

ance, but nevertheless they have no consideration for this body and they are going to continue to do what they were doing before any resolution was adopted or before anything was said in this Senate.

#### PERMISSION TO ADDRESS SENATE

Mr. CHAPMAN. I ask permission to make a short explanation, Mr. President.

The PRESIDENT. The gentleman from Warren will proceed.

Mr. CHAPMAN. Mr. President, I want to explain the action of the Appropriations Committee. I might say that a committee of three has been appointed by the President Pro Tempore of the Senate and those three were consulted on every bill that has been reported out by that committee.

#### RECESS

Mr. GELTZ. Mr. President, I move that the Senate do now take a recess for a half an hour.

Mr. MILLER. Mr. President, I second the motion. The motion was agreed to.

#### AFTER RECESS

The PRESIDENT. The time of recess having elapsed the Senate will be in order.

#### SENATE BILL No. 1215, ON FINAL PASSAGE CALLED UP

Mr. GELTZ. Mr. President, I now call up Senate Bill No. 1215, on final passage, postponed, on page 21 of the Calendar.

Mr. WALKER. Mr. President, I second the motion. The motion was agreed to.

#### BILL ON THIRD READING

Agreeably to order,

The Senate resumed the third reading and consideration of Senate Bill No. 1215, entitled:

A Supplement to the act, approved the sixteenth day of June, one thousand nine hundred forty-one (Appropriation Acts, 12A), entitled "An act to provide for the ordinary expenses of the Executive, Legislative and Judicial Departments of the Commonwealth, interest on the public debt and the support of the public schools for two years beginning June first, one thousand nine hundred and forty-one, and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending May thirty-first, one thousand nine hundred and forty-one."

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

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

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

YEAS—40

Barr,	Ealy,	Kephart,	Stevenson,
Bartlett,	Edmonds,	Letzler,	Tallman,
Becker,	Farrell,	Mallery,	Taylor,

Carr,  
Chapman,  
Coleman,  
Cox,  
Crider,  
Crowe,  
DiSilvestro,

Frey,  
Geltz,  
Haluska,  
Heyburn,  
Homsher,  
James,  
Jaspan,

McQuiddy,  
Miller,  
Mundy,  
Ruth,  
Scarlett,  
Shapiro,  
Snowden,

Thomas,  
Tyler,  
Wade,  
Walker,  
Watkins,  
Wilson, H. I.,  
Wilson, T. B.,

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present the said bill to the House of Representatives for concurrence.

Mr. GELTZ. Mr. President, I am glad we have had an unanimous vote on this bill. I was about to explain, after the bill was read, that this is a bill which will be a supplement to the general appropriation bill which at present carries but two items, the general appropriation to the Department of Public Instruction and an amendment carrying an appropriation to the Department of Property and Supplies for the Soldiers and Sailors Home at Erie. It is expected that this bill will be amended in the House to include appropriation items which were cut from the general appropriation bill and whatever other items may be necessary.

I might also say at this time, Mr. President, we deeply regret the delay and inconvenience caused the members of the Senate, but we think it has been time well spent because we are finally in accord to such an extent we believe without any question we can get out of here and end the session by Saturday of this week.

If there are any questions in connection with any of these matters I shall be glad to answer them if I can; if not I am about to propose that we adjourn.

#### ADJOURNMENT

Mr. GELTZ. Mr. President, I move that the Senate do now adjourn until Wednesday, July 9, 1941, at 1:00 o'clock, p. m., Eastern Standard Time.

Mr. MILLER. Mr. President, I second the motion. The motion was agreed to.

The Senate adjourned at 11:59, p. m., Eastern Standard Time, until Wednesday, July 9, 1941, at 1:00 o'clock, p. m., Eastern Standard Time.

## HOUSE OF REPRESENTATIVES

TUESDAY, July 8, 1941

The House met at 12 m.

The SPEAKER (Elmer Kilroy) in the Chair.

#### PRAYER

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

Our God and Father, we pray for the state and for the world. We know that all forms of exploitation, of discrimination of caste or color, of violence and war, of deception and hypocrisy in our national and international life are an abomination to Thee. We would help to bring peace in our time, O Lord. We ask for strength to be calm, reasonable, and slow to anger in days of tension and strain in international affairs.

Bless and guide the President of the United States.

Endue him with wisdom, truth, and goodness that he may govern well and serve the cause of justice and peace. Help each of us to be good citizens of Thy Kingdom, and of our State and Nation. We pray this in the name of Thy Son, Jesus the Christ. Amen.

### JOURNAL APPROVED

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

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

### BILLS INTRODUCED AND REFERRED

By Mr. HOLLAND. HOUSE BILL No. 1953.

An Act making it unlawful to refuse employment because of age to any person under the age of sixty-five; and providing penalties.

Referred to the Committee on Labor.

By Mr. BONEY. HOUSE BILL No. 1954.

An Act to add section two hundred twenty-nine and one-tenth to the act, approved the second day of May, one thousand nine hundred and twenty-five (P. L. 448), entitled "An act relating to fish; and amending, revising, consolidating, and changing the law relating to fish in the inland waters and the boundary lakes and boundary rivers of the Commonwealth," limiting the right of certain lessees or owners of or holders of certain rights in property for fishing purposes, to exclude the general public from fishing from such property.

Referred to the Committee on Fisheries.

By Mr. BONEY. HOUSE BILL No. 1955.

An Act to amend section two hundred and fifty-four of the act, approved the second day of May, one thousand nine hundred and twenty-five (P. L. 448), entitled "An act relating to fish; and amending, revising, consolidating, and changing the law relating to fish in the inland waters and the boundary lakes and boundary rivers of the Commonwealth," limiting the right of certain lessees or owners of or holders of certain rights in property for fishing purposes, to exclude the general public from fishing from such property.

Referred to the Committee on Fisheries.

By Messrs. BRADLEY and HEATHERINGTON.  
HOUSE BILL No. 1956.

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

compensation of the deputies and all other assistants and employes of certain departments, boards and commissions shall be determined," by regulating the compensation of members of the Pennsylvania Motor Police.

Referred to the Committee on State Government.

### SENATE MESSAGE

#### SENATE BILLS FOR CONCURRENCE

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

SENATE BILL No. 783. (HOUSE BILL No. 1957).

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

Referred to the Committee on Public Utilities.

SENATE BILL No. 178. (HOUSE BILL No. 1958).

An Act to amend paragraph four of subsection (a) of section forty-one of the act approved the seventh day of June one thousand nine hundred seventeen (P. L. 447) entitled as amended "An act relating to the administration and distribution of the estates of decedents and of minors and of trust estates including the appointment bonds rights powers duties liabilities accounts discharge and removal of executors administrators and trustees herein designated as fiduciaries the administration and distribution of the estates of presumed decedents widow's and children's exemptions debts of decedents rents of real estates as assets for payment thereof the lien thereof sales and mortgages of real estate for the payment thereof judgments and executions therefor and the discharge of real estate from the lien thereof contracts of decedents for the sale or purchase of real estate legacies including legacies charged on land the discharge of residuary estates and of real estate from the lien of legacies and other charges the appraisal of real estate devised at a valuation the ascertainment of the curtilage of dwelling houses or other buildings devised the abatement and survival of actions and the substitution of executors and



administrators therein the survival of causes of action and suits thereupon by or against fiduciaries investments by fiduciaries the organization of corporations to carry on the business of decedents the audit and review of accounts of fiduciaries refunding bonds transcripts to the court of common pleas of balances due by fiduciaries the rights powers and liabilities of non resident and foreign fiduciaries the appointment bonds rights powers duties and liabilities of trustees durante absentia the recording and registration of decrees reports and other proceedings and the fees thereof appeals in certain cases and also generally dealing with the jurisdiction powers and procedure of the orphans' court in all matters relating to fiduciaries concerned with the estates of decedents" by validating the deeds heretofore accepted by fiduciaries holding mortgages in certain cases.

Referred to the Committee on Judiciary General.

SENATE BILL No. 257. (HOUSE BILL No. 1959).

An Act making an appropriation to the Nursing School of the University of Pittsburgh Pittsburgh Pennsylvania.

Referred to the Committee on Appropriations.

SENATE BILL No. 258. (HOUSE BILL No. 1960).

An Act making an appropriation to the Medical School of the University of Pittsburgh Pittsburgh Pennsylvania.

Referred to the Committee on Appropriations.

SENATE BILL No. 909. (HOUSE BILL No. 1961).

An Act to further amend section two hundred twenty-seven of the act approved the second day of May one thousand nine hundred and twenty-nine (P. L. 1278) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" providing for the appointment of minute clerks in certain courts in counties of the third class.

Referred to the Committee on Counties.

SENATE BILL No. 1297. (HOUSE BILL No. 1962).

An Act to validate and quiet the title to real estate in this Commonwealth conveyed to any person partnership or corporation authorized to hold such real estate by any alderman justice of the peace or magistrate where such alderman justice of the peace or magistrate has made acknowledgment of such conveyance before himself and is now deceased.

Referred to the Committee on Judiciary General.

(House Bill No. 1963 was introduced and referred July 7, 1941. See Journal of next day.)

By Mr. PRESLEY N. JONES HOUSE BILL No. 1964.

An Act authorizing and directing the Auditor General of the Commonwealth to make regular inspection and audit of the books, accounts and funds of all county treasurers; and requiring the Auditor General to make report of the results of such audit and inspection to various county officials.

Referred to the Committee on State Government.

SENATE BILL No. 1300. (HOUSE BILL No. 1965).

An Act to amend sections 410 and 411 of the Act approved the third day of June one thousand nine hundred and thirty-seven (P. L. 1225) entitled "An act concerning game and other wild birds and wild animals and amending revising consolidating and changing the law relating thereto" by eliminating the requirement that owners make available open public hunting areas

contiguous to regulated shooting grounds and changing shooting restrictions on shooting grounds.

Referred to the Committee on Game.

## COMMUNICATIONS AND PETITIONS

The SPEAKER laid before the House the following communications and petitions which were read by the Clerk.

### MENTAL INSTITUTIONS

A telegram from the Council of Pittsburgh, addressed to the Speaker, opposing change of existing law which would place any part of the cost for the care of mental patients upon the city.

Referred to the Committee on Appropriations.

### SCHOOLS

A communication from the Philadelphia Council of Women's Auxiliaries, CIO, Philadelphia, addressed to the Speaker, opposing passage of House Bill No. 1746, prescribing additional powers on Joint State Government Commission to make survey of educational facilities in the Commonwealth.

Referred to the Committee on Appropriations.

### SOLICITORS

Communications from the Office of the County Treasurer, Chester County, favoring passage of Senate Bill No. 46, permitting county treasurers in certain counties to appoint solicitors.

Referred to the Committee on Counties.

### MENTAL INSTITUTIONS

A communication from the Board of Commissioners of the County of Allegheny, opposing plan to place the maintenance of mental patients at Woodville, Allegheny County on the real estate taxpayers of this county.

Referred to the Committee on Counties.

### TEACHERS

A communication from Liberty Bell Council No. 179, Junior Order United American Mechanics, Boswell, addressed to the Speaker, favoring passage of legislation providing for the dismissal of all teachers in the public schools who are sympathetic to communism or other unpatriotic and subversive groups.

Referred to the Committee on Education.

### PENAL CODE

A communication from the Pennsylvania Newspaper Publishers' Association, Harrisburg, opposing passage of House Bill No. 792, amending the Penal Code, by making unlawful certain acts designated to incite, counsel or advocate racial or religious hatred.

Referred to the Committee on Judiciary Special.

### VETERANS

A communication and resolution from the Department Adjutant of the Veterans of Foreign Wars of the United States, urging passage of all legislation relative to war veterans and their dependents.

Referred to the Committee on Military Affairs.

### BEAUTY CULTURE SCHOOLS

Communications from citizens of Philadelphia, address-

ed to the Speaker, favoring passage of House Bill No. 1813, amending the Beauty Culture Law.

Referred to the Committee on Professional Licensure.

#### ARCHITECTS

A communication from the Pennsylvania Association of Architects, favoring passage of House Bill No. 1836.

Referred to the Committee on Professional Licensure.

#### STUDENT INTERNS

A communication from Dr. Henry J. Kaufman, Philadelphia, addressed to the Speaker, opposing passage of Senate Bill No. 575.

Referred to the Committee on Professional Licensure.

#### GENERAL CONTRACTORS

A communication from the Associated Pennsylvania Constructors, Harrisburg, addressed to the Speaker, opposing passage of House Bill No. 1096, establishing a state board for contractors.

Referred to the Committee on Professional Licensure.

#### APPROPRIATION

A communication from the Pennsylvania Association of Beauty Culture Schools, favoring passage of House Bill No. 1877, providing for an additional appropriation to the Department of Public Instruction to enforce the Beauty Culture Act.

Referred to the Committee on Professional Licensure.

#### FEDERAL UNION OF DEMOCRACIES

Communication from citizens of Pennsylvania, addressed to the Speaker favoring passage of the Woodring Resolution for the creation of a Federal Union of Democracies.

Referred to the Committee on Rules.

#### UN-AMERICAN ACTIVITIES

A communication from the Chester County Association Jr. O. U. A. M., Spring City, addressed to the Speaker, favoring passage of legislation relating to Un-American activities.

Referred to the Committee on Rules.

#### RENTS

A communication from the North Philadelphia Chamber of Commerce, addressed to the Speaker, favoring passage of House Bill No. 1440, creating a State Emergency Rent Commission.

Referred to the Committee on State Government.

#### EMPLOYMENT

A communication from Mr. and Mrs. F. Stein and family, Philadelphia, addressed to the Speaker, opposing passage of House Bill No. 413.

A telegram from M. David Treatman, Editor of We The Blind favoring passage of Senate Bill No. 50.

Referred to the Committee on State Government.

#### STATE EMPLOYES RETIREMENT SYSTEM

A telegram from John W. Rankin, Department Commander, Veterans of Foreign Wars, addressed to the Speaker, favoring passage of House Bill No. 1899, creat-

ing a Joint Legislative Commission to study and investigate the State Employees Retirement System.

Referred to the Committee on State Government.

#### YOUTH CORRECTION AUTHORITY

A communication from Ralph C. Busser, Jr., Philadelphia, addressed to the Speaker, favoring passage of legislation creating a Youth Correction Authority for Pennsylvania.

Referred to the Committee on Welfare.

#### BLIND

A communication from Charles McGlochlin, Wilkensburg, opposing passage of Senate Bills Nos. 508 and 509, providing aid to the blind.

Referred to the Committee on Welfare.

#### SENATE MESSAGES

##### RESOLUTION CONCURRED IN BY SENATE

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

In the House of Representatives, 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.

##### 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. 266.

An Act making an appropriation to The Glen Mills School situate in Delaware County Pennsylvania

##### HOUSE BILL No. 301.

An Act making an appropriation to Sleighton Farm School for Girls situate in Delaware County Pennsylvania

##### HOUSE BILL No. 371.

An Act making an appropriation to the Department of Forests and Waters for the use of the Valley Forge Park Commission in payment of lands acquired by condemnation

##### HOUSE BILL No. 753.

An Act authorizing the Department of Property and Supplies with the approval of the Governor and the Department of Welfare to acquire certain land adjacent to and for the use of the Scranton State Hospital providing for the improvement and use thereof authorizing the City of Scranton to pay the costs of such improvements in whole or in part and making an appropriation

##### HOUSE BILL No. 489.

An Act making an appropriation to the Trustees of the University of Pittsburgh for the general maintenance of



and the purchase of apparatus and equipment for the University of Pittsburgh and for the maintenance of teaching facilities in hospitals for students in the School of Medicine

HOUSE BILL No. 1036.

An Act to amend subsection (b) of section sixteen of the act approved the seventh day of June one thousand nine hundred and seventeen (P. L. 429) entitled "An act relating to the descent and distribution of the real and personal property of persons dying intestate and to provide for the recording and registering of the decrees of the orphans' court in connection therewith and the fees therefor" by providing that in cases where the spouse of the natural parent shall adopt the child of such natural parent the natural parent shall retain his or her status as such and shall for purposes of inheritance and devolution be regarded as an adopting parent

HOUSE BILL No. 1177.

An Act to amend section seven hundred and seventeen point one 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 the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" by allocating fees for inspection certificates for promoting of highway safety

HOUSE BILL No. 1529.

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

HOUSE BILL No. 1542.

An Act to amend route 55121 as added to the act approved the twenty-second day of June one thousand nine hundred and thirty-one (P. L. 594) entitled "An act establishing certain township roads as State highways authorizing their construction maintenance and improvement under certain conditions and restrictions limiting the obligation of the Commonwealth in the construction of certain structures located on such highways conferring certain powers upon the Department of Highways and local authorities persons associations and corporations for sharing the cost of the maintenance and construction of such highways and making an appropriation to carry out

the provisions of said act" changing a route in the County of Somerset

HOUSE BILL No. 1631.

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

HOUSE BILL No. 1663.

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

HOUSE BILL No. 1665.

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

HOUSE BILL No. 1719.

An Act to add clause (k) to section two thousand one hundred two and to repeal clause (d) of section two thousand one hundred ten of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177), entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" transferring the power to determine questions of fact regarding the purity of water supplied to the public from the Sanitary Water Board to the Department of Health to conform with the provisions of the Public Utility Law

HOUSE BILL No. 1720.

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

HOUSE BILL No. 1721.

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

## HOUSE BILL No. 1765.

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

## HOUSE BILL No. 1798.

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

## HOUSE BILL No. 1802

An Act providing for and requiring in certain cases preference in appointments to public position for honorably discharged persons who served in the military or naval service during any War in which the United States was engaged.

## HOUSE BILL No. 1825.

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

## HOUSE BILL No. 1826.

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

## HOUSE BILL No. 1827.

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

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

## LEAVE OF ABSENCE

By unanimous consent leave of absence was granted as follows:

Mr. WALTER E. ROSE for himself for the remainder of the week after today.

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

Mr. GROSS for himself for the remainder of the week after today's session.

## REPORTS FROM COMMITTEES

Mr. CHERVENAK, from the Committee on Counties, reported as committed, House Bill No. 1833, entitled:

An Act to amend section five of the act, approved the twenty-ninth day of September, one thousand nine hundred thirty-eight (P. L. 53), entitled "An act relating to institutions of counties, cities, and institution districts for the care, maintenance and treatment of mental patients; providing for the transfer of such institutions to the Commonwealth; providing for the management and operation or closing and abandonment thereof, and the maintenance of mental patients therein, including the collection of maintenance in certain cases; providing for the retransfer of certain property to institution districts under certain circumstances; conferring and imposing upon the Governor, the Department of Welfare, the courts of common pleas and counties, cities and institution districts certain powers and duties; prohibiting cities, counties and institution districts from maintaining and operating institutions, in whole or in part for the care and treatment of mental patients; and repealing inconsistent laws," by further prescribing certain rights of employes and officers of institutions acquired by the Commonwealth.

Mr. O'CONNOR, from the Committee on Judiciary General, reported as committed, House Bill No. 1962, (Senate Bill No. 1297), entitled:

An Act to validate and quiet the title to real estate in this Commonwealth conveyed to any person partnership or corporation authorized to hold such real estate by any alderman justice of the peace or magistrate where such alderman justice of the peace or magistrate has made acknowledgment of such conveyance before himself and is now deceased.

## BILLS ON FIRST READING

Agreeably to order,

The House proceeded to the first reading and consideration of 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.

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. 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 fund 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.

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. 1806, (Senate Bill No. 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.



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. 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.

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. 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.

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

#### BILLS ON SECOND READING

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

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

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. 1930, entitled:

An Act authorizing the Pennsylvania Historical Commission on behalf of the Commonwealth of Pennsylvania to acquire by gift the monument erected in Green 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 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. 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 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. 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 co-operation 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 floricultural 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 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. 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 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. 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 second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The House proceeded to the third 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, eyeglasses or other necessary aids or services to needy blind person or persons with impaired vision.

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. 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 the reorganization of certain administrative departments, boards, and commissions; defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, commissions, and officers; fixing the salaries of the Governor, Lieutenant-Governor, and certain other executive and administrative officers; providing for the appointment of certain administrative officers, and of all deputies and other assistants and employes in certain departments, boards, and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments, boards and commissions shall be determined," by further defining the duties of the Department of Internal Affairs.

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. 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 second time and agreed to.

Ordered, To be transcribed for a third reading.

#### BILL RECOMMITTED

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

The motion was agreed to.

#### BILLS ON SECOND READING

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1674, (Senate Bill No. 374), entitled:

An Act to provide for the settlement of disputes among states with respect to damiciliary 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 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. 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 coextensive 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 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. 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.

The first section was read and agreed to.

The title was read.

On the question,

Will the House agree to the title?

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

The amendment was read by the Clerk as follows:

Amend title page two line 3 by inserting after the word "reduce" the words "or pay."

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. 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.

The first section was read and agreed to.

The title was read.

On the question,

Will the House agree to the title?

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

The amendment was read by the Clerk as follows:

Amend title page two line 6 by inserting after the word "reduce" the words "or pay."

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. 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 pensions for the blind old age assistance and the State Emergency Relief Board" as amended by enabling the Department of Public Assistance to take measures to rehabilitate persons receiving assistance.

