

pointed to effect a compromise, but I do not think they should be the only fellows to compromise. We are the majority party in Pennsylvania, we have the administration, we have the Senate, and our friends on the other side have the House. We have made proposition after proposition; I think we have held more meetings than all the rest of the conference committees put together, with no result.

Now, at the last minute, after we said we had made six different propositions, our friends on the other side come in with two propositions, one was to go from the State of Maryland, and go three-quarters of the way up the state and then jump across and add Dauphin County to it. They laughed when they presented it, so we considered it a joke, just to have a little fun with the freshmen Senators. Then a Democratic Senator suggested that we add Lackawanna to the northeast corner, which is low in population but large in area. Within thirty seconds the Republican members agreed to it, and then we had to take a little recess until somebody was talked to and they came back and said, "out the window."

I do not see any rhyme or reason to it, when we are advised by the three conferees on the other side that there is not anything further to offer, that we take the minority party's suggestion in Pennsylvania and lose a Republican congressman, or everything is out the window.

Mr. President, we are ready to sign a report that we can not agree. I can not for the life of me see how we can do otherwise, unless the leaders on the other side will tell somebody they must get together. I could say a great deal about this but I am not going to get personal. I made some notes here that are a little personal, but I am just going to sit down.

BILL SIGNED

The PRESIDENT (Lieutenant-Governor Samuel S. Lewis) announced that the Chief Clerk having reported that the following bill has passed both houses of the General Assembly and the same being correct, the title was publicly read as follows:

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 Judicial Departments of the Commonwealth, interest on the public debt and the support of the public schools for two years beginning June first, one thousand nine hundred and forty-one, and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending May thirty-first, one thousand nine hundred and forty-one"

Whereupon,

The PRESIDENT. (Lieutenant-Governor Samuel S. Lewis) in the presence of the Senate signed the same.

HOUSE MESSAGE

HOUSE INSISTS UPON ITS NON-CONCURRENCE IN AMENDMENTS TO HOUSE BILL No. 1952 AND APPOINTS COMMITTEE OF CONFERENCE

The Clerk of the House of Representatives being introduced, informed the Senate that the House insists on its non-concurrence in Senate amendments to House Bill No. 1952, entitled:

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

and has appointed Messrs. Readinger, Mihm, and Turner as a Committee of Conference to confer with a similar committee of the Senate (if the Senate shall appoint such committee) to consider the differences existing between the two houses in relation to said bill.

ADJOURNMENT

Mr. GELTZ. Mr. President, I move that the Senate do now adjourn until Tuesday, July 15, 1941, at 5:10 o'clock p. m. Eastern Standard Time.

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

The motion was agreed to.

The Senate adjourned at 5:00 o'clock, Eastern Standard Time, until Tuesday, July 15, 1941, at 5:10 o'clock, Eastern Standard Time.

HOUSE OF REPRESENTATIVES

SATURDAY, July 12, 1941

The House met at 11 a. m.

The SPEAKER (Elmer Kilroy) in the Chair.

PRAYER

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

Almighty God, be Thou patient with us and lovingly overlook and forgive the faults which we so presumptuously carry into Thy presence.

When, O God, our highest hopes in Thee are blighted, help us to see that they were not too high, but not high enough. Open our eyes to see ourselves just as we are and as we would be if Thou hadst not befriended us. Give us grace to humble ourselves, to deny our wilful self, and to follow Thy loving counsel to the end that we shall know Thee better and desire to serve Thee more.

Hear our prayer. 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. McSURDY, unanimously agreed to, the further reading was dispensed with and the Journal approved.

BILLS SIGNED BY SPEAKER

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

HOUSE BILL No. 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

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

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

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

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-ninth day of November, one thousand nine hundred and thirty-three (P. L. 15, 1933-34), entitled as amended "An act to regulate and restrain the sale, manufacture, possession, transportation, importation, traffic in, and use of alcohol, and alcoholic and malt or brewed beverages; conferring powers and imposing duties upon the Pennsylvania Liquor Control Board and its agents, the Department of Public Instruction, other officers of the State Government, courts, and district attorneys; authorizing the establishment and operation of State stores for the sale of such beverages not for consumption on the premises, and the granting of licenses, subject to local option, to sell such beverages for consumption on and off the premises; forbidding importation or bringing of such beverages into the State except as herein provided; prohibiting certain sales or practices in connection with, and transactions in such beverages by licensees and others; providing for the forfeiture of certain property; making disposition of the receipts from State stores and of fees; and imposing penalties." by providing for the appointment of assistant managers in Pennsylvania Liquor Stores; and by establishing minimum salaries for certain employees of the Pennsylvania Liquor Control Board working in Pennsylvania Liquor Stores

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 gillnets in boundary lakes

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 not handled in the regular course of employer's business or not connected or related to his or its business providing exceptions thereto declaring such prohibited sales to be unfair competition and repealing prior inconsistent legislation

HOUSE BILL No. 1418.

An Act making an appropriation to the Department of Welfare for the maintenance of certain homes

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

Whereupon, The Speaker, in the presence of the House, signed the same.

REPORT OF COMMITTEE OF CONFERENCE ON
HOUSE BILL No. 551

Mr. GERARD. Mr. Speaker, I desire to offer the report of the Committee of Conference on House Bill No. 551.

The SPEAKER. The report will lie over for printing under the rules.

MR. ACHTERMAN IN THE CHAIR

COMMUNICATIONS FROM THE GOVERNOR

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

APPROVAL OF HOUSE BILLS Nos. 230 AND 234

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, July 11, 1941.

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

I have the honor to inform you that I have this day approved and signed the following:

House Bill No. 230, Printer's No. 1175, 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 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 prothono-

taries 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."

House Bill No. 234, Printer's No. 1174, "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."

ARTHUR H. JAMES.

APPROVAL OF HOUSE BILL No. 663

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, July 11, 1941.
To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 663, Printer's No. 1170, 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."

ARTHUR H. JAMES.

SENATE MESSAGES

AMENDED HOUSE BILLS RETURNED FOR CONCURRENCE

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

HOUSE BILL No. 11.

An Act to create a uniform and exclusive system for the administration of parole in this Commonwealth establishing the "Pennsylvania Board of Parole" conferring and defining its jurisdiction duties powers and functions including the supervision of persons placed upon probation in certain designated cases provided for the method of appointment of its members regulating the appointment removal and discharge of its officers clerks and employes dividing the Commonwealth into administrative districts for purposes of parole fixing the salaries of members of the board

and of certain other officers and employes thereof making violations of certain provisions of this act misdemeanors providing penalties therefor and for other cognate purposes 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 9, page 5, by striking out in lines 19 and 20 the words "and hold office during the pleasure of".

Amend Section 12, page 7, by striking out in line 18 the words "and its General Director of Parole".

Amend Section 13, page 8, line 1, by striking out the words "of the General Director of Parole and".

Amend Section 15, page 10, line 2, by striking out the words "and General Director of Parole".

Amend Section 17, page 12, line 7, by inserting after the word "provided" where it appears the first time in said line, the following:

"It is further provided that the Board shall have exclusive power to supervise any person hereafter placed on probation by any judge of a court having criminal jurisdiction when the court may by special order direct supervision by the Board in which case the probation case shall be known as a special case and the authority of the Board with regard thereto shall be the same as herein provided with regard to parole cases within one of the classifications above set forth"; also same page, line 9, by inserting after the word "a" and before the word "period" the word "maximum"; also at the end of the same line by striking out the word "one"; also same page, at the beginning of line 10, by striking out the word "year" and inserting in lieu thereof the words "two years"; also same page, line 12, by inserting after the word "a" and before the word "period" the word "maximum"; also at the end of the same line by striking out the words "one year" and inserting in lieu thereof the words "two years".

Amend Section 21, page 15, line 16, by inserting after the word "may" the word "not"; also same line by striking out the word "its" and inserting in lieu thereof the words "the Board's"; also same page, line 17, by inserting after the word "time" the words "before but only"; also in same line by striking out the words "sentence is imposed regardless of any" and inserting in lieu thereof the words "the expiration of the"; also same page, line 19, by inserting after the word "sentence" the words "or by the Pardon Board in a sentence which has been reduced by commutation"; also on page 16, by striking out all of lines 1 to 20 inclusive as follows:

"It is further provided that the parole board in its discretion in any case where after complete study the board is of the opinion that the minimum term imposed was in excess of that needed to protect the public interest that insistence upon the prisoner's serving the minimum term imposed would be against the best interests of the prisoner and would mitigate against the possibilities of his success rehabilitation may petition the sentencing judge or court for a modification of the said minimum term imposed and the court shall have authority upon presentation of the petition and after public hearing notwithstanding the term having passed to make such modification as the court shall deem proper in the protection of the public interest and in consideration of the prisoner's probable rehabilitation which decision of the court upon the board's petition shall be final The court in the exercise of sound discretion may upon presentation of such a petition by the board order a public hearing thereon not later than ten days after the filing of the said petition".

Amend Section 22, page 17, line 9, by inserting after the word "inspection" the words "in no case shall a parole be granted or an application for parole be dismissed unless one member of the Board shall have seen

and heard him in person in regard thereto within one year prior to the granting or dismissal thereof”.

Amend Section 31, page 20, by striking out in lines 4, 5 and 6 the words “sentenced to imprisonment in the Pennsylvania Industrial School at Huntingdon” and inserting in lieu thereof the words “committed to”; also same page by striking out all of lines 13 to 16 inclusive as follows: “Provided however That the board herein created shall supervise the parole of all persons sentenced to imprisonment in the Pennsylvania Industrial School at Huntingdon when paroled or reparaled as now provided by law”.

Amend bill, page 20, by inserting between lines 23 and 24 the following new sections:

“Section 33 In compliance with the Federal Interstate Compact Laws the Parole Board is authorized to supervise persons paroled by other states and now residing in Pennsylvania where such other states agree to perform similar services for the Pennsylvania Board of Parole

Section 34 The Pennsylvania Board of Parole shall be charged with the duty of making investigations and recommendations to the Pardon Board in cases coming before it and upon its request”.

Amend Section 33, page 20, line 24, by striking out after the word “Section” the figures “33” and inserting in lieu thereof the figures “35”.

Amend Section 34, page 21, line 17, by striking out after the word “Section” the figures “34” and inserting in lieu thereof the figures “36”.

Amend Section 35, page 21, line 28, by striking out after the word “Section” the figures “35” and inserting in lieu thereof the figures “37”.

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—198

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

- | | | | |
|--------------|----------------|--------------|-----------|
| Ely, | Lee, T. H., | Reynolds, | Woodside, |
| Falkenstein, | Lelsey, | Rhea, | Wright, |
| Finestone, | Leonard, | Riley, | Yeakel, |
| Finnerty, | Levy, | Rooney, | Yester, |
| Fisher, | Leydic, | Rose, S., | Young, |
| Fiss, | Lichtenwalter, | Rose, W. E., | Kilroy, |
| Fleming, | Longo, | Rosenfeld, | Speaker. |
| Fletcher, | Lyons, | | |

NAYS—6

- | | | | |
|-----------|----------|-----------|--------|
| Haberlen, | Lovett, | Petrosky, | Weiss, |
| Lesko, | Maxwell, | | |

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

Ordered, That the Clerk inform the Senate accordingly.

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

HOUSE BILL No. 1419.

An Act making an appropriation to the Department of Welfare for the maintenance of certain hospitals.

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

The SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend Section 1, page 1, by striking out in lines 2 and 3 the words and figures “eight million seven hundred thirty-six thousand five hundred dollars (\$8,736,500)” and inserting in lieu thereof the words and figures “eight million nine hundred forty-three thousand three hundred fifty dollars (\$8,943,350)”; also on page 8, at the end of line 28, by striking out the figures “19,500” and inserting in lieu thereof the figures “18,000”; also on page 9, at the end of line 1, by striking out the figures “14,500” and inserting in lieu thereof the figures “16,000”; also same page, at the end of line 4, by striking out the figures “4,000” and inserting in lieu thereof the figures “6,000”; also same page, at the end of line 6, by striking out the figures “35,600” and inserting in lieu thereof the figures “32,000”; also same page, at the end of line 7, by striking out the figures “45,500” and inserting in lieu thereof the figures “48,600”; also same page, at the end of line 8, by striking out the figures “30,000” and inserting in lieu thereof the figures “31,600”; also same page, at the end of line 11, by striking out the figures “27,600” and inserting in lieu thereof the figures “31,000”; also same page, at the end of line 15, by striking out the figures “26,500” and inserting in lieu thereof the figures “26,000”; also same page, at the end of line 16, by striking out the figures “27,000” and inserting in lieu thereof the figures “29,000”; also same page, at the end of line 17, by striking out the figures “24,400” and inserting in lieu thereof the figures “27,000”; also same page, at the end of line 27, by striking out the figures “32,700” and inserting in lieu thereof the figures “42,000”; also on page 10, at the end of line 1, by striking out the figures “40,500” and inserting in lieu thereof the figures “43,200”; also same page, at the end of line 3, by striking out the figures “5,000” and inserting in lieu thereof the figures “8,000”; also same page, at the end of line 5, by striking out the figures “3,000” and inserting in lieu thereof the figures “4,000”; also same page, by inserting between lines 6 and 7 the words and figures “Convalescent Hospital for Colored Women 3,500”; also same page, at the end of line 7, by striking out the figures “10,800” and inserting in lieu thereof the figures “12,000”; also same page, at the end of line 8, by striking out the figures “3,500” and inserting in lieu thereof the figures “3,900”; also same page, at the end of line 9, by striking out the figures “3,000” and inserting in lieu thereof the figures “4,500”; also same page, at the end of line 11, by striking

out the figures "116,000" and inserting in lieu thereof the figures "121,000"; also same page, at the end of line 12, by striking out the figures "66,500" and inserting in lieu thereof the figures "68,000"; also same page, at the end of line 14, by striking out the figures "17,100" and inserting in lieu thereof the figures "19,100"; also same page, at the end of line 15, by striking out the figures "10,100" and inserting in lieu thereof the figures "10,400"; also same page, at the end of line 19, by striking out the figures "17,500" and inserting in lieu thereof the figures "18,000"; also same page, at the end of line 22, by striking out the figures "20,000" and inserting in lieu thereof the figures "22,000"; also on page 11, at the end of line 4, by striking out the figures "3,100" and inserting in lieu thereof the figures "3,600"; also same page, at the end of line 5, by striking out the figures "193,200" and inserting in lieu thereof the figures "245,000"; also same page, at the end of line 7, by striking out the figures "102,000" and inserting in lieu thereof the figures "107,000"; also same page, at the end of line 12, by striking out the figures "30,600" and inserting in lieu thereof the figures "31,400"; also same page, at the end of line 17, by striking out the figures "24,500" and inserting in lieu thereof the figures "26,000"; also same page by inserting between lines 17 and 18 the words and figures "Jeanes Hospital Fox Chase Philadelphia 5,000"; also same page, at the end of line 19, by striking out the figures "7,300" and inserting in lieu thereof the figures "7,500"; also same page, at the end of line 20, by striking out the figures "42,050" and inserting in lieu thereof the figures "45,000"; also same page, at the end of line 21, by striking out the figures "54,900" and inserting in lieu thereof the figures "57,400"; also same page, at the end of line 27, by striking out the figures "38,500" and inserting in lieu thereof the figures "40,000"; also same page, at the end of line 28, by striking out the figures "62,900" and inserting in lieu thereof the figures "65,000"; also on page 12, at the end of line 5, by striking out the figures "11,000" and inserting in lieu thereof the figures "12,000"; also same page, at the end of line 6, by striking out the figures "41,600" and inserting in lieu thereof the figures "42,000"; also same page, at the end of line 7, by striking out the figures "41,700" and inserting in lieu thereof the figures "45,000"; also same page, at the end of line 8, by striking out the figures "80,000" and inserting in lieu thereof the figures "77,000"; also same page, at the end of line 19, by striking out the figures "33,000" and inserting in lieu thereof the figures "45,000"; also same page by inserting between lines 19 and 20 the words and figures "Northwestern General Hospital Philadelphia . . . 20,000"; also same page, at the end of line 21, by striking out the figures "25,500" and inserting in lieu thereof the figures "30,000"; also same page, at the end of line 27, by striking out the figures "170,000" and inserting in lieu thereof the figures "172,000"; also same page, at the end of line 29, by striking out the figures "6,900" and inserting in lieu thereof the figures "8,000"; also on page 13, at the end of line 9, by striking out the figures "9,000" and inserting in lieu thereof the figures "9,600"; also same page, at the end of line 11, by striking out the figures "3,000" and inserting in lieu thereof the figures "9,000"; also same page, at the end of line 14, by striking out the figures "63,000" and inserting in lieu thereof the figures "70,000"; also same page, line 19, by striking out the words "Homeopathic Hospital" and inserting in lieu thereof the words "Medical Centre"; also same page, at the end of line 20, by striking out the figures "90,400" and inserting in lieu thereof the figures "95,000"; also same page, at the end of line 21, by striking out the figures "89,000" and inserting in lieu thereof the figures "94,000"; also same page, at the end of line 26, by striking out the figures "34,100" and inserting in lieu thereof the figures "35,000"; also same page, at the end of line 27, by striking out the figures "10,000" and inserting in lieu thereof the figures "15,000"; also on page 14, at the end of line 3, by striking out the figures "158,600" and inserting in lieu thereof the figures "175,000"; also same page, at the end of line 10, by striking out the figures "26,000" and inserting in lieu thereof the figures "29,000"; also same page, at the end of line 14, by striking out the figures "145,000" and

inserting in lieu thereof the figures "150,000"; also same page, at the beginning of line 20, by striking out the word "Women's" and inserting in lieu thereof the word "Woman's"; also same page, at the end of line 24, by striking out the figures "47,400" 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,	Rosenfeld,
Allmond,	Gallagher,	Malloy,	Royer,
Auker,	Gates,	Marks,	Rush,
Baker,	Gerard,	Maxwell,	Sarge,
Balthaser,	G'lian,	McClanaghan,	Sarra,
Bentley,	Gillette,	McClester,	Scanlon,
Bentzel,	Goodwin,	McDermott,	Schwab,
Boles,	Greenwood,	McDowell,	Serrill,
Boney,	Gross,	McFall,	Shaffer,
Boorse,	Gryskewicz,	McTosh,	Shaw,
Bower,	Gyger,	McKinney,	Shepard,
Bradley,	Habbyshaw,	McLanahan,	Simons,
Bretherick,	Haberien,	McLane,	Skale,
Brown,	Haines,	McMillen,	Snyder,
Brunner, C. H.,	Hall,	McSurdy,	Sollonberger,
Brunner, P. A.,	Hamilton,	Meichlorre,	Sorg,
Burns,	Hare,	Mihm,	Stambaugh,
Burrill,	Harkins,	Modell,	Stank,
Cadwalader,	Harmuth,	Monks,	Stine,
Chervenak,	Harris,	Mooney,	Stockham,
Chudoff,	Heatherington,	Moran,	Tarr,
Cochran,	Helm,	Moul,	Tate,
Cohen, M. M.,	Hering,	Muir,	Taylor,
Cohen, R. E.,	Herman,	Munley,	Thompson, E. F.,
Cook,	Hersch,	Nagel,	Thompson, R. L.,
Cooper,	Hewitt,	Nunemacher,	Trout,
Cordier,	Hirsch,	O'Brien,	Turner,
Corrigan,	Holland,	O'Connor,	VanAllsburg,
Croop,	Huntley,	O'Dare,	Verona,
Cullen,	Imbrie,	O'Mullen,	Vincent,
Dairymple,	James,	O'Neill,	Vogt,
Dennison,	Jefferson,	Owens,	Voldow,
DiGanovia,	Jones, G. E.,	Petrofsky,	Voorhees,
Dix,	Jones, P. N.,	Pettit,	Wagner,
DeJon,	Keenan,	Polaski,	Watkins,
D'Otona,	Kenehan,	Polen,	Weingartner,
Duffy,	Kline,	Powers,	Wels,
Early,	Knoble,	Prosen,	Welsh, E. B.,
Eckels,	Kolanekiewicz,	Rank,	Welsh, M. J.,
Elder,	Komorowski,	Rausch,	Wilkinson,
Ellott,	Krise,	Readinger,	Williams,
Ev,	Lee, E. A.,	Reagan,	Winner,
Falkenstein,	Lee, T. H.,	Reese, D. P.,	Wood, L. H.,
Finstone,	Leisey,	Reese, R. E.,	Wood, N.,
Finnerty,	Leonard,	Regan,	Wondring,
Fisher,	Lesko,	Reynolds,	Woodside,
Fiss,	Levy,	Rhea,	Wright,
Fleming,	Leydic,	Riley,	Yeakel,
Fletcher,	Lichtenwalter,	Rooney,	Yester,
Flynn,	Longo,	Rose, S.,	Young,
Foot,	Lovett,	Rose, W. E.,	Kilroy, Speaker

NAYS—0

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

Ordered, That the Clerk inform the Senate accordingly.

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

HOUSE BILL No. 1435.

An Act to authorize housing authorities to undertake the development or administration of projects to provide safe and sanitary dwellings for persons engaged in national-defense activities who would not otherwise be

able to secure such dwellings within the vicinity thereof; to limit the initiation of the development of such projects until December 31, 1943; to authorize housing authorities to cooperate with or act as agent of the Federal Government in the development and administration of such projects of the Federal Government, to acquire or lease such projects and to sell or lease certain projects to the Federal Government; to authorize public bodies to assist such projects of housing authorities and of the Federal Government; and to declare valid all bonds, notes and obligations of housing authorities issued for projects heretofore undertaken to provide safe and sanitary dwellings for persons engaged in national-defense activities.

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

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

Amend the title, page 1, at the end of line 14, by striking out the word "and"; also same page, by striking out all of lines 15 and 16 of the title as follows: "to declare valid all bonds notes and obligations of housing authorities issued for projects heretofore under-"; also on page 2 of the title, at the beginning of line 1 by striking out the word "taken".

Amend bill, page 2, by inserting between the title and the first section the following:

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

Amend Section 1, page 2, by striking out in lines 1 to 4 inclusive the words "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" and inserting in lieu thereof the word "This".

Amend Section 3, page 5, line 2, by striking out the word "appropriations" and inserting in lieu thereof the word "preparation".

Amend Section 4, page 7, line 14, by inserting after the word "authority" the words "pursuant to this act"; also same page by inserting between lines 20 and 21 the following paragraph:

"After the National Defense Period any such projects owned and administered by a housing authority shall be administered for the purpose and in accordance with the provisions of the Housing Authorities Law".

Amend Section 5, page 8, line 5, by inserting after the word "and" and before the word "shall" at the end of said line the words "any such sale".

Amend Section 6, page 9, by striking out after the word "body" the word "or" and inserting in lieu thereof the word "for".

Amend Section 7, page 9, by striking out in lines 6 to 15 inclusive the entire section as follows:

"Section 7 All bonds notes contracts agreements and obligations of housing authorities heretofore issued or entered into relating to financing or undertaking (including cooperating with or acting as agent of the Federal Government in) the development or administration of any project to provide safe and sanitary dwellings for persons engaged in national-defense activities are hereby validated and declared legal in all respects notwithstanding any defect or irregularity therein or any want of statutory authority".

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

Amend Section 9, page 10, line 12, by striking out after the word "Section" the figure "9" and inserting in lieu thereof the figure "8".

Amend Section 10, page 10, line 16, by striking out after the word "Section" the figures "10" and inserting in lieu thereof the figure "9".

Amend Section 11, page 10, line 24, by striking out after the word "Section" the figures "11" and inserting in lieu thereof the figures "10"; also at the end of same line by

inserting after the word "immediately" the words "upon final enactment".

On the question,

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

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

YEAS—204

Achterman,	French,	Lyons,	Rosenfeld,
Allmond,	Gallagher,	Malloy,	Royer,
Auker,	Gates,	Marks,	Rush,
Baker,	Gerard,	Maxwell,	Sarge,
Balthaser,	Gillan,	McClanaghan,	Sarrat,
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,	Muell,	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,	Nummacher,	Trout,
Cordier,	Hirsch,	O'Brien,	Turner,
Corrigan,	Holland,	O'Connor,	VanAillsburg,
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,	Kiline,	Powers,	Welsh, E. B.,
Early,	Knoble,	Prosen,	Welsh, M. J.,
Eckels,	Kolankiewicz,	Rank,	Wilkinson,
Elder,	Komorowski,	Rausch,	Williams,
Elliott,	Krise,	Readinger,	Winner,
Ely,	Lee, E. A.,	Reagan,	Wood, L. H.,
Falkensteln,	Lee, T. H.,	Reese, D. P.,	Wood, N.,
Finestone,	Lelsey,	Reese, R. E.,	Woodring,
Finnerty,	Leonard,	Regan,	Woodside,
Fisher,	Lesko,	Reynolds,	Wright,
Fiss,	Levy,	Rhea,	Yeakel,
Fleming,	Leydic,	Riley,	Yester,
Fletcher,	Lichtenwalter,	Rooney,	Young,
Flynn,	Longo,	Rose, S.,	Kilroy,
Foor,	Lovett,	Rose, W. E.,	Speaker.

NAYS—0

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

Ordered, That the Clerk inform the Senate accordingly.

THE SPEAKER (Elmer Kilroy) IN THE CHAIR

The SPEAKER. The Chair thanks the gentleman from Monroe, Mr. Achterman, for presiding.

REPORT OF COMMITTEE OF CONFERENCE
RECOMMENDED

Mr. ROSENFELD. Mr. Speaker, I move that the report of the Committee of Conference on Senate Bill No. 561, be recommitted to the Committee of Conference.

The motion was agreed to.

BILL ON FINAL PASSAGE RECALLED FROM GOVERNOR

Agreeably to order,
The House proceeded to the consideration on final passage of House Bill No. 472, as follows:

An Act making an appropriation to the Department of Health for use in research work dealing with human nutrition for children

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

Section 1 The sum of forty thousand dollars (\$40,000) or so much thereof as may be necessary is hereby specifically appropriated to the Department of Health for the use of the Land Grant College of Pennsylvania engaged by the department for the purpose of advancing research in human nutrition for children so as to continue the work now in progress in certain areas and in order that this research work may be extended into other areas The Department of Health shall commission this research to said Land Grant College and remain in an advisory capacity so as to benefit and be directed in its work by such findings as may ensue The moneys so appropriated shall be advanced to the Land Grant College of Pennsylvania at such time or times and in such amount or amounts as the college shall request

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, | Cyger, | 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, | Mhlm, | 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., |
| Cook, | Hersch, | Nagel, | Thompson, R., |
| Cooper, | Hewitt, | Nunemacher, | Trout, |
| Cordier, | Hirsch, | O'Brien, | Turner, |
| Corrigan, | Holland, | O'Connor, | Van Aillsburg, |
| 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, |
| Ellott, | 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, |
| | Leydic, | Riley, | Yeakel, |

- | | | | |
|-----------|----------------|--------------|------------------|
| Fleming, | Lichtenwalter, | Rooney, | Yester, |
| Fletcher, | Longo, | Rose, S., | Young, |
| Flynn, | Lovett, | Rose, W. E., | Kilroy, Speaker. |
| Foor, | | | |
- 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 FINAL PASSAGE

Agreeably to order,
The House proceeded to the consideration on final passage of House Bill No. 570, as follows:

An Act to add two new definitions to Section 102 to amend the table of contents to Article VI to further amend Section 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 tractor 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 buses omnibuses and school busses fixing fees and imposing additional penalties

On the question,
Shall the bill pass finally?

BILL DROPPED FROM CALENDAR

Mr. ACHTERMAN. Mr. Speaker, I move that House Bill No. 570, Printer's No. 1194, be dropped from the calendar.

The motion was agreed to.

BILL ON THIRD READING

Agreeably to order,
The House proceeded to the third reading and consideration of House Bill No. 1096, as follows:

An Act to regulate the practice of general contracting

in Pennsylvania to establish a State Registration Board for Contractors and to define its powers and duties to provide the method of obtaining a certificate of registration to engage in the practice of general contracting and to fix fees for such certificates to dispose of the moneys raised to provide the method of suspension and cancellation of such certificate of registration and to prescribe the punishment for violation of the provisions of this act

On the question,
Will the House agree to the bill on third reading?

BILL DROPPED FROM CALENDAR

Mr. ACHTERMAN. Mr. Speaker, I move that House Bill No. 1096, Printer's No. 698, be dropped from the calendar.
The motion was agreed to.

BILLS PASSED OVER

There being no objection House Bill No. 1620, (Senate Bill No. 714), Printer's No. 227 and House Bill No. 1752, (Senate Bill No. 1016), Printer's No. 344, were 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. 1539, entitled:

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

On the question,
Will the House agree to the bill on third reading?

BILL DROPPED FROM CALENDAR

Mr. ACHTERMAN. Mr. Speaker, I move that House Bill No. 1539, Printer's No. 1171, be dropped from the calendar.
The motion was agreed to.

