

interpretation of wills; to nuncupative wills; to the appointment of testamentary guardians; to spendthrift trusts; to forfeiture of devise or legacy in case of murder of testator; to elections to take under or against wills, and to the recording and registering of such elections and of decrees relative thereto, and to the fees therefor," by providing for forfeiture of the right to take property under the will of a murdered testator.

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

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 410, (House Bill No. 554), entitled:

An Act to amend section twenty-three of the act approved the seventh day of June, one thousand nine hundred and seventeen (Pamphlet Laws, 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 for forfeiture of the right to inherit or to take property of a murdered intestate under the said act.

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

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 537, (House Bill No. 579), entitled:

An Act relating to acknowledgements of written instruments and to make uniform the law with relation thereto.

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

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 892, (House Bill No. 522), entitled:

An Act making an appropriation to the Pennsylvania State College to advance the tobacco interest of this Commonwealth.

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

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 914, (House Bill No. 53), entitled:

An Act providing for the acquisition of the Admiral Peary Memorial Park, and for its management and development by the Pennsylvania Historical Commission; and making an appropriation.

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

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 1127, (House Bill No. 1328), entitled:

An Act to reenact and amend the title and the act, approved the twenty-ninth day of April, one thousand nine hundred thirty-seven (P. L. 526), entitled "An act pro-

viding for and regulating joint purchases by counties (other than counties of the first and second classes), cities of the third class, boroughs, towns, township, school districts, and poor districts," by including second class counties, within the provisions of the act.

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

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 1136, (House Bill No. 353), entitled:

An Act making an appropriation to the Department of Military Affairs for the maintenance and education of children of soldiers, sailors, marines, female field clerks, yeomen (female) and nurses who were killed in action or died during the World War and conferring certain duties upon, the State Veterans' Commission.

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

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 1150, (House Bill No. 1487), entitled:

An Act providing for the construction and maintenance by the Department of Forests and Waters with the advice of the Bushy Run Battlefield Commission, of a Bushy Run Museum Building on land owned by the Commonwealth in Westmoreland County; and making an appropriation.

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

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 1204, (House Bill No. 1511), entitled:

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

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

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 1234, (House Bill No. 1530), entitled:

An Act authorizing and directing the Department of Highways to erect and construct a bridge over the Lackawanna River between a point in or near the Borough of Blakely, Lackawanna County, and a point in or near the Borough of Olyphant in Lackawanna County and to provide the necessary approaches thereto; and making an appropriation.

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

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 1251, (House Bill No. 1835), entitled:

An Act creating a Highway Traffic Advisory Committee to the War Department of the United States of America; providing for its appointment; prescribing its powers and

duties; and by authorizing the use by the committee of the employes, equipment, supplies and facilities of certain State agencies.

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

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 1309, (House Bill No. 448), entitled:

An Act to further amend clause (e) of section seven and to amend the first paragraph of section nine of 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," by re-defining eligibility for assistance providing for appeals from certain decisions of the Department of Public Assistance to common pleas courts and imposing powers and duties on common pleas court.

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

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 1326, (House Bill No. 355), entitled:

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

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

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 1327, (House Bill No. 1952), entitled:

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

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

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 1332, (House Bill No. 1895), entitled:

An Act to amend section five of the act approved the fourth day of April one thousand nine hundred twenty-nine (P. L. 144) entitled "An act prescribing the powers and duties of the Department of Agriculture with regard to farm products providing for cooperation with the Department of Internal Affairs to establish standard receptacles for farm products authorizing the Department of Agriculture to establish and promulgate standards for the

grade and other classification of farm products and to promulgate regulations for the enforcement thereof defining farm products to include agricultural horticultural vegetable fruit and floricultural products of the soil live stock and meats wools hides poultry eggs dairy products nuts mushrooms and honey and providing penalties" by including certificate of the United States Department of Agriculture as evidence of grade and classification.

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

ADJOURNMENT

Mr. GELTZ. Mr. President, I move that the Senate do now adjourn until Thursday, July 10, 1941, at 3:00 o'clock, p. m., Eastern Standard Time.

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

The motion was agreed to.

The Senate adjourned at 11:59 o'clock, p. m., Eastern Standard Time until Thursday, July 10, 1941, at 3:00 o'clock, p. m., Eastern Standard Time.

HOUSE OF REPRESENTATIVES

WEDNESDAY, July 9, 1941

The House met at 12 m.

The SPEAKER (Elmer Kilroy) in the Chair.

PRAYER

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

Dear Lord and Master of us all and of all mankind, as we come into the closing days of this legislative session, may we remember that we are men. Help us to remain true, ever recalling the words of David, "Be thou strong therefore, and shew thyself a man." To remain strong, and to show ourselves as men, we must look to Thee. In the words of the poet we find our challenge this day:

Wanted—Men!
Men of vision,
Men of skill,
Men of purpose,
Men of will,
Men of valor,
Men of steel,
Men to serve
The public weal,
Wanted—Men!

Wanted—Men!
Men of wisdom,
Men of power,
Men of faith,
Who never cower,
Men to battle,
Men to do,
Men to lead
Our country through.
Wanted—Men!

O God, help each Representative to remember that he came here a Man—may he leave here, a better Man. In Christ's name we pray. 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. COOPER, unanimously agreed to, the further reading was dispensed with and the Journal approved.

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. 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. 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. 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. 251.

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

HOUSE BILL No. 1101.

An Act to amend sections 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 laws 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. 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. 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.

Whereupon,

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

SENATE MESSAGES

AMENDED SENATE BILL RECALLED FROM THE GOVERNOR RETURNED FOR CONCURRENCE

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

SENATE BILL No. 566.

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

Said bill having been recalled from the Governor for amendment, the vote had on final passage and third reading reconsidered in the Senate and the bill amended, in which amendments the concurrence of the House of Representatives is requested.

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

Amend Section 1, page 6, line 8, by inserting after the word "provided" the words "for a discharge of the charge from all of the land on which it was originally imposed"; also same page, line 12, by striking out the words "the whole of said tract of" and inserting in lieu thereof the words "all of the said."

On the question,

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

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

YEAS—180

Achterman,	Fletcher,	Longo,	Rose, S.
Auker,	Flynn,	Lovett,	Rosenfeld,
Baker,	Foor,	Lyons,	Royer,
Balthaser,	French,	Malloy,	Rush,
Bentley,	Gallagher,	Marks,	Sarge,
Bentzel,	Gates,	McClanaghan,	Sarra,
Boles,	Gerard,	McClester,	Scanlon,
Boney,	Gillan,	McDermott,	Schwab,
Boorse,	Gillette,	McDowell,	Serrill,
Bower,	Goodwin,	McFall,	Shaffer,
Bradley,	Gross,	McIntosh,	Shaw,
Breth,	Gryskewicz,	McKinney,	Shepard,
Bretherick,	Haberlen,	McSurdy,	Simons,
Brown,	Hall,	Melchiorre,	Skale,
Brunner, C. H.,	Hamilton,	Mihm,	Snyder,
Brunner, P. A.,	Hare,	Modell,	Sollenberger,
Burns,	Harkins,	Monks,	Sorg,
Burriss,	Harmuth,	Mooney,	Stank,
Cadwalader,	Harris,	Moran,	Stine,
Chervenak,	Heatherington,	Moul,	Stockham,
Chudoff,	Helm,	Muir,	Tate,
Cochran,	Hering,	Munley,	Thompson, E. F.,
Cohen, M. M.,	Herman,	Nagel,	Trout,
Cohen, R. E.,	Hersch,	Nunemacher,	Turner,
Cook,	Hewitt,	O'Brien,	Van Allsburg,
Cooper,	Hirsch,	O'Connor,	Verona,
Cordier,	Holland,	O'Dare,	Vincent,
Corrigan,	Huntley,	O'Mullen,	Vogt,
Croop,	Imbrie,	O'Neill,	Voldow,
Cullen,	James,	Owens,	Wagner,
Dalrymple,	Jefferson,	Petrosky,	Watkins,
Dennison,	Jones, G. E.,	Pettit,	Weingartner,
DiGenova,	Jone., P. N.,	Polaski,	Weiss,
Dix,	Kline,	Polen,	Welsh, E. B.,
Dolon,	Knoble,	Powers,	Williams,
D'Ortona,	Kolankiewicz,	Prosen,	Wood, L. H.,
Duffy,	Komorowski,	Rank,	Wood, N.,
Early,	Krise,	Rausch,	Woodring,
Elder,	Lee, E. A.,	Readinger,	Woodside,
Elliott,	Lelsey,	Reese, D. P.,	Wright,
Ely,	Leonard,	Reese, R. E.,	Yeakel,
Finestone,	Lesko,	Reynolds,	Yester,
Finnerty,	Levy,	Rhea,	Young,
Fisher,	Leydic,	Riley,	Kilroy,
Fiss,	Lichtenwalter,	Rooney,	Speaker.
Fleming,			

NAYS—0

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

Ordered, That the Clerk inform the Senate accordingly.

AMENDED HOUSE BILLS RETURNED FOR CONCURRENCE

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

HOUSE BILL No. 49.

An Act making an appropriation for the maintenance repair and improvement of the Port of Philadelphia

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

The SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

This bill was amended in the Senate, Printer's No. 973, It was again amended, Printer's No. 1097 and returned to the House in its original form, Printer's No. 582.

On the question,

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

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

YEAS—180

Achterman,	Fletcher,	Longo,	Rose, S.
Auker,	Flynn,	Lovett,	Rosenfeld,
Baker,	Foor,	Lyons,	Royer,
Balthaser,	French,	Malloy,	Rush,
Bentley,	Gallagher,	Marks,	Sarge,
Bentzel,	Gates,	McClanaghan,	Sarra,
Boles,	Gerard,	McClester,	Scanlon,
Boney,	Gillan,	McDermott,	Schwab,
Boorse,	Gillette,	McDowell,	Serrill,
Bower,	Goodwin,	McFall,	Shaffer,
Bradley,	Gross,	McIntosh,	Shaw,
Breth,	Gryskewicz,	McKinney,	Shepard,
Bretherick,	Haberlen,	McSurdy,	Simons,
Brown,	Hall,	Melchiorre,	Skale,
Brunner, C. H.,	Hamilton,	Mihm,	Snyder,
Brunner, P. A.,	Hare,	Modell,	Sollenberger,
Burns,	Harkins,	Monks,	Sorg,
Burriss,	Harmuth,	Mooney,	Stank,
Cadwalader,	Harris,	Moran,	Stine,
Chervenak,	Heatherington,	Moul,	Stockham,
Chudoff,	Helm,	Muir,	Tate,
Cochran,	Hering,	Munley,	Thompson, E. F.,
Cohen, M. M.,	Herman,	Nagel,	Trout,
Cohen, R. E.,	Hersch,	Nunemacher,	Turner,
Cook,	Hewitt,	O'Brien,	Van Allsburg,
Cooper,	Hirsch,	O'Connor,	Verona,
Cordier,	Holland,	O'Dare,	Vincent,
Corrigan,	Huntley,	O'Mullen,	Vogt,
Croop,	Imbrie,	O'Neill,	Voldow,
Cullen,	James,	Owens,	Wagner,
Dalrymple,	Jefferson,	Petrosky,	Watkins,
Dennison,	Jones, G. E.,	Pettit,	Weingartner,
DiGenova,	Jone., P. N.,	Polaski,	Weiss,
Dix,	Kline,	Polen,	Welsh, E. B.,
Dolon,	Knoble,	Powers,	Williams,
D'Ortona,	Kolankiewicz,	Prosen,	Wood, L. H.,
Duffy,	Komorowski,	Rank,	Wood, N.,
Early,	Krise,	Rausch,	Woodring,
Elder,	Lee, E. A.,	Readinger,	Woodside,
Elliott,	Lelsey,	Reese, D. P.,	Wright,
Ely,	Leonard,	Reese, R. E.,	Yeakel,
Finestone,	Lesko,	Reynolds,	Yester,
Finnerty,	Levy,	Rhea,	Young,
Fisher,	Leydic,	Riley,	Kilroy,
Fiss,	Lichtenwalter,	Rooney,	Speaker.
Fleming,			

NAYS—0

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

Ordered, That the Clerk inform the Senate accordingly.

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

HOUSE BILL No. 220.

An Act to amend section four 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 im-

provements on abutting property owners; regulating the replacement of certain facilities of public utility companies; prohibiting the opening of said streets after improvement without a permit, and providing penalty therefor; regulating the maintenance of detours; authorizing the increase of city indebtedness in certain cases; and appropriating money in the Motor License Fund for the purpose of this act," requiring the Department of Highways to take over structures bridges and viaducts on State Highways in cities of the second second class A and third class.

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

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

Amend the title, page 2, line 10, by striking out the word "requiring" and inserting in lieu thereof the word "authorizing"; also same page, line 12 of the title, by striking out at the end of said line the word "second".

Amend Section 1, page 3, line 26, by striking out the light-faced bracket before the word "except"; also same page, at the end of line 28, by striking out the light-faced bracket after the word "spanned"; also on page 4, at the beginning of line 1, by striking out the light-faced bracket before the word "length"; also same page, line 4, by striking out the light-faced bracket after the word "act"; also same page, lines 4 and 5, by striking out the words "not maintained by the city or county"; also same page, line 6, by striking out the light-faced brackets before and after the words "any other structures"; also same page, lines 6 and 7, by striking out the words "such structures bridges and viaducts"; also same page, line 8, by striking out the light-faced brackets before and after the word "city"; also same page, line 11, by inserting after the word "highways" the words "in cities of the second class A and third class"; also same page, line 12, by striking out at the end of said line the word "shall" and inserting in lieu thereof the word "may".

On the question,

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

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

YEAS—180

Achterman,	Fletcher,	Longo,	Rose, S.,
Auker,	Flynn,	Lovett,	Rosenfeld,
Baker,	Foor,	Lyons,	Royer,
Balthaser,	French,	Malloy,	Rush,
Bentley,	Gallagher,	Marks,	Sarge,
Boles,	Gates,	McClanaghan,	Sarraf,
Boney,	Gerard,	McClester,	Scanlon,
Boorse,	Gillan,	McDermott,	Schwab,
Bower,	Gillette,	McDowell,	Serrill,
Bradley,	Goodwin,	McFall,	Shaffer,
Breth,	Gross,	McIntosh,	Shaw,
Bretherick,	Gryskewicz,	McKinney,	Shepard,
Brown,	Haberlen,	McSurdy,	Simons,
Brunner, C. H.,	Hall,	Melchiorre,	Skale,
Brunner, P. A.,	Hamilton,	Mihm,	Snyder,
Burns,	Hare,	Modell,	Sollenberger,
Burris,	Harkins,	Monks,	Sorg,
Cadwalader,	Harmuth,	Mooney,	Stank,
Chervenak,	Harris,	Moran,	Stne,
Chudoff,	Heatherington,	Moul,	Stockham,
Cochran,	Helm,	Muir,	Tate,
Cohen, M. M.,	Hering,	Munley,	Thompson, B. F.,
Cohen, R. E.,	Herman,	Nagel,	Trout,
Cook,	Herscher,	Nunemacher,	Turner,
Cooper,	Hewitt,	O'Brien,	Van Allsburg,
Cordier,	Hirsch,	O'Connor,	Verona,
Corrigan,	Holland,	O'Dare,	Vincent,
Croop,	Huntley,	O'Mullen,	Vogt,
Cullen,	Imbrie,	O'Neill,	Voldow,
Dairyple,	James,	Owens,	Wagner,
Dennison,	Jefferson,	Petrosky,	Watkins,
DiGenova,	Jones, G. E.,	Pettit,	Weingartner,
	Jones, P. N.,	Polaski,	Weiss,

Dix,	Kilne,	Polen,	Welsh, E. B.,
Dolon,	Knoble,	Powers,	Williams,
D'Ortona,	Kolankiewicz,	Prosen,	Wood, L. H.,
Duffy,	Komorowski,	Rank,	Wood, N.,
Early,	Krise,	Rausch,	Woodring,
Elder,	Lee, T. H.,	Readinger,	Woodside,
Elliott,	Lelsey,	Reese, D. P.,	Wright,
Ely,	Leonard,	Reese, R. E.,	Yeakel,
Finestone,	Lesko,	Reynolds,	Yester,
Finnerty,	Levy,	Rhea,	Young,
Fisher,	Leydic,	Riley,	Kilroy,
Fiss,	Lichtenwalter,	Rooney,	Speaker.
Fleming,			

NAYS—1

Bentzel,

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

Ordered, That the Clerk inform the Senate accordingly.

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

HOUSE BILL No. 723.

An Act to further amend section fourteen of the act approved the eighteenth day of July one thousand nine hundred and seventeen (P. L. 1043) entitled "An act establishing a public school employees' retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing employes defining the uses and purposes thereof and the manner of payment therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon boards having the employment of public school employes exempting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties" extending the retirement provisions relating to former teachers to additional cases who separated from school service because of physical or mental disability prior to the first day of July one thousand nine hundred and nineteen.

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

The SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend Section 1, page 3, line 19, by striking out the word "teacher's" and inserting in lieu thereof the word "employee's"; also same page, line 24, by striking out the words "prior to the age of sixty-two years."

Amend Section 2, page 5, by striking out in lines 11 and 12 the words "on the first day of June one thousand nine hundred and forty-one" and inserting in lieu thereof the words "immediately upon final enactment."

On the question,

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

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

YEAS—180

Achterman,	Fleming,	Longo,	Rose, S.,
Auker,	Fletcher,	Lovett,	Rosenfeld,
Baker,	Flynn,	Lyons,	Royer,
Balthaser,	Foor,	Malloy,	Rush,
Bentley,	French,	Marks,	Sarge,
Bentzel,	Gallagher,	McClanaghan,	Sarraf,
Boles,	Gates,	McClester,	Scanlon,
Boney,	Gerard,	McDermott,	Schwab,
Boorse,	Gillan,	McDowell,	Serrill,
Bower,	Gillette,	McFall,	Shaffer,
Bradley,	Goodwin,	McIntosh,	Shaw,
Breth,	Gross,	McKinney,	Shepard,

Bretherick,	Gryskewicz,	McSurdy,	Simons,
Brown,	Haberlen,	Meichlorre,	Skale,
Brunner, C. H.,	Hall,	Mihm,	Snyder,
Brunner, P. A.,	Hamilton,	Modell,	Sollenberger,
Burns,	Hare,	Monks,	Sorg,
Burriss,	Harkins,	Mooney,	Stank,
Cadwalader,	Harmuth,	Moran,	Stine,
Chervenak,	Harris,	Moul,	Stockham,
Chudoff,	Heatherington,	Muir,	Tate,
Cochran,	Helm,	Munley,	Thompson, E. F.,
Cohen, M. M.,	Hering,	Nagel,	Trout,
Cohen, R. E.,	Herman,	Nunemacher,	Turner,
Cook,	Hersch,	O'Brien,	Van Allsburg,
Cooper,	Hewitt,	O'Connor,	Verona,
Cordier,	Hirsch,	O'Dare,	Vincent,
Corrigan,	Holland,	O'Mullen,	Vogt,
Croop,	Huntley,	O'Neill,	Voidow,
Cullen,	Imbrle,	Owens,	Wagner,
Dalrymple,	James,	Petrosky,	Watkins,
Dennison,	Jefferson,	Pettit,	Weingartner,
DiGenova,	Jones, G. E.,	Polaski,	Weiss,
Dix,	Jones, P. N.,	Polen,	Welsh, E. B.,
Dolon,	Kilne,	Powers,	Williams,
D'Ortona,	Knoble,	Prosen,	Wood, L. H.,
Duffy,	Kolankiewicz,	Rank,	Wood, N.,
Early,	Komorofski,	Rausch,	Woodring,
Elder,	Krise,	Readinger,	Woodside,
Elliott,	Lee, E. A.,	Reese, D. P.,	Wright,
Ely,	Lelsey,	Reese, R. E.,	Yeakel,
Finestone,	Leonard,	Reynolds,	Yester,
Finnerty,	Lesko,	Rhea,	Young,
Fisher,	Levy,	Riley,	Kilroy,
Fiss,	Leydic,	Rooney,	Speaker.
	Lichtenwalter,		

NAYS—0

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

Ordered, That the Clerk inform the Senate accordingly.

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

HOUSE BILL No. 1095.

An Act to further amend section six of the act, approved the fifth day of May, one thousand nine hundred and eleven (P. L. 198), entitled "An act to establish a county court for the county of Allegheny, and prescribing its powers and duties; regulating the procedure therein, and providing for the expenses thereof," by conferring upon said county court jurisdiction in certain civil actions transferred to it by the Court of Common Pleas of Allegheny County.

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

The SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend Section 1, page 2, line 6, by inserting after the word "County" the words "upon consent of counsel for all parties."

On the question,

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

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

YEAS—180

Achterman,	Fleming,	Lichtenwalter,	Rooney,
Auker,	Fletcher,	Longo,	Rose, S.,
Baker,	Flynn,	Lovett,	Rosenfeld,
Balthaser,	Foor,	Lyons,	Royer,
Bentley,	French,	Malloy,	Rush,
Bentzel,	Gallagher,	Marks,	Sarge,
Boles,	Gates,	McClanaghan,	Sarra,
Boney,	Gerard,	McClester,	Scanlon,
Boorse,	Gillan,	McDermott,	Schwab,

Bower,	Gillette,	McDowell,	Serrill,
Bradley,	Goodwin,	McFall,	Shaffer,
Breth,	Gross,	McIntosh,	Shaw,
Bretherick,	Gryskewicz,	McKinney,	Shepard,
Brown,	Haberlen,	McSurdy,	Simons,
Brunner, C. H.,	Hall,	Melchiorre,	Skale,
Brunner, P. A.,	Hamilton,	Mihm,	Snyder,
Burns,	Hare,	Modell,	Sollenberger,
Burriss,	Harkins,	Monks,	Sorg,
Cadwalader,	Harmuth,	Mooney,	Stank,
Chervenak,	Harris,	Moran,	Stine,
Chudoff,	Heatherington,	Moul,	Stockham,
Cochran,	Helm,	Muir,	Tate,
Cohen, M. M.,	Hering,	Munley,	Thompson, E. F.,
Cohen, R. E.,	Herman,	Nagel,	Trout,
Cook,	Hersch,	Nunemacher,	Turner,
Cooper,	Hewitt,	O'Brien,	Van Allsburg,
Cordier,	Hirsch,	O'Connor,	Verona,
Corrigan,	Holland,	O'Dare,	Vincent,
Croop,	Huntley,	O'Mullen,	Vogt,
Cullen,	Imbrle,	O'Neill,	Voidow,
Dalrymple,	James,	Owens,	Wagner,
Dennison,	Jefferson,	Petrosky,	Watkins,
DiGenova,	Jones, G. E.,	Pettit,	Weingartner,
Dix,	Jones, P. N.,	Polaski,	Weiss,
Doion,	Kilne,	Polen,	Welsh, E. B.,
D'Ortona,	Knoble,	Powers,	Williams,
Duffy,	Kolankiewicz,	Prosen,	Wood, L. H.,
Early,	Komorofski,	Rank,	Wood, N.,
Elder,	Krise,	Rausch,	Woodring,
Elliott,	Lee, E. A.,	Readinger,	Woodside,
Ely,	Lelsey,	Reese, D. P.,	Wright,
Finestone,	Leonard,	Reese, R. E.,	Yeakel,
Finnerty,	Lesko,	Reynolds,	Yester,
Fisher,	Levy,	Rhea,	Young,
Fiss,	Leydic,	Riley,	Kilroy, Speaker

NAYS—0

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

Ordered, That the Clerk inform the Senate accordingly.

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

HOUSE BILL No. 1611.

An Act creating a presumption of release or discharge of certain mortgages held by the Commonwealth and requiring the Department of Justice to enter satisfaction thereof at the cost of the property owners

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

The SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend the title, page 1, at the end of line 2, by striking out the word "requiring" and inserting in lieu thereof the word "empowering."

Amend Section 1, page 1, at the beginning of line 10, by striking out the word "shall" and inserting in lieu thereof the word "may."

On the question,

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

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

YEAS—180

Achterman,	Fleming,	Lichtenwalter,	Rooney,
Auker,	Fletcher,	Longo,	Rose, S.,
Baker,	Flynn,	Lovett,	Rosenfeld,
Balthaser,	Foor,	Lyons,	Royer,
Bentley,	French,	Malloy,	Rush,
Bentzel,	Gallagher,	Marks,	Sarge,
Boles,	Gates,	McClanaghan,	Sarra,
Boney,	Gerard,	McClester,	Scanlon,
Boorse,	Gillan,	McDermott,	Schwab,

Boney,	Gerard,	McClester,	Scanlon,
Boorse,	Gillan,	McDermott,	Schwab,
Bower,	Gillette,	McDowell,	Serrill,
Bradley,	Goodwin,	McFall,	Shaffer,
Breth,	Gross,	McIntosh,	Shaw,
Bretherick,	Gryskewicz,	McKinney,	Shepard,
Brown,	Haberien,	McSurdy,	Simons,
Brunner, C. H.,	Hall,	Melchiorre,	Skale,
Brunner, P. A.,	Hamilton,	Mibm,	Snyder,
Burns,	Hare,	Modell,	Sollenberger,
Burrils,	Harkins,	Monks,	Sorg,
Cadwalader,	Harmuth,	Mooney,	Stank,
Chervenak,	Harris,	Moran,	Stine,
Chudoff,	Heatherington,	Moul,	Stockham,
Cochran,	Helm,	Muir,	Tate,
Cohen, M. M.,	Hering,	Munley,	Thompson, E. F.,
Cohen, R. E.,	Herman,	Nagel,	Trout,
Cook,	Hersch,	Numemacher,	Turner,
Cooper,	Hewitt,	O'Brien,	VanAllsburg,
Cordier,	Hirsch,	O'Connor,	Verona,
Corrigan,	Holland,	O'Dare,	Vincent,
Croop,	Huntley,	O'Mullen,	Vogt,
Cullen,	Imbrie,	O'Neill,	Voldow,
Dairymples,	James,	Owens,	Wagner,
Dennison,	Jefferson,	Petrosky,	Watkins,
DiGenova,	Jones, G. E.,	Pettit,	Weingartner,
Dix,	Jones, P. N.,	Polaski,	Weiss,
Dolon,	Kline,	Polen,	Weish, E. B.,
D'Ortona,	Knoble,	Powers,	Williams,
Duffy,	Kolankiewicz,	Prosen,	Wood, L. H.,
Early,	Komorowski,	Rank,	Wood, N.,
Elder,	Krise,	Rausch,	Woodring,
Elliott,	Lee, E. A.,	Readinger,	Woodside,
Ely,	Leisey,	Reese, D. P.,	Wright,
Finestone,	Leonard,	Reese, R. E.,	Yeakel,
Finnerty,	Lesko,	Reynolds,	Yester,
Fisher,	Levy,	Rhea,	Young,
Fiss,	Leydic,	Riley,	Kilroy, Speaker

NAYS—0

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

Ordered, That the Clerk inform the Senate accordingly.

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

HOUSE BILL No. 1130.

An Act making an appropriation to the Department of Commerce towards expenses of the National Encampment in Philadelphia

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

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

Amend the title, page 1, line 3, by inserting after the word "Encampment" the words "of Veterans of Foreign Wars."

Amend Section 1, page 1, line 1, by striking out the word "twenty-five" and inserting in lieu thereof the word "ten"; also same page, line 2, by striking out the figures "\$25,000" and inserting in lieu thereof the figures "\$10,000."

On the question,

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

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

The motion was agreed to.

Ordered, That the Clerk inform the Senate accordingly.

The Clerk of the Senate being introduced, returned

bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 1176.

An Act making an appropriation out of the Motor License Fund to the Department of Highways for allocation to and expenditure in the second class townships of the Commonwealth for maintenance construction reconstruction resurfacing or improvement of township roads and bridges during the calendar year one thousand nine hundred forty-two and one thousand nine hundred forty-three permitting the use of the funds for maintenance and repair of township roads and bridges under certain conditions and providing for the method of payment to townships

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

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

Amend Section 1, page 1, line 2, by striking out the words and figures "ten million dollars (\$10,000,000)" and inserting in lieu thereof the words and figures "eight million five hundred thousand dollars (\$8,500,000)."

Amend Section 2, page 2, line 15, by inserting after the word "township" where it appears the second time in said line the words "Under the supervision and subject to the approval of the Department of Highways and in compliance with such rules and regulations which the Department of Highways may prescribe in carrying out the provisions of this act."

Amend Section 4, page 3, line 6, by inserting after the word "and" the words "in the event more than one foreman is required the Department of Highways may authorize the supervisors to appoint one or more additional foremen The Secretary of Highways shall have the right to remove any foreman so appointed for incompetency or for neglect or refusal to comply with the rules and regulations of the Department of Highways prescribed for the work under this act"; also same page, by striking out in lines 13 and 14 the words "may appoint one or more additional foremen if they shall deem it necessary so to do."

Amend Section 5, page 4, line 5, by inserting after the word "May" the word "August"; also same line by striking out the word "November" and inserting in lieu thereof the word "December"; also same page, lines 10 and 11, by striking out the words "approved for payment" and inserting in lieu thereof the word "paid."

On the question,

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

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

The motion was agreed to.

Ordered, That the Clerk inform the Senate accordingly.

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

HOUSE BILL No. 1729.

An Act to add section fourteen and one-tenth to the act approved the seventh day of August, one thousand nine hundred and thirty-six (P. L. 106), entitled as amended "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," authorizing the Secretary of Highways and the various political subdivisions, with the approval of the Water and Power Resources Board, to grant easements and flowage rights to the Federal Government, over certain highways, roads, streets and bridges.

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

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

Amend the title, page 1, at the beginning of line 1, by inserting after the word "To" the words "further amend section seven of and to"; also on page 2 of the title, line 3, by inserting after the word "Highways" the words "prohibiting the construction maintenance or operation of facilities works and improvements for the generation or development of power and"; also same page, line 8 of the title, by striking out after the word "streets" the word "and"; also same line by inserting after the word "bridges" the words "and adjacent lands."

Amend Section 1, page 2, line 1, by striking out after the figure "1" the word "The" and inserting in lieu thereof the words "That section seven of the"; also on page 3, by striking out in lines 1, 2 and 3 the words "by adding thereto after section fourteen a new section to read as follows" and inserting in lieu thereof the words "to read as follows"; also same page, by inserting after line 3 the following new paragraphs:

"Section 7 General Powers of Board Payment of Taxes by Commonwealth In order to carry into effect the official plans for any flood control district the board shall have power to clean out widen alter deepen or change the course current or channel of any river or stream to fill up any abandoned canal or water course to construct and maintain levees dikes walls revetments dams lakes reservoirs and other works and improvements deemed necessary to prevent floods and to control preserve and regulate the flow of rivers and streams to construct or enlarge bridges and viaducts to construct relocate and elevate public highways to construct any of said works and improvements across through or over any public highway canal railroad right of way or track to remove or change the location of any fence building railroad canal or other improvement to acquire by donation lease purchase or condemnation and own or hold in the name of the Commonwealth real and personal property and easements and the public works erected and constructed under the authority of this act Provided however That nothing contained in this act shall be construed to authorize the construction maintenance or operation of any facilities works or improvements for the development of water power

Whenever any lands or other property is acquired by the board to be used for reservoir purposes the board for the assessment and revision of taxes or the county commissioners of the county wherein the same is located shall immediately after such acquisition certify to the Auditor General the assessed valuation of such lands and other property at the time of such acquisition After such acquisition the taxing authority of each political subdivision within which such lands or other property is located shall from year to year at the time of their annual levy of taxes certify to the Auditor General the rate of their respective levies for the next year Thereupon the Auditor General shall ascertain the amount of taxes which would have been collected upon the assessed valuation certified as hereinbefore provided at the respective rates of the levies so certified Upon the ascertainment of such amounts the same shall be paid by the Commonwealth to the several political subdivisions from time to time from the General Fund

Section 2 That said act is hereby further amended by adding thereto after section fourteen a new section to read as follows"; also same page, at the end of line 11, by striking out the word "or"; also same page, at the beginning of line 12, by inserting after the word "lands" the words "adjacent thereto".

Amend Section 2, page 3, line 15, by striking out after the word "Section" the figure "2" and inserting in lieu thereof the figure "3".

On the question,

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

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

The motion was agreed to.

Ordered, That the Clerk inform the Senate accordingly.

PERMISSION GRANTED COMMITTEE TO MEET DURING SESSION

Mr. MELCHIORRE asked and obtained permission for the Committee on Law and Order to meet during the session of the House.

SENATE MESSAGE

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

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

HOUSE BILL No. 1526.

An Act to amend section two hundred seven of the act approved the twenty-fourth day of June one thousand nine hundred and thirty-one (P. L. 1206) entitled "An act concerning townships of the first class amending revising consolidating and changing the law relating thereto" further prescribing method by which second class townships may be classified as first class townships and providing for the costs and holding of special elections for that purpose.

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

The SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend Section 1, page 2, line 8, by inserting after the word "mile" the words "and after the filing of a petition signed by at least ten per centum of the registered voters of the township has been filed in the quarter sessions court"; also same page, line 22, by inserting after the word "the" the words "petitioners as the court may direct"; also same page, line 23, by striking out the word "township".

On the question,

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

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

The motion was agreed to.

Ordered, That the Clerk inform the Senate accordingly.

LEAVE OF ABSENCE

By unanimous consent leave of absence was granted as follows:

Mr. Paul A. Brunner for Mr. WOLF for today.
Mr. EARLY for himself after 3:30 p. m. today and tomorrow.

BILLS REPORTED FROM COMMITTEES READ FIRST TIME

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

The motion was agreed to.

REPORTS FROM COMMITTEES

Mr. SHEPARD, from the Committee on Law and Order, reported as committed, House Bill No. 1539, entitled:

An act to amend section two of the act, approved the second day of July, one thousand nine hundred and thirty-five (P. L. 599), entitled "An act relating to motion picture exhibitions and sound motion picture exhibitions, together with orchestral or other instrumental musical or mechanical musical accompaniment, prelude, playing, or selection in connection with or incidental thereto on Sunday; prohibiting motion picture exhibitions and sound motion picture exhibitions, and orchestral or other instrumental musical or mechanical musical accompaniment, prelude, playing, or selection incidental thereto on Sunday during certain hours, and also during other hours, unless the electors of a municipality approve thereof; regulating the employment of persons in conducting such exhibitions on Sunday; providing for referendums to ascertain the will of the electors; and providing penalties; and repealing inconsistent laws," by making it lawful for persons, copartnerships, associations, or corporations to conduct, stage, manage, operate or engage in motion picture exhibitions whether or not there be a charge of admission thereto, within a radius of ten miles of any army depot, military reservation or military encampment.

Mr. PRESLEY N. JONES, from the Committee on Judiciary Special, reported as committed, House Bill No. 1785, (Senate Bill No. 428), entitled:

An Act to amend section nine hundred and one of, and to add section nine hundred and one-tenth to, 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 limiting the offense of burglary to certain acts committed by night, and making entering buildings in the daytime, with intent to commit a felony therein, or breaking and entering buildings in the daytime, a felony.

Mr. SCANLON, from the Committee on Professional Licensure, re-reported as committed, House Bill No. 1813, entitled:

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

BILLS ON FIRST READING

Pursuant to the motion heretofore adopted the following bills were read for the first time,

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1539, entitled:

An Act to amend section two of the act, approved the second day of July, one thousand nine hundred and thirty-five (P. L. 599), entitled "An act relating to motion picture exhibitions and sound motion picture exhibitions, together with orchestral or other instrumental musical or mechanical musical accompaniment, prelude, playing, or selection in connection with or incidental thereto on Sunday; prohibiting motion picture exhibitions and sound motion picture exhibitions, and orchestral or other instrumental musical or mechanical musical accompaniment, prelude, playing, or selection incidental thereto on Sunday during certain hours, and also during other hours, unless the electors of a municipality approve thereof; regulating the employment of persons in conducting such exhibitions on Sunday; providing for referendums to ascertain the will of the electors; and providing penalties; and repealing inconsistent laws," by making it lawful for persons, copartnerships, associations or corporations to conduct, stage, manage, operate or engage in motion picture exhibitions whether or not there be a charge of admission thereto, within a radius of ten miles of any army depot, military reservation or military encampment.

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. 1785, (Senate Bill No. 428), entitled:

An Act to amend section nine hundred and one of, and to add section nine hundred and one-tenth to, 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 limiting the offense of burglary to certain acts committed by night, and making entering buildings in the daytime, with intent to commit a felony therein, or breaking and entering buildings in the daytime, a felony.

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

SENATE MESSAGES

AMENDED HOUSE BILLS RETURNED FOR CONCURRENCE

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

HOUSE BILL No. 361.

An Act making an appropriation to the City of Harrisburg to compensate members of the police force for the extra police protection afforded by the Harrisburg police force for the properties and activities of the Commonwealth within the Capital City

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

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

Amend Section 1, page 1, line 2, by striking out the words and figures "ten thousand dollars (\$10,000)" and inserting in lieu thereof the words and figures "five thousand dollars (\$5,000)".

On the question,

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

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

YEAS—180

- | | | | |
|-----------------|----------------|---------------|------------------|
| Achterman, | Fletcher, | Longo. | Rose, S. |
| Auker, | Flynn, | Lovett, | Rosenfeld, |
| Baker, | Foor, | Lyons, | Royer, |
| Balthaser, | French, | Malloy, | Rush, |
| Bentley, | Gallagher, | Marks, | Sarge, |
| Bentzel, | Gates, | McClanaghan, | Sarraf, |
| Boles, | Gerard, | McClester, | Scanlon, |
| Boney, | Gillan, | McDermott, | Schwab, |
| Boorse, | Gillette, | McDowell, | Serrill, |
| Bower, | Goodwin, | McFall, | Shaffer, |
| Bradley, | Gross, | McIntosh, | Shaw, |
| Breth, | Gryskewicz, | McKinney, | Shepard, |
| Bretherick, | Haberlien, | McSurdy, | Simons, |
| Brown, | Hall, | Melchiorre, | Skale, |
| Brunner, C. H., | Hamilton, | Mihm, | Snyder, |
| Brunner, P. A., | Hare, | Modell, | Sollenberger. |
| Burns, | Harkins, | Monks, | Sorg |
| Burriss, | Harmuth, | Mooney, | Stank, |
| Cadwalader, | Harris, | Moran, | Stine, |
| Chervenak, | Heatherington, | Moul, | Stockham. |
| Chudoff, | Helm, | Muir, | Tate, |
| Cochran, | Hering, | Munley, | Thompson, E. F., |
| Cohen, M. M., | Lerman, | Nagel, | Trout, |
| Cohen, R. E., | Hersch, | Nunemacher, | Turner, |
| Cock, | Hewitt, | O'Brien, | VanAillsburg, |
| Cooper, | Hirsch, | O'Connor, | Verona, |
| Cordier, | Holland, | O'Dare, | Vincent, |
| Corrigan, | Huntley, | O'Mullen, | Vogt, |
| Croop, | Imbrie, | O'Neill, | Voldow, |
| Cullen, | James, | Owens, | Wagner, |
| Dalrymple, | Jefferson, | Petrosky, | Watkins, |
| Dennison, | Jones, G. E., | Pettit, | Weingartner, |
| DiGenova, | Jones, P. N., | Polaski, | Weiss, |
| Dix, | Kline, | Polen, | Welsh, E. B., |
| Dolon, | Knoble, | Powers, | Williams, |
| D'Ortona, | Kolankiewicz, | Prosen, | Wood, L. H., |
| Duffy, | Komorofski, | Rank, | Wood, N., |
| Early, | Krise, | Rausch, | Woodring, |
| Elder, | Lee, E. A., | Readinger, | Woodside, |
| Elliott, | Lelsey, | Reese, D. P., | Wright, |
| Ely, | Leonard, | Reese, R. E., | Yeakel, |
| Finestone, | Lesko, | Reynolds, | Yester, |
| Finnerty, | Levy, | Rhea, | Young, |
| Fisher, | Leydic, | Riley, | Kilroy, |
| Fiss, | Lichtenwalter, | Rooney, | Speaker. |
| Fleming, | | | |

NAYS—0

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

Ordered, That the Clerk inform the Senate accordingly.