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. 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' assistance 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 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. 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 employees' retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing State employees defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon the heads of departments in which State employees 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 Employees 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 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. 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 shopmarks terms brands designations descriptions or forms of advertisement and protect and secure the rights 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

The first section was read.  
On the question,

Will the House agree to the section?

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

The amendments were read by the Clerk as follows:

Amend Sec. 1 (Sec. 1), page 3, line 22, by inserting a lightface bracket before the word "one" and after the word "dollar"

Amend Sec. 1 (Sec. 1), page 3, line 22, by inserting after the word "dollar" the following: "five dollars."

Amend Sec. 1 (Sec. 1), page 3, line 26, by inserting a lightface bracket before the word "one" and after the word "dollar"

Amend Sec. 1 (Sec. 1), page 3, line 26, by inserting after the word "dollar" the following: "five dollars."

The amendments were agreed to.

The section was agreed to as amended.

The second section and title were separately read and agreed to.

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

Ordered, To be transcribed for a third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 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, yeomen (female) and nurses.

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

Ordered, To be transcribed for a third reading.

**BILL PASSED OVER**

There being no objection House Bill No. 1929, Senate Bill No. 1098, Printer's No. 553, was passed over at the request of the SPEAKER.

**BILL ON SECOND READING**

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1899, (Senate Bill No. 1029), entitled:

An Act authorizing the Joint State Government Commission to make a thorough study and investigation of the State Employes' Retirement System providing for 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 second time and agreed to,

Ordered, To be transcribed for a third reading.

**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 the SPEAKER.

**BILLS ON FINAL PASSAGE RECALLED FROM GOVERNOR**

Agreeably to order,

The House proceeded to the consideration on final passage of House Bill No. 803, as follows:

An Act to amend section six hundred and forty-three of the act approved the twenty-fourth day of June one thousand nine hundred and thirty-nine (P. L. 872) entitled "An act to consolidate amend and revise the penal laws of the Commonwealth" by prohibiting certain persons from permitting or employing minors under eighteen years of age to sing dance act or exhibit in any place where wines or spirituous or malt liquors are sold or given away or any place connected therewith and prohibiting certain persons from permitting or employing minors under eighteen years of age to sing dance act or exhibit in any dance hall or dance house prohibiting the misrepresentation of age by the aforesaid minors and providing penalties for the violation of the provisions of this act

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

Section 1 Section six hundred and forty-three of the act approved the twenty-fourth day of June one thousand nine hundred and thirty-nine (P. L. 872) entitled "An act to consolidate amend and revise the penal laws of the Commonwealth" is hereby amended to read as follows

Section 643 Employment of Minors in Places Where Wines or Spirituous or Malt Liquors Are Sold or Given Away and in Dance Halls [in Dance Houses] [Theatres and Saloons] (a) Whomever having the care custody or control of any minor under the age of [fifteen (15) eighteen (18) years [sells gives away or] permits or being a proprietor or manager employs or permits such child to sing dance act or exhibit in any [dance] [house or in any concert saloon [theatre] theatre or place of entertainment] place where wines or spirituous or malt liquors are sold or given away or any place connected therewith by any passage-way or entrance [or being the proprietor of any dance house or any such concert saloon theatre] [or place of entertainment employs any such minor] where wines or spirituous or malt liquors are sold or given away is guilty of a misdemeanor and upon conviction thereof [in a summary proceeding] shall be sentenced to pay a fine not exceeding [one] two hundred dollars [(\$100)] (\$200) in default in the payment of such fine and costs shall be sentenced to imprisonment not exceeding [three (3)] six (6) months

(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

(c) Whoever being a minor shall misrepresent his or her age for the purpose of evading the provisions of this act shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine not exceeding twenty-five dollars (\$25) and in default in the payment of such fine and costs shall be sentenced to imprisonment not exceeding one (1) month

Section 2 This act shall become effective immediately upon its 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—190**

Achterman,	Gates,	Malloy,	Royer,
Baker,	Gerard,	Maxwell,	Rush,
Balthaser,	Gillan,	McClanaghan	Urge,
Bentley,	Gillette,	McClester,	Sarraf,
Bentzel,	Goodwin,	McDermott	Scanlon,
Boies,	Greenwood,	McDowell	Schwab,
Boney,	Gross,	McFall	Serrill,
Boorse,	Gryskewicz,	McGrath	Shaffer,



Bower,	Gyger,	McIntosh	Shepard,
Bradley,	Habbyshaw,	McKinney,	Snyder,
Bretherick,	Haberlen,	McLanahan	Sollenberger,
Brown,	Haines,	McMillen,	Sorg,
Brunner, C. H.,	Hall,	McSurdy,	Stank,
Brunner, P. A.,	Hamilton,	Melchiorre,	Stine,
Burns,	Hare,	Mihm,	Stockham,
Burris,	Harkins,	Modell,	Tarr,
Cadwalader,	Harmuth,	Monks,	Tate,
Chervenak,	Harris,	Mooney,	Taylor,
Chudoff,	Heatherington,	Moran,	Thompson, E. F.
Cohen, M. M.,	Helm,	Moul,	Thompson, R. L.,
Cohen, R. E.,	Hering,	Muir,	Trout,
Cook,	Herman,	Munley,	Turner,
Cooper,	Hersch,	Nagel	Van Allsburg,
Cordier,	Hewitt,	Nunemacher	Verona,
Croop,	Hirsch,	O'Brien,	Vincent,
Cullen,	Holland,	O'Connor,	Vogt,
Dalrymple	Huntley,	O'Dare,	Voldow,
DiGenova,	Imbrie,	O'Mullen,	Wagner,
Dix,	James,	O'Neill,	Watkins,
Dolon,	Jefferson,	Owens,	Weingartner,
D'Ortona,	Jones, G. E.,	Petrosky,	Weiss,
Duffy,	Jones, P. N.,	Pettit,	Welsh, E. E.,
Early,	Keenan,	Polaski,	Welsh, M. J.,
Eckels,	Kenehan,	Polen,	Wilkinson,
Elder,	Kline,	Powers,	Williams,
Elliott,	Knoble,	Prosen,	Winner,
Ely,	Kolankiewicz,	Rank,	Wolf,
Falkenstein,	Krise,	Readinger,	Wood, L. H.,
Finestone,	Lee, E. A.,	Reagan,	Wood, N.,
Finnerty,	Lee, T. H.,	Reese, R. E.,	Woodring,
Fisher,	Lelsey,	Regan,	Woodside,
Fiss,	Leonard,	Reynolds,	Wright,
Fleming,	Lesko,	Rhea,	Yeakel,
Fletcher,	Levy,	Riley,	Yester,
Flynn,	Lichtenwalter,	Rooney,	Young,
Foor,	Longo,	Rose, S.,	Kilroy,
French,	Lovett	Rose, W. E.,	Speaker.
Gallagher,	Lyons,		

Section 2 The Department of Military Affairs is hereby authorized to take and remove the fence now surrounding the property of the Pennsylvania State Arsenal for use on other property subject to the control of the Department of Military Affairs and to transfer all State and Federal supplies that may be now stored in the arsenal to other property under the control of the department. In the event such removal or transfer have not been effected prior to the conveyance hereinbefore authorized such conveyance shall be made subject to the right of the Department of Military Affairs to remove the same

Section 3 The property at Wildwood Park to be acquired by the Commonwealth shall be transferred to the Department of Forests and Waters which shall maintain the same as a State park and shall have power by inter-departmental agreements to permit the use of any portions thereof by any other department board or commission of the State government for use in connection with the activities administered by such departments boards or commissions

Section 4 The act approved the twenty-fourth day of June one thousand nine hundred and thirty-nine (P. L. 671) entitled "An act authorizing the Department of Property and Supplies with the consent of the Department of Military Affairs and the approval of the Governor to sell or exchange and convey the property of the Pennsylvania State Arsenal at Harrisburg appropriating the proceeds thereof to the Department of Military Affairs and providing for the construction of an arsenal or warehouse on the military reservation at Indiantown Gap and for the removal of State and Federal supplies there-to" is hereby repealed

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

Section 5 The provisions of this act shall become effective immediately upon final enactment 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

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:

NAYS—0

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

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

Agreeably to order,

The House proceeded to the consideration on final passage of House Bill No. 1323, as follows:

An Act authorizing the Department of Property and Supplies with the consent of the Department of Military Affairs and the approval of the Governor to sell and convey the property of the Pennsylvania State Arsenal at Harrisburg to the City of Harrisburg in exchange for the conveyance by said city of Wildwood Park to the Commonwealth providing for the transfer of said park to the Department of Forests and Waters and the use thereof by the department as a State park and by other departments boards and commissions for their respective purposes 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

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

Section 1 The Department of Property and Supplies with the consent of the Department of Military Affairs and subject to the approval of the Governor is hereby empowered to sell and convey all of the grounds buildings utilities or other facilities of the Pennsylvania State Arsenal at Harrisburg to the City of Harrisburg in exchange for a grant and conveyance by the City of Harrisburg of two thousand five hundred acres more or less of woodland in Susquehanna Township northeast of said city now known as "Wildwood Park" Before such exchange of conveyances shall be made the title to Wildwood Park acquired by the Commonwealth shall be approved by the Department of Justice

YEAS—190

Achterman,	Gallagher,	Lyons,	Royer,
Baker,	Gates,	Malloy,	Rush,
Balthaser,	Gerard,	Maxwell,	Sarge,
Bentley,	Gillan,	McClanaghan,	Sarraf,
Bentzel,	Gillette,	McClister,	Scanlon,
Boles,	Goodwin,	McDermott,	Schwab,
Boney,	Greenwood,	McDowell,	Serrill,
Boorse,	Gross,	McFall,	Shaffer,
Bower,	Gryskewicz,	McGrath,	Shepard,
Bradley,	Gyger,	McIntosh,	Snyder,
Bretherick,	Habbyshaw,	McKinney,	Sollenberger,
Brown,	Haberlen,	McLanahan,	Sorg,
Brunner, C. H.,	Haines,	McMillen,	Stank,
Brunner, P. A.,	Hall,	McSurdy,	Stine,
Burns,	Hamilton,	Melchiorre,	Stockham,
Burris,	Hare,	Mihm,	Tarr,
Cadwalader,	Harkins,	Modell,	Tate,
Chervenak,	Harmuth,	Monks,	Taylor,
Chudoff,	Harris,	Mooney,	Thompson, E. F.,
Cohen, M. M.,	Heatherington,	Moran,	Thompson, R. L.,
Cohen, R. E.,	Helm,	Moul,	Trout,
Cook,	Hering,	Muir,	Turner,
Cooper,	Herman,	Munley	Van Allsburg,
Cordier,	Hersch,	Nagel	Verona,
Croop,	Hewitt,	Nunemacher	Vincent,
Cullen,	Hirsch,	O'Brien,	Vogt,
Dalrymple,	Holland,	O'Connor,	Voldow,
DiGenova,	Huntley,	O'Dare,	Wagner,
Dix,	Imbrie,	O'Mullen,	Watkins,
Dolon,	James,	O'Neill,	Weingartner,
D'Ortona,	Jefferson,	Owens,	Weiss,
Duffy,	Jones, G. E.,	Petrosky,	Welsh, E. E.,
Early,	Jones, P. N.,	Pettit,	Welsh, M. J.,
		Polaski,	

Eckels,	Keenan,	Polen,	Wilkinson,
Elder,	Kenehan,	Powers,	Williams,
Elliot,	Kline,	Prosen,	Winner,
Ely,	Knoble,	Rank,	Wolf,
Falkenstein,	Kolaniewicz,	Readinger,	Wood, L. H.,
Finestone,	Krise,	Reagan,	Wood, N.,
Finnerty,	Lee, E. A.,	Reese, R. E.,	Woodring,
Fisher,	Lee, T. H.,	Regan,	Woodside,
Fiss,	Lelsey,	Reynolds,	Wright,
Fleming,	Leonard,	Rhea,	Yeakel,
Fletcher,	Lesko,	Riley,	Yester,
Flynn,	Levy,	Rooney,	Young,
Foor,	Lichtenwalter,	Rose, S.,	Kilroy,
French,	Longo,	Rose, W. E.,	<b>Speaker.</b>
	Lovett,		

## NAYS—0

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

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

Agreeably to order,

The House proceeded to the consideration on final passage of House Bill No. 1676, as follows:

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

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

Section 1 Section one of the act approved the second day of May one thousand nine hundred and twenty-nine (P L 1518) entitled as amended "An act regulating the construction equipment maintenance operation and inspection of elevators granting certain authority to and imposing certain duties upon the Department of Labor and Industry providing fees for inspection of elevators certificates of operation and approval of plans providing penalties for violations of this act and repealing all acts or parts of acts inconsistent with this act" as reenacted by the act approved the eighth day of April one thousand nine hundred and thirty-seven (P L 277) is hereby amended to read as follows

Section 1 Definitions Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That as used in this act "Department" shall mean the Department of Labor and Industry of the Commonwealth of Pennsylvania

"Elevator" shall mean all the machinery construction apparatus and equipment used in raising and lowering a car cage or platform vertically between permanent rails or guides and shall include all elevators dumb-waiters escalators gravity elevators hoists and other lifting or lowering apparatus

"Establishment" shall mean any room building or place within this Commonwealth where persons are employed or permitted to work for compensation of any kind to whomever payable and any place of business to which the public access except private dwellings

"Freight elevator" shall mean an elevator constructed and used for the carrying of materials

"Inspector" shall mean an inspector examined and authorized by the Department of Labor and Industry to inspect elevators and lifting apparatus in this Commonwealth

"Passenger elevator" shall mean an elevator constructed and used for carrying persons

"Man lift" shall mean that type of elevator which operates by an endless vertical belt which revolves over fixed pulleys at the top and bottom limits of travel and to which steps and hand holds are attached so that persons may ride thereon

"Person" shall mean any individual firm partnership unincorporated association corporation or municipality

Wherever the singular is used in this act it shall include the plural and wherever the masculine gender is used it shall include the feminine and neuter

Section 2 Section two of the said act as reenacted and amended by the act approved the eighth day of April one thousand nine hundred and thirty-seven (P. L. 277) is hereby further amended to read as follows:

Section 2 General Requirement Every elevator as described in section one of this act shall be so constructed equipped maintained and operated with respect to the supporting members elevator car shaftway guides cables doors and gates safety stops and mechanisms locking mechanisms electrical apparatus and wiring mechanical apparatus counterweights and all other appurtenances as to safely sustain the load which the said elevator is designed and intended to carry

No certificate of operation for any "man lift" shall be refused or suspended unless such elevator is found to have been incorrectly installed to be mechanically defective or to be operating under some unnecessary hazard

Section 3 Sections three eight and nine of said act as reenacted by the act approved the eighth day of April one thousand nine hundred and thirty-seven (P. L. 277) are hereby amended to read as follows:

Section 3 Rules and Regulations To carry out the provisions and the intent and purpose of this act the department shall have power and its duty shall be to make alter amend or repeal rules and regulations for the construction installation maintenance operation and inspection of elevators used or destined for use in this Commonwealth and shall make specifications for the construction and equipment of such elevators No elevator shall be permitted to be installed and used in this Commonwealth which does not comply with the rules and regulations herein provided for

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

Section 8 Issuance of Certificates Every inspector shall forward to the department a full report of each and every inspection made of any elevator showing the exact condition of the said elevator If this report indicates that the said elevator is in a safe condition to be operated the department shall issue a certificate of operation for a capacity not to exceed that named in the said report of inspection which certificate shall be valid for thirteen months after the date of inspection No elevator may be lawfully operated without having such a certificate conspicuously posted in the elevator car cage or platform or adjacent to one of the entrances to such elevator

Section 9 Discontinuance of Operation If any elevator be found which in the judgment of an inspector in employ of the department is dangerous to life and property or is being operated without the operating certificate required by this act such inspector may require the owner or user of such elevator to discontinue its operation within twenty-four hours and such inspector shall immediately report all facts in connection with such elevator to the department and he shall place a notice in the elevator car to this effect In the event a certificate has been issued for such elevator the said certificate shall be suspended and not renewed until such elevator shall have been placed in a safe condition In such case where an elevator has been placed out of service the owner or user of such elevator shall not again operate the same until repairs have been made and permission given by the said inspector to resume operation of the said elevator



Section 4 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—190

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

NAYS—0

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

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

BILL ON FINAL PASSAGE

Agreeably to order,

The House proceeded to the consideration on final passage of House Bill No. 1107, (Senate Bill No. 51), as follows:

An Act authorizing and empowering school districts with the consent and approval of the Superintendent of Public Instruction to furnish food including milk to undernourished and poor school children in their districts and providing that the acceptance and distribution of surplus commodities furnished by the Federal Government shall not be affected or limited thereby

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

Section 1 That the directors of the school districts with the consent and approval of the Superintendent of Public

Instruction be and they are hereby authorized and empowered to furnish food including milk to the undernourished and poor school children attending the schools within their several districts at the expense of the school district The provisions of this act shall not limit or affect the acceptance and distribution by school directors of surplus commodities made available by the Federal Government

Section 2 The provisions of this Act shall become effective immediately upon its 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—190

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

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 THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1653, (Senate Bill No. 587), entitled:

An Act to amend section three hundred six of the act, approved the twenty-fourth day of June, one thousand nine hundred thirty-seven (P. L. 2017) entitled "An act

creating in each county (except of the first class) as a separate corporation, and in each city of the first and second class as a part of the city government, an institution district for the care and maintenance of certain indigent persons and children; prescribing the powers and duties of county commissioners, county treasurers, city departments of public welfare, the State Department of Welfare, and the State Department of Public Assistance in respect thereto; abolishing certain poor districts and terminating the terms of directors, overseers, guardians and managers of the poor and poor district auditors, and providing for the temporary employment of certain of them; providing for the transfer, vesting, sale and disposition of the property of poor districts and the payment of their obligations; imposing certain existing obligations on institution 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 county commissioners to appoint and fix the compensation of a solicitor for county institution districts in counties of the third class.

On the question,

Will the House agree to the bill on third reading?

#### BILL POSTPONED

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

The motion was agreed to.

#### BILL ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1474, (Senate Bill No. 365), entitled:

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

On the question,

Will the House agree to the bill on third reading?

#### BILL RECOMMENDED

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

The motion was agreed to.

#### BILLS ON THIRD READING

Agreeably to order,

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

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

And said bill having been read at length the 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—190

Achterman,	Gallagher,	Lyons,	Royer,
Baker,	Gates,	Malloy,	Rush,
Balthaser,	Gerard,	Maxwell,	Sarge,
Bentley,	Gillan,	McClanaghan,	Sarra,
Bentzel,	Gillette,	McClester,	Scanlon,
Boles,	Goodwin,	McDermott,	Schwab,
Boney,	Greenwood,	McDowell,	Serrill,
Boorse,	Gross,	McFall,	Shaffer,
Bower,	Gryskewicz,	McGrath,	Shepard,
Bradley,	Gyger,	McIntosh,	Snyder,
Bretherick,	Habbyshaw,	McKinney,	Sollenberger,
Brown,	Haberlen,	McLanahan,	Sorg,
Brunner, C. H.,	Hall,	McMillen,	Stank,
Brunner, P. A.,	Haines,	McSurdy,	Stine,
Burns,	Hamilton,	Melchiorre,	Stockham,
Burris,	Hare,	Mihm,	Tarr,
Cadwalader,	Harkins,	Modell,	Tate,
Chervenak,	Harmuth,	Monks,	Taylor,
Chudoff,	Harris,	Mooney,	Thompson, E. F.,
Cohen, M. M.,	Chudoff,	Moran,	Thompson, R. L.,
Cohen, R. E.,	Cohen, M. M.,	Moul,	Trout,
Cook,	Cohen, R. E.,	Herting,	Turner,
Cooper,	Cook,	Herman,	Van Allsburg,
Cordier,	Cooper,	Hersch,	Verona,
Croop,	Cordier,	Hewitt,	Vincent,
Cullen,	Croop,	Hirsch,	Vogt,
Dalrymple,	Cullen,	Holland,	Voldow,
DiGenova,	Dalrymple,	Huntley,	Wagner,
Dix,	DiGenova,	Imbrie,	Walkins,
Dolon,	Dix,	James,	Weingartner,
D'Ortona,	Dolon,	Jefferson,	Wells,
Duffy,	D'Ortona,	Jones, G. E.,	Welsh, E. B.,
Early,	Duffy,	Jones, P. N.,	Welsh, M. J.,
Eckels,	Early,	Keenan,	Wilkinson,
Elder,	Eckels,	Kenehan,	Williams,
Elliott,	Elder,	Kilne,	Winner,
Ely,	Elliott,	Knoble,	Wolf,
Falkenstein,	Ely,	Kolankiewicz,	Wood, L. H.,
Finestone,	Falkenstein,	Krise,	Wood, N.,
Finnerty,	Finestone,	Lee, E. A.,	Woodring,
Fisher,	Finnerty,	Lee, T. H.,	Woodside,
Fiss,	Fisher,	Leisey,	Wright,
Fleming,	Fiss,	Leonard,	Yeake,
Fletcher,	Fleming,	Lesko,	Yester,
Flynn,	Fletcher,	Levy,	Young,
Foor,	Flynn,	Lichtenwaiter,	Kilroy,
French,	Foor,	Longo,	Speaker.
	French,	Lovett,	
		Rose, W. E.,	

#### NAYS—0

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

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

Agreeably to order,

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

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

And said bill having been read at length the 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—190

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

Speaker.