BILLS ON THIRD READING

Agreeably to order,
The House proceeded to the third reading and consideration of House Bill No. 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 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, |
| 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, | 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, | 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, | Lelsey, | Reese, E. E., | Wood, N., |
| Finnerty, | Leonard, | Regan, | Woodring, |
| Fisher, | Lesko, | Reynolds, | Woodside, |
| Fiss, | Levy, | Rhea, | Wright, |
| Fleming, | Leydic, | Riley, | Yeakel, |
| Fletcher, | Lichtenwalter, | Rooney, | Yester, |
| Flynn, | Longo, | Rose, S., | Young, |
| Foor, | Lovett, | Rose, W. E., | Kilroy, Speaker. |

NAYS—0

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

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

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 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 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,	Cyger,	McKinney,	Shepard,
Bradley,	Habbyshaw,	McLanahan,	Simons,
Bretherick,	Haberien,	McLane,	Skale,
Brown,	Haines,	McMillen,	Snyder,
Brunner, C. H.,	Hall,	McSurdy,	Sollenberger,
Brunner, P. A.	Hamilton,	Melchiorre,	Sorg,
Burns,	Hare,	Mihm,	Stambaugh,
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,	VanAllsburg,
Croop,	Huntley,	O'Dare,	Verona,
Cullen,	Imbrie,	O'Mullen,	Vincent,
Dalrymple,	James,	O'Neill,	Vogt,
Dennison,	Jefferson,	Owens,	Voldow,
DiGenova,	Jones, G. E.,	Petrosky,	Voorhees,
Dix,	Jones, P. N.,	Pettit,	Wagner,
Dolon,	Keenan,	Polaski,	Watkins,
D'Ortona,	Kenehan,	Polen,	Weingartner,
Early,	Kline,	Powers,	Weiss,
Eckels,	Knoble,	Prosen,	Welsh, E. E.,
Elder,	Kolankiewicz,	Rank,	Welsh, M. J.,
Elliott,	Komorofski,	Rausch,	Wilkinson,
Ely,	Krise,	Reagan,	Williams,
Falkenstein,	Lee, E. A.,	Readinger,	Winner,
Finestone,	Lee, T. H.,	Reese, D. P.,	Wood, L. H.,
Finnerty,	Lelsey,	Reese, R. E.,	Wood, N.,
Fisher,	Leonard,	Regan,	Woodring,
Fless,	Lesko,	Reynolds,	Woodside,
Fleming,	Levy,	Rhea,	Wright,
Fletcher,	Leydic,	Riley,	Yeakel,
Flynn,	Lichtenwalter,	Rooney,	Yester,
Poor,	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 amendment.

Agreeably to order,

The House proceeded to the third 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 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,	Cyger,	McKinney,	Shepard,
Bradley,	Habbyshaw,	McLanahan,	Simons,
Bretherick,	Haberien,	McLane,	Skale,
Brown,	Haines,	McMillen,	Snyder,
Brunner, C. H.,	Hall,	McSurdy,	Sollenberger,
Brunner, P. A.,	Hamilton,	Melchiorre,	Sorg,
Burns,	Hare,	Mihm,	Stambaugh,
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,
Early,	Kline,	Powers,	Weiss,
Eckels,	Knoble,	Prosen,	Welsh, E. E.,
Elder,	Kolankiewicz,	Rank,	Welsh, M. J.,
Elliott,	Komorofski,	Rausch,	Wilkinson,
Ely,	Krise,	Reagan,	Williams,
Falkenstein,	Lee, E. A.,	Readinger,	Winner,
Finestone,	Lee, T. H.,	Reese, David P.,	Wood, L. H.,
Finnerty,	Lelsey,	Reese, R. E.,	Wood, N.,
Fisher,	Leonard,	Regan,	Woodring,
Fless,	Lesko,	Reynolds,	Woodside,
Fleming,	Levy,	Rhea,	Wright,
Fletcher,	Leydic,	Riley,	Yeakel,
Flynn,	Lichtenwalter,	Rooney,	Yester,
Poor,	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 amendment.

Agreeably to order,

The House proceeded to the third 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 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,
Bentley,	Gillette,	McClester,	Scanlon,
Bentzel,	Goodwin,	McDermott,	Schwab,
Boles,	Greenwood,	McDowell,	Serrill,
Boney,	Gross,	McFall,	Shaffer,
Boorse,	Gryskewicz,	McIntosh,	Shaw,
Bower,	Gyger,	McKinney,	Shepard,
Bradley,	Habbyshaw,	McLanahan,	Simons,
Bretherick,	Haberlen,	McLane,	Skale,
Brown,	Haines,	McMillen,	Snyder,
Brunner, C. H.,	Hall,	McSurdy,	Sollenberger,
Brunner, P. A.,	Hamilton,	Melchiorre,	Sorg,
Burns,	Hare,	Mihm,	Stambaugh,
Burris,	Harkins,	Modell,	Stank,
Cadwalader,	Harmuth,	Monks,	Stine,
Chervenak,	Harris,	Mooney,	Stockham,
Chudoff,	Heatherington,	Moran,	Tarr,
Cochran,	Helm,	Moul,	Tate,
Cohen, M. M.,	Hering,	Muir,	Taylor,
Cohen, R. E.,	Herman,	Munley,	Thompson, E. F.,
Cook,	Hersch,	Nagel,	Thompson, R. L.,
Cooper,	Hewitt,	Nunemacher,	Trout,
Cordier,	Hirsch,	O'Brien,	Turner,
Corrigan,	Holland,	O'Connor,	VanAllsburg,
Croop,	Huntley,	O'Dare,	Verona,
Cullen,	Imbrie,	O'Mullen,	Vincent,
Dairyple,	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,
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. 1967, (Senate Bill No. 1260), entitled:

An Act to amend the act approved the twenty-second day of June one thousand nine hundred and thirty-one (P. L. 594) entitled "An act establishing certain township roads as State highways authorizing their construction maintenance and improvement under certain conditions and restrictions limiting the obligation of the Commonwealth in the construction of certain structures 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 third time, considered and agreed to.

On the question,
Shall the bill pass finally?
Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows, viz:

YEAS—204

Achterman,	French,	Lyons,	Royer,
Allmond,	Gallagher,	Malloy,	Rush,
Auker,	Gates,	Marks,	Sarge,
Baker,	Gerard,	Maxwell,	Sarraff,
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,
Burris,	Harkins,	Modell,	Stine,
Cadwalader,	Harmuth,	Monks,	Stockham,
Chervenak,	Harris,	Mooney,	Tarr,
Chudoff,	Heatherington,	Moran,	Tate,
Cochran,	Helm,	Moul,	Taylor,
Cohen, M. M.,	Hering,	Muir,	Thompson, E. F.,
Cohen, R. E.,	Herman,	Munley,	Thompson, R. L.,
Cook,	Hersch,	Nagel,	Trout,
Cooper,	Hewitt,	Nunemacher,	Turner,
Cordier,	Hirsch,	O'Brien,	VanAllsburg,
Corrigan,	Holland,	O'Connor,	Verona,
Croop,	Huntley,	O'Dare,	Vincent,
Cullen,	Imbrie,	O'Mullen,	Vogt,
Dairyple,	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,	Kilne,	Powers,	Welsh, E. B.,
Early,	Knoble,	Prosen,	Welsh, M. J.,
Eckels,	Kolankiewicz,	Rank,	Wilkinson,
Elder,	Komorofski,	Rausch,	Williams,
Elliott,	Krise,	Readinger,	Winner,
Ely,	Lee, E. A.,	Reagan,	Wood, L. H.,
Falkenstein,	Lee, T. H.,	Reese, D. P.,	Wood, N.,
Finestone,	Lelsey,	Reese, R. E.,	Woodring,
Finnerty,	Leonard,	Regan,	Woodside,
Fisher,	Lesko,	Reynolds,	Wright,
Fiss,	Levy,	Rhea,	Yeakel,
Fleming,	Leydic,	Riley,	Yester,
Fletcher,	Lichtenwalter,	Rooney,	Young,
Flynn,	Longo,	Rose, S.,	Kilroy, Speaker
Foor,	Lovett,	Rose, W. E.,	
		Rosenfeld,	

NAYS—0

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

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

Agreeably to order,

The House proceeded to the third 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 sanatorium for the treatment of cancer and for cancer research.

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

On the question,
Shall the bill pass finally?
Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows, viz:

YEAS—204

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

NAYS—0

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

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

Agreeably to order,

The House proceeded to the third 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 third time, considered and agreed to.

On the question,

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

vania 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 third time, considered and agreed to.

On the question,

Shall the bill pass finally?

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

YEAS—204

Achterman,	French,	Lyons,	Royer,
Allmond,	Gallagher,	Malloy,	Rush,
Auker,	Gates,	Marks,	Sarge,
Baker,	Gerard,	Maxwell,	Sarraf,
Balthaser,	Gillan,	McClanaghan,	Scanlon,
Bentley,	Gillette,	McClester,	Schwab,
Bentzel,	Goodwin,	McDermott,	Serrill,
Boles,	Greenwood,	McDowell,	Shaffer,
Boney,	Gross,	McFall,	Shaw,
Boorse,	Gryskewicz,	McIntosh,	Shepard,
Bower,	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,	Heim,	Moul,	Taylor,
Cohen, M. M.,	Hering,	Muir,	Thompson, E. F.
Colen, R. E.,	Herman,	Munley,	Thompson, R. L.
Cook,	Hersch,	Nagel,	Trout,
Cooper,	Hcwitz,	Nunemacher	Turner,
Cordier,	Hirsch,	O'Brien,	VanAllsburg,
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,	Kilne,	Powers,	Welsh, E. E.,
Early,	Knoble,	Prosen,	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,	Leisey,	Regan,	Woodring,
Finnerty,	Leonard,	Reynolds,	Woodside,
Fisher,	Lesko,	Rhea,	Wright,
Fiss,	Levy,	Riley,	Yeakel,
Fleming,	Leydic,	Rooney,	Yester,
Fletcher,	Lichtenwalter,	Rose, S.,	Young,
Flynn,	Longo,	Rose, W. E.,	Kilroy,
Foor,	Lovett,	Rosenfeld,	Speaker.

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

An Act creating a commission to make a study and investigation of the laws governing and the practical op-

eration 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 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,	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,
Burriss,	Harkins,	Monks,	Stine,
Cadwalader,	Harmuth,	Mooney,	Stockham,
Chervenak,	Harris,	Moran,	Tarr,
Chudoff,	Heatherington,	Moul,	Tate,
Cochran,	Heim,	Muir,	Taylor,
Cohen, M. M.,	Hering,	Munley,	Thompson, E. F.
Colen, R. E.,	Herman,	Munley,	Thompson, R. L.
Cook,	Hersch,	Nagel,	Trout,
Cooper,	Hcwitz,	Nunemacher	Turner,
Cordier,	Hirsch,	O'Brien,	VanAllsburg,
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,	Kilne,	Powers,	Welsh, E. E.,
Early,	Knoble,	Prosen,	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,	Leisey,	Regan,	Woodring,
Finnerty,	Leonard,	Reynolds,	Woodside,
Fisher,	Lesko,	Rhea,	Wright,
Fiss,	Levy,	Riley,	Yeakel,
Fleming,	Leydic,	Rooney,	Yester,
Fletcher,	Lichtenwalter,	Rose, S.,	Young,
Flynn,	Longo,	Rose, W. E.,	Kilroy,
Foor,	Lovett,	Rosenfeld,	Speaker.
	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. 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 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,
Cordier,	Hirsch,	O'Connor,	Van Allsburg,
Corrigan,	Holland,	O'Dare,	Verona,
Croop,	Huntley,	O'Mullen,	Vincent,
Cullen,	Imbrie,	O'Neill,	Vogt,
Dairympie,	Jarces,	Owens,	Voldow,
Dennison,	Jefferson,	Petrosky,	Voorhees,
DiGenova,	Jones, G. E.,	Pettit,	Wagner,
Dix,	Jones, P. N.,	Polaski,	Watkins,
Dolon,	Keenan,	Polaski,	Weingartner,
D'Ortona,	Kenehan,	Polen,	Weiss,
Duffy,	Kilne,	Powers,	Welsh, E. B.,
Early,	Knoble,	Prosen,	Welsh, M. J.,
Eckels,	Kolaniewicz,	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,	Rose, S.,	Young,
Flynn,	Longo,	Rose, W. E.,	Kilroy,
Foor,	Lyons,	Rosenfeld,	Speaker.

NAYS—0

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

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

Agreeably to order,

The House proceeded to the third 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 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,
Cordier,	Hirsch,	O'Connor,	Van Allsburg,
Corrigan,	Holland,	O'Dare,	Verona,
Croop,	Huntley,	O'Mullen,	Vincent,
Cullen,	Imbrie,	O'Neill,	Vogt,
Dairympie,	Jarces,	Owens,	Voldow,
Dennison,	Jefferson,	Petrosky,	Voorhees,
DiGenova,	Jones, G. E.,	Pettit,	Wagner,
Dix,	Jones, P. N.,	Polaski,	Watkins,
Dolon,	Keenan,	Polaski,	Weingartner,
D'Ortona,	Kenehan,	Polen,	Weiss,
Duffy,	Kilne,	Powers,	Welsh, E. B.,
Early,	Knoble,	Prosen,	Welsh, M. J.,
Eckels,	Kolaniewicz,	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,	Rose, S.,	Young,
Flynn,	Longo,	Rose, W. E.,	Kilroy,
Foor,	Lyons,	Rosenfeld,	Speaker.

NAYS—0

The majority required by the Constitution having voted

in the affirmative, the question was determined in the affirmative.

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

Agreeably to order,

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

Fletcher, Lichtenwaite, 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. 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 third time, considered and agreed to.

On the question,

Shall the bill pass finally?

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

YEAS—204

Achterman,	Gallagher,	Malloy,	Royer,
Allmond,	Gates,	Marks,	Rush,
Auker,	Gerard,	Maxwell,	Sarge,
Baker,	Gillan,	McClanaghan,	Sarra,
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,	Mihm,	Stambaugh,
Burns,	Harkins,	Modell,	Stank,
Burriss,	Harmuth,	Monks,	Stine,
Cadwalader,	Harris,	Mooney,	Stockham,
Chervenak,	Heatherington,	Moran,	Tarr,
Chudoff,	Helm,	Moul,	Tate,
Cochran,	Hering,	Muir,	Taylor,
Cohen, M. M.,	Herman,	Munley,	Thompson, E.,
Cohen, R. E.,	Hersch,	Nagel,	Thompson, R.,
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,	Polaski,	Watkins,
Dolon,	Kenehan,	Polen,	Weingartner,
D'Ortona,	Kline,	Powers,	Weiss,
Duffy,	Knoble,	Prosen,	Welsh, E. B.,
Early,	Kolankiewicz,	Rank,	Welsh, M. J.,
Eckels,	Komorofski,	Rausch,	Wilkinson,
Elder,	Krise,	Readinger,	Williams,
Elllott,	Lee, E. A.,	Reagan,	Wlner,
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,	Leydie,	Riley,	Yeakel,
Fleming,	Lichtenwalter,	Rooney,	Yester,

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

NAYS—0

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

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

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 937, (Senate Bill No. 298), as follows:

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

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

Section 1 The sum of eight million dollars (\$8,000,000) is hereby appropriated to the Department of Highways for the two calendar years beginning January first one thousand nine hundred forty-two out of the Motor License Fund for allocation to and expenditure in the cities boroughs towns and townships of the first class (hereinafter called municipalities) of the Commonwealth in the amounts upon the terms in the manner and for the purposes hereinafter set forth in this act

Section 2 Sixty-five per centum of the moneys hereby appropriated shall be allocated and apportioned among the municipalities of this Commonwealth in the ratio which the mileage of municipal roads and highways in each municipality bears the total mileage of municipal roads and highways in all of the municipalities in the Commonwealth as of January first one thousand nine hundred forty-two

Thirty-five per centum of the moneys hereby appropriated shall be allocated and apportioned among the municipalities of the Commonwealth in the ratio which the population of a municipality bears to the total population of the Commonwealth as shown by the 1940 decennial census of the United States

The funds so apportioned shall be expended by the respective municipalities under the supervision and subject to the approval of the Department of Highways and in compliance with such rules and regulations as the Department of highways may prescribe in carrying out the provision of this act

The funds allocated by this act shall be used for the maintenance construction reconstruction resurfacing and improvement of municipal roads and highways and the maintenance construction and reconstruction of municipal bridges in municipalities excepting that in municipalities which do not have sufficient funds from other sources for the maintenance and repair of all the roads highways and bridges under their jurisdiction the allocations to such municipalities shall be used in whole or in part for such maintenance and repair purposes

Section 3 Before any of the funds allocated to municipalities by this act shall be expended for construction reconstruction resurfacing or improvement the corporate authorities of the respective municipalities shall by resolution specify the location and type of construction of the

road or highway proposed to be constructed reconstructed resurfaced or improved or the bridge to be constructed or reconstructed and shall submit the same to the Department of Highways together with estimates plans if any and specifications for the approval of said department

Section 4 Nothing in this act shall be construed to relieve any municipality from any obligation they may have incurred under any contract or agreement entered into prior to January first one thousand nine hundred forty-two for the construction or repair of any road highway or bridge now under its jurisdiction

Section 5 The corporate authorities of each municipality not having a department or bureau of highways or streets shall appoint a foreman who may be an officer or employe of the municipality to supervise the work to be done under the provisions of this act and in the event more than one foreman is required the Department of Highways may authorize the corporate authorities of the municipality to appoint one or more additional foremen The Secretary of Highways shall have the right to remove any foreman so appointed for incompetency or for neglect or refusal to comply with the rules and regulations of the Department of Highways prescribed for the work under this act The corporate authorities of each municipality shall also employ any laborers required for said work and fix their wages

Nothing herein contained shall be construed to prevent work under the act being done by contract let by the corporate authorities of the municipality and approved by the Department of Highways

Section 6 No payment shall be made from moneys allocated under this act to the municipalities except on warrants drawn by the Auditor General upon the State Treasurer as provided by the act of Assembly to the treasurer of the municipality on vouchers approved by the Secretary of Highways and such payment if approved by the Secretary of Highways shall be made in four equal installments payable the first day of March the first day of June the first day of September and the first day of December of each year

There shall be submitted to the Department of Highways by the proper authorities of each municipality a report on the last days of February May August and November of each year showing the cost of the work done under the provisions of this act in such detail as may be required by the Department of Highways

In case any records or reports required by law are not made in the manner or at the time required no further funds shall be approved for payment by the Secretary of Highways to such municipality until such reports have been made and approved

Nothing in this act shall be construed to permit the funds appropriated by the act to be paid for other than labor rental of equipment payrolls material purchases including repair parts for equipment small tools road drags and snow fence on road highway and bridge work performed by the municipalities under the provisions of this act

Nothing herein contained shall be construed to prevent the use of any of the funds allocated under this act for Federal projects sponsored by municipalities and approved by the Department of Highways or for county-aid work relating to the improvement of roads highways and bridges

Section 7 The term "municipal roads and highways" as used in this act shall be construed to mean all roads and highways for the maintenance of which municipalities are by law responsible and shall not include any roads and highways taken over by the Commonwealth as part of the state highway system

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,
Botes,	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,	Voldow,
DiGenova,	Jones, G. E.,	Petrosky,	Voorhees,
Dix,	Jones, P. N.,	Pettit,	Watkins,
Dolon,	Keenan,	Polaski,	Weingartner,
D'Ortona,	Kenehan,	Polen,	Weiss,
Duffy,	Kline,	Powers,	Welsh, E. B.,
Early,	Knobie,	Prosen,	Welsh, M. J.,
Eckels,	Kolankiewicz,	Rank,	Wilkinson,
Elder,	Komorowski,	Rausch,	Williams,
Elliott,	Krise,	Readinger,	Wagner,
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,
Fless,	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.

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 PASSED OVER

There being no objection House Bill No. 1957, (Senate Bill No. 783), Printer's No. 596, 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. 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 cer-

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

On the question,
Will the House agree to the bill on third reading?

BILL DROPPED FROM CALENDAR

Mr. ACHTERMAN. Mr. Speaker, I move that House Bill No. 1954, Printer's No. 1161, be dropped from the calendar.

The motion was agreed to.

BILLS ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1872, (Senate Bill No. 1091), entitled:

An Act to amend the act approved the thirtieth day of March one thousand nine hundred thirty-seven (P. L. 115) entitled "An act to provide for the permanent personal registration of electors in cities of the first class as a condition of their right to vote at elections and primaries and their enrollment as members of political parties as a further condition of their right to vote at primaries prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors and prescribing the powers and duties of citizens parties bodies of electors registration commissions commissioners registrars inspectors of registration and other appointees of registration commission election officers municipal officers departments and bureaus police officers courts judges prothonotaries sheriffs county commissioners peace officers county treasurers county controllers registrars of vital statistics real estate brokers rental agents certain public service companies persons firms and corporations operating vehicles for moving furniture and household goods and boards of school directors and imposing penalties" as amended by requiring and providing for the registration of persons in military service to entitle them to vote at any election

And said bill having been read at length the 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, |
| Cordler, | Hirsch, | O'Connor, | Van Allsburg, |
| Corrigan, | Holland, | O'Dare, | Verona, |
| Croop, | Huntley, | O'Mullen, | Vincent, |
| Cullen, | Imbrie, | O'Neill, | Vogt, |
| Dairympie, | James, | Owens, | Voidow, |
| Dennison, | Jefferson, | Petrosky, | Voorhees, |
| DiGenova, | Jones, G. E., | Pettit, | Wagner, |
| Dix, | Jones, P. N., | Polaski, | Watkins, |
| Dolon, | Keenan, | Polen, | Weingartner, |
| D'Ortona, | Kenchan, | Powers, | Weiss, |
| Duffy, | Kilne, | Prosen, | Welsh, E. B., |
| Early, | Knoble, | Rank, | Welsh, M. J., |
| Ekels, | 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, | 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. 1977, (Senate Bill No. 1313), as follows:

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

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

Section 1 The following sums or as much thereof as may be necessary for deficiencies in certain appropriations made to the Legislative Department by the act to which this act is a supplement are hereby specifically appropriated out of the General Fund to the Legislative Department as follows

LEGISLATIVE DEPARTMENT

To the Senate

For the payment of the mileage of fifty Senators session of one thousand nine hundred and forty-one the sum of twenty-five hundred dollars (\$2,500)

For the payment of the salaries of the officers and employes of the Senate 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 Senate whose present salaries are provided for in the act to which this is a supplement the sum of twenty-one thousand dollars (\$21,000) 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 Senate 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 five hundred dollars (\$500)

For the payment of the incidental expenses of the Senate 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 Senate 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 one thousand dollars (\$1,000) out of which amount such necessary extra labor in the Senate shall be paid as shall be certified by the President pro tempore and the chief clerk

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 (\$1,000) dollars

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

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,	Malloy,	Royer,
Allmond,	Gallagher,	Marks,	Rush,
Auker,	Gates,	Maxwell,	Sarge,
Baker,	Gerard,	McClanaghan,	Saraf,
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,	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,	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,	Imbric,	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,	Komorofski,	Readinger,	Williams,
Elliott,	Krise,	Reagan,	Winner,
Eiy,	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,	Lévy,	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.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1108, (Senate Bill No. 205), as follows:

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 General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of seventy-five thousand dollars (\$75,000) or so much thereof as may be necessary is hereby specifically appropriated to the Trustees of the Pennsylvania State College for the two fiscal years beginning June first one thousand nine hundred and forty-one for the use of the School of Mineral Industries for the following purposes

Section 1 The sum of one hundred and twenty-five thousand dollars (\$125,000) or so much thereof as may be necessary is hereby specifically appropriated to the Trustees of the Pennsylvania State College for the two fiscal years beginning June first one thousand nine hundred and forty-one for the use of the School of Mineral Industries for the following purposes

For the support of research and investigation of long range basic problems affecting the mineral industries the sum of twenty-five thousand dollars (\$25,000)

For the purpose of matching money contributed by industry to the School of Mineral Industries for research and investigation of long range basic problems affecting the mineral industries the sum of fifty thousand dollars (\$50,000) Provided that no more shall be expended from this item than may be required to match an equal sum contributed by one or more industries for such research and investigation

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,	Habbvshaw,	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,	Imbrle,	O'Neill,	Vogt,
Dalrymple,	James,	Owens,	Voidow,
Dennison,	Jefferson,	Petrosky,	Voorhees,
DiGenova,	Jones, G. E.,	Pettit,	Wagner,
Dix,	Jones, P. N.,	Polaski,	Watkins,
Dolon,	Keenan,	Polen,	Weingartner,
D'Ortona,	Keenan,	Powers,	Wells,
Duffy,	Kline,	Prosen,	Welsh, E. B.,
Early,	Knoble,	Rank,	Welsh, M. J.,
Eckels,	Kolankiewicz,	Rausch,	Wilkinson,
Elder,	Komorowski,	Readinger,	Williams,
Elliott,	Krise,	Reagan,	Winner,
Ely,	Lee, E. A.,	Reese, D. P.,	Wood, L. H.,
Falkenstein,	Lee, T. H.,	Reese, R. E.,	Wood, N.,
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 Consttution 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. 1608, (Senate Bill No. 545), as follows:

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 and second class

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

Section 1 The court of common pleas of each county of the Commonwealth (except counties of the first and second class) may in its discretion issue writs of venire for the empanelling and summoning of persons for service as jurors (except grand jurors) in any of the courts civil or criminal in the county

Section 2 If the court of common pleas shall exercise such discretion it shall be the duty of the sheriff and the jury commissioners of the county to annex and return one and the same panel of names to the venires issuing as aforesaid and any of the jurors summoned may thereafter be required to serve as petit or general jurors or both as the need for such services shall arise and as the court of common pleas of said county shall direct

Section 3 All acts and parts of acts inconsistent with this act are hereby repealed

Section 4 The provisions of this act shall become effective immediately upon final enactment

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

On the question,

Shall the bill pass finally?

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

YEAS—204

Achterman,	French,	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,	Habbvshaw,	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,	Imbrle,	O'Neill,	Vogt,
Dalrymple,	James,	Owens,	Voidow,
Dennison,	Jefferson,	Petrosky,	Voorhees,
DiGenova,	Jones, G. E.,	Pettit,	Wagner,
	Jones, P. N.,	Polaski,	Watkins,

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

NAYS—0

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

Ordered, That the Clerk 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. 1942, (Senate Bill No. 1096), Printer's No. 607, and House Bill No. 1943, (Senate Bill No. 1097), Printer's No. 606, were 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. 1981, (Senate Bill No. 399), as follows:

An Act making an appropriation to the Treasury Department for the use of the Board of Finance and Revenue in granting refunds of "store and theatre" tax

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

Section 1 The sum of three hundred and fifty thousand dollars (\$350,000) or so much thereof as may be necessary is hereby specifically appropriated out of the State School Fund to the Treasury Department for the two fiscal years beginning June first one thousand nine hundred and forty-one for the use of the Board of Finance and Revenue in making payment of approved claims for refunds of store and theatre tax paid under the provisions of the act approved the fifth day of June one thousand nine hundred and thirty-seven (P. L. 1656) entitled "An act imposing an annual license tax for the privilege of operating maintaining or controlling within this Commonwealth a store or stores theatre or theatres as herein defined prescribing the method and manner of collecting such tax and its disposition including an appropriation for the purpose of administering this act and providing penalties" and subsequently declared by the Supreme Court of the Commonwealth of Pennsylvania to be unconstitutional

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,	Mihm,	Stambaugh,
Burns,	Hare,	Modell,	Stank,
Burris,	Harkins,	Monks,	Stine,
Cadwalader,	Harmuth,	Mooney,	Stockham,
Chervenak,	Harris,	Moran,	Tarr,
Chudoff,	Heatherington,	Moul,	Tate,
Cochran,	Helm,	Muir,	Taylor,
Cohen, M. M.,	Hering,	Munley,	Thompson, E. F.,
Cohen, R. E.,	Herman,	Nagel,	Thompson, R. L.,
Cook,	Hersch,	Nunemacher,	Trout,
Cooper,	Hewitt,	O'Brien,	Turner,
Cordier,	Hirsch,	O'Connor,	Van Allsburg,
Corrigan,	Holland,	O'Dare,	Verona,
Croop,	Huntley,	O'Mullen,	Vincent,
Cullen,	Imbrie,	O'Neill,	Vogt,
Dalrymple,	James,	Owens,	Voldow,
Dennison,	Jefferson,	Petrosky,	Voorhees,
DiGenova,	Jones, G. E.,	Pettit,	Wagner,
Dix,	Jones, P. N.,	Polaski,	Watkins,
Dolon,	Keenan,	Polen,	Weingartner,
D'Ortona,	Kenehan,	Powers,	Wells,
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 with amendments in which the concurrence of the Senate is requested.

