

Mr. EALY. Mr. President, I move that Rule 21, which requires amended bills to be noted on the Calendar, be in this case dispensed with, and that the Senate proceed to the consideration of the amendments made by the House of Representatives to the foregoing bill.

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

**MOTION THAT SENATE NON-CONCUR IN THE  
AMENDMENTS MADE BY THE HOUSE TO  
SENATE BILL No. 46**

Mr. EALY. Mr. President, I move that the Senate non-concur in the amendments made by the House to Senate Bill No. 46.

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

On the question,

Will the Senate agree to the motion?

It was agreed to.

Ordered, That the Clerk inform the House of Representatives accordingly.

**SENATE BILL No. 1098 RETURNED  
WITH AMENDMENTS**

He also returned to the Senate, Senate Bill No. 1098, entitled:

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

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

Mr. EALY. Mr. President, I move that Rule 21, which requires amended bills to be noted on the calendar, be in this case dispensed with, and that the Senate proceed to the consideration of the amendments made by the House of Representatives to the foregoing bill.

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

The motion was agreed to.

Mr. EALY. Mr. President, Senate Bill No. 1098 is a bill which deals with assignment of accounts receivable and so forth. The House has placed certain amendments in the bill. Personally I felt the bill was a bad bill, but it has passed the House and these amendments, I am told, make it better than when it passed the Senate.

**SENATE CONCURS IN AMENDMENTS BY THE  
HOUSE TO SENATE BILL No. 1098**

Mr. EALY. Mr. President, I move that the Senate concur in the amendments made by the House to Senate Bill No. 1098.

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

The motion was agreed to.

Ordered, That the Clerk inform the House of Representatives accordingly.

**SENATE BILL No. 1327, (HOUSE BILL No. 1952), ON  
THIRD READING CALLED UP**

Mr. GELTZ. Mr. President, I now call up Senate Bill No. 1327, (House Bill No. 1952), on third reading, page 15 of the Calendar, which went over in its order.

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

The motion was agreed to.

**BILL RECOMMENDED**

Mr. GELTZ. Mr. President, I move that Senate Bill No. 1327, (House Bill No. 1952), on third reading, entitled:

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

be recommitted to the Committee on State Government for the purpose of further study.

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

On the question,

Will the Senate agree to the motion?

Mr. COLEMAN. Mr. President, I desire to be recorded as voting "no".

The PRESIDENT. The gentleman from Lackawanna will be so recorded.

The yeas and nays were required by Mr. COLEMAN and were as follows:

**YEAS—19**

Bartlett, Becker, Crider, Ealy, Edmonds,	Farrell, Geltz, Heyburn, Letzler, Mallery,	Miller, Scarlett, Snowden, Tallman, Taylor,	Tyler, Wade, Walker, Wilson, T. B.,
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**NAYS—8**

Coleman, Cox,	DiSilvestro, Haluska,	Jaspan, McQuiddy,	Shapiro, Stiefel,
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So the question was determined in the affirmative.

**ADJOURNMENT**

Mr. GELTZ. Mr. President, I move that the Senate do now adjourn until Saturday, July 12, 1941, at 1:00 o'clock, p. m. Eastern Standard Time.

Mr. CRIDER. 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 Saturday, July 12, 1941, at 1:00 o'clock, Eastern Standard Time.

**HOUSE OF REPRESENTATIVES**

FRIDAY, July 11, 1941

The House met at 12 m.

The SPEAKER (Elmer Kilroy) in the Chair.

**PRAYER**

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

Our gracious God and Father, in the rush of many duties, we would be quiet before Thee. In the quietness of the moment, may each one of us have given thanks unto Thee for all the blessings of life which are as numberless as the grains of sand that make up the sea side. In our attempt to count our blessings, naming them one by one, we have found Thee to be a good Father not only to us as individuals, but Thou hast blessed our State and our Nation. Help us, O God, to be good children of Thine at all times.

In our relationships within this House of Representa-

tives, may each one, in his contacts from time to time, have found the finest and the best in the life of each man, and recalling it to mind, give thanks to Thee, for having had the privilege of friendship and fellowship. We thank Thee for friends. May we not only have been a friend to mankind while here in this House, but when we return to our respective homes, may we radiate that friendship wherever we go, and with whomsoever we meet on the highway of life. In Jesus' name we pray. Amen.

#### JOURNAL APPROVED

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

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

#### COMMUNICATIONS AND PETITIONS

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

##### HIGHWAY PROTECTIVE AREA

A communication from the Pennsylvania Council of Republican Women, Harrisburg favoring passage of House Bill No. 711, Highway Protective Area Bill.

Referred to the Committee on Highways.

##### FEDERAL UNION OF DEMOCRACIES

A communication from Helen Reed Fox, Pocopson, favoring adoption of resolution memorializing Congress for a Federal Union of Democracies.

Referred to the Committee on Rules.

##### MOTOR VEHICLES

A communication from Quay H. Zinn, addressed to the Speaker, favoring passage of legislation restricting trucks and trailers on the highways.

Referred to the Committee on Rules.

#### 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. 99.

An Act to amend sections one and 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 certain clubs from such limitation and by providing that retail dispenser's 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.

##### 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

##### 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 the 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

##### 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 nonresident 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

##### HOUSE BILL No. 1771.

An Act requiring prothonotaries and 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

Whereupon,

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

#### CONGRATULATORY RESOLUTION

Messrs. GATES and HELM 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 11, 1941.

The long rows of lighted windows in the shops and factories and foundaries of the Commonwealth at night and their smoke belching chimneys by day indicate the time that defense workers are engaged in turning out implements of warfare in Pennsylvania.

Blocked railroad crossings and long lines of trucks upon the highways tell the part that transportation facilities are taking in the delivery of raw products and finished articles of defense.

Only a visit to Indiantown Gap however, will give any idea of the vast accomplishment already achieved in turning the raw draftee into a finished fighting unit or of the wonderful progress that has been made in transforming a National Guard camping ground into a modern military reservation.

At the head of this new military wonderland with its thousands of student soldiers is the Honorable Edward Martin of peace times but now magically changed from Adjutant General and former State Treasurer, Auditor General, State Chairman and lawyer into a military genius known as Major General Martin.

No man in Pennsylvania has so long a joint-record of

political and military achievement. To match his service to the Commonwealth in peace times is a war record that includes service in the Spanish-American War, Philippine Insurrection, Mexican Border and the first World War. He began his military career as a member of the National Guard in 1898 and is a member of Veterans of Foreign Wars, American Legion, Legion of Valor, Military Order of the Carabou and Spanish-American War Veterans.

General Martin is Pennsylvania's number one soldier and Pennsylvania yields to no other State or Commonwealth when selecting the Nations ranking military leader.

He has proven his valor on the field of battle and at Indiantown Gap he has demonstrated his value as an organizer. We want no participation in the present war but if war comes the Commonwealth's honor and her pride in the valor of her sons is safe in the hands of General Martin; therefore be it

Resolved by the House of Representatives of the Commonwealth of Pennsylvania, That the House is proud of the accomplishments of General Martin at Indiantown Gap and to him it extends its sincere congratulations on the transformation of camp and men that have been brought about under his direction; and be it further

Resolved, That a copy of this resolution be transmitted by the Chief Clerk of the House to General Edward Martin at Indiantown Gap.

#### CONDOLENCE RESOLUTION

Messrs. REAGAN and FISS 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 11, 1941.

The Seventeenth Judicial District of the Commonwealth composed of Union and Snyder Counties has lost a much loved Judge, an eminent jurist and an outstanding citizen.

Before the sun of life had begun to set and while honors were still thick upon him, the Honorable Curtis C. Leshner died last Saturday at Lewisburg in the county of his birth, the place he has served so well.

Judge Leshner was born August 17th, 1881 in Buffalo Township, Union County, and graduated from the Lewisburg High School in 1898 and Bucknell University in 1904. He was admitted to the Bar of Union County in 1910 and after practicing his profession for only six years was elected District Attorney of the county and was subsequently reelected for three succeeding terms.

Judge Leshner started life on a farm and fought his way to the top of the profession he had chosen. He made friends easily and held them long. He was quiet and unassuming, ever ready to help those in need and created such a warm place in the hearts of those who knew him that he was never defeated in his home county at any election in spite of the fact that politically he was a member of the minority party.

Judge Leshner was elevated to the bench in the seventeenth Judicial District in 1931 for a term of ten years; therefore be it

Resolved, That the House extends to his widow its most sincere sympathy and directs the Chief Clerk to transmit to her a copy of this resolution as an evidence of its recognition of the place her husband held in the Commonwealth and in the hearts and lives of his fellow-men.

The SPEAKER. The Chair at this time calls to the rostrum to preside a man who is never heard addressing the House. The Chair is pleased that at last we are really going to hear his voice,—the gentleman from Bradford, Mr. Gillette.

MR. GILLETTE IN THE CHAIR

#### CONGRATULATORY RESOLUTION

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

In the House of Representatives, July 11, 1941.

It was a grand party, the Chief Clerk's midnight supper in the Penn-Harris ball room last evening. Every member of the House and every employe was there, and had the time of his life.

The refreshments were of the finest and tastiest. The little prima donna, the acrobats and the Spaniard furnished a high type of entertainment. The singing, led by our jovial fellow member, "Tony" Gerard, was spontaneous and wholehearted. And above all, the brief presence of our genial host upon the stage served to complete an evening long to be remembered; therefore, be it

Resolved, That the members of the House of Representatives, shout of one accord, "Thank you, Tom Callahan, for a swell evening! As a host you are excelled only by your efficiency as our Chief Clerk;" and further, be it

Resolved, That the Secretary of the House of Representatives be called upon to prepare and present to the Chief Clerk a certified copy of these resolutions as a further token of our appreciation of his hospitality.

The SPEAKER pro tempore. The Chair recognizes the Chief Clerk of the House, Thomas J. Callahan.

The CHIEF CLERK. Honorable Members, I am glad to have been host to you last night and I hope you all had a good time. Thank you.

#### PERMISSION TO ADDRESS HOUSE

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

Mr. Speaker and Members of the House I am sure each Member who sat in this House last evening was deeply impressed with the solemnity of the occasion and I am sure more so with the remarks that were made in tribute to our distinguished Speaker. They will be long remembered by us, but to make sure they shall be remembered we deem it fitting and proper that the House adopt a resolution which the Honorable gentleman from Allegheny, Mr. Baker, and I will present, and ask unanimous consent for its immediate consideration.

#### CONGRATULATORY RESOLUTION AND REMARKS TO BE PRINTED

Messrs. GERARD and BAKER offered a privileged resolution which was read, considered and adopted as follows:

In the House of Representatives, July 11, 1941.

Resolved, That the Chief Clerk of the House be directed to have printed the resolution of congratulations to the Speaker of the House introduced by the gentleman from Delaware Mr. Turner, on Thursday July 10th, 1941, together with the remarks of the members of the House relating thereto.

Be it further resolved That a copy of the bulletin be sent to each member of the House.

#### THE SPEAKER (Elmer Kilroy) IN THE CHAIR

The SPEAKER. The Chair thanks the gentleman from Bradford, Mr. Gillette, for presiding.

#### BILLS ON SECOND READING 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.

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. 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 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. 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 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. 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 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

The first section was read.

On the question,

Will the House agree to the section?

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

The amendments were read by the Clerk as follows:

Amend Section 1, page 3, by inserting after line 17 and before Section 2, the following:

To the House

For the payment of the mileage of two hundred eight members session of one thousand nine hundred and forty-one the sum of ten thousand dollars (\$10,000)

For the payment of the salaries of the officers and employes of the House session of one thousand nine hundred and forty-one also for the payment of the session and recess salaries of all officers and employes whose positions are now or may be hereafter created and for the payment of which provision is not otherwise made also for the payment of any increase which may now or hereafter be authorized in the recess and session salaries of the officers and employes of the House whose present salaries are provided for in the act to which this is a supplement the sum of thirty thousand dollars (\$30,000) or so much thereof

as may be necessary for the duration of the session of one thousand nine hundred and forty-one and the period of time necessary to complete the work of such session

To the chief clerk of the House for the payment of the postage on the Legislative Journal bills and calendars session of one thousand nine hundred and forty-one the sum of one thousand dollars (\$1,000)

For the payment of the incidental expenses of the House for six months commencing December first one thousand nine hundred and forty and for the entire period of the session of one thousand nine hundred and forty-one should the same extend beyond May thirty-first such sum as may be necessary to be expended by the chief clerk of the House who shall render to the Auditor General accounts from time to time with proper specifically itemized vouchers to be settled in the same manner as other accounts but the whole amount expended by said chief clerk under this act shall not exceed the sum of three thousand five hundred dollars (\$3,500) out of which amount such necessary extra labor in the House shall be paid as shall be certified by the Speaker of the House and the chief clerk.

The amendments were agreed to.

The section was agreed to as amended.

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

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

Ordered, To be transcribed for a third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 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 second time and agreed to,

Ordered, To be transcribed for a third reading.

#### BILL PASSED OVER

There being no objection House Bill No. 1975, (Senate Bill No. 1215), Printer's No. 520, 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. 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 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. 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 mainte-

nance and improvement under certain conditions and restrictions limiting the obligation of the Commonwealth in the construction of certain structures located on such highways conferring certain powers upon the Department of Highways and local authorities persons associations and corporations for sharing the cost of the maintenance and construction of such highways and making an appropriation to carry out the provisions of said act" as amended by changing a certain route

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. 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 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. 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 second time and agreed to,

Ordered, To be transcribed for a third reading.

#### BILL PASSED OVER

There being no objection House Bill No. 1981, (Senate Bill No. 399), Printer's No. 536, 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. 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 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. 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 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. 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 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. 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 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. 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

The first section was read.

On the question,

Will the House agree to the section?

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

The amendments were read by the Clerk as follows:

Amend Sec. 1, page 1, lines 1 and 2, by striking out the following "one hundred and twenty-five thousand dollars (\$125,000)" and inserting in lieu thereof: "seventy-five thousand dollars (\$75,000)."

Amend Sec. 1, page 1, line 10, by striking out the following "seventy-five thousand dollars (\$75,000)" and inserting in lieu thereof: "twenty-five thousand dollars (\$25,000)."

The amendments were agreed to.  
 The section was agreed to as amended.  
 The title was read and agreed to.  
 And said bill having been read at length the second time and agreed to,  
 Ordered, To be transcribed for a third reading.

Agreeably to order,  
 The House proceeded to the second reading and consideration of House Bill No. 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 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. 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 second time and agreed to,  
 Ordered, To be transcribed for a third reading.

#### BILL PASSED OVER

There being no objection House Bill No. 1860, (Senate Bill No. 575), Printer's No. 450, was passed over at the request of Mr. SPEAKER.

#### BILL ON SECOND READING

Agreeably to order,  
 The House proceeded to the second 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 second time and agreed to,  
 Ordered, To be transcribed for a third reading.

#### BILL PASSED OVER

There being no objection House Bill No. 1745, (Senate Bill No. 839), Printer's No. 305, was passed over at the request of the SPEAKER.

#### BILL ON SECOND READING

Agreeably to order,  
 The House proceeded to the second reading and consideration of House Bill No. 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 second time and agreed to,  
 Ordered, To be transcribed for a third reading.

#### BILL PASSED OVER

There being no objection House Bill No. 1608, (Senate Bill No. 545), Printer's No. 236, 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. 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.

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. 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 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. 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 second time and agreed to,

Ordered, To be transcribed for a third reading.

#### BILLS PASSED OVER

There being no objection House Bill No. 1943, (Senate Bill No. 1097), Printer's No. 504, and House Bill No. 1942, (Senate Bill No. 1096), Printer's No. 504, were passed over at the request of the SPEAKER.

#### BILL ON SECOND READING

Agreeably to order,

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

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

Ordered, To be transcribed for a third reading.

#### BILLS NOT ON FILE PASSED OVER

The SPEAKER. House Bill No. 1856, (Senate Bill No. 1047), Printer's No. 399, and House Bill No. 1872, (Senate Bill No. 1091), Printer's No. 437, are not on file and will be passed over.

#### BILLS ON SECOND READING

Mr. BROWN asked and obtained unanimous consent to call up out of order House Bill No. 1608, (Senate Bill No. 545), on page 6 of today's calendar, bill on second reading.

Agreeably to order,

The House proceeded to the second 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.

The first section was read.

On the question,

Will the House agree to the section?

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

The amendment was read by the Clerk as follows:

Amend sec. 1, page 1, line 3, by inserting after the word "first" the words: "and second."

The amendment was agreed to.

The section was agreed to as amended.

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

The title was read.

On the question,

Will the House agree to the title?

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

The amendment was read by the Clerk as follows:

Amend the title, page 1, last line of title by inserting after the word "first" the words: "and second."

The amendment was agreed to.

The title was agreed to as amended.

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

Ordered, To be transcribed for a third reading.

Agreeably to order,

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

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

Ordered, To be transcribed for a third reading.

#### BILLS ON FINAL PASSAGE RECALLED FROM GOVERNOR

Agreeably to order,

The House proceeded to the consideration on final passage of House Bill No. 1513, as follows:

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 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

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

Section 1 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" as last amended and reenacted by the act approved the — day or — one thousand nine hundred forty-one (P. L. —) is hereby further amended to read as follows

Section 3 State Tax on Mortgages Judgments Et Cetera Imposition and Rate of Tax Exceptions All personal property of the classes hereinafter enumerated owned held or possessed by any resident whether such personal property be owned held or possessed by such resident in his own right or as active trustee agent attorney-in-fact 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 or in any other capacity except as executor or administrator of the estate of a nonresident decedent and except as trustee for a resident or nonresident religious charitable or educational organization no part of the net earnings of which inures to the benefit of any private stockholder or individual for the use benefit or advantage of any other person copartnership unincorporated association company joint-stock company or association limited partnership bank or corporation and the equitable interest in any such personal property of the classes hereinafter enumerated owned held or possessed by any resident where the legal title to such personal property is vested in a trustee agent or attorney-in-fact domiciled in another state 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 and where such resident is entitled to receive all or any part of the income therefrom is hereby made taxable annually for State purposes at the rate of four mills on each dollar of the value thereof as of a date to

be fixed annually in the manner provided in section five of this act and no failure to assess or return the same shall discharge such owner or holder thereof from liability therefor that is to say

All mortgages all moneys owing by solvent debtors whether by promissory note or penal or single bill bond or judgment all articles of agreement and accounts bearing interest all public loans whatsoever except those issued by this Commonwealth or the United States and those made taxable for State purposes by section seventeen hereof all loans issued by any corporation association company or limited partnership created or formed under the laws of this Commonwealth or of the United States or of any other state or government including car-trust securities and loans secured by bonds or any other form of certificate or evidence of indebtedness whether the interest be included in the principal of the obligation or payable by the terms thereof except such loans as are made taxable for State purposes by section seventeen hereof all shares of stock in any bank corporation association company or limited partnership created or formed under the laws of this Commonwealth or of the United States or of any other state or government except shares of stock in any bank bank and trust company national banking association savings institution corporation or limited partnership liable to a tax on its shares or the capital stock tax or franchise tax imposed by section twenty-one of the act approved the first day of June one thousand eight hundred eighty-nine (P. L. 420) and its amendments and supplements for State purposes under the laws of this Commonwealth all moneys loaned or invested in other states territories the District of Columbia or foreign countries all other moneyed capital owing to individual citizens of the State and the principal value of all annuities Provided That this section shall not apply to bank notes or notes discounted or negotiated by any bank or banking institution savings institution or trust company nor to loans shares of stock or other securities held by bankers or brokers solely for trading purposes nor to accounts or debit balances owing by customers of bankers or brokers in the usual courses of business nor to interest-bearing accounts in any bank or banking institution savings institution employees thrift or savings association whether operated by employees or the employer or trust company nor to personal property held in the commercial department and owned in its own right by a banking institution savings institution or trust company in liquidation by a receiver trustee or other fiduciary nor to personal property formerly held by a banking institution in its own right but assigned by it to one or more trustees for liquidation and payment to the creditors and stockholders of such banking institutions it being the intent and purpose of this proviso that no tax be assessed or collected for the years one thousand nine hundred and thirty-five one thousand nine hundred and thirty-six one thousand nine hundred and thirty-seven one thousand nine hundred and thirty-eight one thousand nine hundred and thirty-nine one thousand nine hundred and forty and thereafter upon the personal property enumerated herein And provided further That the provisions of this act shall not apply to building and loan associations or to shares of stock issued by building and loan associations or to savings institutions having no capital stock and if at any time either now or hereafter any persons individuals or bodies corporate have agreed or shall hereafter agree to issue his their or its securities bonds or other evidences of indebtedness clear of and free from the said four mills tax herein provided for or any part thereof or have agreed or shall hereafter agree to pay the same or any part thereof nothing herein contained shall be so construed as to relieve or exempt him it or them from paying the said four mills tax on any of the said securities bonds or other evidences of indebtedness as may be held owned by or owing to the said savings institution having no capital stock And provided further That the provisions of this act shall not apply to fire companies firemen's relief associations life casualty or fire insurance corporations having no capital stock secret and beneficial societies labor unions and labor union relief associations and all beneficial or-



ganizations paying sick or death benefits or either or both from funds received from voluntary contributions or assessments upon members of such associations societies or unions And provided further That corporations limited partnerships and joint-stock associations liable to a tax on their shares or the aforesaid capital stock or franchise tax for State purposes shall not be required to make any report or pay any further tax under this section on the mortgages bonds and other securities owned by them in their own right but corporations limited partnerships and joint-stock associations holding such securities as trustees executors administrators guardians or in any other manner except as executor or administrator of the estate of a non-resident decedent and except as trustee for a resident or non-resident religious charitable or educational organization no part of the net earnings of which inures to the benefit of any private stockholder or individual shall return and pay the tax imposed by this section upon all securities so held by them as in the case of individuals And provided further That none of the classes of property made taxable by this section for State purposes shall be taxed or taxable for any other local purpose under the laws of this Commonwealth except for county purposes and in cities coextensive with counties for city and county purposes as now provided by law And provided further That the provisions of this section shall not apply to personal property of the class hereinabove enumerated received from any person or persons copartnership or unincorporated association or company nonresident in or not located within this Commonwealth or from any joint-stock company or association limited partnership bank or corporation formed erected or incorporated by under or in pursuance of any law of the United States or of any state or government other than this Commonwealth by any person or persons copartnership unincorporated association company joint-stock company or association limited partnership bank or corporation as active trustee agent attorney-in-fact or in any other capacity for the use benefit or advantage of any person or persons copartnership or unincorporated association or company nonresident in or not located within this Commonwealth or for the use benefit or advantage of any joint-stock company or association limited partnership bank or corporation formed erected or incorporated by under or in pursuance of any law of the United States or of any state or government other than this Commonwealth Nor shall the provisions of this section apply to personal property held for the use benefit or advantage of any resident who shall have in each of the ten preceding calendar years given or contributed all of his net income to any corporation organized or operated exclusively for religious charitable scientific literary or educational purposes

The value of the equitable interest in any personal property made subject to tax by this section shall be measured by ascertaining the value of the personal property in which such resident has the sole equitable interest or in case of divided equitable interests in the same personal property then by ascertaining such part of the value of the whole of such personal property as represents the equitable interest of such resident therein

Section 2 This Act shall become effective immediately upon its 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,	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,	Melchiorre,	Sorg,
Burns,	Hare,	Mihm,	Stambaugh,
Burris,	Harkins,	Modell,	Stank,
Cadwalader,	Harmuth,	Monks,	Stine,
Chervenak,	Harris,	Mooney,	Stockham,
Chudoft,	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,	VanAlisburg,
Croop,	Huntley,	O'Dare,	Verona,
Cullen,	Imbrie,	O'Mullen,	Vincent,
Dairymple,	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,	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,	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,
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.

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. 892, as follows:

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

Whereas The City of Philadelphia has various agencies administering recreation and

Whereas The present national emergency requires a recreation program and

Whereas It is deemed desirable to make a thorough study of the recreational facilities available in said city and county in order to ascertain where new facilities can be secured if the same becomes necessary at a minimum cost therefore

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

Section 1 A commission is hereby created which shall be composed of five members two of which are to be appointed by the President of the Senate and two of which are to be appointed by the Speaker of the House of Representatives and one of which shall be appointed by the mayor of such first class city The two members selected by the President of the Senate shall consist of a members of the Senate and a citizen of the Commonwealth of Pennsylvania to be selected by the President of the Senate from a list of eligibles furnished him by the board of education of such first class city The two members ap-

pointed by the Speaker of the House of Representatives shall consist of a member of the House of Representatives and a citizen of the Commonwealth of Pennsylvania selected by the Speaker of the House of Representatives. The Speaker of the House of Representatives shall appoint the Chairman. It shall be the duty of the commission to make a careful thorough and impartial study of each and every agency expending public moneys raised by taxation for recreational purposes to ascertain the business and activities of the various governmental agencies and the present allocation of such business among such agencies in such first class cities and to ascertain whether such present facilities are sufficient to take care of a recreation program and further to devise ways and means and methods of raising revenue and of effecting savings in cost of government to carry out a recreation program under a unified system.

Section 2 The said commission if it deems necessary and proper is hereby authorized to employ a staff to secure the necessary information statistics and data on this subject provided that it is without cost or obligation to the Commonwealth.

Section 3 The said commission shall have the 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 concerning 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 the 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 penalties provided by the laws of the Commonwealth in such cases.

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.

Section 5 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.	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,	Halnes,	McSurdy,	Sollenberger,
Brunner, C. H.,	Hall,	Melchiorre,	Sorg,
Brunner, P. A.,	Hamilton,	Mihm,	Stambaugh,
Burns,	Hare,	Modell,	Stank,
Burns,	Harkins,	Monks,	Stine,
Burns,	Harmuth,	Mooney,	Stockham,
Cadwalader,	Harris,	Moran,	Tarr,
Chervenak,	Heatherington,	Moul,	Tate,
Chudoff,	Helm,	Muir,	Taylor,
Cochran,	Hering,	Munley,	Thompson, E. F.,
Cohen, M. M.,	Herman,	Nagel,	Thompson, R. L.,
Cohen, R. E.,	Herscht,	Nunemacher,	Trout,
Cook,	Hewitt,	O'Brien,	Turner,
Cooper,	Hirsch,	O'Connor,	Van Allsburg,
Cordier,	Holland,	O'Dare,	Verona,
Corrigan,	Huntley,	O'Mullen,	Vincent,

Croop,	Imbrie,	O'Neill,	Vogt,
Cullen,	James,	Owens,	Voldow,
Dalrymple,	Jefferson,	Petrosky,	Voorhees,
Dennison,	Jones, G. E.,	Pettit,	Wagner,
DiGenova,	Jones, P. N.,	Polaski,	Watkins,
Dix,	Keenan,	Polen,	Weingartner,
Dolon,	Kenehan,	Powers,	Weiss,
D'Ortona,	Kilne,	Prosen,	Welsh, E. B.,
Duffy,	Knoble,	Rank,	Welsh, M. J.,
Early,	Kolankiewicz,	Rausch,	Willkinson,
Eckels,	Komorowski,	Readinger,	Williams,
Elder,	Krise,	Reagan,	Winner,
Elliot,	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,
Finerty,	Lesko,	Rhea,	Wright,
Fisher,	Levy,	Riley,	Yeakel,
Fiss,	Leydic,	Rooney,	Yester,
Fleming,	Lichtenwaller,	Rose, S.,	Young,
Fletcher,	Longo,	Rose, W. E.,	Kilroy, Speaker.
Flynn,	Lovett,	Rosenfeld,	
For,	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.

## BILL ON FINAL PASSAGE PASSED OVER

There being no objection House Bill No. 1445, Senate Bill No. 302, Printer's No. 464, was passed over at the request of the SPEAKER.

## BILL ON THIRD READING 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 the SPEAKER.

## BILL ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1734, (Senate Bill No. 618), as follows:

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

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

Section 1 Section two of the act approved the sixteenth day of June one thousand nine hundred thirty-three (P. L. 252 1933-34) entitled as amended "An act to regulate and restrain the traffic in malt and brewed

beverages as herein defined providing for the licensing of the manufacture transportation sale and distribution of such beverages imposing license and permit fees and providing for collection and distribution thereof restricting ownership and interest in licensed places permitting municipalities and townships by vote of the electors to prevent the licensing therein of places where such beverages may be sold for consumption on the premises and regulating elections for this purpose imposing duties upon the Pennsylvania Liquor Control Board quarter sessions courts district attorneys the Department of Justice proper authorities of political subdivisions of the State and election officers providing penalties and repealing existing acts" as last amended by the act approved the sixteenth day of June one thousand nine hundred thirty-seven (P. L. 1827) is hereby further amended to read as follows

Section 2 Definitions The following words and terms as used in this act shall be construed as defined in this section

(a) The term "malt or brewed beverages" means any beer lager beer ale porter or similar fermented malt or brewed beverage containing one-half of one per centum or more of alcohol by volume by whatever name such malt or brewed beverage may be called

(b) The word "person" means and includes natural persons associations partnerships and corporations

(c) The word "manufacturer" means and includes all persons holding licenses issued by the board to engage in the manufacture transportation and sale of malt or brewed beverages also all persons engaged in the legal manufacture of malt or brewed beverages within the territorial limits of the United States outside the Commonwealth of Pennsylvania

(d) The term "distributor" means and includes persons licensed by the board to engage in the purchase only from Pennsylvania manufacturers and from importing distributors and the resale of malt or brewed beverages except to importing distributors and distributors in the original sealed containers as prepared for the market by the manufacturer at the place of manufacture but not for consumption on the premises where sold and in quantities of not less than two hundred eighty-eight fluid ounces

(e) The term "importing distributor" means and includes persons licensed by the board to engage in the purchase from manufacturers and other persons located outside this Commonwealth and from persons licensed as manufacturers and importing distributors under this act and the resale of malt or brewed beverages in the original sealed containers as prepared for the market by the manufacturer at the place of manufacture but not for consumption on the premises where sold and in quantities of not less than two hundred eighty-eight fluid ounces

(f) The term "retail dispenser" means and includes persons licensed to engage in the retail sale of malt or brewed beverages for consumption on the premises of such licensee with the privilege of selling malt or brewed beverages in quantities not in excess of seventy-two fluid ounces in a single sale to one person to be carried from the premises by the purchaser thereof

(g) The term "original containers" means and includes bottles casks kegs and other suitable containers that have been securely capped sealed or corked by the manufacturer at the place of manufacture with the name and address of the manufacturer permanently affixed to the bottle cask keg or other container or to the cap or cork used in sealing same or to a label securely affixed to a bottle

(h) The term "license" means and includes both the person making the application therefor and the premises upon which the privileges of the license are to be exercised and includes licenses issued under the provisions of this act

(i) "Eating place" means a premise where food is regularly and customarily prepared and sold having a total area of not less than three hundred square feet

available to the public in one or more rooms other than living quarters and equipped with tables and chairs accommodating thirty persons at one time

(j) "Club" means any reputable group of individuals associated together not for profit for legitimate purposes of mutual benefit entertainment fellowship or lawful convenience having some primary interest and activity to which the sale of malt and brewed beverages shall be only secondary which if incorporated has been in continuous existence and operation for at least one year and if first licensed after the effective date of these amendments shall have been incorporated in this Commonwealth and if unincorporated for at least ten years immediately preceding the date of its application for a license under this act and which regularly occupies as owner or lessee a club house or quarters for the use of members Continuous existence must be proven by satisfactory evidence The board shall refuse to grant a license if it appears that the charter is not in possession of the original incorporators or their direct and legitimate successors The club shall hold regular meetings conduct its business through officers regularly elected admit members by written application investigation and ballot and charge and collect dues from elected members and maintain such records as the board may prescribe but any such club may waive or reduce in amount or pay from its club funds the dues of any person who was a member at the time he was inducted into the military service of the United States or was enrolled in the armed forces of the United States pursuant to any selective service act during the time of the member's actual service or enrollment

(k) "Board" means the Pennsylvania Liquor Control Board of this Commonwealth

(l) As used in this act the singular shall include the plural and the masculine gender shall include the feminine and neuter

(m) The term "manufacture" shall mean and include all means methods and processes used employed and made use of to produce make and manufacture for commercial purposes malt or brewed beverages from raw materials

(n) "Hotel" shall mean any reputable establishment operated by responsible persons of good reputation where the public may for a consideration obtain sleeping accommodations and meals and which in a city has at least ten and in any other place at least six permanent bedrooms for the use of guests and a public dining room or rooms operated by the same management accommodating at least thirty persons at one time and a kitchen in which food is regularly prepared for the public apart from the public dining room or rooms

(o) The term "sale" or "sell" shall include any transfer of malt or brewed beverages for a consideration

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.	Sarraff.
Bentzel.	Gillette.	McClester.	Scanlon.
Bentley.	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.,	Herling,	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,	Imbric,	O'Mullen,	Vincent,
Dalrymple,	James,	O'Neill,	Vogt,
Dennison,	Jefferson,	Owens,	Voidow,
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,	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,	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.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1732, (Senate Bill No. 619), as follows:

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

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

Section 1 Section two of the act approved the twenty-ninth day of November one thousand nine hundred thirty-three (P. L. 15 1933-34) entitled "An act to regulate and restrain the sale manufacture possession transportation importation traffic in and use of alcohol and

alcoholic and malt or brewed beverages conferring powers and imposing duties upon the Pennsylvania Liquor Control Board and its agents the Department of Public Instruction other officers of the State government courts and districts attorneys authorizing the establishment and operation of State stores for the sale of such beverages not for consumption on the premises and the granting of licenses subject to local option to sell such beverages for consumption on and off the premises forbidding importation or bringing of such beverages into the State except as herein provided prohibiting certain sales of practices in connection with and transactions in such beverages by licensees and others providing for the forfeiture of certain property making disposition of the receipts from State stores and of fees and imposing penalties" as last amended by the act approved the sixteenth day of June one thousand nine hundred thirty-seven (P. L. 1762) is hereby further amended to read as follows

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

"Association" shall mean a partnership limited partnership or any form of unincorporated enterprise owned by two or more persons

"Board" shall mean the Pennsylvania Liquor Control Board of this Commonwealth

"Club" shall mean any reputable group of individuals associated together not for profit for legitimate purposes of mutual benefit entertainment fellowship or lawful convenience having some primary interest and activity to which the sale of liquor shall be only secondary which if incorporated has been in continuous existence and operation for at least one year and if first licensed after the effective date of these amendments shall have been incorporated in this Commonwealth and if unincorporated for at least ten years immediately preceding the date of its application for a license under this act and which regularly occupies as owner or lessee a clubhouse or quarters for the use of members. Continuous existence must be proven by satisfactory evidence The board shall refuse to issue a license if it appears that the charter is not in possession of the original incorporators or their direct or legitimate successors The club shall hold regular meetings conduct its business through officers regularly elected admit members by written application investigation and ballot and charge and collect dues from elected members and maintain such records as the board shall from time to time prescribe but any such club may waive or reduce in amount or pay from its club funds the dues of any person who was a member at the time he was inducted into the military service of the United States or was enrolled in the armed forces of the United States pursuant to any selective service act during the time of the member's actual service or enrollment

"Original container" shall mean all bottles casks kegs or other suitable containers that have been securely capped sealed or corked by the manufacturer at the place of manufacture with the name and address of the manufacturer of the malt or brewed beverages contained or to be contained therein permanently affixed to the bottle cask keg or other container or to the cap or cork used in sealing the same or to a label securely affixed to a bottle

"Corporation" shall mean a corporation or joint-stock association organized under the laws of this Commonwealth the United States or any other state territory or foreign country or dependency

"Hotel" shall mean any reputable place operated by responsible persons of good reputation where the public may for a consideration obtain sleeping accommodations with meals and which in a city has at least ten and in any other place at least six permanent bedrooms for the use of guests 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 public dining room or rooms in which food is regularly prepared for the public

The word "alcohol" means ethyl alcohol originally

produced by the distillation of any fermented liquid whether rectified or diluted with or without water whatever may be the origin thereof and shall include synthetic ethyl alcohol but shall not mean or include ethyl alcohol whether or not diluted that has been denatured or otherwise rendered unfit for beverage purposes

“Liquor” shall mean and include any alcoholic spirituous vinous fermented or other alcoholic beverages or combination of liquors and mixed liquor a part of which is spirituous vinous fermented or otherwise alcoholic including all drinks or drinkable liquids preparations or mixtures and reused recovered or redistilled denatured alcohol usable or taxable for beverage purposes which contain more than one-half of one per cent of alcohol by volume except pure ethyl alcohol and malt or brewed beverages

“Malt or Brewed Beverages” means any beer lager beer ale porter or similar fermented malt liquor containing one-half of one per centum or more of alcohol by volume by whatever name such liquor may be called

“Manufacturer” shall mean any person association or corporation engaged in the producing manufacturing distilling rectifying or compounding of liquor alcohol and malt or brewed beverages in this Commonwealth or elsewhere

“Municipality” shall mean any city borough incorporated town or township of this Commonwealth

“Package” shall mean any container or containers or receptacle or receptacles used for holding liquor or alcohol as marketed by the manufacturer

“Person” Every natural person association or corporation Whenever used in a clause prescribing or imposing a fine or imprisonment or both the term “person” as applied to “association” shall mean the partners or members thereof and as applied to “corporation” shall mean the officers thereof except as to incorporated clubs the term “person” shall mean such individual or individuals who under the by-laws of such club shall have jurisdiction over the possession and sale of liquor therein

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

“Sale” or “sell” shall include any transfer of liquor alcohol or malt or brewed beverages for a consideration

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,	Haberlien,	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,
Dairympole,	James,	Cwens,	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,	Kolankiewicz,	Rausch,	Wilkinson,
Elder,	Komorowski,	Readinger,	Williams,
Elliot,	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,
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 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. 1096, Printer's No. 698; House Bill No. 1949, (Senate Bill No. 1283), Printer's No. 519; House Bill No. 1830, (Senate Bill No. 1041), Printer's No. 400; House Bill No. 1851, Printer's No. 1130; House Bill No. 1813, Printer's No. 1082, and House Bill No. 1620, (Senate Bill No. 714), Printer's No. 227, were passed over at the request of the SPEAKER.

BILLS ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 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 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,	Skale,
Brown,	Haines,	McSurdy,	Snyder,
Brunner, C. H.,	Hall,	Melchiorre,	Sollenberger,
Brunner, P. A.,	Hamilton,	Mihm,	Sorg,
Burns,	Hare,	Modell,	Stambaugh,
Burriss,	Harkins,	Monks,	Stank,
Cadwalader,	Harmuth,	Mooney,	Stine,
Chervenak,	Harris,	Moran,	Stockham,
Chudoff,	Heatherington,	Moul,	Tarr,
Cochran,	Helm,	Muir,	Tate,
Cohen, M. M.,	Hering,	Munley,	Taylor,
Cohen, R. E.,	Herman,	Nagel,	Thompson, E. F.
Cook,	Hersch,	Nunemacher,	Thompson, R. L.
Cooper,	Hewitt,	O'Brien,	Trout,
Cordier,	Hirsch,	O'Connor,	Turner,
Corrigan,	Holland,	O'Dare,	VanAllsburg,
Croop,	Huntley,	O'Mullen,	Verona,
Cullen,	Imbrie,	O'Neill,	Vincent,
Dalrymple,	James,	Owens,	Vogt,
Dannison,	Jefferson,	Petrosky,	Voldow,
DiGenova,	Jones, G. E.,	Pettit,	Voorhees,
Dix,	Jones, P. N.,	Polaski,	Wagner,
Dolon,	Keenan,	Polen,	Watkins,
D'Ortona,	Kenehan,	Powers,	Weingartner,
Duffy,	Kline,	Prosen,	Weiss,
Early,	Knoble,	Rank,	Welsh, E. B.,
Eckels,	Kolankiewicz,	Rausch,	Welsh, M. J.,
Elder,	Komorowski,	Readinger,	Wilkinson,
Elliott,	Krise,	Reagan,	Williams,
Ely,	Lee, E. A.,	Reese, D. P.,	Winner,
Falkenstein,	Lee, T. H.,	Reese, R. E.,	Wood, L. H.,
Flinstone,	Lelsey,	Regan,	Wood, N.,
Finnerty,	Leonard,	Reynolds,	Woodring,
Fisher,	Lesko,	Rhea,	Woodside,
Floss,	Levy,	Riley,	Wright,
Fleming,	Leydie,	Rooney,	Yeakel,
Fletcher,	Lichtenwalter,	Rose, S.,	Yester,
Flynn,	Longo,	Rose, W. E.,	Young,
Flynn,	Lovett,	Rosenfeld,	Kilroy,
Foot,	Lyons,		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.

REPORT OF COMMITTEE OF CONFERENCE ON  
HOUSE BILL No. 663

Mr. READINGER. Mr. Speaker, I desire to call up the report of the Committee of Conference on House Bill No. 663, Printer's No. 1170.

The report was read by the Clerk as follows:

REPORT OF THE COMMITTEE OF CONFERENCE ON  
HOUSE BILL No. 663

To the Members of the Senate and House of Representatives:

We, the undersigned, Committee of Conference on the part of the Senate and House of Representatives for the purpose of considering House Bill No. 663, entitled:

"An Act authorizing the Commonwealth to negotiate temporary emergency loans to defray the current and other expenses of the State government during the two fiscal years beginning the first day of June one thousand nine hundred forty-one evidenced by tax anticipation notes secured by and payable from current revenues levied assessed collectible and accruing during such two fiscal years defining the powers and duties of the Governor the Auditor General and the State Treasurer in relation thereto providing for the payment of interest on and the repayment of such loans and making an appropriation."

Respectfully submit the following bill as our report:

Weldon B. Heyburn  
Franklin S. Edmonds  
Harry Shapiro

(Committee on the Part of the Senate.)

Leo A. Achterman  
Albert S. Readinger  
Edwin Winner

(Committee on the part of the  
House of Representatives.)