NAYS—0

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

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

Agreeably to order,

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

An Act to amend section two thousand three hundred twenty of the act approved the ninth day of April one thousand nine hundred and twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and com-

missions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" by authorizing the State Council for the Blind to furnish certain aids and services to needy blind persons or persons with impaired vision for the purpose of restoring or improving their vision and authorizing the State Council for the Blind to accept and expend Federal moneys in furtherance of such purpose

And said bill having been read at length the 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—190

Achterman,	Gallagher,	Lyons,	Rose, W. E.,
Baker,	Gates,	Malloy,	Royer,
Balthaser,	Gerard,	Maxwell,	Rush,
Bentley,	Gillan,	McClanaghan,	Sarge,
Bentzel,	Gillette,	McClester,	Sarraf,
Boles,	Goodwin,	McDermott,	Scanlon,
Boney,	Greenwood,	McDowell,	Schwab,
Boorse,	Gross,	McFall,	Serrill,
Bower,	Gryskewicz,	McGrath,	Shaffer,
Bradley,	Gyger,	McIntosh,	Shepard,
Bretherick,	Habbyshaw,	McKinney,	Snyder,
Brown,	Haberlen,	McLanahan,	Sollenberger,
Brunner, C. H.,	Haines,	McMillen,	Sorg,
Brunner, P. A.,	Hall,	McSurdy,	Stank,
Burns,	Hamilton,	Melchiorre,	Stine,
Burris,	Harkins,	Mihm,	Stockham,
Cadwalader,	Harmuth,	Modell,	Tarr,
Chervenak,	Harris,	Monks,	Tate,
Chudoff,	Heatherington,	Mooney,	Taylor,
Cohen, M. M.,	Helm,	Moran,	Thompson, E. F.,
Cohen, R. E.,	Hering,	Moul,	Thompson, R. L.,
Cook,	Herman,	Muir,	Trout,
Cooper,	Hersch,	Munley,	Turner,
Cordier,	Hewitt,	Nagel,	Van Allsburg,
Croop,	Hirsch,	Nunemacher,	Verona,
Cullen,	Holland,	O'Brien,	Vincent,
Dalrymple,	Huntley,	O'Connor,	Vogt,
DiGenova,	Imbrie,	O'Dare,	Voldow,
Dix,	James,	O'Mullen,	Wagner,
Dolon,	Jefferson,	O'Neill,	Watkins,
D'Ortona,	Jones, G. E.,	Owens,	Weingartner,
Duffy,	Jones, P. N.,	Petrosky,	Wells,
Early,	Keenan,	Pettit,	Welsh, E. B.,
Eckels,	Kenehan,	Polaski,	Welsh, M. J.,
Elder,	Kline,	Polen,	Wilkinson,
Elliott,	Knoble,	Powers,	Williams,
Ely,	Kolankiewicz,	Prosen,	Winner,
Falkenstein,	Krise,	Rank,	Wolf,
Finestone,	Lee, E. A.,	Readinger,	Wood, L. H.,
Finnerty,	Lee, T. H.,	Reagan,	Wood, N.,
Fisher,	Lelsey,	Reese, R. E.,	Woodring,
Fiss,	Leonard,	Regan,	Woodside,
Fleming,	Lesko,	Reynolds,	Wright,
Fletcher,	Levy,	Rhea,	Yeakel,
Flynn,	Lichtenwalter,	Riley,	Yester,
Foor,	Longo,	Regan,	Young,
French,	Lovett,	Rooney,	Kilroy,
		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 return it to the Senate with information that the House has passed it without amendments.

Agreeably to order,

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

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

On the question,

Will the House agree to the bill on third reading?

#### BILL POSTPONED

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

The motion was agreed to.

#### BILL ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1549, (Senate Bill No. 241), entitled:

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

On the question,

Will the House agree to the bill on third reading?

#### BILL POSTPONED

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

The motion was agreed to.

#### BILL ON THIRD READING

Agreeably to order,

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

An Act to further amend clause (a) of section two of the act approved the seventh day of June one thousand nine hundred and seventeen (P. L. 388) entitled "An act relating to the jurisdiction powers and procedure of the orphans' court and the court of common pleas as to sales mortgages conveyances on ground-rents leases extinguishment of ground-rents partition exchange squaring and adjusting of lines between adjoining owners consolidation and combination of mining lands and the leasing thereof the joining by owners of undivided interests in making and taking conveyances in order to change the route or location of any right of way or passage over adjoining or other lands and the subdivision of premises so as to command the highest price or greatest rents and for such purpose the laying out or dedication of roads streets and alleys or the vacation of such as have not been accepted by the public authorities where the court shall be of opinion that such decree will be to the interest and ad-

vantage of all those interested and where the legal title is held by minors lunatics habitual drunkards or weak-minded persons a married person whose spouse is a lunatic or has abandoned him or her for one year or has been absent and unheard of for seven years by corporations having no capacity to convey or by any unincorporated association by any religious beneficial or charitable society or association incorporated or unincorporated and the title is subject to forfeiture if real estate is held in excess of the amount prescribed by its charter or by law by a corporation or individual or individuals and is subject to a trust of any description whatever by any person as to whom a presumption of death may have arisen or any interest wherein is held by any person under legal disability to dispose thereof where the legal title is an estate tail or is subject to the lien of debts of a decedent not of record contingent remainders executory devises or remainders to a class some or all of whom may not be in being or ascertained where estates shall have been devised or granted for special or limited purposes where there is a power of sale but the time may not have arrived for its exercise any preliminary act may not have been done to bring it into exercise the time limited for its exercise may have expired or any one or more persons required to consent or join in its exercise may be non compos mentis have removed out of the State have died refuse to act unreasonably withhold consent or be absent and unheard of where there has been or shall be a defective appointment in any deed or will and the necessary power is not given to the executor devisee or appointee to make sale and conveyance where a trust has been created and no power conferred on the trustees to do any of the acts which the court is hereby empowered to authorize or confirm and to the effects of such decrees" extending the provisions of said act to cases where real estate is held by entireties and the one spouse has been declared weak-minded or mentally incompetent.

On the question,

Will the House agree to the bill on third reading?

#### BILL POSTPONED

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

The motion was agreed to.

#### BILL ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1481, (Senate Bill No. 236), entitled:

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

On the question,

Will the House agree to the bill on third reading?



## BILL POSTPONED

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

The motion was agreed to.

## BILL ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1388, (Senate Bill No. 1186), entitled:

An Act authorizing the Department of Military Affairs of the Commonwealth of Pennsylvania to arrange for the design and permanent display in the County of Philadelphia of a plaque or monument in memory of the Honorable Theodore Rosen; and making an appropriation.

On the question,

Will the House agree to the bill on third reading?

## BILL POSTPONED

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

The motion was agreed to.

## BILL ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill 1792, (Senate Bill No. 994), entitled:

An Act making an appropriation to the Thomas Jefferson Bicentennial Commission of Pennsylvania

On the question,

Will the House agree to the bill on third reading?

## BILL POSTPONED

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

The motion was agreed to.

## BILL ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1807, (Senate Bill No. 1006), entitled:

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

On the question,

Will the House agree to the bill on third reading?

## BILL POSTPONED

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

The motion was agreed to.

## BILL ON THIRD READING

Agreeably to order,

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

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

On the question,

Will the House agree to the bill on third reading?

## BILL POSTPONED

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

The motion was agreed to.

## BILLS ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1890, (Senate Bill No. 823), as follows:

An Act to amend the act approved the fifteenth day of May one thousand nine hundred and thirty-three (P. L. 624) entitled "An act relating to the business of banking and to the exercise of fiduciary powers by corporations providing for the organization of corporations with fiduciary powers and of banking corporations with or without fiduciary powers including the conversion of National banks into State banks and for the licensing of private bankers defining the rights powers duties liabilities and immunities of such corporations of existing corporations authorized to engage in a banking business with or without fiduciary powers of private bankers and of the officers directors trustees shareholders attorneys and other employes of all such corporations or private bankers or of affiliated corporations associations or persons restricting the exercise of banking powers by any other corporation association or person and of fiduciary powers by any other corporation conferring powers and imposing duties upon the courts prothonotaries recorders of deeds and certain State departments commissions and officers imposing penalties and repealing certain acts and parts of acts" as amended by further providing for the eligibility of directors or trustee of incorporated institutions and further providing for the powers liabilities and immunities and limitations upon the powers and liabilities of corporations or persons authorized to engage in a banking or fiduciary business or both and of affiliates of such corporations or persons and of officers directors trustees and employes of such corporations and persons

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

Section 1 Sections five hundred two six hundred eight and one thousand eleven of the act approved the fifteenth day of May one thousand nine hundred and thirty-three (P. L. 624) entitled "An act relating to the business of banking and to the exercise of fiduciary powers by corporations providing for the organization of corporations with fiduciary powers and of banking corporations with or without fiduciary powers including the conversion of National banks into State banks and for

the licensing of private bankers defining the rights powers duties liabilities and immunities of such corporations of existent corporations authorized to engage in a banking business with or without fiduciary powers of private bankers and of the officers directors trustees shareholders attorneys and other employes of all such corporations or private bankers or of affiliated corporations associations or persons restricting the exercise of banking powers by any other corporation association or person and of fiduciary powers by any other corporation conferring powers and imposing duties upon the courts prothonotaries recorders of deeds and certain State departments commissions and officers imposing penalties and repealing certain acts and parts of acts" are hereby amended to read as follows Sections one thousand one and one thousand two hundred two as last amended by the act approved the eleventh day of June one thousand nine hundred and thirty-five (P. L. 306) and Sections four hundred eleven four hundred twelve seven hundred one thousand two hundred eight Subsection A clause eight and one thousand two hundred nine as last amended by the act approved the twenty-second day of April one thousand nine hundred and thirty-seven (P. L. 349) are hereby further amended to read as follows

Section 411 Increase of Authorized Capital A A bank a bank and trust company or a trust company may amend its articles to increase its authorized capital in the same manner and with the same approval as is required by this act for any amendment to the articles of a bank a bank and trust company or a trust company except that written notice of a proposed amendment for increasing the authorized capital of the institution shall be given to each shareholder entitled to vote thereon at least sixty days prior to such meeting and except that a proposed amendment for increasing the authorized capital of the institution shall be adopted by the holders of at least a majority in amount of the aggregate par value of the outstanding shares entitled to vote at such meeting and by the holders of at least a majority in number of the outstanding shares entitled to vote at such meeting

Such increase of authorized capital shall however become invalid and inoperative unless the actual increase of capital which is authorized shall be made within one year from the date of the issuance of the certificate of amendment If any portion of such authorized capital shall be created and issued within such one-year period only such portion as remains unissued within such period shall become invalid and inoperative In the case of a bank a bank and trust company or a trust company which upon the effective date of this act has an authorized capital which exceeds the par value of its outstanding shares such one-year period shall date from the effective date of this act Such actual increase may be made from time to time within such period of one year but no such increase shall be made until the shares shall be paid for in full pursuant to the provisions of this act as to the creation or issuance of any share Such increase may however be made by the declaration of a share dividend in accordance with the provisions of this act concerning such share dividends

However a bank a bank and trust company or a trust company may issue common shares to provide for the concurrent retirement of shares of any class other than common shares The issuance of such common shares shall be subject to all of the requirements for and limitations upon the issuance of common shares prescribed by this act except that if such common shares are issued pursuant to the declaration of a share dividend with the approval of the Department of Banking and in accordance with the provisions of this act concerning such share dividends and if such issuance of common shares shall not effect an increase or decrease of capital no meeting of the shareholders nor their vote need be required The bank the bank and trust company or the trust company shall upon effecting such issuance of common shares and the retirement of shares of another class file articles of amendment in the manner provided in this act except that such articles need not state that advertisement has been made or notice given or action taken by the shareholders

B Except as otherwise specifically provided in this act a common share shall not be issued pursuant to such increase for a consideration of less than the par value of such share plus fifty per centum thereof unless a share can be issued for a consideration less than such amount without reducing the surplus of the bank the bank and trust company or the trust company below one hundred per centum of the capital as increased but in no case shall such share be created or issued for a consideration which is less than the par value thereof

C The bank the bank and trust company or the trust company may withhold any cash or share dividend due on a share certificate which has not been exchanged within six months after the date upon which the shares were issued pursuant to such increase but upon the shareholder's thereafter exchanging such certificate the bank the bank and trust company or the trust company shall pay to him any dividends which were thus withheld

Section 412 Decrease of Authorized Capital A A bank a bank and trust company or a trust company may amend its articles to decrease its authorized capital either by reducing pro rata the number of its shares of any class or classes or by reducing the par value of the shares of any class or classes provided however every share shall have the same par value as every other share of the same class or by both such methods in the same manner and with the same approval as is required by this act for any amendment to the articles of a bank a bank and trust company or a trust company but the capital of a bank a bank and trust company or a trust company shall not be decreased to an amount below the minimum prescribed by this act for the incorporation at the time of such decrease of such bank bank and trust company or trust company as the case may be in the particular city borough or township plus such amount of capital if the bank the bank and trust company or the trust company maintains and operates a branch or is authorized by the articles or otherwise to maintain and operate a branch as is required by this act for the establishment of branches

B The responsibility for the contracts debts or engagements of the bank bank and trust company or trust company to which its common shareholders are subject upon the date when the certificate of amendment is issued shall continue for one year thereafter

C Any capital gains resulting from such decrease of the authorized capital of a bank a bank and trust company or a trust company shall forthwith be transferred to the surplus of such bank bank and trust company or trust company or it may with the approval of the department be returned to the shareholders in the form of a cash dividend provided that the surplus of the institution after the payment of such cash dividend equals at least one hundred per centum of the resulting capital Nothing in this paragraph shall be construed to prohibit a bank a bank and trust company or a trust company from effecting a decrease in its authorized capital by the retirement of shares of any class other than common shares with the approval of the department even though the surplus of the institution after the retirement of such shares does not equal at least one hundred per centum of the resulting capital

This section shall not be construed to prohibit a bank a bank and trust company or a trust company from effecting the retirement of shares of any class other than common shares from earnings reserved for that purpose in accordance with the provisions of its articles if at the same time and with the approval of the department a dividend is declared and paid in common shares of an aggregate par value equal to the aggregate par value of the shares so retired

D Upon effecting a decrease in its authorized capital a bank a bank and trust company or a trust company shall issue to its shareholders new share certificates setting forth any changes in the par value of each share issued in exchange for the outstanding shares of such shareholders which shall then be cancelled However in the case of any decrease in its authorized capital by the retirement



of shares of any class other than common shares pursuant to the provisions of its articles of incorporation a bank a bank and trust company or a trust company shall not be required to effect the exchange of share certificates until the last of the shares of such class shall have been retired. The bank the bank and trust company or the trust company may withhold any cash or share dividend due on a share certificate which has not been exchanged within six months after the date upon which the certificate of amendment authorizing the decrease in authorized capital was issued but upon the shareholder's thereafter exchanging such certificate the bank the bank and trust company or the trust company shall pay to him any dividends which were thus withheld.

E Upon effecting a decrease in its authorized capital by the retirement of shares of any class other than common shares without a vote of its shareholders pursuant to the provisions of its articles of incorporation a bank a bank and trust company or a trust company shall at the time of such decrease file articles of amendment in the manner provided by this act except that such articles need not state that advertisement has been made or notice given or action taken by the shareholders. Such articles which set forth the final retirement of shares of the particular class may also include an amendment for the striking out of such designations preferences qualifications privileges limitations options conversion rights and other special rights including such control over management as applied to such class of shares.

Section 502 Term of Office and Qualification of Directors and Trustees A The business and affairs of every incorporated institution shall be managed in the case of a bank a bank and trust company or a trust company by a board of not less than five nor more than twenty-five directors and in the case of a savings bank by a board of at least fifteen trustees. Except as otherwise provided by this act or by the articles or by-laws of the incorporated institution such board of directors or board of trustees shall exercise all the powers and fulfill all the duties granted to or imposed upon the incorporated institution by this act.

B Each director shall hold office for the term for which he is elected and until his successor shall have been duly elected and qualified. The names and terms of office of the first directors shall be stated in the articles. Except as otherwise provided in this act for the filling of vacancies directors other than those constituting the first board of directors shall be elected by the shareholders.

C Except as otherwise specifically provided in any special act of the General Assembly creating a savings bank or in any amendment or supplement thereto each trustee shall hold office until he resigns or becomes disqualified. The names of the first trustees shall be stated in the articles.

D Every director or trustee shall during his term of office be a citizen of the United States and at least two-thirds of the directors or trustees shall during their terms of service be bona fide residents of this Commonwealth.

E Every director shall own in his own right and free of any lien or encumbrance common shares of the bank the bank and trust company or the trust company to the aggregate par value of at least three hundred dollars but the number or par value of the common shares required to be owned by any person who is a director of a bank a bank and trust company or a trust company upon the effective date of this act shall not be greater than was required prior to the effective date of this act so long as such director shall serve continuously. The share certificates for the minimum number or par value of common shares which each director must own shall be filed unendorsed unpledged and unassigned by him with the cashier or treasurer of the bank the bank and trust company or the trust company. Such shares shall remain in the custody of the cashier or treasurer during the term of service of such director.

Any director who during his term of service pledges assigns or in any other manner ceases to be the owner

in his own right of the shares required by this section shall forthwith cease to be a director of the bank the bank and trust company or the trust company and his office shall be vacant. He shall not be eligible for reelection as a director of such bank such bank and trust company or such trust company for the remainder of the term for which he was elected and for a further period of one year from the expiration of his term. Any vacancy thus occurring shall be filled in the regular manner for filling vacancies in the board.

F The following shall not be eligible to the directors or trustees in any incorporated institution:

(1) A judge of any court of record in this Commonwealth but this provision shall not operate to disqualify any [judge] person who shall be a director or trustee of an institution upon the effective date of this act as long as [such judge] he continuously remains a director or trustee of such institution.

(2) Any person holding office under this Commonwealth in the Department of Banking the Treasury Department the Auditor General's Department or the Department of Revenue.

G A trustee of a savings bank shall not at the same time be a trustee officer or employe of any other savings bank.

Section 608 Voting Shares Held by an Incorporated Institution. An incorporated institution or any other corporation owning shares in a bank a bank and trust company or a trust company or an incorporated institution owning shares in any other corporation may vote them by its president or by any vice president or by proxy appointed by [him] its president or by any vice president unless some other person by resolution of its board of directors or board of trustees shall be [appointed] designated to vote or to appointed proxies to vote such shares in which case such person or the proxy appointed by him shall be entitled to vote [the] any such shares upon the production of a certified copy of such resolution. Shares of its own capital belonging to a bank a bank and trust company a trust company shall not be voted directly or indirectly at any meeting and shall not be counted in determining the total number of outstanding shares for voting purposes at any given time but where a bank and trust company or or a trust company holds its own shares in a fiduciary capacity such shares may be voted and shall be counted in determining the total number of outstanding shares at any given time.

Section 701 Declaration and Payment of Cash and Share Dividends. A Except as otherwise provided in this act and subject to any restrictions contained in the articles of incorporation any bank any bank and trust company or any trust company by its board of directors may declare and pay dividends upon its outstanding shares out of its undivided profits as hereinafter provided from time to time and to such extent as the board of directors may deem advisable. A dividend shall not be declared or paid unless at the opening of business upon the day such dividend is declared the reserve fund required by this act and the capital and surplus of the bank the bank and trust company or the trust company would despite such dividend be unimpaired.

B Such dividends may be paid to the shareholders in cash or if such increase of capital has been authorized in the manner provided by this act it may be paid in shares of the bank the bank and trust company or the trust company. If the dividend is in the form of shares of the bank the bank and trust company or the trust company it may if properly authorized be paid out of unimpaired surplus provided that unless such dividend is a common share dividend approved by the Department of Banking and made concurrent with the retirement of an equal aggregate par value of preferred shares such surplus is not thereby reduced to an amount less than one hundred per centum of its capital as increased by virtue of such share dividend.