BILL PASSED OVER

There being no objection House Bill No. 1860, (Senate Bill No. 575), Printer's No. 608, 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. 1940, (Senate Bill No. 913), as follows:

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 struc-

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

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

Section 1 Definitions as used in the act unless otherwise requires

(1) "Airport" means any locality either of water or land which is adapted for the landing and taking off of aircraft and which provides facilities for shelter supply and repair of aircraft or a place used regularly for receiving or discharging passengers or cargo by air

(2) "Airport hazard" means any structure or tree which obstructs the aerial approaches of a publicly owned airport or is otherwise hazardous to its use for landing or taking-off except those structures that are under the jurisdiction of the Pennsylvania Public Utility Commission

(3) An airport is "publicly owned" if the portion thereof used for the landing and taking-off of aircraft is owned by a governmental body political subdivision public agency or other public corporation

(4) "Department" means Department of Revenue

(5) "Person" means any individual firm copartnership corporation company association joint-stock association or body politic and includes any trustee receiver assignee or other similar representative thereof

(6) "Structure" means any object constructed or installed by man including but without limitation buildings towers and smokestacks except those structures that are under the jurisdiction of the Pennsylvania Public Utility Commission

(7) "Tree" means any object of natural growth

(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

Section 2 Airport Hazards Not in Public Interest It is hereby found and declared that an airport hazard endangers the lives and property of users of the airport and of occupants of land in its vicinity and also if of the obstruction type in effect reduces the size of the area available for the landing taking-off and maneuvering of aircraft thus tending to destroy or impair the utility of the airport and the public investment therein and is therefore not in the interest of the public health public safety or general welfare

Section 3 Preparation of Airport Approach Plans The department is hereby empowered and directed to formulate and adopt and from time to time as may be necessary revise an airport approach plan for each publicly owned airport in the State Each such plan shall indicate the circumstances in which structures and trees are or would be airport hazards the area within which measures for the protection of the airport's aerial approaches should be taken and what the height limits and other objectives of such measures should be In adopting or revising any such plan the department shall consider among other things the character of the flying operations expected to be conducted at the airport the nature of the terrain the height of existing structures and trees above the level of the airport and the possibility of lowering or removing existing obstructions and the department may obtain and consider the views of the agency of the Federal Government charged with the fostering of civil aeronautics as to the aerial approaches necessary to safe flying operations at the airport

Section 4 Adoption of Airport Zoning Regulations

(1) The department for the purpose of protecting airport approaches shall adopt administer and enforce airport zoning regulations applicable to such area which regulations shall divide the area into zones and within such zones specify the land uses permitted regulate and restrict the height to which structures and trees may be erected or allowed to grow and impose such other restrictions and requirements as may be necessary to effectuate the department's approach plan for the airport

(2) In the event that a political subdivision has adopted or hereafter adopts a general zoning ordinance regulating among other things the height of buildings any airport zoning regulations adopted for the same area or portion thereof under this act may be incorporated in and made a part of such general zoning regulations and be administered and enforced in connection therewith but such general zoning regulations shall not limit the effectiveness or scope of the regulations adopted under this act

(3) Any zoning or other regulations applicable to any area within which according to an airport approach plan adopted by the department measures should be taken for the protection of airport approaches including not only any airport zoning regulations adopted under this act but any zoning or other regulations dealing with the same or similar matters that have been or may be adopted under authority other than that conferred by this act shall be consistent with and conform to the department's approach plan for such area and shall be amended from time to time as may be necessary to conform to any revision of the plan that may be made by the department

(4) All airport zoning regulations adopted under this act shall be reasonable and none shall require the removal lowering or other change or alteration of any structure or tree not conforming to the regulations when adopted or amended or otherwise interfere with the continuance of any non-conforming use except as provided in section five (1)

Section 5 Permits and Variances (1) Permits To facilitate the enforcement of zoning regulations adopted pursuant to this act a system shall be established for granting permits to establish or construct new structures and other uses and to replace existing structures and other uses or make substantial changes therein or substantial repairs thereof In any event before any non-conforming structure or tree may be replaced substantially altered or repaired rebuilt allowed to grow higher or replanted a permit must be secured from the department authorizing such replacement change or repair No such permit shall be granted that would allow the structure or tree in question to be made higher or become a greater hazard to air navigation than it was when the applicable regulation was adopted and whenever the department determines that a non-conforming structure or tree has been abandoned or more than eighty per centum torn down destroyed deteriorated or decayed (a) no permit shall be granted that would allow said structure or tree to exceed the applicable height limit or otherwise deviate from the zoning regulations and (b) whether application is made for a permit under this paragraph or not the said department may by appropriate action compel the owner of the non-conforming structure or tree at his own expense to lower remove reconstruct or equip such object as may be necessary to conform to the regulations or if the owner of the non-conforming structure or tree shall neglect or refuse to comply with such order for ten days after notice thereof the said department may proceed to have the object so lowered removed reconstructed or equipped and assess the cost and the expense thereof upon the object or the land whereon it is or was located Unless such an assessment is paid within ninety days from the service of notice thereof on the agent or owner of such object or land the sum shall bear interest at the rate of ten per centum per annum until paid and shall be collected in the same manner as are general taxes Except as indicated all applications for permits for replacement change or repair of non-conforming uses shall be granted

(2) Variances Any person desiring to erect any struc-

ture or increase the height of any structure or permit the growth of any tree or otherwise use his property in violation of airport zoning regulations adopted under this act may apply to the department for a variance from the zoning regulations in question. Such variances shall be allowed where a literal application or enforcement of the regulations would result in practical difficulty or unnecessary hardship and the relief granted would not be contrary to the public interest but would do substantial justice and be in accordance with the spirit of the regulations.

(3) **Obstruction Marking and Lighting** In granting any permit or variance under this section the department may if it deems such action advisable to effectuate the purposes of this act and reasonable in the circumstances so condition such permit or variance as to require the owner of the structure or tree in question to permit the political subdivision at his own expense to install operate and maintain suitable obstruction markers and obstruction lights thereon.

Section 6 Procedure (1) **Adoption of Zoning Regulations** No airport zoning regulations shall be adopted amended or changed under this act except by action of the department after a public hearing in relation thereto at which parties in interest and citizens shall have an opportunity to be heard. The public hearing shall be conducted by the county commissioners of the county in which the said zoning regulations will have effect. The said county commissioners shall after such public hearing transmit notes of testimony plus its recommendations to the department. At least fifteen days' notice of the hearing shall be published in a legal periodical or a periodical of general circulation in the counties.

(2) **Administration of Zoning Regulations Administrative Agency** The department after adopting zoning regulations for airports shall delegate the duty of administering and enforcing such regulations to the county commissioners of the county in which the airport is located. The county commissioners however shall not hear any appeals from their own orders but such appeals shall be heard by the department.

(3) **Administration of Airport Zoning Regulations** The department may not delegate the following matters to the county commissioners but must itself take charge of such matters:

(a) To hear and decide appeals from any order requirement decision or determination made by the administrative agency in the enforcement of this act or of any ordinance adopted pursuant thereto.

(b) To hear and decide special exceptions to the terms of this statute upon which such department may be required to pass under this statute.

Where the department has delegated initial authority to the county commissioners appeals may be taken by any person aggrieved or by any officer department board or bureau of the political subdivision affected by any decision of the county commissioners. An appeal must be taken within a reasonable time as provided for by the rules and regulations promulgated by the department. Upon taking an appeal the appeal must be filed with the county commissioners and a notice of the appeal specifying the grounds thereof must be filed with the department. The county commissioners shall forthwith transmit to the department all papers constituting the record upon which the action appealed from was taken.

An appeal shall stay all proceedings in furtherance of the action appealed from unless the county commissioners from which the appeal is taken certifies to the department after the notice of appeal has been filed with it that by reason of the facts stated in the certificate a stay would in its opinion cause imminent peril to life or property. In such case proceedings shall not be stayed otherwise than by a restraining order which may be granted by the department or by a court of record on application on notice to the agency from which the appeal is taken and on due cause shown.

The department shall fix a reasonable time for the hearing of the appeal give public notice and due notice

to the parties in interest and decide the same within a reasonable time. Upon the hearing any party may appear in person or by agent or by attorney.

The department may in conformity with the provisions of this act reverse or affirm wholly or partly or modify the order requirement decision or determination appealed from and may make such order requirement decision or determination as ought to be made and to that end shall have all the powers of the administrative agency from which the appeal is taken.

Section 7 Judicial Review (1) Any person aggrieved by any decision of the department or any taxpayer or any officer department board or bureau of the political subdivision may present to the common pleas court of the county in which the airport is located a verified petition setting forth that the decision is illegal in whole or in part and specifying the grounds of the illegality. Such petition shall be presented to the court within thirty days after the decision is filed in the department.

(2) Upon presentation of such petition the court may allow a writ of certiorari directed to the department to review such decision of the department. The allowance of the writ shall not stay proceedings upon the decision appealed from but the court may on application on notice to the department and on due cause shown grant a restraining order.

(3) The department shall not be required to return the original papers acted upon by it but it shall be sufficient to return certified or sworn copies thereof or of such portions thereof as may be called for by the writ. The return shall concisely set forth such other facts as may be pertinent and material to show the grounds of the decision appealed from and shall be verified.

(4) The court shall have exclusive jurisdiction to affirm modify or set aside the decision brought up for review in whole or in part and if need be to order further proceedings by the department. The findings of fact by the department if supported by substantial evidence shall be accepted by the court as conclusive and no objection to a decision of the department shall be considered by the court unless such objection shall have been urged before the department or if it was not so urged unless there were reasonable grounds for failure to do so.

(5) Costs shall not be allowed against the department unless it appears to be the court that it acted with gross negligence in bad faith or with malice in making the decision appealed from.

Section 8 Enforcement and Remedies Each violation of this act or of any regulations order or ruling promulgated or made pursuant to this act shall constitute a misdemeanor and shall be punishable by a fine of not more than two hundred dollars (\$200) or imprisonment for not more than two (2) years or by both such fine and imprisonment and each day a violation continues to exist shall constitute a separate offense. In addition either the political subdivision within which the property is located or the department may institute in any court of competent jurisdiction an action to prevent restrain correct or abate any violation of this act or of airport zoning regulations adopted under this act or of any order or ruling made in connection with their administration or enforcement and the court shall adjudge to the plaintiff such relief by way of injunction (which may be mandatory) or otherwise as may be proper under all the facts and circumstances of the case in order fully to effectuate the purposes of this act and of the regulations adopted and orders and rulings made pursuant thereto.

Section 9 Acquisition of Air Rights In any case in which (1) it is desired to remove lower or otherwise terminate a non-conforming use or (2) the approach protection necessary according to the department's airport approach plan cannot because of constitutional limitations be provided by airport zoning regulations under this act or (3) it appears advisable that the necessary approach protection be provided by acquisition of property rights rather than by airport zoning regulations the political subdivision within which the property or non-conforming use is located the political subdivision owning

the airport or served by it or the department may acquire by purchase grant or condemnation in the manner provided by the law under which political subdivisions are authorized to acquire real property for public purposes such an air right easement or other estate or interest in the property or non-conforming use in question as may be necessary to effectuate the purposes of this act

Section 10 Severability If any provision of this act or the application thereof to any person or circumstances is held invalid such invalidity shall not affect other provisions or applications of the act which can be given effect without the invalid provision or application and to this end the provisions of this act are declared to be severable

Section 11 Short Title This act shall be known and may be cited as the "Airport Zoning Act"

Section 12 Repeal All acts and parts of acts inconsistent with this act are hereby repealed

Section 13 Time of Taking Effect This act shall become effective

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, | Mlhm, | 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, | In. brie, | 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, | Weligartner, |
| Duffy, | Kline, | Powers, | Welss, |
| 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, | 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, |
| 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 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. 1975, (Senate Bill No. 1215), as follows:

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

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

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 as 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 corporation 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 inciden-

tal 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 Morgantown 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 approval 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

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, | Sarrafi, |
| Bentley, | Gillette, | McClester, | Scanlon, |
| Bentzel, | Goodwin, | McDermott, | Schwab, |
| Boles, | Greenwood, | McDowell, | Serrill, |
| 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, |
| Burris, | Harkins, | Modell, | Stine, |
| Cadwalader, | Harmuth, | Monks, | Stockham, |
| Chervenak, | Harris, | Mooney, | Tarr, |
| Chudoff, | Heatherington, | Moran, | Tate, |
| Cochran, | Heim, | Moul, | Taylor, |
| Cohen, M. M., | Hering, | Muir, | Thompson, E. F., |
| Cohen, R. E., | Herman, | Munley, | Thompson, E. 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, |
| Dairymple, | James, | O'Neill, | Voldow, |
| Dennison, | Jefferson, | Owens, | Voorhees, |
| DiGenova, | Jones, G. E., | Petrosky, | Wagner, |
| Dix, | Jones, P. N., | Pettit, | Watkins, |
| Doion, | Keenan, | Polaski, | Weingartner, |
| D'Ortona, | Kenehan, | Polen, | Weiss, |
| Duffy, | Kilne, | Powers, | Welsh, E. B., |
| Early, | Knoble, | Prosen, | Welsh, M. J., |
| Eckels, | Kolankiewicz, | Rank, | Wilkinson, |
| Elder, | Komorofski, | Rausch, | Williams, |
| Elliott, | Krise, | Readinger, | Winner, |
| Ely, | Lee, E. A., | Reagan, | Wood, L. H., |
| Falkenstein, | Lee, T. H., | Reese, D. P., | Wood, N., |
| Finestone, | Leisey, | Reese, R. E., | Woodring, |
| Finnerty, | Leonard, | Regan, | Woodside, |
| Fisher, | Lesko, | Reynolds, | Wright, |
| Fiss, | Levy, | Rhea, | Yeakel, |
| Fleming, | Leydic, | Riley, | Yester, |
| Fletcher, | Lichtenwalter, | Rooney, | Young, |
| Flynn, | Longo, | Rose, S., | Kilroy, |
| Foor, | Lovett, | Rose, W. B., | 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 PASSED OVER

There being no objection House Bill No. 1745, Senate

Bill No. 839, Printer's No. 609, 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. 1856, (Senate Bill No. 1047), as follows:

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 and empowering said department to make alter amend and repeal rules and regulations.

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

Section 1 That 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" as amended by the act approved the seventh day of April one thousand nine hundred twenty-seven (P. L. 139) 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 no person co-partnership association or corporation shall erect construct maintain or operate any dry cleaning or dyeing establishment or business except in accordance with the provisions of this act

For the purpose of this act "dry cleaning and dyeing" shall be construed to mean the business of cleaning sponging or dyeing cloth feathers any kind of fabrics or textiles by the use of any inflammable [volatile] liquid or product having a flash point of less than one hundred and forty degrees Fahrenheit closed cup tester

Section 2 No person copartnership association or corporation shall erect maintain construct or operate any dry cleaning or dyeing establishment or business without first obtaining approval from the [Bureau of Fire Protection] Department of [State Police] Labor and Industry Application for such purpose shall be made upon form prescribed by said department and shall be accompanied by drawings covering floor plan roof plan and exterior elevations of the building including thereon the position of all machinery and equipment steam fire extinguishing lines exhaust fans motor storage tanks and such other requirements of the act as it relates to the construction maintenance equipment and operation of the dry cleaning and dyeing establishment or business to be erected constructed maintained or operated Plot plan shall also be furnished showing the location of the dry cleaning building and relative distances to surrounding properties

No dry cleaning dyeing tumbler or drying room shall be located within ten feet of any other building unless separated therefrom by an unpierced fire wall but in no case shall more than two sides of a dry cleaning or dyeing room have blank walls and such rooms shall be provided with at least two exits remote from each other having access to the outside of building All rooms used or to be used for the purpose of dry cleaning or dyeing

as above defined shall be noncombustible material and construction shall not exceed one story in height shall be without basement cellar or open space below the ground floor No dry cleaning building shall be used for any purpose or occupancy other than dry cleaning dyeing and reclaiming gasoline and such other rooms or departments necessary for power and for the receiving and finishing of materials

Section 3 All walls of such dry cleaning dyeing tumbler and drying rooms shall be of brick laid in cement-mortar or of reinforced concrete not less than twelve inches in thickness or of stone laid in cement-mortar not less than sixteen inches in thickness or of other noncombustible material constructed of a thickness of not less than twelve inches Provided that the construction specified heretofore in this section shall not apply to such other rooms or departments as permitted in which no inflammable liquid or compound will be present handled or used but such rooms shall be constructed with exterior walls of noncombustible material not less than eight inches in thickness and shall not exceed one story in height The roof of such building shall be of fire-resistive construction with no concealed roof space No combustible material shall be permitted in the construction of drying room racks

All windows doors or other openings in dry cleaning buildings shall be protected by wire glass in metal frames or fireproof shutters doors or covers Intercommunicating openings from dry cleaning dyeing tumbler and drying rooms shall be provided with standard self-closing fire doors

Venting apertures near floor level shall be provided in dry cleaning dyeing tumbler and drying rooms kept clear of obstruction covered by suitable galvanized wire web and in such numbers and position so as to provide free circulation of air

In dry cleaning dyeing tumbler and drying rooms sparkless exhaust fan of sufficient size to properly vent room and flue of noncombustible material shall be built into the wall or securely fastened thereto so as to change volume of air every five minutes

All discharge outlets of vent apertures shall be provided with suitable wire screen or equivalent and located without hazard to surrounding property

There shall be no direct sewer connections with dry cleaning dyeing tumbler and drying rooms and floor of such rooms shall be of concrete construction not lower than surface of earth surrounding wall

Section 4 No steam boiler furnace or steam generator or heating device exposed fire or other spark emitting device shall be permitted in any dry cleaning dyeing tumbler drying or distilling room or in line of vapor travel therefrom

Heating of such buildings shall be by steam or hot water system or equivalent in safety

All electric wiring and equipment including motors shall conform to [National Electrical Code] the regulations of Department of Labor and Industry [All artificial lighting shall be by incandescent electric lights of approved type]

Transfer of all liquids shall be through continuous piping pipe connections or threaded joints shall be made up litharged and glycerined and all outlets or drain lines shall be drained by gravity to settling or storage tanks No dry cleaning liquid shall be settled in any open or unprotected vessels or tanks Provided that nothing in this section shall prohibit scrubbing and brushing in dry cleaning rooms but not more than three gallons of volatile fluid shall be used in any one container and shall be so used in metallic pan or container and such volatile liquid or substance shall be returned to settling or storage tanks as soon as operation is completed

Storage tanks or volatile inflammable liquids shall conform to the [Standards of the Bureau of Fire Protection Department of State Police] regulations of the Department of Labor and Industry and no such tanks shall be installed without approval from said [bureau] department

Section 5 Fire extinguishers of approved type shall be provided for each two hundred square feet of floor space

or when separate rooms are maintained one extinguisher for each room

As a means of fire extinguishment in any dry cleaning dyeing tumbler and drying rooms the same shall be equipped with steam pipes separate and other than pipes used for heating or power located near the ceiling In these pipes there shall be not less than two openings all of which shall point toward the ceiling The steam supply for such pipes shall be continually available for service while the plant is in operation and shall be sufficient to completely fill the room space in less than one minute An outside screw and yoke valve shall be placed in the steam service line or lines outside of these rooms and shall be accessible for operation in case of fire Such fire protection system shall be extended and connected to washers and tumblers so that the fire extinguishing agent may be admitted to the interior of such machines An approved system using a fire deterrent chemical or gas may be installed in lieu of a steam extinguishing system

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

The Department of Labor and Industry shall have the power and its duty shall be to make alter amend and repeal rules and regulations for carrying into effect all the provisions of this act and applying such provisions to specific conditions

Section 7 Nothing in this act shall be construed so as to restrict or limit the location of any building actually being used for dry cleaning purposes prior to passage of this act except where the fire hazard is in the opinion of the [Bureau of Fire Protection] Department of Labor and Industry of such character as would menace or endanger surrounding property

Nor shall the provisions of this act be held to apply to any building business or establishment now in use so as to cause the same to be rebuilt but should any dry cleaning building or part thereof be reconstructed rebuilt or repaired the same shall as to new work be so reconstructed rebuilt or repaired in conformity with the provisions of this act

Nothing in this section shall be so construed as to relieve any person copartnership association or corporation from responsibility criminal or otherwise because of noncompliance with or violation of any of the provisions of the act to which this act is an amendment

Section 8 Any building inspector fire chief [or fireman] of any community inspector of the [Commonwealth of Pennsylvania or Department of State Police] Department of Labor and Industry or State Fire Marshal shall be permitted to enter any building or buildings at any reasonable hour for purpose of inspection

Section 9 Any person copartnership association or corporation or any member or officer of any copartnership association or corporation who shall violate any of the provisions of this act shall upon conviction be sentenced for the first offense to pay a fine of not less than ten dollars nor more than fifty dollars and for any subsequent offense to pay a fine of not less than one hundred dollars nor more than five hundred dollars and in default of the payment of such fine and costs the person or the member or officer of any such copartnership association or corporation responsible for such violation shall be imprisoned for a period of not less than ten days nor more than sixty days

Prosecutions for violations of this act shall be in the form of summary proceedings instituted before a magistrate alderman or justice of the peace Upon conviction after a hearing the sentences provided in this act shall be imposed and shall be final unless an appeal be taken in the manner prescribed by law

[One-half of the amount of fines recovered under this act shall be paid to the treasurer of the city borough town or township in which the offense shall have been committed and one-half of the amount of fines shall be paid into the State Treasury]

All fines collected under this act shall be forwarded to the Department of Labor and Industry who shall transmit the same to the State Treasury through the Department of Revenue

Section 10 This act shall not be construed to repeal an act of General Assembly approved the eighteenth day of April one thousand eight hundred and sixty-four (P. L. 465) entitled "An act to provide for the appointment of a Fire Marshal for Allegheny County" nor to repeal an act of General Assembly approved the eighth day of June one thousand nine hundred and eleven (P. L. 705) entitled "An act creating the office of Fire Marshal to be attached to the Department of Public Safety in cities of the first class prescribing his duties and powers and providing penalties for violation of the provisions of the act and providing for the method of appointment compensation and for the maintenance of his office

All act 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,	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,
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, R. 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,	Voidow,
Dennison,	Jones, G. E.,	Petrosky,	Voorhees,
DiGenova,	Jones, P. N.,	Pettit,	Wagner,
Dix,	Keenan,	Polaski,	Watkins,
Dolon,	Kenehan,	Polen,	Wingartner,
D'Ortona,	Kilne,	Powers,	Weiss,
Duffy,	Knoble,	Prosen,	Weish, E. B.,
Early,	Kolankiewicz,	Rank,	Weish, 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,	Lichtenwalter,	Rooney,	Yester,
Fletcher,	Longo,	Rose, S.,	Young,
Flynn,			

Foor, Lovett, Rose, W. E., Kilroy, Speaker

NAYS—0

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

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

PERMISSION GRANTED COMMITTEE TO MEET DURING SESSION

Mr. GERARD asked and obtained permission for the Committee on Ways and Means to meet during the session of the House.

HOUSE BILL No. 107 TAKEN FROM TABLE

Mr. ACHTERMAN. Mr. Speaker, I move that House Bill No. 107, 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. 107

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

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

I have the honor to inform you that I have this day approved and signed a resolution of the House of Representatives and Senate recalling from the Governor House Bill No. 107, Printer's No. 742, for the purpose of further consideration.

Accordingly, the original bill is herewith returned.

ARTHUR H. JAMES

RESOLUTION

RETURNING HOUSE BILL No. 107 TO THE GOVERNOR

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

In the House of Representatives, July 12, 1941

Resolved, (if the Senate concur), That House Bill No. 107, Printer's No. 742, entitled "An Act to amend section eleven of the act approved the twenty-seventh day of April, one thousand nine hundred and twenty-seven, (P. L. 395), entitled 'An act empowering the Department of Highways to acquire certain toll bridges within the Commonwealth; providing the procedure therefor; providing for the reimbursement of the Commonwealth from tolls and charges, and making an appropriation,' as amended; by providing that such toll bridges heretofore or hereafter acquired by the Department of Highways shall be free bridges from the effective date of this act, or from the date they are so acquired," which was recalled from the Governor on July 1st for amendment, be returned to the Governor without amendment.

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

HOUSE BILL No. 267 TAKEN FROM TABLE

Mr. LOVETT. Mr. Speaker, I move that House Bill No. 267, 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. 267

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

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

I have the honor to inform you that I have this day approved and signed a resolution of the House of Representatives and the Senate recalling from the Governor House Bill No. 267, Printer's No. 713, for the purpose of further consideration.

Accordingly, the original bill is herewith returned.

ARTHUR H. JAMES

RESOLUTION

RETURNING HOUSE BILL No. 267 TO THE
GOVERNOR

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

In the House of Representatives, July 12, 1941.

Resolved, (if the Senate concur), That House Bill No. 267, Printer's No. 713, entitled "An act making an appropriation to aid certain school districts," which was recalled from the Governor on July 1st for amendment.

be returned to the Governor without amendment.

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

REPORT FROM COMMITTEE

Mr. GATES from the Committee on Ways and Means re-reported as committed House Bill No. 1506, (Senate Bill No. 379), entitled:

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

BILL ON THIRD READING

The SPEAKER. Will the House give its unanimous consent for the immediate consideration of House Bill No. 1506, (Senate Bill No. 379), Printer's No. 194. Is

there objection? The Chair hears none and consent is granted.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1506, (Senate Bill No. 379), entitled:

An Act to further amend section one of the act, approved the seventeenth day of June, one thousand nine hundred and thirteen (P. L. 507), entitled "An act to provide revenue for state and county purposes, and, in cities coextensive with counties, for city and county purposes; imposing taxes upon certain classes of personal property; providing for the assessment and collection of the same, providing for the duties and compensation of prothonotaries and recorders in connection therewith; and modifying existing legislation which provided for raising revenue for State purposes," by excluding proceeds of life insurance policies from the provisions thereof.

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?

QUESTION OF INFORMATION

Mr. LOVETT. Mr. Speaker I rise to a question of information.

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

Mr. LOVETT. Mr. Speaker, I would like to know what bill we are voting on.

The SPEAKER. Senate Bill No. 379.

Mr. LOVETT. Mr. Speaker, is it on the calendar?

The SPEAKER. It is not. The Chair requested unanimous consent of the House for the immediate consideration of the bill.

Mr. LOVETT. Is this the bill that deals with the four mills personal property tax in counties?

The SPEAKER. That is correct.

Mr. LOVETT. Mr. Speaker, we are now back to the point where I told you we would get the other day when we voted on House Bill 1639. The gentleman on the other side, the floor leader was so much worried about not paying any attention to the interests of the working people, or that those that were trying to represent the working people were being misled. Now, we have a bill this morning which slips right out onto the calendar, another one of those personal privileges. We do not see anybody on the other side getting up telling us we don't know what we are talking about now. This particular bill, the one that they shout about taking care of the widows, and orphans. The widows and orphans are not receiving protection in this bill.

Mr. Speaker, will the Chair please state the number of this bill for the information of the House?

BILL PASSED OVER

The SPEAKER. It is Senate Bill 379, Printers' No. 194. If there is no objection this bill will be passed over. The Chair hears none and the bill will be passed over for the present.

For the information of the Members the bill will be taken up later in the day. It is understood that the question will then recur, shall the bill pass finally? Unanimous consent having been granted by the Members to consider the bill.

Mr. HARKINS. Might I request, Mr. Speaker, that at the time the bill is taken up the title be read because there are a large number of Members who are not in their seats, and many of them are opposed to the bill.

The SPEAKER. That is the reason the Chair is passing it over at this time.

HOUSE BILL No. 280 TAKEN FROM TABLE

Mr. LOVETT. Mr. Speaker, I move that House Bill No. 280, 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. 280

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

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

I have the honor to inform you that I have this day approved and signed a resolution of the House of Representatives and the Senate recalling from the Governor House Bill No. 280, Printer's No. 583, for the purpose of further consideration.

Accordingly, the original bill is herewith returned.

ARTHUR H. JAMES

RESOLUTION

RETURNING HOUSE BILL No. 280 TO THE GOVERNOR

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

In the House of Representatives, July 12, 1941

Resolved, (if the Senate concur), That House Bill No. 280, Printer's No. 583, entitled "An Act making an appropriation to the Trustees of the College of Lincoln University, Chester County," which was recalled from the Governor on July 1st for amendment,

be returned to the Governor without amendment.

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

HOUSE BILL No. 281 TAKEN FROM TABLE

Mr. LOVETT. Mr. Speaker, I move that House Bill No. 281, 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. 281

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

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

I have the honor to inform you that I have this day approved and signed a resolution of the House of Representatives and Senate recalling from the Governor House Bill No. 281, Printer's No. 586, for the purpose of further consideration.

Accordingly, the original bill is herewith returned.

ARTHUR H. JAMES

RESOLUTION

RETURNING HOUSE BILL No. 281 TO THE GOVERNOR

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

In the House of Representatives, July 12, 1941

Resolved, (if the Senate concur), That House Bill No. 281, Printer's No. 586, entitled "An Act making an appropriation to the Department of Labor and Industry, for the rehabilitation of the deaf and hard of hearing and for the purpose of matching additional federal funds," which was recalled from the Governor on July 1st for amendment,

be returned to the Governor without amendment.

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

HOUSE BILL No. 291 TAKEN FROM TABLE

Mr. LOVETT. Mr. Speaker, I move that House Bill No. 291, together with the communication from the Governor which was laid on the table July 9, 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. 291

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

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

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

Accordingly, the original bill is herewith returned.

ARTHUR H. JAMES

RESOLUTION

RETURNING HOUSE BILL No. 291 TO THE GOVERNOR

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

In the House of Representatives, July 12, 1941

Resolved, (if the Senate concur), That House Bill No. 291, Printer's No. 1047, entitled "An Act making appropriations for aid to free public non-sectarian county libraries, and for the purchase and transportation of books," was recalled from the Governor on July 8th for amendment,

be returned to the Governor without amendment.

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

HOUSE BILL No. 305 TAKEN FROM TABLE

Mr. LOVETT. Mr. Speaker, I move that House Bill No. 305, 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. 305

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

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

I have the honor to inform you that I have this day approved and signed a resolution of the House of Representatives and Senate recalling from the Governor House Bill No. 305, Printer's No. 737, for the purpose of further consideration.

Accordingly, the original bill is herewith returned.

ARTHUR H. JAMES

RESOLUTION

RETURNING HOUSE BILL No. 305 TO THE GOVERNOR

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

In the House of Representatives, July 12, 1941

Resolved, (if the Senate concur), That House Bill No. 305, Printer's No. 737, entitled "An Act making an appropriation to the Elwyn Training School, at Elwyn, in the County of Delaware, Commonwealth of Pennsylvania; and prescribing certain conditions upon which the appropriation will be available to the school," which was recalled from the Governor on July 1st for amendment,

be returned to the Governor without amendment.

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

HOUSE BILL No. 351 TAKEN FROM TABLE

Mr. LOVETT. Mr. Speaker, I move that House Bill No. 351 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. 351

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

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

I have the honor to inform you that I have this day approved and signed a resolution of the House of Representatives and Senate recalling from the Governor House Bill No. 351, Printer's No. 600, for the purpose of further consideration.

Accordingly, the original bill is herewith returned.

ARTHUR H. JAMES

RESOLUTION

RETURNING HOUSE BILL No. 351 TO THE GOVERNOR

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

In the House of Representatives, July 12, 1941

Resolved, (if the Senate concur), That House Bill No. 351, Printer's No. 600, entitled "An Act making an appropriation to the Johnson Industrial School of Scranton, Pennsylvania," which was recalled from the Governor on July 1st for amendment,

be returned to the Governor without amendment.

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

HOUSE BILL No. 389 TAKEN FROM TABLE

Mr. LOVETT. Mr. Speaker, I move that House Bill No. 389, together with the communication from the Governor which was laid on the table July 9, 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. 389

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

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

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

Accordingly, the original bill is herewith returned.

ARTHUR H. JAMES

RESOLUTION

RETURNING HOUSE BILL No. 389 TO THE GOVERNOR

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

In the House of Representatives, July 12, 1941

Resolved, (if the Senate concur), That House Bill No. 389, Printer's No. 339, entitled "An Act authorizing the Department of Property and Supplies with the approval of the Governor and the Board of Trustees of the Farview State Hospital, to acquire a certain tract of land for the use of said hospital; and making an appropriation therefor," which was recalled from the Governor on July 8th for amendment,

be returned to the Governor without amendment.