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

HOUSE BILL No. 639.

An Act requiring the Department of Property and Supplies, with the approval of the Department of Military Affairs to complete and thereafter maintain "The Twenty-eighth Division Shrine," at Boalsburg, Centre County; dedicating the same to the officers and men of the Twenty-eighth Division; and making an appropriation.

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

The SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend Section 2, page 2, line 6, by striking out the word "twenty-five" and inserting in lieu thereof the word "ten"; also same page, at the beginning of line 7, by striking out the numerals "\$25,000" and inserting in lieu thereof the numerals "\$10,000".

On the question,

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

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

YEAS—180

- | | | | |
|-----------------|---------------|------------------|------------------|
| Achterman, | Fleming, | Lichtenwalter, | Rose, S. |
| Auker, | Fletcher, | Longo, | Rosenfeld, |
| Baker, | Flynn, | Lovett, | Royer, |
| Balthaser, | Foor, | Lyons, | Rush, |
| Bentley, | French, | Malloy, | Sarge, |
| Bentzel, | Gallagher, | Marks, | Sarraf, |
| Boies, | Gates, | McClanaghan, | Scanlon, |
| Boney, | Gerard, | McClester, | Schwab, |
| Boorse, | Gillan, | McDermott, | Serrill, |
| Bower, | Gillette, | McDowell, | Shaffer, |
| Bradley, | Goodwin, | McFall, | Shaw, |
| Breth, | Gross, | McIntosh, | Shepard, |
| Bretherick, | Gryskewicz, | McKinney, | Simons, |
| Brown, | Haberlien, | McSurdy, | Skale, |
| Brunner, C. H., | Melchiorre, | McSurdy, | Snyder, |
| Brunner, P. A., | Mihm, | Melchiorre, | Sollenberger, |
| Burns, | Modell, | Sorg, | Stank, |
| Burriss, | Monks, | Stank, | Stine, |
| Cadwalader, | Mooney, | Stine, | Stockham, |
| Chervenak, | Moran, | Stockham, | Tate, |
| Chudoff, | Moul, | Tate, | Thompson, E. F., |
| Cochran, | Muir, | Thompson, E. F., | Trout, |
| Cohen, M. M., | Munley, | Trout, | Turner, |
| Cohen, R. E., | Nagel, | Turner, | VanAillsburg, |
| Cook, | Nunemacher, | VanAillsburg, | Verona, |
| Cooper, | O'Brien, | Verona, | Vincent, |
| Cordier, | O'Connor, | Vincent, | Vogt, |
| Corrigan, | O'Dare, | Vogt, | Voldow, |
| Croop, | O'Mullen, | Voldow, | Wagner, |
| Cullen, | O'Neill, | Wagner, | Watkins, |
| Dalrymple, | James, | Watkins, | Weingartner, |
| Dennison, | Petrosky, | Weingartner, | Weiss, |
| DiGenova, | Pettit, | Weiss, | Welsh, E. B., |
| Dix, | Polaski, | Williams, | Wood, L. H., |
| Dolon, | Polen, | Williams, | Wood, N., |
| D'Ortona, | Powers, | Wood, L. H., | Wood, N., |
| Duffy, | Prosen, | Wood, N., | Woodring, |
| Early, | Rank, | Woodring, | Woodside, |
| Elder, | Rausch, | Woodside, | Wright, |
| Elliott, | Readinger, | Wright, | Yeakel, |
| Ely, | Reese, D. P., | Yeakel, | Yester, |
| Finestone, | Reese, R. E., | Yester, | Young, |
| Finnerty, | Reynolds, | Young, | Kilroy, |
| Fisher, | Rhea, | Kilroy, | Speaker. |
| Fiss, | Riley, | Speaker. | |
| Fleming, | Rooney, | | |

NAYS—0

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

Ordered, That the Clerk inform the Senate accordingly.

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

HOUSE BILL No. 820.

An Act to amend section one of the act approved the second day of May one thousand eight hundred and ninety-nine (P. L. 184), entitled "An act to provide revenue by imposing a mercantile license tax on vendors of or dealers in goods wares and merchandise and providing for the collection of said tax" as amended exempting from the mercantile license tax so much of the business of manufacturers, and mechanics as comprises the vending of goods of their manufacture from their factories and workshops.

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

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

Amend the bill, page 1, by inserting after the title the following paragraph:

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

Amend Section 1, page 1, by striking out all of lines 1, 2 and 3 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"; also at the beginning of line 4 by inserting before the word "section" the words and figure "Section 1 That".

On the question,

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

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

YEAS—180

Achterman,	Fleming,	Longo,	Rose, S.,
Auker,	Mletcher,	Lovett,	Rosenfeld,
Baker,	Flynn,	Lyons,	Royer,
Balthaser,	Foor,	Malloy,	Rush,
Bentley,	French,	Marks,	Sarge,
Bentzel,	Gallagher,	McClanaghan,	Sarraf,
Boles,	Gates,	McClester,	Scanlon,
Boney,	Gerard,	McDermott,	Schwab,
Boorse,	Gillan,	McDowell,	Serrill,
Bower,	Gillette,	McFall,	Shaffer,
Bradley,	Goodwin,	McIntosh,	Shaw,
Breth,	Gross,	McKinney,	Shepard,
Bretherick,	Gryskewicz,	McSurdy,	Simons,
Brown,	Haberlen,	Melchiorre,	Skale,
Brunner, C. H.,	Hall,	Mihm,	Snyder,
Brunner, P. A.,	Hamilton,	Modell,	Sollenberger,
Burns,	Hare,	Monks,	Sorg,
Burris,	Harkins,	Mooney,	Stank,
Cadwalader,	Harmuth,	Moran,	Stine,
Chervenak,	Harris,	Moul,	Stockham,
Chudoff,	Heatherington,	Muir,	Tate,
Cochran,	Helm,	Munley,	Thompson, E. F.,
Cohen, M. M.,	Hering,	Nagel,	Trout,
Cohen, R. E.,	Herman,	Nunemacher,	Turner,
Cook,	Hersch,	O'Brien,	Van Allsburg,
Cooper,	Hewitt,	O'Connor,	Verona,
Cordier,	Hirsch,	O'Dare,	Vincent,
Corrigan,	Holland,	O'Mullen,	Vogt,
Croop,	Huntley,	O'Neill,	Voldow,
Cullen,	Imbrie,	Owens,	Wagner,
Dalrymple,	James,	Petrosky,	Watkins,
Dannison,	Jefferson,	Pettit,	Weingartner,
DiGenova,	Jones, G. E.,	Poiaski,	Weiss,
Dix,	Jones, P. N.,	Polen,	Welsh, E. B.,
Dolon,	Kline,	Powers,	Williams,
D'Ortona,	Knoble,	Prosen,	Wood, L. H.,
Duffy,	Kolankiewicz,	Rank,	Wood, N.,
Early,	Komorowski,	Rausch,	Woodring,
Elder,	Krise,	Readinger,	Woodside,
Elliott,	Lee, E. A.,	Reese, D. P.,	Wright,
Ely,	Leisey,	Reese, R. E.,	Yeakel,
Finestone,	Leonard,	Reynolds,	Yester,
Finnerty,	Lesko,	Rhea,	Young,
Fisher,	Levy,	Riley,	Kilroy,
Fiss,	Leydic,	Rooney,	Speaker.
	Lichtenwalter,		

NAYS—0

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

Ordered, That the Clerk inform the Senate accordingly.

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

HOUSE BILL No. 1466.

An Act to amend the act approved the third day of

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

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

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

Amend Section 2, page 8, line 9, by striking out the word "twenty-five" and inserting in lieu thereof the word "forty-three".

On the question,

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

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

The motion was agreed to.

Ordered, That the Clerk inform the Senate accordingly.

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

HOUSE BILL No. 1467.

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

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

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

Amend the bill, page 10, by inserting after line 4 the following new section:

Section 5 Subsection (a) of section twenty-nine of the said act is hereby amended to read as follows

Sectin 29 Change of Enrollment of Political Party Cancellation of Party Enrollment Persons Suffering Disability

After Registration to Have Fact Recorded Cancellation (a) At any time prior to the fifteenth day next preceding a primary or an election excepting the thirty days next following each election and the five days next following each primary any person who desires to change the enrollment of his political designation or who although registered has not hitherto enrolled as a member of a party may appear before a registrar commissioner or clerk and state in writing over his signature the political party in which he desires to be enrolled and the registrar commissioner or clerk shall cause the enrollment of the elector's political designation to be made or altered accordingly in the general and district registers In such cases the signature of the elector shall be verified by comparison with his signature on the general and district registers before the change of enrollment is made. If any elector desiring to change his party enrollment is unable to sign his application he shall make his mark thereto in the presence of the registrar commissioner or clerk and shall produce such other evidence as may be necessary to establish his identity When an elector has applied for a change in the enrollment of his political designation as provided herein the registrar commissioner or clerk shall upon request stamp or mark the change so made on the electors card attesting his registration Any person in military service who desires to change his party enrollment shall be permitted to do so by addressing a signed written request to the commission The request shall also contain a statement that such person is at the time of making the request absent from his residence in military service If upon examination the signature appears authentic the enrollment shall be changed in accordance with the request

Amend Section 5, page 11, line 13, by striking out the figure "5" and inserting in lieu thereof the figure "6".

Amend Section 6, page 13, line 1, by striking out the figure "6" and inserting in lieu thereof the figure "7".

Amend Section 7, page 13, line 12, by striking out the figure "7" and inserting in lieu thereof the figure "8".

On the question,

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

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

The motion was agreed to.

Ordered, That the Clerk inform the Senate accordingly.

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

HOUSE BILL No. 1468.

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

With the information that the Senate has passed the

same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend bill, page 12, by inserting after line 29 the following new section:

"Section 5 Subsection (a) of section twenty-nine of the said act is hereby amended to read as follows

Section 29 Change of Enrollment of Political Party Cancellation of Party Enrollment Persons Suffering Disability After Registration to Have Fact Recorded Cancellation (a) At any time prior to the fifteenth day next preceding a primary or an election excepting the thirty days next following each election and the five days next following each primary any person who desires to change the enrollment of his political designation or who although registered has not hitherto enrolled as a member of a party may appear before a registrar commissioner or clerk and state in writing over his signature the political party in which he desires to be enrolled and the registrar commissioner or clerk shall cause the enrollment of the elector's political designation to be made or altered accordingly in the general and district registers In such cases the signature of the elector shall be verified by comparison with his signature on the general and district registers before the change of enrollment is made If any elector desiring to change his party enrollment is unable to sign his application he shall make his mark thereto in the presence of the registrar commissioner or clerk and shall produce such other evidence as may be necessary to establish his identity When an elector has applied for a change in the enrollment of his political designation as provided herein the registrar Commissioner or clerk shall upon request stamp or mark the change so made on the elector's card attesting his registration Any person in military service who desires to change his party enrollment shall be permitted to do so by addressing a signed written request to the commission The request shall also contain a statement that such person is at the time of making the request absent from his residence in military service If upon examination the signature appears authentic the enrollment shall be changed in accordance with the request."

Amend Section 5, page 14, line 10, by striking out the figure "5" and inserting in lieu thereof the figure "6".

Amend Section 6, page 15, line 27, by striking out the figure "6" and inserting in lieu thereof the figure "7".

Amend Section 7, page 16, line 9, by striking out the figure "7" and inserting in lie thereof the figure "8".

On the question,

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

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

The motion was agreed to.

Ordered, That the Clerk inform the Senate accordingly.

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

HOUSE BILL No. 1469.

An Act to amend the act approved the twenty-fifth day of May one thousand nine hundred thirty-seven (P. L. 849), entitled "An act to provide for the permanent personal registration of electors in cities of the third class as a condition of their right to vote at elections and primaries and their enrollment as members of political parties as a further condition of their right to vote at primaries prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors and prescribing the powers and duties of citizens parties political bodies registration

commissions commissioners registrars inspectors of registration and other appointees of registration commissions county election boards election officers municipal officers departments and bureaus police officers courts judges prothonotaries sheriffs county commissioners peace officers county treasurers county controllers registrars of vital statistics certain public utility corporations real estate brokers rental agents and boards of school directors imposing penalties and repealing existing legislation" as amended by requiring and providing for the registration of persons in military service to entitle them to vote at any election.

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

The SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend bill, page 13, by inserting after line 4 the following new section:

"Section 5 Subsection (a) of section twenty-nine of the said act as amended by the act approved the ninth day of June one thousand nine hundred thirty-nine (P. L. 279), is hereby further amended to read as follows

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

Amend Section 5, page 14, line 17, by striking out the figure "5" and inserting in lieu thereof the figure "6."

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

Amend Section 7, page 18, line 17, by striking out the figure "7" and inserting in lieu thereof the figure "8."

On the question,

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

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

The motion was agreed to.

Ordered, That the Clerk inform the Senate accordingly.

The Clerk of the Senate being introduced, returned

bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 1919.

An Act to amend sections 103 301 304 305 307 308 310 311 401 402 403 404 405 410 501 502 503 505 503 508 510 511 512 513 703 801 802 803 804 807 808 809 904 1003 and 1101 of the act approved the twenty-eighth day of April one thousand nine hundred and thirty-seven (P. L. 417) entitled "An act relating to milk and the products thereof of creating a Milk Control Commission establishing its jurisdiction powers and duties regulating the production transportation manufacturing processing storage distribution delivery and sale of milk and certain products thereof providing for the licensing of milk dealers and the payment of fees therefor requiring milk dealers to file bonds to secure payment for milk to producers and certain milk dealers authorizing the holding of hearings and the issuance of subpoenas by the commission conferring jurisdiction upon courts to punish contempts and to prohibit violations of this act and of rules regulations and orders of the commission authorizing the commission to adopt rules regulations and orders; and to enter into interstate and Federal compacts requiring persons who weigh measure sample or test milk to procure permits or certificates to take examinations to pay fees therefor to furnish certain notices records and statements and to use certain methods of weighing measuring sampling and testing authorizing the commission to examine the business papers and premises of milk dealers and producers requiring the keeping of records and the filing of reports by milk dealers and permitting with limitations the use of information obtained thereby authorizing the commission to fix prices for milk and certain milk products subject to the approval of the Governor and conferring certain powers upon the Governor with respect thereto providing for appeals to the courts from decisions of the commission and for the burden of proof upon such appeals prescribing penalties fines and imprisonment for violations of this act and rules regulations and orders of the commission defining perjury defining remedies repealing legislation supplied and superseded by this act and saving rights duties and proceedings thereunder and making appropriations" by adding the term "handler" as a synonym for the term "milk dealer" defining the terms "handle" and "handler" extending the provisions of the act to those who handle milk by bailment brokerage consignment or purchase authorizing special agents or examiners to conduct hearings on behalf of the Milk Control Commission enabling certain officers employes and agents to administer oaths providing the method and effect of service of certain orders and the posting of rules regulations and certain orders enabling employes of the commission to photograph photostat mark or stamp for identification books and papers that they have inspected providing for action with milk control agencies of other states and of the United States in holding hearings and promulgating and enforcing orders requiring milk dealers or handlers to be licensed stating grounds for refusal suspension revocation of licenses and the right to transfer licenses stating grounds for refusal of the right to apply for a license stating the effect of service by registered mail enlarging requirements of milk dealers or handlers to file bonds to secure payment to producers and certain milk dealers or handlers prescribing the effective date and term of such bonds and providing for their release providing for the increase or decrease of the amounts of bonds prescribing the effect of orders and findings of fact of the commission relating to licenses in suit or bonds providing for payment to those entitled thereto of moneys in the hands of the commission owing from dealers or handlers to producers and from subdealers or subhandlers to dealers or handlers increasing the scope of regulation of subdealers or subhandlers making certain information available to cooperatives and producers group clarifying the requisites of orders fixing prices for milk providing for the competency of certain statistical testimony and data providing that all provisions of price-fixing orders shall be presumed to be valid and placing the burden of proving

any invalidity of any order or part thereof stating the effect of partial invalidity of price-fixing orders defining violations of orders of the commission fixing prices making milk dealers or handlers responsible for acts of their directors officers agents or other persons acting for or on behalf of them giving certain additional rights to co-operatives and producers' and farmers' unions or organizations of producers of milk further regulating and imposing duties on milk dealers or handlers prescribing procedure on appeal from orders of the commission further defining and prescribing penalties defense, rights and remedies and providing for the payment of funds in the hands of the commission owing producers or dealers or handlers to those entitled thereto

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

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

Amend the title, at the end of last line on page 3, by striking out the words "suit or" and inserting in lieu thereof the words "suits on".

Amend Section 4, page 11, line 9, by striking out the word "other" and inserting in lieu thereof the word "others".

Amend Section 15, page 25, at the beginning of line 16, by striking out after the word "in" the word "the" and inserting in lieu thereof the word "a".

Amend Section 26, page 34, line 6, by striking out the word "producers" and inserting in lieu thereof the word "producer".

On the question,

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

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

YEAS—180

Achterman,	Fleming,	Lichtenwalter,	Rooney,
Auker,	Fletcher,	Longo,	Rose, S.,
Baker,	Flynn,	Lovett,	Rosenfeld,
Balthaser,	Foor,	Lyons,	Royer,
Bentley,	French,	Malloy,	Rush,
Bentzel,	Gallagher,	Marks,	Sarge,
Boles,	Gates,	McClanaghan,	Sarraf,
Boney,	Gerard,	McClester,	Scanlon,
Boorse,	Gillan,	McDermott,	Schwab,
Bower,	Gillette,	McDowell,	Serrill,
Bradley,	Goodwin,	McFall,	Shaffer,
Breth,	Gross,	McIntosh,	Shaw
Bretherick,	Gryskewicz,	McKinney,	Shepard,
Brown,	Haberlen,	McSurdy,	Simons,
Brunner, C. H.,	Hall,	Melchiorre,	Skale,
Brunner, P. A.,	Hamilton,	Mihm,	Snyder,
Burns,	Hare,	Modell,	Sollenberger,
Burris,	Harkins,	Monks,	Sorg,
Cadwalader,	Harmuth,	Mooney,	Stank,
Chervenak,	Harris,	Moran,	Stine,
Chudoff,	Heatherington,	Moul,	Stockham,
Cochran,	Helm,	Muir,	Tate,
Cohen, M. M.,	Hering,	Munley,	Thompson, E. F.,
Cohen, R. E.,	Herman,	Nagel,	Trout,
Cook,	Hersch,	Nunemacher,	Turner,
Cooper,	Hewitt,	O'Brien,	VanAllsburg,
Cordier,	Hirsch,	O'Connor,	Verona,
Corrigan,	Holland,	O'Dare,	Vincent,
Croop,	Huntley,	O'Mullen,	Vogt,
Cullen,	Imbrie,	O'Neill,	Voldow,
Dalrymple,	James,	Owens,	Wagner,
Dennison,	Jefferson,	Petrosky,	Watkins,
DiGenova,	Jones, G. E.,	Pettit,	Weingartner,
Dix,	Jones, P. N.,	Polaski,	Welss,
Dolon,	Kilne,	Polen,	Welsh, E. B.,
D'Ortona,	Knoble,	Powers,	Williams,
Duffy,	Kolankiewicz,	Prosen,	Wood, L. H.,
Early,	Komorofski,	Rank,	Wood, N.,
Elder,	Krise,	Rausch,	Woodring,
Elliott,	Lee, T. H.,	Readinger,	Woodside,
Ely,	Lelsey,	Reese, D. P.,	Wright,
Flinstone,	Leonard,	Reese, R. E.,	Yeakel,

Finnerty,
Fisher,
Fliss,

Lesko,
Levy,
Leydic,

Reynolds,
Rhea,
Riley,

Yester,
Young,
Kilroy, Speaker

NAYS—0

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

Ordered, That the Clerk inform the Senate accordingly.

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

HOUSE BILL No. 1650.

An Act providing for the cooperation of the Commonwealth and certain political subdivisions thereof with the United States in respect to flood control projects authorizing the Secretary of Highways on behalf of the Commonwealth and the authorities of the various counties cities boroughs and townships with the approval of the Water and Power Resources Board to enter into certain agreements with and to grant and convey to the United States certain rights and easements in and relative to the highways streets roads and bridges thereof and lands bordering the same over which such governmental units may have control

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

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

Amend Section 2, page 3, by striking out in lines 7 to 11 inclusive the following: "and the United States shall not be liable for any damages resulting from personal injuries death or damage to property that may at any time result from the exercise of any right or easement granted under the provisions of this act".

On the question,

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

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

YEAS—180

Achterman,	Fleming,	Longo,	Rose, S.,
Auker,	Fletcher,	Lovett,	Rosenfeld,
Baker,	Flynn,	Lyons,	Royer,
Balthaser,	Foor,	Marks,	Rush,
Bentley,	French,	Malloy,	Sarge,
Bentzel,	Gallagher,	McClanaghan,	Sarraf,
Boles,	Gates,	McClester,	Scanlon,
Boney,	Gerard,	McDermott,	Schwab,
Boorse,	Gillan,	McDowell,	Serrill,
Bower,	Gillette,	McFall,	Shaffer,
Bradley,	Goodwin,	McIntosh,	Shaw,
Breth,	Gross,	McKinney,	Shepard,
Bretherick,	Gryskewicz,	McSurdy,	Simons,
Brown,	Haberlen,	Melchiorre,	Skale,
Brunner, C. H.,	Hall,	Mihm,	Snyder,
Brunner, P. A.,	Hamilton,	Modell,	Sollenberger,
Burns,	Hare,	Monks,	Sorg,
Burris,	Harkins,	Mooney,	Stank,
Cadwalader,	Harmuth,	Moran,	Stine,
Chervenak,	Harris,	Moul,	Stockham,
Chudoff,	Heatherington,	Muir,	Tate,
Cochran,	Helm,	Munley,	Thompson, E. F.,
Cohen, M. M.,	Hering,	Nagel,	Trout,
Cohen, R. E.,	Herman,	Nunemacher,	Turner,
Cook,	Hersch,	O'Brien,	Van Allsburg,
Cooper,	Hewitt,	O'Connor,	Verona,
Cordier,	Hirsch,	O'Dare,	Vincent,
Corrigan,	Holland,	O'Mullen,	Vogt,
Croop,	Huntley,	O'Neill,	Voldow,
Cullen,	Imbrie,	Owens,	Wagner,
Dalrymple,	James,	Petrosky,	Watkins,
Dennison,	Jefferson,	Pettit,	Weingartner,
DiGenova,	Jones, G. E.,	Polaski,	Welss,
Dix,	Jones, P. N.,	Polen,	Welsh, E. B.,
Dolon,	Kilne,	Powers,	Williams,
D'Ortona,	Knoble,	Prosen,	Wood, L. H.,
Duffy,	Kolankiewicz,	Rank,	Wood, N.,
Early,	Komorofski,	Rausch,	Woodring,
Elder,	Krise,	Readinger,	Woodside,
Elliott,	Lee, T. H.,	Reese, D. P.,	Wright,
Ely,	Lelsey,	Reese, R. E.,	Yeakel,
Flinstone,	Leonard,		

Dennison, DiGenova, Dix, Dolon, D'Ortona, Duffy, Early, Elder, Elliott, Ely, Finestone, Finnerty, Fisher, Fiss,	Jones, G. E., Jones, P. N., Kilne, Knoble, Kolankiewicz, Komorowski, Krise, Lee, T. H., Lelsey, Leonard, Lesko, Levy, Leydic, Lichtenwalter,	Polaski, Polen, Powers, Prosen, Rank, Rausch, Readinger, Reese, D. P., Reese, R. E., Reynolds, Rhea, Rilpy, Rooney,	Weiss, Weish, E. E., Williams, Wood, L. H., Wood, N., Woodring, Woodside, Wright, Yeakel, Yester, Young, Kilroy, Speaker.
--	---	---	---

NAYS—0

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

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

HOUSE BILL No. 1760.

An Act creating a commission to make a study and investigation of the various problems related to the surface subsidence frequently caused by the mining of anthracite coal directing such commission to make a report and recommendations to the General Assembly conferring certain powers upon such commission including the power to issue subpoenas administer oaths and affirmations retain employes and expend funds and making an appropriation

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

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

Amend Section 1, page 2, by inserting at the end of line 5 after the word "the" the words "Anthracite Subsidence Commission".

On the question,

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

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

YEAS—180

Achterman, Auker, Baker, Balthaser, Bentley, Bentzel, Boles, Boney, Boorse, Bower, Bradley, Breth, Bretherick, Brown, Brunner, C. H., Brunner, P. A., Burns, Burriss, Cadwalader, Chervenak, Chudoff, Cochran, Cohen, M. M., Cohen, R. E., Cook, Cooper, Cordier, Corrigan,	Fleming, Fletcher, Flynn, Foor, French, Gallagher, Gates, Gerard, Gillan, Gillette, Goodwin, Gross, Gryskewicz, Haberlien, Hall, Hamilton, Hare, Harkins, Harmuth, Harris, Heatherington, Helm, Hering, Herman, Hersch, Hewitt, Hirsch, Holland,	Lichtenwalter, Longo, Lovett, Lyons, Malloy, Marks, McClanaghan, McClester, McDermott, McDowell, McFall, McIntosh, McKinney, McSurdy, Melchiorre, Mihm, Modell, Monks, Mooney, Moran, Moul, Muir, Munley, Nagel, Nunemacher, O'Brien, O'Connor, O'Dare,	Rooney, Rose, S., Rosenfeld, Royer, Rush, Sarge, Sarraf, Scanlon, Schwab, Serrilli, Shaffer, Shaw, Shepard, Simons, Skale, Snyder, Sollenberger, Sorg, Stank, Stine, Stockham, Tate, Thompson, E. F., Trout, Turner, VanAllsburg, Verona, Vincenzo,
--	---	--	--

Croop, Cullen, Dalrymple, Dennison, DiGenova, Dix, Dolon, D'Ortona, Duffy, Early, Elder, Elliott, Ely, Finestone, Finnerty, Fisher, Fiss,	Huntley, Imbrle, James, Jefferson, Jones, G. E., Jones, P. N., Kilne, Knoble, Kolankiewicz, Komorowski, Krise, Lee, T. H., Lelsey, Leonard, Lesko, Levy, Leydic,	O'Mullen, O'Neill, Owens, Petrosky, Pettit, Polen, Polaski, Prosen, Rank, Rausch, Readinger, Reese, D. P., Reese, R. E., Reynolds, Rhea, Riley,	Vogt, Voldow, Wagner, Watkins, Weingartner, Weiss, Welsh, E. B., Williams, Wood, L. H., Wood, N., Woodring, Woodside, Wright, Yeakel, Yester, Young, Kilroy, Speaker
---	--	--	--

NAYS—0

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

Ordered, That the Clerk inform the Senate accordingly.

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

HOUSE BILL No. 1716.

An Act to further amend sections three and ten of the act approved the fifth day of May one thousand nine hundred and thirty-three (P. L. 284) entitled, as amended "An act imposing a State tax payable by those herein defined as manufacturers and by others on malt or brewed beverages used sold transported or delivered within the Commonwealth prescribing the method and manner of evidencing the payment and collection of such tax conferring powers and imposing duties on the Department of Revenue and those using or engaged in the sale at retail or wholesale or in the transportation of malt or brewed beverages taxable hereunder and providing penalties" by prescribing malt beverage tax rates for certain original containers or standard fractions thereof fixing a minimum quantity of malt or brewed beverages which may be sold in cases cartons or boxes and providing for refunds of tax for malt or brewed beverages sold to commissaries ship's stores and voluntary unincorporated organizations of the Army or of the Navy personnel operating under regulations promulgated by the Secretary of War or the Secretary of the Navy

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

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

Amend the title, by striking out the last line on page 1, as follows: "fixing a minimum quantity of malt or brewed bever."; also page 2 of the title by striking out all of line 1 as follows: "ages which may be sold in cases cartons or boxes."

Amend Section 1, page 4, by striking out all of lines 16 to 20 inclusive as follows:

"No manufacturer nor any person who brings malt or brewed beverages into the Commonwealth shall sell any malt or brewed beverages packed in any case carton or box unless such case carton or box shall contain not less than two hundred eighty-eight (288) fluid ounces."

On the question,

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

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

YEAS—180

Achterman,	Fleming,	Lichtenwalter.	Rooney,
Auker,	Fletcher,	Longo,	Rose, S.
Baker,	Flynn,	Lovett,	Rosenfeld,
Balthaser,	Foor,	Lyons,	Royer,
Bentley,	French,	Malloy,	Rush,
Bentzel,	Gallagher,	Marks,	Sarge,
Boles,	Gates,	McClanaghan,	Sarraf,
Boney,	Gerard,	McClester,	Scanlon,
Boorse,	Gillan,	McDermott,	Schwab,
Bower,	Gillette,	McDowell,	Serrill,
Bradley,	Goodwin,	McFall,	Shaffer,
Breth,	Gross,	McIntosh,	Shaw,
Bretherick,	Gryskewicz,	McKinney,	Shepard,
Brown,	Heberlen,	McSurdy,	Simons,
Brunner, C. H.,	Hall,	Melchiorre,	Skale,
Brunner, P. A.,	Kamilton,	Mihm,	Snyder,
Burns,	Hare,	Modell,	Sollenberger,
Burris,	Harkins,	Monks,	Sorg,
Cadwalader,	Harmuth,	Mooney,	Stank,
Chervenak,	Harris,	Moran,	Stine,
Chudoff,	Heatherington,	Moul,	Stockham,
Cochran,	Helm,	Muir,	Tate,
Cohen, M. M.,	Hering,	Munley,	Thompson, E. F.
Cohen, R. E.,	Herman,	Nagel,	Trout,
Cook,	Hersch,	Nunemacher,	Turner,
Coper,	Hewitt,	O'Brien,	VanAllsburg,
Cordier,	Hirsch,	O'Connor,	Verona,
Corrigan,	Holland,	O'Dare,	Vincent,
Croop,	Huntley,	O'Mullen,	Vogt,
Cullen,	Imbrie,	O'Neill,	Voidow,
Dalrymple,	James,	Owens,	Wagner,
Dennison,	Jefferson,	Petrosky,	Watkins,
DiGenova,	Jones, G. E.,	Pettit,	Weingartner,
Dix,	Jones, P. N.,	Polaski,	Weiss,
Dolon,	Kilne,	Folen,	Welsh, E. B.,
D'Ortona,	Knoble,	Powers,	Welsh, M. J.,
Duffy,	Kolankiewicz,	Prosen,	Wood, L. R.,
Early,	Komorofski,	Rank,	Wood, N.,
Elder,	Krise,	Rausch,	Woodring,
Elliott,	Lee, T. H.,	Readinger,	Woodside,
Ely,	Lelsey,	Reese, D. P.,	Wright,
Finestone,	Leonard,	Reese, R. E.,	Yeakel,
Finnerty,	Lesko,	Reynolds,	Yester,
Fisher,	Levy,	Rhea,	Young,
Fiss,	Leydic,	Riley,	Kilroy, Speaker

NAYS—0

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

Ordered, That the Clerk inform the Senate accordingly.

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

HOUSE BILL No. 1465.

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

tration of persons in military service before they shall be entitled to vote at any election.

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

The SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend the bill, page 13, at the beginning of line 4, by striking out the heavy-faced bracket before the word "Section"; also same page, at the end of line 29, by striking out the heavy-faced bracket after the word "and"; also on page 14, at the beginning of line 1, by striking out the heavy-faced bracket before the word "shall"; also same page, at the end of line 14, by striking out the heavy-faced bracket after the word "request".

Amend Section 5, page 14, line 15, by striking out the figure "5" and inserting in lieu thereof the figure "6".

Amend Section 6, page 16, line 3, by striking out the figure "6" and inserting in lieu thereof the figure "7".

Amend Section 7, page 16, line 14, by striking out the figure "7" and inserting in lieu thereof the figure "8".

On the question,

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

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

The motion was agreed to.

Ordered, That the Clerk inform the Senate accordingly.

SENATE MESSAGES

AMENDED SENATE BILLS NON-CONCURRED IN BY SENATE

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

SENATE BILL No. 561.

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

changing certain provisions of said act relating to removal notices providing for the manner of reckoning time imposing additional duties on certain city officers clarifying and coordinating certain provisions of said act and imposing additional penalties.

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

Ordered, That the Clerk inform the Senate accordingly.

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

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

HOUSE BILL No. 1488.

An act preserving the rights of persons enlisting or being inducted or drafted into the military or naval service of the United States during a national emergency under licenses or registrations issued by the Department of Public Instruction and brokers licenses issued by the Department of Insurance to practice professions or to work at trades or occupations and providing for renewals after discharge from such service

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

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

Amend Section 1, page 2, line 3, by inserting after the word "her" the word "current"; also same page by striking out in lines 3 to 6 inclusive the following: "nor shall he or she during such period of service be required to renew such license or registration in any case where annual or other periodic renewals are required."

On the question,

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

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

YEAS—180

Achterman,	Fleming,	Lichtenwalter,	Rose, S.
Auker,	Fletcher,	Longo,	Rosenfeld,
Baker,	Flynn,	Lovett,	Royer,
Baithaser,	Poor,	Lyons,	Rush,
Bentley,	French,	Malloy,	Sarge,
Bentzel,	Gallagher,	Marks,	Sarraf,
Boles,	Cates,	McClanaghan,	Scanlon,
Boney,	Gerard,	McClester,	Schwab,
Boorse,	Gillan,	McDermott,	Serrill,
Bower,	Gillette,	McDowell,	Shaffer,
Bradley,	Goodwin,	McFall,	Shaw,
Breth,	Gross,	McIntosh,	Saep:rd,
Bretherick,	Gryskewicz,	McKinney,	Simons,
Brown,	Haberlen,	McSurdy,	Skale,
Brunner, C. H.,	Hall,	Melchiorre,	Snyder,
Brunner, P. A.,	Hamilton,	Mihm,	Sollenberger,
Burns,	Hare,	Modell,	Sorg,
Burriss,	Harkins,	Monks,	Stank,
Cadwalader,	Harmuth,	Mooney,	Stine,
Chervenak,	Harris,	Moran,	Stockham,
Chudoff,	Heatherington,	Moul,	Tate,
Cochran,	Helm,	Muir,	Thompson, E. F.
Cohen, M. M.,	Hering,	Munley,	Trout,
Cohen, R. E.,	Herman,	Nagel,	Turner,
Cook,	Hersch,	Nunemacher,	VanAllsburg,
Cooper,	Hewitt,	O'Brien,	Verona,
Cordler,	Hirsch,	O'Connor,	Vincent,
Corrigan,	Holland,	O'Dare,	Vogt,
Croop,	Huntley,	O'Mullen,	Voldow,
Cullen,	Imbrie,	O'Neill,	Wagner,
Dalrymple,	James,	Owens,	Watkins,
		Petrosky,	Weingartner,

Dennison,	Jefferson,	Pettit,	Weiss,
DiGenova,	Jones, G. E.,	Polaski,	Weish, E. B.,
Dix,	Jones, P. N.,	Polen,	Williams,
Dolon,	Kline,	Powers,	Wood, L. H.,
D'Ortona,	Knoble,	Prosen,	Wood, N.,
Duffy,	Kolankiewicz,	Rank,	Woodring,
Early,	Komorofski,	Rausch,	Woodside,
Elder,	Krise,	Readinger,	Wright,
Elliott,	Lee, T. H.,	Reese, D. P.,	Yeakel,
Ely,	Lelsey,	Reese, R. E.,	Yester,
Finestone,	Leonard,	Reynolds,	Young,
Finnerty,	Lesko,	Rhea,	Kilroy,
Fisher,	Levy,	Riley,	Speaker.
Fiss,	Leydic,	Rooney,	

NAYS—0

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

Ordered, That the Clerk inform the Senate accordingly.

AMENDED SENATE BILL RECALLED FROM THE GOVERNOR RETURNED FOR CONCURRENCE

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

SENATE BILL No. 352.

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

Said bill having been recalled from the Governor for amendment, the vote had on final passage and third reading reconsidered in the Senate and the bill amended, in which amendments the concurrence of the House of Representatives is requested.

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

Amend Section 1, page 1, line 2, by inserting after the word "act" the words "unless a different meaning is plainly required by the context"; also same page, by inserting after line 8 the following paragraph:

"In all cases of doubt the board shall determine whether a person is an employe within the meaning of this act and its decision shall be final"; also on page 2, line 13, by striking out the word "any" and inserting in lieu thereof the word "said"; also same page, line 14, by striking out the words "county employe" and inserting in lieu thereof the word "member"; also same page, line 15, by striking out the words "member of the retirement system" and inserting in lieu thereof the words "county employe"; also same page, at the beginning of line 17, by striking out the word "any" and inserting in lieu thereof the word "said"; also same page, line 18, by striking out the words "county employe" and inserting in lieu thereof the word "member"; also same page, line 20, by striking out the word "any" and inserting in lieu thereof the word "said"; also on page 3, at the end of line 4, by inserting after the word "county" the words "and the interest earnings thereof"; also same page, at the end of line 6, by inserting after the word "contributor" the words "and the interest earnings thereof"; also same page, line 7, by striking out the word "State" and inserting in lieu thereof the word "county".

Amend Section 2, page 4, line 3, by striking out the word "day" and inserting in lieu thereof the word "Monday".

Amend Section 3, page 4, line 15, by inserting after the word "made" the words "by the commissioners".

Amend Section 8, page 7, line 12, by inserting after the word "members" the words "who have been at any time county employes"; also same page, same line, by striking out the words "January first" and inserting in lieu thereof the words "the first Monday of January"; also same page, line 16, by striking out the words "Jan-

uary first" and inserting in lieu thereof the words "the first Monday of January"; also same page, line 19, by striking out the words "January first" and inserting in lieu thereof the words "the first Monday of January".

Amend Section 11, page 9, line 2, by striking out the words "each year of total service" and inserting in lieu thereof the words "the number of years he has been a contributor".

Amend Section 14, page 10, at the beginning of line 28, by inserting after the syllable "plove" the words "and before reaching super-annuation retirement age"; also page 11, line 2, by inserting after the word "allowance" the words "consisting of a county annuity"; also same page, by striking out in lines 3 and 4 the words "be payable two-thirds from the county annuity reserve account" and inserting in lieu thereof the words "include the member's annuity calculated in accordance with the provisions of this act".

Amend Section 15, page 11, by striking out all of line 6 as follows: "able one-third from the members' annuity reserve account"; also same page, line 8, by striking out after the word "receiving" the word "a"; also same page, same line, by striking out after the word "total" the word "allowance" and inserting in lieu thereof the words "member's annuity payments"; also same page, line 12, by striking out the words "retirement allowance" and inserting in lieu thereof the words "member's annuity payments".