An Act authorizing the Commonwealth to negotiate temporary emergency loans to defray the current and other expenses of the State government during the two fiscal years beginning the first day of June one thousand nine hundred forty-one evidenced by tax anticipation notes secured by and payable from current revenues levied assessed collectible and accruing during such two fiscal years defining the powers and duties of the Governor the Auditor General and the State Treasurer in relation thereto providing for the payment of interest on and the repayment of such loans and making an appropriation

Whereas The present session of the General Assembly has provided revenues of the Commonwealth amounting to at least three hundred seventy-three million dollars (\$373,000,000) for general purposes for the biennial fiscal period beginning June first one thousand nine hundred forty-one and

Whereas Such revenues though levied and assessed will not be available in large part for the current and other expenses of the State government until the later parts of the two fiscal years respectively of the said biennial fiscal period and the collectible revenues will not be sufficient to defray the current and other expenses of the State government during the earlier parts of such fiscal years respectively and

Whereas In order that the obligations of the Commonwealth may be met promptly and in order that the State government might not fail through lack of funds it is necessary temporarily to obtain funds to defray the current and other expenses of the State government during the fiscal period aforesaid until the revenues that are subsequent accruing to the State Treasury during said fiscal period are available for this purpose

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

Section 1 The Governor the Auditor General and the State Treasurer on behalf of the Commonwealth of Pennsylvania are hereby authorized and directed during the two fiscal years beginning the first day of June one thousand nine hundred forty-one from time to time to borrow on the credit of the current revenues of the Commonwealth of Pennsylvania such sum or sums of money not exceeding in the aggregate the sum of one hundred seventy-five million dollars (\$175,000,000) as may be necessary to defray the current and other expenses of the State government during such fiscal years

Section 2 (a) Such loans shall be evidenced by notes of the Commonwealth of Pennsylvania All of said notes shall mature not later than the thirty-first day of May one thousand nine hundred forty-three Such notes are hereby declared to be tax anticipation notes Such notes or renewals thereof shall be issued from time to time for such total amounts in such sums and subject to such terms and conditions rates of interest not in excess of four and one-half per centum (4½%) per annum and time of payment of interest as the Governor Auditor General and State Treasurer shall determine and direct

(b) All notes issued under the authority of this act shall bear either the signatures of the Governor the Auditor General and the State Treasurer or the facsimile signatures of the Governor the Auditor General and the State Treasurer in which latter event such notes shall be countersigned by two officers of the Philadelphia National Bank (Loan and Transfer Agent of the Commonwealth) All such notes shall bear a facsimile of the great seal of the Commonwealth

(c) All notes issued under the authority of this act shall have the qualities and incidents of negotiable instruments under the Negotiable Instruments Law of the Commonwealth

(d) The current revenues of the biennial fiscal period beginning the first day of June one thousand nine hundred forty-one are pledged for the payment of principal and interest of such notes which shall be payable in lawful money of the United States All notes issued under the provisions of this act shall be exempt from taxation for State and local purposes

Section 3 The proceeds derived from the negotiation of loans under the provisions of this act shall be paid into the General Fund of the State Treasury and shall be used for the payment of appropriations made from such fund to defray the current and other expenses of the State government for the biennial fiscal period beginning the first day of June one thousand nine hundred forty-one

Section 4 Any loans negotiated under the provisions of this act shall be secured by the current revenues levied and assessed for revenue purposes of every kind or character accruing to the General Fund of the State Treasury during the two fiscal years beginning June first one thousand nine hundred forty-one and shall be paid out of such revenues and so much of such revenues as may be necessary for the payment of the principal and interest of such loans are hereby specifically appropriated The Department of Revenue shall allocate such revenues to said payments

Section 5 The provisions of this act are severable and if any of its provisions are held unconstitutional the decision so holding shall not be construed to impair any other provision of this act It is hereby declared as the legislative intent that this act would have been adopted had such unconstitutional provisions not been included therein

Section 6 This act shall become effective immediately upon its final enactment

On the question,

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

Mr. ACHTERMAN. Mr. Speaker, I wish to call to the attention of the Members of the House the fact that the bill that was read by the Clerk is House Bill 663; on the calendar it appears as House Bill 662. I presume one of the two is in error.

The SPEAKER. The Chair was about to state that there is an error in the printing of House Bill No. 662. It should be 663, Printer's No. 1170.

Mr. ACHTERMAN. Mr. Speaker, I wish to state that this report of the Committee of Conference is in conformity with the compromise agreement we had with the Governor of Pennsylvania, and I therefore am urging the Democratic Members of the House to support the report.

On the question recurring,

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

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

YEAS—204

Achterman,	French,	Malloy,	Royer,
Allmond,	Gallagher,	Marks,	Rush,
Auker,	Gates,	Maxwell,	Sarge,
Baker,	Gerard,	McClanaghan,	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,	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,	Milhm,	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,
Co'dter,	Hirsch,	O'Connor,	Van Allsburg,
Corrigan,	Holland,	O'Dare,	Verona,
Croop,	Huntley,	O'Mullen,	Vincent,
Cullen,	Imbrie,	O'Neill,	Vogt,
Dairympfe,	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,	Welss,
Duffy,	Kiine,	Prosen,	Welsh, E. B.,
Early,	Knoble,	Rank,	Welsh, M. J.,
Eckels,	Kolankiewicz,	Rausch,	Wilkinson,
Elder,	Komorofski,	Readinger,	Williams,
Elllott,	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,
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, and the report of the Committee of Conference was adopted.

Ordered, That the Clerk inform the Senate accordingly.

REPORT OF COMMITTEE OF CONFERENCE ON HOUSE BILL No. 230

Mr. READINGER. Mr. Speaker, I desire to call up the report of the Committee of Conference on House Bill No. 230, Printer's No. 1175.

The report was read by the Clerk as follows:

To the Members of the Senate and House of Representatives:

We, the undersigned, Committee of Conference on the part of the Senate and House of Representatives for the purpose of considering House Bill No. 230, entitled:

“An act to reenact and amend the title and the act approved the twenty-second day of June one thousand nine hundred thirty-five (P. L. 414) entitled ‘An act to provide revenue for State purposes imposing taxes upon certain classes of personal property \* \* \*’ as previously reenacted and amended by continuing the State personal property tax and the emergency rate of tax on scrip bonds certificates and evidences of indebtedness assumed or on which interest is paid by corporations for a further limited period of time exempting casualty insurance corporations not having capital stock relieving life insurance corporations from the duty of reporting and paying tax under section seventeen of said act exempting assets held by liquidating trustees imposing the tax upon personal property and 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."

Respectfully submit the following bill as our report:

Weldon B. Heyburn  
Franklin S. Edmonds  
Harry Shapiro

(Committee on the part of the Senate.)

Leo H. Achterman  
Albert S. Readinger  
Edward Winner

(Committee on the part of the  
House of Representatives.)

An Act to reenact and amend the title and the act approved the twenty-second day of June one thousand nine hundred thirty-five (P. L. 414) entitled "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" as previously reenacted and amended by continuing the State personal property tax and the emergency rate of tax on scrip bonds certificates and evidences of indebtedness assumed or on which interest is paid by corporations for a further limited period of time exempting casualty insurance corporations not having capital stock relieving life insurance corporations from the duty of reporting and paying tax under section seventeen of said act exempting assets held by liquidating trustees 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

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

Section 1 The title and all the sections of the act approved the twenty-second day of June one thousand nine hundred thirty-five (P. L. 414) entitled "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" as last reenacted and amended by the act approved the fifth day of May one thousand nine hundred thirty-nine (P. L. 76) are hereby reenacted and further amended to read as follows

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 partner-

ships conferring powers and imposing duties on certain State officers and departments imposing penalties and making an appropriation

Section 1 Short Title Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That this act shall be known and may be cited as the "State Personal Property Tax Act"

Section 2 Definitions The following words terms and phrases when use in this act shall have the meanings ascribed to them in this section except where the context clearly indicates a different meaning

"Department" The Department of Revenue of this Commonwealth

"Resident" A person copartnership or unincorporated association or company resident located or liable to taxation within this Commonwealth or a joint-stock company or association limited partnership bank or corporation formed created or incorporated by under or in pursuance of any law of this Commonwealth or of the United States or of any other state or government and liable to taxation within this Commonwealth

The singular shall include the plural and the masculine shall include the feminine and the neuter

Section headings shall not be deemed or construed to limit the text of the sections of this act

Section 3 State Tax on Mortgages Judgments Et Cetera Imposition and Rate of Tax Exceptions All personal property of the classes hereinafter enumerated owned held or possessed by any resident whether such personal property be owned held or possessed by such resident in his own right or as active trustee agent attorney-in-fact 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 or in any other capacity except as executor or administrator of the estate of a nonresident decedent and except as trustee for a resident or nonresident religious charitable or educational organization no part of the net earnings of which inures to the benefit of any private stockholder or individual for the use benefit or advantage of any other person copartnership unincorporated association company joint-stock company or association limited partnership bank or corporation and the equitable interest in any such personal property of the classes hereinafter enumerated owned held or possessed by any resident where the legal title to such personal property is vested in a trustee agent or attorney-in-fact domiciled in another state 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 and where such resident is entitled to receive all or any part of the income therefrom is hereby made taxable annually for State purposes at the rate of four mills on each dollar or the value thereof as of a date to be fixed annually in the manner provided in section five of this act and no failure to assess or return the same shall discharge such owner or holder thereof from liability therefor that is to say

All mortgages all moneys owing by solvent debtors whether by promissory note or penal or single bill bond or judgment all articles of agreement and accounts bearing interest all public loans whatsoever except those issued by this Commonwealth or the United States and those made taxable for State purposes by section seventeen hereof all loans issued by any corporation association company or limited partnership created or formed under the laws of this Commonwealth or of the United States or of any other state or government including car-trust securities and loans secured by bonds or any other form of certificate or evidence of indebtedness whether the interest be included in the principal of the obligation or payable by the terms thereof except such loans as are made taxable for State purposes by section



seventeen hereof all shares of stock in any bank corporation association company or limited partnership created or formed under the laws of this Commonwealth or of the United States or of any other state or government except shares of stock in any bank bank and trust company national banking association savings institution corporation or limited partnership liable to a tax on its shares or the capital stock tax or franchise tax imposed by section twenty-one of the act approved the first day of June one thousand eight hundred eighty-nine (P. L. 420) and its amendments and supplements for State purposes under the laws of this Commonwealth all moneys loaned or invested in other states territories the District of Columbia or foreign countries all other moneyed capital owing to individual citizens of the State and the principal value of all annuities Provided That this section shall not apply to bank notes or notes discounted or negotiated by any bank or banking institution savings institution or trust company nor to loans shares of stock or other securities held by bankers or brokers solely for trading purposes nor to accounts or debit balances owing by customers of bankers or brokers in the usual courses of business nor to interest-bearing accounts in any bank or banking institution savings institution employes thrift or savings association whether operated by employes or the employer or trust company nor to personal property held in the commercial department and owned in its own right by a banking institution savings institution or trust company in liquidation by a receiver trustee or other fiduciary nor to personal property formerly held by a banking institution in its own right but assigned by it to one or more trustees for liquidation and payment to the creditors and stockholders of such banking institutions And provided further That the provisions of this act shall not apply to building and loan associations or to shares of stock issued by building and loan associations or to savings institutions having no capital stock and if at any time either now or hereafter any persons individuals or bodies corporate have agreed or shall hereafter agree to issue his their or its securities bonds or other evidences of indebtedness clear of and free from the said four mills tax herein provided for or any part thereof or have agreed or shall hereafter agree to pay the same or any part thereof nothing herein contained shall be so construed as to relieve or exempt him it or them from paying the said four mills tax on any of the said securities bonds or other evidences of indebtedness as may be held owned by or owing to the said savings institution having no capital stock And provided further That the provisions of this act shall not apply to fire companies firemen's relief associations life casualty or fire insurance corporations having no capital stock secret and beneficial societies labor unions and labor union relief associations and all beneficial organizations paying sick or death benefits or either or both from funds received from voluntary contributions or assessments upon members of such associations societies or unions And provided further That corporations limited partnerships and joint-stock associations liable to a tax on their shares or the aforesaid capital stock or franchise tax for State purposes shall not be required to make any report or pay any further tax under this section on the mortgages bonds and other securities owned by them in their own right but corporations limited partnerships and joint-stock associations holding such securities as trustees executors administrators guardians or in any other manner except as executor or administrator of the estate of a nonresident decedent and except as trustee for a resident or nonresident religious charitable or educational organization no part of the net earnings of which inures to the benefit of any private stockholder or individual shall return and pay the tax imposed by this section upon all securities so held by them as in the case of individuals And provided further That none of the classes of property made taxable by this section for State purposes shall be taxed or taxable for any other local purpose under the laws of this Commonwealth except for county purposes and in cities coextensive with counties for city and county purposes as now provided by law And provided further

That the provisions of this section shall not apply to personal property of the class hereinabove enumerated received from any person or persons copartnership or unincorporated association or company nonresident in or not located within this Commonwealth or from any joint-stock company or or association limited partnership bank or corporation formed erected or incorporated by under or in pursuance of any law of the United States or of any state or government other than this Commonwealth by any person or persons copartnership unincorporated association company joint-stock company or association limited partnership bank or corporation as active trustee agent attorney-in-fact or in any other capacity for the use benefit or advantage of any person or persons copartnership or unincorporated association or company nonresident in or not located within this Commonwealth or for the use benefit or advantage of any joint-stock company or association limited partnership bank or corporation formed erected or incorporated by under or in pursuance of any law of the United States or of any state or government other than this Commonwealth Nor shall the provisions of this section apply to personal property held for the use benefit or advantage of any resident who shall have in each of the ten preceding calendar years given or contributed all of his net income to any corporation organized or operated exclusively for religious charitable scientific literary or educational purposes

The value of the equitable interest in any personal property made subject to tax by this section shall be measured by ascertaining the value of the personal property in which such resident has the sole equitable interest or in case of divided equitable interests in the same personal property then by ascertaining such part of the value of the whole of such personal property as represents the equitable interest of such resident therein

Section 4 Returns and Payment of Tax (a) For the purpose of ascertaining the amount of tax payable under the third section of this act it shall be the duty of every resident liable to pay such tax on or before the fifteenth day of February of each year to transmit to the department upon a form prescribed prepared and furnished by the department a return in duplicate the original under oath or affirmation of

(1) The aggregate actual value of each part of the different classes of property made taxable by the third section of this act held owned or possessed by such resident as of the date fixed annually in the manner provided in section five of this act either in his own right as a trustee agent attorney-in-fact or in any other capacity for the use benefit or advantage of any other person copartnership unincorporated association company limited partnership joint-stock association or corporation

(2) The amount of interest dividends or other income derived from each class of such property at any time during the preceding calendar year and

(3) Such other information as may be required by the department concerning each of the different classes of property whether or not taxable enumerated in the third section of this act owned held or in any manner possessed by such resident

The duplicate unsworn return shall be forwarded by the Department of Revenue to the county commissioners board of revision of taxes or board for the assessment and revision of taxes as the case may be of the county from which the return was made for its use and information

The failure of any taxable resident to receive or procure a return form shall not excuse him from making a return

(b) The return so made shall be sworn or affirmed to by the person making the same if an individual and in the case of copartnerships unincorporated associations and joint-stock associations and companies by some member thereof and in the case of limited partnerships and corporations by the president chairman or treasurer thereof

(c) Any agent duly authorized by the department is hereby authorized to administer the oath or affirmation to any person or officer making the return prescribed by this section for the taking of which oath or affirmation no charge shall be made. Any such agent who shall make any charge for administering such oath or affirmation shall be deemed guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine not exceeding five hundred dollars (\$500.) or to undergo imprisonment not exceeding one (1) year either or both in the discretion of the court.

(d) The tax imposed by section three hereof shall be due and payable when such return is required to be filed and every resident at the time of making every return shall compute and pay to the department the tax due the Commonwealth by such resident.

**Section 5 Listing Date** The department shall on or before the fifteenth day of January one thousand nine hundred thirty-eight and annually thereafter fix a day as of which the property made taxable by the third section of this act shall be listed and returned. The day so fixed shall be between the first and the fifteenth days of the month of January both inclusive and the day so fixed shall be printed or stamped on the forms for making returns of all such property. If through inadvertence mistake or otherwise the department fails to designate or fix such date or if such date does not appear on the form for making return of such property the date as of which such property shall be listed and assessed shall be the immediately preceded first day of January.

**Section 6 Assessment by the Department Notice** If any taxable resident shall fail to file a return or fail to include in any return all of his property made taxable by the third section of this act or shall fail to compute and pay the tax due the Commonwealth as required in this act the department shall make an assessment of tax against such resident of the amount of tax for which such resident is liable or for which he is believed by the department to be liable together with a penalty of ten per centum of such tax. Promptly thereafter the department shall give or send by mail or otherwise notice thereof to such resident. If such resident is dissatisfied with the assessment so made he may petition for a reassessment in the manner hereinafter provided.

**Section 7 Assessment Made at any Time within Five Years** An assessment as heretofore provided may be made by the department at any time within five (5) years after any property owned held or possessed or alleged to have been so owned held or possessed by any resident should have been returned by him for taxation notwithstanding he shall have paid a tax assessed on the basis of returns previously made or filed and notwithstanding the department shall have made previous assessments against such resident. In any such case no credit shall be given for any penalty formerly assessed and paid.

**Section 8 Petition for Reassessment Appeal** (a) Any resident against whom an assessment is made may petition the department for a reassessment. Notice of an intention to file such a petition or to appear and be heard shall be given to the department within ninety (90) days after notice of such assessment is given or sent by the department to the taxpayer as provided in this act. The department shall hold such hearings as may be necessary to hear and determine petitions for reassessment at such places and at such times as may be determined by rules and regulations of the department and each petitioner who has duly notified the department of an intention to file a petition for reassessment or to appear and be heard shall be notified by the department of the time when and the place where such hearings shall be held. All such petitions shall set forth specifically and in detail the grounds upon which it is claimed the assessment is erroneous or unlawful and shall be accompanied by an affidavit under oath or affirmation certifying to the correctness of the facts stated therein. If no petition for reassessment is filed with the department the petitioner may in lieu thereof appear at the hearing and present his petition orally in which

event all testimony or statements of facts shall be made under oath or affirmation.

(b) If such petitioner is dissatisfied with the action of the department on his petition for reassessment he shall have the right to appeal to the court of common pleas of the county where he resides at any time within sixty (60) days after notice of such action is given to him by the department. If any resident shall fail to give due notice of an intention to petition for reassessment and to file a petition for reassessment or to appear and be heard after due notice of his intention to do so or to appeal to the court of common pleas within the time and in the manner herein set forth the right to do so shall be forever barred and any such resident so failing shall not thereafter be permitted in a suit for the recovery of such tax to set up any ground of defense which might have been determined either by the department or the court of common pleas as aforesaid. In all cases of petitions for reassessment and appeals the burden of proof shall be on the petitioner or appellant as the case may be and every appeal to the court of common pleas under this section shall specify all the objections to the assessment and any objection not specified in the appeal shall not be considered by the court.

**Section 9 Information at Source Reports** (a) The executor of every will and the administrator of every estate at the time of filing with the register of wills or clerk of the orphans' court the inventory and appraisal of such estate or of any affidavit setting forth the real and personal estate of such decedent for the purpose of determining the transfer inheritance tax imposed thereon by existing law shall in addition thereto file with such register of wills or clerk of the orphans' court a statement in duplicate under oath or affirmation setting forth the items included in such inventory or affidavit which may be liable to the tax imposed by the third section of this act. The register or clerk with whom the same is filed shall forthwith send one copy thereof to the department. It shall be the duty of the department to proceed at once to assess the tax due from such decedent with interest as heretofore provided in this act and to present a claim therefor through the Department of Justice to the orphans' court of the proper county or to proceed by action or suit at law through the Department of Justice in any court of competent jurisdiction for the recovery thereof or to take any or all appropriate steps or procedure necessary for the collection of such tax.

(b) It shall be the duty of the recorder of deeds in each and every county in this Commonwealth to keep a daily record separate and apart from all other records of every mortgage or article of agreement given to secure the payment of money entered in his office for recording which record shall set forth the following information to wit: The date of the mortgage or agreement the names of the parties thereto the just sum of money secured the precise residence of the mortgagee or person to whom interest is payable a brief description of the real estate upon which such mortgage is secured and the date or several dates when the said sum or portion of the said sum shall become due and payable and a like daily record of every assignment of a mortgage or an article of agreement given to secure the payment of money and also the number of mortgages and agreements together with the amount of same and the names of the parties thereto which shall have been that day satisfied or record. For the purpose of obtaining with accuracy the precise residence of all mortgagees assignees and persons to whom interest is payable on articles of agreement it shall be the duty of the recorder of deeds in each county whenever a mortgage assignment or agreement given to secure the payment of money shall be presented to him for record to refuse the same unless the mortgage assignment or agreement has attached thereto and made part thereof a certificate signed by the mortgagee assignee or person entitled to interest or his duly authorized attorney or agent setting forth the precise residence of such mortgagee assignee or person entitled to interest and such certificate shall be recorded with the mortgage assignment or agreement. Every recorder of deeds on the first Monday of each month shall file the aforesaid

daily record or a copy thereof with the department

(c) It shall be the duty of the prothonotary or clerk of the court of common pleas in each and every county in this Commonwealth forthwith upon the passage of this act to keep a daily record separate and apart from all other records of every single bill bond judgment or other instrument securing a debt entered of record in his office. Such daily record shall set forth the following information to wit: The date of the instrument the names of the plaintiff and defendant together with the precise residence of the plaintiff or person to whose use such bill bond judgment or other obligation to pay money is marked whenever such residence can be ascertained the just sum secured and the date or several dates when the said sum or portion of the same shall become due and payable with the further information whether any of said bonds or judgments are accompanied with mortgages and also the number of every single bill bond judgment or other instrument securing a debt together with the amount of same and the names of the plaintiff and defendant thereto which shall have been that day satisfied. The prothonotary or clerk of the court of common pleas shall file the aforesaid daily record or a copy thereof with the department on the first Monday of each month.

Section 10 Compensation of Recorders and Prothonotaries. The several recorders of deeds prothonotaries and court clerks as aforesaid shall be entitled to receive ten cents for each and every mortgage judgment or lien assignment or satisfaction thereof reported to the department as heretofore required in this act. Such fees shall be paid by the respective county treasurers on the presentation of proper vouchers certified by the department and shall be applied in like manner as other fees received by such recorders prothonotaries or clerks. Provided That no fee shall be allowed in any case where the residence of any plaintiff mortgagee or assignee is omitted in such reports. And provided further That the amount allowed any prothonotary or clerk or recorder of deeds under this act shall not exceed the sum of six hundred dollars (\$600.00) per annum.

Section 11 Due Date. All taxes imposed by the third section of this act shall be due and payable on the fifteenth day of February of each year.

Section 12 Interest. The tax imposed by the third section of this act shall bear interest at the rate of six per centum per annum from the date such tax is due and payable until thirty (30) days after the department shall make an assessment and thereafter at the rate of twelve per centum per annum until paid except that any tax found due as the result of an appeal to the court of common pleas or any appellate court shall bear interest at the rate of six per centum per annum from the date the tax was originally due and payable until paid.

Section 13 Lien of Taxes. (a) All taxes imposed under the third section of this act together with all penalties and interest shall be considered a public account after becoming due and payable in the manner prescribed in this act and as such shall be a lien upon the franchises and real property of the resident against whom the same are assessed after the same has been entered and docketed of record by the prothonotary of the county where the resident's franchise or property are situated.

(b) The department may at any time transmit to the prothonotaries of the respective counties of the Commonwealth to be by them entered of record certified copies of all liens for taxes imposed by the third section of this act and penalties and interest upon which record it shall be lawful for writs of scire facias to issue and be prosecuted to judgment and execution in the same manner as such writs are ordinarily employed.

Section 14 Credit for Overpayment. The Board of Finance and Revenue may allow a credit for any taxes imposed by the third section of this act and penalties and interest thereon paid to the Commonwealth to which the Commonwealth is not rightfully or equitably entitled. Claims for such credits shall be made in accordance with the provisions of "The Fiscal Code" relative to petitions for refunds of taxes. No petition for such credit shall

be considered by the board unless filed with the board within two (2) years of the payment alleged to have been erroneously made.

Upon the allowance of any such petition the credit so determined may be applied against any amount due or subsequently becoming due by such petitioner on account of taxes imposed by the third section of this act and penalties and interest thereon or may be assigned in whole or in part to any other taxable resident to be applied against any amount due or subsequently becoming due by such resident on account of taxes imposed by the third section of this act and penalties and interest thereon. Upon the allowance of a petition for credit the board shall issue its certificate under its hand and seal and no credit claimed whether assigned or not shall be allowed unless evidenced by such certificate.

Section 15 Penalties Costs. (a) Every person or officer who shall wilfully and corruptly make a false and fraudulent return of property made taxable by the third section of this act shall be guilty of wilful and corrupt perjury and upon conviction thereof shall be subject to punishment as provided by law.

(b) Any wilful failure on the part of recorders of deeds or prothonotaries or clerks to carry out the duties imposed upon them by section nine of this act shall be deemed a misdemeanor and upon conviction thereof the person or persons so failing to comply shall be sentenced to pay a fine not exceeding five hundred dollars (\$500.00) or to undergo imprisonment not exceeding one (1) year or both in the discretion of the court.

(c) Every register of wills who shall fail to send copies of affidavits filed with him by executors or administrators to the department as required by section nine of this act shall be guilty of a misdemeanor and upon conviction thereof the register so failing shall be sentenced to pay a fine not exceeding five hundred dollars (\$500.00) or to undergo imprisonment not exceeding one (1) year or both in the discretion of the court.

(d) Every executor or administrator who wilfully fails to file the affidavit with the register of wills as required by section nine of this act shall be subject to a penalty of twenty-five (\$25.00) for the first day and ten dollars (\$10.00) for each succeeding day during which such affidavit is not filed to be collected by the department through the Department of Justice in the same manner as debts are by law collected.

(e) Whenever any person acting for or on behalf of the department shall in good faith institute legal proceedings for any violations of the provisions of this act and for any reason shall fail to recover costs of record such costs shall be a charge upon the proper county as shall such costs in the event defendant is imprisoned for failure to pay fine or costs or both and shall be audited and paid as are costs of like character in said county.

Section 16 Enforcement Rules and Regulations Inquisitorial Powers of the Department. (a) The department is hereby charged with the enforcement of the provisions of this act and is hereby authorized and empowered to prescribe adopt promulgate and enforce rules and regulations relating to any matter or thing pertaining to the administration and enforcement of the provisions of this act and the collection of taxes penalties and interest imposed by this act.

(b) The department or any agent authorized in writing by it is hereby authorized to examine the books papers and records of any resident in order to verify the accuracy of any return made or if no return was made to ascertain and assess the tax imposed by the third section of this act. Every such resident is hereby directed and required to give to the department or its duly authorized agent the means facilities and opportunity for such examinations and investigations as are hereby provided and authorized. The department is hereby authorized to examine any person under oath concerning any property which was or should have been returned for taxation and to this end may compel the production of books papers and records and the attendance of all persons whether as parties or witnesses whom

it believes have knowledge of such property. The procedure for such hearing or examination shall be the same as that provided by "The Fiscal Code" relating to inquisitorial powers of fiscal officers.

Any information gained by the department as a result of any returns investigations hearings or verifications required or authorized by this act and any information taxes or board for the assessment and revision of taxes gained by the county commissioners board of revision of as the result of duplicate returns received from the department shall be confidential except for official purposes and any person or agent divulging such information shall be deemed guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine not in excess of five hundred dollars (\$500.00) or to undergo imprisonment for not more than three (3) years or both in the discretion of the court.

(c) The powers conferred by this act upon the department relating to the administration or enforcement of this act shall be in addition to but not exclusive of any other powers heretofore or hereafter conferred upon the department by law.

Section 17 State Tax on Scrip Bonds Et Cetera Imposition and Rate of Tax All scrip bonds certificates and evidences of indebtedness issued and all scrip bonds certificates and evidences of indebtedness assumed or on which interest shall be paid by any and every private corporation incorporated or created under the laws of this Commonwealth or the laws of any other state or of the United States and doing business in this Commonwealth and having a resident corporate treasurer therein except first class or nonprofit corporations are hereby made taxable for State purposes at the rate of eight mills on each dollar of the nominal value thereof during the calendar years one thousand nine hundred thirty-eight one thousand nine hundred thirty-nine one thousand nine hundred forty [and] one thousand nine hundred forty-one one thousand nine hundred forty-two and one thousand nine hundred forty-three on reports filed for the calendar years [one thousand nine hundred thirty-seven] one thousand nine hundred thirty-eight one thousand nine hundred thirty-nine [and] one thousand nine hundred forty one thousand nine hundred forty-one one thousand nine hundred forty-two and one thousand nine hundred forty-three or for any fiscal year beginning in the calendar years [one thousand nine hundred thirty-seven] one thousand nine hundred thirty-eight one thousand nine hundred thirty-nine [and] one thousand nine hundred forty one thousand nine hundred forty-one one thousand nine hundred forty-two and one thousand nine hundred forty-three and at the rate of four mills on each dollar of the nominal value thereof during the calendar years one thousand nine hundred [forty-one] forty-four and every year thereafter on reports filed for the calendar years one thousand nine hundred [forty-one] forty-four (or for any fiscal year beginning in the calendar year one thousand nine hundred [forty-one] forty-four) and for every year thereafter and all scrip bonds certificates and evidences of indebtedness issued and all scrip bonds certificates and evidences of indebtedness assumed or on which interest shall be paid by any county city borough township school district or incorporated district of this Commonwealth are hereby made taxable for State purposes at the rate of four mills on each dollar of the nominal value thereof during the calendar year one thousand nine hundred thirty-eight and every year thereafter on reports filed for the calendar year one thousand nine hundred thirty-seven or for any fiscal year beginning in the calendar year one thousand nine hundred thirty-seven and for every year thereafter. Provided That whenever under the provisions of this section any private corporation shall become liable for such taxes upon evidences of indebtedness by it assumed or on which it shall pay interest it shall be the duty of such corporation not later than ten (10) days thereafter to give notice in writing to any person who may at such time be liable for the payment of any taxes upon such evidences of indebtedness under the provisions of the third section of this act that the

corporation has assumed such indebtedness or the payment of the interest thereon and will deduct and pay the taxes imposed thereon by this section. Such notice shall also be given before the first day of October of each and every subsequent year during which such corporation is liable for the payment of such interest. Where any private corporation shall assume such evidences of indebtedness or the payment of interest thereon prior to the first day of October in any year and shall give notice as hereinbefore provided such corporation shall be relieved from the duty of deducting and paying the taxes imposed by this section for the balance of such year but shall deduct and pay said taxes for the ensuing year and the person to whom such notice shall be given shall for such ensuing year be relieved from the payment of tax under the provisions of the third section of this act upon such evidences of indebtedness so assumed or on which the corporation shall pay interest. Where any private corporation shall assume such evidences of indebtedness or the payment of interest thereon on or subsequent to the first day of October in any year and shall give the notice as hereinbefore provided such corporation shall be relieved from the duty of deducting and paying the tax upon such evidences of indebtedness by it assumed or on which it shall pay interest for the balance of such year and for the ensuing year and the person to whom notice is so given shall pay the tax for the period for which the corporation is relieved upon such evidences of indebtedness so assumed or on which the corporation shall pay interest as provided for in the third section of this act. Neglect or failure on the part of any corporation upon assuming any evidences of indebtedness or becoming liable for the payment of interest thereon to give the notice as herein provided and within the time prescribed shall make such corporation liable for the payment of taxes from the time when such evidences of indebtedness are assumed or for the entire period for which interest shall be paid. Neglect or failure to give such notice before the first day of October of each and every subsequent year during which such corporation is liable for the payment of such interest shall make the corporation liable for such taxes for the year following without any deductions from interest due as hereinbefore provided. Provided That this section shall not apply to bank notes or notes discounted or negotiated by any bank or banking institution savings institution or trust company nor to interest bearing accounts in any bank banking institution savings institution employes thrift or savings association whether operated by employes or the employer or trust company. And provided further That the provisions of this act shall not apply to building and loan associations or to savings institutions having no capital stock and if at any time either now or hereafter any persons individuals or bodies corporate have agreed or shall hereafter agree to issue his their or its securities bonds or other evidences of indebtedness clear of and free from the tax or any part thereof provided for in this act or in the act approved the seventeenth day of June one thousand nine hundred thirteen (P. L. 507) or have agreed or shall hereafter agree to pay the same nothing herein contained shall be so construed as to relieve or exempt him it or them from paying the tax imposed herein on any of such securities bonds or other evidences of indebtedness as may be held owned by or owing to the said savings institution having no capital stock. And provided further That the provisions of this act shall not apply to fire companies firemen's relief associations life [or] insurance companies casualty or fire insurance corporations having no capital stock secret and beneficial societies labor unions and labor union relief associations and all beneficial organizations paying sick or death benefits or either or both from funds received from voluntary contributions or assessments upon members or such associations societies or unions. And provided further That corporations limited partnerships and joint-stock associations liable to tax on capital stock for State purposes shall not be required to pay any further tax under this section on the mortgages bonds and other securities owned by them in their own right but corporations limited partnerships and joint-stock

associations holding such securities as trustees executors administrators guardians or in any other manner except as executor or administrator of the estate of a nonresident decedent and except as trustee for a resident or nonresident religious charitable or educational organization no part of the net earnings of which inures to the benefit of any private stockholder or individual shall be liable for the tax imposed by this section upon all securities so held by them as in the case of individuals And provided further That none of the classes of property made taxable by this section for state purposes shall be taxed or taxable for county school or other local purposes And provided further That the provisions of this section shall not apply to personal property of the classes hereinabove enumerated received from any person or persons copartnership or unincorporated association or company nonresident in or not located within this Commonwealth or from any joint-stock association limited partnership bank or corporation formed created or incorporated by under or in pursuance of any law of the United States or of any state or government other than this Commonwealth by any person or persons copartnership or unincorporated association resident in this Commonwealth company joint-stock company or association limited partnership bank or corporation created or existing under the laws of this Commonwealth or doing business within this Commonwealth as active trustee agent attorney-in-fact or in any other capacity for the use benefit or advantage of any person or persons copartnership or unincorporated association or company nonresident in or not located within this Commonwealth or for the use benefit or advantage of any joint-stock company or association limited partnership bank or corporation formed created or incorporated by under or in pursuance of any law of the United States or of any state or government other than this Commonwealth or any such property whatsoever owned held or possessed by any person or persons copartnership or unincorporated association resident in this Commonwealth company joint-stock company or association limited partnership bank or corporation created and existing under the laws of this Commonwealth or doing business within this Commonwealth in the capacity of executor or administrator of a nonresident decedent or as trustee agent or attorney-in-fact for any resident or nonresident religious charitable scientific literary or educational organization no part of the net earnings of which inures to the benefit of any private stockholder or individual

It is the intent of this act that all scrip bonds certificates and evidences of indebtedness made taxable under this section are not taxable under the third section of this act and that only such scrip bonds certificates and evidences of indebtedness which cannot be made taxable under this section are to be taxed under the third section of this act

Section 18 Reports and Payments of the State Tax by Private Corporations and Municipalities; (a) It shall be the duty of the resident treasurer of each private corporation incorporated by or under the laws of this Commonwealth or the laws of any other state or of the United States or any foreign country and doing business in this Commonwealth except nonprofit corporations and cooperative agriculture associations not having capital stock and not conducted for profit and it shall be the duty of the treasurer of each county city borough township school district or incorporated district of this Commonwealth upon the payment of any interest on any scrip bond certificate or evidence of indebtedness issued or assumed by such corporation county city borough township school district or incorporated district or upon which it is liable for the payment of the interest to residents of this Commonwealth and held by them to assess the tax imposed for State purposes by the seventeenth section of this act upon the nominal value of each such scrip bonds certificates or evidences of indebtedness and to report under oath or affirmation annually on or before the fifteenth day of March for the calendar year next preceding to the department the amount of such indebtedness owned held or in any manner possessed by residents of this Commonwealth together with such in-

formation as the department may require Provided That such scrip bonds certificates and evidences of indebtedness shall be deemed to be owned held or possessed by residents of this Commonwealth unless it is established that they are not so owned held or possessed and it shall be his further duty to deduct the tax imposed by the seventeenth section of this act on the payment of any interest upon such indebtedness and return the same to the State Treasury through the department within the time prescribed by law and his compensation for his services shall be five per centum on the first one thousand dollars (\$1,000.00) or fractional part thereof one per centum on all amounts over one thousand dollars (\$1,000.00) and not over two thousand dollars (\$2,000.00) and one-half of one per centum on all amounts over two thousand dollars (\$2,000.00) Upon the payment of said State tax such scrip bonds certificates or evidences of indebtedness shall be exempt from all other taxation in the hands of the holder of the same

The time for filing reports may be extended taxpayers may be permitted to file their reports on a fiscal year basis and the procedure and penalties in case of failure to report and pay the tax shall be as prescribed by law

(b) It is the intent and meaning of this act that the tax for State purposes imposed upon obligations of private and public corporations by section seventeen of this act shall be collected in the same manner as the tax heretofore imposed for State purposes upon such obligations

Section 19 Constitutional Construction If any section sentence clause or part of this act is for any reason held to be unconstitutional the decision of the court shall not affect or impair any of the remaining provisions of this act It is hereby declared as the legislative intent that this act would have been adopted had such unconstitutional sentence section clause or part thereof not been included herein

Section 20 Repealer and Saving Clause (a) All acts or parts of acts inconsistent with the provisions of this act are hereby repealed but the provisions of this act so far as they are the same as those of existing laws shall be construed as a continuation of such laws and not as new enactments

(b) Sections seventeen and eighteen of the act approved the seventeenth day of June one thousand nine hundred 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" and their amendments are hereby repealed but this act shall not be construed to repeal any of the remaining provisions of said act

(c) Nothing herein contained shall be construed as repealing any act repealed by the act which this act repeals and the passage of this act shall not be taken or construed to relieve any person association or corporation from the payment of any taxes penalties and interest imposed by section seventeen of the said act of June seventeenth one thousand nine hundred and thirteen (P. L. 507) (on reports filed for the calendar year one thousand nine hundred thirty-six or for any fiscal year beginning in the calendar year one thousand nine hundred thirty-six and prior years) or from any taxes penalties and interest imposed by the provisions of any act or parts of acts in force at the time this act becomes effective or to affect or terminate any petitions investigations prosecutions legal or otherwise or other proceedings pending under the provisions of any act or parts of acts in force at the time this act becomes effective or repealed by this act or to prevent the commencement further prosecution of any legal proceedings by the proper authorities of the Commonwealth for violations of such acts or for the collection or recovery of taxes penalties and interest due or owing to the Commonwealth under such acts

Section 21 Effective Date This act shall become effective immediately upon its final enactment and be in force for the assessment and collection of taxes under section three of this act for the calendar years one thousand nine hundred thirty-eight one thousand nine hundred thirty-nine one thousand nine hundred forty [and] one thousand nine hundred forty-one or thousand nine hundred forty-two and one thousand nine hundred forty-three and for the collection of taxes under section seventeen of this act for the calendar year one thousand nine hundred thirty-eight and every year thereafter on reports filed for the calendar year one thousand nine hundred [thirty-seven] thirty-eight (or for any fiscal year beginning in the calendar year one thousand nine hundred [thirty-seven] thirty-eight) and for every year thereafter

Section 2 This reenacting and amending act shall become effective immediately upon its final enactment The exemption extended by this reenacting and amending act to personal property held in the commercial department and owned in its own right by a banking institution savings institution or trust company in liquidation by a receiver trustee or other fiduciary or to personal property formerly held by a banking institution in its own right but assigned by it to one or more trustees for liquidation and payment to the creditors and stockholders of such banking institutions is hereby made retroactive for the years one thousand nine hundred thirty-five one thousand nine hundred thirty-six one thousand nine hundred thirty-seven one thousand nine hundred thirty-eight one thousand nine hundred thirty-nine and one thousand nine hundred forty it being the legislative intent and purpose that no tax under this act shall be assessed or collected with respect to such property for such years or for any year thereafter

On the question,

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

Mr. ACHTERMAN. Mr. Speaker, I just merely wish to say that the report of the Committee on Conference on House Bill 230, and I presume the report of the same committee on House Bill 234, which I think will be read next, is in accordance with the compromise agreement that we had with the Governor, and I ask the Democratic Members of the House to support it.

On the question recurring,

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

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

YEAS—203

Achterman,	French,	Malloy,	Royer,
Allmond,	Gallagher,	Marks,	Rush,
Auker,	Gerard,	Maxwell,	Sarge,
Baker,	Gillan,	McClanaghan,	Sarraf,
Balthaser,	Gillette,	McClester,	Scanlon,
Bentley,	Goodwin,	McDermott,	Schwab,
Bentzel,	Greenwood,	McDowell,	Serrill,
Boles,	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,	Melchiorre,	Sorg,
Brunner, P. A.,	Hare,	Milhm,	Stambaugh,
Burns,	Harkins,	Modell,	Stank,
Burris,	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, E. L.,
Cook,	Hewitt,	Nunemacher,	Trout,

Cooper,	Hirsch,	O'Brien,	Turner,
Cordier,	Holland,	O'Connor,	Van Allsburg,
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,	Polen,	Watkins,
Dolon,	Kenehan,	Polaski,	Weingartner,
D'Ortona,	Kilne,	Powers,	Wells,
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,	Winner,
Ely,	Lee, T. H.,	Reese, D. P.,	Wood, L. H.,
Falkenstein,	Leisey,	Reese, R. E.,	Wood, N.,
Finestone,	Leonard,	Regan,	Woodring,
Finnerty,	Lesko,	Reynolds,	Woodside,
Fisher,	Levy,	Rhea,	Wright,
Fiss,	Leydic,	Riley,	Yeakel,
Fleming,	Lichtenwaiter,	Roone,	Yester,
Fletcher,	Longo,	Rose, S.,	Young,
Flynn,	Lovett,	Rose, W. E.,	Kilroy,
Foot,	Lyons,	Rosenfeld,	Speaker

NAYS—1

Gates,

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

Ordered, That the Clerk inform the Senate accordingly.

REPORT OF COMMITTEE OF CONFERENCE ON HOUSE BILL No. 234

Mr. READINGER. Mr. Speaker, I desire to call up the report of the Committee of Conference on House Bill No. 234, Printer's No. 1174.

The report was read by the Clerk as follows:

To the Members of the Senate and House of Representatives:

We, the undersigned, Committee of Conference on the part of the Senate and House of Representatives for the purpose of considering House Bill No. 234, entitled:

"An Act to further amend section one of the act approved the fifteenth day of July one thousand eight hundred ninety-seven (P. L. 292), entitled 'An act to provide revenue by taxation' by increasing the rate of tax for a further limited period of time."

Respectfully submit the following bill as our report:

Weldon B. Heyburn  
Franklin S. Edmonds  
Harry Shapiro  
(Committee on the part of the Senate.)  
Leo A. Achterman  
Albert S. Readinger  
Edwin Winner  
Committee on the part of the House of Representatives.)

An Act to further amend section one of the act approved the fifteenth day of July one thousand eight hundred ninety-seven (P. L. 292) entitled "An act to provide revenue by taxation" by increasing the rate of tax for a further limited period of time

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

Section 1 Section one of the act approved the fifteenth day of July one thousand eight hundred ninety-seven (P. L. 292) entitled "An act to provide revenue by taxation"

as last amended by the act approved the fourth day of May one thousand nine hundred thirty-nine (P. L. 53) is hereby further amended to read as follows

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That from and after the passage of this act every bank or savings institution having capital stock incorporated by or under any law of this Commonwealth or under any law of the United States and located within this Commonwealth shall on or before the fifteenth day of February in each and every year make to the Department of Revenue a report in writing verified as required by law setting forth the full number of shares of the capital stock subscribed for or issued as of the preceding thirty-first day of December by such bank or savings institution and the actual value thereof as of the preceding thirty-first day of December which actual value shall be ascertained as hereinafter provided It shall be the duty of the Department of Revenue to assess such shares for taxation at the same rate as that imposed upon other monied capital in the hands of individual citizens of the State that is to say for the calendar years ending December thirty-first one thousand nine hundred thirty-six December thirty-first one thousand nine hundred thirty-seven December thirty-first one thousand nine hundred thirty-eight December thirty-first one thousand nine hundred thirty-nine and December thirty-first one thousand nine hundred forty December thirty-first one thousand nine hundred forty-one and December thirty-first one thousand nine hundred forty-two at the rate of eight mills upon each dollar of the actual value thereof and thereafter at the rate of four mills upon each dollar of the actual value thereof the actual value of each share of stock to be ascertained and fixed by adding together the amount of capital stock paid in the surplus and undivided profits and dividing this amount by the number of shares It shall be the duty of every bank or savings institution within a period of sixty days after the date of such settlement by the Department of Revenue to collect the amount of said tax from its shareholders and pay the same to the State Treasurer through the Department of Revenue Provided That in case any bank or savings institution having capital stock incorporated under the law of this State or of the United States shall collect annually from the shareholders thereof said tax of eight mills or four mills as the case may be on the dollar upon the actual value of all shares of stock of said bank or savings institution according to the provisions of this act that have been subscribed for or issued and pay the same into the State Treasury through the Department of Revenue the shares and so much of the capital and profits of such bank or savings institution as shall not be invested in real estate shall be exempt from local taxation under the laws of this Commonwealth and such bank or savings institution shall not be required to make any report to the local assessor or county commissioners of its personal property owned by it in its own right for purposes of taxation and shall not be required to pay any tax thereon The procedure in case the Department of Revenue be not satisfied with the report made by any bank or savings institution and the penalties for failing to make such report and pay the tax shall be as provided by law

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

On the question,

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

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

YEAS—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,
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,	Poiaski,	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,
Fiss,	Levy,	Rhea,	Wright,
Fleming,	Leydic,	Riley,	Yeakel,
Fletcher,	Lichtenwatter,	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, and the report of the Committee of Conference was adopted.