Section 1001 Powers of Banks Bank and Trust Companies or Trust Companies. A In addition to the general corporate powers granted by this act and in addition to

any powers specifically granted to a bank or a bank and trust company elsewhere in this act a bank or a bank and trust company shall have the following powers subject to the limitations and restrictions imposed by this act

(1) To receive money on deposit and to pay interest thereon

(2) To receive money from transmission either to a foreign country or otherwise

(3) To rediscount and borrow money bonds or other securities and to pledge collateral therefor

(4) To lend money either upon the security of real or personal property or otherwise to charge or to receive in advance interest therefor

(5) To discount buy sell negotiate or assign promissory notes drafts bills of exchange trade and bank acceptances stocks bonds or other evidences of debt

(6) To buy and sell exchange coin and bullion

(7) To purchase hold or convey real property

(8) To improve or to lease real property for its accommodation

(9) To accept for payment at a future date drafts or bills of exchange drawn upon it

(10) To issue letters of credit authorizing the holders thereof to draw drafts or bills of exchange upon it or its correspondents

(11) To become a member of a Federal Reserve Bank

(12) To receive for safe-keeping jewelry plate coin and other similar personal property or bonds mortgages shares of stock securities and other valuable papers and to rent out receptacles or safe deposit boxes for the deposit of such papers or of such personal property

(13) To invest in the shares of an institution engaged in a foreign banking business

(14) To become a member of a clearing house association and to pledge such assets therewith as will qualify it for membership therein

(15) To establish branch banks branch offices agencies sub-offices sub-agencies and branch places of business as permitted in this act

(16) To become a member of the Federal Deposit Insurance Corporation in accordance with the provisions of the Federal Banking Act of one thousand nine hundred and thirty-three approved the sixteenth day of June one thousand nine hundred and thirty-three its amendments and supplements or of any other corporation thereafter organized by the United States for the purpose of insuring deposits in banks or bank and trust companies and to purchase and hold so much of the capital of the Federal Deposit Insurance Corporation or of such other corporation as will qualify it for membership therein

(17) To make application for and obtain insurance of mortgages as provided by the National Housing Act of one thousand nine hundred and thirty-four approved the twenty-seventh day of June one thousand nine hundred and thirty-four its amendments and supplements

(18) To act as agent of the United States or of any instrumentality or agency thereof for the sale or issuance of bonds notes or other obligations of the United States or those for the payment of the principal and interest on which the faith and credit of the United States is pledged and to pledge its assets for the faithful performance of its duties as such agent

B In addition to the general corporate powers granted by this act and in addition to any powers specifically granted to a trust company elsewhere in this act a trust company shall have the following powers subject to the limitations and restrictions imposed by this act

(1) To purchase hold or convey real property

(2) To improve or to lease real property for its accommodation

(3) To receive for safe-keeping jewelry plate coin and other similar personal property or bonds mortgages shares of stock securities and other valuable papers and to rent out receptacles or safe deposit boxes for the deposit of such papers or of such personal property

(4) To establish branch trust companies branch offices

agencies sub-offices sub-agencies and branch places of business as permitted in this act

(5) To make any investments subject to the same limitations as in the case of savings banks incorporated hereunder including such investments as are specifically authorized by its articles

(6) To act as agent of the United States or of any instrumentality or agency thereof for the sale or issuance of bonds notes or other obligations of the United States or those for the payment of the principal and interest on which the faith and credit of the United States is pledged and to pledge its assets for the faithful performance of its duties as such agent

Section 1011 Limitation as to Dealings by Bank [or] Bank and Trust Company or Trust Company in Own Shares A Except as otherwise specifically provided in this act a bank [or] a bank and trust company or a trust company shall not grant any loan or discount on the security of shares of its own capital nor be the purchaser for the purpose of cancellation retirement or otherwise or holder of any such shares for its own account unless such security or purchase shall be necessary to prevent loss upon a debt previously contracted in good faith Shares so purchased or acquired shall be disposed of within two years from the time of their purchase or acquisition but the department may upon application of a bank [or] a bank and trust company or a trust company grant to it in writing the power to hold such shares for a longer period

B A bank or a bank and trust company shall not lend directly or indirectly any money for the purpose of enabling any corporation or person to purchase own or hold any shares of such bank or such bank and trust company unless such loan is secured by readily marketable collateral the market value of which shall at no time be less than one hundred and twenty per centum of the amount of such loan

Section 1202 Powers of Savings Banks In addition to the general corporate powers granted by this act and in addition to any powers specifically granted to a savings bank elsewhere in this act a savings bank shall have the following powers subject to the limitations and restrictions imposed by this act

(1) To receive money on deposit and pay interest thereon

(2) To receive money for transmission to a foreign country or otherwise and to forward such money through any bank bank and trust company private bank national banking association or any other corporation or person authorized by the laws of any state to receive deposits and subject to the supervision of the banking authorities of such state

(3) To borrow money to repay the demands of depositors and to pledge its assets therefor

(4) To make investments

(5) To lend money upon the security of real or personal property and to charge or to receive in advance interest therefor

(6) To purchase hold or convey real property

(7) To improve or to lease real property for its accommodation

(8) To receive for safe-keeping jewelry plate coin and other similar personal property or bonds mortgages shares of stock securities and other valuable papers and to rent out receptacles or safe deposit boxes for the deposit of such papers or of such personal property

(9) To establish branch savings banks branch offices agencies sub-offices sub-agencies and branch places of business as permitted in this act

(10) To become a member of a Federal Reserve Bank and for such purpose to purchase and hold so much of the capital of such Federal Reserve Bank as will under any Federal law qualify it for membership therein

(11) To become a member of the Federal Deposit Insurance Corporation in accordance with the provisions of the Federal Banking Act of one thousand nine hundred and thirty-three approved the sixteenth day of June one thousand nine hundred and thirty-three its amendments and supplements or of any other corporation hereafter organ-



ized by the United States for the purpose of insuring deposits in savings banks and to purchase and hold so much of the capital of the Federal Deposit Insurance Corporation or of such other corporation as will qualify it for membership therein

(12) To make application for and obtain insurance of mortgages as provided by the National Housing Act of one thousand nine hundred and thirty-four approved the twenty-seventh day of June one thousand nine hundred and thirty-four its amendments and supplements

(13) To act as agent of the United States or of any instrumentality or agency thereof for the sale or issuance of bonds notes or other obligations of the United States or those for the payment of the principal and interest on which the faith and credit of the United States is pledged and to pledge its assets for the faithful performance of its duties as such agent

Section 1208 Authorized Investments of Savings Banks Not under Special Charter A Except as otherwise specifically provided in this act a savings bank other than a savings bank organized under a special act of the General Assembly shall not make any investments except as follows

(8) Bonds secured by mortgages which are first liens upon unencumbered improved real property including improved farm land situated within the Commonwealth to the extent of not more than two-thirds of the actual value of such real property and for a term not exceeding ten years unless amortized in equal annual installments over a period not exceeding fifteen years and bonds secured by mortgages which are first liens upon unencumbered improved real property including improved farm land situated within the Commonwealth which are insured by or for which a commitment to insure has been made by the Federal Housing Administrator pursuant to the provisions of mutual mortgage insurance of the National Housing Act of one thousand nine hundred and thirty-four approved the twenty-seventh day of June one thousand nine hundred and thirty-four its amendments and supplements Any building which is upon and is included in the valuation of such real property shall be insured against loss by fire to the benefit of the saving bank by the mortgagor during the term of the bond in a company which is authorized to do business in Pennsylvania and is approved by the savings bank making the investment It shall be lawful for a savings bank to renew such policies at the expense of such mortgagor from year to year or for a longer or shorter period not however exceeding the term of the bond in case the mortgagor shall fail to do so All necessary charges and expenses paid by such savings bank for such renewals shall be paid by such mortgagor In the event that the mortgagor shall refuse upon demand to pay such charges and expenses they shall be added to the amount secured by the mortgage and shall together with interest from the date of payment of such charges and expenses by such savings bank constitute a lien upon the property so mortgaged All expenses of searches examinations certificates of title or appraisal of actual value and all expenses of drawing and recording of papers shall be paid by such mortgagor The actual value of the real property shall be determined by two reputable persons especially familiar with real property values in the vicinity of the particular property to be appraised selected from or approved by the board of trustees They shall inspect the property and shall state in writing that the actual value of the real property inspected to the best of their judgment is as stated such report shall be filed and preserved among the records of the savings bank

Section 1209 Authorized Investments of Special Charter Savings Banks A savings bank organized under a special act of the General Assembly may make such investments as may be authorized by its articles of incorporation but no such savings bank shall purchase or invest in the shares of capital of any corporation whatsoever but no such savings bank shall purchase or invest in bonds secured by mortgages upon real property unless such bonds and mortgages are first liens upon unencumbered improved real property including improved farm land situated within the Commonwealth and do not

exceed two-thirds of the actual value of such real property and become due within ten years after the making of such purchase or investment unless amortized in equal annual installments over a period not exceeding fifteen years after the making of such purchase or investment or unless such bonds and mortgages which are first liens upon unencumbered improved real property including improved farm land situated within the Commonwealth are insured by or for which a commitment to insure has been made by the Federal Housing Administrator pursuant to the provisions of mutual mortgage insurance of the National Housing Act of one thousand nine hundred and thirty-four approved the twenty-seventh day of June one thousand nine hundred and thirty-four its amendments and supplements Any building which is upon and is included in the valuation of such real property shall be insured against loss by fire to the benefit of the savings bank by the mortgagor during the term of the bond in a company which is authorized to do business in Pennsylvania and is approved by the savings bank making the purchase or investment It shall be lawful for a savings bank to renew such policies at the expense of such mortgagor from year to year or for a longer or shorter period not however exceeding the term of the bond in case the mortgagor shall fail to do so All necessary charges and expenses paid by such savings bank for such renewals shall be paid by such mortgagor In the event that the mortgagor shall refuse upon demand to pay such charges and expenses they shall be added to the amount secured by the mortgage and shall together with interest from the date of payment of such charges and expenses by such savings bank constitute a lien upon the property so mortgaged All expenses of searches examinations certificates of title or appraisal of actual value and all expenses of drawing and recording of papers shall be paid by such mortgagor The actual value of the real property shall be determined by two reputable persons especially familiar with real property values in the vicinity of the particular property to be appraised selected from or approved by the board of trustees They shall inspect the property shall state in writing that the actual value of the real property inspected to the best of their judgment is as stated Such report shall be filed and preserved among the records of the savings bank The restrictions contained in this section with reference to real estate bonds shall not apply to public utility railroad or industrial bonds or other securities commonly known as investment securities although such bonds may be secured in whole or in part by a mortgage upon real property

Section 2 The said act is hereby further amended by adding after Section nine hundred ten the following new sections numbered nine hundred eleven and nine hundred twelve

Section 911 Liability Respecting Forged Altered or Raised Checks A An institution which has charged to the account of a depositor or which has otherwise paid any sum of money upon a forged altered or raised check or draft issued in the name of said depositor shall not be liable to such depositor for the amount charged to his account or otherwise paid upon such forged altered or raised check or draft unless a proper claim for such amount has been made upon such institution (1) within six months after notice to such depositor that the checks or drafts representing payments charged to the account of such depositor or otherwise paid during the period set forth in such notice are ready for delivery or (2) in case such notice has not been given within six months after the return to such depositor of the checks or drafts which have been charged to his account or otherwise paid

B This section shall not relieve a depositor from due diligence in the examination of returned checks or drafts or in otherwise discovering that a check or draft has been forged altered or raised or in the immediate notification of the institution upon his actual discovery of the forgery or alteration in amount or otherwise

Section 912 Limitations on Stop-Payment Orders Any revocation countermand or stop-payment order relating to the payment of any check or draft against an account

of a depositor in any institution shall not remain in effect more than one year after the service thereof on such institution unless the same be renewed in writing. Such renewals shall be in effect for not more than one year from the date of service thereof. Additional renewals may be made from time to time. Any notice affecting a check or draft upon which a revocation countermand or stop-payment order has heretofore been served upon an institution shall continue in full force and effect for a period of not more than one year after the effective date of this act unless renewed in accordance with the provisions of this section.

Section 3 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—190

- |                 |                |               |                  |
|-----------------|----------------|---------------|------------------|
| Achterman,      | Gallagher,     | Lyons,        | Royer,           |
| Baker,          | Gates,         | Malloy,       | Rush,            |
| Balthaser,      | Gerard,        | Maxwell,      | Sarge,           |
| Bentley,        | Gillan,        | McClanaghan,  | Sarra,           |
| Bentzel,        | Gillette,      | McClester,    | Scanlon,         |
| Boles,          | Goodwin,       | McDermott,    | Schwab,          |
| Bohey,          | Greenwood,     | McDowell,     | Serrill,         |
| Boorse,         | Gross,         | McFall,       | Shaffer,         |
| Bower,          | Gryskewicz,    | McGrath,      | Shepard,         |
| Bradley,        | Gyger,         | McIntosh,     | Snyder,          |
| Bretherick,     | Habbyshaw,     | McKinney,     | Sollenberger,    |
| Brown,          | Haberlen,      | McLanahan,    | Sorg,            |
| Brunner, C. H., | Haines,        | McMillen,     | Stank,           |
| Brunner, P. A., | Hall,          | McSurdy,      | Stine,           |
| Burns,          | Hamilton,      | Melchiorre,   | Stockham,        |
| Burriss,        | Hare,          | Mihm,         | Tarr,            |
| Cadwalader,     | Harkins,       | Modell,       | Tate,            |
| Chervenak,      | Harmuth,       | Monks,        | Taylor,          |
| Chudoff,        | Harris,        | Mooney,       | Thompson, E. F., |
| Cohen, M. M.,   | Heatherington, | Moran,        | Thompson, R. L., |
| Cohen, R. E.,   | Helm,          | Moul,         | Trout,           |
| Cook,           | Hering,        | Muir,         | Turner,          |
| Cooper,         | Herman,        | Munley,       | Van Allsburg,    |
| Cordier,        | Hersch,        | Nagel,        | Verona,          |
| Croop,          | Hewitt,        | Nunemacher,   | Vincent,         |
| Cullen,         | Hirsch,        | O'Brien,      | Vogt,            |
| Dalrymple,      | Holland,       | O'Connor,     | Voldow,          |
| DiGenova,       | Huntley,       | O'Dare,       | Wagner,          |
| Dix,            | Imbrie,        | O'Mullen,     | Watkins,         |
| Dolon,          | James,         | O'Neill,      | Weingartner,     |
| D'Ortona,       | Jefferson,     | Owens,        | Welss,           |
| Duffy,          | Jones, G. E.,  | Petrosky,     | Welsh, E. B.,    |
| Early,          | Jones, P. N.,  | Pettit,       | Welsh, M. J.,    |
| Eckels,         | Keenan,        | Polaski,      | Wilkinson,       |
| Elder,          | Kenehan,       | Polen,        | Williams,        |
| Elliott,        | Kline,         | Powers,       | Winner,          |
| F. y.           | Knoble,        | Prosen,       | Wolf,            |
| Falkenstein,    | Kolankiewicz,  | Rank,         | Wood, L. H.,     |
| Finestone,      | Krise,         | Readinger,    | Wood, N.,        |
| Finnerty,       | Lee, E. A.,    | Reagan,       | Woodring,        |
| Fisher,         | Lee, T. H.,    | Reese, R. E., | Woodside,        |
| Fiss,           | Leisey,        | Regan,        | Wright,          |
| Fleming,        | Leonard,       | Reynolds,     | Yeakel,          |
| Fletcher,       | Lesko,         | Rhea,         | Yester,          |
| Flynn,          | Levy,          | Riley,        | Young,           |
| Foor,           | Lichtenwalter, | Rooney,       | Speaker.         |
| French,         | Longo,         | Rose, S.,     |                  |
|                 | Lovett,        | Rose, W. E.,  |                  |

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.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1819, (Senate Bill No. 784), entitled:

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

On the question,

Will the House agree to the bill on third reading?

BILL POSTPONED

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

The motion was agreed to.

BILL ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1209, (Senate Bill No. 1), entitled:

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

On the question,

Will the House agree to the bill on third reading?

BILL POSTPONED

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

The motion was agreed to.

BILLS ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1692, (Senate Bill No. 465), entitled:

An Act authorizing the Secretary of Highways to



lengthen or shorten State highway routes under certain conditions and providing for the payment of damages.

And said bill having been read at length the 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—190

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

NAYS—0

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

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

Agreeably to order,

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

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

And said bill having been read at length the 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—190

Achterman,	Gallagher,	Lovett,	Rose, W. E.,
Baker,	Gates,	Lyons,	Royer,
Balthaser,	Gerard,	Malloy,	Rush,
Bentley,	Gillan,	Maxwell,	Sarge,
Bentzel,	Gillette,	McClanaghan,	Sarra,
Boles,	Goodwin,	McClester,	Scanlon,
Boney,	Greenwood,	McDermott,	Schwab,
Boorse,	Gross,	McDowell,	Serrill,
Bower,	Gryskewicz,	McFall,	Shaffer,
Bradley,	Gyger,	McGrath,	Shepard,
Bretherick,	Habbyshaw,	McIntosh,	Snyder,
Brown,	Haberlen,	McKinney,	Sollenberger,
Brunner, C. H.,	Haines,	McLanahan,	Sorg,
Brunner, P. A.,	Hall,	McMillen,	Stank,
Burns,	Hamilton,	McSurdy,	Stine,
Burriss,	Hare,	Melchiorre,	Stockham,
Cadwalader,	Harkins,	Mihm,	Tarr,
Chervenak,	Harmuth,	Modell,	Tate,
Chudoff,	Harris,	Monks,	Taylor,
Cohen, M. M.,	Heatherington,	Mooney,	Thompson, E.,
Cohen, R. E.,	Helm,	Moran,	Thompson, R.,
Cook,	Hering,	Moul,	Trout,
Cooper,	Herman,	Mulr,	Turner,
Cordier,	Hersch,	Munley,	Van Allsburg,
Croop,	Hewitt,	Nagel,	Verona,
Cullen,	Hirsch,	Nunemacher,	Vincent,
Dalrymple,	Holland,	O'Brien,	Vogt,
DiGenova,	Huntley,	O'Connor,	Voldow,
Dix,	Imbrie,	O'Dare,	Wagner,
Dolon,	James,	O'Mullen,	Watkins,
D'Ortona,	Jefferson,	O'Neill,	Weingartner,
Duffy,	Jones, G. E.,	Owens,	Welss,
Early,	Jones, P. N.,	Petrosky,	Welsh, E. B.,
Eckels,	Keenan,	Pettit,	Welsh, M. J.,
Elder,	Kenehan,	Polaski,	Wilkinson,
Elliott,	Kline,	Polen,	Williams,
Ely,	Knoble,	Powers,	Winner,
Falkenstein,	Kolankiewicz,	Prosen,	Wolf,
Finestone,	Krise,	Rank,	Wood, L. H.,
Finnerty,	Lee, E. A.,	Readinger,	Wood, N.,
Fisher,	Lee, T. H.,	Reagan,	Woodring,
Fiss,	Lelsey,	Reese, R. E.,	Woodside,
Fleming,	Leonard,	Regan,	Wright,
Fletcher,	Lesko,	Reynolds,	Yeakel,
Flynn,	Levy,	Rhea,	Yester,
Foor,	Lichtenwalter,	Riley,	Young,
French,	Longo,	Rooney,	Kilroy,
		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 return it to the Senate with information that the House has passed it without amendments.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1829, (Senate Bill No. 171), entitled:

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

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

And said bill having been read at length the 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—190

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

NAYS—0

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

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

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1893, (Senate Bill No. 908), as follows:

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

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

Section 1 Section seventeen of the act approved the seventh day of June one thousand nine hundred and seventeen (P. L. 415) entitled "An act relating to the qualification jurisdiction powers and duties of registers of wills and regulating proceedings before said registers and the costs thereof the effects of their acts and appeals therefrom" is hereby amended to read as follows

Section 17 Whenever a caveat shall be entered against the admission of any testamentary writing to probate and the person entering the same shall allege as the ground thereof any matter of fact touching the validity of such writing it shall be lawful for the register at the request of any person interested to issue a precept to either the court of common pleas or the orphans' court of the respective county directing an issue to be formed upon the said fact or facts and also upon such others as may be lawfully objected to the said writing in substantially the following form viz

(L S) .....County ss

The Commonwealth of Pennsylvania To the judges of the court of common pleas (or the orphans' court) of the said county Greeting Whereas A B on the ..... day of ..... in the year et cetera presented to G H our register of wills of said county for probate a certain writing hereto annexed purporting to have been made the .....day of.....in the year et cetera (or otherwise describing the paper in question) which said writing the said A B avers is the last will and testament of the said C D and whereas E D who is a son and heir of the said C D (or intermarried with F D who is a daughter and heir et cetera according to the fact) hath objected before our said register that the said writing was procured by duress and constraint (stating the matters of fact objected) and where as the said A B (or E D) hath requested that an issue may be directed into our said court to try by a jury the validity of the said writing and the matters of fact which may be objected thereto in our said court Therefore we command you that you cause an action to be entered upon the records of our said court as of the day of the delivery of this our precept into the office of the prothonotary of our said court between the said A B and the said E D so that an issue therein may be formed upon the merits of the controversy between the said parties and tried in due course according to the practice of our said courts in actions commenced by writ and further that you cause all other persons who may be interested in the estate of the said C D as heirs relations or next of kin devisees legatees or executors to be warned so that they may come into our said court and become party to the said action if they shall see cause and that you certify the result of the trial so had in the premises into the office of our said register

Attest G H Register of Wills of the said county

And the facts established by the trial had an certified to the register as aforesaid shall not be re-examined by the said register nor upon any appeal from his decision

When such precept is issued to the orphans' court of said county the issue shall be tried therein by a jury and the practice and procedure shall be the same as in cases when an issue is awarded by the orphans' court for a trial by jury in the orphans' court under the act approved



the first day of July one thousand nine hundred and thirty-seven (P. L. 2665) as amended by the Act approved the first day of July one thousand nine hundred and thirty-nine (P. L. 94) and the result of the trial shall be certified to the register

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

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

On the question,  
Shall the bill pass finally?

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

YEAS—190

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

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.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1854, entitled:

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

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

On the question,

Will the House agree to the bill on third reading?