On the question,

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

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

YEAS—180

- | | | | |
|-----------------|----------------|----------------|-----------------|
| Achterman, | Fleming, | Lichtenwalter, | Rose, S., |
| Auker, | Fletcher, | Longo, | Rosenfeld, |
| Baker, | Flynn, | Lovett, | Royer, |
| Balthaser, | Foor, | Lyons, | Rush, |
| Bentley, | French, | Malloy, | Sarge, |
| Bentzel, | Gallagher, | Marks, | Sarraf, |
| Bolea, | Cates, | McClanaghan, | Scanlon, |
| Boney, | Gerard, | McClester, | Schwab, |
| Boorse, | Gillan, | McDermott, | Serrill, |
| Bower, | Gillette, | McDowell, | Shaffer, |
| Brazley, | Goodwin, | McFall, | Shaw, |
| Breth, | Gross, | McIntosh, | Shepard, |
| Brethorick, | Gryskewicz, | McKinney, | Simons, |
| Brown, | Haberlen, | McSurdy, | Skale, |
| Brunner C. H., | Hall, | Malchiorre, | Snyder, |
| Brunner, P. A., | Hamilton, | Mihm, | Sollenberger, |
| Burns, | Hare, | Modell, | Sorg, |
| Burrils, | Harkins, | Monks, | Stank, |
| Cadwalader, | Harmuth, | Mooney, | Stine, |
| Chervenak, | Harris, | Moran, | Stockham, |
| Chudoff, | Heatherington, | Moul, | Tate, |
| Cochran, | Helm, | Muir, | Thompson, E. F. |
| Cohen, M. M., | Hering, | Munley | Trout, |
| Cohen, R. E., | Herman, | Nagel, | Turner, |
| Cook, | Hersch, | Nunemacher | VanAllsburg, |
| Cooper, | Hewitt, | O'Brien, | Verona, |
| Cordier, | Hirsch, | O'Connor, | Vincent, |
| Corrigan, | Holland, | O'Dare, | Vogt, |
| Croop, | Huntley, | O'Mullen, | Voidow, |
| Cullen, | Imbrie, | O'Neill, | Wagner, |
| Dalrymple, | James, | Owens | Watkins, |
| Dennison, | Jefferson, | Petrosky, | Weingartner, |
| DiGenova, | Jones, G. E., | Pettit, | Weiss, |
| Dix, | Jones, P. N., | Polaski, | Welsh, E. B., |
| Dolon, | Kline, | Polen, | Williams, |
| D'Ortona, | Knoble, | Powers, | Wood, L. H., |
| Duffy, | Kolankiewicz, | Prosen, | Wood, N., |
| Early, | Komorofski, | Rank, | Woodring, |
| Elder, | Krise, | Rausch, | Woodside, |
| Elllott, | Lee, T. H., | Readinger, | Wright, |
| Elv, | Leisey, | Reese, D. P., | Yeakel, |
| Finestone, | Leonard, | Reese, R. E., | Yester, |
| Finnerty, | Lesko, | Reynolds, | Young, |
| Fisher, | Levy, | Rhea, | Kilroy, |
| Fiss, | Leydic, | Riley, | Speaker. |
| | | Rooney, | |

NAYS—0

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

Ordered, That the Clerk inform the Senate accordingly.

PERMISSION GRANTED COMMITTEE TO MEET DURING SESSION

Mr. CORRIGAN asked and obtained permission for the Committee on Motor Vehicles to meet during the session of the House.

HOUSE MESSAGES

AMENDED SENATE BILL NON-CONCURRED IN BY SENATE

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

SENATE BILL No. 24.

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

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

The motion was agreed to.

Ordered, That the Clerk inform the Senate accordingly.

SENATE BILL FOR CONCURRENCE

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

SENATE BILL No. 1215 (HOUSE BILL No. 1975)

A Supplement to the act, approved the sixteenth day of June, one thousand nine hundred forty-one (Appropriation Acts, No. 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".

Referred to the Committee on Appropriations.

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.

BILLS ON SECOND READING

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1096, entitled:

An Act to regulate the practice of general contracting in Pennsylvania; to establish a State Registration Board for Contractors, and to define its powers and duties; to provide the method of obtaining a certificate of registration to engage in the practice of general contracting, and to fix

fees for such certificates; to dispose of the moneys raised; to provide the method of suspension and cancellation of such certificate of registration; and to prescribe the punishment for violation of the provisions of this act.

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. 1882, entitled:

An Act to amend section seven of the act, approved the sixteenth day of May, one thousand nine hundred twenty-nine (P. L. 1780), entitled "An act to fix the salaries and compensation of the judges of Supreme Court, the judges of the courts of common pleas, the judges of the orphans' courts, the judges of the Municipal Court of Philadelphia, and the judges of the County Court of Allegheny County," by increasing salaries of certain judges.

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. 792, entitled:

An Act to add sections 418 419 420 421 422 and 423 to 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 making unlawful certain acts designated to incite counsel or advocate racial or religious hatred and imposing penalties

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

Ordered, To be transcribed for a third reading.

Agreeably to order,

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

An Act to further amend the act approved the fifth day of December one thousand nine hundred thirty-six (P. L. 1937 page 2897) entitled "An act establishing a system of unemployment compensation to be administered by the Department of Labor and Industry and its existing and newly created agencies with personnel (with certain exceptions) selected on a civil service basis requiring employers to keep records and make reports and certain employers to pay contributions based on payrolls to provide moneys for the payment of compensation to certain unemployed persons providing procedure and administrative details for the determination payment and collection of such contributions and the payment of such compensation providing for cooperation with the Federal Government and its agencies creating certain special funds in the custody of the State Treasurer and prescribing penalties" by providing therein as to the replacement of certain moneys received pursuant to the provisions of Section three hundred two of the Federal Social Security Act as amended

And said bill having been read at length the 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), Fisher's No. 553, was passed over at the request of the SPEAKER.

BILLS ON SECOND READING

Agreeably to order,

The House proceeded to the second 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 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 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. 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 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. 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 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. 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 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. 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 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. 1962, (Senate Bill No. 1297), entitled:

An Act to validate 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 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. 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 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 and 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 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. 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 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. 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 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. 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

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. 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 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. 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 594) entitled "An act establishing certain township roads as State highways authorizing their construction maintenance and improvement under certain conditions and restrictions limiting the obligation of the Commonwealth in the construction of certain structures located on such highways conferring certain powers upon the Department of Highways and local authorities persons associations and corporations for sharing the cost of the maintenance and construction of such highways and making an appropriation to carry out the provisions of said act" establishing an additional route in the County of Warren

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. 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 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. 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 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. 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 second time and agreed to,

Ordered, To be transcribed for a third reading.

PERMISSION TO ADDRESS HOUSE

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

Mr. Speaker, an article appeared in one of the papers referring to the amendments to House Bill No. 413, and I therefore should like to read a very brief statement:

Whereas, the Democratic leadership in the House has at last announced that it will embody certain amendments in House Bill 413, pertaining to subversive activities of employes; and

Whereas, this decision has only been reached after months of prodding on the part of the press, the citizens of the Commonwealth, and the Republican Party, and

Whereas, after months of opposition the Democratic leadership in the House has agreed to consider amendments which have been offered by myself; and

Whereas, it is stated in the papers that the majority leader, the gentleman from Monroe, Mr. Achterman, has said that amendments to the said House Bill No. 413 would "rightfully receive the label of the Democratic Party and not the name of Ellwood Turner"; and

Whereas, this is but another indication of the "peanut" and shortsighted politics played during this session by the Democratic leadership in the House; and

Whereas, it is of greater interest to me to preserve our American form of government and to protect our school children from subversive and un-American

teachings than to have my name placed on the amendments or to have them labeled with my name;

Therefore, I, Ellwood J. Jurner, representative in the General Assembly from the Second District of Delaware County, do hereby grant, assign and give unto the "little men" of the Democratic Party any title that I may have to certain amendments heretofore offered by me or which were prepared by me in conjunction with Francis X. McClanaghan, of Philadelphia, and which I will present to the House when House Bill No. 413 is taken from the table;

And Further, I do pray that by this assignment a lesson may be taught to certain Democrats that their Country should come before their Party, and that the best way to destroy their Country, as well as their Party, is to sympathize with and protect these subversive groups.

PERMISSION TO ADDRESS HOUSE

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

Mr. Speaker, in reply to the gentleman from Delaware, may I state that of course it is very courteous and kind of him to make an assignment of amendments that he has proposed. Unfortunately may I say in due course of time he will learn that we have not accepted the particular assignments, but have proceeded on our own theory in relation to amendments to House Bill No. 413.

I notice that the gentleman, particularly in his amendments suggested to House Bill No. 413 has included certain phrases Naziism, Facism and Communism, without any particular effort to define what they were. I could think of many things that I could add to those particular "isms." I could think of Chamberlainism, for instance. I have not forgotten that the party to which the gentleman belongs, by their activity in Washington have shown, not all of them, but a large percentage of them, that they do belong to that particular "ism." I say to the gentleman from Delaware that that particular "ism" has undoubtedly caused more damage, and has caused more disruption and has affected the United States infinitely more than the "ism" that the gentleman has been crying to heaven about. That does not mean for a minute that we espouse or condone the other "isms", but I too wish that while the gentleman from Delaware is on the subject and while he discusses it that he keep in mind those of his party, for instance, who are creating real damage to the united front of the American nation by their very activities of appeasement.

And when we were talking about "isms" I was thinking of McClureism. I think that is a very interesting subject, one that the gentleman from Delaware ought to wave the flag about. Perhaps he will find that some of the "isms" that he is complaining about may owe their existence to the very fact that McClureism does work in certain parts of this Commonwealth.

Speaking of tearing down the nation and tearing down the government, I can point out and designate to the gentleman from Delaware many "isms" that perhaps should receive his very careful and kindly attention, and then, Mr. Speaker, I say that certainly we will not need any assignments from the gentleman from Delaware on those "isms" that he is so quiet about.

PERMISSION TO ADDRESS HOUSE

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

Mr. Speaker, this reminds me again of the efforts of the party on the other side to hide behind the issues. Time and time again gentlemen get up on the other side and try to change the subject so that they will not have to face the issues before this House. And that, Mr. Speaker, is what the gentleman has done this time. He is afraid to go before the people of this Commonwealth and the Members of this House of Representatives on the record of his party on the Red bills in this House this session, and the gentleman well knows it, so he hides behind other subjects and hopes to draw a red herring across the path so that the people of Pennsylvania will not see the actions of his party on the Red bills during this session.

What have they tried to do with this bill that is before us now? First, they tried to kill it. They delayed it and held it in committee thinking that they could give it a peaceful burial there. Then the public of Pennsylvania, the newspapers, the Press rose up against them. They could not withstand the flood of public opinion, and they had to put it out on the floor of this House.

And then what happened? They tried to kill it by amendments. They put amendments in it that required you to throw a bomb before you could be subject to prosecution under the bill. Then they came along and tried to kill it by delay. We come now right up to the very end of the session and they are still playing around with it, and I venture to say, Mr. Speaker, that from this moment on every effort will be made by the Members on that side of the House to kill the effectiveness of this bill as well as all other Red bills.

Oh, they will throw a smoke screen; they will try to make out that that is not the real issue, but time and time again on this bill and on every bill that had anything to do with this subject before the House of Representatives the record of the party on the other side will stand and will show that they have every interest against these bills to protect the people of Pennsylvania and the school children of Pennsylvania from these subversive teachings and subversive activities.

I could recite instance after instance of the various bills before this house, and the various amendments, and every time, without a single exception, where they could sabotage this Red legislation they have done so—every time without a single exception.

Where they could ruin any legislation upon this subject, where they could kill any legislation on this subject they did so. What was the only single item taken out of the General Appropriations bill? It was an appropriation to investigate and prosecute subversive activities.

Mr. Speaker, I am not going to take the time of the House to go down the long list of bills which have been killed in the Democratic Committees, but I say to them, face the issue as the people of Pennsylvania would like you to face it, and do not try to draw a red herring across the path.

They talk about the Republican party and appeasement. Who is the head of the appeasement movement in Washington? It seems to me it is a Democratic Senator, but that is beside the issue, that has nothing to do with the record of the Democratic party in Pennsylvania, and I say to you when history is written it will show that the Democratic party in Pennsylvania listened to the people who belonged to the Reds and Pinks, and when the history of this session is written it will be the most disgraceful record of killing all legislation to prevent subversive activities

of any legislature or any law-making body that the country has ever known.

PERMISSION TO ADDRESS HOUSE

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

Mr. Speaker and members of the House, let it be known first of all that I am speaking for myself. I have no authority to speak for anybody else or any party. When the record is written, let it be written upon facts and not upon our excitement, not upon passion and not upon our prejudices.

Let us look at the record. The gentleman from Delaware, for whom I have the highest regard and the highest respect, reads to us the Constitution on the one hand, and then presents amendments in the nature of ex-post-facto law on the other hand. When I call attention to that fact, we are the Reds, I am a Red; the newspaper published an article that "the Reds are given another chance".

Now, let us look at the record, and I challenge any man in the House to look at the record and see if we have done one thing that violates not only the letter of the law but the spirit of the law. I contend, and I maintain, and I challenge anyone to refute this statement: we cannot live in this Commonwealth, we cannot live in these United States if we are to live by the letter of the law only. We must live by the spirit of the law. I am opposed to Communism, Fascism and Naziism, whether it rears its head in the country of Bach, Beethoven and Schubert, or in the land of Dante, Columbus and the rest of them, or in the House of Representatives of the Commonwealth of Pennsylvania. I say the greatest challenge to fascism is right here in the Commonwealth of Pennsylvania, when a person who says that he believes in the Constitution of Pennsylvania, wants to pass laws in conformity with the Constitution, which is the only power we have in this Commonwealth, will read the Constitution on the one hand and present an amendment that is an ex-post-facto law on the other hand.

I challenge the gentleman from Dauphin, Mr. Woodside to look at the record. What did we do? We attempted to bring these laws into conformity with the letter and the spirit of the Constitution. Let me read you what a Bill of Attainder is; this is from Corpus Juris, Article 12 Section 820: "A Bill of Attainder is a legislative act which inflicts punishment without a judicial trial". The Constitution of the Commonwealth says the court shall be open and no man who shall suffer injury either to his goods, lands, liberty or his reputation shall be denied due process of law.

I ask this question, and I challenge the gentlemen on the other side or any place else, when you pass a bill in this legislature that inflicts punishment upon a man's liberty and does not give him the right of a judicial trial you are passing in spirit a Bill of Attainder, and those of us who think those laws should not pass are labeled as Reds.

I say to you, Mr. Speaker, that I knew the path some of us would have to face would be a difficult and an almost impossible one because of the wave of hysteria, but I say to you, regardless of that path, which has been paved with tissues of lies, false statements and innuendoes,

I challenge here and now any member of this House to look at the record of House Bill 602, dealing with some of the most fundamental principals we have in a democratic form of government. Other countries have had other forms of government similar to ours; others claimed that their form of government was superior to ours but in no country have there been the fundamental principles upon which democracy rests as in this country, that is the right of suffrage, the right to choose officials of this Commonwealth and other states of the union, who shall judge you, who shall rule you in the community, and who shall protect you. What does the Constitution of the United States say as to that? I do not think I can quote it entirely, but in substance Article 1, Section 5 provides that the right of suffrage shall remain free and open, and no acts, military or civil, shall ever be passed to infringe upon that provision.

Mr. Speaker, what does House Bill 602 do? What does House Bill 602 say? It states if you want to get a political party on a ballot you must go to the Department of Elections in your county. If you are refused you can go to the Secretary of the Commonwealth, and if you are refused there you can go to a Committee of the Secretary of the Commonwealth, the Attorney General and the Governor,—no judicial officer anywhere along the line. If you are refused there you have the right to appeal within two days to the Dauphin County courts. What is your appeal to the courts? Only on those matters submitted by the Committee! I believe somewhere in the bill it was provided that the committee should not be bound by legal evidence.

What did we do in that bill? We struck out that provision; we did not change any other part of the bill, but we simply struck out that provision and said that the party aggrieved shall have the right to appeal de novo to the Dauphin County Court, and from the decision of the Dauphin County Court to the Superior Court or the Supreme Court as the case might be. Is that Red-ism? I say to you, Mr. Speaker, that the wave of hysteria denying and tearing down our constitutional rights here far exceeds any dangers that we may have from the outside. This ex-post-facto idea of legislation inflicting punishment and denying trial by a court seems to me to be Hitlerism worse than anything which could be resurrected from depth of Hell. I challenge any Member of the House to point to the record and see where in the record anything has been done by myself or by any Member on this side that would in any way infringe or violate not only the letter of the law, because we recognize that some of these acts as I said in my speech on the floor of the House may not be absolutely within the letter of the law, but when you violate the spirit of the law you are violating the letter of the law just the same.

Mr. Speaker, there is another matter that I desire to touch upon and that is the law of natural justice which we violate in some of these acts, which allows a man to be an accuser and also sit in judgement upon those whom he accuses. It violates not only the spirit of the law and the letter of the law but the natural law as well. I say to you, Mr. Speaker, speaking for myself, and I hope my Democratic colleagues will agree with me, if any man can point to anything that has been done in connection with this bill that will in any way infringe or violate the Constitution of Pennsylvania or the Constitution of the United States, or would violate the law of natural

justice, I am willing here and now to offer my resignation as a member of the General Assembly of the Commonwealth of Pennsylvania.

Mr. TURNER. Mr. Speaker, I would under ordinary circumstances fail to rise after the very eloquent speech of the gentleman from Allegheny, Mr. Brown, but the difficulty with the gentleman from Allegheny, Mr. Brown, is that he is perfectly right generally and almost always in the law that he states. He is perfectly right in that what he has attempted to write, or has written into the bills, is perfectly within the Constitution of Pennsylvania and the Constitution of the United States, but the trouble with the gentleman from Allegheny, Mr. Brown, as I see it is that the gentleman from Allegheny, Mr. Brown, fails to realize that there is a higher law, a higher obligation, which has been recognized by the courts everywhere, the right of a nation to defend itself.

Freedom of speech does not mean unbridled license to do everything that we particularly of our own volition desire to do. We are constantly restrained by acts of the Legislature and by Federal statutes. The gentleman from Allegheny, Mr. Brown, as I said a while ago, is generally right in his statement of the law. Throughout all these debates he has been particularly right and I can concur with him one hundred percent in everything he has said about the Constitution of the United States. He has read it exactly and he has read it literally, but the trouble is that interpretations have been put upon it by the courts in many cases, and Mr. Brown, has failed to go as far as the courts have gone. My complaint with the gentleman from Allegheny, Mr. Brown, has been continuously, as I said the other day, with the high regard I have for him, that he is trying to stick so close to the letter of the law, he is trying to stick to such a strict construction of the law and of the Constitution that I cannot go along with him in the times that we have now and the times that are before us.

In this instance when the gentleman from Allegheny, Mr. Brown, seeks to take me to task for an ex-post-facto provision which he said was in an amendment which I presented, the gentleman from Allegheny, Mr. Brown, I think is misstating the law, because according to Bouvier's Law Dictionary, Volume 1, page 1104, you will find

"It is fully settled that the term ex-post-facto as used in the Constitution is to be taken in its limited sense as referring to criminal or penal statutes alone, and that the policy, the reason and the humanity of the prohibition against passing ex-post-facto laws do not extend to civil cases, to cases that merely affect the private property of citizens."

This is not a penal or a criminal statute. This is a law pertaining to the employment of people who are paid out of public funds and the employment of people who are hired by the government, which we say they are trying to tear down. If there is anything unconstitutional in our contention that this Commonwealth has a right, that the taxpayers have a right, that we here in the Legislature have a right to say to these people who are being paid out of the public till, from public funds of the very government they are seeking to tear down, that we cannot take them off our rolls if we feel that their beliefs and their teachings and the things that they advocate are contrary to our concepts and the concepts of this government of ours as it has been understood for one hundred

fifty years and interpreted by the courts of our country, then it seems to me, we have come on a sorry day and we might as well tear the old ensign down and go down as the Republic of France did go down through degradation and slavery.

We have a higher right to protect the nation, a right that transcends anything else, and in the words of Chief Justice Holmes, "The right of freedom of speech must be limited by the circumstances." That does not mean you can say anything you please.

I had not intended, Mr. Speaker, to go into a debate on this general proposition of the Red bills, I merely recited a statement made to the newspapers by the gentleman from Monroe, Mr. Achterman; I merely recited the fact that he said they were going to have amendments that were Democratic rather than those that were offered in my name, and I merely wanted to make a gift to him and if in any way my name to these amendments is going to hold up or delay or prevent passage of the legislation, if you have to commit anarchy or treason in order that you could be fired off the payroll, I make an assignment and gladly erase my name from these amendments.

I am serious about this matter. Today is the twenty-fourth birthday of two boys of mine who were born on July 9, 1917. One of them is out here in Indiantown Gap. He gave up a lucrative job; he expects and I expect, and I think you all know that it is likely to be another five years before he picks up his life again at twenty-nine. He is a private getting \$21 a month out there, ambitious to be an officer; going to school, subject to regimentation and the things you have to undergo in the Army. Tomorrow his brother leaves for Indiantown Gap. He is a second lieutenant in the Reserve Corps. Those boys are going there in the service of their country. Am I going to stand here in the Legislature and say to my boys: "Give up the next five years of your life"? The one boy had a lucrative position and was working his way up steadily in the organization by which he was employed. He was about to get a minor executive position. He had to give up the position and take five years out of his life. Can I face those two young men as a member of this Legislature, can I face them in five years from now and say that I permitted a festering sore to exist in this country, to tear down the country which we are all fighting for and which I am telling them to go out and defend?

The gentleman from Monroe, Mr. Achterman, voiced some things, in the last week that I took as threats,—some were said jocularly and some in earnest. I took it that they were trying to drive me off the floor as a proponent of this legislation, and I want to serve notice right now on the Democratic majority or anybody on the other side or on the floor of this House or any place else that nothing you can say to me outside of these issues, nothing you can say to me personally, nothing you can say about me personally, nothing that you can say about anything that exists in the Commonwealth of Pennsylvania is going to drive me away from my duties. You men ought to know you cannot scare me off; I can be led but I cannot be driven. I serve notice that I intend to stand here and fight against adjournment until we get through the legislation we need, because I am not going to stand and face those two young men and have them say I am a coward for words when I expect them to meet bullets.

Mr. BROWN. Mr. Speaker, I would like to interrogate the gentleman from Delaware, Mr. Turner.

THE SPEAKER. Will the gentleman from Delaware permit himself to be interrogated?

Mr. TURNER. I shall, Mr. Speaker.

Mr. BROWN. Mr. Speaker, did the gentleman from Delaware, Mr. Turner, understand me when I said that because of the nature of this particular act the courts perhaps would not declare the same unconstitutional?

Mr. TURNER. I didn't hear the gentleman say that, Mr. Speaker.

Mr. BROWN. Mr. Speaker, did the gentleman hear me on Monday night a week ago when I read into the record the language of Justice Mitchell of the Supreme Court of Pennsylvania in *Commonwealth vs. Moir*.

"The protection against unwise and oppressive legislation within constitutional bounds is by appeal to the justice and patriotism of the representatives of the people. If this fails, the people in their sovereign capacity can correct the evil. The courts cannot assume their rights". Does the gentleman remember my making that statement?

Mr. TURNER. Mr. Speaker, I remember it very well and I concur in that.

Mr. BROWN. Mr. Speaker, does the gentleman remember in my remarks I said that there are certain laws that offend the spirit of the Constitution and certain laws that offend the letter of the Constitution?

Mr. TURNER. Mr. Speaker, I do not remember those exact words, but I imagine the gentleman said it, and I agree with it.

Mr. BROWN. Does the gentleman remember, Mr. Speaker, that several days ago I said House Bill 413 was in the nature of a quasi-penal law?

Mr. TURNER. No, Mr. Speaker.

Mr. BROWN. Mr. Speaker, will the gentleman give me his explanation of a quasi-penal law?

Mr. TURNER. The gentleman from Dauphin reminds me that there is no such thing as a quasi-penal law; it has either got to be a penal law or a civil law, but I will say there are laws that so penalize a person that you might say they were quasi-penal laws, although they do not provide for the incarceration or imprisonment of a person.

Mr. BROWN. Do I understand, Mr. Speaker, that the gentleman accepts the statement of the gentleman from Dauphin that there is no such thing as a quasi-penal statute.

Mr. TURNER. I do not think there is such a statute, Mr. Speaker.

Mr. BROWN. I said does he also believe it, Mr. Speaker?

Mr. TURNER. I say I believe that. Is the gentleman from Allegheny being as technical in this as in all of his other arguments?

Mr. BROWN. Mr. Speaker, I do not think I am being technical. Does the gentleman know that there are such laws that have been recognized as quasi-penal? I will read to the gentleman from U. S. Code, Annotated, if the gentleman wants me to.

Mr. TURNER. If the gentleman from Allegheny, Mr. Brown, would get down to the point and ask questions rather than attempt to explore my knowledge of the law, which I admit is not too great—

Mr. BROWN. Does the gentleman know that in *Corpus Juris* 803 an ex-post-facto law is defined as follows: "An

ex-post-facto law is one which imposes punishment for an act which was not punishable when it was committed"?

Mr. TURNER. I think that might be a definition, yes, Mr. Speaker, but the gentleman said that my amendment was unconstitutional because it was an ex-post-facto law.

Mr. BROWN. Mr. Speaker, I think the gentleman wholly misunderstood me. I said I felt the act offended the spirit of the Constitution; I never doubted the constitutionality of the act. If I thought the act was unconstitutional I would challenge its constitutionality. My opinion as to its constitutionality, I think would be upheld by the courts.

Mr. TURNER. Mr. Speaker, the gentleman is getting so involved now that I do not think I could remember exactly what he did say if I have not followed him so far.

Mr. BROWN. Mr. Speaker, does the gentleman feel that his definition of ex-post-facto law, and the definition which I have given him out of *Corpus Juris*, would make the amendments that he presented partake of the nature of ex-post-facto law?

Mr. TURNER. I would answer that this way, Mr. Speaker, I have been thinking of that question and I thought about it when we were raising the question on the "hereafter" or "heretofore". I do not think it is in the nature of ex-post-facto law. What we are arriving at is whether persons believe in certain principles, whether they are advocating certain principles, and therefore the thought was that they may have been advocating them over a period of time, and that those acts on their part would indicate and would show that they were Communists, Fascist, or Nazis or whatever you want to call them.

Mr. BROWN. Mr. Speaker, does the gentleman from Delaware believe that the amendments that he offered to House Bill 413 are in the nature of ex-post-facto law?

Mr. TURNER. No, Mr. Speaker, I do not think they are in the sense that the gentleman is trying to stipulate ex-post-facto law to be.

Mr. BROWN. That is all, Mr. Speaker.

PERMISSION TO ADDRESS HOUSE

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

Mr. Speaker, last week when these bills were before us for discussion I was requested by my good friend Turner on the other side to make a speech. I told him at that time that I didn't feel so good, but that at some date I would be glad to make a speech.

Gentlemen of the House, I want to say that we have heard a lot of the legal minds in regard to this legislation before us. In my humble little way I want to say, not as a legal mind, in regard to Red bills as they are called on the calendar before us, that we on this side of the House have been accused of defending the Communists.

I want to recall to Mr. Turner and to the men on the other side of this House that in the Special Session Mr. Turner was Speaker of this House. He interrupted me one day in a speech that I was making in behalf of Democracy and said there wasn't any soul saved after the first fifteen minutes.

Now, my friends, I have listened to hours of debate and I do not think we are saving any souls by the Communist bills that are now before us. My honest opinion of these bills that we are voting upon is that we are going back to the old story that there is law enough in this country to provide for the protection of democracy without any more of this kind of bills.

I want to say as a member of the American Legion and as one who fought in the World War along with two brothers, that I sometimes think the American Legion should stop and take notice in regard to legislation, and that they could possibly interest themselves in receiving justice for some of the boys who fought during the last war rather than so much interest in Communistic bills, because as I understand, today we are allied with the very country which we are trying to condemn.

My friends, when I make those statements I say to the American Legion that under disability acts men who were wounded during the last war, some of them received very, very little compensation while other men received large donations. Those are the things that I am interested in in saving democracy.

My friends, we must have justice, we must fight for legislation that brings justice to the people of the state and of the United States if we hope to keep isms out of our country, and I say to you men that legislation that is now stifled in the Senate of Pennsylvania is the type of legislation that will keep the isms out of America. I say to you that when you give justice man to man, under laws and under protection, then we do not care what Communist gets up on the soap box on the corner. I say to you that those men can shout to high heaven as long as the laws and the people of our country fight in the interests of one another and for justice for one another.

I also heard the gentleman speak about France falling. Did France fall because there were not enough laws on the statute books to curb Communism, or was it due to the fact that some of the people of France were deprived while others received personal privileges? If you want to stop Communism here, then I say to you protect the democracy we have. We have law enough in this country to curb any Communistic action, and I say to the gentleman from Delaware, Mr. Turner, and I say to the American Legion, "Let us interest ourselves in the legislation that is now pickled in the Senate of Pennsylvania, legislation that gives rights to the workers and to the people and that goes to make up a democracy".

If France had done that same thing she would not have had to fear Communism or any other ism. It is when we deprive people of rights and give to some people special privileges that we need to be afraid for our democracy. I say again, I, like Mr. Turner will stand here for hours and fight in the interests of the people of the state, that we all may have justice, and not put laws on the statute books that will give somebody the right to go out and tap this fellow and that fellow who hasn't any protection, while others go scot free. I am not so much interested what is in the bills, because, as one of the men that has served here before told me yesterday, it is all imagination or hysteria among the people. In this particular kind of times it is not important exactly what is in the bill, whether it is one thing or another. I still say we have law enough in America to curb anyone who dares to try to overthrow the government by force.

PERMISSION TO ADDRESS HOUSE

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

Mr. Speaker, the gentleman who spoke before me brought up the question in connection with the legislation before us on the passage of bills curbing certain individuals who may have emanated from a foreign country, having regard to the alliance that now exists between that country and this. I think I could properly now ask the question as to who brought about that alliance.

Mr. Speaker, I rise at this time with a sense of relief in the fact that this House at long last is about to do its plain duty to our people. I have as sponsor of this piece of legislation, House Bill No. 413, come into possession of many letters, communications, and newspaper editorials pertinent to this vital question. I shall read but two of these editorials:

Needed Legislation

"The public is frankly confused by the delay in the House of Representatives at Harrisburg in getting action on legislation to curb subversive elements in the Commonwealth.

"Are our lawmakers afraid of offending the Communists, Nazis or other un-Americans in our midst? Or do they actually sympathize with these foes of democracy? The people do not wish to believe either is true, but they are at a loss to understand the pussy-footing.

"This is no time for timidity. Americans are against Communists and their blood brothers and all that they represent. . . .

"Pennsylvania, above all places, should strike boldly. It is a reflection on the Commonwealth which boasts of being the cradle of American freedom not to protect its precious offspring against these scourges of modern civilization.

"There must be no half-way measures in dealing with this situation. . . .

"Let us have on the statute books of Pennsylvania laws with teeth in them to stamp out these evil influences. Why delay or pull punches?—Wilkes-Barre Times-Leader-Evening News.

"Well, Let's Have a Showdown

"Legislation is urgently needed in Pennsylvania to protect public school children from un-American teachers.

"But a small, wilful minority in the Legislature has been able for another week to keep from passage the bills that would provide such protection and to knock what teeth it could from the measure that is nearest adoption.

"It has come to a point where a showdown is essential to smoke out this minority, to put them on the spot; to determine, once and for all, why members of the Pennsylvania Legislature should be displaying such persistent solicitude for the Communist Party and for Red-tinted teachers.

"There is only one issue at stake. Either the members are willing to have pro-Communist and pro-Nazi teachers in our schools, or they are not. No smoke-screen can hide that issue. . . .

"The members of the Legislature who want to insure the teaching of American ideals and American loyalties in the public schools will go to bat for the anti-Red bills this week and see to it that they are adopted.—Philadelphia Inquirer."

Mr. Speaker, I want to say to my Democratic colleagues that we on the Republican side of this house have at no time had the support of the elements fighting this bill, especially the insertion of amendments with teeth. We don't want their support: they are not welcome and we

have in past campaigns publicly said that we would rather go down to defeat if we had to have their help to win. Now you gentlemen have had their support. I do not state that you deliberately kowtowed to them to get their support but, gentlemen, they seem to be on your side. The people of the Commonwealth are looking to you to stand up and be counted to-day. Let us strike out boldly on this question. I call on you to disavow by your votes any connection, assumption or hint that you have any desire to please these groups. We welcome the belated joining in this crusade to rid the state of this scourge, on the part of the Democratic leaders. I am certain that by dismantling ourselves of any robes of timidity on this question and the insertion of strong amendments we can go home with a clear conscience, and the vast majority of the people of the Commonwealth will feel happier, healthier and more secure in the knowledge of the part that we here today as elected representatives of the people have done our plain American duty.

PERMISSION TO ADDRESS HOUSE

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

Mr. Speaker, as an American I resent reading into the record any editorial on Americanism from the Philadelphia Inquirer. I feel that I have been an American, I feel every dime that I have made in this world has been made honestly, and I resent reading from a paper that the money that bought that paper came from the depths of the underworld. The money that bought that paper was blood money; yes, everyone knows the story of how Annenberg made his money; he made that money in the underworld.

Mr. BRETHERICK. Mr. Speaker, the gentleman is not talking on subject matter which is before us.

The SPEAKER. For the information of the gentleman from Delaware there is no bill before the House. The gentleman asked and obtained unanimous consent to address the House.

Mr. HOLLAND. Yes, Mr. Speaker, the money that bought that paper killed in the different cities of America. That money was got by corruption, corruption of public officials. That money was put in by the slums, by the drugs of those people who live by their wits in the underworld. Yes, and after that money was made that man was not satisfied; after he had amassed a fortune of dirty, filthy money, to go straight, but only yesterday I read in the paper that he is asking a parole from those prison walls that now enclose him.

Is he an American, I ask the members of this House? I say to you if ever a man is lower than a Communist, a Nazi or a Fascist, it is the money that is behind the Philadelphia Inquirer and Moe Annenberg.

My friends, I respect the gentleman from Delaware and I admire him for being able to have two sons to serve in this war. Some of us on this side of the House have the scars of the last war on our bodies. Yes, and there are some on this side of the House and your side whom I have not yet heard take the floor who are among the disabled soldiers of America. When any man takes this floor to sing a patriotic song I would like to ask that man, if he is between the ages of 42 and 54, what did he do in the last war? Yes, I think this flag is being waved to hide a real purpose. I have heard a man come up on this

floor and say that the Secretary of Labor of the United States was a Communist; I have heard from the beginning of this session many statements made on this floor that Roosevelt, the President of the United States and Mrs. Roosevelt were Communists.

I ask you men who made that statement, who slimed and threw dirt in the last campaign, and I ask the gentleman from Lackawanna, Mr. Cordier, did he find in the "Daily Worker" any advertisement to vote for the Democratic Party? If he goes back to the "Daily Worker" of that time he will find in that "Daily Worker" full page advertisements appeared asking for the Communistic support of Wendel Willkie.

I have heard the gentleman from Dauphin speak about newspaper publicity. I would like to read into the record an editorial appearing in a paper, the "Gazette and Daily" of York, Pennsylvania, a paper that was bought with clean money, a paper whose men who are back of it are real Americans. In this paper a column appears in reference to amendments that I thought should be placed in the Red bill because I believe there are other isms in this country that are bad. I believe Klu-Klux-Klanism is bad and I believe Coughlinism is bad, and I believe McClureism is just as bad.

This column states:

"The legislature is still battling the anti-Red bills. As this is being written there are two knights in shining armor going forth to slay the Communist menace in the schools of Pennsylvania.

"One is a Republican, no less a person than Elwood Turner, former speaker of the House, present minority leader and one of John J. McClure's lieutenants. The other is Democrat Jack Kelly, whose mouthpieces were popping off all over Harrisburg yesterday.

"We'll take Turner in preference to Kelly. Turner is philosophically inclined to a socio-political disease which, for want of a better term, we would call McClureism. Kelly has no philosophy. He has a strong back and the ability to push a boat around in the Schuylkill river. So far as we have been able to find out, he stops there. When he pops off that the anti-Red bills must be passed, he's merely making a grandstand play to show the people of Pennsylvania that Jackie Boy runs the show at Harrisburg. When Jack Kelly becomes the bulwark against communism for the people of Pennsylvania, we had better watch out for fascism just around the corner because Jackie Boy is a very poor demagogue himself.

"With that we'll leave Jackie Boy to the adjustment of his cap and bells.

"On second thought we wouldn't take Turner either. Personally charming, and with intelligence enough to know better, he is the respectable front behind which McClureism operates. Why he lends himself to McClureism remains a mystery.

"Yesterday Representative Elmer Holland of Pittsburgh introduced a fitting amendment to the bill which Sir Knights Turner and Kelly are behind. This amendment would add to the isms listed in the Turner amendment. McClureism, Coughlinism, and Ku Kluxism.

"The worst of these is McClureism. Coughlinism can't hide behind the mask of religion anymore. Ku Kluxism is small boy stuff that is easily recognized. But McClureism masquerades as Americanism. Neither Coughlinism nor Ku Kluxism has any great power any more. But McClureism has been powerful for many years and it still holds a great deal of power.

"One needs to look far and wide before he finds a Communist in Pennsylvania's schools. They are so scarce that the demagogues promoting the anti-Red bills have to pin the Red label on every teacher in

the Commonwealth's schools who has the decency and the courage to teach the truth about those who have been corrupting Pennsylvania's schools, its legislative bodies, and the whole body politic.

"Communist influence in Pennsylvania's schools is negligible. The influence of the McClure philosophy is all around us.

"In some school districts teachers are required to kick back a portion of their salary to hold a job. That is McClureism at work.

"In many school districts teachers have to submit themselves to the approval of some political heel before they can secure employment. That is McClureism at work.

"The public utilities have corrupted textbook writers to get them to weigh their discussions in favor of continued exploitation of the public. They have corrupted school boards to have them put their corrupt textbooks into the schools. That is McClureism at work.

"The propagandists for the Manufacturers' association have urged that the way to counteract honest teaching of economic facts in the schools is to have the patriotic societies and the business men wage a campaign against socialistic teachings in the schools and to brand every teacher who is not their conscious or unconscious tool as being Red. That, too, is McClureism at work.

"The sponsors of the anti-Red bills know very well that the bills they are proposing wouldn't be constitutional. But they are counting on Pennsylvania's shoddy higher courts to uphold the legislation in spite of its obvious unconstitutionality. In other words, they count on owning the courts. That, too, is McClureism at work.

"McClureism is responsible for more corruption and perversion of democratic processes and for more social defilement than any other evil in Pennsylvania. When a teacher runs up against McClureism at every turn, it doesn't take long to destroy his belief in the integrity of Pennsylvania's educational institutions.

"So we think that Representative Holland should make his proposal to outlaw McClureism stick. It is far more of a menace to Pennsylvania's schools than all the other isms combined."

I believe, Mr. Speaker, that when and if these bills pass, we should be consistent and insist that McClureism be added to the fifth columnists of America.

PERMISSION TO ADDRESS HOUSE

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

Mr. Speaker, I do not desire to extend the debate or prolong it, but the minority-leader of this House made a statement that I feel deserves answer. He made a statement briefly to the effect that practically the only thing the Democratic party did in relation to the budget was to cut out a recommended appropriation by the Governor of Pennsylvania of one hundred thousand dollars for the investigating of subversive activities.

Now, I have noticed in the past that certain Republican papers have been making comment in relation thereto, and I was wondering when someone from the other side of the House would have the courage to make the statement on the floor so that we would have an opportunity to lay before this House an extraordinary condition that existed concerning that item. When we first saw and noted the item in the budget, I felt that it might be wise to ascertain from the Attorney General exactly what he proposed doing and why the appropriation to his Department to investigate. So, I took the trouble to ascertain what the Attorney General might know in relation to the recom-

mended appropriation. Can you imagine, gentlemen, my amazement when I learned from the Attorney General that he had no particular knowledge in relation to the recommended appropriation, that as a matter of fact the first knowledge of it was when he first read the budget message, after it had been delivered by the Governor; and that secondly, up to the time he had spoken to me he knew nothing further than what he had read in the budget message. He was frank to admit that he didn't know why that appropriation had been recommended to his Department. He said that he knew his Department was as a matter of fact a prosecuting and not an investigating agency.

I, however, Mr. Speaker, did not confine my investigation to just the Attorney General's department. I assumed that possibly the Governor had some real reason why he should make a recommendation for one hundred thousand dollars for investigation. I, therefore, called in your police force, the Governor's police force for the purpose of ascertaining whether or not your State Motor Police were crippled or needed money for investigation, particularly of subversive activities. I discovered something extraordinary there; I discovered that Colonel Adams felt very happy over the whole situation, he felt he had done an excellent job. As a matter of fact, gentlemen, he assured me that Pennsylvania was in the best position of all the states in this nation on the subject of knowledge relating to subversive activities and who might be responsible for them. Then, Mr. Speaker, I asked him whether he needed more money for that purpose than was recommended in the budget, and he assured me he did not. Now then, I submit to the Members of this House, why did the Governor of Pennsylvania ask for one hundred thousand dollars when his own Departments, his own agencies, didn't know what they were to do or how they were to spend the money?

