

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

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

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 1342, (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. of 1937 p. 2897) entitled "An act establishing a system of unemployment compensation to be administered by the Department of Labor and Industry and its existing and newly created agencies with personnel (with certain exceptions) selected on a civil service basis requiring employers to keep records and make reports and certain employers to pay contributions based on payrolls to provide moneys for the payment of compensation to certain unemployed persons providing procedure and administrative details for the determination payment and collection of such contributions and the payment of such compensation providing for cooperation with the Federal Government and its agencies creating certain special funds in the custody of the State Treasurer and prescribing penalties" by providing therein as to the replacement of certain moneys received pursuant to the provisions of Section three hundred two of the Federal Social Security Act as amended.

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

### ADJOURNMENT

Mr. GELTZ. Mr. President I move that the Senate do now adjourn until Friday, July 11, 1941, at 2:00 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 Friday, July 11, 1941 at 2:00 o'clock, p. m. Eastern Standard Time.

## HOUSE OF REPRESENTATIVES

THURSDAY, July 10, 1941

The House met at 1 p. m.

The SPEAKER (Elmer Kilroy) in the Chair.

The SPEAKER. The Chaplain has asked permission of the Speaker to be absent today. In his absence and at his invitation prayer will be offered by the gentleman from Northampton, Mr. McFall.

### PRAYER

Mr. Charles McFall, a member of the House offered the following prayer:

O God, our heavenly Father, who from Thy throne above dost look down on the governments of men, most humbly do we beseech Thee to bless our native land, which Thou hast so richly and wonderfully made.

Continue, we pray Thee, these blessings and make us ever mindful of our debt and obligations to Thee, for Thou hast asked us to love Thee and worship Thee in spirit and in truth. Help us to remember the words of the prophet, "Righteousness exalteth a nation, but sin is a reproach to any people."

God forbid that even a shadow of sin be cast that will rob us as individuals or as a people of the rich inheritance Thou hast so freely given.

Give us the light of truth, the light of knowledge, and the light of love, we pray Thee, for these will enrich us more than silver and gold.

May the pathway of life for each of us, who represent every cross section of our State, be made more bright by the knowledge of the love and friendship we have for one another. May this friendship be as lasting and enduring as the love of God, that surpasseth all understanding.

We ask this in the name of Christ. Amen.

### JOURNAL APPROVED

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

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

### RESOLUTION INTRODUCED AND REFERRED

By Messrs. CHUDOFF, JEFFERSON, McCLANAGHAN and MONKS RESOLUTION No. 108

In the House of Representatives, July 9, 1941.

Whereas, There have been serious disturbances in certain sections of the City of Philadelphia because of the failure of the part of the city authorities to furnish proper recreational facilities and competent police protection for the young men and women residing in such districts, and

Whereas, It has been repeatedly recalled to the attention of the City Council that such disturbances would occur unless the situation were immediately remedied, and

Whereas, In spite of these recurring disorders, principally in the vicinity of the 15th, 28th, 29th, 32nd and 47th wards of the City of Philadelphia, City Council has remained apathetic and indifferent to the needs of these communities, be it therefore

Resolved, That the House of Representatives requests the City Council and the Mayor of the City of Philadelphia to take immediate steps to provide proper and adequate recreational facilities and equipment in these respective wards, and provide for their construction and installation in the proposed city budget, and be it further

Resolved, That a copy of this resolution be mailed to

the Chief Clerk of City Council and to the Mayor of Philadelphia and the Director of Public Safety of the City of Philadelphia as a symbol of the House of Representatives' desire that this situation be immediately corrected.

Referred to the Committee on Rules.

#### LEAVE OF ABSENCE

By unanimous consent leave of absence was granted as follows:

Mr. Munley for Mr. BRETH for today and tomorrow.  
Mr. Paul A. Brunner for Mr. WOLF for today.

#### REPORTS FROM COMMITTEES

Mr. GERARD, from the Committee on Appropriations, reported as committed, House Bill No. 1960, (Senate Bill No. 258), entitled:

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

Mr. GERARD, from the Committee on Appropriations, reported as committed, House Bill No. 1959, (Senate Bill No. 257), entitled:

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

Mr. GERARD, from the Committee on Appropriations, reported as committed, House Bill No. 1977, (Senate Bill No. 1313), entitled:

A supplement to the act approved the twenty-seventh day of June one thousand nine hundred thirty-nine (Appropriation Acts page sixty) 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.

Mr. GILLETTE, from the Committee on Appropriations, reported as committed, House Bill No. 1941, (Senate Bill No. 1190), entitled:

An Act making an appropriation to the Department of Public Instruction for the cost of improving, repairing, operating and maintaining the Thaddeus Stevens Industrial School at Lancaster, Pennsylvania.

Mr. GILLETTE, from the Committee on Appropriations, rereported as committed, House Bill No. 1975 (Senate Bill No. 1215), entitled:

A Supplement to the act, approved the sixteenth day of June, one thousand nine hundred forty-one (Appropriation Act, Number 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."

Mr. MALLOY, from the Committee on Appropriations

reported as committed, House Bill No. 1699, (Senate Bill No. 571), entitled:

An Act making an appropriation to the Local Government Commission to continue its work.

Mr. MALLOY, from the Committee on Appropriations reported as committed House Bill No. 1967, (Senate Bill No. 1260), entitled:

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

Mr. MALLOY, from the Committee on Appropriations reported as committed House Bill No. 1887, (Senate Bill No. 1172), entitled:

An Act making an appropriation to the Department of Health for the purpose of equipping and operating a sanitorium for the treatment of cancer and for cancer research.

Mr. STOCKHAM from the Committee on Appropriations reported as committed House Bill No. 1969, (Senate Bill No. 1282), entitled:

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

Mr. STOCKHAM from the Committee on Appropriations reported as committed, House Bill No. 1981, (Senate Bill No. 399), entitled:

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.

Mr. STOCKHAM from the Committee on Appropriations reported as committed, House Bill No. 1904, (Senate Bill No. 1188), entitled:

An Act making an appropriation for the purpose of reconstruction, preservation, and maintenance of public roads, and improving and replacing bridges thereon through the Cornplanter Indian Reservation in Elk Township, Warren County, Pennsylvania.

Mr. CHERVENAK, from the Committee on Appropriations, rereported as committed, House Bill No. 1974, (Senate Bill No. 1306), entitled:

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

Mr. CHERVENAK, from the Committee on Appropriations, rereported as committed, House Bill No. 1916, (Senate Bill No. 489), entitled:

An Act authorizing the Department of Property and Supplies to acquire by gift from the Pennsylvania State College, on behalf of the Commonwealth of Pennsylvania, that certain tract of land in Northumberland Borough,

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

Mr. CHERVENAK, from the Committee on Appropriations, rereported as committed, House Bill No. 1970, (Senate Bill No. 229), entitled:

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

Mr. CHERVENAK, from the Committee on Appropriations, rereported as committed, House Bill No. 1108, (Senate Bill No. 205), entitled:

An Act making an appropriation to the Trustees of the Pennsylvania State College for the use of the School of Mineral Industries for research and investigation of problems affecting mineral industries.

Mr. GERARD, from the Committee on Appropriations, re-reported as committed House Bill No. 1891, (Senate Bill No. 1019), entitled:

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

Mr. CHERVENAK from the Committee on Appropriations re-reported as committed House Bill No. 1841, (Senate Bill No. 1095), entitled:

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

Mr. GILLETTE, from the Committee on Appropriations re-reported as committed, House Bill No. 1823, (Senate Bill No. 367), entitled:

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

Mr. GERARD, from the Committee on Appropriations, re-reported as amended, House Bill No. 937, (Senate Bill No. 298), entitled:

An Act making an appropriation out of the Motor License Fund to the Department of Highways for allocation to and expenditure in cities, boroughs, towns and townships of the first class of the Commonwealth for maintenance, construction, reconstruction, resurfacing, or improvement of municipal roads, highways and bridges, during the calendar years one thousand nine hundred forty-two and one thousand nine hundred forty-three, permitting the use of the funds for maintenance and repair of municipal roads, highways and bridges under certain conditions; and providing for the method of payment to such political subdivisions

#### BILLS REPORTED FROM COMMITTEE READ FIRST TIME

The SPEAKER. If there is no objection all bills reported from committee as committed today will be read for the first time. Is there objection? The Chair hears none.

#### BILLS ON FIRST READING

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1960, (Senate Bill No. 258), entitled:

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

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

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1959, (Senate Bill No. 257), entitled:

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

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

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1977, (Senate Bill No. 1313), entitled:

A supplement to the act approved the twenty-seventh day of June one thousand nine hundred thirty-nine (Appropriation Acts page sixty) 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.

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. 1941, (Senate Bill No. 1190), entitled:

An Act making an appropriation to the Department of Public Instruction for the cost of improving repairing operating and maintaining the Thaddeus Stevens Industrial School at Lancaster Pennsylvania.

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

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1975, (Senate Bill No. 1215), entitled:

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

And said bill having been read at length the 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. 1699, (Senate Bill No. 571), entitled:

An Act making an appropriation to the Local Government Commission to continue its work.

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. 1967, (Senate Bill No. 1260), entitled:

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

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. 1887, (Senate Bill No. 1172), entitled:

An Act making an appropriation to the Department of Health for the purpose of equipping and operating a sanitarium for the treatment of cancer and for cancer research.

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

Agreeably to order,

The House proceeded to the first reading and consid-

eration of House Bill No. 1969, (Senate Bill No. 1282), entitled:

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

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. 1981, (Senate Bill No. 399), entitled:

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

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. 1904, (Senate Bill No. 1188), entitled:

An Act making an appropriation for the purpose of reconstruction, preservation and maintenance of public roads, and improving and replacing bridges thereon through the Cornplanter Indian Reservation in Elk Township, Warren County, Pennsylvania.

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

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1974, (Senate Bill No. 1306), entitled:

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

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. 1916, (Senate Bill No. 489), entitled:

An Act authorizing the Department of Property and Supplies to acquire by gift from the Pennsylvania State College, on behalf of the Commonwealth of Pennsylvania, that certain tract of land in Northumberland Borough, County of Northumberland, upon which is located the home of Joseph Priestley, and now the property of the Pennsylvania State College; providing for the control, management and maintenance thereof by the said department and the Pennsylvania Historical Commission; authorizing the Pennsylvania Historical Commission to accept in trust from the American Chemical Society and other interested societies or individuals, such moneys as they may see fit to present to the Commonwealth to assist in the maintenance and development of this property as a permanent memorial; authorizing the Pennsylvania Historical Commission to accept as gifts or loan, such books, manuscripts, pamphlets, relics and furniture as interested societies or individuals may provide for the permanent utilization of the property as a museum of science; and making an appropriation.



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. 1970, (Senate Bill No. 229), entitled:

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

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. 1108 (Senate Bill No. 205), entitled:

An Act making an appropriation to the Trustees of the Pennsylvania State College for the use of the School of Mineral Industries for research and investigation of problems affecting mineral industries.

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

#### HOUSE BILL No. 727 TAKEN FROM TABLE

Mr. BOWER. Mr. Speaker, I move that House Bill No. 727, together with the communication from the Governor which was laid on the table June 16, 1941, be taken from the table.

The motion was agreed to.

The communication was read by the Clerk as follows:

#### COMMUNICATION FROM THE GOVERNOR

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

#### APPROVAL OF RESOLUTION RECALLING HOUSE BILL No. 727

Commonwealth of Pennsylvania,  
Governor's Office, Harrisburg, June 12, 1941.

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

I have the honor to inform you that I have this day approved and signed a resolution of the House of Representatives and Senate recalling from the Governor House Bill No. 727, Printer's No. 821, for the purpose of further consideration.

Accordingly, the original bill is herewith returned.

ARTHUR H. JAMES.

#### RESOLUTION

#### RETURNING HOUSE BILL No. 727 TO THE GOVERNOR

Messrs. BOWER and REAGAN offered the following resolution which was twice read, considered and adopted:

In the House of Representatives, July 10, 1941.

Resolved, (If the Senate concur) That House Bill No. 727, Printer's No. 821, entitled "An act establishing certain public roads in the counties of Union and Northumberland as a State highway and providing for their construction and maintenance by the Commonwealth,

subject to certain terms and conditions" which was recalled from the Governor on June 12, 1941,

be returned to the Governor without amendment.

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

#### QUESTION OF INFORMATION

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

The SPEAKER. The gentleman from Philadelphia will state his question of information.

Mr. LEVY. Mr. Speaker, do I understand that all bills reported as committed will be read for the first time?

The SPEAKER. All bills reported as committed will be read for the first time.

#### RESOLUTION

#### RECALLING HOUSE BILL No. 820 FROM THE GOVERNOR

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

In the House of Representatives, July 10, 1941.

Resolved, (if the Senate concur), That House Bill No. 820, Printer's No. 1070, entitled "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,"

be recalled from the Governor for the purposes of amendment.

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

#### BILLS ON SECOND READING

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1851, entitled:

An Act to amend sections three thousand seven hundred nineteen four thousand four hundred one and four thousand four hundred two of the act approved the twenty-third day of June one thousand nine hundred and thirty-one (P. L. 932) entitled "An act relating to cities of the third class and amending revising and consolidating the law relating thereto" by extending civil service provisions to include park guards

And said bill having been read at length the 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. 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 co-partnerships 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 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. 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 second time and agreed to,

Ordered, To be transcribed for a third reading.

#### BILL POSTPONED

Mr. MARKS. Mr. Speaker, I move that this bill be placed on the third reading postponed calendar.

The motion was agreed to.

#### BILL ON SECOND READING

Agreeably to order,

The House proceeded to the second reading and consideration of 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 and 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

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. 1617, Senate Bill No. 86, Printer's No. 18, was passed over at the request of Mr. BROWN.

#### BILLS ON SECOND READING

Agreeably to order,

The House proceeded to the second 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 Commissioners; 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 employes; 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 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. 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 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. 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 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. 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 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. 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 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. 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 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. 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 second time and agreed to,

Ordered, To be transcribed for a third reading.

#### BILL PASSED OVER

There being no objection House Bill No. 1940, Senate Bill No. 913, Printer's No. 397 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. 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 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. 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 first section was read.

On the question,

Will the House agree to the section?

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

The amendment was read by the Clerk as follows:

Amend Sec. 1 (Sec. 1), page 3, by inserting between lines 11 and 12, the following: "Bread dealer" means any person, excepting any store, as hereinafter defined, who purchases or handles bread within the Commonwealth for sale, storage or shipment within or without the Commonwealth, providing it is not sold at the premise.

"Licensee" means a licensed bread dealer and/or manufacturer.

"Manufacturer" means a person baking bread within the Commonwealth of Pennsylvania.

"Store" includes a grocery store, hotel, restaurant, soda fountain, bakery store, or any similar mercantile establishments which sell bread.

The amendment was agreed to.

The section was agreed to as amended.

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

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

The amendment was read by the Clerk as follows:

Amend bill, page 6, by inserting between lines 7 and 8, the following:

Section 4. Said act is hereby amended, by adding thereto, after section ten, the following new sections to read as follows:

Section 11. (a). The department is hereby declared to be the instrumentality of the Commonwealth for the purpose of administering the provisions of this act and to execute the legislative intent herein expressed, and it is hereby vested with power:

(1) To supervise and regulate the entire bread industry of this Commonwealth, including the manufacture, transportation, processing, storage, distribution, delivery and sale of bread in this Commonwealth, within the provisions of this act: Provided, however, That nothing contained in this act shall be construed to alter, amend or repeal the Public Utility Law or any law of this Commonwealth relating to the public health, or to the prevention of fraud or deception.

(2) To investigate and regulate all matters pertaining to the manufacture, transportation, processing, storage, distribution, delivery and sale of bread in this Commonwealth for the purpose of establishing reasonable trade practices in connection therewith.

(b) The department, either itself or through its duly authorized agents, may hold such hearings, either at the capital or elsewhere, as it deems necessary to carry out the provisions of this act.

Section 12. (a) In order to enable the department to carry out the provisions of this act, it shall have the power to issue subpoenas requiring the attendance of or the production of pertinent books and papers by, bread dealers or their employes, manufacturers or their employes, persons having dealings with bread dealers or manufacturers, or other persons whom the department believes to have information important to it in carrying out the purposes of this act. The department may likewise issue commissions, letters rogatory or other appropriate processes outside the Commonwealth. The department shall have power to question such witnesses under oath or affirmation and to examine such books and papers. The department may delegate to any member thereof or any employe designated by it, the powers granted to it under this section.

(b) Any witness who refuses to obey a subpoena issued hereunder, or to be sworn or affirmed or to testify or who is guilty of any contempt after a summons to appear, may be punished as for contempt of court. For this purpose an application may be made by the department to the court of common pleas within the territorial jurisdiction of which the offense was committed.

(c) Each witness required to attend before the department, or any member thereof, shall be entitled to the fees and mileage customarily paid to witnesses in the courts of common pleas.

Section 13. Pursuant to carrying out the purposes of this act, any member of the department, or any employe designated for the purposes, shall have access to and may enter at all reasonable hours all places where bread is being manufactured, processed, stored, sold or otherwise handled. The department, or any designated employe

thereof, shall have power at all reasonable hours to inspect all books, papers, records or documents in any place within the Commonwealth for the purposes of ascertaining facts pertinent to the administration of this act. The information so obtained shall be for the confidential use of the department and the various departments of the State government, and shall not be disclosed by any person, except as may be required in the enforcement of law or by order of court. The department, however, may use such information for the publication of statistics of the industry in this Commonwealth.

Section 14. Except as herein otherwise provided, a bread dealer shall not buy bread from manufacturers or others within this Commonwealth or sell or distribute bread within this Commonwealth unless such dealer be duly licensed as herein provided. An application for a license to operate as a bread dealer shall be made within thirty days after this act takes effect and annually thereafter on or before April fifteenth to the department upon blanks prepared under authority and direction of the department, and shall be accompanied by a fee the amount of which shall be determined by the department. The license year shall commence May first and shall end April thirtieth following. The applicant shall state the following:

- (1) The nature of the business to be conducted.
- (2) The full name of the person applying for the license.
- (3) The address at which the business is to be conducted.

Section 15. Except as herein or otherwise provided, no person shall engage as a bread manufacturer within this Commonwealth unless such manufacturer be duly licensed as herein provided. An application for a license to operate as a bread manufacturer shall be made within thirty days after this act takes effect and annually thereafter on or before April fifteenth to the department upon blanks prepared under authority and direction of the department, and shall be accompanied by the prescribed fee. The license year shall commence May first and shall end April thirtieth following. The applicant shall state the following:

- (1) The nature of the business to be conducted.
- (2) The full name of the person applying for the license.
- (3) The address at which the business is to be conducted.

(4) Facts showing that the applicant has adequate technical personnel and adequate technical and physical facilities properly to conduct the business of manufacturing bread, that he has complied with all rules, regulations and orders of the department filed or served as required in this act, and such other facts with respect to the license as may be required by the department.

Section 16. The department shall grant a bread dealer's or manufacturer's license to an applicant complying with the provisions of this act, and of any rules and regulations issued by the department. The department may decline to grant a license to an applicant or suspend or revoke a license already granted to a bread dealer or manufacturer for violations of this act or any regulation adopted under the authority hereof. The licenses required by this act shall be in addition to any other licenses which are now or may hereafter be required by law.

Section 17. Any person aggrieved by an order of department fixing the terms upon which bread may be bought or sold or the conditions under which bread may be manufactured or by any other general rule, regulation or order of the department may file an appeal therefrom in the Superior Court within twenty days after the issuance of such order or such other general rule or regulation, but such appeal shall not be permitted to act as a supersedeas.

The amendment was agreed to.

The fourth section was read.

On the question,

Will the House agree to the section?

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

The amendment was read by the Clerk as follows:

Amend bill, page 6, line 8, by striking out the following "24" and inserting in lieu thereof: "5".

The amendment was agreed to.

The section was agreed to as amended.

The title was read.

On the question,

Will the House agree to the title?

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

The amendments were read by the Clerk as follows:

Amend title, page 1, lines 1 and 2 of title, by striking out the following: "section one further amend section three and to reenact section six of".

Amend title, page 2, last line of title on page 2, by inserting after the word "sell" the following: "and imposing additional duties and powers on the Department of Agriculture to establish reasonable trade practices in the operation of bakeries and in the sale of bakery products by bread dealers, and licensing bread dealers."

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.

Agreeably to order,

The House proceeded to the second 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 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. 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 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 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. 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 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; further regulating the operation of motor vehicles, commercial motor vehicles, motor busses, omnibuses, and school busses; fixing fees, and imposing additional penalties.

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. 1844, Senate Bill No. 594, Printer's No. 587, was passed over at the request of Mr. WOODSIDE.

#### BILLS ON SECOND READING

Agreeably to order,

The House proceeded to the second 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 Per-

sonnel Director certain powers and duties providing for classification of positions adoption 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 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. 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

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. 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 second time and agreed to.

Ordered, To be transcribed for a third reading.

#### RECONSIDERATION OF VOTE

Mr. SHEPARD. Mr. Speaker, I move that the vote by which House Bill No. 1539, Printer's No. 1152, 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.

on page 2 of today's calendar, was ordered to be transcribed for a third reading be reconsidered.

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

The SPEAKER. How did the gentleman from Philadelphia, Mr. Shepard, vote to transcribe the bill for third reading.

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

The SPEAKER. How did the gentleman from Fayette, Mr. Cochran, vote to transcribe the bill for third reading?

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

On the question,

Will the House agree to the motion?

It was agreed to.

Mr. SHEPARD. Mr. Speaker, I move that the vote by which the bill passed second reading be reconsidered.

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

The motion was agreed to.

Mr. SHEPARD. Mr. Speaker, I move that the vote by which the title was agreed to be reconsidered.

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

The motion was agreed to.

Mr. SHEPARD. Mr. Speaker, I move that the vote by which the various sections were agreed to be reconsidered.

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

The motion was agreed to.

The first section was read.

#### BILL PASSED OVER

There being no objection House Bill No. 1539, Printer's No. 1152, was passed over at the request of Mr. SHEPARD.

#### HOUSE BILLS ON THIRD READING AND FINAL PASSAGE MADE SPECIAL ORDER

Mr. READINGER. Mr. Speaker, I move that all House Bills on third reading and final passage be made a special order of business in their numerical order immediately. The motion was agreed to.



BILL ON FINAL PASSAGE RECALLED FROM GOVERNOR PASSED OVER

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

BILL ON FINAL PASSAGE RECALLED FROM GOVERNOR

Agreeably to order,  
The House proceeded to the consideration on final passage of House Bill No. 90, as follows:

An Act providing 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

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

Section 1 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 United Spanish War Veterans Inc

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—204

- |                 |                |               |                  |
|-----------------|----------------|---------------|------------------|
| Achterman,      | French,        | Malloy,       | Royer,           |
| Ailmond,        | Gallagher,     | Marks,        | Rush,            |
| Auker,          | Gates,         | Maxwell,      | Sarge,           |
| Baker,          | Gerard,        | McClanaghan,  | Sarraf,          |
| Balthaser,      | Gillan,        | McClester,    | Scanlon,         |
| Bentley,        | Gillette,      | McDermott,    | Schwab,          |
| Bentzel,        | Goodwin,       | McDowell,     | Serrill,         |
| Boles,          | Greenwood,     | McFall,       | Shaffer,         |
| Boney,          | Gross,         | McIntosh,     | Shaw,            |
| Boorse,         | Gryskewicz,    | McKinney,     | Shepard,         |
| Bower,          | Gyger,         | McLanahan,    | Simons,          |
| Bradley,        | Habysshaw,     | McLane,       | Skale,           |
| Bretherick,     | Haberlen,      | McMillen,     | Snyder,          |
| Brown,          | Haines,        | McSurdy,      | Sollenberger,    |
| Brunner, C. H., | Hall,          | Melchiorre,   | Sorg,            |
| Brunner, P. A., | Hamilton,      | Mihm,         | Stambaugh,       |
| Burns,          | Hare,          | Modell,       | Stank,           |
| Burriss,        | Harkins,       | Monks,        | Stine,           |
| Cadwalader,     | Harmuth,       | Mooney,       | Stockham,        |
| Chervenak,      | Harris,        | Moran,        | Tarr,            |
| Chudoff,        | Heatherington, | Moul,         | Tate,            |
| Cochran,        | Helm,          | Muir,         | Taylor,          |
| Cohen, M. M.,   | Hering,        | Munley,       | Thompson, E. F., |
| Cohen, R. E.,   | Herman,        | Nagel,        | Thompson, E. L., |
| Cook,           | Hersch,        | Nunemacher,   | Trout,           |
| Cooper,         | Hewitt,        | O'Brien,      | Turner,          |
| Cordier,        | Hirsch,        | O'Connor,     | Van Allsburg,    |
| Corrigan,       | Holland,       | O'Dare,       | Verona,          |
| Croop,          | Huntley,       | O'Mullen,     | Vincent,         |
| Cullen,         | Imbrie,        | O'Neill,      | Vogt,            |
| Dalrymple,      | James,         | Owens,        | Voldow,          |
| Dennison,       | Jefferson,     | Petrosky,     | Voorhees,        |
| DiGenova,       | Jones, G. E.,  | Pettit,       | Wagner,          |
| Dix,            | Jones, P. N.,  | Polaski,      | Watkins,         |
| Dolon,          | Keenan,        | Polen,        | Weingartner,     |
| D'Ortona,       | Kenehan,       | Powers,       | Weiss,           |
| Duffy,          | Kline,         | Prosen,       | Weish, E. B.,    |
| Early,          | Knoble,        | Rank,         | Weish, M. J.,    |
| Eckels,         | Kolklewicz,    | Rausch,       | Wilkinson,       |
| Elder,          | Komorofski,    | Readinger,    | Williams,        |
| Elliott,        | Krise,         | Regan,        | Winner,          |
| Ely,            | Lee, E. A.,    | Reese, D. P., | Wood, L. H.,     |
| Falkenstein,    | Lee, T. H.,    | Reese, R. E., | Wood, N.,        |
| Finestone,      | Leisey,        | Reagan,       | Woodring,        |
| Finnerty,       | Leonard,       | Reynolds,     | Woodside,        |
|                 | Lesko,         | Rhea,         | Wright,          |

- |           |                |              |          |
|-----------|----------------|--------------|----------|
| Fisher,   | Levy,          | Riley,       | Yeakel,  |
| Fiss,     | Leydic,        | Rooney,      | Yester,  |
| Fleming,  | Lichtenwalter, | Rose, S.,    | Young,   |
| Fletcher, | Longo,         | Rose, W. E., | Kilroy,  |
| Flynn,    | Lovett,        | Rosenfeld,   | Speaker. |
| Foor,     | Lyons,         |              |          |

NAYS—0

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

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

Agreeably to order,

The House proceeded to the consideration on final passage of House Bill No. 1543, as follows:

An Act providing a method for supplying perfecting and recording birth records of certain persons whose births have not heretofore been made a public record or whose record of birth is incomplete or incorrect making such records competent legal evidence prescribing fees and imposing certain duties upon the orphans' court and the Bureau of Vital Statistics of the Department of Health authorizing the orphans' court to appoint masters for the determination of certain questions and requiring counties to pay the compensation of such masters

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

Section 1 Any person having been born in the Commonwealth of Pennsylvania prior to January first one thousand nine hundred and six whose record of birth is not contained in the records of the orphans' court of the county in which he was born or whose record of birth is incomplete or incorrect may have a record of his birth filed and recorded or corrected in the office of the clerk of the orphans' court of the county in which he was born by presenting a petition to said orphans' court alleging the fact that no record of his birth exists or that said record is incomplete or incorrect and setting forth so much of the following information as is available and a statement that the information not supplied cannot be obtained and the reasons therefor

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

- (b) Full name
- (c) Sex
- (d) Whether a twin or other plural birth
- (e) Whether the birth was legitimate or illegitimate
- (f) Full name of father when legitimate
- (g) Color or race of father
- (h) Birthplace of father and age at birth of applicant if known
- (i) Occupation of father if known
- (j) Residence of parents if living and known
- (k) Occupation
- (l) Maiden name of mother
- (m) Color or race of mother
- (n) Birth place of mother and age at birth of applicant if known
- (o) Occupation of mother if known
- (p) Number of children of this mother if known and number of children of this mother now living if known
- (q) (1) A certificate written in the English language signed by the doctor or midwife in attendance at the birth of such person and
- (2) A certificate written in the English language signed by such person accompanied by a baptismal record kept by a bona fide ecclesiastical body and certified by a priest minister or other officer of said body or if it is impossible to obtain such records then an affidavit to that effect and by such priest minister or other officer and
- (3) A certificate written in the English language signed by such person and by a parent or near relative of such

person who has lived with the person or family and has knowledge of the facts contained in such affidavit and

(4) A certificate written in the English language signed by such person and by two other persons who have had adequate means of knowledge of the facts contained in such affidavit or of the family tradition thereon Provided That such last mentioned persons need not be related by blood or marriage if they have been connected with the family so long and so intimately as to have acquired knowledge of the facts Provided however that if the information required above is not available the court may require such other information including public or private records as will satisfy it

Every certificate filed under this section shall be supported by an affidavit or affirmation on behalf of each person signing the certificate attesting the correctness of the information given therein which affidavit or affidavits shall be a part of the record of birth and a copy of such affidavit or affidavits shall accompany each certified copy of any record of such birth issued by the clerk of the orphans' court In order that the form of petition in the several counties may be uniform the Bureau of Vital Statistics of the Department of Health shall prescribe the form of petition and certificate required under Section 1 of this act

Section 2 Upon presentation of said petition by the clerk of the orphans' court or after hearing had the said court if satisfied of the truth and accuracy of the facts alleged therein shall order the record of the birth of the petitioner to be filed and recorded and indexed in the office of the clerk of the orphans' court in said county upon the payment of a filing fee of two dollars and fifty cents (\$2.50) which payment shall entitle the petitioner to a certified copy of said record

The Orphans' Court is hereby authorized to appoint a standing Master or Masters to whom such petitions may be referred who shall upon such reference hold the hearing specified in this Section and make recommendations to the Orphans' Court for approval or disapproval of the petition with an appropriate form of decree Such Master or Masters shall be paid by the county such compensation as the Orphans' Court shall fix

Section 3 There shall be provided at the expense of the county a special docket book or register wherein such records of birth shall be duly entered

Section 4 A record of birth so established or a duly certified copy of the same shall be prima facie evidence of all matters therein contained and shall be admissible in all judicial proceedings

Section 5 A certified copy of any such birth record shall be furnished to any applicant upon payment to the clerk of said court of the sum of fifty cents (\$.50)

Section 6 In addition to any other penalties provided by existing law any person who shall make any affidavit statement record or certification under the provisions of this act knowing the same to be false shall upon summary conviction therefor be sentenced to pay a fine of not less than one hundred dollars (\$100.00) nor more than three hundred dollars (\$300.00) and the costs of prosecution and upon failure to pay such fine and costs shall be imprisoned not more than ninety (90) days

Section 7 All acts and parts of acts inconsistent with the provisions of this act are hereby repealed

Section 8 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—204

Achterman,	French,	Lyons,	Rosenfeld,
Allmond,	Gallagher,	Malloy,	Royer,
Auker,	Gates,	Marks,	Rush,
Baker,	Gerard,	Maxwell,	Sarge,
Balthaser,	Gillan,	McClanaghan,	Sarraf,
Bentley,	Gillette,	McClester,	Scanlon,
Bentzel,	Goodwin,	McDermott,	Schwab,

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

NAYS—0

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

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

BILL ON THIRD READING PASSED OVER

There being no objection House Bill No. 1096, Printer's No. 698, was passed over at the request of Mr. READINGER.

BILL ON THIRD READING

Agreeably to order,

The House proceeded to the third 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 Superior 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

On the question,

Will the House agree to the bill on third reading?

BILL RECOMMITTED

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

The motion was agreed to.

## BILL ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 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

On the question,

Will the House agree to the bill on third reading?

## BILL RECOMMENDED

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

The motion was agreed to.

## BILL ON THIRD READING

Agreeably to order,

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

An Act to further amend the act approved the fifth day of December one thousand nine hundred thirty-six (P. L. of 1937, page two thousand eight hundred ninety-seven) 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

On the question,

Will the House agree to the bill on third reading?

## MOTION TO RECOMMIT

Mr. ACHTERMAN. Mr. Speaker, I move that this bill be recommitted to the Committee on State Government.

On the question,

Will the House agree to the motion?

Mr. WOODSIDE. Mr. Speaker, I ask the gentleman from Monroe, Mr. Achterman, whether he will permit this bill to go over in order.

## MOTION TO RECOMMIT WITHDRAWN

Mr. ACHTERMAN. Mr. Speaker, I am perfectly willing to withdraw my motion and ask that it be passed over in its order.

Mr. WOODSIDE. Will the gentleman further agree with me, Mr. Speaker, that neither of us will make a motion on this bill without first consulting each other?

Mr. ACHTERMAN. Mr. Speaker, I am perfectly willing to do that.

## BILL PASSED OVER

There being no objection House Bill No. 1768 Printer's No. 1113 was passed over at the request of Mr. ACHTERMAN.