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

HOUSE BILL No. 404 TAKEN FROM TABLE

Mr. LOVETT. Mr. Speaker, I move that House Bill No. 404 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. 404

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

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

I have the honor to inform you that I have this day approved and signed a resolution of the House of Representatives and the Senate recalling from the Governor House Bill No. 404, Printer's No. 1059, for the purpose of further consideration.

Accordingly, the original bill is herewith returned.

ARTHUR H. JAMES

RESOLUTION

RETURNING HOUSE BILL No. 404 TO THE GOVERNOR

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

In the House of Representatives, July 12, 1941.

Resolved, (if the Senate concur), That House Bill No. 404 Printer's No. 1059, entitled "An Act relating to marriage; and amending, revising, consolidating and changing the law relating thereto," which was recalled from the Governor on July 1st for amendment,

be returned to the Governor without amendment.

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

HOUSE BILL No. 502 TAKEN FROM TABLE

Mr. LOVETT. Mr. Speaker, I move that House Bill No. 502, 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. 502

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

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

I have the honor to inform you that I have this day approved and signed a resolution of the House of Representatives and the Senate recalling from the Governor House Bill No. 502, Printer's No. 783, for the purpose of further consideration.

Accordingly, the original bill is herewith returned.

ARTHUR H. JAMES

RESOLUTION

RETURNING HOUSE BILL No. 502 TO THE GOVERNOR

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

In the House of Representatives, July 12, 1941.

Resolved, (if the Senate concur), That House Bill No. 502, Printer's No. 783, entitled "An act authorizing the Department of Property and Supplies with advice and approval of the Pennsylvania Historical Commission to acquire on behalf of the Commonwealth of Pennsylvania, certain land which is the site of an old fortress known as Old Garrison in the City of Franklin, Venango County, or so much thereof as may be necessary as a historical memorial; providing for the control, management, supervision and improvement thereof; authorizing the Pennsylvania Historical Commission in cooperation with other agencies to make and enforce rules and regulations for the preservation and visitation thereof; authorizing the Pennsylvania Historical Commission to cooperate with the Daughters of the American Revolution and interested patriotic societies in providing funds for a restoration of Old Garrison; and making an appropriation.

which was recalled from the Governor on July 1st for amendment,

be returned to the Governor without amendment.

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

HOUSE BILL No. 581 TAKEN FROM TABLE

Mr. LOVETT. Mr. Speaker, I move that House Bill No. 581, together with the communication from the Governor which was laid on the table July 9, 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. 581

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

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

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

Accordingly, the original bill is herewith returned.

ARTHUR H. JAMES

RESOLUTION

RETURNING HOUSE BILL No. 581 TO THE GOVERNOR

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

In the House of Representatives, July 12, 1941.

Resolved, (if the Senate concur), That House Bill No. 581, Printer's No. 976, entitled "An Act making an appropriation to the Department of Agriculture for laboratory research in the prevention of the transmission and in the cure of mastitis in cattle," which was recalled from the Governor on July 8th for amendment,

be returned to the Governor without amendment.

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

HOUSE BILL No. 611 TAKEN FROM TABLE

Mr. LOVETT. Mr. Speaker, I move that House Bill No. 611, 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. 611

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

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

I have the honor to inform you that I have this day approved and signed a resolution of the House of Representatives and the Senate recalling from the Governor House Bill No. 611, Printer's No. 773, for the purpose of further consideration.

Accordingly, the original bill is herewith returned.

ARTHUR H. JAMES

RESOLUTION

RETURNING HOUSE BILL No. 611 TO THE GOVERNOR

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

In the House of Representatives, July 12, 1941.

Resolved, (if the Senate concur), That House Bill No. 611, Printer's No. 773, entitled "An Act providing for the acquisition by the Department of Forests and Waters,

in the name of the Commonwealth, of certain lands in Luzerne, Sullivan, and Wyoming Counties, for use of as a State Park; making an appropriation for said acquisition; providing for the management of said property by said department and defining the uses to which the property shall be put," which was recalled from the Governor on July 1st for amendment,

be returned to the Governor without amendment.

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

HOUSE BILL No. 614 TAKEN FROM TABLE

Mr. LOVETT. Mr. Speaker, I move that House Bill No. 614 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. 614

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

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

I have the honor to inform you that I have this day approved and signed a resolution of the House of Representatives and the Senate recalling from the Governor House Bill No. 614, Printer's No. 616, for the purpose of further consideration.

Accordingly, the original bill is herewith returned.

ARTHUR H. JAMES

RESOLUTION

RETURNING HOUSE BILL No. 614 TO THE GOVERNOR

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

In the House of Representatives, July 12, 1941.

Resolved, (if the Senate concur), That House Bill No. 614, Printer's No. 616, entitled "An Act making an appropriation to the Downingtown Industrial and Agricultural School, Downingtown, Pennsylvania," which was recalled from the Governor on July 1st for amendment,

be returned to the Governor without amendment.

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

HOUSE BILL No. 650 TAKEN FROM TABLE

Mr. LOVETT. Mr. Speaker, I move that House Bill No. 650, 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, pre-

sented a communication in writing from His Excellency the Governor, which was read as follows:

APPROVAL OF RESOLUTION RECALLING
HOUSE BILL No. 650

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, July 2, 1941,
To the Honorable, the House of Representatives of the
Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed a resolution of the House of Representatives and the Senate recalling from the Governor House Bill No. 650, Printer's No. 164, for the purpose of further consideration.

Accordingly, the original bill is herewith returned.

ARTHUR H. JAMES

RESOLUTION

RETURNING HOUSE BILL No. 650 TO THE GOVERNOR

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

In the House of Representatives, July 12, 1941

Resolved, (if the Senate concur), That House Bill No. 650, Printer's No. 164, entitled "An Act to amend section seven of the act approved the twenty-second day of June, one thousand nine hundred and thirty-one, (P. L. 720), entitled 'An act providing for the taking over by the Commonwealth under certain terms, conditions and limitations, of certain streets in cities of the second class, second class A, and third class as State highways, and for the improvement, construction, reconstruction, resurfacing and maintenance by the Commonwealth of certain defined widths of said streets; imposing duties on such cities and on public utility companies using such streets; providing that no assessment shall be made upon the Commonwealth in the elimination of any grade crossing thereon. * * *', as last amended by providing for the changing of width, lines, location or grades of streets in cities of the second class, second class A, and third class, by the Department of Highways, without the consent of the city in which said street is located relieving the city from liability for damages in such cases, and imposing liability for damages upon the Commonwealth of Pennsylvania," which was recalled from the Governor on July 1st, for amendment,

be returned to the Governor without amendment.

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

HOUSE BILL No. 1003 TAKEN FROM TABLE

Mr. LOVETT. Mr. Speaker, I move that House Bill No. 1003, 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. 1003

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, July 2, 1941
To the Honorable the House of Representatives of the
Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed a resolution of the House of Representatives and Senate recalling from the Governor House Bill No. 1003, Printer's No. 591, for the purpose of further consideration.

Accordingly, the original bill is herewith returned.

ARTHUR H. JAMES

RESOLUTION

RETURNING HOUSE BILL No. 1003 TO THE
GOVERNOR

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

In the House of Representatives, July 12, 1941

Resolved, (if the Senate concur). That House Bill No. 1003, Printer's No. 591, entitled "An Act making an appropriation to the Moore Institute of Art, Science and Industry formerly Philadelphia Schol of Design for Women at Philadelphia, Pennsylvania," which was recalled from the Governor on July 1st, for amendment,

be returned to the Governor without amendment.

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

HOUSE BILL No. 1065 TAKEN FROM TABLE

Mr. LOVETT. Mr. Speaker, I move that House Bill No. 1065, 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. 1065

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, July 2, 1941
To the Honorable, the House of Representatives of the
Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed a resolution of the House of Representatives and Senate recalling from the Governor House Bill No. 1065, Printer's No. 599, for the purpose of further consideration.

Accordingly, the original bill is herewith returned.

ARTHUR H. JAMES

RESOLUTION

RETURNING HOUSE BILL No. 1065 TO
THE GOVERNOR.

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

In the House of Representatives, July 12, 1941

Resolved, (if the Senate concur), That House Bill No. 1065, Printer's No. 599, entitled "An Act making an appropriation to the National Farm School, at Doylestown, Pennsylvania," which was recalled from the Governor on July 1st for amendment,

be returned to the Governor without amendment.

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

HOUSE BILL No. 1066 TAKEN FROM TABLE

Mr. LOVETT. Mr. Speaker, I move that House Bill No. 1066, together with the communication from the Governor which was laid on the table July 9, 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. 1066

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

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

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

Accordingly, the original bill is herewith returned.

ARTHUR H. JAMES

RESOLUTION

RETURNING HOUSE BILL No. 1066 TO THE GOVERNOR

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

In the House of Representatives, July 12, 1941

Resolved, (if the Senate concur), That House Bill No. 1066, Printer's No. 978, entitled "An Act making an appropriation to the Trustees of the Hahnemann Medical College and Hospital, of Philadelphia, Pennsylvania," which was recalled from the Governor on July 8th for amendment,

be returned to the Governor without amendment.

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

HOUSE BILL No. 1068 TAKEN FROM TABLE

Mr. LOVETT. Mr. Speaker, I move that House Bill No. 1068, 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. 1068

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

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

I have the honor to inform you that I have this day approved and signed a resolution of the House of Representatives and Senate recalling from the Governor House Bill No. 1068, Printer's No. 592, for the purpose of further consideration.

Accordingly, the original bill is herewith returned.

ARTHUR H. JAMES

RESOLUTION

RETURNING HOUSE BILL No. 1068 TO THE GOVERNOR

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

In the House of Representatives, July 12, 1941

Resolved, (if the Senate concur), That House Bill No. 1068, Printer's No. 592, entitled "An Act making an appropriation to the Trustees of the University of Pennsylvania," which was recalled from the Governor on July 1st for amendment,

be returned to the Governor without amendment.

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

HOUSE BILL No. 1083 TAKEN FROM TABLE

Mr. LOVETT. Mr. Speaker, I move that House Bill No. 1083, together with the communication from the Governor which was laid on the table July 9, 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. 1083

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

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

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

Accordingly, the original bill is herewith returned.

ARTHUR H. JAMES

RESOLUTION

RETURNING HOUSE BILL No. 1083 TO THE GOVERNOR

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

In the House of Representatives, July 12, 1941

Resolved, (if the Senate concur), That House Bill No. 1083, Printer's No. 614, entitled "An Act making an appropriation to the Trustees of Temple University at Philadelphia, Pennsylvania," which was recalled from the Governor on July 8th for amendment,

be returned to the Governor without amendment.

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

HOUSE BILL No. 1106 TAKEN FROM TABLE

Mr. LOVETT. Mr. Speaker, I move that House Bill No. 1106, together with the communication from the Governor which was laid on the table July 9, 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. 1106

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

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

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

Accordingly, the original bill is herewith returned.

ARTHUR H. JAMES

RESOLUTION

RETURNING HOUSE BILL No. 1106 TO THE GOVERNOR

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

In the House of Representatives, July 12, 1941

Resolved, (if the Senate concur), That House Bill No. 1106, Printer's No. 1046, entitled "An Act making an appropriation to the Women's Medical College of Pennsylvania, located at East Falls, Philadelphia, Pennsylvania," which was recalled from the Governor on July 8th for amendment,

be returned to the Governor without amendment.

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

HOUSE BILL No. 1203 TAKEN FROM TABLE

Mr. LOVETT. Mr. Speaker, I move that House Bill No. 1203, together with the communication from the Governor which was laid on the table July 9, 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. 1203

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

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

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

Accordingly, the original bill is herewith returned.

ARTHUR H. JAMES

RESOLUTION

RETURNING HOUSE BILL No. 1203 TO THE GOVERNOR

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

In the House of Representatives, July 12, 1941

Resolved, (if the Senate concur), That House Bill No. 1203, Printer's No. 612, entitled "An Act making an appropriation to the Jefferson Medical College, of Philadelphia, Pennsylvania, for medical education," which was recalled from the Governor on July 8th for amendment,

be returned to the Governor without amendment.

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

HOUSE BILL No. 1321 TAKEN FROM TABLE

Mr. LOVETT. Mr. Speaker, I move that House Bill No. 1321, 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. 1321

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

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

I have the honor to inform you that I have this day approved and signed a resolution of the House of Representatives and Senate recalling from the Governor House Bill No. 1321, Printer's No. 602, for the purpose of further consideration.

Accordingly, the original bill is herewith returned.

ARTHUR H. JAMES

RESOLUTION

RETURNING HOUSE BILL No. 1321 TO THE GOVERNOR

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

In the House of Representatives, July 12, 1941

Resolved, (if the Senate concur), That House Bill No. 1321, Printer's No. 602, entitled "An Act making an appropriation to the Department of Property and Supplies for payment of balances due certain contractors for additions and alterations at the Harrisburg State Hospital," which was recalled from the Governor on July 1st for amendment,

be returned to the Governor without amendment.

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

HOUSE BILL No. 1334 TAKEN FROM TABLE

Mr. LOVETT. Mr. Speaker, I move that House Bill No. 1334, 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. 1334

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

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

I have the honor to inform you that I have this day approved and signed a resolution of the House of Representatives and Senate recalling from the Governor House Bill No. 1334, Printer's No. 588, for the purpose of further consideration.

Accordingly, the original bill is herewith returned.

ARTHUR H. JAMES

RESOLUTION

RETURNING HOUSE BILL No. 1334 TO THE GOVERNOR

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

In the House of Representatives, July 12, 1941

Resolved, (if the Senate concur), That House Bill No. 1334, Printer's No. 588, entitled "An Act making an appropriation to the Department of Property and Supplies for the payment of claims arising in connection with the erection and construction of the Eastern State Penitentiary at Graterford," which was recalled from the Governor on July 1st for amendment,

be returned to the Governor without amendment.

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

HOUSE BILL No. 1590 TAKEN FROM TABLE

Mr. LOVETT. Mr. Speaker, I move that House Bill No. 1590, 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. 1590

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

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

I have the honor to inform you that I have this day approved and signed a resolution of the House of Representatives and Senate recalling from the Governor House Bill No. 1590, Printer's No. 572, for the purpose of further consideration.

Accordingly, the original bill is herewith returned.

ARTHUR H. JAMES

RESOLUTION

RETURNING HOUSE BILL No. 1590 TO THE GOVERNOR

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

In the House of Representatives, July 12, 1941

Resolved, (if the Senate concur), That House Bill No. 1590, Printer's No. 572, entitled "An Act making an appropriation to the Board of Trustees of the Philadelphia Museum, Philadelphia," which was recalled from the Governor on July 1st, for amendment,

be returned to the Governor without amendment.

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

HOUSE BILL No. 1591 TAKEN FROM TABLE

Mr. LOVETT. Mr. Speaker, I move that House Bill No. 1591, 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. 1591

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

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

I have the honor to inform you that I have this day approved and signed a resolution of the House of Representatives and the Senate recalling from the Governor House Bill No. 1591, Printer's No. 634, for the purpose of further consideration.

Accordingly, the original bill is herewith returned.

ARTHUR H. JAMES.

RESOLUTION

RETURNING HOUSE BILL No. 1591
TO THE GOVERNOR

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

In the House of Representatives, July 12, 1941.

Resolved, (if the Senate concur), That House Bill No. 1591, Printer's No. 634, entitled "An Act making an appropriation to the Pennsylvania Museum and School of Industrial Art, Philadelphia," which was recalled from the Governor on July 1st for amendment,

be returned to the Governor without amendment.

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

HOUSE BILL No. 1659 TAKEN FROM TABLE

Mr. LOVETT. Mr. Speaker, I move that House Bill No. 1659, 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. 1659

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

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

I have the honor to inform you that I have this day approved and signed a resolution of the House of Representatives and the Senate recalling from the Governor House Bill No. 1659, Printer's No. 775, for the purpose of further consideration.

Accordingly, the original bill is herewith returned.

ARTHUR H. JAMES.

RESOLUTION

RETURNING HOUSE BILL No. 1659
TO THE GOVERNOR

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

In the House of Representatives, July 12, 1941.

Resolved, (if the Senate concur), That House Bill No. 1659, Printer's No. 775, entitled "An Act making an appropriation to the Department of Revenue for the payment of accounts settled against the Commonwealth and that department in favor of certain persons, associations and corporations," which was recalled from the Governor on July 1st for amendment,

be returned to the Governor without amendment.

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

HOUSE BILL No. 1722 TAKEN FROM TABLE

Mr. LOVETT. Mr. Speaker, I move that House Bill

No. 1722, 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. 1722

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

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

I have the honor to inform you that I have this day approved and signed a resolution of the House of Representatives and the Senate recalling from the Governor House Bill No. 1722, Printer's No. 836, for the purpose of further consideration.

Accordingly, the original bill is herewith returned.

ARTHUR H. JAMES.

RESOLUTION

RETURNING HOUSE BILL No. 1722
TO THE GOVERNOR

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

In the House of Representatives, July 12, 1941.

Resolved, (if the Senate concur), That House Bill No. 1722, Printer's No. 836, entitled "An Act authorizing the Department of Property and Supplies, with the approval of the Governor and the Board of Trustees of Warren State Hospital, to acquire a certain tract of land for the use of said hospital, and making an appropriation therefor," which was recalled from the Governor on July 1st for amendment,

be returned to the Governor without amendment.

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

QUESTION OF INFORMATION

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

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

Mr. LEVY. Mr. Speaker, a bill that is reported out of committee on one legislative day, is that bill permitted to be placed on the calendar by unanimous consent on the same day?

The SPEAKER. To what bill is the gentleman referring?

Mr. LEVY. I am talking about Senate Bill No. 379.

The SPEAKER. For the information of the gentleman from Philadelphia, Senate Bill No. 379 was re-reported from the Committee on Ways and Means. It has been read twice before and comes before the House for third reading and final passage. The House gave unanimous consent for the immediate consideration of the bill,

thereby dispensing with the printing of the title of the bill on the calendar.

The Chair would further inform the gentleman that the bill may be considered today on third reading and final passage under the provisions of the constitution. Has the Chair answered clearly the inquiry of the gentleman?

Mr. LEVY. Yes, Mr. Speaker.

QUESTION OF PARLIAMENTARY INQUIRY

Mr. HARKINS. Mr. Speaker, I rise to a question of parliamentary inquiry.

The SPEAKER. The gentleman from Allegheny will state his question of parliamentary inquiry.

Mr. HARKINS. Mr. Speaker, I rise to inquire of the Chair whether or not the ruling of the Chair in answer to the gentleman from Philadelphia, Mr. Levy, violates Section 2 of Article III of the Constitution which reads:

"No bill shall be considered unless referred to a committee, returned therefrom"—

The SPEAKER. Article II, Section 3 of the Constitution reads:

"Senators shall be elected for a term of four years and Representatives for a term of two years."

Mr. HARKINS. Perhaps, Mr. Speaker, we have our wires crossed. I am reading from the Pennsylvania Manual on page 34, Section 2 of Article III, under the general title of "Legislation".

The SPEAKER. That is different, Section 2 of Article III.

Mr. HARKINS. That is what I did say, Mr. Speaker.

The SPEAKER. You said Article II of Section 3.

Mr. HARKINS. I beg the Speaker's pardon. Mr. Speaker I have consulted the stenographer and he said that I did say Section 2 of Article III.

The SPEAKER. Section 2 of Article III is:

"No bill shall be considered unless referred to a committee, returned therefrom and printed for the use of the members".

For the information of the gentleman from Allegheny, Senate Bill 379 was referred to the Committee on Ways and Means, returned therefrom and was printed for the use of the members.

Article III, Section 4 reads:

"Every bill shall be read at length on three different days in each House; all amendments made there-to shall be printed for the use of the members before the final vote is taken on the bill, and no bill shall become a law, unless on its final passage the vote be taken by yeas and nays, the names of the persons voting for and against the same be entered on the journal and a majority of the members elected to each House be recorded thereon as voting in its favor".

This bill was printed and the members have before them all the information necessary to vote on the bill when they are ready to consider it.

Mr. HARKINS. Mr. Speaker, I have not been furnished with a printed copy of the bill and inasmuch as a meeting has just been held a few minutes ago I did not know whether the bill was printed, and I wanted to inquire whether the printing had to be done subsequent to

a committee meeting or whether or not a bill which was not amended in a committee could be considered if it was in print from a prior date.

The SPEAKER. For the information of the gentleman from Allegheny Mr. Harkins, Senate Bill 379 has been in the files of the members for months.

Mr. HARKINS. Mr. Speaker, the point I wanted the Speaker to rule on was whether or not the prior printing would be sufficient, if the printing was made prior to date it was reported from committee. I understand the Chair to rule that that is sufficient. Is my understanding correct?

The SPEAKER. The only time it is necessary to re-print a bill under the Constitution is when it is amended.

Mr. HARKINS. I so understand the Chair to rule at the present time. Is my understanding correct?

The SPEAKER. The gentleman's understanding is correct.

SENATE BILL No. 236 MADE SPECIAL ORDER

Mr. LOVETT. Mr. Speaker, I move that House Bill No. 1481, (Senate Bill No. 236), Printer's No. 496, entitled:

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

on page 17 of today's calendar, bills on third reading postponed be made a special order of business on third reading and final passage at 2 p. m. today.

The motion was agreed to.

SENATE MESSAGES

SENATE RECEDES FROM AMENDMENTS TO HOUSE BILL No. 1130

The Clerk of the Senate being introduced informed that the Senate has receded from its amendments non-concurred in by the House and concurs in House Bill numbered and entitled:

HOUSE BILL No. 1130.

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

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. 653.

An Act to add clause eighteen A to section three of article nineteen of the act approved the seventh day of March one thousand nine hundred one (P. L. 20), entitled "An act for the government of cities of the second class" authorizing cities of the second class to impose and collect charges for the care and treatment at municipal hospitals of persons who are financially able to pay the expenses of such care and treatment

HOUSE BILL No. 724.

An Act to further amend section 363 of the act approved May second, 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" and further regulating the form and contents of county auditors' reports.

HOUSE BILL No. 750.

An Act authorizing the Department of Property and Supplies with the approval of the Governor to convey to the county commissioners of Somerset County certain real property located in said county and heretofore acquired by the Commonwealth for development as an airport.

HOUSE BILL No. 848.

An Act to further amend paragraph nineteen of section one thousand two hundred ten of the act, approved the eighteenth day of May, one thousand nine hundred eleven (P. L. 309), entitled "An act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same; and the method of collecting such revenue; and repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent therewith," providing for the continuation of payments for closed schools to districts which by reason of any increase in population have been changed from a fourth class district to one of another class

HOUSE BILL No. 896.

An Act authorizing county commissioners to sell seated and unseated lands purchased at tax sales, upon which the period of redemption has expired; and validating certain sales heretofore made

HOUSE BILL No. 1035.

An Act to further amend clause ten of section one of the act approved the twenty-seventh day of June one thousand nine hundred and twenty-three (P. L. 858), entitled "An act establishing a State employes' retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing State employes defining 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" further defining "new member"

HOUSE BILL No. 1417.

An Act making an appropriation to The General State Authority, to defray the costs and expenses of the said Authority in connection with the organization, administration, and operation thereof.

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

AMENDED SENATE BILLS CONCURRED
IN BY SENATE

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

SENATE BILL No. 1.

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

SENATE BILL No. 344.

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

SENATE BILL No. 784.

An Act to amend section four hundred three of the act approved the fifteenth day of May one thousand nine hundred and thirty-three (P. L. 565) entitled "An act relating to the powers and duties of the Department of Banking and the Secretary of Banking in exercising supervision over and taking possession of and conducting or liquidating the business and property of corporations associations and persons receiving deposits or otherwise transacting a banking business corporations acting as fiduciaries and building and loan associations providing for the payment of the expenses of the Department of Banking by supervised corporations associations or persons and appropriating the Banking Department Fund authorizing the Department of Banking under certain circumstances to examine corporations 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

SENATE BILL FOR CONCURRENCE

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

SENATE BILL No. 261. (HOUSE BILL No. 1990).

An Act for the extension of Capitol Park in the City of Harrisburg and for the acquisition of real estate in connection therewith and for the demolition of the buildings and structures thereon; and making an appropriation.

Referred to the Committee on Appropriations.

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. 53.

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

HOUSE BILL No. 70.

An Act to amend section seven hundred three of the act, approved the twenty-fourth day of June, one thousand nine hundred and thirty-one (P. L. 1206), entitled "An act concerning townships of the first class, amending, revising, consolidating and changing the law relating thereto," by providing for the compensation paid to township commissioners

HOUSE BILL No. 215.

An Act to further amend sections one and four of the act, approved the sixteenth day of May, one thousand nine hundred and nineteen (P. L. 180), entitled "An act providing a method of establishing title to land acquired at a sale for unpaid taxes or municipal claims," extending the provisions of said act to include land acquired at city treasurer's sales for unpaid taxes and providing that in certain cases notice of the proceedings by advertisement shall be deemed a good and sufficient service.

HOUSE BILL No. 355.

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

HOUSE BILL No. 553.

An Act to amend section twenty-two of the act approved the seventh day of June one thousand nine hundred and seventeen (P. L. 403) entitled "An act relating to the form execution revocation and interpretation of wills to nuncupative wills to the appointment of testamentary guardians in case of murder of testator to elections to take under or against wills and to the recording and registering of such elections and of decrees relative thereto and to the fees therefor" by providing for forfeiture of the right to take property under the will of a murdered testator.

HOUSE BILL No. 554.

An Act to amend section twenty-three of the act approved the seventh day of June one thousand nine hundred and seventeen (P. L. 429) entitled "An act relating to the descent and distribution of the real and personal property of persons dying intestate and to provide for the recording and registering of the decrees of the Orphans' Court in connection therewith and the fees therefor" by providing for forfeiture of the right to inherit or to take property of a murdered intestate under the said act

HOUSE BILL No. 579.

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

HOUSE BILL No. 652.

An Act authorizing any county, city, borough, town, township, poor district, school district or institution district to execute a special warranty deed for any real property which it has acquired at any sale for the non-payment of taxes or municipal claims.

HOUSE BILL No. 687.

An Act to further amend the title and section one of the act approved the third day of May one thousand nine hundred and nine (P. L. 424) entitled "An act providing that in all counties having more than five hundred thousand inhabitants advertisements and notices required by law or rules of court to be published in newspapers of general circulation unless dispensed with by special order of court shall be published in the legal newspaper issued at least weekly of the proper county designated by rules of court for the publication of court or other legal notices" as amended extending the provisions of the said act to counties of the sixth class

HOUSE BILL No. 974.

An Act to amend article twelve section one thousand two hundred six of the act approved the ninth day of April one thousand nine hundred and twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" by providing for the issuance of a certificate of approval for weights and measures of county city and borough sealers.

HOUSE BILL No. 1194.

An Act to amend sections two and three of the act approved the eleventh day of May, one thousand nine hundred and eleven, (P. L. 275), entitled "An act to provide for the appointment of county and city inspectors of weights and measures; providing for their compensation and expenses; prescribing their duties; prohibiting vendors from giving false or insufficient weights; and fixing the penalties for the violation of the provisions hereof" as amended, by providing for the issuance of certificates of approval for weights and measures of county, city, and borough sealers.

HOUSE BILL No. 1326.

An Act to amend sections three and four of the act, approved the thirtieth day of March, one thousand nine hundred three (P. L. 110), entitled "A supplement to an act, entitled 'An act regulating the construction, maintenance, alteration, and inspection of buildings and party walls in cities of the second class,' approved the seventh day of June, Anno Domini one thousand eight hundred and ninety-five; regulating the construction alteration and ventilation of tenement-houses, and providing for the safety of the inhabitants thereof; and providing penalties for the violation of the same," further regulating the erection, alteration and ventilation of certain tenement houses.

HOUSE BILL No. 1327.

An Act to amend section six and to further amend section eleven of the act, approved the twenty-eighth day of May, one thousand nine hundred and fifteen (P. L. 596), entitled "An act requiring cities of the second class to establish a pension fund for employes of said cities, and regulating the administration and the payment

of such pensions," restricting the right of per diem employees to join such pension system, and giving peace time drafted employees credit for the time spent in the service of the United States.

HOUSE BILL No. 1328.

An Act to reenact and amend the title and the act approved the twenty-ninth day of April one thousand nine hundred thirty-seven (P. L. 526) entitled "An act providing for and regulating joint purchases by counties (other than counties of the first and second classes) cities of the third class boroughs towns townships school districts and poor districts" by including second class counties cities of the second class and institution districts within the provisions of the act

HOUSE BILL No. 1658.

An Act to further amend the first paragraph of section one of article fifteen of the act, approved the seventh day of March, one thousand nine hundred and one (P. L. 20), entitled "An act for the government of cities of the second class," by further regulating the manner of letting contracts relating to city affairs.

HOUSE BILL No. 1835.

An Act creating a Highway Traffic Advisory Committee to the War Department of the United States of America; providing for its appointment; prescribing its powers and duties; and authorizing the use by the committee of the employes, equipment, supplies and facilities of certain State agencies.

HOUSE BILL No. 1895.

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

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

AMENDED SENATE BILLS NONCONCURRED IN BY SENATE

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

SENATE BILL No. 46.

An Act to amend the title of and to add section one hundred fifty and one-tenth to the act approved the second day of May one thousand nine hundred and twenty-nine (P. L. 1278) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" authorizing the county treasurer in counties of the first second third fourth fifth sixth seventh and eighth classes to appoint a solicitor and providing for his salary payable out of the treasury from which the county treasurer is paid

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

MR. ACHTERMAN IN THE CHAIR

HOUSE BILL No. 1121 TAKEN FROM TABLE

Mr. LOVETT. Mr. Speaker, I move that House Bill No. 1121, together with the message from the Senate which was laid on the table June 30, 1941, be taken from the table.

