of reorganization or arrangement proceedings under the National Bankruptcy Act and

HOUSE BILL No. 1597.

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

HOUSE BILL No. 1704.

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

HOUSE BILL No. 1738.

An Act to amend Route 22045 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"

HOUSE BILL No. 1739.

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

HOUSE BILL No. 1837.

An Act to further amend clauses (6) and (7) of section two and section nine hundred eight of the act, approved the twenty-eighth day of May, one thousand nine hundred and thirty-seven (P. L. 1053), entitled "An act relating to the regulation of public utilities; defining as public utilities certain corporations, companies, associations, and persons; providing for the regulation of public utilities, including, to a limited extent, municipalities 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," changing the definitions of "Common Carrier by Motor Vehicle" and "Contract Carrier by Motor Vehicle;" and giving the Public Utility Commission the right to inspect and access to facilities and records of all persons and corporations subject to said act.

Whereupon,

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

PERMISSION GRANTED COMMITTEE TO MEET DURING SESSION

Mr. WEISS asked and obtained permission for the Committee on Municipal Corporations to meet during the session of the House for the purpose of considering Senate Bill No. 801.

PERMISSION TO ADDRESS HOUSE

Mr. O'BRIEN asked and obtained unanimous consent to address the House.

Mr. Speaker, in the Pittsburgh Press of July 1st, is contained the following article, I quote:

"The house, on motion of Representative Brown, later accepted amendments to three pending anti-red bills, to provide for appeals to the courts on the part of public employes fired for subversive activities, reliefs denied relief grants for the same reason, or parties barred from the ballot on grounds of subversive aims.

"Democrats supported the amendments, but in caucus Mr. O'Brien of the Philadelphia group, author of one of the measures, said he personally accused Mr. Brown of representing the Communists.

"I told the caucus that a Communist leader had informed me the bills were to be amended in the same manner proposed by Mr. Brown, so they must have been working together," Mr. O'Brien related.

He added that when Mr. Brown denied it, he took him to the Communist who had told him of the amendments, but that the latter backed 'down.'"

This article, Mr. Speaker, was written by Robert Taylor, Pittsburgh Press staff writer. For the information of the Speaker and the members of the House, I never met Mr. Taylor until this evening, yet I happened to be quoted in the Pittsburgh Press.

I publicly admit, Mr. Speaker, that the amendments offered in the first bills by Mr. Brown were the amendments suggested and authorized by a sub-committee of the Democratic caucus. In addition to that Mr. Speaker, certain amendments were offered by Mr. Cordier of Lackawanna County, which were opposed by Mr. Brown. In asking unanimous consent, Mr. Speaker, I am only too willing to defend any statements that I personally made, but when I am quoted by either a member of the press or any Member of the House whom I have never met, I think it is time to rise in defense of the Member whom I am quoted as accusing.

I say to you, Mr. Speaker, that at any time under the good graces of the House of Representatives I am called "the gentleman from Philadelphia," I will try to live up to that and be a gentleman from Philadelphia, and make my accusations or make my statements direct to the Speaker and the Members of the House.

BILL INTRODUCED AND REFERRED

By Mr. HARKINS.

HOUSE BILL No. 1963.

An Act to add clause (i) to section seven hundred and four 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, the nomination of candidates, primary and election expenses and election contests; creating and defining membership of county boards of elections; imposing duties upon the Secretary of the Commonwealth, courts, county boards of elections, county commissioners; imposing penalties for violation of the act, and codifying, revising and consolidating the laws relating thereto; and repealing certain acts and parts of acts relating to elections," by adding rule for determining residence in case of electors compelled to remove from their place of residence by agencies or bodies having right of eminent domain or acquiring property for carrying out National defense programs.

Referred to the Committee on Elections.

PERMISSION TO ADDRESS HOUSE

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

Mr. Speaker, I wish to rise at this time to say that I have served for several sessions with the gentleman from Allegheny, Mr. Brown. I have found him open, honest and sincere in all of his deliberations and all his actions, both on the floor and in the committee rooms.

With reference to the news item read by Mr. O'Brien of Philadelphia I wish to say that I am certain the amendments offered by Mr. Brown, these particular amendments, were not dictated by any subversive group. In fact, one of the amendments submitted was agreed to by me and had the approval of the Department of Public Assistance. That particular amendment to House Bill 448 provided for a method of appeal for the general assistance recipient. I am certain that the gentleman from Allegheny

possesses sufficient intelligence and sufficient courage and independence to do his own thinking and not be subject to any pressure groups. I am certain that he is a true, loyal American and one of the ablest Members of the General Assembly, who should in no way be tied up with any of these subversive groups. I am happy as the sponsor of this piece of legislation to make this statement.

Mr. SHAW. Mr. Speaker—

The SPEAKER. The Chair recognizes the gentleman from Allegheny, Mr. Shaw.

Mr. BROWN. Mr. Speaker—

Mr. SHAW. Mr. Speaker, I yield to the gentleman from Allegheny, Mr. Brown.

PERMISSION TO ADDRESS HOUSE

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

Mr. Speaker, I thank the gentleman from Allegheny Mr. Shaw for yielding so that my remarks may follow the remarks of the gentleman from Philadelphia, Mr. O'Brien and the gentleman from Lackawanna, Mr. Cordier.

I want to express my appreciation to the gentleman from Philadelphia, Mr. O'Brien, and to the gentleman from Lackawanna, Mr. Cordier, for correcting the statement that appeared in the Press. I was somewhat hurt by the statement. Not that I wouldn't talk to a Communist or anybody else. I haven't risen so far, and I think I shall never rise so far that I will not speak to any man, but I was hurt when I was accused of telling what went on in committee, knowing full well that we went from Room 246 in the Capitol Building to the Legislative Reference Bureau and put in the amendments—the thought of the committee—returned to the House, and then on the next day the gentleman from Lackawanna, Mr. Cordier, handed me a group of amendments clarifying a motion I had made, and which were presented here. I think the matter cast a reflection upon me and upon my honesty. I sincerely hold, Mr. Speaker, that above everything else we ought to be honest with those with whom we serve, and because of the fact that these statements may clear up the reflections cast upon me, I want to express my deep appreciation for the gentlemen's remarks.

REPORT OF COMMITTEE ON SEWING PROJECTS

Mr. SHAW. Mr. Speaker, as Chairman of your Special Committee named on the first day of the Session to investigate the troubles connected with the sewing projects of the W. P. A., I am not making a final and formal report, but in view of the very drastic cuts which are presently being made in W. P. A. employment—and may I add that these cuts are necessitated by the reduced appropriation made by the Congress of the United States. I feel and my Committee feels that a short statement showing the Members of this House, the various things we have encountered and which are coming to us almost weekly should be made.

In the first place, Mr. Speaker, the members of your Special Committee appreciate very deeply the support given by every one of you to this Committee, and I as chairman of the Committee wish to express my gratitude to the members of the Committee for their very unselfish work and their untiring labors in trying to reach sensible conclusions on these problems.

Sometime ago I found it necessary, since the work has become so heavy, to ask another member to act as secretary of the Committee, and I asked the gentleman from Philadelphia, Mr. D'Ortona, to act in that capacity. My thanks are due also to him.

Within the past two weeks, Mr. Speaker, one of the most worthy projects, in my opinion, that has been conducted by W. P. A. has been closed throughout the State. Some of them are now being reopened. To show what one of those projects is, a nursery school, and what it means particularly to the people in the congested districts, I wish to read into the record one of the letters I have received from mothers in Philadelphia. It says:

"Dear Mr. Shaw: I am one of the many mothers who have a small child in the House of Industry Nursery School near Seventh and Catharine Streets which has been ordered closed this past Friday. We live in an apartment, have no yard for my child's recreation, cannot afford a private nurse or nursery or help. Physically I am not very strong and soon expect another child. In the past six months that my child has been at the nursery he has improved in many ways, and I also have benefitted very much. Us mothers have paid for our children's food and helped in many ways to keep the school open. It would be a crime to have these nurseries closed to deprive our children and us mothers of its manifold benefits which contribute to the physical welfare of our future citizens. I hope and pray that you will do all in your power to see that this nursery school is reopened as soon as possible. Very truly yours, Mrs. Rose Testa, 802 South 8th Street, Philadelphia, Pa."

Mr. Speaker, that is just one of the things with which your Committee has had to contend, and I submit to you and to all the Members of this House certainly there should be some agency in this Commonwealth empowered under the law to take up these relief projects and continue them. I am hopeful that some sort of arrangement may be reached under which all of these projects not only the nursery schools, but other projects which have employed people can be reopened, and in that way help these people. This is an informal report of my Committee. Thank you very much.

PERMISSION GRANTED COMMITTEE TO MEET DURING SESSION

Mr. GALLAGHER asked and obtained permission for the Committee on Elections to meet during the session of the House for the purpose of considering House Bill 1963.

REPORTS FROM COMMITTEES

Mr. JEFFERSON, from the Committee on Municipal Corporations, reported as committed, House Bill No. 1806, (Senate Bill 801), entitled:

An Act to validate and confirm certain contracts heretofore entered into by boards of school directors where there is no evidence of fraud or conspiracy and to authorize ratify confirm and validate payments on such contracts by the school district.

Mr. BONEY, from the Committee on Appropriations, reported as committed, House Bill No. 1952, entitled:

An Act fixing the salary of the Parliamentarian of the House of Representatives.

BILL ON FIRST READING

Mr. BONEY asked and obtained unanimous consent for House Bill No. 1952 to be read for the first time.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1952, entitled:

An Act fixing the salary of the Parliamentarian of the House of Representatives.

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

RESOLUTION

RECALLING HOUSE BILL No. 1543 FROM
THE GOVERNOR

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

In the House of Representatives, July 7, 1941.

Resolved (if the Senate concur), that House Bill No. 1543, Printer's No. 1075, entitled "An act providing a method for supplying perfecting and recording birth records of certain persons whose births have not heretofore been made a public record or whose record of birth is incomplete or incorrect making such records competent legal evidence prescribing fees and imposing certain duties upon the orphans' court and the Bureau of Vital Statistics of the Department of Health."

be recalled from the Governor for further consideration.

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

BILL ON FINAL PASSAGE RECALLED FROM
GOVERNOR PASSED OVER

There being no objection House Bill No. 1513, Printer's No. 1088, was passed over at the request of Mr. DENNISON.

BILLS ON THIRD READING

Agreeably to order,

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

The House resumed the consideration on third reading of House Bill No. 1231, as follows:

An Act to promote the general welfare and to protect the health safety morals and standards of living of the people of the Commonwealth of Pennsylvania by providing for the elimination of wage and hour standards detrimental to the health safety morals and standard of living of workers to establish minimum wage and maximum hour standards to prescribe the powers and duties of the Department of Labor and Industry under this act and for other purposes

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

Article I

Section 1 Findings and Policy (a) In numerous occupations and industries in the State of Pennsylvania workers are employed at wages which are unfair substandard and oppressive and which are insufficient to provide adequate maintenance or livelihood commensurate with the cost of living to safeguard health and well-being of such workers The payment of such unfair substandard oppressive and insufficient wages substantially and adversely affects the general welfare of the State in that

it (1) endangers the health safety morals and welfare of the people (2) creates sweat shops with their attendant dangers to the health and safety of the people (3) creates variations and instability in competitive wage rates and working conditions within and between industries (4) depresses the purchasing power of wage earners (5) increases the disparity between production and consumption (6) causes unfair and injurious competition (7) tends to produce and aggravate the recurrent business depressions and (8) tends to lead to strikes lockouts and other forms of industrial strife and unrest which are inimical to the public safety and welfare

In numerous occupations and industries in the State of Pennsylvania workers are employed at excessive hours which are unfair and oppressive and which are inimical to the health safety efficiency and well-being of such workers The existence of such excessive unfair and oppressive hours of work substantially and adversely affects the general welfare of the State in that it (1) is inimical to public health and safety (2) creates sweat shop conditions with their attendant dangers to the health and safety of the people (3) curtails employment opportunities (4) perpetuates and aggravates unemployment and thus imposes upon the people of the State the burden of feeding supporting and otherwise relieving the distress of the unemployed wages earners and of their families (5) curtails the earning and the purchasing power of the workers and thus stifles business creates bankruptcies insolvencies misery destitution and want among the people of the State (6) causes unfair and injurious competition (7) tends to produce and aggravate the recurrent business depressions and (8) tends to lead to strikes lockouts and other forms of industrial strife and unrest which are inimical to the public safety and welfare

(b) It is hereby declared to be the policy of this act through the exercise of the police power of the State of Pennsylvania (1) to correct and as rapidly as practicable to eliminate the conditions above referred to (2) to establish as far and as rapidly as possible minimum wage and maximum hour standards which would serve to protect the health safety and well-being of workers (3) to safeguard existing minimum wage and maximum hour standards which are consistent with the health safety and well-being of workers from the injurious effects of the serious and unfair competition detrimental to the health safety and well-being of workers and (4) to increase employment opportunities All provisions of this act shall be liberally construed for the accomplishment of this policy

Section 2 Definitions As used in this act

(a) "Commissioner" shall mean the Secretary of the Department of Labor and Industry

(b) "Employ" includes suffer or permit to work

(c) "Employer" includes any individual partnership association corporation business trust legal representative or any organized group of persons acting directly or indirectly in the interest of an employer in relation to an employe but shall not include the United States the State of Pennsylvania any labor organization (other than when acting as an employer) or anyone acting in the capacity of officer or agent of such labor organization

(d) "Employe" includes any individual employed by an employer but shall not include any individual employed (1) in a bona fide executive or professional capacity (as such terms are defined and delimited by regulations of the commissioner) (2) in agriculture (3) in domestic service in a private home and (4) in the capacity of an outside salesman

(e) "Industry" means a trade business industry or branch thereof or group of industries in which individuals are employed