## BILLS ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1687, as follows:

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

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

Section 1 Section four of the act approved the twenty-eighth day of May one thousand nine hundred and fifteen (P. L. 596) entitled "An act requiring cities of the second class to establish a pension fund for employes of said cities and regulating the administration and the payment of such pensions" as last amended by the act approved the seventeenth day of May one thousand nine hundred and thirty-nine (P. L. 163) is hereby further amended to read as follows

Section 4 During the lifetime of the said person he or she shall be entitled to receive a pension from the fund set aside for the purpose fifty per centum of the amount which would constitute the average rate of pay at which he or she was employed during the last five years of his or her employment by the said city Said pension shall be paid in monthly payments Provided That if any pension be granted to a person who has not been a contributor to the pension fund as herein provided during a period of twenty years such person shall be required to pay unto the board of pensions monthly an amount equal to not less than two nor more than four per centum of his her pension until such time as his or her contribution shall have extended during a period of twenty years Should any person so employed after twenty years of service be dismissed voluntarily retire or be in any manner deprived of his or her position or employment before attaining the age fixed for retirement by this act upon continuing a monthly payment to the fund equal to the last amount due and paid monthly while in active service said person shall be entitled to the pension above mentioned notwithstanding he or she has not attained the age for retirement at the time of his or her separation from the service of such city but said pension shall not commence until he or she has attained such age Provided That any employe who has heretofore or shall hereafter be dismissed and who has been in the service of the city for a period of [twenty-five (25)] twenty (20) years or more and who has made payments into the pension fund for a period of twenty (20) years or more and who has reached the age of fifty (50) years shall upon application to the board of pensions receive the pension or compensation fixed by this act during the remainder of his or her life Should any employe however become totally or permanently disabled after fifteen years of service he or she shall be entitled to the said pension Provided That if any employe who has served less than fifteen years becomes totally and permanently disabled by reason of injury sustained in the actual performance of duty such employe shall be entitled to the said pension Proof of total and permanent disability shall consist of the sworn statement of three practicing physicians designated by the board that the employe is in a permanent condition of health which would totally disable him or her from performing the duties of his or her position or

office Once a year the board of pensions may require a disability pensioner to undergo a medical examination by three physicians appointed by the board and should such physicians thereupon report and certify to the board that such beneficiary is no longer incapacitated and should the pension board concur in such report the pension to such beneficiary shall be discontinued The pension paid to any one employe shall not exceed one hundred and twenty-five dollars per month and shall not be computed on rate of pay in excess of two hundred and fifty dollars per month

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—204

- |                 |                |               |                  |
|-----------------|----------------|---------------|------------------|
| Achterman,      | French,        | Malloy,       | Royer,           |
| Allmond,        | Gallagher,     | Marks,        | Rush,            |
| Auker,          | Gates,         | Maxwell,      | Sarge,           |
| Baker,          | Gerard,        | McClanaghan,  | Sarraf,          |
| Balthaser,      | Gillan,        | McClester,    | Scanlon,         |
| Bentley,        | Gillette,      | McDermott,    | Schwab,          |
| Bentzel,        | Goodwin,       | McDowell,     | Serrill,         |
| Boles,          | Greenwood,     | McFall,       | Shaffer,         |
| Boney,          | Gross,         | McGrath,      | Shaw,            |
| Boorse,         | Gryskewicz,    | McIntosh,     | Shepard,         |
| Bower,          | Gyger,         | McKinney,     | Simons,          |
| Bradley,        | Habbvshaw,     | McLanahan,    | Skale,           |
| Bretherick,     | Haberlien,     | McLape,       | Snyder,          |
| Brown,          | Haines,        | McMillen,     | Sollenberger,    |
| Brunner, C. H., | Hall,          | McSurdy,      | Sorg,            |
| Brunner, P. A., | Hamilton,      | Melchiorre,   | Stambaugh,       |
| Burns,          | Hare,          | Mihm,         | Stank,           |
| Burris,         | Harkins,       | Modell,       | Stine,           |
| Cadwalader,     | Harmuth,       | Monks,        | Stockham,        |
| Chervenak,      | Harris,        | Mooney,       | Tarr,            |
| Chudoff,        | Heatherington, | Moran,        | Tate,            |
| Cochran,        | Helm,          | Moul,         | Taylor,          |
| Cohen, M. M.,   | Hering,        | Muir,         | Thompson, E. F., |
| Cohen, R. E.,   | Herman,        | Munley,       | Thompson, R. L., |
| 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,         | Imbrle,        | O'Mullen,     | Vogt,            |
| Dalrymple,      | James,         | O'Neill,      | Voldow,          |
| Dennison,       | Jefferson,     | Owens,        | Voorhees,        |
| DiGenova,       | Jones, G. E.,  | Petrosky,     | Wagner,          |
| Dix,            | Jones, P. N.,  | Pettit,       | Watkins,         |
| Doion,          | Keenan,        | Polaski,      | Weingartner,     |
| D'Ortona,       | Kenehan,       | Polen,        | Wells,           |
| Duffy,          | Kline,         | Powers,       | Welsh, E. B.,    |
| Early,          | Knoble,        | Prosen,       | Welsh, M. J.,    |
| Eckels,         | Kolankiewicz,  | Rank,         | Wilkinson,       |
| Elder,          | Komorofski,    | Rausch,       | Williams,        |
| Elliott,        | Krise,         | Readinger,    | Winner,          |
| Ely,            | Lee, E. A.,    | Reagan,       | Wood, L. H.,     |
| Falkenstein,    | Lee, T. H.,    | Reese, D. P., | Wood, N.,        |
| Finestone,      | Letsey,        | Reese, R. E., | Woodring,        |
| Finnerty,       | Leonard,       | Regan,        | Woodside,        |
| Fisher,         | Lesko,         | Reynolds,     | Wright,          |
| Flss,           | Levy,          | Rhea,         | Yeakel,          |
| Fleming,        | Leydic,        | Riley,        | Yester,          |
| Fletcher,       | Lichtenwalter, | Rooney,       | Young,           |
| Flynn,          | Longo,         | Rose, S.,     | Kilroy,          |
| Foor,           | Lovett,        | Rosenfeld,    | Speaker.         |
|                 | Lyons,         |               |                  |

NAYS—0

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

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

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1963, as follows:

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-sevn (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

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

Section 1 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 election 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" is hereby amended by adding at the end thereof a new clause to read as follows

Section 704 Rules for Determining Residence In determining the residence of a person desiring to register or vote the following rules shall be followed so far as they may be applicable

(i) If a person is compelled to remove from his place of residence within a period of two months next preceding any election or primary by reason of the acquisition of such property by any Federal or State agency political subdivision or corporation having the power of eminent domain or by any corporation in the process of expanding its plant capacity for the purpose of fulfilling contracts in connection with a National defense program such person shall not be considered to have lost his residence in such election district for a period of three months following the next ensuing election or primary and if registered and if otherwise qualified shall be entitled to vote in such election district at all elections and primaries occurring at any time prior to the expiration of said period of three months

Section 2 This act shall become effective immediately upon final enactment and shall remain in effect until and including the thirty-first day of May one thousand nine hundred and forty-three

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—204

- |            |            |              |            |
|------------|------------|--------------|------------|
| Achterman, | French,    | Lyons,       | Rosenfeld, |
| Allmond,   | Gallagher, | Malloy,      | Royer,     |
| Auker,     | Gates,     | Marks,       | Rush,      |
| Baker,     | Gerard,    | Maxwell,     | Sarge,     |
| Balthaser, | Gillan,    | McClanaghan, | Sarraf,    |
| Bentley,   | Gillette,  | McClester,   | Scanlon,   |
| Bentzel,   | Goodwin,   | McDermott,   | Schwab,    |

Boles,	Greenwood,	McDowell,	Serrill,
Boney,	Gross,	McFall,	Shaffer,
Boorse,	Gryskewicz,	McGrath,	Shaw,
Bower,	Gyger,	McIntosh,	Shepard,
Bradley,	Habbyshaw,	McKinney,	Simons,
Bretherick,	Haberlen,	McLanahan,	Skale,
Brown,	Haines,	McLane,	Snyder,
Brunner, C. H.,	Hall,	McMillen,	Sollenberger,
Brunner, P. A.,	Hamilton,	McSurdy,	Sorg,
Burns,	Hare,	Melchiorre,	Stambaugh,
Burriss,	Harkins,	Mihm,	Stank,
Cadwalader,	Harmuth,	Modell,	Stine,
Chervenak,	Harris,	Monks,	Stockham,
Chudoff,	Heatherington,	Mooney,	Tarr,
Cochran,	Helm,	Moran,	Tate,
Cohen, M. M.,	Hering,	Moul,	Taylor,
Cohen, R. E.,	Herman,	Muir,	Thompson, E. F.,
Cook,	Hersch,	Munley,	Thompson, R. L.,
Cooper,	Hewitt,	Nagel,	Trout,
Cordier,	Hirsch,	Nunemacher,	Turner,
Corrigan,	Holland,	O'Brien,	VanAllsburg,
Croop,	Huntley,	O'Connor,	Verona,
Cullen,	Imbrie,	O'Dare,	Vincent,
Dalrymple,	James,	O'Mullen,	Vogt,
Dennison,	Jefferson,	O'Neill,	Voidow,
DiGenova,	Jones, G. E.,	Owens,	Voorhees,
Dix,	Jones, P. N.,	Petrosky,	Wagner,
Dolon,	Keenan,	Pettit,	Watkins,
D'Ortona,	Kenehan,	Polaski,	Weingartner,
Duffy,	Kline,	Polen,	Weiss,
Early,	Knoble,	Powers,	Welsh, E. B.,
Eckels,	Kolankiewicz,	Prosen,	Welsh, M. J.,
Elder,	Komorofski,	Rank,	Wilkinson,
Elliott,	Krise,	Rausch,	Williams,
Ely,	Lee, E. A.,	Readinger,	Winner,
Falkenstein,	Lee, T. H.,	Reagan,	Wood, L. H.,
Finestone,	Lelsey,	Reese, D. P.,	Wood, N.,
Finnerty,	Leonard,	Reese, R. E.,	Woodring,
Fisher,	Lesko,	Regan,	Woodside,
Fiss,	Levy,	Reynolds,	Wright,
Fleming,	Leydic,	Rhea,	Yeakel,
Fletcher,	Lichtenwalter,	Riley,	Yester,
Flynn,	Longo,	Rooney,	Young,
For,	Lovett,	Rose, S.,	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. 248, as follows:

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

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

Section 1 All fiscal records minute books and documents of cities of the second class A shall be open to the inspection of any taxpayer his her or its agent upon demand therefor but the proper officers charged with the custody of such records books and documents may make reasonable rules and regulations designating the time and place of such inspection

In case any officials or officers shall refuse to permit the inspection of any fiscal record minute book or document the taxpayer may file a petition with the court of common pleas setting forth his reasons for making such inspection and if after hearing on said petition of which hearing the officials of said city shall be given due notice and the opportunity to appear and be heard as provided by law if the court deems such reasons proper it shall order the officer to permit the inspection to be made at a reasonable time and place and shall also order such official or officer to pay the costs of such court proceeding

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—204

Achterman,	French,	Malloy,	Royer,
Allmond,	Gallagher,	Marks,	Rush,
Auker,	Gates,	Maxwell,	Sarge,
Baker,	Gerard,	McClanaghan,	Sarraf,
Balthaser,	Gillan,	McClester,	Scanlon,
Bentley,	Gillette,	McDermott,	Schwab,
Bentzel,	Goodwin,	McDowell,	Serrill,
Boles,	Greenwood,	McFall,	Shaffer,
Boney,	Gross,	McGrath,	Shaw,
Boorse,	Gryskewicz,	McIntosh,	Shepard,
Bower,	Gyger,	McKinney,	Simons,
Bradley,	Habbyshaw,	McLanahan,	Skale,
Bretherick,	Haberlen,	McLane,	Snyder,
Brown,	Haines,	McMillen,	Sollenberger,
Brunner, C. H.,	Hall,	McSurdy,	Sorg,
Brunner, P. A.,	Hamilton,	Melchiorre,	Stambaugh,
Burns,	Hare,	Mihm,	Stank,
Burriss,	Harkins,	Modell,	Stine,
Cadwalader,	Harmuth,	Monks,	Stockham,
Chervenak,	Harris,	Mooney,	Tarr,
Chudoff,	Heatherington,	Moran,	Tate,
Cochran,	Helm,	Moul,	Taylor,
Cohen, M. M.,	Hering,	Muir,	Thompson, E. F.,
Cohen, R. E.,	Herman,	Munley,	Thompson, R. L.,
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,	Voidow,
Dennison,	Jefferson,	Owens,	Voorhees,
DiGenova,	Jones, G. E.,	Petrosky,	Wagner,
Dix,	Jones, P. N.,	Pettit,	Watkins,
Dolon,	Keenan,	Polaski,	Weingartner,
D'Ortona,	Kenehan,	Polen,	Weiss,
Duffy,	Kline,	Powers,	Welsh, E. B.,
Early,	Knoble,	Prosen,	Welsh, M. J.,
Eckels,	Kolankiewicz,	Rank,	Wilkinson,
Elder,	Komorofski,	Rausch,	Williams,
Elliott,	Krise,	Readinger,	Winner,
Ely,	Lee, E. A.,	Reagan,	Wood L. H.,
Falkenstein,	Lee, T. H.,	Reese, D. P.,	Wood, N.,
Finestone,	Lelsey,	Reese, R. E.,	Woodring,
Finnerty,	Leonard,	Regan,	Woodside,
Fisher,	Lesko,	Reynolds,	Wright,
Fiss,	Levy,	Rhea,	Yeakel,
Fleming,	Leydic,	Riley,	Yester,
Fletcher,	Lichtenwalter,	Rooney,	Young,
Flynn,	Longo,	Rose, S.,	Kilroy, Speaker
For,	Lovett,	Rosenfeld,	
	Lyons,		

NAYS—0

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

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

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1833, as follows:

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

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

Section 1 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" is hereby amended to read as follows

Section 5 When the Commonwealth through the Department of Welfare assumes the control and management of any institution subject to this act the terms of all officers and employes and the local management of such institution shall cease and terminate The officers and employes of any such institution shall thereupon become employes of the Commonwealth subject to removal by the Secretary of Welfare

Where employes or officers of any such institution are to be removed or furloughed by the Secretary of Welfare in order to curtail administrative expenses or otherwise the Secretary of Welfare shall give due consideration to experience fitness length of service and seniority rights of all officers or employes affected and shall order removals or furloughs only in accordance with the above standards

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—204

Achterman,	French,	Lyons,	Rosenfeld,
Allmond,	Gallagher,	Malloy,	Royer,
Auker,	Gates,	Marcks,	Rush,
Baker,	Gerard,	Maxwell,	Sarge,
Balthaser,	Gillan,	McClanaghan,	Sarraf,
Bentley,	Gillette,	McClester,	Scanlon,
Bentzel,	Goodwin,	McDermott,	Schwab,
Boies,	Greenwood,	McDowell,	Serrill,
Boney,	Gross,	McFall,	Shaffer,
Boorse,	Gryskewicz,	McGrath,	Shaw,
Bower,	Cyger,	McIntosh,	Shepard,
Bradley,	Habbyshaw,	McKinney,	Simons,
Bretherick,	Haberlen,	McLanahan,	Skale,
Brown,	Haines,	McLane,	Snyder,
Brunner, C. H.,	Hall,	McMillen,	Sollenberger,
Brunner, P. A.,	Hamilton,	McSurdy,	Sorg,
Burns,	Hare,	Melchiorre,	Stambaugh,
Burtis,	Harkins,	Mihm,	Stank,
Cadwalader,	Harmuth,	Modell,	Stine,

Chervenak,	Harris,	Monks,	Stockham,
Chudoff,	Heatherington,	Mooney,	Tarr,
Cochran,	Helm,	Moran,	Tate,
Cohen, M. M.,	Hering,	Moul,	Taylor,
Cohen, R. E.,	Herman,	Muir,	Thompson, E. F.,
Cook,	Hersch,	Munley,	Thompson, R.,
Cooper,	Hewitt,	Nagel,	Trout,
Cordier,	Hirsch,	Nuhemacher,	Turner,
Corrigan,	Holland,	O'Brien,	Van Allsburg,
Croop,	Huntley,	O'Connor,	Verona,
Cullen,	Imbrie,	O'Dare,	Vincent,
Dalrymple,	James,	O'Mullen,	Vogt,
Dennison,	Jefferson,	O'Neill,	Voldow,
DiGenova,	Jones, G. E.,	Owens,	Voorhees,
Dix,	Jones, P. N.,	Petrosky,	Wagner,
Dolon,	Keenan,	Pettit,	Watkins,
D'Ortona,	Kenehan,	Polaski,	Weingartner,
Duffy,	Kline,	Polen,	Weiss,
Early,	Knoble,	Powers,	Welsh, E. B.,
Eckels,	Kolankiewicz,	Prosen,	Welsh, M. J.,
Elder,	Komorofski,	Rank,	Wilkinson,
Elliott,	Krise,	Rausch,	Williams,
Ely,	Lee, E. A.,	Readinger,	Winner,
Falkenstein,	Lee, T. H.,	Reagan,	Wood, L. H.,
Finestone,	Lelsey,	Reese, D. P.,	Wood, N.,
Finerty,	Leonard,	Reese, R. E.,	Woodring,
Fisher,	Lesko,	Regan,	Woodside,
Fiss,	Levy,	Reynolds,	Wright,
Fleming,	Leydic,	Rhea,	Yeakel,
Fletcher,	Lichtenwalter,	Riley,	Yester,
Flynn,	Longo,	Rooney,	Young,
For,	Lovett,	Rose, S.,	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. 1398, as follows:

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

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

Section 1 Section four of the act approved the fifth day of May one thousand nine hundred thirty-three (P. L. 289) entitled "An act relating to nonprofit corporations defining and providing for the organization merger consolidation and dissolution of such corporations conferring certain rights powers duties and immunities upon them and their officers and members prescribing the conditions on which such corporations may exercise their powers pro-



viding 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 last amended by the act approved the twenty-seventh day of June one thousand nine hundred thirty-nine (P. L. 1121) is hereby further amended to read as follows

Section 4 Scope of Act This act does not relate to does not affect and does not apply to

(1) Cooperative associations whether for profit or not for profit

(2) Beneficial benevolent fraternal [and] or fraternal benefit societies having a lodge system and a representative form of government or transacting any type of insurance whatsoever

(3) Any corporation whatsoever organized for any purpose or purposes involving pecuniary profit to its members or shareholders

(4) Any corporation which by the laws of this Commonwealth is subject to the supervision of the Department of Banking the Insurance Department the Pennsylvania [Public] Public Utility Commission or the Water and Power Resources Board Provided however That corporations subject by law to the limited supervision of the Insurance Department may be incorporated under and in accordance with the provisions of this act for the purpose of establishing maintaining and operating a nonprofit hospital plan whereby hospitalization may be provided to subscribers of such plan by any hospital with which such corporations have a contract for such hospitalization or for the purpose of establishing maintaining and operating a nonprofit medical service plan whereby medical services may be provided through any doctor of medicine to subscribers of low income and their dependents

Section 2 Paragraph A of section two hundred two of said act as amended by the act approved the seventeenth day of July one thousand nine hundred thirty-five (P. L. 1130) is hereby further amended to read as follows

A The corporate name may be in any language but must be expressed in English letters or characters The corporate name shall not imply that the corporation is an administrative agency of the Commonwealth or of the United States or is subject to the supervision of the Department of Banking or of the Insurance Department and shall not contain the word "bank" "banking" "banker" "savings" "trust" "deposit" "insurance" "mutual" "assurance" "indemnity" "casualty" "fiduciary" "benefit" "beneficial" ["benevolent"] "public service" "public utility" "building and loan" "surety" "security" "guaranty" "guarantee" "cooperative" "State" or "Commonwealth"

Section 3 Section two hundred four of said act as amended by the act approved the seventeenth day of July one thousand nine hundred thirty-five (P. L. 1130) is hereby further amended to read as follows

Section 204 Registration of Corporate Name The incorporators shall make application to the Department of State for the registration of the proposed corporate name The application shall set forth the name which the incorporators desire to use [and] the address of the proposed registered office of the corporation and a statement of the purpose for which it is to be formed and it shall be signed by at least five incorporators If the Department of State finds that the proposed name is available for corporate use the department shall register the name and shall issue to the incorporators a certificate that the proposed name has been duly registered If the proposed name is not available for corporate use the department shall refuse to register such name and shall forthwith notify the incorporators of this fact The Department of State shall keep a properly indexed record of the registrations and cancellations of registrations provided for in this act

Section 4 Paragraph A of section three hundred sixteen of said act as amended by the act approved the seventeenth day of July one thousand nine hundred thirty-five (P. L. 1130) is hereby further amended to read as follows

Section 316 Registered Office Records A Every nonprofit corporation shall maintain an office in this Commonwealth to be known as its registered office The location and post office address of the registered office shall be stated in the articles as heretofore provided in this act After incorporation the location of the registered office may be changed

(1) From one location to another in the same county by resolution adopted by a majority of all the members including members not entitled by the articles or by-laws to vote On or before the day that such change is made notice of such change and of the post office address of the new registered office shall be filed with and recorded by the recorder of deeds of the county At the same time notice of such change shall also be filed with and recorded by the Secretary of the Commonwealth

(2) From one county to another county by resolution adopted by a majority of all the members including members not entitled by the articles or by-laws to vote On or before the day that such change is made notice of such change and of the post office address of the new registered office shall be filed with and recorded by the recorder of deeds of the county from which and of the county to which the registered office is to be moved At the same time notice of such change shall be filed with and recorded by the Secretary of the Commonwealth In addition a certified copy of the articles of the corporation shall be filed with and recorded by the recorder of deeds of the county in which the registered office is to be located before the corporation shall transact any business in such county

Section 5 Section nine hundred seven of said act as amended by the act approved the seventeenth day of July one thousand nine hundred thirty-five (P. L. 1130) is hereby further amended to read as follows

Section 907 Amended Certificate of Authority A After receiving a certificate of authority a foreign nonprofit corporation may subject to the provisions of this act change its name or be authorized to do in this Commonwealth other or additional business than that authorized by its certificate of authority by filing with the Department of State an application for an amended certificate of authority [and] proof of the advertisement hereinafter required by this section a copy of the proposed amendment as effected in the state or county of its incorporation duly certified by the proper public officer thereof and a certificate or certificates from the proper department or departments of this Commonwealth evidencing payment by the corporation of all taxes bonus and charges as required by law Such application shall be executed under the seal of the corporation signed and verified by two duly authorized officers thereof and shall set forth the changes desired by the corporation

B A foreign nonprofit corporation shall before making application to the Department of State advertise its intention to apply for an amended certificate of authority by publication in a manner similar to that prescribed in this act in the case of the formation of a domestic nonprofit corporation Advertisements shall appear at least three days prior to the day on which application is made to the Department of State and shall set forth briefly

(1) The name of the corporation and of the state or country under the laws of which it is formed

(2) If the application is for permission to do in this Commonwealth other or additional business the character and nature of the business it proposes to do under the amended certificate of authority

(3) If the application is for a change of name the new name under which it proposes to do business

C If the Department of State finds that the provisions of this article have been complied with that the certificate herein required evidencing payment of all taxes or bonus or charges is in proper form and that the applicant corporation is entitled to an amended certificate of authority it shall upon payment of the filing fee forthwith but not prior to the day specified in the advertisement heretofore

required by this section endorse its approval upon the application [and when all fees and charges have been paid as required by law] shall file the application and issue to the applicant corporation an amended certificate of authority setting forth the desired changes. The amended certificate of authority shall be recorded in the office of the recorder of deeds of the county in which the original certificate of authority was recorded.

Section 6 Paragraph C of section nine hundred fifteen of said act is hereby amended to read as follows:

C Upon the filing of such application proof of the advertisement heretofore required by this section a certificate from the proper department or departments of this Commonwealth evidencing payment by the corporation of all taxes or bonus or charges as required by law and the return for cancellation of the corporation's certificate of authority or the filing of proof that it has been lost or destroyed the Department of State if the certificate or certificates herein required evidencing payment of all taxes bonus and charges are in proper form [after all fees and charges have been paid as required by law] shall upon payment of the filing fee cancel the certificate of authority if any and shall issue in duplicate a certificate of withdrawal. The Department of State shall return one of such certificates of withdrawal to the corporation or its representative and shall send the other to the recorder of deeds of the county in which the last registered office of the corporation in this Commonwealth is situated who shall record the same without fee therefor. Upon the issuance of the certificate of withdrawal the authority of the corporation to do business within this Commonwealth shall cease and determine and no such corporation doing business in this Commonwealth after the issuance of such certificate shall maintain any action in this Commonwealth upon any contract made by it in this Commonwealth subsequent to the issuance of such certificate of withdrawal. The issuance of such certificate shall not however affect any action pending at the time thereof or affect any right of action upon any contract made by such corporation in the Commonwealth before the issuance of the certificate. Process against the corporation in an action upon any liability or obligation incurred within this Commonwealth before the issuance of such certificate may be served there-after upon the Secretary of the Commonwealth.

Section 7 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—204

Achterman,	French.	Malloy.	Royer,
Allmond,	Gallagher,	Marks.	Rush,
Auker,	Gates.	Maxwell.	Sarge.
Baker,	Gerard,	McClanaghan,	Sarraf.
Balthaser,	Gillan,	McClester.	Scanlon,
Bentley,	Gillette,	McDermott,	Schwab.
Bentzel,	Goodwin.	McDowell,	Serrill.
Boles,	Greenwood,	McFall.	Shaffer.
Boney,	Gross.	McGrath,	Shaw.
Boorse,	Gryskewicz.	McIntosh.	Shepard.
Bower,	Gyger.	McKinney.	Simons.
Bradley,	Habbyslaw,	McLanahan.	Skale.
Bretherick,	Haberlen,	McLane.	Snyder.
Brown,	Haines.	McMillen,	Sollenberger.
Brunner, C. H.,	Hall.	McSurdy.	Sorg.
Brunner, P. A.,	Hamilton,	Melchiorre,	Stambaugh,
Burns,	Hare.	Mihm.	Stank.
Burriss,	Harkins.	Modell.	Stine.
Cadwalader,	Harmuth.	Monks.	Stockham.
Chervenak,	Harris.	Mooney.	Tarr.
Chudoff,	Heatherington.	Moran.	Tate.
Cochran,	Helm.	Moul.	Taylor.
Cohen, M. M.,	Hering.	Muir.	Thompson, E. F.,
Cohen, R. E.,	Herman,	Munley.	Thompson, R. L.,
Cook,	Hersch.	Nagel.	Trout.
	Hewitt,	Nunemacher,	Turner,

Cooper,	Hirsch,	O'Brien,	Van Allsburg,
Cordier,	Holland,	O'Connor,	Verona,
Corrigan,	Huntley,	O'Dare,	Vincent,
Croop,	Imbrie,	O'Mullen,	Vogt,
Cullen,	James,	O'Neill,	Widow.
Dalrymple,	Jefferson,	Owens,	Voorhees,
Dennison,	Jones, G. E.,	Petrosky,	Wagner,
DiGenova,	Jones, P. N.,	Pettit,	Watkins,
Dix,	Keenan,	Polaski,	Weingartner.
Dolon,	Kenehan,	Polen,	Weiss,
D'Ortona,	Kline,	Powers,	Welsh, E. B.,
Duffy,	Knoble,	Prosen,	Welsh, M. J.,
Early,	Kolankiewicz,	Rank,	Wilkinson,
Eckels,	Komorowski,	Rausch,	Williams,
Elder,	Krise,	Readinger,	Winner,
Ellott,	Lee, E. A.,	Reagan,	Wood, L. H.,
Ely,	Lee, T. H.,	Reese, D. P.,	Wood, N.,
Falkenstein,	Leisey,	Regan,	Woodring,
Finestone,	Leonard,	Reese, R. E.,	Woodside,
Finnerty,	Lesko,	Reynolds,	Wright,
Fisher,	Leydic.	Rhea,	Yeakel,
Fiss,	Lichtenwalter,	Levy,	Yester,
Fleming,	Longo,	Riley,	Young,
Fletcher,	Lovett,	Rooney,	Kilroy,
Flynn,	Lyons,	Rose, S.,	Speaker.
Foor,		Rosenfeld,	

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. 1400, as follows:

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.

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

Section 1 Paragraph A of section two hundred two of 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 the act approved the seventeenth day of July one thousand nine hundred thirty-five (P. L. 1123) is hereby further amended to read as follows

A The corporate name may be in any language but shall be expressed in English letters or characters and shall contain the word "corporation" "company" or "incorporated" or shall end with an abbreviation of one of these words except that the word "company" or the abbreviation "Co" may not be used where that word or abbreviation is immediately preceded by the word "and" or any symbol or substitute therefor unless the word "incorporated" or any abbreviation thereof immediately follows the word "company" or the abbreviation "Co" The corporate name shall not imply that the corporation is an administrative agency of the Commonwealth or of the United States or is subject to the supervision of the Department of Banking or of the Insurance Department and shall not contain the word "bank" "banking" "bankers" "savings" "trust" "deposit" "insurance" "mutual" "assurance" "indemnity" "casualty" "fiduciary" "benefit" "beneficial" "benevolent" "public service" "public utility" "building and loan" "surety" "security" "guaranty" "guarantee" "cooperative" "State" or "Commonwealth"

Section 2 Paragraph (3) of section three hundred twenty of the said act as added by the act approved the twenty-fourth day of June one thousand nine hundred thirty-nine (P. L. 698) is hereby amended to read as follows

(3) A certificate of any amendment to articles of incorporation a certificate of change of registered office a certificate of dissolution a certificate of reduction of stated capital or a certificate of merger or consolidation executed as hereinafter provided and made by such corporation pursuant to the foregoing provisions together with a certificate or certificates from the proper department or departments evidencing payment by the corporation of all bonus taxes and charges as required by law shall be delivered to the Department of State If the Department of State finds that the certificate of amendment change of registered office dissolution reduction of stated capital or of merger or consolidation conforms to law [it shall forthwith endorse its approval thereon and when all bonus fees and charges have been paid as required by law and] that notice of intention to file such certificate has been duly advertised in accordance with the provisions of this act and that the certificate evidencing payment of bonus or taxes or charges is in proper form it shall upon payment of the filing fee forthwith endorse its approval thereon and shall file the certificate and issue to the corporation a certificate of amendment dissolution reduction of stated capital merger or consolidation to which shall be attached a copy of the certificate of [the corporation] incorporation Upon the filing of such certificate by the Department of State the amendment dissolution reduction of stated capital merger or consolidation shall be effective Such certificate shall be made executed and acknowledged as may be directed by such decrees or orders by the trustee or trustees or receiver or receivers appointed in the bankruptcy proceedings (or a majority thereof) or if none be appointed and acting by officers of the corporation or by a master or other representative appointed by the court or judge or referee and shall certify that (a) provision for the making of such certificate agreement or instrument is contained in the plan of reorganization or arrangement or in a decree or order of the court or judge or referee relative thereto and (b) that the plan or arrangement has been confirmed as provided in the National Bankruptcy Act but no final decree has been entered in the bankruptcy proceedings closing the case

and discharging the trustee or trustees or receiver or receivers if any

Section 3 Paragraph C of section seven hundred five of said act is hereby amended to read as follows

C The statement shall be delivered to the Department of State either prior to or within thirty days after the date of such redemption and cancellation together with a certificate or certificates from the proper department or departments evidencing payment by the corporation of all bonus taxes and charges as required by law If the Department of State finds that the statement conforms to law and that the certificate evidencing payment of bonus or taxes or charges delivered therewith is in proper form it shall upon payment of the filing fee endorse its approval thereon shall file the statement and shall issue to the corporation or its representative a copy of the approved statement The filing of such statement shall operate as an amendment to the articles of the corporation and shall reduce the number of shares of the class so redeemed which the corporation is authorized to issue by the number of the shares so redeemed and cancelled Nothing contained in this section shall be construed to prohibit a reduction of authorized capital stock or a reduction of stated capital in any other manner permitted by this act

Section 4 Paragraph C of section seven hundred six of said act is hereby amended to read as follows

C The statement shall be [filed with] delivered to the Department of State together with a certificate or certificates from the proper department or departments evidencing payment by the corporation of all bonus taxes and charges as required by law If the Department of State finds that such statement conforms to law and that the certificate evidencing payment of bonus or taxes or charges delivered therewith is in proper form it shall upon payment of the filing fee endorse its approval thereon shall file the statement and shall issue to the corporation or its representative a copy of the approved statement Upon the filing of such statement the reduction shall be effective

Section 5 Section eight hundred eight of said act is hereby amended to read as follows

Section 808 Filing of Articles of Amendment The articles of amendment [and] proof of the advertisement heretofore required in this article and a certificate or certificates from the proper department or departments evidencing payment by the corporation of all bonus taxes and charges as required by law shall be delivered by the corporation or its representative to the Department of State If the Department of State finds that such articles conform to law and that the certificate evidencing payment of bonus or taxes or charges delivered therewith is in proper form it shall upon payment of the filing fee forthwith but not prior to the day specified in the advertisement required by the preceding section endorse its approval thereon and [when all bonus fees taxes and charges have been paid as required by law] shall file the articles and issue to the corporation or its representative a certificate of amendment to which shall be attached a copy of the approved articles

Section 6 Section nine hundred five of said act is hereby amended to read as follows

Section 905 Filing of Articles of Merger or Consolidation The articles of merger or articles of consolidation as the case may be and proof of the advertisement required by the preceding section and a certificate or certificates from the proper department or departments evidencing payment by the corporation of all bonus taxes and charges as required by law shall be delivered to the Department of State If the Department of State finds that such articles conform to law and that the certificate or certificates evidencing payment of bonus or taxes or charges delivered therewith is in proper form it shall upon payment of the filing fee forthwith but not prior to the day specified in the advertisement required by the preceding section endorse its approval thereon and [when all bonus fees taxes and charges have been paid as re-

quired by law shall file the articles and issue to the corporation or its representative a certificate of merger or a certificate of consolidation as the case may be to which shall be attached a copy of the approved articles

Section 7 Section one thousand seven of said act as last amended by the act approved the second day of July one thousand nine hundred thirty-seven (P. L. 2828) is hereby further amended to read as follows

Section 1007 Amended Certificate of Authority

A After receiving a certificate of authority a foreign business corporation may subject to the provisions of this act change its name or be authorized to do in this Commonwealth other or additional business than that authorized by its certificate of authority by filing with the Department of State an application for an amended certificate of authority and proof of the advertisement hereinafter required by this section together with a copy of the proposed amendment as affected in the state or country of its incorporation duly certified by the proper public officer thereof and a certificate or certificates from the proper department or departments of this Commonwealth evidencing payment by the corporation of all bonus taxes and charges as required by law Such application shall be executed under the seal of the corporation signed and verified by two duly authorized officers thereof and shall set forth the changes desired by the corporation

B A foreign business corporation shall before making application to the Department of State advertise its intention to apply for an amended certificate of authority by publication in a manner similar to that prescribed in this act in the case of the formation of a domestic business corporation Advertisements shall appear at least three days prior to the day on which application is made to the Department of State and shall set forth briefly

(1) The name of the corporation and of the state or country under the laws of which it is formed

(2) If the application is for permission to do in this Commonwealth other or additional business the character and nature of the business it proposes to do under the amended certificate of authority

(3) If the application is for a change of name the new name under which it proposes to do business

C If the Department of State finds that the provisions of this article have been complied with that the certificate evidencing payment of bonus or taxes or charges is in proper form and that the applicant corporation is entitled to an amended certificate of authority it shall upon payment of the filing fee forthwith but not prior to the day specified in the advertisement heretofore required by this section endorse its approval upon the application and [when all fees bonus taxes and charges have been paid as required by law shall] file the application and issue to the [applicant] applicant corporation an amended certificate of authority setting forth the desired changes

Section 8 Section one thousand fifteen of said act is hereby amended to read as follows

Section 1015 Surrender of Certificate of Authority A Any foreign business corporation may withdraw from doing business in this Commonwealth and surrender its certificate of authority by filing with the Department of State an application for a certificate of withdrawal executed under the seal of the corporation and signed and verified by two duly authorized officers thereof which shall set forth

(1) The name of the corporation

(2) The state or country of its [corporation] incorporation

(3) The date on which it received a certificate of authority to do business in the Commonwealth

(4) A statement that it revokes its designation of the Secretary of the Commonwealth as the person on whom process against it may be served in this Commonwealth

(5) A statement that it surrenders its certificate of authority to do business in this Commonwealth

(6) A statement that it consents that process against

it in an action or proceeding upon any liability or obligation incurred within this Commonwealth before the issuance of the certificate of withdrawal may be served upon the Secretary of the Commonwealth after the filing of such certificate

(7) A post office address to which the Secretary of the Commonwealth may mail a copy of any process against it that may be served upon him

B A foreign business corporation shall before making application for a certificate of withdrawal advertise its intention to withdraw from doing business in this Commonwealth in a manner similar to that hereinafter required by this act in the case of the voluntary dissolution of a domestic business corporation and shall procure from the proper department or departments a certificate or certificates evidencing payment by the corporation of all bonus taxes and charges payable to the Commonwealth