Can you answer me why this same party who just a year ago was maintaining in Pennsylvania that it was un-American to vote for anyone but them, now wants to go on a fishing expedition?

PERMISSION TO ADDRESS HOUSE

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

Mr. Speaker, I might answer the statement of the gentleman from Monroe, but I think he has answered very well himself the reason why they left out that \$100,000 appropriation. They were afraid of a fishing expedition into the Communists of Pennsylvania, and being afraid of that single item alone, they singled out that item in the general appropriation bill to strike out. I knew the gentleman had this little story back in his book waiting for me to get up—he told me about it months ago, that he was just going to wait until we got up and said something about this \$100,000 item, but as time went on and bill after bill and item after item indicated the underlying policy of the Democratic party of Pennsylvania, the real reason why that \$100,000 item was singled out as the only one to strike out of the general appropriation bill was to prevent the administration or any other governmental agency from entering into a fishing expedition into the Communists of Pennsylvania. That is the reason the gentleman struck out that item. I know that the Attorney General of this Commonwealth had a very definite plan concerning the things that were to be done with that money, and that the

Governor had very definite plans of investigations which were to be made into Communistic and subversive activities in the Commonwealth of Pennsylvania. That's what they wanted that money for, and the gentleman singled that out as the only item in the general appropriation bill that they were afraid of and wanted to cut out. I think the record speaks for itself.

PERMISSION TO ADDRESS HOUSE

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

Mr. Speaker, as we have all sat in our seats and listened to hours and hours of debate. There has been a lot of talk, there has been a lot put into the record, and if anyone should try to read that record and follow these issues from the beginning up to date I think it would be impossible I mean it would be impossible to follow them intelligently, so in order to clarify the record and this issue so that the people of Pennsylvania will be able to understand, I think we should keep this in mind, instead of labeling these bills as anti-Communistic bills, Red-bills or what have you, I think that these bills should be labeled as Republican red-herring bills. These bills have only been used by the Republican party to confuse and fool the people of this Commonwealth, because the Republican party has had nothing during this entire session better or more constructive to offer the citizens of Pennsylvania. I thank you.

PERMISSION TO ADDRESS HOUSE

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

Mr. Speaker, this discourse going on quite at length referring to parties, is something that I want to direct in another direction.

First I want to speak to the gentleman from Westmoreland, Mr. Lovett, in his remarks about the law, in his remarks about the safety of this country and democracy. He stated the facts well; this country, progressive throughout the years, has kept itself and its integrity just through those very points that Mr. Lovett set forth. Today, however, there are other interests foreign to those principles which we hold to, that have been boring into our government. We have never gone abroad or asked of anyone else that they accept our form of government, but we find today that there are those elements at work in our government, so I don't want to make a line of demarcation starting at George Huntley and going on up to the brass rail, as Republicans or Democrats.

Every man in this House is either a free-born or naturalized citizen of this great republic, and as such then let us talk, please, frankly and simply just for a minute without animus and without party rancor on the subject of the great danger at hand.

It has only been a little while ago that it was said that this Communistic activity would be brought into this country, and that its first approach would be to the negro. Now, we have had enacted and we have seen through the years a great fratricidal war that has given to the negro his rightful place. Intimidations have been made that we have been driven into this war by another race who have been subjected to the terrible atrocities of Nazism, but we know and well know and have learned,

many of us, long since to trade and trade well with people of that race, and I hold that we are American and I hold that at heart we have a right to sustain these principles.

Remarks have been made here from time to time about the President of the United States; remarks have been made about a certain Secretary. I fully believe myself that the President of the United States in all sincerity has at some time or other been sympathetic with some of these principles with a view that he might know more about them, but I believe today the President of the United States is leading us forward steadfastly under the guidance and in the direction of the principles of our government. I fully believe that we have a right to stand by him in this day of trouble, and in the same sense I believe we have a right to stand by the Governor of the Commonwealth.

These isms are real. They are here in our midst, and our government is being challenged by someone else, and those who may be sitting around here, who may be talking about this matter of isms, those who would have us embrace these other isms, let them go some other place where they can enjoy them rather than they shall circumvent our form of government in any way. When we would raise the importance of the isms of individuals in this Commonwealth to that of doctrines that are so undemocratic, it seems to me it is silly.

With reference to the newspapers, I think we can well understand the ownership of various newspapers, and we could talk quite at length on that, but I am talking on the principle of Americanism, I am talking if you please on the fact that we are all fellow citizens, and I am talking on the fact that we believe that we should enact some law, not all wrapped up in the phraseology that many of the lawyers would put into it that even circumvent the Constitution itself, we should write it in plain language, and when we talk of the Communist, Fascist or Nazi way of living, it is silly to say it is just as bad when you talk of any other isms or any other man in this Commonwealth. We might as well say that we are infested with Achtermanism as these other isms that are attached to other men in this Commonwealth, whether they be editors or political leaders or what not.

So I think, if you please, men, we should take down that line. We are here pleading as Americans for the defense of American principles, and I cannot understand why, under any circumstances, be you of any race or any nationality of American citizen that you cannot get this law in such shape that if passed shall protect our citizenry.

I think this editorial which was read into the record the other night said something about trust in school directors as against trust in school teachers. School directors, after all, are representatives the same as you and I are here. Surely, the interpretation they place upon those things that relate to our Americanism percolate down from this Hill to the various Departments of the government until they reach the school districts of the boroughs or townships or cities. Men, let us be fair and frank. Attacks made upon men, the leaders of this Commonwealth, I think it is shameful on the part of anyone to hold up his head and in any way try to divert our attention from the fundamental protection of our government. There are in this room men of all nationalities and colors, and there are men in this room, who I believe, most of them, a great majority of them are

just as sincere in the defense of our form of government as anyone could be. Then, in the name of Heaven, let us all be true Americans; let us pass a law that shall make possible the stopping of the infiltration of these doctrines that are foreign to our form of government. If it needs the leadership of men of groups or parties, whether it be Kelly or whether it be the Chairman of the Democratic party in this state, or the chairman of the Republican party in this state, with the Speaker of the House and the President of the Senate, then we should before we adjourn enact a law that will be simple and plain and tell the facts and tell them honestly and stand for our Americanism, and kick everything else out of the door.

PERMISSION TO ADDRESS HOUSE

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

Mr. Speaker, we have heard much debate where the flag was held high and waved furiously, so, let us look at our flag. The second star on the first row represents our great state of Pennsylvania. The flag is a symbol of unity. It is the accepted and honored banner of all the elements of unity in the nation.

We may disagree among ourselves on most important matters of domestic and foreign policy. We may hold contradictory views about the vital matters of national defense. We may be at odds about the best means of preserving American institutions in a war-torn world environment. A foreigner unacquainted with American purpose and temperament might harbor a very confused and erroneous idea of the significance of this dissension.

Foreign observers should not get the wrong idea about us. We cannot have regimented thinking in a democracy. Where thought and its expression are free there will be debate and disharmony up to a certain point.

But when our problems clarify themselves, when out of the fog of confused events arises a clear conception of the best means of serving the national ends, national unity which has always made us impregnable will come. The fog will lift. Out of the darkness will come light and unity.

We have one flag. We will march behind it. That is the American way.

QUESTION OF INFORMATION

Mr. CORDIER. Mr. Speaker, I rise to a question of information.

The Speaker. The gentleman from Lackawanna will state his question of information.

Mr. CORDIER. Mr. Speaker, is the gentleman from Allegheny, Mr. Holland, now in the House?

The SPEAKER. Is the gentleman from Allegheny, Mr. Holland, in the hall of the House? The chair hears no response and the gentleman apparently is not present.

SENATE MESSAGES

APPOINTMENT OF CONFERENCE COMMITTEE ON HOUSE BILL No. 690

The Clerk of the Senate being introduced, informed that the Senate has insisted upon its amendments, non-

concurrred in by the House of Representatives, to House Bill No. 690, entitled:

An Act to further amend sections 402, 411, 703, 704, 705, 707 and 903 and to repeal section 706 of the act approved the first day of May, one thousand nine hundred twenty-nine, (P. L. 905), entitled, "An act for the protection of the public safety, regulating the use of highways, and the operation of vehicles, tractors, street cars, trackless trolley omnibuses, bicycles, pedestrians, and the riding of animals upon the highways of this Commonwealth; providing for the titling, including liens, encumbrances, and legal claims; registration of certain vehicles and licensing the operators thereof, upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts and the clerks thereof, owners of vehicles, and garage keepers; providing that records are admissible as evidence; imposing upon owners, counties, cities, boroughs, incorporated towns, townships, within the Commonwealth, liability for damages caused by the negligent operation of their motor vehicles; imposing penalties; imposing certain costs upon counties; providing for the disposition of fines, forfeitures, fees, and miscellaneous receipts; making an appropriation and providing for refunds," providing for the registration and fixing registration fees of commercial motor vehicles, truck tractors, trailers and semi-trailers according to gross weight; and certain motor buses and omnibuses with pneumatic tires according to equipment, fixing the maximum gross weight of such vehicles which may be used and operated on the highways; and eliminating existing provisions relating to the chassis of such vehicles.

And has appointed Messrs. Snowden, T. B. Wilson and Stiefel a committee of conference to confer with a similar committee of the House of Representatives already appointed on the subject of the differences existing between the two houses in relation to said bill.

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

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

HOUSE BILL No. 1572.

An Act to amend the act approved the second day of March one thousand nine hundred thirty-three (P. L. 6) entitled "An act to enable persons associations partnerships and corporations engaged in farming and raising breeding fattening and marketing livestock to borrow money and secure the repayment thereof by the execution and recordation of chattel mortgages on livestock farm machinery farm equipment and crops and designating the operation and effect of the lien of such mortgages" as amended by extending enlarging and removing the limitations upon the class of those who may become chattel mortgagees by making further provisions respecting the fees of recorders of deeds in connection with chattel mortgages the extension of the lien and defaults of said mortgages and by defining violations and prescribing penalties

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

The SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows: Amend Section 1, page 2, at the end of line 25, by inserting a light-faced bracket after the word "discount"; also on

page 3, at the beginning of line 1, by inserting a light-faced bracket before the word "therewith"; also on page, line 5, by inserting a light-faced bracket before the word "Provisions"; also same page, line 10, by inserting a light-faced bracket after the word "provisions"; also same page, same line, by inserting after the word "provisions" and before the word "that" the following; "Any mortgage executed under and pursuant to this act may validly include replacements of any of the mortgaged property therein described and may validly include all increase issue progeny and produce of animals and live stock of all kinds and the issue increase progeny and produce of any and all property mortgageable under the terms and provisions of this act including the increase issue progeny and produce of any original increase issue or progeny A mortgage of sheep or goats shall be held to include the wool or mohair which may be clipped therefrom Provisions"; also same page, line 23, by inserting a light-faced bracket before the word "and" where it appears the second time in said line; also same page, line 26, by inserting a light-faced bracket after the word "kinds"; Amend Section 2, page 6, line 2, by inserting after the word "county" the following: "where the mortgagor if a resident of the Commonwealth of Pennsylvania resides at the time of execution of such chattel mortgage or if the mortgagor is not a resident of the Commonwealth of Pennsylvania in the office for the recording of deeds for the county"; also on page 7, at the end of line 15, by striking out the word "sections" and inserting in lieu thereof the word "section"; also on page 8, by striking out all of lines 1 to 14 inclusive as follows; "Section 5.2 When prior to release or satisfaction of the mortgage the mortgagor maliciously or with intent to defraud and without consent of the mortgagee (a) shall conceal all or any substantial portion of the chattel or chattels subject to the mortgage or remove them from the county in which they are located at the time of the execution of the mortgage or shall procure or be a party to such concealment or removal and (b) shall thereafter or in conjunction therewith purport to sell or otherwise dispose of such chattel or chattels under claim of full ownership he shall be guilty of a misdemeanor and upon conviction thereof be sentenced to pay a fine not exceeding five hundred dollars (\$500) or to undergo an imprisonment not exceeding one (1) year or both".

On the question,

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

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

YEAS—180

Achterman,	Fleming,	Lichtenwalter,	Rooney,
Auker,	Fletcher,	Longo,	Rose, S.
Baker,	Flynn,	Lovett,	Rosenfeld,
Balthaser,	Foor,	Lyons,	Royer,
Bentley,	French,	Malloy,	Rush,
Bentzel,	Gallagher,	Marks,	Sarge,
Botes,	Gates,	McClanaghan,	Sarraf,
Boney,	Gerard,	McClester,	Scanlon,
Boorse,	Gillan,	McDermott,	Schwab,
Bower,	Gillette,	McDowell,	Serrill,
Bradley,	Goodwin,	McFall,	Shaffer,
Breth,	Gross,	McIntosh,	Shaw,
Bretherick,	Gryskewicz,	McKinney,	Shepard,
Brown,	Haberien,	McSurdy,	Simons,
Brunner, C. H.,	Hall,	Melchiorre,	Skale,
Brunner, P. A.,	Hamilton,	Mihm,	Snyder,
Burns,	Hare,	Modell,	Sollenberger,
Burris,	Harkins,	Monks,	Sorg,

Cadwalader,	Harmuth,	Mooney,	Stank,
Chervenak,	Harris,	Moran,	Stine,
Chudoff,	Heatherington,	Moul,	Stockham,
Cochran,	Helm,	Muir,	Tate,
Cohen, M. M.,	Hering,	Munley,	Thompson, E. F.,
Cohen, R. E.,	Herman,	Nagel,	Trout,
Cook,	Hersch,	Nunemacher,	Turner,
Cooper,	Hawitt,	O'Brien,	Van Allsburg,
Cordler,	Hirsch,	O'Connor,	Verona,
Corrigan,	Holland,	O'Dare,	Vincent,
Croop,	Huntley,	O'Mullen,	Vogt,
Cullen,	Imbrie,	O'Neill,	Voldow,
Dalrymple,	James,	Owens,	Wagner,
Dennison,	Jefferson,	Petrosky,	Watkins,
DiGenova,	Jones, G. E.,	Pettit,	Weingartner,
Dix,	Jones, P. N.,	Polaski,	Weiss,
Dolon,	Kilne,	Polen,	Welsh, E. B.,
D'Ortona,	Knoble,	Powers,	Williams,
Duffy,	Kolankiewicz,	Prosen,	Wood, L. H.,
Early,	Komorowski,	Rank,	Wood, N.,
Elder,	Krise,	Rausch,	Woodring,
Elliot,	Lee, T. H.,	Readinger,	Woodside,
Ely,	Lelsey,	Reese, D. P.,	Wright,
Finestone,	Leonard,	Reese, R. E.,	Yeakel,
Finnerty,	Lesko,	Reynolds,	Yester,
Fisher,	Levy,	Rhea,	Young,
Fiss,	Leydic,	Riley,	Kilroy, Speaker.

NAYS—0

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

Ordered, That the Clerk inform the Senate accordingly.

AMENDED SENATE BILL NON-CONCURRED IN BY SENATE

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

SENATE BILL No. 169.

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

Mr. ACHTERMAN. Mr. Speaker, I move that the House insist on its amendments non-concurred in by the Senate. The motion was agreed to. Ordered, That the Clerk inform the Senate accordingly.

HOUSE BILL No. 1952 MADE SPECIAL ORDER

Mr. ACHTERMAN. Mr. Speaker, I move that House Bill No. 1952, Printer's No. 1126, on page 10 of today's Calendar, bills on third reading be made a special order of business immediately. The motion was agreed to.

BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order, The House proceeded to the third reading and consideration of House Bill No. 1952, as follows:

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

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

Section 1 The salary of the Parliamentarian of the House of Representatives shall be five thousand dollars (\$5,000) per annum payable semi-monthly in the manner provided by law

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

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

On the question, Will the House agree to the bill on third reading? It was agreed to.

On the question, Shall the bill pass finally?

The SPEAKER. For the information of the Members, House Bill 1952 was introduced at the request of the Speaker by Mr. Modell without our Parliamentarian knowing it was presented, although the Parliamentarian at no time discussed this bill with the Speaker. The Chair believes that the House as a whole is of the same opinion as the Speaker, that the recognition expressed in this bill is merited.

On the question recurring, Shall the bill pass finally?

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

YEAS—180

- | | | | |
|-----------------|----------------|----------------|---------------|
| Achterman, | Fleming, | Lichtenwalter, | Rooney, |
| Auker, | Fletcher, | Longo, | Rose, S., |
| Baker, | Flynn, | Lovett, | Rosenfeld, |
| Balthaser, | Foor, | Lyons, | Royer, |
| Bentley, | French, | Malloy, | Rush, |
| Bentzel, | Gallagher, | Marks, | Sarge, |
| Boles, | Gates, | McClanaghan, | Sarraf, |
| Boney, | Gerard, | McClester, | Scanlon, |
| Boorse, | Gillan, | McDermott, | Schwab, |
| Bower, | Gillette, | McDowell, | Serrill, |
| Bradley, | Goodwin, | McFall, | Shaffer, |
| Breth, | Gross, | McIntosh, | Shaw, |
| Bretherick, | Gryskewicz, | McKinney, | Shepard, |
| Brown, | Haberlen, | McSurdy, | Simons, |
| Brunner, C. H., | Hall, | Melchiorre, | Skale, |
| Brunner, P. A., | Hamilton, | Mihm, | Snyder, |
| Burns, | Hare, | Modell, | Sollenberger, |
| Burris, | Harkins, | Monks, | Sorg, |
| Cadwalader, | Harmuth, | Mooney, | Stank, |
| Chervenak, | Harris, | Moran, | Stine, |
| Chudoff, | Heatherington, | Moul, | Stockham, |
| Cochran, | Helm, | Muir, | Tate, |

- | | | | |
|---------------|---------------|---------------|------------------|
| Cohen, M. M., | Hering, | Munley, | Thompson, E. F., |
| Cohen, R. E., | Herman, | Nagel, | Trout, |
| Cook, | Hersch, | Nunemacher, | Turner, |
| Cooper, | Hewitt, | O'Brien, | Van Allsburg, |
| Cordier, | Hirsch, | O'Connor, | Verona, |
| Corrigan, | Holland, | O'Dare, | Vincent, |
| Croop, | Huntley, | O'Mullen, | Vogt, |
| Cullen, | Imbrie, | O'Neill, | Voidow, |
| Dairymple, | James, | Owens, | Wagner, |
| Dennison, | Jefferson, | Petrosky, | Watkins, |
| DiGenova, | Jones, G. E., | Pettit, | Weingartner, |
| Dix, | Jones, P. N., | Polaski, | Weiss, |
| Dolon, | Kilne, | Polen, | Welsh, E. B., |
| D'Ortona, | Knoble, | Powers, | Williams, |
| Duffy, | Kolankiewicz, | Prosen, | Wood, L. H., |
| Early, | Komorowski, | Rank, | Wood, N., |
| Elder, | Krise, | Rausch, | Woodring, |
| Ellott, | Lee, T. H., | Readinger, | Woodside, |
| Ely, | Lelsey, | Reese, D. P., | Wright, |
| Finestone, | Leonard, | Reese, R. E., | Yeakel, |
| Finnerty, | Lesko, | Reynolds, | Yester, |
| Fisher, | Levy, | Rhea, | Young, |
| Fiss, | Leydic, | Riley, | 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.

INTERROGATION

Mr. CORDIER. Mr. Speaker, I desire to interrogate the gentleman from Allegheny, Mr. Holland.

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

Mr. HOLLAND. I shall, Mr. Speaker.

Mr. CORDIER. Mr. Speaker, the gentleman in his previous remarks seems to have objected to an editorial which was inserted in the record on the question of subversive activities, and objected that the particular editorial came from a newspaper which was bought with unclean money. I would like to ask the gentleman from Allegheny in his opinion where the money came from which financed the Pittsburgh Post-Gazette.

Mr. HOLLAND. I could not tell the gentleman from Lackawanna that. I know it was Mr. Block's interest, and Mr. Block was a very good Republican, a man whom Mayor LaGuardia kicked out of his office in New York at one time. When Mr. Block went into the office of Mr. LaGuardia and tried to tell him how to run the City of New York, LaGuardia threw him out. I am not on speaking terms with those big monied Republicans.

Mr. CORDIER. Mr. Speaker, will the gentleman state that the money to finance that particular paper was clean or unclean?

Mr. HOLLAND. That I could not tell him, Mr. Speaker. It is a Republican paper.

Mr. CORDIER. Mr. Speaker, will the gentleman state whether or not, in his opinion, the money that financed the Pittsburgh Press comes from clean or unclean sources?

Mr. HOLLAND. Absolutely, Mr. Speaker, they do come from clean sources.

Mr. CORDIER. Mr. Speaker, the Pittsburgh Sun-Telegraph, in his opinion, does that particular newspaper come from clean or unclean interests?

Mr. HOLLAND. Mr. Speaker, that is hard to answer. I will have to get Dun and Bradstreet's if you want me to give you those figures. I am not acquainted with those big money men. I fight all these public utility interests. I am a poor boy.

Mr. CORDIER. Mr. Speaker, the gentleman from Allegheny seems to have Dun and Bradstreet's reports on the Philadelphia Inquirer.

I would like to ask the gentleman from Allegheny whether or not he has read any editorials in connection with the subject he was speaking about in these particular papers?

Mr. HOLLAND. I have, Mr. Speaker.

Mr. CORDIER. Mr. Speaker, has the gentleman read the editorial in the Harrisburg Patriot, a very good Democratic paper?

Mr. HOLLAND. Mr. Speaker, I have never resented an editorial in any paper; I have only resented the one that I know the money was blood money that bought it. I never resented or never criticized any editorial from any good newspaper in the City of Philadelphia. I do not consider the Philadelphia Inquirer an American newspaper.

Mr. CORDIER. Then, Mr. Speaker, does the gentleman say that he is in accord with the editorials in the various newspapers in the Commonwealth, which state that we should put teeth into these particular pieces of legislation?

Mr. HOLLAND. Mr. Speaker, I might tell the gentleman I do not let the papers do my thinking for me. After all, I know the editorials are from the brains of one man. He has a right to think and a right to choose in the same way this legislature does. It is a difference in opinion in America that makes America. That is why I take this floor. We fought the first world war to make the world safe for the democracy that we are fighting for now. So I think, Mr. Speaker, everybody should be given an opportunity to express his opinion on the floor. I know that this movement on subversive and un-American teaching was started by the National Association of Manufacturers, and if the gentleman so wishes I can send him a letter which I have in my home that was written over a year ago to different manufacturers, and for the information of the gentleman, I have been a manufacturer myself and I know exactly how they work. I worked in the manufacture of glass.

Mr. CORDIER. Mr. Speaker, the gentleman from Allegheny in his very flowery eloquence has granted to the newspaper editors the right to do their own thinking, but would he favor granting that to everybody except the present editor of the Philadelphia Inquirer?

Mr. HOLLAND. Mr. Speaker, when a man is writing the editorial policy of his newspaper from his prison cell I do not think that fellow is an American.

Mr. CORDIER. Mr. Speaker, I thank the gentleman from Allegheny.

Mr. HOLLAND. Mr. Speaker, I might add too, in answer to the gentleman, that I also read in a Philadelphia paper, I think it is in the Philadelphia Record: "McClure Aid Mum On What He Did With The Money."

Mr. CORDIER. Mr. Speaker, may I ask the gentleman from Allegheny one more question?

The SPEAKER. The gentleman from Lackawanna will proceed.

Mr. CORDIER. Mr. Speaker, the gentleman from Allegheny seems to object to people getting money for services rendered. I would like to ask the gentleman this question: does the gentleman derive any additional salary for any other particular job in the Commonwealth of Pennsylvania than as a Member of the General Assembly?

Mr. HOLLAND. Mr. Speaker, I am very glad the gen-

tleman from Lackawanna brought that matter up because I wanted to get publicity on that matter for quite some time. I as one Member of this House started a precedent, and all the Democrats on this side of the House started a precedent that has never been followed in the city of Pittsburgh before; we Democratic Members from the County of Allegheny while we are serving in this House, do not take one cent of the taxpayers' money from the taxpayers of Allegheny County or the city of Pittsburgh. I also want to answer the gentleman and state that when I return to the city of Pittsburgh I work when I get back Thursday night, I work until twelve o'clock Thursday night, I work all day Friday to twelve o'clock, I work all day Saturday until twelve o'clock, I work all day Sunday. I might tell the gentleman that I do not draw any taxpayers' money for the services that I am so glad to give.

Mr. CORDIER. Mr. Speaker, I am not quite certain that the gentleman from Allegheny renders very good service to the people of Pittsburgh; I am wondering from his remarks when he sleeps. It is very evident from his argument and his speech before the present interrogation that the sum and substance of his whole argument is that his "lump" is up for the Philadelphia Inquirer.

Mr. HOLLAND. Mr. Speaker, I would like to say one thing, for my services to the city of Pittsburgh, if the gentleman from Lackawanna believes in editorials I refer him to my home papers, the Sun Telegraph, the Pittsburgh Press and the Pittsburgh Post-Gazette, for the services I am now giving as superintendent of Highways and Sewers in the city of Pittsburgh.

PERMISSION TO ADDRESS HOUSE

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

Mr. Speaker, the opportunity has now been given to me to also give a little publicity to some of my activities. As the only Republican from Allegheny County on the county payroll I would like to say that I do not get paid while I am away from Pittsburgh. I would also like to say that it is my recollection that a Republican Senator from Allegheny County, Senator Mansfield, inaugurated the precedent of not being paid while in Harrisburg.

QUESTION OF PERSONAL PRIVILEGE

Mr. TROUT. Mr. Speaker, I arise to a question of personal privilege.

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

Mr. TROUT. I would like to inquire, Mr. Speaker, whether these pigeons are doves of peace flying around?

The SPEAKER. I would like to communicate with the gentleman from Clearfield, Mr. Breth, to get his opinion.

COMMUNICATION FROM THE GOVERNOR

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

APPROVAL OF RESOLUTION RECALLING HOUSE BILL No. 1543.

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, July 9, 1941.

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

I have the honor to inform you that I have this day approved and signed a resolution of the House of Representatives and Senate recalling from the Governor House Bill No. 1543, Printer's No. 1075 for the purpose of further consideration.

Accordingly, the original bill is herewith returned.

ARTHUR H. JAMES.

RECONSIDERATION OF VOTE

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

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

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

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

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

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

On the question,

Will the House agree to the motion?

It was agreed to.

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

The motion was agreed to.

On the question recurring

Will the House agree to the bill on third reading?

Messrs. PETROSKY and LICHTENWALTER. Mr. Speaker, we ask unanimous consent to offer amendments at this time.

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

The Clerk read the amendments as follows:

Amend title, page 1, last line of title, by inserting after the word "Health" the following: "authorizing the orphans' court to appoint masters for the determination of certain questions and requiring counties to pay the compensation of such masters."

Amend Sec. 1, page 4, line 15, by inserting after the word "petition" the following: "and certificate."

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

On the question,

Will the House agree to the amendments?

The amendments were agreed to.

On the question,

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

It was agreed to.

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

COMMUNICATION FROM THE GOVERNOR

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

APPROVAL OF RESOLUTION RECALLING HOUSE BILL No. 90

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, July 9, 1941.

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

I have the honor to inform you that I have this day approved and signed a resolution of the House of Representatives and Senate, recalling from the Governor House Bill No. 90, Printer's No. 1041, for the purpose of amendment.

Accordingly, the original bill is herewith returned.

ARTHUR H. JAMES.

RECONSIDERATION OF VOTE

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

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

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

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

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

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

On the question,

Will the House agree to the motion?

It was agreed to.

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

The motion was agreed to.

On the question recurring,

Will the House agree to the bill on third reading?

Mr. TAYLOR. 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, lines 1 to 5 of title, by striking out the words "for the correction of the designation and title" in line 1, and all of lines 2 to 5, both inclusive, and inserting in lieu thereof: "that whenever the term "Veterans of the Spanish American War," or the term "Spanish American War Veterans" occurs or is referred to in any existing law, such term or reference shall be deemed to refer to and include the United Spanish War Veterans Inc."

Amend Sec. 1, page 1, lines 1 to 4, by striking out the words "In all existing legislation affecting veterans" in line 1, all of lines 2 and 3, and the words "zations shall be corrected to read The" in line 4, and inserting in lieu thereof: "Whenever the term "Veterans of the Spanish American War" or the term "Spanish American War Veterans" occurs in any law, or whenever in any law reference is made to such veterans, or to any organization of such veterans such term or reference shall be deemed to refer to and include the."

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.

REPORT FROM COMMITTEE

Mr. PAUL A. BRUNNER, from the Committee on Judiciary Special, reported as committed, House Bill No. 1617, (Senate Bill No. 86), entitled:

An Act requiring the court in imposing sentence to include in such sentence the costs of keeping the person in the institution to which he is sentenced for the term as fixed by the court; providing such person is or shall become, during such term, financially able to pay for the same.

BILL INTRODUCED AND REFERRED

By Messrs. BREATHERICK and JAMES.

HOUSE BILL No. 1976.

An Act to amend section three of the act, approved the twenty-ninth day of May, one thousand nine hundred and thirty-one (P. L. 280), entitled "An act relating to delinquent taxes on seated lands, and prescribing interest charges on nonpayment thereof; requiring the receivers and collectors of county, city, borough, town, township, school district and poor district taxes to make a return to the county commissioners of such unpaid taxes, and providing for the lien thereof; authorizing the county treasurers to collect such taxes, and to sell seated lands at public sale for taxes heretofore or hereafter returned as unpaid; and authorizing the county commissioners to purchase such lands and resell the same under certain circumstances," requiring the county treasurers to give written notice to each person whose taxes are returned as delinquent.

Referred to the Committee on Municipal Corporations.

INTERROGATION

Mr. TURNER. Mr. Speaker, I desire to interrogate the gentleman from Monroe, Mr. Achterman.

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

Mr. ACHTERMAN. I shall, Mr. Speaker.

Mr. TURNER. Mr. Speaker, I would like to ask the gentleman from Monroe, Mr. Achterman, as we are about to recess as I understand it, until sometime this evening, whether it is his intention to take House Bill 413 from the table?

Mr. ACHTERMAN. Mr. Speaker, it is our intention to do so this evening.

Mr. TURNER. Because, Mr. Speaker, as the matter now stands, unless the bill can be acted upon in the House today there is very little chance of the bills getting to the Senate and being passed before we adjourn.

Mr. ACHTERMAN. Mr. Speaker, it is our intention to take up House bills this afternoon as soon as possible and the one on the table will be called up.

AMENDMENTS TO SENATE BILL No. 86 WITHDRAWN

Mr. REUBEN E. COHEN. Mr. Speaker, on behalf of the Committee on Judiciary Special I ask unanimous consent that Senate Bill 86, House Bill 1672, just reported by Mr. Brunner, be reported as committed and be read for the first time. The Committee's decision was to have the bill reported as amended. I would like however to save a legislative day by having the bill reported as committed so that it can be read for the first time, and amend the bill from the floor on second reading.

The SPEAKER. The gentleman from Philadelphia, Mr. Cohen asks unanimous consent to withdraw the amendments to Senate Bill 86 and report the bill as committed in accordance with the statement made on the floor of the House. Is there objection? The Chair hears none and consent is granted. The bill is reported as committed.

Pursuant to the motion heretofore adopted the following bill was read the first time.

BILL ON FIRST READING

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1617, (Senate Bill No. 86), entitled:

An Act requiring the court in imposing sentence to include in such sentence the costs of keeping the person in the institution to which he is sentenced for the term as fixed by the court; providing such person is or shall become, during such term, financially able to pay for the same.

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

CHIEF CLERK'S SUPPER

Members, employes, Newspaper correspondents and Legislative Engineers are invited to the Chief Clerk's Supper to be given at the Penn-Harris Hotel, Thursday evening, July 10 at 10:00 o'clock Eastern Standard Time.

INTERROGATION

Mr. WOODSIDE. Mr. Speaker, except for the fact that we are about to adjourn, I would walk over and ask the majority floor-leader this question, but instead of crossing the floor, I would like to interrogate him, Mr. Speaker.

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

Mr. ACHTERMAN. I shall, Mr. Speaker.

Mr. WOODSIDE. Mr. Speaker, I would like to know from the gentleman whether there has been a meeting called of the Conference Committee on the two tax bills and the Tax Anticipation Note bill. I am particularly interested in the Tax Anticipation Note bill.

Mr. ACHTERMAN. Mr. Speaker, there has not, although we are hoping to get to the point where we can do that, if not today, the first thing tomorrow.

Mr. WOODSIDE. Mr. Speaker, may I urge the gentleman to do all in his power to see that the report of that Conference Committee is made today? I do not think there is any great difference among the conferees any more on the Tax Anticipation Note bill.

SENATE MESSAGE

SENATE BILL FOR CONCURRENCE

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

SENATE BILL No. 1313. (HOUSE BILL No. 1977).

A Supplement to the act approved the twenty-seventh day of June one thousand nine hundred thirty-nine (Appropriation Acts page 60) entitled 'An act to provide for the ordinary expenses of the Executive Legislative and Judicial Departments of the Commonwealth interest on the public debt and the support of the public schools for two years beginning June first one thousand nine hundred and thirty-nine and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending May thirty-first one thousand nine hundred and thirty-nine' providing for deficiencies in certain appropriations made by the act for the fiscal biennium ending May thirty-first one thousand nine hundred forty-one.

Referred to the Committee on Appropriations.

RECESS

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

AFTER RECESS

The House reconvened at 8 p. m.

The SPEAKER (Elmer Kilroy) in the Chair.

PERMISSION TO ADDRESS HOUSE

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

Mr. Speaker, this afternoon we were treated to quite a lengthy discussion on House Bill 413, which has to do with anti-Communitic legislation. The discussion was rather interesting and contained quite a bit of bufoonery, and there were many legal terms used by the different lawyers who participated in the debate. Being just an ordinary life insurance man, of course they used many legal terms with which I am not familiar, such as ex-post-facto and corpus juris and quasi something and so forth. I want to refer to that debate only very briefly and call attention to the statement which the learned lawyer on the other side of the House, Mr. Brown, made, and I want to pay tribute to his profound knowledge of the Constitution concerning which there is no question.

The gentleman seemed very much exercised about the fact that we might in the passage of this anti-Communitic legislation veer away from the Constitution. I think the gentleman is unduly alarmed about that, and I might say to him very briefly, in answer, that I wish there had been as much alarm about veering away from the Constitution by the Democratic administration in Washington as there is here in the House in reference to these anti-Communitic bills.

Another gentleman, the gentleman from Westmoreland, Mr. Lovett, spoke about the fact that we were in no danger from the soap box orators of the Communist party. I agree with the gentleman in that particular statement, as far as it goes, but we are alarmed, not about the soap box Communist orators, but we certainly are alarmed about all these orators who might be employed in the schools of our Commonwealth and paid by the tax-payers' money.

Another gentleman on the other side of the House quoted from a newspaper editorial and spoke about a Republican newspaper that has been purchased with blood money, and so forth. I do not intend to add to the argument, except to say that I want to quote very, very briefly from a Democratic newspaper which I do not believe was purchased with blood money, a Democratic newspaper which is edited by none other than a former Legislator in this House, the Honorable Hiram G. Andrews. This editorial has already been read into the record and I am simply going to quote one sentence which is as follows:

"The Democrats so far have been standing with the Communists, and the Democrats in the House are making a mistake."

I do not know, Mr. Speaker, what the intention of the Democratic party is going to be with regard to House Bill No. 413, which has been amended, and I am not particularly concerned about it, but I am afraid that House Bill

413 when it is taken from the table tonight will be so emasculated by amendments that it will not serve a very useful purpose. I am also alarmed by the fact that it may be passed so late it will not pass through the Senate. I want to say, Mr. Speaker, that I have consulted with and I have on two different occasions made pleas to the gentleman from Allegheny, Mr. Harkins, the Chairman of the Education Committee, to bring out Senate Bill 518, which gives us definite amendments to the Tenure Act, which gives the right to school boards to fire teachers who teach subversive and un-American philosophy. Notwithstanding the fact that I have made those appeals to Mr. Harkins, and that the same appeals have been made by other members of this Legislature, he has chosen to ignore not only those appeals, but he has chosen to ignore the appeals of the newspaper editorials, of one of his own leaders, Jack Kelly of Philadelphia, the patriotic organizations and the pleas of the patriotic people of Pennsylvania. I would like to say, Mr. Speaker, I have great regard for the Chairman of the Education Committee, and I can not understand his obstinacy in this matter. I can only explain it by telling you a story that I heard one time about a colored man who bought a mule. When he took the mule home, he left it loose in the pasture. There was one tree in the pasture and as this mule ran around the field, every time he ran around it, he bumped into that tree. So he called up Rastus from whom he had bought the mule, and said,

"What kind of mule did you sell me?"

Rastus said, "What is the trouble?"

The reply was, "every time it runs around the field it bumps against this tree; it must be blind."

Rastus said, "No, that mule ain't blind; he just don't give a damn."

Mr. Speaker, I am coming to the conclusion that perhaps that is the trouble with the Chairman of the Education Committee. I am going to be brief in this matter. Too much time has already been taken up in these debates, but I want to quote to you one little item from a Labor Herald advertisement:

"America's highest aim is to produce good citizens.

The basis of good citizenship is character."

Then the advertisement goes on to state as follows:

"It will be of little use for us to fight against communism, Naziism and Fascism if our children are to have no future."

I say to you, Mr. Speaker, it will be of little use for us to try to educate our children spiritually if we do not make the proper fight against Fascism, Naziism and Communism in our schools, and the sabotage in the schools of Pennsylvania will be a whole lot worse than the sabotage in the defense plants.

In order to show the people of Pennsylvania how we on this side of the House feel about Senate Bill 518 and to show that we are definitely in earnest when we say we would like to have one definite amendment to the Teachers' Tenure Act that would make it permissible for school boards to fire un-American teachers, I have drawn up an appeal as a last resort to the Chairman of the Educational Committee, and I have asked the Republican Members of this House whether they wish to go along with this appeal. Every Republican member who was present yesterday and today has signed this appeal. Out of 82 Republican Members 79 signatures are thereon, the other three were absent. I would also desire to State, Mr. Speaker, that

the fourteen Republican Members on the Educational Committee have signed this appeal. It is a brief appeal and I wish to read it because I want to get it and the names of the Members thereon on the record. The appeal is as follows:

PETITION TO HOUSE COMMITTEE ON EDUCATION TO REPORT OUT SENATE BILL No. 518

We, the undersigned, members of the 1941 General Assembly of Pennsylvania, desiring an amendment to the Teachers Tenure Act which would definitely give school boards the right to discharge teachers who are in sympathy with or advocate or support un-American ideals and philosophies, or un-Democratic principles, hereby petition and request the Honorable Kenneth L. Harkins, Chairman, and the members of the Committee on Education, to immediately release Senate Bill 518 passed by the Senate and referred to said Committee on Education on April 22, 1941. This bill was passed in the Senate by a vote of 46 to 1 and the minority members of the House Committee on Education have signed this petition.

Therefore, we ask and urge the Committee on Education to bring this bill on the floor of the House at once so that the members of the House of Representatives can register their votes on this important legislation.

- Fred P. Hare, Jr.Rep.
- Lloyd H. WoodRep.
- Kenneth H. HainesRep.
- Albert F. FoorRep.
- Charles A. AukerRep.
- C. Frank GillanRep.
- Wrayburn B. HallRep.
- W. W. MuirRep.
- Don WilkinsonRep.
- Howard F. BoorseRep.
- R. Guy RankRep.
- George W. FisherRep.
- George W. CooperRep.
- W. Stuart HelmRep.
- Samuel B. DennisonRep.
- Robert D. FlemingRep.
- Ronald L. ThompsonRep.
- John E. Van AllsburgRep.
- Ray E. TaylorRep.
- James J. O'DareRep.
- Arthur P. BretherickRep.
- George E. JonesRep.
- Albert B. McClesterRep.
- Ray W. GreenwoodRep.
- Benjamin F. JamesRep.
- G. Edgar KlineRep.
- William W. SerrillRep.
- William R. McMillenRep.
- John McKinneyRep.
- George T. WeingartnerRep.
- William A. FletcherRep.
- David P. Reese, Jr.Rep.
- Elmer F. McSurdyRep.
- D. Raymond SollenbergerRep.
- Kenneth H. WagnerRep.
- C. G. KriseRep.
- Frank E. SnyderRep.
- J. Perry EckelsRep.
- Thomas B. StockhamRep.
- Wilson L. YeakelRep.
- L. D. StambaughRep.
- Thomas H. LeeRep.
- Edwin A. LeeRep.
- Robert J. CordierRep.
- Norman WoodRep.
- Harry E. TroutRep.
- George W. Huntley, Jr.Rep.
- Charles R. ReaganRep.
- William E. HabbysawRep.
- Earl E. Hewitt, Sr.Rep.