The motion was agreed to.

The message was read by the Clerk as follows:

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. 1121.

A Further Supplement to the act, approved the first day of April, one thousand eight hundred and sixty-three (P. L. 213), entitled "An act to accept the grant of Public Lands, by the United States, to the several states, for the endowment of Agricultural Colleges," making an appropriation for carrying the same into effect.

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 in lines 5 and 6 the words and figures "four million eight hundred thousand dollars (\$4,800,000)" and inserting in lieu thereof the words and figures "five million five hundred nine thousand five hundred forty-five dollars (\$5,509,545)."

On the question recurring,

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,	McCannaghan,	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,	Cyger,	McLanahan,	Simons,
Bradley,	Habbyshaw,	McLane,	Skale,
Bretherick,	Haberlen,	McMillen,	Snyder,
Brown,	Haines,	McSurdy,	Sollenberger,
Brunner, C. H.,	Hall,	Melchiorre,	Sorg,
Brunner, F. A.,	Hamilton,	Mihm,	Stambaugh,
Burns,	Hare,	Modell,	Stank,
Burriss,	Harkins,	Monks,	Stine,
Cadwalader,	Harmuth,	Mooney,	Stockham,
Chervenak,	Harris,	Moran,	Tarr,
Chudoff,	Moul,	Heatherington,	Tate,
Coehran,	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,	VanAllsburg,
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,	Watkins,
Dolon,	Keenan,	Polen,	Weingartner,
D'Ortona,	Kenehan,	Powers,	Weiss,
Duffy,	Kline,	Prosen,	Welsh, E. B.,
Early,	Knoble,	Rank,	Welsh, M. J.,
Eckels,	Kolankiewicz,	Rausch,	Wilkinson,
Elder,	Komorowski,	Readinger,	Williams,
Elliott,	Krise,	Reagan,	Winner,
Ely,	Lee, E. A.,	Reese, D. P.,	Wood, L. H.,
Falkenstein,	Lee, T. H.,	Reese, R. E.,	Wood, N.,
Finestone,	Lelsey,	Regan,	Woodring,
Finnerty,	Leonard,	Reynolds,	Woodside,
Fisher,	Lesko,	Rhea,	Wright,
Fiss,	Levy,	Riley,	Yeakel,
Fleming,	Leydic,	Rooney,	Yester,
Fletcher,	Lichtenwalter,	Rose, S.,	Young,
Flynn,	Longo,	Rose, W. E.,	Kilroy,
Foot,	Lovett,	Rosenfeld,	Speaker.
	Lyons,		

NAYS—0

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

Ordered, That the Clerk inform the Senate accordingly.

THE SPEAKER (Elmer Kilroy) IN THE CHAIR

The SPEAKER. The Chair thanks the gentleman from Monroe, Mr. Achterman, for presiding.

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. 1.

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

SENATE BILL No. 344.

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.

SENATE BILL No. 784.

An Act to amend section four hundred three of the act approved the fifteenth day of May one thousand nine hundred and thirty-three (P. L. 565) entitled "An act relating to the powers and duties of the Department of Banking and the Secretary of Banking in exercising supervision over and taking possession of and conducting or liquidating the business and property of corporations associations and persons receiving deposits or otherwise transacting a banking business corporations acting as fiduciaries and building and loan associations providing for the payment of the expenses of the Department of Banking by super-

vised 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

SENATE BILL No. 241.

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

SENATE BILL No. 338.

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

SENATE BILL No. 367.

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

SENATE BILL No. 509.

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

SENATE BILL No. 574.

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

SENATE BILL No. 587.

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

SENATE BILL No. 785.

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

SENATE BILL No. 883.

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

SENATE BILL No. 905.

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 miners, 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 or 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 refused to act, unreasonably withheld 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 trustee 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 entreties, and one spouse has been declared weak-minded or mentally incompetent.

SENATE BILL No. 994.

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

SENATE BILL No. 1006.

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

SENATE BILL No. 1019.

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

SENATE BILL No. 1095.

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.

SENATE BILL No. 1186.

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

SENATE BILL No. 1256.

An Act authorizing the Department of Property and Supplies with the approval of the Governor to sell and convey certain plots of land.

Whereupon,

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

AMENDED HOUSE BILLS RETURNED FOR CONCURRENCE

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

HOUSE BILL No. 448.

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

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 4, line 5, by inserting after the word "States" and before the word "Such" the following:

"or as a person who advocates Communism Fascism or Naziism or any "un-American or Subversive Doctrines" or who advocates or supports a political party or organization of individuals advocating or supporting Communism Fascism or Naziism or any "un-American or Subversive Doctrines" or is a member of any organization of individuals advocating or supporting Communism Fascism or Naziism or any "un-American or Subversive Doctrines" ";

also same page, at the end of line 19, by inserting after the word "assistance" the following:

"The phrase "un-American or Subversive Doctrines" shall be construed to mean doctrines which teach or ad-

vocate the overthrow of the Government of the United States of America or of the Commonwealth of Pennsylvania by revolution or the destruction or change of the democratic form of American Government and the substitution thereof of an undemocratic form of government by means or methods other than those provided for in the Constitution of the United States or the Constitution of the Commonwealth of Pennsylvania".

Amend Section 2, page 4, line 25, by striking out after the word "advocate" the word "and" and inserting in lieu thereof the word "or"; also same page, at the end of line 28, by inserting after the word "States" the following:

"or who advocate Communism Fascism or Naziism or any "un-American or Subversive Doctrines" or who advocate or support a political party or organization of individuals advocating or supporting Communism Fascism or Naziism or any "un-American or Subversive Doctrines" or are members of any organization of individuals advocating or supporting Communism Fascism or Naziism or any "un-American or Subversive Doctrines"".

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—82

Auker,	Gillan,	Leydic,	Snyder,
Boorse,	Gillette,	Lichtenwalter,	Sollenberger,
Bower,	Greenwood,	Lyons,	Sorg,
Bretherick,	Gross,	McClester,	Stambaugh,
Brunner, C. H.,	Gyger,	McDowell,	Stockham,
Cadwalader,	Habbyshaw,	McKinney,	Taylor,
Cook,	Haines,	McMillen,	Thompson, R. L.,
Cooper,	Hall,	McSurdy,	Trout,
Cordier,	Hare,	Muir,	Turner,
Dalrymple,	Helm,	O'Dare,	Van Allsburg,
Dennison,	Hewitt,	Rank,	Voorhees,
Dix,	Huntley,	Reagan,	Wagner,
Eckels,	Imbrie,	Reese, D. F.,	Watkins,
Elder,	James,	Rhea,	Weingartner,
Ely,	Jones, G. E.,	Riley,	Wilkinson,
Fisher,	Kline,	Rose, W. E.,	Winner,
Fiss,	Knoble,	Royer,	Wood, L. H.,
Fleming,	Krise,	Sarge,	Wood, N.,
Fletcher,	Lee, E. A.,	Serrill,	Woodside,
Foor,	Lee, T. H.,	Skale,	Yeakel,
Gates,	Lelsey,		

NAYS—122

Achterman,	French,	McDermott,	Reynolds,
Allmond,	Gallagher,	McFall,	Rooney,
Baker,	Gerard,	McIntosh,	Rose, S.,
Bentley,	Goodwin,	McLanahan,	Rosenfeld,
Bentzel,	Gryskewicz,	McLane,	Rush,
Boies,	Haberlen,	Melchiorre,	Sarra,
Boney,	Hamilton,	Mihm,	Scanlon,
Bradley,	Harkins,	Modell,	Schwab,
Brown,	Harmuth,	Monks,	Shaffer,
Brunner, P. A.,	Harris,	Mooney,	Shaw,
Burns,	Heatherington,	Moran,	Shepard,
Burriss,	Hering,	Moul,	Simons,
Chervenak,	Herman,	Munley,	Stank,
Chudoff,	Hersch,	Nagel,	Stine,
Cochran,	Hirsch,	Nunemacher,	Tarr,
Cohen, M. M.,	Holland,	O'Brien,	Tate,
Cohen, R. E.,	Jefferson,	O'Connor,	Thompson, E. F.,
Corrigan,	Jones, P. N.,	O'Mullen,	Verona,
Croop,	Keenan,	O'Neill,	Vincent,
Cullen,	Kenehan,	Owens,	Vogt,
DiGenova,	Kolankiewicz,	Petrofsky,	Voldow,
Dolon,	Komorowski,	Petitt,	Weiss,
D'Ortona,	Leonard,	Polaski,	Welsh, E. E.,
Duffy,	Lesko,	Polen,	Welsh, M. J.,
Early,	Levy,	Powers,	Williams,
Elliott,	Longo,	Prosen,	Woodring,
Falkenstein,	Lovett,	Rausch,	Wright,
Finestone,	Malloy,	Readinger,	Yester,
Finnerty,	Marks,	Reese, R. E.,	Young,
Flynn,	Maxwell,	Regan,	Kilroy,
	McClanaghan,		Speaker.

Less than the majority required by the Constitution having voted in the affirmative, the question was determined in the negative, and the amendments were not concurred in.

Ordered, That the Clerk inform the Senate accordingly.

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

HOUSE BILL No. 522.

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

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

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

Amend Section 1, page 1, line 1, by striking out the word "twenty-five" and inserting in lieu thereof the word "five"; also same page, at the beginning of line 2, by striking out the figures "\$25,000" and inserting in lieu thereof the figures "\$5,000".

On the question,

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

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

YEAS—198

- | | | | |
|-----------------|----------------|---------------|------------------|
| Achterman, | Foor, | Lyons, | Rosenfeld, |
| Allmond, | French, | Malloy, | Royer, |
| Auker, | Gallagher, | Marks, | Rush, |
| Baker, | Gates, | McClanaghan | Sarge, |
| Balthaser, | Gerard, | McClester, | Sarraf, |
| Bentley, | Gillan, | McDermott | Scanlon, |
| Bentzel, | Gillette, | McDowell | Schwab, |
| Boles, | Goodwin, | McFall | Serrill, |
| Boney, | Greenwood, | McIntosh | Shaffer, |
| Boorse, | Gross, | McKinney, | Shaw, |
| Bower, | Gryskewicz, | McLanahan | Shepard, |
| Bradley, | Gyger, | McLane, | Simons, |
| Bretherick, | Habbyshaw, | 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, |
| Chudoz, | 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, | Van Aillsburg, |
| Croop, | Huntley, | O'Mullen, | Verona, |
| Cullen, | Imbrie, | O'Neill, | Vincent, |
| Dalrymple, | James, | Owens, | Vogt, |
| Dennison, | Jefferson, | Pettit, | Voldow, |
| DiGenova, | Jones, G. E., | Polaski, | Voorhees, |
| Dix, | Jones, P. N., | Polen, | Wagner, |
| Dolon, | Keenan, | Powers, | Watkins, |
| D'Ortona, | Kenehan, | Prosen, | Weingartner, |
| Duffy, | Kilne, | Rank, | Welsh, E. B., |
| Early, | Knobie, | Rausch, | Welsh, M. J., |
| Eckels, | Kolankiewicz, | Readinger, | Wilkinson, |
| Elder, | Komorofski, | Reagan, | Williams, |
| Elliott, | Krise, | Reese, D. P., | Winner, |
| 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, | Levy, | Riley, | Wright, |
| Fiss, | Leydic, | Rooney, | Yeakel, |

- | | | | |
|-----------|----------------|--------------|-----------------|
| Fleming, | Lichtenwalter, | Rose, S., | Yester, |
| Fletcher, | Longo, | Rose, W. E., | Young, |
| Flynn, | | | Kilroy, Speaker |

NAYS—6

- | | | | |
|-----------|----------|-----------|--------|
| Haberlen, | Lovett | Petrosky, | Weiss, |
| Lesko, | Maxwell, | | |

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.

QUESTION OF INFORMATION

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

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

Mr. PETROSKY. Mr. Speaker, has the House concurred in the amendments of the Senate to House Bill No. 11, Printer's No. 1180?

The SPEAKER. The House has concurred in the amendments made by the Senate.

Mr. PETROSKY. Mr. Speaker, I ask unanimous consent of the House to have the Westmoreland County delegation recording as "no" on concurrence in those amendments.

The SPEAKER. If there is no objection, the Westmoreland County members will be recorded as voting "no". The Chair hears no objection and the gentleman will be so recorded.

SENATE MESSAGES

AMENDED HOUSE BILLS RETURNED FOR CONCURRENCE

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

HOUSE BILL No. 895.

An Act to authorize counties, cities, boroughs, incorporated towns, townships, school districts, poor districts and county institution districts, to file tax and municipal claims, not filed within the time specified by law and to file suggestions of nonpayment and averments of default, or to sue out writs of scire facias on certain tax or municipal claims, and to revive judgments where the lien of such claims or the judgments thereon have been lost; and providing for the reinstatement of the liens of such claims and judgments

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

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

Amend Section 1, page 2, at the beginning of line 12, by inserting after the syllable "ment" and before the word "or" the words "or has not done so in time"; also same page, line 17, by inserting after the word "proceedings" the words "or by reason of failure to file a praecipe on time"; also same page, line 22, by inserting after the word "district" the words "has not"; also on page 3, line 2, by inserting after the word "issue" the words "or reissue"; also on page 4, line 3, by striking out the word "effect" and inserting in lieu thereof the word "affect"; also same page, line 12, by inserting after the word "lost" the words "nor shall any such lien so revived impair or effect the priority of the lien of any mortgage or other

lien which was entered prior to the tax or municipal or which gained priority during the time such lien was not revived”..

On the question,

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

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

YEAS—204

- | | | | |
|-----------------|----------------|---------------|------------------|
| Achterman, | Gallagher, | Malloy, | Royer, |
| Allmond, | Gates, | Marks, | Rush, |
| Auker, | Gerard, | Maxwell, | Sarge, |
| Baker, | Gillan, | McClanaghan, | Sarra, |
| 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, | Mihm, | Stambaugh, |
| Burns, | Harkins, | Modell, | Stank, |
| Burris, | Harmuth, | Monks, | Stine, |
| Cadwalader, | Harris, | Mooney, | Stockham, |
| Chervenak, | Heatherington, | Moran, | Tarr, |
| Chudoff, | Helm, | Mulr, | Tate, |
| Cochran, | Hering, | Munley, | Taylor, |
| Cohen, M. M., | Herman, | Nagel, | Thompson, E. F., |
| Cohen, R. E., | Hersch, | Nunemacher, | Thompson, R. L., |
| Cook, | Hewitt, | O'Brien, | Trout, |
| Cooper, | Hirsch, | O'Connos, | Turner, |
| Cordier, | Holland, | O'Dare, | Van Allsburg, |
| Corrigan, | Huntley, | O'Mullen, | Verona, |
| Croop, | Imbrle, | O'Neill, | Vincent, |
| Cullen, | James, | Owens, | Vogt, |
| Dalrymple, | Jefferson, | Petrosky, | Voldow, |
| Dennison, | Jones, G. E., | Pettitt, | Voorhees, |
| DiGenova, | Jones, P. N., | Polaski, | Wagner, |
| Dix, | Keenan, | Polen, | Watkins, |
| Dolon, | Kenehan, | Powers, | Weingartner, |
| D'Ortona, | Kilne, | Prosen, | Weiss, |
| Duffy, | Knoble, | Rank, | Welsh, E. B., |
| Early, | Kolankiewicz, | Rauscher, | Welsh, M. J., |
| Eckels, | Komorowski, | Readinger, | Wilkinson, |
| Elder, | Krise, | Reagan, | Williams, |
| Elllott, | Lee, E. A., | Reese, D. P., | Winner, |
| Ely, | Lee, T. H., | Reese, R. E., | Wood, L. H., |
| Falkenstein, | Lelsey, | Regan, | Wood, N., |
| Finestone, | Leonard, | Reynolds, | Woodring, |
| Finnerty, | Lesko, | Rhea, | Woodside, |
| Fisher, | Levy, | Riley, | Wright, |
| Fiss, | Leydic, | Rooney, | Yeakel, |
| Fleming, | Lichtenwalter, | Rose, S., | Yester, |
| Fletcher, | Longo, | Rose, W. E., | Young, |
| Flynn, | Lovett, | Rosenfeld, | Kilroy, |
| Foor, | Lyons, | | Speaker. |
| French, | | | |

NAYS—0

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

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

HOUSE BILL No. 1213.

An Act to amend an Act approved the seventh day of June one thousand nine hundred seventeen (P. L. 600) entitled "An act providing that appointive officers and employes employed by the Commonwealth of Pennsylvania in its civil service or by any department bureau commission or office thereof or by any county municipality township or school district shall not be deemed or held

to have resigned or abandoned their offices or employments by reason of enlistment enrollment or draft in the military or naval service of the United States or any branch or unit thereof in time of war or contemplated war prohibiting the removal from their offices or employments of such officers and employes during the period of their service in the Army or Navy directing that one-half of the salaries or wages of such officers or employes as have dependents wives children or parents and not exceeding two thousand dollars per annum be paid during the term of their service in the Army or Navy to such dependents authorizing the employment during said term of substitutes to perform the duties therefore performed by such officers or employes respectively and providing for the compensation of such substitutes" by more fully defining the times during which the benefits shall be payable and the amounts thereof and to whom payable

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

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

Amend the title, page 2, at the end of line 11, by inserting after the word "payable" the words "and removing employes of school districts from the provisions of said act."

Amend Section 1, page 3, line 13, by inserting before the word "township" the word "or"; also same line by inserting after the word "or" and before the word "school" the words "any appointive officer regularly employed by any"; also on page 4, line 14, by inserting after the word "municipality" the word "or"; also same line by inserting after the word "or" and before the word "school" the words "of any appointive officer of any"; also on page 5, line 20, by inserting before the word "wife" the word "dependent"; also same line by inserting before the word "children" the word "dependent"; also same page, line 27, by inserting before the word "wife" the word "dependent"; also same line by striking out the word "minor" and inserting in lieu thereof the word "dependent"; also same page, line 28, by inserting before the word "wife" the word "dependent"; also same page, line 29, by inserting before the word "children" the word "dependent"; also on page 6, line 1, by inserting before the word "wife" the word "dependent"; also same page, at the beginning of line 2, by striking out the word "minor" and inserting in lieu thereof the word "dependent"; also same page, line 3, by inserting before the word "children" the word "dependent"; also same page line 4, by inserting before the word "wife" the word "dependent"; also same line by striking out the word "minor" and inserting in lieu thereof the word "dependent"; also same page, line 5, by inserting after the word "such" and before the word "parent" the word "dependent"; also same page, at the end of line 6, by inserting after the word "such" the word "dependent"; also same page, line 9, by inserting before the word "wife" the word "dependent"; also same page, line 10, by striking out the word "minor" and inserting in lieu thereof the word "dependent"; also same page, at the end of line 13, by inserting after the word "any" the word "dependent"; also same page line 23, by inserting after the word "municipality" the word "or"; also same line by inserting after the word "or" and before the word "school" the words "paid to any appointive officer by any"; also on page 7, line 24, by inserting after the word "officer" the word "or."

On the question,

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

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

YEAS—204

- | | | | |
|------------|------------|---------|--------|
| Achterman, | Gallagher, | Malloy, | Royer, |
|------------|------------|---------|--------|

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

NAYS—0

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

Ordered, That the Clerk inform the Senate accordingly.

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

HOUSE BILL No. 1390.

An Act making an appropriation to the Treasury Department out of various funds to pay replacement checks issued in lieu of outstanding checks when presented

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

The SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend Section 1, page 1, by striking out all of line 9 as follows: "Out of the Federal Unemployment Relief Fund \$2,000.00."

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

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

HOUSE BILL No. 1487.

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

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

The SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend Section 2, page 2, line 10, by striking out the words and figures "forty thousand dollars (\$40,000)" and inserting in lieu thereof the words and figures "ten thousand dollars (\$10,000)."

On the question,
Will the House concur in the amendments made by the Senate?

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

YEAS—204

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

NAYS—0

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

Ordered, That the Clerk inform the Senate accordingly.

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

HOUSE BILL No. 657.

An Act to amend sections one, two, three and four of the act, approved the twenty-first day of May, one thousand nine hundred thirty-seven (P. L. 787), entitled "An act authorizing the compromise or reduction of tax claims on real property purchased by any county, city, borough, town, school district or poor district at any sale, for the non-payment of taxes and the reconveyance or private sale of such property," extending the provisions of said act to properties purchased by said political subdivisions at sales for municipal claims and to the payment of such

claims from the proceeds of such compromises or sales and changing the time when such compromises may be made

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 3, page 3, line 12, by inserting after the word "estate" the following: "and notice shall also be given by publication in at least one newspaper of general circulation published in the county setting forth a description of the property the total amount of taxes municipal claims penalties and interest due and costs and the amount which it is proposed to accept in compromise or redemption or for the sale of said property."

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

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

NAYS—0

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

Ordered, That the Clerk inform the Senate accordingly.

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

HOUSE BILL No. 87

An Act requiring school boards in all school districts to grant leaves of absence to allschool employes who shall volunteer or be called for military naval or simiar service under the Selective Service Law of 1940 or subsequent laws of the United States of America and to all school employes in the National Guard land or naval reserve forces who shall be called for active duty preserving certain contracts salaries increments retirement rights seniority State contributions and grants to local school boards eligibility lists re-employment requiring school boards to employ substitutes in place of such employes reserving all rights and privileges of employes granted leaves of absence under the provisions herein superseding or repealing all contrary laws

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

The SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend the title, page 1 line 14, by inserting after the word "military" the word "or" also same line by striking out the words "or similar"; also same page, by striking out in lines 14 to 17 inclusive and on page 2 of the title by striking out in line 1 the following: "under the Selective Service Law of 1940 or subsequent laws of the United States of America and to all school employes in the National Guard land or naval reserve forces who shall be called for active duty" and inserting in lieu thereof the words "in time of war or during a state of national emergency"; also page 2 of the title, line 4, by striking out the the word "requiring" and inserting in lieu thereof the word "authorizing."

Amend Section 1, page 2, at the beginning of line 4, by striking out after the syllable "vide" the word "or" and inserting in lieu thereof the word "for"; also same page, at the end of line 14, by striking out the words "the various"; also same page, at the end of line 16, by inserting after the word "military" the word "or"; also same page, at the beginning of line 17, by striking out the words "or similar"; also on page 3, line 1, by inserting after the word "rights" the word "and"; also same line, by striking out after the word "privileges" the words "and emoluments"; also same page, line 3, by inserting after the word "rights" the word "and"; also same line by striking out after the word "privileges" the words "and emoluments"; also same page, line 9, by inserting after the word "military" the word "or"; also same line by striking out after the word "naval" the words "or similar."

Amend Section 2, page 3, line 11, by inserting after the word "Commonwealth" the words "who shall have been regularly employed by said school district for a period of not less than one year prior thereto and"; also same page, at the beginning of line 12, by inserting after the word "for" the words "military or naval"; also at the beginning of same line, by inserting after the word "service" where said word appears the first time in said line, the words "by the United States of America in time of war or during a state of national emergency"; also same page, by striking out in lines 12 to 16 inclusive the following: "under the Federal Selective Service Act of 1940 or any act of Congress of the United States enacted subsequent hereto or who shall be called to active duty by reason of membership in the National Guard or the land or naval reserve forces"; also same page, at the end of line 16, by striking out the word "five" and inserting in lieu thereof the word "thirty"; also same page, by striking out in lines 19 to 21 inclusive the words "upon induction into such service said employe shall within five days thereof send notice in writing thereof to the secretary of the said school board"; also same page, line 24, by inserting after the

word "military" the word "or"; also at the end of same line by striking out after the word "naval" the word "or"; also same page, at the beginning of line 25, by striking out the word "similar"; also same page, line 29, by inserting after the word "military" the word "or"; also at the end of same line by striking out after the word "naval" the word "or"; also on page 4, at the beginning of line 1, by striking out the word "similar."

Amend Section 3, page 4, line 15, by inserting after the word "military" the word "or"; also at the end of same line by striking out after the word "naval" the words "or similar"; also same page, line 16, by striking out the words "into which the employe was inducted" and inserting in lieu thereof the words "of an employe in time of war or during a state of national emergency"; also same page, at the end of line 19, by inserting after the word "absence" the words "or if this is impracticable in the opinion of the board then to a similar position"; also same page, line 22, by inserting after the word "employe" the words "or to the dependent wife dependent child or children or dependent parent or parents of the"; also in same line by striking out the words "or his nominee"; also same page, at the end of line 29, by inserting after the word "absence" the following: "but in no event more than half of the employe's regular salary from the school district provided that no school district shall pay to any employe or to the dependent or dependents of any employe in military or naval service a total of more than one thousand dollars (\$1000) per annum

No school district shall pay to any employe or to the dependent or dependents of any employe more than the difference between the military or naval pay including commutation and allowance of said employe and the regular salary that said employe would have received if he were actually performing the duties of his regular position as an employe of the school district

No allowance shall be paid under the provisions of this Act to any employe or to the dependent or dependents of any employe if his military or naval pay including commutation and allowance exceeds the regular salary that said employe would have received if he were actually performing the duties of his regular position"; also on page 5, line 6, by striking out after the word "absence" the word "in" and inserting in lieu thereof the word "is."

Amend Section 4, page 5, at the end of line 18, by inserting after the word "absence" the words "if a qualified substitute is employed"; also same page, line 21, by striking out the words "the services" and inserting in lieu thereof the words "his regular school duties"; also same page, by striking out in lines 22 to 28 inclusive the following: "it shall be the duty of the said school board to apply said funds toward the payment of the salary of the employe on such leave of absence

Section 5 Whenever an employe is granted a leave of absence under the provisions of this act the school board shall be required to employ a substitute for each such temporary vacancy created."

Amend Section 6, page 6, at the beginning of line 1, by striking out after the word "Section" the figure "6" and inserting in lieu thereof the figure "5"; also same page, at the end of line 8, by striking out the words "been inducted into" and inserting in lieu thereof the word "entered"; also same page, line 9, by inserting after the word "military" the word "or"; also same line by striking out after the word "naval" the words "or similar."

Amend Section 7, page 6, at the beginning of line 17, by striking out after the word "Section" the figure "7" and inserting in lieu thereof the figure "6."

Amend Section 8, page 6, at the beginning of line 20, by striking out after the word "Section" the figure "8" and inserting in lieu thereof the figure "7."

Amend Section 9, page 6, at the beginning of line 25, by striking out after the word "Section" the figure "9" and inserting in lieu thereof the figure "8"; also in same line by striking out the word "female" and inserting in lieu thereof the word "all"; also same page, line 26, by inserting after the word "military" the word "or"; also at the end of same line by striking out after the word

"naval" the word "or"; also same page, at the beginning of line 27, by striking out the word "similar."

Amend Section 10, page 7, at the beginning of line 1, by striking out after the word "Section" the figures "10" and inserting in lieu thereof the figure "9."

On the question,

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

Mr. ACHTERMAN. Mr. Speaker, I move that the House nonconcur in the amendments made by the Senate.

The motion was agreed to.

Ordered, That the Clerk inform the Senate accordingly.

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

HOUSE BILL No. 654.

An Act authorizing counties, cities, except cities of the first class, boroughs, towns, townships, school districts, poor district and institution districts, at any sale of real property for the nonpayment of taxes or municipal claims to take title jointly in proportion to their tax claims; provide for the management of such real property and for the re-sale and conveyance of their interests to a purchaser.

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

The SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend Section 2, page 2, at the end of line 20, by inserting after the word "interests" the following: "Provided however That the provisions of Section 1 and 2 of this Act shall not apply to any real property containing minerals and oil beneath or upon the surface thereof."

On the question,

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

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

The motion was agreed to.

Ordered, That the Clerk inform the Senate accordingly.

RESOLUTION

YOUTH'S DAY

Mr. YESTER 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 12, 1941.

Be it resolved (if the Senate concur) That the Governor shall, at an appropriate time, issue his proclamation designating and calling upon the schools, the Boy Scouts of America, other organizations devoted to promoting the interests and welfare of youth and the citizens of the Commonwealth in general to observe the birthday of Daniel Carter Beard, the great benefactor of boyhood, which is the twenty-first day of June.

This day shall be known as "Youth's Day", and shall be observed on the twenty-second day of June, one thousand nine hundred and forty-two, the twenty-first falling on a Sunday.

In pursuance of said proclamation of the Governor, appropriate exercises observing the anniversary of Daniel Beard's birth, reaffirming the principles so long advocated by him and furthering the interests and welfare of youth in general shall be held.

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

HOUSE RESOLUTION No. 108

Mr. CHUDOFF. Mr. Speaker, I desire to call up House Resolution No. 108, Printer's No. 1193.

The resolution was read by the Clerk as follows:

In the House of Representatives, July 9, 1941.

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

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

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

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

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

On the question,

Will the House adopt the amendment?

It was adopted.

ANNOUNCEMENT BY SPEAKER

The SPEAKER. Under the provisions of Rule 31 of this House

"All Committee Records shall be filed with the Chief Clerk, Upon the final adjournment of the House to be kept for a period of two years."

This includes all bills and resolutions in the committees, the loose leaf record books, the minute books and any other official papers. The committee chairman will carry out the requirements of this rule.

SENATE BILL No. 236 SPECIAL ORDER

The SPEAKER. The Chair lays before the House the special order of business fixed for 2 p. m. today, House Bill No. 1481, (Senate Bill No. 236), Printer's No. 496, on page 17 of today's calendar, bill on third reading and final passage.