C Upon the filing of such application proof of the advertisement and certificate or certificates [heretofore required by this section] evidencing payment by the corporation of all bonus taxes and charges due to the Commonwealth and the return for cancellation of the corporation's certificate of authority or the filing of proof that it has been lost or destroyed the Department of State upon payment of the filing fee [after all bonus taxes fees and charges have been paid as required by law] shall cancel the certificate of authority if any and shall issue to the corporation or its representative a certificate of withdrawal Upon the issuance of the certificate of withdrawal the authority of the corporation to do business within this Commonwealth shall cease and determine The issuance of such certificate shall not affect any action pending at the time thereof or affect any right of action upon any contract made by such corporation in the Commonwealth before the issuance of the certificate Process against the corporation in an action upon any liability or obligation incurred within this Commonwealth before the issuance of such certificate may be served thereafter upon the Secretary of the Commonwealth

Section 9 Section one thousand one hundred one of said act is hereby amended to read as follows

Section 1101 Voluntary Dissolution by Incorporators The incorporators of a business corporation which has not commenced business or which has not issued any shares may effect the dissolution of the corporation by filing articles of dissolution with the Department of State The articles of dissolution shall be executed under the seal of the corporation signed and verified by a majority of the incorporators and shall set forth

(1) The name of the corporation

(2) The address including street and number if any of its registered office

(3) The date of its incorporation

(4) That the corporation has not commenced business and that none of its shares has been issued

(5) That the amount if any actually paid in on subscriptions to its shares less any part thereof disbursed for necessary expenses has been returned to those entitled thereto

(6) That no [debt] debts of the corporation remain unpaid

(7) That all the incorporators elect that the corporation be dissolved

The articles of dissolution shall be delivered to the Department of State together with a certificate or certificates from the proper department or departments evidencing payment by the corporation of all bonus taxes and charges as required by law If the Department of State finds that the articles conform to law and that the certificate delivered therewith evidencing payment of bonus or taxes or charges is in proper form it shall upon payment of the filing fee endorse its approval thereon and [when all bonus taxes fees and charges required by law have been paid] shall file the articles and issue a certificate of dissolution to the incorporators

or their representative to which shall be attached a copy of the approved articles Upon the issuance of the certificate of dissolution the existence of the corporation shall cease

Section 10 Section one thousand one hundred five of said act as amended by the act approved the twenty-fourth day of June one thousand nine hundred thirty-nine (P. L. 698) is hereby further amended to read as follows

Section 1105 Articles of Dissolution When all debts liabilities and obligations of the corporation have been paid and discharged or adequate provision shall have been made therefor and all of the remaining property and assets of the corporation shall have been distributed to its shareholders articles of dissolution shall be executed under the seal of the corporation and signed and verified by two duly authorized officers of the corporation which shall set forth

- (1) The name of the corporation
- (2) The address including street and number if any of the registered office of the corporation
- (3) A statement that the corporation has theretofore delivered to the Department of State a certificate of election to dissolve and the date on which the certificate was filed by the Department of State
- (4) A statement that all debts obligations and liabilities of the corporation have been paid and discharged or that adequate provision has been made therefor
- (5) A statement that all the remaining property and assets of the corporation have been distributed among its shareholders in accordance with their respective rights and interests
- (6) A statement that there are no suits pending against the corporation in any court or that adequate provision has been made for the satisfaction of any judgment or decree which may be obtained against the corporation in each such pending suit

The articles of dissolution [and] proof of the advertisement required by the preceding section and a certificate or certificates from the proper department or departments evidencing payment by the corporation of all bonus taxes and charges as required by law shall be delivered to the Department of State If the Department of State finds that such articles conform to law and that the certificate delivered therewith evidencing payment of bonus or taxes or charges is in proper form it shall upon payment of the filing fee endorse its approval thereon and [if all bonus taxes fees and charges required by law have been paid] shall file the articles and issue to the corporation or its representative a certificate of dissolution to which shall be attached a copy of the approved articles Upon the issuance of the certificate of dissolution the existence of the corporation shall cease

Section 11 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—204

Achterman,	French,	Lyons,	Royer,
Allmond,	Gallagher,	Malloy,	Rush,
Auker,	Cates,	Marks,	Sarge,
Baker,	Gerard,	Maxwell,	Sarraff,
Balthaser,	Gillan,	McClanaghan,	Scanlon,
Bentley,	Gillette,	McClester,	Schwab,
Bentzel,	Goodwin,	McDermott,	Serrill,
Boles,	Greenwood,	McDowell,	Shaffer,
Boney,	Gross,	McFall,	Shaw,
Boorse,	Gryskewicz,	McGrath,	Shepard,
Bower,	Cyger,	McIntosh,	Simons,
Bradley,	Habbyshaw,	McKinney,	Skale,
Bretherick,	Haberien,	McLanahan,	Snyder,
Brown,	Haines,	McLane,	Sollenberger,

Brunner, C. H.,	McMillen,	Sorg,
Brunner, P. A.,	McSurdy,	Stambaugh,
Burns,	Melchiorre,	Stank,
Burris,	Mihm,	Stine,
Cadwalader,	Modell,	Stockham,
Chervenak,	Monks,	Tarr,
Chudoff,	Mooney,	Tate,
Cochran,	Moran,	Taylor,
Cohen, M. M.,	Moul,	Thompson, E. F.,
Cohen, R. E.,	Muir,	Thompson, R. L.,
Cook,	Hersch,	Trout,
Cooper,	Hewitt,	Turner,
Cordier,	Hirsch,	VanAllsburg,
Corrigan,	Holland,	Verona,
Croop,	Huntley,	Vincent,
Cullen,	Imbric,	Vogt,
Dakruple,	James,	Voldow,
Dennison,	Jefferson,	Voorhees,
DiGenova,	Jones, G. E.,	Wagner,
Dix,	Jones, P. N.,	Watkins,
Dolon,	Keenan,	Weingartner,
D'Ortona,	Kenehan,	Weiss,
Duffy,	Kline,	Weish, E. B.,
Early,	Knoble,	Weish, M. J.,
Eckels,	Kolankiewicz,	Wilkinson,
Elder,	Komorofski,	Williams,
Elliott,	Krise,	Winner,
Ely,	Lee, E. A.,	Wood, L. H.,
Falkenstein,	Lee, T. H.,	Wood, N.,
Finestone,	Lelsey,	Woodring,
Finnerty,	Leonard,	Woodside,
Fisher,	Lesko,	Wright,
Fiss,	Levy,	Yeakel,
Fleming,	Leydic,	Yester,
Fletcher,	Lichtenwalter,	Young,
Flynn,	Longo,	Kilroy,
Foot,	Lovett,	Speaker.
	Rosenfeld,	

NAYS—0

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

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

BILL ON FINAL PASSAGE

Agreeably to order,

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

The House resumed the consideration on final passage of House Bill No. 1639, as follows:

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

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

Section 1 The title of the act approved the second day of June one thousand nine hundred and fifteen (P. L. 736) entitled as amended "An act defining the liability of an employer to pay damages for injuries received by an employe in the course of employment establishing an elective schedule of compensation providing procedure for the determination of liability and compensation thereunder and prescribing penalties" as reenacted and amended by the act approved the fourth day of June one thousand nine hundred and thirty-seven (P. L. 1552) is hereby further amended to read as follows

An Act defining the liability of an employer to pay damages for injuries received by an employe in the course of employment establishing [an elective] a compulsory system and schedule of compensation providing



procedure for the determination of liability and compensation thereunder and prescribing penalties

Section 2 The article heading of article two of said act as last reenacted and amended by the act approved the twenty-first day of June one thousand nine hundred and thirty-nine (P. L. 520) is hereby further amended to read as follows

#### ARTICLE II

##### Damages by Action at Law Abolished

Section 3. Sections two hundred and one, two hundred and two, and two hundred and three of said act, as last reenacted and amended by the act, approved the twenty-first day of June, one thousand nine hundred and thirty-nine (P. L. 520), are hereby repealed.

Section 4 Section two hundred four of said act as last reenacted and amended by the act approved the twenty-first day of June one thousand nine hundred and thirty-nine (P. L. 520) is hereby further amended to read as follows

Section 204 No agreement composition or release of damages made before the date of any accident [except the agreement defined in article three of this act] shall be valid or shall bar a claim for damages for the injury resulting therefrom and any such agreement [other than that defined in article three herein] is declared to be against the public policy of this Commonwealth. The receipt of benefits from any association society or fund shall not bar the recovery of damages by action at law nor the recovery of compensation under article three hereof and any release executed in consideration of such benefits shall be void

Section 5. The article heading of article three, subsection (a) of section three hundred and one, and subsection (a) of section three hundred and two of said act, as last reenacted and amended by the act, approved the twenty-first day of June, one thousand nine hundred and thirty-nine (P. L. 520), are hereby further amended to read as follows:

#### ARTICLE III

##### [Elective] Compulsory Compensation

Section 301 (a) [When employer and employe shall by agreement either expressed or implied as hereinafter provided accept the provisions of article three of this act compensation for] In the case of personal injury to or [for] the death of [such] any employe by an accident in the course of his employment compensation shall be paid in all cases by the employer without regard to negligence according to the schedule contained in sections three hundred and six and three hundred and seven of this article provided that no compensation shall be paid when the injury or death is intentionally self inflicted or is caused by the employe's violation of law but the burden of proof of such fact shall be upon the employer

Section 302 [(a) In] The provisions of this act shall apply to every contract of hiring made after [December] [thirty-first one thousand nine hundred and fifteen] the effective date of this act and [in] to every contract of hiring renewed or extended by mutual consent expressed or implied after said date [it shall be conclusively presumed that the parties have accepted the provisions of article three of this act and have agreed to be bound thereby unless there be at the time of the making renewal or extension of such contract an express statement in writing from either party to the other that the provisions of article three of this act are not intended to apply and unless a true copy of such written statement accompanied by proof of service thereof upon the other party setting forth under oath or affirmation the time place and manner of such service be filed with the department within ten days after such service Every] and to every contract of hiring oral written or implied from circumstances now in operation or made or implied on or before [December thirty-first one thousand nine hundred and fifteen shall be conclusively presumed to continue subject to the provisions of article three hereof unless either party shall on or before said date in writing have notified the other party to such con-

tract that the provisions of article three hereof are not intended to apply and unless there shall be filed with the department a true copy of such notice together with proof of service within the time and in the manner hereinabove prescribed Provided however That the provisions of this section shall not be so construed as to impair the obligation of any contract now in force or invalidate any acceptance or rejection of the provisions of article three of the Workmen's Compensation Act heretofore in force but such prior acceptance or rejection shall continue unimpaired under this act until notice is given as provided in section three hundred four hereof In the employment of minors article three shall be presumed to apply unless the said written notice be given by or to the parent or guardian of the minor It shall not be lawful for any officer or agent of this Commonwealth or for any county city borough town or township therein or for any officer or agent thereof or for any other governmental authority created by the laws of this Commonwealth to give such notice of rejection of the provisions of this article to any employe of the Commonwealth or of such governmental agency] the effective date of this act

Section 6 Subsection (b) of section three hundred two sections three hundred three and three hundred four of said act as last re-enacted and amended by the act approved the twenty-first day of June one thousand nine hundred and thirty-nine (P. L. 520) are hereby repealed. [the department if satisfied of the applicant's financial ability shall upon the payment of a fee of twenty-five dollars (\$25.00) issue to the applicant a permit authorizing such exemption From a refusal of the department to issue such permit an appeal shall lie to the court of common pleas of Dauphin County In any such appeal the only question shall be whether the department abused its discretion in refusing such permit The department shall establish a period of twelve (12) calendar months to begin and end at such times as the department shall prescribe which shall be known as the annual exemption period Unless previously revoked all permits issued under this section shall expire and terminate on the last day of the annual exemption period for which they were issued Permits issued under this act shall be renewed upon the filing of an application and the payment of a renewal fee of twenty-five dollars (\$25.00) The department may from time to time require further statements of the financial ability of such employer and if at any time such employer appear no longer able to pay compensation shall revoke its permit granting exemption in which case the employer shall immediately subscribe to the State Workmen's Insurance Fund or insure his ability in any insurance company or mutual association or company as aforesaid] Provided however That all workmen's compensation insurance contracts of any insurance company or mutual association or company previously authorized to insure such liability in this Commonwealth in force on the effective date of

Section 7. Section five hundred and two of said act, as last reenacted and amended by the act, approved the twenty-first day of June, one thousand nine hundred and thirty-nine (P. L. 520), is hereby further amended to read as follows:

Section 502. If any provision of this act shall be held by any court to be unconstitutional, such judgment shall not affect any other section or provision of this act. [except that articles two and three are hereby declared to be inseparable and as one legislative thought, and if either article be declared by such court void or inoperative in an essential part, so that the whole of such article must fall, the other article shall fall with it and not stand alone.]

Section 8 All parts and parts of acts inconsistent herewith are hereby repealed

Section 9 The provisions of this act shall become effective immediately upon final enactment

On the question.

Shall the bill pass finally?

Mr. WOODSIDE. Mr. Speaker, this bill is the Workmen's Compensation Bill which was defeated by this House some few days ago.



This bill provides for a compulsory workmen's compensation insurance. When the matter was before the House I said very frankly that we felt the older Members of the House who are really interested in the welfare of the working men of Pennsylvania would vote against this bill. We felt that those who were sincerely interested in a good and safe workmen's compensation act would vote against this bill. I think the vote of this House bore out that statement.

The bill provides, as I stated, for a compulsory provision in the workmen's compensation act. I am not going to enter into all the details. It was gone into at great length before and I think it was perfectly evident at that time that the majority of this House, both the Members on this side and a number of the Members on the other side, felt that the provision was dangerous and that it was not for the best interests of the working men of Pennsylvania and was not in the interest of the best workmen's compensation act, and voted it down.

I called attention to the fact that during the 1937 session when the 1937 act was passed that the Democratic administration at that time, along with the Democratic House and the Democratic Senate, felt it would not be to the best interests of the working man to make the workmen's compensation law compulsory. I do not think the situation has changed since that time, and I believe the Members of this House, following their actions when it was before us previously, will vote this bill down.

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. Can the gentleman from Dauphin tell me, Mr. Speaker, of any working man that he knows of who would refuse to have compulsory workmen's compensation?

Mr. WOODSIDE. Mr. Speaker, I can tell the gentleman that all working men who thoroughly understand the situation would be opposed to the compulsory provision in the Workmen's Compensation Act.

Mr. LOVETT. Mr. Speaker, could the gentleman name specific names of men that have had it explained to them.

Mr. WOODSIDE. Mr. Speaker, I didn't say any men. The gentleman insists on twisting words. I didn't say that any working man came to me. There wasn't a single working man that came to me and asked about this bill. As a matter of fact, I said those who were truly interested in the working man and who know something about Workmen's Compensation law would not be in favor of this law. I didn't say any of them were coming here to me or to him or to anybody else, one way or the other.

Mr. LOVETT. Mr. Speaker, would the gentleman explain to me why any man who is interested in the working man of Pennsylvania, would make that statement?

Mr. WOODSIDE. Mr. Speaker, will the gentleman tell me why he didn't vote for such a provision in 1937 and why his party and his administration didn't put it in the 1937 Act, which act the gentleman claims is a model for workmen's compensation in Pennsylvania?

Mr. LOVETT. I will be very glad to answer the

gentleman, Mr. Speaker. In 1937, had my administration sponsored the bill, I would have been glad to vote for it.

Mr. WOODSIDE. Mr. Speaker, will the gentleman tell me why his party did not have such an amendment?

Mr. LOVETT. Mr. Speaker, I cannot answer for my party.

Mr. WOODSIDE. I think I have answered the gentleman's question, Mr. Speaker.

Mr. LOVETT. Mr. Speaker, I would like the gentleman to explain why compulsory workmen's compensation is so dangerous for the working men of Pennsylvania?

Mr. WOODSIDE. Because, Mr. Speaker, it will defeat the very purpose of the Workmen's Compensation Act. In the first place there is a great fear of all people interested in the Workmen's Compensation Act that the compulsory provision might make the whole Act unconstitutional, and if it doesn't make the whole Act unconstitutional, it will have a bearing on the provision of the Act that might make it unconstitutional and might also have a bearing on certain industries that might be taken from under the Compensation Act.

Mr. LOVETT. May I ask, Mr. Speaker, if Social Security is compulsory?

Mr. WOODSIDE. Well, Mr. Speaker, Social Security is a Federal provision and a State provision and has some compulsory provisions in it. That is an entirely different situation, as the gentleman well knows. It is an entirely different set-up.

Mr. LOVETT. Mr. Speaker, will the gentleman tell me why he raised the question of the constitutionality of workmen's compensation and not of social security and unemployment compensation?

Mr. WOODSIDE. The authority for Social Security and the authority for workmen's compensation are entirely different situations and do not relate to each other at all. As a matter of fact workmen's compensation is created by a separate amendment to the Pennsylvania Constitution, and the interpretation of that Constitutional amendment and the interpretation of the Workmen's Compensation law are entirely different situations from the Unemployment Compensation Law. There is a long, technical argument as to why that is. If the gentleman had followed the debate that was had on this and the other bill some time ago, he would have, I think, have understood the reasons that I am advancing, in greater detail than he could by asking me now to take time to give them to him.

Mr. LOVETT. Mr. Speaker, I would like to say to the gentleman that Social Security and Unemployment Insurance take care of the aged and men who are out of work, and Workmen's Compensation takes care of those who are disabled. I would like to ask the gentleman if they are both social questions.

Mr. WOODSIDE. Mr. Speaker, I do not believe that the gentleman completed his question. If he did, the reporter on this side didn't get it on his notes.

Mr. LOVETT. Mr. Speaker, I asked the gentleman if he felt that Social Security and Unemployment Insurance were social questions, and if the Workmen's Compensation wasn't also a social question.

Mr. WOODSIDE. Certainly, they are social questions.

They are social questions, they are economic questions and they are political questions.

Mr. LOVETT. Mr. Speaker, I would like the gentleman to state just what the difference is between the two subjects.

Mr. WOODSIDE. Mr. Speaker, such inquiries are ridiculous.

Mr. LOVETT. Mr. Speaker, I might say to the gentleman on the other side that such statements supposed to be made by working people of the State of Pennsylvania—

Mr. WOODSIDE. I didn't make that statement, Mr. Speaker. I think this is the third or fourth time that I have told the gentleman I did not make such a statement. I said that the people who are interested in the working man wouldn't vote for such a bill.

Mr. LOVETT. Would the gentleman please state, Mr. Speaker, who the people are that are interested in the working people of Pennsylvania?

Mr. WOODSIDE. Well, Mr. Speaker, there are a number of us who are sincerely interested in this House. I do not think that the gentleman on that side who is debating with me is sincere. I think he is interested in the political angle and not actually interested in the welfare of the working men of Pennsylvania.

Mr. LOVETT. The gentleman is not acquainted with the gentleman on this side, Mr. Speaker; he had better get acquainted. I am not so much interested in politics as I am in the working man of Pennsylvania. I still did not get an answer to my question.

Mr. WOODSIDE. Mr. Speaker, if I would attempt to tell the gentleman all the differences between workmen's compensation, unemployment compensation and old-age pension and aid to the children and blind pensions and all the other elements of the social security law, I could keep the gentleman here from now until next week, and the gentleman well knows it.

Mr. LOVETT. Mr. Speaker, this is the most important question to come before the Legislature in my opinion during this session, and I am perfectly willing to stay here for two weeks or three weeks or several months on a bill of such vital importance to the people of Pennsylvania.

Mr. WOODSIDE. So am I, Mr. Speaker. I am perfectly willing to enter into any intelligent discussion of this matter, but I do not think a discussion of the differences between these two types of legislation is of importance.

Mr. LOVETT. Mr. Speaker, I would like to further interrogate the gentleman from Dauphin.

The SPEAKER. The gentleman from Westmoreland will proceed.

Mr. LOVETT. Mr. Speaker, did the gentleman make the statement that the people who were interested in the working people of the state of Pennsylvania are opposed to compulsory workmen's compensation?

Mr. WOODSIDE. Mr. Speaker, I said that those people who understand the Workmen's Compensation Law and are truly interested in the working men of Pennsylvania are opposed to a compulsory provision in the Workmen's Compensation Law. That is what I said. I have repeated it a dozen times to the gentleman, and I will stand on it.

Mr. LOVETT. Mr. Speaker, may I ask the gentleman from Dauphin another question? If this Bill No. 1639 were to pass both the House and the Senate and be signed by the Governor and the courts declared it unconstitutional, would it have any effect on workmen's compensation in the state of Pennsylvania?

Mr. WOODSIDE. Mr. Speaker, if this bill were passed and became a part of the Workmen's Compensation Law the various companies who were either self insurers or who were under the act could easily go before the Court and I think raise innumerable objections and questions to the entire act which would result possibly in the declaration by the courts that the entire act was unconstitutional, because this bill would then be a part of the law or act. Furthermore the Court might determine that in specific instances, and by that I mean specific parts of the law would be unconstitutional, or that the law would be constitutional as to specific industries. Those are the things which very probably would happen and would constitute a real danger, and I submit they are the reasons why his party did not pass a compulsory workmen's compensation provision when they passed the Act of 1937, and I think they were wise in that respect.

Mr. LOVETT. Mr. Speaker, I would like to further interrogate the gentleman from Dauphin.

Mr. WOODSIDE. Mr. Speaker, I am afraid we will not be able to vote on this bill at this time.

Mr. LOVETT. Mr. Speaker, I would like to say to the gentleman from Dauphin that I am not so much interested in whether we will have to pass the bill over and come back to it, because I am one who I feel at least is interested in the working people of the State of Pennsylvania. I am not so much alarmed because we may have to pass on to some special order of business. I will be glad to come back to this bill after the special order of business is finished.

Mr. Speaker, I would like to ask the gentleman from Dauphin if House Bill No. 1639 was passed by the House and the Senate and signed by the Governor and was declared constitutional by the courts, if he feels that then the working class of people in the state of Pennsylvania had not gained something worth while.

Mr. WOODSIDE. If I understood the gentleman's question it was to the effect if this bill were enacted into law whether the people would not have gained something worth while. I think I answered that question a dozen times. I do not know why the gentleman does not understand me.

Mr. LOVETT. The only answer, Mr. Speaker, I am asking the gentleman to give is yes or no.

Mr. WOODSIDE. Mr. Speaker, I have answered a dozen times, no.

Mr. LOVETT. Then, Mr. Speaker, the gentleman from Dauphin says to this House that regardless of what happens with compulsory workmen's compensation, if this bill is declared constitutional by the courts, that the working class of people still have not gained anything?

Mr. WOODSIDE. Mr. Speaker, maybe I misunderstood the question of the gentleman.

Mr. LOVETT. Mr. Speaker, the gentleman did misunderstand me. If the gentleman from Dauphin would pay attention to the questions I am asking him perhaps he would give me a better answer.

Mr. WOODSIDE. I will try and be reasonable, Mr. Speaker.

Mr. LOVETT. Mr. Speaker, I would be glad to repeat the question which I asked the gentleman from Dauphin.

Mr. WOODSIDE. Mr. Speaker, I want the gentleman to understand that I am answering his questions as a courtesy to him. I do not have to answer. I will continue to answer his questions, however.

Mr. LOVETT. Any time, Mr. Speaker, the gentleman feels that he does not want to answer the question,—

Mr. WOODSIDE. Mr. Speaker, I can sit down, the gentleman does not need to tell me, if I do not care to answer his questions.

Mr. LOVETT. Mr. Speaker, I thank the gentleman from Dauphin. The question that I asked the gentleman with regard to House Bill 1639 was, if this bill was passed by the House and Senate and signed by the Governor and was declared constitutional by the courts,—

#### SPECIAL ORDER ON THIRD READING AND FINAL PASSAGE

The SPEAKER. Will both gentlemen yield?

The Chair lays before the House the special order of business fixed for this time, House Bill No. 413, Printer's No. 1163, page 1 of today's calendar, on third reading and final passage.

#### BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 413, as follows:

An Act prohibiting the employment by the Commonwealth or any county city borough incorporated town township school district vocational school district or institution district thereof or by any authority or any institution supported in whole or in part out of public funds of persons who hereafter advocate or participate in un-American or subversive doctrines as herein defined providing for dismissals under existing laws and permitting appeals to courts of common pleas and appellate courts in all such cases

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

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 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

Section 2 No person who hereafter advocates or participates by an overt act or acts in un-American or subversive doctrines shall be permitted to be employed in any capacity by any department board commission or other agency of this Commonwealth or any county city borough incorporated town township school district vocational school district or institution district thereof or any authority or institution which is supported in whole or in part out of public funds Any person so employed shall be dismissed in the same manner as provided for by existing law for dismissals for other causes Provided That all employes shall have the right to appeal by petition to the court of common pleas of the county where he resides which court after hearing all testimony de

novo on such notice to the petitioner and to the persons in charge of the agency by which he is employed as the court shall designate shall have power to affirm or reverse the action of such agency as it shall deem proper 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 From the final order of the court of common pleas any party in interest who feels aggrieved by such order may appeal to the Superior or Supreme Court in accordance with the law now governing appeals to such courts All appeals as aforesaid shall operate as a supersedeas of any order At such hearing the burden of proof shall be on the Commonwealth or any political subdivision or authority or institution thereof as aforesaid

Section 3 The provisions of section one of this act shall be applicable to all such employes notwithstanding the fact that such employment may be the result of any contract agreement civil service rule or law which provides for tenure in such employment

Section 4 It is the intention of the General Assembly that if this act cannot take effect in its entirety because of the judgment of any court of competent jurisdiction holding unconstitutional any part or parts thereof the remaining provisions of the act shall be given full force and effect as completely as if the part or parts held unconstitutional had not been included herein

Section 5 All other acts or parts of acts of Assembly in conflict or inconsistent with this act or any part hereof are hereby repealed so far as they are inconsistent herewith

Section 6 This act shall become effective immediately upon final enactment

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. PROSEN. Mr. Speaker, yesterday I arose to discuss these amendments which now appear in House Bill 413, but unfortunately the previous question was moved before the Chair was able to recognize me. I desire to take this opportunity to express my thoughts on this bill.

Mr. Speaker, I would like 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. PROSEN. Mr. Speaker, I would like to ask the gentleman from Allegheny, Mr. Brown, whether in his opinion it is un-American for an individual or a group of individuals to persecute a minority on account of his race, religion or color?

Mr. BROWN. Undoubtedly I do feel, Mr. Speaker, that it is un-American.

Mr. PROSEN. Mr. Speaker, I would like to ask the gentleman from Allegheny whether in his opinion the proponents of the Silver Shirt movement are guilty of un-Americanism?

Mr. BROWN. I would say, Mr. Speaker, in my opinion they certainly are.

Mr. PROSEN. Mr. Speaker, I would like to ask the gentleman whether in his opinion the proponents of Klu Klux Klanism are guilty of un-Americanism?

Mr. BROWN. Undoubtedly they are, Mr. Speaker.

Mr. PROSEN. Mr. Speaker, I would like to ask the gentleman whether in his opinion the followers of the Christian Front are guilty of un-Americanism

Mr. BROWN. Undoubtedly they are, Mr. Speaker, in my opinion.

Mr. PROSEN. Mr. Speaker, I would like to ask the gentleman whether in his opinion any of these individuals or groups would be included in the definition of un-Americanism as it appears in House Bill 413?

Mr. BROWN. In my opinion they would not be, Mr. Speaker.

Mr. PROSEN. I thank the gentleman, Mr. Speaker. I believe that my interrogation and the answers of the gentleman from Allegheny have expressed my thoughts on this bill. My thoughts are born of convictions which come from the heart. I am not able to stand here and wave the American flag. Yesterday I intimated that I would vote against this bill. Today my heart still pounds a steady and consecutive "no," but unfortunately this bill has been misnomered a Red bill. My vote against this bill would be remembered for a very long time, but my reasons unfortunately would die very shortly. So, Mr. Speaker, with a very heavy heart I shall vote for this bill.

Mr. PRESLEY N. JONES. Mr. Speaker, as you are all well aware I arose yesterday, being unable at that time to engage in the debate and voted "no" on the amendments. However, after very serious consideration, and in line with the facts that the gentleman who just preceded me on the floor, Mr. Prosen, has brought out, I have decided to vote for the bill. I intended to vote against it, not only in its former status but also as amended, feeling that the amendments submitted by Mr. Turner and the amendments submitted by Mr. Brown and Mr. McClanaghan simply have no place on the statute books of the Commonwealth of Pennsylvania.

Mr. Speaker, it is my sincere conviction that you cannot legislate patriotism,—patriotism is born, nursed and matured through the proper diffusion of knowledge in the Church, the home and the school; through knowledge of the right of free speech, free press, freedom of religion, freedom of assembly and freedom of enterprise. Since time long past when our forefathers hewed the foundation of this great nation we have come to know that in order to carry forward freedom of expression, individualism and true Americanism we must continue to put more sweat into the mortar if we are to build structures that will withstand the elements, the forces of Naziism, Fascism, Communism and all isms not consistent with our "way of life," or Americanism. We all recognize it is "Good to desire to do good and express our views," but to exploit the desire to do good is a disease which has permeated our lives too much, so much in fact that too many, far too many have forgotten their God and their Church. Correctives and restoratives are needed too, but not exactly in this manner of approach, be it Republican or Democratic sponsorship. The Constitution of our United States provides for correctives and restoratives which, when properly advanced and exercised rather dissipate the need for any legislation of the type of House Bill No. 413 or all these flag waving speeches on this floor. I would suggest to all Members to read our Constitution and no doubt it will be a revelation to many. Although I have some fears in regard to the use to which this bill may be put, yet I cannot profess the wisdom of Solomon, even though I know full well Americanism begins in the home, and who am I to judge what is un-

American. Thus after serious consideration, I have, with a heavy heart decided to vote "aye" on this bill.

Mr. BROWN. Mr. Speaker, I just want to say one word so that the record may show that others of us too have the heavy heart that Mr. Prosen spoke about on the passage of this bill.

In my opinion it is indeed unfortunate and to be regretted that this House of Representatives should undertake to define un-American or subversive doctrines and limit the definition to the two propositions contained in section one of this bill. This legislation was a result of a compromise as we all know, and I hate compromise. The gentleman from Dauphin yesterday said half a loaf is better than no loaf at all. With that I agree. The reason for that Mr. Speaker, is obvious. When we set up a definition in legislation it not only defines that legislation but is used as a definition outside of the legislation to which it might be attached. Therefore when we define un-American and subversive activities in the act we must necessarily and reasonably say that those un-American activities or subversive activities not defined in the act are not un-American and not subversive. I think this is a dangerous precedent, and I regret as much as the gentleman from Philadelphia, Mr. Prosen, that in our definition of what is un-American we did not define those un-American activities that are not absolutely connected with the overthrow of the government, which have at their very roots those things which mean oppression and which mean violence to minorities, such as the organizations that the gentleman from Philadelphia mentioned. It is to be regretted and I sincerely hope that the definition we have given to un-American activities will at some time be broadened and will not be taken as an expression of this House of Representatives as putting our stamp of approval on those organizations or those activities which we all know deep down in our hearts are un-American and are subversive. It is to be regretted that we are bound by this definition.

Mr. TURNER. Mr. Speaker, after the long course that this legislation which is generally embodied in this bill has taken through the House, and after the large number of speeches which I have made on this subject, I do not intend this morning to continue the debate further, because I feel that all I can say or it was possible for me to think to say, has been said in the last few weeks. However, there has come to me since the session last evening information to the effect that my position to some extent was at least misinterpreted by some of the members of the House. Therefore I want to leave the record clear as far as I am concerned and as far as I can at the moment speaking extemporaneously and with a cloud of other matters far more than usual in my mind.

Mr. Speaker, I would like to try to state again what I think. I have just been perusing the Legislative Journal of 1937 from which the gentleman from Allegheny Mr. Harkins read the other day, when he attempted to take me to task because I had favored the insertion in the Teachers Tenure act of a provision for dismissal for seditious teaching. He wondered why during the 1939 session I had not pursued that further, when we were in the majority in this House. I think the gentleman from Dauphin has very well answered some of the things that I did not recall or did not remember in the 1939 session.

I got the Journal this morning and read back over it. If it were not so long I would again read into the record of this session what I said at that time. I think I stated my position there about as well as I could state it today. With the broader knowledge we have gained in the last four years as to the activities of some of these organizations and groups, because of the world situation and the position in which America finds itself I might broaden the statements and carry them still further.

The thing which seems to confuse the issue in the minds of some of the men is that I put so much emphasis on Communism. Perhaps it seems that we were a little wishy-washy on the question of Naziism and Fascism.

I thought by the introduction of the amendments which I offered, in my interpretation and in my understanding of the isms, Communism, Naziism, and Fascism, indicated that I do not believe there is very much fundamental difference. I despise and hate the intolerance of all three of them; I despise their mental attitude; I despise their program, plan and ideal, if you can call it an ideal, by which they think that force makes right, and that you have the right to go out and take whatever you can get. I am certainly opposed to, and I think every American citizen has shuddered at the things that have gone on in Germany and the intolerance and the abolition of religion, at least of religion as we understand it. We know that Communism, Fascism and Naziism cannot exist with religion, because they must feel something that they believe is higher, they must get the people to believe in something other than a Supreme Being in order to sink them down to the level where they will join such groups. Somebody has said that the only difference between Naziism and Fascism is the length of the moustache. I do not believe there is a real political philosophy in Naziism or Facism; it is just a makeshift, something to build up a group of people by a great rabble rouser, who has been able to lead a lot of young people who felt they had been oppressed. He took them and by specious argument, had them feel that they were a superior race, and by holding up to them the pot of gold at the end of the rainbow, they went down, down very far. I do not believe that Germany will always be as she is. I think that Germany, at some time must come back to the plane of common decency, but as far as Naziism is concerned, I hate and despise that as much as anybody in this House. I believe that Communism, Naziism, and Fascism are destructive, that the theories of all these communal governments, all these so-called socialistic forms of government, are destructive of freedom, are destructive of liberty, and are destructive of the very kind of government that we want to have here. However, the most active in our nation has been the Communistic group, and if in my talks and in the things I have said I have put most emphasis upon that. I have placed the emphasis there, not because I believed it was the greatest evil and that the others were less or that I had any sort of weakening towards the others and a greater hatred for Communism, but merely because it was more prevalent. However, within the last few days, it was stated in a Philadelphia paper that the school board had to remove from the Philadelphia schools some text books on Fascism. I do not doubt that our public school

superintendents and our school boards, if they were zealous in ascertaining what was in a lot of these text books, could find a lot of things that should be removed, and that would include the tendency, of course, to approve the principle of communal property, which would be destructive of the American form and ideal of government as we have understood it.