Ordered, That the Clerk inform the Senate accordingly.

RECESS

The SPEAKER. If there is no objection the Chair is about to declare a recess for thirty minutes. Is there objection? The Chair hears none and a recess is declared.

AFTER RECESS

The SPEAKER. The time of recess having expired the House was called to order.

THE SPEAKER (Elmer Kilroy) IN THE CHAIR

The SPEAKER. The Chair requests the gentleman from Allegheny, Mr. Shaw, to preside.

MR. SHAW IN THE CHAIR

The SPEAKER pro tempore. The Chair requests the Sergeant-at-Arms to escort the minority whip of the House, the gentleman from Delaware, Mr. Turner, to the well of the House, and also requests the gentleman from Allegheny, Mr. Gerard, Chairman of the Allegheny County delegation, to come forward.

PRESENTATION TO MR. TURNER

Mr. GERARD. Mr. Speaker and Members of the House,

we listened with a great deal of interest during the ceremonies last evening, and much has been expressed in resolutions that were presented concerning the various members of the House, but today after some levity and after a most pleasant evening spent in congeniality with the gentleman to my left, we come to a more serious moment, to a time when we want to express our sentiments and our feelings in just a little different way.

A pleasant duty has been assigned to me to make a presentation to our good friend Ellwood Turner. Those of us who have known Ellwood in the past know that he has been a regular and a real fellow. When it was necessary for him to be serious he was serious; in times of fun he just gave fun. We want Ellwood to know that we of the House have the highest and the kindest regard for him in all the work he has done.

I would like to say to you, Ellwood, that when you leave here today the Members want you to know that they have a high regard for you, and through this small gift they want to express that regard. May I say as I give you this gift it is not so much the intrinsic value it represents but the expression of good will of the members. I trust you will accept this gift knowing that the members of this House give you their kindest and the most heartfelt felicitations.

Mr. TURNER. Tony, I want to thank you and the members of the House from the bottom of my heart for this very lovely gift. I presume the gift, not the fact of giving something, but the gift itself was inspired by my neighbors over here on the left, from whom I have constantly borrowed fountain pens during the session, usually losing every pen or pencil that I got in my pocket.

Two years ago I stood in this same position to receive at the hands of the members of the House some lovely gifts which grace and adorn my own home and which we use on all festive occasions. One of them, a punch bowl, is fittingly inscribed, and it is fittingly filled on all festive occasions. I only wish it might be my good luck to find time and to have the opportunity to meet many of you, to fill that bowl and drink to you in order that I might in the things we do, and in the spirit of that of which we partake, express my feeling far better than I can in words. I can truthfully say that I am much surprised that in this session in which I have taken a very minor part, I should be presented with this gift. I have remained quietly in my seat, refraining from taking part in discussions on the floor in order that the younger generation that is coming on in the House might have an opportunity to fit themselves with their spurs and carry on for the good of the people of this Commonwealth. There is something about representation in this House, the holding of an office as a member of this House, no matter what our politics may be, that has always amazed me because as we meet each other from time to time on the street, in the train or some other place, some fellow comes forward with a smile, a warm handclasp and says, "Do you remember me? I served in such and such a session?" That typifies, I think, all of our relationships here. However, after all we do become sort of a club or group.

I made a farewell address two years ago, and I hesitate to make one now, but I feel very certain that I am spending my closing hours of service in the House of Representatives, and I will carry away with me this pen, in the hope that I can keep it and preserve it, and as I take it

out from time to time to pen some word or line or to perform some of my tasks or services there will always come to me as I grasp it the feeling that I am grasping the hands of the Members of this House, who by such a gracious gift certainly have shown that they are extending the hand of friendship, which I shall always grasp with the remembrance of the kindnesses and expressions of good will that you have had towards me.

#### PRESENTATION TO MR. LOVETT

The SPEAKER pro tempore. Will the Sergeant-at-Arms please escort to the well of the House the majority whip of the House, the gentleman from Westmoreland, Mr. Lovett, and will the gentleman from Lancaster, Mr. Trout also come forward.

Mr. TROUT. Mr. Speaker and Members of the House, it has been my pleasure and opportunity to serve as a member of this House since 1933. I can truthfully say that I have not taken up much of the time of the House in making speeches, or discussing matters on the floor. It has been my pleasure however to meet men here, to get to know them well and form associations which I shall not soon forget.

I sat with Mr. Lovett when he was a Member of the minority and when he was a Member of the majority, and a very close relationship, and a very close friendship grew up between us. I had what I consider the distinct honor of serving with Mr. Lovett on a commission on which we felt we did a good work. So far as politics were concerned we did not know that there was any difference between a Democrat and a Republican when we were working for those things which we thought were for the benefit of the people of the Commonwealth of Pennsylvania.

It has always been my pleasure and my privilege to go to Mr. Lovett and discuss matters of legislation, and Jim, there is nothing that I enjoy more than this privilege of presenting to you this token from the membership of the House.

Mr. LOVETT. Mr. Speaker and Members of the House, I want to thank Mr. Trout for the nice things he has said. I want to thank all the Members of the House for the kindness they have shown to me as a Member of the Legislature. I also want to thank especially the men on the Democratic side during this session for their kindness to me as Chairman of their Democratic caucus.

#### PRESENTATION TO SECRETARY OF HOUSE

The SPEAKER pro tempore. Will the Sergeant-at-Arms escort to the well of the House, the Secretary of the House, Mr. Mulvihill, and will the gentleman from Philadelphia, Mr. Shepard also present himself there.

Mr. SHEPARD. Mr. Chairman and Members of the House, I understand and realize that my remarks are to be very short. I am speaking about a short man. I want to say to Mr. Mulvihill we have appreciated his work as Secretary of the House. We do not know all the duties that have been his, but we know that through his work the machinery of the House has been kept running smoothly and we appreciate his labors. He has had the experience of serving in a similar capacity in the Senate. Now that he has been lifted from that lowly job in the Senate and promoted to the House of Representatives, he



has conducted himself very well, and we appreciate the fidelity that he has shown to his job.

In behalf of the members of the House who recognize your fitness, your ability and your service, we want to make to you this presentation, and we hope you will accept it as coming from the bottom of our hearts.

The SECRETARY OF THE HOUSE (Dennis Mulvihill). Mr. Shepard and Members of the House, I thank you for this beautiful gift. I take with me from you not only this beautiful gift, but I take with me many happy memories which I will cherish through life. I shall always recall that during this session of the Legislature I have worked for 208 of the finest bosses in the world, and I will always remember that in this session which was full of controversy I have seen the session end in peace and compromise. I will remember that I have seen democracy working.

#### PRESENTATION TO PARLIAMENTARIAN

The SPEAKER pro tempore. Will the Sergeant-at-Arms please escort to the well of the House the Parliamentarian, and will the gentleman from Bucks, Mr. Stockham, also come forward.

Mr. STOCKHAM. Mr. Chairman, Mr. Speaker, and gentlemen of the House, on shipboard the second officer is the navigating officer; it is he who finds the place on the high seas where the ship may be. The responsibility for the lives and property of all aboard that ship are very much in his hands. The second officer is not always in great evidence, but the effect and the value of his knowledge, his judgment and his service brings that ship to a safe haven. I count in this House the Parliamentarian similarly as the second officer of the ship, who guides and directs the captain, the master of that craft.

It has been my privilege to have served in this House a number of sessions; it is always a privilege to serve. There is something to be had in the sense of service when it can be had without a real expectation of remuneration. However, there comes always in the hearts of those who have been served the realization that there is due some acknowledgement and some recognition of that man's work and his efforts even in this House of Representatives.

So it is my privilege and it is a great pleasure to me too to have this part in this program, that of making this presentation to the man whom we all esteem, the man whose place among us of the House is of great value, that place at the left hand of the Speaker, not only to guide him, but to guide each of us in the positions that we take upon the floor of the House. For the services rendered by this fine servant, the second officer of this ship, we made this presentation today to express our deep and sincere appreciation. So, Eddie Moore, permit me, please, to present you with this token of our esteem and of our affection.

Mr. S. EDWARD MOORE. Mr. Speaker, Mr. Stockham and Members of the House, at a time like this it is difficult to find words to adequately express my sincere appreciation for the many nice things the Speaker of the House and you members have said of me and done for me. I can assure you it is more than I deserve. However, what I want most is to have your continued confidence and trust. This beautiful sterling silver pitcher will long be enjoyed in the Moore family in fond remembrance of a great bunch of fellows. From the bottom of my heart I thank you.

#### PRESENTATION TO CHIEF CLERK

The SPEAKER pro tempore. The Sergeant-at-Arms will please escort to the well of the House the Chief Clerk of the House, and will the gentleman from Delaware, Mr. James, also present himself there.

Mr. JAMES. Mr. Chairman and gentlemen of the House, fearful that I might not have the words for this high occasion, and fearful if I had the words I might not say them well, I have devoted sometime this morning to writing with painstaking care something I would like to say at this time:

High above the lounging newsmen  
Well above the Chamber's bar  
Sits a man—forever musing  
Midst some minions of his choosing  
High above the Chamber's bar

Just forinst the busy Speaker  
Well above the Chamber's bar  
Sits he there his thoughts revealing  
To naked huzzies in the ceiling  
High above the Chamber's bar

Comes the hour! The gavel falls  
Well above the Chamber's bar  
O'er the house the babbling quiets  
Nothing changes he who sits  
High above the Chamber's bar

Prayer is said—the Parson bows  
Well above the Chamber's bar  
Slowly turns he in his chair  
He who watches from up there  
High above the Chamber's bar.

Forward now the business goes  
Well above the Chamber's bar  
Now he peers into our faces  
Noting well the empty places  
From above the Chamber's bar

Hey Guide! Exclaims a stranger here  
Pointing towards the Chamber's bar  
Whose the guy who does no work?  
Replies the Guide, "Why he's the Chief Clerk  
There above the Chamber's bar."

But see now he stirs—the Members vote  
They stare at him above the Chamber's bar  
Some gouge their eyes—for "yes" y'see  
They thumb their nose who disagree  
At him—above the Chamber's bar.

However, Tom Callahan, excellent Chief Clerk of the House of Representatives, behind the fun and levity on an occasion of this kind, which I do not consider improper, there is something more. We listened here last night and today to great things said of great men, our wonderful Speaker, our floor leaders and others of our officers, but I say here and now to you, Tom, that because of your interest in your fellow men, your name like that of Abou Ben Adhem should lead all the rest because you among all others are the only one who has ever authorized the Reading Clerk to tell us when and how and where to get our pay checks.

It becomes my very pleasant duty in the name of and in behalf of all the members of this House to present to you a slight token of our high esteem and affection. I understand if you learn how to use this thing well it will pour out for you for years to come floods of joy and cheer.

The CHIEF CLERK. (Thomas J. Callahan). Mr. Speaker, Mr. James and Members of the House, I want to thank Mr. James very sincerely for the kind words

he has said. Had I known he was going to make his presentation speech in poetry I might have courted the Muse myself and received a little inspiration, so that I might have answered him in the same form of expression. I appreciate this gift very much. I shall cherish it because it will always be to me a symbol of the fine friendships and associations I have had here with two hundred eight of the finest gentlemen in the State of Pennsylvania.

I hope after adjournment I shall have the pleasure of being able to continue to serve you. My office will be at your service at all times and I hope to see you often. I had the experience in the special session of 1938 of seeing the Members leave, and I remember how lonely I was at that time. While the work was very trying and arduous during the session it was compensated for by the genuine friendship and fine association of the Members with whom I came in contact daily. I shall miss your friendly faces. I wish you well, good luck, good health and prosperity. I thank you most sincerely for this beautiful gift.

The SPEAKER pro tempore. The Chair announces with regret that Mrs. Cohen is unable to come to the well of the House to receive the gift which we have prepared for her. It is due probably to the fact that we have given her so much work to do. Nevertheless, we have not forgotten Mrs. Cohen.

#### PRESENTATION TO MR. WOODSIDE

The SPEAKER pro tempore. The Sergeant-at-Arms will please escort the minority floor leader, the gentleman from Dauphin, Mr. Woodside, to the well of the House, and will the gentleman from Berks, Mr. Readinger please come forward.

The Chair also wishes to announce that the mother and the wife of Mr. Woodside are guests this afternoon. Will the ladies please rise so that the Members may see them?

Mr. READINGER. Mr. Chairman, Members of the House, and guests, so many complimentary, nice and true things have been said about Bob Woodside in the last few days, particularly last night by the gentleman from Bucks, Mr. Stockham, that I am not going to repeat in making this presentation. I simply want to say that men like Bob Woodside make this democracy strong. Bob Woodside is a hard fighter, a clean fighter and a good leader.

We are particularly happy today, Bob, that your charming wife and lovely mother are with us, in order that they may witness this presentation of a small gift indicating our affection for you. This is a great day for Bob. It is not only his tenth wedding anniversary but it also happens to be his mother's birthday. He is to be congratulated upon those things as well as upon the fine work which he has done here this session. Bob, we don't know whether you'll be with us the next session, and speaking for the moment for the Democrats I hope you will not, because we would prefer to see you as a member of the bench of the Dauphin County Courts. Personally I don't know whether the people of Dauphin County know your abilities as well as we know them, but if they do they certainly will send you to the bench, and knowing your ability as we do we are hoping for a less able adversary next session. Whatever course fate may have in store for you I just wish to add that we have had great pleasure in serving with you and that if you come back again we know we will enjoy your being here. I present to you as

a small token of the affection we have for you this plate.

Mr. WOODSIDE. Mr. Speaker, Mr. Readinger and fellow members of the House, I am just about as fussed up as I was ten years ago because ten years ago at this very minute I was going down the aisle, or rather met at the end of the aisle the one who I then thought and now know to be the finest girl in the world.

I want to say a word of appreciation to my wife. This is our tenth wedding anniversary. We had planned to go to Atlantic City this week end, but the session has upset that plan, but she has cheerfully made no complaint. A few years ago we were in session on her birthday, we were in the closing days and I forgot all about it. One should never do that of course, but I have never heard any complaint about it. While we were talking about the Red bills and amending the Teachers Tenure Act Mrs. Woodside was waiting at home in her evening clothes ready to go out for an evening's entertainment. I called her up about eleven o'clock and told her I couldn't keep the six o'clock appointment, and there still was no complaint. I wonder whether any of you men can match that.

As has been suggested here, possibly the remaining days of this session will be the last time I shall appear before the House. Some of you seem to give a sigh of relief, probably on both sides of the House. For the reasons suggested I hope these will be my final days in the House, but no matter where I am or what I do hereafter, I do not think there is any thing I will enjoy more than the work I have had in this House of Representatives and the friendships I have made here.

#### PRESENTATION TO MR. ACHTERMAN

The SPEAKER pro tempore. Will the Sergeant-at-Arms escort to the well of the House the majority floor leader, the gentleman from Monroe, Mr. Achterman, and will the gentleman from Delaware, Mr. Turner, also come forward.

Mr. TURNER. Mr. Speaker, fellow members of the House, my friend and opponent, Leo Achterman, I thought as I saw my name on the list to make this presentation that the committee, while I appreciate the honor and the opportunity, might have passed it on to someone else who might have tired you less with talk during this session than I.

I have been thinking back over my years of service here and the men who have left the different sides of this House. When I first came to the House we didn't have floor leaders as we now know them. Generally the administration picked out someone to handle administration measures, and that is about as far as we went. Then when we had the division in the Republican ranks we began to have leaders on both sides of the partisan group. It was not until about 1935, I think, or perhaps 1933 that this custom of having floor leaders regularly designated and elected by the membership was put into effect. I think it has contributed much to the operation of the House, to its efficiency and effectiveness, and certainly has contributed much to the independence of the House, if I may use that word, as a coordinate branch of the government. Consequently, Leo, you are not one of a long line of Democratic leaders, because when I came to the House we hardly knew what a Democrat looked like, nor did we pay much attention to that designation. About 1933 we began to

get some inkling, and by 1935 we had an avalanche that told us who the Democrats were.

Nevertheless, Leo, having occupied some of those jobs myself I know the burden that is cast upon the leader of either group, whether it be the minority or the majority of this House, and while the minority leader has a great amount of work to do, that work multiplied greatly because you have assumed in this session not only the majority leadership but you have been the Chairman of the appropriations committee as well, and have been a glutton for work.

I think the newspaper men in their poll said you were the most industrious man in this House. I do not think they went quite far enough, because I suppose they meant you were the most industrious man legislatively. I could mention other men who were more industrious in other pursuits than you, but that is not what I mean at this time.

I know you assumed a tremendous responsibility and a tremendous burden, and it is a tribute to the way you have handled it, because as I have watched your side of the House, have listened to the roll calls, have seen the moves, have been among the members, you have had a uniformly loyal group and the majority in this House has, it seems to me, done less kicking about the floor leader than I have heard many times in the past. That is most convincing evidence of the fact that you are performing your task in not only a satisfactory manner, so far as your group is concerned, but you must have been efficient and hard working.

We have spoken about the time in this session when we like to make these gifts. I am always reminded of the time a fire company wanted to present one of its members with a silver horn. The fellow who was to make the presentation practiced his speech for a long time. The day came when the presentation was to be made and he got nervous and forgot all about his speech.

He said, "Here, Bill, here is the horn."

Bill said, "Hell, is that it?"

I would like to have gotten away with just a short statement like that, but that would not be what these men want me to do. That would not be what I would like to do for you, because after the work you have done, the days and hours you have spent here when the legislature was not in session and the members had gone home, the tremendous amount of study the majority leader must give to legislation, the great amount of research he must do, the great amount of data he must secure and assimilate and get in his head, the great number of times he must get up on the floor, the number of people standing around pestering him, the trials and tribulations of the newspaper men always surrounding him seeking news, entitles the majority leader not only to receive some token from the House, but to have it said to you that they believe your job has been well done. They want you to carry away with you not something that says during this session you have been the majority leader, not merely a certificate, a label or a piece of paper, not something in the directory for this session, but something that is permanent, something that is tangible that you can keep within your home for your family's use, so that when the time comes for you to leave this world you can pass it on to your children that they may know you had achieved this position in your life and that the Members of the legislature had a high regard for you, and wished to show in some way

their appreciation for the service you rendered them and the Commonwealth of Pennsylvania. They therefore want to present to you this very lovely coffee service and tray. It always seems to me coffee is one of the best parts of a dinner, one of the best parts of any festive occasion, when as we gather around, sit back in our chairs with our cigars and pipes, perhaps gather around the fire-place, we can place before us the coffee urn and enjoy its delicious aroma as we sip it. We trust if ever the hours become a little dark for you, if ever there comes a time when you feel discouraged, you will get out this coffee set, place it on the table, put on your old slippers and pour forth some of that Java into the cup. If you have a little brandy it will help. You can then lean back with your pipe or your cigar and blow clouds of smoke into the air and as they curl upward, you will see in these clouds the faces of two hundred and eight members of the House that you have served. They have differed with you and they have battled with you, but there is no rancor left. There is only a lot of affection for the work you have done and the services that you have rendered.

Mr. ACHTERMAN. Mr. Speaker, Mr. Turner and my fellow colleagues, Mr. Turner made a remark about the fitness on his part to present a gift of this House to me, having reference to the fact that he has been speaking so much. I know of no more fitting person to make this presentation than Mr. Turner. Only a few of the Members of this House know that Mr. Turner, as a matter of fact, has his second home in my county, so that in addition to representing the County of Delaware he also represents the County of Monroe. I am not going to try to tell you about the conflict that is going on up in the County of Monroe, as to whether they shall follow me or follow Ellwood Turner. I think possibly the decision is about the same as the decision here in the House.

I do wish to express to you, my fellow colleagues, my appreciation for this beautiful gift. May I assure you I have enjoyed the days I have spent here with you, both in work, in combat and in pleasure. As years come and go, may I say to you that I and my family will not only appreciate the usefulness and beauty of the gift, but it will bring back to me memories that I assure you will never be effaced. They are wonderful memories, memories that I know I will cherish throughout my entire life. I again thank you from the bottom of my heart.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Delaware, Mr. Bretherick.

Mr. BRETHERICK. Mr. Speaker and members of the House of Representatives, on behalf of the Republican members of this House, I want to express our deep sense of appreciation to those who were the recipients of gifts this afternoon for the splendid cooperation they have given us throughout this session. We have differed at times with regard to controversies existing in the House, but we have never lost our sense of respect and admiration for those of you who have played the game so fair. I say again on behalf of the Republican members that we desire to express our keen sense of appreciation for the spirit of fair-play which has been evident during this session of the Legislature.

Mr. Speaker, I would like, if you will permit me, to pay a small modicum of tribute to the Speaker of this House. That privilege was denied me last night, but so great is my respect and admiration for that gentleman that I would

like to say a word or two. I am not going to indulge in any flowery oratory because that would not be in keeping with the character of the man you chose as your Speaker.

As a Member of the loyal opposition, even at this late date, I want to take issue with the most reverend gentleman from Philadelphia, Mr. Shepard, in taking credit for having nominated Elmer Kilroy as the Democratic Speaker of this House. Long prior to that time, at a time when there were considered for the office of Speaker the names of several gentlemen from that side of the House, I wrote a letter to Elmer Kilroy and in that letter I said to him that I knew of no man on either side of the House who enjoyed more respect, confidence and friendship than he, and I hoped that the Democratic party would honor him with the Speakership. In that letter I nominated him for the Speakership. Therefore, I think, Mr. Shepard, I went you just one better.

Some twenty-nine years ago I entered the employ of Francis Shunk Brown, who was formerly Attorney General of this Commonwealth. After he left the office of Attorney General, his deputies sent autographed photographs to him. On one of the photographs which he received from Deputy Attorney General Kun, now a member of the Court of Common Pleas of Philadelphia, there appeared these words, "To my friend Francis Shunk Brown, more than a great lawyer, more than a great Attorney General, a man."

I think that might be a fitting tribute to pay to our Speaker, more than a great legislator, more than a great Speaker, a man. I think if Elmer Kilroy's father, that grand old sportsman, Matt Kilroy, could be here today, he would say, "You could have paid no greater tribute to my son than to label him a man."

Mr. Speaker, shortly you are going to be presented with a gift which I hope you will feel is a fitting token of the appreciation we hold for you. It is a gift of metallic substance, but I hope you will always feel as long as you live that that gift contains more than a precious metal, that it contains an expression by the Members of this House of the love, the admiration and respect, and better than all, the friendship they hold for you. Again to you I say that we on this side of the House express our appreciation and we wish you well.

The SPEAKER pro tempore. The Chair now recognizes the gentleman from Allegheny, Mr. Brown.

Mr. BROWN. Mr. Chairman, Mr. Speaker and members of the House, we stand watching the dying embers of this General Assembly. Political differences have disappeared and we are about to adjourn sine die. We come now to the time when there will be a presentation of the love and the affection to the General of this House on behalf of the members. I hope we have not reached an anti-climax but that the expressions so well made on the floor of this House last night will continue beyond even the presentation that will shortly be made. It is an honor I have before the presentation is made to say a word on behalf of our Speaker.

I say to the Members of this House, as a member of a minority, if only those in this country today who love bigotry, who cherish intolerance, could catch some of the spirit that has been engendered here, our land would be indeed and in truth the land of the free and the home of the brave.

I do not find words adequate to express my appreciation

to the Speaker but I should like to tell you a little story that I read some time ago that perhaps will symbolize my feelings to our General .

The story is told that when Knighthood was in flower, the leading knight would lead his knights out into the country, they discovered the flowers, they discovered the minerals, they discovered many of the unknown things in nature. One day the leading knight found a beautiful stream, and in that stream he found a precious metal. He did not want that metal for himself; he wanted to share it with the other knights. So one day he called his knights together and said to them, "Mount your horses. I am going to take you to a place and when you return you will be both happy and sorry." The knights were puzzled; they could not understand how in the world a man could take them to a place where they would be both happy and sorry at the same time because the two terms are so far apart. But they had faith in the leading knight and at the appointed hour they mounted their horses and the leading knight gave the command. He said to them, "With your left hand hold the reins, clinch your right fist and when I give you the command all I want you to do is to reach down and with your hand take whatever you can and then follow me." On into the evening and into the night they rode, and finally they came to the stream. Then the leading knight gave the command to halt, he did not ask them to dismount but he asked them to lean over and to reach down and to take a handful out of the stream. They did. Then they rode a few miles and finally the leading knight gave the command to dismount. They dismounted, and he said to them, "Open your hands." In their hands they found silver. They were happy for the precious little bit they had but they were sorry that they had not taken bucketsful, but had only taken a handful.

Mr. Speaker, you gave us the command to follow you when you took the office of Speaker. We took our hands and now as we come to the close of the session, we only have a handful of your love and of your affection and of your friendship. I say to you, Mr. Speaker, if you give us that command again we will not rely upon the little bit we can gather in our hands but we will take our buckets so that they might overflow with that love and with that friendship that is spoken of by Cicero, that thing that can only exist between honest men, men who love justice, who love friendship and who abhor violence, good men, as Cicero said. We will take our buckets and we will fill them so that they may overflow with your love and with your friendship and with your affection.

The SPEAKER pro tempore. The Chair now requests the Speaker to return to the rostrum.

#### THE SPEAKER (Elmer Kilroy) IN THE CHAIR

Mr. SHAW. Mr. Speaker, you have heard what the men on both sides think of you. I do not think there is anything I can add to what has already been said. As you know, I have served with you four terms, and I heartily enjoyed everything that has been said of you. We in the House, whether we are Republicans or Democrats, know what you are and we are proud of you. I regret that today Mrs. Kilroy is unable to be here so that she might share with you in the knowledge of the love that we all hold for you.

Mr. Speaker, in token of that affection in which we hold you, we are asking you to accept from all of your

friends in the House these silver service plates which we trust will remind you of us more and more as the years go by.

The SPEAKER. Thanks Bill Shaw, and thanks to all the members of the House. This is the second time in as many days that I have been put on the spot, but this magnificent gift has me tongue-tied. In fact it leaves me lost for words, but it has filled me with the deepest appreciation of the kind feelings you have for me.

Members of the House in expressing my gratitude I want to say when it is feeding time at the Kilroys, these beautiful plates will be placed upon the table, and I will see before me my pals and associates of this the 134th regular session. I think I conveyed to you last evening my thoughts. To you, Bill Shaw, and to the Committee and to everyone I humbly say, thanks.

MR. WOODSIDE IN THE CHAIR

BILL ON THIRD READING

Agreeably to order,

The House proceeded to the third 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 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,
Burriss,	Harkins,	Monks,	Stine,
Cadwalader,	Harmuth,	Mooney,	Stockham,
Chervenak,	Harris,	Moran,	Tarr,
Chudoff,	Featherington,	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,	Imbrle,	O'Neill,	Vogt,
Dairymple,	James,	Owens,	Voldow,
Dennlson,	Jefferson,	Petrosky,	Voorhees,
DiGenova,	Jones, G. E.,	Pettit,	Wagner,
Dix,	Jones, P. N.,	Polaski,	Watkins,
Dolon,	Keenan,	Polen,	Weingartner,
D'Ortona,	Fenehan,	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,	Winnier,
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,
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.

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

BILL PASSED OVER

There being no objection House Bill No. 1965, (Senate Bill No. 1300), Printer's No. 547, was passed over at the request of Mr. RAUSCH.

BILL ON THIRD READING

Agreeably to order,

The House proceeded to the third 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 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,
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,
Fiss,	Levy,	Riley,	Yeakel,
Fleming,	Leydic,	Rooney,	Yester,
Fletcher,	Lichtenwalter,	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 return it to the Senate with information that the House has passed it without amendment.

BILL PASSED OVER

There being no objection House Bill No. 1868, (Senate Bill No. 1055), Printer's No. 451, was passed over at the request of the SPEAKER.

BILLS ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 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 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,	Rosenfeld,
Auker,	Gates,	Marks,	Rush,
Baker,	Gerard,	Maxwell,	Sarge,
Balthaser,	Gillan,	McClanaghan,	Sarraff,

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,	Larmuth,	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,
Dairymple,	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,	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,
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 amendment.

Agreeably to order,

The House proceeded to the third 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 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,	Van Allsburg,
Croop,	Huntley,	O'Dare,	Verona,
Cullen,	Imbrle,	O'Mullen,	Vincent,
Dalrymple,	James,	O'Neill,	Vogt,
Dennison,	Jefferson,	Owens,	Voidow,
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.,
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,
Four,	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.

BILL PASSED OVER

There being no objection House Bill No. 1892, (Senate Bill No. 1054), Printer's No. 427, was passed over at the request of the SPEAKER.

BILL ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 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 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,
Bradley,	Goodwin,	McClanahan,	Schwab,
Bretherick,	Greenwood,	McDowell,	Serrill,
Brown,	Gross,	McFall,	Shaffer,
Brunner, C. H.,	Gryskewicz,	McIntosh,	Shaw,
Brunner, P. A.,	Gyger,	McKinney,	Shepard,
Burns,	Habbyshaw,	McLanahan,	Simons,
Burris,	Haberlen,	McLane,	Skale,
Cadwalader,	Haines,	McMillen,	Snyder,
Chervenak,	Hall,	McSurdy,	Sollenberger,
Chudoff,	Hamilton,	Melchiorre,	Sorg,
Cochran,	Hare,	Mihm,	Stambaugh,
Cohen, M. M.,	Harkins,	Modell,	Stank,
Cohen, R. E.,	Harmuth,	Monks,	Stine,
Cook,	Harris,	Mooney,	Stockham,
Cooper,	Heatherington,	Moran,	Tarr,
Cordier,	Helm,	Moul,	Tate,
Corrigan,	Hering,	Muir,	Taylor,
Croop,	Herman,	Munley,	Thompson, E. F.,
Cullen,	Hersch,	Nagel,	Thompson, R. L.,
Dalrymple,	Hewitt,	Nunemacher,	Trout,
Dennison,	Hirsch,	O'Brien,	Turner,
DiGenova,	Holland,	O'Connor,	Van Allsburg,
Dix,	Huntley,	O'Dare,	Verona,
Dolon,	Imbrle,	O'Mullen,	Vincent,
D'Ortona,	James,	O'Neill,	Vogt,
Duffy,	Jefferson,	Owens,	Voidow,
Early,	Jones, G. E.,	Petrosky,	Voorhees,
Eckels,	Jones, P. N.,	Pettit,	Wagner,
Elder,	Keenan,	Polaski,	Watkins,
Elliott,	Kenehan,	Polen,	Weingartner,
Ely,	Kline,	Powers,	Weiss,
Falkenstein,	Knoble,	Prosen,	Welsh, E. B.,
Finestone,	Kolankiewicz,	Rank,	Welsh, M. J.,
Finnerty,	Komorofski,	Rausch,	Wilkinson,
Fisher,	Krise,	Readinger,	Williams,
Fiss,	Lee, E. A.,	Reagan,	Winner,
Fleming,	Lee, T. H.,	Reese, D. P.,	Wood, L. H.,
Fletcher,	Leisey,	Reese, R. E.,	Wood, N.,
Flynn,	Leonard,	Regan,	Woodring,
Four,	Lesko,	Reynolds,	Woodside,
	Levy,	Rhea,	Wright,
	Leydic,	Riley,	Yeakel,
	Lichtenwalter,	Rooney,	Yester,
	Longo,	Rose, S.,	Young,
	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. 570, Printer's No. 1160, was passed over at the request of the SPEAKER.

BILLS ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1936, (Senate Bill No. 653), as follows:

An Act regulating and improving the civil service of certain departments and agencies of the Commonwealth vesting in the State Civil Service Commission and a Personnel Director certain powers and duties providing for classification of positions adoption of compensation schedules and certification of payrolls imposing duties upon certain officers and employees of the Commonwealth authorizing service to political sub-divisions of the Commonwealth in matters relating to civil service defining certain crimes and misdemeanors imposing penalties making an appropriation and repealing certain acts and parts thereof

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The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows That a system of personnel administration is hereby established for the regulation and improvement of the civil service of certain departments and agencies of the Commonwealth

### Article I

#### General Provisions

Section 1 Short Title This act shall be known and cited as the "Civil Service Act"

Section 2 Purpose Greater efficiency and economy in the administration of the government of this Commonwealth is the primary purpose of this Act The establishment of conditions of service which will attract to the service of the Commonwealth qualified persons of character and ability and their appointment and promotion on the basis of merit and fitness are means to this end

Section 3 Definition of Terms In this Act unless the context otherwise clearly requires

(a) "Commission" means State Civil Service Commission as created by "The Administrative Code of 1929" and its amendments

(b) "Director" means the Personnel Director

(c) "Service of the Commonwealth" includes all offices and positions now existing or hereafter created in the Department of Public Assistance State Board of Public Assistance and county boards of assistance all offices and positions now existing or hereafter created in the Department of Labor and Industry charged with the administration of the Unemployment Compensation Law all offices and positions now existing or hereafter created under the Pennsylvania Liquor Control Board all offices and positions under the State Civil Service Commission and the Personnel Director all full time offices and positions of any other department or agency of the Commonwealth where more than fifty per centum of the remuneration or such offices and positions is paid by any agency or department of the United States of America which by authority of law requires that such offices and positions be filled by an approved merit system and any other offices and positions of any department or agency to which this Act may hereafter be extended except that service of the Commonwealth shall not include offices and positions in the unclassified service as hereinafter defined

(d) "Unclassified service" means all positions now



existing or hereafter created in the service of the Commonwealth which are held by

(1) Heads of departments of the Commonwealth and the first deputy heads thereof

(2) Members of boards and commissions

(3) One secretary or one confidential clerk to each appointing authority or each member thereof as the case may be except the Commission and the Director

(4) Any person temporarily appointed or designated to render special services or to make or conduct a special inquiry investigation or examination where such appointment or designation is certified by the Commission to be for employment for not more than six months in any twelve month period and which for reasons set forth in the minutes of the Commission should not be performed by persons in the classified service

(5) Any person employed by any other State agency or department which by law performs services directly or indirectly for the departments set forth in subsection (c) hereof

(6) Such attorneys as the Attorney General shall appoint and the Governor shall approve

(e) "Classified service" means all positions now existing or hereafter created in the service of the Commonwealth not specifically included in the unclassified service

(f) "Appointing authority" means the officers board commission person or group of persons having power by law to make appointments in the service of the Commonwealth

(g) "Position" means any office or place of employment in the service of the Commonwealth such that the duties and responsibilities thereof are exercised by one person

(h) "Class" or "class of positions" means a group of positions in the service of the Commonwealth established under this Act sufficiently similar in respect to the duties and responsibilities thereof that the same descriptive title may be used for each of such positions the same requirements as to ability are demanded of incumbents the same tests of fitness may be used to choose qualified appointees and the same schedule of compensation may be made to apply with fairness under like working conditions

(i) "Permanent position" means a position in the service of the Commonwealth which is likely to be needed continuously for a period of six months or more

(j) "Extra position" means a position in the classified service which arises out of temporary pressure of extra work and will continue for a period of less than six months

(k) "Employee" means a person legally occupying a position in the service of the Commonwealth

(l) "Regular employee" means an employee who has been appointed to a position in the classified service in accordance with this Act after completing his probationary period

(m) "Entrance examination" means an examination for positions in a particular class admission to which is not limited to persons employed in the service of the Commonwealth

(n) "Promotion examination" means an examination for positions in a particular class admission to which is limited to employes in the classified service who have held a position in another class

(o) "Employment list" means a list of persons who have been found qualified by an entrance examination for appointment to a position in a particular class

(p) "Promotion list" means a list of persons who have been found qualified by a promotion examination for appointment to a position in a particular class

(q) "Eligible list" means an employment list a promotion list or a reemployment list

(r) "Eligible" means a person whose name is on an eligible list

(s) "Demotion" means a change in status to a position in a class carrying a lower maximum salary

(t) "Furlough" means the termination of employment because of lack of funds or of work

(u) "Probationary period" means a preliminary period of employment prior to permanent appointment of an employe for the purpose to determine his fitness for permanent employment

(v) "Promotion" means a change in status to a position in a class carrying a higher maximum salary

(w) "Removal" means the permanent separation from the classified service of an employe who has been permanently appointed

## Article II

### Civil Service Commission and Personnel Director and Their Powers

#### Section 201 Qualifications and Removal of Commissioners

Any person appointed as a member of the Commission shall be a citizen and legal resident of the Commonwealth for a period of not less than one year who is in sympathy with modern personnel methods and the application of merit principles to public employment No person who within one year preceding his appointment has been an officer of a political party shall be eligible to serve as a commissioner The Governor may remove any member of the Commission but only for incompetence inefficiency neglect of duty malfeasance or misfeasance in office by giving such member a statement in writing of the charges against him and affording him after notice of not less than ten days an opportunity of making written answer and upon request being publicly heard in person and by counsel A copy of the charges and answers of the Governor's findings and a transcript of the record shall be filed with the Secretary of the Commission

Section 202 Meetings of Commission The Commission shall meet at least once each month except that meetings may be omitted during two summer months The Chairman of the Commission shall cause reasonable notice to be given to each member of the Commission and to the Director of the time and place of each meeting Meetings shall be held at the call of the Chairman the Governor or any member of the Commission Two members of the Commission shall constitute a quorum at any meeting

Section 203 Duties of Commission It shall be the duty of members of the Commission as a body

(1) After public hearing as hereinafter set forth to establish adopt and amend rules either on its own motion or upon recommendation of the Director for making effective the provisions of this Act Such rules shall have the effect of law one week after the adoption thereof

(2) After public hearing as hereinafter set forth to approve modify or reject such classification plans for the classified service of the Commonwealth as the Director may present

(3) To approve modify or reject for report to the Executive Board of the Commonwealth such compensation schedules for the classified service of the Commonwealth as the Director may present

(4) Upon request or on its own motion as herein provided in cases of demotion furlough suspension and removal to conduct investigations hold public hearings render decisions on appeals and record its findings and conclusions

(5) To make investigations on its own motion and in its discretion on petition of a citizen concerning any matter touching the enforcement and effect of the provisions of this Act and to require observance of the provisions of this Act and the rules and regulations thereunder

(6) To make such investigations as may be requested by the Governor or the Legislature and to report thereon

Section 204 Legal Counsel The Attorney-General shall be legal counsel for the Commission Whenever the Attorney-General acts for the appointing authority in a particular proceeding the Commission may appoint special counsel The total compensation paid to all such special counsel for any fiscal year shall not exceed two thousand five hundred dollars

Section 205 Qualifications Appointment Compensation and Removal of Director

(a) The Director shall be in the classified service He shall be a person who has been a citizen and legal resident of the Commonwealth for a period of not less than one year before making application therefor and who by examination shows he is familiar with the principles and methods of personnel administration and one who is in sympathy with the application of merit principles and scientific methods to public employment He shall during the first year receive an annual salary of seven thousand dollars which shall not at anytime thereafter be increased by the Commission with the approval of the Governor to more than nine thousand dollars and shall hold no other public position of profit

(b) Within ninety days after it is appointed and thereafter within ninety days after a vacancy occurs the Commission shall hold a competitive examination in accordance with the provisions of this Act and on the basis of that examination shall establish an employment list of persons found eligible for appointment as Director The Commission shall appoint one of the three highest ranking eligibles as the Director The Commission shall have the same powers and duties with respect to the conduct of the examination establishment of the employment list and making an appointment therefrom that are vested in or imposed upon the Director under the provisions of this Act with respect to other positions in the classified service

(c) The Director shall not be removed except for incompetence inefficiency neglect of duty malfeasance or misfeasance in office The Commission shall furnish to the Director written notice of his intended removal setting forth the reasons for such action and shall file a copy of such written notice with the Governor The Director shall have ten days from the receipt of such written notice to give the Commission such written answer as he may desire and shall file a copy of such written answer if any with the Governor Such notice and answer shall be made a part of the public records of the Commission and of the Governor Within thirty days after receipt of such notice of removal and answer thereto the Governor shall make an investigation for the purpose of fairly determining whether the Director shall continue in his position or should be removed therefrom Within twenty days after the completion of such investigation or sooner if practicable the Governor shall make his findings and conclusions which shall be forthwith certified to and enforced by the Commission The Governor's findings and conclusions shall constitute a part of the public records of the Commission and of the Governor In case of removal the Director may appeal the action of the Commission and the Governor direct to the Superior Court as provided for such appeals by other employes in the classified service

Section 206 Powers and Duties of Director The Director shall be the chief executive officer of the Commission and except as otherwise provided in this Act shall direct and supervise all the administrative work He shall have power and it shall be his duty

(1) To appoint from employment lists established under this Act such examiners investigators clerks and other assistants as may be necessary to carry out this Act and to supervise and direct this work

(2) To attend the meetings of the Commission act as its secretary and record its official actions

(3) To prepare and recommend to the Commission rules and amendments thereto

(4) To establish and maintain a record of all employes in the service of the Commonwealth showing for each such person the date appointed or employed the title of the position held the rate of compensation and every change in his status including increases and decreases in pay changes in title transfers sick and annual leaves with or without pay and such other data as he may consider desirable and pertinent

(5) To administer and make effective the provisions of this Act and of the Rules made thereunder including those relating to the preparation after advice and counsel with appointing authorities and administration of classi-

fication and compensation plans the preparation and conduct of examinations the preparation of eligible lists the certification of persons qualified for employment the transfer promotion suspension demotion removal lay-off leave of absence and resignation of employes the rating of employes' services the checking and certification of payrolls before payment the conduct of programs of employe training and working conditions affecting the health and safety of employes

(6) To investigate the effect of the administration of this Act and of the Rules made thereunder and to report his findings and recommendations of the Commission

(7) To appoint with the approval of the Commission one employe to be his deputy The person selected as deputy may be one of the three remaining highest ranking persons on the eligible list for the position of Director or one of the three highest ranking persons on an eligible list established by an examination for the position of Deputy Director which examination and ratings shall be in a like manner and under the same conditions as provided in this Act for other classes of positions The salary of the deputy shall be established by the Commission with the approval of the Governor In case of the absence of the Director or his inability from any cause to discharge the powers and duties of his office such powers and duties shall devolve upon his deputy

(8) To make a biennial report in writing not later than September first of each even numbered year to the Commission concerning the administrative work of the Commission including pertinent information and recommendations

(9) To do any act or acts required by this Act or the Rules made thereunder or which may be necessary to carry into effect their provisions and purpose

Section 207 Cooperation by Officers and Employes of the Commonwealth Upon the written request of the Director all officers and employes in the service of the Commonwealth shall during the usual business hours furnish the Commission such facilities assistance and information as it may require in carrying on its functions

Section 208 Public Hearings Before adopting or amending its Rules or approving modifying or rejecting classification plans the Commission shall hold a public hearing at which any citizen shall have the right to appear and be heard Public notice of such public hearing shall be given at least seven days in advance of the hearing by posting on a bulletin board maintained in or near the Commission's principal office in a place accessible to the public during business hours a statement of the time and place of the hearing and of the matter to be considered also by furnishing at least twenty copies of such notice to the Newspaper Correspondents' Office in the State Capitol and one copy of such notice to the Governor each appointing authority and each member of the General Assembly The Commission may give further public notice of such hearings as it deems advisable

Section 209 Oaths Testimony and Production of Papers Each member of the Commission the Director and any other employe or agent authorized by the Commission shall have the power to administer oaths in matters pertaining to the work of the Commission The Commission shall have the power to secure by subpoena the attendance and testimony of witnesses and the production of books and papers Any judge of a court of record either in term time or in vacation shall upon proper application of the Commission compel the attendance of witnesses the production of books and papers and the giving of testimony before the Commission by attachment for contempt or otherwise in the same manner as the production of evidence may be compelled before such court

Section 210 Records Open to the Public The minutes of the Commission shall be preserved as permanent records The correspondence eligible lists and other papers and records of the Commission shall be preserved for seven years On written request to the Commission and subject to reasonable regulation all records of the Commission shall be open to public inspection during ordinary business hours except as herein specifically otherwise provided

The Director shall prevent the securing in advance by any unauthorized person of questions or other material to be used in any test unless such questions or materials are available to all competitors. He shall prevent the identification by any examiner or other persons where identity is concealed of papers or work of any competitor in an examination before the papers or work of all competitors in that examination have been rated. Statements of former employers of competitors in examinations shall be considered confidential and not open to inspection.