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

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

The Clerk read the amendments as follows:

Amend title, page 1, line 8 of title, by striking out the following "in counties of the second class" and inserting in lieu thereof: "now or hereafter under any county retirement system."

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.

BILL PASSED OVER

There being no objection House Bill No. 1880, Printer's No. 1084, was passed over at the request of Mr. ACHTERMAN.

BILLS ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1816, (Senate Bill No. 1040), entitled:

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

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—190

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

NAYS—0

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

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

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1160, (Senate Bill No. 401), entitled:

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

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—190

Achterman,	Gallagher,	Lyons,	Royer,
Baker,	Gates,	Malloy,	Rush,
Balthaser,	Gerard,	Maxwell,	Sarge,
Bentley,	Gillan,	McClanaghan,	Sarraf,
Bentzel,	Gillette,	McClester,	Scanlon,

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

NAYS—0

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

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

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1843, (Senate Bill No. 484), entitled:

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

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—190

Achterman,	Gallagher,	Lyons,	Royer,
Balthaser,	Gates,	Malloy,	Rush,
Baker,	Gerard,	Maxwell,	Sarge,
Bentley,	Gillan,	McClanaghan,	Sarraf,
Bentzel,	Gillette,	McClester,	Scanlon,
Boles,	Goodwin,	McDermott,	Schwab,
Boney,	Greenwood,	McDowell,	Serrill,
Boorse,	Gross,	McFall,	Shaffer,
Bower,	Gryskewicz,	McGrath,	Shepard,
Bradley,	Gyger,	McIntosh,	Snyder,
Bretherick,	Habbyshaw,	McKinney,	Sollenberger,
Brown,	Haberlen,	McLanahan,	Sorg,



Brunner, C. H.,	Haines,	McMillen,	Stank,
Brunner, P. A.,	Hall,	McSurdy,	Stine,
Burns,	Hamilton,	Melchiorre	Stockham,
Burris,	Hare,	Mihm,	Tarr,
Cadwalader,	Harkins,	Modell,	Tate,
Chervenak,	Harmuth,	Monks,	Taylor,
Chudoff,	Harris,	Mooney,	Thompson, E. F.,
Cohen, M. M.,	Heatherington,	Moran,	Thompson, R. L.,
Cohen, R. E.,	Helm,	Moul,	Trout,
Cook,	Hering,	Muir,	Turner,
Cooper,	Herman,	Munley,	Van Allsburg,
Cordier,	Hersch,	Nagel,	Verona,
Croop,	Hewitt,	Numemacher,	Vincent,
Cullen,	Hirsch,	O'Brien,	Vogt,
Dalrymple,	Holland,	O'Connor,	Voldow,
DiGenova,	Huntley,	O'Dare,	Wagner,
Dix,	Imbrie,	O'Mullen,	Watkins,
Dolon,	James,	O'Neill,	Weingartner,
D'Ortona,	Jefferson,	Owens,	Wells,
Duffy,	Jones, G. E.,	Petrosky,	Welsh, E. B.,
Early,	Jones, P. N.,	Pettit,	Welsh, M. J.,
Eckels,	Keenan,	Polaski,	Wilkinson,
Elder,	Kenehan,	Polen,	Williams,
Elliott,	Kline,	Powers,	Winner,
Ely,	Knoble,	Prosen,	Wolf,
Falkenstein,	Kolankiewicz,	Rank,	Wood, L. H.,
Finestone,	Krise,	Readinger,	Wood, N.,
Finnerty,	Lee, E. A.,	Reagan,	Woodring,
Fisher,	Lee, T. H.,	Reese, R. E.,	Woodside,
Fiss,	Lelsey,	Regan,	Wright,
Fleming,	Leonard,	Reynolds,	Yeakel,
Fletcher,	Lesko,	Rhea,	Yester,
Flynn,	Levy,	Riley,	Young,
Foor,	Lichtenwalter,	Rooney,	Kilroy,
French,	Longo,	Rose, S.,	
	Lovett,	Rose, W. E.,	

Cohen, R. E.,	Helm,	Moul,	Trout,
Cook,	Hering,	Muir,	Turner,
Cooper,	Herman,	Munley,	Van Allsburg,
Cordier,	Hersch,	Nagel,	Verona,
Croop,	Hewitt,	Numemacher,	Vincent,
Cullen,	Hirsch,	O'Brien,	Vogt,
Dalrymple,	Holland,	O'Connor,	Voldow,
DiGenova,	Huntley,	O'Dare,	Wagner,
Dix,	Imbrie,	O'Mullen,	Watkins,
Dolon,	James,	O'Neill,	Weingartner,
D'Ortona,	Jefferson,	Owens,	Wells,
Duffy,	Jones, G. E.,	Petrosky,	Welsh, E. B.,
Early,	Jones, P. N.,	Pettit,	Welsh, M. J.,
Eckels,	Keenan,	Polaski,	Wilkinson,
Elder,	Kenehan,	Polen,	Williams,
Elliott,	Kline,	Powers,	Winner,
Ely,	Knoble,	Prosen,	Wolf,
Falkenstein,	Kolankiewicz,	Rank,	Wood, L. H.,
Finestone,	Krise,	Readinger,	Wood, N.,
Finnerty,	Lee, E. A.,	Reagan,	Woodring,
Fisher,	Lee, T. H.,	Reese, R. E.,	Woodside,
Fiss,	Lelsey,	Regan,	Wright,
Fleming,	Leonard,	Reynolds,	Yeakel,
Fletcher,	Lesko,	Rhea,	Yester,
Flynn,	Levy,	Riley,	Young,
Foor,	Lichtenwalter,	Rooney,	Kilroy,
French,	Longo,	Rose, S.,	
	Lovett,	Rose, W. E.,	

Speaker.

Speaker.

NAYS—0

NAYS—0

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

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

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1898, (Senate Bill No. 934), entitled:

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

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—190

Achterman,	Gallagher,	Lyons,	Roy,
Baker,	Gates,	Malloy,	Rush,
Balthaser,	Gerard,	Maxwell,	Sarge,
Bentley,	Gillan,	McClanaghan,	Sarra,
Bentzel,	Gillette,	McClester,	Scanlon,
Boles,	Goodwin,	McDermott,	Schwab,
Boney,	Greenwood,	McDowell,	Serrill,
Boorse,	Gross,	McFall,	Shaffer,
Bower,	Gryskewicz,	McGrath,	Shepard,
Bradley,	Gyger,	McIntosh,	Snyder,
Bretherick,	Habbyshaw,	McKinney,	Sollenberger,
Brown,	Haberlen,	McLanahan,	Sorg,
Brunner, C. H.,	Haines,	McMillen,	Stank,
Brunner, P. A.,	Hall,	McSurdy,	Stine,
Burns,	Hamilton,	Melchiorre,	Stockham,
Burris,	Hare,	Mihm,	Tarr,
Cadwalader,	Harkins,	Modell,	Tate,
Chervenak,	Harmuth,	Monks,	Taylor,
Chudoff,	Harris,	Mooney,	Thompson, E. F.,
Cohen, M. M.,	Heatherington,	Moran,	Thompson, R. L.,

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

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

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1808, (Senate Bill No. 463), entitled:

An Act to amend sections one and three of the act approved the tenth day of April one thousand nine hundred and twenty-nine (P. L. 478) entitled "Conferring authority on the Department of Highways or any county or township to enter upon private property adjacent to any public road or highway and place thereon snow fence between November first and April first of the succeeding year providing the method of ascertaining damages and payment of same by the authorities responsible for the maintenance of the said public road or highway to the owner of adjacent property and repealing certain acts" by including the Pennsylvania Turnpike Commission

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—190

Achterman,	Gallagher,	Lyons,	Roy,
Baker,	Gates,	Malloy,	Rush,
Balthaser,	Gerard,	Maxwell,	Sarge,
Bentley,	Gillan,	McClanaghan,	Sarra,
Bentzel,	Gillette,	McClester,	Scanlon,
Boles,	Goodwin,	McDermott,	Schwab,
Boney,	Greenwood,	McDowell,	Serrill,
Boorse,	Gross,	McFall,	Shaffer,
Bower,	Gryskewicz,	McGrath,	Shepard,
Bradley,	Gyger,	McIntosh,	Snyder,
Bretherick,	Habbyshaw,	McKinney,	Sollenberger,
Brown,	Haberlen,	McLanahan,	Sorg,
Brunner, C. H.,	Haines,	McMillen,	Stank,
Brunner, P. A.,	Hall,	McSurdy,	Stine,
Burns,	Hamilton,	Melchiorre,	Stockham,
Burris,	Hare,	Mihm,	Tarr,

Cadwalader,	Harkins,	Modell,	Tate,
Chervenak,	Harmuth,	Monks,	Taylor,
Chudoff,	Harris,	Mooney,	Thompson, E. F.,
Cohen, M. M.,	Heatherington,	Moran,	Thompson, R. L.,
Cohen, R. E.,	Helm,	Moul,	Trout,
Cook,	Hering,	Muir,	Turner,
Cooper,	Herman,	Munley,	Van Allsburg,
Cordier,	Hersch,	Nagel,	Verona,
Croop,	Hewitt,	Nunemacher,	Vincent,
Cullen,	Hirsch,	O'Brien,	Vogt,
Dalrymple,	Holland,	O'Connor,	Voldow,
DiGenova,	Huntley,	O'Dare,	Wagner,
Dix,	Imbrie,	O'Mullen,	Watkins,
Dolon,	James,	O'Neill,	Weingartner,
D'Ortona,	Jefferson,	Owens,	Weiss,
Duffy,	Jones, G. E.,	Petrosky,	Welsh, E. B.,
Early,	Jones, P. N.,	Pettit,	Welsh, M. J.,
Eckels,	Keenan,	Polaski,	Wilkinson,
Elder,	Kenehan,	Polen,	Williams,
Elliott,	Kilne,	Fowers,	Winnor,
Ely,	Knoble,	Prosen,	Wolf,
Falkenstein,	Kolankiewicz,	Rank,	Wood, L. H.,
Finestone,	Krise,	Readinger,	Wood, N.,
Finnerty,	Lee, E. A.,	Reagan,	Woodring,
Fisher,	Lee, T. H.,	Reese, R. E.,	Woodside,
Fiss,	Lelsey,	Regan,	Wright,
Fleming,	Leonard,	Reynolds,	Yeakel,
Fletcher,	Lesko,	Rhea,	Yester,
Flynn,	Levy,	Riley,	Young,
Foor,	Lichtenwalter,	Rooney,	Kilroy,
French,	Longo,	Rose, S.,	
	Lovett,	Rose, W. E.,	

Speaker.

## NAYS—0

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

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

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1553, (Senate Bill No. 557), entitled:

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

On the question,

Will the House agree to the bill on third reading?

## BILL POSTPONED

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

The motion was agreed to.

## BILL ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 491, (Senate Bill No. 145), entitled:

An Act to amend further section fourteen of an act

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

On the question,

Will the House agree to the bill on third reading?

## BILL POSTPONED

Mr. ACHTERMAN. Mr. Speaker, I move that this bill be placed upon the postponed Calendar.  
The motion was agreed to.

## BILL ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1859, (Senate Bill No. 344), entitled:

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

On the question,

Will the House agree to the bill on third reading?

## BILL POSTPONED

Mr. ACHTERMAN. Mr. Speaker, I move that this bill be placed upon the postponed Calendar.  
The motion was agreed to.

## BILLS ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1842, (Senate Bill No. 1102), entitled as follows:

An Act to further amend the act approved the eleventh day of March one thousand nine hundred and nine (P. L. 13) entitled "An act for the protection of the public health by prohibiting the sale offering for sale exposing for sale or having in possession with intent to sell of eggs unfit for food as therein defined and prohibiting the use of such eggs in the preparation of food products providing penalties for the violation thereof and providing for the enforcement thereof" by providing for the licensing by the Department of Agriculture of persons copartnerships associations and corporations engaged in the business of breaking eggs and separating the contents thereof for any purpose regulating the opening of eggs unfit for food and providing



for the denaturing of such eggs authorizing the Department of Agriculture to take samples of eggs for the purpose of analysis further regulating the right to sell or otherwise deal with eggs subjected to incubation providing that certain violations of the act shall be punishable in summary proceedings prescribing penalties and repealing certain legislation.

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

Section 1 Section one of the act approved the eleventh day of March one thousand nine hundred and nine (P. L. 13) entitled "An act for the protection of the public health by prohibiting the sale offering for sale exposing for sale or having in possession with intent to sell of eggs unfit for food as therein defined and prohibiting the use of such eggs in the preparation of food products providing penalties for the violation thereof and providing for the enforcement thereof" is hereby amended to read as follows

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same [That it shall be unlawful for any person firm or corporate body by himself herself itself or themselves or by his her its or their agents servants or employees to sell offer for sale expose for sale or have in possession with intent to sell eggs that are unfit for food within the meaning of this act] That it shall be unlawful for any person copartnership association or corporation to conduct at any given place any business of opening eggs and separating the egg content from the shell and using or disposing of the content thereof for any purpose unless he she it or they have first applied for and secured a license so to do from the Department of Agriculture The form of such license shall be prescribed by the Department of Agriculture The application for a license in addition to other matters which may be required to be stated thereon by said Department of Agriculture shall contain an accurate description of the place where the proposed separation of eggs is intended to be carried on and the name and style under which said business is proposed to be conducted If the said application is satisfactory to the Department of Agriculture and said name and style shall not in the judgment of the Department of Agriculture be calculated to deceive or mislead the public as to the real nature of the business so proposed to be carried on the Department of Agriculture shall issue to the applicant a license authorizing him her it or them to engage in the business of opening the eggs and separating the egg content from the shell for which said license the applicant shall first pay the annual sum of fifty (\$50) dollars The said license fee when received by the Department of Agriculture shall be immediately covered into the State Treasury for the use of the Commonwealth Such license shall not authorize the holder thereof to carry on the business of opening the eggs and separating the egg content from the shell at any place other than that designated in the application and license All licenses shall be taken out for a full year

The opening of eggs unfit for food purposes shall not be permitted in any building or premises where the opening of eggs for food purposes is carried on except such as are opened incident to the opening of eggs fit for food in which case such eggs as are found to be unfit for food purposes must be placed in containers painted of a bright red color the shells of the eggs broken or smashed and the contents of the eggs denatured by kerosene or other denaturant approved by the Department of Agriculture Such red colored containers must be emptied of their contents every twenty-four hours and must not be used for wholesome eggs

It shall be unlawful for any person copartnership association or corporation by himself herself itself or themselves or by his her its or their agents servants or employees to sell offer for sale expose for sale or have in possession eggs that are unfit for food within the meaning of this act for any purpose use cause or reason whatsoever unless the same shall have first been denatured with a sufficient quantity of kerosene to render all of the

same unfit for use in the preparation of food products and further providing that the shells of all such eggs that may be unfit for food as hereinbefore mentioned shall first be removed or broken by smashing or otherwise so as to permit a free impregnation of the whole of the egg substance by the denaturing fluid

For the purpose of enforcing the provisions of this act the Department of Agriculture through its officers agents and assistants shall have full access to all places of business factories mills buildings cars automobiles trucks wagons vessels barrels tanks containers and packages of whatever kind used in keeping storing shipping transporting and handling eggs and shall have power to take sufficient quantity of eggs therefrom upon or offering payment for the same for the purpose of making an analysis thereof and shall have power to detain seize hold and/or quarantine the entire quantity of eggs a reasonable length of time for the result of the analysis to be known

All persons copartnerships associations or corporations violating any of the provisions of this act or interfering with or refusing to give access to the Department of Agriculture or any of its agents or assistants when securing quantities of eggs for the purpose of analysis shall upon conviction in a summary proceeding be subject to the penalties hereinafter provided

Section 2 Section three of said act as amended by the act approved the twelfth day of June one thousand nine hundred and thirty-one (P. L. 507) is hereby further amended to read as follows

Section 3 It shall be unlawful to sell offer for sale have in possession with intent to sell either in shell in broken out frozen masses or in any condition whatsoever incubated or incubator reject eggs or eggs which have been subjected to incubation whether natural or artificial [for a period of eight days or over unless each egg or container of such eggs not in shell shall be branded marked or stamped with the words "incubated egg" or "incubated legs" and it] unless by written permission of the Department of Agriculture to sell such for a specific purpose and to a specific purchaser and when so sold the eggs must be accompanied by said written permit and each container of said eggs marked in accordance with directions or regulations issued by the Department of Agriculture It shall be unlawful to use any [such] incubated eggs in the preparation of or as a part of a food or foods [unless such food or foods shall be branded marked or stamped with the words "incubated eggs used"]

It shall be unlawful for anyone to take give remove deliver or transport from the premises of any farm hatchery hennery chickery or any place where eggs or baby chicks are produced eggs that have been subjected to incubation unless (a) said eggs shall have been broken or smashed and denatured or (b) there is written permission by the Department of Agriculture to move said eggs to a specific destination and for a specific use and when so moved the eggs must be accompanied by said written permit and each container of said eggs marked in accordance with directions or regulations issued by the Department of Agriculture

It shall be unlawful for any person firm or corporate body by himself herself itself or themselves or by his her its or their agents servants or employees to use eggs that are either wholly or partly decayed or decomposed in the preparation of food products And provided further That there shall be no delivery sale purchase or acceptance of wholly or partly decayed or decomposed eggs in or at any establishment where food products are prepared or manufactured

Section 3 Sections four five and six of said act are hereby amended to read as follows

Section 4 That any person who shall violate any of the provisions of this act [shall be guilty of a misdemeanor and] upon conviction thereof shall be sentenced to pay a fine of not less than two hundred (\$200) dollars nor more than one thousand (\$1,000) dollars [or] and/or to undergo an imprisonment of not less than three (3) months nor more than nine (9) months [or both or either] at the discretion of the court Aldermen magistrates and jus-

tices of the peace throughout this Commonwealth shall have jurisdiction to hear and determine in a summary proceeding actions arising for violations of this act and to impose the penalties provided herein subject to appeal as the law shall direct

Section 5 That the [Dairy and Food Commissioner] Department of Agriculture shall be charged with the enforcement of the provisions of this act

Section 6 That all fines and penalties imposed and recovered for the violation of any of the provisions of this act shall be paid to the [Dairy and Food Commissioner or his agent] Department of Agriculture and when so collected and paid shall thereafter be by the [Dairy and Food Commissioner] Department of Agriculture paid into the State Treasury for the use of the Commonwealth

Section 4 The act approved the eleventh day of April one thousand nine hundred and thirteen (P. L. 58) entitled "An act supplementary to an act entitled 'An act for the protection of the public health by prohibiting the sale offering for sale exposing for sale or having in possession with intent to sell of eggs unfit for food as therein defined and prohibiting the use of such eggs in the preparation of food products providing penalties for the violation thereof and providing for the enforcement thereof' approved the eleventh day of March Anno Domini one thousand nine hundred and nine providing for the denaturing by kerosene of all eggs unfit for food within the meaning of said act and providing penalties for the violation thereof" and its amendments are hereby repealed absolutely

Section 5 The provisions of this act shall become effective immediately upon final enactment

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

On the question,

Shall the bill pass finally?