- Baker RoyerRep.
- Adam T. BowerRep.
- Ivan C. WatkinsRep.
- Lambart CadwaladerRep.
- Irving S. DixRep.
- Wilbert D. ImbrieRep.
- Herbert G. GatesRep.
- Robert E. Woodside, Jr.Rep.
- R. Roscoe SimonsRep.
- Amos M. LeiseyRep.
- Edwin M. RheaRep.
- Furman H. GygerRep.
- Ellwood J. TurnerRep.
- Wilson D. GilletteRep.
- Glenn W. ElyRep.
- Kenneth L. LeydicRep.
- H. David SargeRep.
- Franklin H. LichtenwalterRep.
- Paul H. GrooseRep.
- Matthew T. KnobieRep.
- Ray L. RileyRep.
- W. Henry ElderRep.
- Thomas LyonsRep.
- Edwin WinnerRep.
- Herbert P. SorgRep.
- Homer CookRep.
- Charles H. Brunner, Jr.Rep.
- Ira T. FissRep.
- Walter E. Rose, Jr.Rep.
- Delbert W. DalrympleRep.

It is my intention, Mr. Speaker, to present this appeal to the Honorable Chairman of the Educational Committee later this evening, and I want to say to the Democratic members of the House if any of you wish to sign this petition, or this appeal you can do so by coming to my desk.

I also want to say that if we adjourn this Legislature without giving the people of Pennsylvania what they want in this matter, without giving the school boards the right to fire teachers of communistic theories, then we will go down in history as having violated our oaths and as therefore having committed a political debauchery which has never been equalled in the annals of the political history of Pennsylvania.

PERMISSION TO ADDRESS HOUSE

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

Mr. Speaker, I note with satisfaction that this political-divided legislature and the administration early today adopted an agreement ending their six-month long controversy over budget matters, which would allow us to adjourn finally at the end of this week.

Put the blame where you like for this long session, it is a matter of fact that for months, week after week, certain groups and members of the legislature have been frittering away precious time in idle partisan squabbling, introducing bills by the ton, making speeches by the thousands, and after all accomplishing very little of net value for the people of Pennsylvania.

I believe that the cheap tactics of partisan meddling brought about by any group, be it Republicans or Democrats, will come back to haunt them, and as Members of the Assembly, they will realize that they are doing not only their individual political careers a disservice by placing their ineptness so conspicuously on display, but their party's services to the State as well.

It is highly important for any leaders and groups of the Assembly, be they either in the majority or the

minority, to realize that a long drawn out session is detrimental not only to the administration in power, and the people of the Commonwealth in general, but it is exceedingly important to realize that the members themselves are placed at a serious disadvantage in properly representing the people electing them.

Perhaps all, or at least the most of the members of the Assembly, have professions, business of some kind, or some other employment which certainly must be neglected to a certain extent when we are spending our time in Harrisburg, mostly taken up, as stated before, by idly witnessing partisan speeches and squabbles.

Therefore, my point is this, if we are to have the clientel of members which we are accustomed of having in the Assembly seek the office, it becomes necessary that more solid and fundamental business methods be used, harmony by all leaders and groups prevail, which in the end will allow the Members of the Assembly the opportunity of accomplishing in four months that which it has just taken six months to complete.

Without criticising any leader, party or group of this House in particular for the delays involved, I am hoping in future sessions of the Assembly these principles will be adhered to, and that all the work of the legislature can be done satisfactorily in a reasonable time, much to the advantage of the membership making up this body. And I further state that I believe I am speaking the thoughts and ideas in the minds of all the members of this Assembly.

This is the only way in which we can retain the high type of membership which our State has been accustomed to.

COMMUNICATION FROM THE GOVERNOR

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

APPROVAL OF HOUSE BILL No. 1660.

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, July 9, 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. 1660, Printer's No. 792, entitled, "An act to amend section seven hundred and thirty of the act approved the ninth day of April one thousand nine hundred and twenty-nine, (P. L. 343) entitled 'An act relating to the finances of the State government; providing for the settlement, assessment, collection, and lien of taxes, bonus, and all other accounts due the Commonwealth, the collection and recovery of fees and other money or property due or belonging to the Commonwealth, or any agency thereof, including escheated property and the proceeds of its sale, the custody and disbursement or other disposition of funds and securities belonging to or in the possession of the Commonwealth, and the settlement of claims against the Commonwealth the resettlement of accounts and appeals to the courts, refunds of moneys erroneously paid to the Commonwealth, auditing the accounts of the Commonwealth and all agencies thereof, of all public officers collecting moneys payable to the Commonwealth, or any agency thereof, and all receipts of appropriations from the Commonwealth and imposing penalties; affecting every department, board, commission, and officers of the State government, every political subdivision of the State, and certain officers of such subdivisions, every person, association, and corporation required to pay, assess, or collect taxes,

or to make returns or reports under the laws imposing taxes for state purposes, or to pay license fees or other moneys to the Commonwealth, or any agency thereof, every State depository and every debtor or creditor of the Commonwealth,' by authorizing the furnishing of certain confidential information to other states and the United States."

ARTHUR H. JAMES.

RESOLUTION

RECALLING HOUSE BILL No. 892, FROM THE GOVERNOR

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

In the House of Representatives, July 9, 1941.

Resolved (if the Senate concur), that House Bill No. 892, Printer's No. 1046, entitled "An act authorizing a commission to study recreational facilities available in first class cities imposing powers and duties on said commission."

be recalled from the Governor for the purpose of amendment.

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

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. 49.

An Act making an appropriation for the maintenance repair and improvement of the Port of Philadelphia.

HOUSE BILL No. 220.

An Act to amend section four 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" authorizing the Department of Highways to take over structures bridges and viaducts on State highways in cities of the second class A and third class.

HOUSE BILL No. 361.

An Act making an appropriation to the City of Harrisburg to compensate members of the police force for the extra police protection afforded by the Harrisburg police force for the properties and activities of the Commonwealth within the Capital City.

HOUSE BILL No. 639.

An Act requiring the Department of Property and Supplies, with the approval of the Department of Military Affairs to complete and thereafter maintain "The Twenty-eighth Division Shrine," at Boalsburg, Centre County; dedicating the same to the officers and men of the Twenty-eighth Division; and making an appropriation.

HOUSE BILL No. 723.

An Act to further amend section fourteen of the act approved the eighteenth day of July one thousand nine hundred and seventeen (P. L. 1043) entitled "An act establishing a public school employes' retirement system and creating a retirement board for the administration thereof of establishing certain funds from contributions by the Commonwealth and contributing employes defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon boards having the employment of public school employes exempting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties" extending the retirement provisions relating to former teachers to additional cases who separated from school service because of physical or mental disability prior to the first day of July one thousand nine hundred and nineteen.

HOUSE BILL No. 820.

An Act to amend section one of the act, approved the second day of May, one thousand eight hundred and ninety-nine (P. L. 184), entitled "An act to provide revenue by imposing a mercantile license tax on vendors of or dealers in goods, wares, and merchandise, and providing for the collection of said tax," as amended, exempting from the mercantile license tax so much of the business of manufacturers and mechanics as comprises the vending of goods of their manufacture from their factories and workshops.

HOUSE BILL No. 1095.

An Act to further amend section six of the act, approved the fifth day of May, one thousand nine hundred and eleven (P. L. 198), entitled "An act to establish a county court for the county of Allegheny, and prescribing its powers and duties; regulating the procedure therein and providing for the expenses thereof," by conferring upon said county court jurisdiction in certain civil actions transferred to it by the Court of Common Pleas of Allegheny County.

HOUSE BILL No. 1488.

An Act preserving the rights of persons enlisting or being inducted or drafted into the military or naval service of the United States during a national emergency under licenses or registrations issued by the Department of Public Instruction and brokers licenses issued by the Department of Insurance to practice professions or to work at trades or occupations and providing for renewals after discharge from such service.

HOUSE BILL No. 1572.

An Act to amend the act approved the second day of March one thousand nine hundred thirty-three (P. L. 6) entitled "An act to enable persons associations partnerships and corporations engaged in farming and raising breeding fattening and marketing livestock to borrow money and secure the repayment thereof by the execution and recordation of chattel mortgages on livestock farm machinery farm equipment and crops and designating the operation and effect of the lien of such mortgages," as amended by extending enlarging and removing the limitations upon the class of those who may become chattel mortgagees by making further provisions respecting the fees of recorders of deeds in connection with chattel

mortgages the extension of the lien and defaults of said mortgages and by defining violations and prescribing penalties.

HOUSE BILL No. 1611.

An Act creating a presumption of release or discharge of certain mortgages held by the Commonwealth and empowering the Department of Justice to enter satisfaction thereof at the cost of the property owners.

HOUSE BILL No. 1650.

An Act providing for the cooperation of the Commonwealth and certain political subdivisions thereof with the United States in respect to flood control projects authorizing the Secretary of Highways on behalf of the Commonwealth and the authorities of the various counties cities boroughs and townships with the approval of the Water and Power Resources Board to enter into certain agreements with and to grant and convey to the United States certain rights and easements in and relative to the highways streets roads and bridges thereof and lands bordering the same over which such governmental units may have control.

HOUSE BILL No. 1716.

An Act to further amend sections three and ten of the act approved the fifth day of May one thousand nine hundred and thirty-three (P. L. 284) entitled as amended "An act imposing a State tax payable by those herein defined as manufacturers and by others on malt or brewed beverages used sold transported or delivered within the Commonwealth prescribing the method and manner of evidencing the payment and collection of such tax conferring powers and imposing duties on the Department of Revenue and those using or engaged in the sale at retail or wholesale or in the transportation of malt or brewed beverages taxable hereunder and providing penalties" by prescribing malt beverage tax rates for certain original containers or standard fractions thereof and providing for refunds of tax for malt or brewed beverages sold to commissaries ship's stores and voluntary unincorporated organizations of the Army or of the Navy personnel operating under regulations promulgated by the Secretary of War or the Secretary of the Navy.

HOUSE BILL No. 1760.

An Act creating a commission to make a study and investigation of the various problems related to the surface subsidence frequently caused by the mining of anthracite coal directing such commission to make a report and recommendations to the General Assembly conferring certain powers upon such commission including the power to issue subpoenas administer oaths and affirmations retain employes and expend funds and making an appropriation.

HOUSE BILL No. 1919.

An Act to amend sections 103 301 304 305 307 308 310 311 401 402 403 404 405 410 501 502 503 505 506 508 510 511 512 513 703 801 802 803 804 807 808 809 904 1003 and 1101 of the act approved the twenty-eighth day of April one thousand nine hundred and thirty-seven (P. L. 417) entitled "An act relating to milk and the products thereof creating a Milk Control Commission establishing its jurisdiction powers and duties regulating the production transportation manufacturing processing storage distribution delivery and sale of milk and certain products thereof providing for the licensing of milk dealers and the payment of fees therefor requiring milk dealers to file bonds to secure payment for milk to producers and certain milk dealers authorizing the holding of hearings and the issuance of subpoenas by the commission conferring jurisdiction upon courts to punish contempts and to prohibit violations of this act and of rules regulations and orders of the commission authorizing the commission to adopt rules regulations and orders and to enter into interstate and Federal compacts requiring persons who weigh measure

sample or test milk to procure permits or certificates to take examinations to pay fees therefor to furnish certain notices records and statements and to use certain methods of weighing measuring sampling and testing authorizing the commission to examine the business papers and premises of milk dealers and producers requiring the keeping of records and the filing of reports by milk dealers and permitting with limitations the use of information obtained thereby authorizing the commission to fix prices for milk and certain milk products subject to the approval of the Governor and conferring certain powers upon the Governor with respect thereto providing for appeals to the courts from decisions of the commission and for the burden of proof upon such appeals prescribing penalties fines and imprisonment for violations of this act and rules regulations and orders of the commission defining perjury defining remedies repealing legislation supplied and superseded by this act and saving rights duties and proceedings thereunder and making appropriations" by adding the term "handler" as a synonym for the term "milk dealer" defining the terms "handle" and "handler" extending the provisions of the act to those who handle milk by bailment brokerage consignment or purchase authorizing special agents or examiners to conduct hearings on behalf of the Milk Control Commission enabling certain officers employes and agents to administer oaths providing the method and effect of service of certain orders and the posting of rules regulations and certain orders enabling employes of the commission to photograph photostat mark or stamp for identification books and papers that they have inspected providing for action with milk control agencies of other states and of the United States in holding hearings and promulgating and enforcing orders requiring milk dealers or handlers to be licensed stating grounds for refusal suspension revocation of licenses and the right to transfer licenses stating grounds for refusal of the right to apply for a license stating the effect of service by registered mail enlarging requirements of milk dealers or handlers to file bonds to secure payment to producers and certain milk dealers or handlers prescribing the effective date and term of such bonds and providing for their release providing for the increase or decrease of the amounts of bonds prescribing the effect of orders and findings of fact of the commission relating to licenses in suits on bonds providing for payment to those entitled thereto of moneys in the hands of the commission owing from dealers or handlers to producers and from subdealers or subhandlers to dealers or handlers increasing the scope of regulation of subdealers or subhandlers making certain information available to cooperatives and producers groups clarifying the requisites of orders fixing prices for milk providing for the competency of certain statistical testimony and data providing that all provisions of price-fixing orders shall be presumed to be valid and placing the burden of proving any invalidity of any order or part thereof stating the effect of partial invalidity of price-fixing orders defining violations of orders of the commission fixing prices making milk dealers or handlers responsible for acts of their directors officers agents or other persons acting for or on behalf of them giving certain additional rights to cooperatives and producers' and farmers' unions or organizations of producers of milk further regulating and imposing duties on milk dealers or handlers prescribing procedure on appeal from orders of the commission further defining and prescribing penalties defenses rights and remedies and providing for the payment of funds in the hands of the commission owing producers or dealers or handlers to those entitled thereto.

Whereupon,

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

PERMISSION GRANTED COMMITTEES TO MEET DURING SESSION

Mr. BROWN asked and obtained permission for the Committee on Judiciary General to meet during the ses-

sion of the House to consider Senate Bill No. 177 (House Bill No. 1606).

Mr. HIRSCH asked and obtained permission for the Committee on Fisheries to meet during the session of the House to consider House Bills Nos. 1954 and 1955.

SENATE MESSAGE

SENATE ADOPTS CONFERENCE COMMITTEE REPORT ON SENATE BILL No. 418

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

SENATE BILL No. 418.

An Act requiring the Governor of the Commonwealth to issue a proclamation setting apart September thirtieth of each year as Commodore John Barry Day

REPORT OF COMMITTEE ON CONFERENCE ON SENATE BILL No. 418

Mr. CULLEN. Mr. Speaker, I desire to call up the report of the Committee of Conference on Senate Bill No. 418, Printer's No. 582.

The report was read by the Clerk as follows:

To the Members of the Senate and House of Representatives:

We, the undersigned, Committee of Conference on the part of the Senate and House of Representatives for the purpose of considering Senate Bill No. 418, entitled:

"An Act requiring the Governor of the Commonwealth to issue a proclamation setting apart September thirtieth of each year as Commodore John Barry Day".

Respectfully submit the following bill as our report:

GEORGE N. WADE
JACOB W. CARR
JOHN J. McCREESH
(Committee on the Part of Senate.)

FRANK J. CULLEN
JOHN J. FINNERTY
JAMES J. O'DARE
(Committee on the part of
the House of Representatives.)

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

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

Section 1. The Governor shall this year issue a proclamation setting apart September thirtieth as Commodore John Barry Day and recommending that it be observed annually by the people with appropriate exercises in the public schools and otherwise as he may see fit to the end that the memory of the service rendered by Commodore John Barry during the struggle for American independence may be perpetuated

Section 2 This act shall become effective immediately upon final enactment

On the question,
Will the House adopt the report of the Committee of Conference?

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

YEAS—182

Achterman,	Fletcher,	Longo,	Rose, S.,
Auker,	Flynn,	Lovett,	Rosenfeld,
Baker,	Foor,	Lyons,	Royer,
Balthaser,	French,	Malloy,	Rush,
Bentley,	Gallagher,	Marks,	Sarge,
Bentzel,	Gates,	McClanaghan,	Sarrat,
Boies,	Gerard,	McClester,	Scanlon,
Boney,	Gillan,	McDermott,	Schwab,
Boorse,	Gillette,	McDowell,	Serrill,
Bower,	Goodwin,	McFall,	Shaffer,
Bradley,	Gross,	McIntosh,	Shaw,
Breth,	Gryskewicz,	McKinney,	Shepard,
Bretherick,	Habbyslaw,	McLane,	Simons,
Brown,	Haberlen,	McSurdy,	Skale,
Erunner, C. H.,	Hall,	Melchiorre,	Snyder,
Brunner, P. A.,	Eamilton,	Mihm,	Sollenberger,
Burns,	Helm,	Modell,	Sorg,
Burris,	Harkins,	Monks,	Stank,
Cadwalader,	Harmuth,	Mooney,	Stine,
Chervenak,	Harris,	Moran,	Stockham,
Chudoff,	Heatherington,	Moul,	Tarr,
Cochran,	Hare,	Muir,	Tate,
Cohen, M. M.,	Hering,	Munley,	Thompson, E. F.,
Cohen, R. E.,	Herman,	Nagel,	Trout,
Cook,	Hersch,	Nunemacher,	Turner,
Cooper,	Hewitt,	O'Brien,	Van Allsburg,
Cordier,	Hirsch,	O'Connor,	Verona,
Corrigan,	Holland,	O'Dare,	Vincent,
Croop,	Huntley,	O'Mullen,	Vogt,
Cullen,	Imbrie,	O'Neill,	Volow,
Dalrymple,	James,	Owens,	Wagner,
Dennison,	Jefferson,	Petrosky,	Watkins,
DiGenova,	Jones, G. E.,	Pettit,	Weingartner,
Dix,	Jones, P. N.,	Polaski,	Wels,
Dolon,	Kline,	Polen,	Welsh, E. B.,
D'Ortona,	Knoble,	Powers,	Williams,
Duffy,	Kolankiewicz,	Prosen,	Wood, L. H.,
Elder,	Komorofski,	Rank,	Wood, N.,
Elllott,	Krise,	Rausch,	Woodring,
Ely,	Lee, T. H.,	Readinger,	Woodside,
Finestone,	Lelsey,	Reese, D. P.,	Wright,
Finnerty,	Leonard,	Reese, R. E.,	Yeakel,
Fisher,	Lesko,	Reynolds,	Yester,
Fiss,	Levy,	Rhea,	Young,
Fleming,	Leydic,	Riley,	Kilroy,
	Lichtenwalter,	Rooney,	Speaker.

NAYS—0

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

Ordered, That the Clerk inform the Senate accordingly.

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. 94.

An Act to amend section fifteen hundred and nine of the act approved the eighteenth day of May one thousand nine hundred and eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" by providing that the board of directors of any school district may appropriate funds to pay for medical examinations for tuberculosis for pupils teachers janitors or other employes

HOUSE BILL No. 1013.

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

HOUSE BILL No. 1643.

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

HOUSE BILL No. 1648.

An Act to amend the act approved the first day of May one thousand nine hundred and twenty-nine (P. L. 1005) entitled "An act relating to and regulating tractors and trailers and their operation providing for their registration and the licensing of certain operators by the Department of Revenue 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 tractors and trailers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns and townships within the Commonwealth liability for damages caused by the negligent operation of tractors and trailers 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" as variously amended by changing registration years fractions of registration years operator's license years extending the time for exemption from fees for transfer of registration to conform with changed registration year reducing operator's license fee and giving the secretary power to determine whether certain motor vehicles are of tractor type

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

COMMUNICATIONS FROM THE GOVERNOR

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

APPROVAL OF RESOLUTION RECALLING HOUSE BILL No. 1837

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, July 9, 1941.

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

I have the honor to inform you that I have this day approved and signed a resolution of the House of Representatives and Senate recalling from the Governor House Bill No. 1837, Printer's No. 1077, for the purpose of amendment.

Accordingly, the original bill is herewith returned.

ARTHUR H. JAMES.

COMMUNICATION AND BILL LAID ON TABLE

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

The motion was agreed to.

APPROVAL OF RESOLUTION RECALLING HOUSE BILL No. 291

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, July 9, 1941.

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

I have the honor to inform you that I have this day approved and signed a resolution of the House of Representatives and Senate recalling from the Governor House Bill No. 291, Printer's No. 1047, for the purpose of further consideration.

Accordingly, the original bill is herewith returned.

ARTHUR H. JAMES.

COMMUNICATION AND BILL LAID ON TABLE

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

The motion was agreed to.

APPROVAL OF RESOLUTION RECALLING HOUSE BILL No. 389

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, July 9, 1941.

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

I have the honor to inform you that I have this day approved and signed a resolution of the House of Representatives and Senate recalling from the Governor House Bill No. 389, Printer's No. 339, for the purpose of further consideration.

Accordingly, the original bill is herewith returned.

ARTHUR H. JAMES.

COMMUNICATION AND BILL LAID ON TABLE

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

The motion was agreed to.

APPROVAL OF RESOLUTION RECALLING HOUSE BILL No. 581

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, July 9, 1941.

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

I have the honor to inform you that I have this day approved and signed a resolution of the House of Representatives and Senate recalling from the Governor House Bill No. 581, Printer's No. 976, for the purpose of further consideration.

Accordingly, the original bill is herewith returned.

ARTHUR H. JAMES.

COMMUNICATION AND BILL LAID ON TABLE

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

The motion was agreed to.

APPROVAL OF RESOLUTION RECALLING HOUSE BILL No. 1066

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, July 9, 1941.

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

I have the honor to inform you that I have this day approved and signed a resolution of the House of Representatives and Senate recalling from the Governor House Bill No. 1066, Printer's No. 978, for the purpose of further consideration.

Accordingly, the original bill is herewith returned.

ARTHUR H. JAMES.

COMMUNICATION AND BILL LAID ON TABLE

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

The motion was agreed to.

APPROVAL OF RESOLUTION RECALLING HOUSE BILL No. 1083

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, July 9, 1941.

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

I have the honor to inform you that I have this day approved and signed a resolution of the House of Representatives and Senate recalling from the Governor House Bill No. 1083, Printer's No. 614, for the purpose of further consideration.

Accordingly, the original bill is herewith returned.

ARTHUR H. JAMES.

COMMUNICATION AND BILL LAID ON TABLE

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

The motion was agreed to.

APPROVAL OF RESOLUTION RECALLING HOUSE BILL No. 1106

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, July 9, 1941.

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

I have the honor to inform you that I have this day approved and signed a resolution of the House of Representatives and Senate recalling from the Governor House Bill No. 1106, Printer's No. 1046, for the purpose of further consideration.

Accordingly, the original bill is herewith returned.

ARTHUR H. JAMES.

COMMUNICATION AND BILL LAID ON TABLE

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

The motion was agreed to.

APPROVAL OF RESOLUTION RECALLING HOUSE BILL No. 1203.

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, July 9, 1941.

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

I have the honor to inform you that I have this day approved and signed a resolution of the House of Representatives and Senate recalling from the Governor House Bill No. 1203, Printer's No. 612, for the purpose of further consideration.

Accordingly, the original bill is herewith returned.

ARTHUR H. JAMES.

COMMUNICATION AND BILL LAID ON TABLE

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

The motion was agreed to.

HOUSE BILLS MADE SPECIAL ORDER

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

The motion was agreed to.

BILL ON FINAL PASSAGE

Agreeably to order,

The House proceeded to the consideration on final passage of House Bill No. 1854, as follows:

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 now or hereafter under any county retirement system who are required to enter active service with the military or naval forces of the United States

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

Section 1 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" as last amended by the act approved the fifteenth day of June one thousand nine

hundred and thirty-nine (P. L. 365) is hereby further amended to read as follows

Section 311 "County employes" Defined A county employe for the purpose of this subdivision of this act is any person employed by the county or by the county institution district or by any county workhouse and inebriate asylum or by the county retirement system at a wage or salary payable at stated intervals that is to say semi-monthly monthly quarterly or annually The term may at the option of the Retirement Board include any person elected by the vote of the people In all cases of doubt the Retirement Board shall determine who is an employe within the meaning of this act

Any county employe who has been or hereafter may be required to enter active service with the military or naval forces of the United States under the provisions of any act of Congress may acquire and retain all rights of county employes under this subdivision of this act during the period for which such service is required by paying into the retirement fund that amount if any which such employe would have paid had he remained a county employe and by continuing to pay into that fund the same monthly amount as was being paid at the time of entrance into military or naval service

Any county employe thus called into active military or naval service making the payments aforesaid shall have all the rights and privileges of other county employes under this subdivision

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

On the question,

Shall the bill pass finally?

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

YEAS—182

Achterman,	Flynn,	Lovett,	Rosenfeld,
Auker,	Foor,	Lyons,	Royer,
Baker,	French,	Malloy,	Rush,
Falthaser,	Gallagher,	Marks,	Sarge,
Bentley,	Gates,	McClanaghan,	Sarraff,
Bentzel,	Gerard,	McClester,	Scanlon,
Boles,	Gillan,	McDermoit,	Schwab,
Boney,	Gillette,	McDowell,	Serrill,
Boorse,	Goodwin,	McFall,	Shaffer,
Bower,	Gross,	McIntosh,	Shaw,
Bradley,	Gryskewicz,	McKinney,	Shepard,
Breth,	Habbyshaw,	McLane,	Simons,
Bretherick,	Haberlen,	McSurdy,	Skale,
Brown,	Hall,	Melchiorre,	Snyder,
Brunner, C. H.,	Hamilton,	Mihm,	Sollenberger,
Brunner, P. A.,	Hare,	Modell,	Sorg,
Burns,	Harkins,	Monks,	Stank,
Burril,	Harmuth,	Mooney,	Stine
Cadwalader,	Harris,	Moran,	Stockham,
Chervenak,	Heatherington,	Moul,	Tarr,
Chudoff,	Helm,	Muir,	Tate,
Cochran,	Hering,	Munley,	Thompson, E. F.,
Cohen, M. M.,	Herman,	Nagel,	Trout,
Cohen, R. E.,	Hersch,	Nunemacher,	Turner,
Cook,	Hewitt,	O'Brien,	VanAllsburg,
Cooper,	Hirsch,	O'Connor,	Verona,
Cordier,	Holland,	O'Dare,	Vincenz,
Corrigan,	Huntley,	O'Mullen,	Vogt,
Croop,	Imbrie,	O'Neill,	Voldow,
Cullen,	James,	Owens,	Wagner,
Dairympole,	Jefferson,	Petrosky,	Watkins,
Dennison,	Jones, G. E.,	Pettit,	Weingartner,
DiGenova,	Jones, P. N.,	Polaski,	Wells,
Dix,	Kline,	Polen,	Welsh, E. B.,
Dolon,	Knoble,	Powers,	Williams,
D'Ortona,	Kolankiewicz,	Prosen,	Wood, L. H.,
Duffy,	Komorowski,	Rank,	Wood, N.,
Elder,	Krise,	Rausch,	Woodring,
Elliott,	Lee, T. H.,	Readinger,	Woodside,
Ely,	Lelsey,	Reese, D. P.,	Wright,
Finestone,	Leonard,	Reese, R. E.,	Yeakel,
Finnerty,	Lesko,	Reynolds,	Yester,
Fisher,	Levy,	Rhea,	Young,
Fiss,	Leydic,	Riley,	Kilroy,
Fleming,	Lichtenwalter,	Rooney,	Speaker.
Fletcher,	Longo,	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 present the same to the Senate for concurrence.

PERMISSION GRANTED COMMITTEE TO MEET DURING SESSION

Mr. SHAW asked and obtained permission for the Committee on Welfare to meet during the session of the House, to consider Senate Bill No. 594.

BILLS ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1880, as follows:

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

Section 1 Article three of the act approved the second day of May one thousand nine hundred twenty-nine (P. L. 1278) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" is hereby amended by adding thereto after section three hundred twenty-seven a new section to read as follows

Section 328 Certain Additional Pension Rights Any member of the county pension system established and maintained by a second class county under the provisions of this article who was an employe of a county institution on the day when such institution was taken over by the Commonwealth under the terms 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 transfer 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" shall continue as a member of such county pension system without further payroll deductions on account of such membership and upon retirement for superannuation after attaining the age of sixty such member shall be entitled to a retirement allowance from such county pension system which shall supplement the retirement allowance from the State Employes' Retirement System which retirement allowance shall consist of

(a) A member's annuity which shall be the actuarial equivalent of the accumulated deductions to his or her credit in the county pension system and

(b) A county annuity of one-one hundredth (1/100) of the average annual salary earnable by the member as a county employe during the last two years of service to the county for each year of service to such county

In the event of the death of the member while in such State service or entry upon a disability retirement allowance or in the event of withdrawal from State service or in the event of written notice at any time to the county pension system of intention to withdraw from such system the obligation of the county pension system to such member would be limited to the return of the accumulated deductions of such member to his credit in such county pension system

And said bill having been read at length the third time, 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—182

Achterman,	Fletcher,	Longo,	Rose, S.
Auker,	Flynn,	Lovett,	Rosenfeld,
Baker,	Foor,	Lyons,	Royer,
Balthaser,	French,	Malloy,	Rush,
Bentley,	Gallagher,	Marks,	Sarge,
Bentzel,	Gates,	McClanaghan,	Sarraf,
Boles,	Gerard,	McClester,	Scanlon,
Boney,	Gillan,	McDermott,	Schwab,
Boorse,	Gillette,	McDowell,	Serrill,
Bower,	Goodwin,	McFall,	Shaffer,
Bradley,	Gross,	McIntosh,	Shepard,
Breth,	Gryskewicz,	McKinney,	Shaw,
Bretherick,	Habbyshaw,	McLane,	Simons,
Brown,	Haberlen,	McSurdy,	Skale,
Brunner, C. H.,	Hall,	Melchiorre,	Snyder,
Brunner, P. A.,	Hamilton,	Mihm,	Sollenberger,
Burns,	Hare,	Modell,	Sorg,
Burris,	Harkins,	Monks,	Stank,
Cadwalader,	Harmuth,	Mooney,	Stine,
Chervenak,	Harris,	Moran,	Stockham,
Chudoff,	Heatherington,	Moul,	Tarr,
Cochran,	Helm,	Muir,	Tate,
Cohen, M. M.,	Hering,	Munley,	Thompson, E. F.,
Cohen, R. E.,	Herman,	Nagel,	Trout,
Cook,	Hersch,	Nunemacher,	Turner,
Cooper,	Hewitt,	O'Brien,	Van Allsburg,
Cordier,	Hirsch,	O'Connor,	Verona,
Corrigan,	Holland,	O'Dare,	Vincent,
Croop,	Huntley,	O'Mullen,	Vogt,
Cullen,	Imbrie,	O'Neill,	Voidow,
Dalrymple,	James,	Owens,	Wagner,
Dennison,	Jefferson,	Petrosky,	Watkins,
Digenova,	Jones, G. E.,	Pettit,	Weingartner,
Dix,	Jones, P. N.,	Polaski,	Weiss,
Dolon,	Kilne,	Polen,	Welsh, E. B.,
D'Ortona,	Knoble,	Powers,	Williams,
Duffy,	Kolankiewicz,	Prosen,	Wood, L. H.,
Elder,	Komorofski,	Rank,	Wood, N.,
Elliott,	Krise,	Rausch,	Woodring,
Ely,	Lee, T. H.,	Readinger,	Woodside,
Finestone,	Leisey,	Reese, D. P.,	Wright,
Finnerty,	Leonard,	Reese, R. E.,	Yeakel,
Fisher,	Lesko,	Reynolds,	Yester,
Floss,	Levy,	Rhea,	Young,
Fleming,	Leydic,	Riley,	Kilroy,
	Lichtenwalter,	Rooney,	Speaker.

NAYS—0

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

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

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1930, as follows:

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

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

Section 1 The Pennsylvania Historical Commission hereby is authorized to acquire by gift in the name of the Commonwealth of Pennsylvania from the owners thereof the monument erected in Greene County to the memory of Sarah Jane Price Ackley a great pioneer mother of western Pennsylvania on the State highway between Graysville Greene County and Burnsville Washington County which acts as a double marker since it stands on the site of Ackley Covered Bridge removed by Henry Ford to Greenfield Village Dearborn Michigan and there restored and upon its acquisition to preserve and to maintain the same as an historical place

Section 2 The title to said real estate shall be taken in the name of the Commonwealth of Pennsylvania and shall before its acquisition be approved by the Department of Justice

Section 3 This act shall become effective immediately upon final enactment

And said bill having been read at length the third time, 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—182

- | | | | |
|-----------------|----------------|---------------|------------------|
| Achterman, | Flynn. | Lovett, | Rosenfeld, |
| Auker, | Foor, | Lyons, | Royer, |
| Baker, | French, | Malloy, | Rush, |
| Balthaser, | Gallagher, | Marks, | Sarge, |
| Bentley, | Gates, | McClanaghan, | Sarraf, |
| Bentzel, | Gerard, | McClester, | Scanlon, |
| Boles, | Gillan, | McDermott, | Schwab, |
| Boney, | Gillette, | McDowell, | Serrill, |
| Boorse, | Goodwin, | McFall, | Shaffer, |
| Bower, | Gross, | McIntosh, | Shaw, |
| Bradley, | Gryskewicz, | McKinney, | Shepard, |
| Breth, | Habbyshaw, | McLane, | Simons, |
| Erethrick, | Haberlen, | McSurdy, | Skale, |
| Brown, | Hall, | McTchorre, | Snyder, |
| Brunner, C. H., | Hamilton, | Mihm, | Sollenberger, |
| Brunner, P. A., | Eare, | Modell, | Sorg, |
| Burns, | Harkins, | Monks, | Stank, |
| Burris, | Harmuth, | Mocney, | Stine, |
| Cadwalader, | Harris, | Moran, | Stockham, |
| Chervenak, | Heatherington, | Moul, | Tarr, |
| Chudoff, | Eeli, | Muir, | Tate, |
| Cochran, | Eering, | Munley, | Thompson, E. F., |
| Cohen, M. M., | Kerman, | Nagel, | Trout, |
| Cohen, R. E., | Hersch, | Nunemacher, | Turner, |
| Cook, | Hewitt, | O'Brien, | VanAllsburg, |
| Cooper, | Hirsch, | O'Connor, | Vincent, |
| Cordler, | Holland, | O'Dare, | Verona, |
| Corrigan, | Huntley, | O'Mullen, | Vogt, |
| Croop, | Imbrie, | O'Neill, | Voldow, |
| Cullen, | James, | Owens, | Wagner, |
| Dairymples, | Jefferson, | Petrosky, | Watkins, |
| Dennison, | Jone G. E., | Pettit, | Weingartner, |
| DiGenova, | Jones, P. N., | Polaski, | Wells, |
| Dix, | Kilne, | Polen, | Welsh, E. B., |
| Doion, | Knoble, | Powers, | Williams, |
| D'Ortona, | Kolankiewicz, | Prosen, | Wood, L. H., |
| Duffy, | Komorofski, | Rank, | Wood, N., |
| Elder, | Krise, | Rausch, | Woodring, |
| Ellrott, | Lee, T. H., | Readinger, | Woodside, |
| Ely, | Leisey, | Reese, D. P., | Wright, |
| Finestone, | Leonard, | Reese, R. E., | Yeakel, |
| Finnerty, | Lesko, | Reynolds, | Yester, |
| Fisher, | Levy, | Rhea, | Young, |
| Fiss, | Leydic, | Riley, | Kilroy |
| Fleming, | Lichtenwalter, | Rooney, | Speaker. |
| Fletcher, | Longo, | 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 present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1831, as follows:

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

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

Section 1 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" as last amended by the act approved the twenty-second day of April one thousand nine hundred thirty-seven (P. L. 399) is hereby further amended to read as follows

Section 21 The Department of Health shall upon request and the payment of the fee as hereinafter provided, furnish any applicant a certified copy of the record of any birth death or marriage registered under provisions of this act Provided however That no certified copy of an illegitimate birth record nor any information relative thereto except as herein otherwise provided shall be furnished to any person other than the illegitimate child or the mother of the child or upon an order of a court of competent jurisdiction When a certified copy is furnished of a birth certificate which was not filed within ten days from the birth there shall be furnished with such copy a true copy of any affidavit or affidavits or other papers filed with such birth certificate When a request is made for a birth certificate of any person who has been adopted by any other person pursuant to the provisions of any law and there is filed with such request a certified copy of the decree of the court in such adoption proceedings the department shall upon special request therefor issue in lieu of a certified copy of the original record a certificate showing only (a) the name of the adopted person as changed by the decree of adoption if changed (b),

the date and place of birth (c) the names of the adopting parent or parents and (d) the permanent file number of the original birth certificate Such special certificate shall be accepted by all school authorities as evidence of the child's age for all purposes connected with employment or school attendance For the making and certification of each certified copy of the record of any birth death or marriage or of any special birth certificate the department shall be entitled to a fee of one dollar to be paid by the applicant and any such copy of the record of a birth or death or marriage when properly certified by the Department of Health to be a true copy thereof shall be prima facie evidence in all courts and places of the facts therein stated Provided That certified copies of the record of any birth death or marriage shall be furnished to honorably discharged soldiers sailors marines war nurses and their dependents without the payment of any fee For any search of the files and records when no certified copy is made the Department of Health shall be entitled to a fee of fifty cents for each hour or fractional hour of time of search to be paid by the applicant And the Department of Health shall keep a true and correct account of all fees by it received under these provisions and pay the same into the State Treasury through the Department of Revenue

In all counties of the second class the Department of Health shall establish in a convenient location a branch office for the receipt and filing of death certificates It shall be the duty of all local registrars in such counties to make one copy of every death certificate in addition to the copy now required by law to be retained in their offices Such additional copy shall be forwarded immediately upon its completion to the branch office hereinbefore provided for and it shall thereafter have the same validity and effect as the original death certificate forwarded to the Department of Health in Harrisburg for filing Certified copies of any death certificate on file with such branch office shall be issued by it immediately upon request and payment of the fee hereinbefore in this section prescribed Such certified copies shall have the same force and effect as other certified copies issued under the authority of this section Such branch office shall also make searches of its death certificate records or files upon payment of the fee hereinbefore in this section prescribed

Section 2 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—182

Achterman,	Fletcher,	Longo,	Rose, S.,
Auker,	Flynn,	Lovett,	Rosenfeld,
Baker,	Foor,	Lyons,	Royer,
Balthaser,	French,	Malloy,	Rush,
Bentley,	Gallagher,	Marks,	Sarge,
Bentzel,	Gates,	McClanaghan,	Sarraf,
Boles,	Gerard,	McClester,	Scanlon,
Boney,	Gillan,	McDermott,	Schwab,
Boorse,	Gillette,	McDowell,	Serrill,
Bower,	Goodwin,	McFall,	Shaffer,
Bradley,	Gross,	McIntosh,	Shaw,
Breth,	Gryskewicz,	McKinney,	Shepard,
Bretherick,	Habbyshaw,	McLane,	Simons,
Brown,	Haberlen,	McSurdy,	Skale,
Brunner, C. H.,	Hall,	Meichlorre,	Snyder,
Brunner, P. A.,	Hamilton,	Mihm,	Sollenberger,
Burns,	Hare,	Modell,	Sorg,
Burris,	Harkins,	Monks,	Stank,
Cadwalader,	Harmuth,	Mooney,	Stine,
Chervenak,	Harris,	Moran,	Stockham,
Chudoff,	Heatherington,	Moul,	Tarr,
Cochran,	Helm,	Muir,	Tate,
Cohen, M. M.,	Hering,	Munley,	Thompson, E. F.,
Cohen, R. E.,	Herman,	Nagel,	Trout,
Cook,	Hersch,	Nunemacher,	Turner,
	Hewitt,	O'Brien,	Van Allsburg,

Cooper,	Hirsch,	O'Connor,	Verona,
Cordier,	Holland,	O'Dare,	Vincent,
Corrigan,	Huntley,	O'Mullen,	Vogt,
Croop,	Imbrie,	O'Neill,	Voldow,
Cullen,	James,	Owens,	Wagner,
Dairymple,	Jefferson,	Petrosky,	Watkins,
Dennison,	Jones, G. E.,	Pettit,	Weingartner,
DiGenova,	Jones, P. N.,	Polaski,	Welss,
Dix,	Kilne,	Polen,	Welsh, E. B.,
Doion,	Knobie,	Powers,	Williams,
D'Ortona,	Kolankiewicz,	Prosen,	Wood, L. F.,
Duffy,	Komorofski,	Rank,	Wood, N.,
Elder,	Krise,	Rausch,	Woodring,
Elliott,	Les, T. E.,	Readinger,	Woodside,
Eiv,	Leisey,	Reese, D. P.,	Wright,
Finestone,	Leonard,	Reese, R. E.,	Yeakel,
Finnerty,	Lesko,	Reynolds,	Yester,
Fisher,	Levy,	Rhea,	Young,
Fiss,	Leydic,	Riley,	Kilroy,
Fleming,	Lichtenwalter,	Rooney,	Speaker.