**Section 211 Receiving Funds and Allocating or Apportioning Costs** The Commission shall have power to receive funds from the United States of America or any agency thereof or from any other source whatsoever for the administration of this Act and to allocate among the departments and agencies thereunder the cost of administering this Act or any part thereof.

**Section 212 Service to Political Subdivisions Cooperation with other Civil Service Agencies** (a) The services and facilities of the Commission and its staff shall be available to political subdivisions of this Commonwealth upon such terms and conditions as may be prescribed by the Rules of the Commission which Rules shall provide for the payment to and reimbursement of the Commonwealth for the reasonable cost of such services and facilities.

(b) The Commission shall have power from time to time to enter into agreements with other public personnel agencies in this or any other State and with agencies of the federal government for the purpose of using and exchanging information and services. The Commission shall have power to become a member of or subscribe to any association or service having as its purpose the interchange of information relating to the technique of personnel administration.

### Article III

#### Classification of Positions in the Classified Service

**Section 301 Establishment of Classes** The Director shall within sixty days after taking office and after consultation with the Executive Board of the Commonwealth appointing authorities and principal supervising officials classify all of the positions in the classified service according to the duties and responsibilities of each position. The plan of classification shall designate appropriate titles for each class of position and shall recommend to the Commission the qualifications to be required of persons assigned or appointed to positions in each class. The completed classification plan shall be so arranged that all positions which are substantially similar with respect to authority, responsibility and character of work are included within the same class that the same tests of competency may be applied to persons to be appointed to all positions in a class and that the same schedule of compensation can be made to apply with fairness under like working conditions to all positions in a class. The statement which shall be known and described as "The Classification Plan" shall show for each class:

(a) The title given to the class

(b) The duties and responsibilities exercised by those holding positions allocated to the class illustrated where necessary by descriptions of typical tasks

(c) The minimum qualifications required for the satisfactory performance of such duties and tasks and the exercising of such responsibilities

(d) As far as practicable the lines of promotion to and from the class

The Director shall present such classification plan to the Commission. The Commission after adopting such classification plan either as presented or in modified form shall publish the classification plan.

**Section 302 Allocation of Position to Classes** As soon as possible after the adoption of the classification plan the Director shall after affording employes a reasonable opportunity to be heard and after consultation with appointing authorities and their principal assistants allocate

each position in the classified service to its proper class. Each employe shall assume the classification title of his position.

**Section 303 Addition and Amendments to Classes** The Director shall from time to time after consultation with appointing authorities and with the approval of the Commission establish additional classes and allocate thereto new positions created or positions not included in any previously established class and may divide, combine, alter or abolish existing classes and reallocate positions. If any proposed amendment of the classification plan will affect an existing position the employe holding such position shall have a reasonable opportunity to be heard before final action is taken and if adversely affected thereby he shall have all the rights of appeal granted to demoted or furloughed employes.

**Section 304 Reporting and Classification of New Positions** Appointing authorities shall promptly report to the Director the establishment of new positions in order that they may be classified and allocated. No person shall be appointed to any such position until it has been properly classified as herein provided. Any change in the duties of an existing position which in the judgment of the Director is material may by action of the Commission be interpreted as serving in effect to abolish the position and to create a new position. Any employe adversely affected by any such change shall have all the rights of appeal granted to demoted or furloughed employes. Appointing authorities shall report material changes in the duties of positions to the Director.

**Section 305 Use of Classification Titles** Classification titles shall be used in all records and communications of the Commission, the appointing authorities, the Auditor General, the State Treasurer and the Budget Secretary and shall also be used in all estimates submitted to the General Assembly or to the Budget Secretary requesting the appropriation of money to pay for services and in all reports and papers relating to payments for services.

### Article IV

#### Compensation of Employees in the Classified Service

**Section 401 Compensation Schedules** For each class established under this Act the Director shall make a study of the rates paid for similar services elsewhere and of other information pertaining to proper rates of compensation and after consultation with appointing authorities and their principal assistants and approval by the Commission shall report to the Executive Board of the Commonwealth for its approval, modification or rejection a schedule of compensation for each class. Such schedules shall show for each class a minimum salary rate, a maximum salary rate and such intermediate rate or rates as the Director considers necessary and proper. Subject to the approval of the Commission the Director may from time to time recommend to the Executive Board of the Commonwealth for its approval, modification or rejection changes in the schedule of compensation for any class together with the reasons therefor. Pending the adoption of such compensation schedules and the appropriation of funds to make payments for personal services in accordance therewith the compensation of employes in the classified service shall be in accordance with the existing law.

**Section 402 Rates of Pay** Following the adoption of the schedule of compensation for any class the rate of compensation for any employe upon appointment to a position in the class shall be at the minimum rate prescribed for the class except that where the appointee is already in the classified service in a position in the same or another class his compensation upon appointment to the new position shall be the same as that received before such new appointment.

**Section 403 Changes in Compensation** The rate of compensation of any employe who has not reached the maximum rate for his class may be increased upon the attainment and maintenance of the appropriate service rating.

as provided elsewhere in this Act In the absence of service ratings advances in compensation within the salary range for any class may be made on the recommendation of the appointing authority supported by such evidence of increased usefulness in the service as may be required by the Rules of the Commission Each such increase shall be to the next higher rate for the class except as provided in this Section and shall become effective on the first day of the month following its approval by the Governor No employe shall have his compensation increased in the class oftener than once in twelve months except that upon the request of the appointing authority approved by the Director and by the Commission and on the basis of facts demonstrating that the action is in the interest of good administration the Governor may at any time authorize an increase to any rate established for the class to which the position is allocated The Commission in its reports shall publish the facts regarding each case or class of cases in which it approves such request made by appointing authorities to increase the rate of compensation of any employe more frequently than once in twelve months or to a rate above the next higher rate for the class In no case however shall the compensation of any employe be increased unless funds are available from which the increase may lawfully be paid nor shall the rate for any employe be increased beyond the maximum for the class

#### Article V

##### Selection of Employes for Entrance to or Promotion in the Classified Service

Section 501 Examinations Requisite for Appointment and Promotion (a) Except as otherwise provided in this Act appointments of persons entering the classified service or promoted therein shall be from eligible lists established as the result of examinations given by the Director to determine the relative merit of candidates Such examinations shall be written and competitive and open to all persons who may be lawfully appointed to positions within the classes for which the examinations are held Persons applying for positions or promotions in the offices designated by the appointing authority as central administrative offices (which shall include all those having jurisdiction throughout the State) shall be citizens of the United States and shall have been legal residents of the Commonwealth for a period of not less than one year before making application and persons applying for positions or promotions in district offices (which shall include all those whose jurisdiction is limited to a particular district created under the provisions of this act) shall be citizens of the United States and shall have been legal residents of the Commonwealth for a period of not less than one year and in the district in which such office having jurisdiction thereof is located for a period of not less than six months before making application The Director shall prepare the proper state and district employment and promotion eligible lists Provided that after an examination has been conducted for any class of position if there is no person with such legal residence in any administrative district who has passed the examination the Director may certify and the appointing authority may make the appointment or promotion from the names of persons on an appropriate eligible list for the same class of position of administrative districts which are contiguous to the administrative district in which there is no person on the appropriate eligible list Limitations as to age sex health moral character experience education and other qualifications not inconsistent with any limitations set forth in this act may be specified in the Rules of the Commission and in the announcements of the examinations All applications for positions in the classified service shall be under oath (b) Vacancies in positions in the classified service whether such positions be newly created or vacated for any reason by any former incumbent shall be filled unless no qualified employes are available by promotions from among employes except as otherwise provided in this act In all cases an employe to be promoted shall possess the qualifications specified for the position and shall have served

not less than six months (including service during any probationary period but not including service during any provisional employment) in a position in the classified service and except as herein otherwise provided shall have passed a promotion examination for such position as provided for in this act and be on the eligible list therefor Provided That until such promotion lists have been established in accordance with the provisions of this act any person in the classified service as the result of an appointment from an eligible list established by a competitive examination who has been so employed for at least six months may be promoted to a higher rated position in the same class of employment under the jurisdiction of the same appointing authority if his name is on such eligible list for such higher rated position thus establishing he is also qualified to perform the duties of the higher rated position

Section 502 Nature of Examinations The Director shall give examinations to establish employment and promotion lists The tests in such examination shall be written and may also include oral Tests or a demonstration of skill or a combination of these which shall fairly appraise and determine the merit qualifications fitness and ability of competitors Such tests shall be practical in character and shall relate to the duties and responsibilities of the position for which the applicant is being examined and include only questions relating to matters which will fairly test the relative capacity and fitness of persons examined to perform the duties of the class of positions to which they seek to be appointed or promoted but no applicant shall be required to be possessed of any scholastic education or training in order to be permitted to take any competitive examination or to be appointed or promoted to any position No greater credit for experience gained during a provisional emergency or temporary appointment under this act or acts repealed hereby shall be given to any person in any examination than is given in such examination for experience in the same type of work performed in a similar position not under the provisions of this act or acts repealed hereby No question in any examination shall relate to the race religion or political or labor union affiliation of the candidate

Section 503 Holding Examinations and Rating Competitors The Director shall have charge of the preparation and holding of examinations of the rating of the work of competitors and of the preparation of resulting employment and promotion lists He may call on other persons not on the regular staff of the Commission either within or without the service of the Commonwealth for assistance When such persons are in the service of the Commonwealth it shall be deemed a part of their official duty to act as examiners without extra compensation All examination papers shall be rated on a basis of one hundred per centum and less

Section 504 Public Notice of Examinations The Director shall give public notice of all examinations for positions or promotions in the classified service of the Commonwealth at least two weeks in advance of the final date for filing applications for such examinations by posting an appropriate notice on the bulletin board maintained in or near the Commission's principal office by furnishing at least twenty copies of such notice to the Newspaper Correspondents' Office in the State Capitol and at least one copy of such notice to each office throughout the State of all the departments set forth in Section 3 Subsection (c) of this act directing that such notice shall immediately be posted on a public bulletin board maintained in each such office The Director may give such further public notice as he deems advisable Such notice shall give the time place and general scope of every examination the weights to be given to each of the tests in the examination the duties pay experience education and other qualifications requisite for all positions in the class for which the examination is to be held and the manner and place in which application forms and detailed pertinent information may be obtained

Section 505 Ratings of Competitors The final earned rating of a person competing in any examination shall be

determined by the weighted average of earned ratings in all the tests according to weights for each test established by the Director. In arriving at a final rating of applicants consideration may be given for such experience and personal qualifications as are related to the classes of positions for which applicants are being examined provided that the same standard shall apply with respect to all applicants in the same class of positions and provided further that in the final rating of all applicants any person who was engaged in military or naval service of the United States during any war in which the United States was engaged and who has an honorable discharge from such service hereinafter referred to as a "soldier" shall if he has successfully passed such test and thus established that he possesses the qualification required by law for appointment or promotion to such position receive in addition to all other ratings an additional ten percentum of perfect and the total percentum mark or grade thus obtained shall determine the order of standing of such soldier on any eligible list. Applications of individuals who have been appointed and who have served the probationary period specified in this Act shall not be further reviewed or reevaluated by the Commission. The Director shall send notice by mail to all competitors informing them whether they have attained a place upon the list and informing those who have attained a place upon the list of their final earned ratings and of their relative standing upon the list.

**Section 506 Establishment of Employment and Promotion Lists.** The Director shall establish and maintain such employment and promotion lists for the various classes of positions in the classified service as are necessary or desirable to meet the needs of the service. These lists shall contain the names of persons arranged in the order of final earned ratings who have been given at least such minimum rating or ratings as may be fixed in advance for the whole examination or for the whole examination and for any one or more of the tests.

**Section 507 Duration of Employment and Promotion Lists.** Employment and promotion lists shall continue in force for at least two years from the date of their establishment and thereafter until exhausted or replaced by more recently prepared lists. When any eligible list contains less than three names of persons willing to accept appointment or promotion as the case may be a new examination shall be publicly announced within thirty days and such examination shall be held and the new list of eligibles shall be established within four months but those whose names remained on the eligible list shall be retained on the new list for a period of at least two years from the date the original list was established. The Director with the approval of the Commission may at any time correct clerical errors occurring in connection with the preparation of any employment or promotion list and revise the list accordingly but no person who has been appointed as the result of certification from such list shall be displaced by such action. Any persons whose rating or position on the list is changed by correcting any clerical errors shall be notified at least ten days before such changes shall become effective. The Commission shall have the power at any time after giving notice as required in this Act and after a public hearing to cancel the name of any person on any employment or promotion list after proof of illegality or fraud by such person or in his behalf in connection therewith.

#### Article VI

#### Appointment and Promotion of Employees in the Classified Service

**Section 601 Certification.** Whenever a vacancy is likely to occur or is to be filled in a permanent position in the classified service the appointing authority shall submit to the Director a statement indicating the position to be filled. The Director shall thereupon certify to the appointing authority the names of the three eligibles willing to accept the promotion who are highest on the appropriate promotion list and the names of all other persons on such list whose final mark or grade is not more than one point below the mark or grade of the person ranking highest on

such list who are willing to accept the promotion. If the list contains less than three eligibles who are willing to accept promotion the additional names may be taken from the appropriate employment list to make a certification of at least three eligibles. If there are less than three eligibles on appropriate eligible lists who are willing to accept appointment the Director shall certify all the names on these lists. If there are no qualified employees available to fill the vacancy by promotion the Director shall submit to the appointing authority names of persons from the appropriate employment list who are willing to accept appointment if selected by the appointing authority. The Director shall submit to him the names of three such persons ranking highest if one appointment is to be made names of four such persons ranking highest if two appointments are to be made in the same class of position and if more than two appointments are to be made in the same class of position the number of names of persons ranking highest on the appropriate employment list to be submitted to the appointing authority shall be determined in the ratio of five such names for each three appointments to be made. If upon inquiry by the Director any person on any promotion or employment list is found to be not available for promotion or appointment his name shall not for the time being be considered among the names from which a promotion or appointment is to be made.

**Section 602 Selection and Appointment of Eligibles.** Unless it is found to be in the interest of the service of the Commonwealth not to fill a vacant position the appointing authority within thirty days shall appoint the person whose name is or one of the persons whose names are certified by the Director. If the vacant position is to be filled from among the names of employees on the appropriate promotion list which have been submitted to the appointing authority he shall select a person provided he is among the three highest ranking persons on such list or that his final mark or grade is not more than one point below the mark or grade of the person ranking highest on such list. In making the second promotion in the same class of position the appointing authority in like manner shall select a person from among the three highest ranking persons remaining on such list or he shall select a person whose final mark or grade is not more than one point below the mark or grade of the highest ranking person remaining on such list. The third and any additional promotions in the same class of position shall be made in like manner. If the vacant position is to be filled from among the names of persons certified by the Director to the appointing authority he shall select a person from among the three highest ranking persons for the class of position to be filled. For the second vacancy in the same class of position the appointing authority shall make selection from among the three highest ranking persons remaining on such list who have not been within his reach for three separate vacancies. The third and any additional vacancies shall be filled in like manner. After a name has been rejected three times by an appointing authority in favor of others on the same eligible list such name shall not again be certified to that appointing authority except upon written request from the appointing authority. Appointing authorities shall promptly report to the Director the selection and appointment of eligibles whose names have been certified. If an eligible whose name has been certified shall refuse to accept an appointment offered to him such refusal shall be promptly investigated by the Director and if it be found that the refusal has been made for improper or insufficient reasons the Director shall after giving ten days' notice to such person remove his names from the list. The Director or the appointing authority as the case may be to the contrary notwithstanding as provided in this act when submitting names or lists or making appointments or promotions in any class of position shall give preference to a soldier as defined and provided for in this act and any act now or hereafter becoming effective which supersedes the soldier preference provisions of this section notwithstanding that he does not rank among the three highest on such list or that he is more than one point below the mark or grade of

the person ranking highest on such list if such soldier possesses the qualifications and has passed the required examination and his name appears on such established employment or promotion eligible list and that the appointing authority may give preference to a soldier who possesses the qualifications and has passed the required examination although his name does not appear on such established employment or promotion eligible list

Section 603 Probationary Period (a) No appointment to a position in the classified service shall be deemed complete until after the expiration of a probationary period The probationary period shall be prescribed in the Rules of the Commission and shall in no case be less than three months or more than nine months At such times during the probationary period and in such manner as the Director may require the appointing authority shall report to the Director his observation of the work of the employe and his judgment as to the willingness and ability of the employe to perform his duties satisfactorily and as to his dependability At any time during his probationary period after the first month thereof if in the opinion of the appointing authority the probation indicates that such employe is unable or unwilling to perform his duties satisfactorily or that his dependability does not merit his continuance in the service the appointing authority shall forthwith report to the Director and to the employe in writing with a full statement of reasons and this notice shall terminate his employment in that position provided that within ten days he may appeal his case to the Commission and have reasonable time to produce witnesses and be heard If the Commission sustains the employe the appointing authority shall immediately reinstate him to his position and reimburse him for any salary lost during the time he was unemployed The decision of the Commission shall be final and a copy of their findings and conclusions shall be made a part of their public records The Director with the approval of the Commission shall remove an employe during his probationary period if it is found after the employe has been given notice and an opportunity to be heard that he was appointed as a result of fraud Provided That in such case the employe shall have the same right of appeal from the decision of the Commission as is granted to employes in the classified service who have been suspended furloughed demoted or removed

(b) Ten days prior to the expiration of an employe's probationary period the appointing authority shall notify the Director in writing whether the services of the employe have been satisfactory A copy of such notice shall be given to the employe If the employe's work has been satisfactory he shall at the completion of his probationary period become a classified service employe under the provisions hereof and continue in that position unless separated therefrom as herein provided Failure to notify such employe that his services are not satisfactory before the end of his probationary period shall automatically confirm such individual as a classified service employe and such individual may not be suspended furloughed demoted or removed except for the reasons and under the provisions set forth in this Act for other classified service employes

(c) If any employe is removed from his position during or at the end of his probationary period and the Director determines that he is suitable for appointment to another position his name may be restored to the list from which it was certified

Section 604 Provisional Appointments Whenever there is great and urgent public need for filling a vacancy in any position in the classified service and the Director is unable to certify an eligible for the vacancy he may authorize the filling of the vacancy by provisional appointment If he does authorize such appointment he shall certify not more than three qualified persons with or without examination and the appointing authority shall appoint one of the persons so certified A provisional appointment shall continue only until an appropriate eligible list can be established and certification made therefrom but in no event for more than ninety days nor shall any person serve in the classified service under provisional appointment

longer than ninety days in any twelve-month period Successive provisional appointments of the same or different persons shall not be made to the same position The acceptance of a provisional appointment shall not confer upon the appointee any rights of permanent tenure transfer promotion or reinstatement

Section 605 Temporary Appointments To Extra Positions When from pressure of work an extra position in the classified service must be established for a period of less than three months the appointing authority shall request the Director in writing to certify names from the appropriate list of eligibles In such request the appointing authority shall state the cause of the extra work the probable length of employment and unless the position has been classified the duties which the appointee is to perform If no persons on the appropriate eligible list are available then the Director may certify the name of a qualified person not on the eligible list for such temporary appointment No extra position shall be filled temporarily for a period of more than three months in any twelve month period and no person whether or not on the appropriate eligible list shall be temporarily appointed to any extra position for more than three months in any one calendar year Persons on the appropriate eligible list who are temporarily appointed to such extra positions shall be given credit for such time on their probationary period under this Act and after being employed by temporary appointments to extra positions as herein provided for a total period of time equal to their probationary period they shall afterward be reinstated to the eligible list from which they were so appointed and shall be given preference in future regular appointments the same as provided in this Act for furloughed employes At no time shall there be persons serving temporary in such extra positions shall be given credit for such time total number of classified service employes in employment under the jurisdiction of any appointing authority under this Act The Director when ascertaining from persons on the eligible list if they will accept a temporary appointment shall give them full details as to the nature of the work and the minimum period of time such temporary appointment will continue

Section 606 Emergency Appointments Any appointing authority or any subordinate authorized by him may to prevent serious impairment of the public business when an emergency arises and time will not permit securing the authorization from the Director for the appointment of a certified eligible appoint any qualified person during the emergency for a period not exceeding ten days The existence of a vacancy of which the appointing authority has had reasonable notice or of employment conditions of which the appointing authority had previous knowledge shall not be considered an emergency Persons thus appointed shall be known as emergency employes Appointing authorities shall forthwith report to the Director all emergency appointments and such appointments shall not be renewed

Section 607 Status of Employes Holding Positions When Act Takes Effect Any employe who holds a position which is in the classified service as herein defined and which was in the competitive class under the law in force immediately preceding the effective date of this Act shall and having been appointed to such position from an eligible list established by a competitive examination or promoted thereafter to after having been on an eligible list established by a competitive examination for the position to which he was promoted if he has successfully completed his probationary period become a classified service employe under the provisions hereof and continue in that position unless separated therefrom as herein provided Any such employe who has not completed such probationary period at the time this Act takes effect shall retain his status as a probationary employe until the expiration of that probationary period If he successfully completes his probationary period he shall become a classified service employe under the provisions hereof and continue in that position unless separated therefrom as herein provided Any provisional employe holding a position in a bureau board or department having a merit system under the law in force immediately preceding the effective date of this act shall become a

provisional employe under the terms hereof

#### Article VII

##### The Regulation Of Employes In The Classified Service

**Section 701 Training Programs** The Director shall devise and recommend plans for employe training programs to appointing authorities and other supervising officials and shall cooperate with them in the conduct of such programs to the end that the quality of service rendered by persons in the classified service may be continually improved

**Section 702 Health Programs** The Director may develop in cooperation with appointing authorities and others health safety and recreation programs which will improve the working conditions of employes in the classified service

**Section 703 Holidays Hours of Work Attendance and Leaves** The Director shall prepare and after approval by the Commission and the Executive Board of the Commonwealth shall administer regulations regarding holidays hours of work attendance and annual sick and special leaves of absence with or without pay for employes in the various classes of positions in the classified service

**Section 704 Service Standards and Ratings** In cooperation with appointing authorities the Director shall establish and may from time to time amend standards of performance and output for employes in each class of positions in the classified service or for groups of classes and a system of service ratings based upon such standards In such manner and with such weight as may be provided in the Rules service ratings may be considered in determining salary increases and decreases within the limits established by law and by the compensation plan and as a factor in promotion examinations provided that all applicants for promotions in the same class of position are credited on an equal basis according to their individual service rating In such manner and at such time as the Rules may require each appointing authority shall report to the Director the service ratings of employes under his jurisdiction or such information as the Director may request as a basis for determining such service ratings Upon request any employe shall be informed of his service rating and may be informed of the service ratings of other employes in the same class

**Section 705 Transfers and Assignments** An appointing authority may at any time assign a classified employe under his jurisdiction from one position to another in the same class or a transfer of a classified employe from a position under the jurisdiction of one appointing authority to a position in the same class under the jurisdiction of another appointing authority may be made with the approval of the Director and of both appointing authorities concerned provided that any such transfer of employes from employment in central administrative offices to district offices in another city town or borough in which district the employes have been legal residents for a period of not less than six months or transfer of employes from employment in district offices in one city town or borough to central administrative offices in another city town or borough or transfer of employes from the jurisdiction of one appointing authority to employment under the jurisdiction of another appointing authority in the same city town or borough must have prior signed approval of the employes involved except that transfer of employes from employment in central administrative offices to district offices in the same city town or borough in which district such employes are legal residents as herein defined or vice versa which are under the jurisdiction of the same appointing authority or that temporary transfer of employes from employment in central administrative offices to any one district office in the same or another city town or borough in which district they may or may not be a legal resident as herein defined for not more than sixty days in any one calendar year or vice versa notwithstanding that such temporary transfer may involve employment under the jurisdiction of the same or a different appointing authority can be made without prior approval of the employes involved but in the case of any such temporary transfer from one city town or borough to another the employes involved shall be furnished traveling expenses and adequate subsistence expenses while

on such temporary assignment Any transfer of an employe from a position in one class to a position in a class for which a higher maximum rate of compensation is prescribed shall be deemed a promotion and may be accomplished only in the manner herein provided for the making of promotions No person shall ever be transferred from a position in the unclassified service to a position in a classified service unless he is appointed to such latter position after certification of his name from an eligible list in accordance with the provisions of this Act

**Section 706 Demotions** An appointing authority may demote to a vacant lower rated position in the same class any employe in the classified service who is unable to perform the duties of the position to which he was appointed or promoted and who is able to perform the duties of the lower position In case of such demotion the employe shall have all rights of appeal as provided in this Act No employe shall be demoted because of his race religion or political partisan or labor union affiliation A demotion may also be made by an appointing authority with the approval of the Director upon the written petition of the employe stating the reasons therefor and supported by such evidence as the Director may require to show that the employe is able to perform the duties of the class of position to which he petitions that he be demoted The compensation of an employe demoted shall in no case exceed the maximum rate for the class to which is demoted

#### Article VIII

##### Separation of Employes From the Classified Service

**Section 801 Temporary and Permanent Separations** An employe may be temporarily separated from the classified service through furlough leave of absence or suspension and may be permanently separated through rejection on probation retirement resignation or removal

**Section 802 Furlough** An appointing authority may by reason of lack of funds curtailment of work or combining altering or abolishing positions due thereto furlough any employes under his jurisdiction provided that such employes shall be reinstated to the appropriate eligible lists and shall except as otherwise provided in this section be given preference by any appointing authority over all other persons on such lists and preference by any appointing authority over all other persons on such lists and preference by any appointing authority over all other persons on any promotion lists for future appointments to the class of position from which they were furloughed or to a lower rated position in the same class in order of seniority provided that in case of a promotion afterward of another employe such preference shall not be effective if it necessitates furloughing such other employe Such eligibility for preference shall remain effective for a period equal in length to the employe's employment in the classified service under this Act and his employment including probationary but not including provisional employment under the merit system in effect prior to the effective date of this Act but in no case shall such preference continue for a period longer than two years after which his name shall be placed in its proper position according to his original rating on the appropriate eligible lists for possible appointment therefrom as provided for original appointments until such lists are replaced by more recently established lists Furloughs shall be made in reverse order of seniority within a rated position of a class but in cases where two or more employes have equal seniority the one with the lowest final rating on the eligible list shall be furloughed Any employe displaced in this manner who has been previously promoted shall be returned to his previous position and salary by displacing the employe with the least length of employment as provided in this section in that rated position but in cases where two or more employes have equal seniority the one with the lowest final rating on the eligible list shall be furloughed This system shall apply to all promoted employes During the first year after the effective date to this section the provisions herein contained pertaining to preference by any appointing authority to furloughed employes shall be interpreted to mean preference by the appointing authority under whose jurisdiction employes were on furlough on the effective date of this section or preference

by appointing authority under whose jurisdiction employes may be furloughed during the first year after the effective date of this section

**Section 803 Suspension** An appointing authority may for good cause suspend without pay for disciplinary purposes an employe holding a position in the classified service. Such suspension shall not exceed in the aggregate thirty working days in one calendar year. No person shall be suspended because of his race, religion or political partisan or labor union affiliation. What shall constitute good cause for suspension may be stated in the Rules. An appointing authority shall forthwith report to the Director in writing every suspension together with the reason or reasons therefor and shall send a copy of such report to the suspended employe. Such report shall be made a part of the Commission's public records.

**Section 804 Retirement** The Director with the approval of the Commission may recommend to the Governor the retirement of any employe in the classified service who in his judgment has become unfitted for the efficient performance of the duties of his position owing to advanced age or to physical or mental disability. Any such employe so retired shall have all rights of appeal as provided in this Act for other employes removed.

**Section 805 Resignation** The Rules of the Commission shall state what shall constitute resignation from the classified service. Absence from duty for five consecutive working days without notice to the appointing authority may be regarded as an abandonment of a position and in effect a resignation. No person who has voluntarily resigned from the service shall be restored to his position within six months from the effective date of his resignation. No resignation of any person in the classified service shall be effective unless accepted by the appointing authority within fifteen days after the actual date of the making thereof. No person about to be appointed to any position in the service of the Commonwealth shall in advance of or at the time of such appointment sign or execute a resignation dated or undated. No resignation shall be made or shall be valid unless it bears the signature of the person resigning and the date of the resignation in his handwriting. Any person who resigns from the classified service may ask the Commission in writing within fifteen days after such resignation for a public hearing stating his reasons. If on investigation there appears to be good evidence that the employe has been forced to resign against his will and without just cause or that his separation from the service has been involuntary and without just cause the Commission shall grant him within thirty days a public hearing as hereinafter provided in the case of removal or demotion and shall treat the separation as though it were a removal.

**Section 806 Removal** (a) No person in the classified service shall be removed except for just cause which shall not be his race, religion or political partisan or labor union affiliation. To all persons in the classified service except provisional temporary and emergency employes or probationary employes who have not served longer than one month written notice of intended removal setting forth the reasons for such action must be furnished. They shall have ten days from the receipt of such written notice to give the appointing authority such written answer as the person about to be removed may desire. In every case of such intended removal a copy of the statement of reasons therefor with the full written answer thereto if any shall be furnished to the Commission by the appointing authority within ten days from the receipt of the written answer and shall be made a part of the public records of the Commission. Within ten days after receipt of such notice of removal from an appointing authority the Commission upon the request of the appointing authority or of the removed employe or upon its own behalf shall initiate an investigation. If the Commission on the basis of the statement of reasons for intended removal or answer thereto and its own investigation renders a decision which is not satisfactory to the appointing authority and to the employe involved either if not satisfied may file a request

for appeal which shall include a complete and full hearing as provided for in this Act. The investigation shall be for the purpose of fairly determining whether the employe involved merits continuance in his position or should be removed therefrom or otherwise disciplined for the good of the service. The Commission or those acting for the Commission shall not be required to follow technical rules of evidence or court procedure but shall diligently seek all of the evidence and information bearing on the merits of the case.

(b) Charges against any employe in the classified service asking for his removal for a violation of law or for any cause enumerated in the Rules may be filed by any citizen or taxpayer with the appropriate appointing authority and with the Director. Charges so filed shall at the discretion of the Commission be recorded in its minutes, be investigated and determined in the manner provided in this section.

(c) An appointing authority may when in his judgment the public interest or the efficiency of the service requires summarily remove any employe under his jurisdiction who has been finally convicted of an offense in connection with his duties under this Act or of any felony or any crime involving moral turpitude.

#### Article IX

##### Prohibitions Penalties Enforcement And Appeal

**Section 901 Commissions Certificate Of Legality Of Employment and Liability Of Appointing and Disbursing Officers** It shall be unlawful for the Auditor General or any other officer or employe to draw sign issue or authorize the drawing signing or issuing of any requisition voucher payroll check or warrant on the State Treasurer or other disbursing officer for the payment of or for the State Treasurer or other disbursing officer to pay the compensation of any person holding a position in the service of the Commonwealth unless an estimate account requisition or payroll for such salary or compensation containing the name title period for which such payment is to be made and rate of pay for each person to be paid shall bear the certificate of the Director that the persons named in such estimate account requisition or payroll have been appointed and employed in accordance with the provisions of this Act and the Rules made thereunder. If the Director shall find that any person has been employed in violation of any provision of this Act or of the Rules made thereunder he shall so notify the Auditor General or other officer of the Commonwealth and thereafter such officer shall not draw sign or issue or authorize the drawing signing or issuing of any requisition or warrant on the State Treasurer or other disbursing officer for the payment of salary or compensation to any such person except upon order of a court of competent jurisdiction. Any sum paid contrary to the provisions of this Act and the Rules made thereunder may be recovered from any officer or employe making such payment and if paid contrary to the provisions of this Section may be recovered from any officer signing or countersigning or authorizing the signing or countersigning of any requisition voucher payroll check or warrant for such payment or from the sureties on his official bond. Such recovery may be made in the manner now provided by law for the collection of delaims of the Commonwealth or in an action in the Court of Common Pleas of Dauphin County maintained by any elector of the Commonwealth. All moneys recovered in any action brought under the provisions of this Section shall when collected be paid into the treasury of the Commonwealth except that where the plaintiff in any such action is an elector he shall be entitled to receive for his own use the taxable costs of such action.

**Section 902 False Statements Made Under Oath Constitute Perjury** Any false statement made under oath either orally or in writing in any application or other paper filed with the Commission or in any proceeding before the Commission or in any investigation conducted by or under the direction of the Commission or by the Director or in any proceedings arising under this Act shall be perjury and punishable as such. Any person failing to disclose a material fact or in any manner conceals any information



in order to obtain employment or promotion under this Act shall in addition to any other penalty herein provided be removed from all eligible lists and if appointed or promoted he shall be summarily dismissed A material fact or item of information shall be limited to one which the Director or Commission exercising due diligence is able to prove false within the probationary period The Director or Commission shall have no authority to so act on a material fact or item of information under this section following the expiration of the probationary period for the employe involved

**Section 903 Certain Acts Made Misdemeanor** Any person who wilfully by himself or in collusion with one or more other persons defeats deceives or obstructs any person in respect to his right of examination appointment or employment according to this Act or according to any Rules made thereunder or who corruptly or falsely marks rates grades estimates or reports upon the tests or proper standing of any person tested or certified pursuant to the provisions of this Act or aids in so doing or who wilfully makes any false representations concerning the same or concerning the persons tested or who wilfully furnishes to any person any special or secret information for the purpose of improving or injuring the prospects or chances of any person so examined or certified or to be examined or certified or who impersonates any person or permits or aids in any manner any other person to impersonate him in connection with any examination or request to be examined certified or appointed or who furnishes any false information about himself or about any other person in connection with any request to be examined certified or appointed or who makes an appointment to office or selects any person for employment contrary to this Act or to any Rules made thereunder or who refuses to comply therewith or who wilfully or through culpable negligence violates any of the provisions of this Act or of any Rules made thereunder shall for each offense be deemed guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine of not less than one hundred dollars (\$100.00) and not exceeding three thousand dollars (\$3,000.00) or to serve imprisonment for a period not exceeding 3 years or both in the discretion of the court

**Section 904 Prohibition Of Political Activity** No person in the classified service shall be a member of or delegate or alternate to any political convention nor shall he participate at any such convention except in the performance of his official duty or as a visitor nor shall he serve as a member of or attend the meetings of any committee of any political party or take an active part in political management or in political campaigns or use his office or position to influence political movements or to influence the political action of any officer or employe in the service of the Commonwealth nor shall he circulate or seek signatures to any nominations or other petition required by any primary or election law nor shall he seek or accept election nomination or appointment as an officer of a political club or organization or serve as a member of a committee of any such club or organization nor shall he in any manner participate in or interfere with the conduct of any election or the preparation therefor at the polling place or with the election officers while counting the votes or returning the election material to the place provided by law for that purpose save only for the purpose of making and depositing his own ballot as speedily as it reasonably can be done nor shall he be within the polling place or within fifty feet thereof except for the purpose of carrying out official duties and of ordinary travel or residence during the period of time beginning with one hour preceding the opening of the polls for holding such election and ending with the time when the election officers shall have finished counting the votes and have left the polling place for the purpose of depositing the election material in the place provided by law for that purpose excepting only police officers who may temporarily approach or enter the polling place in order to make any arrest permitted by law or for the purpose of preserving order and in each case remain only long enough to accomplish the duties aforesaid after which the said officers shall at once withdraw

**Section 905 Prohibition Of Assessments** No person shall

orally or by written or printed communication directly or indirectly demand solicit collect or receive or be in any manner concerned in demanding soliciting collecting or receiving any money or valuable thing or any assessment subscription or contribution whether voluntary or involuntary from any officer or employe in the classified service for any political purpose whatever No person in the classified service shall orally or by written or printed communication directly or indirectly demand solicit collect or receive or be in any manner concerned in demanding soliciting collecting or receiving any money or valuable thing for any political purpose whatever No person in the service of the Commonwealth shall remove dismiss suspend furlough demote or promote or in any manner change the official status or compensation of any other person in the classified service or promise or threaten to do so for withholding or neglecting to make any contribution of money or service or other valuable thing for any political purpose No person shall take part in preparing any political assessment subscription or contribution with the intent that the same shall be sent or presented to or collected from any person in the classified service and no person shall knowingly send or present directly or indirectly in person or by letter any political assessment subscription or contribution to or request its payment by any person in the classified service

**Section 906 Removal And Disqualification Of Officers And Employes** Any person holding a position in the service of the Commonwealth who violates any of the provisions of this Act or of the Rules made thereunder shall be immediately separated from the service It shall be the duty of the appointing authority of the department in which the offending person is employed to remove him at once in accordance with the provisions of this Act Any taxpayer who has first complied with Section 807 of this Act may bring an action in the Court of Common Pleas of Dauphin County against the Auditor General or the State Treasurer or both to restrain the payment of compensation or the issuing of warrants for the payment of compensation to any such employe who has been appointed or employed in violation of this Act or who has violated any of the provisions thereof Said taxpayer may as an additional remedy obtain a writ of mandamus to compel such removal Any person removed under this Section shall for a period of two years be ineligible for reappointment to any position in the service of the Commonwealth

**Section 907 Appeals** (a) Any employe in the classified service under this Act who has been given notice of demotion furlough suspension or removal shall be entitled to a hearing before the Commission by an appeal made within ten days after such notice of demotion furlough suspension or removal becomes effective and shall be furnished with copies of any charges preferred against him or reasons for demotion furlough suspension or removal before such demotion furlough suspension or removal becomes effective and shall be allowed a reasonable time for personally answering the same in writing and submitting affidavits or witnesses in support thereof Any employe summarily removed or removed for delinquency or misconduct under a decision of the Commission upon the expiration of the date for an appeal if no appeal has been taken shall be removed from all eligible lists under this Act Any employe after having been demoted furloughed suspended or removed or having received notice of demotion furlough suspension or removal and who has made an appeal to the Commission shall be restored by the appointing authority upon being sustained on such appeal by the decision of the Commission to the same position in which he had been employed and shall be fully reimbursed for any loss of salary caused by such demotion furlough suspension or removal The Commission shall also have the power at any time on its own motion to initiate such a hearing

(b) The Commission shall hear such appeals and render a final decision in all cases under this section in not more than thirty days after the date of such appeals and shall keep records of such appeals and all evidence pertaining thereto The Commission shall have power to affirm modify or reverse the action of the appointing authority on the basis of information and evidence previously submitted

and such additional evidence which may be submitted when hearing such appeal. In hearing such appeal the Commission shall afford all interested parties a reasonable opportunity for a fair hearing. The parties shall be duly notified of the final decision of the Commission and the reasons therefor and such decision shall become final ten days after the date thereof. A complete record shall be kept of each case heard before the Commission. All testimony at any hearing before the Commission shall be taken by a reporter but need not be transcribed unless the decision of the Commission is further appealed. The manner in which such appeals are taken before the Commission, the reports thereon required from the appointing authority or the employe involved and the conduct of the hearings and appeals shall be in accordance with rules of procedure prescribed by the Commission whether or not such rules conform to common law or statutory rules of evidence and other technical rules of procedure.

(c) An appeal may be taken from a decision of the Commission to the Superior Court by any party claiming to be aggrieved but only after he has exhausted remedies before the Commission. In any such appeal the Commission shall be made the party defendant. Every appeal to the Superior Court must be taken within thirty days after the decision of the Commission becomes final. The appeal shall be by petition and shall state the grounds upon which a judicial review is sought. A copy of such appeal petition shall be served upon a member or agent of the Commission and sufficient additional copies shall be left with the Commission to enable the Commission to furnish a copy to every party in interest in the proceedings who has not joined in the appeal. The Commission shall file an answer in the Superior Court within thirty days after the petition has been served on it and shall at the same time file with the Court certified copies of all documents and papers a record of all testimony taken and all finding of facts and decisions thereon. The Commission may also in its discretion certify to such court questions of law involved in any decision by it. In any appeal to the Superior Court the findings of the Commission as to the facts if supported by the evidence and in the absence of fraud shall be conclusive and in such cases the jurisdiction of the Court shall be confined to questions of law and such cases shall be given precedence over all other civil cases except cases arising under the Workmen's Compensation Act of 1915 and its amendments and supplements and the Unemployment Compensation Law of 1936 and its amendments and supplements.

(d) In order to take an appeal to the Superior Court it shall not be necessary to enter exceptions to the rules of the Commission and no bond shall be required for entering an appeal. No appeal to the Superior Court shall act as a supersedeas. Upon final determination of any appeal the Commission shall enter an order in accordance with the decree of the Court.

#### Article X Schedule

Section 1001 Transfer Of Records All lists of eligibles previously established or certified which have not been replaced by later lists of eligibles on the effective date of this Act and all books papers records documents supplies materials and equipment relating to or used in connection with any merit system in the service of the Commonwealth in effect on the effective date of this Act are hereby transferred from the department board or agency heretofore charged with the administration of such merit system to the Commission on the effective date of this Act.

Such lists of eligibles shall be used for appointments by the Commission in the same manner as hereinbefore provided until examinations shall have been held by the Commission and new lists of eligibles prepared pursuant thereto. All persons whose names remain on any existing list of eligibles shall be retained thereon for at least one year from the date when the list was established and thereafter until the list is replaced by a more recently prepared list. If any applications have been filed for an examination or any examinations have been held but no lists of eligibles established in connection with any merit

system in the service of the Commonwealth in effect on the effective date of this Act such applications and examinations transferred to the Commission shall have the same force and effect as if the applications had been filed with or the examinations held by the Commission.