(f) "Wage" means lawful money of the United States or checks on banks convertible into cash on demand at full face value thereof and shall not include tips or gratuities of any kind

(g) "Week" means any period of seven consecutive days

(h) "Day" means any period of twenty-four consecutive hours

(i) "Agriculture" includes farming in all its branches the cultivation and tillage of the soil dairying the production cultivation growing and harvesting of any agricultural or horticultural commodities the raising of livestock bees fur-bearing animals or poultry and any practices (including any forestry or lumbering operations) performed by a farmer or on a farm as a necessary incident to the above farming operations including delivery from a farm to storage or to market or to carriers for transportation to market

Section 3 Minimum Wages (a) No employer shall pay to any of his employes wages at the rates less than the following minimum wage rates

(1) During the first year from the effective date of this section the minimum wage rate of twenty-five cents per hour

(2) During the next six years from such date the minimum wage rate of thirty cents per hour

(3) After the expiration of seven years from such date the minimum wage rate of forty cents per hour

(b) This section shall take effect upon the expiration of one hundred twenty days from the date of enactment of this act

Section 4 Maximum Hours (a) No employer shall except as hereinafter provided in this section employ any employe

(1) During the first year from the effective date of this section for more than eight hours per day of forty-four hours per week

(2) During the second year from such date for more than eight hours per day or forty-two hours per week

(3) After the expiration of the second year from such date for more than eight hours per day or forty hours a week unless such employe receives compensation for his employment in excess of the hours above specified at a rate not less than one and one-half times the regular rate at which he is employed

(b) This section shall take effect upon the expiration of one hundred and twenty days from the date of enactment of this act

Section 5 Handicapped Workers The commissioner may by regulations or by orders provide for the employment under special certificates issued pursuant to regulations of the commissioner of individuals whose earning capacity is impaired by age or physical or mental deficiency or injury at such wages lower than the applicable minimum wage and for such period as shall be fixed in such certificates

Section 6 Administration There is hereby created within the Department of Labor and Industry a Wage and Hour Bureau The Wage and Hour Bureau shall be organized in the same manner as other bureaus or divisions of the said department and shall be in charge of a director if he deems such action advisable for the more efficient and economical administration of the work and duties of the department the commissioner regardless of the provisions of any other law may combine or consolidate the activities of any other division or bureau of the Department of Labor and Industry with those of the Wage and Hour Bureau The commissioner shall have the authority to appoint the director of the Wage and Hour Bureau and such assistants and other employes as may be necessary for the proper enforcement of this act and to fix their compensation subject to existing laws applicable to the appointment and compensation of employes of the State

Section 7 Regulations and Orders (a) The commissioner shall have the authority and it shall be his duty to enforce the provisions of this act and any regulations or orders issued thereunder

(b) The commissioner shall have the authority from time to time to make amend and rescind such regulations and orders as may be necessary or appropriate to carry out the provisions of this act Such regulations or orders without being limited thereto may include such terms and conditions including the restriction or prohibition of industrial homework or of such other acts or practices as the commissioner finds necessary or appropriate to

carry out the purposes of the act and to prevent the circumvention or evasion thereof and to safeguard the standards therein established Such regulations or orders shall include such partial or total restrictions or prohibitions on the employment (notwithstanding the payment of time and one-half the regular rate of pay) of employes in excess of the hours specified in section four (a) as he finds necessary to prevent the circumvention (by means of reduction in wage rates to avoid the penalizing effect of the overtime compensation provisions or by other devices) of the intent of section four (a) to reduce hours of labor

(c) Regulations or orders of the commissioner issued pursuant to subsection (b) which relate to industrial home-work or to employment in excess of the hours specified in section four (a) shall be made only after notice to interested persons and a public hearing by the commissioner at which such persons may be heard

(d) Regulations or orders issued pursuant to this section shall take effect five days after publication in such newspapers and by such other means as the commissioner deems reasonably calculated to give to interested persons general notice of such issuance

Section 8 Investigations Inspections Records (a) The commissioner or his authorized representative may investigate and gather data regarding the wages hours and other conditions and practices of employment in the State and may enter and inspect such places and such records (and make such transcriptions thereof) question such employes and investigate such facts conditions practices or matters as he may deem necessary or appropriate to determine whether any person has violated any provision of this act or which may aid in the enforcement of the provisions of this act or in connection with the recommendation of further legislation

(b) Every employer shall keep in or about the premises wherein any employe is employed a record of the name address and occupation of each such employe of the amount paid each pay period to each such employe of such employe and of such other information and for such the hours worked each day and each work-week by each periods of time as the commissioner may by regulation or order prescribe The commissioner or his authorized representative shall for the purpose of examination have access to and the right to copy from such records and every employer shall furnish to the commissioner or his authorized representative on demand a sworn statement of such records and if the commissioner shall so require upon forms prescribed or approved by him Every employer shall furnish to the commissioner or his authorized representative such information relating to the employment of workers and in such manner as the commissioner may require Every employer shall keep a printed abstract of the law and a copy of any order to which he may be subject conspicuously posted in or about the premises wherein any person subject thereto is employed Employers shall be furnished copies of such abstract and orders on request without charge

(c) Any employer who hinders or delays the commissioner or his authorized representative in the performance of his duties in the enforcement of this act or who refuses to admit the commissioner or his authorized representative to any place of employment or who fails to keep or falsifies any record required under the provisions of this section or who refuses to make such records accessible or to furnish a sworn statement thereof or to give information required for the proper enforcement of this act upon demand to the commissioner or his authorized representative or who fails to post an abstract of this law or a copy of any order as required by this section shall be deemed to have violated this act

Section 9 Oaths Affidavits Subpoenas (a) The commissioner or his authorized representative shall have the power to administer oaths to take or cause to be taken the depositions of witnesses and to require by subpoena the attendance and testimony of witnesses and the production of all books records and other evidence relative to any matter under investigation Such subpoenas shall be signed and issued by the commissioner or his authorized

representative In cases of failure of any person to comply with any subpoena lawfully issued under this section or on the refusal of any witness to produce evidence or to testify to any matter regarding which he may be lawfully interrogated it shall be the duty of any common pleas court or the judge thereof upon application of the commissioner or his authorized representative to compel obedience by proceedings for contempt as in the case of disobedience of the requirements of a subpoena issued by such court or a refusal to testify therein The commissioner shall have the power to certify to official acts

(b) No person shall be excused from attending and testifying or from producing books papers correspondence memoranda contracts agreements or other records and documents before the commissioner or his authorized representative or in obedience to the subpoena of the commissioner or his authorized representative or in any cause or proceedings instituted under this act on the ground that the testimony or evidence documentary or otherwise required of him may tend to incriminate him or subject him to a penalty or forfeiture but no individual shall be prosecuted or subject to any penalty or forfeiture for or on account of any transaction matter or thing concerning which he is compelled to testify or produce evidence documentary or otherwise after having claimed his privilege against self-incrimination except that such individual so testifying shall not be exempt from prosecution and punishment for perjury committed in so testifying

Section 10 Penalty Provisions Collection of Unpaid Wages (a) Any employer who violates any provisions of this act or of any regulation or order of the commissioner issued under the authority of this act or who discharges or in any other manner discriminates against any employe because such employe has made any complaint to his employer the commissioner or any other person or instituted or caused to be instituted any proceeding under or related to this act or has testified or is about to testify in any such proceedings shall upon conviction thereof be punished by a fine of not less than twenty-five dollars (\$25.00) nor more than five hundred dollars (\$500.00) or by imprisonment for not less than ten (10) days nor more than ninety (90) days or by both such fine and imprisonment Each day during which a violation shall continue shall constitute a separate offense

Failure of an employer to pay an employe the minimum wage or overtime compensation if any required by sections three and four respectively in full within five days after the end of the customary pay period during which the wages were earned shall constitute prima facie evidence of a violation of such sections

(b) (1) Any employer who violates any provision of sections three or four of this act shall be liable to the employe or employes affected in the amount of their unpaid minimum wages or unpaid overtime compensation as the case may be and in an additional equal amount of liquidated damages

(2) Action to recover such liability may be maintained in any court of competent jurisdiction by any employe or employes for and in behalf of himself or themselves and other employes similarly situated or such employe or employes may designate an agent or representative to maintain such action for and in behalf of himself or themselves or of all employes similarly situated The court in such action shall in addition to any judgment awarded to the plaintiff or plaintiffs allow a reasonable attorney's fee to be paid by the defendant and costs of the action At the request of any person paid less than the amount to which he is entitled under the provisions of this act the commissioner may take an assignment in trust for the assigning employe of the full amount to which he is entitled under this subsection and may bring any legal action necessary to collect such claim and the employer shall be required to pay the costs and such reasonable attorney's fees as may be allowed by the court The commissioner shall not be required to pay the filing fee or other costs in connection with such action The commissioner in case of suit shall have the power to join various

claimants against the same employer in one cause of action Any such action to recover such liability shall take precedence over all other matters before the court except matters of the same character and shall be tried expeditiously within ten days after the commencement of such action If either party to such action demands a jury trial a regular or special jury shall be impanelled therefor and all jury fees shall be waived

(c) Whenever it shall appear to the commissioner that any employer is engaged in any act or practice which constitutes or will constitute a violation of any provision of this act or of any revision of any regulation issued thereunder he may in his discretion bring an action in the common pleas court of the State to enjoin such act or practice and to enforce compliance with this act or with such regulation and upon a proper showing a permanent or temporary injunction or decree or restraining order shall be granted without bond

Section 11 Cooperation with Federal Agency The Department of Labor and Industry may and it is hereby authorized to assist and cooperate with the Wage and Hour Division United States Department of Labor in the enforcement within this State of the Fair Labor Standards Act of 1938 approved the twenty-fifth day of June one thousand nine hundred and thirty-eight and subject to the regulations of the Administrator of the Wage and Hour Division and the laws of the State applicable to the receipt and expenditure of moneys may be reimbursed by said division for the reasonable cost of such assistance and cooperation

Section 12 Relation to Other Laws Where any other State law or any Federal law or any municipal ordinance or any order or regulation issued thereunder establishes a minimum wage higher than the minimum wage established under this act or maximum hours lower than the maximum hours established under this act such law or ordinance order or regulation shall continue in full force and effect together with the provisions of this act

Section 13 Wages and Hours Established by Collective Bargaining Nothing in this act shall be deemed to interfere with impede or in any way diminish the right of employes to bargain collectively through representatives of their own choosing in order to establish wages in excess of the applicable minimum wages under this act or to establish hours of work shorter than the applicable maximum hours under this act

Article II

Section 201 Wage Investigations Appointment of Wage Boards For the purpose of carrying out the declared policy of this act the commissioner upon his own motion may or upon the petition of one hundred or more residents of the State shall investigate the wages paid to employes employed in any industry to ascertain whether any substantial number of such employes are receiving wages which are less sufficient to maintain the employes in health safety and well-being If as a result of investigation the commissioner determines that any substantial number of employes employed in any industry are receiving such wages he shall appoint a wage board to recommend a minimum wage for such industry The issuance of a wage order for an industry pursuant to section two hundred three shall not preclude the commissioner from again appointing a wage board in accordance with this section to recommend a minimum wage for such industry

Section 202 Wage Board: Powers and Duties Recommendations (a) A wage board shall be appointed by the commissioner without regard to any other provisions of law regarding the appointment and compensation of employes of the State It shall consist of not more than nine members and shall include a number of disinterested persons representing the public one of whom the commissioner shall designate as chairman a like number of persons representing employes in the industry and a like number representing employers in the industry The representatives of the employers and employes shall be selected so far as practicable from nominations submitted by employers and employes or organizations thereof in such

industry Two-thirds of the members of such wage board shall constitute a quorum and its recommendations shall require a vote of not less than a majority of all its members The members of a wage board shall be entitled to compensation at the rate of not to exceed fifteen dollars (\$15.00) per day for each meeting attended by them or each day actually spent in the work of the board They shall be paid their reasonable and necessary traveling and other expenses while engaged in the performance of their duties The commissioner shall make rules and regulations not inconsistent with this act governing the selection of a wage board and its mode of procedure

(b) The commissioner shall present to a wage board all the evidence and information in his possession relating to the wages in the industry for which the wage board was appointed and all other information which the commissioner deems relevant to the establishment of a minimum wage for such industry and shall cause to be brought before the board any witnesses whom the commissioner deems material A wage board may summon other witnesses or call upon the commissioners to furnish additional information to aid in its deliberations

(c) Within sixty days of its organization a wage board shall submit to the commissioner its recommendations as to a minimum wage (which in no case shall be less than the rate prescribed by section three (a) (2)) to be paid by employers in the industry considered which it determines to be as nearly adequate as is economically feasible to maintain the standard of living necessary for the health safety and well-being of workers In making such recommendations a wage board shall consider among other relevant factors (1) cost of living (2) the wages established in the State for work of like or comparable character by collective labor agreements negotiated between employers and employes by representatives of their own choosing (3) the wages paid in the State for work of like or comparable character by employers who voluntarily maintain reasonable minimum wage standards and (4) the minimum wages prescribed for industry for employment of like or comparable character by any wage order issued under section eight of the Fair Labor Standards Act of 1938 approved the twenty-fifth day of June one thousand nine hundred and thirty-eight If the report of the wage board is not submitted within sixty days the commissioner may appoint a new wage board

Section 203 Wage Orders (a) Upon the filing of the wage board's report the commissioner after due notice to interested persons and a public hearing thereon shall by order approve and carry into effect the recommendations contained in such report if he finds that the recommendations are made in accordance with law are supported by the evidence adduced at the public hearing and will carry out the purposes of this act The commissioner shall disapprove the recommendations contained in such report only if he makes a specific finding that such recommendations are not in accordance with law or are not supported by the evidence adduced at the public hearing or will not carry out the purposes of this act If the commissioner disapproves such recommendations he shall again refer the matter to the same wage board or to another wage board for such industry (which he may appoint for such purpose) for further consideration and recommendations Due notice of any hearing provided for in this section shall be given publication in such newspapers and by such other means as the commissioner deems reasonably calculated to give general notice to interested persons

(b) Orders issued under this section shall define the industry to which they shall apply and may include such administrative regulations as the commissioner finds necessary to carry out the purposes of this act and of the orders Except as provided in section two hundred six the rates established by any minimum wage order shall apply alike to all employes regardless of age or sex.