I am delighted to say that although I agree with the gentleman from Philadelphia, Mr. Prosen, as I understood him to say, I do not believe this bill has gone far enough. I realize the legislative difficulties, but I also realize it is not touching that which we want to reach and which we can not reach because I believe it can be circumvented by the skillful mind of the people who believe in these isms. However, it is a long step from the situation where we could not get a bill out of Committee and the place where the gentleman from Allegheny wanted us to have it, that they would have had to advocate and participate in overt acts, to the place where we could get the "subversive and un-American teaching." Although the bill does not go all the way and although I say the bill does not reach far enough, I believe with the debates we have had here, and with the publicity that has been in the newspapers it is bound to have its psychological effect upon our school superintendents, our school teachers, our school boards and upon the parents of the children in our schools in Pennsylvania, so that they will be diligent to protect this liberty and to protect this form of government of ours. I hope that out of this will come a greater and better understanding of the problem. I trust there will not come some of the narrowness that has occurred in the debates on this bill. I trust we will be able to demonstrate in this Commonwealth of ours a greater tolerance for all people and greater understanding. Democracy can not exist where intolerance exists because of race, color, or religion. I hope we may be able to step along as the gentleman from Allegheny has asked us to do, with the Bill of Rights. I believe in freedom of speech, I believe in freedom of assembly, I believe in freedom of religion, but I also believe that the government must protect itself, and we are to defend this freedom of speech, freedom of assembly, and freedom of religion that we have, if we are to defend this way of life, if we are to see that this democracy of ours shall go forward, so that our children can enjoy the things which we have enjoyed in the past, then we must be ever on the alert to see that freedom of speech does not become license, to see that our desire to have the Bill of Rights does not make us lean so far toward this group that it would let them undermine this Constitution, undermine this government, and let them bring up our children to a false notion of the kind of government under which they should live.

Mr. SHEPARD. Mr. Speaker, I was listening with a great deal of interest and was hoping that the gentleman from Delaware would make a different speech. I was hoping he would tell us about the speech that he will perhaps make one of these days to the oncoming generations about his attitude on these matters, and he might tell them when he gets them around him one of these days that

"I was a member of the Pennsylvania Legislature, and in 1937 and even earlier I discovered a cancerous growth, a wicked ism eating out the very vitals of our

Commonwealth, subversive teachings in our schools, Communism and all the rest of the isms, and I urged the Democrats in 1937, I pleaded with them to enact a law or to enact an amendment in the Teachers Tenure Law that would wipe out or prevent such subversive doctrines from being taught in our schools. I pleaded, but to no avail. The Democrats at that time ignored my plea.

"But in 1939 the situation was different. I was Speaker of the House. It was my job to appoint all the Chairmen of the various Committees of the House. My party was in undisputed control of all the machinery of legislation in that session of the General Assembly, but somehow or for some reason I forgot all about that cancerous growth that I discovered in 1937 and even earlier. I was busy perhaps with other things; maybe the fixing up of new quarters for the Majority Caucus Room or the new offices for the Speaker, or maybe I did not have a Lou Wilgarde or a Jack Kelly to remind me of this cancerous growth and somehow I forgot all about it. My good friend, the gentleman from Dauphin, Mr. Woodside, and other fellows that were on my team did not call my attention to that cancerous growth and somehow I forgot all about it. But in 1941, after the Democrats won the majority in the House I rediscovered that cancerous growth that I had ignored during the 1939 session, and found it again eating at the very vitals of our Commonwealth.

"Then, Mr. Speaker, after being prodded by Jack Kelly and Louie Wilgarde and others, I began again to importune the Democrats. It may be that I thought that this anti-Red legislation was something to be passed by Democrats only and not by Republicans. When the Republicans are in power that kind of legislation is not good stuff to be dealt with, but when the Republicans are out of power, then it is a good time to harp and yell and demand such legislation. But now the Democrats finally came back into power in the House and I took up the cudgels in defense of democracy; I took up the cudgels to wipe out that cancerous growth. I rediscovered again what I had discovered in 1937 and other times and slept on in 1939. However, the Democrats did not give me as good a bill as I wanted, but they gave me a whole lot better bill than I demanded in 1937. So consequently instead of the Republicans being the saviours of the Commonwealth, instead of my own party reminding me of my solemn duty to the schools and to the children of the Commonwealth, it was the lowly Democrats who had to come forward and save the situation; not as well as I would like to have seen them save it, but they even took a Republican bill and amended it, of course, but they put through some sort of a bill. In 1939 the Democrats introduced three bills to do the same thing, but I ignored them, they did not come out of committee for some reason. I do not know why my Republican brethren would not bring them out of committee. Maybe I did not yell loud enough or maybe I was busy doing other things, but thank God, the Democrats saved the Commonwealth by finally passing some sort of anti-Red legislation."

Mr. Speaker, that is the speech that I thought the gentleman from Delaware could have made and might have made, and Mr. Speaker and members of the House, it would have been a part of the record; it would have

been taken directly from the record, and the record only of the gentleman from Delaware, Mr. Turner.

Mr. TURNER. Mr. Speaker I think I said yesterday that always when a person has no argument to refute a logical argument which has been made, the way they do is to abuse and vilify.

It seems to me, Mr. Speaker, that the mental attitude of the gentleman from Philadelphia and some of his colleagues can be best expressed in the manner in which he has just expressed himself in his best pulpit manner. In his best pleading he has tried to say to this House that this whole situation should be blamed on Turner. Well, if the efforts of Turner, with all his failings, has prodded you fellows so far that you have at last gone along and put something on the statute books, then I am willing to be lambasted, I am willing to be villified and abused and cussed by every member of this House, and I will still sit here and take it smilingly.

Mr. Speaker, the gentleman from Philadelphia said that I slept on this matter in 1939. Well, Mr. Speaker, I ought to be permitted to have one little sleep because the gentleman from Philadelphia, Mr. Shepard, has slept steadily ever since he has been in the House. I know Mr. Speaker that the position of the gentleman from Philadelphia hasn't anything to do with the issue, I am ready to admit that, but the gentleman from Philadelphia, Mr. Shepard, got his head raised into the clouds, and therefore, he is likely to get a little shot from some airplane guns.

The SPEAKER. The Rules with respect to engaging in personalities in debate are suspended for the remainder of the session.

Mr. TURNER. Mr. Speaker, I was not speaking on personality; I was talking of the gentleman from Philadelphia, Mr. Shepard.

The SPEAKER. For the information of the gentleman from Delaware, the gentleman from Philadelphia has lots of personality.

Mr. TURNER. Mr. Speaker, I will agree with that, but not displayed in this House.

Mr. Speaker, the gentleman from Philadelphia, Mr. Shepard, is exactly today in the same position he has been all along. I saw in the Journal of 1937 that the amendments I introduced had to do with seditious teaching, and seditious teaching is a little bit further narrowed down than the condition which we are trying to cover today, but even in that instance, although sedition, as admitted by the gentleman from Allegheny, Mr. Brown in the debate in 1937, is an indictable offense, even then the gentleman from Philadelphia, Mr. Shepard, was not willing to put that into the bill because I find that he voted "no" on my amendments offered at that time. The gentleman from Philadelphia, Mr. Shepard, did not make any move in the 1939 session so far as I can recall. I don't now remember of his being on the floor speaking in behalf of any amendments of this kind. In the 1941 session, he says, "At last in this session, you have gotten a bill."

On January 18, I think it was, I introduced a bill to amend the Teachers' Tenure Act and it was not until some time in May or June that I began to get any action on it. Therefore, I think the specious argument of the gentleman from Philadelphia, Mr. Shepard, clearly indicates it would be better for him to go on back to sleep,



because if I slept through this, I at least in my dreams have been able to stir up some of the spirit of Americanism on the other side of the House and at least got something that has to do with the subversive teaching.

Mr. SHEPARD. Mr. Speaker, the gentleman has not yet answered the question about the 1939 session and his lack of activity on behalf of these bills in the 1939 session.

I was here in 1935 and 1937 and I heard the gentleman quite often speak on the floor of the House about these same matters. Maybe it was my presence that caused him to see red at that time, because in 1939 I was not a Member of this House. The gentleman did not see red in 1939. I was re-elected in 1941, and now, Mr. Speaker and Members of the House, the gentleman sees red again. Maybe it is my presence that makes him see red on these bills, or maybe it is because the good Reverend gentleman from Philadelphia, the minister, caused him to get converted by my presence in this House. Maybe that is the reason, or some other reason, I don't know, or maybe he was so asleep in 1939 that he did not notice that I was absent from the House. I don't know why the gentleman accuses me of not being on the floor in 1939; I was not here and could not be allowed the privilege of the floor. The gentleman at that time was Speaker of the House, and he certainly would not have recognized me if I had tried to be recognized. Perhaps I ought to put a red flag on my desk during the session, so he could see me and know when I am present in the House. So I say, Mr. Speaker, if there was anybody that was asleep in this House, it seems to me it was the gentleman from Delaware, who was presiding over the House in 1939, and slept so soundly he did not notice my absence at that time.

The SPEAKER. Now that we are through with bedtime stories let us get down to business.

Mr. TURNER. Mr. Speaker, may I just say to the gentleman from Philadelphia, Mr. Shepard, that I do not know how I missed the fact that he was not here except, perhaps he still is not here. I don't see red when I see him, but I will say to him this, that all I am trying to do is to get the red flag off his lapel and get a red, white, and blue one in its place.

Mr. WOODSIDE. Mr. Speaker, yesterday I cited a situation on the floor of the House that I said would not be covered by this bill. One of the gentlemen on the other side attempted to refute that argument, and again misquoted me. I did not take the time to answer him last night because of the lateness of the hour, but I do wish now to re-state that situation, which I am perfectly satisfied is not covered by this bill.

It is the situation of a school teacher, a public school teacher, if you will, who goes into his or her class in civics or history or any other subject, and says to those students, "The democratic form of government is not the best form of government; it fails in this respect, this respect, and this respect. The Communistic form of government is a much better form of government; it is an improvement over the democratic form of government in this respect and this respect and this respect, and I think that we ought to adopt the Communistic form of government in Pennsylvania, and in the United States. But I do not agree with all the Communists, I do not agree

that we ought to accept that form of government by violence, I do not think that we should do it by revolution. I think we should do it by means provided for in the Constitution, I think we ought to adopt a Constitution which would strike out our Bill of Rights and create a dictatorship, that would abolish capitalism and that would create a Communistic form of government."

Now, after all, Mr. Speaker, the real intent of the teacher would be to create in the mind of the student the thought that the Communistic form of government was a better form of government, but in order to protect herself against a violation of this law, he or she would specifically state that this should not be brought about by revolution, but that it should be brought about by means provided for in the Constitution. Mr. Speaker, any teacher who would go into the public schools and teach to the students of the Commonwealth of Pennsylvania that the Communistic form of government was a better form of government than the democratic form of government should not be a teacher paid by the Commonwealth. If somebody wants to go out and shout it on the street corner, that is something different, and if someone wants to tell their buddy that, that is different, but a person should not be permitted to go into the schools of the Commonwealth of Pennsylvania and receive the protection of the Teachers Tenure Act and still teach this subject, by putting in merely that we should not overthrow the government by revolution. I think that is the situation which ought to be met, and it is not met by this bill. As I said yesterday, it is the best thing that has come from that side of the House and we therefore propose to vote for the bill.

Mr. BAKER. To save the time and expense of an expanding Journal, when all we need do is to take the Journal of yesterday and the day before and last week and to save that time and expense I now move the previous question and ask the Members of this House to support me in that motion.

The motion was seconded by Messrs. Brown, Paul A. Brunner, Balthaser, Croop, McIntosh, Kolankiewicz, Verona, DiGenova, Shaw, Reynolds, Polaski, Bradley, Malloy, McLane, Voldow, Herman, Chudoff, Burns, Polen, Tarr and others.

On the question,

Shall the main question be now put?

It was agreed to.

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—204

Achterman,	French,	Malloy,	Royer,
Allmond,	Gallagher,	Marks,	Rush,
Auker,	Gates,	Maxwell,	Sarge,
Baker,	Gerard,	McCianaghan,	Sarra,
Balthaser,	Gillan,	McClester,	Scanlon,
Bentley,	Gillette,	McDermott,	Schwab,
Bentzel,	Goodwin,	McDowell,	Serrill,
Boles,	Greenwood,	McFall,	Shaffer,
Boney,	Gross,	McIntosh,	Shaw,
Boorse,	Gryskewicz,	McKinney,	Shepard,
Bower,	Cyger,	McLanahan,	Simons,
Bradley,	Habbyshaw,	McLane,	Skale,
Brown,	Haberien,	McMillen,	Snyder,
Bretherick,	Haines,	McSurdy,	Sollenberger,
Brunner, C. H.,	Hall,	Melchorre,	Sorg,
Brunner, P. A.,	Hamilton,	Mihn,	Stambaugh,
Burns,	Hare,	Modell,	Stank,

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

## NAYS—0

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

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

## REASONS FOR VOTE

Mr. BRETHERICK filed the following reasons for his vote.

Unlike the Democratic Members of the House, I am voting for House Bill 413 with a light heart and a sense of satisfaction in having taken a part in its passage, even in its emasculated form. I feel, with other Members of my party, that the amendments offered by Mr. Turner would have been more effective in terminating the slimy practice in our midst and in driving into the rat holes, where they properly belong, those poor misguided fools who would substitute for Americanism a shoddy counterfeit. There ought to be a law requiring those advocating foreign, un-American "isms" to be examined by a psychiatrist to determine their mental fitness to be at large.

Mr. GATES filed the following reasons for his vote:

I am voting in support of House Bill No. 413 because I feel that our American Democracy should be protected at all costs. However, I feel that certain self evident truths must be stated before our democracy itself can progress and reach even higher levels.

Many of these people whom we attack have grown biased, intolerant and subversive because of what we ourselves have failed to do. We have allowed workers to be eliminated from industry and made no attempt to rehabilitate them. We have allowed the older worker to be discarded like a worn out shoe, and offered our elderly citizens a mere mess of pottage, instead of an old age pension by which they could retain their self respect and that of their neighbors. We have stigmatized

our unemployed so that the term "relief" carries with it a sense of approbrium. And when these people become embittered, we offer them nothing but vilification, and make no attempt to remedy their lot or offer them christian understanding and consolation.

Until these causes for economic maladjustment are remedied, no legislation we pass will diminish even slightly these people we have labelled as un-American. Our true function as legislators therefore is and will always remain to extirpate the root of these evils, so that with each era an ever increasing number of all peoples of the earth will reach out and ascribe to this, our our American Democracy.

Mr. O'CONNOR filed the following reasons for his vote:

January 1941 I wrote the State Chairman and the State Secretary of the Communistic Party as follows:

"Replying to your letter of January 14, 1941, with which you enclosed the "Communist Party Legislative Program" and in which you asked me for my comments, I beg to advise you that I am unalterably opposed to and denounce Communism. Therefore I cannot accept your program. I have no more sympathy for the Program of Communists than I have for the political buzzards who fly into our State Capital to tell Members of the Pennsylvania Legislature what bills they must pass and why.

"In my opinion there is no place in Pennsylvania government or politics for Communists. Residents of this great Commonwealth who are Communists by conviction should in my opinion seek residence in a country under a government where Communism is respected. It will be my pleasure to sponsor or fully support proposed legislation in the present session of our Legislature, which will prohibit Communists from enjoying any legal status as a political party.

"I trust I have complied with your request for my comments in a clear understandable manner. As a public servant, representing a constituency second to none in the entire United States—the people of Cambria County, I am pledged to support the principles of the Democratic party, and Organized Labor's legislative program. Communists in my mind cannot improve these."

## BILL ON FINAL PASSAGE

CONSIDERATION OF HOUSE BILL No. 1639  
RESUMED

The SPEAKER. The Chair lays before the House, House Bill No. 1639, Printer's No. 1055, on page 11 of today's calendar, bill on final passage postponed, consideration of which will now be resumed.

On the question recurring,

Shall the bill pass finally?

Mr. LOVETT. Mr. Speaker, I would like further to interrogate the gentleman from Dauphin, Mr. Woodside, and assure him that there will only be two more questions, due to the fact that he feels the interrogation is so unnecessary.

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

Mr. WOODSIDE. Mr. Speaker I shall answer all questions that bear on the subject.

The SPEAKER. The gentleman will proceed.

Mr. LOVETT. Mr. Speaker, the last question I asked the gentleman was if House Bill 1639 was to pass the House and the Senate and be signed by the Governor and declared constitutional by the courts, whether he feels the working people of Pennsylvania would be granted and accorded during this session a great deal of benefit.

Mr. WOODSIDE. Mr. Speaker, my opinion would be that if the entire Workmen's Compensation Act would be unaffected from a constitutional standpoint, the working men of Pennsylvania would receive a theoretical advantage, but the gentleman is assuming in his question that the courts would pass upon this legislation as a separate act, and that is not a fair or correct or proper assumption, in the first place. In the second place, even if that were true, the workingmen of Pennsylvania in my opinion would receive no substantial, practical advantage, or from the present situation practically no advantage.

Mr. LOVETT. Mr. Speaker, since the gentleman on the other side refuses to confine his remarks to yes or no.—

Mr. WOODSIDE. Mr. Speaker, the question cannot be answered yes or no.

Mr. LOVETT. Mr. Speaker, I would like to say that I am not an attorney, but I am informed by our very learned Legislative Reference Bureau men that these bills will stand and fall by themselves and will not affect the workings of the Workmen's Compensation Act.

Mr. WOODSIDE. Mr. Speaker, does the gentleman state that as a question, and does the gentleman want me to explain further my answer?

Mr. LOVETT. Not necessarily, Mr. Speaker, I just wanted to state that to the gentleman on the other side.

Mr. WOODSIDE. Mr. Speaker, am I being interrogated or not?

Mr. LOVETT. Just one more question, Mr. Speaker.

The gentleman said that the men who were interested in the laboring people of the state were opposed to this bill. I would like the gentleman to state the names of those men who are interested in labor.

Mr. WOODSIDE. Mr. Speaker, I for one claim to be one of them. I won't speak for any others.

Mr. LOVETT. Mr. Speaker, House Bill 1639 to my mind is one of the most important bills that will come before us in this session. As I said on this floor yesterday, the thing that is going to stop Communism and subversive activities in America is legislation in the interests of the working people and of the underprivileged of our state. If the gentleman on the other side or any labor leader can say to me that he is opposed to compulsory workmens compensation then I want that labor leader or that man who speaks for labor to give me his reasons why he is opposed to it.

The gentleman on the other side stated that the Act of 1937, which the coal companies refused to come under at the time it was enacted, if this law had been in effect at that time, the coal companies would have had to come under the Act of 1937, and to my mind the subversive activities on the part of coal companies at that particular time are the subversive activities that are tearing down democracy in America. That is the reason why I say today I want every man in this House to know that House Bill 1639 is in the interest of the working people

of the state of Pennsylvania, regardless of whether some leader on the other side tries to confuse the issue and say that the leaders of labor are opposed to compulsory Workmen's Compensation. I say that statement is untrue. I want the men in this House to know when they vote on this bill that this bill is in the interests of the working people of the state of Pennsylvania and I do not want the issue clouded; I want you to know what you are voting for. That is the reason why I am willing to stay here two or three or four weeks to protect the interests of the working people of the state, so that we can keep Communism out of America.

Mr. Speaker, we have passed a program for farmers, we have passed your program for private interests in the state of Pennsylvania, but we haven't passed your program in the interests of the working people of the State of Pennsylvania. So I say to you I am willing to stay here all summer if it is necessary; that we go over into the Senate of Pennsylvania and demand that they get the bills out of committee and pass this program in the interests of the people of Pennsylvania, and save democracy, and quit kidding the people of the state and giving special privileges to the few and nothing to the masses.

My friends, that is the reason France fell, that is the reason Germany is in the condition it is today. It is for these very reasons, and if you want to save the people, then I say to you, start now and pay attention to legislation of this type. I ask every man in this House to vote for this legislation.

Mr. WOODSIDE. Mr. Speaker, historians tell me that France fell because they had a New Deal but I don't know what that has to do with the problem before the House either way.

I am going to state very briefly the answer to the gentleman and further explain what I meant as to whether or not this bill, if upheld by the courts as being constitutional would inure to the benefit of the working man. In the first place I said practically not, because under the law today practically all of the workmen are under Workmen's Compensation. There are very, very few any more that are not under Workmen's Compensation. As a matter of fact up until 1937 there were practically no men who were not under the Workmen's Compensation law, they were all subjects to the provisions of the Workmen's Compensation law, and rejections by employers were practically unknown. The 1937 law ruined completely that situation, and hundreds of thousands of working men in Pennsylvania, engaged in the most dangerous occupations, who needed workmens compensation most were thrown out of the provisions of the Workmen's Compensation law and were no longer receiving the benefits of the "Act.

There is a provision in this bill providing that this, if declared unconstitutional, shall relate to itself and shall be separable from the rest of the act. However, I wish to call to the attention of the Members this fact, and I went into it in rather considerable detail—I regret, Mr. Speaker, that I do not have before me the opinion of the Supreme Court to read the exact language of Justice Maxey. I did read into the record however, a reference to the matter when it was before us which will show what he said in relation to it.

There is the point: if this compulsory provision is

determined by the courts to be a part of the Workmen's Compensation Act, which means they would hold the provision itself constitutional, then they will go into the question with all industries and all types of accidents as to whether or not that provision provides for the taking of property without due process of law. Therefore, the working men will be faced with innumerable suits and will be compelled to defend innumerable actions, and in many instances may find themselves not under the Workmen's Compensation Act. For that reason—I realize that this is rather a technical argument—it seems to me to be perfectly clear that the inserting of this provision in the law would bring very few people under the Workmen's Compensation Act because they are practically all under it now, but there would be the danger of taking a lot of working men from under the Workmen's Compensation Act and therefore be a detriment to them.

Mr. LOVETT. Mr. Speaker, in answer to the argument of the gentleman on the other side, while I am not an attorney, his last statement was that most of the people are now under the Workmen's Compensation Act. Then he said if this bill passes they would not be under the Workmen's Compensation Act. I just want to say to the gentleman on the other side that to my mind, not as an attorney, if this act had been on the statute books in 1937, or if it had been on the statute books at any time, I say to him that every man in the state would automatically come under the Workmen's Compensation Act and they would have to pay compensation.

Mr. GALLAGHER. Mr. Speaker, I believe both political parties in the session of 1941 have agreed that there shall be a more liberal Workmen's Compensation Act in this state. It appears that that pledge is not going to be carried out. Coming from a district that in 1937 did not have workmens compensation because of the refusal of the coal companies to come under the law, we have today in the anthracite region, and I believe in the soft coal region also, men who are working in the mines that are receiving less compensation now and since the 1939 Act has been enacted by this Legislature than they did under the old 1915 law. We have men who work in the mines now who are injured who receive as low as \$10 a week in benefits.

We have heard many discussions on this particular bill before us this afternoon and every man who represents a district where there are men and women who work and are covered by compensation, I do not know how they can go back home and tell their constituents that they were in favor of a better Workmen's Compensation Act and vote against this bill. I believe if the enactment of this bill would only cover ten people who are not now covered by Workmen's Compensation that the 1941 Legislature could go back home and feel they had done at least something for their constituents.

Mr. Speaker, I ask the members on both sides of the House to vote in support of this bill.

Mr. PETROSKY. Mr. Speaker, I rise at this time in support of the legislation that is now before this body for its consideration. I am going to appeal to each and every Member on both sides of the House to vote favorably on this measure. Before delving into the merits of the bill may I state to the membership of the House that I resent the statement of the gentleman from Dauphin, Mr. Woodside, in regard to my colleague, the gentleman from Westmoreland, Mr. Lovett, as being one who has not acted in the

interests of the laboring people of this Commonwealth in this General Assembly. Mr. Speaker, the record speaks for itself relative to those services that the honorable gentleman from Westmoreland, Mr. Lovett, has rendered to the working people of the state of Pennsylvania.

This piece of legislation that is now before us is a piece of legislation that is going to give those who are deprived today and who will be deprived in the future the necessary benefits in a social cause and should not create any partisanship or any controversy on the floor of this House. We know that today the cost of living has greatly increased, and yet we fail to make any provision to take care of those people who have been disabled in the pursuit of their daily work.

I say to you, Mr. Speaker, this legislation together with legislation which was passed by this House some weeks ago, will increase the benefit of workman's compensation to those unfortunates who have been injured in industry. Coming from the rank and file and being in daily contact with them, I can assure the Members of the House that the working man whom we should represent here in the General Assembly is interested in this legislation and certainly wants you to vote favorably for it so as to enable the passage of this piece of legislation.

I appeal to you for those people who will benefit by this legislation, the majority of the people of our Commonwealth, those unfortunates who have no special body or interests to go down the line for them and request certain bills or certain legislation, to vote favorably on House Bill 1639.

On the question recurring,

Shall the bill pass finally?

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

Messrs. Moran, Lovett and Tarr asked for a verification of the roll.

The roll was verified and was as follows:

## YEAS—82

Achterman,	French,	Lyons,	Polen,
Baker,	Gallagher,	Malloy,	Powers,
Baithaser,	Gates,	Maxwell,	Rausch,
Bentley,	Gerard,	McDermott,	Readinger,
Bentzel,	Goodwin,	McFall,	Reese, R. E.,
Boles,	Gryskewicz,	McLanahan,	Reynolds,
Boney,	Hamilton,	McLane,	Shaffer,
Bradley,	Harkins,	Mihm,	Shaw,
Brown,	Heatherington,	Mooney,	Simons,
Brunner, P. A.,	Herman,	Moran,	Skale,
Burns,	Hirsch,	Moul,	Stine,
Chervenak,	Holland,	Munley,	Tarr,
Cochran,	Jefferson,	Nagel,	Vincent,
Cohen, M. M.,	Keenan,	Nunmacher,	Vogt,
Cohen, R. E.,	Kenehan,	O'Connor,	Weiss,
Croop,	Komorowski,	O'Neill,	Williams,
Dolon,	Leonard,	Owens,	Woodring,
Early,	Lesko,	Petrosky,	Wright,
Elliott,	Levy,	Pettit,	Yester,
Finnerty,	Longo,	Polaski,	Kilroy,
Flynn,	Lovett,		Speaker.

## NAYS—90

Auker,	Gillette,	Marks,	Sarraf,
Boorse,	Greenwood,	McClanaghan,	Serrill,
Bower,	Gross,	McClester,	Shepard,
Bretherick,	Habbyshaw,	McKinney,	Snyder,
Brunner, C. H.,	Haines,	McSurdy,	Sollenberger,
Burris,	Hall,	Meichlorre,	Sorg,
Cadwalader,	Hare,	Monks,	Stambaugh,
Chudoff,	Hering,	Muir,	Stockham,
Cook,	Hewitt,	O'Brien,	Tate,
Cooper,	Huntley,	O'Dare,	Thompson, E. F.,
Cordier,	Imbrie,	O'Mullen,	Thompson, E. L.,
Corrigan,	James,	Frosen,	VanAllsburg,

Cullen,	Jones, G. E.,	Rank,	Voldow,
Dennison,	Kline,	Reagan,	Wagner,
DiGenova,	Knoble,	Reese, D. P.,	Watkins,
Dix,	Kolankiewicz,	Rhea,	Weingartner,
Eckels,	Krise,	Riley,	Welsh, E. B.,
Elder,	Lee, E. A.,	Rose, S.,	Wilkinson,
Ely,	Lee, T. H.,	Rose, W. E.,	Winner,
Fiss,	Leisey,	Rosenfeld,	Wood, N.,
Fleming,	Leydic,	Royer,	Woodside,
Gillan,	Lichtenwalter,	Rush,	Yeakel,
		Sarge,	Young,

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

#### REASONS FOR VOTE

Mr. AUKER filed the following reasons for his vote:

While I believe the present Workmen's Compensation Act should be somewhat liberalized as to benefit payments, liberalize the hernia section and the negligence clause section, yet I feel compelled to vote "NO" on this act by reason of my serious doubts on its constitutionality, and the serious repercussions and harm that might be done to the laborers and workers and employes if it were declared unconstitutional thus affecting adversely the entire Workmen's Compensation Act and the benefits to the employees which they now have under the present act.

#### COMMUNICATIONS FROM THE GOVERNOR

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

##### APPROVAL OF HOUSE BILL No. 1315

Commonwealth of Pennsylvania,  
Governor's Office, Harrisburg, July 10, 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. 1315, Printer's No. 1044, entitled, "An Act to amend the title and the act approved the seventh day of May one thousand nine hundred thirty-seven (P. L. 589) entitled "An act providing for the taking over by the Commonwealth under certain terms conditions and limitations of certain streets in cities of the first class as State highways and for the improvement construction reconstruction resurfacing and maintenance by the Commonwealth 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 or reconstruction 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 regulating the replacement of certain facilities of public utility companies prohibiting the making of any opening in said street 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 the act" by adding new sections making certain changes in the designation of certain streets taken over as State highways and adding there-to certain additional streets providing for the taking opening relocation widening or change of grade of such State highways by the Commonwealth at the expense of the Commonwealth and the city or either of them designating the city as agent for the Commonwealth in such taking opening relocation widening or change of grade and the determination of damages arising therefrom authorizing agreements for the taking opening relocation widening

change of grade construction reconstruction repair and maintenance of such State highways appropriating money in the Motor License Fund for the purposes of the act as amended."

ARTHUR H. JAMES.

##### APPROVAL OF HOUSE BILL No. 567

Commonwealth of Pennsylvania,  
Governor's Office, Harrisburg, July 10, 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. 567, Printer's No. 933, entitled, "An Act to reenact and amend the title and the act approved the twenty-fourth day of June one thousand nine hundred and thirty-nine (P. L. 748) entitled "An act for the registration and regulation of certain individuals and entities selling contracting to sell or dispose of attempting or offering to dispose of soliciting offers to buy or inducing holders thereof to exchange securities defined herein including securities issued by them or engaging in the business of inducing holders of securities to effect the sale thereof in order to produce funds to pay for other investments sold by them or in the business of buying securities directly from individuals who are not registered thereunder providing for the revocation and suspension of registrations conferring powers and imposing duties on the Pennsylvania Securities Commission and otherwise providing for the administration of this act providing for appeals to the Court of Common pleas of Dauphin County and to the Supreme Court of Pennsylvania conferring jurisdiction upon the several courts of common pleas to issue injunctions against violations of this act and prescribing fees and penalties" by providing for the registration and regulation of persons and entities engaged in the business of investment advisers and of solicitors of investment advisers and for the revocation and suspension of such registrations conferring additional jurisdictions upon the courts of common pleas and further regulating the business of buying and selling securities."

ARTHUR H. JAMES

##### PERMISSION GRANTED COMMITTEE TO MEET DURING SESSION

Mr. SCANLON asked and obtained permission for the Committee on Professional Licensure to meet during the session of the House.

Mr. FALKENSTEIN asked and obtained permission for the Committee on Public Utilities to meet during the session of the House.

##### PERMISSION TO ADDRESS HOUSE

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

Mr. Speaker, I have heard inadvertently that the name has been applied to me in various pieces of legislation on which I spoke as being a "squawker." I never have minded, Mr. Speaker, being called names as long as I knew in my heart and soul that what I said and what I was doing was right, and I was conscientious in what I was doing. I still feel and have always felt in my brief legislative career in this House that that is what I have tried to do.

However, Mr. Speaker, I am not rising at this time to make a particular point out of that particular item. I rise just to crow a little bit. In my two years in the House, I do not think I have ever crowed before, but I feel now I have very good reasons to crow.

Early in February there was introduced in this House by the Honorable George Jones and myself, both members

from Blair County, a bill asking for an investigation committee, and I will just read two of the paragraphs so as to refresh the minds of the Members of the House as to what we tried to do in that bill:

"Whereas it is rumored and alleged that the money appropriated by the Commonwealth of Pennsylvania for our public school system is being used in part to foster and inculcate in our children subversive thoughts and beliefs and ideas contrary to our democratic form of government."

Mr. Speaker, we did not say that those conditions exist; we only alleged that they exist by rumor.

The second whereas clause is as follows:

"Whereas a fair and impartial investigation of our school system, the books used and the teaching practiced therein would either quiet such rumors or uncover a malicious situation, therefore, the General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows."

The bill then goes on to set up the investigating committee.

This afternoon we all voted on a bill to try to correct conditions and get at conditions which would have been developed had there been appointed a committee under our bill to find out whether or not such conditions existed. It seems to me, Mr. Speaker, that by our vote on this bill House Bill 413, we have impliedly recognized that such conditions do exist in our public school system of the Commonwealth of Pennsylvania. So, Mr. Speaker, I do feel that I have a little right to crow and that the Honorable Mr. Jones has a right to crow.

Further in the debate on House Bill 413, the various speakers who spoke against the bill and against the various amendments offered by the gentleman from Delaware. Mr. Turner, were very much in fear that we were going witch hunting and were very much against enacting such a bill into law, although by our bill asking for an investigating committee sought to find the very thing that has been enacted into law. All we wanted to find out was whether or not those conditions exist. I feel we have a right to crow, Mr. Speaker, because we more than the gentlemen on the other side of the House, sought and tried to avoid the enactment into law of anything that might in any way hurt any minority group. We wanted to find out first whether these things were true, then have the investigating committee report back to this body, and if this body deemed it advisable, then pass the law.

So I ask the Speaker's pardon, and I ask the pardon of the Members of the House for just crowing a little bit.

Mr. REUBEN E. COHEN. Mr. Speaker, may I make a very friendly suggestion that will conserve a lot of time of the Members on the other side of the House, that all of the Fourth of July orations that were rained out be sent to the desk and be printed in the record.

#### 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. 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 employees.

##### 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 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 pro-



viding 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.

Whereupon,

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

#### CONDOLENCE RESOLUTION

Mr. FISS offered a privileged resolution which was read as follows:

In the House of Representatives, July 10, 1941

The House of Representatives has learned with deep sorrow of the death of the Honorable Harvey A. Surface of Snyder County, on July 8th of this year.

Dr. Surface was born in Waynesville, Ohio, on July 23, 1867, graduated from Sugar Grove Seminary in 1883 and became professor of geology at Ohio State University.

From 1903 to 1917 he was State Zoologist and acquired a national reputation as an authority on zoology, geology and nature study.

Franklin and Marshall College conferred the honorary degree of Doctor of Science upon him in 1908.

Dr. Surface was elected a Member of this House in 1930 and was reelected in 1932 and 1934. All of the Members here who had the good fortune to know Dr. Surface, will feel especially grieved at his passing.

He was professor of zoology at Pennsylvania State College for seven years, and at Cornell University for a considerable time and in 1930 became professor of nature study at Susquehanna University. He was not only preeminent as a scientist, but he was the author of many books on the fauna, flora and horticulture of Pennsylvania.

Dr. Surface did not restrict his studies or activities to the field of science. In public life he was ever active and devoted to the civic betterment of his fellow citizens. As a Member of this House his keen analytical mind was a source of inspiration to his fellow Legislators in their deliberations upon the difficult problems confronting the Commonwealth during the years 1931 to 1937 and his kindly and pleasing personality endeared him to his associates.

Dr. Surface is survived by a widow, Ida M. Surface and two daughters, Mrs. L. A. Cook of Columbus, Ohio, and Mrs. Robert E. Gray of Mechanicsburg, Pennsylvania.

The House of Representatives therefore pauses in its deliberations to pay this slight token of respect to the memory of this distinguished citizen of the Commonwealth, and directs the Chief Clerk of the House to mail a copy of this resolution to the family of the deceased as an evidence of the respect in which he was held by the Members of this House.

On the question,

Will the House adopt the resolution?

The SPEAKER, Dr. Harvey A. Surface, a former member of the House of Representatives for three terms from Snyder County, died July 8, 1941. Funeral services will be held on Friday, July 11 at 2.00 p. m. at Fred K. Sutton's Funeral Home, North Market Street, Selingsgrove, Pennsylvania. The burial will be at Chestnut Hill Cemetery, Mechanicsburg, Pennsylvania, at 3.15 p. m. Friday. Legislative friends of the late Dr. Surface are invited by the family to attend.