Section 1002 Employment Board Abolished The Employment Board in the Department of Public Assistance is hereby abolished and the terms of all of its members in office are hereby terminated on the effective date of this Act.

Section 1003 Appropriation The sum of two hundred thousand dollars (\$200,000) or so much thereof as may be found necessary is hereby specifically appropriated to the Executive Department for the use of the State Civil Service Commission for the biennial period ending the thirty-first day of May one thousand nine hundred forty-three for the payment of salaries wages and other compensation of the Commission the Director and experts statisticians clerks stenographers and other assistants and employes for the payment of traveling expenses for advertising postage stationery equipment printing supplies and for any other expenses necessary for the proper conduct of the work of the Commission and of the Director.

Section 1004 Effective Date Of This Act This Act shall become effective immediately upon its final enactment except that any department commission board agency or person charged with administering the merit systems in the service of the Commonwealth in effect on the effective date of this act shall individually continue until thirty days after the Director of the Civil Service Commission is appointed as herein provided to administer for their respective appointing authorities such merit systems in accordance with the provisions of this Act and during this time wherein in this Act certain powers and duties pertaining to examinations eligible lists appointments promotions demotions furloughs suspensions removals and appeals are imposed on the Director and the Commission such powers and duties shall be imposed individually upon such department commission board agency or person herein referred to.

Section 1005 Repealer The following laws or parts of laws are hereby repealed:

Section two of the Act approved the twentieth day of December one thousand nine hundred thirty-three (P. L. 89 1933-34) entitled "An Act appropriating the moneys in the State Stores Fund" as added by the Act approved the eighteenth day of July one thousand nine hundred thirty-five (P. L. 1316).

Section two hundred eight of the Act approved the fifth day of December one thousand nine hundred thirty-six (P. L. 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" and the amendments thereto.

Section three hundred two of the Act approved the twenty-ninth day of November one thousand nine hundred and thirty-three (P. L. 15 1933-34) entitled as amended "An Act to regulate and restrain the sale manufacture possession transportation importation traffic in and use of alcohol and alcoholic and malt or brewed beverages conferring powers and imposing duties upon the Pennsylvania Liquor Control Board and its agents the Department of Public Instruction other officers of the State government courts and district attorneys authorizing the establishment and operation of State stores for the sale of such beverages not for consumption on the premises and the granting of licenses subject to local option to sell such beverages for

consumption on and off the premises forbidding importation or bringing of such beverages into the State except as herein provided prohibiting certain sales or practices in connection with and transactions in such beverages by licensees and others providing for the forfeiture of certain property making disposition of the receipts from State stores and of fees and imposing penalties" and the amendments thereto

Section 2504-A and 2505-A 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 executives 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 added by the Act approved the twenty-fourth day of June one thousand nine hundred and thirty-seven (P. L. 2003)

Section four clause k and section seven clause b of the act approved the twenty-fourth day of June one thousand nine hundred and thirty-seven (P. L. 2051), entitled "An Act relating to public assistance providing for and regulating assistance to certain classes of persons designated and defined as dependent children aged persons blind persons and other persons requiring relief providing for the administration of this Act by the Department of Public Assistance and county boards of assistance hereby created for this purpose authorizing the Department of Public Assistance to cooperate with and to accept and disburse moneys received from the United States Government for assistance to such persons providing for the liquidation of the State Emergency Relief Board Boards of Trustees of the Mothers' Assistance Fund and Board of Trustees of the 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 the act approved the twenty-sixth day of June one thousand nine hundred and thirty-nine (P. L. 1091)

Section seven clause a of the act approved the twenty-fourth day of June one thousand nine hundred and thirty-seven (P. L. 2051) entitled "An Act relating to public assistance providing for and regulating assistance to certain classes of persons designated and defined as dependents 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 the Act approved the twenty-sixth day of June one thousand nine hundred and thirty-nine (P. L. 1091) to the extent that it is inconsistent with this Act

All other acts and parts of acts inconsistent with this Act are hereby repealed

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,	Halnes,	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,
Cochrane,	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,	Petrofsky,	Voorhees,
D'Genova,	Jones, G. E.,	Petit,	Wagner,
Dix,	Jones, P. N.,	Polaski,	Watkins,
Dolon,	Keenan,	Pien,	Weingartner,
D'Ortona,	Kenehan,	Powers,	Wells,
Duffy,	Kilne,	Prosen,	Welsh, E. B.,
Early,	Knoble,	Rank,	Welsh, M. J.,
Eckels,	Kolanekwicz,	Rausch,	Wilkinson,
Elder,	Komorofski,	Readinger,	Williams,
Elliot,	Krise,	Reagan,	Winnor,
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,
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.

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

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1937, (Senate Bill No. 654), as follows:

An Act to amend sections two hundred two and four hundred fifty-two of the act approve' 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 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 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

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

Section 1 Sections two hundred and two and four hundred and 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 Teacher 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 last amended by section one of the act approved the sixth day of June one thousand nine hundred and thirty-nine (P. L. 250) is hereby further amended to read as follows

Section 202 Departmental Administrative Boards Commissions and Offices The following boards commissions and offices are hereby placed and made departmental administrative boards commissions or offices as the case may be in the respective administrative departments mentioned in the preceding section and in the Executive Department as follows

In the Executive Department  
State Civil Service Commission

In the Department of State  
State Employees' Retirement Board

In the Department of Justice  
Board of Pardons  
Board of Commissioners on Uniform State Laws

In the Treasury Department  
Board of Finance and Revenue

In the Department of Internal Affairs  
Board of Property

In the Department of Public Instruction  
State Council of Education  
Pennsylvania State Board of Censors  
Public School Employees' Retirement Board  
Pennsylvania Historical Commission  
Board of Trustees of Thaddeus Stevens Industrial School  
Board of Trustees of Pennsylvania State Oral School for the Deaf  
Board of Trustees of Pennsylvania Soldiers' Orphan School

Board of Trustees of West Chester State Teachers' College

Board of Trustees of Millersville State Teachers' College

Board of Trustees of Kutztown State Teachers' College

Board of Trustees of East Stroudsburg State Teachers' College

Board of Trustees of Mansfield State Teachers' College

Board of Trustees of Bloomsburg State Teachers' College

Board of Trustees of Shippensburg State Teachers' College

Board of Trustees of Lock Haven State Teachers' College

Board of Trustees of Indiana State Teachers' College

Board of Trustees of California State Teachers' College

Board of Trustees of Slippery Rock State Teachers' College

Board of Trustees of Edinboro State Teachers' College

Board of Trustees of Clarion State Teachers' College

Board of Trustees of Cheyney Training School for Teachers

State Board of Medical Education and Licensure

State Board of Pharmacy

State Dental Council and Examining Board

State Board of Optometrical Examiners

State Board of Osteopathic Examiners

Osteopathic Surgeons' Examining Board

State Board of Examiners for the Registration of Nurses

State Board of Veterinary Medical Examiners

State Board for the Examination of Public Accountants

State Board of Examiners of Architects

Anthracite Mine Inspectors' Examining Board

Mine Inspectors' Examining Board for the Bituminous Coal Mines of Pennsylvania

State Registration Board for Professional Engineers [State Civil Service Commissions]

In the Department of Military Affairs  
Armory Board of the State of Pennsylvania  
Board of Trustees of Pennsylvania Soldiers' and Sailors' Home

In the Department of Banking  
Board to License Private Bankers  
Pennsylvania Securities Commission

In the Department of Agriculture  
State Farm Products Show Commission

In the Department of Forests and Waters  
Water and Power Resources Board  
Geographic Board  
Lake Erie and Ohio River Canal Board  
Pennsylvania State Park and Harbor Commission of Erie  
Washington Crossing Park Commission  
Valley Forge Park Commission  
Fort Washington Park Commission

In the Department of Mines  
Anthracite Mine Inspectors  
Bituminous Mine Inspectors

In the Department of Highways  
State Bridge Commission

In the Department of Health

Sanitary Water Board  
 State Board of Undertakers  
 In the Department of Labor and Industry  
 Workmen's Compensation Board  
 Workmen's Compensation Referees  
 State Workmen's Insurance Board  
 The Industrial Board  
 In the Department of Welfare  
 State Council for the Blind  
 Board of Trustees of Eastern State Penitentiary  
 Board of Trustees of Western State Penitentiary  
 Board of Trustees of Pennsylvania Industrial School  
 which upon the completion of the present Pennsylvania Industrial School at Huntingdon for the reception care maintenance detention employment and training of defective delinquents shall thereafter be known as the Board of Trustees of Pennsylvania Institution for Defective Delinquents  
 Board of Trustees of State Industrial Home for Women  
 Board of Trustees of Pennsylvania Training School  
 Board of Trustees of Allentown State Hospital  
 Board of Trustees of Danville State Hospital  
 Board of Trustees of Farview State Hospital  
 Board of Trustees of Harrisburg State Hospital  
 Board of Trustees of Norristown State Hospital  
 Board of Trustees of Warren State Hospital  
 Board of Trustees of Wernersville State Hospital  
 Board of Trustees of Torrance State Hospital  
 Board of Trustees of Ashland State Hospital  
 Board of Trustees of Blossburg State Hospital  
 Board of Trustees of Coaldale State Hospital  
 Board of Trustees of Connellsville State Hospital  
 Board of Trustees of Hazleton State Hospital  
 Board of Trustees of Locust Mountain State Hospital  
 Board of Trustees of Nanticoke State Hospital  
 Board of Trustees of Philipsburg State Hospital  
 Board of Trustees of Scranton State Hospital  
 Board of Trustees of Shamokin State Hospital  
 Board of Trustees of Laurelton State Village  
 Board of Trustees of Pennhurst State School  
 Board of Trustees of Polk State School  
 Board of Trustees of Selinsgrove State Colony for Epileptics

In addition to the foregoing there are hereby created as departmental administrative boards in the Department of Welfare boards of trustees for the respective institutions which are acquired by the Commonwealth from counties cities or institution districts for actual use as State mental hospitals under the provisions of act number twenty-one approved the twenty-ninth day of September one thousand nine hundred thirty-eight

Each respective board of trustees shall be known as the Board of Trustees of the .....  
 (descriptive name of political ..... State Hospital subdivision in which institution is located)

In the Department of Property and Supplies  
 Board of Commissioners of Public Grounds and Buildings  
 State Art Commission  
 In the Department of Revenue  
 State Athletic Commission  
 In the Department of Public Assistance  
 State Board of Public Assistance  
 In the Department of Commerce  
 State Planning Board

All of the foregoing departmental administrative boards and commissions shall be organized or reorganized as provided in this act

Section 2 Section four hundred fifty-two of said act which was added to said act by section eight of the act approved the sixth day of June one thousand nine hundred thirty-nine (P. L. 250) is hereby amended to read as follows

Section 452 State Civil Service Commission The State Civil Service Commission is hereby created and shall

consist of three members not more than two of whom shall be of the same political affiliation Of the original members all of whom shall be appointed within thirty days after the effective date of this act one shall be appointed for a term of two years one for a term of four years and one for a term of six years from the date of his appointment and until his successor shall have been appointed and qualified Thereafter each appointment shall be for a term of six years or until a successor is appointed and qualified The members of the commission shall hold no other public position to which a salary is attached shall have qualifications for appointment and shall be removable from office as provided by law The Governor shall designate one of the members as chairman

Each member of the commission shall be paid [at the rate of twenty-five dollars per day for the time actually devoted to the business of the commission but no member shall be paid more than one thousand five hundred dollars in any one year except during the first year after the effective date of this act when such payments shall not exceed two thousand dollars] five thousand dollars per annum during his term of office

Section 3 This act shall become effective immediately upon its 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,	Gryskewicz,	McIntosh,	Shaw,
Boorse,	Gross,	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,
Charvenak,	Harris,	Moran,	Tarr,
Chudoff,	Heatherington,	Moul,	Tate,
Cochran,	Helm,	Mulr,	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,
Dannison,	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,
Elliot,	Krise,	Reagan,	Wlner,
Ely,	Lee, E. A.,	Reese, D. P.,	Wood, L. H.,
Falkenstein,	Lee, T. H.,	Reese, E. E.,	Wood, N.,
Finestone,	Leisey,	Regan,	Woodring,
Finnerty,	Leonard,	Reynolds,	Woodside,
Fisher,	Lesko,	Rhea,	Wright,
Fleming,	Levy,	Riley,	Yeakel,
	Leydic,	Rooney,	Yester,
	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 with amendments in which the concurrence of the Senate is requested.

BILLS PASSED OVER

There being no objection House Bill No. 1817, (Senate Bill No. 1044), Printer's No. 590, and House Bill No. 1844, (Senate Bill No. 594), Printer's No. 587, were passed over at the request of the SPEAKER.

BILLS ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1891, (Senate Bill No. 1019), entitled:

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

And said bill having been read at length the 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,	Shaw,
Boorse,	Gryskewicz,	McIntosh,	Shaffer,
Bower,	Gyger,	McKinney,	Shepard,
Bradley,	Habbyshaw,	McLanahan,	Simons,
Bretherick,	Haberlen,	McLane,	Skale,
Brown,	Halbes,	McMillen,	Snyder,
Brunner, C. H.,	Hall,	McSurdly,	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,	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,	Keeran,	Polaski,	Watkins,
D'Ortona,	Kenehan,	Polen,	Wetgartner,
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, E. A.,	Reagan,	Winner,
Falkensteln,	Lee, T. H.,	Reese, D. P.,	Wood, L. H.,
Finestone,	Lelsey,	Reese, R. E.,	Wood, N.,
Finnerty,	Leonard,	Regan,	Woodring,
Fisher,	Lesko,	Reynolds,	Woodside,
Fl's,	Levy,	Rhea,	Wright,
Fleming,	Lichtenwailer,	Riley,	Yeakel,
Fletcher,	Longo,	Rooney,	Yester,
Flynn,	Lovett,	Rose, S.,	Young,
Foor,		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. 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.

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,	McSurdly,	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,
	Hirsch,	O'Connor,	Van Allsburg,

Cordier,	Holland,	O'Dare,	Verona,
Corrigan,	Huntley,	O'Mullen,	Vincent,
Croop,	Imbrie,	O'Neill,	Vogt,
Cullen,	James,	Owens,	Voldow,
Dalrymple,	Jefferson,	Petrosky,	Voorhees,
Dennison,	Jones, G. E.,	Pettit,	Wagner,
DiGenova,	Jones, P. N.,	Polaski,	Watkins,
Dix,	Keenan,	Polen,	Weingartner,
Dolon,	Kenehan,	Powers,	Weiss,
D'Ortona,	Kilne,	Prosen,	Weish, E. E.,
Duffy,	Knoble,	Rank,	Weish, M. J.,
Early,	Kolankiewicz,	Rausch,	Wilkinson,
Eckels,	Komorofski,	Readinger,	Williams,
Elcer,	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, Speaker.
Flynn,	Lovett,	Rosenfeld,	
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 amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of 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.

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,
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,
Cordler,	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,	Kilne,	Prosen,	Weish, E. B.,
Early,	Knoble,	Rank,	Weish, M. J.,
Eckels,	Kolankiewicz,	Rausch,	Wilkinson,
Elder,	Komorofski,	Readinger,	Williams,
Elliott,	Krise,	Reagan,	Winner,
Ely,	Lee, E. A.,	Reese, David 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, 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 amendment.

BILL PASSED OVER

There being no objection House Bill No. 1752, (Senate Bill No. 1016), Printer's No. 344, was passed over at the request of Mr. READINGER.

BILLS ON THIRD READING !

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1983, (Senate Bill No. 1308), entitled as follows:

An Act to amend the act approved the twenty-second day of May one thousand nine hundred thirty-three (P. L. 912) entitled "An act to protect the public health defining and providing for the licensing of bakeries and regulating the inspection maintenance and operation of bakeries and premises stores and shops connected therewith defining and regulating the manufacture sale and offering for sale of bakery products conferring powers on the Department of Agriculture and providing penalties" by redefining "bakery" removing the exception from registration and licensing requirements requiring registered bakery products to show the fact of such registration making it unlawful for any person to sell offer for sale or have in possession with intent to sell unregistered bakery products or to import bakery products from bakeries not licensed hereunder and making possession prima facie evidence of intention to sell and 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 General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 1 of the act approved the twenty-third 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" is hereby amended to read as follows

Section 1 Be it enacted et cetera That Definitions The following words and terms as used in this act shall be construed as follows

"Bakery" means and includes all buildings and parts of buildings cellars and basements used for the manufacture and handling of bakery products intended for sale and for the mixing and other preparation of ingredients and materials entering into the manufacture of bakery products where more than fifty pounds of flour flour substitute flour mixture or potatoes are used each week in the preparation of such products

"Bakery products" means and includes bread rolls cakes cookies crackers icecream cones crullers doughnuts biscuits pies macaroni spaghetti noodles alimentary pastes pretzels potato chips and all other products whatever manufactured in a bakery and intended for human consumption as well as the ingredients and materials entering into their manufacture

"Person" means an individual copartnership association and corporation

"Department" means the Department of Agriculture of the Commonwealth of Pennsylvania

"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 establishment which sell bread

Section 2 Section three of said act as amended by section one of the act approved the first day of July one thousand nine hundred thirty-seven (P. L. 2676) is hereby further amended to read as follows

Section 3 Annual License and License Fee It shall be the duty of every person whether a resident or nonresident of this Commonwealth operating a bakery to apply to the Department of Agriculture for a license to do so and to register with the department all bakery products baked prepared manufactured or compounded in such bakeries before the first day of January one thousand nine hundred thirty-four and annually thereafter before the first day of January of each succeeding year and pay to the Department of Agriculture at the time said application for registration and license is filed an annual fee as follows For bakeries using less than one hundred barrels of flour per week five dollars (\$5.00) for bakeries using one hundred barrels and less than two hundred barrels of flour per week ten dollars (\$10.00) and bakeries using two hundred barrels or more per week twenty dollars (\$20.00) [Provided however That any person operating a bakery in Pennsylvania who does not use more than fifty pounds of flour flour substitute flour mixture or potatoes a week in the preparation of bakery products shall not be required to register such bakery products pay a license fee or obtain a license]

The application for a license and registration shall be made on a form to be supplied by the department and shall show trade names of all products and principal address of bakery The application shall have attached thereto the affidavit of the person applying for the license that the facts set forth therein are true and correct

From and after the first day of January one thousand nine hundred and thirty-four it shall be unlawful for any person to operate a bakery for the manufacture of bakery

products unless said bakery is duly licensed in accordance with the provisions of this act

Upon approval of application for registration and license and payment of required license fee and also upon approval of sanitary conditions in a bakery and every store or shop connected therewith the Department of Agriculture shall issue to each applicant a license or certificate of registration which shall expire at the end of each calendar year and which will authorize the operation of said bakery and the baking compounding manufacturing and sale of said bakery products for the calendar year or portion thereof for which a license or certificate of registration shall be issued

All wrappers caddies boxes packages or containers of any kind whatsoever in which bakery products shall be wrapped packaged boxed or contained shall be printed or marked in a clear and legible manner with the trade name or kind of bakery product which it purports to be and with the name of the bakery manufacturing such bakery products or with the name and address of the distributor or wholesale dealer distributing such bakery product preceded by the words "distributed by" or followed by the word "distributor" as the case may be and in all cases the words "Registered with Pennsylvania Department of Agriculture" or any abbreviation thereof approved by the department Provided That when transparent wrappers are employed such printed or legible statement may be inserted in a conspicuous position between such transparent wrapper and the top of the loaf or other bakery product or by printed band or wrapper around the top of the loaf or other bakery product

Section 3 Section 6 of said act as added by section two of the act approved the first day of July one thousand nine hundred thirty-seven (P. L. 2676) is hereby re-enacted as follows

Section 6 Sale and Importation of Bakery Products It shall be unlawful for any person

(a) To sell offer for sale or have in his possession with intent to sell a bakery product which is not registered with the department as provided in this act Possession of any bakery product shall be deemed prima facie evidence of an intent to sell such bakery product

(b) To import into this Commonwealth for sale within this Commonwealth any bakery products manufactured in a bakery in another state that is not licensed according to the laws of this Commonwealth

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



of 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 milage 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 purpose 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 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 new 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

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

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

On the question,

Shall the bill pass finally?

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

## YEAS—204

Achterman,	French,	Malloy,	Royer,
Allmond,	Gallagher,	Marks,	Rush,
Auker,	Gates,	Maxwell,	Sarge,
Baker,	Gerard,	McClanaghan,	Sarra,
Balthaser,	Gillan,	McClester,	Scanlon,
Bentley,	Gillette,	McDermott,	Schwab,
Bentzel,	Goodwin,	McDowell,	Serrill,
Boles,	Greenwood,	McFall,	Shaffer,
Boney,	Gryskewicz,	McIntosh,	Shaw,
Boorse,	Gross,	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,
Burtis,	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,	Voidow,
Dennison,	Jefferson,	Petrosky,	Voorhees,
DiGenova,	Jones, G. E.,	Petfit,	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,	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, E. E.,	Wood, N.,
Finestone,	Leisey,	Regan,	Woodring,
Finnerty,	Leonard,	Reynolds,	Woodside,
Fisher,	Lesko,	Rhea,	Wright,
Fisler,	Levy,	Riley,	Yeakel,
Fisler,	Leydic,	Rooney,	Yeater,
Fleming,	Lichtenwalter,	Rose, S.,	Young,
Fletcher,	Longo,	Rose, W. E.,	Kilroy,
Flynn,	Lovett,	Rosenfeld,	Speaker.
For,	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 with amendments in which the concurrence of the Senate is requested.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1955, as follows:

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 holders of certain rights in property for fishing purposes to exclude the general public from fishing from such property

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

Section 1 Section two hundred and fifty-four of the act approved the second day of May one thousand nine hundred and twenty-five (P. L. 448) entitled "An act relating to fish and amending revising consolidating and changing the law relating to fish in the inland waters and the boundary lakes and boundary rivers of the Commonwealth" as last amended by Section 1 of the act approved the tenth day of June one thousand nine hundred and thirty-five (P. L. 290) is hereby amended to read as follows

Section 254 Streams and Lakes To Be Free for Fishing Exception Any natural stream or lake in this Commonwealth which has been or may be stocked with fish furnished by the Commonwealth or the board shall be open to the public for the purpose of lawful fishing provided however that any person corporation association partnership or club who or which has leased or secured or hereafter leases or secures lands or rights in lands adjacent to or within which are such waters shall be permitted to fish or angle from such lands only if duly licensed members of the general public are given such access to the lands as is necessary for all lawful fishing therefrom but nothing in this section shall be so construed as to free any person trespassing on the lands of any person in this Commonwealth from liability for any damage he may do to said lands or to the improvement thereon or to any crops or livestock or poultry thereon

Notwithstanding the provisions of this section whenever any stream is stocked with trout during the open season for trout the Board of Fish Commissioners may close such stream or any part thereof to fishing for a period of five days after the same has been stocked Whenever any stream or part of a stream is closed to fishing under the provisions of this section the portion thereof that has been closed shall be posted with signs giving notice of such closing together with the date of stocking and the date when such stream or part thereof will again be open to fishing A statement of the stocking of such stream giving the number of cans of trout planted the fact that the stream or part thereof has been closed and the dates of the stocking and reopening of the stream shall be given to at least one newspaper published in the vicinity of such stream with the request that the same be published as a news item nothing in this act contained shall authorize the Board of Fish Commissioners to close any stream or part thereof which is owned or held by any individual association or corporation and which has not been stocked with fish furnished by the Commonwealth or the board

Any person fishing in any stream or part of a stream during the period the same has been closed to fishing under the provisions of this section shall on conviction

as provided in chapter fourteen of this act be subject to a penalty of twenty-five dollars

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,	Malloy,	Royer,
Allmond,	Gallagher,	Marks,	Rush,
Auker,	Gates,	Maxwell,	Sarge,
Baker,	Gerard,	McClanaghan,	Sarrafi,
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 Aillsburg,
Corrigan,	Holland,	O'Dare,	Verona,
Croup,	Huntley,	O'Mullen,	Vincent,
Cullen,	Imbrie,	O'Neill,	Vogt,
Dairyple,	James,	Owens,	Voldow,
Dennison,	Jefferson,	Petrosky,	Voorhees,
DiGenova,	Jones, G. E.,	Pettit,	Wagner,
Dixon,	Jones, P. N.,	Poiaski,	Watkins,
Dolon,	Keenan,	Polen,	Weingartner,
D'Ortona,	Kenehan,	Powers,	Weiss,
Duffy,	Kilne,	Prosen,	Welsh, E. E.,
Early,	Kncble,	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.,
Finestone,	Lelsey,	Regan,	Woodring,
Finnerty,	Leonard,	Reynolds,	Woodside,
Fisher,	Lesko,	Rhea,	Wright,
Fiss,	Levy,	Riley,	Yeakel,
Fleming,	Leydic,	Rooney,	Yester,
Fletcher,	Lichtenwalter,	Ros. 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 by the affirmative.

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

BILL PASSED OVER

There being no objection House Bill No. 1539, Printer's No. 1171, was passed over at the request of the SPEAKER.

BILLS ON THIRD READING

Agreeably to order,

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

The House resumed the consideration on third reading of House Bill No. 1782, (Senate Bill No. 785), entitled:

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

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,
Botes,	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,
Croop,	Imbrie,	O'Neill,	Vogt,
Cullen,	James,	Owens,	Voldow,
Dalrymple,	Jefferson,	Petrosky,	Voorhees,
Dennison,	Jones, G. E.,	Pettit,	Wagner,
DiGenova,	Jones, P. N.,	Polaski,	Watkins,
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,	Komorofski,	Readinger,	Williams,
Elder,	Lesko,	Reagan,	Winner,
Elliott,	Levy,	Reese, D. P.,	Wood, L. H.,
Ely,	Leydic,	Reese, R. E.,	Wood, N.,
Falkenstein,	Lichtenwalter,	Regan,	Woodring,
Finestone,	Longo,	Reynolds,	Woodside,
Finnerty,	Lesko,	Rhea,	Wright,
Fisher,	Levy,	Riley,	Yeakel,
Fiss,	Leydic,	Rooney,	Yester,
Fleming,	Lichtenwalter,	Rose, S.,	Young,
Fletcher,	Longo,	Rose, W. E.,	
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 has passed it without amendment.

Agreeably to order,

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

The House resumed the consideration on third reading of House Bill No. 1549, (Senate Bill No. 241), entitled:

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

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,
Botes,	Greenwood,	McFall,	Shaffer,
Boney,	Gross,	McIntosh,	Shaw,
Boorse,	Gryskewicz,	McKinney,	Shepard,
Bower,	Gyger,	McLanahan,	Simons,
Bradley,	Habbyshaw,	McLane,	Skale,
Bretherick,	Haberlen,	McMillen,	Snyder,
Brown,	Hafnes,	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,
Croop,	Imbrie,	O'Neill,	Vogt,
Cullen,	James,	Owens,	Voldow,
Dalrymple,	Jefferson,	Petrosky,	Voorhees,
Dennison,	Jones, G. E.,	Pettit,	Wagner,
DiGenova,	Jones, P. N.,	Polaski,	Watkins,
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,	Komorofski,	Readinger,	Williams,
Elder,	Lesko,	Reagan,	Winner,
Elliott,	Levy,	Reese, D. P.,	Wood, L. H.,
Ely,	Leydic,	Reese, R. E.,	Wood, N.,
Falkenstein,	Lichtenwalter,	Regan,	Woodring,
Finestone,	Longo,	Reynolds,	Woodside,
Finnerty,	Lesko,	Rhea,	Wright,
Fisher,	Levy,	Riley,	Yeakel,
Fiss,	Leydic,	Rooney,	Yester,
Fleming,	Lichtenwalter,	Rose, S.,	Young,
Fletcher,	Longo,	Rose, W. E.,	
Flynn,	Lovett,	Rosenfeld,	Speaker.
Foot,	Lyons,		

Fletcher,  
Flynn,  
Floor,

Longo,  
Lovett,  
Lyons,

Rose, W. E.,  
Rosenfeld,

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

The House resumed the consideration on third reading of House Bill No. 1866, (Senate Bill No. 905), entitled:

An Act to further amend clause (a) of section two of the act approved the seventh day of June one thousand nine hundred and seventeen (P. L. 388) entitled "An act relating to the jurisdiction powers and procedure of the orphans' court and the court of common pleas as to sales mortgages conveyances on ground-rents leases extinguishment of ground-rents partition exchange squaring and adjusting of lines between adjoining owners consolidation and combination of mining lands and the leasing thereof the joining by owners of undivided interests in making and taking conveyances in order to change the route or location of any right of way or passage over adjoining or other lands and the subdivision of premises so as to command the highest price or greatest rents and for such purpose the laying out or dedication of roads streets and alleys or the vacation of such as have not been accepted by the public authorities where the court shall be of opinion that such decree will be to the interest and advantage of all those interested and where the legal title is held by minors lunatics habitual drunkards or weak-minded persons a married person whose spouse is a lunatic or has abandoned him or her for one year or has been absent and unheard of for seven years by corporations having no capacity to convey or by any unincorporated association by any religious beneficial or charitable society or association incorporated or unincorporated and the title is subject to forfeiture if real estate is held in excess of the amount prescribed by its charter or by law by a corporation or individual or individuals and is subject to a trust of any description whatever by any person as to whom a presumption of death may have arisen or any interest wherein is held by any person under legal disability to dispose thereof where the legal title is an estate tail or is subject to the lien of debts of a decedent not of record contingent remainders executory devises or remainders to a class some or all of whom may not be in being or ascertained where estates shall have been devised or granted for special or limited purposes where there is a power of sale but the time may not have arrived for its exercise any preliminary act may not have been done to bring it into exercise the time limited for its exercise may have expired or any one or more persons required to consent or join in its exercise may be non compos mentis have removed out of the State have died refuse to act unreasonably withhold consent or be absent and unheard of where there has been or shall be a defective appointment in any deed or will and the necessary power is not given to the executor devisee or appointee to make sale and conveyance where a trust has been created and no power conferred on the trustees to do any of the acts which the court is hereby empowered to authorize or confirm and to the effects of such decrees" extending the provisions of said act to cases where real estate is held by entireties and the one spouse has been declared weak-minded or mentally incompetent.

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,	Milhm,	Stambaugh,
Burns,	Hare,	Modell,	Stank,
Burriss,	Harkins,	Monks,	Stine,
Cadwalader,	Harmuth,	Mooney,	Stockham,
Chervenak,	Harris,	Moran,	Tarr,
Chudoff,	Weatherington,	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 Alisburg,
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,	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,
Floor,	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 return it to the Senate with information that the House has passed it without amendment.

Agreeably to order,

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

The House resumed the consideration on third reading of House Bill No. 1888. (Senate Bill No. 1186), entitled:

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

And said bill having been read at length the 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,
Boies,	Greenwood,	McDowell,	Serrill,
Boney,	Gross,	McFall,	Shaffer,
Boorse,	Gryskewicz,	McIntosh,	Shaw,
Bower,	Gyger,	McKinney,	Shepard,
Bradley,	Habbyshaw,	McLanahan,	Simons,
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,	Mulr,	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,
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,
Ellott,	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,	Yeater,
Fletcher,	Lichtenwalter,	Rooney,	Young,
Flynn,	Longo,	Rose, S.,	Kilroy,
Foot,	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 bill having been called up from the postponed calendar by Mr. READINGER.

The House resumed the consideration on third reading of House Bill No. 1792, (Senate Bill No. 994), entitled:

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

And said bill having been read at length the 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,	Sarra,
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,	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,	Mulr,	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,
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,
Ellott,	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,	Yeater,
Fletcher,	Lichtenwalter,	Rooney,	Young,
Flynn,	Longo,	Rose, S.,	Kilroy,
Foot,	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 bill having been called up from the postponed calendar by Mr. READINGER.

The House resumed the consideration on third reading of House Bill No. 1807, (Senate Bill No. 1006), entitled:

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

tions and corporations for sharing the cost of the maintenance and construction of such highways; and making an appropriation to carry out the provisions of said act."

And said bill having been read at length the 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,	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,	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,	Mihia,	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,	Nuemacher,	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,	Wagner,
DiGenova,	Jones, G. E.,	Pettit,	Watkins,
Dix,	Jones, P. N.,	Polaski,	Weingartner,
Dolon,	Keenan,	Polen,	Weiss,
D'Ortona,	Kenehan,	Powers,	Welsh, E. B.,
Duffy,	Kline,	Prosen,	Welsh, M. J.,
Early,	Knoble,	Rank,	Wilkinson,
Eckels,	Kolankiewicz,	Rausch,	Williams,
Elder,	Komorowski,	Readinger,	Winner,
Elllott,	Krise,	Reagan,	Wood, L. H.,
Ely,	Lee, E. A.,	Reese, D. P.,	Wood, N.,
Falkenstein,	Lee, T. H.,	Reese, R. E.,	Woodring,
Finestone,	Lelsey,	Regan,	Woodside,
Finnerty,	Leonard,	Reynolds,	Wright,
Fisher,	Lesko,	Rhea,	Yeakel,
Fiss,	Levy,	Riley,	Yester,
Fleming,	Leydic,	Rooney,	Young,
Fletcher,	Lichtenwalter,	Rose, S.,	Kilroy,
Flynn,	Longo,	Rose, W. E.,	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 amendment.

Agreeably to order,

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

The House resumed the consideration on third reading of House Bill No. 1819, (Senate Bill No. 784), as follows:

An Act to amended section four hundred three of the act approved the fifteenth day of May one thousand

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

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

Section 1 Section four hundred three of the act approved the fifteenth day of May one thousand nine hundred and thirty-three (P. L. 565) entitled "An Act relating to the powers and duties of the Department of Banking and the Secretary of Banking in exercising supervision over and taking possession of and conducting or liquidating the business and property of corporations associations and persons receiving deposits or otherwise transacting a banking business corporations acting as fiduciaries and building and loan associations providing for the payment of the expenses of the Department of Banking by supervised corporations associations or person and appropriating the Banking Department Fund authorizing the Department of Banking under certain circumstances to examine corporations associations or persons affiliated or having business transactions with supervised corporations associations or persons authorizing appeals to the Supreme Court and prescribing and limiting the powers and duties of certain other courts and their prothonotaries registers of wills recorders of deeds and certain State departments commissions and officers authorizing certain local public officers and State departments to collect fees for services rendered under this act providing penalties and repealing certain acts and parts of acts" is hereby amended to read as follows:

Section 403 Reports to Department Publication Penalties A Every institution except building and loan associations shall send to the department at least twice each year and more frequently if the department shall so order a complete report of its condition exhibiting in detail under appropriate headings the resources and liabilities of the institution Every building and loan association shall send such a report to the department once each year unless the department orders more frequent reports

The department may also require special reports on the condition of or any particular facts concerning any institution at any time the department deems it necessary or advisable for the protection of the depositors other creditors or shareholders thereof

B The form of all reports the information to be contained in them and the date on which they shall be due shall be prescribed by the department The reports shall be verified by the oath or affirmation of the president cashier secretary treasurer or other managing officer of a corporation or by one of the firm in the case of a partnership or other unincorporated association or by the banker if an individual In the case of a corporation the report shall also be attested as correct by the signatures of at least three of its directors or trustees

C Every institution except building and loan associations shall publish during each year in a newspaper or newspapers in the manner provided by this act abstract summaries of any two of its reports designated for this purpose by the department and shall send proof of such publication to the department Such publication shall be required only once in a newspaper of general circulation and in first class counties once in a legal newspaper If there is no newspaper of general circulation published at the city borough or township in which the principal place of business of such institution is located such publication may be inserted in a newspaper of general circulation published nearest to such city borough or township and within the same county Building and loan association shall not be required to publish any abstract summaries of reports

D The Department shall furnish to anyone requesting it upon payment of a reasonable fee to be fixed by the department an abstract summary of any report then in its possession of any building and loan association subject to its supervision showing the assets liabilities receipts and disbursements of such building and loan association

E Any institution which fails to make or publish any report or to furnish any proof of publication in accordance with the provisions of this section shall pay to the department a penalty of one hundred dollars for each day after the time fixed by the department for filing such report making such publication or furnishing such proof of publication but the department may in its discretion relieve any institution from the payment of such penalty in whole or in part if good cause be shown to it for the failure of such institution to file or publish the report or to furnish proof of publication thereof If an institution fails to pay a penalty from which it has not been relieved the department may through the Department of Justice maintain an action at law to recover it

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,         |
| 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,           |
| Burris,         | 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,          |
| Corder,         | 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,        |
|                 | Jones, G. E.,  | Petit,       | Wagner,          |

- |              |                |               |               |
|--------------|----------------|---------------|---------------|
| DiGenova,    | Jones, F. N.,  | Polaski,      | Watkins,      |
| 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,      | Komorofski,    | Readinger,    | Williams,     |
| Elder,       | Krise,         | Reagan,       | Winnier,      |
| Elliott,     | Lee, E. A.,    | Reese, D. P., | Wood, L. H.,  |
| Ely,         | Lee, T. H.,    | Reese, R. E., | Wood, N.,     |
| Falkenstein, | Leisey,        | 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,       | L'vett,        | 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 with amendments in which the concurrence of the Senate is requested.

Agreeably to order,

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

The House resumed the consideration on third reading of House Bill No. 1209, (Senate Bill No. 1), as follows:

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

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

Section 1 In any County other than a county of the second class whenever any child is an inmate of a orphan asylum or home or a children's home or a home for the friendless or a private home or other institution for the care or training of orphan's or other children and the maintenance of such children is provided at the cost of the county or the county institution district wherein it is located and such child attends the public schools of the school district wherein such home or institution is located although not a legal resident of such district the county shall in all such cases pay to such school district the cost of tuition text books and school supplies for such child which shall be fixed as provided by law for tuition costs in other cases Such costs shall be paid annually by the county and shall thereafter be collected by the county from the school district in which such child is a legal resident

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

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,  | Rosenfeld, |
| 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,	Mulr,	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.,	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,	Komorofski,	Readinger,	Williams,
Elliott,	Krise,	Reagan,	Winnier,
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,
Fletcher,	Lichtenthaler,	Rose, S.,	Young,
Flynn,	Longo,	Rose, W. E.,	Kilroy,
Foor,	Lovett,	Royer,	Speaker.

## NAYS—1

Petrosky,

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

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

Agreeably to order,

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

The House resumed the consideration on third reading of House Bill No. 491, (Senate Bill No. 145), as follows:

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

and the Department of Highways" as reenacted and amended by conferring additional powers on the Department of Highways

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

Section 1 Section fourteen of the act approved the seventh day of August one thousand nine hundred thirty-six (P. L. 106) entitled "An act relating to flood control prescribing the powers and duties of the Water and Power Resources Board of the Department of Forests and Waters in relation to the creation of flood control districts adoption of plans for flood control works and improvements carrying into effect of such plans assistance aid and cooperation with public and private agencies and the Federal Government in Federal flood control works and improvements and entering into compacts and agreements with other states for flood control works and improvements conferring the power of eminent domain providing for the setting off of benefits imposing certain charges upon the Commonwealth providing for appeals and conferring certain powers on municipalities counties and townships and the Department of Highways" as reenacted and amended by the act approved the tenth day of March one thousand nine hundred thirty-seven (P. L. 43) and by the act approved the seventeenth day of May one thousand nine hundred thirty-nine (P. L. 175) is hereby further amended to read as follows

Section 14 Relocation abandonment and vacation of Roads Streets and Bridges The Department of Highways and municipalities may enter into agreements with the board or Federal agencies with the approval of the board to relocate roads streets bridges and viaducts necessitated by the construction of any State or Federal flood control works and improvements and may agree therein to construct new roads streets bridges and viaducts and pay the costs of the same or any part thereof from the Motor License Fund or municipal moneys without any charge or only part of the cost charged against the moneys in the fund The board may consent in any such agreement to pay the whole or any part of the cost of constructing such relocated roads streets bridges and viaducts from the moneys in the fund Such relocated roads streets bridges and viaducts may be constructed by the Department of Highways or by contract let by said department or the municipality or by the board or by a Federal agency as may be agreed upon Relocation of State highways shall be made by plans properly approved as is required by law for the relocation of State highway routes and may be made without regard to terminal or intermediate points mentioned in the law establishing such routes The portions of State highway routes supplied by such relocations may be abandoned by the Secretary of Highways in the manner provided by law whereupon said abandoned portions of State highway routes shall revert to the authorities responsible for the maintenance of the public road or highway prior to its having been established as a State highway Where any State highway route or part thereof shall become inundated by the waters of any flood control reservoir or shall become unnecessary for public use and travel or burdensome or dangerous due to the construction of any flood control reservoir the Secretary of Highways with the approval of the Governor may abandon as a State highway such State highway route or part thereof The Secretary of Highways may also at any time by and with the consent of the local authorities by written order declare the portion or portions of road or roads so abandoned to be vacated and closed to public use and travel and no longer a public road Without limitation because of the length of the road to be vacated

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,     | 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,          | Skaie,           |
| Brown,          | Haines,        | McMillen,        | Snyder,          |
| Brunner, C. H., | Hall,          | McSturdy,        | 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,        | 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,          | 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, E. A.,    | Reagan,          | Winner,          |
| Falkenstein,    | Lee, T. H.,    | Reese, David 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 with amendments in which the concurrence of the Senate is requested.

Agreeably to order,

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

The House resumed the consideration on third reading of House Bill No. 1859, (Senate Bill No. 344), as follows:

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

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

Section 1 Section five of the act approved the thirteenth day of June one thousand eight hundred and thirty-six (P. L. 551) entitled "An act relating to roads highways and bridges" as last amended by the act approved the twelfth day of July one thousand nine hundred thirty-five (P. L. 745) is hereby further amended to read as follows

Section 5 The breadth of a private road shall not in any case exceed twenty-five feet and the width of a public road shall not be less than thirty-three feet nor more than one hundred and twenty feet except that whenever the right of way for a public highway has been acquired solely by the Federal Government the maximum width thereof may be two hundred feet Provided That the limits of width shall not be construed to include the width required for necessary slopes in cuts or fills when the limits of the road and the extra width required for such slopes exceed the limits of width herein specified but no appropriation of property as width required only for slopes shall be construed to prevent the owner from making any use of his property which is not inconsistent with the necessary support or protection of the highway all viewiers shall hereafter be required to take into consideration the qualified nature of the easement in proceedings to assess damages for the taking of land for highway purposes And provided further That when the public road desired to be opened is in a built up section of any township of the second class of the type commonly known as an alley and is not an integral part of a through route the minimum width shall be fifteen feet And Provided further that where the breadth of a public road shall hereafter be fixed at more than one hundred and twenty feet and the right of way for such public highway has been acquired solely by the Federal Government and it shall become necessary to move or relocate any public service facilities the cost and expenses incident to such removal or relocation shall be paid by the Federal Government

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, | 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,      | Skaie,           |
| Brown,          | Haines,        | McMillen,    | Snyder,          |
| Brunner, C. H., | Hall,          | McSturdy,    | 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,    | 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,	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, 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 with amendments in which the concurrence of the Senate is requested.

## BILL ON SECOND READING

Mr. SARRAF asked and obtained unanimous consent to call up out of order House Bill No. 1860, (Senate Bill No. 575), Printer's No. 450, on page 5 of today's calendar, bills on second reading.

Agreeably to order,

The House proceeded to the second 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.

The first section was read.

On the question,

Will the House agree to the section?

Messrs. BOIES and KOLANKIEWICZ. Mr. Speaker, we desire to offer the following amendments.