(c) No such order shall take effect until thirty days after due notice is given of the issuance thereof by publication in such newspapers and by such other means as the commissioner deems reasonably calculated to give to interested persons general notice of such issuance A cer-

tified copy of each such order shall be filed in the office of the Secretary of the Commonwealth

Section 204 (a) Right of Review Any person aggrieved by an order of the commissioner issued under section two hundred three may obtain a review of such order in the common pleas court by filing in such court within sixty days after the entry of such order a written petition praying that the order of the commissioner be modified or set aside in whole or in part A copy of such petition shall forthwith be served upon the commissioner and thereupon the commissioner shall certify and file in the court a transcript of the record upon which the order complained of was entered Upon the filing of such transcript such court shall have exclusive jurisdiction to affirm modify or set aside such order in whole or in part so far as it is applicable to the petitioner The review by the court shall be limited to questions of law and findings of fact by the commissioner when supported by substantial evidence shall be conclusive No objection to the order of the commissioner shall be considered by the court unless such objection shall have been urged before the commissioner or unless there were reasonable grounds for failure to do so If application is made to the court for leave to adduce additional evidence and it is shown to the satisfaction of the court that such additional evidence may materially affect the result of the proceeding and that there were reasonable grounds for failure to adduce such evidence in the proceedings before the commissioner the court may order such additional evidence to be taken before the commissioner and to be adduced upon the hearings as may seem proper to the court The commissioner may modify his finding by reason of the additional evidence so taken (but in no case may he modify the recommendations of a wage board except upon and in accordance with the further recommendations of such a wage board) and shall file with the court such modified or new findings which if supported by substantial evidence shall be conclusive and shall also file his recommendation if any for the modification or setting aside of the original order The judgment and decree of the court shall be final subject to right of appeal to the Supreme Court

(b) The commencement of proceedings under subsection (a) of this section shall not unless specifically ordered by the court operate as a stay of the commissioner's order The court shall not grant any stay of the order unless the person complaining of such order shall file in court an undertaking with a surety or sureties satisfactory to the court for the payment to the employes affected by the order in the event such order is affirmed of the amount by which the compensation such employes are entitled to receive under the order exceeds the compensation they actually receive while such stay is in effect

Section 205 Requirement to Pay Minimum Wage Prescribed in Wage Order No employer shall pay to any of his employes wages at the rate less than the minimum wage rate prescribed in the applicable order of the commissioner under section two hundred three or provided under special certificates issued by the commissioner under section two hundred six

Section 206 Learners Apprentices Handicapped Workers The commissioner may by regulations or by orders provide for the employment under special certificates issued pursuant to regulations of the commissioner (1) of learners at such minimum wage rate lower than the minimum wage rate prescribed in the applicable wage order of the commissioner under section two hundred three and subject to such limitations as to time number proportion and length of service as the commissioner after due notice to interested persons and giving them an opportunity to be heard shall prescribe (2) of apprentices at such minimum wage rate lower than the minimum wage rate prescribed in the applicable wage order of the commissioner under section two hundred three and subject to such limitations as to time number proportion and length of service as are approved by the State Apprenticeship Council and (3) of individuals whose earning capacity is impaired by age or physical or mental deficiency or injury at such minimum wage rate lower than the minimum wage rates prescribed

in the applicable wage order of the commissioner under section two hundred three and for such period as shall be fixed in such certificates Provided however That in no case such employment of such learners apprentices and handicapped workers shall be at a wage rate less than the applicable minimum wage rate required under section three

Section 207 Oaths Affidavits Subpoenas The chairman of a wage board shall have the same powers with regard to administration of oaths taking depositions issuance and enforcement of subpoenas as are vested in the commissioner by section nine of this act

Section 208 Enforcement of Wage Orders (a) A violation of any wage order issued under this act shall be deemed to be a violation of the act and provisions of section ten shall apply to any such violation

(b) In order to carry out the purposes of any wage order issued under this act the commissioner shall have the same powers as are vested in him by section seven of this act to issue such regulations and orders as are necessary or appropriate to carry out the purposes of such wage order and to prevent the circumvention or evasion thereof and to safeguard the standards established therein

Article III

Section 301 Short Title This act shall be known and may be cited as the "Wage and Hour Act"

Section 302 Separability The provisions of this act shall be severable If any of said provisions shall be held to be invalid or unconstitutional such decision shall not affect the validity of any of the remaining provisions of this act

It is hereby declared as the legislative intent that this act would have been adopted had such invalid or unconstitutional provisions not been included therein

Section 303 Repealer All acts and parts of acts inconsistent with this act are hereby repealed

Section 304 Effective Date The provisions of this act shall become effective immediately upon final enactment

On the question recurring,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. JAMES. Mr. Speaker, this is another one of those bills which has been allowed to arrive at third reading and, no doubt, final passage by the long process of insinuation. This bill was referred to the Committee on Labor on the 10th day of April, and there it was allowed to languish for exactly two months to the very day. And yet, Mr. Speaker, this bill deals with a subject of extreme importance. Its passage could have very far reaching effect. Therefore, before the Members of this House are called upon to act on this bill I think it is right and proper that they should have more than a perfunctory understanding of these bills which are involved in this proposal.

House Bill No. 1231 proposes to supplement the Federal Fair Labor Standards Act of 1938 by extending many of the provisions of that act to all employers and employes in this state, with certain specific exemptions.

Mr. Speaker, I believe we might all agree that an intrastate wage hour law if so drawn that it could be administered without confusion—with reasonable effort and reasonable cost to the people—might be of benefit to certain wage earners and to certain employers in our Commonwealth. Such a law would very likely result in adjustments in conditions of employment and working conditions for some employes, bringing these conditions in line with the modern concept of what they should be. Employes not presently affected by the Federal Labor Standard Act of 1938 and the myriads of bulletins, rulings, interpretations and court edicts that have grown out of

that act, might benefit, to the extent of a better balance between the social and the working periods of their time. A well devised wage-hour law might bring about better adjustments of the family life of some workers in our state, and it could result in some extensions of opportunity for employment. All of this would be desirable.

If all of such benefits could be brought about for those workers not presently affected by the Federal Wage-Hour Act there would also be some benefits for certain classes of employers—particularly in merchandising lines in intrastate trade.

Some employers, under a well planned state wage-hour act might be relieved, to a certain extent at least, from competitive conditions based in some cases, upon tricky schedules of working hours and equally tricky wage arrangements.

I am trying to make very clear, Mr. Speaker, that I do not find fault with the principle underlying the bill which is now before us.

This bill, House Bill No. 1231, supplements the Federal Fair Labor Standards Act of 1938 by extending many of the provisions of that Act to all employers and employes in the state with certain specific exemptions.

The Federal Fair Labor Standards Act of 1938 applies to all employers and employes engaged in interstate commerce, and the term "interstate commerce" has been so liberally defined as to include a large proportion of the employers and employes in the state.

Mr. Speaker, I remember well, the Federal Wage-Hour law, from the day of its proposal to the day of its enactment was the subject of nation-wide interest. It was the subject of wide-spread debate in and out of Congress. It was the subject of countless trade and labor associations, of opinions—of public hearings—of committee hearings—and finally it was looked over, amended and otherwise altered so as to harmonize, as far as possible, a wide variety of circumstances and conditions either existing or projected—within the general economy of the nation.

Mr. Speaker, when the Federal Wage-Hour Act was under consideration it was regarded, not only by the Congress and the National administration, but by labor, industry and the public as drastic legislation, capable of far-reaching changes in the character and fundamentals of commerce and trade within the nation and in our National position in world trade.

Nevertheless, Mr. Speaker, in spite of the amazing thoroughness with which the Federal Act was prepared, it has been necessary, in administering the law to interpret, clarify and define nearly every word and phrase of the act and to issue volumes of bulletins and rulings. In a number of cases it has been deemed necessary to institute suits in order to compose differences of opinion between industries and labor and the administration concerning interpretations of the statute. With the example before us of both the Federal act and the experiences of its administration we are now about to act upon a proposed state Wage-Hour law.

It may be argued here, that the Federal Act provides a model for this state and that we need only enact House Bill No. 1231 to bring wage and hour conditions in the State's commerce into harmony with conditions in interstate commerce. No argument could be more misleading.

To give first one of many examples of the inadequacies of this proposed law: we have in Pennsylvania many meat

packing concerns doing a strictly intra-state business. Nevertheless nothing in the proposed law would provide for the exceptions necessary in that industry and which are fully recognized by the Federal administration whereby employes in that industry are exempted from the maximum hour provisions of the act for fourteen weeks per calendar year in order to handle fluctuations in live stock receipts.

Mr. Speaker, we are dealing here with a proposal in House Bill No. 1231 that is just as peculiar to Pennsylvania's intra-state commerce as the Federal Act is peculiar to inter-state commerce. But our problem is even greater by reason of the Federal Act by which many employes and many employers in Pennsylvania are inescapably bound.

It becomes very important, therefore, that any state wage-hour law shall provide for every wage-hour problem that is peculiar to intra-state trade and at the same time provide against any conflict between the state and federal acts.

I do not believe that this bill even remotely approaches that problem. The administrative agency, the Secretary of Labor and Industry in this case, would have the power to make rulings and interpretations, but only within the limits of the provisions of the act itself. He would need far more latitude than this act permits. Yet if adequate latitude were provided he would have a power so extensive as to make him absolute ruler of all industry, commerce and trade within the boundaries of the state.

Mr. Speaker, this bill has been written within the limited view of a few people. To say that they or any small group could possibly write an adequate wage-hour law for Pennsylvania, particularly in the light of experience with the national law, would be to raise these few to the status of gods. This bill was casually considered, if indeed it was considered at all by the Committee on Labor of this House for not more than one meeting of the Committee, without benefit of able expert advice, without opinion from the public, without anything.

To say that any part or all of our Labor Committee is competent to pass final approval on this type of legislation without benefit of great study, public hearings and competent expert advice, is to raise the gentlemen to the standing of geniuses.

I want to call to the attention of this House just a few of the wide open questions that are of importance and which clearly have not been considered at all by either the sponsors of this bill or the Committee on Labor.

House Bill 1231 does not exempt employers and employes already subject to the Federal Labor Standards Act. These employers and employes are governed by that act and by the very voluminous interpretation bulletins and regulations issued by the Administrator of that act. A few of the points in question are as follows:

a. What constitutes the regular rate of wages in cases where the rate varies, where there is piece work or where there is travel time and so forth?

b. What must be considered as work time in connection with training work, special meetings, educational work and so forth?

c. What is an outside salesman and what constitutes agricultural labor?

d. Who are the executives and professional employes in an organization?

e. What are wages where there are other considerations such as board, lodging, traveling expenses, tips and so forth?

As the act stands, and even before regulations and orders are issued by the Secretary of Labor and Industry, there are vital differences between this bill and the Federal Fair Labor Standards Act which the Secretary of Labor and Industry will be powerless to rectify, as he cannot change the provisions of the Act itself.

No employer will be able consistently to observe both acts, and employes will be unable definitely to determine their rights where they are engaged in interstate commerce and subject to both Acts.

Political Sub-Divisions. Page 4, Section 2 (c) does not exempt the political sub-divisions of the state although it does exempt the state from the provisions of the Act.

Wages, Page 4, Section 2 (f) makes no provision to include board and lodging as a part of wages, and definitely states that tips or gratuities are not to be included. Board and lodging are definitely a part of wages in many cases within the State.

Daily Overtime. Page 5, Section 4 (a) this Section provides that one and one-half times the regular rate of pay shall be given for the hours in a day in excess of 8. This is in addition to the limit placed on the hours per week in excess of which time and one-half must be paid. It is not clear whether the hours paid for at time and a half daily would offset the hours to be paid for at time and a half because they exceed the weekly limit. For example: if the excess hours on Monday and Tuesday exactly equal the number of hours in excess of the weekly limit, would it be necessary also to pay time and a half for the hours in excess of the weekly limit?

This requirement of paying time and a half for all hours in excess of 8 in any one day will be a very onerous provision in many cases. It was not included as a provision of the Federal Fair Labor Standards Act.

Administration. Page 6, Section 6, authorizes the Department of Labor and Industry to set up a new bureau. Enforcement of this Act among all employers in the state would require a large force of Inspectors and would lead to many court cases to determine the liability of employers under the act.

Records. Page 8, Section 8 (b)—employers are required to keep a record of the name, address, occupation, hours worked and amount paid each employe in or about the premises where any such employe is employed. Many concerns in the State have workers at scattered places and maintain centralized records containing this information. It would be impossible in many cases to keep these records at the place where work was performed. This provision could be changed so as to authorize central record keeping with a provision for producing the records at any place of employment on reasonable notice.

Mr. Speaker, any bill that proposes far reaching changes in the relations between employes and employers and the public should have the most intense and earnest consideration and study, and it should be subjected to criticism and opinion of all groups affected by its provisions.