NAYS—0

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

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

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1895, as follows:

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 wools 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

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

Section 1 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" is hereby amended to read as follows

Section 5 A certificate when not superseded by a finding of the grade or other classification of any farm product issued under this act and a certificate issued by the United States Department of Agriculture independently or in co-operation with a co-operating agency as to grade or other classification of any farm product when certified by the authorized agent of that department shall be accepted in any court of this Commonwealth as prima facie evidence of the [true grade or other classification] of such farm product at the time of its classification. Truth of the statements therein contained including the true grade or other classification of such farm product at the time of its classification

Section 2 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—182

Achterman,	Fletcher,	Lichtenwalter,	Rooney,
Auker,	Flynn,	Longo,	Rose, S.,
Baker,	Foor,	Lovett,	Rosenfeld,
Balthaser,	French,	Lyons,	Royer,
Bentley,	Gallagher,	Malloy,	Rush,
Bentzel,	Gates,	Marks,	Sarge,
Boles,	Gerard,	McClanaghan,	Sarraf,
Boney,	Gillan,	McClester,	Scanlon,
Boorse,	Gillette,	McDermott,	Schwab,
Dower,	Goodwin,	McDowell,	Serrill,
Bradley,	Gross,	McFall,	Shaffer,
Erath,	Gryskewicz,	McIntosh,	Shaw,
Brotherick,	Habbyshaw,	McKinney,	Shepard,
Brown,	Haberlen,	McLane,	Simons,
Brunner, C. H.,	Hall,	McSurdy,	Skale,
Brunner, P. A.,	Hamilton,	Melchiorre,	Snyder,
Burns,	Hare,	Mihm,	Sollenberger,
Burris,	Harkins,	Modell,	Sorg,
Cadwalader,	Harmuth,	Monks,	Stank,
Chervenak,	Harris,	Mooney,	Stine,
Chudoff,	Heatherington,	Moran,	Stockham,
Cochran,	Holm,	Moul,	Tarr,
Cohen, M. M.,	Hering,	Muir,	Tate,
Cohen, R. E.,	Korman,	Municy,	Thompson, E. P.,
Cook,	Horsch,	Nagel,	Trout,
Cooper,	Hewitt,	Nunemacher,	Turner,
Cordier,	Hirsch,	O'Brien,	Van Alisburg,
Corrigan,	Holland,	O'Connor,	Verona,
Croop,	Huntley,	O'Dare,	Vincent,
Cullen,	Imbrie,	O'Mullen,	Vogt,
Dairyapple,	James,	O'Neill,	Voldow,
Dennison,	Jefferson,	Owens,	Wagner,
DiGenova,	Jones, G. E.,	Petrosky,	Watkins,
Lix,	Jones, P. N.,	Pettit,	Weingartner,
Dolon,	Kline,	Polaski,	Weiss,
D'Ortona,	Knoble,	Polen,	Welsh, E. B.,
Euffy,	Kolankiewicz,	Powers,	Williams,
Elder,	Komorowski,	Prosen,	Wood, L. H.,
Elliot,	Krise,	Bank,	Wood, N.,
Ely,	Lee, T. H.,	Rausch,	Woodring,
Emestone,	Lelsey,	Readinger,	Woodside,
Finnerty,	Leonard,	Reese, D. P.,	Wright,
Flaher,	Lesko,	Reese, R. E.,	Yeakel,
Flas,	Levy,	Reynolds,	Yester,
Fleming,	Leydic,	Rhea,	Young,
		Riley,	Kilroy, Speaker

NAYS—0

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

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

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1935, as follows:

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 pro-

viding 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

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

Section 1 Clause six of section one and section three of the act approved the twenty-seventh day of June one thousand nine hundred and thirty-three (P. L. 858) entitled "An act establishing a State employes' retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing State employes defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon the heads of departments in which State employes serve excepting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties" as last amended by the act approved the eighteenth day of May one thousand nine hundred and thirty-seven (P. L. 683) are hereby further amended to read as follows

Section 1 Be it enacted et cetera That the following words and phrases as used in this act unless a different meaning is plainly required by the context shall have the following meanings

* * * *

6 "State employes" shall mean any person holding a State office or position under the Commonwealth of Pennsylvania employed and paid on a yearly or monthly basis by the State Government of the Commonwealth of Pennsylvania in any capacity whatsoever and shall also include any employes of the Board of Fish Commissioners who although listed on a per diem payroll are in fact employed on a full time basis and at a regular compensation and shall include also any attorney solicitor investigator appraiser and clerk employed by the year or by the month in the office of any register of wills howsoever appointed whose compensation is actually paid from Commonwealth moneys and shall also include all judges of the several courts of this Commonwealth whose salaries are paid by the Commonwealth and also all clerks and secretaries employed by judges and paid on a yearly or monthly basis by such judges from moneys appropriated by the Commonwealth for such purposes and also all officers and employes of the Pennsylvania State College paid on a yearly or monthly basis other than those paid wholly from Federal funds and also all officers and employes of the Delaware River Joint Commission paid on a yearly or monthly basis if the Delaware River Joint Commission shall agree to contribute and contribute to the State Employees' Retirement Fund from time to time the moneys required to build up the reserves necessary for the payment of the State annuities of such officers and employes without any liability on the part of the Commonwealth to make appropriations for such purposes and also but only for the purposes of this act all officers and employes of any separate independent public corporation created by act of Assembly (not including however any municipal or quasi-municipal corporation) who immediately prior to their employment by such public corporation were employes of the Commonwealth so long as if they remain officers or employes of such public corporation if such public corporation shall agree to contribute and contribute to the State Employees' Retirement Fund from time to time the moneys required to build up the reserve necessary for the payment of the State annuities of such officers and employes without any liability on the part of the Commonwealth to make appropriations for such purposes But the term "State employe" shall not include those persons defined as employes in section one paragraph seven of the act approved the eighteenth day of July one thousand nine hundred and seventeen (P. L. 1043) entitled "An act establishing a public school employes' retirement

system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing employes defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon boards having the employment of public school employes exempting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties" as amended by section one paragraph seven of the act approved the twenty-first day of April one thousand nine hundred and twenty-one (P. L. 245) excepting such officers and employes of the Department of Public Instruction as are not members of or who may withdraw from the public school employes' retirement association provided by said act and no member shall be deprived of credit for prior service as a State employe because of the fact that such service was rendered while he or she was a member of the public school employes' retirement association

The term "State employe" shall also include all State officers and employes regularly employed by the year or by the month at a fixed annual or monthly compensation when the General Assembly is not in session but who during a legislative session instead of a fixed annual or monthly salary or compensation are paid upon a per diem basis or by a fixed salary or compensation from the legislative session

In all cases of doubt the retirement board shall determine whether any person is a State employe as defined in this paragraph and its decision shall be final

Section 3 A State employes' retirement association is hereby organized the membership of which shall consist of all State employes as defined in paragraph six of section one of this act who by written application to the Retirement Board shall either as an original member or a new member elect to be covered by the retirement system Any State employe who becomes a State employe subsequent to the thirty-first day of December nineteen hundred twenty-four except as provided in paragraphs nine and ten of section one of this act as to judges shall during the first six months of employment as a State employe have the option of membership but after the first six months of such employment as a State employe membership as a new member shall be compulsory Provided however that neither the Governor nor the Lieutenant Governor nor the head or deputy heads of any administrative department nor the members of any independent administrative board or commission or of any departmental administrative board or commission or of any advisory board of commission nor the secretary to the Governor nor the budget secretary nor any employes of the Board of Fish Commissioners who although listed on a per diem payroll are in fact employed on a full-time basis and at a regular compensation nor any person over the age of fifty years shall be compelled to become members of said State employes' retirement association

The head of each department board commission or other agency of the State government shall see to it that an application for membership is executed by each new State employe within said six months' period and that payroll deductions are not delayed beyond said period

Section 2 The foregoing change made in the definition of "State Employe" by this act shall be considered retroactive that is all persons included as State employes by such change and electing to join the retirement association shall be afforded the same rights as though they had become members of the retirement association at the time they first became State employes No such persons shall be considered as having become members of the retirement association prior to January first one thousand nine hundred and twenty-five and all such persons shall pay to the retirement association through regular payroll deductions a sum equal to all the back payments which such persons would have made if a member of the retirement association during the entire period they had the status of State employes

The Board of Fish Commissioners shall make the same back payments into the State Employes' Retirement Fund on account of such persons as would have been made if

they had become members of the retirement association when they first became State employes

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

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

On the question,

Shall the bill pass finally?

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

YEAS—132

Achterman,	Fletcher,	Lichtenwalter,	Rooney,
Auker,	Flynn,	Longo,	Rose, S.
Baker,	Foor,	Lovett	Rosenfeld,
Balthaser,	French,	Lyons,	Royer,
Bentley	Gallagher,	Malloy,	Rush,
Bentzel,	Gates,	Maris,	Sarge,
Boney,	Gerard,	McClanaghan	Sarraf,
Botes,	Gillan,	McClester,	Scanlon,
Boone,	Gillette,	McDermott	Schwab,
Bower,	Goodwin,	McDowell	Serrill,
Bradley,	Grass,	McFall	Shaffer,
Breth,	Gryskewicz,	McIntosh	Shaw,
Bretherick,	Habbyshaw,	McKinney,	Shepard,
Brown,	Haberlen,	McLane,	Simons,
Brunner, C. H.,	Hall,	McSurdy,	Skale,
Brunner, P. A.,	Hamilton,	Melchiorre,	Snyder,
Burns,	Hare,	Milim,	Sollenberger
Burriss,	Harkins,	Modell,	Sorg,
Cadwalader,	Harmuth,	Morke,	Stank,
Chervenak,	Harris,	Mooney,	Sine,
Chudoff,	Heatherington,	Moran,	Stockham,
Cochran,	Helm,	Moul,	Tarr,
Cohen, M. M.,	Hering,	Muir,	Tate,
Cohen, R. E.,	Herman,	Munley	Thompson, E. F.,
Cook,	Hersch,	Nagel,	Trout,
Cooper,	Hewitt,	Nunemacher,	Turner,
Cordier,	Hirsch,	O'Brien,	Van Allsburg,
Corrigan,	Holland,	O'Connor,	Verona,
Croop,	Huntley,	O'Dare,	Vincent,
Cullen,	Imbrie,	O'Mullen,	Vogt,
Dalrymple,	James,	O'Neill,	Voldow,
Dennison,	Jefferson,	Owens,	Wagner,
DiGenova,	Jones, G. E.,	Petrosky,	Watkins,
Dix,	Jones, P. N.,	Petit,	Weingartner,
Dolan,	Kline,	Polaski,	Weiss,
D'Ortona,	Knoble,	Polan	Welsh, E. B.,
Duffy,	Kolankiewicz,	Powers,	Williams,
Elder,	Komarcowski,	Prosen,	Wood, L. H.,
Elliot,	Krize,	Rank,	Wood, N.,
Ely,	Lee, T. H.,	Rausch,	Woodring,
Flanstone,	Leisy,	Readinger	Woodside,
Finnerty,	Leonard,	Reese, D. P.,	Wright,
Fisher,	Lesko,	Reese, R. E.,	Yeakel,
Fiss,	Levy,	Reynolds,	Yester,
Fleming,	Leydic,	Rhea,	Young,
		Riley,	Kilroy, Speaker.

NAYS—0

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

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

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 629, as follows:

An Act to amend section one of and to add section three and one tenth to the act approved the twentieth day of June one thousand nine hundred and one (P. L. 582) entitled "An act to provide for the registration of labels trade-marks trade-names stamps designs devices shop-marks terms brands designations descriptions or forms of advertisement and protect and secure the 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 shop-marks designations and forms of advertisement and providing for the cancellation of such registrations in certain cases

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

Section 1 Section one of the act approved the twentieth day of June one thousand nine hundred and one (P. L. 582) entitled "An act to provide for the registration of labels trade-marks trade-names stamps designs devices shop-marks terms brands designations descriptions or forms of advertisement and protect and secure the 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" 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 whenever any person or persons copartnership or corporation has heretofore adopted or used or shall hereafter adopt or use any label trade-mark trade-name device shop-mark designation or form of advertisement for the purpose of designating making known or distinguishing any goods wares merchandise or other product of labor as having been manufactured prepared packed bottled or placed on sale by such person or persons co-partnership or corporation he or they if residents of or doing business in the United States may file the same for record in the office of the Secretary of State of the State of Pennsylvania by leaving two copies counterparts or facsimiles thereof with said Secretary and shall file therewith a certificate specifying the names of the person or persons copartnership or corporation so filing such label trade-mark trade-name device brand shop-mark designation or form of advertisement his or its residence location or place of business the class of merchandise and the particular description of goods comprised therein the class to which it has been or is intended to be appropriated and the length of time if any during which it has been in use Such certificate shall be accompanied by the written declaration verified under oath by the person or one of persons or some member of the copartnership or officer of the corporation by whom it is filed to the effect that the party so filing such label trade-mark trade-name device shop-mark designation description or form of advertisement has the right to the use of the same and that no other person or persons copartnership or corporation has a right to such use either in the identical form or in any such near resemblance thereto as may be calculated to deceive and that the facsimiles copies or counterparts filed therewith are true and correct There shall be paid to such secretary for such filing a fee of [one dollar] five dollars Said Secretary shall deliver to such person or persons copartnership or corporation so filing the same a duly attested certificate of the record of the same for which he shall receive a fee of [one dollar] five dollars Such certificate of record shall in all suits and prosecutions under this act sufficient proof of the adoption of such label trade-mark trade-name stamp design device term brand shop-mark designation description or form of advertisement No label trade-mark trade-name stamp design device term brand shop-mark designation or form of advertisement shall be recorded [that would reasonably be mistaken for the label trade-mark trade-name stamp design device term brand designation shop-mark description or form of advertisement already filed for record] which

(a) Consists of or comprises immoral or scandalous matter or

(b) Consists of or comprises the flag or coat-of-arms or other insignia of the United States or any simulation thereof or of any state or municipality or of any foreign nation or

(c) Is identical with a registered or known label trade-mark trade-name stamp design device term brand shop-mark designation description or form of advertisement owned and in use by another and appropriated to merchandise of the same descriptive properties or which so nearly resemble any such registered or known trade-mark or item owned and in use by another and appropriated to merchandise of the same descriptive properties as to be

likely to cause confusion or mistake in the mind of the public or to deceive purchasers or

(d) Consists merely in the name of an individual firm corporation or association not written printed impressed or woven in some particular or descriptive manner or not associated with the portrait of the individual or merely in words or devices which are descriptive of the goods with which they are used or of the character or quality of such goods or merely a geographical name or term

Section 2 Said act is hereby amended by adding thereto after section three a new section to read as follows

Section 3.1 Whenever any person or persons copartnership or corporation has heretofore registered or shall hereafter register any label trade-mark trade-name device shop-mark designation or form of advertisement in the office of the Secretary of the Commonwealth and shall have received a certificate of record therefor as provided by this act and such person or persons copartnership or corporation shall have discontinued or gone out of the business to which such registration is pertinent or for any reason shall have never used or abandoned or discontinued the use of said label trade-mark trade-name device shop-mark designation or form of advertisement the said registration and certificate shall be revoked under the following conditions in the following manner to wit

(a) In the case of a person persons or copartnership or corporation not having filed articles of dissolution or a decree of dissolution but having discontinued or gone out of the business to which such registration is pertinent or having never used or abandoned or discontinued the use of the item so registered for a period of at least five years and such discontinuance still persists any person may present his affidavit to the Secretary of the Commonwealth accompanied by a fee of fifteen dollars setting forth the above facts relative thereto together with proof of service of notice of such affidavit upon the person persons copartnership or corporation in whose name the said registration is recorded and asking that such registration be cancelled The Secretary shall fix a time to hear the parties concerned in the matter and send by registered mail a notice thereof to the person persons copartnership or corporation in whose name such registration is recorded After hearing the same if the Secretary is satisfied of the truth of the facts alleged in the affidavit in accordance with the provisions of this clause he shall cancel the said registration

(b) In the case of a corporation having filed articles of dissolution or a decree of dissolution any person may at any time at least three years thereafter present his affidavit to the Secretary of the Commonwealth accompanied by a fee of fifteen dollars setting forth such fact The said Secretary if satisfied of the truth of the alleged facts shall cancel the registration of said item recorded in the name of such corporation

Section 2 This act shall become effective immediately upon final enactment

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

On the question,

Shall the bill pass finally?

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

YEAS—182

Achterman,	Flynn,	Lovett	Rosenfeld,
Auker,	Foot,	Lyons,	Royer,
Baker,	French,	Malloy,	Rush,
Balthaser,	Gallagher,	Marks,	Sarge,
Bentley,	Gates,	McClanaghan	Sarraf,
Bentzel,	Gerard,	McClester,	Scanlon,
Boles,	Gillan,	McDermott,	Schwab,
Boney,	Gillette,	McDowell	Serrill,
Boorse,	Goodwin,	McFall	Shaffer,
Bower,	Gross,	McIntosh	Shaw,
Bradley,	Gryskewicz,	McKinney,	Shepard,
Breth,	Habbyshaw,	McLane,	Simons,
Bretherick,	Haberlien,	McSurdy,	Skale,
Brown,	Hall,	Melchiorre,	Snyder,
Brunner, C. H.,	Hamilton,	Mihm,	Sollenberger,

Brunner, P. A.,	Hare,	Modell,	Sorg,
Burns,	Harkins,	Moaks,	Stark,
Burriss,	Harmuth,	Mooney,	Stine,
Cadwalader,	Harris,	Moran,	Stockham,
Chervenak,	Heatherington,	Moul,	Tarr,
Caudoff,	Helm,	Muir,	Tate,
Cochran,	Hering,	Munley,	Thompson, E. F.
Cohen, M. M.,	Herman,	Nagel,	Trout,
Cohen, R. E.,	Hersch,	Nunemacher,	Turner,
Cook,	Hewitt,	O'Brien,	Van Allsburg,
Cooper,	Hirsch,	O'Connor,	Verona,
Cordler,	Holland,	O'Dare,	Vincent,
Corrigan,	Huntley,	O'Mullen,	Vogt,
Croop,	Imbrie,	O'Neill,	Voldow,
Cullen,	James,	Owens,	Wagner,
Dalrymple,	Jefferson,	Petrosky,	Watkins,
Dennison,	Jones, G. E.,	Pettit,	Weingartner,
DiGenova,	Jones, P. N.,	Polaski,	Weiss,
Dix,	Kilne,	Poien,	Welsh, E. B.,
Dolon,	Knoble,	Powers,	Williams,
D'Ortona,	Kolankiewicz,	Prosen,	Wood, L. H.,
Duffy,	Komorowski,	Rank,	Wood, N.,
Elder,	Krise,	Rausch,	Woodring,
Elliott,	Lee, T. H.,	Readinger,	Woodside,
Ely,	Leisey,	Reese, D. P.,	Wright,
Finestone,	Leonard,	Reese, R. E.,	Yeakel,
Finnerty,	Lesko,	Reynolds,	Ycster,
Fisher,	Levy,	Rhea,	Young,
Fiss,	Leydic,	Riley,	Kilroy,
Fleming,	Lichtenwalter,	Rooney,	Speaker.
Fletcher,	Longo,	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 present the same to the Senate for concurrence.

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. 1312. (HOUSE BILL No. 1978).

An Act to add section 2321 to 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" by providing for the administration of public assistance by the Department of Welfare providing for the appointment by the Governor of an Employment Board and defining its powers and duties conferring additional powers on the State Welfare Commission providing for a civil service system for the employes of the Department of Welfare and Local Boards engaged in public assistance work and repealing the provisions of this act relating to the Department of Public Assistance.

Referred to the Committee on Welfare.

SENATE BILL No. 1314. (HOUSE BILL No. 1979).

An Act authorizing the Department of Property and Supplies to acquire on behalf of the Commonwealth certain land upon which the historic Fort Roberdeau once stood in Blair County as a memorial providing for the control management supervision 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.

Referred to the Committee on Appropriations.

SENATE BILL No. 1311. (HOUSE BILL No. 1980).

An Act to further 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" limiting the grant of general assistance to unemployable persons transferring the administration of this act from the Department of Public Assistance to the Department of Welfare abolishing the Department of Public Assistance and the State Board of Public Assistance conferring powers on the State Welfare Commission changing the powers and duties of local boards and imposing certain duties in respect to employable persons on the Department of Labor and Industry.

Referred to the Committee on Welfare.

SENATE BILL No. 399. (HOUSE BILL No. 1981).

An Act making an appropriation to the Treasury Department for the use of the Board of Finance and Revenue in granting refunds of "store and theatre" tax.

Referred to the Committee on Appropriations.

SENATE BILL No. 553. (HOUSE BILL No. 1982).

An Act to safeguard human health and life by providing for the issuance of permits to and the regulation of persons and entities selling milk and milk products conferring powers and imposing duties on the Secretary of Health and Secretary of Agriculture establishing a Dairy Advisory Council in the Department of Health conferring powers and imposing duties thereon defining certain qualities for milk providing for inspection of and standards for dairy farms and milk plants providing for the administration of the act and the establishment of rules and regulations thereunder and for appeals to the Court of Common Pleas of Dauchin County and imposing penalties.

Referred to the Committee on Dairy Industries.

SENATE BILL No. 1303. (HOUSE BILL No. 1983).

An Act to amend section one further amend section three and to reenact section six of the act approved the twenty-second day of May one thousand nine hundred thirty-three (P. L. 912) entitled "An act to protect the public health defining and providing for the licensing of bakeries and regulating the inspection maintenance and operation of bakeries and premises stores and shops connected therewith defining and regulating the manufacture sale and offering for sale of bakery products conferring

powers on the Department of Agriculture and providing penalties" by redefining "bakery" removing the exception from registration and licensing requirements requiring registered bakery products to show the fact of such registration making it unlawful for any person to sell offer for sale or have in possession with intent to sell unregistered bakery products or to import bakery products from bakeries not licensed hereunder and making possession prima facie evidence of intention to sell.

Referred to the Committee on Law and Order.

REPORT FROM COMMITTEE

Pursuant to motion heretofore adopted bills reported from committee as committed were read the first time.

Mr. TATE, from the Committee on Judiciary General, reported as committed, House Bill No. 1606, (Senate Bill 177), entitled:

An Act regulating and limiting the rights of slayers in real and personal property and in the benefits from insurance policies, arising out of or as a result of the death of the person slain; and protecting and saving the rights of purchasers and insurers dealing with slayers without notice of the slaying and repealing certain legislation.

BILL ON FIRST READING

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1606, (Senate Bill No. 177), entitled:

An Act regulating and limiting the rights of slayers in real and personal property and in the benefits from insurance policies, arising out of or as a result of the death of the person slain; protecting and saving the rights of purchasers and insurers dealing with slayers without notice of the slaying, and repealing certain legislation.

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

REPORT FROM COMMITTEE

Mr. McFALL, from the Committee on Agriculture reported as committed, House Bill No. 1620, (Senate Bill No. 714), entitled:

An Act to further amend section fifteen of the act, approved the eleventh day of May, one thousand nine hundred and twenty-one (P. L. 522), entitled "An act relating to dogs, and the protection of live stock and poultry from damage by dogs; providing for the licensing of dogs by the Secretary of Agriculture; providing for the enumeration of dogs by assessors; regulating the keeping of dogs, and authorizing their destruction in certain cases; providing for the protection of licensed dogs, and for dogs temporarily imported for trial, show, and breeding purposes; prescribing certain privileges for hunting dogs, and dogs owned or used by the Board of Game Commission; providing for the assessment of damages done to live stock and poultry by dogs, and for the illegal killing of licensed dogs, and the payment of such damages by the Commonwealth; imposing powers and duties on certain State, county, city, borough, town, and township officers and employees; directing the payment of all moneys collected into the State Treasury; and making an appropriation thereof; and providing penalties," by providing for the return of a portion of moneys received for licenses to the counties for use by Societies for the Prevention of Cruelty to Animals and specifically appropriating the same for such purpose.

BILL ON FIRST READING

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1620, (Senate Bill No. 714), entitled:

An Act to further amend section fifteen of the act, approved the eleventh day of May, one thousand nine hundred and twenty-one (P. L. 522), entitled "An act relating to dogs, and the protection of live stock and poultry from damage by dogs; providing for the licensing of dogs by the Secretary of Agriculture; providing for the enumeration of dogs by assessors; regulating the keeping of dogs, and authorizing their destruction in certain cases; providing for the protection of licensed dogs, and for dogs temporarily imported for trial, show, and breeding purposes; prescribing certain privileges for hunting dogs, and dogs owned or used by the Board of Game Commission; providing for the assessment of damages done to livestock and poultry by dogs, and for the illegal killing of licensed dogs, and the payment of such damages by the Commonwealth; imposing powers and duties on certain State, county, city, borough, town, and township officers and employees; directing the payment of all moneys collected into the State Treasury; and making an appropriation thereof; and providing penalties," by providing for the return of a portion of moneys received for licenses to the counties for use by Societies for the Prevention of Cruelty to Animals and specifically appropriating the same for such purpose

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

REPORT FROM COMMITTEE

Mr. SHAW, from the Committee on Welfare, reported as committed, House Bill No. 1844, (Senate Bill No. 594), 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 redefining assistance to include work relief, and authorizing the Department of Public Assistance, with the approval of the Governor, to administer work relief projects.

BILL ON FIRST READING

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1844, (Senate Bill No. 594), 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 redefining assistance to include work relief, and providing for the establishment of a Board of Review and Appeal to supervise and regulate work relief projects authorizing the Department of Public Assistance, with the approval of the Board of Review and Appeal to administer work relief projects subject to certain provisions and conditions, making certain acts unlawful and imposing penalties.

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

BILL RECOMMITTED

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

The motion was agreed to.

PERMISSION GRANTED COMMITTEE TO MEET DURING SESSION

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

REPORTS FROM COMMITTEES

Mr. POLASKI from the Committee on Fisheries reported as committed, House Bill No. 1954, entitled:

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.

Mr. POLASKI from the Committee on Fisheries reported as committed House Bill No. 1955, entitled:

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.

BILLS ON FIRST READING

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1954, entitled:

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.

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. 1955, entitled:

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.

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

REPORT FROM COMMITTEE

Mr. BONEY from the Committee on Motor Vehicles, re-reported as amended, House Bill No. 570, entitled:

An Act to add two new definitions to Section 102, to amend the table of contents to Article VI, to further amend Sections 601, 603, 605, and 606, and to amend Section 609, to further amend Sections 613, 620, and 621, to add Sections 623, to 638, both inclusive, to article VI, and to further amend Section 713 of the act, approved the first day of May, one thousand nine hundred twenty-nine (P. L. 905), entitled "An act for the protection of the public safety; regulating the use of highways, and the operation of vehicles, tractors, street cars, trackless trolley omnibuses, bicycles, pedestrians, and the riding of animals upon the highways of this Commonwealth; providing for the titling, including liens, encumbrances, and legal claims; registration of certain vehicles and licensing the operators thereof, upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts and the clerks thereof, owners of vehicles, and garage keepers; providing that records are admissible as evidence; imposing upon owners, counties, cities, boroughs, incorporated towns, townships, within the Commonwealth, liability for damages caused by the negligent operation of their motor vehicles; imposing penalties; imposing certain costs upon counties; providing for the disposition of fines, forfeitures, fees, and miscellaneous receipts; making an appropriation and providing for refunds," providing for the issuance of commercial operators' licenses; regulating the operation of motor vehicles, motor busses, omnibuses, and school busses; fixing fees; and imposing additional penalties.

PERMISSION GRANTED COMMITTEE TO MEET DURING SESSION

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

MR. MELCHIORRE IN THE CHAIR.

REPORT FROM COMMITTEE

Mr. MUNLEY, from the Committee on Municipal Corporations, reported as committed, House Bill No. 1361, (Senate Bill 338), entitled:

An Act to further amend sections four and five of the act, approved the sixth day of April, one thousand nine

hundred thirty-five (P. L. 90), entitled "An act to promote uniformity in the assessment and taxation of properties and persons within the territorial limits of the cities of the second class A, by providing that city and school taxes within such territorial limits shall be assessed, levied, and collected upon the basis of the assessments for taxation for county purposes, and requiring the furnishing of tax duplicates by the county taxing authorities to such cities and to school districts coterminous therewith; abolishing the department of assessors in cities of the second class A; consolidating tax statements covering city, school, county, and poor taxes therein, and making uniform the time for levy and collection of said taxes respectively, and regulating the discounts therefrom and penalties thereon," by further regulating discounts for prompt payment of taxes and penalties and interest imposed on said taxes and by changing the date of certain tax payments.

BILL ON FIRST READING

Agreeably to order.

The House proceeded to the first reading and consideration of House Bill No. 1361, (Senate Bill No. 338), entitled:

An Act to further amend sections four and five of the act, approved the sixth day of April, one thousand nine hundred thirty-five (P. L. 90), entitled "An act to promote uniformity in the assessment and taxation of properties and persons within the territorial limits of cities of the second class A, by providing that city and school taxes within such territorial limits shall be assessed, levied, and collected upon the basis of the assessments for taxation for county purposes; and requiring the furnishing of tax duplicates by the county taxing authorities to such cities and to school districts coterminous therewith; abolishing the department of assessors in cities of the second class A; consolidating tax statements covering city, school, county and poor taxes therein, and making uniform the time for levy and collection of said taxes respectively, and regulating the discounts therefrom and penalties thereon," by further regulating discounts for prompt payment of taxes and penalties and interest imposed on said taxes and by changing the date of certain tax payments.

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

REPORT FROM COMMITTEE

Mr. MAXWELL, from the Committee on Game, reported as committed, House Bill No. 1935, (Senate Bill No. 1300), entitled:

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 regulated shooting grounds.

BILL ON FIRST READING

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1965, (Senate Bill No. 1300), entitled:

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 regulated shooting grounds.

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

PERMISSION GRANTED COMMITTEE TO MEET DURING SESSION

Mr. TARR asked and obtained permission for the Committee on Game to meet during the session of the House to consider Senate Bill No. 1300.

THE SPEAKER (Elmer Kilroy) IN THE CHAIR

The SPEAKER. The Chair thanks the gentleman from Philadelphia, Mr. Melchiorre, for presiding.

PERMISSION GRANTED COMMITTEE TO MEET DURING SESSION

Mr. READINGER asked and obtained permission for the Committee on State Government to meet during the session of the House.

BILL ON SECOND READING

Mr. BROWN asked and obtained unanimous consent to call up out of order House Bill No. 1929, (Senate Bill No. 1098), Printer's No. 553, on page 2 of today's calendar, bills on second reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1929, (Senate Bill No. 1098), entitled:

An Act relating to the sale transfer assignment and pledge of accounts receivable and providing for the making of appropriate record of the fact of such assignment

The first section was read.

On the question,

Will the House agree to the section?

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

The amendments were read by the Clerk as follows:

Amend Sec. 1, page 2, line 9, by striking out the following "forthwith and contemporaneously" and inserting in lieu thereof "concurrently."

Amend Sec. 1, page 2, line 10, by inserting after the word "the" the following: "books of account or other."

Amend Sec. 1, page 2, line 14, by striking out the following "and the date thereof"

Amend Sec. 1, page 2, line 15, by inserting after the word "such" where it appears the first time in said line, the following: "books of account or other."

Amend Sec. 1, page 2, lines 15, by inserting after the word "fact" the following: "and the date."

Amend Sec. 1, page 2, line 28, by striking out the word "having" and inserting in lieu thereof: "constituting."

The amendments were agreed to.

The section was agreed to as amended.

The second section was read.

On the question,

Will the House agree to the section?

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

The amendments were read by the Clerk as follows:

Amend Sec. 2, page 3, lines 5 to 9, both inclusive, by striking out all of said lines, and inserting in lieu thereof:

Section 2. Notification to the principal debtor of the fact that on account owing by such principal debtor has been sold, assigned, transferred or pledges shall be sufficient to make such sale, assignment, transfer or pledge valid in law as, and enforceable against all subsequent purchasers, assignees, transferees, pledgees, execution, attaching or other creditors, notwithstanding the fact that a record of such sale, assignment, transfer or pledge is not made upon the books of account or other records of the seller, assignor, transferor or pledgor.

Section 3. The term "accounts receivable" as used in this act shall include any indebtedness due or to become due and not evidenced by a judgment or a written instrument.

The amendments were agreed to.

The section was agreed to as amended.

The third section was read.

On the question,

Will the House agree to the section?

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

The amendments were read by the Clerk as follows:

Amend Sec. 3, page 3, line 10, by striking out the figure "3" and inserting in lieu thereof: "4."

The amendments were agreed to.

The section was agreed to as amended.

The title was read.

On the question,

Will the House agree to the title?

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

The amendments were read by the Clerk as follows:

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

Amend title, page 1, lines 3 and 4 of title, by striking out the following "providing for the making" in line 3, and all of line 4.

The amendments were agreed to.

The title was agreed to as amended.

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

Ordered, To be transcribed for a third reading.

REPORT FROM COMMITTEE

Mr. SHAW from the Committee on Welfare re-reported as amended, House Bill 1844, (Senate Bill No. 594), 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 redefining assistance to include work relief, and providing for the establishment of a Board of Review and Appeal to supervise and regulate work relief projects authorizing the De-

partment of Public Assistance, with the approval of the Board of Review and Appeal to administer work relief projects subject to certain provisions and conditions; making certain acts unlawful and imposing penalties.

PERMISSION GRANTED COMMITTEE TO MEET DURING SESSION

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

BILL RE-REFERRED

Mr. MELCHIORRE returned from the Committee on Law and Order with the recommendation that it be re-referred to the Committee on Public Health and Sanitation, House Bill No. 1983, (Senate Bill No. 1308, entitled:

An Act to amend section one further amend section three and to reenact section six of the act approved the twenty-second day of May one thousand nine hundred thirty-three (P. L. 912) entitled "An act to protect the public health defining and providing for the licensing of bakeries and regulating the inspection maintenance and operation of bakeries and premises stores and shops connected therewith defining and regulating the manufacture sale and offering for sale of bakery products conferring powers on the Department of Agriculture and providing penalties" by redefining "bakery" removing the exception from registration and licensing requirements requiring registered bakery products to show the fact of such registration making it unlawful for any person to sell offer for sale or have in possession with intent to sell unregistered bakery products or to import bakery products from bakeries not licensed hereunder and making possession prima facie evidence of intention to sell.

The SPEAKER. The bill is re-referred to the Committee on Public Health and Sanitation.

REPORT FROM COMMITTEE

Mr. WEINGARTNER from the Committee on Elections reported as committed, House Bill No. 1868, (Senate Bill 1055), entitled:

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

BILL ON FIRST READING

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1868, (Senate Bill No. 1055), entitled:

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

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

REPORT FROM COMMITTEE

Mr. LESKO from the Committee on State Government reported as committed House Bill No. 1934, (Senate Bill 1256), entitled:

An Act authorizing the Department of Property and Supplies with the approval of the Governor to sell and convey certain plots of land.

BILL ON FIRST READING

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1934, (Senate Bill No. 1256), entitled:

An Act authorizing the Department of Property and Supplies with the approval of the Governor to sell and convey certain plots of land.

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

PERMISSION GRANTED COMMITTEE TO MEET DURING SESSION

Mr. SARRAF asked and obtained permission for the Committee on Public Health and Sanitation to meet during the session of the House.

REPORTS FROM COMMITTEES

Mr. READINGER, from the Committee on State Government, reported as committed, House Bill No. 1936, (Senate Bill No. 653), entitled:

An Act regulating and improving the civil service of certain departments and agencies of the Commonwealth vesting in the State Civil Service Commission and a Personnel Director certain powers and duties providing for

classification of positions adoptions of compensation schedules and certification of payrolls, imposing duties upon certain officers and employes of the Commonwealth, authorizing service to political sub-divisions of the Commonwealth in matters relating to civil service, defining certain crimes and misdemeanors, imposing penalties, making an appropriation and repealing certain acts and parts thereof

Mr. READINGER, from the Committee on State Government, reported as committed, House Bill No. 1937, (Senate Bill No. 654), entitled:

An Act to amend sections two hundred two and four hundred fifty-two 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," as amended, in order to establish the State Civil Service Commission as a departmental administrative commission in the Executive Department

BILLS ON FIRST READING

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1936, (Senate Bill No. 653), entitled:

An Act regulating and improving the civil service of certain departments and agencies of the Commonwealth vesting in the State Civil Service Commission and a Personnel Director certain powers and duties providing for classification of positions, adoptions of compensation schedules and certification of payrolls imposing duties upon certain officers and employes of the Commonwealth, authorizing service to political sub-divisions of the Commonwealth in matters relating to civil service, defining certain crimes and misdemeanors imposing penalties and making an appropriation and repealing certain acts and parts thereof

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

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1937, (Senate Bill No. 654), entitled:

An Act to amend sections two hundred two and four hundred fifty-two 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, de-

fining 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," as amended in order to establish the State Civil Service Commission as a departmental administrative commission in the Executive Department

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

BILLS RECOMMITTED

Mr. READINGER. Mr. Speaker, I move that House Bill No. 1936, (Senate Bill No. 653), and House Bill No. 1937, (Senate Bill No. 654), be recommitted to the Committee on State Government for further study.

The motion was agreed to.

REPORT FROM COMMITTEE

Mr. WEISS, from the Committee on State Government, reported as committed, House Bill No. 1939, (Senate Bill 883), entitled:

An Act to enlarge the powers of the Navigation Commission for the Delaware River and its navigable tributaries with respect to the maintenance operation and financing of a nautical school for the Commonwealth of Pennsylvania.

BILL ON FIRST READING

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1939, (Senate Bill No. 883), entitled:

An Act to enlarge the powers of the Navigation Commission for the Delaware River and its navigable tributaries with respect to the maintenance operation and financing of a nautical school for the Commonwealth of Pennsylvania.

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

REPORT FROM COMMITTEE

Mr. REYNOLDS from the Committee on State Government reported as committed House Bill No. 1940, (Senate Bill No. 913), entitled:

An Act authorizing and directing the Department of Revenue, to prepare airport approach plans for publicly owned airports; empowering and directing such department and also counties, municipalities and other political subdivisions to promulgate, administer and enforce airport zoning regulations, limiting the height of structures excepting those structures that are under jurisdiction of the Pennsylvania Public Utility Commission and objects of natural growth, and otherwise regulating the use of property in the vicinity of such airports; providing for the granting of zoning permits and variances and for appeals from zoning regulations; authorizing the acquisition by purchase, grant or condemnation of air rights and other interests in land; and providing penalties and remedies for violations of this act or of any

ordinance or regulation made under the authority conferred thereby.