The amendments were read by the Clerk as follows:

Amend Sec. 1, page 2, line 1, by striking out the word "and"

Amend Sec. 1, page 2, line 1, by inserting after the figure "7" the following: "and 13"

Amend Sec. 1, page 12, by inserting between lines 13 and 14, the following: "Section 13. The provisions of this act shall not apply either directly or indirectly, by intent or purpose, to affect the practice of pharmacy as authorized by the act approved May twenty-fourth, one thousand eight hundred and eighty-seven, entitled "An act to regulate the practice of pharmacy and sale of poisons,

and prevent adulterations in drugs and medicinal preparations in the State of Pennsylvania," or the several amendments thereto; nor to affect the practice of dentistry as authorized by the act approved July ninth, one thousand eight hundred and ninety-seven, entitled "An act to establish a Dental Council and a State Board of Dental Examiners; to define the powers and duties of said Dental Council and said State Board of Dental Examiners; to provide for the examination and licensing of practitioners of dentistry, and to further regulate the practice of dentistry," or the several amendments thereto; nor to affect the practice of osteopathy as authorized by the act approved March nineteenth, one thousand nine hundred and nine, entitled "An act to regulate the practice of osteopathy in the State of Pennsylvania; to provide for the establishment of a State Board of Osteopathic Examiners; to define the powers and duties of said Board of Osteopathic Examiners; to provide for the examining and licensing of osteopaths in this State, and to provide penalties for the violation of this act," nor to affect the practice of optometry as authorized by the act approved March thirtieth, one thousand nine hundred seventeen (P. L. 21), entitled "An act defining optometry relating to the right to practice optometry in the Commonwealth of Pennsylvania, and making certain exceptions; and providing a Board of Optometrical Education, Examination, and Licensure, and means and methods whereby the right to practice optometry may be obtained; and providing for the means to carry out the provisions of this act; and providing for revocation or suspension of licenses given by said board, and providing penalties for violations thereof; and repealing all acts or parts of acts inconsistent therewith," or the several amendments thereto; nor shall this act be so construed as to give to the Bureau of Medical Education and Licensure any jurisdiction over any of the schools or colleges of the methods herein exempted.

The amendments were agreed to.

On the question,

Will the House agree to the section as amended?

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

The amendments were read by the Clerk as follows:

Amend sec. 1, (sec. 1) page 4, lines 17 and 18, by striking out the words "including all practice of the healing art with or without drugs"

Amend sec. 1, (sec. 1) page 4, lines 21 and 22, by striking out the words "in any manner whatsoever"

Amend sec. 1, (sec. 1) page 4, line 22, by striking out the word "any"

On the question,

Will the House agree to the amendments?

Mr. SARRAF. Mr. Speaker, I rise to oppose the amendments and I ask the membership of the House to vote against them. They are not necessary in this bill. The act is very well drawn up as it is.

Mr. NAGEL. Mr. Speaker, I ask the Members of this House to support these amendments. They will in no way injure this bill and they will provide ample grounds upon which the bill can operate. These amendments if adopted will read as follows:

(c) "The term 'medicine and surgery' as used in this act shall mean the art and science having for their object the cure of diseases of and the preservation of the health of man including all practice of the healing art with or without drugs except healing by spiritual means or prayer.

(d) "The term 'healing art' as used in this act shall mean the science of diagnosis and treatment in any manner whatsoever of disease or any ailment of the human body".

Mr. Speaker, what more can anyone ask for or anything more liberal than that amendment? I ask the House to vote for the amendment.

Mr. SARRAF. Mr. Speaker, the definition in this particular act is a copy of the definition as it appears in Act No. 282 of the 1937 session. It is identical. If these amendments are included it will spoil the entire act and practically ruin the Medical Practice Act in the state of Pennsylvania. So I ask the membership of the House to vote down these amendments.

Mr. NAGEL. Mr. Speaker, I contend that this amendment will not destroy this act and make inoperative the medical law of the state of Pennsylvania. You will recall that in 1937 these amendments or the wording of this bill which I am attempting to amend was inserted. These acts are intended as an atonement for a sin of omission and negligence in 1937. I well know the aim and purpose of having this law drawn up at this time in this manner. There is a reason for it and that reason developed here on the floor of this House a few days ago when House Bill 1048 was sent back to committee. I ask the Members of the House to support these amendments.

On the question recurring,  
Will the House agree to the amendments?  
They were not agreed to.  
On the question recurring,  
Will the House agree to the section as amended?  
It was agreed to.  
The second section was read and agreed to.  
The title was read.  
On the question,  
Will the House agree to the section?

Messrs. BOIES and KOLANKIEWICZ. Mr. Speaker, we desire to offer the following amendments.

The amendments were read by the Clerk as follows:

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

Amend title, page 1, line 1 of title, by inserting after the figure "7" the following: "and 13".

Amend title, page 2, line 4 of title, by striking out the word "and" where it appears the second time in said line.

Amend title, page 2, last line of title, by inserting after the word "incompetency" the following: "and exempting optometrists from the provisions of said act".

The amendments were agreed to.

Mr. NAGEL. Mr. Speaker, I desire to withdraw my amendments to the title?

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 SECOND READING

Mr. ACHTERMAN asked and obtained unanimous consent to call up out of order House Bill No. 1981, (Senate Bill No. 399), Printer's No. 536, on page 3 of today's calendar, bills on second reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1981, (Senate Bill No. 399), entitled:

An Act making an appropriation to the Treasury De-

partment for the use of the Board of Finance and Revenue in granting refunds of "store and theatre" tax

The first section was read.

On the question,

Will the House agree to the section?

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

The amendment was read by the Clerk as follows:

Amend Sec. 1, page 1, line 4, by striking out the following "General Fund" and inserting in lieu thereof: "State School Fund".

The amendment was agreed to.

The section was agreed to as amended.

The title was read and agreed to.

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

Ordered, To be transcribed for a third reading.

Mr. ACHTERMAN asked and obtained unanimous consent to call up out of order House Bill No. 1856, (Senate Bill No. 1047), Printer's No. 399, on page 9 of today's calendar, bills on second reading.

Agreeably to order,

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

Ordered, To be transcribed for a third reading.

#### REMARKS BY MR. WOODSIDE

Mr. WOODSIDE. The present presiding officer desires to thank the Speaker for permitting him to preside this afternoon. When I was about the age of my son William, who is sitting in the House at the present time, my mother brought me down and took me through the Capitol for the first time and I remember going through the Senate Chamber, the Supreme Court Room, the House Chamber and over into the Governor's Office. We then returned to the Chamber of the House of Representatives and when we came into the Hall of the House my mother asked whether I would be permitted to come up here and sit in this Chair. When I did she said, "I hope some time to see you there". So today on her seventy-fourth birthday the Speaker of the House, Mr. Kilroy, very graciously permitted me to preside so that she could see that her wish made about thirty years ago came true.

I want to thank the Speaker and the Members of the House for permitting that. I deliberately avoided saying anything about my mother at the time I accepted the pre-

sentation from the House. I did that because I knew the Speaker was going to call on me to preside, and that I was going to have the opportunity to make these remarks, and to give her the credit for putting me here.

#### BILLS ON SECOND READING

Mr. BENTLEY asked and obtained unanimous consent to call up out of order House Bill No. 1943, (Senate Bill No. 1097), Printer's No. 505, on page 7 of today's calendar, bills on second reading.

Agreeably to order,

The House proceeded to the second 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 (Pamphlet Laws 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.

The first section was read.

On the question,

Will the House agree to the section?

Mr. BENTLEY. 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, line 12, by inserting after the word "shares" the following:

"Provided, (1) That where such company does not keep its books on an accrual basis, reserves for accruing liabilities shall be deemed to be surplus (2) That where such company is the owner of any asset not recorded in any amount on its books the amount of such asset shall be deemed an addition to surplus as shown by the books of such company and (3) That where such company is the owner of any tangible property subject to exhaustion wear and tear and obsolescence which is written down on its books to a nominal amount the difference between such amount and the depreciated value of such tangible property as shown in its Federal income tax return shall be deemed an addition to surplus as shown by the books of such company"

The amendment was agreed to.

The section was agreed to as amended.

The second section was read.

On the question,

Will the House agree to the section?

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

The amendment was read by the Clerk as follows:

Amend Sec. 2, page 4, line 12, by inserting after the word "enactment" the following: "except the provisions thereof basing the tax upon the book value of the shares shall be first effective for the calendar year ending December thirty-first, one thousand nine hundred forty-one."

The amendment was agreed to.

The section was agreed to as amended.

The title was read and agreed to.

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

Ordered, To be transcribed for a third reading.

Mr. BENTLEY asked and obtained unanimous consent

to call up out of order House Bill No. 1942, (Senate Bill No. 1096), Printer's No. 504, on page 8 of today's calendar, bills on second reading.

Agreeably to order,

The House proceeded to the second 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 (Pamphlet Laws 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, 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.

The first section was read.

On the question,

Will the House agree to the section?

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

The amendment was read by the Clerk as follows:

Amend Sec. 1 (Sec. 1), page 5, line 12, by inserting after the word "shares" the following:

"Provided, (1) That where such company does not keep its books on an accrual basis, reserves for accruing liabilities shall be deemed to be surplus (2) That where such company is the owner of any asset not recorded in any amount on its books the amount of such asset shall be deemed an addition to surplus as shown by the books of such company and (3) That where such company is the owner of any tangible property subject to exhaustion wear and tear and obsolescence which is written down on its books to a nominal amount the difference between such amount and the depreciated value of such tangible property as shown in its Federal income tax return shall be deemed an addition to surplus as shown by the books of such company."

The amendment was agreed to.

The section was agreed to as amended.

The second section was read.

On the question,

Will the House agree to the section?

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

The amendment was read by the Clerk as follows:

Amend Sec. 2, page 6, line 2, by inserting after the word "enactment" the following: "except the provisions thereof basing the tax upon the book value of the shares shall be first effective for the calendar year ending December thirty-first, one thousand nine hundred forty-one."

The amendment was agreed to.  
 The section was agreed to as amended.  
 The title was read and agreed to.  
 And said bill having been read at length the second time and agreed to as amended.  
 Ordered, To be transcribed for a third reading.

BILLS ON THIRD READING

Agreeably to order,  
 The bill having been called up from the postponed calendar by Mr. WEISS.

The House resumed the consideration on third reading of House Bill No. 1653, (Senate Bill No. 587), entitled:

An Act to amend section three hundred six of the act, approved the twenty-fourth day of June, one thousand nine hundred thirty-seven (P. L. 2017) entitled "An act creating in each county (except of the first class) as a separate corporation, and in each city of the first and second class as a part of the city government, an institution district for the care and maintenance of certain indigent persons and children; prescribing the powers and duties of county commissioners, county treasurers, city departments of public welfare, the State Department of Welfare, and the State Department of Public Assistance in respect thereto; abolishing certain poor districts and terminating the terms of directors, overseers, guardians and managers of the poor and poor district auditors, and providing for the temporary employment of certain of them; providing for the transfer, vesting sale and disposition of the property of poor districts and the payment of their obligations; imposing certain existing obligations on institution districts and on the Commonwealth; regulating the affairs of poor districts until abolished; revising, amending, changing and consolidating the law relating to the care of the poor; and repealing existing laws." authorizing the county commissioners to appoint and fix the compensation of a solicitor for county institution districts in counties of the third class.

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,        |
| Chevenak,       | 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,         |
|                 | Imbrie,        | O'Neill,     | Vogt,            |

- |              |                |               |               |
|--------------|----------------|---------------|---------------|
| Cullen,      | James,         | Owens,        | Voldow,       |
| Dalrymple,   | Jefferson,     | Petrosky,     | Voorhees,     |
| Dennison,    | Jones, G. E.,  | Pettit,       | Wagner,       |
| DiGenova,    | Jones, P. N.,  | Polaski,      | Watkins,      |
| 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,       |
| Elliot,      | Lee, E. A.,    | Reese, D. P., | Wood, L. H.,  |
| Ely,         | Lee, T. H.,    | Reese, R. E., | Wood, N.,     |
| Falkenstein, | Leisey,        | Regan,        | Woodring,     |
| Finestone,   | Leonard,       | Reynolds,     | Woodside,     |
| Finnerty,    | Lesko,         | Rhea,         | Wright,       |
| Fisher,      | Levy,          | Riley,        | Yeakel,       |
| Floss,       | 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 amendment.

Agreeably to order,

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

The House resumed the consideration on third reading of House Bill No. 1553, (Senate Bill No. 557), entitled:

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

On the question,

Will the House agree to the bill on third reading?

BILL DROPPED FROM CALENDAR

Mr. ACHTERMAN. Mr. Speaker, I move that this bill be dropped from the calendar.

The motion was agreed to.

BILL ON SECOND READING

Mr. READINGER asked and obtained unanimous consent to call up out of order House Bill No. 1940, (Senate Bill No. 913), Printer's No. 397, on page 1 of today's calendar, bills on second reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1940, (Senate Bill No. 913), entitled:

An Act authorizing and directing the Department of Revenue to prepare airport approach plans for publicly owned airports empowering and directing such department and also counties municipalities and other political

subdivisions to promulgate administer and enforce airport zoning regulations limiting the height of structures excepting those structures that are under the jurisdiction of the Pennsylvania Public Utility Commission and objects of natural growth and otherwise regulating the use of property in the vicinity of such airports providing for the granting of zoning permits and variances for appeals from zoning regulations authorizing the acquisition by purchase grant or condemnation of air rights and other interests in land and providing penalties and remedies for violations of this act or of any ordinance or regulation made under the authority conferred thereby

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

Ordered, To be transcribed for a third reading.

### BILLS ON THIRD READING

Mr. ACHTERMAN asked and obtained unanimous consent to call up out of order House Bill No. 1844, (Senate Bill No. 594), Printer's No. 587, on page 21 of today's calendar, bills on third reading.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1844, (Senate Bill No. 594), entitled as follows:

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

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

Section 1 Section two of the act approved the twenty-fourth day of June one thousand nine hundred and thirty-seven (P. L. 2051) entitled "An act relating to public assistance providing for and regulating assistance to certain classes of persons designated and defined as dependent children aged persons blind persons and other persons requiring relief providing for the administration of this act by the Department of Public Assistance and county boards of assistance hereby created for this purpose authorizing the Department of Public Assistance to cooperate with and to accept and disburse moneys received from the United States Government for assistance to such persons providing for the liquidation of the State Emergency Relief Board Boards of Trustees of the Mothers' Assistance Fund and Boards of Trustees of Pension Fund for the Blind and repealing laws relating to mothers' assistance pensions for the blind old age assistance and the State Emergency Relief Board" as last amended by the act approved the twenty-sixth day of June one thousand nine hundred thirty-nine (P. L. 1089)

and the act approved the twenty-sixth day of June one thousand nine hundred thirty-nine (P. L. 1091) is hereby further amended to read as follows

Section 2 Definitions As used in this act unless otherwise indicated

"Assistance" means assistance in money milk goods shelter medical care work relief or services provided from or with State or Federal funds for indigent persons who reside in Pennsylvania and need assistance to enable them to maintain for themselves and their dependents a decent and healthful standard of living and for indigent homeless or transient persons The word assistance shall be construed to include pensions for those blind persons who are entitled to pensions as provided in this act and to include also burial for those indigent persons who were receiving assistance at the time of their death

"General Assistance" means assistance provided from or with State funds only to persons entitled under this act to assistance other than dependent children aged persons and blind persons

"Local Board" means any county board of assistance established under the provisions of this act

The masculine pronoun includes the feminine

Section 2 Section four of said act as amended by the act approved the twenty-sixth day of June one thousand nine hundred thirty-nine (P. L. 1089) and the act approved the twenty-sixth day of June one thousand nine hundred thirty-nine (P. L. 1091) is hereby further amended by adding after clause (k) a new clause to be known as clause (1) and to read as follows

Section 4 General Powers and Duties of Department of Public Assistance The Department of Public Assistance shall have the power and its duty shall be

\* \* \* \* \*

(1) Subject to the approval of the Board of Review and Appeal hereinafter provided to approve contribute to the cost of and cooperate in the operation of work relief projects submitted by any State administrative department board or commission or by any political subdivision of the Commonwealth under and subject to the following provisions and conditions

1 That employment on such projects shall be limited to employable persons receiving general assistance

2 That compensation for work on such projects shall be the prevailing rate of pay for that type of employment in the locality in which the employment is being performed

3 That funds contributed to any such project by the Department of Public Assistance shall be used only for the purpose of paying the labor cost of such project and such contribution shall not exceed twenty-five per cent of the labor cost of such project

4 That there shall be established a Board of Review and Appeal composed of three members all of whom shall be citizens of this Commonwealth One member shall be appointed by the Governor one member shall be appointed by the Speaker of the House of Representatives and one member shall be appointed by the Lieutenant Governor Such appointments shall be for a term of nineteen months Any vacancies caused by the expiration of a term shall be filled by an appointment in the manner above provided and any vacancy otherwise caused shall be filled for the duration of the unexpired term by appointment in the same manner The members of the board shall serve without compensation but shall be reimbursed for necessary expenses by the Department of Public Assistance Said Board of Review and Appeal shall have the power and its duty shall be to examine all proposed work relief project agreements the financial arrangements pertaining thereto and to finally approve or disapprove such agreements The Board of Review and Appeal shall also have the power to determine all appeals by employables from assignments to projects and shall determine all disputes regarding prevailing wage rates to promulgate such rules and regulations which it deems necessary to carry

into effect the duties imposed herein and to supervise and regulate the operation of all work relief projects

5 That all proposed work relief project agreements shall be in writing and approved by the sponsors thereof

6 That no project shall be approved or undertaken until and unless it has been offered to the Federal Work Projects Administration for prosecution and has been rejected because the Federal Work Projects Administration cannot begin operations thereon within six months No project shall be undertaken in any locality where the Federal Work Projects Administration is able to employ all available employables receiving general assistance The Federal Work Projects Administration shall have precedence in requisitioning such employables from the Department of Public Assistance and in the employment of such employables that are considered to be skilled

7 That in addition to the limitations set forth in paragraph six hereof no work relief project shall in any event be in substitution of existing projects or of projects which may be sponsored under existing Federal Work programs or work which the State or political subdivisions have undertaken or contracts entered into by them so as to decrease the Federal funds available for work projects or so as to displace any present or contemplated employment but the work to which such employables are assigned shall be in addition and supplementary to any existing Federal Work projects or to any existing projects work or contracts now being performed undertaken or to be performed or undertaken in the usual and regular course of the needs and requirements of the State or any political subdivision

8 That any employe assigned to any project shall be dismissed if such employe shall be a member of a political committee or an officer of a political organization or shall solicit make or receive a contribution for political purposes or shall injure or benefit another employe or threaten or promise to do so because of withholding a contribution for political purposes because of any past or future vote or because of taking or refraining from taking any political action

Section 3 Section thirteen of said act as amended by the act approved the twenty-sixth day of June one thousand nine hundred thirty-nine (P. L. 1091) is hereby further amended by adding after subsection (b) a new subsection to read as follows

Section 13 Penalties

\* \* \* \* \*

(c) It shall be unlawful for any person directly or indirectly to promise any employment position work compensation or other benefit provided for in clause (1) of section four of this act to any person as consideration favor or reward for any political activity or for the support of or opposition to any candidate in any election or any political party

It shall be unlawful for any person directly or indirectly to attempt to deprive or threaten to deprive by any means any person of any employment position work compensation or other benefit provided for in clause (1) of section four of this act on account of race creed color or any support of or opposition to any candidate or any political party in any election

It shall be unlawful for any person administering or supervising work relief projects under the provisions of clause (1) of section four of this act to use such authority or influence for the purpose of interfering with an election or affecting the results thereof

Any person violating the provisions of this subsection shall be immediately removed from any position or office if any held under the provisions of clause (1) of section four of this act and in addition whereof he shall be sentenced to pay a fine not to exceed one thousand dollars (\$1,000) and to imprisonment not to exceed one (1) year or both

Section 4 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. ACHTERMAN, Mr. Speaker, Senate Bill No. 594 as amended is a part of the compromise agreement with the Governor. However, may I clarify this? The amendments placed in the bill were placed there by the majority Members of this House. We are trying to pass the bill with the thought that it must of necessity go back to the Senate and will very likely be non-concurred in there, that it will then be placed in conference committee and you will then have an opportunity to pass on the measure as it is hoped to have it finally passed. I am, therefore, asking the Members on the Democratic side of the House to support this particular measure. My statement is also made to the Republican side so that they will understand that they will also have an opportunity finally to pass on it.

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—200

Achterman,	Gallagher,	Malloy,	Rosenfeld,
Allmond,	Gates,	Marks,	Royer,
Auker,	Gerard,	Maxwell,	Rush,
Baker,	Gillan,	McClanaghan,	Sarge,
Balthaser,	Gillette,	McClester,	Sarraf,
Bentley,	Goodwin,	McDermott,	Scanlon,
Bentzel,	Greenwood,	McDowell,	Schwab,
Boles,	Gross,	McFall,	Serrill,
Boney,	Gryskewicz,	McIntosh,	Shaffer,
Boorse,	Cyger,	McKinney,	Shaw,
Bower,	Habbyshaw,	McLanahan,	Shepard,
Bradley,	Haberlen,	McLane,	Simons,
Bretherick,	Haines,	McMillen,	Skale,
Brown,	Hall,	McSurdy,	Snyder,
Brunner, C. H.,	Hamilton,	Melchiorre,	Sollenberger,
Brunner, P. A.,	Hare,	Mihm,	Sorg,
Burns,	Harkins,	Modell,	Stambaugh,
Burns,	Harmuth,	Monks,	Stank,
Cadwalader,	Heatherington,	Mooney,	Stine,
Chervenak,	Helm,	Moran,	Stockham,
Chudoff,	Hering,	Moull,	Tarr,
Cochran,	Herman,	Muir,	Tate,
Cohen, M. M.,	Hersch,	Munley,	Taylor,
Cook,	Hewitt,	Nagel,	Thompson, E. F.,
Cooper,	Hirsch,	Nunemacher,	Thompson, R. L.,
Cordier,	Holland,	O'Brien,	Trout,
Corrigan,	Huntley,	O'Connor,	Turner,
Croop,	Imbrie,	O'Dare,	Van Allsburg,
Cullen,	James,	O'Mullen,	Verona,
Dairyple,	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,	Wells,
Early,	Kolankiewicz,	Prosen,	Welsh, E. B.,
Eckels,	Komorowski,	Rank,	Welsh, M. J.,
Elger,	Krise,	Rausch,	Wilkinson,
Elliot,	Lee, E. A.,	Readinger,	Williams,
Ely,	Lec, T. H.,	Reagan,	Winner,
Falkenstein,	Lelsey,	Reese, D. P.,	Wood, L. H.,
Finestone,	Leonard,	Reese, R. E.,	Wood, N.,
Finnerty,	Lesko,	Regan,	Woodring,
Fisher,	Levy,	Reynolds,	Woodside,
Fiss,	Leydic,	Rhea,	Wright,
Fleming,	Lichtenwalter,	Riley,	Yeakel,
Fletcher,	Longo,	Rooney,	Yester,
Flynn,	Lovett,	Rose, S.,	Young,
Foor,	Lyons,	Rose, W. E.,	Kilroy, Speaker.

NAYS—4

Cohen, R. E.      French,      Harris,      Vincent,

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.

Mr. READINGER asked and obtained unanimous consent to call up out of order House Bill No. 1851, Printer's No. 1130, on page 15 of today's calendar, bills on third reading.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1851, as follows:

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

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

Section 1 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" are hereby amended to read as follows

Section 3719 Appointment of Park Guards The Council of every city shall have power under the provisions of this article and in accordance with the provisions of article forty-four to provide by ordinance for the selection and employment of such number of persons as they deem necessary to act as park guards fix their compensation and duties and provide for their uniforming

Section 4401 Examinations Required of All Appointees No person or persons may be appointed to any position whatever in the police department or in the position of park guard or in the engineering or electrical department or in the position of building inspector or to any salaried position whatever in the fire department (except volunteer departments) or health officers other than registered physicians or as sanitary policemen or inspectors of the health department without having first passed all the examinations hereinafter provided for and having been appointed in the manner and according to the terms and provisions and conditions of this article Provided however That all persons holding appointments as park guards at the time this act becomes effective shall retain their positions without being required to pass examinations and be removed only in accordance with the provisions of this article

Section 4402 Appointment of Examining Boards There shall be the following civil service boards in each city (a) A board for the examination of applicants for appointment to any position in the police department or as park guard (b) a board for the examination of applicants for appointment to any salaried position in the fire department (except volunteer departments) or health officers other than registered physicians or as sanitary policemen or inspectors of the health department (c) a board for the examination of applicants for appointment to any position in the engineering or electrical departments or to the position of building inspectors

Each of said boards shall consist of three citizens who shall be elected by council for terms of four years or until their successors are elected and qualified One of the members of the board provided for in clauses (a) and (b) of this section shall be an educator and one shall be a physician Any person may be appointed to one or more of said boards.

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,	Sarrat,
Balthaser,	Gillan,	McClester,	Scanlon,
Bentley,	Gillette,	McDermott,	Schwab,
Bentzel,	Goodwin,	McDowell,	Serrill,
Boles,	Greenwood,	McFall,	Shaffer,
Boney,	Gross,	McIntosh,	Shaw,
Boorse,	Gryskewicz,	McKinney,	Shepard,
Boorer,	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,	Mhm,	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,	Imbrle,	O'Neill,	Vogt,
Dairymple,	James,	Owens,	Voldow,
Dennison,	Jefferson,	Petrosky,	Voorhees,
DiGenova,	Jones, G. F.,	Pettit,	Wagner,
Dix,	Jones, P. N.,	Polaski,	Watkins,
Dolon,	Keenan,	Polen,	Weingartner,
D'Ortona,	Kenahan,	Powers,	Weiss,
Duffy,	Kline,	Prosen,	Weish, E. B.,
Early,	Knoble,	Rank,	Weish, M. J.,
Eckels,	Kolankiewicz,	Rausch,	Wilkinson,
Eider,	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.,
Finestone,	Lelsey,	Regan,	Woodring,
Finnerty,	Leonard,	Reynolds,	Woodside,
Fisher,	Lesko,	Rhea,	Wright,
Fiss,	Levy,	Rooney,	Yeakel,
Fleming,	Leydic,	Rose, S.,	Yester,
Fletcher,	Longo,	Rose, W. E.,	Young,
Flynn,	Lyons,	Rosenfeld,	Kilroy,
Foor,	Lichtenwalter,		Speaker.
	Lovett,		

NAYS—0

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

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

The SPEAKER (Elmer Kilroy) IN THE CHAIR.

The SPEAKER. The Chair thanks the gentleman from Dauphin, Mr. Woodside, for presiding.

The SPEAKER. For the information of the Members, the Chair has a photograph of the Honorable Senator from Pennsylvania, Mr. Guffey, and the gentleman from Lancaster, Harry Trout, sitting together in an automobile having a ride. I wonder why.



Mr. WOODSIDE. Mr. Speaker, I think the gentleman from Lancaster should be given an opportunity to apologize.

The SPEAKER. Will the gentleman from Lancaster explain how he was honored by riding with our good Senator?

Mr. TROUT. Mr. Speaker, before I go into that very extensively, I want to apologize to the Speaker and his Chief Clerk for my absence yesterday. I found it necessary to return home for a little while yesterday afternoon to check up on what might have been the reason for United States Senator Joseph F. Guffey paying a visit to our community. I rode in the same automobile with the Senator and discovered quite a few interesting facts. The Senator asked me what voting population we had. I told him around twenty-two hundred.

He said, "How many vote?"

I said, "We usually get sixteen hundred."

He said, "How many Democrats?"

I said, "Oh, we have a hundred sixty registered Democrats, but when you run for the Senate on the President's coat-tails, you usually get around four hundred. If you run by yourself, I don't think you would get the registered Democrat vote."

He didn't think that was very complimentary, and as we went along the route, I said to the Senator, "Listen, Joe, see that group over there? If they applaud, that's yours. And over here is a group, and if they applaud, I want those for myself."

After we got around the group Joe said, "I don't think I'm getting very much here."

I received a very nice letter from the Senator this morning however expressing appreciation of the splendid reception he got in Manheim, and he also thanked me for pointing out to him the few constituents he had in Manheim. The fact of the matter is he made a very splendid speech Saturday night before a crowd of three thousand, and we did, as the photograph indicates, lay aside politics for the day in Manheim.

#### BILL ON THIRD READING

Mr. LOVETT asked and obtained unanimous consent to call up out of order House Bill No. 1754, (Senate Bill No. 509) Printer's No. 335, on page 13 of today's calendar, bills on third reading.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1754, (Senate Bill No. 509), entitled:

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

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	Sarraff.
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.	Mulr.	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.
Cordler.	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.	Voerhees.
DiGenova.	Jones, G. E.	Pettit.	Wagner.
Dix.	Jones, P. N.	Polaski.	Wakins.
Dolon.	Keenan.	Polen.	Weingartner.
D'Ortona.	Kenehan.	Powers.	Wels.
Duffy.	Kline.	Prosen.	Welsh, E. B.
Early.	Knoble.	Rank.	Welsh, M. J.
Eckels.	Kolanckiewicz.	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.	Yeakei.
Fleming.	Leydic.	Rooney.	Yester.
Fletcher.	Lichtenwalter.	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 return it to the Senate with information that the House has passed it without amendment.

#### SENATE MESSAGES

##### SENATE ADOPTS CONFERENCE COMMITTEE REPORT ON HOUSE BILL No. 230

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

##### HOUSE BILL No. 230.

An Act to reenact and amend the title and the act approved the twenty-second day of June one thousand nine hundred thirty-five (P. L. 414), entitled "An act to provide revenue for State purposes imposing taxes upon certain classes of personal property providing for the assessment collection and tier 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 copartner-

ships 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" as previously reenacted and amended by continuing the State personal property tax and the emergency rate of tax on scrip bonds certificates and evidences of indebtedness assumed or on which interest is paid by corporations for a further limited period of time exempting casualty insurance corporations not having capital stock relieving life insurance corporations from the duty of reporting and paying tax under section seventeen of said act exempting assets held by liquidating trustees 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

SENATE ADOPTS CONFERENCE COMMITTEE  
REPORT ON HOUSE BILL No. 234

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

HOUSE BILL No. 234.

An Act to further amend section one of the act approved the fifteenth day of July one thousand eight hundred ninety-seven (P. L. 292), entitled "An act to provide revenue by taxation" by increasing the rate of tax for a further limited period of time.

SENATE ADOPTS CONFERENCE COMMITTEE  
REPORT ON HOUSE BILL No. 663

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

HOUSE BILL No. 663.

An Act authorizing the Commonwealth to negotiate temporary emergency loan to defray the current and other expenses of the State government during the two fiscal years beginning the first day of June one thousand nine hundred forty-one evidenced by tax anticipation notes secured by and payable from current revenues levied assessed collectible and accruing during such two fiscal years defining the powers and duties of the Governor the Auditor General and the State Treasurer in relation thereto providing for the payment of interest on and the repayment of such loans and making an appropriation.

REPORT OF COMMITTEE OF CONFERENCE ON  
SENATE BILL No. 24

Mr. REUBEN E. COHEN presented the report of the Committee of Conference on the part of the House on Senate Bill No. 24.

The report was read by the Clerk.

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

BILL ON SECOND READING

Mr. BROWN asked and obtained unanimous consent to call up out of order House Bill No. 1617, (Senate Bill No. 86), Printer's No. 18, on page 1 of today's calendar, bills on second reading.

Agreeably to order,

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

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

The first section was read.

On the question,

Will the House agree to the section?

BILL RECOMMITTED

Mr. BROWN. Mr. Speaker, Senate Bill No. 86, House Bill 1617, Printer's No. 18 on page one of today's calendar is a bill which allows the court in imposing sentence also to impose upon the prisoner, if the court so desires, a sufficient fine and imprisonment and also a sufficient sum to cover the cost of the imprisonment of the prisoner. It is our belief that this bill should be given further study. There is nothing in the bill which will allow the prisoner to protest to the court or to have any kind of a trial as to his financial ability to pay for his own keep while in prison. While there may be some justification for the bill, as it is now drawn it is certainly too automatic; therefore I move that the bill be recommitted to the Committee on Judiciary General for further study and possible amendment.

The motion was agreed to.

SENATE MESSAGES

HOUSE BILLS CONCURRED IN BY SENATE

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

HOUSE BILL No. 426.

An Act making an appropriation to the Pennsylvania Historical Commission, to cover the expenses of restoring and maintaining the Daniel Boone Homestead

HOUSE BILL No. 1282.

An Act providing that taxes on unseated lands shall be collected and returned in the same manner and at the same time as taxes on seated lands

HOUSE BILL No. 1397.

An Act to amend the act approved the fifth day of May one thousand nine hundred thirty-three (P. L. 457) entitled "An act relating to the business of building and loan associations providing for the organization and

voluntary dissolution of such associations defining the rights powers duties liabilities and immunities of such associations and of their officers directors shareholders solicitors and other employes prohibiting the transaction of business in this Commonwealth by foreign building and loan associations conferring powers and imposing duties upon the courts recorders of deeds and certain State departments commissions and officers establishing limitations of actions imposing penalties and repealing certain acts and parts of acts" as amended by requiring certificates of the payment of taxes and other charges to be filed with the Department of State in certain cases

HOUSE BILL No. 1652.

An Act to further amend sections eight and eleven of the act approved the fifteenth day of May one thousand nine hundred thirty-three (P. L. 553), entitled "An act relating to the financial responsibility of operators and owners of motor vehicles and to make uniform the law with reference thereto requiring operators and owners of automobiles under certain circumstances to furnish proof of financial responsibility as herein defined providing for the suspension of operators' licenses and motor vehicle registration certificates in certain cases regulating insurance policies which may be accepted as proof of financial responsibility imposing duties upon the Secretary of Revenue the State Treasurer and prothonotaries and prescribing penalties" by giving the secretary discretionary power under certain circumstances to suspend operators' licenses and providing for notice and hearing before suspension of licenses and registrations

HOUSE BILL No. 1857.

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

HOUSE BILL No. 1399.

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

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

AMENDED HOUSE BILL RECALLED FROM THE GOVERNOR CONCURRED IN BY SENATE

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

HOUSE BILL No. 1323.

An Act authorizing the Department of Property and

Supplies, with the consent of the Department of Military Affairs and the approval of the Governor, to sell and convey the property of the Pennsylvania State Arsenal at Harrisburg to the City of Harrisburg, in exchange for the conveyance by said city of Wildwood Park to the Commonwealth providing for the transfer of said park to the Department of Forests and Waters and the use thereof by the department as a State park and by other departments boards and commissions for their respective purposes and providing that such exchange of property shall not be effected unless and until a suitable additional building is made available for use by the Department of Military Affairs as an arsenal or as an administrative building

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

AMENDED HOUSE BILL RECALLED FROM THE GOVERNOR CONCURRED IN BY SENATE

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

HOUSE BILL No. 1676.

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

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

PERMISSION TO ADDRESS HOUSE

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

Mr. Speaker, I am making this last minute appeal to the Members on both sides of the House to enact some reasonable re-apportionment legislation which is so very essential and necessary. I do not think it is asking too much of any of you to request that you act as statesmen rather than as politicians, at least this one time in ten years. Mr. Speaker, the Members of the House were elected to do their duty, and it is part of their duty to re-apportion the state at least once every ten years. What are we doing about it? It seems to me we have become stalemated. Something must be done. Both parties have given and taken in order to arrive at a compromise and in order to expedite adjournment. Why not compromise on this type of legislation which is very important? Let us not dilly-dally around.

I read in the newspapers a statement by Senator Wade that there is no possibility of settlement, and he does not care because he thinks the Republican party has a very good chance to elect all thirty-three Republicans to Congress. Is that the talk of a statesman or a politician?

You can answer that yourself. Are we elected as representatives of the people or mis-representatives of the people? The latest census shows a glaring inequality in the various districts and that some people are over-represented and some are under-represented. I do not believe we ought to adjourn until some Congressional and Legislative re-apportionment bills are passed. They must be passed. Let us forget that we are Democrats or Republicans; let us vote as good citizens.

#### PERMISSION TO ADDRESS HOUSE

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

Mr. Speaker, I have prepared and have in my hand a speech which I had expected to deliver on the floor of the House in regard to conditions brought about by the disturbance in the mining operations in Schuylkill County, which the Members have read about in the papers.

However, in deference to you and the Members of the House, I am not going to take up the time of the House by reading this speech, but I would ask unanimous consent of the House to put this speech in the record. I thank you.

The SPEAKER. Will the House give its unanimous consent to extend the remarks of the gentleman from Schuylkill, Mr. Watkins in the Legislative Journal. Is there objection? The Chair hears none and the remarks will be extended.

#### EXTENDED REMARKS OF MR. WATKINS

Mr. WATKINS. Mr. Speaker, I would feel it lax in my duty as a Member of this body, and as one representing the particular district of Schuylkill County in which you have noted in the press that certain disorders and riotous clashes took place between independent miners and private detectives employed by a certain stripping operator, if I were not to call this to your attention.

This particular disorder was not brought about by a gang of miners who believe in lawlessness, riots and disturbances, contrary to many statements in the press for I am in a position to know the make-up, the characters and the entire living conditions of all involved in these clashes for they are my neighbors in that community, these miners have only one important, and far reaching idea in mind and that is the right to live, to make a living for themselves and their families, keep off the relief rolls, and above all preserve the natural resources of rich coal beds underlying stripping operations for future generations, which is highly essential to all the people of Pennsylvania.

On the other hand let me explain to those Members of the House, Mr. Speaker, who are not familiar with stripping operations just who make up these various companies who insist on coal operations of this character of production.

In the first place let me state that practically all hard coal mines in this particular territory involved, which has, I believe, the largest amount of virgin anthracite coal in the world, have been abandoned as under surface operations due to fact that the Philadelphia Coal and Iron Company who formerly owned or controlled many mines was forced during the depression period to go under 77 B Bankrupt Act.

From that time to the present day, lands involving this coal have been transferred through leases and so forth from one Company to the other, to such an extent that I nor the local authorities living in these communities know who really is the party or companies entitled to operate same.

However, I do know that the operators of stripping methods, are certainly only interested as far as themselves are concerned in securing from the surface coal which can be taken very easily, and without much cost which in many cases was pointed out to them by these independent miners, on a basis of making themselves small fortunes, in a hurry-up manner and with a disregard entirely for future mining in the proper undersurface method which provides extra employment and gives the purchasers of anthracite a better product. These operators are certainly not taking into consideration how detrimental the large shovels are to the underlying coal beds, nor do they think anything at all about the preservation of these vast rich coal beds underlying their operations for future generations to come.

In other words it is nothing but a get-rich-quick proposition on their part employing few men in deference to a method which was fundamental in the mining of coal in this section for years, and which method if adhered to would employ perhaps all of the miners who formerly made their livings in the production of coal.

Many of these stripping contractors have from time to time through meetings arranged with these various independent groups guaranteed, or promised that they would take a percentage of the underlying coal mined by these groups, with the understanding that they would also do strip mining to certain extents where it was thought advisable. However, in many cases these agreements have been broken on the part of the shovel operators.

This fact alone, along with the others mentioned, Mr. Speaker and Members of the House, is the reason for these demonstrations in my home district of Schuylkill County.

Personally, I certainly do not believe in any form of lawlessness, nor do any of the Members of this House, and I cannot but feel, that the people living in my district, do not want to be unlawful in their tactics.

However, I do feel that these people have a right to protest against stripping operations in this section, especially when any operator will bring in a body of company paid would-be policemen-assembled together from distant places by a so-called shady detective agency.

The proper authorities of our county and state are now investigating this affair which I am sorry took place and which I hope we shall never have a reoccurrence of.

And in conclusion let me state, I as a business man and one interested in the welfare of my community and County, and one knowing the conditions and facts of this affair, the people involved, and understanding their principles, would offer their suggestions.

Let these operators, in a sense of fair play think more of the future and general welfare of all the people of my district, the preservation of future coal beds, which will surely be destroyed if their present activities, or their ideas are promoted, and come down to the conclusion of consideration of not all dollars and cents,

cease methods of mining which they themselves realize in the end are not to the advantage of the employment situation but derimental to our region in all respects.

May these operators, who have witnessed these demonstrations, at this opportune time, when coal is again in great demand start and promote under surface mining as heretofore, perhaps open some of the abandoned collieries, giving employment to these men of this district, and by so doing show that they are interested wholeheartedly not only as business men, but public spirited citizens in the advancement of a cause which will be for the betterment of all concerned and the State in general.

### SENATE MESSAGE

#### SENATE BILLS FOR CONCURRENCE

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

SENATE BILL No. 906. (HOUSE BILL No. 1986).

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

Referred to the Committee on Counties.

SENATE BILL No. 1053. (HOUSE BILL No. 1987).

An Act to amend section one of the act, approved the eighth day of May, one thousand eight hundred and ninety-five (P. L. 44), entitled "An act providing for the release and discharge of encumbrances or charges on land in all cases in which the period of twenty-one years has elapsed after the principal of the encumbrance or charge has become due and payable and no payment has been made within such period of twenty-one years on account of such encumbrance or charge by the owner or owners of the land sought to be released and discharged and no sufficient release is of record in the county, and regulating proceedings for such release and discharge," heretofore repealed in so far as it related to the orphans' court, relieving courts of common pleas of the necessity of passing on the truth of the allegations of petitions for release and discharge of such encumbrances or charges.

Referred to the Committee on Judiciary General.

SENATE BILL No. 510. (HOUSE BILL No. 1988).

An Act to amend sections 504 A. 607 and 608 A of the act approved the fifteenth day of May, one thousand nine hundred and thirty-three (P. L. 565), entitled "An act relating to the powers and duties of the Department of Banking and the Secretary of Banking in exercising supervision over, and taking possession of and conducting or liquidating the business and property of, corporations associations, and persons receiving deposits or otherwise transacting a banking business, corporations acting as fiduciaries, and building and loan associations; providing for the payment of the expenses of the Department of Banking by supervised corporations, associations, or persons and appropriating the Banking Department Fund; authorizing the Department of Banking, under certain circumstances, to examine corporations, associations, or persons affiliated, or having business transactions with supervised corporations, associations, or persons; authorizing appeals to the Supreme Court, and prescribing and limiting the powers and duties of certain other courts and their prothonotaries, register of wills, recorders of deeds and certain State Departments, commissions, and

officers; authorizing certain local public officers and State Departments to collect fees for services rendered under this act; providing penalties; and repealing certain acts and parts of acts," by providing for the taking of possession of the business and property of building and loan associations and savings and loan associations the shares of which are insured in the State Building and Loan Insurance Fund.

Referred to the Committee on Building and Loan Associations.

SENATE BILL No. 512. (HOUSE BILL No. 1989).

An Act providing for the creation and for the administration by a State Building and Loan Insurance Board created in this act, or a state fund for the insurance of shares in building and loan associations and savings and loan associations; and prescribing penalties.

Referred to the Committee on Building and Loan Associations.

#### PERMISSION TO ADDRESS HOUSE

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

Mr. Speaker I listened with interest a few minutes ago to some remarks made by Mr. Weiss, the gentleman from Westmoreland, with regard to reapportionment. May I say to him that the Republican Members of the House and of the Senate and of the Caucus Committee studying the reapportionment problem have always been willing to compromise, but that the Members on the other side of the House have taken a rather adamant stand and have refused to budge from it.