There is a challenge in this subject of wages and hours. There may be a need in this state for a law that will protect certain classes of workers in intra-state trade from certain wage and hour practices. The same law should protect their employers from certain kinds of unhealthy

competition. Thus there might be a law firmly rooted in the principle of equal justice to worker and employer alike and with due consideration for the public. If sincere and honest and enlightened leaders of workers and genuine friends of industrial peace in this or another legislature bend their energies to it, a Pennsylvania wage-hour law could be devised to which all could subscribe. Such a law must be developed in serious study and council and perfected by the aid of wide interest and advice. We should be against any such empty gestures as House Bill 1231, no matter what anyone may choose to do about it, and by the same token we should urge both the Democratic and Republican parties to support any effort to build a workable and just wage-hour law, no matter from what source the beginning may come. As a mark of genuine interest in the problem of wages and hours in intra-state commerce and industry, and as a token of a sincere desire eventually to achieve a real solution to that problem I believe that every Member of this House should vote "no" on this bill.

Mr. PETROSKY. Mr Speaker, I am not going to endeavor to answer the gentleman from Delaware, Mr. James, at length, but I do wish to read into the record a few brief comments on House Bill 1231.

House Bill 1231 is a new attempt to regulate minimum wage and maximum hour standards in Pennsylvania industry. The Legislature in 1937 attempted to pass similar legislation, which was held unconstitutional because it delegated legislative power to the Secretary of Labor and Industry. This act does not make the same mistake that was made in the so-called twenty-four hour week statute.

There is no unconstitutional delegation of legislative power in House Bill 1231, because Section 3 thereof sets forth the minimum wage rate specifically, while Section 4 sets forth just as specifically the maximum hours. Deviations from these limits are impossible, but the act is flexible in providing for wage boards to raise the standards in certain localities and industries. The broad sustaining principle which underlies all wage and hour legislation is that such legislation is a valid exercise of the police power of the General Assembly. The cases are extremely numerous which hold that the right to contract is subject to the police power of the sovereign state. There can be no question but that there is a definite relationship between the limitations of hours of employment and wages paid therefor and the public welfare of the citizens of the Commonwealth.

On the question of fixing wages the attention of the General Assembly is called to the line of cases sustaining the Act of April 24, 1913, generally known as the "Wage Collection Act", which cases were cited by myself a few days ago.

Since no article of the Pennsylvania Constitution is transgressed by this legislation, and since it is a valid exercise of the police power inherent in the Legislature, from a constitutional viewpoint, the act should be sustained.

Mr. Speaker, this proposed legislation is consistent in that it provides for labor in intra-state commerce the same as the Federal Wage and Hour Act provides for labor in inter-state commerce.

May I also supplement these remarks by saying that this bill will promote fair and decent competition for legitimate businesses and will eliminate the abuses that

now occur in many industries whose employers deprive their employes of the American standard of living. May I also cite to you a paragraph from a paper which I noticed this evening relative to a ruling that was first handed down by the head of the department of Labor and Industry, Mr Hines, in fixing the minimum wage in the laundry industry for those persons under twenty-one years of age. That ruling was upheld by the Dauphin County Court, and in the same instance the Attorney General, Claude T. Reno, upheld the act and in his argument said:

"It was designed to cure the evil of low wages."

Therefore, Mr. Speaker, I submit for your favorable action House Bill 1231 and urge that you support the same.

On the question recurring,

Shall the bill pass finally?

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

YEAS—134

Achterman,	Gerard,	McClanaghan,	Rose, W. E.,
Baker,	Goodwin,	McDermott,	Rosenfeld,
Balthaser,	Gross,	McFall,	Rush,
Bentley,	Gryskewicz,	McLanahan,	Sarrafi,
Bentzel,	Haberien,	McLane,	Scanlon,
Boles,	Haines,	McSurdy,	Schwab,
Boney,	Hamilton,	Melchiorre,	Shaffer,
Bradley,	Harkins,	Mihm,	Shaw,
Brown,	Harmuth,	Modell,	Shepard,
Brunner, P. A.,	Harris,	Monks,	Sorg,
Burns,	Heatherington,	Mooney,	Stank,
Chervenak,	Hering,	Moran,	Stine,
Chudoff,	Herman,	Moul,	Tarr,
Cohen, M. M.,	Hersch,	Munley,	Tate,
Cohen, R. E.,	Hirsch,	Nagel,	Thompson, E. F.,
Cordier,	Holland,	Nunemacher,	Thompson, R. L.,
Corrigan,	Imbrie,	O'Brien,	Verona,
Croop,	Keenan,	O'Connor,	Vincent,
Cullen,	Kenehan,	O'Dare,	Vogt,
Dairyple,	Kline,	O'Mullen,	Waldow,
DiGenova,	Knoble,	O'Neill,	Watkins,
Dolon,	Kolankiewicz,	Owens,	Weiss,
D'Ortona,	Komorowski,	Petrosky,	Welsh, E. B.,
Duffy,	Krisz,	Pettit,	Welsh, M. J.,
Early,	Leonard,	Polaski,	Wilkinson,
Elder,	Lesko,	Polen,	Williams,
Ellott,	Levy,	Powers,	Wolf,
Falkenstein,	Leydic,	Prosen,	Woodring,
Finestone,	Longo,	Rausch,	Wright,
Fleming,	Lovett,	Readinger,	Yester,
Fletcher,	Lyons,	Reese, R. E.,	Young,
French,	Malloy,	Reynolds,	Kilroy,
Gallagher,	Marks,	Rooney,	Speaker
Gates,	Maxwell,	Rose, S.,	

NAYS—38

Auker,	Gillette,	McKinney,	Sollenberger,
Boorse,	Habbyshaw,	McMillen,	Stambaugh,
Brunner, C. H.,	Hall,	Muir,	Stockham,
Cadwalader,	Helm,	Reese, D. P.,	Taylor,
Dennison,	Hewitt,	Rhea,	Trout,
Dix,	Huntley,	Riley,	Wagner,
Eckels,	James,	Royer,	Wood, L. H.,
Ely,	Jones, G. E.,	Serrill,	Wood, N.,
Fiss,	Lee, E. A.,	Snyder,	Yeakel,
Gillan,	McClester,		

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

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

Agreeably to order,

The bill having been called up from the postponed calendar, by Mr. REUBEN E. COHEN.

The House resumed the consideration on third reading of House Bill No. 1210, (Senate Bill No. 24), as follows:

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

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

Whereas The practice of selling certain items of merchandise at cost or less than cost in order to attract patronage is generally a form of deceptive advertising and an unfair method of competition in commerce and

Whereas Such practice causes commercial dislocations misleads the consumer works back against the farmer directly burdens and obstructs commerce and diverts business from dealers who maintain a fair price policy and

Whereas Bankruptcies among merchants who fail because of the competition of those who use such methods result in unemployment disruption of leases and nonpayment of taxes and loans and contribute to the inevitable train of undesirable consequences including economic depression now therefore

Section 1 This act shall be known and designated and may be cited as the "Unfair Sales Act"

Section 2 (1) When used in this act the term "cost to the retailer" shall mean the invoice cost of the merchandise to the retailer or the replacement cost of the merchandise to the retailer whichever is lower less all trade discounts except customary discounts for cash advertising allowances promotional allowances display allowances and any other allowances for services rendered and any other commission or remuneration received for services performed on behalf of any governmental agencies to which shall be added (a) freight charges not otherwise included in the invoice or the replacement cost of the merchandise (b) a mark-up to cover in part the cost of doing business which mark-up in the absence of proof of a lesser cost shall be not less than four per cent of the total cost at retail outlet

(2) When used in this act the term "cost to the wholesaler" shall mean the invoice cost of the merchandise to the wholesaler or the replacement cost of the merchandise to the wholesaler whichever is lower less all trade discounts except customary discounts for cash advertising allowances promotional allowances display allowances and any other allowances for services rendered and any other commission or remuneration received for services performed on behalf of any governmental agencies to which shall be added (a) freight charges not otherwise included in the invoice or the replacement cost of the merchandise and (b) a mark-up to cover in part the cost of doing business which mark-up in the absence of proof of a lesser cost shall be not less than two per cent of the total cost at the wholesale establishment

(3) Where two or more items are advertised offered for sale or sold at a combined price the price of each item named shall be governed by the provisions of subsection (1) or (2) of section two respectively

(5) The terms "sell at retail" "sales at retail" and "retail sale" shall mean and include any transfer for a valuable consideration made in the ordinary course of trade or in the usual prosecution of the seller's business of title to merchandise to the purchaser for consumption or use other than resale or further processing or manufacturing The above terms shall include any transfer of such merchandise where title is retained by the seller as security for the payment of such purchase price

(6) The terms "sell at wholesale" "sale at wholesale" and "wholesale sales" shall mean and include any transfer for a valuable consideration made in the ordinary course of trade or the usual prosecution of the seller's business of title to merchandise to the purchaser for purposes of resale or further processing or manufacturing The above terms shall include any such transfer of merchandise where title is retained by the seller as security for the payment of the purchase price

(7) The term "retailer" shall mean and include every person partnership corporation or association engaged in the business of making sales at retail or performing the retail function within this state Provided That in the case of a person partnership corporation or association engaged in the business of making sales both at retail and

at wholesale such terms shall be applied only to the retail portion of such business

(8) The term "wholesaler" shall mean and include every person partnership corporation or association engaged in the business of making sales at wholesale or performing the wholesale function of supplying any retailer or retail outlet with merchandise for retail sale within this state Provided That in the case of a person partnership corporation or association engaged in the business of making sales both at wholesale and retail such terms shall be applied only to the wholesale portion of such business

(9) Every person partnership corporation or association engaged in the business of making sales at retail as defined in this act within this state which in addition to such business shall purchase merchandise for sale at retail from manufacturers packers processors growers or producers thereof without resort to a wholesaler as such shall be taken deemed and construed for the purpose of this act to be engaged in business both as a wholesaler and retailer as defined in this act and as such shall be subject to both the retail and wholesale mark-up provisions of this act

Section 3 It is hereby declared that advertisement offer to sell or sale of any merchandise either by retailers or wholesalers at less than cost as defined in this act with the intent of unfairly diverting trade from or otherwise injuring a competitor or with the result of deceiving any purchaser or prospective purchaser substantially lessening competition unreasonably restraining trade or tending to create a monopoly in any line of commerce is an unfair method of competition contrary to public policy and in contravention to the policy of this act

Section 4 Any retailer who shall in contravention of the policy of this act advertise offer to sell or sell at retail any item of merchandise at less than cost to the retailer as defined in this act or any wholesaler who shall in contravention of the policy of this act advertise offer to sell or sell at wholesale any item of merchandise at less than cost to the wholesaler as defined in this act or any person partnership corporation or association engaged in business both as a wholesaler and retailer as defined in this act who shall in contravention of the policy of this act advertise offer to sell or sell any item of merchandise at less than cost subject to both the retail and wholesale mark-ups provided by this act shall upon conviction thereof be sentenced to pay a fine of not less than fifty dollars (\$50) nor more than two hundred dollars (\$200) and costs of prosecution and in default thereof shall undergo imprisonment for not more than thirty (30) days Each advertisement offer to sell or sale shall constitute a separate violation of the provisions of this act and shall subject the offender to the penalties hereby prescribed Proof of any such advertisement offer to sell or sale by any retailer or wholesaler in contravention of the policy of this act shall be prima facie evidence of a violation of this act

Section 5 In addition to the penalties provided in this act the courts of this state are hereby invested with jurisdiction to prevent and restrain violations of this act and any person partnership corporation or association shall be entitled to sue for and have injunctive relief in any court of competent jurisdiction against any loss or injury by reason of a violation of this act

Section 6 The provisions of this act shall not apply to sales at retail or sales at wholesale (a) where merchandise is sold in bona fide clearance sales if advertised marked and sold as such (b) where perishable merchandise must be sold promptly in order to forestall loss (c) where merchandise is imperfect or damaged or is being discontinued and is advertised marked and sold as such (d) where merchandise is sold upon the final liquidation of any business (e) where merchandise is sold for charitable purposes or to relief agencies (f) where merchandise is sold on contract to departments of the government or governmental institutions (g) where merchandise is sold by any officer acting under the order or direction of any court (h) where tools equipment and materials used by employes in their trade or business or appliances and products which are used therein and are or may be bene-

ficial to the safety health and working conditions of such employes are sold to employes of the seller (i) where merchandise is sold to promote the use of any public service

Section 7 If any section sentence clause or provision of this act shall for any reason be held invalid or unconstitutional the validity of the remaining parts thereof shall not be affected thereby

Section 8 All acts and parts of acts inconsistent with the provisions of this act are hereby repealed

Section 9 The provisions of this act shall become effective sixty (60) days after 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—174

- | | | | |
|-----------------|----------------|---------------|-----------------|
| Achterman, | Foor, | Malloy, | Rose, S. |
| Auker, | French, | Marks, | Rose, W. E. |
| Baker, | Gallagher, | Maxwell, | Rosenfeld, |
| Balthaser, | Cates, | McClanaghan, | Rush, |
| Baughe, | Gerard, | McClester, | Sarge, |
| Bentley, | Goodwin, | McDermott, | Sarraf, |
| Bentzel, | Gross, | McFall, | Scanlon, |
| Boles, | Gryskewicz, | McIntosh, | Serrill, |
| Boney, | Cyger, | McKinney, | Shaffer, |
| Boorse, | Habbyshaw, | McLanahan, | Shaw, |
| Bradley, | Haberien, | McLane, | Shepard, |
| Brown, | Haines, | McSurdy, | Simons, |
| Brunner, C. H., | Hall, | Melchiorre, | Snyder, |
| Brunner, P. A., | Hamilton, | Mihm, | Sorg, |
| Burns, | Hare, | Modell, | Stank, |
| Burriss, | Harkins, | Monks, | Stine, |
| Cadwalader, | Harmuth, | Mooney, | Stockham, |
| Chervenak, | Harris, | Moran, | Tarr, |
| Cochran, | Heatherington, | Moul, | Tate, |
| Chudoff, | Helm, | Muir, | Taylor, |
| Cohen, M. M., | Herman, | Munley, | Thompson, E. F. |
| Cohen, R. E., | Hersch, | Nagel, | Thompson, R. L. |
| Cooper, | Hirsch, | Nunemacher | Trout, |
| Cordier, | Holland, | O'Brien, | Turner, |
| Corrigan, | Huntley, | O'Connor, | VanAllsburg, |
| Croop, | Imbrie, | O'Dare, | Vincent, |
| Cullen, | Jefferson, | O'Mullen, | Vogt, |
| Dairymple, | Jones, G. E., | O'Neill, | Wagner, |
| Dennison, | Jones, P. N., | Owens, | Watkins, |
| DiGenova, | Keenan, | Petrosky, | Weingartner, |
| Dix, | Kenehan, | Pettit, | Weiss, |
| Dolon, | Kline, | Polaski, | Welsh, E. E., |
| D'Ortona, | Knoble, | Polen, | Welsh, M. J., |
| Early, | Kolankiewicz, | Powers, | Wilkinson, |
| Eckels, | Komorofski, | Prosen, | Williams, |
| Elder, | Krise, | Rank, | Wolf, |
| Elliott, | Lee, E. A., | Rausch, | Wood, L. H., |
| Ely, | Lelsey, | Readinger, | Wood, N., |
| Falkenstein, | Leonard, | Reagan, | Woodring, |
| Finestone, | Lesko, | Reese, D. P., | Wright, |
| Fisher, | Levy, | Reese, R. E., | Yeakel, |
| Fiss, | Lichtenwalter, | Reynolds, | Yester, |
| Fleming, | Longo, | Rhea, | Young, |
| Fletcher, | Lovett, | Riley, | Kilroy |
| | Lyons, | Rooney, | 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 with amendments in which the concurrence of the Senate is requested.