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

YEAS—190

- |                 |                |               |                  |
|-----------------|----------------|---------------|------------------|
| Achterman,      | Gallagher,     | Lyons,        | Royer,           |
| Baker,          | Gates,         | Malloy,       | Rush,            |
| Balthaser,      | Gerard,        | Maxwell,      | Sarge,           |
| Bentley,        | Gillan,        | McClanaghan,  | Sarraf,          |
| Bentzel,        | Gillette,      | McClester,    | Scanlon,         |
| Botes,          | Goodwin,       | McDermott,    | Schwab,          |
| Boney,          | Greenwood,     | McDowell,     | Serrill,         |
| Boorse,         | Gross,         | McFall,       | Shaffer,         |
| Bower,          | Gryskewicz,    | McGrath,      | Shepard,         |
| Bradley,        | Habbyslaw,     | McIntosh,     | Snyder,          |
| Bretherick,     | Gyger,         | McKinney,     | Sollenberger,    |
| Brown,          | Haberlen,      | McLanahan,    | Sorg,            |
| Brunner, C. H., | Haines,        | McMillen,     | Stank,           |
| Brunner, P. A., | Hall,          | McSurdy,      | Stine,           |
| Burns,          | Hamilton,      | Melchiorre,   | Stockham,        |
| Burris,         | Hare,          | Mihm,         | Tarr,            |
| Cadwalader,     | Harkins,       | Modell,       | Tate,            |
| Chervenak,      | Harmuth,       | Monks,        | Taylor,          |
| Chudoff,        | Harris,        | Mooney,       | Thompson, E. F., |
| Cohen, M. M.,   | Heatherington, | Moran,        | Thompson, R. L., |
| Cohen, R. E.,   | Helm,          | Moul,         | Trout,           |
| Cock,           | Hering,        | Muir,         | Turner,          |
| Cooper,         | Herman,        | Munley,       | Van Allsburg,    |
| Cordier,        | Hersch,        | Nagel,        | Verona,          |
| Croop,          | Hewitt,        | Nunemacher,   | Vincent,         |
| Cullen,         | Hirsch,        | O'Brien,      | Vogt,            |
| Dalrymple,      | Holland,       | O'Connor,     | Voldow,          |
| DiGenova,       | Huntley,       | O'Dare,       | Wagner,          |
| Dix,            | Imbrie,        | O'Mullen,     | Watkins,         |
| Dolon,          | James,         | O'Neill,      | Weingartner,     |
| D'Ortona,       | Jefferson,     | Owens,        | Weiss,           |
| Duffy,          | Jones, G. E.,  | Petrosky,     | Welsh, E. B.,    |
| Early,          | Jones, P. N.,  | Pettit,       | Welsh, M. J.,    |
| Eckels,         | Keenan,        | Polaski,      | Wilkinson,       |
| Elder,          | Kenehan,       | Polen,        | Williams,        |
| Elliot,         | Kline,         | Fowers,       | Willner,         |
| Ely,            | Knoble,        | Prosen,       | Woit,            |
| Falkenstein,    | Kolankiewicz,  | Rank,         | Wood, L. H.,     |
| Finestone,      | Krise,         | Readinger,    | Wood, N.,        |
| Finnerty,       | Lee, E. A.,    | Reagan,       | Woodring,        |
| Fisher,         | Lee, T. H.,    | Reese, R. E., | Woodside,        |
|                 |                | Reese,        | Wright,          |

- |           |                |              |          |
|-----------|----------------|--------------|----------|
| Fliss,    | Leonard,       | Reynolds,    | Yeakel,  |
| Fleming,  | Lesko,         | Rhea,        | Yester,  |
| Fletcher, | Levy,          | Riley,       | Young,   |
| Flynn,    | Lichtenwaller, | Rooney,      | Kilroy,  |
| Foor,     | Longo,         | Rose, S.,    |          |
| French,   | Lovett,        | Rose, W. E., | 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.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 355, as follows:

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

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

Section 1 The term "beneficial or relief associations" as used in this act shall mean and include all incorporated beneficial societies and companies and relief associations conducted not for profit formed by churches societies classes firms or corporations with or without ritualistic form of work the privilege of membership in which is confined to the members of such churches societies or classes and to members and employes of such firms or corporations and which have been in continuous existence for twenty years or more The term shall not include any such society company or association having a lodge system or representative form of government nor any such society company or association having affiliates or subsidiaries

Section 2 Any beneficial or relief association that may be desirous of continuing or maintaining its corporate existence for any literary charitable or benevolent purpose or as a hall association or society for the mutual benefit of its members may by a vote of the majority of its members present (who by the laws of the particular company or association are or may be entitled to vote) at a stated meeting after at least one month's notice has been given declare the purpose and object for which they desire to continue as aforesaid Such beneficial or relief association shall within three months thereafter present their petition to the court of common pleas of the county praying that the purpose or object for which they may desire to continue their corporate existence as aforesaid may be approved by said court whereupon said petition shall be filed and if the object or purpose therein expressed and stated shall appear to the judges of the court to be lawful and not injurious to the community and if no sufficient objection thereto be shown by any person or persons interested therein the said court shall on the first day of the next succeeding term not less than four weeks after the filing of the said petition enter their decree approving of the object or purpose for which such corporation shall thereafter continue A certified copy of such decree shall be recorded in the office of the recorder of deeds of the county and thereupon such object or purpose shall supersede the object or purpose named or expressed in the charter or act of incorporation of said beneficial or relief association and shall be as valid and binding as if the same had been the original object or purpose for which such beneficial or relief association had been incorporated And such beneficial or relief association may also issue shares of stock not exceeding in amount the value of their property and effects and distribute the same to and amongst the members thereof entitled thereto Such shares shall be as-



signable and transferable in the usual manner. The holder or holders of any share or shares shall be entitled to one vote for each share held by him. Such beneficial or relief association may also by and with the assent and approval of the court change the name of such corporation and provide for its management by such officers and board of directors or managers not exceeding seven in number exclusive of president and treasurer as to them may seem just and expedient.

Section 3 If any beneficial or relief association shall be desirous of disbanding dissolving and surrendering their corporate existence it shall be lawful for it so to do and the property and effects or the proceeds thereof may be distributed and divided to and among the members entitled thereto under the following conditions to wit:

(1) Such beneficial or relief association shall give at least six months' notice of its intention to dissolve and surrender its corporate existence by advertisement in at least one daily newspaper published in the county to be designated by the court of common pleas upon application by the proper beneficial or relief association said advertisement to be published at least once a week for four weeks or continuously for one week.

(2) Such beneficial or relief association shall through its secretary or by a committee appointed for that purpose make a roll of all such members who are entitled to participate in the distribution of its property or the proceeds thereof who may apply to him or to them personally or otherwise. Said roll shall be kept open during the whole of said six months and it shall be the duty of such secretary or committee to enter upon such roll the name or names of any and all members who may apply who are known to him or them or if unknown who shall produce satisfactory evidence that he or they is or are entitled to have his or their name or names placed on said roll and said roll shall at the expiration of said six months be verified by the oath or affirmation of said secretary or committee.

(3) Such beneficial or relief association shall immediately after the expiration of said six months appoint a committee of not less than three members which committee in conjunction with the president and treasurer of said beneficial or relief association shall make out and sign a schedule of the description amount and value of all the property and effects of such beneficial or relief association the names of all persons who are included within the provisions of clause (2) of this section and the description amount and value of the property effects or moneys allotted to each of such persons respectively which allotments shall be as nearly equal as may be. Such schedule shall be verified by oath or affirmation of a majority of such committee one of whom shall be the president or treasurer. Said schedule shall be submitted at a stated meeting of the beneficial or relief association and if approved by a vote of the majority of such members present as are included in clause (2) hereof shall be final and conclusive.

(4) As soon as all steps and proceedings provided for in this section shall have been completed a certified copy thereof shall be made out attested by the signatures of the officers of such beneficial or relief association and by the seal of the corporation and shall be duly acknowledged as in the case of a deed made by a corporation and recorded in the office of the recorder of deeds of the county. Thereafter such corporation shall be dissolved and cease to exist and all the powers and authorities thereto belonging shall become and be null and void and of no effect except such as are necessary to carry this act into effect. The distribution of the property and effects of such beneficial or relief association shall be made as soon after the approval of the schedule mentioned in clause (3) as may be convenient. Provided That nothing herein contained shall be construed as to prevent any person who may deem himself aggrieved by the action of any beneficial or relief association in his case applying to the proper court for redress by bill in equity or upon or for a mandamus upon his giving such security as the court may determine to pay all damages

that may be incurred and all costs that may accrue if the decree of the court upon final hearing shall be against him and a part of such costs shall be a reasonable counsel fee to be allowed by the court in the particular case and fixed by the decree.

Section 4 In the event any beneficial or relief association included within the provision of this act which has changed by virtue of the provisions of any previously existing law of this Commonwealth into stock companies the shares into which the capital stock of such corporation may be divided shall be issued to such of the members of said beneficial or relief association as were required to perform active services as a condition of membership or who may have been transferred from the active roll to the roll of honorary members as a reward or token of recognition for previous active services and to those only who may have signed the constitution or by-laws of such beneficial or relief associations and in case of a total dissolution of such beneficial or relief association under the provision of this act those members only who are designated in this section shall be entitled to a distributive share of the proceeds of the property of such beneficial or relief association.

Section 5 If in any case any number of the active and honorary members either or both of any beneficial or relief association not less than ten in number may desire to perpetuate the corporate existence of any beneficial or relief association either for social purposes or for any of the purposes mentioned in section two of this act and a majority of such beneficial or relief association may desire to dissolve as aforesaid it shall be lawful for such members by signing and presenting to such beneficial or relief association an agreement in writing to perpetuate the existence of such corporation to take unto themselves the liabilities and responsibilities imposed and to enjoy the privileges granted in and by the charter of such beneficial or relief association. In such case the proceedings directed in and by section three of this act shall be pursued except as to the division of their property and the recording of proceedings in lieu of which after the amount of dividend shall have been ascertained and approved as aforesaid the receipt of such dividend by any member shall be construed to be a resignation and shall be so entered upon the books of such beneficial or relief association and the members so receiving a dividend shall thenceforth cease to be a member of such beneficial or relief association. Provided That it shall be unlawful for any beneficial or relief association to purchase the right of any member and upon the payment of the agreed price the membership of such person shall thereupon terminate.

Section 6 The sales by any beneficial or relief association included in section one of this act hereafter made shall be deemed and taken to have been made pursuant to the provisions of this act and are hereby declared to be valid and to vest the title of such property in the purchasers of such property.

Section 7 It shall and may be lawful for any of the beneficial or relief associations mentioned in the first section of this act to accept the provisions of this act as a supplement to the charter or act of incorporation of such beneficial or relief association by the vote of a majority of the members entitled to vote who may be present at any stated meeting of such beneficial or relief association. If so accepted the provisions hereof shall be deemed and taken to be a part of the charter or act of incorporation of such accepting beneficial or relief association except where a particular number have a right to continue. Provided That nothing contained in this act shall be held to affect the right of any member or beneficial or relief associations as the same have been heretofore adjudicated by any court and the same are hereby confirmed. Provided That this act shall not repeal or affect the provisions of any special law relating to the same subject in any county township borough or city in this Commonwealth.

Section 8 The provisions of this act shall become effective immediately upon final enactment.

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

On the question,

Shall the bill pass finally?

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

YEAS—190

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

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. 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

On the question,

Will the House agree to the bill on third reading?

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

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

The Clerk read the amendments as follows:

Amend Section 1, page 3, line 19, by striking out before the word "failure" the words "or for" and insert in lieu thereof the following: "and notwithstanding."

Amend Section 1, page 3, line 19, by striking out after the word "to" and before the word "such" the word "file" and insert in lieu thereof the word "post."

Amend Section 1, page 3, line 19, by inserting after the word "such" and before the word "notice" the word "election".

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

On the question,

Will the House agree to the amendments?

The amendments were agreed to.

On the question,

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

It was agreed to.

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

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 902, (Senate Bill No. 254), entitled as follows:

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

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

Section 1 Any municipality may proceed to recover water rents or rates lighting rates power rates and sewer rates due and unpaid for service rendered beyond the municipal limits by the filing of municipal claims therefor against the real estate served in the same manner and with the same effect as such rents or rates are now recoverable within the municipal limits

Section 2 The procedure on liens filed under the provisions of this act shall be the same as though the real estate were within the municipal limits

Section 3 All claims heretofore filed for water rents or rates lighting rates power rates and sewer rates for service rendered beyond the municipal limits are hereby validated and procedure thereon shall be the same as though the real estate were within the municipal boundaries

Section 4 This act shall become effective immediately upon final enactment

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

On the question,

Shall the bill pass finally?

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

YEAS—190

- |            |            |              |              |
|------------|------------|--------------|--------------|
| Achterman, | Gallagher, | Lovett,      | Rose, W. E., |
| Baker,     | Gates,     | Lyons,       | Royer,       |
| Balthaser, | Gerard,    | Malloy,      | Rush,        |
| Bentley,   | Gillan,    | Maxwell,     | Sarge,       |
| Bentzel,   | Gillette,  | McClanaghan, | Sarraff,     |
| Boies,     | Goodwin,   | McClester,   | Scanlon,     |
| Boney,     | Greenwood, | McDermott,   | Schwab,      |



Boorse,	Gross,	McDowell,	Serrill,
Bower,	Gryskewicz,	McFall,	Shaffer,
Bradley,	Cyger,	McGrath,	Shepard,
Bretherick,	Habbyshaw,	McIntosh,	Snyder,
Brown,	Haberlen,	McKinney,	Sollenberger,
Brunner, C. H.,	Haines,	McLanahan,	Sorg,
Brunner, P. A.,	Hall,	McMillen,	Stank,
Burns,	Hamilton,	McSurdy,	Stine,
Burris,	Hare,	Melchiorre,	Stockham,
Cadwalader,	Harkins,	Mihm,	Tarr,
Chervenak,	Harmuth,	Modell,	Tate,
Chudoff,	Harris,	Monks,	Taylor,
Cohen, M. M.,	Heatherington,	Mooney,	Thompson, E. F.,
Cohen, R. E.,	Helm,	Moran,	Thompson, R. L.,
Cook,	Hering,	Moul,	Trout,
Cooper,	Herman,	Muir,	Turner,
Cordier,	Hersch,	Munley,	Van Allsburg,
Croop,	Hewitt,	Nagel,	Verona,
Cullen,	Hirsch,	Nunemacher,	Vincent,
Dalrymple,	Holland,	O'Brien,	Vogt,
DiGenova,	Huntley,	O'Connor,	Voldow,
Dix,	Imbrie,	O'Dare,	Wagner,
Dolon,	James,	O'Mullen,	Watkins,
D'Ortona,	Jefferson,	O'Neill,	Weingartner,
Duffy,	Jones, G. E.,	Owens,	Weiss,
Early,	Jones, P. N.,	Petrosky,	Welsh, E. B.,
Eckels,	Keenan,	Pettit,	Welsh, M. J.,
Elder,	Kenehan,	Polaski,	Wilkinson,
Elliot,	Kilne,	Polen,	Williams,
Ely,	Knoble,	Powers,	Winner,
Falkenstein,	Kolankiewicz,	Prosen,	Wolf,
Flinestone,	Krise,	Rank,	Wood, L. H.,
Finnerty,	Lee, E. A.,	Readinger,	Wood, N.,
Fisher,	Lee, T. H.,	Reagan,	Woodring,
Fiss,	Lelsey,	Reese, R. E.,	Woodside,
Fleming,	Leonard,	Regan,	Wright,
Fletcher,	Lesko,	Reynolds,	Yeakel,
Flynn,	Levy,	Rhea,	Yester,
Foor,	Lichtenwalter,	Riley,	Young,
French,	Longo,	Rooney,	Kilroy, Speaker.
		Rose, S.,	

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.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1319, (Senate Bill No. 269), as follows:

An Act providing for 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 General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 In all cases where heretofore or hereafter real property shall have been or shall be purchased at any tax sale by any political subdivision any person who was or is entitled under existing law to redeem such property shall have such right of redemption so long as the title thereto remains in said political subdivision upon the payment of the amount due thereon by installments in the manner hereinafter provided whether or not the period during which the right of redemption existed shall have expired

Section 2 In order for any person who was or is entitled by law to redeem such property to receive the benefits of the installment system of payment authorized and provided by this act they shall enter into a written agreement with the taxing authorities of the said political subdivision which shall be prepared by the solicitor for such political subdivision in the nature of a lease which shall require at the time of signing the agreement the payment of all costs incident to the aforesaid tax sale and twenty per centum of the amount of all taxes and municipal claims and penalties and interest accrued there-

on charged against said property and the payment of the remainder of said amount of tax and municipal claims penalties and interest in four equal installments each of which shall be made within one year after the last day fixed by said agreement for the payment of the previous installment Said agreement shall further require that the respective current taxes assessed on said real property for each year during such installment period shall be paid before a penalty attaches thereto

Section 3 The aforesaid agreement shall provide for the delivery of possession to such person upon the execution thereof and the receipt of the required first payment and such person shall have the right to retain possession of the property unless and until he shall default in one installment payment or shall fail to pay the current taxes for any year as required by the agreement Upon default of either or both of said payments the political subdivision shall have the right to repossess said property in the manner provided by the agreement specified in Section Two of this Act or by the entry of a judgment in ejectment upon affidavit or default and the issuance of a writ of habere facias possessionem in due form according to law The agreement shall further provide for the conveyance of said property to the person with whom the agreement is entered into upon final payment of the total amount of said costs taxes municipal claims penalties and interest as aforesaid and the payment of all current taxes as aforesaid and the title so conveyed shall be free and clear of all tax and municipal claims but shall not be discharged from any other liens not discharged by the tax sale

Section 4 The taxing authorities of said political subdivision shall execute and deliver any deeds necessary to render the redemption authorized by this act effective

Section 5 The proceeds of such agreement and payments shall be distributed upon the receipt thereof to the respective political subdivisions and taxing authorities in proportion to their tax and municipal claims against said property

Section 6 All acts or parts of acts inconsistent herewith are hereby repealed

Section 7 The provisions of this act shall become effective immediately upon final enactment

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

On the question,

Shall the bill pass finally?

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

YEAS—190

Achterman,	Gallagher,	Lyons,	Royer,
Baker,	Gates,	Malloy,	Rush,
Balthaser,	Gerard,	Maxwell,	Sarge,
Bentley,	Gillan,	McClanaghan,	Sarraf,
Bentzel,	Gillette,	McClester,	Scanlon,
Boles,	Goodwin,	McDermott,	Schwab,
Boney,	Greenwood,	McDowell,	Serrill,
Boorse,	Gross,	McFall,	Shaffer,
Bower,	Gryskewicz,	McGrath,	Shepard,
Bradley,	Gyger,	McIntosh,	Snyder,
Bretherick,	Habbyshaw,	McKinney,	Sollenberger,
Brown,	Haberlen,	McLanahan,	Sorg,
Brunner, C. H.,	Haines,	McMillen,	Stank,
Brunner, P. A.,	Hall,	McSurdy,	Stine,
Burns,	Hamilton,	Melchiorre,	Stockham,
Burris,	Hare,	Mihm,	Tarr,
Cadwalader,	Harkins,	Modell,	Tate,
Chervenak,	Harmuth,	Monks,	Taylor,
Chudoff,	Harris,	Mooney,	Thompson, E. F.,
Cohen, M. M.,	Heatherington,	Moran,	Thompson, R. L.,
Cohen, R. E.,	Helm,	Moul,	Trout,
Cook,	Hering,	Muir,	Turner,
Cooper,	Herman,	Munley,	Van Allsburg,
Cordier,	Hersch,	Nagel,	Verona,
Croop,	Hewitt,	Nunemacher,	Vincent,
Cullen,	Hirsch,	O'Brien,	Vogt,
Dalrymple,	Holland,	O'Connor,	Voldow,
DiGenova,	Huntley,	O'Dare,	Wagner,
Dix,	Imbrie,	O'Mullen,	Watkins,
	James,	O'Neill,	Weingartner,

Dolon,	Jefferson,	Owens,	Weiss,
D'Ortona,	Jones, G. E.,	Petrosky,	Welsh, E. B.,
Duffy,	Jones, P. N.,	Pettit,	Welsh, M. J.,
Early,	Keenan,	Polaski,	Wilkinson,
Eckels,	Kenehan,	Polen,	Williams,
Elder,	Kline,	Powers,	Winnor,
Elliott,	Knoble,	Prosen,	Wolf,
Ely,	Kolankiewicz,	Rank,	Wood, L. H.,
Falkenstein,	Krise,	Readinger,	Wood, N.,
Finestone,	Lee, E. A.,	Reagan,	Woodring,
Finnerty,	Lee, T. H.,	Reese, R. E.,	Woodside,
Fisher,	Leisey,	Regan,	Wright,
Fiss,	Leonard,	Reynolds,	Yeakel,
Fleming,	Lesko,	Rhea,	Yester,
Fletcher,	Levy,	Riley,	Young,
Flynn,	Lichtenwalter,	Rooney,	Kilroy,
Foor,	Longo,	Rose, S.,	Speaker.
French,	Lovett,	Rose, W. E.,	

## NAYS—0

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

Ordered, That the Clerk return it to the Senate with information that the House has passed it with amendments in which the concurrence of the Senate is requested.

## BILLS SIGNED BY SPEAKER

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

## HOUSE BILL No. 266.

An Act making an appropriation to The Glen Mills School situate in Delaware County Pennsylvania

## HOUSE BILL No. 301.

An Act making an appropriation to Sleighton Farm School for Girls situate in Delaware County Pennsylvania

## HOUSE BILL No. 371.

An Act making an appropriation to the Department of Forests and Waters for the use of the Valley Forge Park Commission in payment of lands acquired by condemnation

## HOUSE BILL No. 489.

An Act making an appropriation to the Trustees of the University of Pittsburgh for the general maintenance of and the purchase of apparatus and equipment for the University of Pittsburgh and for the maintenance of teaching facilities in hospitals for students in the School of Medicine

## HOUSE BILL No. 753.

An Act authorizing the Department of Property and Supplies with the approval of the Governor and the Department of Welfare to acquire certain land adjacent to and for the use of the Scranton State Hospital providing for the improvement and use thereof authorizing the City of Scranton to pay the costs of such improvements in whole or in part and making an appropriation

## HOUSE BILL No. 1036.

An Act to amend subsection (b) of section sixteen of the act approved the seventh day of June one thousand nine hundred and seventeen (P. L. 429) entitled "An act relating to the descent and distribution of the real and personal property of persons dying intestate and to provide for the recording and registering of the decrees of the orphans' court in connection therewith and the fees therefor" by providing that in cases where the spouse of the natural parent shall adopt the child of such natural parent the natural parent shall retain his

or her status as such and shall for purposes of inheritance and devolution be regarded as an adopting parent

## HOUSE BILL No. 1177.

An Act to amend section seven hundred and seventeen point one 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 the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" by allocating fees for inspection certificates for promotion of highway safety

## HOUSE BILL No. 1470.

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

## HOUSE BILL No. 1529.

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

## HOUSE BILL No. 1542.

An Act to amend route 55121 as added to the act approved the twenty-second day of June one thousand nine hundred and thirty-one (P. L. 594) entitled "An act establishing certain township roads as State highways authorizing their construction maintenance and improvement under certain conditions and restrictions limiting the obligation of the Commonwealth in the construction of certain structures located on such highways conferring certain powers upon the Department of Highways and local authorities persons associations and corporations for sharing the cost of the maintenance and construction of such highways and making an appropriation to carry out the provisions of said act" changing a route in the County of Somerset



## HOUSE BILL No. 1631.

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

## HOUSE BILL No. 1663.

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

## HOUSE BILL No. 1665.

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

## HOUSE BILL No. 1719.

An Act to add clause (k) to section two thousand one hundred two and to repeal clause (d) of section two thousand one hundred ten of the act approved the ninth day of April one thousand nine hundred twenty-nine (P L 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" transferring the power to determine questions of fact regarding the purity of water supplied to the public from the Sanitary Water Board to the Department of Health to conform with the provisions of the Public Utility Law

## HOUSE BILL No. 1720.

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

## HOUSE BILL No. 1721.

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

## HOUSE BILL No. 1765.

An Act repealing and abandoning as a State highway

State highway Route 03123 in Armstrong County and providing for the reversion thereof to the township

## HOUSE BILL No. 1798.

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

## HOUSE BILL No. 1802.

An Act providing for, and requiring in certain cases, preference in appointments to public position for honorably discharged persons, who served in the military or naval service during any war in which the United States was engaged.