Agreeably to order,

The House proceeded to the consideration on third reading of House Bill No. 1481, (Senate Bill No. 236), as follows:

An Act to amend section six hundred fifty-four of article six of the act approved the seventeenth day of May one thousand nine hundred and twenty-one (P. L. 682) entitled "An act relating to insurance amending revising and consolidating the law providing for the incorporation of insurance companies and the regulation supervision and protection of home and foreign insurance

companies Lloyds associations reciprocal and inter-insurance exchanges and fire insurance rating bureaus and the regulation and supervision of insurance carried by such companies associations and exchanges including insurance carried by the State Workmen's Insurance Fund providing penalties and repealing existing laws" providing for appeals from any classification rule rate or schedule of the Insurance Commissioner affecting insurance of employes and employers under the Workmen's Compensation Act of one thousand nine hundred and fifteen and the supplements and amendments thereto and exempting the State Workmen's Insurance Fund from the control of the Rating Bureau and the Insurance Commissioner

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

Section 1 Section six hundred fifty-four of article six of the act approved the seventeenth day of May one thousand nine hundred and twenty-one (P. L. 682) entitled "An act relating to insurance amending revising and consolidating the law providing for the incorporation of insurance companies and the regulation supervision and protection of home and foreign insurance companies Lloyds associations reciprocal and inter-insurance exchanges and fire insurance rating bureaus and the regulation and supervision of insurance carried by such companies associations and exchanges including insurance carried by the State Workmen's Insurance Fund providing penalties and repealing existing laws" is hereby amended to read as follows

Section 654 Classification of Risks Underwriting Rules Premium Rates and Schedule and Merit Rating Plans The classification of risks underwriting rules premium rates and schedule or merit rating plans for insurance of employers and employes under "The Workmen's Compensation Act of nineteen hundred and fifteen" and acts amendatory thereof shall be [established] proposed annually by one or more rating bureaus said rating bureau or bureaus to be situate within the Commonwealth of Pennsylvania subject to supervision and to examination by the Insurance Commissioner and approved by the Insurance Commissioner as adequately equipped to compile rates on an equitable and impartial basis Such schedule or merit rating plans shall be applied [proposed] only by the approved rating bureau or bureaus and in the preparation of schedules no employer shall be discriminated against or penalized because of physical impairment of any employe or because of the number of dependents of any employe

The classification of risks underwriting rules premium rates and schedule of merit or rating plans for insurance of employers and employes under "The Workmen's Compensation Act of nineteen hundred and fifteen" and acts amendatory thereof shall be filed with and shall be subject to review by the Insurance Commissioner and the Insurance Commissioner shall by order modify amend or approve the same Any person corporate or otherwise aggrieved by such order classification rule rate or schedule issued by the Insurance Commissioner may obtain a review thereof in the Common Pleas Court of Dauphin County of the Commonwealth of Pennsylvania by filing in the said court a written petition praying that the order classification rule rate or schedule issued by the Insurance Commissioner be modified amended or set aside in whole or in part The judgment and decree of said court modifying or enforcing or setting aside in whole or in part any such action of the Insurance Commissioner shall be final subject to review by the Superior and Supreme Courts of the Commonwealth of Pennsylvania upon certiorari or certificate as in such cases made or provided The commencement of proceedings under this section shall not unless specifically ordered by the court operate as a stay of the Insurance Commissioner's order

No risk classification underwriting rule premium rate or schedule or merit rating plan shall take effect without the consent of the Insurance Commissioner and he may withdraw his approval whenever in his judgment the same is inadequate or discriminates unfairly between risks of essentially the same hazard

Neither the State Workmen's Insurance Fund nor any No insurance corporation mutual association or company shall issue renew or carry any policy or contract of insurance against liability under "The Workmen's Compensation Act of one thousand nine hundred and fifteen" and acts amendatory thereof except in accordance with the classifications underwriting rules premium rates and schedules or merit rating proposed by the rating bureau aforesaid for the risk insured and as modified amended or approved by the Insurance Commissioner for such insurer

The State Workmen's Insurance Fund shall adopt such classification of risk underwriting rules premium ratings and schedule of merit rating plans for insurance of employers and employes under the Workmen's Compensation Act of 1915 and acts amendatory thereof which shall be consonant and in accordance with the experience of the State Workmen's Insurance Fund over the period of years during which such fund has been in existence

A complete copy of every policy or a true copy of the substantive provisions of any policy or contract of insurance against liability under "The Workmen's Compensation Act of one thousand nine hundred and fifteen" or acts amendatory thereof and a true copy of every endorsement upon any such policy and of every agreement pertaining thereto shall be filed with the rating bureau aforesaid within a reasonable time after the effective date of any such policy endorsement contract or agreement

Section 2 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. WOODSIDE. Mr. Speaker, this bill as originally passed by the Senate contained a provision which would be reasonably good legislation. It permitted an appeal to the courts from rates which are fixed by the Workmen's Compensation Rate Fixing Board. However, after the bill got into the House, the bill was amended and as a result of those amendments it was put into such shape that in the first place it is meaningless, in the second place it contains provisions which are definitely inconsistent, and in the third place it sets up a method of rate making which would be entirely unsound and would be ruinous to the Workmen's Compensation Fund which, it proposes, I suppose, to help, as well as to the Workmen's Compensation Insurance Law generally.

In order that the situation may be understood, at the present time there is a board which gets experience from all the different insurance companies, including the State Fund, and as a result of that experience they determine and make the rates. The State Workmen's Insurance Board is bound by those rates and writes insurance under those rates. The Board alone does not have control because the Board's actions must be and are reviewed by the State Insurance Commissioner. He passes upon the rates when they are made. They are the experience of the entire industry in the entire state and as a result of that they are much more equitably made than could be made by any insurance company.

As a result of these amendments being placed in this bill let me call your attention to this. It says, "The State Workmen's Insurance Fund shall adopt". Well, the Insurance Fund is a fund of money. What they probably mean by that, I would assume, would be the State Workmen's Insurance Board, but that is not what they say. They say the State Workmen's Insurance Fund. In other

words, if this bill were to be enacted into law, the law would call upon a sum of money or a fund to make a rate. That certainly is a ridiculous provision in the bill and impossible of being carried out.

In the second place, if it means the Board, as I assume it does, the bill then says that the Insurance Commissioner shall have nothing to do with the making of the rates. Then it says the Board shall make the rates, on which the Insurance Commissioner is bound to be the most important financial factor, because he is one of the three members of the Board and the member who knows most about the subject. So, in one breath, you are saying in this amendment, take the Insurance Commissioner out of the making of the rates,—you say definitely he shall have nothing to do with the making of the rates, and in the very next breath you say he along with the other two members of the Board, the other two members being those who know little about the subject, are to make the rates. It has been argued or soon will be argued, because it was stated on the floor of this House by the gentleman on the other side during the debate on House Bill 1002, that this would result in cheaper insurance. That also is a ridiculous assumption because you can not get cheaper insurance by merely changing the rate when there is no profit being made by the fund at the present time. There cannot be any profit made under the law and therefore that provision of the bill is bad and definitely unsatisfactory.

Another thing, you have here the establishment of a rate based upon the experience of the fund loan. The fund may not have very wide experience in certain definite occupations, and yet you say in this amendment that this fund shall be bound by their own experience regardless of how limited they may be. It is certainly evident by that that being bound by their own experiences, regardless of what other factors of importance may be taken into consideration, but being bound by their own experience, no matter how limited that experience may be, they can not properly make the rates. They can not, with safety to themselves, make rates.

What really ought to be done to this bill, Mr. Speaker, is that these amendments which were inserted in the House be stricken out. If they were to be stricken out, the bill would be good legislation and there would be nothing wrong with it, but if this bill were passed with the amendments that have been inserted in the House, the bill would be entirely inoperative, could not be effective and could not work. If to any degree it could work, the only thing it would do would be to ruin the fund.

So, Mr. Speaker, I appeal to the gentlemen on the other side who are interested in this legislation, that they agree that the amendments which are inserted in the House be stricken out of the bill and that the bill be permitted to pass in its original form because in that way a decent piece of legislation could be made out of the bill.

Mr. HERMAN. Mr. Speaker, I desire to interrogate the gentleman from Dauphin, Mr. Woodside.

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

Mr. WOODSIDE. I shall, Mr. Speaker.

Mr. HERMAN. Mr. Speaker, eliminating the amendments that the gentleman from Dauphin is objecting to,

what would be the significance of the bill; what would it do without the amendments?

Mr. WOODSIDE. Without the amendments, Mr. Speaker, the bill permits an appeal from the rate making board and the Insurance Commissioner to the court.

Mr. HERMAN. Mr. Speaker, what does the bill do with the amendments?

Mr. WOODSIDE. With the amendments inserted by the House, Mr. Speaker,

Mr. HERMAN. Yes, Mr. Speaker.

Mr. WOODSIDE. Mr. Speaker, this bill provides that the State Fund shall make its rates based on its own experience, independent of the rate making board.

Mr. HERMAN. Mr. Speaker, does that prevent the State Fund, if it deems necessary, from employing experts to determine those rates?

Mr. WOODSIDE. What does the gentleman from Philadelphia mean, Mr. Speaker.

Mr. HERMAN. I mean would it prevent the State Fund from procuring experts' knowledge in fixing their own rates?

Mr. WOODSIDE. Let me read the amendment. It is as follows:

"The State Workmen's Insurance Fund shall adopt such classification of risk, underwriting rules, premium ratings and schedule of merit rating plans for insurance of employers and employes under the Workmen's Compensation Act of 1915 and acts amendatory thereof which shall be consonant and in accordance with the experience of the State Workmen's Insurance Fund over the period of years during which such fund has been in existence."

It states it shall be in accordance with the experience of the State Workmen's Insurance Fund. I would certainly think by that that their rates would have to be based upon the experience of their fund. That is what the act says.

Mr. HERMAN. What is wrong with that, Mr. Speaker.

Mr. WOODSIDE. The thing that is wrong with that, Mr. Speaker, is this, here you have one fund which has not nearly as much experience as all of the Funds or all the workmen's insurance companies put together. The Workmen's Insurance Fund is, in fact, an insurance organization and therefore if you take their experience and use their experience along with the experience of all other insurance companies, you will get a much better rate and a much more accurate rate than you could from any one insurance company alone.

Mr. HERMAN. Mr. Speaker, does the gentleman know the present set-up of the Insurance Rating Bureau?

Mr. WOODSIDE. The set-up, Mr. Speaker?

Mr. HERMAN. Yes, Mr. Speaker.

Mr. WOODSIDE. I do not think, Mr. Speaker, I can give it to the gentleman in its entirety. I would be glad, if he has it, to have him give it to the House.

Mr. HERMAN. That is all. Mr. Speaker, I rise in support of this bill. The gentleman on the other side succeeded the other day in confusing this House, so far as House Bill 1639 is concerned, which was defeated. He is attempting to do the very same thing with this bill. Now, to my mind, Senate Bill 236 is really a companion bill to 990 and 1002, which were passed by this House last week.

It takes the State Insurance Fund from the control of the present Rating Bureau and gives it the right to fix its own rates. The present Rating Bureau is dominated by representatives of private insurance companies who fix their own rates. These rates have been proven to be exorbitant, as been shown by the public hearings which we held on this legislation. Insurance companies are making profits of from forty to fifty per cent on this insurance.

POINT OF ORDER

Mr. LOVETT. Mr. Speaker, I rise to a point of order.

The SPEAKER. The gentleman from Westmoreland will state his point of order.

Mr. LOVETT. Mr. Speaker, is it permissible for lobbyists to sit on the side and lobby for or against bills in this House?

POINT OF ORDER

Mr. WOODSIDE. Mr. Speaker, I rise to a point of order.

The SPEAKER. The gentleman from Dauphin will state his point of order.

Mr. WOODSIDE. Is it permissible, Mr. Speaker, for a former Democratic floor-leader to sit in the seat of a Member during the debate and advise the minority whip?

The SPEAKER. No one other than Members is permitted to be on the floor of the House and sit in the seats of the Members.

Mr. LOVETT. What about my point of order, Mr. Speaker?

The SPEAKER. Will the gentleman from Westmoreland repeat his point of order?

Mr. LOVETT. Mr. Speaker, is it permissible for anyone to sit on the sidelines and there lobby for or against a bill?

The SPEAKER. Members may not be interrupted during the debate of a bill on the floor of the House or while in their seats. The point of order is well taken.

Mr. HERMAN. Mr. Speaker, my friend on the other side in his debate on Bill 1639—

Mr. WOODSIDE. Will the Chair restate his ruling on the point of order?

The SPEAKER. The ruling of the Chair was that no member may be interrupted while in his seat during the debate on a bill before the House.

Mr. HERMAN. Mr. Woodside, in his remarks on Bill 1639, stated he was very solicitous about the welfare of the workingman and told us that 1639 was detrimental to the interests of the workingman. However, I never agreed with that theory, but that bill has been defeated.

The effect of this bill is this: there has been a lot of contention whether the present rates for insurance are prohibitive. The present Workmen's Compensation Act is elective. When the rates are prohibitive, there are less employers coming under the act and less employes are protected. By the passage of this bill, and giving the State Insurance Fund the right to fix its own rates, we feel that the rates of insurance can be lowered to the extent of forty to fifty per cent, which will be an inducement to those employers who are unable to come under the act, and therefore, more workers will be protected.

This and the other bill are companion bills, and it will help not only the enforcement of the main act, which is No. 1002, fixing the rates of benefit, but it will help, as I said before, to bring in those employers who are unable to come under the act, due to the high rates of insurance which have been fixed by this commission, which is controlled by the private insurance companies.

I therefore urge every member of this House who is interested in the welfare, not only of the worker, but the employer, to vote for this bill.

Mr. WOODSIDE. Mr. Speaker, I desire to interrogate the gentleman from Philadelphia, Mr. Herman.

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

Mr. HERMAN. I shall, Mr. Speaker.

Mr. WOODSIDE. Mr. Speaker, I understand from the gentleman that he feels this bill if it were enacted into law, and the state Workmen's Insurance Board were permitted to set the rates for the State Workmen's Insurance Fund, they could make those rates lower than the rates now are, is that correct?

Mr. HERMAN. That is correct, Mr. Speaker.

Mr. WOODSIDE. Mr. Speaker, does the gentleman from Philadelphia think that they could be able to be reduced forty to fifty per cent lower than the rates which the State Workmen's Insurance Fund is now charging?

Mr. HERMAN. Mr. Speaker, on the expert testimony that was adduced at the public hearings we had, I feel that they can.

Mr. WOODSIDE. Mr. Speaker, I want to know from the gentleman then whether he feels that the rates would have been much lower last year or the year before and on back?

Mr. HERMAN. Mr. Speaker, I think the rates could be that much lower at the present time with the present set-up, but the insurance companies want to make too much profit out of this business.

Mr. WOODSIDE. Mr. Speaker, I should like the gentleman to tell me how much profit the State Workmen's Insurance Fund has made since it was established in 1915.

Mr. HERMAN. Mr. Speaker, I did not hear the last part of the gentleman's question.

Mr. WOODSIDE. Mr. Speaker, I would like to have the gentleman tell me how much profit the State Workmen's Insurance Fund has made on the rates which they charge?

Mr. HERMAN. Mr. Speaker, they made a very good profit up until the advent of this administration, when they were forced to discharge all their solicitors, and the only insurance they could obtain was the insurance that was rejected by the private insurance companies.

Mr. WOODSIDE. Mr. Speaker, will the gentleman tell me what has been done with the profits?

Mr. HERMAN. Mr. Speaker, the profits were eaten up by the losses which they sustained after their business was curtailed by this administration.

Mr. WOODSIDE. Mr. Speaker does the gentleman mean to tell me that the Workmen's Insurance Fund under the old administration made a profit?

Mr. HERMAN. I do, Mr. Speaker.

Mr. WOODSIDE. Mr. Speaker, and the profit was turned into the treasury and not distributed?

Mr. HERMAN. There was a profit, yes, Mr. Speaker, they made money.

Mr. WOODSIDE. And the gentleman means to say, does he, Mr. Speaker, that under the law that money was retained in a fund. What was to be done with that money? Suppose it made a profit now, what is now to be done with the money?

Mr. HERMAN. Mr. Speaker, I do not know the exact setup there. I imagine it would be put into a reserve fund to meet any future losses.

Mr. WOODSIDE. Mr. Speaker, would they continue to pile up that reserve fund?

Mr. HERMAN. Well no, Mr. Speaker, if that fund would get too large they would again apply that to a reduction of their rates, which the private companies failed to do, and hand it out in dividends.

Mr. WOODSIDE. Mr. Speaker, does not the gentleman know that the State Workmen's Insurance Fund hands out their profits in dividends to their policy holders?

Mr. HERMAN. I don't know, Mr. Speaker. If the gentleman is telling me I will take it for granted.

Mr. WOODSIDE. Mr. Speaker, I will tell the gentleman they do. They do not make any profit under the law, and if they should they give the profit back to the insurers.

Mr. HERMAN. Yes, Mr. Speaker, but there is a certain amount held in reserve, is there not?

Mr. WOODSIDE. Certainly, Mr. Speaker. The gentleman would not suggest for a minute that there should not be a proper reserve kept for future losses. Certainly they keep reserves for future losses. If they did not they would be insolvent. They keep a certain amount of reserve. There is some question frequently as to whether or not it is enough. They keep a reserve for future losses, but any profit that is made is paid back. In other words it is an operation which is carried on under the law without the profit. You cannot make less than nothing. The State Workmen's Insurance Fund under the law makes no profit.

Mr. HERMAN. Mr. Speaker, I thought I was being interrogated. I cannot follow the gentleman. It is a very long question which he has asked, and I don't know whether the gentleman is asking me a question or making a speech.

Mr. WOODSIDE. Mr. Speaker, do I have the floor?

Mr. HERMAN. Mr. Speaker, if he is making a speech I will sit down.

The SPEAKER. Is the gentleman through with his interrogation?

Mr. WOODSIDE. No, Mr. Speaker, but the gentleman seems to avoid a certain point, and I was trying to make an explanation of something which he said he did not understand, and which I intend to follow with another question.

What I was stating is that you cannot make less than nothing, and the State Workmen's Insurance Fund under the law operates in the same manner as a mutual company does. Therefore, they make no profit now. If they don't make any profit now, I want to know how the gentleman thinks the over-all rate can be lowered to any degree at all.

Mr. HERMAN. Mr. Speaker, I agree with the gentle-

man one hundred per cent, that they are not making any profit now, because the only insurance they get now, they tell me, is the undesirable insurance that the private companies refused to handle.

Mr. WOODSIDE. Mr. Speaker, the gentleman does not understand. Under the law they never did make any profit and under the law they cannot make any profit; they give it back in dividends. They operate as a mutual company, and a mutual company does not make a profit. They pay their operating expenses and if there is a profit it is paid back to the policy holders. That is the way the State Insurance Fund operates, and the gentleman should know that.

Mr. HERMAN. Mr. Speaker, that is exactly what we are trying to accomplish by this bill; instead of making a profit, we want to reduce the rates to bring more employers under the act so that more workers will be protected.

Mr. WOODSIDE. Mr. Speaker, will the gentleman tell me how a profit is made by a mutual insurance company.

Mr. HERMAN. By the rates that they charge, Mr. Speaker; dependent upon the rates they charge.

Mr. WOODSIDE. Mr. Speaker, what do they do with the profit, if the gentleman from Philadelphia calls it a profit?

Mr. HERMAN. Mr. Speaker, what they do with it after they take care of their expenses and the high salaries of their officials, whatever is left they hand back to the policy holders.

Mr. WOODSIDE. Then Mr. Speaker there is no profit any more, is there?

Mr. HERMAN. Well, Mr. Speaker, that is a profit.

Mr. WOODSIDE. Which, Mr. Speaker, is distributed among all the policy holders and reduces the cost of insurance?

Mr. HERMAN. That is right, Mr. Speaker.

Mr. WOODSIDE. Mr. Speaker, in other words a mutual company charges a man a standard rate as set up by the board, say fifteen dollars, and as the result of that charge of fifteen dollars they make a profit of three dollars, that three dollars is given back to the man who pays the fifteen; is that correct?

Mr. HERMAN. I do not agree with that, Mr. Speaker.

Mr. WOODSIDE. Mr. Speaker, what does the gentleman understand the procedure to be that is followed in a mutual insurance company?

Mr. HERMAN. Mr. Speaker, if they get the three dollars profit they hand it back to the policy holder according to you, but I do not agree with that.

Mr. WOODSIDE. What does the mutual company do with it?

Mr. HERMAN. Mr. Speaker, after they deduct their expenses, there probably would be about twenty-five cents of that three dollars which will be handed back to the policy holders.

Mr. WOODSIDE. Mr. Speaker, then take the twenty-five cents as an example. As a matter of fact, that is not nearly the average profit, and the gentleman should know that. Many of the companies pay ten, fifteen, twenty-five or thirty per cent, but let his figures stand, let us say that they charge fifteen dollars and they make only twenty-five cents profit and they pay back a quarter, how much does the insurance cost the man?

Mr. HERMAN. Mr. Speaker, that is where we disagree. I say by this bill the State Fund will be able to charge lower rates for insurance than the private insurance companies do.

Mr. WOODSIDE. Mr. Speaker, if the Insurance Fund now charges fifteen dollars, and after they pay their expenses, which must be paid, whether this bill is passed or whether it is not passed, there is left two dollars, in other words they could have written it for thirteen dollars, as the gentleman suggests, what will they do with that two dollars?

Mr. HERMAN. Mr. Speaker, they return it to the policy holders.

Mr. WOODSIDE. Mr. Speaker, then the policy holder only paid thirteen dollars in the final analysis for that insurance, is that not correct?

Mr. HERMAN. That is correct.

Mr. WOODSIDE. Mr. Speaker, if they could write it in that way, they would write the insurance at cost. In making up cost two things must be taken into consideration, the cost of administration, and their losses?

Mr. HERMAN. That is right, Mr. Speaker.

Mr. WOODSIDE. Mr. Speaker, what would be the difference in that respect under this bill? They could not write any insurance under any circumstances at less than cost, that is, less than their loss expense and the cost of administration. I think the gentleman will agree with me on that. They are not writing at any more than that at the present time, because whatever the difference is is paid back to the insurers.

Mr. Speaker, the point I am trying to make to the gentleman is that when insurance is written at cost, as it is in any mutual organization, as it is in the Workmen's Insurance Fund, there is no material difference whether the original rate is high or low, because after all you can not write insurance and stay in business at less than cost. Therefore, if the rate is fifteen dollars originally and experience shows that it should have been only thirteen dollars, the two dollars is paid back, and that is all the insured has to pay. That situation is exactly the same whether you pay it back or whether you charge thirteen dollars originally, except for the fact in one case you are taking a chance on insolvency and in the other case you are not.

I would still be interested, if the gentleman can tell me any possible way that this bill will result in lowering rates, to explain in detail how it would operate to result in an over-all lower rate for insurance. If the gentleman can do it, I will be glad to have him explain it.

Mr. HERMAN. The only way I can do it is this: at the present time, as I said before, the State Insurance Fund writes only those risks which the private insurance companies turn down and which they do not care to handle. They are naturally the most hazardous risks, and they pay out more money than the average insurance companies do on their more favorable risks. By this bill, the State Insurance Fund will be able to set up a schedule of rates affecting the different industries, and I feel that the rates that are being charged those various industries by the private insurance companies can be reduced by the State Insurance Fund to the extent of forty-five or fifty per cent, and thus encourage the private insurance companies to reduce their rates, and that is why they are against this bill.

Mr. LEVY. Mr. Speaker, I am very much disappointed with Senate Bill 236. As the Journal will show, it passed the Senate by a vote of forty-eight to nothing, and was forced to lie on the calendar until the closing hours of the session. In view of that fact I cannot understand the minority floor-leader in his statement with respect to the transfer of the Rating Bureau into the hands of the Workmen's Fund itself, how he arrives at his conclusions, when he attended and listened very carefully to the testimony that was taken at the various hearings before the Workmen's Compensation Committee when bills of this type were discussed. I would say to the minority floor-leader that if he were sincere, as he says he is, and I believe he is sincere in his own judgment of the problem, but if he were sincere from the standpoint of the employe and the employer, I think there would be no doubt in his mind that Senate Bill 236 should be finally passed by this House and enacted into law.

The minority floor-leader, in interrogating the gentleman from Philadelphia asked him a very pertinent question as to how could the Rating Bureau in the hands of the Workmen's Fund could reduce the rates which the private companies throughout the Commonwealth of Pennsylvania have been unable to do? My answer to the gentleman from Dauphin is this, that when he attended the hearing of the Workmen's Compensation Committee on this bill and similar bills, he heard the Governor's own representative, the manager of the Workmen's Fund, tell the Committee in no uncertain terms that Governor James had, in the early part of his administration, ordered fifty solicitors that were employed under the Earle administration dismissed. His reason for doing so was given in the form of a letter to the manager of the Fund, in which he stated very emphatically that he thought the insurance business relative to Workmen's Compensation should be handled by private companies. At that time, the Governor not only made the statement, but he allowed a wedge to be thrown into the Workmen's Compensation business in Pennsylvania by inviting these fifty solicitors to be dismissed from the Workmen's Compensation Fund and to be hired by private outfits throughout the State. As a consequence, they gobbled up almost all the good business in Pennsylvania. I ask the gentleman from Dauphin, knowing that this came from no less an authority than his own representative, the manager of the Fund, what is his answer to the actions of the Governor in that situation? If the Governor of the Commonwealth of Pennsylvania was sincere in regard to workmen's compensation, why did he order the dismissal of fifty solicitors who had performed a valuable service to the Commonwealth of Pennsylvania in regard to the Workmen's Fund? And if he did so, what was the reason for his statement that the insurance business relative to Workmen's Compensation belonged entirely in the hands of private companies under private control?

Mr. Speaker, I say to the gentleman from Dauphin, if he wants to find the answer as to how, under this bill, the rates will be decreased in Pennsylvania, he need only look at the testimony offered at the public hearing on these bills by his own manager of the Workmen's Fund. Naturally, the rates will be reduced. I defy the gentleman from Dauphin to deny that statement, and I say to the gentleman from Dauphin it is only common sense that if the Workmen's Fund is permitted to adjust its own rates through its experience, and I would say without experts,

then certainly the gentleman cannot tell me why on interrogation by the gentleman from Philadelphia, he admitted that he did not know the complexion of the present Rating Bureau.

Mr. Speaker, the rating bureau at the present time is in the hands exclusively—and I will repeat, exclusively in the hands of the private insurance companies in the Commonwealth of Pennsylvania, because they have an unmistakable majority of opinion on that Board. Five members of that Board are representatives of private companies throughout the Commonwealth of Pennsylvania. Now, is it so hard to understand that with a majority of opinion making up the rates of Pennsylvania representing private insurance companies, is it so difficult to understand why the rates in Pennsylvania are so absurdly high when compared to the states of West Virginia, Ohio and New York? I say to the gentleman from Dauphin, let him answer that question.

I further say to the gentleman from Dauphin if he cannot figure out how the rates in Pennsylvania can be materially decreased by Senate Bill 236, then his logic is not perfect because he says on one hand, "We do not like the amendments introduced in the House of Representatives. The bill as it came from the Senate was all right, but when it was amended in the House we rebelled against it". Then I say to the gentleman, Mr. Speaker, if he is sincerely interested in the employers of the Commonwealth, if he is interested in the working man of the Commonwealth of Pennsylvania, he will not insist on the bill's being amended at this late hour but he will say, "Let us pass this bill. Let it go to the conference committee and probably by the wee hours of tomorrow morning the House and the Senate may reach an agreement upon this measure." That, Mr. Speaker, I believe, is the logical method to pursue. If we cannot appreciate the policy of the Democratic party relative to the rating bureau in Pennsylvania, then let us have a conference committee between the Republican Senate and the Democratic House and that, I say to the gentleman from Dauphin, is the logical way to handle this situation. We maintain that the rate can be drastically reduced. The minority floor leader says he does not see how. Then, Mr. Speaker, let us pass this bill in its present form. It is not a law then, as the Senate has not concurred. Let it go to a conference committee and let us see by the end of the legislative day if we cannot reach an agreement. That I think is the sensible way to attack the problem.

Mr. WOODSIDE. Mr. Speaker, the gentleman stated at the beginning of his remarks that this bill was passed by the Senate 48 to nothing, thus showing that this bill must have been an excellent bill. I hope he has made it clear that afterward amendments were inserted in the House and they would have to go to the Senate. When it came from the Senate it was perfectly proper for everybody to vote for the bill. It was good legislation, but the bill as it has been amended is not good legislation, it is unworkable legislation, and with all the debate of the gentleman on the other side who has very eloquently argued this case, and who has been very closely associated with this problem, I have not yet heard him demonstrate in any respect whatsoever how you can save money for the insured under this bill. When you are operating at cost you cannot operate at less than cost; if you are operating at cost you are operating with the lowest pos-

sible amount of money and that is what the State Workmen's Insurance Fund does under the law.

We can debate for hours the question that was raised by the gentleman from Philadelphia, Senator Shapiro, in his attack upon insurance companies in the Senate quite some time ago, but it was answered conclusively on two separate occasions. It was answered by the gentleman from Cumberland, Senator Wade, on the floor of the Senate and it was answered item for item categorically by the Insurance Commissioner in the answer he made to it.

There is one point which the gentleman raised which I think should be cleared up. He states that the board is made up of insurance men. Of course it is, but the gentleman did not call the attention of the House to the fact that the Insurance Commissioner passes upon all those rates, that they cannot be put into effect until they are passed upon by the Insurance Commissioner, and if the Insurance Commissioner says the rate is no good, the rate cannot be put into effect and insurance cannot be written until that rate is approved by the insurance Commissioner. That is not merely a superficial matter because in many instances the Insurance Commissioner has control of the rates, not only in workmen's compensation but in many other fields. They make a real study and represent the entire Commonwealth in a careful, scientific and conscientious consideration of rates. All this would be very good and you might be able to argue and it could not conclusively be refuted that this would save money to the insured if all insurance, including the state fund, were written as stock companies write insurance. But when you write insurance as a mutual insurance company does or as the state fund does, there is no such thing as profit; you cannot save any money on the rates because there is no profit made on the rates, and that profit is the only place you can save money.