BILL ON FINAL PASSAGE

Agreeably to order,

The bill having been called up from the postponed calendar by Mr O'BRIEN.

The House resumed the consideration on final passage of House Bill No. 329, as follows:

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

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

Section 1 The definition of "Restaurant" in section two and section four hundred eleven of the act approved the twenty-ninth day of November one thousand nine hundred thirty-three P. L. 15 1933-34), entitled as amended "An act to regulate and restrain the sale manufacture possession transportation importation traffic in and use of alcohol and alcoholic and malt or brewed beverages conferring powers and imposing duties upon the Pennsylvania Liquor Control Board and its agents the Department of Public Instruction other officers of the State government courts and district attorneys authorizing the establishment and operation of State stores for the sale of such beverages not for consumption on the premises and the granting of licenses subject to local option to sell such beverages for consumption on and off the premises forbidding importation or bringing of such beverages into the State except as herein provided prohibiting certain sales of practices in connection with and transactions in such beverages by licensees and others providing for the forfeiture of certain property making disposition of the receipts from State stores and of fees and imposing penalties" as reenacted and amended by the act approved the sixteenth day of June one thousand nine hundred thirty-seven (P. L. 1762) are hereby further amended to read as follows

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

* * * * *

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

Section 411 Sales of Liquor by Licensees Every hotel restaurant or club licensee may sell liquor and malt or brewed beverages by the glass open bottle or other container and in any mixture for consumption in the case of hotels only in that part of the hotel [or restaurant] habitually used for the serving of food to guests or patrons and [in the case of hotels] to guests in their private rooms in the hotel and in the case of clubs to members in their private rooms in the [hotel or] club and in the case of restaurants only in that area within a building which is licensed No club licensee nor its officers servants agents or employes other than one holding a catering license shall sell any liquor or malt or brewed beverages to any person except a member of the club No club hold-

ing a catering license nor its officers servants agents or employes shall sell on Sunday to non-members any liquor or malt or brewed beverages In the case of a restaurant located in a hotel which is not operated by the owner of the hotel and which is licensed to sell liquor under this act liquor may be sold for consumption in that part of the restaurant [habitually used for the serving of meals to patrons] so licensed and also to guests in private guest rooms in the hotel

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

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

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

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

On the question resurging,

Shall the bill pass finally?

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

Messrs. O'Brien, Gallagher and Marks asked for a verification of the roll.

The roll was verified and was as follows:

YEAS—115

Auker,	Fletcher,	Malloy,	Rhea,
Baker,	French,	Marks,	Riley,
Balthaser,	Gallagher,	Maxwell,	Rooney,
Boies,	Graykiewicz,	McClanaghan,	Rose, S.,
Boney,	Gyger,	McClester,	Rose, W. E.,
Boorse,	Haberien,	McDermott,	Rosenfeld,
Bradley,	Haines,	McFall,	Sarra,
Brunner, C. H.,	Hamilton,	McLanahan,	Scanlon,
Brunser P. A.,	Harmuth,	McLane,	Shepard,
Burns,	Herman,	McSurdy,	Sorg,
Cadwalader,	Hersch,	Melchorre,	Stank,
Cochran,	Hirsch,	Milhm,	Tarr,
Cook,	Huntley,	Modell,	Tate,
Cordler,	Imbrie,	Monks,	Taylor,
Corrigan,	Jefferson,	Mooney,	Thompson, E. F.,
Croop,	Jones, G. E.,	Moran,	Turner,
Cullen,	Penehan,	Munley,	Van Allsburg,
Dalrymple,	Kline,	Numemacher,	Vincent,
DiGenova,	Knoble,	O'Brien,	Vogt,
Dolon,	Kolankiewicz,	O'Connor,	Watkins,
D'Ortona,	Komorowski,	O'Dare,	Weiss,
Early,	Krise,	O'Mullen,	Welsh, E. B.,
Eckels,	Lee, E. A.,	O'Neill,	Williams,
Elder,	Lelsey,	Petrosky,	Wood, L. H.,
Ellott,	Leonard,	Polaski,	Woodring,
Falkenstein,	Lesko,	Powers,	Wright,
Finestone,	Lichtenwalter,	Rank,	Yester,
Fisher,	Longo,	Rausch,	Young,
Fiss,	Lovett,	Reese, David P.,	Kilroy, Speaker

NAYS—60

Baugher,	Gerard,	McKinney,	Shaffer,
Bentley,	Goodwin,	Moul,	Shaw
Bentzel,	Gross,	Muir,	Simons,
Burris,	Habbyshaw,	Nagel,	Snyder,
Chervenak,	Hall,	Owens,	Stine,
Chudoff,	Hare,	Pettit,	Stockham,
Cohen, M. M.,	Harkins,	Polen,	Thompson, R. L.,

Cohen, R. E.,	Harris,	Prosen,	Trout,
Cooper,	Heatherington,	Readinger,	Wagrfer,
Dennison,	Helm,	Reagan,	Weingartner,
Dix,	Holland,	Reese, R. E.,	Welsh, M. J.,
Ely,	Keenan,	Reynolds,	Wilkinson,
Fleming,	Levy,	Rush,	Wolf,
Foor,	Lyons,	Sarge,	Wood, N.,
Gates,	McIntosh,	Serrill,	Yeakel,

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.

REASON FOR VOTE

Mr. WALTER E. ROSE filed the following reason for his vote.

I am voting in the affirmative on House Bill 329 only because I support its intent to abolish one of the unworkable requirements in liquor control enforcement which has helped to maintain the "speak easy" atmosphere in the traffic. I lament the poor manner in which the end is sought to be attained.

HOUSE BILLS ON FINAL PASSAGE AND THIRD READING MADE SPECIAL ORDER

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

The motion was agreed to.

BILL ON FINAL PASSAGE

Agreeably to order,

The House proceeded to the consideration on final passage of House Bill No. 1878, as follows:

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

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

Section 1 Section three hundred twenty-four 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" as last amended by Section three of the Act approved the first day of June one thousand nine hundred thirty-three (P. L. 1152) is hereby further amended to read as follows

Section 324 The treasurer of each school district shall receive all State appropriations district school tax and other funds belonging to the school district and pay out the same on proper orders approved by the board of school directors signed except in districts of the first class by the president and in any school district of the first class by any other properly authorized person and attested by the secretary Provided that the treasurer may pay out such funds on orders which have been prepared and signed by the secretary and signed by the President for the payment of amounts owing under any contracts which shall previously have been approved by the board and by the prompt payment of which the district will receive a discount or other advantage without the approval of the board first having been secured Provided further that in all school districts of the first class all school orders before being paid by the school treasurer shall be approved by the school controller of such district The school treasurer of each school district of the first class may recommend to the board of public education for appointment a deputy school treasurer The board of public education shall appoint as deputy school treasurer the candidate recommended by the school treasurer who in case of death resignation or inability of the school treasurer to act for any cause whatsoever shall have the same powers and shall perform the same duties as imposed by law on the school treasurer In case the School Treasurer does not recommend to the Board of Public Education for appointment a Deputy School Treasurer the Board of Public Education may elect a Deputy School Treasurer who shall serve until such time as the School Treasurer recommends to the Board of Public Education the appointment of a Deputy School Treasurer The salary of the deputy school treasurer shall be fixed by the Board of Public Education He shall furnish bond in the sum of Ten Thousand (\$10,000.00) dollars

Section 2 Section two thousand two hundred and nine of the said act is hereby amended to read as follows

Section 2209 In each school district of the first class in this Commonwealth the board of education therein [at the beginning of each fiscal year] shall elect the controller of the city comprising such district as school controller for said district [.] for and during his term of office as city controller The school controller of each school district of the first class may recommend to the board of public education for appointment a deputy school controller The board of public education shall appoint as deputy school controller the candidate recommended by the school controller who in case of death resignation or inability of the school controller to act for any cause whatsoever shall have the same powers and shall perform the same duties as imposed by law on the School Controller In case the school controller does not recommend to the board of public education for appointment deputy school controller the board of public education may elect a deputy school controller who shall serve until such time as the school controller recommends to the board of public education the appointment of a deputy school controller The salary of the deputy school controller shall be fixed by the board of public education He shall furnish bond in the sum of Ten Thousand (\$10,000.00) Dollars

Section 3 Section two thousand two hundred and twelve of the said Act is hereby amended to read as follows

Section 2212 The board of public education in school districts of the first class [may] shall appoint [annually] upon the recommendation of the school controller and school treasurer respectively such [clerk] clerks as [it] [deems] they deem necessary to assist [the school controller] them in the performance of their duties All such appointments shall be made upon the [nominations] recommendation of the school controller and school treasurer and their salaries shall be fixed by the board of public education [before any appointment is] at the time the appointments are made The school controller and school treasurer shall in addition to [his salary] their salaries

be furnished by the school district in which [he is] they are elected with necessary stationery and books required by [him] them in the performance of [his] their duties as school controller or school treasurer

Section 4 Section two thousand two hundred and thirteen of the said Act is hereby amended to read as follows

Section 2213 In case there is a vacancy in the office of school controller by reason of death resignation or otherwise such vacancy shall be filled [for the remainder of the year] by the election of the city controller by the board of public education [.] for and during his term of office as city controller

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

Section 6 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—174

Achterman,	French,	Marks,	Rose, W. E.,
Auker,	Gallagher,	Maxwell,	Rosenfeld,
Baker,	Gates,	McClanaghan,	Rush,
Balthaser,	Gerard,	McClester,	Sarge,
Baughner,	Goodwin,	McDermott,	Sarra,
Bentley,	Gross,	McFall,	Scanlon,
Bentzel,	Gryskewicz,	McIntosh,	Serrill,
Boles,	Gyger,	McKinney,	Shaffer,
Boney,	Habbyshaw,	McLanahan,	Shaw,
Boorse,	Haberlen,	McLane,	Shepard,
Bradley,	Haines,	McSurdy,	Simons,
Brown,	Hall,	Melchiorre,	Snyder,
Brunner, C. H.,	Hamilton,	Mihm,	Sorg,
Brunner, P. A.,	Hare,	Modell,	Stank,
Burns,	Harkins,	Monks,	Stine,
Burriss,	Harmuth,	Mooney,	Stockham,
Cadwalader,	Harris,	Moran,	Tarr,
Chervenak,	Heatherington,	Moul,	Tate,
Chudoff,	Helm,	Muir,	Taylor,
Cochran,	Herman,	Munley,	Thompson, E. F.,
Cohen, M. M.,	Hersch,	Nagel,	Thompson, R. L.,
Cohen, R. E.,	Hirsch,	Nunemacher,	Trout,
Cooper,	Holland,	O'Brien,	Turner,
Cordier,	Huntley,	O'Connor,	VanAllsburg,
Corrigan,	Imbrie,	O'Dare,	Vincent,
Croop,	Jefferson,	O'Mullen,	Vogt,
Cullen,	Jones, G. E.,	O'Neill,	Wagner,
Dairymple,	Jones, P. N.,	Owens,	Watkins,
Dennison,	Keenan,	Petrosky,	Weingartner,
DiGenova,	Kenehan,	Pettit,	Weiss,
Dix,	Kline,	Polaski,	Welsh, E. B.,
Dolon,	Knoble,	Polen,	Welsh, M. J.,
D'Ortona,	Kolankiewicz,	Powers,	Wilkinson,
Early,	Komorowski,	Prosen,	Williams,
Eckels,	Krise,	Rank,	Wolf,
Elder,	Lee, E. A.,	Rausch,	Wood, L. H.,
Elliott,	Lelsey,	Readinger,	Wood, N.,
Ely,	Leonard,	Reagan,	Woodring,
Falkenstein,	Lesko,	Reese, D. P.,	Woodside,
Finestone,	Levy,	Reese, R. E.,	Wright,
Fisher,	Lichtenwalter,	Reynolds,	Yeakel,
Fiss,	Longo,	Rhea,	Yester,
Fleming,	Lovett,	Riley,	Young,
Fletcher,	Lyons,	Rooney,	Kilroy,
Poor,	Malloy,	Rose, S.,	Speaker.