## HOUSE BILL No. 1825.

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

## HOUSE BILL No. 1826.

An Act to amend part of section two of the act approved the twenty-second day of June one thousand nine hundred and thirty-one (P L 720) entitled "An act providing for the taking over by the Commonwealth under certain terms conditions and limitations of certain streets in cities of the second class second class A and third class as State highways and for the improvement 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 corporation 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" changing a certain route in the City of Johnstown

## HOUSE BILL No. 1827.

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

Whereupon,

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

## CONGRATULATORY RESOLUTION

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

In the House of Representatives, July 8, 1941.

Whereas, On July 6, 1941, exactly one hundred and sixty-five years and two days after the signing of the Declaration of Independence, a member of this House, the gentleman from Northampton, Joseph A. Longo of Bethlehem, celebrated his thirty-sixth birthday today.

Whereas, Mr. Longo is now completing his first time as a Representative in the General Assembly. During the days of this session he has made a wide circle of friends among the members of this House. He has become known as a quiet, serious, and capable legislator. He has studiously familiarized himself with the bills as the same are

brought up for consideration. He has been faithful in his attendance of the caucus meetings and the sessions of the House.

But not only at work has Mr. Longo shown his sterling traits and fine character, in his less serious moments, in his recreation and play, his many friends have come to know him as a congenial, jovial and loyal companion; now therefore be it

Resolved, That the House of Representatives extend to the Honorable Joseph A. Longo, hearty wishes for many happy returns of the day and that the Chief Clerk forward a copy of this resolution to Mr. Longo.

The SPEAKER. The Chair recognizes the gentleman from Northampton, Mr. Longo.

Mr. LONGO. Mr. Speaker and Members of the House, first permit me to apologize to the Speaker and to the members that I was not paying attention to the reading of the resolution. Nevertheless the Speaker has been kind enough to make reference to the contents of the resolution, and I certainly and sincerely thank the Speaker and the Members of the House for passing this resolution. I want you to know that I appreciate this resolution and that I have enjoyed a swell birthday. I will keep among my memories the resolution which you have just passed. Thank you very much.

#### REPORT OF COMMITTEE OF CONFERENCE ON SENATE BILL No. 418

Mr. FINNERTY presented the report of the Committee of Conference on the part of the House on Senate Bill No. 418.

The report was read by the Clerk.

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

#### CONGRATULATORY RESOLUTIONS

Messrs. SAMUEL ROSE and CHUDOFF offered a privileged resolution which was read, considered and adopted as follows:

In the House of Representatives, July 8, 1941.

Whereas, the Fourth of July is an occasion of great rejoicing throughout the country because it marks the birth of American Independence and Democracy; and

Whereas, On Thursday, the third day of July, on the eve of Independence Day, there arrived at the Doctor's Hospital to the wife of the Honorable Harry P. Voldow a bouncing baby boy, which added even more cause to the Honorable Harry P. Voldow for celebration; and

Whereas, It is a source of great pleasure to the Members of the House to observe the birth of future Legislators of the Commonwealth; be it therefore

Resolved, That the House of Representatives congratulates the Honorable Harry P. Voldow and his wife on the birth of a boy, and wishes the entire family a happy, long and successful journey throughout the future; and be it further

Resolved, That the Chief Clerk of the House mail a copy of this resolution to the happy couple as a token of the felicitations of the House of Representatives.

The SPEAKER. The Chair recognizes the gentleman from Philadelphia, Mr. Voldow.

Mr. VOLDOW. Mr. Speaker, I desire to thank the sponsors of the resolution and all of the other Members of the House for the very kind wishes expressed therein. Both mother and son are doing fine.

I might add for the benefit of the gentleman from Philadelphia, Mr. Rose, who has been teasing me at every turn as to my inability to produce a son, that I shall wait patiently to see what he can do for the defense of his country.

#### REPORTS FROM COMMITTEES

Mr. MODELL, from the Committee on Judiciary General, reported as committed, House Bill No. 1958, (Senate Bill No. 178) entitled:

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

Mr. READINGER, from the Committee on Judiciary General, reported as committed, House Bill No. 1933, (Senate Bill No. 726), entitled:

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

Mr. GOODWIN, from the Committee on Counties reported as amended House Bill No. 1775, (Senate Bill No. 46), entitled:

An Act to amend the title of and to add section one hundred fifty and one-tenth to 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 treasurer in counties of the first second third fourth fifth sixth seventh and eighth classes to appoint a solicitor and providing for his salary payable out of the treasury from which the county treasurer is paid

#### RECESS

The SPEAKER. If there is no objection the Chair is



about to declare a recess until 2:30 p. m. Is there objection? The Chair hears none and a recess is declared.

#### AFTER RECESS

The House reconvened at 2:30 p. m.  
The SPEAKER (Elmer Kilroy) in the Chair.

#### SENATE MESSAGE

##### SENATE BILLS FOR CONCURRENCE

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

SENATE BILL No. 933. (HOUSE BILL No. 1966).

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

Referred to the Committee on State Government.

SENATE BILL No. 1260. (HOUSE BILL No. 1967).

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 a certain route.

Referred to the Committee on Appropriations.

SENATE BILL No. 1281. (HOUSE BILL No. 1968).

A Joint Resolution Proposing an amendment to Article nine of the Constitution of the Commonwealth of Pennsylvania.

Referred to the Committee on Constitutional Amendments.

SENATE BILL No. 1282. (HOUSE BILL No. 1969).

An Act authorizing the Department of Property and

Supplies with the approval of the Governor and the Board of Trustees of the California State Teachers College to acquire a certain tract of land for the use of said college and making an appropriation.

Referred to the Committee on Appropriations.

SENATE BILL No. 229. (HOUSE BILL No. 1970).

An Act creating a commission to make a study and investigation of the laws governing and the practical operation of the parole and penal systems of this Commonwealth and other parole and penal systems defining its powers and duties and making an appropriation.

Referred to the Committee on Appropriations.

SENATE BILL No. 739. (HOUSE BILL No. 1971).

An Act making an appropriation to the Department of Forests and Waters for the use of the Valley Forge Park Commission in restoring and maintaining the original valley forge at Valley Forge Park.

Referred to the Committee on Appropriations.

SENATE BILL No. 932. (HOUSE BILL No. 1972).

An Act to further amend section eight hundred and six of the act approved the ninth day of April one thousand nine hundred and twenty-nine (P. L. 343) entitled "An act relating to the finances of the State government providing for the settlement assessment collection and lien of taxes bonus and all other accounts due the Commonwealth the collection and recovery of fees and other money or property due or belonging to the Commonwealth or any agency thereof including escheated property and the proceeds of its sale the custody and disbursement or other disposition of funds and securities belonging to or in the possession of the Commonwealth and the settlement of claims against the Commonwealth the resettling of accounts and appeals to the courts refunds of moneys erroneously paid to the Commonwealth auditing the accounts of the Commonwealth and all agencies thereof of all public officers collecting moneys payable to the Commonwealth or any agency thereof and all receipts of appropriations from the Commonwealth and imposing penalties affecting every department board commission and officer of the State government every political subdivision of the State and certain officers of such subdivisions every person association and corporation required to pay assess or collect taxes or to make returns or reports under the laws imposing taxes for State purposes or to pay license fees or other moneys to the Commonwealth or any agency thereof every State depository and every debtor or creditor of the Commonwealth" by changing and restricting the right of the Commonwealth to impose interest on unpaid tax and bonus when such tax and bonus are not settled within a certain period of time.

Referred to the Committee on State Government.

#### COMMUNICATIONS FROM THE GOVERNOR

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

##### APPROVAL OF HOUSE BILL No. 529

Commonwealth of Pennsylvania,  
Governor's Office, Harrisburg, July 8, 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. 529, Printer's No. 1048, entitled, "An act to further amend section 571 of the act approved the first day of May one thousand nine hundred thirty-three (P. L. 103), entitled 'An act concerning townships of the second class and amending revising con-

solidating and changing the law relating thereto' by providing that the tax collector shall give but one bond for the collection of township county and institution district taxes and changing the conditions of such bond."

ARTHUR H. JAMES.

#### APPROVAL OF HOUSE BILL No. 940

Commonwealth of Pennsylvania,  
Governor's Office, Harrisburg, July 8, 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. 940, Printer's No. 1022, entitled, "An act to amend section 1202 by adding thereto clause LX of the act approved the fourth day of May one thousand nine hundred twenty-seven (P. L. 519) entitled "An act concerning boroughs and revising amending and consolidating the law relating to boroughs' authorizing certain boroughs to appropriate moneys for the support of hospitals."

ARTHUR H. JAMES.

#### BILL ON FIRST READING

Mr. BENTLEY asked and obtained unanimous consent for House Bill No. 1833 to be read for the first time.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1833, entitled:

An Act to amend section five of the act, approved the twenty-ninth day of September, one thousand nine hundred thirty-eight (P. L. 53), entitled "An act relating to institutions of counties, cities, and institution districts for the care, maintenance and treatment of mental patients; providing for the transfer of such institutions to the Commonwealth; providing for the management and operation or closing and abandonment thereof, and the maintenance of mental patients therein, including the collection of maintenance in certain cases; providing for the retransfer of certain property to institution districts under certain circumstances; conferring and imposing upon the Governor, the Department of Welfare, the courts of common pleas and counties, cities and institution districts certain powers and duties; prohibiting cities, counties and institution districts from maintaining and operating institutions, in whole or in part, for the care and treatment of mental patients; and repealing inconsistent laws," by further prescribing certain rights of employes and officers of institutions acquired by the Commonwealth.

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

#### RESOLUTION

##### RECALLING HOUSE BILL No. 1837 FROM THE GOVERNOR

Messrs. BRADLEY and STANK offered the following resolution which was twice read, considered and adopted:

In the House of Representatives, July 8, 1941.

Resolved, (if the Senate concur), That House Bill No. 1837, Printer's No. 1077, entitled "An act to further amend clauses (6) and (7) of section two and section nine hundred eight of the act approved the twenty-eighth day of May, one thousand nine hundred and thirty-seven (P. L. 1053), entitled 'An act relating to the regulation of public utilities; defining as public utilities certain corporations, companies, associations, and persons, providing for the regulations 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, \* \* \*," 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,"

be recalled from the Governor for the purpose of amendment.

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

#### PERMISSION TO ADDRESS HOUSE

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

Mr. Speaker, I hold in my hand an editorial from the Johnstown Democrat pertaining to a question which is pertinent to a matter of vital interest that is now before the General Assembly. This editorial was written by a former Member of this House who I am sure we all know was one of the ablest Members of this General Assembly when he served here. This particular editorial is headed "Fire the Communists," and I quote from that editorial as follows:

"Some Pennsylvania teachers have been kicked out of their union because they are Communists. Unions have the power to expel when members go sour on their Americanism. Teachers who are kicked out of their unions because they are Communists should be kicked out of the schools because they are Communists. The people of Pennsylvania do not want Communists, "fellow travelers"—potential traitors—doing the teaching. The Commies, however, grin and say they are protected by the Teacher Tenure Act. The school boards are finding the Commies have the Teacher Tenure Law on their side.

"The Teacher Tenure Law should be amended to give school boards the right to fire instructors who run to subversive teaching. The teachers reply that they shouldn't be subjected to possible school board bigotry and narrow mindedness." Who are these teachers who have such a monopoly on patriotism that they can turn up their educated noses at school boards? When it comes to determining what is and what is not subversive teaching we should rather trust the school boards than the teachers. And we don't think so much of some school boards.

"There are bills in the possession of the House which, if enacted, would permit the various school boards to fire the Communists.

"It is argued that you can't tell what a teacher thinks and that teachers should not be dismissed unless they commit an "overt act"—throw a bomb or something like that. Perhaps you can't tell what a teacher thinks, but it is sometimes easy enough to tell what a teacher teaches. When a teacher's teachings ARE subversive the place for that teacher is out.

"Who is to tell whether a teacher's teachings are subversive?" asked the theoreticians. Right there is the nub of the whole business. The Communist teachers argue they are the ones who should pass judgment on their own teachings. Real Americans, however, would probably prefer the finding of the school board to that of the subversive teacher.

"But," say the teachers, "if the school boards are given the opportunity they will persecute innocent



teachers, they will engage in witch hunts, they will do all manner of improper things." Again we ask, who are these teachers? By what right do they say that school boards are wicked—or so dumb—while they are so pure and so wise?

"The Republican minority in the House favors the enactment of some bill—any bill—which will make it possible to drive the Communists out of the schools. The Democrats—so far—have been standing with the Communists. The Democrats in the House are making a mistake. A party that is afraid of a few Communist teachers isn't a party the people of this State are likely to trust very far or very long. The people are a bit touchy about their schools. And the people don't like Communists.

"The folks back home should tell their members of the General Assembly to amend the Teacher Tenure Act with sufficient vigor to make it possible for school boards to fire teachers who are Communists, and who never should have been hired in the first place. Democratic members of the House should force the hand of the House. If they decline to do so, the Republican Members should act.

"No Democratic or Republican Member of the General Assembly who refuses to vote in favor of kicking the Communists out of the schools should ever again be permitted to hold any public office in Pennsylvania. If the Democrats line up with the Communists they are creating a campaign issue that will lick them—and they will deserve to be licked."

Mr. Speaker, I think that editorial is very concise and very pertinent to a question of vital concern to the people of the Commonwealth of Pennsylvania now before this Session. As I utter these words there are within the walls of this House a great sprinkling of members of the Communist party who have come here and received all the benefits of democracy and all of the benefits provided for in the Constitution of the United States. Yet they believe in a philosophy that will provide for the overthrow of that form of government by the very Constitution that gives them the opportunities that they have under this democracy. I say that the vast majority of citizens of the Commonwealth are looking to this Legislature with anxious eyes and they are asking each Member of this General Assembly to stand up and be counted. They are insisting that we do something about this question and that we once and for all rid this state of the great scourge that has infested it and has foisted itself upon the clear thinking people of this Commonwealth.

#### FORMER MEMBER WELCOMED

The SPEAKER. The Chair welcomes to the House this afternoon a former member from Montour County, Judge Lloyd W. Welliver.

#### RESOLUTIONS

##### RECALLING HOUSE BILL No. 1203, FROM THE GOVERNOR

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

In the House of Representatives, July 8, 1941.

Resolved (if the Senate concur), That House Bill No. 1203, Printer's No. 612, entitled "An Act making an appropriation to the Jefferson Medical College of Philadelphia Pennsylvania for medical education,"

be recalled from the Governor for further consideration.

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

##### RECALLING HOUSE BILL No. 1106, FROM THE GOVERNOR

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

In the House of Representatives, July 8, 1941.

Resolved (if the Senate concur), That House Bill No. 1106, Printer's No. 1046, entitled "An Act making an appropriation to the Women's Medical College of Pennsylvania located at East Falls Philadelphia Pennsylvania,"

be recalled from the Governor for further consideration.

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

##### RECALLING HOUSE BILL No. 1066, FROM THE GOVERNOR

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

In the House of Representatives, July 8, 1941.

Resolved (if the Senate concur), That House Bill No. 1066, Printer's No. 978, entitled "An Act making an appropriation to the Trustees of the Hahnemann Medical College and Hospital of Philadelphia Pennsylvania,"

be recalled from the Governor for further consideration.

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

##### RECALLING HOUSE BILL No. 1083, FROM THE GOVERNOR

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

In the House of Representatives, July 8, 1941.

Resolved (if the Senate concur), That House Bill No. 1083, Printer's No. 614, entitled "An Act making an appropriation to the Trustees of Temple University at Philadelphia Pennsylvania,"

be recalled from the Governor for further consideration.

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

##### RECALLING HOUSE BILL No. 581, FROM THE GOVERNOR

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

In the House of Representatives, July 8, 1941.

Resolved (if the Senate concur), That House Bill No. 581, Printer's No. 976, entitled "An Act making an appropriation to the Department of Agriculture for laboratory research in the prevention of the transmission and in the cure of mastitis and Bang's disease in cattle,"

be recalled from the Governor for further consideration.

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

##### RECALLING HOUSE BILL No. 389, FROM THE GOVERNOR

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

In the House of Representatives, July 8, 1941.

Resolved (if the Senate concur), That House Bill No. 389, Printer's No. 339, entitled "An Act authorizing the Department of Property and Supplies with the approval of the Governor and the Board of Trustees of the Farview 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.

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

#### RECALLING HOUSE BILL No. 291, FROM THE GOVERNOR

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

In the House of Representatives, July 8, 1941.

Resolved (if the Senate concur), That House Bill No. 291, Printer's No. 1047, entitled "An Act making appropriations for aid to free public non-sectarian county libraries and for the purchase and transportation of books,"

be recalled from the Governor for further consideration.

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

#### RECALLING HOUSE BILL No. 90, FROM THE GOVERNOR

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

In the House of Representatives, July 8, 1941.

Resolved (if the Senate concur), That House Bill No. 90, Printer's No. 1041, entitled "An Act providing for the correction of the designation and title of all organizations of veterans of the Spanish American War in all present legislation affecting veterans by designating such organizations as The United Spanish War Veterans, Incorporated,"

be recalled from the Governor for the purpose of amendment.

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

#### STUDENTS OF WEST CHESTER STATE TEACHERS COLLEGE WELCOMED

The SPEAKER. The Chair welcomes to the House this afternoon students of the West Chester State Teachers College.

#### CONGRATULATORY RESOLUTION

Mr. HUNTLEY offered the following resolution and asked and obtained unanimous consent for its immediate consideration.

The resolution was read, considered and adopted:

In the House of Representatives, July 8, 1941.

Whereas, Today marks the 74th wedding anniversary of Mr. and Mrs. Samuel C. Parks of Howard Sidings, Pennsylvania; and

Whereas, Mr. Parks is a veteran of the war between the states and fought at Chancellorsville, and is the only living veteran of the Civil War residing in Cameron County; and

Whereas, In the book the "Story of the Sinamahone,"

Mr. Parks is described as one of the best raftsmen and hunters residing in Pennsylvania; and

Whereas, Mr. and Mrs. Parks have always carried out their duties as American citizens, and conscientiously voted at every election including the last one, in spite of their advancing years; and

Whereas, This happy and devoted couple stand as a living symbol to those who uphold the beauty and sanctity of marriage; be it therefore

Resolved, That the House of Representatives congratulates Mr. and Mrs. Parks on this, their 74th wedding anniversary, and directs the Chief Clerk to send a copy of this resolution to them, conveying the best wishes of the House of Representatives for many happy returns of the day.

#### RECESS

The SPEAKER. If there is no objection the Chair is about to declare a recess until 5 p. m. Is there objection? The Chair hears none and a recess is declared.

#### AFTER RECESS

The House reconvened at 5 p. m.

The SPEAKER (Elmer Kilroy) in the Chair.

#### COMMUNICATIONS FROM THE GOVERNOR

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

#### APPROVAL OF HOUSE BILL No. 1098

Commonwealth of Pennsylvania,  
Governor's Office, Harrisburg, July 8, 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. 1098, Printer's No. 1081, entitled:

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

ARTHUR H. JAMES.

#### APPROVAL OF HOUSE BILL No. 1167

Commonwealth of Pennsylvania,  
Governor's Office, Harrisburg, July 8, 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. 1167, Printer's No. 547, entitled, "An Act to amend section three hundred seventeen of the act approved the third day of June one thousand nine hundred and thirty-seven (P. L. 1225), entitled, 'An act concerning game and other wild birds and wild animals and amending revising consolidating and changing the law relating thereto' changing the provisions of said act as to the right of residents to hunt and trap without a license."

ARTHUR H. JAMES.

#### APPROVAL OF HOUSE BILL No. 1175

Commonwealth of Pennsylvania,  
Governor's Office, Harrisburg, July 8, 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. 1175, Printer's No. 1021, entitled, "An Act to amend section six hundred fifteen of the act approved the eighteenth day of May one thousand nine hundred and eleven (P. L. 309) entitled 'An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith' excepting certain repairs to school buildings from requirement of approval by State Council of Education."