On the question recurring,

Will the House adopt the resolution?

It was adopted.

#### CONDOLENCE RESOLUTION

Messrs. GATES, HELM and BOORSE offered the follow-

ing resolution and asked and obtained unanimous consent for its immediate consideration.

The resolution was read, considered and adopted:

In the House of Representatives, July 10, 1941.

A grand old man was missing from the Kittanning scene today when on July 2, 1941, Harry C. Luker passed on to his Maker. He would have been 78 on October 8th of this year.

Squire Luker as he was affectionately known by all of the citizens of this Community was the Justice of the Peace for more than seven years. During that time his handling of that post in the minor judiciary was preeminent in both the justice in which he rendered and the humorous manner in which he rendered it. He was also active in all the affairs of his community and devoted most of his time to the improvement and betterment of the lives of all about him.

He is survived by his wife, and his three children: Mrs. Sherwood E. Martin; Mrs. Blake Galfrath; and the Honorable Ben Luker, Assistant Building and Maintenance Superintendent.

Throughout his life he remained of a friendly disposition and his passing is mourned by persons of every walk of life, be it therefore

Resolved, that the House of Representatives notes with great sorrow of the passing of such a distinguished citizen of the community, and be it further

Resolved, that the Chief Clerk of this House mail a copy of this resolution to the family of the deceased as a symbol of the House of Representatives' profound sympathy for them in their great bereavement.

#### BILLS ON SECOND READING

Mr. ACHTERMAN asked and obtained unanimous consent to call up out of order House Bill No. 1844, (Senate Bill No. 594), page 8, of today's Calendar, bill on second reading.

Agreeably to order,

The House proceeded to the second 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 Boards, 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 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 second time and agreed to,

Ordered, To be transcribed for a third reading.

Mr. SHEPARD asked and obtained unanimous consent

to call up out of order House Bill No. 1539, on page 2 of today's Calendar, bill on second reading.

Agreeably to order,

The House proceeded to the second 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 co-partnerships 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

The first section was read.

On the question,

Will the House agree to the section?

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

The amendments were read by the Clerk as follows:

Amend Sec. 1 (Sec. 2), page 4, line 4, by striking out the word "or"

Amend Sec. 1 (Sec. 2), page 4, line 4, by inserting after the word "encampment" the following: "naval base or naval encampment"

The amendments were agreed to.

The section was agreed to as amended.

On the question,

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

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

The amendment was read by the Clerk as follows:

Amend bill, page 4, by inserting after line 13, the following: "Section 2. This act shall become effective immediately upon final enactment."

The amendment was agreed to.

The title was read.

On the question,

Will the House agree to the title?

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

The amendments were read by the Clerk as follows:

Amend title, page 2, last line of title on page 2, by striking out the word "or"

Amend title, page 2, last line of title on page 2, by inserting after the word "encampment" the following: "naval base or naval encampment"

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.

Mr. HIRSCH asked and obtained unanimous consent to call out of order House Bill No. 1955, on page 3 of today's Calendar, bill on second reading.

Agreeably to order,

The House proceeded to the second 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 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

The first section was read.

On the question,

Will the House agree to the section?

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

The amendment was read by the Clerk as follows:

Amend section 1, page 2, line 12 by striking out the word "owns" and inserting in lieu thereof the following: "has leased or secured or hereafter"

The amendment was agreed to.

The section was agreed to as amended.

The second section was read and agreed to.

The title was read.

On the question,

Will the House agree to the title?

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

The amendment was read by the Clerk as follows:

Amend line 8 of title on page 1 by striking out after the word "lessees" the words "or owners of"

The amendment was agreed to.

The title was agreed to as amended.

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

Ordered, To be transcribed for a third reading.

#### BILLS ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1733, (Senate Bill No. 262), entitled:

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

And said bill having been read at length the 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—204

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

NAYS—0

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

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

Agreeably to order,

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

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

And said bill having been read at length the 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—204

Achterman,	French,	Lyons,	Rosenfeld,
Allmond,	Gallagher,	Malloy,	Royer,

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

NAYS—0

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

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

BILL PASSED OVER

There being no objection House Bill No. 1754, Senate Bill No. 509, Printer's No. 335, was passed over at the request of Mr. ACHTERMAN.

BILLS ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1894, (Senate Bill No. 935), entitled:

An Act to amend sections six hundred four, six hundred five, and six hundred seven and to further amend section two thousand four hundred seven of the act, approved the ninth day of April, one thousand nine hundred and twenty-nine (P. L. 177), entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions, and officers thereof, including the board of trustees of State Normal Schools, or Teachers Colleges; abolishing, creating, reorganizing or authorizing

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

And said bill having been read at length the 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—204

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

NAYS—0

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

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

Agreeably to order,

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

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

And said bill having been read at length the 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—204

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

NAYS—0

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

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

Agreeably to order,

The House proceeded to the third reading and con-

sideration of House Bill No. 1821, (Senate Bill No. 77), entitled:

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

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

On the question,  
Shall the bill pass finally?

Mr. ACHTERMAN. Mr. Speaker, I wish to state briefly in connection with this bill that the Conference Committee on House Bill No. 230, dealing with state taxes has agreed on all bills similar in purport and intent to Senate Bill 77, and we, therefore, have no opposition to the bill.

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—204

Achterman,	French,	Malloy,	Royer,
Allmond,	Gallagher,	Marks,	Rush,
Auker,	Gates,	Maxwell,	Sarge,
Baker,	Gerard,	McClanaghan,	Sarraf,
Balthaser,	Gillan,	McClester,	Scanlon,
Bentley,	Gillette,	McDermott,	Schwab,
Bentzel,	Goodwin,	McDowell,	Serrill,
Boles,	Greenwood,	McFall,	Shaffer,
Boney,	Gross,	McIntosh,	Shaw,
Boorse,	Gryskewicz,	McKinney,	Shepard,
Bower,	Gyger,	McLanahan,	Simons,
Bradley,	Habbyshaw,	McLane,	Skale,
Bretherick,	Haberlen,	McMillen,	Snyder,
Brown,	Haines,	McSurdy,	Sollenberger,
Brunner, C. H.,	Hall,	Melchiorre,	Sorg,
Brunner, P. A.,	Hamilton,	Mihm,	Stambaugh,
Burns,	Hare,	Modell,	Stank,
Burris,	Harkins,	Monks,	Stine,
Cadwalader,	Harmuth,	Mooney,	Stockham,
Chervenak,	Harris,	Moran,	Tarr,
Chudoff,	Heatherington,	Moul,	Tate,
Cochran,	Helm,	Muir,	Taylor,
Cohen, M. M.,	Hering,	Munley,	Thompson, E. F.,
Cohen, R. E.,	Herman,	Nagel,	Thompson, R. L.,
Cook,	Hersch,	Nunemacher,	Trout,
Cooper,	Hewitt,	O'Brien,	Turner,
Cordier,	Hirsch,	O'Connor,	Van Allsburg,
Corrigan,	Holland,	O'Dare,	Verona,
Croop,	Huntley,	O'Mullen,	Vincent,
Cullen,	Imbrie,	O'Neill,	Vogt,
Dalrymple,	James,	Owens,	Voldow,
Dennison,	Jefferson,	Petrosky,	Voorhees,
DiGenova,	Jones, G. E.,	Pettit,	Wagner,
Dix,	Jones, P. N.,	Polaski,	Watkins,
Dolon,	Keenan,	Polen,	
D'Ortona,	Kenehan,	Powers,	
Duffy,	Kilne,	Prosen,	
Early,	Knoble,	Rank,	
Eckels,	Kolankiewicz,	Rausch,	
Elder,	Komorowski,	Readinger,	
Elliot,	Krise,	Reagan,	
Ely,	Lee, E. A.,	Reese, D. P.,	
Falkenstein,	Lee, T. H.,	Reese, R. E.,	
Finestone,	Leisey,	Regan,	
Finnerty,	Leonard,	Reynolds,	
Fisher,	Lesko,	Rhea,	
Fiss,	Levy,	Riley,	
	Leydic,	Rooney,	

Fleming,	Lichtenwaiter,	Rose, S.,	Young,
Fletcher,	Longo,	Rose, W. E.,	Kilroy,
Flynn,	Lovett,	Rosenfeld,	Speaker.
Foor,	Lyons,		

NAYS—0

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

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

Agreeably to order,

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

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

And said bill having been read at length the 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—204

Achterman,	French,	Malloy,	Royer,
Allmond,	Gallagher,	Marks,	Rush,
Auker,	Gates,	Maxwell,	Sarge,
Baker,	Gerard,	McClanaghan,	Sarraf,
Balthaser,	Gillan,	McClester,	Scanlon,
Bentley,	Gillette,	McDermott,	Schwab,
Bentzel,	Goodwin,	McDowell,	Serrill,
Boles,	Greenwood,	McFall,	Shaffer,
Boney,	Gross,	McIntosh,	Shaw,
Boorse,	Gryskewicz,	McKinney,	Shepard,
Bower,	Gyger,	McLanahan,	Simons,
Bradley,	Habbyshaw,	McLane,	Skale,
Bretherick,	Haberlen,	McMillen,	Snyder,
Brown,	Haines,	McSurdy,	Sollenberger,
Brunner, C. H.,	Hall,	Melchiorre,	Sorg,
Brunner, P. A.,	Hamilton,	Mihm,	Stambaugh,
Burns,	Hare,	Modell,	Stank,
Burris,	Harkins,	Monks,	Stine,
Cadwalader,	Harmuth,	Mooney,	Stockham,
Chervenak,	Harris,	Moran,	Tarr,
Chudoff,	Heatherington,	Moul,	Tate,
Cochran,	Helm,	Muir,	Taylor,
Cohen, M. M.,	Hering,	Munley,	Thompson, E. F.,
Cohen, R. E.,	Herman,	Nagel,	Thompson, R. L.,
Cook,	Hersch,	Nunemacher,	Trout,
Cooper,	Hewitt,	O'Brien,	Turner,
Cordier,	Hirsch,	O'Connor,	Van Allsburg,
Corrigan,	Holland,	O'Dare,	Verona,
Croop,	Huntley,	O'Mullen,	Vincent,
Cullen,	Imbrie,	O'Neill,	Vogt,
Dalrymple,	James,	Owens,	Voldow,
Dennison,	Jefferson,	Petrosky,	Voorhees,
DiGenova,	Jones, G. E.,	Pettit,	Wagner,
Dix,	Jones, P. N.,	Polaski,	Watkins,
Dolon,	Keenan,		
D'Ortona,	Kenehan,		
Duffy,	Kilne,		
Early,	Knoble,		
Eckels,	Kolankiewicz,		
Elder,	Komorowski,		
Elliot,	Krise,		
Ely,	Lee, E. A.,		
Falkenstein,	Lee, T. H.,		
Finestone,	Leisey,		
Finnerty,	Leonard,		
Fisher,	Lesko,		
Fiss,	Levy,		
	Leydic,		

Dix,	Keenan,	Polen,	Weingartner,
Dolon,	Kenehan,	Powers,	Weiss,
D'Ortona,	Kline,	Prosen,	Welsh, E. B.,
Duffy,	Knoble,	Rank,	Welsh, M. J.,
Early,	Kolankiewicz,	Rausch,	Wilkinson,
Eckels,	Komorowski,	Readinger,	Williams,
Elder,	Krise,	Reagan,	Winner,
Elliott,	Lee, E. A.,	Reese, D. P.,	Wood, L. H.,
Ely,	Lee, T. H.,	Reese, R. E.,	Wood, N.,
Falkenstein,	Lelsey,	Regan,	Woodring,
Finestone,	Leonard,	Reynolds,	Woodside,
Finnerty,	Lesko,	Rhea,	Wright,
Fisher,	Levy,	Riley,	Yeakel,
Flss,	Leydic,	Rooney,	Yester,
Fleming,	Lichtenwalter,	Rose, S.,	Young,
Fletcher,	Longo,	Rose, W. E.,	Kilroy,
Flynn,	Lovett,	Rosenfeld,	Speaker.
Foor,	Lyons,		

## NAYS—0

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

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

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1922, (Senate Bill No. 464), entitled:

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

And said bill having been read at length the 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—204

Achterman,	French,	Lyons,	Rosenfeld,
Allmond,	Gallagher,	Malloy,	Royer,
Auker,	Gates,	Marks,	Rush,
Baker,	Gerard,	Maxwell,	Sarge,
Balthaser,	G'Ilan,	McCianaghan,	Sarra,
Bentley,	Gillette,	McClester,	Scanlon,
Bentzel,	Goodwin,	McDermott,	Schwab,
Boles,	Greenwood,	McDowell,	Serrill,
Boney,	Gross,	McFall,	Shaffer,
Boorse,	Gryskewicz,	McIntosh,	Shaw,
Bower,	Gyger,	McKinney,	Shepard,
Bradley,	Habbyshaw,	McLanahan,	Simons,
Bretherick,	Haberlen,	McLane,	Skale,
Brown,	Haines,	McMillen,	Snyder,
Brunner, C. H.,	Hall,	McSurdy,	Soilenberger,
Brunner, P. A.,	Hamilton,	Meichiorre,	Sorg,
Burns,	Hare,	Mihm,	Stambaugh,
Burrts,	Harkins,	Modell,	Stank,
Cadwalader,	Harmuth,	Monks,	Stine,

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

Speaker.

## NAYS—0

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

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

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1822, (Senate Bill No. 158), as follows:

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

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

Section 1 The sum of forty thousand dollars (\$40,000) or as much thereof as may be necessary is hereby specifically appropriated to the Department of Military Affairs to be used during the fiscal biennium beginning June first one thousand nine hundred forty-one for paying gratuities for the children between the ages of sixteen and twenty-one years of soldiers sailors marines female field clerks yeomen (female) or members of the enlisted nurse corps of the United States who die or have died of Spanish-American war and or World War service connected disabilities as certified from veteran administration records Such children must have lived in the Commonwealth of Pennsylvania for five years immediately preceding the date upon which the application is filed

Section 2 Gratuities shall be paid out of the appropriation made by this act for the account of such children as shall be certified by the State Veterans' Commission (1) as coming within the class described in section one of this act and (2) as attending any State or State-aided educational or training institution of a secondary or college grade or other institution of higher education business school trade school hospital providing training for nurses school or institution providing courses in beauty culture art radio or undertaking or embalming or such other educational training within this Commonwealth as approved by the State Veterans' Commission and (3) as being unable without such gratuity to pursue his or her education or training Payments not to exceed the sum of



two hundred dollars (\$200) per school year per child shall be made to such institutions upon the submission by them of proof that bills have been incurred or contracted for matriculation fees and other necessary fees tuition board room rent books and supplies for such children in a definite amount for the school year Such proof shall be submitted to the State Veterans' Commission which shall attach the same to the requisition prepared for payments out of the appropriations made by this act

Where a child within the class described is completing an educational or training course and arrives at the age of twenty-one years before completing the course the gratuity may be paid until the course is completed Provided however That gratuities may not be paid for any child for a longer period than four scholastic years

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—204

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

## NAYS—0

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

Ordered, That the Clerk return it to the Senate with information that the House has passed it with amend-

ments in which the concurrence of the Senate is requested.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1899, (Senate Bill No. 1029), as follows:

An Act authorizing the Joint State Government Commission to make a thorough study and investigation of the State Employees' Retirement System providing for the employment of necessary clerks and assistants authorizing the subpoenaing of witnesses and records and making an appropriation

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

Whereas Numerous bills have been introduced making amendments to the Acts of Assembly providing for the administration of the State Employees' Retirement System which provide for the admission to the system of employees heretofore refused admission and

Whereas All of the changes made therein since the inception of the system have added to the financial burden placed upon the fund and

Whereas No more changes should be made until after a careful and comprehensive study of the system its condition and the effect thereon of the admission of other groups of employees

Section 1 The Joint State Government Commission of Representatives is hereby directed and authorized to make a thorough study and investigation of the State Employees' Retirement System including its condition and the effect thereon of the further changes and to make a full report of the result of such investigation to the General Assembly of the Commonwealth at the next regular or special session of the General Assembly

Section 2 The said commission shall have power to issue subpoenas under the hand and seal of its chairman requesting and commanding any person or persons to appear before them and to answer such questions touching matters properly being inquired into by the commission and to produce such books papers records and documents as the commission may deem necessary Such subpoenas may be served upon any person and shall have the force and effect of subpoenas issued out of the courts of this Commonwealth Each member of said commission shall have power to administer oaths and affirmations to witnesses appearing before the commission Any person who shall wilfully neglect or refuse to testify before said commission or to produce any books papers records or documents shall be subject to the penalties provided by the laws of the Commonwealth in such cases

Section 3 The commission may employ any additional necessary clerks and stenographers in carrying out the provisions of this act and fix their compensation The members of the commission shall receive no compensation for their services but shall be reimbursed for living and traveling expenses necessarily incurred in the performance of their duties

Section 4 The sum of one thousand dollars (\$1,000) is hereby specifically appropriated to the said Joint State Government Commission for the purpose of paying the expenses of the members and the salaries and traveling expenses of employees and any other necessary expenses incident to the work of said commission in carrying out the provisions of this act

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

On the question,

Shall the bill pass finally?

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

YEAS—204

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

NAYS—0

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

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

BILLS PASSED OVER

There being no objection House Bill No. 1734, Senate Bill No. 618, Printer's No. 577, was passed over at the request of Mr. ACHTERMAN.

There being no objection House Bill No. 1732, Senate Bill No. 619, Printer's No. 578, was passed over at the request of Mr. ACHTERMAN.

BILLS ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1806, (Senate Bill No. 801), entitled:

An Act to validate and confirm certain contracts, here-

tofore 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 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—204

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

NAYS—0

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

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

Agreeably to order,

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

An Act to validate and quiet the title to real estate in this Commonwealth conveyed to any person partnership or corporation authorized to hold such real estate by any alderman justice of the peace or magistrate where such

alderman justice of the peace or magistrate has made acknowledgment of such conveyance before himself and is now deceased.

And said bill having been read at length the 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—204

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

NAYS—0

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

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

Agreeably to order,

The House proceeded to the third 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 appraisement 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 zation of corporations to carry on the business of decedents or again fiduciaries investments by fiduciaries the organization of corporations to carry on the business of decedents the audit and review of accounts of fiduciaries refunding bonds transcripts to the court of common pleas of balances due by fiduciaries the rights powers and liabilities of non-resident and foreign fiduciaries the appointment bonds rights powers duties and liabilities of trustees durante absentia the recording and registration of decrees reports and other proceedings and the fees therefor appeals in certain cases and also generally dealing with the jurisdiction powers and procedure of the orphans' court in all matters relating to fiduciaries concerned with the estates of decedents" by validating deeds heretofore accepted by fiduciaries holding mortgages in certain cases

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—204

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

Ely,	Lee, E. A.,	Reagan,	Winner,
Falkenstein,	Lee, T. H.,	Reese, D. P.,	Wood, L. H.,
Finestone,	Leisey,	Reese, R. E.,	Wood, N.,
Finnerty,	Leonard,	Regan,	Woodring,
Fisher,	Lesko,	Reynolds,	Woodside,
Fiss,	Levy,	Rhea,	Wright,
Fleming,	Leydic,	Riley,	Yeakel,
Fletcher,	Lichtenwalter,	Rooney,	Yester,
Flynn,	Longo,	Rose, S.,	Young,
Foor,	Lovett,	Rose, W. E.,	Kilroy, Speaker

NAYS—0

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

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

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 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 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—203

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

Fletcher,	Lichtenwalter,	Rose, S.,	Young,
Flynn,	Longo,	Rose, W. E.,	Kilroy,
Foor,	Lovett,	Rosenfeld,	Speaker.

NAYS—1

O'Connor,

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

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

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1775, (Senate Bill No. 46), as follows:

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

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

Section 1 The title 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" is hereby amended to read as follows

An Act relating to counties of the first second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto

Section 2 Said act is hereby amended by adding thereto after section one hundred and fifty a new section to read as follows

Section 150.1 Solicitor to the Treasurer The treasurer of any county of the first second third fourth fifth sixth seventh and eighth classes may designate and appoint one person learned in the law to act as his solicitor at an annual salary payable out of the treasury from which the county treasurer is paid such salary to be fixed by the salary board and in those counties where there is no salary board by the county commissioners except that in counties of the first class such salary shall be fixed by the county treasurer Provided however That such salary shall not exceed the following amounts In counties of the first class four thousand two hundred dollars (\$4,200) in counties of the second class four thousand two hundred dollars (\$4,200) in counties of the third class three thousand dollars (\$3,000) in counties of the fourth class one thousand dollars (\$1,000) in counties of the fifth class eight hundred dollars (\$800) in counties of the sixth class six hundred dollars (\$600) in counties of the seventh class four hundred dollars (\$400) and in counties of the eighth class three hundred dollars (\$300) Such solicitor shall advise the treasurer upon all such legal matters as may be submitted to him and shall conduct any litigation desired by the county treasurer He shall hold office at the pleasure of the treasurer

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—179

Achterman,	Gates,	Lyons,	Rose, S.,
Allmond,	Gerard,	Malloy,	Rose, W. E.,
Baker,	Gillan,	Marks,	Rosenfeld,
Balthaser,	Gillette,	Maxwell,	Royer,
Bentley,	Goodwin,	McClanaghan,	Rush,
Bentzel,	Greenwood,	McDermott	Sarraf,
Boles,	Gross,	McDowell,	Scanlon,
Boney,	Gryskewicz,	McFall,	Schwab,
Boorse,	Gyger,	McIntosh,	Serrill,
Bower,	Habbyshaw,	McKinney,	Shaffer,
Bradley,	Haberien,	McLanahan,	Shaw,
Bretherick,	Haines,	McLane,	Shepard,
Brown,	Hall,	McSurdy,	Simons,
Brunner, C. H.,	Hamilton,	Melchiorre,	Skale,
Brunner, P. A.,	Harkins,	Mihm,	Snyder,
Burns,	Harmuth,	Modell,	Sorg,
Burris,	Harris,	Monks,	Stambaugh,
Cadwalader,	Heatherington,	Mooney,	Stank,
Chudoff,	Helm,	Moran,	Tarr,
Cochran,	Hering,	Moul,	Tate,
Cohen, R. E.,	Herman,	Muir,	Taylor,
Cook,	Hersch,	Munley,	Thompson, E. F.,
Cooper,	Hewitt,	Nagel,	Thompson, R. L.,
Corrigan,	Hirsch,	Nunemacher,	Trout,
Croop,	Holland,	O'Brien,	Turner,
Cullen,	Huntley,	O'Connor,	Verona,
Dalrymple,	Imbrie,	O'Dare,	Vincent,
DiGenova,	Jefferson,	O'Mullen,	Voldow,
Dolon,	Jones, G. E.,	O'Neill,	Voorhees,
D'Ortona,	Keenan,	Petrofsky,	Watkins,
Duffy,	Kenehan,	Pettit,	Welsh, E. B.,
Early,	Kline,	Polaski,	Welsh, M. J.,
Eckels,	Knoble,	Polen,	Wilkinson,
Elder,	Kolankiewicz,	Powers,	Williams,
Elliott,	Komorofski,	Prosen,	Winnor,
Falkenstein,	Krise,	Wood, L. H.,	Wood, L. H.,
Finestone,	Lee, E. A.,	Wood, N.,	Woodring,
Finnerty,	Lee, T. H.,	Woodside,	Woodside,
Fisher,	Leisey,	Wright,	Wright,
Fiss,	Leonard,	Yeakel,	Yeakel,
Fleming,	Lesko,	Yester,	Yester,
Fletcher,	Levy,	Young,	Young,
Flynn,	Leydic,	Kilroy,	
Poor,	Lichtenwalter,		
Gallagher,	Longo,		

Speaker.

NAYS—25

Auker,	French,	McMillen,	Stockham.
Chervenak,	Hare,	Owens,	VanAllsburg,
Cohen, M. M.,	James,	Rausch,	Vogt,
Cordier,	Jones, P. N.,	Sarge,	Wagner,
Dennison,	Lovett,	Sollenberger,	Weingartner,
Dix,	McClester,	Stine,	Weiss,
Ely,			

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

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

BILLS PASSED OVER

There being no objection House Bill No. 1949, Senate Bill No. 1283, Printer's No. 519, and House Bill No. 1830, Senate Bill No. 1041, Printer's No. 400, were passed over at the request of Mr. ACHTERMAN.

BILLS ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 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 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—204

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

Speaker.

NAYS—0

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

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

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 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 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—204

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

NAYS—0

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

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

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1929, (Senate Bill No. 1098), as follows:

An Act relating to the sale transfer assignment and pledge accounts receivable and requiring the assignor of accounts receivable

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

Section 1. Whenever any person who sells assigns transfers or pledges accounts receivable makes or causes to be made concurrently with such sales assignments transfers or pledges a record thereof upon the books of account or other records maintained by him evidencing or showing such indebtedness the name of the person to whom such accounts receivable have been sold assigned transferred or pledged in such manner as will disclose upon an inspection of such books of account or other records the fact and the date of such sales assignments transfers or pledges then such sales assignments transfers or pledges shall be valid in law as and enforceable against all subsequent purchasers assignees transferees pledgees execution attaching or other creditors notwithstanding the fact that notice of such sales assignments transfers or pledges has not been given to the person or persons indebted or obligated to pay the said accounts receivable Provided that where a principal debtor without notice or knowledge of any other outstanding sale assignment transfer or pledge constituting a prior legal claim upon him makes full or partial payment of his debt in good faith to either his creditor or any vendee assignee transferee or pledgee of his creditor then his debt and his obligation shall be extinguished or reduced as the case may be.

Section 2. Notification to the principal debtor of the fact that on account owing by such principal debtor has been sold assigned transferred or pledged 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.

Section 4. 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—204

- |                 |                |             |                  |
|-----------------|----------------|-------------|------------------|
| Achterman,      | French,        | Lyons,      | Royer,           |
| Allmond,        | Gallagher,     | Malloy,     | Rush,            |
| Auker,          | Gates,         | Marks,      | Sarge,           |
| Baker,          | Gerard,        | Maxwell,    | Sarraf,          |
| Balthaser,      | Gillan,        | McClanaghan | Scanlon,         |
| Bentley,        | Gillette,      | McClester   | Schwab,          |
| Bentzel,        | Goodwin,       | McDermott   | Serrill,         |
| Boles,          | Greenwood,     | McDowell    | Shaffer,         |
| Boney,          | Gross,         | McFall      | Shaw,            |
| Boorse,         | Gryskewicz,    | McIntosh    | Shepard,         |
| Bower,          | Gyger,         | McKinney    | Simons,          |
| Bradley,        | Habbyshaw,     | McLanahan   | Skale,           |
| Bretherick,     | Haberlen,      | McLane,     | Snyder,          |
| Brown,          | Haines,        | McMillen,   | Sollenberger,    |
| Brunner, C. H., | Hall,          | McSurdy,    | Sorg,            |
| Brunner, P. A., | Hamilton,      | Melchiorre, | Stambaugh,       |
| Burns,          | Hare,          | Mihm,       | Stank,           |
| Burriss,        | Harkins,       | Modell,     | Stine,           |
| Cadwalader,     | Harmuth,       | Monks,      | Stockham,        |
| Chervenak,      | Harris,        | Mooney,     | Tarr,            |
| Chudoff,        | Heatherington, | Moran,      | Tate,            |
| Cochran,        | Helm,          | Moul,       | Taylor,          |
| Cohen, M. M.,   | Hering,        | Muir,       | Thompson, E. F., |
| Cohen, R. E.,   | Herman,        | Munley,     | Thompson, R. L., |
| Cook,           | Hersch,        | Nagel,      | Trout,           |
| Cooper,         | Hewitt,        | Nunemacher, | Turner,          |
| Cordier,        | Hirsch,        | O'Brien,    | VanAllsburg,     |
| Corrigan,       | Holland,       | O'Connor,   | Verona,          |



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

## NAYS—0

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

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

## BILL ON FINAL PASSAGE

Agreeably to order,

The House proceeded to the consideration on final passage of House Bill No. 1008, (Senate Bill No. 377), as follows:

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

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

Section 1 All proceedings and elections heretofore had and held by any county city borough township school district or other municipality or incorporated district within this Commonwealth to increase its indebtedness under the method of procedure specified by the provisions of the act approved the twentieth day of April one thousand eight hundred seventy-four (P. L. 65) entitled "An act to regulate the manner of increasing the indebtedness of municipalities to provide for the redemption of the same and to impose penalties for the illegal increase thereof" and the acts amendatory thereof and supplementary thereto where the majority of votes cast at such election was in favor of the increase of indebtedness and where the purpose of the proposed increase of indebtedness is to provide for the construction of sanitary and surface sewers and the improvement of the public streets and alleys by the aid and assistance of labor and material furnished in whole or in part by the State or Federal governments and for the prosecution carrying on and financing any projects receiving State or Federal approval by whatever name the local agency may be styled or denominated be and the same are hereby ratified confirmed and made valid notwithstanding the authorities of such county city borough township school district or other municipality or incorporated district either did not or by separate and independent action did not prior to the ordinance or vote

in pursuance of which notice of election was given to the electors signify their desire for such increase of indebtedness or did not in the words of the act and amendments and supplements aforesaid authorizing such increase signify their desire for such increase of indebtedness and notwithstanding the authorities of such county city borough township school district or other municipality or incorporated district signified their desire for such increase of indebtedness by a resolution instead of by an ordinance as required by the act its amendments and supplements and notwithstanding such resolution or ordinance was not advertised as is required by law for the advertisement of ordinances and notwithstanding that the notice of such election stated the amount of the last assessed valuation of the taxable property in such county city borough township school district or other municipality or incorporated district to have been the assessed valuation of another county city borough township school district or other municipality or incorporated district which is co-extensive therewith the assessed valuation in both such districts having been based upon the same or substantially the same taxable property and being the same or substantially the same in amount in both of such coextensive districts and notwithstanding failure to post such election notice as required by law and notwithstanding that a primary election had intervened between the date of the adoption by the proper authorities of the ordinance or resolution expressing the desire to increase the indebtedness and the date of the special election at which such increase of indebtedness was approved by the electors and notwithstanding the ordinance expressing such desire of the proper authorities of said county city borough township school district or other municipality or incorporated district for the increase of indebtedness may have been advertised concurrently with the said notice of election though more than thirty days intervened between the date of the first advertisement and publication of said notice of election and the date of said election and notwithstanding the ballots used at said election were not certified by the county commissioners or did not bear their facsimile signature or did not contain a brief statement of the purpose of the proposed increase of indebtedness or were not printed on the official ballot after the list of candidates but were printed on separate ballots at a general election or were printed on a party ballot at a primary election and notwithstanding that the electors at any such election attached stickers to the ballots cast at said election on which stickers were written or printed preferences for sites of buildings or other matters and notwithstanding full complete and proper return of the votes was not made to the proper court or counted by the court and notwithstanding that a record showing the results was not made and certified by the clerk of said court to the proper authorities of such district or municipality and notwithstanding any defect informality or vagueness of expression in the language of the ordinance or resolution fixing the time for holding such election and notwithstanding any defect or informality in the manner of holding mode of conducting or giving notice of such election or in form of the ballot and notwithstanding any mistake in stating the amount or percentage of existing debt or the percentage of the proposed increase or the amount of the last preceding assessed valuation and notwithstanding any patent error of orthography or of numerical statement on any or all of the ballots and notwithstanding any discrepancy between the amount of the proposed increase of indebtedness as contained in the published and posted advertisements and in the printed ballots

All of the bonds securities and obligations issued or to be issued in pursuance of every such election are hereby made valid and binding obligations of every such county city borough township school district or other municipality or incorporated district Provided That all the other requirements of law concerning such procedure election and issue bonds have been complied with And provided further That the provisions of this act shall not apply in any instance where the validity of such election or any issue of bonds or other security based thereon has been made the subject of litigation in any court of

the Commonwealth prior to the approval of this act nor to any litigation in any court of this Commonwealth instituted prior to the passage of this act and still pending and undetermined

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—204

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

## NAYS—0

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

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

## 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.

## SENATE MESSAGE

## APPOINTMENT OF CONFERENCE COMMITTEE ON SENATE BILL No. 561

The Clerk of the Senate being introduced, informed that the Senate insists on its non-concurrence in the amendments made and insisted upon by the House of Representatives to Senate Bill No. 561, entitled:

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 procedures 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.

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

Mr. ACHTERMAN. Mr. Speaker, I move that the House insist upon its amendments non-concurred in by the Senate to Senate Bill No. 561, and that a Committee of Conference be appointed.

The motion was agreed to.

## APPOINTMENT OF COMMITTEE OF CONFERENCE ON SENATE BILL No. 561

The SPEAKER. The Chair appoints as a Committee of Conference on said bill, Messrs. ROSENFELD, SCANLON and THOMAS H. LEE.

Ordered, That the Clerk inform the Senate accordingly.

## 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. 99.

An Act to amend section two of the act approved the twenty-fourth day of June one thousand nine hundred thirty-nine (P. L. 806) entitled "An act limiting the number of licenses for the retail sale of liquor malt or brewed beverages or malt and brewed beverages to be issued by the Pennsylvania Liquor Control Board defining hotels and prescribing the accommodations required of hotels in certain municipalities" by exempting clubs from such limitation

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 1, by striking out the word "section" and inserting in lieu thereof the words "sections one and"; also same page, line 9 of the title, by inserting after the word "exempting" the word "certain"; also at the end of same line, by inserting after the word "limitation" the following: "and by providing that retail dispensers' licenses may be exchanged or surrendered for liquor licenses without violating the limits upon the number of licenses imposed by such act and authorizing the Pennsylvania Liquor Control Board to effect such exchange or substitution upon compliance with certain conditions."