#### PERMISSION GRANTED COMMITTEE TO MEET DURING SESSION

Mr. MOONEY asked and obtained permission for the Committee on Building and Loan Association to meet during the session of the House.

#### RESOLUTION

##### LOBBYISTS

Mr. CORRIGAN 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 11, 1941.

Whereas, Charges and countercharges have been made throughout this Session of the General Assembly regarding "boodle," "barrel heads" and "lobbyists"; and

Whereas, Notwithstanding such charges the members of the General Assembly have not been able to locate either "boodle" or "barrel heads" although lobbyists have been quite plentiful; and

Whereas, It would be to the best interest of all concerned if the work and identity of lobbyists be centralized and facilitated in order that their objects may be accomplished in a simple and orderly fashion, and in order to obviate the appointment of any committees in the future to search for questionable items; Therefore be it

Resolved, If the Senate concur that all lobbyists before being permitted on the floor of either House, be required to register and become affiliated with the Amalgamated Fraternity of Lobbyists A. C. I. O. F. of L. Local No. 13, with which the General Assembly has contracted to deal and which contract provides for a check-

off system with barrel heads thrown in at no extra cost; and be it further

Resolved, That all applicants for membership in the Amalgamated be requested to register immediately with the Honorable I. C. U. A. minute, at the same time filing a statement indicating the scope of his activities; and be it further

Resolved, That no Gubernatorial Secretary, Cabinet Member, State Chairman of any Party, Senator or Member of the House shall carry on any lobbying activities without proper credentials, under penalty of being declared unfair to the said Amalgamated Fraternity of Lobbyists. In order to qualify to enter said organization of Lobbyists, each person must have a fair aim in throwing boodle through transoms.

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

Mr. ROSENFELD presented the report of the Committee of Conference on the part of the House on Senate Bill No. 561.

The report was read by the Clerk.

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

#### 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. 230.

An Act to reenact and amend the title and the act approved the twenty-second day of June, one thousand nine hundred thirty-five (P. L. 414), entitled "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," as previously reenacted and amended by continuing the State personal property tax and the emergency rate of tax on scrip bonds certificates and evidences of indebtedness assumed or on which interest is paid by corporations for a further limited period of time exempting casualty insurance corporations not having capital stock and relieving life insurance corporations from the duty of reporting and paying tax under section seventeen of said act exempting assets held by liquidating trustees 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

##### HOUSE BILL No. 234.

An Act to further amend section one of the act approved the fifteenth day of July one thousand eight hundred ninety-seven (P. L. 292) entitled "An act to provide revenue by taxation" by increasing the rate of tax for a further limited period of time.

##### HOUSE BILL No. 663.

An Act authorizing the Commonwealth to negotiate temporary emergency loans to defray the current and other expenses of the State government during the two fiscal years beginning the first day of June, one thousand nine hundred forty-one; evidenced by tax anticipation notes secured by and payable from current revenues, levied, assessed, collectible, and accruing during such two fiscal years; defining the powers and duties of the Governor, the Auditor General, and the State Treasurer in relation thereto; providing for the payment of interest on and the repayment of such loans; and making an appropriation.

#### RECESS

The SPEAKER. If there is no objection the Chair is about to declare a recess until 9 p. m. Is there objection? The Chair hears none and a recess is declared.

#### AFTER RECESS

The House reconvened at 9 p. m.

The SPEAKER (Elmer Kilroy) IN THE CHAIR.

#### REPORT OF COMMITTEE TO INVESTIGATE BUREAU OF VITAL STATISTICS

Mr. McINTOSH. Mr. Speaker, I desire to present the report of the Committee appointed to investigate the Bureau of Vital Statistics relative to the delay in the issuance of certificates of birth by that Bureau.

Copies will be distributed to the Members by placing them in their mail boxes. I also wish to state that one of the members of this Committee, the gentleman from Lackawanna, Mr. Regan, failed to sign this report. The reason Mr. Regan failed to sign this report was on account of his illness. I believe I could safely state that Mr. Regan's attitude on this question is in accord with this report of the committee.

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

#### 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. 426.

An Act making an appropriation to the Pennsylvania Historical Commission to cover the expenses of restoring and maintaining the Daniel Boone Homestead

##### HOUSE BILL No. 1282.

An Act providing that taxes on unseated lands shall be collected and returned in the same manner and at the same time as taxes on seated lands

##### HOUSE BILL No. 1323.

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

pose and providing that such exchange of property shall not be effected unless and until a suitable additional building is made available for use by the Department of Military Affairs as an arsenal or as an administrative building

## HOUSE BILL No. 1397.

An Act to amend the act approved the fifth day of May one thousand nine hundred thirty-three (P. L. 457) entitled "An act relating to the business of building and loan associations providing for the organization and voluntary dissolution of such associations defining the rights powers duties liabilities and immunities of such associations and of their officers directors shareholders solicitors and other employes prohibiting the transaction of business in this Commonwealth by foreign building and loan associations conferring powers and imposing duties upon the courts recorders of deeds and certain State departments commissions and officers establishing limitations of actions imposing penalties and repealing certain acts and parts of acts" as amended by requiring certificates of the payment of taxes and other charges to be filed with the Department of State in certain cases

## HOUSE BILL No. 1399.

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

## HOUSE BILL No. 1652.

An Act to further amend section eight and eleven of the act approved the fifteenth day of May one thousand nine hundred thirty-three (P. L. 553) entitled "An act relating to the financial responsibility of operators and owners of motor vehicles and to make uniform the law with reference thereto requiring operators and owners of automobiles under certain circumstances to furnish proof of financial responsibility as herein defined providing for the suspension of operators' licenses and motor vehicle registration certificates in certain cases regulating insurance policies which may be accepted as proof of financial responsibility imposing duties upon the Secretary of Revenue the State Treasurer and prothonotaries and prescribing penalties" by giving the secretary discretionary power under certain circumstances to suspend operators' licenses and providing for notice and hearing before suspension of licenses and registrations

## HOUSE BILL No. 1676.

An Act to further amend the act, approved the second day of May, one thousand nine hundred and twenty-nine (P. L. 1518), entitled, as amended "An act regulating the construction, equipment, maintenance, operation and inspection of elevators; granting certain authority to and

imposing certain duties upon the Department of Labor and Industry; providing fees for inspection of elevators, certificates of operation, and approval of plans; providing penalties for violations of this act; and repealing all acts or parts of acts inconsistent with this act," by defining and making further provisions relative to the use of "man lift" elevators

## HOUSE BILL No. 1857.

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

Whereupon,

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

## FORMER MEMBER WELCOMED

The SPEAKER. The Chair welcomes to the House this evening a former Member, the gentleman from Fulton, Captain Herbert Wood.

## SENATE MESSAGES

APPOINTMENT OF CONFERENCE COMMITTEE ON  
HOUSE BILL No. 551

The Clerk of the Senate being introduced, informed that the Senate has insisted upon its amendments, nonconcurring 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 interest on the public debt and the support of the Public schools for the 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.

And has appointed Messrs. Stevenson, Tyler and McGinnis a Committee of Conference to confer with a similar Committee of the House of Representatives (already appointed) on the subject of the differences existing between the two houses in relation to said bill.

APPOINTMENT OF CONFERENCE COMMITTEE ON  
HOUSE BILL No. 1465

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

And has appointed Messrs. Miller, Crider and McQuiddy a Committee of Conference to confer with a similar Committee of the House of Representatives (already appointed) on the subject of the differences existing between the two houses in relation to said bill.

#### APPOINTMENT OF CONFERENCE COMMITTEE ON HOUSE BILL No. 1466

The Clerk of the Senate being introduced, informed that the Senate has insisted upon its amendments, nonconcurring 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. 1353), 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

And has appointed Messrs. Miller, Crider and McQuiddy a Committee of Conference to confer with a similar Committee of the House of Representatives (already appointed) on the subject of the differences existing between the two houses in relation to said bill.

#### APPOINTMENT OF CONFERENCE COMMITTEE ON HOUSE BILL No. 1467

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

scribing 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

And has appointed Messrs. Miller, Crider and McQuiddy a Committee of Conference to confer with a similar Committee of the House of Representatives (already appointed) on the subject of the differences existing between the two houses in relation to said bill.

#### APPOINTMENT OF CONFERENCE COMMITTEE ON HOUSE BILL No. 1468

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

And has appointed Messrs. Miller, Crider and McQuiddy a Committee of Conference to confer with a similar Committee of the House of Representatives (already appointed) on the subject of the differences existing between the two houses in relation to said bill.

#### APPOINTMENT OF CONFERENCE COMMITTEE ON HOUSE BILL No. 1469

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

And has appointed Messrs. Miller, Crider and McQuiddy a Committee of Conference to confer with a similar Committee of the House of Representatives (already appointed) on the subject of the differences existing between the two houses in relation to said bill.

#### APPOINTMENT OF CONFERENCE COMMITTEE ON HOUSE BILL No. 1729

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 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 upon certain highways roads streets bridges and adjacent lands

And has appointed Messrs. Crowe, Watkins and Barr a committee of conference to confer with a similar committee of the House of Representatives (already appointed) on the subject of the differences existing between the two houses in relation to said bill.

#### RECONSIDERATION OF VOTE

Mr. REUBEN E. COHEN. Mr. Speaker, I move that the vote by which House Bill No. 1940, (Senate Bill No. 913), Printer's No. 397, on page 1 of today's calendar, was ordered to be transcribed for third reading be reconsidered.

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

The SPEAKER. How did the gentleman from Phila-

delphia, Mr. Cohen, vote to transcribe the bill for third reading?

Mr. REUBEN E. COHEN. Mr. Speaker, I voted in the majority.

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

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

On the question,

Will the House agree to the motion?

It was agreed to.

Mr. REUBEN E. COHEN. Mr. Speaker, I move that the vote by which this bill passed second reading be reconsidered.

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

The motion was agreed to.

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

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

The motion was agreed to.

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

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

The motion was agreed to.

The first section was read.

On the question,

Will the House agree to the section?

Mr. REUBEN E. COHEN. Mr. Speaker, I desire to offer the following amendments.

The amendments were read by the Clerk as follows:

Amend Section 1, page 3 by inserting between lines 6 and 7 the following:

"(8) Airport approach shall for the purpose of this act mean property located adjacent to or in the vicinity of any publicly owned airport but shall not be construed to include any portion of the said publicly owned airport."

"(9) Airport zoning regulations mean regulations adopted for the zoning of property adjacent to or in the vicinity of any publicly owned airport."

The amendments were agreed to.

The section was agreed to as amended.

The second to the thirteenth sections inclusive and titles were separately read and agreed to.

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

Ordered, To be transcribed for a third reading.

#### BILLS ON SECOND READING

Mr. ACHTERMAN asked and obtained unanimous consent to call up out of order House Bill No. 1975, (Senate Bill No. 1215), Printer's No. 520, on page 2 of today's calendar, bills on second reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 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 No. 12A), entitled "An act to provide for the ordinary expenses of the Executive, Legislative and Judi-

cial 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"

The first section was read.

On the question,

Will the House agree to the section?

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

The amendments were read by the Clerk as follows:

Amend Sec. 1, page 1, lines 1 to 3, both inclusive, by striking out all of said lines.

Amend Sec. 1, page 2, lines 1 to 28, both inclusive, by striking out all of said lines.

Amend Sec. 1, page 3, lines 1 and 2, by striking out both of said lines and inserting in lieu thereof:

Section 1. In addition to the appropriations made by The General Appropriation Act of one thousand nine hundred forty-one (Appropriation Act Number 12A), the following sums or a much thereof as may be necessary are hereby specifically appropriated from the General Fund to the several hereinafter named agencies of the Executive and Legislative Departments of the Commonwealth for the purposes hereinafter set forth for the two years beginning June first, one thousand nine hundred and forty-one and for the payment of the bills incurred by said agencies and remaining unpaid at the close of the fiscal year ending May thirty-first, one thousand nine hundred and forty-one.

#### I. Executive Department

##### To the Department of the Auditor General

For the payment of salaries, wages and other compensation of a deputy auditor general and other employes, for the payment of general expenses, for the payment of rentals of patented leased office devices, for the purchase of automobiles, furniture, furnishings and equipment and for the purchase of supplies, printing, binding, patent indices, records, law books and other books necessary for the proper conduct of the work of the department, the sum of two hundred forty-six thousand five hundred dollars (\$246,500).

For the payment of salaries, wages or other compensation of members and employes, for the payment of general expenses, for the payment of rentals of patented leased office devices, for the purchase of furniture and equipment, for the purchase of supplies, printing and books and for all other expenses necessary for the conduct of the work of the Board of Arbitration of Claims, the sum of fifteen thousand dollars (\$15,000).

##### To the Treasury Department

For the payment of salaries, wages or other compensation of a deputy state treasurer and other employes, for the payment of general expenses, for the purchase of insurance covering the loss of any or all cash and securities of which the Treasury Department or State Treasurer is custodian and covering forgeries of all kinds on checks, drafts, warrants and requisitions, for the payment of rentals of patented leased office devices and for the purchase of automobiles, furniture, furnishings and equipment, for the purchase of supplies, printing, binding, patent indices, records, law books and other books necessary for the proper conduct of the work of the department, the sum of one hundred eighty-five thousand five hundred dollars (\$185,500).

##### To the Department of Agriculture

For the payment of salaries, wages or other compensation of employes, for the payment of general expenses necessary for the proper conduct of the work of the State Farm Products Show Commission, for the payment of

premium awards, for exhibits at the State Farm Product Show and for the maintenance of the State Farm Show Building and the grounds surrounding it, the sum of twenty-five thousand dollars (\$25,000).

##### To the Department of Commerce

For the payment of salaries, wages or other compensation of a deputy secretary and other employes, for the payment of general expenses, advertising, supplies, printing and equipment necessary for the proper conduct of the work of the department, including the work of the department with respect to collecting press information and distributing it to the several administrative departments, boards and commissions, and to legislative offices and legislative agencies, the sum of fifty thousand dollars (\$50,000), and in addition thereto, any amount appropriated to the department out of the Motor License Fund, which shall be credited to the appropriation made by this paragraph and shall be available for the purposes herein enumerated.

##### To the Department of Health

For the payment of salaries, wages or other compensation of a deputy secretary and other employes, for the payment of general expenses, supplies, printing and equipment necessary for the proper conduct of the work of the department, the Sanitary Water Board, the Advisory Health Board and other boards, the sum of one hundred forty thousand dollars (\$140,000) and in addition to said amount all contributions received by the department from private sources for the express use of the department in public health work shall be paid into the General Fund and credited to this appropriation.

##### To the Insurance Department

For the payment of salaries, wages or other compensation of a deputy secretary and other employes; for the payment of general expenses, supplies, printing and equipment necessary for the proper conduct of the work of the department, and for the payment of costs in court proceedings to forfeit charters of extinct companies, the sum of twenty thousand dollars (\$20,000), and in addition to said amount all income and all moneys collected by the Insurance Department from foreign insurance companies for examinations made by the Insurance Department and paid into the General Fund of the State Treasury, are hereby appropriated out of the General Fund to the Insurance Department and shall be credited to the appropriation made by this paragraph.

##### To the Department of Justice

For the payment of salaries, wages and other compensation of the supervisor of paroles, chief field agents, field agents and other employes for the payment of general expenses, supplies, printing and equipment necessary for the proper conduct of the work of the Board of Pardons in supervising prisoners released on parole from the State penitentiaries and the Pennsylvania Industrial School and for other parole work of the board, the sum of three hundred sixty thousand dollars (\$360,000).

For the payment of all expenses whatsoever necessary for the prosecution by the Department of Justice either alone or in cooperation with other law enforcement agencies of this or any other state or of the United States of America of persons, associations or corporations engaged in treasonable, seditious and subversive activities directed against the government of this Commonwealth or of the United States of America, or both, including any activities designed and directed toward the impairment, hindrance, delay, sabotage of or interference with the duly established National Defense Program including the manufacture, production and furnishing of materials, equipment and supplies, for this purpose, the sum of one hundred thousand dollars (\$100,000)

##### To the Department of Labor and Industry

For the payment of salaries, wages or other compensation of the members of the Workmen's Compensation Board, Workmen's Compensation Referees, Pennsylvania

Labor Relations Board, the members of the Industrial Board, a deputy secretary and other employes for the payment of general expenses, supplies, printing and equipment necessary for the proper conduct of the work of the department, the Workmen's Compensation Board, the Workmen's Compensation Referees, Pennsylvania Labor Relations Board and the Industrial Board and for compensation and expenses of wage boards, the sum of one hundred seventy-five thousand dollars (\$175,000).

To the Department of Public Assistance

For the payment of assistance, administrative expenses, attorneys' fees for allocation, from time to time, to the several assistance programs (old age assistance, aid to dependent children, pensions for the blind, general assistance and other programs provided by the Public Assistance Law) and the administrative expenses of the several county boards of assistance and for such administrative expenses incurred by the department which are chargeable to such boards as may be necessary for the proper conduct of the department with respect to the Public Assistance Law, the sum of fifteen million dollars (\$15,000,000): Provided however, That no part of this appropriation shall be available (1) until after July first, one thousand nine hundred forty-two; and (2) unless the Governor, from time to time, by his proclamation, shall indicate that the revenues of the General Fund will be sufficient for the payment of all or part of this appropriation, whereupon this appropriation shall become available for expenditure to the extent indicated in any such proclamation.

Out of the moneys, hereinbefore appropriated to the Department of Public Assistance, quarterly allocations shall be made to the Department of the Auditor General and the Treasury Department, respectively, in such amounts as may be deemed necessary to pay the administrative expenses of such departments in auditing and disbursing appropriations for or relating to public assistance, including any Federal sums supplementing such appropriations. In the case of the Department of the Auditor General, said allocations shall be made by the Governor, President Pro Tempore of the Senate, Speaker of the House of Representatives and the Auditor General or a majority thereof, and in the case of allocations made to the Treasury Department such allocations shall be made by the Governor, President Pro Tempore of the Senate, Speaker of the House of Representatives and the State Treasurer, or a majority thereof.

To the Department of Public Instruction

For the payment of salaries, wages or other compensation of a deputy, members and other employes for the payment of general expenses, supplies, printing and equipment necessary for the proper conduct of the work of the Department of Public Instruction with respect to professional education and licensure and the professional examining boards and advisory committees within the department, the sum of one hundred thousand dollars (\$100,000): Provided, That no part of this appropriation shall be expended for any purpose other than the work of the department with respect to the certification of teachers, professional education and licensure, and the professional examining boards and advisory committees within the department.

For the payment of salaries, wages or other compensation of a secretary and other employes, for the payment of general expenses, supplies, printing and equipment necessary for the proper conduct of the work of the Pennsylvania Historical Commission, and for the purchase of archaeological collections and maintenance of historical monuments, sites, buildings and markers as provided by law and as authorized and approved by the Superintendent of Public Instruction, the sum of fifty thousand dollars (\$50,000)

For the payment of the expenses of assistant county superintendents of public schools and supervisors of special education, as required by law, the sum of twenty-seven thousand four hundred six dollars (\$27,406).

For reimbursing fourth class school districts upon the increase in the salaries of teachers of elementary schools of such districts in accordance with law, the sum of two hundred ninety-eight thousand nine hundred thirty dollars (\$298,930)

For the payment of salaries, wages and all other expenses of the department in conducting examinations of auditory acuity of pupils in the public schools, the sum of twenty thousand dollars (\$20,000).

For reimbursing school districts for their costs in providing part-time instruction in the homes of children prevented by physical incapacity from attending school, the sum of five thousand dollars (\$5,000).

To the Pennsylvania Public Utility Commission

For the payment of salaries, wages or other compensation of a secretary and other employes, and for the payment of general expenses, supplies, printing and equipment necessary for the proper conduct of the work of the commission, the sum of one hundred thousand dollars (\$100,000)

To the Department of Revenue

For the payment of salaries, wages or other compensation of a deputy, secretary and other employes for the payment of general expenses, rentals, equipment and other expenses, incidental to the collection of inheritance and estate taxes and mercantile license taxes, supplies, printing and equipment necessary for the proper conduct of the work of the department for the payment of cost of filing liens, for the purchase of tax stamps and for the payment of costs of advertising required by any act of Assembly in connection with the escheat of moneys and property to the Commonwealth or in connection with the payment of unclaimed moneys into the State Treasury without escheat, the sum of two hundred fifty thousand dollars (\$250,000): Provided however, That to the extent to which appropriations have been made to the department out of special funds for any of the foregoing purposes, this appropriation shall not be used for such purposes.

For the payment of the salaries, wages or other compensation of such special deputy, attorneys general, special attorneys appointed by the Attorney General, experts, scientists, examiners, statisticians, clerks, stenographers and other assistants and employes, and for costs, witness fees, postage, express charges, telegraph and telephone charges and all other expenses whatsoever, as may be necessary for the proper conduct of investigations and litigation in the Estate of Henrietta E. Garrett, Deceased, the sum of fifty thousand dollars (\$50,000)

To the Department of State

For the payment of salaries, wages or other compensation of a deputy secretary and other employes; for the payment of general expenses, supplies, printing, and equipment necessary for the proper conduct of the work of the department and for proof-reading the Pamphlet Laws, the sum of eighteen thousand dollars (\$18,000).

For the payment of salaries, wages or other compensation of commissioners and other employes, and for the payment of printing and other expenses of the department including the reimbursement of counties for expenses incurred in taking the vote of citizens of the Commonwealth who are in the active Military Service of the United States, the sum of two hundred thousand dollars (\$200,000).

To the Department of Welfare

For the payment of salaries, wages or other compensation of the superintendents or wardens and other employes; for the payment of general expenses, supplies and printing; for repairs, alterations and improvements to plant and equipment; for improvements to land; for the purchase of equipment, furniture, furnishings and live stock; for expenses of the boards of trustees and incidental expenses; for the payment of gratuities, clothing and parole expenses and for all other expenses of maintenance and operation necessary for the proper conduct of the work of the Pennsylvania Industrial School at Huntingdon, the

Pennsylvania Training School at Morganza, the State Industrial Home for Women at Muncy, the Eastern State Penitentiary at Philadelphia and Graterford, the Western State Penitentiary at Pittsburgh, the State Penitentiary at Rockview and any other institution established for the custody of prisoners as may be authorized and approved by the Secretary of Welfare, the sum of one hundred thousand dollars (\$100,000).

For the payment of salaries, wages or other compensation of the Superintendents and other employes; for the payment of general expenses, supplies and printing; for repairs, alterations and improvements to plant and equipment; for improvements to land; for the purchase of equipment, furniture, furnishings and live stock; for expenses of the boards of trustees and incidental expenses and for all other expenses of maintenance and operation necessary for the proper conduct of the work of the Allentown State Hospital at Allentown, the Danville State Hospital at Danville, the Farview State Hospital at Farview, the Harrisburg State Hospital at Harrisburg, the Norristown State Hospital at Norristown, the Torrance State Hospital at Torrance, the Warren State Hospital at Warren, the Philadelphia State Hospital at Philadelphia, the Wernersville State Hospital at Wernersville and any institution of any city, county or institution district taken over by the Commonwealth by law for operation and management as a State mental hospital as may be authorized and approved by the Secretary of Welfare, the sum of five million eight hundred fifty thousand dollars (\$5,850,000): Provided, That this appropriation shall also be available for the purpose of reimbursing any city, county or institution district for proper charges sustained in the operation after June first, one thousand nine hundred forty-one of any institution taken over by the Commonwealth by law for operation and management as a State mental hospital.

For the payment of salaries, wages or other compensation of the superintendents and other employes; for the payment of general expenses, supplies and printing; for repairs, alterations and improvements to plant and equipment; for improvements to lands for the purchase of equipment, furniture, furnishings and live stock; for expenses of the boards of trustees and incidental expenses and for all other expenses of maintenance and operation necessary for the proper conduct of the work of the Laurelton State Village at Laurelton, the Pennhurst State School at Pennhurst, the Polk State School at Polk, the Selinsgrove State Colony for Epileptics at Selinsgrove and any other institution established for the care and treatment of mental defectives and epileptics as authorized and approved by the Secretary of Welfare the sum of one hundred thousand dollars (\$100,000).

For the payment of salaries, wages or other compensation of the superintendents and other employes; for the payment of general expenses, supplies and printing for repairs; for the purchase of equipment, furniture and furnishings; for expenses of the boards of trustees and incidental expenses, and for all other expenses of maintenance and operation necessary for the proper conduct of the work of the Ashland State Hospital at Ashland, the Blossburg State Hospital at Blossburg, the Coaldale State Hospital at Coaldale, the Connellsville State Hospital at Connellsville, the Hazleton State Hospital at Hazleton, the Locust Mountain State Hospital at Shenandoah, the Nanticoke State Hospital at Nanticoke, the Philipsburg State Hospital at Philipsburg, the Scranton State Hospital at Scranton and the Shamokin State Hospital at Shamokin as may be authorized and approved by the Secretary of Welfare, the sum of two hundred thousand dollars (\$200,000).

## II Legislative Department

### To the Joint State Government Commission

For the payment of wages and other compensation of the employes and for the payment of general expenses necessary for the proper conduct of the work of the Joint State Government Commission, the sum of fifty thousand dollars (\$50,000) to be paid on warrants of the Auditor General in favor of the chairman of said commission on

the presentation of his requisition for the same. The chairman shall file an accounting of said expenses with the Auditor General.

The amendments were agreed to.

The section was agreed to as amended.

The title was read and agreed to.

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

Ordered, To be transcribed for a third reading.

Mr. ACHTERMAN asked and obtained unanimous consent to call up out of order House Bill No. 1745, (Senate Bill No. 839), Printer's No. 305, on page 6 of today's calendar, bills on second reading.

Agreeably to order,

The House proceeded to the second 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 instalment plan, or of assuming fixed obligations, or issuing, in connection therewith, a contract based upon 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.

The first section was read.

On the question,

Will the House agree to the section?

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

The amendments were read by the Clerk as follows:

Amend Section 1, page 2, line 1, by striking out the word "Section" immediately before the word "seven" and inserting in lieu thereof the following: "Sections 4 and".

Amend Section 1, page 2, line 17, by striking out the word "is" and inserting in lieu thereof the following: "are".

Amend Section 1, page 2, by inserting between lines 18 and 19 the following: "Section 4. No corporation or person shall be licensed under the provisions of this act unless and until it has deposited with the [commissioner] commission in cash or bonds of the United States, or of the State of Pennsylvania, or of cities, counties, boroughs, or school districts of this Commonwealth, or any other State of the United States, approved by the [commissioner] commission, of the clear market value of one hundred thousand dollars (\$100,000), as security for the fulfillment of its contracts made heretofore or hereafter with residents of Pennsylvania. Exchanges of such bonds may be made from time to time with the approval of the [commissioner] commission. If any of said bonds are called for payment, the proceeds thereof shall remain in the hands of the [commissioner] commission until other bonds of the character described in this section shall be substituted in like amount for the bonds so paid. The corporation or person making such deposit shall be entitled to the income thereon. Provided, however, That nothing contained in this Section 4 shall apply to corporations or persons acting solely as distributors of

investment plans or contracts issued by other corporations or persons licensed under the provisions of this act."

Amend Section 1 (Sec. 7), page 2, line 19 by placing light-faced bracket before the word "The" thus: "[The]".

Amend Section 1, (Sec. 7), page 2, line 20 by placing light-faced bracket after the word "to" thus: "[to]".

Amend Section 1, (Sec. 7), page 2, line 20, by inserting after the word "to" the following: "Every corporation or person licensed under the provisions of this act is required to".

Amend Section 1 (Sec. 7), page 2, line 26, by inserting before the word "as" the following: "equal to one hundred per cent (100%) of the net liability of such corporation or person to contract holders in this State after deduction from such net liability of the deposit required under Section 4 of this act."

Amend Section 1 (Sec. 7), page 2, line 27, by inserting before the word "its" the following: "such of".

Amend Section 1 (Sec. 7), page 2, line 27, by inserting after the word "contracts" the following: "as are not secured by property, real or personal, of a value at least equal to the amount which such corporation or person is currently liable to pay in cash to the holders or owners of such contracts under the terms thereof, which property is held by a national bank authorized to act as fiduciary by the laws of the state in which such national bank operates."

Amend Section 1 (Sec. 7), page 3, line 4, by inserting after the word "vested" the following: "at the close of each calendar year or oftener if the Commission may require".

Amend Section 1 (Sec. 7), page 3, line 5, by inserting after the word "or" the following: "(a) in bonds of the Federal Land Banks; (b) in debentures issued by the Federal Housing Administrator in settlement of claims for insurance pursuant to title two of the National Housing Act; (c) in securities of national mortgage associations, or similar national mortgage credit institutions, now or hereafter organized under title three of the National Housing Act; (d) in first encumbrances upon standard steam railways, or upon their rolling stock equipment, or of water, gas or other public utility companies; or bonds issued to retire a prior debt, or bonds prior thereto, or in other bonds or notes of the above named corporations, upon which no default in interest exists at the time of purchase; (e) first mortgages on improved real estate in the Commonwealth of Pennsylvania, provided that no loan shall exceed sixty-six and two-thirds per cent (66 2/3%) of the fair market value thereof at the time of such loan; (f) in bonds, notes, or other obligations of any corporation other than those mentioned in Section 7 (a), (b), (c), or (d); Provided, That said corporation shall have earned in each of its three fiscal years next preceding the date of the investment an amount equal to one and one-half times the total interest on its debt; and (g) bonds or notes secured by mortgages insured by the Federal Housing Administrator; Provided, That the restrictions set forth in Section 7 (e) shall not apply to such insured mortgages. Nothing in this section shall be construed as permitting the deposit of stocks of any corporation."

Amend Section 1 (Sec. 7), page 3, by striking out the following beginning in line 5: "in such other securities as the Commission may from time to time designate by rule or regulation and".

Amend Section 1 (Sec. 7), page 3, line 7, by placing light-faced brackets before and after the word "forthwith" thus: "[forthwith]".

Amend Section 1 (Sec. 7), page 3, line 7, by inserting before the word "deposited" the following: "such fund shall be".

Amend Section 1 (Sec. 7), page 3, line 3 by striking out the word "Such" and inserting in lieu thereof the word: "The".

Amend Section 1 (Sec. 7), page 3, line 3 by inserting

after the word "fund" the following: "required as to contracts not otherwise secured as herein specified".

Amend Section 1 (Sec. 7), page 3, line 9, by inserting after the word "section" the following: "four".

Amend Section 1, (Sec. 7), page 3, line 12, by striking out the following: "The Commission may require every", and inserting in lieu thereof the following: "Every".

Amend Section 1 (Sec. 7), page 3, line 13, by inserting after the word "hereunder" the following "is required".

Amend Section 1, (Sec. 7), page 3, line 13, by striking out the word "it", and inserting in lieu thereof the following: "the commission at the close of each calendar year or oftener".

Amend Section 1 (Sec. 7), page 3, line 16, by inserting after the word "holders" the following: "Nothing contained in this Section 7 shall apply to corporations or persons acting solely as distributors of investment plans or contracts issued by other corporations or persons licensed under the provisions of this act".

Amend page 3 by inserting after line 16, the following:

"Section 2. This act shall become effective on December 1, 1941."

The amendments were agreed to.

The section was agreed to as amended.

The title was read.

On the question,

Will the House agree to the title?

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

The amendments were read by the Clerk as follows:

Amend title, page 1, line 1 of title, by striking out the word "Section" and inserting in lieu thereof the following: "Sections 4 and".

Amend title, page 2, line 2 of title, by inserting after the word "contracts" the following: "and exempting certain licensees from deposit of security in full or in part".

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. ACHTERMAN asked and obtained unanimous consent to call up out of order House Bill No. 1872, (Senate Bill No. 1091), Printer's No. 437, on page 9 of today's calendar, bills on second reading.

Agreeably to order,

The House proceeded to the second 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. one hundred fifteen) 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 second time and agreed to.

Ordered, To be transcribed for a third reading.

Mr. ACHTERMAN asked and obtained unanimous consent to call up out of order House Bill No. 1954, Printer's No. 1161, on page 1 of today's calendar, bills on second reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1954, entitled:

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

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

Ordered, To be transcribed for a third reading.

#### FORMER HOUSE OFFICIAL WELCOMED

The SPEAKER. The Chair welcomes to the House the former Assistant to the Chief Clerk, Mr. Walter Miller, of Allegheny County.

#### 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. 602.

An Act to amend sections eight hundred one and nine hundred seventy-six of the act, approved the third day of June one thousand nine hundred 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 further defining parties and political bodies; providing procedure for rejection of nomination petitions, papers or certificates in certain cases; imposing duties on the Governor and the Attorney General and imposing additional duties on county boards of elections, the Secretary of the Commonwealth and the courts.

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

The SPEAKER. The Clerk will read the amendments. The Clerk read the amendments as follows:  
Amend Section 2, page 8, line 14, by inserting after the word "paper" the word "petition."

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,
Benzel,	Goodwin,	McDowell,	Serrill,
Boles,	Greenwood,	McFall,	Shaffer,
Boney,	Gross,	McIntosh,	Shaw,
Boorse,	Gryskewicz,	McKinney,	Shepard,
Bower,	Cyger,	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,	Numemacher,	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,
Dolan,	Keenan,	Polen,	Weingartner,
D'Ortona,	Kenehan,	Powers,	Wells,
Duffy,	Kline,	Prosen,	Weish E. B.,
Early,	Knobie,	Rank,	Weish 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.,
Finestone,	Laisey,	Regan,	Woodring,
Finnerty,	Leonard,	Reynolds,	Woodside,
Fisher,	Lesko,	Rhee,	Wright,
Fles,	Levy,	Riley,	Yeakel,
Fleming,	Leydic,	Rooney,	Yester,
Fletcher,	Lichtenwalter,	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, and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

#### RESOLUTION

#### AMENDMENTS TO HOUSE RULES

Mr. ACHTERMAN asked and obtained unanimous consent to offer and for the immediate consideration a Resolution from the Committee on Rules.

The resolution was read by the Clerk as follows:

In the House of Representatives, July 11, 1941.

Resolved, That Rule 41 of the House of Representatives, which reads as follows:

“Calendar of Bills

41. All bills and resolutions reported affirmatively shall be placed on the calendars in the order in which they were reported to the House. The Chief Clerk shall prepare all calendars of bills,” is hereby amended to read as follows:

Calendar of Bills

41. All bills and resolutions reported affirmatively shall be placed on the calendars. Those reported as committed shall precede those reported with amendments. The Chief Clerk shall prepare all calendars of bills.

Resolved, That Rule 44 of the House of Representatives, which reads as follows:

“Second Reading

44. When bills are on second reading, they shall be considered by sections or articles and be subject to amendment in any part. The title of the bill shall be read last.

No house bill shall be considered unless called up from the second reading calendar by a member. If not called up for fourteen calendar days it shall be dropped from the calendar unless otherwise ordered by the House.

Bills on second reading shall be placed upon the calendar in the order in which they were agreed to on first reading,” is hereby amended to read as follows:

Second Reading

44. When bills are on second reading, they shall be considered by sections or articles and be subject to amendment in any part. The title of the bill shall be read last.

No House bill shall be considered unless called up from the second reading calendar by a member. If not called up for fourteen calendar days it shall be dropped from the calendar unless otherwise ordered by the House.

Bills on second reading shall be placed upon the calendar in the order in which they were agreed to on first reading, except that all bills amended since last appearing on the calendar shall be placed at the end of the calendar of bills on second reading.

Resolved, That Rule 45 of the House of Representatives, which reads as follows:

“Third Reading and Final Passage

45. When bills on third reading are in order, the Speaker shall take up the calendar and announce each bill in its order, when it shall be read at length, and, having been agreed to, the Speaker shall announce as follows:

“This bill has been read three times, at length, on three different days, considered and agreed to, and is now on its final passage. Agreeable to the provisions of the Constitution, the yeas and nays will be taken. The question is—‘shall the bill pass finally.’”

Bills on third reading and final passage shall be placed upon the calendars in the order in which they were agreed to on second reading and third reading, respectively,” is hereby amended to read as follows:

Third Reading and Final Passage

45. When bills on third reading are in order, the Speaker shall take up the calendar and announce each bill in its order, when it shall be read at length, and, having been agreed to, the Speaker shall announce as follows:

“This bill has been read three times, at length, on three different days, considered and agreed to, and is now on its final passage. Agreeable to the provisions of the Constitution, the yeas and nays will be taken. The question is—‘Shall the bill pass finally.’”

Bills on third reading and final passage shall be placed upon the calendars in the order in which they were agreed to on second reading and third reading, respec-

tively, except that all bills amended since last appearing on the calendar shall be placed at the end of the calendar of bills on third reading or final passage, as the case may be.

Resolved, That Rule 49 of the House of Representatives, which reads as follows:

“How Amendments Shall be Printed

49. In printing amendments to House or Senate bills, all new matter inserted shall be italicized and all matter eliminated from the bill shall be enclosed in heavy black face brackets. The letter “H” shall be inserted in a bill before each amendment adopted on the floor of the House and the letters “HC” shall be inserted in a bill before each amendment made by the Committees of the House,” is hereby amended to read as follows:

How Amendments Shall be Printed

49. In printing amendments to House or Senate bills, all new matter inserted shall be italicized and all matter eliminated from the bill shall be printed in Roman type with a light horizontal line through its center (strike-out type). In reprinting House bills previously amended by the House, and in reprinting Senate bills previously amended by the Senate, all matter appearing in strike-out type shall be dropped entirely from the new print, and all matter appearing in italics shall be reset in Roman type.

On the question,

Will the House adopt the resolution?

It was adopted.

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. 708.

An Act enabling city county poor institution district ward school borough and township tax collectors their executors and administrators if they are deceased or either surety or sureties to collect taxes for the payment of which they have become personally liable without having collected the same by the expiration of the authority of their respective warrants or by the expiration of their terms of office extending the time for the collection of the same for a period of two years from the passage of this act and validating collections and proceedings for collections made or commenced without previous authority

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 2, by striking out after the word “have” the word “heretofore.”

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,	McFall,	Sarraf,
Balthaser,	Gillan,	McIntosh,	Scanlon,
Bentley,	Gillette,	McClester,	Schwab,
Bentzel,	Goodwin,	McDermott,	Serrill,
Boies,	Greenwood,	McDowell,	Shaffer,
Boney,	Gross,	McKinney,	Shaw,
Boorse,	Gryskewicz,	McClanaghan,	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,
Dallrymple,	James,	Owens,	Voldow,
Dennison,	Jefferson,	Petrosky,	Voorhees,
DiGenova,	Jones, G. E.,	Pettit,	Wagner,
Dix,	Jones, P. N.,	Polaski,	Watkins,
Dolan,	Keenan,	Polen,	Weingartner,
D'Ortona,	Kenehan,	Powers,	Weiss,
Duffy,	Kline,	Prosen,	Welsh, E. E.,
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.,
Finestone,	Laisey,	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.
	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. 437.

An Act Authorizing the Department of Property and Supplies to acquire by purchase, gift, lease or condemnation, on behalf of the Commonwealth of Pennsylvania, ten acres of land adjacent to the Daniel Boone Homestead, or so much thereof as may be necessary to properly honor the pioneer, Daniel Boone, on the spot where he was born; providing for the control, management, supervision, improvement, preservation and maintenance thereof; authorizing the Pennsylvania Historical Commission to make and enforce rules and regulations for the preservation and visitation thereof; and making an appropriation

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

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

Amend Section 1, page 2, by striking out at the beginning of line 13 the words "upon the westerly boundary."

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,
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,	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,
Dallrymple,	James,	Owens,	Voldow,
Dennison,	Jefferson,	Petrosky,	Voorhees,
DiGenova,	Jones, G. E.,	Pettit,	Wagner,
Dix,	Jones, P. N.,	Polaski,	Watkins,
Dolan,	Keenan,	Polen,	Weingartner,
D'Ortona,	Kenehan,	Powers,	Weiss,
Duffy,	Kline,	Prosen,	Welsh, E. E.,
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.,
Finestone,	Laisey,	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.
	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.

REPORTS FROM COMMITTEES

Mr. MELCHIORRE, from the Committee on Rules, reported as committed, House Resolution No. 108.

MR. SARRAF IN THE CHAIR

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. 955.

An Act to amend section ninety-five of the act approved the second day of May one thousand nine hundred and twenty-five (P. L. 448) entitled "An act relating to fish and amending revising consolidating and changing the law relating to fish in the inland waters and the boundary lakes and boundary rivers of the Commonwealth" further regulating use of nets in boundary lakes

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 pro tempore. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend the title, page 1, line 7, by striking out the word "nets" and inserting in lieu thereof the word "gill-nets".

Amend Section 1, page 2, line 10, by striking out the light-faced bracket before the word "three-fourth"; also same line, by striking out the light-faced bracket after the word "mile"; also same page by striking out in lines 10 and 11 the words "one and one-eighth miles"; also same page, by inserting at the end of line 11 after the word "line" the words "and no gill-net shall be set fastened drawn or used within one and one-half miles from shore measured in a direct line".

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,  | Sarrafi,         |
| 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,        | Habvshaw,      | 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,        |
| Chervsnak,      | Harris,        | Moran,        | Tarr,            |
| Chudoff,        | Heatherington, | Moul,         | Tate,            |
| Cochran,        | Helm,          | Mulr,         | Taylor,          |
| Cohen, M. M.,   | Hering,        | Munley,       | Thompson, E. P., |
| Cohen, R. E.,   | Herman,        | Nagel,        | Thompson, R. L., |
| Cook,           | Hersch,        | Nonemacher,   | 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,        | Voidow,          |
| Dennison,       | Jefferson,     | Petrosky,     | Voorhees,        |
| DiGenova,       | Jones, G. E.,  | Pettit,       | Wagner,          |
| Dix,            | Jones, P. N.,  | Polaski,      | Walkins,         |
| Dolon,          | Keenan,        | Polen,        | Weingartner,     |
| D'Ortona,       | Kenehan,       | Powers,       | Wells,           |
| Duffy,          | Kilne,         | Prosen,       | Weish, E. B.,    |
| Early,          | Knoble,        | Rank,         | Weish, M. J.,    |
| Eckels,         | Kolankiewicz,  | Rausch,       | Wilkinson,       |
| Elder,          | Komorofski,    | Readinger,    | Williams,        |
| Elliott,        | Krise,         | Reagan,       | Winner,          |
| Ely,            | Lee, E. A.,    | Reese, D. P., | Wood, L.,        |
|                 | Lee, T. B.,    | Reese, R. E., | Wood, N.,        |

- |              |                |              |           |
|--------------|----------------|--------------|-----------|
| Falkenstein, | Lelsey,        | Regan,       | Woodring, |
| Finestone,   | Leonard,       | Reynolds,    | Woodside, |
| Finnerty,    | Lesko,         | Rhea,        | Wright,   |
| Fisher,      | Levy,          | Riley,       | Wakai,    |
| Fiss,        | Leydic,        | Rooney,      | Yester,   |
| Fleming,     | Lichtenwa: e1, | Rose, S.,    | Young,    |
| Fletcher,    | Longo,         | Rose, W. E., | Kilroy,   |
| Flynn,       | Lovett,        | Rosenfeld,   | Speaker.  |
| For,         | 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. 1023.