BILL ON FIRST READING

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1940, (Senate Bill No. 913), entitled:

An Act authorizing and directing the Department of Revenue, to prepare airport approach plans for publicly owned airports; empowering and directing such department and also counties, municipalities and other political subdivisions to promulgate, administer and enforce airport zoning regulations, limiting the height of structures excepting those structures that are under the jurisdiction of the Pennsylvania Public Utility Commission, and objects of natural growth, and otherwise regulating the use of property in the vicinity of such airports; providing for the granting of zoning permits and variances and for appeals from zoning regulations; authorizing the acquisition by purchase, grant or condemnation of air rights and other interests in land; and providing penalties and remedies for violations of this act or of any ordinance or regulation made under the authority conferred thereby

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

REPORT FROM COMMITTEE

Mr. KLINE, from the Committee on State Government, reported as committed, House Bill No. 1886, (Senate Bill No. 1114), entitled:

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

BILL ON FIRST READING

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1886, (Senate Bill No. 1114), entitled:

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

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

PERMISSION GRANTED COMMITTEE TO MEET DURING SESSION

Mr. GERARD asked and obtained permission for the Committee on Ways and Means to meet during the session of the House.

REPORT FROM COMMITTEE

Mr. SARRAF, from the Committee on Public Health

and Sanitation reported as committed, House Bill No. 1983, (Senate Bill No. 1308), entitled:

An Act to amend section one further amend section three and to reenact section six of the act approved the twenty-second day of May one thousand nine hundred thirty-three (P. L. 912) entitled "An act to protect the public health defining and providing for the licensing of bakeries and regulating the inspection maintenance and operation of bakeries and premises stores and shops connected therewith defining and regulating the manufacture sale and offering for sale of bakery products conferring powers on the Department of Agriculture and providing penalties" by redefining "Bakery" removing the exception from registration and licensing requirements requiring registered bakery products to show the fact of such registration making it unlawful for any person to sell offer for sale or have in possession with intent to sell unregistered bakery products or to import bakery products from bakeries not licensed hereunder and making possession prima facie evidence of intention to sell.

BILL ON FIRST READING

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1983, (Senate Bill No. 1308), entitled:

An Act to amend section one further amend section three and to reenact section six of the act approved the twenty-second day of May one thousand nine hundred thirty-three (P. L. 912) entitled "An act to protect the public health defining and providing for the licensing of bakeries and regulating the inspection maintenance and operation of bakeries and premises stores and shops connected therewith defining and regulating the manufacture sale and offering for sale of bakery products conferring powers on the Department of Agriculture and providing penalties" by redefining "Bakery" removing the exception from registration and licensing requirements requiring registered bakery products to show the fact of such registration making it unlawful for any person to sell offer for sale or have in possession with intent to sell unregistered bakery products or to import bakery products from bakeries not licensed hereunder and making possession prima facie evidence of intention to sell.

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

REPORT FROM COMMITTEE

Mr. WOODRING, from the Committee on Elections, reported as committed, House Bill No. 1892, (Senate Bill No. 1054), entitled:

An Act to amend sections four, five, twenty-six, thirty, thirty-one and thirty-eight of the act, approved the twenty-ninth day of April, one thousand nine hundred thirty-seven (P. L. 487), entitled "An act to provide for the permanent personal registration of electors in boroughs, towns, and townships as a condition of their right to vote at elections and primaries, and their enrollment as members of political parties as a further condition of their right to vote at primaries; prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors; requiring the county commissioners of the various counties to act as a registration commission therefor; and prescribing the powers and duties of citizens, parties, political bodies, registration commissions, commissioners, registrars, inspectors of registration and other appointees of registration commissions, county election boards, election officers, municipal officers, departments and bureaus, police officers, courts, judges, prothonotaries, sheriffs, county commissioners, peace officers, county treasurers, county controllers, regis-

trars of vital statistics, certain public utility corporations, real estate brokers, rental agents, and boards of school directors; and imposing penalties," extending the powers and duties of the registration commission and further regulating the check-up of electors and the cancellation of their registrations by the commission.

BILL ON FIRST READING

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1892, (Senate Bill No. 1054), entitled:

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

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

REPORT FROM COMMITTEE

Mr. LEVY from the Committee on Ways and Means, reported as committed, House Bill No. 1580, (Senate Bill No. 574), entitled:

An Act to amend section twenty of the act approved the thirtieth day of April, one thousand nine hundred and twenty-nine (P. L. 885), entitled "An act to provide for the incorporation and regulation of cooperative agricultural associations having capital stock; and defining agriculture so as to include persons engaged in agriculture, dairying, livestock raising, poultry raising, floriculture, mushroom growing, bee keeping, horticulture, and other allied occupations; and providing penalties," by limiting exemptions of and by further exempting certain classes of associations formed under such act from State, county and municipal taxation, and from the duty of filing certain tax reports with State, county or municipal agencies.

BILL ON FIRST READING

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1580, (Senate Bill No. 574), entitled:

An Act to amend section twenty of the act, approved the thirtieth day of April, one thousand nine hundred and twenty-nine (P. L. 885), entitled "An act to provide for the incorporation and regulation of cooperative agricultural associations having capital stock; and defining agri-

culture so as to include persons engaged in agriculture, dairying, livestock raising, poultry raising, floriculture, mushroom growing, beekeeping, horticulture, and other allied occupations; and providing penalties," by limiting exemptions of and further exempting certain classes of associations formed under such act from State, county and municipal taxation, and from the duty of filing certain tax reports with State county or municipal agencies

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

REPORT FROM COMMITTEE

Mr. McFALL, from the Committee on State Government, reported as committed, House Bill No. 1817, (Senate Bill No. 1044), entitled:

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

BILL ON FIRST READING

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1817, (Senate Bill No. 1044), entitled:

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

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

QUESTION OF PERSONAL PRIVILEGE

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

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

Mr. TURNER. Mr. Speaker, this afternoon on the floor of this House a member from Allegheny County made what was to my knowledge in the almost seventeen years that I have been in the House the most vicious attack I have ever heard made by a Member of this House. In fact

I have tried since this afternoon to recall whether there was ever an incident at any time during my experience here in the House when as vicious an attack, when as scurrilous attack was made by a Member of this House upon another Member.

The Member from Allegheny, Mr. Speaker, read from what he said was an editorial from a York newspaper. The gentleman from York, Mr. Cohen, had advised me of this editorial, the editorial writer being a friend of his and consulting with him from time to time.

Mr. Speaker, we have been discussing a great question and a momentous question in so far as the state of Pennsylvania is concerned, and I think insofar as the people of this nation are concerned. I know it is a question that vitally affects and certainly causes a great amount of disquiet among the mothers and fathers of this state whose children are in our public schools.

I have always tried in the years I have been here to keep debate away from the personal side; I never believed that you could argue a question and put forth any kind of a substantial or logical argument if you sank to the level of personal invective or personal abuse. That is the lowest type of argument in debate. It is the kind which is resorted to, and is rather common among the Communists and the other isms that we are trying to combat, because generally when they are met with an argument they do not attempt to refute, but they attempt to destroy the person who is attacking them, their institutions and the things they are trying to promote, and they generally attack the individual and seek by abuse and villification to besmear that individual in hope that the individual's word will not carry very far.

Mr. Speaker, I might have entered into billingsgate with the gentleman from Allegheny this afternoon, I might have answered him promptly, I might have recounted to him some of the scandalous things in Pittsburgh and Allegheny County. I might have told him about some of the leaders in his own group with whom he is associated in Pittsburgh, and charges that are made and have been made in the newspapers of that city. I might have talked about the No. 1 man of the party, the Democratic Senator from Pennsylvania, who you recall has not paid his income tax, but who has built a sixty thousand dollar home in Washington. I do not think such an argument, I do not think such a reply to the gentleman from Allegheny would have been in any way an argument pro or con on the issue before this House and I do not think that I would have gained anything by taking a fling of that kind. I told the gentleman from Allegheny and I told the Members of this House that I could not be intimidated nor could I be driven from the stand which I am taking, even though I must sit here and take personal abuse from now until the time the gavel falls for sine die adjournment.

Mr. Speaker, the issues are too big. What happens to Ellwood Turner is not of importance, but what happens to the people of Pennsylvania, what happens to the school children of Pennsylvania, and what happens to this country of ours is of far greater importance than I. If the gentleman from Allegheny desires to attack me personally, let him attack my record in this House. I shall not object to any attack he may make upon that record. I may answer him. I have been here for almost seventeen years, for nine regular sessions, and I don't know

how many special sessions. I have stood upon this floor and have advocated legislation and the things I have stood for and the debates are on the pages of the Journal. The laws which I have sponsored and have introduced are on the statute books of Pennsylvania. I will stand on that record and will fight for it and defend it. Let me be attacked upon that source. What I do outside is my personal business and none of the business of the gentleman from Allegheny or the business of any other member of this House.

Now, Mr. Speaker, I do not like to take this stand, I do not believe in defenses. I have said before on the floor of this House you should never explain "because your friends don't need it and your enemies won't believe you." I would hesitate to say what I am going to say now were it not for the fact that I do not want to leave the record with the implications which were left by the gentleman from Allegheny this afternoon. You will recall that he got to talking about flag waving. He even, in a rather sarcastic and insinuating way, spoke about the fact that I have two sons who were in the army or were about to join the army. He then turned around and said, "Any person between the ages of forty-two and fifty-four in this House, where were they during the great world war?" I can only assume that the gentleman from Allegheny waved the flag and prided himself upon the fact that he had been a member of the armed forces during that time and that he was a member and is a member of the American Legion. I presume he was saying that he took his place and where was I at that time.

Mr. Speaker, I have never tried to make any boast and do not now say anything to cast particular pride upon myself, but I can not, as I said, leave the record as it is, and I would just like to say that I think I can recall during the period of 1917 and 1918 and down into the twenties that I served on drives for the Red Cross; I served on drives for the Salvation Army; I was secretary of what you would call today the Local Council of Defense; I served with the Food Administrator; I served with the Coal Administrator at that time, I was a sergeant in the First Pennsylvania Reserve Militia during the war and received an honorable discharge at the end of that time. True, Mr. Speaker, that was home defense; that was not out among the bullets, but it was doing that part which I could do. In July, 1917, as I said to you today, I had four children in my family. I was subject to the draft. I was just in the limit and in a few months I would have been out. My draft board placed me in the classification of those who are married men, but having no exemption. I claimed no exemption, I stood, as the gentleman from Allegheny would have, I presume, ready and willing to do my part. I was not called and in 1918 I applied for the officers' training camp, I think it was called, either Camp Jackson or Fort Jackson. It was an artillery officers' training camp, but before I could be inducted into the service the armistice was signed and I did not get a chance to go. I am willing to compare that record with that of the gentleman from Allegheny. I do not mean to say this in a disparaging way, but the gentleman from Allegheny was drafted in June, 1918, as I am advised, and I presume that the information which I have is correct. I do not think that patriotism or Americanism depends upon those things or those fortunes that you happen to have. At that time the gentleman from Allegheny was a young man, I pre-

sume he was about twenty or twenty-one, when the war broke out. I presume he had no dependents upon him. I have answered that, not because I desire to do so, but I can not let stand upon the record the insinuations that have here been made.

I would not ordinarily pay any attention to the statements of the gentleman from Allegheny, because, while I have had a lot of pleasant associations with him, I know that when he gets riled, when his dander gets up, he is apt to erupt like Vesuvius, and he runs off at the mouth. I know he said a lot of things he did not mean, and he warned me within the week that he was going to say something this week about these things. Therefore, what he said this afternoon was premeditated, and when he attempted to defend the acts of himself and his colleagues in reference of these bills, he was throwing a smoke-screen and drawing a red herring across the trail.

The gentleman from Allegheny stands up on the floor of the House and says he believes in Americanism, the right kind of Americanism. If he believes that is the right kind of Americanism, he would be down here debating these issues upon their merits; debating them from the proper angle and not try to defend the course of action that has occurred during the past five months, until the people of Pennsylvania and the public press of Pennsylvania, until his very colleagues in the Legislature, until the Members of his own party themselves have become ashamed about their course and have demanded action here.

I apologize to you, Mr. Speaker, for taking the time and placing on the record those personal things and I feel a great amount of embarrassment in doing so, but again I say I believe the record should be clear.

PERMISSION TO ADDRESS HOUSE

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

Mr. Speaker, this afternoon in this House I spoke first on quotations of editorials which were read to the House from the Philadelphia Inquirer. I then read from the Gazette and Daily of York Pennsylvania a column on "Education of the Public." At no time in my talk, because I would not do it, as I have the greatest respect for the gentleman from Delaware, did I refer to Mr. Turner personally. I read this column written on M'Clureism, and I did not think any member of this House is persecuting or trying to persecute in any way the gentleman from Delaware. The gentleman from Delaware has his ideas on Americanism and the gentleman from Allegheny, Mr. Holland, has his ideas on Americanism.

As a matter of record I would like the gentleman from Delaware to go a little further and if he wishes to look up my war record he will find that on January 8th, my birthday, 1917 I enlisted in the Canadian Army. I might add that at that time I was district sales manager of the MacBeth-Evans Glass Company, and the company had applied for my exemption. I went to France as a buck private and rose to a commission from the ranks. I attended the artillery school. I was there at the same time that young Roosevelt, Teddy's son, and Mr. Taft, the Senator from Ohio were there.

Mr. Speaker, I spoke strictly on M'Clureism; I did not say anything about Turnerism. I might add that there are two trends of thought on making America safe, there

are two trends of thought on saving America from isms. One of those trends of thought saved America in 1933. I was a member of that trend of thought then, New Dealism. I am still a member of the New Deal party. I would like to tell the gentleman from Delaware that I am the son of a puddler, a puddler who in 1897 was denied the right to organize, and one of the happiest moments of my life was when I stood in this House and voted on a bill that forbid the manufacturers of the United States to place on the boycott list any man who dared raise his voice to improve the social and labor conditions of his fellow workers. I say that to you because I believe I am the son of a real American, a man who during the World War served his country for two years without pay, watching the tunnel under the Jones and Laughlin Steel Company plant on the South Side of Pittsburgh.

Why should we be so worried about Communism, Naziism and Facism or any other ism? Any body politic that is not diseased, any body politic that administers to all classes in a government need never fear any foreign isms. If any foreign isms originate in the United States I will tell you where they originate. I remember, and I know the gentleman from Delaware remembers when in this state of ours the party that he represents permitted in the coal mining regions the Coal and Iron Police, those paid deputy sheriffs, to go into those communities and hammer over the head Americans who were merely asking for a decent living. I say to the gentleman from Delaware that with every blow over the head by those Coal and Iron Police, they were putting in indelible print on the brains of those people the thought that the government which permitted those atrocities was weak. But today, Mr. Speaker, we have a strong government, a government which not only represents the special interests but represents the man who works with his hands. America is a land of plenty and I say to the gentleman from Delaware that when a teacher in the public school points out to her class that monopolies exist in the United States, that due to certain crooked politicians and by graft—and I believe that anyone from Delaware County knows the meaning of graft—I say that when the teacher tells her students in the school that certain business men conspire by means of the money they have, to corrupt public officials, I say to the gentleman when they tell their pupils that they are trying to avoid a recurrence of that condition in the future, that teacher is doing her duty. It all depends on what side of the fence you are sitting when you speak about Americanism.

Last week or rather this week I was very happy to see on the first page of a newspaper of Pennsylvania, and it was news, that a son of one of our wealthiest families had enlisted in the army, Paul Mellon. I am taking my hat off to him for enlisting, but, Mr. Speaker, I think it is said when a dog bites a man it is not news, but when a man bites a dog it is news. So I say to the gentleman from Delaware that there were lots of sons of Pennsylvania who enlisted and their names did not appear on the front pages of every newspaper. May I also say to the gentleman from Delaware that I have three nephews who are now serving with Uncle Sam? I might also say to the gentleman from Delaware that I have had five cousins killed in the first month that England tried to defend democracy. Their names were Kelaghan, a very good Irish name. I do not think the gentleman from Delaware should take this matter as a personal issue. Certainly he is not

the only member of this House who is an American. We are not all so-called Communists, and in his slurs he tried by inference to state that I was following the tactics used by the Communists. I might tell the gentleman from Delaware that I am a Roman Catholic, and as a Roman Catholic I do not think he would even try to accuse me of being a communist.

The gentleman from Delaware does not have to defend Elwood Turner to me. I admire Elwood Turner as a man, I admire Elwood Turner in stating what he thinks, and all I am interested in doing is permitting Elwood Turner to continue to state what he thinks. I hope Mr. Turner from Delaware County does not take the attacks I made on the floor today personally because I do not for one minute feel that Mr. Turner or the other two gentlemen from Delaware, Mr. James and Mr. Bretherick, are any part of M'Clureism, because to me M'Clureism is everything that is filthy in government. I would like to tell the gentleman from Delaware that I listened to members of his own party in the Senate, Senator Prince, say some very mean things, which were considerably, shall I say, more insulting to the face of Senator McClure than what I read out of the paper about McClureism. I am for Americanism; I am for letting the people live and express their opinions, have the right to work and the right to organize to secure a decent wage for that work. I am not in favor of the old regime that is typified by McClureism that goes back to those dark and dreary days when the mule in the mine was placed on a higher standing than the human being, the miner.

HOUSE BILL No. 413 TAKEN FROM TABLE

Mr. BROWN. Mr. Speaker, I move that House Bill No. 413, Printer's No. 1100, entitled:

An Act prohibiting the employment by the Commonwealth or any political subdivision thereof or by any authority or any institution receiving public funds of persons who hereafter advocate and actively participate in a movement proposing a change of the government of the United States by means not provided for in the Constitution of the United States providing for dismissals under existing laws and permitting appeals to courts of common pleas and appellate courts in all such cases

together with the amendments which were laid on the table, be taken from the table.

The motion was agreed to.

AMENDMENTS WITHDRAWN

Mr. TURNER. Mr. Speaker, I desire to withdraw the amendments I submitted the other day when this bill was before the House.

On the question recurring.

Will the House agree to the bill on second reading?

RECONSIDERATION OF VOTE

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

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

The SPEAKER. How did the gentleman from Allegheny, Mr. Brown, vote on the second reading of the bill?

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

The SPEAKER. How did the gentleman from Fayette, Mr. Tarr, vote on the second reading of the bill?

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

On the question,

Will the House agree to the motion?

It was agreed to.

Mr. BROWN. Mr. Speaker, I move that the vote by which the title was agreed to be reconsidered.

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

The motion was agreed to.

Mr. BROWN. Mr. Speaker, I move that the vote by which the various sections were agreed to be reconsidered.

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

Mr. TURNER. I desire to interrogate the gentleman from Allegheny, Mr. Brown.

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

Mr. BROWN. I shall, Mr. Speaker.

Mr. TURNER. Mr. Speaker, I would like to ask the gentleman whether he has a copy of the amendments I sent to him yesterday, the amendments which I propose to offer?

Mr. BROWN. I believe I have, Mr. Speaker. If the gentleman will give me just a second, I have so many papers, I will have to try to resurrect the amendments.

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

The amendment was read by the Clerk as follows:

Amend bill, page 1, by inserting before line 1 and immediately after the enacting clause, the following:

"Section 1. The phrase "un-American or Subversive Doctrines" shall be construed to mean doctrines which teach or advocate the overthrow of the Government of the United States of America or of the Commonwealth of Pennsylvania by revolution, or the destruction or change of the democratic form of American Government and the substitution therefor of an undemocratic form of government by means or methods other than those provided for in the Constitution of the United States, or the Constitution of the Commonwealth of Pennsylvania

On the question,

Will the House agree to the amendment?

The SPEAKER. Does the gentleman from Allegheny, Mr. Brown, have a copy of these amendments?

Mr. BROWN. I do not, Mr. Speaker, the copy the gentleman from Dauphin, Mr. Woodside, handed to me was not the amendment read by the clerk.

The SPEAKER. The Chair will furnish the gentleman with a copy of the amendments.

Mr. BROWN. Mr. Speaker, I yield to the gentleman from Delaware.

The SPEAKER. The Chair thanks the gentleman from Allegheny, Mr. Brown, for yielding.

Mr. TURNER. Mr. Speaker, I thank the gentleman from Allegheny for his courtesy in yielding.

I have attempted this evening to study the amendments which I understand are to be offered by the gentleman from Allegheny, Mr. Brown. I have a copy of them before me which he very kindly sent to my desk. I have been unable to find any great difference between us except in the insertion in the bill of some words referring to counties and districts in the title. The main difference is the elimination from the amendments which Mr. Brown will offer, of the provision with respect to advocating and supporting Communism, Facism or Naziism. You will recall that the gentleman from Allegheny, Mr. Brown, took me to task the other

day when he said the trouble with the proposals which we made was that they were indefinite, that we were dealing here with a law that should be definite; that we were going to propose changes further than he suggested and that we should get down to something definite. The differences in our thoughts, as I see it, throughout these debates, which now have lasted for several weeks, has been that the gentleman from Allegheny, Mr. Brown, wants the law to read in the way he originally had it, or as the amendments originally were. As I see that, a person would have to be guilty of treason before you could fire him from the state payroll or remove him as a teacher. In other words, as you may recall, you had to advocate and actively participate in overt acts. I could not see anything in that except that you would have to participate in overt acts, if those were the kind of acts which would be revolutionary, you would have to be active and use open force against the government of the United States, to change it by processes not provided for under the Constitution. That is not a satisfactory solution. What we are trying to get at is this: I think I could go along with Mr. Brown as far as he goes, but as I said before he is not going far enough. A person under that amendment could teach in the schools, communism, could advocate communism. He would not necessarily be participating in a movement to overthrow unless he had committed some overt act, and unless you put into this amendment this provision that they advocate or support Communism or Facism or Naziism, you are not striking at the very root of the evil. You are permitting the great mass of these people to go into our schools, to become public officials and to carry on their work and their efforts to change the minds of the people, to make them believe that Communism, Facism, or Naziism is the proper form of government. I do not think we have many people that are advocating Facism and Naziism except for a few of these Bunds that are in America, and they have been pretty well smoked out.

I realize that this problem is a legislative one. I do not want to seem to be embarking upon a witch hunt, and I do not want to see people falsely accused because they sometimes differ with me. I said on the floor of the House that I dislike intolerance, I hate intolerance, I believe in freedom of speech. Of course, the Communists would like to go out and talk, because they have the right to stand on the corner on a soap box and talk to the people. I have seen them in front of the Bulletin Building in Philadelphia. If you stop there for a few minutes you will hear some good arguments on any conceivable subject by some very queer looking individuals. I would not want to drive them off the street. If they want to hire a hall, let them hire a hall, as far as I am concerned. That is all right. That is within the Constitution.

Mr. Speaker, what we are trying to say to the Members of the House is this: where persons are on the public payroll, when they become members of the Department of Public Assistance, for instance, and go out into the homes of the people who are distressed, the man who is down and out lots of times, the man who feels that the world is against him, the man who feels perhaps, that the government is wrong, they do not try to buck him up, they do not try to tell him that a job

is the most important thing, that he can get a job if he goes out and hustles for it, maybe he can get on W. P. A. or in some way he can find some kind of work, that there is opportunity here. Oh, no, they do not do that. They begin by insidious propoganda to undermine that individual and by sympathy to make that person believe in a change. They go into our schools. I have been told within the last week that down in Philadelphia they are giving small children fifty cents to carry pamphlets and leaflets into the schools to be read by mature people. I do not care if they give out pamphlets to mature people, who say they are one hundred per cent American and who claim they believe in the American system of government, but if we say it is unconstitutional for us to say that the teacher cannot advocate and cannot participate in a movement of that kind, then we cannot defend our government. If we say that, then we do not believe in our system of government. Are we going to supinely sit by and let these people talk to the young and to the inexperienced, to the children who are in the formative stage, from six to fourteen years of age, in our schools, not openly to advocate the overthrow of our government. No, they do not do that. They do not say to the school children that Communism is the best form of government, that Soviet Russia is the best form of government; they do not say to the school children that Facism is the best form of government, and that they ought to go out and overthrow the United States Government. They do not do that.

Take and read some of the books we have talked about. Sure, you can take the text as a whole. They are beautifully written, they are fine books, but you can find woven through them the vein of the propoganda that you know is meant to be there. You cannot help but understand that it is meant to warp the opinion, or to warp the understanding of the small child in the school.

The gentleman from Allegheny and others have said to me, you cannot define these things. They have said to me the trouble with Communism, Naziism and Facism is that you cannot define it. I think you can find a definition in some of the standard dictionaries that are very good definitions, and which cover the subject. As far as Communism is concerned, you need only take the speeches and the reports of Earl Browder; you need only take the platform of the Communist Party; you need only take the reports of the governmental agencies that tell us what the Communist Party stands for. Do you mean to say that freedom of speech goes to the point where we say we cannot stop the teacher in the school from preaching this doctrine?

Let me read a little of it. I read from "Isms, a review of revolutionary Communism and its active sympathizers in the United States," Prepared for use of American Legion Posts by the National Americanism Commission of the American Legion, National Headquarters, Indianapolis, Indiana." What I am going to read to you is from a federal report. This is what they say here:

"In a report which the Committee Investigating Un-American Activities made to the House of Representatives on February 15, 1935, there appears the following:

"In December, 1934, it (the House Committee Investigating Un-American Activities) held a series of public hearings at Washington, D. C., at which representatives from various organizations and agen-

cies that have recently been investigating communism presented statements of their findings accompanied by one or more recommendations.

"The Communist Party of the United States is not a national political party concerned primarily and legitimately with conditions in this country. Neither does it operate on American principles for the maintenance and improvement of the form of government established by the organic law of the land.

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

"1. The overthrow by force and violence of the republican form of government guaranteed by article IV, section 4, of the Federal Constitution.

"2. The substitution of a Soviet form of government, based on class domination to be achieved by abolition of elected representatives, both to the legislative and executive branches, as provided by article I, by the several sections of article II of the same Constitution, and by the fourteenth amendment.

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

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

"These specific purposes by Communist admission are to be achieved not by peaceful exercise of the ballot under constitutional right, but by revolutionary upheavals, by fomenting class hatred, by incitement to class warfare, and by other illegal, as well as by legal, methods. The tactics and specific stages to be followed for the accomplishment of this end are set forth in circumstantial detail in the official program of the American Communist Party adopted at the convention held at Cleveland on April 2 to 8, 1934."

Now, Mr. Speaker, are we in this House of Representatives, as men who are charged with the duty to make laws, are we here going to say we are not going to outlaw the teaching of Communism in our public schools? Are we going to say that we are going to permit those things to be taught to our children; are we going to say because we feel we do not have a sufficient definition, that we are going to permit these people to advocate that party to subsist on the public payroll and in our schools, a party that by its own admission says it is going to bring about the overthrow of this government by illegal means, a party that says it is going to destroy property rights without due process of law, as provided and guaranteed to us under the Constitution of the United States? That is the reason why a year ago I said the Communist Party should be barred from the ballot, because I do not think any member of the Communist party could take the oath of office to support and defend the Constitution, because they do not intend that the Constitution shall be supported and defended. Therefore, if this party or this objective or this cause that they openly avow and declaim, if this party is allowed to continue in Pennsylvania, if it is allowed to put out its propoganda, if its members are allowed to remain on the public payrolls where they can go out among the people and abuse their privileges by attempting to bring about a change in our government by revolutionary methods, then it seems to

me it is time we fold up and tear down the Constitution in Pennsylvania, and that we put a lock upon the door. We might as well go home and allow these Communists, their fellow travelers and brethren to take over the government of Pennsylvania, and allow them to take over all our property and all our business and all our industry.

The gentleman from Allegheny said a while ago he was an American, that his father had fought for certain things, and that he had done certain things. So am I an American, and as I read the things that were said by our forefathers, that they were going to hand down to us a priceless heritage, a heritage of freedom, that they were going to hand to posterity the freedom which they had gained, the kind of freedom that was written into the Constitution of the United States, and the liberties that were written into the ten amendments with respect to certain inalienable rights, I intend as far as I am concerned to see that they don't take them away from my children and my children's children if possible, and from future posterity of this Commonwealth of ours and this government of ours.

Therefore, Mr. Speaker I ask the Members of the House to support this amendment which specifically defines the thing which I believe should be prohibited and which I think we should fight against as far as it is possible for us to fight.

Mr. BROWN. Mr. Speaker, in my years of service here in the House I do not think any bill has been debated as much as this bill. I feel very much chagrined at the amount of record that I have piled up in the Legislative Journal. However, I want to allay the feelings of the gentleman from Delaware, Mr. Turner.

We have denominated in our amendment, not the name Communism, but have said "Any advocacy of any change in our form of government by revolution or by means not provided for in the Constitution," and I think upon sober perusal of the amendments which I will present on behalf of myself and the gentleman from Philadelphia, Mr. McClanaghan, you will find that we have tried to stop the loopholes.

It doesn't make any difference whether you say Communism or some other kind of ism; a rose by any other name will smell just as sweet, and Communism by any other name is just as poisonous, so we have gone the gentleman from Delaware one better; we say "Any advocacy," so that if they wanted to change their name, and we name Communism they would be protected by his bill. Therefore when we define the term in the broad meaning we catch Communism, and if they change their name to some other kind of ism, we catch them there.

We did that because we and the gentleman from Delaware, Mr. Turner, want to catch them at every turn of the road, and I want to assure the gentleman that we have not weakened the bill, but upon sober reflection he will understand that we have strengthened the bill. I think we have all been thinking along the same line in this bill; we are not so far apart, any of us.

There is one clause in his amendment with which I do not agree and which will not be in our amendment, we do not make the law ex-post-facto. After the argument this afternoon I decided to get the law in order that by reading the law I might be able to convince the gentleman from Delaware, Mr. Turner, that there is such a

thing as an ex-post-facto law, although it is not necessarily a penal law. If we are going to pass laws we must pass them within the bounds of the Constitution. Regardless of how we feel we are bound by the Constitution. The gentleman from Delaware this afternoon accused me of being so strictly in conformity with the law that I couldn't see anything else, and yet he says only ex-post-facto laws can be criminal laws.

Mr. TURNER. Mr. Speaker, I apologize to the gentleman from Allegheny, Mr. Brown for breaking in on his statement, but there is nothing ex-post-facto in the amendments which I have offered. The gentleman is reading from the amendments which were offered the other day. The amendments which were prepared and are being offered now remove both the "heretofore" and the "hereafter" which the gentleman from Allegheny, Mr. Brown, had inserted.

Mr. BROWN. Well now, Mr. Speaker, the gentleman from Delaware has changed so much that I think we had better proceed to vote down his amendments. Let us go ahead and vote down his amendments, and I assure you that with the brilliant mind of the gentleman from Philadelphia, Mr. McClanaghan, and with my mind that the gentleman said is so glued to the Constitution that I can't see anything else, we will allay the gentleman's feelings and give him the best bill for everybody. Now, the gentleman cannot complain about that.

Mr. TURNER. Mr. Speaker, the gentleman from Allegheny in his usual adroit way exploded at the end in a manner which has been increasing as the debates have gone on. I noticed in an article in a Pittsburgh paper the other day that the gentleman from Allegheny was quoted by the newspaper men as being the "coolest headed" . . .

QUESTION OF PERSONAL PRIVILEGE

Mr. BROWN. Mr. Speaker, may I rise to a question of personal privilege?

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

Mr. BROWN. May I state, Mr. Speaker, the year before last I nosed Mr. Turner out; this year Mr. Turner nosed me out.

The SPEAKER. Another photo finish.

Mr. TURNER. Mr. Speaker, there was a dark horse in the race, anyway.

Mr. Speaker, I started out to say the gentleman from Allegheny was accorded the place of honor as the coolest headed man in the House. I hope adjournment will catch up with us before the gentleman voids the vote given by the newspaper men, because his temper has been gradually rising in each of his debates.

The gentleman from Allegheny, Mr. Brown, says that my amendments are changing. Well, Mr. Speaker, if anybody reads what Mr. Brown was advocating a week or ten days ago, and then reads what he now advocates in these amendments, I would say his amendments have almost caught up to mine. The definition of "un-American" and "subversive" were taken from my amendments, and he has got ten, almost everything in his now but Naziism Communism and Fascism, and he also took out the "heretofore". We had taken out the "hereafter" but I see he put that back in again.

The gentleman from Allegheny, Mr. Brown, has a great

reputation as a constitutional lawyer in this House, and I think we all admire and have admired for a number of years the fact that he was always well prepared on the subject upon which he spoke; that he generally spoke on legal matters and that he showed that he had made research, but he has hung so close to the constitution that someone on this side of the House said today that instead of his attacking the Communists, the gentleman from Allegheny, Mr. Brown, wanted to put us almost on the defensive with regard to the Bill of Rights.

I can agree with all the legal conclusions of the gentleman from Allegheny, except I differed with him this afternoon because I think he was quoting Purdon's Digest at me; I could quote another book if he wants it in order to contradict him on that one. That isn't the question here; the question is that under Mr. Brown's interpretation you are not going to catch the skunk.

Mr. Brown says "I think the smell is just as sweet." I think it stinks, and therefore I think we ought to go to the root of the thing, but you are not going to get at the root of the thing with these amendments if Mr. Brown has his way. We have engendered a lot of heat that I fear in these debates may cause us to go off on a tangent, but there is only one right way that I can see. Why defend these people? Why try to protect them? Why do we say that the school teacher who advocates these things shall be protected? Because Mr. Brown said he or she has freedom of speech to advocate these things? I say and you know they do not, not in the public schools or on the public payroll. Outside, yes, and that is our difference of opinion and I think the vote today will show where we stand.

I think it was the gentleman from Lackawanna who said "Let them stand up and be counted. Let us see where we stand and what we stand for." Why hide behind technicalities? Why recite the Bill of Rights? Why talk about any freedom of speech? Certainly you know that the people we are trying to get at do not believe in freedom of speech, they do not believe in the freedom of religion. The gentleman from Allegheny said he was a Roman Catholic, and we know the fight that the Roman Catholic Church has made. Why? Because they know that Fascism, Naziism and Communism are all against the Church, they are against religion. We know that Communism swept it out and we know Naziism came along next. Race hatreds, religious hatreds, intolerance are all in this thing. Then why say that you are going to stand up and defend them? You say you are a friend of minority groups; you are afraid of somebody being caught in a witch hunt; you are afraid that somebody will wrongfully accuse them. I admire the gentleman from Allegheny, Mr. Brown, for standing here to protect the rights of the minority. I admire his stand that not one person should be persecuted or wrongfully accused if we can avoid it, but I am thinking on the other hand of the festering sore that we have. You can read the report I read, and from that report you will know what is going on in this country of ours.

Can we stamp it out? It appears that unless they march down the street and take brickbats, swords and daggers to go out and overthrow the government, we have no way of getting at them. I don't believe that is true.

Mr. HARKINS. Mr. Speaker, I think the gentleman from Delaware, Mr. Turner, hit the nail on the head a few moments ago when he said this side of the House has been trying to protect the Constitution and maintain the Bill of

Rights. That is exactly, Mr. Speaker, what the Members on this side of the House have been insisting on from the beginning.

I also understood the gentleman from Delaware in his remarks just now to say that the bill under the amendments as proposed by the gentleman from Allegheny, Mr. Brown, would permit teaching of Communism in the public schools by public school teachers. I say, Mr. Speaker, that under the amendments which Mr. Brown has indicated he will present, the advocacy of any un-American doctrine, any doctrine for the overthrow of the government by revolution or by any means not permitted by the Constitution would be outlawed, whether it would be the advocacy of a doctrine by a teacher in the schools or out of the schools. So I say to you, Mr. Speaker, that the gentleman from Delaware, Mr. Turner, in his usual able and adroit way, has been trying to be on both sides of the question at the same time.

I have before me a record of the debate of the gentleman from Delaware in the 1937 session when he debated the tenure question. I would feel, Mr. Speaker, that the gentleman was absolutely sincere and earnest in his advocacy of his position, if he maintained his record all through his legislative career that he does in some of the sessions. In 1937, his statements read almost identically with the statements he made in the 1941 session, but in the 1939 session we see nothing in the Journal. I see no act proposed whereby those who now decry the efforts of this part of the House to maintain the Constitution and the Bill of Rights; I see no effort on the part of the now minority to take care of this situation, which all through the 1937 session the gentleman from Delaware, Mr. Turner, knew existed in as severe a manner as he now says it does. I say it is a test of sincerity on the part of the Republican Party. If their leaders believed this situation was so bad in 1937, that when they had control in 1939, they could have done something about it and not now try to defame every honest and sincere school teacher in the Commonwealth. I don't know why it is that only the Republicans seem to know so much about the Communists unless perhaps they have been consorting with some of them. We Democrats don't seem to know so much about the Communist activities that have been going on.

We are sincere when we tell you that the people we represent that is, the districts that we represent are composed of good, honest citizens, who don't know about these things that you folks seem to be troubled by. I say further that the gentleman from Delaware is absolutely right when he talks about the oppressive forces of Naziism and Communism, but I say, Mr. Speaker, the thing that led to those forces being successful in the governments wherein they have become paramount was first the abolition of freedom of the press, abolition of freedom of speech.

I want to hark back to the Legislative Journal of March 31, 1937, and I want to refer the gentleman from Delaware, Mr. Turner, to No. 37 of Volume 21 of that session. I want to read for the record of this House a part of the statement of the gentleman on the question of sedition on his amendment to include sedition as a cause for dismissal of teachers. I want to read from that page the following statement:

"When we have speeches made not only in our cities but in the Halls of Congress of the United States, of organizations that are supplying money and literature and propaganda in order to destroy our form of gov-

ernment, not to improve it, not to make changes in the machinery that may be necessary, but to absolutely destroy our idea of government that our forefathers laid down—I want to say to you that as far as I am concerned I am willing to infringe somewhat upon the freedom of speech of some of these people, if that be necessary, in order that we may not here have people who are undermining, boring and sapping into this Government of ours, and into our schools, in order to teach doctrines that are subversive to our Democratic form of government that we have under our Constitution."

Now, I say, Mr. Speaker, that regardless of how well-meaning the gentleman from Delaware is, regardless of how much his purpose may be similar to our purpose, he can never destroy one iota of the right of freedom of speech or anything else without likewise endangering his own freedom of speech, and I say that that which goes before Communism, Naziism and Fascism and all other types of subversive activity is the abolition of the right of freedom of speech. So if the gentleman from Delaware will only bear with us and give us credit for being equally as patriotic and equally as desirous of passing good laws and accomplishing good results, I think he will vote for our amendments when they are presented, and he will be satisfied with them in the end.

I think, Mr. Speaker, he can go home at the end of this Session and say to his constituents, who are intensely interested in this subject, "although I did not when I was Speaker of the House in 1939 accomplish a reform of this nature, I was most interested in the Session of 1941 wherein the Democratic House did pass a bill which will tend to cure that situation."

Mr. TURNER. Mr. Speaker, I think this is the second time that the gentleman from Allegheny has referred to a 1937 statement of mine and the 1939 session. It would be a long story for me to attempt to go over the 1939 session. I know the battle that we put up in 1937, trying to get into the Teachers Tenure Act some of the things we are now trying to do here, and I remember that it was the gentleman from Allegheny, Mr. Harkins, and his Democratic colleagues in 1937 who prevented those things from going into the Teachers Tenure Act as it was then written. Now they come forward at the revival services, after hanging back in the rear seats for five months, since January; they are coming down the aisle, hitting the saw dust trail, singing Hallelujah. They are getting on board the band wagon and they are going to grab the flag, because as the gentleman from Monroe, Mr. Achterman, said in his published statement of yesterday or today—anyway within the last few days—that these amendments would not bear Elwood Turner's name, they would bear the Democratic label. I know that the Bible says you can repent in the eleventh hour and the Lord is going to welcome you across the threshold if you do repent. I imagine the gentleman from Philadelphia, Rev. Shepard, knows more about that question; he ought to know more about repentance; he will have more of it to do than the others, nevertheless it would be amusing if the subject were not so serious, to see the boys march down the aisle with their flags and shouting "Hallelujah, praise the Lord". We have got ourselves on the right side. We will pass this legislation against subversive and un-American activities." Subversive and un-American, you will remember that was ripped out of the section a week ago and then put back again. "It is now part of our Democratic plat-

form, it is a part of our Democratic proposal, a part of our Democratic program; we are going to go out and tell the people of Pennsylvania how we put it across when the Republicans failed to do it."