NAYS—0

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

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

BILLS ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 924, as follows:

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

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

Section 1 Section four hundred two of the act approved the first day of May one thousand nine hundred and twenty-nine (P. L. 905), entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" is hereby amended by adding thereto after clause (c) a new clause to read as follows

Section 402 Application for Registration

(d) Applicants for registration or renewal of registration in addition to the above requirements shall be required to furnish the name of the insurance company if any which insures the applicant for personal or property damage that may be sustained by others as a result of the operation of the vehicle to be registered This information shall upon request be made available by the department to any person in the Commonwealth

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. TROUT. Mr. Speaker, I desire to ask the sponsor of the bill, Mr. Prosen of Philadelphia, to explain the provisions, and what he expects to accomplish by this legislation.

Mr. PROSEN. Mr. Speaker, may I interrogate the gentleman from Lancaster, Mr. Trout?

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

Mr. TROUT. I shall, Mr. Speaker,

Mr. PROSEN. Mr. Speaker, has the gentleman from Lancaster read the bill? I ask that because the bill is very short and there is no purpose in the bill other than that which is expressed in the eight or nine lines that constitute the bill.

Mr. TROUT. Mr. Speaker, one of the questions I asked the gentleman from Philadelphia was what he expected to accomplish by the bill. I don't know that that is expressed in the bill.

Mr. PROSEN. Mr. Speaker, there is no purpose other than that which is expressed in the bill.

Mr. TROUT. Mr. Speaker, I think there must be some purpose and there must be something the gentleman from Philadelphia wishes to accomplish by this proposed legislation. If there is no purpose in the bill there does not seem to me to be any reason why it should be enacted.

Mr. PROSEN. Mr. Speaker, I think I have answered the gentleman. Either vote for the bill or against it. There is no purpose other than what is stated in the bill. This bill happens to be a clean, innocent, so-called lawyers' bill.

Mr. TROUT. Mr. Speaker, I thought probably he included the minor judiciary also. I would not have any particular objection to this bill if I could see where anything could be accomplished, but this bill if enacted would certainly give the Department of Revenue an untold amount of work, and any person, whether for his own personal curiosity or any other reason, could make a request of the Department of Revenue and find out how or where the owner was insured, if he carried insurance. Then again if a new registration is taken out or there is a renewal, or a change of insurance, it would be necessary to state that. If it is a lawyers' bill, I notice it was first made for attorneys at law and then afterward changed to any person, and I do not see any reason why the Department of Revenue should be placed in that position and given that amount of work without some real purpose in mind.

On the question recurring,

Shall the bill pass finally?

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

YEAS—95

Achterman,	Gryskewicz,	Melchiorre,	Rooney,
Baker,	Haberlen,	Mihm,	Rose, S.,
Balthaser,	Harkins,	Modell,	Rosenfeld,
Baughner,	Harmuth,	Monks,	Sarraf,
Bentley,	Heatherington,	Mooney,	Scanlon,
Boles,	Hering,	Moran,	Shaffer,
Boney,	Herman,	Munley,	Shepard,
Bradley,	Hersch,	Nagel,	Stine,
Brown,	Holland,	Nunemacher,	Tarr,
Burns,	Jefferson,	O'Brien,	Tate,
Chudoff,	Jones, P. N.,	O'Mullen,	Thompson, E. F.,
Cohen, M. M.,	Keenan,	O'Neill,	Turner,
Cohen, R. E.,	Kolankiewicz,	Owens,	Verona,
Corrigan,	Komorowski,	Petrosky,	Vincent,
Croop,	Leonard,	Pettit,	Vogt,
Cullen,	Lesko,	Polaski,	Weiss,
DiGenova,	Levy,	Polen,	Weish, E. B.,
Early,	Longo,	Powers,	Weish, M. J.,
Elliott,	Marks,	Prosen,	Williams,
Falkenstein,	Maxwell,	Rank,	Wright,
Finestone,	McClanaghan,	Readinger,	Yester,
Gallagher,	McDermott,	Reese, D. P.,	Young,
Gerard,	McFall,	Reese, R. E.,	Kilroy,
Goodwin,	McIntosh,	Reynolds,	Speaker.

NAYS—67

Bentzel,	Fleming,	James,	Serrill,
Boorse,	Foor,	Kilne,	Shaw,
Bower,	French,	Knoble,	Simons,
Brunner, C. H.,	Gillan,	Krise,	Snyder,
Burris,	Gillette,	Lee, E. A.,	Sollenberger,
Cadwalader,	Gross,	Lyons,	Stambaugh,
Chervenak,	Gyger,	McClester,	Stockham,
Cochran,	Habbyshaw,	McKinney,	Taylor,
Cooper,	Haines,	McSurdy,	Thompson, R. L.,
Cordier,	Hall,	Moul,	Trout,
Dakrlymple,	Hamilton,	Muir,	VanAllsburg,
Dennison,	Hare,	O'Connor,	Wagner,
Dix,	Harris,	Reagan,	Watkins,
Eckels,	Helm,	Riley,	Weingartner,
Elder,	Hirsch,	Rose, W. E.,	Wilkinson,
Ely,	Huntley,	Royer,	Wood, L. H.,
Fiss,	Imbrie,	Sarge,	Wood, N.,

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

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 513, as follows:

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

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

Section 1 Section twelve of the act approved the eighteenth day of July one thousand nine hundred and seventeen (P. L. 1043), entitled "An act establishing a public school employees' retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing employes defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon boards having the employment of public school employes exempting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties" as last amended by the act approved the first day of July one thousand nine hundred and thirty-seven (P. L. 2601) is hereby further amended to read as follows

Withdrawal

Section 12 (1) Should a contributor by resignation or dismissal or in any other way than by death or retirement separate from the school service or should such contributor legally withdraw from the retirement system he or she shall be paid on demand from the fund created by this act (a) The full amount of the accumulated deductions standing to his or her individual credit in the annuity savings account or in lieu thereof should he or she so elect (b) an annuity or a deferred annuity which shall be the actuarial equivalent of said accumulation deductions His or her membership in the retirement associations shall thereupon cease

(2) Should an employe so separated from the school service return within five years and restore to the School Employees' Retirement Fund to the credit of the annuity savings account his or her accumulated deductions as they

were at the time of his or her separation the annuity rights forfeited by him or her at that time shall be restored

Each employe who separated from school service prior to the first day of July one thousand nine hundred and twenty-five and who subsequently returned or shall return to school service prior to July first one thousand nine hundred and [thirty-four] thirty-five after more than five years' absence shall at retirement for superannuation be entitled to have full credit for each year of service in the public schools of Pennsylvania Provided

(a) He or she shall have rendered not less than twenty years of service in the public schools of Pennsylvania prior to the retirement and

(b) He or she shall have restored to the School Employees' Retirement Fund to the credit of the annuity savings account his or her accumulated deductions as they were at the time of his or her separation

Each employe who separates from school service after the first day of July one thousand nine hundred and twenty-five and who returns to school service after a longer absence than five years shall have his or her annuity rights restored in accordance with the provisions of this paragraph provided he or she fulfils the conditions named in paragraphs (a) and (b) of this clause and in addition thereto (c) shall have left with the retirement board at least twenty per centum of his or her accumulated deductions at the time of his or her separation and (d) shall return to service prior to the age of fifty-nine years

In no case shall an employe who has separated from school service and who later returned to school service after five or more years of absence be eligible to retirement on account of disability until he or she shall have rendered at least three years of service subsequent to such return

In any case the restoration of the accumulated deductions provided herein may be made by the payment of a lump sum or any actuarial equivalent approved by the retirement board

Subject to such rules and regulations as the retirement board may adopt the provisions of this act shall be applicable beginning July first one thousand nine hundred and twenty-five to all who are on the retired list of Pennsylvania public school employes at the time this bill becomes a law

(3) Should a contributor die before retirement his or her accumulated deductions shall be paid to his or her estate or to such person as he or she shall have nominated by written designation duly executed and filed with the retirement board

Section 2 This act shall become effective immediately upon final enactment

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

On the question,

Shall the bill pass finally?

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

YEAS—174

Achterman,	Foor,	Marks,	Rose, S.,
Auker,	French,	Maxwell,	Rose, W. E.,
Baker,	Gallagher,	McClanaghan,	Rosenfeld,
Balthaser,	Gates,	McClester,	Rush,
Baughner,	Gerard,	McDermott,	Sarge,
Bentley,	Goodwin,	McFall,	Sarraf,
Bentzel,	Gross,	McIntosh,	Scanlon,
Boles,	Gryskewicz,	McKinney,	Serrill,
Boney,	Gyger,	McLanahan,	Shaffer,
Boorse,	Habbyshaw,	McLane,	Shaw,
Bower,	Haberlen,	McSurdy,	Shepard,
Bradley,	Haines,	Melchiorre,	Simons,
Brown,	Hall,	Mihm,	Snyder,
Brunner, C. H.,	Hamilton,	Modell,	Sorg,
Brunner, P. A.,	Hare,	Monks,	Stank,
Burns,	Harkins,	Mooney,	Stine,
Burris,	Harmuth,	Moran,	Stockham,

Cadwalader,	Harris,	Moul,	Tarr,
Chervenak,	Heatherington,	Muir,	Tate,
Chudoff,	Helm,	Munley,	Taylor,
Cochran,	Herman,	Nagel,	Thompson, E. F.,
Cohen, M. M.,	Hersch,	Nunemacher,	Thompson, R. L.,
Cohen, R. E.,	Hirsch,	O'Brien,	Trout,
Cooper,	Holland,	O'Connor,	VanAllsburg,
Cordier,	Huntley,	O'Dare,	Vincent,
Corrigan,	Imbrie,	O'Mullen,	Vogt,
Croop,	Jefferson,	O'Neill,	Wagner,
Cullen,	Jones, G. E.,	Owens,	Watkins,
Dalrymple,	Keenan,	Petrosky,	Weingartner,
Dennison,	Kenehan,	Pettit,	Weiss,
DiGenova,	Kline,	Polaski,	Welsh, E. B.,
Dix,	Knoble,	Polen,	Welsh, M. J.,
Dolon,	Kolankiewicz,	Powers,	Wilkinson,
D'Ortona,	Komorowski,	Prosen,	Williams,
Early,	Krise,	Rank,	Wolf,
Eckels,	Lee, E. A.,	Rausch,	Wood, L. H.,
Elder,	Lelsey,	Readinger,	Wood, N.,
Elliott,	Leonard,	Reagan,	Woodring,
Ely,	Lesko,	Reese, D. P.,	Woodside,
Falkenstein,	Levy,	Reese, R. E.,	Wright,
Finestone,	Lichtenwalter,	Reynolds,	Yeakel,
Fisher,	Longo,	Rhea,	Yester,
Fiss,	Lovett,	Riley,	Young,
Fleming,	Lyons,	Rooney,	Kilroy, Speaker
Fletcher,	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 present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1014, as follows:

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

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

Section 1 Clause eight of section one thousand two hundred and ten of the act approved the eighteenth day of May one thousand nine hundred and eleven (P. L. 309), entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" as last amended by section eight of the act approved the first day of July one thousand nine hundred and thirty-seven (P. L. 2592) is hereby further amended to read as follows

Section 1210

* * * *

8 County superintendents of counties having a population of less than [twenty thousand (20,000) minimum annual salary three thousand dollars (\$3,000) county superintendents of counties having a population of twenty thousand and more but less than forty-five thousand (45,000) minimum annual salary three thousand five hundred dollars (\$3,500) county superintendents of counties having a population of forty-five thousand and more but less than one hundred and fifty thousand (150,000) minimum annual salary four thousand dollars (\$4,000) county superintend-

ents of counties having a population of one hundred and fifty thousand (150,000) or more minimum annual salary four thousand five hundred dollars (\$4,500) all assistant county superintendents and supervisors of special education minimum annual salary three thousand dollars (\$3,000)

Section 2 The provisions of this act shall become effective the first day of July one thousand nine hundred and forty-one

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

On the question,

Shall the bill pass finally?

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

YEAS—174

Achterman,	French,	Marks,	Rose, W. E.,
Auker,	Gallagher,	Maxwell,	Rosenfeld,
Baker,	Gates,	McClanaghan,	Rush,
Balthaser,	Gerard,	McClester,	Sarge,
Baughner,	Goodwin,	McDermott,	Sarra,
Bentley,	Gross,	McFall,	Scanlon,
Bentzel,	Gryskewicz,	McIntosh,	Serrill,
Boles,	Cyger,	McKinney,	Shaffer,
Boney,	Habbyshaw,	McLanahan,	Shaw,
Boorse,	Haberlen,	McLane,	Shepard,
Bradley,	Haines,	McSurdy,	Simons,
Brown,	Hall,	Melchiorre,	Snyder,
Brunner, C. H.,	Hamilton,	Mihm,	Sorg,
Brunner, P. A.,	Hare,	Modell,	Stank,
Burns,	Harkins,	Monks,	Stine,
Burris,	Harmuth,	Mooney,	Stockham,
Cadwalader,	Harris,	Moran,	Tarr,
Chervenak,	Heatherington,	Moul,	Tate,
Chudoff,	Helm,	Muir,	Taylor,
Cochran,	Herman,	Munley,	Thompson, E.,
Cohen, M. M.,	Hersch,	Nagel,	Thompson, R.,
Cohen, R. E.,	Hirsch,	Nunemacher,	Trout,
Cooper,	Holland,	O'Brien,	Turner,
Cordier,	Huntley,	O'Connor,	Van Allsburg,
Corrigan,	Imbrie,	O'Dare,	Vincent,
Croop,	Jefferson,	O'Mullen,	Vogt,
Cullen,	Jones, G. E.,	O'Neill,	Wagner,
Dalrymple,	Jones, P. N.,	Owens,	Watkins,
Dennison,	Keenan,	Petrosky,	Weingartner,
DiGenova,	Kenehan,	Pettit,	Weiss,
Dia,	Kline,	Polaski,	Welsh, E. B.,
Dolon,	Knoble,	Polen,	Welsh, M. J.,
D'Ortona,	Kolankiewicz,	Powers,	Wilkinson,
Early,	Komorowski,	Prosen,	Williams,
Eckels,	Krise,	Rank,	Wolf,
Elder,	Lee, E. A.,	Rausch,	Wood, L. H.,
Elliott,	Lelsey,	Readinger,	Wood, N.,
Ely,	Leonard,	Reagan,	Woodring,
Falkenstein,	Lesko,	Reese, D. P.,	Woodside,
Finestone,	Levy,	Reese, R. E.,	Wright,
Fisher,	Lichtenwalter,	Reynolds,	Yeakel,
Fiss,	Longo,	Rhea,	Yester,
Fleming,	Lovett,	Riley,	Young,
Fletcher,	Lyons,	Rooney,	Kilroy,
Foor,	Malloy,	Rose, S.,	Speaker.