Amend Section 1, page 1, line 1, by striking out after the figure "1" the word "Section" and inserting in lieu thereof the words "Sections one and"; also on page 2, line 5, by striking out the word "is" and inserting in lieu thereof the word "are"; also same page, by inserting between lines 6 and 7 the following:

"Section 1 The word "hotel" as used in this act shall mean any reputable place operated by a responsible person of good reputation where the public may for a consideration obtain sleeping accommodations and having

(a) In municipalities [having] with a population of less than one thousand [shall have] at least six permanent bedrooms for the use of guests

(b) In municipalities [having] with a population of one thousand and more but less than three thousand inhabitants [shall have] at least ten permanent bedrooms for the use of guests

(c) In municipalities [having] with a population of three thousand and more but less than one hundred thousand inhabitants [shall have] at least twelve permanent bedrooms for the use of guests and

(d) In municipalities [having] with a population of one hundred thousand and more inhabitants [shall have] at least fifteen permanent bedrooms for the use of guests All such hotels shall have a public dining room or rooms operated by the same management accommodating at least thirty persons at one time and a kitchen apart from the dining room or rooms in which food is regularly prepared for the public

The word "person" shall mean every natural person association or corporation

The word "municipality" shall mean any city borough incorporated town or township

The term "legitimate-purpose club" shall mean a club maintained and operated not for profit by a bona fide charitable fraternal beneficial war veteran's firemen's or social organization a country club or a society or lodge where the Pennsylvania Liquor Control Board or any administrative bureau of the Commonwealth of Pennsylvania succeeding or superseding it for the purpose of granting supervising and revoking licenses for the sale of intoxicating beverages shall have found as a fact that the structure of such club with respect to its purpose constitution by-laws membership meetings and schedules of dues as well as the physical operation of such club clearly indicates that the dominant purpose of the same is and will be other than the exercise of the license privi-

lege and that the latter is and will be clearly incidental to the function and operation of such club

The term "Country club" shall mean a club not for profit which has connected therewith as part of its property a golf course of not less than nine holes of a length of not less than twenty-five hundred yards and which has facilities for serving meals to its members and their guests"; also same page, line 13, by inserting after the word "hotels" the words "and legitimate-purpose clubs"; also same line by inserting light-faced brackets before and after the word "and"; also same page, line 14, by striking out the word "clubs"; also same page, line 27, by inserting after the word "hotels" the words "and legitimate-purpose clubs"; also on page 3, at the end of line 2, by inserting after the word "exceeded" the following: "Notwithstanding any of the foregoing provisions of this act any hotel eating place or restaurant holding a retail dispenser's license under the provisions of the "Beverage License Law" approved the third day of May one thousand nine hundred and thirty-three (P. L. 252) as reenacted and amended by the act approved the sixteenth day of one thousand nine hundred and thirty-seven (P. L. 1827) its amendments and supplements shall upon application to the Pennsylvania Liquor Control Board and surrender of the retail dispenser's license be granted a liquor license under the provisions of the "Pennsylvania Liquor Control Act" approved the twenty-ninth day of November one thousand nine hundred and thirty-three (P. L. 15 1933-34) as reenacted and amended by the act approved the sixteenth day of June one thousand nine hundred and thirty-seven (P. L. 1762) its amendments and supplements Every licensee surrendering a retail dispenser's license issued under the "Beverage License Law" for a liquor license issued under the "Pennsylvania Liquor Control Act" shall furnish bond as required by section four hundred and six of the latter act The fee for a liquor license thus issued in exchange for a retail dispenser's license shall be the difference between the amount which the applicant paid for such retail dispenser's license under the "Beverage License Law" and the fee prescribed by the "Pennsylvania Liquor Control Act" for the issuance of a liquor license Provided That no liquor license shall be thus issued in any locality where the electors by local and no liquor license shall be thus issued where the application have voted against the granting of liquor licenses cant or the licensed premises do not comply with the requirements of the "Pennsylvania Liquor Control Act"

After a liquor license has been issued to any applicant as hereinbefore provided such applicant shall be entitled to the same privileges and subject to the same restrictions as other holders of liquor licenses

Section 2 This act shall become effective 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 taken and were as follows, viz:

YEAS—204

Achterman,	French,	Lyons,	Rose, W. E.,
Allmond,	Gallagher,	Malloy,	Rosenfeld,
Auker,	Gates,	Marks,	Royer,
Baker,	Gerard,	Maxwell,	Rush,
Balthaser,	Gillan,	McClanaghan	Sarge,
Bentley,	Gillette,	McClester,	Sarraf,
Bentzel,	Goodwin,	McClanaghan	Scanlon,
Boles,	Greenwood,	McDermott	Schwab,
Boney,	Gross,	McDowell	Serrill,
Boorse,	Gryskewicz,	McFall	Shaffer,
Bower,	Gyger,	McIntosh	Shaw,
Bradley,	Habbyshaw,	McKinney,	Shepard,
Bretherick,	Haberlen,	McLanahan	Simons,
Brown,	Haines,	McLane,	Skale,
Brunner, C. H.,	Hall,	McMillen,	Snyder,
Brunner, P. A.,	Hamilton,	McSurdy,	Sollenberger,
Burns,	Hare,	Melchiorre,	Sorg,
Burris,	Harkins,	Milhm,	Stambaugh,
Cadwalader,	Harmuth,	Modell,	Stank,

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

## SENATE MESSAGES

## SENATE INSISTS ON AMENDMENTS NON-CONCURRED IN BY HOUSE

The Clerk of the Senate being introduced, informed that the Senate has insisted upon its amendments, non-concurred in by the House of Representatives, to House Bill No. 1176, entitled:

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 years 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

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

The motion was agreed to.

## APPOINTMENT OF COMMITTEE OF CONFERENCE ON HOUSE BILL No. 1176

The SPEAKER. The Chair appoints as a Committee of Conference on said bill, Messrs. ACHTERMAN, READINGER and FISS.

Ordered, That the Clerk inform the Senate accordingly.

## SENATE INSISTS ON AMENDMENTS NON-CONCURRED IN BY HOUSE

The Clerk of the Senate being introduced, informed

that the Senate has insisted upon its amendments, non-concurred in by the House of Representatives, to House Bill No. 1465, entitled:

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

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

The motion was agreed to.

## APPOINTMENT OF COMMITTEE OF CONFERENCE ON HOUSE BILL No. 1465

The SPEAKER. The Chair appoints as a Committee of Conference on said bill, Messrs. MIHM, MAXWELL and WEINGARTNER.

Ordered, That the Clerk inform the Senate accordingly.

## SENATE INSISTS ON AMENDMENTS NON-CONCURRED IN BY HOUSE

The Clerk of the Senate being introduced, informed that the Senate has insisted upon its amendments, non-concurred in by the House of Representatives, to House Bill No. 1466, entitled:

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

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

made and insisted upon by the Senate and that a Committee of Conference be appointed.

The motion was agreed to.

APPOINTMENT OF COMMITTEE OF CONFERENCE ON  
HOUSE BILL No. 1466

The SPEAKER. The Chair appoints as a Committee of Conference on said bill, Messrs. MIHM, MAXWELL and WEINGARTNER.

Ordered, That the Clerk inform the Senate accordingly.

SENATE INSISTS ON AMENDMENTS NON-  
CONCURRED IN BY HOUSE

The Clerk of the Senate being introduced, informed that the Senate has insisted upon its amendments, non-concurred in by the House of Representatives, to House Bill No. 1467, entitled:

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 of 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.

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

The motion was agreed to.

APPOINTMENT OF COMMITTEE OF CONFERENCE ON  
HOUSE BILL No. 1467

The SPEAKER. The Chair appoints as a Committee of Conference on said bill, Messrs. MIHM, MAXWELL and WEINGARTNER.

Ordered, That the Clerk inform the Senate accordingly.

SENATE INSISTS ON AMENDMENTS NON-  
CONCURRED IN BY HOUSE

The Clerk of the Senate being introduced, informed that the Senate has insisted upon its amendments, non-concurred in by the House of Representatives, to House Bill No. 1468, entitled:

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.

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

The motion was agreed to.

APPOINTMENT OF COMMITTEE OF CONFERENCE ON  
HOUSE BILL No. 1468

The SPEAKER. The Chair appoints as a Committee of Conference on said bill, Messrs. MIHM, MAXWELL and WEINGARTNER.

Ordered, That the Clerk inform the Senate accordingly.

SENATE INSISTS ON AMENDMENTS NON-  
CONCURRED IN BY HOUSE

The Clerk of the Senate being introduced, informed that the Senate has insisted upon its amendments, non-concurred in by the House of Representatives, to House Bill No. 1469, entitled:

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.

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

The motion was agreed to.

APPOINTMENT OF COMMITTEE OF CONFERENCE ON  
HOUSE BILL No. 1469

The SPEAKER. The Chair appoints as a Committee

of Conference on said bill, Messrs. MIHM, MAXWELL and WEINGARTNER.

Ordered, That the Clerk inform the Senate accordingly.

SENATE INSISTS ON AMENDMENTS NON-  
CONCURRED IN BY HOUSE

The Clerk of the Senate being introduced, informed that the Senate has insisted upon its amendments, non-concurred in by the House of Representatives, to House Bill No. 1526, entitled:

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

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

The motion was agreed to.

APPOINTMENT OF COMMITTEE OF CONFERENCE ON  
HOUSE BILL No. 1526

The SPEAKER. The Chair appoints as a Committee of Conference on said bills, Messrs. HEATHERINGTON, WILLIAMS and RONALD L. THOMPSON.

Ordered, That the Clerk inform the Senate accordingly.

PERMISSION GRANTED COMMITTEE TO MEET  
DURING SESSION

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

SENATE MESSAGES

AMENDED HOUSE BILL RETURNED FOR  
CONCURRENCE

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

HOUSE BILL No. 139.

An Act to amend section one of the act which became effective on the seventh day of July, one thousand eight hundred and seventy-nine (P. L. 194), entitled "An act to enlarge the jurisdiction of justices of peace, and regulating the fees of constables making sales under this act," further enlarging the jurisdiction of justices of the peace and extending the provisions of said act to aldermen.

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 4, by striking out the light-faced brackets before and after the word "magistrates".

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—204

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

NAYS—0

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

Ordered, That the Clerk inform the Senate accordingly.

AMENDED HOUSE BILL RETURNED FOR  
CONCURRENCE

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

HOUSE BILL No. 710.

An Act to enable tax collectors and receivers of taxes to make return to the county commissioners of unpaid taxes assessed on seated lands for certain years and validating the liens of such taxes

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



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

Amend Section 1, page 1, by striking out in lines 6 to 10 inclusive the following: "one thousand nine hundred and twenty-nine one thousand nine hundred and thirty one thousand nine hundred and thirty-one one thousand nine hundred and thirty-two one thousand nine hundred and thirty-three one thousand nine hundred and thirty-four one"; also on page 2 by striking out in lines 1 to 3 inclusive the following: "thousand nine hundred and thirty-five one thousand nine hundred and thirty-six one thousand nine hundred and thirty-seven"; also same page, at the end of line 3, by striking out the word "or"; also same page, line 4, by inserting after the word "thirty-nine" the words "or one thousand nine hundred and forty"; also same page, line 20, by inserting after the word "which" the words "was entered prior to the tax lien or which."

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—204

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

NAYS—0

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

Ordered, That the Clerk inform the Senate accordingly.

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

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

HOUSE BILL No. 1621.

An Act to add section forty-three to the act approved the twentieth day of June one thousand nine hundred and nineteen (P. L. 521) entitled "An act providing for the imposition and collection of certain taxes upon the transfer of property passing from a decedent who was a resident of this Commonwealth at the time of his death and of property within this Commonwealth of a decedent who was a non-resident of the Commonwealth at the time of his death and making it unlawful for any corporation of this Commonwealth or national banking association located therein to transfer the stock of such corporation or banking association standing in the name of any such decedent until the tax on the transfer thereof has been paid and providing penalties and citing certain acts for repeal" authorizing compromise of tax claims in cases where there is a dispute as to the domicile of the decedent

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 21, by inserting after the word "states" the words "and the facts are such as to give rise to a reasonable doubt as to the domicile of the decedent"; also same line by inserting after the word "may" the words "with the approval of the Department of Justice"; also on page 3, at the end of line 16, by inserting after the word "amount" the following:

"A copy of any such agreement shall be filed in the office of the proper register of wills and any existing appraisalment shall be deemed modified according to said agreement. In the event no appraisalment has been made and filed prior to said agreement the Department of Revenue shall direct an appraisalment to be made and filed in the office of the proper register of wills in accordance with said agreement."

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—204

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

Cooper,	Hewitt,	O'Brien,	Turner,
Cordier,	Hirsch,	O'Connor,	Van Allsburg,
Corrigan,	Holland,	O'Dare,	Verona,
Croop,	Huntley,	O'Mullen,	Vincent,
Cullen,	Imbrie,	O'Neill,	Vogt,
Dalrymple,	James,	Owens,	Voldow,
Dennison,	Jefferson,	Petrosky,	Voorhees,
DiGenova,	Jones, G. E.,	Pettit,	Wagner,
Dix,	Jones, P. N.,	Polaski,	Watkins,
Dolon,	Keenan,	Polen,	Weingartner,
D'Ortona,	Kenchan,	Powers,	Welss,
Duffy,	Kilne,	Prosen,	Welsh, E. B.,
Early,	Knoble,	Rank,	Welsh, M. J.,
Eckels,	Kolankiewicz,	Rausch,	Wilkinson,
Elder,	Komorowski,	Readinger,	Williams,
Elliott,	Krise,	Reagan,	Winner,
Ely,	Lee, E. A.,	Reese, D. P.,	Wood, L. H.,
Falkenstein,	Lee, T. H.,	Reese, R. E.,	Wood, N.,
Finestone,	Lelsey,	Regan,	Woodring,
Finnerty,	Leonard,	Reynolds,	Woodside,
Fisher,	Lesko,	Rhea,	Wright,
Fiss,	Levy,	Riley,	Yeakel,
Fleming,	Leydic,	Rooney,	Yester,
Fletcher,	Lichtenwalter,	Rose, S.,	Young,
Flynn,	Longo,	Rose, W. E.,	Kilroy,
Foot,	Lovett,	Rosenfeld,	Speaker.
	Lyons,		

NAYS—0

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

Ordered, That the Clerk inform the Senate accordingly.

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

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

HOUSE BILL No. 1771.

An Act requiring clerks of courts to forward to the Department of Health a certificate of decrees in divorce annulment of marriage adoption and annulment of adoption proceedings providing for the registration of such certificates by the said department the issuance of certified copies thereof and fixing fees and 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 the title, page 1, line 1, by inserting after the word "Requiring" the words "prothonotaries and".

Amend Section 1, page 1, line 3, by inserting after the word "the" and before the word "clerk" the words "prothonotary or the"; also same page, at the beginning of line 8, by inserting before the word "clerk" the words "prothonotary or"; also on page 2, at the end of line 2, by inserting after the word "Health" the words "and shall note on each certificate whether or not all the costs incident to the proceedings had in connection therewith have been paid."

Amend Section 2, page 2, line 6, by inserting after the word "Every" the words "prothonotary or".

Amend Section 3, page 2, line 15, by inserting after the word "act" the words "unless it shall appear on the certificate furnished to the Department of Health that all the costs in the proceedings in said court incident thereto have not been paid."

Amend Section 4, page 2, line 18, by inserting after the word "Any" the words "prothonotary or".

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—204

Achterman,	French,	Lyons,	Rosenfeld,
Allmond,	Gallagher,	Malloy,	Royer,
Auker,	Gates,	Marks,	Rush,
Baker,	Gerard,	Maxwell,	Serge,
Balthaser,	Gillan,	McClanaghan,	Sarraf,
Bentley,	Gillette,	McKinney,	Scanlon,
Bentzel,	Goodwin,	McDermott,	Schwab,
Boles,	Greenwood,	McDowell,	Serrill,
Boney,	Gross,	McFall,	Shaffer,
Boorse,	Gryskewicz,	McIntosh,	Shaw,
Bower,	Gyger,	McKinney,	Shepard,
Bradley,	Habbyshaw,	McLanahan,	Simons,
Bretherick,	Haberlen,	McLane,	Skale,
Brown,	Haines,	McMillen,	Snyder,
Brunner, C. H.,	Hall,	McSurdy,	Sollenberger,
Brunner, P. A.,	Hamilton,	Melchiorre,	Sorg,
Burns,	Hare,	Mihm,	Stambaugh,
Burriss,	Harkins,	Modell,	Stank,
Cadwalader,	Harmuth,	Monks,	Stine,
Chervenak,	Harris,	Mooney,	Stockham,
Chudoff,	Heatherington,	Moran,	Tarr,
Cochran,	Helm,	Moul,	Tate,
Cohen, M. M.,	Hering,	Muir,	Taylor,
Cohen, R. E.,	Herman,	Munley,	Thompson, E. F.,
Cook,	Hersch,	Nagel,	Thompson, R. L.,
Cooper,	Hewitt,	Nunemacher,	Trout,
Cordier,	Hirsch,	O'Brien,	Turner,
Corrigan,	Holland,	O'Connor,	Van Allsburg,
Croop,	Huntley,	O'Dare,	Verona,
Cullen,	Imbrie,	O'Mullen,	Vincent,
Dalrymple,	James,	O'Neill,	Vogt,
Dennison,	Jefferson,	Owens,	Voldow,
DiGenova,	Jones, G. E.,	Petrosky,	Voorhees,
Dix,	Jones, P. N.,	Pettit,	Wagner,
Dolon,	Keenan,	Polaski,	Watkins,
D'Ortona,	Kenchan,	Polen,	Weingartner,
Duffy,	Kilne,	Powers,	Welss,
Early,	Knoble,	Prosen,	Welsh, E. B.,
Eckels,	Kolankiewicz,	Rank,	Welsh, M. J.,
Elder,	Komorowski,	Rausch,	Wilkinson,
Elliott,	Krise,	Readinger,	Williams,
Ely,	Lee, E. A.,	Reagan,	Winner,
Falkenstein,	Lee, T. H.,	Reese, D. P.,	Wood, L. H.,
Finestone,	Lelsey,	Reese, R. E.,	Wood, N.,
Finnerty,	Leonard,	Regan,	Woodring,
Fisher,	Lesko,	Reynolds,	Woodside,
Fiss,	Levy,	Rhea,	Wright,
Fleming,	Leydic,	Riley,	Yeakel,
Fletcher,	Lichtenwalter,	Rooney,	Yester,
Flynn,	Longo,	Rose, S.,	Young,
Foot,	Lovett,	Rose, W. E.,	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 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. 345.

An Act to amend subsection (a) of section sixteen of the act approved the seventh day of June one thousand nine hundred and seventeen (P. L. 415) entitled "An act relating to the qualification jurisdiction powers and duties of registers of wills and regulating proceedings before said registers and the costs thereof the effects of their acts and appeals therefrom" decreasing the period within which appeals may be taken from decrees of registers of wills probating or refusing to probate wills

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 the title, page 1, line 1, by inserting after the word "sixteen" the words "and sub-section (a) of section twenty-one"; also same page, line 10 of the title, by inserting after the word "wills" the words "and from all judicial acts and proceedings of the several registers including all decisions granting an issue devisavit vel non".

Amend the bill, page 2, by inserting between lines 16 and 17 the following new section:

Section 2 Subsection (a) of section twenty-one of the act approved the seventh day of June one thousand nine hundred and seventeen (P. L. 415), entitled "An act relating to the qualification jurisdiction powers and duties of registers of wills and regulating proceedings before the said registers and the costs thereof the effects of their acts and appeals therefrom" is hereby amended to read as follows

Section 21 (a) From all the judicial acts and proceedings of the several registers including all decisions granting an issue devisavit vel non in a contest concerning the validity of a will appeals may be taken to the Orphans' Court of the respective county within the term of [two] one [year] year Provided that any party entitled to appeal may be cited by such court to show cause why he should not appeal within six months from the date of such citation and on the failure of such party to show cause said court may make an order limiting the time for such appeal by said party to said period of six months

Amend Section 2, page 2, line 17, 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?

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

YEAS—204

Achterman,	French,	Lyons,	Rosenfeld,
Allmond,	Gallagher,	Malloy,	Royer,
Auker,	Gates,	Marks,	Rush,
Baker,	Gerard,	Maxwell,	Sarge,
Balthaser,	Gilhan,	McClanaghan,	Sarraf,
Bentley,	Gillette,	McClester,	Scanlon,
Bentzel,	Goodwin,	McDermott,	Schwab,
Boles,	Greenwood,	McDowell,	Serrill,
Boney,	Gross,	McFall,	Shaffer,
Boorse,	Gryskewicz,	McIntosh,	Shaw,
Bower,	Gyger,	McKinney,	Shepard,
Bradley,	Habbyshaw,	McLanahan,	Simons,
Bretherick,	Haberlen,	McLane,	Skale,
Brown,	Haines,	McMillen,	Snyder,
Brunner, C. H.,	Hall,	McSurdy,	Solienberger,
Brunner, P. A.,	Hamilton,	Meichlorre,	Sorg,
Burns,	Hare,	Mihm,	Stambaugh,
Burriss,	Harkins,	Modell,	Stank,
Cadwalader,	Harmuth,	Monks,	Stine,
Chervenak,	Harris,	Mooney,	Stockham,
Chudoff,	Heatherington,	Moran,	Tarr,
Cochran,	Helm,	Moul,	Tate,
Cohen, M. M.,	Hering,	Muir,	Taylor,
Cohen, R. E.,	Herman,	Munley,	Thompson, E. F.
Cook,	Hersch,	Nagel,	Thompson, R. L.,
Cooper,	Hewitt,	Nunemacher,	Trout,
Cordier,	Hirsch,	O'Brien,	Turner,
Corrigan,	Holland,	O'Connor,	VanAllsburg,
Croop,	Huntley,	O'Dare,	Verona,
Cullen,	Imbrle,	O'Mullen,	Vincent,
Dalrymple,	James,	O'Neill,	Vogt,
Dennison,	Jefferson,	Owens,	Voldow,
DiGenova,	Jones, G. E.,	Petrosky,	Voorhees,
Dix	Jones, P. N.,	Pettit,	Wagner,
Doion,	Keenan,	Polaski,	Watkins,
D'Ortona,	Kenehan,	Polen,	Weingartner,
Duffy,	Kilne,	Powers,	Weiss,
Early,	Knoble,	Prosen,	Welsh, E. B.,

Ekels,	Ko.anklewicz,	Rank,	Welsh, M. J.,
Elder,	Komorofski,	Rausch,	Wilkinson,
Elliott,	Krise,	Readinger,	Williams,
Ely,	Lee, E. A.,	Reagan,	Winner,
Falkenstein,	Lee, T. H.,	Reese, D. P.,	Wood, L. H.,
Finestone,	Letsey,	Reese, R. E.,	Wood, N.,
Finnerty,	Leonard,	Regan,	Woodring,
Fisher,	Lesko,	Reynolds,	Woodside,
Fiss,	Levy,	Rhea,	Wright,
Fleming,	Leydic,	Riley,	Yeakel,
Fletcher,	Lichtenwalter,	Rooney,	Yester,
Flynn,	Longo,	Rose, S.,	Young,
Foot,	Lovett,	Rose, W. E.,	Kilroy, Speaker.

NAYS—0

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

Ordered, That the Clerk inform the Senate accordingly.

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

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

HOUSE BILL No. 957.

An Act to amend the act, approved the fourth day of June, one thousand nine hundred and thirty-seven (P. L. 1625), entitled "An act providing for the creation, maintenance and operation of a county employes retirement system in counties of the third class; and imposing certain charges on counties, extending and further regulating such retirement systems.

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 4, line 17, by striking out the following: "[may] shall" and inserting in lieu thereof the word "may".

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.

AMENDED SENATE BILL NON-CONCURRED IN BY SENATE

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

SENATE BILL No. 51.

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

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

Ordered, That the Clerk inform the Senate accordingly.

#### BILLS SIGNED BY SPEAKER

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

##### SENATE BILL No. 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

##### SENATE BILL No. 418.

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

##### SENATE BILL No. 566.

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

Whereupon,

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

#### PERMISSION GRANTED COMMITTEE TO MEET DURING SESSION

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

#### REPORTS FROM COMMITTEES

Mr. McFALL, from the Committee on State Government, reported as committed, House Bill No. 1945, (Senate Bill No. 1259), entitled:

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

Mr. WEISS, from the Committee on State Government, reported as committed, House Bill No. 1901, (Senate Bill No. 1087), entitled:

An Act authorizing the Secretary of Property and Supplies to sell and convey certain tracts of coal lands in Hempfield Township, Westmoreland County, Pennsylvania

Mr. SARRAF, from the Committee on Professional Licensure, reported as committed, House Bill No. 1860, (Senate Bill No. 575), entitled:

An Act to further amend sections 1, 2 and 7 of the act approved the third day of June, one thousand nine hundred and eleven (P. L. 639), entitled as amended "An act relating to the right to practice medicine and surgery in the Commonwealth of Pennsylvania; and providing a Bureau of Medical Education and Licensure as a bureau of the Department of Public Instruction, and means and methods whereby the right to practice medicine and surgery and any of its branches may be obtained, and exemptions therefrom; and providing for an appropriation to carry out the provisions of said act, and providing for revocation and suspension of licenses by said bureau; and providing penalties for violations thereof, and repealing all acts or parts of acts inconsistent therewith," by defining certain terms; imposing certain additional duties upon the State Board of Medical Education and Licensure; making provisions for graduate students from other states, territories and Canada, and providing for automatic suspension of registration in case of mental incompetency.

Mr. O'CONNOR, from the Committee on Education reported as committed, House Bill No. 1776, (Senate Bill No. 56), entitled:

An Act providing for the observance of a Bill of Rights Week in the public schools of this Commonwealth.

Mr. HERMAN, from the Committee on Banking reported as committed House Bill No. 1745, (Senate Bill No. 839), entitled:

An Act to further amend section 7 of the act, approved the fifth day of May, one thousand nine hundred twenty-one (P. L. 374), entitled "An act providing for the licensing and regulation of corporations, copartnerships, associations, and individuals, engaged in the business of receiving payments or contributions to be held or used in any plan of accumulation or investment, or of issuing, negotiating, offering for sale, or selling any certificates, securities, contracts, or other choses in actions evidenced by writing on the partial payment or instalment plan, or

of assuming fixed obligations, or issuing, in connection therewith, a contract based on payments being made upon instalments or single payments, under which all or part of the total amount received is to be repaid at some future time, with or without profit; and imposing penalties," requiring corporations and persons licensed under said act to deposit additional security with the Commission for the fulfillment of their contracts.

Mr. PROSEN, from the Committee on State Government reported as committed House Bill No. 1944, (Senate Bill No. 1257), entitled:

An Act to amend section one of the act, approved the twenty-fifth day of May, one thousand nine hundred thirty-three (P. L. 1016), entitled "An act relating to aeronautics; providing for the maintenance and operation of intermediate landing fields and air navigation facilities by the Commonwealth alone or in cooperation with the United States Government or political subdivisions of the Commonwealth; providing for the execution of leases or the issuance of licenses to the United States Government or to political subdivisions of the Commonwealth for the maintenance of navigation facilities on intermediate landing fields of the Commonwealth; conferring powers and duties on the Department of Revenue with respect thereto; and repealing certain acts and parts of acts," by extending the powers of the department in relation to air transport facilities.

Mr. McKINNEY, from the Committee on State Government, re-reported as committed, House Bill No. 1752, (Senate Bill No. 1016), entitled:

An Act providing that the Commonwealth of Pennsylvania enter into the interstate compact to conserve oil and gas with other States of the United States of America, which are signatories thereto.

Mr. HARKINS, from the Committee on Education, re-reported as committed, House Bill No. 1445, (Senate Bill No. 302) entitled:

An Act to further amend section one thousand four hundred sixteen 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," changing the qualifications of certain children for exemption from compulsory attendance provisions.

#### BILL RE-REFERRED

Mr. GALLAGHER, returned from the Committee on Elections with the request that it be re-referred to the Committee on Judiciary General House Bill No. 1608, Senate Bill No. 545) entitled:

An Act relating to the summoning and service of jurors (except grand jurors) in the civil and criminal courts of the several counties of the Commonwealth except counties of the first class.

The SPEAKER. The bill is re-referred to the Committee on Judiciary General.

#### BILLS ON FIRST READING

Pursuant to unanimous consent heretofore granted the following bills were read the first time.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1945, (Senate Bill No. 1259), entitled:

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

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. 1901, (Senate Bill No. 1087), entitled:

An Act authorizing the Secretary of Property and Supplies to sell and convey certain tracts of coal lands in Hempfield Township, Westmoreland County, Pennsylvania.

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

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1860, (Senate Bill No. 575), entitled:

An Act to further amend sections 1, 2 and 7 of the act approved the third day of June, one thousand nine hundred and eleven (P. L. 639) entitled as amended "An act relating to the right to practice medicine and surgery in the Commonwealth of Pennsylvania and providing a Bureau of Medical Education and Licensure as a bureau of the Department of Public Instruction and means and methods whereby the right to practice medicine and surgery and any of its branches may be obtained and exemptions therefrom and providing for an appropriation to carry out the provisions of said act and providing for revocation and suspension of licenses by said bureau and providing penalties for violations thereof and repealing all acts or parts of acts inconsistent therewith" by defining certain terms, imposing certain additional duties upon the State Board of Medical Education and Licensure; making provision for graduate students from other states, territories and Canada and providing for automatic suspension of registration in case of mental incompetency.

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. 1776, (Senate Bill No. 56), entitled:

An Act providing for the observance of a Bill of Rights Week in the public schools 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 House proceeded to the first reading and consideration of House Bill No. 1745, (Senate Bill No. 839), entitled:

An Act to further amend Section 7 of the act, approved the fifth day of May, one thousand nine hundred twenty-one (P. L. 374), entitled "An act providing for the licensing and regulation of corporations, copartnerships, associations, and individuals, engaged in the business of receiving payments or contributions to be held or used in any plan of accumulation or investment, or of issuing, negotiating, offering for sale, or selling any certificates, securities, contracts, or other choses in actions evidenced by writing on the partial payment or installment plan, or of assuming fixed obligations, or issuing, in connection therewith, a contract based on payments being made upon installments or single payments, under which all or part of the total amount received is to be repaid at some future time, with or without profit; and imposing penalties," requiring corporations and persons licensed under said act to deposit additional security with the Commission for the fulfillment of their contracts.

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. 1944, (Senate Bill No. 1257), entitled:

An Act to amend section one of the act, approved the twenty-fifth day of May, one thousand nine hundred thirty-three (P. L. 1016), entitled "An act relating to aeronautics; providing for the maintenance and operation of intermediate landing fields and air navigation facilities by the Commonwealth alone or in cooperation with the United States Government or political subdivisions of the Commonwealth; providing for the execution of leases or the issuance of licenses to the United States Government or to political subdivisions of the Commonwealth for the maintenance of navigation facilities on intermediate landing fields of the Commonwealth; conferring powers and duties on the Department of Revenue with respect thereto; and repealing certain acts and parts of acts," by extending the powers of the department in relation to air transport facilities.

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. 1752, (Senate Bill No. 1016), entitled:

An Act providing that the Commonwealth of Pennsylvania enter into the interstate compact to conserve oil and gas with other States of the United States of America which are signatories thereto.

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

#### QUESTION OF INFORMATION

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

The SPEAKER. The gentleman from Dauphin will state his question of information.

Mr. WOODSIDE. Mr. Speaker, is the order of business reports of committees?

The SPEAKER. It is.

Mr. WOODSIDE. Will the Speaker call that fact to the attention of the gentleman from Monroe, Mr. Achterman?

Mr. Speaker, I desire to interrogate the gentleman from

Monroe, Mr. Achterman. I believe the gentleman from Monroe is endorsing bills.

Mr. ACHTERMAN. Mr. Speaker, does the gentleman from Dauphin wish to interrogate me?

Mr. WOODSIDE. I do, Mr. Speaker.

The SPEAKER. The gentleman from Dauphin will proceed.

Mr. WOODSIDE. Mr. Speaker, the gentleman from Dauphin would like to know whether the gentleman from Monroe is aware of the fact that we are now under the order of business of reports from committees.

Mr. ACHTERMAN. In due time, Mr. Speaker, we will come to the order of business of reports from committees.

Mr. WOODSIDE. I ask the gentleman, Mr. Speaker, whether he now realizes that we are on that order of business?

Mr. ACHTERMAN. In due course of time I will make a report for the gentleman.

Mr. WOODSIDE. Mr. Speaker, I would like to know from the gentleman whether he intends to report under this order of business the Tax Anticipation Note Bill.

Mr. ACHTERMAN. Mr. Speaker, for the satisfaction of the gentleman I am about to report several other conference reports.

Mr. WOODSIDE. Under this order of business?

Mr. ACHTERMAN. Under this order of business, Mr. Speaker.

#### REPORTS OF COMMITTEE OF CONFERENCE ON HOUSE BILLS Nos. 230, 234 and 663

Mr. ACHTERMAN. Mr. Speaker, I desire to submit the reports of the Committee of Conference on House Bills 230, 234 and 663.

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

#### BILL ON FINAL PASSAGE RECALLED FROM GOVERNOR

Mr. DENNISON asked and obtained unanimous consent to call up out of order House Bill No. 1513, Printer's No. 1088, entitled:

An Act to further amend section three of the act approved the twenty-second day of June, one thousand nine hundred thirty-five (P. L. 414), entitled, as amended, "An act to provide revenue for State purposes; imposing taxes upon certain classes of personal property, providing for the assessment, collection, and lien of the same, and the distribution of the proceeds thereof; imposing duties on executors, administrators, registers of wills, recorders of deeds, prothonotaries, and court clerks, and on persons, copartnerships, associations, banks, national banks, trust companies, and other corporations receiving deposits of money, and on certain corporations and limited partnerships, conferring powers and imposing duties on certain State officers and departments; imposing penalties; and making an appropriation," by exempting assets held by liquidating trustees.

on page 10, of today's calendar, bill on final passage recalled from the Governor.

#### RECONSIDERATION OF VOTE

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

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



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

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

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

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

On the question,

Will the House agree to the motion?

It was agreed to.

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

The motion was agreed to.

On the question recurring,

Will the House agree to the bill on third reading?

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

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

The Clerk read the amendments as follows:

Amend title, page 1, at the end of the said title, by adding after the word "trustees" at the end of the last line of the said title, the following:

"exempting casualty insurance corporations not having capital stock imposing the tax upon personal property held and managed in this Commonwealth owned held or possessed by residents as trustees agents or attorneys-in-fact jointly with one or more trustees agents or attorneys-in-fact domiciled in another state and imposing the tax upon equitable interests of residents in personal property held and managed in another state where the legal title to such personal property is held by more than one trustee agent or attorney-in-fact one or more of whom are domiciled in another state and one or more of whom are domiciled within this Commonwealth."

Amend Sect. 1, page 2, line 26, by inserting after the words "attorney-in-fact" and before the word "or" the following:

"or by any resident as trustee agent or attorney-in-fact jointly with one or more trustees agents or attorneys-in-fact domiciled in another state where such personal property is held and managed in this Commonwealth."

Amend Sect. 1, page 3, line 11 after the word "state" and before the word "and" the following:

"or where the legal title to such personal property is vested in more than one trustee agent or attorney-in-fact one or more of whom are domiciled in another state and one or more of whom are domiciled within this Commonwealth and such personal property is held and managed in another state."

Amend Sec. 1, page 6, line 3, by inserting after the word "life" and before the word "or" the following: "casualty."

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?

On the question,

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

It was agreed to.

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

## SENATE MESSAGES

### RESOLUTION NON-CONCURRED IN BY SENATE

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

In the House of Representatives, July 10, 1941.

Resolved, (if the Senate concur), That House Bill No. 820, Printer's No. 1070, entitled "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,

be recalled from the Governor for the purpose of amendment.

### SENATE BILL FOR CONCURRENCE

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

SENATE BILL No. 598 (HOUSE BILL No. 1984)

An Act to add section two thousand two and one-tenth to the act approved the eighteenth day of May one thousand nine hundred eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" providing for cooperation of State Teachers Colleges at the request of the State Council of Defense with other agencies in furthering national defense programs and activities.

Referred to the Committee on State Government

### AMENDED RESOLUTION RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced returned resolution from the House of Representatives as follows:

In the House of Representatives, May 20, 1941.