Well, if you can get anything out of this go ahead. I think the people of Pennsylvania are a pretty sensible lot of people, and I think the school teachers of Pennsylvania are a sensible lot of people.

QUESTION OF INQUIRY

Mr. AUKER. Mr. Speaker, I rise to a question of inquiry.

The SPEAKER. The gentleman from Blair will state his question of inquiry.

Mr. AUKER. Mr. Speaker, are we still a House of Representatives or are we turning into a mad house, that a speaker who is debating a very serious topic on the floor of this House cannot speak without being interrupted by a bunch of singers.

Mr. SPEAKER. The Chair insists that the members show respect to the gentleman who has the floor and the Chair requests the gentleman who is singing to please cease.

Mr. TURNER. Mr. Speaker, it doesn't annoy me a bit, because I thought the gentleman was just filled by that same religion that I talked about and was so happy about the amendments that he was just singing and therefore I wouldn't interrupt him for a moment. I will join him and help him sing when these amendments are adopted.

The gentleman from Allegheny was very unfair when he said something about my accusing all the school teachers. I do not remember just exactly how he put it. I repeat that the Communistic school teachers in Pennsylvania are in a great minority. I have talked with plenty of school teachers. I spent half an hour last night talking with one of the leading teachers in Pennsylvania, talking on some of these subjects, trying to get her viewpoint straightened out on what some of you Democrats told her my viewpoint was.

I have in my hand a letter from a school teacher—I don't know him—I won't read it all; it comes from another county. He starts off by saying

"I wish to congratulate and commend you for your fight for legislation to remove from our schools every teacher who has in the past, or shall in the present or future, have any Communistic, Fascist or Nazi affiliations or sympathies. I trust that you will block adjournment of the Legislature until your original bill is enacted into law.

"I am a Philadelphia school teacher. I regret that the Teachers Union 'A. F. of L. Communist indicted,' has made it appear that the teachers as a whole are opposed to this legislative action. Of course, this is not true. The Teachers Union consists of but a mere handful of the actual teaching force in Philadelphia." Then he goes on to say "It is about time we begin, before it is too late, right in the schools to root out those who believe in and encourage the overthrow of our government."

Then I have in my hand an article from a Pittsburgh paper which relates to the meeting in Boston of the National Education Association. It says

"One resolution drafted for presentation to the organization's 79th convention declared: 'Neither freedom of speech nor academic freedom should be used as a cloak for activities or teachings subversive

to the fundamental principles and ideals of the United States.”

And they proposed the establishment of a commission to study and gave it money. Then I would like to call to the attention of those great constitutional thinkers on the other side of the House this statement when they get talking on the Bill of Rights. This is from Thomas Mann: “Democracy must never allow any group to exist that would destroy a democracy.”

Mr. HARKINS. Mr. Speaker, I would like to interrogate the gentleman from Delaware Mr. Turner.

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

Mr. TURNER. I shall, Mr. Speaker.

Mr. HARKINS. Mr. Speaker, I would like to know from the gentleman from Delaware, Mr. Turner, why the particular bills he mentioned were not enacted in the 1939 session, if he is able to tell me. I notice that the answers he gave a few moments ago were incomplete, and if it is a long story I would like to have it.

Mr. TURNER. Mr. Speaker, I presume the House has a lot of time; I am not going any place, and I know a good many of our members haven't any money to go any place, so if the wish of the gentleman from Allegheny prevails, I would like to start on the story in 1937 because that is back of what we did in 1939.

The gentleman from Allegheny, Mr. Harkins, did not ask that question seriously. He knows just as well as I do that in 1937 and in 1939 we advocated it but in 1939 we didn't get any place with it, and therefore I don't see that that has anything to do with it, because even if the gentleman from Allegheny's inferences are correct he ought to accord me the same right to repent that I accorded him.

Mr. HARKINS. Mr. Speaker, I take it that the gentleman from Delaware, Mr. Turner, has answered the question, and I think it is self evident that the reason was the Republican party, then in control of the Legislature, both Houses and with a Republican Governor, knew there was no necessity for it, and they just didn't do it. The only thing that is necessary to be done will be done when Mr. Brown's amendments are put into the bill.

Mr. WOODSIDE. Mr. Speaker, since the gentleman has raised the question I think it ought to be answered and the true story ought to be told in connection with it.

As a matter of fact, practically all the problems of the last session that were dealt with were dealt with originally by this House. The one problem that was left to the Senate to deal with was the problem of the Teachers Tenure bill, and that problem was dealt with by a Senate that was practically evenly divided between the Democratic and the Republican parties. I can say to you, Mr. Speaker, without fear of contradiction that the group on this side favored the amendments to the Teachers Tenure bill that they proposed in 1939, but the reason they were not written into the Teachers Tenure bill was because of two gentlemen in the Senate, Senator Mundy and Senator Shapiro who proposed a different system, and I believe the gentleman who raised the question was in accord with that movement which kept from being written into the Teachers Tenure bill the things which we on this side felt should be written in. If he will recall, he will remember that the Teachers Tenure bill was amended in the very last week of the session.

It went to conference committee and there was a great deal of discussion at that time about the two gentlemen whom I mentioned in the Senate, Members of the Democratic party, who had made agreements to go along with certain phases of the Teachers Tenure bill, which apparently was changed later, and they eventually did not go along. That is the answer to what happened to the Teachers Tenure bill in 1939 and the provisions relative to subversive activities.

Mr. LOVETT. Mr. Speaker, I would like to interrogate the gentleman from Dauphin, Mr. Woodside.

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

Mr. WOODSIDE. I shall, Mr. Speaker.

Mr. LOVETT. Mr. Speaker, will the gentleman from Dauphin, Mr. Woodside, tell the House what the amendments to the Teachers Tenure Act were in 1939?

Mr. WOODSIDE. In 1939, Mr. Speaker, the Teachers' Tenure Act was amended to set up a rather complicated system of passing upon the merits of school teachers. I will get the Pamphlet Law for the gentleman if he is anxious to determine in detail. I do not remember all the details of it. As I said, it was the single problem that was left to the Senate in the 1939 session, because the Senate was evenly divided and the House was predominantly Republican. The majority on this side started all bills of any consequence, dealt with all other problems on this side and left that one problem to the Senate. Senator Shapiro and Senator Mundy dominated and controlled and influenced to a very large degree the amendments to the Teachers' Tenure Act. Although they were an improvement over the act of 1937, they still did not meet the situation that we felt should be met in 1937 and in 1939, but we had to take what we could get through the Senate. The gentleman knows we did not control the Senate at that time.

Mr. LOVETT. Mr. Speaker, I would like to remind the gentleman that I asked a question and I would like him to answer the question and not make a speech.

The question that I asked the gentleman was, what effect the amendment had on the Teachers' Tenure Act. What I want to know is what changes were made; I do not want the specific amendments.

Mr. WOODSIDE. Mr. Speaker, I have sent for the Pamphlet Law and I will read what the changes were.

Mr. LOVETT. Mr. Speaker, if the gentleman insists upon it,—

Mr. WOODSIDE. Mr. Speaker, the gentleman asked for it.

Mr. LOVETT. All I asked for, Mr. Speaker, is that the gentleman outline to the Members of the House the changes that were made in the Teachers' Tenure Act by the amendments.

Mr. WOODSIDE. The only answer to that, Mr. Speaker, is what is in the 1939 Pamphlet Law. The gentleman could get that himself; that is the only answer to it.

Mr. LOVETT. I would like further to interrogate the gentleman, Mr. Speaker, while we are waiting for the Pamphlet Law.

The SPEAKER. The gentleman will proceed.

Mr. LOVETT. I would like to ask the gentleman, Mr. Speaker, if he knows that Mr. O'Brien on this side of the House in the session of 1939 introduced legislation

amending the Teachers' Tenure Act, outlawing Communist teachers and party under the Teachers' Tenure Act, and what happened to those bills?

Mr. WOODSIDE. Mr. Speaker, I do not recall that any such bills were in the House. They may have been, but I am saying again to the gentleman that the amendments to the Teachers' Tenure Act were the problem that was dealt with by the Senate, and that we had to determine what could be gotten through the Senate.

Mr. LOVETT. Mr. Speaker, since the gentleman on the other side does not recall the three bills that were introduced by Mr. O'Brien, outlawing the Communist Party, I would like to inform him and the other Members of the House that there were such bills introduced during the 1939 session, in February, and I would appreciate if the gentleman will kindly tell us why there was not some action on these bills at that time, since he was the leader on the Republican side during that session.

Mr. WOODSIDE. I do not recall the bills at all, Mr. Speaker, at that time. I do not know that in 1937, we made a fight on what seemed to me to be the most important issue, and that is the question of the teacher in the schools. That was the important issue before us, and I know in 1937 we made a fight on it, and in 1939 we felt the same way about it, and we felt very much discouraged when the situation developed in the Senate as it did.

Mr. LOVETT. Mr. Speaker, I would like to ask the gentleman whether workmen's compensation and other labor bills were not more important than worrying about the Communistic bills that we have before us today?

Mr. WOODSIDE. Mr. Speaker, I do not think that we have anything before us today that is more important than the teaching of Communism or the teaching of subversive activities in the public schools of the Commonwealth of Pennsylvania or the United States of America; nothing is more important than that.

Mr. LOVETT. Mr. Speaker, does the gentleman feel that in 1939 it was just as important as it is now?

Mr. WOODSIDE. I do, Mr. Speaker, and I did; I felt it was just as important in 1937. It may not have been as important in 1937 or 1939 as it is today, but I felt it was tremendously important at that time. It is growing progressively more important.

Mr. LOVETT. Mr. Speaker, if the gentleman thought in 1939 it was just as important as it is today, I spent my time in the session of 1929 and I didn't hear the gentleman or any other gentleman on the other side of this House requesting that these bills be acted upon during the 1939 session.

Mr. WOODSIDE. Well, Mr. Speaker, the gentleman on the other side didn't take any action on it that I heard about; they never said anything to me about it. Maybe we didn't pay as much attention to some of these Democratic bills as we should have at that time, but I tell the gentleman again that it was the most important subject before us; I have explained how we felt about it.

Mr. LOVETT. Mr. Speaker, I would like to state in answer to the statement of the gentleman on the other side, that we on this side of the House during the 1939 session were so busy trying to save what liberal legislation passed in 1937 that we left it to the gentlemen on the other side to introduce the bills here in the House,

and we left it to them to have them enacted into law in 1939, when they were in power. I think the gentleman will admit there was no action taken on those bills, and they died in committee. If the gentleman has the law and the changes I will appreciate his reading it.

Mr. WOODSIDE. Mr. Speaker, my lawyers haven't been able to find the amendments yet.

The SPEAKER. Is the gentleman from Westmoreland, Mr. Lovett, through with his interrogation?

Mr. LOVETT. I am not, Mr. Speaker, I am waiting for the law and for an answer.

Mr. WOODSIDE. Mr. Speaker, section 1201 of the school code was amended by Act 274, page 482, of the Pamphlet Laws of 1939. This is going to be a ten page pamphlet law reading here. I don't know whether the House wants to go through with it or not. I will be glad to give it to him and I will be glad to submit it in the record if the gentleman would care to have it, but I do not think we ought to take the time of the House to read it into the record.

Mr. LOVETT. Mr. Speaker, I do not insist that the gentleman read the Pamphlet Laws of 1939. I only asked that the gentleman give the information to this House, or at least to the new Members, as to just what the change was in the Teachers' Tenure Act by the amendments offered in 1939.

Mr. WOODSIDE. Mr. Speaker, I told the gentleman it did several things. In the first place, it set up a probationary period, and in the second place it set up a method of rating teachers. That method of rating teachers can only be explained accurately by reading into the record what the provisions of the act are. It creates the term, "professional employes," and defines professional employes. Then it has some provision relating to temporary employes, and then provides a method of rating.

Mr. Speaker, I think this matter is entirely off the point, I will be glad to put into the record, if the gentleman wants it, all of that Act, but it is a matter of public record; he can get it in the Pamphlet Laws. I will give it to him right here if he wants to read it, but his interrogation is entirely off the point.

Mr. LOVETT. Mr. Speaker, I do not like to differ with my good friend, Mr. Woodside, on the other side. As a Member of this House, I have always been courteous to the Members on the other side; I have never made it a personal issue or even a party issue. The only reason I asked the gentleman to explain the amendments to the Teachers' Tenure Act is that I want to ask the gentleman whether he feels the amendments of 1939 curbed in any way Communistic teaching or subversive actions or teaching by school teachers in the state of Pennsylvania. Will the gentleman please answer that question?

Mr. WOODSIDE. Mr. Speaker, to some extent I would say yes; not to a very large degree; not to a satisfactory degree by any means. However, as a result of the necessity for rating as a school teacher, that school teacher might be a little bit more careful not to teach Communism in the school for fear that it might in some way affect his rating as a teacher, and that would, of course, be particularly true of a teacher on probation. It is rather indirect and not by any means to any satisfactory degree does this amendment prevent the teaching of Communism in the schools, but I would say it might in some remote degree discourage the teaching of

Communism in the schools. There is also a provision in this act for rating teachers except in cases of suspended teachers, and that, of course, might have some slight effect and discourage the teaching of Communism.

Mr. LOVETT. Mr. Speaker, I want to thank the gentleman from Dauphin, Mr. Woodside. Due to the fact that he is at a disadvantage in attempting to inform this House that the amendments in 1939 had anything to do with communistic teaching in our schools, I would honestly say to the members of this House that the amendments offered in 1939 in no way had anything in the world to do with communistic teaching in the schools of Pennsylvania. I further want to say that from my knowledge of the probationary period, which I think was a matter of two years, it was a very lame amendment. The criticism which we received in my community on the Teachers' Tenure Act was the fact that married women taught school.

POINT OF ORDER

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

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

Mr. BAKER. Mr. Speaker, are we now on the Teachers' Tenure Bill or are we on this House Bill 413?

The SPEAKER. The Chair cannot answer that question. Much latitude has been permitted and taken.

Mr. BAKER. Mr. Speaker, I yield to the gentleman from Westmoreland.

Mr. LOVETT. Mr. Speaker, I want to thank the gentleman from Allegheny, Mr. Baker, for yielding.

I thought at that time that the amendments to the Teachers' Tenure Act were protecting married teachers and the old teachers who already had served their probationary period under the Teachers' Tenure Act. I want to say to this House that I feel that the amendments of 1939 in no way curbed communistic teaching in our schools, but the gentlemen on the other side were possibly too busy enacting the Delaware County Authority Act whereby the people of the state of Pennsylvania could be swindled out of more money rather than interesting themselves in subversive activities.

Mr. BAKER. Mr. Speaker, I now move the previous question.

The previous question was seconded by Messrs. Stank, Paul A. Brunner, Marks, Wright, Verona, Polaski, Reynolds, Shaw, Moul, DiGenova, Komorowski, Tate, Heatherington, Woodring, Cochran, Boies, O'Neill, Munley, Melchiorre, Kolankiewicz and others.

On the question,

Shall the main question be now put?

It was agreed to.

On the question recurring,

Will the House agree to the amendments offered by the gentleman from Delaware, Mr. Turner?

Mr. BROWN. Mr. Speaker, in order that we might be clear, since there has been so much debate since I arose to oppose the amendments offered by the gentleman from Delaware, Mr. Turner, I reiterate my request that the members vote down these amendments.

The yeas and nays were required by Mr. Turner and Mr. Woodside and were as follows:

YEAS—66

Auker,	Gross,	Lichtenwalter,	Snyder,
Boorse,	Gyger,	Lyons,	Sollenberger,
Bower,	Habbyshaw,	McClester,	Sorg,
Bretherick,	Haines,	McKinney,	Stambaugh,
Brunner, C. H.,	Hall,	McMillen,	Stockham,
Cadwalader,	Hare,	McSurdy,	Trout,
Cooper,	Helm,	Muir,	Turner,
Cordier,	Huntley,	Rank,	VanAllsburg,
Dennison,	Imbrie,	Reagan,	Wagner,
Dix,	James,	Reese, D. P.,	Weingartner,
Ely,	Jones, G. E.,	Rhea,	Wilkinson,
Fiss,	Kline,	Riley,	Winnier,
Fleming,	Knoble,	Rose, W. E.,	Wood, L. H.,
Gates,	Krise,	Royer,	Wood, N.,
Gillan,	Lee, T. H.,	Serrill,	Woodside,
Gillette,	Lelsey,	Simons,	Yeakel,
Greenwood,	Leydic,		

NAYS—106

Achterman,	French,	Maxwell,	Rausch,
Baker,	Gallagher,	McClanaghan,	Readinger.
Balthaser,	Gerard,	McDermott	Reese, R. E.,
Eentley,	Goodwin,	McFall	Reynolds,
Bentzel,	Gryskewicz,	McIntosh	Rooney,
Boies,	Hamilton,	McLanahan,	Rush,
Boney,	Harkins,	McLane,	Sarraf,
Bradley,	Harris,	Melchiorre,	Scanlon,
Breth,	Heatherington,	Mihm,	Schwab,
Brown,	Hering,	Modell,	Shaffer,
Brunner, P. A.,	Herman,	Monks,	Shepard,
Burns,	Hersch,	Mooney,	Stank,
Burriss,	Hirsch,	Moran,	Stine,
Chervenak,	Holland,	Moul,	Tarr,
Chudoff,	Jefferson,	Munley	Tate,
Cochran,	Jones, P. N.,	Nagel	Verona,
Cohen, M. M.,	Keenan,	O'Brien,	Vincent,
Cohen, R. E.,	Kenehan,	O'Connor,	Vogt,
Corrigan,	Kolankiewicz,	O'Mullen,	Wells,
Croop,	Komorofski,	O'Neill,	Welsh, E. B.,
Cullen,	Leonard,	Owens,	Williams,
DiGenova,	Lesko,	Petrosky,	Woodring,
Dolon,	Levy,	Pettit,	Wright,
D Ortona,	Longo,	Polaski,	Yester,
Elliott,	Lovett,	Polen,	Young,
Finestone,	Malloy,	Powers,	Kilroy,
Finnerty,	Marks,	Prosen,	Speaker.

So the question was determined in the negative and the amendments were not agreed to.

Messrs. BROWN and McCLANAGHAN. Mr. Speaker, we desire to offer the following amendment.

The amendment was read by the Clerk as follows:

Amend the bill, page 1, by inserting before line 1, the following section:

Section 1. The phrase "un-American or subversive doctrines" shall be construed to mean doctrines which teach or advocate the overthrow of the government of the United States or of the Commonwealth of Pennsylvania by revolution, or the changing of the form of the government of the United States or of the government of Pennsylvania by means not provided for in the Constitution of the United States or the Constitution of the Commonwealth of Pennsylvania.

On the question,

Will the House agree to the amendment?

Mr. WOODSIDE. Mr. Speaker, in order that the Republican position on these amendments may be put clearly in the record I wish to say that we propose to vote for them. We feel that half a loaf of bread is better than none at all. We feel further that these amendments are by far the best proposition that has come from that side of the House during this session. We feel, however, Mr. Speaker, that they fail in one very important particular.

I merely wish to give one single example of wherein I think this amendment fails, and I will not continue the debate any longer than to recite this one example:

Suppose I am a school teacher and I believe in the Communistic system of government. I am a man teaching civics in the eighth grade in the public schools of the Commonwealth of Pennsylvania. I say to those children

"Boys and girls, the democratic system of government is not right; it is not right because A, B, C, D, and E,"—and I give them a lecture on all the things I feel are wrong with the democratic system of government. Then I turn to them and say:

"Now, boys and girls, the government of Soviet Russia, the communistic government is a much better system for this, this, this, and this reason." I teach that day after day and week after week, but I always end my talk to those children by saying:

"Now, boys and girls, you shouldn't go out and use force, because I do not believe in using force, but you go out and use your influence to bring about this form of government by amending the Constitution."

I think it is perfectly proper, as has been said by the gentleman from Delaware, Mr. Turner, for a person to go out on a street corner and cry that to high heaven at all times or at any time; I think it is all right for a person to hire a hall and speak in those terms, because a man has a perfect right under our freedom of speech amendment to the Constitution to do that thing. But I do not think it is right that we as a Commonwealth should pay a teacher to teach that kind of thing to our boys and girls, and that kind of thing cannot be touched by this amendment.

In that respect this amendment fails and does not go far enough. As I said before, it is the best thing that has come from that side of the House, and we propose to vote for it for that reason.

Mr. SHEPARD. Mr. Speaker, I rise to support the amendments that have been offered by the gentleman on this side of the House. While it may be true that they do not go as far as the gentleman from Dauphin would like to see them go, they go a long way further than anything that came out of the Legislature in 1939 when the Republican party was in control of both Houses of this Legislature.

Mr. Speaker, there has been an attempt to brand the Democratic party as the Red party, that is, those who protect the Reds. If there has been any protection of the Reds in this Legislature it was done in 1939. The gentleman in answer to an inquiry said that the reason why, or he inferred that the reason why they didn't get any anti-Red bills through the Legislature in 1939 was because of the opposition of two minority Senators, Senator Mundy and Senator Shapiro. They must have been mighty powerful. I do not understand how it is that they got through every other item of their Republican program in 1939. They got it through even by getting over some of the Democratic Senators. If they got their program through in 1939, why didn't they get through some of this anti-Red legislation?

Representative O'Brien introduced three bills to carry out this program in the 1939 Session. They slumbered in the committee, and with all of the power that the Republicans had in this House, they did nothing about those bills, and now when they lost control of the House they are yelling to high Heaven that the Democrats are protecting the Reds.

Mr. Speaker, the Republican leadership has never yet explained to the satisfaction of the Members on this House, nor will they explain to the satisfaction of the people of Pennsylvania, why they did not pass these anti-Red bills in the 1939 Session.

QUESTION OF INQUIRY

Mr. HARE. Mr. Speaker, I rise to a question of inquiry. The SPEAKER. The gentleman from Somerset will state his question of inquiry.

Mr. HARE. Mr. Speaker, what is the text of the address of the gentleman who is speaking? Is he speaking on the amendments?

Mr. SHEPARD. I am, Mr. Speaker.

The SPEAKER. The gentleman answered that question himself. The gentleman will proceed.

Mr. SHEPARD. Mr. Speaker, I rise in support of these amendments, and in reference to the label that the Republican minority has tried to put on the Democratic majority in this House, I say again that if anybody has protected the Reds, it was the Republican party in 1939. The gentleman from Delaware said he felt this was a burning issue in 1937 and in 1939. Why didn't he do something about it then? He had to wait until the Democrats got into control of this House, and the only thing that has ever been done has been done by this Democratic majority. I repeat, if there has been any coddling of the Reds, if there has been any protection of the subversive influence, it has been by the Republican majority in 1939, and I am happy that this House, controlled by Democrats, has decided to do something about the issue that the Republicans knew about many, many years ago and did nothing to cure. I insist, Mr. Speaker, on a roll call.

The SPEAKER. The Chair regrets that he did not have an opportunity to recognize the gentleman from Potter, Mr. Hall, on really the first time he asked to be recognized. This is the first time the gentleman has taken the floor.

Mr. HALL. Mr. Speaker, I believe we have wandered far afield. I have listened with a great deal of interest to the leaders who have spoken. It seems to me we are trying to legislate for a present crisis and what happened in 1939 was an academic question more or less, because the march of Hitler's army and the terrible effect of the fifth columnists and other activities was not apparent until after September 1, 1939. By all means, gentlemen, let us legislate for a present emergency.

Mr. McCLANAGHAN. Mr. Speaker, there were remarks made here by the gentleman from Dauphin to the effect that the most important matter before the public is this ism bill. There was a defense air port bill that went out of the House on May 6th, introduced by Mr. Nagel and myself. Over in the Senate they buried that bill in the garbage can. Senator Robert M. Miller presented a bill of his own. He is the Chairman of the Committee on Military Affairs. He is from Kingston, Luzerne County. That gentleman played with that bill for two months and a half and it has been on the Governor's desk since July 1st. This is a defense bill, a defense airport bill. This bill that we are now discussing is not as important as the defense airport bill. If the gentleman from Dauphin has any influence with his side of the

House, I hope he will have the Governor sign that bill.

Mr. CORDIER. Mr. Speaker, I welcome at last the Reverend Shepard in this great jubilee. We are glad to have him under our protective tent. There have been a lot of assertions made on this particular piece of legislation. We have gone back into ancient history, and I am a little bit confused as the sponsor of this legislation, as to its real intent after listening to some of the speeches. The Reverend Shepard referred to 1929 and wondered why these particular pieces of legislation slumbered in committee. Well, the record does not show that the Reverend Shepard rose upon his feet, or anybody on the other side of the House rose upon their feet to do anything about it, or to insist that they come out of committee. So, of course, these are superficial arguments. We are concerned here primarily with this great question, and whatever we put in the record, of course, will be read and considered by the people of the Commonwealth.

Mr. Speaker, I am going to vote "aye" on these amendments. In voting "aye," I do so because I believe that while they are not as strong and clear in definition as our amendments, they are a step in the right direction. The Republicans in the House, being in the minority, must accept this half a loaf on this question. We have served notice by our fight on this vital question for the last few weeks on the Democratic majority, that there is a clear demand by the vast majority of our citizens definitely to rid the Commonwealth of this scourge.

Mr. SARRAF. Mr. Speaker, I have been listening to this debate for quite some time over the past three weeks. I think in all fairness to the Members of this House the Speaker should direct the Clerk to call the roll and require each one to express his viewpoint on this bill.

Mr. McCLANAGHAN. Mr. Speaker, I would like to say just one word regarding the example that has been cited here this evening regarding the amendments offered by Mr. Brown and myself. These amendments clearly define what are un-American and subversive activities. They define them as follows:

"The phrase 'un-American or subversive doctrines' shall be construed to mean doctrines which teach or advocate the overthrow of the government of the United States or of the Commonwealth of Pennsylvania by revolution,"—and then let me repeat those words again, "Teach or advocate the overthrow of the government of the United States or of the Commonwealth of Pennsylvania by means not provided for in the Constitution of the United States or the Constitution of Pennsylvania."

We say that it refers to a person who teaches that our form of government is all wrong and that a form of government such as Soviet Russia has is correct or desirable, but to say that such a person does not advocate violence is to misstate the facts. It is well known that it is a cardinal principle of Communism to advocate the overthrow of government by force. To say that you advocate Communism but deny that you advocate the use of force to overthrow the government is not to say that you do not advocate or teach a change in the form of the government in a manner not provided for in the Constitution. These amendments will cover that situation. If a person teaches or advocates a change in the form of government in a manner not provided for in the Constitution, they are covered by these amendments.

Mr. BAKER. Mr. Speaker, I now move the previous question.

The previous question was seconded by Messrs. Elliott, Paul A. Brunner, Stank, Marks, Wright, Finestone, Kolankiewicz, Polaski, Reynolds, Verona, Shaw, McLane, Gryskewicz, Malloy, Herman, Cochran, O'Brien, Heatherington, DiGenova, Woodring, Komorowski and others.

On the question,

Shall the main question be now put?

It was agreed to.

On the question recurring,

Will the House agree to the amendments offered by the gentleman from Allegheny, Mr. Brown?

The yeas and nays were required by Mr. Brown and Mr. Shepard and were as follows:

YEAS—171

Achterman,	Gates,	Lovett,	Riley,
Auker,	Gerard,	Lyons,	Rooney,
Baker,	Gillan,	Malloy,	Rose, W. E.,
Balthaser,	Gillette,	Marks,	Royer,
Bentley,	Goodwin,	Maxwell,	Rush,
Bentzel,	Greenwood,	McGlanaghan,	Sarraf,
Boles,	Gross,	McClester,	Scanlon,
Boney,	Gryskewicz,	McDermott,	Schwab,
Boorse,	Cyger,	McFall,	Serrill,
Bower,	Habbyshaw,	McIntosh,	Shaffer,
Bradley,	Haberlen,	McKinney,	Shepard,
Breth,	Haines,	McLanahan,	Simons,
Bretherick,	Hall,	McLane,	Snyder,
Brown,	Hamilton,	McMillen,	Sollenberger,
Brunner, C. H.,	Hare,	McSurdy,	Sorg,
Brunner, P. A.,	Harkins,	Melchiorre,	Stambaugh,
Burns,	Harris,	Mihm,	Stank,
Burris,	Heatherington,	Modell,	Stine,
Cadwalader,	Helm,	Mouks,	Stockham,
Chervenak,	Kering,	Mooney,	Tarr,
Chudoff,	Herman,	Moran,	Tate,
Cochran,	Hersch,	Moul,	Trout,
Cohen, M. M.,	Hirsch,	Muir,	Turner,
Cohen, R. E.,	Holland,	Munley,	VanAllsburg,
Cooper,	Huntley,	Nagel,	Verona,
Cordier,	Imbrie,	O'Brien,	Vincent,
Corrigan,	James,	O'Connor,	Vogt,
Croop,	Jefferson,	O'Mullen,	Wagner,
Cullen,	Jones, G. E.,	O'Neill,	Watkins,
Dalrymple,	Keenan,	Owens,	Weingartner,
DiGenova,	Kenehan,	Petrosky,	Weiss,
Dix,	Kline,	Pettit,	Welsh, E. B.,
Solon,	Knoble,	Polaski,	Wilkinson,
D'Ortona,	Kolankiewicz,	Polen,	Williams,
Duffy,	Komorowski,	Powers,	Winnier,
Ely,	Krise,	Rank,	Wood, L. H.,
Falkenstein,	Lee, T. H.,	Rausch,	Wood, N.,
Finestone,	Leisey,	Readinger,	Woodring,
Finnerty,	Leonard,	Reagan,	Woodside,
Fisher,	Lesko,	Reese, D. P.,	Wright,
Fleming,	Levy,	Reese, R. E.,	Yeakel,
Fletcher,	Leydie,	Reynolds,	Yester,
French,	Lichtenwaller,	Rhea,	Young,
Gallagher,	Longo,		Kilroy, Speaker

NAYS—2

Jones, P. N., Prosen,

So the question was determined in the affirmative and the amendments were agreed to.

The first section was read.

On the question,

Will the House agree to the section?

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

The amendments were read by the Clerk as follows:

Amend section 1, page 1, line 1, by striking out after the word "Section" the numeral "1" and inserting the following: "2."

Amend section 1, page 1, line 1, by striking out after the word "who" and before the word "advocates" the following: "hereafter."

Amend section 1, page 1, line 1, by striking out after the word "advocates" the words "and ac-" and inserting in lieu thereof the following: "or."

Amend section 1, page 1, line 2, by striking out at the beginning of the said line the part of the word "tively."

Amend section 1, page 2, line 3, by inserting after the words "United States" and before the word "shall" the following: "or who advocates or supports a political party or organization of individuals advocating or supporting Communism, Fascism or Nazism, or any "un-American or Subversive Doctrines," or is a member of any organization of individuals advocating or supporting Communism, Fascism or Nazism, or any "un-American or Subversive Doctrines."

Amend section 1, page 2, line 6, by inserting after the word "any" and before the word "authority" the following: "school district, vocational school district, institution district."

On the question,

Will the House agree to the amendments?

They were not agreed to.

On the question recurring,

Will the House agree to the section?

Messrs. BROWN and McCLANAGHAN. Mr. Speaker, we desire to offer the following amendments.

The amendments were read by the Clerk as follows:

Amend Sec. 1, page 1, line 1, by striking out the figure "1" and inserting in lieu thereof: "2."

Amend Sec. 1, page 1, lines 1 and 2, by striking out the words "and actively" and inserting in lieu thereof: "or."

Amend Sec. 1, page 1, line 2, by striking out the words "a move-."

Amend Sec. 1, page 2, lines 1, 2 and 3, by striking out all of lines 1 and 2, and the words "situation of the United States" in line 3, and inserting in lieu thereof: "un-American or subversive doctrines."

Amend Sec. 1, page 2, line 6, by striking out the words "political subdivision" and inserting in lieu thereof: "county, city, borough, incorporated town, township, school district, vocational school district or institution district."

Amend Sec. 1, page 2, line 7, by striking out the words "the recipient of public funds" and inserting in lieu thereof: "supported."

Amend Sec. 1, page 2, line 8, by inserting after the word "part" the following: "out of public funds."

Amend Sec. 1, page 2, line 19, by inserting after the word "proper" the following: "In the event the employe so dismissed requests a jury trial in the said court of common pleas, the court shall order the appeal to be tried before a jury in the same manner provided for by existing law for such trials."

On the question,

Will the House agree to the amendments?

They were agreed to.

The second section was read.

On the question,

Will the House agree to the section?

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

The amendment was read by the Clerk as follows:

Amend section 2, page 3, line 1, by striking out the numeral "2" and inserting the following: "3."

On the question,

Will the House agree to the amendment?

It was not agreed to.

On the question recurring,

Will the House agree to the section?

Messrs. BROWN and McCLANAGHAN. Mr. Speaker, we desire to offer the following amendment.

The amendment was read by the Clerk as follows:

Amend section 2, page 3, line 1, by striking out the figure "2" and inserting in lieu thereof: "3."

On the question,

Will the House agree to the amendment?

It was agreed to.

The third section was read.

On the question,

Will the House agree to the section?

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

The amendments were read by the Clerk as follows:

Amend section 3, page 3, line 9, by inserting after the word "any" and before the word "part" the following: "clause or clauses, phrase or phrases."

Amend section 3, page 3, line 6, by striking out the numeral "3" and inserting the following: "4."

On the question,

Will the House agree to the amendments?

They were not agreed to.

On the question recurring,

Will the House agree to the section?

Messrs. BROWN and McCLANAGHAN. Mr. Speaker, we desire to offer the following amendment.

The amendment was read by the Clerk as follows:

Amend sec. 3, page 3, line 6, by striking out the figure "3" and inserting in lieu thereof "4."

On the question,

Will the House agree to the amendment?

It was agreed to.

The fourth section was read.

On the question,

Will the House agree to the section?

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

The amendment was read by the Clerk as follows:

Amend section 4, page 3, line 15, by striking out the numeral "4" and inserting the following: "5."

On the question,

Will the House agree to the amendment?

It was not agreed to.

On the question recurring,

Will the House agree to the section?

Messrs. BROWN and McCLANAGHAN. Mr. Speaker, we desire to offer the following amendment.

The amendment was read by the Clerk as follows:

Amend sec. 4, page 3, line 13, by striking out the figure "4" and inserting in lieu thereof "5."

On the question,

Will the House agree to the amendment?

It was agreed to.

The fifth section was read.

On the question,

Will the House agree to the section?

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

The amendment was read by the Clerk as follows:

Amend section 5, page 3, line 17, by striking out the numeral "5" and inserting the following: "6."

On the question,

Will the House agree to the amendment?

It was not agreed to.

On the question recurring

Will the House agree to the section?
Messrs. BROWN and McCLANAGHAN. Mr. Speaker, we desire to offer the following amendment.

The amendment was read by the Clerk as follows:

Amend sec. 5, page 3, line 17, by striking out the figure "5" and inserting in lieu thereof "6."

On the question,

Will the House agree to the amendment?

It was agreed to.

The title was read.

On the question,

Will the House agree to the title?

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

The amendments were read by the Clerk as follows:

Amend title, page 1, line 2 of title, by inserting after the word "any" and before the word "authority" the following: "school district, vocational school district, institution district."

Amend title, page 1, line 3 of title, by inserting after the word "who" and before the part word "here-" the following: "advocate or support a political party or organization of individuals advocating or supporting Communism, Fascism or Naziism, or any "un-American or Subversive Doctrines," or are members of any organization of individuals advocating or supporting Communism, Fascism or Naziism, or any "un-American or Subversive Doctrines," or who."

Amend title, page 1, line 3 of title, by striking out after the word "who" at the end of the said line, part of a word "here-."

Amend title, page 1, line 4 of title, by striking out at the beginning of the said line and before the word "advocate" part of a word "after."

Amend title, page 1, line 4 of title by striking out after the word "advocate" and before the word "participate" the following: "and actively."

Amend title, page 1, line 4 of title, by inserting after the word "advocate" and before the word "participate" the following: "or."

On the question,

Will the House agree to the amendments?

They were not agreed to.

On the question recurring,

Will the House agree to the title?

Messrs. BROWN and McCLANAGHAN. Mr. Speaker, we desire to offer the following amendments.

The amendments were read by the Clerk as follows:

Amend title, page 1, line 2 of title, by striking out the words "political subdivision" and inserting in lieu thereof "county, city borough, incorporated town, township, school district, vocational school district or institution district."

Amend title, page 1, line 3 of title, by striking out the word "receiving" and inserting in lieu thereof "supported in whole or in part out of."

Amend title, page 1, line 4 of title, by striking out the words "and actively" and inserting in lieu thereof "or."

Amend title, page 1, lines 4, 5, 6 and 7 of title, by striking out the words "a movement" in line 4, all of lines 5 and 6, and the words "of the United States" in line 7, and inserting in lieu thereof "un-American or subversive doctrines as herein defined."

On the question,

Will the House agree to the amendments?

They were 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.

SENATE MESSAGE

RESOLUTION CONCURRED IN BY SENATE

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

In the House of Representatives, July 9, 1941.

Resolved (if the Senate concur), that House Bill No. 892, Printer's No. 1049, entitled "An Act authorizing a commission to study recreational facilities available in first class cities imposing powers and duties on said commission,"

be recalled from the Governor for the purpose of amendment.

REPORT FROM COMMITTEE

Mr. McFALL, from the Committee on State Government, reported as committed, House Bill No. 1817, (Senate Bill No. 1044), entitled:

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

BILL ON FIRST READING

Pursuant to motion heretofore adopted the following bill was read the first time.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1817, (Senate Bill No. 1044), entitled:

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

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

BILL RECOMMITTED

Mr. READINGER. Mr. Speaker, I move that House Bill No. 1817, (Senate Bill No. 1044), be recommitted to

the Committee on State Government for the purpose of amendment.

The motion was agreed to.

PERMISSION GRANTED COMMITTEE TO MEET DURING SESSION

Mr. READINGER asked and obtained permission for the Committee on State Government to meet during the session of the House for the purpose of considering Senate Bills Nos. 653, 654 and 1044.

REPORTS FROM COMMITTEES

Mr. READINGER, from the Committee on State Government, re-reported as amended, House Bill No. 1936, (Senate Bill No. 653), entitled:

An Act regulating and improving the civil service of certain departments and agencies of the Commonwealth vesting in the State Civil Service Commission and a Personnel Director certain powers and duties providing for classification of positions, adoptions of compensation schedules and certification of payrolls imposing duties upon certain officers and employees of the Commonwealth, authorizing service to political sub-divisions of the Commonwealth in matters relating to civil service, defining certain crimes and misdemeanors imposing penalties and making an appropriation and repealing certain acts and parts thereof

Mr. READINGER, from the Committee on State Government, re-reported as amended, House Bill No. 1937, (Senate Bill No. 654), entitled:

An Act to amend sections two hundred two and four hundred fifty-two 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," as amended, in order to establish the State Civil Service Commission as a departmental administrative commission in the Executive Department

Mr. GOODWIN, from the Committee on State Government, re-reported as amended, House Bill No. 1817, (Senate Bill No. 1044), entitled:

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

HOUSE BILL No. 413 MADE SPECIAL ORDER

Mr. WOODSIDE. Mr. Speaker, I move that House Bill No. 413, be made a special order of business for tomorrow afternoon at 2:00 o'clock.

The motion was agreed to.

ADJOURNMENT

Mr. SNYDER. Mr. Speaker, I move that this House do now adjourn until Thursday, July 10, 1941 at 1 p. m.

The motion was agreed to, and (at 11:26 p. m.) the House adjourned.