ARTHUR H. JAMES.

#### APPROVAL OF HOUSE BILL No. 1259

Commonwealth of Pennsylvania,  
Governor's Office, Harrisburg, July 8, 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. 1259, Printer's No. 1035, entitled, "An Act authorizing the creation of and providing for and regulating the maintenance and operation of a county employees' retirement system in counties of the fourth class imposing certain charges on counties and fixing penalties."

ARTHUR H. JAMES.

#### APPROVAL OF HOUSE BILL No. 1263

Commonwealth of Pennsylvania,  
Governor's Office, Harrisburg, July 8, 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. 1263, Printer's No. 859, entitled, "An Act relating to the extradition of persons charged with crime and to make uniform the law with reference thereto."

ARTHUR H. JAMES.

#### APPROVAL OF HOUSE BILL No. 1483

Commonwealth of Pennsylvania,  
Governor's Office, Harrisburg, July 8, 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. 1483, Printer's No. 952, entitled, "An Act to repeal the act approved the sixteenth day of January one thousand seven hundred and ninety-nine (3 S m Laws page 338) entitled, 'An act to declare Frankford Creek a public highway.'"

ARTHUR H. JAMES.

#### RECESS

The SPEAKER. If there is no objection the Chair is about to declare a recess until 8:30 p. m. Is there objection? The Chair hears none and a recess is declared.

#### AFTER RECESS

The House reconvened at 8:30 p. m.  
The SPEAKER (Elmer Kilroy) in the Chair.

#### 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 8, 1941.

Resolved, (if the Senate concur), that House Bill No. 90, Printer's No. 1041, entitled "An Act providing for the correction of the designation and title of all organizations of veterans of the Spanish American War in all present legislation affecting veterans by designating such organizations as The United Spanish War Veterans, Incorporated,"

be recalled from the Governor for the purpose of amendment.

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 8, 1941.

Resolved (if the Senate concur), that House Bill No. 291, Printer's No. 1047, entitled "An Act making appropriations for aid to free public non-sectarian county libraries and for the purchase and transportation of books",

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 8, 1941.

Resolved (if the Senate concur), that House Bill No. 389, Printer's No. 339, entitled "An Act authorizing the Department of Property and Supplies with the approval of the Governor and the Board of Trustees of the Farview 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.

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 8, 1941.

Resolved (if the Senate concur), that House Bill No. 581, Printer's No. 976, entitled "An Act making an appropriation to the Department of Agriculture for laboratory research in the prevention of the transmission and in the cure of mastitis and Bang's disease in cattle",

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 8, 1941.

Resolved (if the Senate concur), that House Bill No. 1066, Printer's No. 978, entitled "An Act making an appropriation to the Trustees of the Hahnemann Medical College and Hospital of 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 8, 1941.

Resolved (if the Senate concur), that House Bill No. 1083, Printer's No. 614, entitled "An Act making an appropriation to the Trustees of Temple University 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 8, 1941.

Resolved (if the Senate concur), that House Bill No. 1106, Printer's No. 1046, entitled "An Act making an appropriation to the Women's Medical College of Pennsylvania located at East Falls 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 8, 1941.

Resolved (if the Senate concur), that House Bill No. 1203, Printer's No. 612, entitled "An Act making an appropriation to the Jefferson Medical College of Philadelphia Pennsylvania for medical education,"

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 8, 1941.

Resolved, (If the Senate concur), That House Bill No. 1837, Printer's No. 1077, entitled "An Act to further amend clauses (6) and (7) of section two and section nine hundred eight of the act approved the twenty-eighth day of May, one thousand nine hundred and thirty-seven, (P. L. 1053), entitled "An act relating to the regulation of public utilities; defining as public utilities certain corporations, companies, associations and persons, providing for the regulation of public utilities, including to a limited extent municipalities 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 vehicles and brokers in order to regulate effectively common carriers by motor vehicles; 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, \* \* \*, 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,"

be recalled from the Governor for the purpose of amendment.

## BILLS SIGNED BY SPEAKER

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

### SENATE BILL No. 171.

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

### SENATE BILL No. 263.

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

### SENATE BILL No. 401.

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

### SENATE BILL No. 459.

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

### SENATE BILL No. 463.

An Act to amend sections one and three of the act approved the tenth day of April one thousand nine hundred and twenty-nine (P. L. 478) entitled "Conferring authority on the Department of Highways or any county or township to enter upon private property adjacent to any public road or highway and place thereon snow fence between November first and April first of the succeeding year providing the method of ascertaining damages and payment of same by the authorities responsible for the maintenance of the said public road or highway to the owner of adjacent property and repealing certain acts" by including the Pennsylvania Turnpike Commission

### SENATE BILL No. 465.

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

### SENATE BILL No. 484.

An Act defining the rate of interest and fixing the rate



and the time from which interest shall begin to run on any award for damages for the taking of property in the construction or improvement of highways

SENATE BILL No. 508.

An Act to amend section two thousand three hundred twenty of the act approved the ninth day of April one thousand nine hundred and twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" by authorizing the State Council for the Blind to furnish certain aids and services to needy blind persons or persons with impaired vision for the purpose of restoring or improving their vision and authorizing the State Council for the Blind to accept and expend Federal moneys in furtherance of such purpose

SENATE BILL No. 597.

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

SENATE BILL No. 806.

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

SENATE BILL No. 934.

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

SENATE BILL No. 1040.

An Act to further amend section one of the act approved the eighth day of July one thousand nine hundred and nineteen (P. L. 737) entitled "A supplement to an act entitled 'An act to establish a Board of Commissioners of Navigation for the River Delaware and its navigable tributaries regulating their jurisdiction over ships vessels and boats and wharves piers bulkheads docks slips and basins and exempting cities of the first class from certain of its provisions and making an appropriation therefor' approved the eighth day of June Anno Domini one thousand nine hundred and seven authorizing and directing the commissioners to provide

and maintain a nautical school for the education and training of pupils from the various counties of the Commonwealth of Pennsylvania in the science and practice of navigation and making an appropriation for two years from the first day of June Anno Domini one thousand nine hundred and nineteen towards its maintenance" giving preference to applications for admission of sons of persons who served during any war in which the United States shall have engaged

Whereupon,

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

SENATE MESSAGE

HOUSE BILLS CONCURRED IN BY SENATE

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

HOUSE BILL No. 183.

An Act to amend section seven hundred two and to further amend section nine hundred five 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 establishment and maintenance of fire hydrants and fire hydrant water service and the levy of a special tax therefor with the assent of electors

HOUSE BILL No. 434.

An Act making an appropriation to the Pennsylvania Department of Highways for the improvement of roads and parking areas within the Daniel Boone Homestead

HOUSE BILL No. 1442.

An Act making an appropriation to the Department of Commerce out of the Motor License Fund for the proper conduct of a specific portion of its work

HOUSE BILL No. 223.

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

HOUSE BILL No. 1101.

An Act to amend section one thousand five hundred and one, and one thousand five hundred and eight 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." further regulating sewer connections and sewer district assessments in certain cases.

HOUSE BILL No. 1370.

An Act to amend section eighteen of article nineteen of the act approved the twenty-fifth day of June one thousand nine hundred and nineteen (P. L. 581), entitled "An act for the better government of cities of the first class of this Commonwealth" further regulating the removal discharge or reduction in pay or position of officers clerks and employes in the classified civil service

## HOUSE BILL No. 1501.

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

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

## SENATE MESSAGE

## AMENDED HOUSE BILL RECALLED FROM THE GOVERNOR CONCURRED IN BY SENATE

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

## HOUSE BILL No. 251.

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

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.

ALL BILLS REPORTED FROM COMMITTEE  
READ FIRST TIME

Mr. ACHTERMAN. Mr. Speaker, I move that all bills reported from committee as committed today be read for the first time.

The motion was agreed to.

Pursuant to the foregoing motion the following bills were read the first time:

## BILLS ON FIRST READING

The House proceeded to the first reading and consideration of House Bill No. 1962, (Senate Bill No. 1297), entitled:

An Act to validate and quiet the title to real estate in this Commonwealth conveyed to any person partnership or corporation authorized to hold such real estate by any alderman justice of the peace or magistrate where such alderman justice of the peace or magistrate has made acknowledgment of such conveyance before himself and is now deceased

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

The House proceeded to the first reading and consideration of House Bill No. 1958, (Senate Bill No. 173), entitled:

An Act to amend paragraph four of subsection (a) of section forty-one of the act approved the seventh day of June one thousand nine hundred seventeen (P. L. 447) entitled as amended "An act relating to the administration and distribution of the estates of decedents and of minors and of trust estates including the appointment bonds rights powers duties liabilities accounts discharge and removal

of executors administrators guardians and trustees herein designated as fiduciaries and administration and distribution of the estates of presumed decedents widow's and children's exemptions debts of decedents rents of real estate as assets for payment thereof the lien thereof sales and mortgages of real estate for the payment thereof judgments and executions therefor and the discharge of real estate from the lien thereof contracts of decedents for the sale or purchase of real estate legacies including legacies charged on land the discharge of residuary estates and of real estate from the lien of legacies and other charges the appraisal of real estate devised at a valuation the ascertainment of the curtilage of dwelling houses or other buildings devised the abatement and survival of actions and the substitution of executors and administrators therein the survival of causes of action and suits thereupon by or against fiduciaries investments by fiduciaries the organization of corporations to carry on the business of decedents the audit and review of accounts of fiduciaries refunding bonds transcripts to the court of common pleas of balances due by fiduciaries the rights powers and liabilities of nonresident and foreign fiduciaries the appointment bonds rights powers duties and liabilities of trustees durante absentia the recording and registration of decrees reports and other proceedings and the fees therefor appeals in certain cases and also generally dealing with the jurisdiction powers and procedure of the orphans' court in all matters relating to fiduciaries concerned with the estates of decedents" by validating deeds heretofore accepted by fiduciaries holding mortgages in certain cases:

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

The House proceeded to the first reading and consideration of House Bill No. 1933, (Senate Bill No. 726), entitled:

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

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

The House proceeded to the first reading and consideration of House Bill No. 1775, (Senate Bill No. 46), entitled:

An Act to amend the title of and to add section one hundred fifty and one-tenth to 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 treasurer in counties of the first second third fourth fifth sixth seventh and eighth classes to appoint a solicitor and providing for his salary payable out of the treasury from which the county treasurer is paid

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

PERMISSION GRANTED COMMITTEES TO MEET  
DURING SESSION

Mr. STANK asked and obtained permission for the Committee on Highways to meet during the session of the House, for the purpose of considering Senate Bills Nos. 526, 656 and 1283.

Mr. CHERVENAK asked and obtained permission for the Committee on Counties to meet during the session of the House for the purpose of considering Senate Bill No. 1041, (House Bill No. 1830).

## SENATE MESSAGE

## SENATE BILLS FOR CONCURRENCE

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



## SENATE BILL No. 1174 (HOUSE BILL No. 1973).

An Act to amend the act approved the twentieth day of May one thousand nine hundred and thirty-seven (P. L. 728), entitled "An act providing for the creation of a Board of Arbitration of Claims arising from contracts with the Commonwealth providing for and regulating the procedure in prosecuting claims before such board defining the powers of the board and fixing the compensation of members and employes thereof providing that the awards of such board shall be final providing for the payment of awards and authorizing an appropriation" as amended by providing for the payment of fees and expenses of the members of said board not properly chargeable as costs of proceedings before it further prescribing procedure and further defining the jurisdiction of said board.

Referred to the Committee on State Government.

## SENATE BILL No. 1306 (HOUSE BILL No. 1974).

An Act making an appropriation to the Trustees of the Pennsylvania State College for the use of the School of Mineral Industries.

Referred to the Committee on Appropriations.

## PERMISSION GRANTED COMMITTEE TO MEET DURING SESSION

Mr. HOLLAND asked and obtained permission for the Committee on Corporations and Industry to meet during the session of the House for the purpose of considering House Bills Nos. 1038 and 1040.

## REPORTS FROM COMMITTEES

Mr. GERARD, from the Committee on Corporations and Industry, reported as committed, House Bill No. 1398, entitled:

An Act to amend the act, approved the fifth day of May, one thousand nine hundred thirty-three (P. L. 289), entitled "An act relating to non-profit corporations; defining and providing for the organization, merger, consolidation, and dissolution of such corporations; conferring certain rights, powers, duties, and immunities upon them and their officers and members; prescribing the conditions on which such corporations may exercise their powers; providing for the inclusion of certain existing corporations of the first class within the provisions of this act; prescribing the terms and conditions upon which foreign nonprofit corporations may be admitted or may continue to do business within the Commonwealth; conferring powers and imposing duties on the courts of common pleas, prothonotaries of such courts, recorders of deeds, and certain State departments, commissions, and officers; authorizing certain local public officers and State departments to collect fees for services required to be rendered by this act; imposing penalties; and repealing certain acts and parts of acts relating to corporations," as amended, by changing certain provisions of the act relating to corporate names, by requiring certain certificates of the payment of taxes and other charges to be filed with the Department of State in certain cases, by making certain changes in the scope of the act and by making certain provisions relating to the filing of notices of changes of registered offices.

Mr. GERARD, from the Committee on Corporations and Industry, reported as committed, House Bill No. 1400, entitled:

An Act to amend the act, approved the fifth day of May, one thousand nine hundred thirty-three (P. L. 364), entitled "An act relating to business corporations; defining and providing for the organization, merger, con-

solidation, reorganization, winding up and dissolution of such corporations; conferring certain rights powers, duties and immunities upon them and their officers and shareholders; prescribing the conditions on which such corporations may exercise their powers; providing for the inclusion of certain existing corporations of the second class within the provisions of this act; prescribing the terms and conditions upon which foreign business corporations may be admitted, or may continue, to do business within the Commonwealth; conferring powers and imposing duties on the courts of common pleas, and certain State departments, commissions, and officers; authorizing certain State departments, boards, commissions, or officers to collect fees for services required to be rendered by this act; imposing penalties; and repealing certain acts and parts of acts relating to corporations," as amended, by changing certain provisions of the act relating to corporate names and requiring certificates of the payment of taxes and other charges to be filed with the Department of State in certain cases.

Mr. MARKS, from the Committee on Highways, reported as committed, House Bill No. 1949, (Senate Bill No. 1283), entitled:

A Supplement to the act approved the twenty-second day of June one thousand nine hundred and thirty-one (P. L. 595), 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 Warren.

Mr. McFALL, from the Committee on Counties, reported as committed, House Bill No. 1830, (Senate Bill No. 1041), entitled:

An Act to amend the title and section one of the act, approved the twenty-first day of May, one thousand nine hundred and twenty-three (P. L. 295), entitled "An act authorizing and empowering counties of the second class in this Commonwealth to acquire by lease, purchase, or condemnation proceedings any land within the county for the purpose of establishing and maintaining airdromes or aviation landing fields; providing for the procedure in case of condemnation, and the extent of title acquired; authorizing the lease by the county of portions of said land to individuals or corporations upon such terms as may be fixed, and the lease thereof to the Government of the United States upon nominal rental; authorizing and empowering the county to use land now owned by it for such purposes; and authorizing joint operation by said county and any city within the county of airdromes or aviation landing fields, where such city is authorized to establish and maintain the same," by extending the provisions of such act to all counties of this Commonwealth except counties of the eighth class.

Mr. HEATHERINGTON, from the Committee on Highways, reported as committed, House Bill No. 1947, (Senate Bill No. 526), entitled:

A Supplement to the act approved the first day of June one thousand nine hundred and thirty-three (P. L. 1172), entitled "An act establishing certain streets in boroughs and incorporated towns as State highways and providing for their construction and maintenance at the expense of the Commonwealth" establishing an additional route in the boroughs of South Langhorne Langhorne Manor and Langhorne Bucks County.

Mr. TROUT, from the Committee on Highways, reported

as committed, House Bill No. 1948, (Senate Bill No. 656), entitled:

A Supplement to the act approved the first day of June one thousand nine hundred and thirty-three (P. L. 1172) entitled "An act establishing certain streets in boroughs and incorporated towns as State highways and providing for their construction and maintenance at the expense of the Commonwealth" establishing an additional route in the borough of Sellersville Bucks County.

Pursuant to motion adopted this day the following bills were read the first time.

#### BILLS ON FIRST READING

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1398, entitled:

An Act to amend the act, approved the fifth day of May, one thousand nine hundred thirty-three (P. L. 289) entitled "An act relating to nonprofit corporations; defining and providing for the organization, merger, consolidation, and dissolution of such corporations; conferring certain rights, powers, duties, and immunities upon them and their officers and members; prescribing the conditions on which such corporations may exercise their powers; providing for the inclusion of certain existing corporations of the first class within the provisions of this act; prescribing the terms and conditions upon which foreign non-profit corporations may be admitted or may continue to do business within the Commonwealth; conferring powers and imposing duties on the courts of common pleas, prothonotaries of such courts, recorders of deeds, and certain State departments, commissions, and officers; authorizing certain local public officers and State departments to collect fees for services required to be rendered by this act; imposing penalties; and repealing certain acts and parts of acts relating to corporations," as amended by changing certain provisions of the act relating to corporate names, by requiring certain certificates of the payment of taxes and other charges to be filed with the Department of State in certain cases, by making certain changes in the scope of the act and by making certain provisions relating to the filing of notices of changes of registered offices.

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. 1400, entitled:

An Act to amend the act, approved the fifth day of May, one thousand nine hundred thirty-three (P. L. 364), entitled "An act relating to business corporations; defining and providing for the organization, merger, consolidation, reorganization, winding up and dissolution of such corporations; conferring certain rights, powers, duties and immunities upon them and their officers and shareholders; prescribing the conditions on which such corporations may exercise their powers; providing for the inclusion of certain existing corporations of the second class within the provisions of this act; prescribing the terms and conditions upon which foreign business corporations may be admitted, or may continue, to do business within the Commonwealth; conferring powers and imposing duties on the courts of common pleas, and certain State departments, commissions, and officers; authorizing certain State departments, boards, commissions, or officers to collect fees for services required to be rendered by this act; imposing penalties; and repealing certain acts and parts of acts relating to corporations," as amended, by changing certain provisions of the act relating to corporate names and requiring certificates of the payment of taxes and other charges to be filed with the Department of State in certain cases.

And said bill having been read at length the 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. 1949, (Senate Bill No. 1283), entitled:

A Supplement to the act approved the twenty-second day of June one thousand nine hundred and thirty-one (P. L. 595) 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 Warren.

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. 1830, (Senate Bill No. 1041), entitled:

An Act to amend the title and section one of the act, approved the twenty-first day of May, one thousand nine hundred and twenty-three (P. L. 295), entitled "An act authorizing and empowering counties of the second class in this Commonwealth to acquire by lease, purchase, or condemnation proceedings any land within the county for the purpose of establishing and maintaining airdromes or aviation landing fields; providing for the procedure in case of condemnation, and the extent of title acquired; authorizing the lease by the county of portions of said land to individuals or corporations upon such terms as may be fixed, and the lease thereof to the Government of the United States upon nominal rental; authorizing and empowering the county to use land now owned by it for such purposes; and authorizing joint operation by said county and any city within the county of airdromes or aviation landing fields, where such city is authorized to establish and maintain the same," by extending the provisions of such act to all counties of this Commonwealth except counties of the eighth class.

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

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1947, (Senate Bill No. 526), entitled:

A Supplement to the act approved the first day of June one thousand nine hundred and thirty-three (P. L. 1172) entitled "An act establishing certain streets in boroughs and incorporated towns as State highways and providing for their construction and maintenance at the expense of the Commonwealth" establishing an additional route in the boroughs of South Langhorne Langhorne Manor and Langhorne Bucks County.

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

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1948, (Senate Bill No. 656), entitled:

A Supplement to the act approved the first day of June



one thousand nine hundred and thirty-three (P. L. 1172) entitled "An act establishing certain streets in boroughs and incorporated towns as State highways and providing for their construction and maintenance at the expense of the Commonwealth" establishing an additional route in the borough of Sellersville Bucks County.

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

#### SUBSTITUTION OF COMMITTEE APPOINTMENT ON HOUSE RESOLUTION 105

The SPEAKER. The Chair wishes to announce a substitution in the appointment of the Committee on the part of the House on House Resolution 105. The Chair substitutes the gentleman from Philadelphia, Mr. Voorhees, with the gentleman from Philadelphia, Mr. Fletcher. The gentleman from Philadelphia, Mr. Voorhees, is out of the country and will not be able to serve on this Committee.

#### REPORT OF COMMITTEE TO INVESTIGATE HOUSING IN PHILADELPHIA

Mr. ROSENFELD. Mr. Speaker, I desire to offer the

report of the Committee to make a thorough study of the housing situation in Philadelphia, appointed pursuant to House Resolution No. 14, adopted February 24, 1941.

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

#### PERMISSION GRANTED COMMITTEE TO MEET DURING SESSION

Mr. REUBEN E. COHEN asked and obtained permission for the Committee on Judiciary Special to meet during the session of the House.

#### ADJOURNMENT

Mr. McLANAHAN. Mr. Speaker, I move that this House do now adjourn until Wednesday, July 9, 1941, at 12 m.

The motion was agreed to, and (at 10:58 p. m.) the House adjourned.