An Act prohibiting employers from directly or indirectly offering for sale selling procuring for sale having in possession or under control for sale to employes or others any merchandise not produced by employers or not handled in the regular course of employer's business providing exception thereto declaring such prohibited sales to be unfair competition and repealing prior inconsistent legislation

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 pro tempore. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend the title, page 1, line 4, by striking out after the word "employers" the word "or"; also at the end of line 5 of the title, by inserting after the word "business" the words "or not connected or related to his or its business".

Amend Section 1, page 1, line 5, by striking out after the word "production" the word "or"; also on page 2, line 1, by inserting after the word "business" the words "or not connected with or related to his or its trade or business"; also same page, line 2, by striking out the words "health safety morals"; also same page, line 3, by inserting after the word "public" the words "engaged in retail business"; also same page by striking out in lines 4 to 6 inclusive the words "results in the loss of taxes to the Commonwealth and the various taxing instrumentalities existing in the Commonwealth (2) unreasonably"; also same page, line 7, by inserting after the word "commerce" the words "from persons engaged in retail business and (2)"; also same line by striking out after the word "commerce" the numeral "(3)"; also same page, at the end of line 9, by inserting after the word "commerce" the words "as retail merchants".

Amend Section 2, page 2, line 22, by striking out after the word "production" the word "or"; also same page, at the beginning of line 24, by inserting after the syllable "ness" and before the word "Provided" the words "or not connected with or related to his or its trade or business"; also same page, line 25, by inserting after the word "candy" the word "beverages"; also same page, line 26, by striking out after the word "tobacco" the word "or"; also same line by inserting after the word "used" the words "or worn"; also same page, line 28, by striking out after the word "used" the word "therein" and inserting in lieu thereof the words "and worn by employes"; also on page 3, at the beginning of line 1, by inserting after the word "employes" the following: "(3) equipment or

machinery which has previously been used by such person partnership corporation or association in the conduct of his or its business or (4) goods of use in the furtherance of his or its trade or business or connected therewith or related thereto"; also same page, at the end of line 3, by inserting after the word "Commonwealth" the following: "And provided further That nothing herein contained shall be construed to prohibit or prevent any person firm or corporation engaged in any industry other than a retail business or trade from owning and operating either directly by itself or through any agency or subsidiary a bona fide store or stores for the sale of goods at retail to his or its employes and others under the provisions of this section".

Amend Section 3, page 3, at the end of line 15, by striking out after the word "production" the word "or"; also same page, at the beginning of line 17, by inserting after the word "business" the words "or not connected with or related to his or its trade or business"; also same page, at the end of line 18, by inserting after the word "thereby" the words "Such action shall be in equity by injunction only and no damages shall be assessed".

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,     | 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.       | Habysshaw.     | 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.        | Mulr.         | 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.       | Wells           |
| Early.         | Kroble.        | Prosen.       | Welsh & 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.      | Lichtenwaller. | 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, 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. 1418.

An Act making an appropriation to the Department of Welfare for the maintenance of certain homes.

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 pro tempore. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend Section 1, page 1, by striking out in lines 2 and 3 the words and figures "four hundred seventy-one thousand one hundred and thirty dollars (\$471,130)" and inserting in lieu thereof the words and figures "four hundred seventy-seven thousand six hundred and five dollars (\$477,605)"; also on page 4, at the beginning of line 22, by striking out the words "Beacon Light Mission" and inserting in lieu thereof the words "Children's Home of"; also at the end of same line by striking out the figures "2,100" and inserting in lieu thereof the figures "1,800"; also same page, at the end of line 28, by striking out the figures "2,000" and inserting in lieu thereof the figures "1,000"; also same page, by striking out all of lines 26 and 27 as follows: "Bethel Orphanage charged to Osceola Home for Children . . . . 3,000"; also on page 5, at the end of line 2, by striking out the figures "975" and inserting in lieu thereof the figures "2,000"; also same page, at the end of line 5, by striking out the figures "24,000" and inserting in lieu thereof the figures "28,000"; also same page, at the end of line 9, by striking out the figures "7,700" and inserting in lieu thereof the figures "9,800"; also same page, line 14, by striking out the words "Destitute Women and Children" and inserting in lieu thereof the word "Girls"; also same page, at the end of line 20, by striking out the figures "450" and inserting in lieu thereof the figures "700"; also same page, at the end of line 28, by striking out the figures "2,500" and inserting in lieu thereof the figures "1,000"; also on page 6, at the end of line 1, by striking out the figures "4,400" and inserting in lieu thereof the figures "5,400"; also same page, at the end of line 2, by striking out the figures "1,300" and inserting in lieu thereof the figures "1,500"; also same page, at the end of line 13, by striking out the figures "1,200" and inserting in lieu thereof the figures "600"; also same page, by inserting between lines 13 and 14 the following: "McKeesport Day Nursery . . . . 500"; also same page at the end of line 17, by striking out the figure "2,400" and inserting in lieu thereof the figures "3,000"; also same page, at the end of line 18, by striking out the figures "9,400" and inserting in lieu thereof the figures "9,800"; also same page, at the end of line 25, by striking out the figures "44,000" and inserting in lieu thereof the figures "46,000".

On the question,

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

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

YEAS—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,	Cyger,	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,	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,	Imbrle,	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,	Welss,
Duffy,	Kline,	Prosen,	Welsh, E. B.,
Early,	Knoble,	Rank,	Welsh, M. J.,
Eckels,	Kolankiewicz,	Rausch,	Wilkinson,
Elder,	Komorofski,	Readinger,	Williams,
Elliot,	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,
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.
Foor,			

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

SENATE BILL No. 599.

An Act to amend section three of the act approved the twenty-third day of March, one thousand eight hundred and sixty-five (P. L. 607), entitled "An act for the better management of the Allegheny county prison" by requiring all contracts involving an expenditure of one hundred dollars to be in writing and prohibiting the making of any contract involving the expenditure of over five hundred dollars unless made with the lowest and best bidder after due advertising and requiring all purchases to be made through the purchasing department of the county.

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 pro tempore. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend the title, page 1, line 6, by striking out after the word "expenditure" the word "of" and inserting in lieu thereof the word "exceeding"; also at end of some line by inserting after the word "writing" the words "and filed with the county controller"; also same page, at the end of line 11 of the title, by inserting after the word "county" the words "and providing for the opening of bids and the award of contracts".

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,	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,	McKinney,	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,	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,	Imbrle,	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,	Welss,
Duffy,	Kline,	Prosen,	Welsh, E. B.,
Early,	Knoble,	Rank,	Welsh, M. J.,
Eckels,	Kolankiewicz,	Rausch,	Wilkinson,
Elder,	Komorofski,	Readinger,	Williams.
Elliot,	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,
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.
Foor,			

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 RECALLED FROM THE  
GOVERNOR NON-CONCURRED IN BY SENATE

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

HOUSE BILL No. 803.

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

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

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

Ordered, That the Clerk inform the Senate accordingly.

AMENDED SENATE BILL NONCONCURRED 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. 1029.

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

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

Ordered, That the Clerk inform the Senate accordingly.

The SPEAKER. (Elmer Kilroy) IN THE CHAIR

The SPEAKER. The Chair thanks the gentleman from Allegheny, Mr. Sarraf, for presiding.

REQUEST TO HOLD COMMITTEE MEETING

Mr. WOODRING. Mr. Speaker, as Vice Chairman of the Committee on Building and Loan I have been requested in the temporary absence of the Chairman, to ask unanimous consent of the House to hold a meeting of the committee in the Conference room in the rear of the House immediately to consider Senate Bills 512 and 510.

Mr. BAKER. Mr. Speaker, I object for the reason that the Chairman of the Building and Loan Committee is in

and about the House and I see no reason for the Vice Chairman to call a meeting at this time if the Chairman is in and about the House.

The SPEAKER. If the Chairman is in or about the House there is no reason for the Vice Chairman to call a meeting. The Chair would advise the Vice Chairman to contact the Chairman.

Mr. WOODRING. I wish to thank the Speaker for his ruling.

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. 957, entitled:

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

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. 957

The SPEAKER. The Chair appoints as a Committee of Conference on said bill, Messrs. Weiss, Lesko and Lloyd H. Wood.

Ordered, That the Clerk inform the Senate accordingly.

SENATE MESSAGE

APPOINTMENT OF CONFERENCE COMMITTEE ON  
SENATE BILL No. 51

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. 51, entitled:

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

And has appointed Messrs. Kephart, Watkins and Lanius 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. 51, and that a Committee of Conference be appointed.

The motion was agreed to.

APPOINTMENT OF COMMITTEE OF CONFERENCE ON  
SENATE BILL No. 51

Mr. SPEAKER. The Chair appoints as a Committee of Conference on said bill, Messrs. O'Neill, Bradley and McSurdy.

Ordered, That the Clerk inform the Senate accordingly.

REPORT OF COMMITTEE OF CONFERENCE ON  
HOUSE BILL No. 1526

Mr. HEATHERINGTON. Mr. Speaker, I desire to submit the report of the Committee of Conference on House Bill No. 1526.

The SPEAKER. The report will lie over for printing under the rules.

MR. ACHTERMAN IN THE CHAIR

BILLS ON THIRD READING

The SPEAKER pro tempore. If there is no objection the Chair will return to the third reading Calendar.

The Chair hears none.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1949, (Senate Bill No. 1283), entitled:

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

And said bill having been read at length the 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,	Sarraff,
Balthaser,	Gillan,	McClester,	Scanlon,
Bentley,	Gillette,	McDermott,	Schwab,
Bentzel,	Goodwin,	McDowell,	Serrill,
Botes,	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.,
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,	Kilne,	Prosen,	Welsh, E. B.,
Earl,	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,
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 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. 1830, (Senate Bill No. 1041), entitled:

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

And said bill having been read at length the 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,	Marks,	Royer,
Auker,	Gates,	Malloy,	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,	Skale,
Bretherick,	Haberlen,	McLane,	Simons,
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,	Van Allsburg,
Croop,	Huntley,	O'Dare,	Verona,
Cullen,	Imbrie,	O'Mullen,	Vincent,
Dalrymple,	Jamez,	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. E.,
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,
Fliss,	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 amendment.

#### THE SPEAKER (Elmer Kilroy) IN THE CHAIR

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1813, as follows:

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

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

Section 1. Section seven of the act approved the third day of May one thousand nine hundred and thirty-three (P. L. 242) entitled "An act to promote the public health and safety by providing for examination and registration of those who desire to engage in the occupation of

beauty culture defining beauty culture and regulating beauty culture shops schools students apprentices teachers managers and operators conferring powers and duties upon the Department of Public Instruction providing for appeals to certain courts by applicants and licensees and providing penalties" is hereby amended to read as follows

Section 7. Student Practice Upon the Public for Pay Prohibited Exceptions It shall be unlawful for any school of beauty culture to permit its students to practice beauty culture upon the public under any circumstances except by way of clinical work upon persons willing to submit themselves to such practice after having first been properly informed that the operator is a student No school of beauty culture shall [directly or indirectly] charge any money whatsoever for treatment by its students [or for materials used in such treatment] except such schools may charge for materials used in such treatments when given by a student having received more than three months training in such school

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,	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,	Jamez,	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,	Wells,
Duffy,	Kline,	Prosen,	Welsh, E. E.,
Duffy,	Knoble,	Rank,	Welsh, M. J.,
Early,	Kolankiewicz,	Rausch,	Wilkinson,
Eckels,	Komorowski,	Readinger,	Williams,
Elder,	Krise,	Reagan,	Winner,
Elliott,	Lee, E. A.,	Reese, David P.,	Wood, L. H.,
Ely,	Lee, T. H.,	Reese, Russell E.,	Wood, N.,
Falkenstein,	Lelsey,	Regan,	Woodring,
Finestone,	Leonard,	Reynolds,	Woodside,
Finnerty,	Lesko,	Rhea,	Wright,
Fisher,	Levy,	Riley,	Yeakel,
Fliss,	Leydic,	Rooney,	Yester,
Fleming,	Lichtenwalter,	Rose, S.,	Young,
Fletcher,	Longo,	Rose, W. E.,	Kilroy,
Flynn,	Lovett,	Rosenfeld,	Speaker.
Foor,	Lyns,		

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.

### QUESTION OF INFORMATION

Mr. O'BRIEN. Mr. Speaker, I arise to a question of information.

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

Mr. O'BRIEN. Mr. Speaker, if a committee meeting of the Committee on Building and Loan recessed or adjourned until ten o'clock, what is the situation in relation to the committee meeting?

The SPEAKER. That is within the control of the committee itself.

Mr. O'BRIEN. Mr. Speaker, the Committee on Building and Loan, as I understand, adjourned until ten o'clock this evening, after recess this afternoon. I would like to know as a point of information as to whether or not the committee would meet automatically or whether they are at the call of the Chairman at ten o'clock this evening.

The SPEAKER. The Chair must advise the gentleman that the committee is without power to meet during the absence of the Chairman without the consent of the House.

Mr. BAKER. Mr. Speaker, I desire to interrogate the gentleman from Philadelphia, Mr. O'Brien.

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

Mr. O'BRIEN. I shall, Mr. Speaker.

Mr. BAKER. Mr. Speaker, is the gentleman from Philadelphia a member of the Building and Loan Committee?

Mr. O'BRIEN. No, I am not, Mr. Speaker.

Mr. BAKER. Then, Mr. Speaker, how does the gentleman from Philadelphia come to this House saying that the Building and Loan Committee recessed or adjourned until ten o'clock tonight?

Mr. O'BRIEN. Mr. Speaker, I yield to the gentleman from Philadelphia, Mr. Chudoff, in this connection.

The SPEAKER. Does the gentleman from Allegheny desire to interrogate the gentleman from Philadelphia, Mr. Chudoff?

Mr. BAKER. I do not, Mr. Speaker.

Mr. O'BRIEN. Mr. Speaker, I still ask for a ruling of the Chair.

The SPEAKER. The Chair rules that a Committee is without power to meet during a session of the House, whether it recessed to a time that the House is in Session or not, without first having obtained permission of this House to meet during a session of the House.

Mr. O'BRIEN. Mr. Speaker, I did not ask for a ruling here, I asked as a question of information.

The SPEAKER. The Chair has given the informatoin in the form of a ruling.

Mr. O'BRIEN. I did not ask for a ruling, I did not ask as a question of parliamentary inquiry, I just asked as a question of inquiry.

The SPEAKER. The gentleman has his information now.

Mr. O'BRIEN. Mr. Speaker, I do not see how the Chair could rule that way.

### POINT OF ORDER

Mr. BAKER. Mr. Speaker, I rise to a point of order.

The SPEAKER. The gentleman from Allegheny will state his point of order.

Mr. BAKER. Mr. Speaker, I am somewhat curious as to the gentleman's intentions as to the Building and Loan Committee meeting at this time, since he is not a member, and therefore I will ask the gentleman from Philadelphia to tell this House why he is so interested in the Building and Loan Committee meeting.

The SPEAKER. The gentleman has not raised a point of order in his statement.

Mr. O'BRIEN. Mr. Speaker, for the information of the gentleman from Allegheny, Mr. Baker, raising his voice does not impress anybody and raising his voice does not scare anybody. If Mr. Baker wants to rant and rave in my personal direction, I will be delighted to have Mr. Baker do so, but I think it is so silly, it is not even funny, and his point of order is equally as funny.

Mr. BAKER. Mr. Speaker, without raising my voice, I will speak in a lower tone, I want to say to the gentleman that I do not care to play with boys; I like to do business with men as Members of the House of Representatives and not with a lot of silly boys.

### BILLS ON THIRD READING

Agreeably to order,

The House proceeded to the third 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 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,	Sarrar,
Balthaser,	Gillan,	McClester,	Scanlon,
Bentley,	Gillette,	McDermott,	Schwab,
Bentzel,	Goodwin,	McDowell,	Serrill,
Bones,	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,	Iersch,	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,	Rausch,	Welsh, M. J.,
Eckels,	Kolankiewicz,	Readinger,	Wilkinson,
Elder,	Komorofski,	Reagan,	Williams,
Elliot,	Krise,	Reese, D. P.,	Winnor,
Ely,	Lee, E. A.,	Reese, R. E.,	Wood, L. H.,
Falkenstein,	Lee, T. H.,	Regan,	Wood, N.,
Finestone,	Lelsey,	Reynolds,	Woodring,
Finnerty,	Leonard,	Rhea,	Woodside,
Fisher,	Lesko,	Riley,	Wright,
Fiss,	Leydic,	Rooney,	Yeakel,
Fleming,	Lichtenwalter,	Rose, S.,	Yester,
Fletcher,	Longo,	Rose, W. E.,	Young,
Flynn,	Lovett,	Rosenfeld,	Kilroy,
Foot,	Lyons,		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. 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 thirtyseven (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 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,	Habbyslaw,	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,	Kenehan,	Polen,	Weingartner,
Duffy,	Kline,	Powers,	Weiss,
Early,	Knoble,	Prosen,	Welsh, E. B.,
Eckels,	Kolankiewicz,	Rank,	Welsh, M. J.,
Elder,	Komorofski,	Rausch,	Wilkinson,
Elliot,	Krise,	Readinger,	Williams,
Ely,	Lee, E. A.,	Reagan,	Winnor,
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,	Leydic,	Rhea,	Wright,
Fleming,	Lichtenwalter,	Riley,	Yeakel,
Fletcher,	Longo,	Rooney,	Yester,
Flynn,	Lovett,	Rose, S.,	Young,
Foot,	Lyons,	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. 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 and thirtyseven (P. L. 487) entitled "An act to provide for the permanent personal registration of electors in boroughs towns 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 con-



duct 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 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	Gillette,	McClanaghan,	Sarraf,
Bentley,	Gillan,	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,	Sora,
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	VanAlsbury,
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,	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. R.,
Flnestone,	Lelsey,	Reese, R. E.,	Wood, N.,
Flnnerty,	Leonard,	Regan,	Woodring,
Fisher,	Lesko,	Reynolds,	Woodside,
Floss,	Levy,	Rhea,	Wright,
Fleming,	Leydic,	Riley,	Yeakel,
Fletcher,	Lichtenwaller,	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.

## QUESTION OF INFORMATION

Mr. O'BRIEN. Mr. Speaker, I rise to a question of information.

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

Mr. O'BRIEN. Mr. Speaker, the Vice-Chairman of the Building and Loan Committee asked permission of the House to call a meeting of the Building and Loan Committee, and the Chair ruled, after objection by the gentleman from Allegheny, Mr. Baker, to the effect that the Chairman was in the House. We have not seen the Chairman of the Building and Loan Committee and I ask you, Mr. Speaker, if the Vice-Chairman cannot call a meeting of the Committee on Building and Loan during the session.

The SPEAKER. On the question of information, the Chair advises the gentleman from Philadelphia that in the absence of the Chairman from the House, and the inability to find him, the Vice-Chairman may call a meeting of the Committee, providing a majority of the members of that Committee sign the request. The request must be in the form of a petition.

Mr. O'BRIEN. Mr. Speaker, in other words, it would have to be a written request on the part of a majority of the Committee?

The SPEAKER. The request must be in the form of a petition addressed to the Chair, and of course, the meeting must also receive the consent of the House.

Mr. O'BRIEN. Mr. Speaker, am I to understand that only on written request submitted to the Speaker can the Committee meeting be called by the Vice-Chairman?

The SPEAKER. That is correct.

## BILLS ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1317, (Senate, Bill No. 1044), as follows:

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

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

Section 1 Section eleven 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 re-

retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing State employes defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon the heads of departments in which State employes serve excepting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties" as last amended by the act approved the eighteenth day of May one thousand nine hundred thirty-seven (P. L. 683) is hereby further amended to read

#### Withdrawal

Section 11 (1) Should a contributor before reaching superannuation retirement age by resignation or dismissal or for any other reason than death or retirement upon disability under section twelve or for superannuation under section thirteen cease to be a State employe he or she shall be paid on demand from the fund created by this act (a) the full amount of the accumulated deductions standing to his or her individual credit in the annuity savings account or in lieu thereof should he or she so elect (b) an annuity or a deferred annuity beginning at superannuation retirement age which shall be the actuarial equivalent of said accumulated deductions His or her membership in the retirement association shall thereupon cease

(2) Should a State employe so separate from his or her service as State employe without retiring return within ten years and restore to the State Employes' Retirement Fund to the credit of the annuity savings account in such manner as may be agreed upon by the State employe and the retirement board his or her accumulated deductions as they were at the time of his or her separation the annuity rights forfeited by him or her at the time of separation from service shall be restored and his obligations as a member of the retirement association shall begin again but nothing contained in this clause shall limit the right of a State employe who has heretofore retired or shall hereafter retire voluntarily or involuntarily to return to service as a State employe at any time and to continue from the time of reentry into State service his rights as an original or new member as they existed at the time of retirement and add to such rights by further service and by further payroll deductions In any such case his or her annuity or allowance shall cease upon reentry into State service until subsequent retirement

(3) Should a member be discontinued from service not voluntarily after having completed ten years of total service or voluntarily after having completed twenty-five years of total service but before reaching superannuation retirement age he or she shall be paid as he or she may elect as follows

(a) The full amount of the accumulated deductions standing to the credit of his or her individual account in the annuity savings account or

(b) An annuity of equivalent actuarial value to his or her accumulated deductions and in addition a State annuity having a value equal to the present value of a State annuity beginning at superannuation retirement age calculated in accordance with the provisions and with the privileges of the same options provided for in sections thirteen and fourteen of this act with respect to State annuities for superannuation retirement

(4) Should a contributor die before retirement his or her accumulated deductions shall be paid to his or her estate or to such person as he or she shall have nominated by written designation duly executed and filed with the retirement board In case any contributor heretofore or hereafter dying has failed to nominate a beneficiary or the beneficiary nominated shall have died prior to the death of the contributor and in either event the amount of his or her accumulated deductions is less than one hundred dollars (\$100) the board may if letters testamentary or of administration have not been taken out on the estate of such contributor within six months of death

pay such accumulated deductions on the claim of the undertaker or any person or persons or political subdivision who or which shall have paid the claim of the undertaker

(5) A State employe who has at least three (3) years of service as an employe of the Commonwealth and is presently actively employed by the Commonwealth may borrow from his or her funds in the retirement system with the approval of the State Employes Retirement Board an amount not exceeding fifty per cent per annum of the amount of his or her accumulated contributions provided that the amount so borrowed together with the interest thereon shall not exceed three hundred dollars (\$300) and can be repaid by additional deductions from the salary of the contributor not in excess of ten per cent per annum of the member's salary made at the same time salary is paid to the member but not after the attainment of age sixty The amount so borrowed together with the interest at the rate of five per cent per annum on any unpaid balance thereof shall be repaid to his or her funds in the retirement system in equal installments by deduction from the salary of the member at the time the salary is paid and in such amounts as the State Employes' Retirement Board shall approve but such installments shall be at least equal to the member's contributions to the retirement system and at least sufficient to repay the amount borrowed with interest thereon by the time the member attains age sixty Notwithstanding anything to the contrary in this act the additional deductions required to repay the loan shall be made and shall be credited to the proper fund of the retirement system and any unpaid balance of a loan at the time any benefit may become payable shall be deducted from the benefit otherwise payable The provisions of this subdivision shall apply equally to members of the Pennsylvania Motor Police Retirement System established by the act approved the twenty-ninth day of June one thousand nine hundred thirty-seven (P. L. 2423)

Section 2 Section seventeen of said act as last amended by the act approved the twenty-third day of April one thousand nine hundred thirty-five (P. L. 49) is hereby further amended to read

#### Exemption from Execution

Section 17 The right of a person to a member's annuity a State annuity or retirement allowance to the return of contributions to withdrawal any benefit or right accrued or accruing to any person under the provisions of this act and the moneys in the fund created under this act are hereby exempt from any State or municipal tax including transfer or inheritance tax and exempt from levy and sale garnishment attachment or any other process whatsoever and shall be unassignable except as in this act specifically otherwise provided and shall not be subject to diminution in any respect except to reimburse the funds for moneys fraudulently retained or obtained from the fund [and with the further exception that the assignment of any or all such rights as security for a loan not in excess of three hundred dollars (\$300) the interest on] [which loan shall not exceed six per centum per annum discounted by a person to credit union now or hereafter organized and incorporated under the laws of this Commonwealth and the membership of which credit union is limited solely to officers and employes of the Commonwealth of Pennsylvania shall be valid.]

Section 3 This act shall become effective only upon the final liquidation of all credit unions membership to which is limited solely to officers and employes of the Commonwealth where such credit unions hold assignments of rights of members as security for loans from such credit unions

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.	Melchorre.	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.	Thomson, 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.	Wells.
Duffy.	Kilne.	Prosen.	Welsh, E. B.,
Early.	Knoble.	Rank.	Welsh, M. J.,
Eckels.	Kolankiewicz.	Rausch.	Wilkinson.
Elder.	Komorofski.	Readinger.	Williams.
Elliot.	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.	Lichtenwaller.	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 return it to the Senate with information that the House has passed it with amendments in which the concurrence of the Senate is requested.

Mr. SCANLON asked and obtained unanimous consent to call up out of order House Bill No. 570, Printer's No. 1160, on page 19 of today's calendar, bills on third reading.

Agreeably to order,

The House proceeded to the third 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

On the question,

Will the House agree to the bill on third reading?

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

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

The Clerk read the amendment as follows:

Amend section 1, page 3, line 28, by striking out after the "vehicle" which appears the second time in the line, the following: "including streets cars".

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

On the question,

Will the House agree to the amendment?

The amendment was agreed to.

On the question,

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

It was agreed to.

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

REPORT FROM COMMITTEE

Mr. READINGER from the Committee on Rules reported as committed Senate Concurrent Resolution Serial No. 126.

Mr. READINGER asked and obtained unanimous consent for the immediate consideration of the resolution.

The resolution was read by the Clerk as follows:

SENATE MESSAGE

RESOLUTION FOR CONCURRENCE

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

SENATE CONCURRENT RESOLUTION

Serial No. 126.

By Mr. TALLMAN.

CONGRESS MEMORIALIZED TO ADOPT RESOLUTIONS DESIGNATING OBSERVANCE 200th ANNIVERSARY MUHLENBERG COLLEGE

In the Senate, April 16, 1941.

Whereas, Muhlenberg College will hold celebrations during the year 1942 commemorating the two hundredth anniversary of the arrival in the American colonies of Henry Melchior Muhlenberg; and

Whereas, The said Henry Melchior Muhlenberg was the father of General John Peter Gabriel Muhlenberg, a friend of George Washington and a member of his staff; and

Whereas, The said General John Peter Gabriel Muhlenberg was born at Trappe, Pennsylvania, October 1, 1746; and

Whereas, In 1775 the said General John Peter Gabriel Muhlenberg threw off his clerical gown while delivering a sermon at Woodstock, Virginia, disclosing himself dressed in the uniform of an officer of the Continental Army and challenged his congregation with the remark: "There is a time for all things—a time to preach and a time to pray; but there is also a time to fight, and that time has now come," and took leave of his congregation and led his soldiers in the war for our Country's freedom; and

Whereas, The said General John Peter Gabriel Muhlenberg was chosen the Vice President of Pennsylvania in 1785 with Benjamin Franklin as President; and

Whereas, He was elected to the First Congress of the United States and reelected to the second and third, serving from March 4, 1789 to March 3, 1795; and

Whereas, In 1801 he was elected to the United States Senate but resigned before the Congress met to accept President Jefferson's appointment as Supervisor of Revenue for the District of Pennsylvania; and

Whereas, There has been introduced in the Senate of the United States by The Honorable James J. Davis, for himself and The Honorable Joseph F. Guffey, a Joint Resolution resolving that the Government and the people of the United States unite with Muhlenberg College in a fitting and appropriate observance of the two hundredth anniversary of the arrival in the American Colonies of Henry Melchior Muhlenberg; and

Whereas, There has been introduced in the House of Representatives of the United States by the Honorable Charles L. Gerlach a Joint Resolution resolving that the Government and the people of the United States unite with Muhlenberg College in a fitting and appropriate observance of the two hundredth anniversary of the arrival in the American colonies of Henry Melchior Muhlenberg; Now therefore be it

Resolved (if the House concur), That the General Assembly memorialize the Congress of the United States to adopt with all possible dispatch S. J. Resolution 40 and H. J. Resolution 128 in the form introduced; and be it further

Resolved, That one copy of this Resolution be forwarded to each of the following:

The President of the United States, Franklin D. Roosevelt.

Senator Alben W. Barkley, Chairman of the Joint Committee on the Library.

Senator James J. Davis.

Senator Joseph F. Guffey.

Honorable Charles L. Gerlach.

All members of the House Delegation from Pennsylvania.

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

On the question,

Will the House concur in the resolution of the Senate?

It was concurred in.

Ordered, That the Clerk inform the Senate accordingly.

#### REPORT OF COMMITTEE TO INVESTIGATE WESTERN PENNSYLVANIA HOSPITAL

Mr. SARRAF. Mr. Speaker, I desire to submit the "Report of the Committee to Investigate the Controversy at the Western Pennsylvania Hospital of Allegheny County," pursuant to House Resolution No. 94, adopted May 20, 1941.

This is the majority report of the Committee. There will be a minority report filed at a later time. The material

gathered during the investigation will be placed in the hands of the Chief Clerk of the House.

The report was read by the Clerk.

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

#### RESOLUTION INTRODUCED AND REFERRED

By Messrs. RHEA, FLEMING, RONALD L. THOMPSON, COOPER and LEYDIC, RESOLUTION No. 109.

In the House of Representatives, July 11th, 1941.

Whereas, This session of the Legislature of the Commonwealth is apparently drawing to a close without any legislation having been passed to provide for a congressional reapportionment measure as required by the Constitution following a decennial census; and

Whereas, the passage of such legislation is necessary to provide for the election of Representatives in Congress from districts and this failure so to do would necessitate their election at large at great expense to the Commonwealth and to the great detriment and prejudice of the voting public; and

Whereas, The oath of members of the Legislature to support, obey and defend the Constitution of the United States and of this Commonwealth, imposes a solemn duty upon them to obey this plain mandate to pass such legislation; therefore be it

Resolved by the House of Representatives of the Commonwealth of Pennsylvania that this House will refuse to concur in any resolution passed by the Senate providing for adjournment sine die before this constitutional mandate has been complied with.

Referred to the Committee on Rules.

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

Mr. WEINGARTNER. Mr. Speaker, I desire to submit the report of the Committee of Conference on House Bill No. 1465.

The SPEAKER. The report will lie over for printing under the rules.

#### REPORT OF COMMITTEE OF CONFERENCE ON HOUSE BILL No. 1466

Mr. MAXWELL. Mr. Speaker, I desire to submit the report of the Committee of Conference on House Bill No. 1466.

The SPEAKER. The report will lie over for printing under the rules.

#### REPORT OF COMMITTEE OF CONFERENCE ON HOUSE BILL No. 1467

Mr. WEINGARTNER. Mr. Speaker, I desire to submit the report of the Committee of Conference on House Bill No. 1467.

The SPEAKER. The report will lie over for printing under the rules.

#### REPORT OF COMMITTEE OF CONFERENCE ON HOUSE BILL No. 1468

Mr. WEINGARTNER. Mr. Speaker, I desire to submit the report of the Committee of Conference on House Bill No. 1468.

The SPEAKER. The report will lie over for printing under the rules.

REPORT OF COMMITTEE OF CONFERENCE ON  
HOUSE BILL No. 1469

Mr. MAXWELL. Mr. Speaker, I desire to submit the report of the Committee of Conference on House Bill No. 1469.

The SPEAKER. The report will lie over for printing under the rules.

CONGRATULATORY RESOLUTION

Messrs. WILLIAMS and McLANE offered a privileged resolution which was read, considered and adopted as follows:

In the House of Representatives, July 11, 1941.

Whereas, Some members of the House of Representatives make their presence felt and heard, and engage constantly in fierce and serimonious debate; and

Whereas, Others remain quiet, soft spoken, sitting back in their chairs, and merely vote in accordance with the dictates of their conscience and the wishes of their constituents; and

Whereas, The Honorable Thomas J. Heatherington, by virtue of his great legislative ability, has already had three bills approved by the Governor of this Commonwealth, as well as twelve bills in addition thereto passed in the House, and sent on to the Senate; and

Whereas, There may not be some merit in the old adage about empty barrels; be it therefore

Resolved, That the House of Representatives congratulates the Honorable Thomas J. Heatherington on his success as a legislator; and be it further

Resolved, That the House of Representatives hereby appoints the Honorable Thomas J. Heatherington as Chairman of the new committee of the House, to be known as the "Sitting Quiet and Get the Bills Through Committee."

HOUSE BILL No. 472 TAKEN FROM TABLE

Mr. SARRAF. Mr. Speaker, I move that House Bill No. 472, together with the communication from the Governor which was laid on the table July 7, 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. 472

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

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

I have the honor to inform you that I have this day approved and signed a resolution of the House of Representatives and Senate recalling from the Governor House Bill No. 472, Printer's No. 680, for the purpose of further consideration.

Accordingly, the original bill is herewith returned.

ARTHUR H. JAMES.

RECONSIDERATION OF VOTE

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

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

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

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

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

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

On the question,

Will the House agree to the motion?

It was agreed to.

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

The motion was agreed to.

On the question recurring,

Will the House agree to the bill on third reading?

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

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

The Clerk read the amendment as follows.

Amend Sec. 1, page 1, lines 1 and 2, by striking out the following "twenty thousand dollars (\$20,000)" and inserting in lieu thereof "forty thousand dollars (\$40,000)."

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

On the question,

Will the House agree to the amendment?

The amendment was agreed to.

On the question,

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

It was agreed to.

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

BILL ON THIRD READING

Agreeably to order,

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

The House resumed the consideration on third reading of House Bill No. 1785, (Senate Bill No. 423), 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

On the question,

Will the House agree to the bill on third reading?

BILL DROPPED FROM CALENDAR

Mr. MARKS. Mr. Speaker, I move that this bill be dropped from the calendar.

The motion was agreed to.

## RECESS

The SPEAKER. If there is no objection the Chair is about to declare a recess for fifteen minutes. Is there objection? The Chair hears none and a recess is declared.

## AFTER RECESS

The SPEAKER (Elmer Kilroy) IN THE CHAIR.

The SPEAKER. The time of recess having expired the House was called to order.

## SENATE MESSAGES

## AMENDED SENATE BILL NONCONCURRED 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. 594.

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

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

The motion was agreed to.

Ordered, That the Clerk inform the Senate accordingly.

## AMENDED SENATE BILL NONCONCURRED 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. 653.

An Act regulating and improving the civil service of certain departments and agencies of the Commonwealth vesting in the State Civil Service Commission and a Personnel Director certain powers and duties providing for classification of positions, adoption of compensation schedules and certification of payrolls imposing duties upon certain officers and employes of the Commonwealth, authorizing service to other State departments or agencies and political sub-divisions of the Commonwealth in mat-

ters relating to civil service, defining certain crimes and misdemeanors imposing penalties and making an appropriation and repealing certain acts and parts thereof.

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

Ordered, That the Clerk inform the Senate accordingly.

## AMENDED SENATE BILL NONCONCURRED 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. 654.

An Act to amend sections two hundred two and four hundred fifty-two of the act, approved the ninth day of April one thousand nine hundred and twenty-nine (P. L. 177), entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions and officers thereof, including the boards of trustees of State Normal Schools or Teachers Colleges, abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards and commissions, defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments, boards, commissions and officers fixing the salaries of the Governor, Lieutenant-Governor and certain other executive and administrative officers, providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments, boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments, boards and commissions shall be determined," as amended, in order to establish the State Civil Service Commission as a departmental administrative commission in the Executive Department.

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

Ordered, That the Clerk inform the Senate accordingly.

## AMENDED SENATE BILL NONCONCURRED 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. 1308.

An Act to amend the act approved the twenty-second day of May one thousand nine hundred thirty-three (P. L. 912) entitled "An act to protect the public health defining and providing for the licensing of bakeries and regulating the inspection maintenance and operation of bakeries and premises stores and shops connected therewith defining and regulating the manufacture sale and offering for sale of bakery products conferring powers on the Department of Agriculture and providing penalties" by redefining "bakery" removing the exception from registration and licensing requirements requiring registered bakery products to show the fact of such registration making it unlawful for any person to sell offer for sale or have in possession with intent to sell unregistered bakery products or to import bakery products from bakeries not

licensed hereunder and making possession prima facie evidence of intention to sell and 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

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

Ordered, That the Clerk inform the Senate accordingly.

AMENDED SENATE BILL NONCONCURRED 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 Bills numbered and entitled as follows, viz:

SENATE BILL No. 158.

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.

SENATE BILL No. 377.

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

SENATE BILL No. 618.

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

SENATE BILL No. 619.

An Act to further amend section two of the act, approved the twenty-ninth day of November, one thousand nine hundred thirty-three (P. L. 15, 1933-34), entitled "An act to regulate and restrain the sale, manufacture, possession, transportation, importation, traffic in, and use of alcohol, and alcoholic and malt or brewed beverages; conferring powers and imposing duties upon the Pennsylvania Liquor Control Board and its agents, the Department of Public Instruction, other officers of the State government, courts, and district attorneys; authorizing the establishment and operation of State stores for the sale

of such beverages not for consumption on the premises, and the granting of licenses, subject to local option, to sell such beverages for consumption on and off the premises; forbidding importation or bringing of such beverages into the State except as herein provided; prohibiting certain sales or practices in, connection with, and transactions in such beverages by licensees and others; providing for the forfeiture of certain property making disposition of the receipts from State stores and of fees; and imposing penalties," by permitting clubs to waive or reduce or pay dues payable by members in military service

SENATE BILL No. 254.

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

SENATE BILL No. 269.

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

SENATE BILL No. 823.

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

SENATE BILL No. 908.

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

SENATE BILL No. 1102.

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

for the enforcement thereof" by providing for the licensing by the Department of Agriculture of persons copartnership associations and corporations engaged in the business of breaking eggs and separating the contents thereof for any purpose regulating the opening of eggs unfit for food and providing for the denaturing of such eggs authorizing the Department of Agriculture to take samples of eggs for the purpose of analysis further regulating the right to sell or otherwise deal with eggs subjected to incubation providing that certain violations of the act shall be punishable in summary proceedings prescribing penalties and repealing certain legislation

#### SENATE MESSAGES

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

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

##### HOUSE BILL No. 1543.

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

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

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

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

##### HOUSE BILL No. 90.

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.

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

#### BILLS SIGNED BY SPEAKER

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

##### SENATE BILL No. 77.

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

##### SENATE BILL No. 177.

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

##### SENATE BILL No. 178.

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

##### SENATE BILL No. 262.

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

##### SENATE BILL No. 345.

An Act to amend subsection (a) of section sixteen and sub-section (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 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 and from all



judicial acts and proceedings of the several registers including all decisions granting an issue devisavit vel non

SENATE BILL No. 374.

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

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 an regulating assistance to certain classes of person 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

SENATE BILL No. 464.

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

SENATE BILL No. 526.

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

SENATE BILL No. 656.

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

SENATE BILL No. 726.

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

SENATE BILL No. 801.

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

SENATE BILL No. 935.

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

SENATE BILL No. 1173.

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

SENATE BILL No. 1297.

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

SENATE BILL No. 158.

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

SENATE BILL No. 377.

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

SENATE BILL No. 618.

An Act to further amend section two of the act approved the third day of May one thousand nine hundred thirty-three (P. L. 252) entitled as amended "An act to regulate and restrain the traffic in malt and brewed beverages as herein defined providing for the licensing

of the manufacture transportation sale and distribution of such beverages imposing license and permit fees and providing for collection and distribution thereof restricting ownership and interest in licensed places permitting municipalities and townships by vote of the electors to prevent the licensing therein of places where such beverages may be sold for consumption on the premises and regulating elections for this purpose imposing duties upon the Pennsylvania Liquor Control Board quarter sessions courts attorneys the Department of Justice proper authorities of political subdivisions of the State and election officers providing penalties and repealing existing acts" by permitting clubs to waive or reduce or pay dues payable by members in military service

SENATE BILL No. 619.

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

SENATE BILL No. 254.

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

SENATE BILL No. 269.

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

SENATE BILL No. 823.

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

acts" as amended by further providing for the eligibility of directors or trustee of incorporated institutions and further providing for the powers liabilities and immunities and limitations upon the powers and liabilities of corporations or persons authorized to engage in a banking or fiduciary business or both and of affiliates of such corporations or persons and of officers directors trustees and employes of such corporations and persons

SENATE BILL No. 908.

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

SENATE BILL No. 1102.

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

Whereupon,

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

SENATE MESSAGE

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. 943, entitled:

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

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. 943

The SPEAKER. The Chair appoints as a Committee of Conference on said bill, Messrs. Paul A. Brunner, Boies and Haines.

Ordered, That the Clerk inform the Senate accordingly.

## RECONSIDERATION OF VOTE

Mr. MELCHIORRE. Mr. Speaker, I move that the vote by which 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

on page 9 of today's calendar, was ordered to be transcribed for a third reading, be reconsidered.

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

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

Mr. MELCHOIRRE. Mr. Speaker, I voted with the majority.

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

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

The motion was agreed to.

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

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

The motion was agreed to.

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

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

The motion was agreed to.

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

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

The motion was agreed to.

The first section was read.

On the question recurring,

Will the House agree to the section?

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

The amendments were read by the Clerk as follows:

Amend Section 1, page 2, line 22, by inserting after the word "product" the following: "having a flash point of less than one hundred and forty degrees Fahrenheit closed cup tester."

Amend Section 1, page 7, by inserting after line 2, the following: "Section 6 Nothing contained in the preceding sections of this act shall be construed to apply to any dry cleaning or dry dyeing plants or systems exclusively using a petroleum solvent having a flash point of 140 degrees Fahrenheit or above (closed cup tester) which are completely equipped in the process of manufacture and employ only closed containers provided that such plants and systems shall conform in all other respects to the regulations of the Department of Labor and Industry for safeguarding employes in dry cleaning and dry dyeing plants."

Amend Section 1, page 7, line 13, by striking out before the word "The" the following: "Section 5.1"

Amend Section 1, page 7, line 18, by striking out the figure "6" and inserting in lieu thereof: "7".

Amend Section 1, page 8, by striking out the figure "7" and inserting in lieu thereof "8".

Amend Section 1, page 8, line 14, by striking out the figure "8" and inserting in lieu thereof: "9".

Amend Section 1, page 9, line 12, by striking out the figure "9" and inserting in lieu thereof: "10".

Amend Section 1, page 9, by inserting after line 25 the following: "All acts and parts of acts inconsistent with this act are hereby repealed."

The amendments were agreed to.

The section was agreed to as amended.

The title was read.

On the question,

Will the House agree to the title?

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

The amendment was read by the Clerk as follows:

Amend title, page 1, line 10 of the title by inserting after the word "Industry" the following: "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".

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.

PERMISSION GRANTED COMMITTEE TO MEET  
DURING SESSION

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

SENATE MESSAGE

HOUSE BILL CONCURRED IN BY SENATE

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

HOUSE BILL No. 909.

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

agers in Pennsylvania Liquor Stores and by establishing minimum salaries for certain employes of the Pennsylvania Liquor Control Board working in Pennsylvania Liquor Stores

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

## ADJOURNMENT

Mr. PRESLEY N. JONES. Mr. Speaker, I move that this House do now adjourn until Saturday, July 12, 1941, at 11 a. m.

The motion was agreed to, and (at 3:28 a. m.) the House adjourned.