NAYS—0

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

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

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1857, as follows:

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

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

Section 1 The sum of two thousand five hundred dollars (\$2,500) or as much thereof as may be necessary is hereby appropriated to the Department of Revenue for the payment of any claims against the Commonwealth arising from damage by fire to buildings and their contents caused by the use of defective electric transmission wires furnished by the Division of Aeronautics of the Department of Revenue for use in operating airplane beacons Payments from this appropriation shall be made on requisition of the Secretary of Revenue with the approval of the Department of Justice

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—174

- | | | | |
|-----------------|----------------|---------------|------------------|
| Achterman, | Foor, | Marks, | Rose, W. E., |
| Auker, | French, | Maxwell, | Rosenfeld, |
| Baker, | Gallagher, | McClanaghan,* | Rush, |
| Balthaser, | Gates, | McClester, | Sarge, |
| Baucher, | Gerard, | McDermott, | Sarraf, |
| Bentley, | Goodwin, | McFall, | Scanlon, |
| Bentzel, | Gross, | McIntosh, | Serrilli, |
| Boles, | Gryskewicz, | McKinney, | Shaffer, |
| Boney, | Cyger, | McLanahan, | Shaw, |
| Boorse, | Habbyshaw, | McLane, | Shepard, |
| Bradley, | Haberlen, | McSurdy, | Simons, |
| Brown, | Haines, | Melchiorre, | Snyder, |
| Brunner, C. H., | Hall, | Mihm, | Sorg, |
| Brunner, P. A., | Hamilton, | Modell, | Stank, |
| Burns, | Hare, | Monks, | Stine, |
| Burris, | Harkins, | Mooney, | Stockham, |
| Cadwslader, | Harmuth, | Moran, | Tarr, |
| Chervenak, | Harris, | Moul, | Tate, |
| Chudoff, | Heatherington, | Muir, | Taylor, |
| Cochran, | Heim, | Munley, | Thompson, E. F., |
| Cohen, M. M., | Herman, | Nagel, | Thompson, R. L., |
| Cohen, R. E., | Hersch, | Nunemacher | Trout, |
| Cooper, | Hirsch, | O'Brien, | Turner, |
| Cordier, | Holland, | O'Connor, | VanAllsburg, |
| Corrigan, | Huntley, | O'Dare, | Vincent, |
| Croop, | Imbrie, | O'Mullen, | Vogt, |
| Cullen, | Jefferson, | O'Neill, | Wagner, |
| Dalrymple, | Jones, G. E., | Owens, | Watkins, |
| Dennison, | Keenan, | Petrosky, | Weingartner, |
| DiGenova, | Kenehan, | Pettit, | Weiss, |
| Dix, | Kilne, | Polaski, | Welsh, E. B., |
| Dolon, | Knoble, | Polen, | Welsh, M. J., |
| D'Ortona, | Kolankiewicz, | Powers, | Wilkinson, |
| Early, | Komorowski, | Prosen, | Williams, |
| Eckels, | Krise, | Rank, | Wolf, |
| Eider, | Lee, E. A., | Rausch, | Wood, L. H., |
| Elliott, | Lelsey, | Readinger, | Wood, N., |
| Ely, | Leonard, | Reagan, | Woodring, |
| Falkenstein, | Lesko, | Reese, D. P., | Wright, |
| Finestone, | Levy, | Reese, R. E., | Yeakel, |
| Fisher, | Lichtenwalter, | Reynolds, | Yester, |
| Fiss, | Longo, | Rhea, | Young, |
| Fleming, | Lovett, | Riley, | Kilroy, |
| Fletcher, | Lyons, | Rooney, | |
| | Malloy, | Rose, S., | Speaker. |

NAYS—0

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

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

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1462, as follows:

An Act to regulate the locating drilling casing filling and abandoning of natural gas and petroleum wells on prop-

erty 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

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

Article I

Definitions

Section 1 For the purpose of this act the following words terms and phrases shall have the meaning ascribed to them in this section except where the context clearly indicates a different meaning

Well The term "well" shall mean any bore hole drilled for the purpose of developing natural gas or petroleum or a bore hole producing natural gas or petroleum

Well Operator The term "well operator" shall include any person persons firm partnership corporation company or association that proposes to or does drill operate or abandon a well at a location shown by reliable records of the Department of Mines to be underlaid with a workable coal bed

Coal Operator The term "coal operator" shall include any person firm partnership corporation company or association that proposes to or does operate a coal mine in territory known or reputed to be underlain with oil or gas bearing strata

Department or Department of Mines The terms "Department" or "Department of Mines" shall mean the duly constituted authority under the laws of this state having jurisdiction over coal mine operations and oil and gas well operations as herein provided

Plat The term "plat" shall mean a map drawing or print made in accordance with the provisions of this act and showing the location of well or wells as herein defined

Casing The term "casing" shall mean a string or strings of pipe commonly placed in wells drilled for natural gas or petroleum

Oil and Gas The terms oil and "gas" shall be synonyms respectively for petroleum and natural gas

Cement The term "cement" shall mean hydraulic cement properly mixed with water only

Clay The term "clay" means a red clay impervious to water which when thoroughly mixed with water shall be used instead of cement when and where agreed upon by the coal operator the well operator and the Department of Mines

Workable Coal Bed The term "workable coal bed" shall mean any seam of coal twenty-four inches or more in thickness in the now known coal areas and a coal bed from which it is physically and economically feasible to remove coal and in which in the judgment of the Department of Mines protection of life and property is required when the wells are drilled through it The provisions of this act in so far as the casing of wells is concerned shall not apply to coal seams where in the opinion of the Department of Mines such well will be abandoned and plugged in accordance with the provisions of this act before mining operations reach the well location

Article II

Location of Well

Section 201 Before drilling a well on property underlaid with one or more known and workable coal beds the well operator shall notify the Department of Mines in writing of his desire to drill and send therewith a description and plat showing the proposed location

Section 202 The location of the well shall be determined by survey and the description and plat shall give the course and distance from two permanent points on the tract of land to be drilled together with the name of the tract and the names of the adjoining owners as well as the township and county in which it is to be located

Section 203 The location made in accordance with the provisions of section two shall be the final location unless objections thereto shall be made by either the coal operator or the Department of Mines within five days of receipt of the notice aforesaid In the event of such objection a final location shall be fixed in accordance with the majority opinion of the group of three persons made up of a representative of the Department of Mines the coal operator and the well operator and the record of it made a part of the permanent records of the Department of Mines Should the first location be final the plat showing it shall be filed among the permanent records of the Department of Mines

Section 204 Locations shall be made in such manner as to preclude the possibility of the passing of wells through traveling air haulage drainage or other passage ways of operating coal mines and in such manner as will obviate danger to mine operations and necessary surface structures The precaution here required shall apply also to workings and improvements which have been projected but not developed or made

A location which does not contemplate the retention of a pillar of coal surrounding the well for protection of the mine and the protection of the well itself shall not be approved except as hereinafter provided The sizes of such pillars as well as the distances of wells from passage ways mine openings and surface structures shall be jointly fixed by the majority opinion of the group of three comprised of a representative of the well operator the coal operator and the Department of Mines

Article III

Drilling of Wells and Protection of Wells and Workable Coal Beds

Section 301 A well penetrating one or more workable coal beds shall be drilled to such a depth and of such a size as will permit the placing of casing and packers in the hole at such points and in such manner as will exclude all oil gas or gas pressure from the coal bed except such as may be found in the coal bed itself

Each string of casing to be installed in the hole shall be provided with a steel casing shoe or collar to be firmly fixed on the bottom of the string of casing

Each string of casing run through a workable coal bed shall be seated at least thirty feet below said coal bed in twenty feet of cement mud clay or other non-porous material which will make an effective seal After the first string of casing has been so seated drilling may proceed to any required depth and a second string running through a workable coal bed as well as succeeding strings may be set in a similar manner

Section 302 In the event that gas is found beneath a workable coal bed before the hole has been reduced from the size it had been at the coal bed a packer shall be placed below the coal bed and the gas by means of it diverted to the inside of the adjacent string of casing through perforations made in said casing and through it passed to the surface without contact with the coal bed Should gas be found between two workable beds of coal in a hole of the same diameter from bed to bed two packers shall be placed with perforations in the casing between them permitting the gas to pass to the surface inside the adjacent casing In either of the cases here specified the strings of casing shall extend from their seats to the surface at the top of the well

Section 303 In the event that a well becomes productive of natural gas or petroleum all coal-protecting strings of casing shall remain in place during the life of the well During the life of the well the annular spaces between the various strings of casing adjacent to workable coal beds shall be kept open and the tops of the said casings shall be provided with casingheads or other suitable devices which will permit the free passage of gas but prevent accidental or malicious filling of the said annular spaces with dirt or debris

Section 304 Should it be found necessary to drill a well through the horizon of a coal bed mining operations

being concluded and the coal removed the hole shall be drilled at least thirty feet below the coal bed of a size sufficient to permit the placing of a liner which shall start not less than twenty feet beneath the horizon of the coal bed and extend not less than twenty feet above it Within this liner which may be welded to the casing to be used shall be centrally placed the largest sized casing to be used in the well and the space between the liner and casing shall be filled with cement as they are lowered into the hole Cement shall be placed in the bottom of the hole to a depth of twenty feet to form a sealed seat for both liner and casing Beyond this point drilling shall proceed in the manner named in previous sections of this article

Should it be necessary to drill through the horizon of two or more workable coal beds in which mining has been concluded and the coal removed the liner as aforesaid shall be started not less than twenty feet below the lowest horizon penetrated and be extended to a point not less than twenty feet above the highest

Article IV

Plugging and Abandonment of Wells

Section 401 Prior to the abandonment of a well within the area as defined by Article 2 the well operator shall notify in writing the coal operator if there be one involved and if known and the State Mining Department of his intention so to do in order that representatives of either or both may have opportunity to inspect the work of plugging and filling Whether or not such representatives be present five days after delivery of notice as aforesaid the well operator may proceed to plug and fill in the manner hereinafter described When said plugging and filling shall have been completed two experienced men who have performed the work shall make affidavit that it has been properly performed Said affidavit shall be made in triplicate and filed among the permanent records of the well operator the coal operator and the Department of Mines

Section 402 Where the well has penetrated one or more workable coal beds it shall be filled to and securely plugged at a point twenty feet above the top of the highest oil or gas-bearing stratum From this point the hole shall be solidly filled to the surface with mud clay or other non-porous material or it may be filled to the surface in the same manner starting from a securely anchored bridge not less than forty feet below the lowest workable coal bed

It is provided however that if in the judgment of the well operator the coal operator and the Department of Mines a permanent outlet to the surface is required such outlet shall be provided in the following manner

A plug of cement or other suitable material shall be placed in the well at a point not less than thirty feet below the lowest workable coal bed In this plug and penetrating it shall be securely fastened a two-inch pipe without obstructions which shall extend from the plug to a point five feet above the surface where it shall be provided with a "U" shaped bend

Following the setting of the cement plug and two-inch outlet pipe as aforesaid the hole shall be filled with cement to a point twenty feet above the lowest workable coal bed From this point the hole shall be filled with mud clay or other non-porous material to a point thirty feet beneath the next overlying workable coal bed if such there be and the next succeeding fifty feet of the hole filled with cement From the point last named the remainder of the hole shall be filled with mud clay or other non-porous material Should there be more than two workable coal beds each shall be protected and the hole finally filled in the manner heretofore described in this same paragraph

Article V

Coal Mining

Section 501 Before opening a mine on property known or reputed to be underlain with oil or gas-bearing stra-

tum the coal operator shall notify the well operator or operators in possession of the rights to drill in such oil or gas-bearing stratum when known of his intention to do so and shall send therewith a plat showing the proposed location of the mine and having projected thereon as nearly as may be the proposed manner of operation on said property He shall at the same time and in the same manner notify the Department of Mines of his intention

Section 502 The location and projection shown on the plat aforesaid shall be final unless objection thereto shall be made by either the well operator or the State Department of Mines within five days of receipt of the notice aforesaid In the event of such objection another and final location and projection shall be fixed in accordance with the majority opinion of the group of three persons made up of a representative of the Department of Mines the coal operator and the well operator and the record of it made a part of the permanent records of the Department of Mines Should the first location and projection be final the plat on which they are shown shall be made a part of the permanent records of the Department of Mines

Section 503 Changes in the final location herein specified may be made by the coal operator provided that the well operator and the Department of Mines shall have had five days' prior notice which notice shall describe the change proposed and provided further that the change proposed shall not interfere with work already performed by the well operator

Article VI
Administration

Section 601 It shall be the duty of the Department of Mines acting through its mine inspectors to exercise general supervision over the drilling and abandoning of all wells drilled in the Bituminous Coal region of Pennsylvania within the area as defined in Article 2 for the production of natural gas or petroleum and the records and operations of well operators and coal operators so far as may be necessary for the proper administration of the provisions of this act shall at all times be open for examination by the duly authorized deputies of the Department

Section 602 All expenditures necessary for the proper performance of the requirements imposed by these regulations shall be made by well operators and coal operators as and when their needs shall appear and shall be collectible by each from the other in proportion as their respective rights are established in any particular property which is by them jointly owned or operated

Section 603 Whether or not it is expressly stated hereinbefore appeal from any decision agreement interpretation or modification made under the provisions of this act may be made to the court of common pleas of the county in which the property involved is located by any of the interested parties All operations affected by such an appeal shall be suspended pending its hearing and the decision of the court of common pleas in any such appeal shall be final

Article VII

Penalties Repealer Effective Date

Section 701 Any person who neglects or refuses to perform the duties required by him by this act or the regulations adopted by the Department of Mines hereunder or who violates any of the provisions or requirements thereof shall be deemed guilty of a misdemeanor and shall on conviction be punished by a fine not exceeding one thousand dollars (\$1,000) or imprisonment for a period not exceeding six months or both at the discretion of the court

If any such violations are brought to the attention of the Secretary of the Department of Mines or to the bituminous mine inspectors he or they shall make a thorough investigation and if he or they find that any person or persons have violated neglected or refused to

comply with the provisions of this act or the regulations adopted hereunder he or they shall cause information to be made against such person or persons according to law

Section 702 All acts and parts of acts inconsistent with the provisions of this act are hereby repealed

Section 703 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.