Whereas The Polish Army Veterans Association of America is an organization of veterans composed of the Polish Army who enlisted as volunteers in 1917 and 1918 from the United States for service with the Polish forces in France and in Poland and

Whereas By special permission of the State and War Departments and by proclamation of President Woodrow Wilson the Polish Military Commission was authorized to recruit from among the Poles in the United States volunteers for the army after this country entered as a participant in the World War on the side of the Allies and

Whereas In addition to the 250,000 soldiers of Polish extraction who served in the AEF the Poles contributed some 27,000 volunteers for service with the Polish Army in France who trained at Niagara-on-the-Lake Ontario and at Fort Niagara N Y and

Whereas Ninety per cent of these men saw service in France in 1918 and later in Poland in 1919 and 1920 and upon termination of hostilities between Poland and Soviet Russia they were returned to the United States under an agreement between this country and Poland and

Whereas In May 1921 the Polish Army Veterans Association of America was formed in Cleveland Ohio for the sole purpose of aiding the physically disabled and otherwise incapacitated veterans and

Whereas The task that lay before the founders and succeeding leaders of the organization was tremendous in as much as neither the American nor the Polish governments felt any responsibility for the care of these unfortunates for purely technical reasons and

Whereas With each succeeding year the need for aid for these disabled veterans has grown and

Whereas This association has found a method of raising funds by adopting the corn flower as its official flower and selling it on the highways in a manner similar to that in which poppies are now sold be it therefore

Resolved (if the Senate concur) That the Governor be requested to issue a proclamation setting aside May 3d 1942 and May 3d of all succeeding years as "Corn Flower Day" so that the corn flower may be sold by the Polish Army Veterans Association of America and the proceeds of such sales applied to the maintenance and upkeep of disabled Polish war veterans

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 amendments were read by the Clerk as follows:

Amend the Resolved Clause, page 2, at the end of line 2, by striking out "May 3rd" and inserting in lieu thereof the words and figures "the second Sunday in June"; also in line 3 of the Resolved Clause by striking out "May 3d" and inserting in lieu thereof the words and figures "the second Sunday in June".

On the question,

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

The amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

#### COMMUNICATIONS FROM THE GOVERNOR

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

##### APPROVAL OF HOUSE BILL No. 1559

Commonwealth of Pennsylvania,  
Governor's Office, Harrisburg, July 10, 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. 1559, Printer's No. 990, entitled, "An Act to amend the definition of 'Peace Officer,' as set forth in section one hundred and two of the act approved the first day of May one thousand nine hundred and twenty-nine (P. L. 905) entitled 'An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the 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' by including certain officers and soldiers of the United States Army Pennsylvania National Guard and Pennsylvania Reserve Defense Corps within the definition of 'peace officer.'"

ARTHUR H. JAMES.

##### APPROVAL OF HOUSE BILL No. 820

Commonwealth of Pennsylvania,  
Governor's Office, Harrisburg, July 10, 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. 820, Printer's No. 1070, entitled, "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."

ARTHUR H. JAMES.

#### PARLIAMENTARY INQUIRY

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

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

Mr. WOODSIDE. Mr. Speaker when a Conference Committee is appointed to determine the questions of difference between the bodies is it not proper for it to confine its consideration only to the matters which are in difference between the two Houses?

The SPEAKER. That is correct, under the rules of the House.

Mr. WOODSIDE. 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. WOODSIDE. Mr. Speaker, I would like to inquire from the gentleman whether he heard my question and the answer of the Chair to it.

Mr. ACHTERMAN. I did not, Mr. Speaker.

Mr. WOODSIDE. Mr. Speaker, I realize that the gentleman was being engaged in conversation at the time and I will repeat the question.

I asked the Chair whether it was not proper for a Conference Committee to confine its considerations to the differences between the two Houses, and the answer of the Chair was that that was correct.

Mr. Speaker, we have as you know on page 16 of the calendar House Bill No. 1768, Printer's No. 1113, and when it was reached in the regular order of business the gentleman from Monroe made a motion to refer it to committee, I do not recall which one, but then at my request he permitted it to go over.

I understand the purpose of the gentleman in referring it to Committee was to kill the bill and that the gentleman intended, or suggested rather, that there would be inserted in the conference report on Senate Bill No. 80 a provision to take the place of this bill, is that correct?

Mr. ACHTERMAN. I think it is Senate Bill 80, Mr. Speaker.

Mr. WOODSIDE. Is that substantially correct, Mr. Speaker?

Mr. ACHTERMAN. Substantially, Mr. Speaker.

Mr. WOODSIDE. Mr. Speaker, you have just advised the gentleman that that is an improper procedure. The

gentleman also well knows that there are a number of items of considerable controversy in Senate Bill No. 80. I think the gentleman realizes very well the importance of this particular piece of legislation. Therefore, I am going to ask the gentleman if he will not withdraw his motion to refer this bill to committee to kill it and permit the bill to be passed so that it can be enacted into law during this session.

#### QUESTION OF INFORMATION

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

The SPEAKER. The gentleman from Monroe will state his question of information.

Mr. ACHTERMAN. Mr. Speaker, if we can be in accord with the amendments made in Senate Bill 80 and incorporate the desires of the gentleman in the bill that he is mentioning, can that not be included in the report of the conference committee when there is no dispute?

The SPEAKER. The Chair will read the rule relating to Conference Committees:

"Rule 33. All conference committees shall be composed of members who vote in the majority on the point or points of difference, but the committee shall not have power or control over any part of the bill, resolution or order except the parts as to which a difference exists between the House and Senate."

The only difference which exists between the House and Senate is the amendments which the Senate presented.

#### QUESTION OF INFORMATION

Mr. ACHTERMAN. Mr. Speaker, I rise to a further question of information.

The SPEAKER. The gentleman from Monroe will state his question of information.

Mr. ACHTERMAN. Mr. Speaker, do I understand that where particular sections are involved, that is, sections 602 and 603 of the act in this instance, the conference committee cannot then agree on them and make a report thereon.

The SPEAKER. Only as to the amendments that are in disagreement.

Mr. ACHTERMAN. Mr. Speaker, can they not make a report on that on which they are in accord?

The SPEAKER. That which is in accord cannot be treated by a conference committee.

Mr. ACHTERMAN. Mr. Speaker, I wish to have House Bill No. 1768 passed over until I can offer amendments on the floor of the House.

Mr. WOODSIDE. Mr. Speaker, the gentleman realizes if amendments are offered to this bill on the floor of this House and the bill goes over we will be unable to adjourn this week and enact the bill into law, does he not?

Mr. ACHTERMAN. Mr. Speaker, will the gentleman agree to have inserted in the Senate the amendments that I would offer on the floor of this House?

Mr. WOODSIDE. Not without knowing what they are I would not agree.

The gentleman will get another chance at the bill that is sure when it comes back, because any amendments that are inserted in the Senate will certainly be back here for concurrence.

I will say this to the gentleman, however, I will agree to the insertion and am anxious to have inserted in this

bill those amendments which will bring it in compliance with the telegram which was sent from the Executive Director of the Social Security Board, Oscar M. Powell, who is the official spokesman for the Board, addressed to Louis G. Hines, Secretary of Labor and Industry, dated June 26th, 1941, and which telegram is now in the hands of the gentleman from Monroe, Mr. Achterman, and has been in his hands for a matter of some days. As a matter of fact, I also gave to him or sent to him amendments to the bill that will bring it in compliance with the telegram.

Mr. ACHTERMAN. Mr. Speaker, do I understand that the gentleman would like to write the amendments that I propose to offer?

Mr. WOODSIDE. Surely, Mr. Speaker, I should like to do so.

Mr. ACHTERMAN. I could not agree with that, Mr. Speaker.

Mr. WOODSIDE. Mr. Speaker, that was the question the gentleman asked me.

Mr. ACHTERMAN. Mr. Speaker, I have no desire to delay the passage of this particular legislation. There is some difference of opinion existing between the two Houses. House Bill 1768 managed to escape me on second reading. I had amendments at that time that I desired to offer. I assumed that we could dispose of the entire matter in the conference committee on Senate Bill No. 80. If we can be sure that the action of the conference committee for the purpose of discussing this bill will not interfere with the passage of the legislation, all right, but we certainly propose to express ourselves in relation to this particular legislation.

Mr. WOODSIDE. The Chair has very properly ruled on this question. I think the gentleman realizes that this is important, and the gentleman in fairness ought to permit the bill to be passed, fully realizing that any amendments which are made in the Senate must come back here for concurrence. The bill as it stands now is the only thing that complies with what the Social Security Board in Washington insists be written into the law of the Commonwealth of Pennsylvania. It does not go as far as the Social Security Board has asked, we are anxious to put in those amendments. If it were not for the element of time I would gladly submit the amendments to the gentleman from Monroe, Mr. Achterman, which were written by the Social Security Board in Washington and not by me or by anybody else on this side of the House, or by anybody in the administration, but the amendments were written by the Social Security Board in Washington as being necessary for this particular bill.

Mr. ACHTERMAN. Mr. Speaker, I desire 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. ACHTERMAN. Mr. Speaker, do I understand the gentleman to state that House Bill 1768 will be amended in the Senate?

Mr. WOODSIDE. Mr. Speaker, House Bill 1768 will have to be amended in the Senate and I can assure the gentleman it will be amended in the Senate.

Mr. ACHTERMAN. Mr. Speaker, I have no objection because I am sure we can take this matter up in the conference committee.

Mr. WOODSIDE. Mr. Speaker, I am satisfied and I

ask the gentleman whether he will permit the bill to be called up and passed.

Mr. ACHTERMAN. I will, Mr. Speaker.

Mr. WOODSIDE. I thank the gentleman, Mr. Speaker.

### BILL ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1768, as follows:

An Act to further amend the act approved the fifth day of December one thousand nine hundred thirty-six (P. L. of 1937 page two thousand eight hundred ninety-seven) 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

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

Section 1 Article six of the act approved the fifth day of December one thousand nine hundred thirty-six (P. L. of 1937 page two thousand eight hundred ninety-seven) 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" as amended by the act approved the twentieth day of June one thousand nine hundred thirty-nine (P. L. 458) is hereby further amended by adding after Section six hundred two a new section to be known as Section six hundred two and one-tenth and to read as follows

Section 602.1 Reimbursement of Funds The Commonwealth of Pennsylvania hereby recognizes its obligation to replace and hereby pledges the faith of the Commonwealth that funds will be provided in the future and applied to the replacement of any moneys received after July one one thousand nine hundred forty-one for the Social Security Board under Title III of the Social Security Act any unencumbered balances in the Administration Fund as of that date any moneys thereafter granted to the Commonwealth pursuant to the provisions of the Wagner-Peyser Act and any moneys made available by the Commonwealth or its political subdivisions and matched by such moneys granted to the Commonwealth pursuant to the provisions of the Wagner-Peyser Act which the Social Security Board finds have because of any action or contingency been lost or have been expended for purposes other than or in amounts in excess of those found necessary by the Social Security Board for the proper administration of this act Such moneys shall be promptly replaced by moneys appropriated for such purpose from the general funds of the Commonwealth to the Administration Fund for ex-

penditure as provided in Section six hundred two of this act The secretary shall promptly report to the Governor and the Governor to the Legislature the amount required for such replacement This section shall not be construed to relieve the Commonwealth of its obligation with respect to funds received prior to July one thousand nine hundred forty-one pursuant to the provisions of Title III of the Social Security Act

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

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—204

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

### CONDOLENCE RESOLUTION

Mr. SNYDER offered the following resolution and asked

and obtained unanimous consent for its immediate consideration.

The resolution was read, considered and adopted:

In the House of Representatives, July 10, 1941.

In the County of Tioga one week ago today occurred the death of Edward B. Dorsett a leader in agriculture in this Commonwealth for the past fifty years.

He received his education at Mansfield where he lived during his entire lifetime and served as sheriff of Tioga County.

He served as Master of the State Grange from 1928 to 1934 and in that capacity frequently appeared before Legislative Committees in behalf of agriculture.

For six years he edited the Grange News and staunchly and fearlessly promulgated Grange policies.

By reason of his interest and activity in behalf of the farmer Mr. Dorsett became well known throughout the Commonwealth; therefore be it

Resolved, That the House of Representatives directs that this resolution be printed in the Journal and a copy thereof be transmitted by the Chief Clerk of the House to the widow of the deceased, Mrs. Kathryn Dorsett.

#### 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

#### SENATE MESSAGES

##### APPOINTMENT OF CONFERENCE COMMITTEE ON SENATE BILL No. 24

The Clerk of the Senate being introduced, informed that the Senate insists on its non-concurrence in the amendments made and insisted upon by the House of Representatives to Senate Bill No. 24, entitled:

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

And has appointed Messrs. Walker, Thomas and Dent a committee of commerce to confer with a similar committee of the House of Representatives (if the House of Representatives shall appoint such committee) on the subject of the differences existing between the two Houses in relation to said bill.

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

The motion was agreed to.

##### APPOINTMENT OF COMMITTEE ON CONFERENCE ON SENATE BILL No. 24

The SPEAKER. The Chair appoints as a Committee of Conference on said bill, Messrs. REUBEN E. COHEN, SARRAF and DAVID P. REESE.

Ordered, That the Clerk inform the Senate accordingly.

##### SENATE INSISTS ON ITS AMENDMENTS NON-CONCURRED IN BY HOUSE

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

concurred in by the House of Representatives, to House Bill No. 1729, entitled:

An Act to further amend section seven of and 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," prohibiting the construction maintenance or operation of facilities, works, and improvements for the generation or development of power and 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 and adjacent lands

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

Th motion was agreed to.

##### APPOINTMENT OF COMMITTEE ON CONFERENCE ON HOUSE BILL No. 1729

The SPEAKER. The Chair appoints as a Committee of Conference on said bill, Messrs. STINE, MOUL and MUIR. Ordered, That the Clerk inform the Senate accordingly.

#### 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. 892

Commonwealth of Pennsylvania,  
Governor's Office, Harrisburg, July 10, 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. 892, Printer's No. 1049, for the purpose of amendment. Accordingly, the original bill is herewith returned.

ARTHUR H. JAMES

#### RECONSIDERATION OF VOTE

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

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

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

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

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

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

On the question,

Will the House agree to the motion?

It was agreed to.

Mr. SCANLON. 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. SCANLON. 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 bill, page 3, by inserting between lines 24 and 25, the following: "Section 4. The said commission shall remain in existence until January fifteenth, one thousand nine hundred forty-three, and shall make a full and complete report of its findings to the General Assembly with appropriate recommendations for legislative action by the General Assembly."

Amend Sec. 4, page 3, line 25, by striking out the figure "4" and inserting in lieu thereof: "5,"

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.

#### PERMISSION GRANTED COMMITTEE TO MEET DURING SESSION

Mr. FALKENSTEIN asked and obtained permission for the Committee on Public Utilities to meet during the session of the House.

#### CONDOLENCE RESOLUTION

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

The resolution was read, considered and adopted:

In the House of Representatives, July 7, 1941.

The House of Representatives learns, with sorrow, of the passing of Arthur Lyndon Turner who died at his home in Dallas, Pennsylvania on June 10, 1941.

Mr. Turner was born in Wilkes-Barre in 1877. He was admitted to the bar in 1901, practicing actively thereafter until a week before his death.

For forty successful years, Mr. Turner enjoyed the respect, confidence and admiration of the other members of the bar and the community in general, all of whom appreciated that his ethical standards were of the highest, his resourcefulness unbounded and his legal knowledge sound; therefore be it

Resolved, That the House of Representatives mourns the passing of a true gentleman, a distinguished citizen and a member of the bar whose career would well serve as a model to others of the profession; therefore be it further

Resolved, That a copy of this resolution be mailed by the Chief Clerk to his widow and the other members of the family of the deceased, as a token of the House of Representatives' sincere sympathy for them in their great bereavement.

#### FORMER MEMBER WELCOME

The Speaker. The Chair invites to the rostrum Mr. A. J. White Hutton. It is a pleasure to introduce to the Members of the House a former Member and the former floor-leader of the Republican party in the session of 1933, the gentleman from Franklin, Mr. A. J. White Hutton.

Mr. HUTTON. Mr. Speaker and Members of the House, it seems to be a long time since I occupied this rostrum, but this evening I happened to be in Harrisburg and greeted my old colleague, Speaker Turner. I had one of those nostalgic feelings, so to speak, and thought I would like to come up here. I am very glad to be here to look over the House again. I wish you Godspeed in your work and hope you will finish up your term sometime before Thanksgiving. I am very glad to be here with you.

#### PERMISSION TO ADDRESS HOUSE

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

The Speaker, I think it was a fine courtesy to invite the man whom we always knew as Doc Hutton to the rostrum to say something to the House. There are only a few Members who were with us in the 1931-1933 sessions, when Doc was a very prominent Member of this body. He gets his title, "Doc" not because he has anything to do with the medical profession, but because he happens to be a Ph.D. teaching law in Dickinson College. Doc was always a great one for military strategy. Living in Chambersburg, and being very close to the battlefield of Gettysburg, Doc was always talking to the membership of the Legislature in terms of military affairs.

I remember one story I think I can tell which Doc told and which I have remembered for a long time. He said at the time of the battle of Gettysburg, the home guards were ordered out in Chambersburg. They were told that the Confederates were coming down the road. A guard came running back to them stating that the Confederates were very close. The captain of the company called, "Halt" and told them to stop, "About face". They all about faced. He said, "Every man for himself, but don't you call me 'captain.'"

I think there was another bit of advice out of the experience of Doc Hutton that some of our members might assimilate. Doc Hutton came here when Milt Bergner was on that bench up there. He was at the time Resident Clerk of the House. The Democrats in 1935 abolished the office of Resident Clerk. He was an old-time politician and a very able man on the desk, and when I say a very able man, I mean just what I say. When Doc came here, he sat about where Malloy sits. Milt Bergner from his experience in the House said, "A man who came here for his first term should sit and listen and say nothing. Doc took that advice to heart by listening and keeping his mouth shut.

Mr. Speaker, it may seem funny but during my first session I sat here and kept my mouth shut.

The SPEAKER. Impossible.

Mr. TURNER. But I have made up for it a whole lot since. Nevertheless Doc sat there in his first session and in 1933 he became the floor leader of the Republican group and did all the parliamentary maneuvering on the floor of the House for the Republican group. Doc was a great strategist and a great military man. If you want to



have a great treat and a good time have Doc take you over the battlefield of Gettysburg. I do not think I ever enjoyed myself any more than I did one afternoon on a visit to Gettysburg, because Doc knew all about the battlefield and knew all about what went on there. He has a store of knowledge. The fact of the matter is that when he retires from the practice of law I understand he is going to become a guide down at Gettysburg.

#### REPORT OF JOINT STATE GOVERNMENT COMMISSION PRINTED IN APPENDIX

Mr. TURNER. Mr. Speaker, some time ago the question was raised as to whether we should print the departmental reports of the Joint State Government Commission. At that time it was held in abeyance because we had a bill which called for an appropriation for the printing of these reports. In the present situation we do not know just exactly what is to happen to that bill. Therefore, in order that the report may be preserved, because it is a valuable report and deals entirely with statistical information and research with reference to the Departments, their functions and their duties, I ask that the reports be printed in the appendix to the Legislative Journal.

The SPEAKER. If there is no objection the Report of the Joint State Government Commission will be printed in the Appendix to the Legislative Journal. The Chair hears none and the Report will be printed in the Appendix.

#### REPORTS FROM COMMITTEES

Mr. MARKS, from the Committee on Judiciary General, reported as committed, House Bill No. 1608, (Senate Bill No. 545), entitled:

An Act relating to the summoning and service of jurors (except grand jurors) in the civil and criminal courts of the several counties of the Commonwealth except counties of the first class

Mr. GOODWIN, from the Committee on State Government, reported as committed, House Bill No. 1856, (Senate Bill No. 1047), entitled:

An Act to further amend the act approved the seventh day of May, one thousand nine hundred twenty-three (P. L. 151), entitled "An act defining and regulating the business of dry cleaning and dyeing; providing for the maintenance, construction and inspection of dry cleaning and dyeing buildings and establishments; providing for enforcing the act, and penalties for violation thereof;" providing for the administration and enforcement of said act by the Department of Labor and Industry; exempting from certain provisions of said act certain plants and systems exclusively using a petroleum solvent having a flash point of one hundred and forty degrees fahrenheit; and empowering the Department of Labor and Industry to make, alter, amend and repeal rules and regulations.

Mr. VAN ALLSBURG, from the Committee on Welfare, reported as committed, House Bill No. 1889, (Senate Bill No. 715), entitled:

An Act to repeal certain obsolete acts relating to paupers and the management, control and operation of poor districts.

Mr. PROSEN, from the Committee on State Government, reported as committed, House Bill No. 1984, (Senate Bill No. 598), entitled:

An Act to add section two thousand two and one-tenth to the act approved the eighteenth day of May one thousand nine hundred eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" providing for cooperation of State Teachers Colleges at the request of the State Council of Defense with other agencies in furthering national defense programs and activities.

Mr. O'MULLEN, from the Committee on Public Utilities reported as committed, House Bill No. 1957, (Senate Bill No. 783), entitled:

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

Mr. SARRAF, from the Committee on Public Health and Sanitation, reported as committed House Bill No. 1384, (Senate Bill No. 480), entitled:

An Act requiring the Department of Health to furnish free of charge all State and State-aided hospitals certain vaccines or serum used in the Pasteur treatment, and requiring such hospitals to furnish and inoculate all persons bitten by dogs in this Commonwealth with such vaccine or serum free of charge.

#### BILLS ON FIRST READING

Pursuant to unanimous consent heretofore granted the following bills were read the first time.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1889, (Senate Bill No. 715), entitled:

An Act to repeal certain obsolete acts relating to pau-

pers and the management, control and operation of poor districts.

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. 1984, (Senate Bill No. 598), entitled:

An Act to add section two thousand two and one-tenth to the act approved the eighteenth day of May one thousand nine hundred eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" providing for cooperation of State Teachers Colleges at the request of the State Council of Defense with other agencies in furthering national defense programs and activities.

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. 1856, (Senate Bill No. 1047), entitled:

An Act to further amend the act approved the seventh day of May, one thousand nine hundred twenty-three (P. L. 151), entitled "An act defining and regulating the business of dry cleaning and dyeing; providing for the maintenance, construction, and inspection of dry cleaning and dyeing buildings and establishments; providing for enforcing the act, and penalties for violation thereof"; providing for the administration and enforcement of said act by the Department of Labor and Industry; exempting from certain provisions of said act certain plants and systems exclusively using a petroleum solvent having a flash point of one hundred and forty degrees Fahrenheit; and empowering the Department of Labor and Industry to make, alter, amend and repeal rules and regulations.

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. 1608, (Senate Bill No. 545), entitled:

An Act relating to the summoning and service of jurors (except grand jurors) in the civil and criminal courts of the several counties of the Commonwealth except counties of the first class.

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

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1384, (Senate Bill No. 480), entitled:

An Act requiring the Department of Health to furnish free of charge all State and State-aided hospitals certain vaccines or serum used in the Pasteur treatment, and requiring such hospitals to furnish and inoculate all persons bitten by dogs in this Commonwealth with such vaccine or serum free of charge.

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. 1957, (Senate Bill No. 783), entitled:

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

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

#### BILL RECOMMENDED

Mr. O'MULLEN. Mr. Speaker, I move that this bill be recommitted to the Committee on Public Utilities for the purpose of further study and amendment.

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.

Mr. FALKENSTEIN asked and obtained permission for the Committee on Public Utilities to meet during the session of the House.

Mr. BROWN asked and obtained permission for the Committee on Judiciary General to meet during the session of the House.

Mr. READINGER asked and obtained permission for the Committee on State Government to meet during the session of the House.

Mr. SARRAF asked and obtained permission for the Committee on Public Health and Sanitation to meet during the session of the House.

## SENATE MESSAGE

SENATE INSISTS ON ITS AMENDMENTS NON-  
CONCURRED IN BY HOUSE

The Clerk of the Senate being introduced, informed that the Senate has insisted upon its amendments, non-concurred in by the House of Representatives, to House Bill No. 551, entitled

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 interests on the public debt and the support of the Public schools for two years beginning June first one thousand nine hundred and thirty-nine and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending May thirty-first one thousand nine hundred and thirty-nine" providing for a deficiency in the appropriation to the Department of Property and Supplies for the fiscal biennium ending May thirty-first one thousand nine hundred forty-one providing for payment out of revenues of the fiscal biennial period beginning June first one thousand nine hundred forty-one and preventing lapsing.

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

The motion was agreed to.

APPOINTMENT OF COMMITTEE OF CONFERENCE ON  
HOUSE BILL No. 551

The SPEAKER. The Chair appoints as a Committee of Conference on said bill, Messrs. GERARD, MARKS and WOODSIDE.

Ordered, That the Clerk inform the Senate accordingly.

## REPORT FROM COMMITTEE

Mr. McMULLEN from the Committee on Public Utilities re-reported as amended, House Bill No. 1927, (Senate Bill No. 783), entitled:

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

duties upon said commission and providing for appeals, requiring the filing of financial reports by authorities with and the approval of bond issues by the Department of Internal Affairs and conferring powers and imposing duties upon said department, restricting the appointment of members of authorities and limiting their salaries, and providing for the voluntary dissolution of authorities.

## RESOLUTION

## MAILING MEMBERS FILES

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

In the House of Representatives, July 10, 1941.

Resolved, That the Bureau of Publications, through the Department of Property and Supplies, be directed to mail files of bills and journals on desks of Members desiring same to places designated by them, all files being received by them through the Office of the Chief Clerk.

The SPEAKER. The Chair would like to inform the Members concerning the resolution just adopted. Members who wish to have their files sent home will have them delivered to the store room by the Pages. From this time on bills will be placed on the desks of the members as they are considered. The Members themselves will determine whether or not they desire to send their files home. Members who desire to do so will contact the Chief Clerk.

## CONGRATULATORY RESOLUTION

Messrs. BROWN, JEFFERSON and YOUNG offered a privileged resolution which was read, considered and adopted as follows:

In the House of Representatives, July 10, 1941.

Whereas, A distinguished Member of the House today observes his forty-second birthday; and

Whereas, Forty-two years ago, in the Town of Oxford, North Carolina, there first saw the light of day a youngster who, even at that early age, gave promise of possessing remarkable talents; and

Whereas, Since that time he has devoted himself to leading the people of his congregation in the path of righteousness, and to leading the Commonwealth of Pennsylvania and its Representatives in the General Assembly into the path of true Christianity; and

Whereas, He is a foremost exponent of the fundamental principles underlying American democracy, with a firm belief that those stirring words in the Declaration of Independence, in those self-evident truths, namely, that all men are created equal, and that they are endowed by their Maker with certain inalienable rights, among those rights being life, liberty and the pursuit of happiness, and has devoted his lifetime towards a realization of these self-evident truths; and

Whereas, Together with this strong devotion to his ideal, he combines a most congenial, pleasant and wholesome friendly disposition; he it therefore

Resolved, That on this, the occasion of the Honorable Marshall L. Shepard's birthday, the House of Representatives congratulate him, and wishes him many happy returns of the day; and be it further

Resolved, That the Chief Clerk of the House forward a copy of this resolution to the Honorable Marshall L. Shepard.

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

Mr. BROWN. Mr. Speaker, I know the gentleman so well that I would rather have some of the other Members eulogize him on this occasion. Therefore, I yield at

this time to some of the other members of the House who don't know the gentleman as well as I do.

The SPEAKER. The Chair is informed that the gentleman from Delaware, Mr. James, knows the Rev. Mr. Shepard very well.

Mr. JAMES. Mr. Speaker and gentlemen of the House, and in particular, Honorable Marshall Shepard, I listened this afternoon with a great deal of interest to the debate that involved the subject of the honors tonight, by the ex-Speaker of this House, the Honorable Ellwood Turner. It seems to me in that debate the one thing and the only thing that was brought forth with any amount of pronouncement was the fact that both gentlemen have observed a lazy attitude toward all things pertaining to government.

It is sometimes hard to characterize a man like the Honorable Marshall Shepard, who like a diamond has so many sparkling facets, that to describe any one of them would beggar all others. However, in characterizing the Honorable Marshall Shepard I think along the lines of his profession, and a text comes to my mind that seems to me to be particularly appropriate, "Observe the lillies of the field, they toil not neither do they spin, yet Solomon in all his glory was not arrayed like one of these."

It seems to me, Mr. Speaker, in his own inimitable way the Honorable Marshall Shepard exemplifies the spirit and the meaning of that text exceedingly well. It is very definite that in his life and in his living he leans very heavily upon the Providence that clothes the lily even without toiling or spinning, in that he begs and denies the words of the ancient Chinaman who so many years ago said, "One cannot plow a field by turning it over in his mind." That, however, I believe is a great and outstanding accomplishment of the Reverend Marshall Shepard.

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

Mr. SHEPARD. Mr. Speaker and Members of the House, I do thank the gentleman and the Members of the House for these words of tribute.

They do tell me I was born forty-two years ago down in North Carolina, in a little town called Oxford, not just in the town but a little way out of town, which was the place I got off the train. I appreciate this tribute. As I said sometime ago, my father was a slave and went through all of struggles we have had to get along in this country. This is the greatest democracy in America, especially a state like Pennsylvania, when even the son of a slave can be so generously considered in the Assembly Halls of the Commonwealth of Pennsylvania. I admit that I do not like a whole lot of work and that is one of the reasons I can never become a Congressman. I just don't like to work. I hope I will never have to do a whole lot of it. I do not have any particular philosophy of life. I read sermons sometimes, and Mr. Speaker, I just happened to come across a little poem that appears on the walls of Chester Cathedral in England, which is as follows:

"Give me a mind that is not bored,  
That does not whimper, whine or sigh,  
Don't let me worry overmuch  
About the fussy thing called I.  
Give me a sense of humor, Lord,  
To get some happiness from life  
And pass it on to other folk".

I thank you Mr. Speaker.

#### PERMISSION TO ADDRESS HOUSE

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

Mr. Speaker, I listened with great interest to the Reverend Shepard in his remarks on his birthday, as I gathered it as I came into the House. I am reminded that the other day some one was telling an anecdote about him. He said that his boy and two other boys were discussing their fathers.

One of them said, "Well, my father writes articles and they pay him a lot of money for it."

The other boy said, "Well, my father is out on a lecture platform and they pay him a lot of money for that."

Young Shepard said, "that's nothing, heck, my old man preaches a sermon every Sunday and it takes five men to carry the money up the aisle."

#### PERMISSION TO ADDRESS HOUSE

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

Mr. Speaker. I was reminded as I got up of the poem that says, "There comes a pause in the day's occupation which is known as the 'children's hour'" I thought as I rose there comes a time in a legislative session which is known as the "eulogy Hour."

I have a lot of sympathy for you in that you must be up there and listen to what is going to be said about you. Having experienced the same painful experience, I can speak feelingly. However, it is fine that at the end of each session the Members of the House can get together and forget the bitterness, the hate and the heartaches of legislation and say something about the men who have borne the brunt of the legislative session, and particularly about the man who sits in the Chair and presides over our deliberations.

This is a great parliamentary body. It has to do with the lives and the well being of ten million people. It has to do with what is practically a nation, one that is greater than some nations that exist in many other parts of the world; a great country with its great natural resources, its great industries, its fine educational institutions, its great cultural institutions. We have to do here the things that affect human beings, yes, from the time before they are born until they pass on, and leave something perhaps for the tax collectors to gather and take away from their children.

Mr. Speaker, there have always been in this House, and I noted one of them this evening sitting near me, fortunately it seems to me for the people of Pennsylvania, men who are interested not only in legislation and in representing their constituents but who are interested in building the prestige, in building the efficiency and the effectiveness of the legislative body in which they sit.

I have had the pleasure and the privilege of sitting in this same seat, under a long line of Speakers, except during the session when I, also, was Speaker. They have been men of varying caliber; they have been men of varying attainments; they have been men of varying educational background; they have been men of varying experience. They have come from different parts of the State. Yet as each man has taken his place as Speaker it has seemed to me he has grown in stature, that he rose to

the position which he held and to the opportunities which it gave him for service.

Each time as the session has closed the finest tribute we could pay to that line of men under whom I have sat, was that in every instance the House was able to say that they were fair, that they rose to their high duties, that they considered the obligations placed upon them and met the problems that were given to them, each in his own way, but each in a way that has brought satisfaction to the membership of the House.

I came here first in 1925. I have sat here under five different Speakers and I know in each instance the remarks of members were not merely complimentary ones made for the occasion, nor that the men who were assembled in that particular Legislature were trying to say something polite and nice to the man in the Chair, but out of the hearts of those men who truly represent our democracy, this cross section of the people of our state, came a feeling of gratitude to the man who had sat in the Chair for the things he had done for the Commonwealth and for the things he had done for them.

I think I can say to you truthfully and honestly that I voice the sentiment of the other Members of the House when I say that you have upheld the fine traditions of the office which you occupy, that there has been a rising scale of sentiment in the House not only on your own party's side, but on the minority side, for your sportsmanship, your fine humor, your wit, your splendid feeling towards the members, your desire to carry out the traditions of the House and to conduct the business of the House in an effort, if possible, to increase and raise the standard of efficiency and effectiveness of the Legislature of Pennsylvania. I know, and all the members know, that you have been a lifelong true sport. I think in our American way we can pay no greater tribute to a man than to say he is a true sport. We can also add to that, and a true gentleman, and in all your conduct of the affairs of this House you have epitomized the highest type of sportsmanship and gentleman.

Therefore, Mr. Speaker, as we come toward the close of the session, I am sure the Members of this House wish you well, they wish you health and happiness, they wish for you further and higher honors, and above all they hope to have the opportunity of associating with you in the future, whether it be within the halls of this House or whether it be in some other capacity.

I like to think of the men in this world, not those great men whose statutes are placed upon the great public squares, in public parks and public buildings, not those men whose names are emblazoned across the portals of our great buildings or upon monuments or plaques, but I like to think of men who, as they go through life, contribute a little toward the building of the future of the country and the future of the Commonwealth of Pennsylvania. I like to think of those who, in their small way, contribute their small atoms, which, when brought together, just like those small molecules that make up the limestone with which we erect our buildings, build something that is solid something that is firm and something that is enduring.

I am sure by your contribution here, no matter whether your name be emblazoned across the portals of a building in Pennsylvania, no matter whether grateful citizens and grateful friends erect a monument to you, that you have erected a monument because you have as an humble American citizen done your part. You will leave here with

the well wishes of the Members because you have built in the hearts and in the minds and in the memories of these members of the Legislature something that will be more enduring than the marble of this hall or the bronze of any statute that they may build for you.

I desire to offer the following resolution.

The SPEAKER. The Chair requests the gentleman from Delaware, Mr. Turner, to preside.

MR. TURNER IN THE CHAIR

RESOLUTION

CONGRATULATING SPEAKER

Mr. TURNER offered a privilege resolution which was read as follows:

In the House of Representatives, July 10, 1941.

The office of Speaker of the House of Representatives came as a signal honor to its present incumbent, in that he did not seek, but was sought for the place. And now, at the close of his first legislative session as presiding officer, the office is honored by the man who holds it.

The Honorable Elmer Kilroy of Philadelphia has brought to the speakership the attributes of a true leader—firmness; the ability to analyse situations, and, to anticipate and effectively meet actions, designed to hinder or delay the proceedings before the House; clarity and directness of thought; and above all, fairness and impartiality in all rulings, and in all his dealings with partisans and opponents alike.