Mr. Speaker, the gentleman is talking about forty to fifty percent profit made by these various insurance companies. About one half of workmen's compensation that is paid into the state is paid by the self-insurers. I think everybody understands and appreciates that there is not a cent of profit made from that. The rate is not jacked up in any way because there is no write up. Each company pays exactly what it costs them in the way of payments for insurance and administration and there cannot be any profit in that. There is no profit in that. Another large percentage of the balance is written by mutual insurance companies and those mutual insurance companies do not make any profit because whatever profit is made, or what we normally call profit, is paid back to the policy holders.

I just want to recite an example of what the gentleman from Philadelphia is intimating and what the Senator from Philadelphia, Senator Shapiro, said on the floor of the Senate. He took a case where one mutual insurance company made thirty percent on the rate. He called that a profit but he totally disregarded the fact that that thirty percent went back to the policy holder. Instead of paying one hundred dollars for that policy of insurance he paid seventy dollars for it.

There is so much involved in the argument presented by the gentleman from Philadelphia, Senator Shapiro, and which was touched upon by the gentleman from Philadelphia, Mr. Levy, that I think there is no question

about it, we could be here discussing and arguing it back and forth for quite a long time, and the gentleman from Philadelphia, Mr. Shapiro, made a very long speech on it. That speech has been answered and appears in the record and there is no real advantage in going into it. I will say this to the gentleman, however, there are provisions in the bill that are good and are satisfactory, but the bill is entirely unworkable as it is now, as well as useless. I presume the gentleman is interested in getting a useful bill which can pass this House and go into conference, and is interested in seeing that a decent bill is written. Therefore, I agree with the suggestion he has made that we try to work out a bill which will be workable and satisfactory, and will not attempt to do some of the foolish things the amendments inserted in the House do. It might be a good idea for this House to pass this bill as it is, definitely with the idea and with the understanding that when the bill passes the House the Senate will nonconcur in the amendments, as I am sure they will, and the bill go to conference. It may be we can get a decent bill out of it.

Mr. LEVY. Mr. Speaker, do I understand the gentleman from Dauphin has expressed a desire or has inferred that they will go along with the bill, and that a conference committee be appointed?

Mr. Speaker, may I interrogate the gentleman from Dauphin, Mr. Woodside?

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

Mr. WOODSIDE. I shall, Mr. Speaker.

Mr. LEVY. Mr. Speaker, did I understand the gentleman from Dauphin to say that he would be willing to go along with the bill as it is so that a conference committee might be appointed?

Mr. WOODSIDE. Mr. Speaker, I personally am torn between two thoughts, as one always is when you must vote for a bill with a double proposition. This bill has a double proposition. It started out with one idea definitely concerning appeals from the Rating Board. There is nothing wrong with that, that right ought to exist. I do not think it is going to do a whole lot of good, but it is all right and it ought to exist.

The bill in its present form, as amended in the House is dangerous; it would not accomplish anything if enacted into law, except endanger the state fund and possibly ruin the set-up of that fund. If the gentleman will agree, as a representative of those interested in this bill, that he will go along in striking out the House amendments and inserting the Senate amendments, we will go along on this side of the House in passing the bill with that understanding.

Mr. LEVY. Mr. Speaker, in answer to the gentleman from Dauphin, I might say he is asking me to tie both my hands and my mouth at the same time, on an agreement to pass this bill in order to go into conference.

I will say to the gentleman from Dauphin I am broad enough and would be broad enough in a conference committee, or the members of my party would be broad enough to say if there could not be an agreement reached between the two principles involved, that either one of the principles should be adopted or the bill should be killed. However, I would say to the gentleman, Mr. Speaker, that I will not tie my hands and my mouth at

the same time. I would say to the gentleman from Dauphin in further answer, if he would be in agreement to pass this bill this afternoon so that we might be able to sit in the calm and quiet of the conference room, possibly we might, out of all this confusion, evolve some plan that might be a compromise between the two lines of thought. That, in my judgment, would be the fair thing to do.

Mr. WOODSIDE. Mr. Speaker, it seems to me that there is no question of compromise on the amendments which were put in by the gentleman on the other side. They are absolutely impossible of sound operation. The theory is not sound and as a result of that it seems to me that there can be nothing done in the way of suggesting a compromise on the amendments which were inserted by the House. If the Members of the House will agree to let the bill go back to third reading and strike out the Senate amendments, which we could do without reprinting, I am sure we would go along with the passage of the bill. Of if the gentleman, speaking for his colleagues, will agree to strike out the House amendments, I will be very glad to go along and I am sure the other Members on this side of the House will be very glad to get the bill in conference committee. But the proposition, as it stands now, is very definitely unsound, it represents a theory which is so definitely unsound that I do not think we can in fairness go along with the bill in its present form, unless we have an understanding now that the amendments which were inserted in the House be stricken out.

MOTION TO LAY ON TABLE

Mr. LEVY. Mr. Speaker, in view of the fact that it is quite disappointing that the gentleman from Dauphin does not wish to come fifty per cent of the way, I move that Senate Bill No. 236, House Bill No. 1481, Printer's No. 496, be placed on the table.

MOTION WITHDRAWN

Mr. LEVY. Mr. Speaker, I withdraw my motion to lay on the table.

Mr. LEVY. Mr. Speaker, I move the previous question, and ask for a roll call.

The motion was seconded by Messrs. Stank, Marks, Paul A. Brunner, Wright, McDermott, Vogt, O'Mullen, Finestone, Duffy, Hersch, Kolankiewicz, Boies, Verona, McLane, Herman, Voldow, Samuel Rose, Schwab, Goodwin, Shaffer and others.

On the question,

Shall the main question be now put?

Mr. LEVY. Mr. Speaker, I believe in my motion for the previous question, I made it emphatic that I desired a roll call.

The yeas and nays were required by Mr. Levy and Mr. Weiss.

Messrs. Levy, Maxwell and Weiss asked for a verification of the roll.

The roll was verified and was as follows:

YEAS—107

Achterman,
Baker,
Balthaser,

Flynn
Gallagher,
Gates,

McDermott,
McPall,
McIntosh,

Rooney,
Rose, S.,
Rosenfeld,

Bentley,	Goodwin,	McLanahan,	Rush,
Bentzel,	Gryskewicz,	McLane,	Sarra,
Boles,	Hamilton,	Melchiorre,	Scanlon,
Boney,	Harkins,	Mihm,	Schwab,
Bradley,	Harris,	Modell,	Shaffer,
Breth,	Heatherington,	Monks,	Shaw,
Brown,	Hering,	Mooney,	Skale,
Brunner, P. A.,	Herman,	Moran,	Stank,
Burns,	Hersch,	Munley,	Stine,
Burriss,	Holland,	Nagel,	Tarr,
Chervensak,	Huntley,	O'Brien,	Tate,
Chudoff,	Jefferson,	O'Connor,	Verona,
Cohen, M. M.,	Keenan,	O'Mullen,	Vincent,
Cohen, R. E.,	Kenehan,	O'Neill,	Vogt,
Corrigan,	Kolankiewicz,	Owens,	Voldow,
Croop,	Komorofski,	Petrofsky,	Wells,
Cuilen,	Leonard,	Pettit,	Welsh, E. B.,
DiGenova,	Lesko,	Polaski,	Welsh, M. J.,
Dolon,	Levy,	Polen,	Williams,
D'Ortona,	Lovett,	Powers,	Wright,
Duffy,	Malloy,	Prosen,	Woodring,
Early,	Marks,	Readinger,	Yester,
Ellott,	Maxwell,	Reese, R. E.,	Young,
Finestone,	McClanahan,	Reynolds,	Kilroy, Speaker.

NAYS—64

Auker,	Gillan,	Lelsey,	Snyder,
Boorse,	Greenwood,	Lyons,	Sollenberger,
Bower,	Gyger,	McClester,	Sorg,
Bretherick,	Habbyshaw,	McDowell,	Stambaugh,
Cadwalader,	Haines,	McKinney,	Stockham,
Cook,	Hall,	McMillen,	Thompson, R. L.,
Cooper,	Hare,	McSurdy,	Trout,
Cordier,	Helm,	Muir,	VanAlisburg,
Dennison,	Hewitt,	O'Dare,	Wagner,
Dix,	Imbrie,	Reagan,	Watkins,
Eckels,	James,	Reese, D. P.,	Weingartner,
Elder,	Jones, G. E.,	Rhea,	Winnier,
Ely,	Knoble,	Riley,	Wood, L. H.,
Fiss,	Krise,	Royer,	Wood, N.,
Fleming,	Lee, E. A.,	Sarge,	Woodside,
Fletcher,	Lee, T. H.,	Simons,	Yeakel,

So the question was determined in the affirmative and the motion was agreed to.

On the question recurring,

Shall the bill pass finally?

The roll was called.

(During the verification of the roll).

QUESTION OF INFORMATION

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

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

Mr. WOODRING. Mr. Speaker, cannot the members vote before the result of the vote is announced?

The SPEAKER. Members are required to be in the hall of the House when the "yeas" and "nays" are taken to qualify to vote. Was the gentleman in the hall of the House?

Mr. WOODRING. Mr. Speaker, I was in the hall of the House during the calling of a portion of the roll.

The SPEAKER. The gentleman is qualified to be recorded.

Mr. WOODRING. I desire to be recorded as voting "aye."

The SPEAKER. The gentleman will be recorded as voting "aye."

(Following the verification of the affirmative roll).

Mr. AUKER. Mr. Speaker, I would like to ask whether the gentleman from Philadelphia, Mr. Thompson was in the Hall of the House during the calling of the roll.

QUESTION OF INFORMATION

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

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

Mr. ACHTERMAN. Mr. Speaker, are we engaged in verifying the affirmative roll?

The SPEAKER. The affirmative roll has been verified.

POINT OF ORDER

Mr. ACHTERMAN. Mr. Speaker, I rise to a point of order.

The SPEAKER. The gentleman from Monroe will state his point of order.

Mr. ACHTERMAN. Mr. Speaker, the gentleman is in violation of the rules of the House in endeavoring to verify the affirmative roll now.

The SPEAKER. The point of order is well taken. The Chair was merely extending a courtesy to the gentleman from Blair.

Mr. STAMBAUGH. Mr. Speaker, it seems to have been the custom for the Clerk to have missed my name. I did vote on the roll call. I asked for recognition and got it. I did vote "no."

The SPEAKER. For the information of the gentleman, the Chair cannot hear the Members when they answer to their names, there is too much noise and confusion. The Chair is attempting to maintain order.

Mr. STAMBAUGH. It is not the fault of the Chair, I am sure, Mr. Speaker, but it seems to have become a custom to miss my name. I am not raising the question in any manner whatsoever excepting that I do feel that I was embarrassed a great many times when I had to get on the floor to ask for recognition, because someone was either intentionally or otherwise missing my name.

The SPEAKER. For the information of the gentleman from Perry, if he has noticed the gentleman sitting in the back row, the gentleman from Fayette, Mr. Tarr, he will have noticed that there were many times when it was necessary for him to take the floor and ask to be recognized. That has frequently been because of the noise in that part of the House.

Mr. STAMBAUGH. I thank you, Mr. Speaker.

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

Messrs. Turner, Habbyshaw and Tarr asked for a verification of the roll.

The roll was verified and was as follows:

YEAS—115

Achterman,	Fleming,	McDermott,	Rooney,
Baker,	Flynn,	McFall,	Rose, S.,
Balthaser,	Gallagher,	McIntosh,	Rosenfeld,
Bentley,	Gates,	McLanahan,	Rush,
Bentzel,	Goodwin,	McLane,	Sarra,
Boles,	Gryskewicz,	Melchiorre,	Scanlon,
Boney,	Hamilton,	Mihm,	Schwab,
Bradley,	Harkins,	Modell,	Shaffer,
Breth,	Harris,	Monks,	Shaw,
Brown,	Heatherington,	Mooney,	Skale,
Brunner, P. A.,	Hering,	Moran,	Stank,
Burns,	Herman,	Munley,	Stine,
Burriss,	Hersch,	Nagel,	Tarr,
Chervensak,	Holland,	O'Brien,	Tate,

Chudoff,	Huntley,	O'Connor,	Thompson, R. L.,
Cochran,	Jefferson,	O'Mullen,	Verona,
Cohen, M. M.,	Jones, P. N.,	O'Neill,	Vincent,
Cohen, R. E.,	Keenan,	Owens,	Vogt,
Cooper,	Kenehan,	Petrosky,	Voldow,
Corrigan,	Kolankiewicz,	Pettit,	Weiss,
Croop,	Komorowski,	Polaski,	Welsh, E. B.,
Cullen,	Leonard,	Polen,	Welsh, M. J.,
DiGenova,	Lesko,	Powers,	Williams,
Dolon,	Levy,	Prosen,	Woodring,
D'Ortona,	Lovett,	Rausch,	Wright,
Duffy,	Malloy,	Readinger,	Yester,
Early,	Marks,	Reese, R. E.,	Young,
Elliott,	Maxwell,	Reynolds,	Kilroy,
Finestone,	McClanaghan,	Rhea,	Speaker.

NAYS—58

Auker,	Greenwood,	Leisey,	Snyder,
Boorse,	Gyger,	Lyons,	Sollenberger,
Bower,	Habbyshaw,	McClester,	Sorg,
Bretherick,	Haines,	McDowell,	Stambaugh,
Brunner, C. H.,	Hall,	McKinney,	Stockham,
Cadwalader,	Hare,	McMillen,	Trout,
Cook,	Hewitt,	McSurdy,	Turner,
Cordier,	Imbrie,	Muir,	Van Allsburg,
Dennison,	James,	O'Dare,	Wagner,
Dix,	Jones, G. E.,	Reese, D. P.,	Weingartner,
Eckels,	Kline,	Riley,	Wlner,
Elder,	Knoble,	Royer,	Wood, L. R.,
Elv,	Krise,	Sarge,	Wood, N.,
Fiss,	Lee, E. A.,	Serrill,	Woodside,
Fletcher,	Lee, T. E.,	Simons,	Yeakel,

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

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

BILL ON FINAL PASSAGE

(CONSIDERATION OF SENATE BILL No. 379
RESUMED)

Mr. REUBEN E. COHEN asked and obtained unanimous consent to call up Senate Bill No. 379 (House Bill No. 1506).

The SPEAKER. The Chair lays before the House, Senate Bill No. 379, (House Bill No. 1506), entitled:

An Act to further amend section one of the act approved the seventeenth day of June one thousand nine hundred and thirteen (P. L. 507), entitled "An act to provide revenue for state and county purposes, and, in cities coextensive with counties, for city and county purposes; imposing taxes upon certain classes of personal property; providing for the assessment and collection of the same, providing for the duties and compensation of prothonotaries and recorders in connection therewith; and modifying existing legislation which provided for raising revenue for State purposes," by excluding proceeds of life insurance policies from the provisions thereof.

which was passed over.

On the question recurring,
Shall the bill pass finally?

QUESTION OF INFORMATION

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

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

Mr. LEVY. Mr. Speaker, do I understand that we are now considering Senate Bill No. 379; Printer's No. 194?

The SPEAKER. That is correct on final passage.

Mr. LEVY. Mr. Speaker, do I understand that this is the bill that was reported out of the Committee of Ways and Means?

The SPEAKER. That is correct.

Mr. LEVY. Unanimous consent was given, Mr. Speaker, to have it placed on third reading and final passage calendar without the title being printed?

The SPEAKER. That is correct.

MOTION TO DROP BILL FROM CALENDAR

Mr. LEVY. Mr. Speaker, in view of the fact that the House is now considering on final passage Senate Bill 379, Printer's No. 194, I feel that a statement coming from one who might rebel against a procedure of this kind is appropriate.

I am going to make a statement, Mr. Speaker, in reference to this bill. Truthfully, gentlemen, I have read the bill in its entirety and I regret very much that I was not more interested in the bill when it was on first and second reading, but I certainly do protest the fact that a bill, reported out of committee on one legislative day, is to be pushed through for final enactment on the same identical day. The only reason I rise in protest to this bill, notwithstanding the fact that it might have merit and might be a proper bill on our legislative calendar, is that I maintain this is the beginning of a very dangerous precedent. I might add, in my memory as a Member of this legislative body, this procedure did not occur in the special session of 1936, in the regular session of 1937 or in the special session succeeding that, nor in the sessions of 1938-1939, and 1940-1941.

Therefore, Mr. Speaker, in view of that, after conversing with many of my colleagues regarding this proposed procedure on Senate Bill 379, I now move, in order to avert the possibility of doing something that might haunt us in succeeding sessions, that Senate Bill 379, Printer's No. 194, be dropped from the calendar.

On the question,

Will the House agree to the motion?

Mr. FINESTONE. Mr. Speaker, I have not arisen during the entire session to speak on any bill, but I feel that this bill is of such importance to every man, woman and child in the Commonwealth of Pennsylvania that regardless of the doubt of my good friend and colleague, Mr. Levy, this bill should be passed.

The bill proposes to cure something that was recently decided by the Supreme Court in the Beisel decision. The purport of the decision, as I take it, is to tax the proceeds of life insurance which has been left with the company by the assured and make it subject to the four mills county tax.

Now, the effect of this, gentlemen, would be this, that in the case of a man leaving life insurance, say in the sum of ten thousand dollars, and making a provision with the company that the amount be left with the company for the protection of his widow, she would on that sum receive say three per cent interest. That would be an income of three hundred dollars a year, or at the rate of twenty-five dollars a month.

Under the Beisel decision that amount would be subject to the state tax of four mills and the county tax of four mills, making a total of eighty dollars, leaving instead

of three hundred dollars a year income, only two hundred and twenty dollars, and reducing the monthly income to eighteen dollars and thirty-three cents a month.

When you stop to consider what that means, Mr. Speaker, you can readily see the importance of exempting such insurance from the four mills tax. It would be a tax on the widow's income of 26 and two-thirds per cent.

All that this act intends to do is to exempt such insurance from the four mills tax, and it is in conformity with the policy of the state in exempting life insurance from the inheritance tax, exempting the proceeds of life insurance from the payment of debts, and I think it is in line with the humane policy of the state to exempt such insurance from the payment of taxes.

We have been talking a great deal on both sides of the House during the campaigns of protecting widows and orphans, and here is one bill more than any other bill that has come up in this House that is a real bill for the protection of the widows and orphans, and I say to you if you pass this bill, the widows and orphans will rise and call you blessed.

Mr. LOVETT. Mr. Speaker, we have heard an awful lot about widows and orphans in this bill. I want to say that I am just as much interested in the widows and orphans as any body else in this House. If these gentlemen will tell me some way in which we can set an exemption of funds at two thousand dollars or something of that kind, so that we do not protect the one hundred thousand dollar insurance policies, I am perfectly willing to go along with the gentleman.

To sum up what this bill really does, in the state, we have the same kind of law, but the state refuses to allow them to be exempt. Don't forget that the state refuses to allow the exemption, but we men sitting here are going to ask that our poor counties, mind you, let them be exempt. We hear a lot about widows and orphans. Do you gentlemen realize that your county taxation comes from real estate, and that your local municipalities get their taxation from real estate? The state has a large field in which to collect taxes, nevertheless we refuse to let them come out from under the law as far as the state is concerned. But in this bill we are going to say to our poor counties and our poor home owners back home, who are losing their homes on account of taxation, here is a bill in which we are going to exempt these fellows. Now, do not let them get it over to you that they are only exempting poor widows and poor orphans, because some of these are fifty thousand, seventy-five thousand or one hundred thousand dollar beneficiaries. I for one am perfectly willing that we pay our fair share of taxes. I even went so far as to say we should have a flat income tax for school purposes, that is going a long way. Nevertheless, I say to you that this is unfair. I say there is a question of whether or not it is constitutional, because taxation must be equal, and if the state refuses, then it is not uniform and we are asking the county to do something that the state will not do.

Gentlemen, I cannot plead with you too strongly to defeat this measure because it is unjust. Again we have the specially privileged asking for an exemption. The poor widows and orphans do not mind paying their share of taxation if they ever get anything to pay it with. I am not so much worried about the people who have something to pay it with; I am worried about the poor widows and orphans who do not have anything to pay it with, the

poor people who are losing their homes day after day. You are proposing deliberately to take that tax away from your county and compel your county to put that tax on the home.

If you are in favor of this bill and you go back and tell them that you are protecting the widow and orphan, they will tell you you are crazy.

Mr. WOODSIDE. Mr. Speaker—

The SPEAKER. The Chair recognizes the gentleman from Dauphin, Mr. Woodside.

Mr. LEVY. Mr. Speaker—

Mr. WOODSIDE. Mr. Speaker, I yield to the gentleman from Philadelphia, Mr. Levy.

MOTION WITHDRAWN

Mr. LEVY. Mr. Speaker, as I explained before in my brief statement, I am not so much concerned with the merits of this piece of legislation. We have a variance of opinion there. Some of us believe it is meritorious and some believe it is not, but I am deeply concerned with the precedent that we are setting in these closing hours of the session.

This bill was committed to the Committee on Ways and Means approximately three or four weeks ago. It lay dormant in Committee for that length of time, and finally very suddenly this morning the bill was reported out of the Ways and Means Committee. Now, I am looking into the future. If we are on agreement to report bills, read them and pass them in one day, then what is going to happen in the future when we have bills that are far more controversial than this issue? If we are going to use this procedure on bills on which we are in agreement, then I say we are also going to use this procedure on bills which are in controversy. For that reason I rise in protest against the consideration of this bill.

Probably a little hastily I made a motion to drop the bill from the calendar. I really should, in better judgment, change that motion, and I withdraw it, Mr. Speaker, and move.

The SPEAKER. For the information of the gentleman from Philadelphia, Mr. Levy, if he makes a motion to lay the bill on the table that motion will not be debatable; it will close the debate.

Mr. LEVY. I intend, Mr. Speaker, for reasons that are more ethical to make that motion. I mentioned that in my haste I probably made the wrong motion. I did not want to act in such a manner as to infer that I was against the bill or against the principles of the bill, but I say to you if the other motion can be entertained I would rather have that motion placed in the journal.

The SPEAKER. For the information of the gentleman, the gentleman from Dauphin, Mr. Woodside, yielded to the gentleman from Philadelphia, after having been recognized by the Chair.

Mr. LEVY. In that case, Mr. Speaker, I will withdraw my motion to drop the bill from the calendar and withhold my tentative motion to place it on the table.

Mr. Speaker, may I ask the courtesy of the Chair to recognize me for the purpose of making that motion following Mr. Woodside's speech?

The SPEAKER. The gentleman may. The gentleman

from Philadelphia, Mr. Levy, withdraws his motion to drop the bill from the calendar and withholds his motion to place the bill on the table.

Mr. WOODSIDE. Mr. Speaker, may I first state in reference to what has been said by the gentleman from Philadelphia, Mr. Levy, that it is my recollection during the five regular sessions—

PARLIAMENTARY INQUIRY

Mr. HARKINS. Mr. Speaker, I rise to a question of parliamentary inquiry.

The SPEAKER. The gentleman from Allegheny will state his question of parliamentary inquiry.

Mr. HARKINS. Mr. Speaker, I understand in effect Mr. Levy is yielding the floor now to Mr. Woodside?

The SPEAKER. That is correct. The gentleman from Dauphin will proceed.

Mr. WOODSIDE. Mr. Speaker, I was saying that within my recollection, although I would not be absolutely certain of this, I think during every session of the Legislature particularly during the last several days, there have been at least one or two instances where we have considered bills that were not on the calendar.

The matter before us is one which received a great deal of consideration I think, throughout the entire state. It is a bill in which a number of people have had an interest for a considerable length of time; it is a bill that was before this House on two readings and it has been in our files for many months. Therefore, it would seem to me it would not be improper at all to consider this bill at this time and I'm confident that we would not be setting a precedent because I recall a number of instances where this was done within the past few terms. I have spoken to the gentleman from Delaware, Mr. Turner, who has served in this House for more than seventeen years, and he tells me that he is of the opinion that in practically every regular session in which he has served it has been done. Therefore, I think the gentleman from Philadelphia, Mr. Levy, is in error when he says he feels we will be setting a precedent. I agree with him we should have time to consider all important legislation. I think this bill should be debated as it is being debated. It is a very simple bill. It only changes one or two words. It is not difficult to understand, and I think all the Members of the House can vote on this bill intelligently.

Mr. Speaker, just one word after what has been said concerning the counties. I can never have very much patience with people who suggest the difficulties of counties at the present time. During the last ten years, the problem of the state, particularly in relation to financing has increased tremendously. So have the problems of the Federal Government, so have the problems of the school districts and so have the problems of most of the cities, boroughs and townships, but the problems of the counties certainly should not have increased in any respect or to any extent during the last decade, because during that period the state has relieved the counties of one responsibility after another until they should be able to carry on their work very, very easily, without any problem of financing. For example, first we took away outdoor relief, which was a rather substantial burden and put it upon the State. We took away the roads and the

bridges from the counties and put that responsibility on the state and at the present time the counties have very few roads and bridges to take care of because that responsibility rests practically entirely on the State. Again in this session we are saving them large sums of money because we have taken over the mental hospitals and relieved them of another substantial burden. During all of this time we have been helping them out because the amount of tax that is being collected by the state is being paid back to them. The gasoline tax has increased yearly so that each year they are receiving more and more money collected by the state and paid to them. In another respect, we helped them. Many of the counties did not successfully collect the personal property tax until the state passed its Personal Property Tax law and enabled them to collect the personal property tax with much greater ease. As a result of that all of these things were taken away from the counties and it seems clear to me that the argument that this will be a great burden upon the counties is fallacious and it should not be considered as meritorious in the consideration of this bill.

POINT OF ORDER

Mr. LOVETT. Mr. Speaker, I rise to a point of order.

The SPEAKER. The gentleman from Westmoreland will state his point of order.

Mr. LOVETT. Mr. Speaker, under the unusual position in which we find ourselves in at this particular time on this particular bill, not being on the Calendar and being reported out, I feel somewhat like my friend, Mr. Woodside, that at least we should be able to debate it and I have certain questions that I would like to ask Mr. Woodside. I do not think it is fair to the membership of this House to close off debate on this very important issue. I don't know whether they are going to lay it on the table or recommit it, or what they are going to do. I only ask the Chair and the House to give me the privilege of asking the gentleman from Dauphin, Mr. Woodside, a few questions.

The SPEAKER. Will the gentleman from Westmoreland restate his remarks in the nature of a point of order? Did the gentleman say he would like to interrogate Mr. Woodside?

Mr. LOVETT. Mr. Speaker, I said that due to the fact that we find ourselves in this position on this particular bill, although Mr. Turner, said it has happened many times, which may be true, I desired to interrogate Mr. Woodside. I do not know if it has happened as I probably have sat here and have been fooled many times. You men do not want to be fooled, I do not want to be fooled. I would not want to do anything that is wrong. I ask the consideration of the House that I may ask Mr. Woodside a few questions, and I wish to further debate the bill.

Mr. LEVY. Mr. Speaker, in view of the fact that apparently my request to the Chair to make a motion has tied up the debate on the floor, I want to make myself very clear.

I feel like the gentleman from Dauphin, Mr. Woodside, and the gentleman from Westmoreland, Mr. Lovett, that this bill deserves every consideration. I think the gentleman from Dauphin has made himself clear on this issue. I think the gentleman from Philadelphia, Mr. Finestone, was so enthused by this great piece of legislation that he

probably wants to speak again, and I think he has every right to do so. If my tentative motion gives the impression to the Chair and to the membership that I wish to close debate on this issue, I want to make it clear that I do not want to do that at all. I want to give every man a chance to speak, but regardless of how many times Mr. Finestone or Mr. Woodside take the floor and speak on this piece of legislation, I nevertheless say in the most emphatic way that I know we are today setting a bad precedent, and I differ with the gentleman from Dauphin, Mr. Woodside, when he says that Mr. Turner has informed him that this has happened before. I don't know; perhaps it has, but I don't recall it.

I think I inquired of the gentleman from Allegheny, Mr. Brown, whether or not he remembered such a procedure being followed and I think Mr. Brown answered me in this manner: He said he believed too it is a dangerous precedent. I am not debating the merits of the bill I am very anxious to withhold my motion in order to give the members an opportunity to debate it.

Mr. LOVETT. Mr. Speaker, I desire to interrogate the gentleman from Dauphin, Mr. Woodside.

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

Mr. WOODSIDE. I shall, Mr. Speaker.

Mr. LOVETT. Mr. Speaker, the gentleman from Dauphin said he felt the counties were very well taken care of, that for some years past they have been out of the picture and the state has been taking over the burden of the county. I would like to ask if we passed a tax abatement bill during this session of the legislature.

Mr. WOODSIDE. Mr. Speaker, we passed an optional tax abatement bill, if I remember correctly.

Mr. LOVETT. Mr. Speaker, does the gentleman feel that the reason we passed the tax abatement bill was to give the people an opportunity to pay their taxes?

Mr. WOODSIDE. Mr. Speaker, that was the motive and the reason that was given for the passing of the bill.

Mr. LOVETT. Mr. Speaker, does the gentleman feel, due to the fact that we do pass such bills, that the county is really not out of the woods?

Mr. WOODSIDE. Mr. Speaker, the taxpayers are not all out of the woods, I know that, but I am talking about the counties. I say that the counties as governmental units have had less financial problems during the last ten years than any other municipal unit. They have increased their income by our acts during the last few years, we have decreased their responsibilities, their duties and their outgo of money, and that is a situation which is absolutely the reverse from that which exists in any other governmental unit.

Mr. LOVETT. Mr. Speaker, will the gentleman from Dauphin say that in the past ten years the country as a whole has been in a panic up until the past few years?

Mr. WOODSIDE. Well, Mr. Speaker, the New Deal has had us upset and in a whirl for a great deal of the time. I don't know that I would call it a panic but we have been in pretty bad shape a good part of the time. I will grant that.

Mr. LOVETT. Mr. Speaker, in other words, the revenue that runs the counties comes from taxes on homes, is that correct?

Mr. WOODSIDE. Some of it, Mr. Speaker, is on real

estate. Many of the counties have reduced their real estate tax. Lancaster County for example, I think has one and nine tenths mills or something like that.

Mr. LOVETT. Mr. Speaker, does the gentleman know that there are now measures before this House asking for the return of some of the gasoline taxes to the counties?