Messrs. Burns, Heatherington and Monk asked for a verification of the roll.

The roll was verified and was as follows:

YEAS—114

- | | | | |
|-----------------|----------------|--------------|------------------|
| Achterman, | Flynn, | Maxwell, | Reese, R. E., |
| Auker, | French, | McGlanaghan, | Reynolds, |
| Baker, | Gallagher, | McDermott, | Rooney, |
| Balthaser, | Gerard, | McFall, | Rose, S., |
| Baughner, | Goodwin, | McLanahan, | Rush, |
| Bentley, | Gryskewicz, | McLane, | Sarraf, |
| Bentzel, | Haberlen, | Melchiorre, | Scanlon, |
| Botes, | Hamilton, | Mihm, | Shaffer, |
| Boney, | Harkins, | Modell, | Shaw, |
| Brown, | Harmuth, | Monks, | Shepard, |
| Brunner, P. A., | Harris, | Mooney, | Stine, |
| Burns, | Heatherington, | Moran, | Tarr, |
| Chervenak, | Hering, | Moul, | Tate, |
| Chudoff, | Herman, | Munley, | Thompson, E. F., |
| Cochran, | Hersch, | Nagel, | Thompson, R. L., |
| Cohen, R. E., | Hirsch, | Nunemacher, | Verona, |
| Corrigan, | Holland, | O'Brien, | Vincent, |
| Croop, | Jefferson, | O'Connor, | Vogt, |
| Cullen, | Jones, P. N., | O'Mullen, | Wells, |
| Dalrymple, | Keenan, | O'Neill, | Welsh, E. B., |
| DiGenova, | Kenehan, | Owens, | Welsh, M. J., |
| Dolon, | Kolankiewicz, | Petrosky, | Williams, |
| D'Ortona, | Komorowski, | Pettit, | Woodring, |
| Early, | Leonard, | Polaski, | Wright, |
| Elllott, | Lesko, | Polen, | Yester, |
| Falkenstein, | Longo, | Powers, | Young, |
| Finestone, | Lovett, | Prosen, | Kilroy, |
| Fleming, | Malloy, | Rausch, | Speaker. |
| Fletcher, | Marks, | Readinger, | |

NAYS—57

- | | | | |
|-----------------|----------------|---------------|---------------|
| Boorse, | Gyger, | McClester, | Sollenberger, |
| Bower, | Habbyshaw, | McKinney, | Stambaugh, |
| Brunner, C. H., | Haines, | Muir, | Stockham, |
| Cadwalader, | Hall, | O'Dare, | Taylor, |
| Cook, | Hare, | Rank, | Trout, |
| Cooper, | Helm, | Reese, D. P., | Turner, |
| Dennison, | Huntley, | Rhea, | Wagner, |
| Eckels, | Imbrie, | Riley, | Watkins, |
| Elder, | Kilne, | Rose, W. E., | Weingartner, |
| Ely, | Krise, | Royer, | Wilkinson, |
| Fiss, | Levy, | Sarge, | Wood, L. H., |
| Gates, | Leydic, | Serrill, | Wood, N., |
| Gillette, | Lichtenwalter, | Simons, | Woodside, |
| Greenwood, | Lyons, | Snyder, | Yeakel, |
| Gross, | | | |

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

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

BILLS PASSED OVER

There being no objection House Bill No. 1854, Printer's No. 1083, was passed over at the request of Mr. WOODRING.

There being no objection House Bill No. 1880, Printer's

No. 1084, was passed over at the request of Mr. ACHTERMAN.

RESOLUTION No. 105—COMMITTEE APPOINTED

The SPEAKER. Pursuant to Resolution No. 105, Printer's No. 1105, adopted by the House July 1, the Chair appoints the following committee Messrs. ROSENFELD, Chairman, HERSCH, ROONEY, O'DARE and VOORHEES.

REPORT FROM COMMITTEE

Mr. GALLAGHER, from the Committee on Elections, reported as committed, House Bill No. 1963, entitled:

An Act to add clause (i) to section seven hundred and four 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, the nomination of candidates, primary and election expenses and election contests; creating and defining membership of county boards of elections; imposing duties upon the Secretary of the Commonwealth, courts, county boards of elections, county commissioners, imposing penalties for violation of the act, and codifying, revising and consolidating the laws relating thereto; and repealing certain acts and parts of acts relating to elections," by adding rule for determining residence in case of electors compelled to remove from their place of residence by agencies or bodies having right of eminent domain or acquiring property for carrying out National defense programs.

CONDOLENCE RESOLUTION

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

In the House of Representatives, July 7, 1941.

Whereas, The House of Representatives has been profoundly shocked to learn of the sudden death in an automobile accident of the Honorable Lee S. Fake, seventy-two year old attorney, and a former member of the House; and

Whereas, Lee S. Fake was known throughout the County of York, where he practiced law, both for his knowledge of the law and for his ethical conduct which was of the highest; and

Whereas, He was prominent in all the communal activities of his home, and a leading member of St. Paul's Lutheran Church, Stoverstown; and

Whereas, Throughout his lifetime, he devoted himself to the improvement of his community, and to the highest principles of the American Bar; be it therefore

Resolved, That the House of Representatives mourns the passing of so distinguished a citizen of this Commonwealth; and be it further

Resolved, That the Chief Clerk of the House mail a copy of this resolution to the family of the deceased as a token of the most sincere sympathy of the House of Representatives for them in so great a bereavement.

CONGRATULATORY RESOLUTION

Messrs. O'MULLEN, KOLANKIEWICZ and HERSCH offered a privileged resolution which was read, considered and adopted as follows:

In the House of Representatives, July 7th, 1941.

Whereas, On Saturday June 28th, the Honorable James R. Rooney celebrated his 47th birthday; and

Whereas, The Honorable James R. Rooney as of the present time neither drinks or suffers from most of the other human frailties; and

Whereas, This fact enables him to devote most of his time to the problems of the Commonwealth with the result that they are solved in so brilliant a fashion, if when and as they are finally solved; therefore be it

Resolved, That the House of Representatives congratulates the Honorable James R. Rooney on his natal day and wishes him many happy returns of the day.

PERMISSION TO ADDRESS HOUSE

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

Mr. Speaker, I hesitate at this late moment to call your attention to a bill which I figure is a very important bill, which goes to make up a part that we have undone in the 1939 session, and which leaves the commissioners of the various counties throughout the Commonwealth holding what I might call the bag in the sale of property for taxes.

This bill was introduced on April 2nd and referred to the Committee on Municipal Corporations on April 7th. It was reported as committed May 12th, passed first and second reading, and with the understanding by myself as a member of that committee, I returned it to the Committee on Municipal Corporations on May 19th. I deem it highly important to let the Members of the House know just exactly what this bill means. Mr. Speaker, if I did not think this was an important bill, I would hesitate to bring it to your attention.

Section 1. This bill provides for the discharge of mortgages against real property when sold at county treasurers' tax sale, and also on property purchased at such sales and now in the possession of the county commissioners when they sell the same at public sale.

A procedure is set up by the bill which gives adequate notice to all interested parties, as follows:

Subsection (a). The purchaser at the tax sale must, before period of redemption expires, petition court giving facts concerning the sale, the mortgages charged against the property, and the names and addresses of the holders, etc. The court issues a rule on the mortgage holders to answer the petition. If he does answer, the court fixes a date for hearing. If he fails to answer, or if upon hearing he can show no legal objections to the proceedings, the court makes the rule absolute, and after the period of redemption expires a decree is entered discharging the lien of such mortgage and providing for the proper entry thereof on the mortgage record.

The notice of such proceedings is served on the mortgage holder who lives in the county, the same as writs of summons are served. If he lives in another county he is served by the sheriff of that county. If he lives out of the Commonwealth he may be served by registered letter, and by posting a notice of the proceedings on the property involved.

If property is redeemed any time during the redemption period, the proceedings are ended, and the person redeeming the same pays the costs involved in such proceedings.

Subsection (b). Property now in possession of the county commissioners must be sold at public sale (a) if the period of redemption has heretofore expired, within two years after this act is approved; (b) if the period has not yet expired, within one year after it does expire. At least six months before the sale, the county commissioners petition court in the same manner as above described and the same service of notice is provided for as in the other proceedings. If no legal objection is shown the court

orders the public sale of the property, to be held at least six months after the date of the petition, freed and discharged from the lien of the said mortgage.

Section 2. The bill requires the county commissioners to sell at public sale real property within one year (now six months) after the redemption period shall expire. Property now in their possession and for which the period of redemption has expired, must be sold within two years (now six months) after the approval of this act.

Section 3. The bill provides for the distribution to the various taxing authorities, of the proceeds of all treasurers' sales, sales by the county commissioners, and moneys received from redemptions. (This is badly needed as the present law does not have such provision).

If there is any balance remaining after the tax claims are paid, it goes to the payment of other claims against the property according to their priority.

Mr. Speaker, I especially would ask the majority of the House, my good friend, the gentleman from Westmoreland, Mr. Weiss, who is Chairman of the Municipal Corporations Committee, and my other good friend, Mr. Achterman, the floor-leader on that side of the House, to give this bill their honest consideration. I personally, being the sponsor of the bill, have not heard any objections to it, and I ask you in all fairness, because I think consideration is due it to give it your consideration and bring the bill back on the floor of the House and let us vote on it and pass it before we adjourn. Thank you very kindly.

RESOLUTION No. 107

Mr. TATE. Mr. Speaker, I call up at this time Resolution No. 107, Printer's No. 1110.

The resolution was read by the Clerk as follows:

In the House of Representatives, June 23, 1941.

Whereas By virtue of Act No. 3 approved March 19th 1941 a State Council of Defense was established and

Whereas Under Section 4 of the aforesaid act the State Council of Defense was given the following powers

"(e) To supervise and direct investigations and report to the Governor with recommendations for legislation or other appropriate action as it may deem necessary with respect to the following matters in so far as they are or may be related to defense

* * * *

(6) Consumers and consumer protection"
and

Whereas There has been an unjustifiable increase in the price of food stuffs and commodities to the consumers of the Commonwealth of Pennsylvania which is not predicated on any shortage of such food stuffs and commodities but rather appears to be based purely on motives of profiteering and

Whereas Immediate steps should be taken to stop such unjustifiable increases in the prices of food stuffs and commodities be it therefore

Resolved That the House of Representatives requests the State Council of Defense to immediately take such action commensurate with its powers to prevent any further increase in such food stuffs and commodities and be it further

Resolved That the State Council of Defense immediately notify the National authorities so that all possible steps shall be taken to protect the consumers of this Commonwealth from exploitation and be it further

Resolved That the Chief Clerk of the House of Representatives forward a copy of this resolution to the chairman of the State Council of Defense immediately upon its final adoption

On the question,
Will the House adopt the resolution?
It was adopted.

RECONSIDERATION OF HOUSE BILL No. 1639.

Mr. HARKINS. Mr. Speaker I move that the vote by which House Bill No. 1639, Printer's No. 1055, entitled

"An act to further amend the title and the act, approved the second day of June, one thousand nine hundred and fifteen (Pamphlet Laws 736), entitled as amended 'An act defining the liability of an employer to pay damages for injuries received by an employe in the course of employment; establishing an elective schedule of compensation; providing procedure for the determination of liability and compensation thereunder; and prescribing penalties,' by making the schedules of compensation compulsory upon all employers,"

was defeated on final passage on June 25, 1941, be reconsidered

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

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

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

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

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

On the question,

Will the House agree to the motion?

The SPEAKER declared the "ayes" appear to have it. Whereupon, a division was called for, seventy-three Members voting in the affirmative and sixty in the negative, the question was determined in the affirmative and the motion was agreed to.

On the question recurring,

Shall the bill pass finally?

BILL POSTPONED

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

The motion was agreed to.

COMMITTEE MEETINGS

Counties, Tuesday, July 8 at 11:30 a. m. in Room 521 to consider Senate Bills Nos. 46 and 351 and House Bill No. 1833.

Judiciary General, Tuesday, July 8 at 11:30 a. m. in Room 246.

PUBLIC HEARING

There will be a Public Hearing before the Committee on Professional Licensure on House Bill No. 1813 on Wednesday, July 9, 1941 at 11:00 A. M., E. S. T. in the New Caucus Room.

ADJOURNMENT

Mr. DIX. Mr. Speaker, I move that this House do now adjourn until Tuesday, July 8, 1941 at 12 m.

The motion was agreed to, and (at 11:15 p. m.) the House adjourned.