Having never before presided over a deliberative body, large or small, he undertook the task assigned to him with great courage and a determination to do it well, to uphold the traditions of the speakership of this House, and to fix even higher than ever before the standards set for him by a line of worthy predecessors. How well he has succeeded, the proceedings of each day, of an extremely trying session, bears witness.

At each session of the present assembly, the exact hour set for reconvening has found our Speaker on the rostrum, gavel in hand, calling the House to order. Throughout each sitting, he has insisted on orderly proceedings, and upon each member having an opportunity to be heard, without having to contend against needless noise or confusion. Motions, parliamentary deliberations and debates have been orderly and strictly confined to the properties of each situation. The floor of the House has at all times, been kept free of those who trespass upon the rights and privileges, and interfere with the comfort of Members during sessions. The courage of the Speaker, in enforcing these principles impartially and without bias or favor, has not only won our deep respect and gratitude, but has made our work easier, by reducing disorder to a new minimum; therefore be it

Resolved, That as Members of the House of Representatives, who have so richly benefited by his leadership and guidance, we express in this manner, our sincere appreciation of his fairness at all times, and of his services to us, and to the Commonwealth; our gratitude for his help; and our admiration for his courageous straightforwardness.

We wish him health, long life and prosperity, and many more and greater honors as the years go by, fully confident that from each he will be able to gain life's most bountiful reward—the realization of a task well done; and be it further

Resolved, That this resolution be spread upon the Journal of the House, and a copy thereof be forwarded to our Speaker, the Honorable Elmer Kilroy, by the Chief Clerk of the House.

The SPEAKER pro tempore. The Chair at this time recognizes the gentleman from Allegheny, Mr. Bentley.

Mr. BENTLEY. I too claim, with the men who have preceded me and those who will follow me, the high personal privilege of seconding the resolution and the senti-

ments just offered by my good friend, the gentleman from Delaware, Mr. Turner.

But in adding my hearty "aye" to all that has been said—a special lustre is imparted to the praise that has been and will be bestowed upon our Speaker, for I speak as a first termers in the Session of '41—and thus in a sense (as one of that class of '41), mine is the voice of all the first termers sounding their approval of a great Speaker.

Now, first termers, as a whole, and particularly we of the class of '41, are men endowed by our Maker with gifts not bestowed upon lesser mortals, such as second, third, fourth, or longer termers.

Consider, Mr. Speaker, the parliamentary knowledge brought to these august halls by us first sessioners! Ah, was there ever such a class?

There must have been times, Mr. Speaker, I am sure, when your Parliamentarian shuddered in awe at the profound and impressive—I might almost say awful—parliamentary ability of your first termers.

And then consider the caliber of the men comprising the first termers of '41.

As typical if you will recall that breadth of vision, that unerring approach and that simple greatness of men, who so viewed the public and political problems of our Session, that they felt impelled to sit in both the Democratic and Republican caucuses—and that can not be called a "Gross" error.

That was a first termers, Mr. Speaker, and where but in the ranks of the class of '41 would you look for such sheer genius.

Lastly—though I might go on for days, enumerating the greatness of the freshmen of '41,—we have been tempered by such a fire, both economic and otherwise, as runneth beyond the memory of man. Of the economic travail we have undergone, I need not speak—it is still with us, but history tells us, Mr. Speaker, that nearly half a century ago, the predecessor of this legislative hall, burned to the ground. That halocaust, must have produced a class, nearly the equal of we of '41—surviving and emerging as we have, bloody but unbowed from conferences and re-conferences—conferences on mental institutions and little W.P.A., on budgets and balances—on cabbages and kings, and all the rest.

And so it is I say, Mr. Speaker, that when we of the class of '41 look beyond our ranks and choose a man and of him say—there is a man who has done his job as well as we could have done it for him—we have said the ultimate—we have gilded the lily—we have added a special lustre. And that we say to you, Mr. Speaker—you're a great Speaker and a great guy.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Somerset, Mr. Hare.

Mr. HARE. Mr. Speaker, words are such hollow mockery tossed out upon the waves and the skies when we stand in eulogy of a man whose actions have spoken for themselves. The sportsman-like back-ground of our great Speaker, Mr. Kilroy, needs no words of praise from the lips of the Members of this Assembly, for but a glance at the higher stature to which he has lifted the Speakership in these halls allows actions to speak for themselves.

Knowing the type of man that Elmer Kilroy is, I can well realize that by this time he is probably squirming in his seat and rubbing the leather from his chair, for a man of his type, who has always given so much and expected so little from the world does not expect men to

stand in public tribute to him. I speak as the gentleman spoke before me, as a first termers, one who entered these halls filled with awe, filled with wonderment as to the true meaning of the representative form of government as carried forth in this General Assembly. These few words, that often defy the human vocabulary in attempting to describe a great genius, the great ability of our beloved Speaker, Elmer Kilroy, a truly great gentleman from the City of Philadelphia, leave us sometimes standing mute. When we first came into these halls, we found evidence of his great abilities at every turn. His understanding heart and his absolute impartiality impressed us with a firm lesson that has helped us to become better members as first termers in this session of 1941. He was never too busy in the great cares of his office to listen to our pleadings and our problems, and to guide us with his good counsel. He has been a great umpire in the game of government for the past seven months, not my umpire or yours, but our umpire, and as such I say very frankly and truthfully that Elmer Kilroy has called every pitch across the plate as he has seen it. He has been a very good counsellor and a foster father to all we first termers. I say to you, Elmer Kilroy, Speaker of the House of Representatives, the first termers of this House always stand ready at your behest to "play ball" with you as our umpire—"The House will come to order."

The SPEAKER pro tempore. The Chair recognizes the gentleman from Philadelphia, Mr. Shepard.

Mr. SHEPARD. Mr. Speaker, nearly everything I planned to say in reference to our Speaker in tribute to him was said by someone else before I got up.

I am reminded of a class that I was conducting in church one day. A group of people were reciting Bible verses. I was asking them to make it snappy, depending upon their wit and their knowledge of the Bible. There was one lady sitting there very nervously and she only remembered one verse of the Bible, "Jesus wept." Just before her turn the lady next to her got up and said, "Jesus wept," and she got right up and said, "He sure did."

When the gentleman said our Speaker has been fair, when they said he was a great leader, when they said he was a great sportsman, I could only say, "He sure was".

I want to tell you one of the things that happened in the caucus in Philadelphia of the Members of the Legislature. I can not tell you all the things that went on in those caucuses, but this was a little personal item that I am very proud of and I hope you will pardon me for mentioning it. It was my pleasure and my privilege to nominate Elmer Kilroy as our choice for Speaker of the House of Representatives. I did so and I am proud of it. I am more proud of it now than at any other time as we come to the close of the great record he has made as Speaker of this House. The Speaker has been fair, and being fair is not just something that he has picked up while being Speaker, but is something that comes from a great tradition of the sportsmen, and in all our American life there is hardly a field of endeavor in which we find more real fair play and an honest-to-goodness equality than we do in the field of sports. Elmer Kilroy came up in that tradition and he is a fine exponent of all the best values that are to be found in that tradition of sport. He will go down in history as one of the great Speakers of this House of Representatives of the Commonwealth of Pennsylvania. We from Philadelphia are proud of him because he is a product of that great city of Brotherly



Love, and may I add, of Sisterly Affection. I tell you now if the Democratic party of Philadelphia had done no more under the splendid leadership of Jack Kelly than to give to Pennsylvania Elmer Kilroy, if they had not done anything more than that, it would have justified all the sacrifices, all the work and all the endeavor that was put forth.

I am happy to second the resolution commending Elmer Kilroy for the splendid record he has made as Speaker of the House of Representatives in this 1941 Session of the Legislature.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Lebanon, Mr. Sarge.

Mr. SARGE. Mr. Speaker, and gentlemen of the House, unaccustomed as I am to public speaking, and in view of all that has already been said in tribute to our great Speaker, I find myself experiencing an antipathetic feeling of horrendous horrification which almost transmogrifies itself into a lingual paralysis.

However, I am glad to have this privilege in my humble way to add to the tribute to this great Speaker. Men do not achieve the high position in life that Elmer Kilroy has achieved unless they show great ability from youth up. In looking over his past history I heard an anecdote that proves how he came to possess such great ability. When he was quite a boy he went to the railroad station in Philadelphia on the day of an excursion, when the station was crowded. Seventeen people were in line trying to buy a ticket, and Elmer with his great modesty and with his speed rushed up past the crowd and laid fifty cents down on the ticket window and asked for a ticket to New York. The station agent, somewhat angered because he had rushed up ahead of the rest of the crowd said, "You know you can't go to New York for fifty cents." Elmer said, "Where can I go for fifty cents," and promptly seventeen other people told him.

Mr. Speaker and gentlemen of the House, seriously speaking I find it a great privilege to briefly pay tribute to this great Speaker, and as I thought of some vehicle that I might use to pay this tribute, I could think of none better than to attempt to paraphrase Bruce Barton's "Tale of the Two Seas," in which he says:

There are two seas in Palestine, one is fresh and fish are in it, forests of green adorn its banks, trees spread their branches over it, and their thirsty roots stretch out to sip of its healing waters. On its shores little children play as children played when the great Master was there. He loved it. He could look across its smooth surface as He spoke his wonderful parables, and on a rolling plain not far away he fed five thousand people. The river Jordan, with sparkling water that flowed from the hills formed that sea, and it was a wonderful sea. The river Jordan was so wonderful that men built their houses on its shores, birds built their nests, and every form of life was happier because it was there. But the river Jordan went on South and formed another sea. There was no splash of fish; for want of trees no singing of birds and no children's laughter. Travelers avoided it, and unless it was urgently necessary they passed it by. The air hung heavy over its waters and neither man, nor beast, nor fowl would drink of it.

What was it that caused this mighty difference between these two neighboring seas? Not the river Jordan. It emptied the same good water into both of them. Not the soil in which they lay nor the country round about them. But this was the difference, gentlemen? The sea of Galilee

received and gave. For every drop it received from the Jordan another drop flowed out of it. It received and gave in equal measure. But the other sea, seeking jealously to hoard its income, refused to be stirred by any generous impulses. It was called the Dead Sea, and the Dead Sea gave nothing, but the sea of Galilee gives and lives.

Yes, gentlemen, there are two seas in Palestine, and, thank God, just as there are two seas in Palestine, so there are two kinds of people in this world. In these days when man's inhumanity to man seems so prevalent, it certainly is a wonderful thing in this great democracy of ours to have the privilege of paying a tribute to a Speaker, to a gentleman like Elmer Kilroy. Some men achieve success politically; some men receive prominence by reason of their wealth and some by their social distinction, but as I go through life, I would much rather have it said of me, as it is said of Elmer Kilroy by every Member of this House, regardless of his political faith, "He is a man of generous impulse and of graciousness."

I know of no better way to close my brief remarks in tribute to my friend, Elmer Kilroy than to say to him in the beautiful words of Eugene Field:

"When a crony takes your hand

In parting to address you,

He drops all foreign lingo,

And he says, 'God bless you'".

The SPEAKER pro tempore. The Chair recognizes the gentleman from Berks, Mr. Readinger.

Mr. READINGER. Mr. Speaker, it was not given to me to have had more than a passing acquaintance with the late Honorable Wilson Sarig, who I understand was a great former Speaker of this House. It was, however, my privilege to serve under Roy Furman as Speaker and under Ellwood Turner as Speaker, and in my opinion and in the opinion of those who knew them, they were also known and rated as great Speakers of the House of Representatives.

I state most emphatically that it is my opinion, and I am sure the opinion of the other Members of the House, that Elmer Kilroy has earned his place and should also be rated as one of Pennsylvania's great Speakers. He may not have been as learned a parliamentarian when he first took office as was Wilson Sarig and Ellwood Turner, who had had many years of experience in this body before they achieved that distinction, but I do not think that matters so much. I think what does matter is that the Speaker be fair and considerate, and those qualities Elmer Kilroy has to the last degree. In the years to come, Elmer Kilroy will not think so much about what we said here tonight, but he will think of the sincerity with which we said it, and the good-will which we bear towards him.

I deem it a distinct pleasure, Mr. Speaker, to second the resolution introduced by the gentleman from Delaware, Mr. Turner.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Philadelphia, Mr. Melchiorre.

Mr. MELCHIORRE. Mr. Speaker and Members of the House, I certainly want to take this opportunity to pay tribute to a great fellow, Elmer Kilroy, who is the Speaker of the House of Representatives.

An old sage once said that "I have many many times regretted words spoken, but never those unspoken."

I feel that I must at this time disagree with this old

sage, for as I sit down after my few remarks, I am sure that I would regret many nice words that I could have spoken about my good friend and Speaker, Elmer Kilroy.

I have been closely allied with Mr. Kilroy ever since he became a Member of this House, and he has been honest and loyal to his friends, and as Speaker of this House, he has done honor, not only to the people of Philadelphia, but to the people of this great Commonwealth. You all know he has been a real Speaker in his presiding over the deliberations of this great body, and we feel proud, especially we from Philadelphia, to have as the Speaker of this House, Elmer Kilroy.

I have been a member of this House since 1932, my first session being in 1933. I have served, as Mr. Turner has, under many Speakers of this House, and I want to say to Mr. Kilroy and to the Members of this House, it has been a pleasure for me to be a Member of this House with such a great Speaker and loyal fellow as Elmer Kilroy.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Dauphin, Mr. Woodside.

Mr. WOODSIDE. Mr. Speaker, to what has already been so eloquently said, I would like to add a la Reverend Shepard, amen.

In speaking to various organizations I have frequently made mention of an experience which happens on the floor of the House in every session. It seems that there always comes a day when the House gets into a turmoil, and everybody seems to become irritated and angry with everybody else. In my experience in this Legislature, I have never seen a session where that did not take very marked form on at least one day until this session of 1941. Although we have had our battles and we have differed, and we at times may have become more or less angry with each other, nevertheless, at no time did we get into a real parliamentary tangle which was initiated by harsh feelings between the members.

In my opinion, a lot of that is due to the very fine spirit and very fair method in which the Speaker of this House presided. Another thing that I noted during this session was the fact that wherever Elmer Kilroy went, no matter who was the honored guest, when Elmer Kilroy got up to speak, every Member of the House immediately stood up. It was a spontaneous rising which came from their respect, their admiration and their love for the Speaker. It was not due so much to respect of the office which Elmer Kilroy held as it was due to respect for the man himself, and that is one of the finest tributes that could be paid to any man.

So much has been said tonight, and so eloquently, that I seem unable to add anything to the very splendid remarks already made. However, I do consider it a privilege to second this resolution and to add my word of praise to the man who has so ably, so honestly and so fairly presided over this body. As minority floor leader, I, probably more than any body else, can appreciate his kindness, his courteous treatment and his fair methods during this session. I am sure every Member of this House, not only respects and admires Elmer Kilroy, but loves him as a man and as Speaker of this House.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Monroe, Mr. Achterman.

Mr. ACHTERMAN. Mr. Speaker, I know of no occasion in the years that I have served in this House that

gave me more pleasure than the occasion this evening. We, of the House, of course know of the serious difficulties that are faced by any man who serves as Speaker of this House. We know of the dignity of the office, we know of the requirements on the time and energy of the man who serves in that position.

We know that that position is comparable in dignity and importance with that of the Governor of this State. We know that this body, the House, is perhaps more truly representative of the people of Pennsylvania than any other deliberative body in this State, and because of that fact, we know that the man who occupies the position of presiding officer of the House must of a certainty not only maintain dignity, but maintain impartiality over the proceedings of the House, so that, not only the respect, but the decorum of all is secured.

It goes without saying and it has been attested here by all those who have preceded me, that that dignity has been maintained by our present Speaker on the same high plane as it has been maintained in the years past. As a matter of fact, this session, the longest in the past hundred years, has been maintained in such an even manner that as a matter of fact, although our nerves at times have been frayed and perhaps our tempers short, and when, of course, the Speaker has with alacrity recognized a Member on this side of the House when we rose to speak, even though some of you men on the other side were seeking recognition, nevertheless, he did it in such an even and kind manner that you are attesting tonight to the impartiality with which he presided. And may I say, of course, in doing so, he always gave you the opportunity to be heard at length on any subject before the House.

May I add, Mr. Speaker, to the words of the other Members who have preceded me this evening, that it has been a pleasure to have had the opportunity of leading the majority members of this House under the guidance and under the direction of the man who has made a one hundred per cent perfect Speaker. May I say that it is with real pleasure that I join in seconding the resolution.

On the question,

Will the House adopt the resolution?

It was unanimously adopted by a rising vote.

The SPEAKER pro tempore. The Chair calls to the rostrum to preside the Chief Clerk.

THE CHIEF CLERK (Thomas J. Callahan) IN THE CHAIR

The CHIEF CLERK. The Chair now has the pleasure of calling to the rostrum the Speaker of the House.

The SPEAKER. Members, I now know what it means when they say "Embarrassing moments." For the past week I have been looking forward to this day with feelings of mingled joy and gloom; joyful because we can return to our respective homes and our work with the knowledge that we have done well for the citizens of Pennsylvania. Gloomy because the many friendships I have made in my daily contacts with you are to be severed, I trust only temporarily. But that is life, here today and gone tomorrow.

I am very happy, and I say so from the bottom of my heart. The past six months have been extremely pleasant; you have made my job as Speaker an easy one.

When I was inducted into my present office last Janu-

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ary 7th, I said, if at the expiration of my term I could ring down the curtain with the knowledge that I had upheld the tradition of the office, I would be happy indeed. I trust I have fulfilled that promise. As I stand on this rostrum during these closing hours of this historic session, I see more than two hundred faces before me, faces that have radiated and expressed the desire to cooperate, and to make our common task one that had few headaches had plenty of good clean sportsmanship.

In front of me to my left sits a group referred to as the minority. As Speaker, I have never been in the minority insofar as having the kind wishes and unexcelled cooperation of the Republican or so called minority in this chamber. To you able, sincere and honest leader of that group, Robert E. Woodside, Jr., in the presence of the entire membership of this House, I want to thank you sincerely for the many courtesies you have shown me and for your fairness to the majority during the debates in these past weeks.

In front of my good friend Bob sits a rotund gentleman, the gentleman from Delaware, my predecessor, Ellwood J. Turner. To you, Ellwood, as I did at the opening of this session, I again express my thanks for the spacious quarters you furnished me. Incidentally, the office is now air conditioned. Mr. Turner, to you I also express my appreciation for your kind counsel in the past months.

On my right is the gentleman from Monroe, the very capable majority leader, Leo A. Achterman; a rock of Gibraltar to me and to the Democrats of this House. He has withstood the terrific bombardments of the minority and has even withstood the criticism of his Excellency the Governor of this Commonwealth. Leo, as I have told you on numerous occasions, I am more than appreciative of your kind assistance. You have also done a splendid job in directing the Committee Chairmen of this House.

To you Democrats, the majority group of the House, I say with deep feeling; thanks for helping to lighten the burden thrust upon me because of the position to which you so graciously elected me.

To the Chairmen, Vice Chairmen and Members of the various House Committees, the Chair expresses its gratitude for the courteous and broad minded consideration of the legislation that came before you.

No leave taking would be complete unless everyone's friend, our Parliamentarian, was given his well deserved praise. You, S. Edward Moore, are indispensable; never have you let me down, nor have you permitted me to flounder as might have been the case without your guidance.

Fortunately for me, I will have, God willing, a year and a half more in which I will be closely associated with you.

To the sergeant-at-arms and his assistants and to the alert and keen page boys the Chair also extends his thanks.

To the Chief Clerk, Thomas J. Callahan, and the Secretary, Dennis J. Mulvihill, and to their trained staffs, I offer my grateful appreciation.

Just because the session is about to adjourn I do not want the Members to take it as a signal to cease their contact with the Speaker's office. Remember, you will be Members of the House of Representatives until the last day of November, 1942. The Speaker's office is

yours; there you will find my staff ever ready and willing to assist you in the many problems you may encounter in the Hill. Remember also that the latch string will be out.

Leave taking has me down. It reminds me of the song we hear wherever we go: "My Sister and I. But we won't talk about that." I want to close, not with the English "Cheerio" nor with the French "Au Revoir," but as one American to another, "I'll be seeing you."

The Chair requests the gentleman from Delaware to preside.

Mr. TURNER IN THE CHAIR

PERMISSION TO ADDRESS HOUSE

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

Mr. Speaker, every army must have a general and every movement which has an object to attain must have a leader. The members on the majority side of the House feel that we have been exceedingly fortunate in being able to have during this 1941 session of the Legislature a man as able as Leo A. Achterman of Monroe County as our floor leader.

To us on this side of the House Leo has been a tower of strength; his wisdom and his tact have pulled us through many a trying circumstance, and he has led us, in our humble opinion, to what we consider a victorious attainment of our ends. Those of us who have come to know him well during this session and the prior sessions know the value of such magnetic personality and smile. Time after time we have seen him debate problems of great importance to the Commonwealth of Pennsylvania on this floor, and sometimes in rather bitter debate, and shortly after that we have seen him on the other side of the House just as friendly as the day before. It takes a man like that to be a real floor-leader in this House of Representatives. If we had a man leading either side of this House who continually bore grudges against the person, who differed with him in opinion, we would not have a very good leadership, and all of us know what a trying position the floor-leader of this House holds. We have seen the traffic which moves in and about his seat daily; we have seen and we probably have participated in conversations with him at the very time he was trying to hear some one debate a question on the other side of the House.

The Democratic members are very proud of Leo Achterman; we are proud of what he has done during this session and we appreciate deeply the spirit with which he entered into and carried out his duties as our floor-leader. We know he has been industrious throughout the whole session; he is not solely a leader who can speak and speak without much knowledge of the subject, but through industry and research we believe he knows whereof he speaks. While the Members on the other side may have differed with him in opinion on many subjects, while perhaps some of our own Members have done so, we still appreciate that what he said was said after research and study.

Mr. Speaker, there are times in a man's life when he wishes he had a greater power of oratory to describe the feeling in his heart toward another person. However, we are all subject to certain limitations and without saying anything more about the man whom I consider

to be a great floor-leader for the majority party during this session, I offer the following resolution and ask for its immediate consideration.

#### CONGRATULATORY RESOLUTION

Mr. READINGER offered a privileged resolution which was read considered and unanimously adopted as follows:

In the House of Representatives, July 10, 1941.

At this point in world affairs, when the future paths of the democracies are beset with many and unusual hazards, our welfare in the days to come depends in large part upon the character, integrity and ability of our leaders.

The necessity for confidence inspiring leadership is nowhere greater than in our various legislative halls, from whence come the basic rules guiding our conduct in almost every phase of life.

Without adequate leadership among the various members of any legislative body confusion would supplant efficiency and the proper consideration and enactment of legislation would be impossible.

The majority floor leader of the House of Representatives the Honorable Leo A. Achterman, through his diligent and unselfish devotion to duty, his unflinching willingness to assist and cooperate with his associates in the House, and his recognized character and integrity, has made an invaluable contribution during this session to the smooth operation of the legislative processes.

At this time when the many problems arising in connection with national defense, and when the divided political alignment of the General Assembly have complicated and aggravated the difficulties which always attend the activities of a Legislative body, the leadership of Leo A. Achterman has uniformly been such as to command the liking and respect of all his fellow members, regardless of their political affiliations; now therefore be it

Resolved, By the members of this House that we congratulate the Honorable Leo A. Achterman upon his very able diplomatic and efficient activities during this session as majority floor leader, and that we wish him all the future successes in life to which his unusual ability, his likable personality and his fine character entitle him; and be it further

Resolved, That a copy of this resolution be transmitted to the Honorable Leo A. Achterman by the Chief Clerk of this House.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Monroe, Mr. Achterman.

Mr. ACHTERMAN. Mr. Speaker, I wish to express my appreciation for the kind remarks of the gentleman from Berks, and also for the sentiment expressed in the Resolution. Above all, Mr. Speaker, I wish to express my thanks to the Chair and the Parliamentarian for the great assistance they have rendered me in my official duties before this House. I know that my way would have been far more burdensome had it not been for the cooperation as well as the aid they rendered.

I wish to extend to the minority-leader of this House my sincere feeling of complete happiness for the manner in which he carried on the debates which were a necessity on his part as well as mine in carrying out the wishes of our respective parties. He was always fair, always square and above-board, and made it possible to carry-on a high plane and in a technical manner that make the task so much easier.

To the Chairmen of the Committees, I wish to extend my thanks for the manner in which they cooperated, the manner in which they fulfilled their duties, and of course, to the Speaker of the House who knows what

that means and who realizes that without the cooperation of those Chairmen, then indeed our way would have been rough, and the majority Members of the House who were always willing and happy to sustain me in carrying out the pledges of my party. Mr. Speaker, I wish to extend my sincere thanks to the entire membership of this House.

#### PERMISSION TO ADDRESS HOUSE

Mr. STOCKHAM asked and obtained permission to address the House.

Mr. Speaker and gentlemen of the House, every army has a general and the responsibility of generalship reposes upon the weak forces as well as upon the strong, upon those in the ascendancy as well as those in the minority, and the great skill that is required very often of the general of the minority taxes the ability of a man.

It is my privilege tonight to rise and express these views and sentiments before the presentation of resolution in respect to the deference and honor we wish to pay to the leader of the minority in this House, Robert E. Woodside, Jr. It has been my observation throughout the years as a member of this body that the floor-leaders have been lawyers.

A lawyer once said to a doctor witness, "Doctors make mistakes, sometimes don't they?"

The witness replied, "Just as lawyers do, sometimes."

"But doctors' mistakes are buried six feet under ground" persisted the lawyer.

"Yes," cried the doctor, "lawyers' mistakes often times swing six feet in the air."

We are here tonight forgetting the mistakes in words, in thoughts and in actions. We climb only by the recognition of our mistakes and by so doing we become greater and stronger in the affairs of mankind. I would like to think of Bob Woodside and I would like now that we might imagine the early years of this man, his place, his desires and his hopes. His experiences in this body, in these legislative halls, have gone back over a number of years from the days when he was trained as a Page. I would like to think of Bob Woodside in terms of a boy who answered an ad and presented himself at the office and the employer said, "What can you do."

The boy said, "I can do anything."

The employer said, "You can? Now, can you file smoke?"

"Yes, sir," said the boy, "if you will fasten it in a vise."

I would like to think of Bob Woodside as that sort of boy, with a ready answer, an answer that shows ability. Many words have been expressed tonight in deference to our Speaker and to the majority floor-leader, and these words that I am expressing to our minority floor-leader are simply a repetition on our part and yet the same kind of heart beats go out from all of us to each one of these men who have participated in the leadership of this House.

"Wealth comes out of the earth, they say—

The golden grain and the metals cold.

Out of the ground comes the toiler's pay.

Out of the ground comes the rich man's gold.

"Then whence come laughter and liting song.

And whence come friendships for men to find?

Whence comes choice between right and wrong?

Out of the heart and out of the mind.

"Two real sources of wealth has man;  
But over the earth may the tempest sweep  
And the riches gathered by pick and pan  
Are easier found than they are to keep.  
"But that other wealth of the heart and mind  
Which is coined in wisdom and mirth and song  
And makes man friendly and makes him kind  
Enriches him for his whole life long."

These words of Edgar Guest I would leave vibrate in your ears, and as we adjourn this session we may think of Robert Woodside in these terms of great friendliness. May God bless and continue him for many happy and successful years.

Mr. Speaker, I offer the following resolution and ask for its immediate adoption.

#### CONGRATULATORY RESOLUTION

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

In the House of Representatives, July 10, 1941.

Under our two-party system of government it frequently happens that the majority party of yesterday is the minority party of today. As parties rise in power and wane, men change from members and leaders of the majority party to members and leaders of the minority. Some leaders fall with their party—others survive to lead minorities, where they before controlled the majority. To be an able leader in either place, and to display the same courage, energy and perseverance in directing the parliamentary battles of a party out of power as when leading the forces that have the assurance of enough votes to prevail on every party measure is the test of a successful floor leader.

The present minority standard bearer meets this test to the fullest extent. At the session now drawing to its close, to the same extent as at the session of 1939 when he led the majority, "Bob" Woodside has performed his duties with effective calm, determination, earnestness and sincerity; steadfastly refraining from indulging in personalities and quibbling, but in each instance striking boldly at the issue to be met; be it, therefore,

Resolved, That the members of all parties in the House for the moment forget all party differences, to join in congratulating the minority Floor Leader, on the most creditable manner in which he has acquitted himself of the duty of legislative watch dog and of making felt the continued existence of the Republican Party in Pennsylvania's House of Representatives; and to assure him of their warm and sincere friendship, respect and admiration; be it further

Resolved, That a copy of this resolution, certified by the Chief Clerk, be transmitted to the Honorable Robert E. Woodside, Jr.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Dauphin, Mr. Woodside.

Mr. WOODSIDE. Mr. Speaker that sounds like old times. It has just been called to my attention that one of the customs of the House has been violated. It has been the custom to send resolutions to the minority floor leader for inspection before submitting them to the desk. This resolution was not referred to the minority floor leader before being sent to the desk.

Mr. Speaker, I want to thank the gentleman who introduced the resolution, and I want to thank the minority of this House for their loyalty and their support. I want to thank the majority floor leader for his kindness, his courtesy and his fairness, as well as the majority Members.

I have already thanked the Speaker, the Parliamentarian and the Chief Clerk. All of the employes whom I have called upon many times for help which they have always

graciously and efficiently rendered, I wish to thank. And while we are thanking I think that we might also thank the people of the Commonwealth of Pennsylvania for their patience with us during this very long session.

The SPEAKER pro tempore. The Chair is informed that the reason why the resolution was not submitted to the gentleman from Dauphin, Mr. Woodside, was because in its original form it only contained one page and we are anxious to get out.

#### BILL RECOMMITTED

Mr. READINGER. Mr. Speaker I move that House Bill No. 1856 (Senate Bill No. 1047), Printer's No. 399, entitled:

An Act to further amend the act approved the seventh day of May, one thousand nine hundred twenty-three (P. L. 151), entitled "An act defining and regulating the business of dry cleaning and dyeing providing for the maintenance construction and inspection of dry cleaning and dyeing buildings and establishments providing for enforcing the act and penalties for violation thereof" providing for the administration and enforcement of said act by the Department of Labor and Industry exempting from certain provisions of said act certain plants and systems exclusively using a petroleum solvent having a flash point of one hundred and forty degrees Fahrenheit and empowering the Department of Labor and Industry to make alter amend and repeal rules and regulations.

be recommitted to the Committee on State Government for the purpose of further consideration.

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.

#### REPORTS FROM COMMITTEES

Mr. HARKINS, from the Committee on Ways and Means reported as committed House Bill No. 1943, (Senate Bill No. 1097), entitled:

An Act to further amend section one of the act, approved the fifteenth day of July, one thousand eight hundred and ninety-seven (P. L. 292) entitled "An act to provide revenue by taxation," by redefining the base for taxation of shares of stock of banks and savings institutions, and by increasing the rate of tax for a further limited period of time.

Mr. SCHWAB, from the Committee on Ways and Means reported as committed House Bill No. 1942, (Senate Bill No. 1096), entitled:

An Act to further amend section one of the act, approved the thirteenth day of June, one thousand nine hundred and seven (P. L. 640), entitled "An act to provide revenue by levying a tax upon the shares of stock of companies incorporated under the provisions of section twenty-nine of an act, entitled 'An act to provide for the incorporation and regulation of certain corporations,' approved April twenty-ninth, one thousand eight hundred and seventy-four, and the supplements thereto; for the insurance of owners of real estate, mortgages, and others interested in real estate, from loss by reason of defective titles, liens and encumbrances; and of companies entitled to the benefits of, and of companies having any of the powers of, companies entitled to the benefits of an act, entitled 'An act conferring upon certain fidelity, insur-

ance, safety deposit, trust, and savings companies the powers and privileges of companies incorporated under the provisions of section twenty-nine of an act, entitled "An act to provide for the incorporation and regulation of certain corporations," approved April twenty-ninth, Anno Domini one thousand eight hundred and seventy-four, and of the supplements thereto, approved June twenty-seventh, one thousand eight hundred and ninety-five, commonly known as title insurance or trust companies," by basing the tax upon the book value of the shares; continuing the increased rate of tax for a further limited period of time and reducing the rate of tax after such limited period of time.

Mr. POLASKI, from the Committee on State Government, re-reported as amended, House Bill No. 1856, (Senate Bill No. 1047), entitled:

An Act to further amend the act approved the seventh day of May one thousand nine hundred twenty-three (P. L. 151) entitled "An act defining and regulating the business of dry cleaning and dyeing providing for the maintenance construction and inspection of dry cleaning and dyeing buildings and establishments providing for enforcing the act and penalties for violation thereof" providing for the administration and enforcement of said act by the Department of Labor and Industry and empowering said department to make alter amend and repeal rules and regulations.

Mr. GALLAGHER, from the Committee on Elections, reported as committed, House Bill No. 1872, (Senate Bill No. 1091), entitled:

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 requiring and providing for the registration of persons in military service to entitle them to vote at any election.

#### BILLS ON FIRST READING

Pursuant to unanimous consent heretofore granted the following bills were read the first time.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1943, (Senate Bill No. 1097), entitled:

An Act to further amend section one of the act approved the fifteenth day of July one thousand eight hundred and ninety-seven (P. L. 292) entitled "An act to provide revenue by taxation" by redefining the base for taxation of shares of stock of banks and savings institutions and by increasing the rate of tax for a further limited period of time

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. 1942, (Senate Bill No. 1096), entitled:

An Act to further amend section one of the act approved the thirteenth day of June one thousand nine hundred and seven (P. L. 640) entitled "An act to provide revenue by levying a tax upon the shares of stock of companies incorporated under the provisions of section twenty-nine of an act entitled 'An act to provide for the incorporation and regulation of certain corporations' approved April twenty-ninth one thousand eight hundred and seventy-four and supplements thereto for the insurance of owners of real estate mortgages and others interested in real estate and loss by reason of defective titles liens and encumbrances and of companies entitled to the benefits of and of companies having any of the powers of companies entitled to the benefits of an act entitled 'An act conferring upon certain fidelity insurance safety deposit trust and savings companies the powers and privileges of companies incorporated under the provisions of section twenty-nine of an act entitled "An act to provide for the incorporation and regulation of certain corporations" approved April twenty-ninth Anno Domini one thousand eight hundred and seventy-four and of the supplements thereto approved June twenty-seventh one thousand eight hundred and ninety-five commonly known as title insurance or trust companies" by basing the tax upon the book value of the shares continuing the increased rate of tax for a further limited period of time and reducing the rate of tax after such limited period of time.

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. 1872, (Senate Bill No. 1091), entitled:

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 requiring and providing for the registration of persons in military service to entitle them to vote at any election.

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

#### BILL RECOMMITTED

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

The motion was agreed to.



PERMISSION GRANTED COMMITTEES TO MEET  
DURING SESSION

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

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. GALLAGHER, from the Committee on Elections, re-reported as amended, House Bill No. 1872, (Senate Bill No. 1091), entitled:

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 requiring and providing for the registration of persons in military service to entitle them to vote at any election.

ADJOURNMENT

Mr. HARKINS. Mr. Speaker, I move that this House do now adjourn until Friday, July 11, 1941 at 12 m.

The motion was agreed to, and (at 10:40 p. m.) the House adjourned.