Mr. WOODSIDE. Yes, Mr. Speaker, each year the gasoline tax returned to the counties mounts up more and more. Each year the counties are finding it more difficult to disburse that money under the law, they are having trouble using it up.

Mr. LOVETT. Mr. Speaker, does the gentleman realize that the gentleman from Allegheny, Mr. Holland, has quite a number of bills asking for the return of the gasoline tax to the counties?

Mr. WOODSIDE. Mr. Speaker, what does the gentleman mean by the return of the gasoline tax?

Mr. LOVETT. Mr. Speaker, I mean to the municipalities.

Mr. WOODSIDE. Mr. Speaker, what does the gentleman mean by municipalities?

Mr. LOVETT. Mr. Speaker, cities, counties, boroughs and townships.

Mr. WOODSIDE. Mr. Speaker, I don't know that the return of the gasoline tax to the cities, boroughs and townships has anything to do with the matter before the House. There are bills on that surely.

Mr. LOVETT. Mr. Speaker, I am just trying to explain to the gentleman that the counties get their revenue from real estate taxes as a whole. Is not that correct?

Mr. WOODSIDE. No, Mr. Speaker, they get revenue from real estate tax certainly but they also get it from personal property tax and they get it from gasoline tax and they get it from fees.

Mr. LOVETT. Mr. Speaker, will the gentleman from Dauphin say that the counties receive most of their money from the property tax?

Mr. WOODSIDE. Mr. Speaker, I think that would depend on the counties. I imagine most of the counties receive a very large percentage of their taxes from real estate but that may not be true of all counties. I don't know which, I never went down over the budgets of the counties with that thought in mind, but I know that many of the counties have reduced their real estate taxes very substantially in the last ten years, and there are no other governmental units that I know of which as a whole have not increased that tax and which have been forced, by the greatest economy, to still seek new means of getting revenue.

Mr. LOVETT. Mr. Speaker, the gentleman made a statement that the state has taken over many of the roads. I would like to ask the gentleman if the state during this legislative session is going to pass the omnibus bill.

Mr. WOODSIDE. I don't know, Mr. Speaker. As a matter of fact I can tell the gentleman this, there are a number of counties in the state to whom that does not make any difference because they do not have any roads any more. May I remind the gentleman from Westmoreland that the state does not take over the county roads as such. The counties have been out of the road business for a number of years and many of the counties are building no roads at all.

Mr. LOVETT. Mr. Speaker, would the gentleman mind answering my question yes or no? Does he know if there is going to be an omnibus bill passed during this session of the legislature to take over any more roads?

Mr. WOODSIDE. Mr. Speaker, is the gentleman talking about county roads?

Mr. LOVETT. No, Mr. Speaker, any roads.

Mr. WOODSIDE. Mr. Speaker, I have seen dozens of cases of the taking over of township roads but we have not taken over any county roads for a number of years, and the reason is that there are no county roads left to take over because the counties are really out of the road business.

Mr. LOVETT. Mr. Speaker, does the gentleman realize that regardless whether they are county roads or township roads or what roads they are, the home owners back home have to keep them up?

Mr. WOODSIDE. The gentleman is trying to draw a red herring across the path. That has nothing to do with the question of the county budget. If the gentleman is so much interested in the home owner, I wonder how he can justify his vote—

Mr. LOVETT. Mr. Speaker, I will be glad to be interrogated if the gentleman wishes to interrogate me.

Mr. WOODSIDE. Mr. Speaker, I have asked the gentleman to confine his remarks to the subject before the House in asking questions.

Mr. LOVETT. That is all, Mr. Speaker, I do not wish to prolong the debate. I think my statement was clear. I think everybody understood if there is anybody trying to becloud the issue it is Mr. Woodside on the other side. We are fighting in the interests of the taxpayers and home owners of Pennsylvania. I know they have been losing their homes and I know that every session we have passed these tax abatement bills giving them a chance to pay their taxes. That has happened not only in one session, but it has happened in every session of the Legislature. We said it would start a bad precedent when we first started it. We have continued it all along the line. Here we find special privilege coming in again at the last moment trying to shove down our throats legislation that is not in the interests of the taxpayers.

Mr. FINESTONE. I just desire briefly to answer the gentleman from Westmoreland, Mr. Lovett. I would be the last man in this House to stand up here if I felt for one moment that this was a bill that would favor special interests. I think my record in this House answers that argument most effectively. However, I think the issue should not be beclouded on either side. The argument of the gentleman from Westmoreland, Mr. Lovett, strikes me very much as an attempt to cut your nose to spite your face. He said it would exempt the rich man who might leave one hundred thousand dollars of insurance. May I tell you gentleman as a matter of common sense an encyclopedia is not needed to answer that question, but for every man that carries one hundred thousand dollars of insurance, you have one thousand or possibly five thousand whose entire estate may not exceed a policy of insurance in the amount of five or ten thousand dollars. It is the little fellows you are going to strike at in not passing this legislation.

I am informed, although I can not vouch for it, that the counties themselves in the past years have collected

the tax only because of the Beisel decision which endangers this form of insurance proceeds. I understand there are only one or two counties in the Commonwealth of Pennsylvania that have collected this four mills tax on the proceeds of life insurance. This is distinctly a bill which would not favor the large interests, but is a bill, more than any other bill that I know of or that has come up for discussion in this House, that would really protect the widows and orphans of Pennsylvania.

Mr. HARKINS. Mr. Speaker, I rise to oppose this bill because in my judgment, while the bill is fair as between the various beneficiaries in the proceeds of life insurance policies, in theory it will more greatly benefit the person who receives the proceeds of the large insurance policies because the widow and orphan who will benefit from small one thousand, two thousand, three thousand or five thousand dollar policies will not in all probability have much money left on deposit with the insurance company.

There is another reason: this bill will interfere greatly with the budget of the County Commissioners in the County of Allegheny, which is the county from which I come. I believe it will also interfere with the budgets already established in all the other counties in the Commonwealth. I believe we should not, in this late day in the session, suddenly bring forth a bill from committee and proceed hastily to pass it probably on the last day of the session, when we have lulled the County Commissioners into a sense of false security by sending the bill back to committee.

I say, further, Mr. Speaker, if the intent is that these proceeds shall not pay this tax, we are by passing this bill going to interfere with one item of the personal property tax which has been one of its most laudable characteristics, namely, that of uniformity as between the county personal property tax and the state personal property tax. If this bill is good so far as removing the tax of the counties from this particular subject matter, then we ought also relieve the same funds from the state personal property tax. The same question is involved; the only difference is that we are here robbing the county treasury instead of the state treasury. I am informed that since this decision an effort has been made by the state to collect from the various insurance companies the corporate loans tax, and I understand in this session we have definitely said that type of account is not subject to the corporate loans tax because we have in this session passed a bill setting forth clearly that it does not fall within that particular category. That relieves and clarifies the situation to the extent of eight mills which the insurance companies have benefitted by in this very session. I believe we ought not to pass this act now, but rather if it is to be done at all we should leave it to the next session to take similar action on this matter as respects both the state and county personal property tax, and I ask you to vote down the bill.

MOTION TO LAY ON TABLE

Mr. LEVY. Mr. Speaker, I move that Senate Bill No. 379, be laid on the table.

The motion was not agreed to.

On the question recurring,

Shall the bill pass finally?

QUESTION OF INFORMATION

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

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

Mr. WEISS. Mr. Speaker, is this bill still debatable?

The SPEAKER. The bill is debatable.

Mr. WEISS. Mr. Speaker, I would like to interrogate the gentleman from Dauphin, Mr. Woodside.

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

Mr. WOODSIDE. I shall, Mr. Speaker.

Mr. WEISS. Mr. Speaker, may I ask Judge Woodside if the four mill personal property tax did not pass recently?

Mr. WOODSIDE. Mr. Speaker, first there was a one mill personal property tax adopted and then it was raised to four mills. I am not sure of the year it was first passed, but it seems to me it was just about ten years ago.

Mr. WEISS. Mr. Speaker, the four mill personal property tax passed this session, is that not right?

Mr. WOODSIDE. Yes, Mr. Speaker.

Mr. WEISS. Mr. Speaker, does that include the present exemptions that the gentleman wants adopted for the counties?

Mr. WOODSIDE. What is that, Mr. Speaker?

Mr. WEISS. Mr. Speaker, does the bill that we just passed include the exemption that is asked for in this particular bill?

Mr. WOODSIDE. No, Mr. Speaker, as I understand it as the conference report adopted it, it does not contain that provision.

Mr. WEISS. Mr. Speaker, may I ask Judge Woodside if he thinks this bill would be constitutional if it were passed?

Mr. WOODSIDE. Mr. Speaker, the gentleman has me on the spot now; he has been calling me Judge. What if I were a Judge? I might have to pass on it and I would be prejudging. Maybe I had better not answer the question.

Mr. WEISS. I thank the gentleman from Dauphin County, Judge Woodside.

Mr. Speaker, I would like to interrogate the Judge from Allegheny County, Mr. Brown.

Mr. BROWN. I don't know whether the gentleman from Westmoreland, Mr. Weiss, is just being funny or not, Mr. Speaker. Seriously, I do not want to be put in a facetious light because probably the gentleman from Dauphin, Mr. Woodside, has secured the services of Mr. Weiss for the purpose of getting newspaper publicity. If it will help the gentleman from Dauphin, Mr. Woodside, and if there are any other Judges in the House, whom it will help in the next campaign, I will be glad to answer the gentleman's question.

The SPEAKER. The gentleman from Westmoreland will proceed.

Mr. WEISS. Mr. Speaker, I would like to interrogate the gentleman from Allegheny, Mr. Brown, as to whether or not he thinks, and I am serious about it, this would be constitutional.

Mr. BROWN. Mr. Speaker, I see no objection to it from a constitutional standpoint.

Mr. WEISS. Mr. Speaker, does the gentleman from Allegheny think we can pass legislation here allowing two different forms of taxation, or exemptions from taxation?

Mr. BROWN. Mr. Speaker, we can exempt anything from taxation so long as the tax is reasonable and follows a particular classification.

Mr. WEISS. Mr. Speaker, does the gentleman from Allegheny, Mr. Brown, think it is reasonable to exempt from state tax and not exempt from the county tax or vice-versa?

Mr. BROWN. Mr. Speaker, does the gentleman mean how the courts would construe it or what I think about the principle? From a constitutional standpoint I think it is all right, but as to whether or not it is good policy is another matter.

Mr. WEISS. Mr. Speaker, I thank the gentleman from Allegheny, Mr. Brown.

I believe the very fact that Judge Woodside refused and is afraid to answer the question due to the fact that he might become a judge, is a reason in this particular case why he might declare it to be unconstitutional. I certainly agree with the gentleman from Westmoreland, Mr. Lovett, and the other gentleman that it is very unfair to have two forms of taxation. If this bill would go the whole way, exempting the proceeds from both the county tax and from the state tax, I would personally be in favor of it because I believe it would help the widows and orphans. Why should you help the widows and orphans as far as the county is concerned and not help them as far as the state is concerned? Some say half a loaf is better than none. If we are going to give only a half a loaf, we might as well take it from the state as take it from the county. Therefore, that argument does not seem to hold water for that particular reason. Either take it away altogether or not at all. If you are going to take it away from the county alone then I believe it is very unfair. Furthermore, I think beyond any question of doubt it is unconstitutional, and as I am an attorney I will give you that as my opinion on the question.

Mr. FINESTONE. Mr. Speaker, may I say for the information of the Westmoreland delegation that I am also a candidate for judge. I do not hesitate for one moment to agree with my colleague from Allegheny, Mr. Brown, that it is constitutional and I would so hold.

Mr. LEVY. Mr. Speaker, now that the House has decided that this bill shall be considered, I do not believe the most important question in this bill is whether the bill is constitutional or unconstitutional. I disagree with my friend from Westmoreland when he says that the important phase of the bill is whether or not it is ethical for the state to tax and for the county to exempt. The important part of this bill, now that the House wants to consider this bill, and I want any man in this House to deny this charge—

QUESTION OF INFORMATION

Mr. GATES. Mr. Speaker, I arise to a question of information.

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

Mr. GATES. Mr. Speaker, I think somebody should give Mr. Levy the megaphone that was presented to him.

Mr. LEVY. Mr. Speaker, the megaphone is now lying in the archives of the legislature with the pasters and folders.

Mr. Speaker I seriously say that the most important part of this bill has not been touched upon and I think every man will agree with me when they hear it explained.

This bill comes not from the orphans and widows of the Commonwealth of Pennsylvania but comes directly from the offices of the big insurance companies in the Commonwealth of Pennsylvania, and I am going to tell you why. If the Members of the House will read this bill carefully they will find that the poor widow that Mr. Finestone cried about, if she takes her insurance money and invests it in railroad bonds or utility bonds or any other investment, she is not exempt under this bill from this tax. Oh, no, but if she leaves the money with the insurance company and they invest it then they are exempt from paying the tax. In other words the insurance companies are exempt from paying the tax. Gentlemen, I say to you in all seriousness let us take off the mask of hypocrisy. If you are going to exempt the widows and orphans exempt them when they invest their money and not when the insurance companies invest their money. Let not any man be deceived.

That is why I warned at the opening of this debate that these bills that are hustled out of committee in the closing days of the session are neither fair nor justifiable. These bills that are hurried out of committee on the closing days of the session, under the guise of protecting the widows and orphans do not protect them at all. This bill does favor the big insurance companies of the Commonwealth of Pennsylvania and I challenge the Senator on the other side of the Assembly to deny it. I would ask the gentlemen of the House if they know the profession of the Senator on the other side of the Assembly. This is an insurance company bill. Write into this bill an exemption for widows and orphans who invest their own money and then I will vote for the bill, but I will not vote for the bill if it does not exempt them on the one hand but exempts the insurance carriers on the other hand. Let us get the truth of this situation. You Members of the House may bellow and yell and laugh but that is the truth. Let the gentleman from Philadelphia, Mr. Finestone, deny it. Let the gentleman from Dauphin deny it. That is the purpose of this bill; that is what the bill does. If you want to enact legislation like this that is your business but I am going to walk out of here at the close of this session with a clean record. I am not going to vote for bills like this no matter how jovial the House feels this afternoon. Let us be honest about it. The bill was debated in the Senate. The charge was made in the Senate that that was the purpose of the bill and it was not denied. I say to you, Mr. Speaker, I am making the charge this afternoon, which I did not want to do before, that I thought it was unfair, because the bill was not on the calendar and I asked that the bill be laid on the table. I repeat the charge made in the Senate back in March which was not answered and I defy any of you gentlemen to deny it now.

Mr. FINESTONE. Mr. Speaker, there is evidence of an attempt to becloud the issue with a lot of loud speaking. I think the fact that some of the large insurance com-

panies might be interested in this bill ought not to really make us lose our common sense.

In many instances, the widow has absolutely no say in the matter as to how she is going to invest her funds. Take the case, Mr. Speaker, of the average man who has possibly twenty-five thousand dollars, or let us say ten thousand dollars of insurance. He might feel that his widow if given that amount in a lump sum would dissipate it or be subject to the wiles of some unscrupulous person. He makes that decision in his own lifetime. He has said to the company, "I want my insurance money to be paid to my widow and children; leave it here to accumulate interest at the rate of three and one-half per cent." Then, whatever the amount may be, it is payable to the widow and children, including the principal and interest, over a period of time, depending upon the amount of insurance and the amount of monthly payments, possibly for ten or fifteen years. The widow has no choice about the matter. If it had been left to her directly, she might have taken that money and invested it in tax-exempt government bonds, or any other tax-exempt securities; she might have done that if she had the choice, but she did not have the choice, and in most instances, the insurance is left that way. She has no choice in the matter at all. In the first place, this fund is the result of her savings because of her frugality, because of her good housekeeping which made it possible for her husband to save enough to pay the premiums. Why should she be subjected to the payment of this tax? She had no say in the matter, and just because the husband wants to protect her is no reason in the world why the state which now exempts insurance companies from this form of taxation should levy this tax which falls most heavily on those who are least able to pay.

Mr. GATES. Mr. Speaker, I desire to interrogate the gentleman from Philadelphia, Mr. Levy.

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

Mr. LEVY. I shall, Mr. Speaker.

Mr. GATES. Mr. Speaker, I would like to ask the gentleman from Philadelphia, Mr. Levy, whether the other day he voted for the four mill personal property tax?

Mr. LEVY. Mr. Speaker, in answer to the gentleman from Armstrong, I would say I did vote for it.

Mr. GATES. I thank the gentleman, Mr. Speaker.

If I recall, Mr. Speaker, I was the only Member of the House who voted against the four mill personal property tax. I did that because I do not believe in the tax. I believe it is a levy, and it is taxing these same widows and orphans that you have been discussing today.

Mr. Levy said, "We will take the mask off." I think the mask came off in his first remarks on the floor of the House when he asked to either recommit the bill or lay it on the table. He said he was not against the bill on its merits, but he was against it because of its establishing a precedent in the state of Pennsylvania.

Someone intimated the other day that organized labor was very much opposed to this particular piece of legislation. I made it my business today to interrogate the heads of both of the large labor unions of the state of Pennsylvania, and I say to the membership of this House and I say to them authentically that neither of the labor organizations in the State of Pennsylvania are opposed to

this humane piece of legislation. I do not think we should pass on to these widows and orphans a tax, as explained by Mr. Finestone, that in some instances amounts to twenty-six per cent. Maybe it is not perfect legislation, but I say for the great majority of the mothers and the children of the state of Pennsylvania if there is one humane piece of legislation that should be passed by the House before we adjourn, it is this particular piece of legislation. The membership of this House knows that I have many times gone against my own party when I voted for labor legislation, when I have been the one Member on this side of the House that has done so. So if you are really interested, if you are honestly and truly interested in humane legislation in the interest of the poorer class of people in the state, vote for this bill.

Mr. LOVETT. Mr. Speaker, I desire to interrogate the gentleman from Armstrong, Mr. Gates.

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

Mr. GATES. I shall, Mr. Speaker.

Mr. LOVETT. Mr. Speaker, as one man in whom I have a lot of confidence, one man who has voted for labor, I think the remarks the gentleman just made are unfair, and I want to ask the gentleman a question in regard to it.

The gentleman from Armstrong said that he contacted the labor leaders of both the outstanding labor organizations in the state of Pennsylvania.

Mr. GATES. That is right, Mr. Speaker.

Mr. LOVETT. And they said, Mr. Speaker, they were not opposed to this act?

Mr. GATES. That is correct, Mr. Speaker.

Mr. LOVETT. Would the gentleman say that the labor leaders were in favor of this act?

Mr. GATES. I would not, Mr. Speaker.

Mr. LOVETT. That clears the issue, and that is the point I am making. That is all.

Mr. GATES. Mr. Speaker, I desire to interrogate the gentleman from Westmoreland, Mr. Lovett.

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

Mr. LOVETT. I shall, Mr. Speaker.

Mr. GATES. Mr. Speaker, when the labor organizations of the State felt that a certain piece of legislation was against the best interests of the working people of Pennsylvania, they have always been open and above board in stating their position either for or against that legislation. So I say to the gentleman from Westmoreland, when they were not against this bill, they did not think it was against the best interests of the working people of the State of Pennsylvania. I assure you, Mr. Speaker, that I think it is not against their interests, but rather I think it is in their favor.

Mr. LOVETT. Mr. Speaker, in answer to the question of the gentleman from Armstrong, Mr. Gates, I might say to him that I do not feel—I may be wrong in this statement—that group insurance held by employes and manufacturers throughout the state of Pennsylvania will be affected by this act. If I am wrong, I stand corrected. I might also add and tell the gentleman from Armstrong that the labor leaders possibly know that the majority of the working people in the state of Pennsylvania have the large majority of their insurance placed in that type of in-

urance. So, therefore, the labor leaders would not be too much interested in this particular bill.

Mr. Speaker, I now rise in defense of free womanhood. The insurance companies were tricky enough, they were plenty tricky enough to go around our men and tell them, "Listen, your wives and children are not capable of taking care of your money; you had better leave it right here with us; we will protect them, we will give them the benefit of this money, we will invest it, and of course, we will give a little sprinkling of it back to your poor wife and children." I rise in defense of free womanhood.

Mr. BAKER. Mr. Speaker, if there are any twenty-five thousand dollar widows foot-loose, they will not be widows very long after they get twenty-five thousand dollars.

Mr. Speaker, we have had this issue before us for close to two hours and I think both sides of the House have pretty well made up their minds, and, I now move the previous question.

The motion was seconded by Messrs. Finestone, Mooney, Wright, Hersch, Paul A. Brunner, Matthew J. Welsh, Reynolds, Shaw, McLane, Schwab, Tate, Early, Pettit, Powers, Williams, Turner, VanAllsburg, Snyder, Stockham, Lloyd H. Wood, Charles H. Brunner, Cadwalader and others.

On the question,

Shall the main question be now put?

It was agreed to.

On the question recurring,

Shall the bill pass finally?

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

Messrs. Lovett, Gerard and Bentley asked for a verification of the roll.

The roll was verified and was as follows:

YEAS—116

Achterman,	Gates,	Malloy,	Serrill,
Auker,	Gillan,	McClester,	Skale,
Bentzel,	Greenwood,	McDermott,	Snyder,
Boles,	Cryskewicz,	McDowell,	Sollenberger,
Boney,	Gyger,	McIntosh,	Sorg,
Boorse,	Habbyshaw,	McKinney,	Stambaugh,
Bower,	Haines,	McLane,	Stine,
Brotherick,	Isal,	McMillen,	Stockham,
Brunner, C. H.,	Hare,	McCurcy,	Tarr,
Burns,	Harris,	MeChlorre,	Tate,
Earris,	Hertz,	Modell,	Thompson, R. L.,
Cadwalader,	Kerling,	Monks,	Trout,
Chervenak,	Hersch,	Moul,	Turner,
Chudoff,	Hewitt,	McNir,	Van Allsburg,
Cohen, M. L.,	Huntley,	Munley,	Vogt,
Cohen, E. E.,	Imbrie,	O'Brien,	Voldow,
Cook,	James,	O'Connor,	Wagner,
Cooper,	Jones, G. E.,	O'Dare,	Watkins,
Cordier,	Jones, P. N.,	O'Mullen,	Weingartner,
Corrigan,	Kenehan,	O'Neill,	Welsh, E. B.,
Dennison,	Kilne,	Owens,	Winnor,
Digenova,	Knoble,	Bank,	Wood, L. H.,
Dix,	Kolankiewicz,	Reese, R. E.,	Wood, N.,
Eckels,	Komorofski,	Riley,	Woodside,
Ely,	Krise,	Rooney,	Wright,
Finestone,	Lee, E. A.,	Royer,	Yeakel,
Fiss,	Lee, T. H.,	Sarge,	Young,
Fleming,	Lelsey,	Scanlon,	Kilroy,
Fletcher,	Lichtenwalter,	Schwab,	Speaker.

NAYS—52

Baker,	Hamilton,	Marks,	ReaJinger,
Balthasar,	Harkins,	Maxwell,	Reynolds,

Bentley,	Heatherington,	McFall,	Rush,
Breth,	Herman,	McLanahan,	Sarra,
Brunner, P. A.,	Holland,	Mihm,	Shaffer,
Cullen,	Jefferson,	Mooney,	Shaw,
Dolon,	Keenan,	Moran,	Verona,
D'Ortona,	Leonard,	Petrosky,	Vincent,
Duffy,	Lesko,	Pettit,	Weiss,
Early,	Levy,	Polaski,	Welsh, M. J.,
Flynn,	Longo,	Polen,	Williams,
Gerard,	Lovett,	Powers,	Woodring,
Goodwin,	Lyons,	Prosen,	Yester,

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 PERSONAL PRIVILEGE

Mr. ELDER. Mr. Speaker, I rise to a question of personal privilege.

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

Mr. ELDER. Mr. Speaker, I voted in the affirmative when the roll was called on Senate Bill 379 but I find I am not so recorded.

BILL ON THIRD READING

Mr. SKALE asked and obtained unanimous consent to call up out of order House Bill No. 1745, (Senate Bill No. 839) Printer's No. 609, on page 16 of today's calendar, bills on third reading.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1745, (Senate Bill No. 839), entitled:

An Act to further amend Sections 4 and 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 and exempting certain licensees from deposit of security in full or in part

On the question,

Will the House agree to the bill on third reading?

BILL RECOMMITTED

Mr. SKALE. Mr. Speaker, I move that this bill be re-committed to the Committee on Banking for further study. The motion was agreed to.

SENATE MESSAGES

SENATE INSISTS ON NON-CONCURRENCE IN HOUSE AMENDMENTS

The Clerk of the Senate being introduced, informed that

the Senate insists on its nonconcurrence in the amendments made and insisted upon by the House of Representatives to Senate Bill No. 653, entitled:

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

Mr. READINGER. Mr. Speaker, I move that the House insist upon its amendments non-concurred in by the Senate to Senate Bill No. 653 and that a Committee of Conference be appointed.

The motion was agreed to.

APPOINTMENT OF COMMITTEE OF CONFERENCE ON SENATE BILL No. 653

The SPEAKER. The Chair appoints as a Committee of Conference on said bill, Messrs. READINGER, PETROSKY and VAN ALLSBURG.

Ordered, That the Clerk inform the Senate accordingly.

AMENDED HOUSE BILLS RETURNED FOR CONCURRENCE

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

HOUSE BILL No. 971.

An Act to further amend sections fifteen and fifteen and three-tenths and to repeal sections fifteen and one-tenth fifteen and two-tenths of the act approved the sixteenth day of May one thousand nine hundred and twenty-three (P. L. 207) entitled "An act providing when how upon what property and to what extent liens shall be allowed for taxes and for municipal improvements for the removal of nuisances and for water rents or rates sewer rates and lighting rates for the procedure upon claims filed therefor the methods for preserving such liens and enforcing payment of such claims the effect of judicial sales of the properties liened the distribution of the proceeds of such sales and the redemption of the property therefrom for the lien and collection of certain taxes heretofore assessed and of claims for municipal improvements made and nuisances removed within six months before the passage of this act and for the procedure on tax and municipal claims filed under other and prior acts of Assembly" as amended by providing for the renewal extension and continuation of liens for taxes and water lighting power and sewer rates until such taxes and rates are fully paid and satisfied and authorizing the filing and revival of liens heretofore lost and in certain cases reviving validating preserving and extending liens.

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

The SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend the title, page 1, line 1, by striking out after the word "amend" the word "section" and inserting in lieu thereof the word "section"; also same page, by striking out in lines 1 and 2 the words "and fifteen and three-

tenths"; also same page, at the beginning of line 3, by striking out the word "and"; also same line, by inserting after the word "two-tenths" the words "and fifteen and three-tenths"; also on page 2 of the title, line 6, by inserting after the word "extension" the word "revival"; also same page, by striking out in lines 7 to 11 of the title the words "taxes and water lighting power and sewer rates until such taxes and rates are fully paid and satisfied and authorizing the filing and revival of liens heretofore lost and in certain cases reviving validating preserving and extending liens" and inserting in lieu thereof the words "tax municipal and other claims until the same are paid and satisfied and repealing certain existing sections of said act."

Amend Section 1, page 4, line 5, by striking out after the word "suggestion" the word "on" and inserting in lieu thereof the word "of".

Amend Section 2, page 6, by striking out all of liens 8 to 29 inclusive and on page 7 by striking out all of lines 1 to 7 inclusive as follows:

"Section 2 Section fifteen and three-tenths of the act approved the twentieth day of June one thousand nine hundred and thirty-nine (P. L. 512) amending the act approved the sixteenth day of May one thousand nine hundred and twenty-three (P. L. 207) is hereby amended to read as follows

Section [15.3] 15.1 Where the lien of any taxes or water rents or rates lighting rates power rates or sewer rates has heretofore been lost by reason of the failure to file the claim therefor within the time prescribed by this act or by reason of the failure to revive such lien within five years from the date of entry or last revival the claim for such taxes and rates may be entered or such liens may be revived in the manner provided by this act [within six months after the effective date of this act] at any time prior to the first day of January one thousand nine hundred and forty-two and the liens of any claims so filed and of any liens so revived shall be valid liens and are hereby ratified and confirmed and as such shall be subject to the provisions of this amendment which relate to liens filed after the effective date of this act Provided however That the filing of such claims or the revival of such liens under the provisions of this clause shall not establish revive or reestablish any lien against real estate which was transferred to any bona fide purchaser during the time before such claims were filed or liens revived or when such liens were lost"

Amend Section 3, page 7, at the beginning of line 8, by striking out after the word "Section" the figure "3" and inserting in lieu thereof the figure "2"; also same line, by striking out after the word "one-tenth" the word "and"; also same page, at the beginning of line 9, by inserting after the word "two-tenths" the words "and fifteen and three-tenths."

Amend Section 4, page 7, at the beginning of line 10, by striking out after the word "Section" the figure "4" and inserting in lieu thereof the figure "3".

Amend Section 5, page 7, at the beginning of line 13, by striking out after the word "Section" the figure "5" and inserting in lieu thereof the figure "4".

On the question,

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

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

YEAS—204

Achterman,	Gallagher,	Malloy,	Royer,
Allmond,	Gates,	Marks,	Rush,
Auker,	Gerard,	Maxwell,	Sarge,
Baker,	Gillan,	McClanaghan	Sarraf,
Balthaser,	Gillette,	McClester,	Scanlon,
Bentlev,	Goodwin,	McDermott,	Schwab,
Bentzel,	Greenwood,	McDowell	Serrill,
Boles,	Gross,	McFall	Shaffer,
Boney,	Gryskewicz,	McIntosh	Shaw,

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

NAYS—0

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

Ordered, That the Clerk inform the Senate accordingly.

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

HOUSE BILL No. 1253.

An Act providing a method of annexation of parts of townships to cities of the first class and regulating the proceedings pertaining thereto.

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

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

Amend the title, page 1, at the end of line 1, by inserting after the word "townships" the words "now owned by and contiguous"; also same page, line 2 of the title, by inserting after the word "class" the words "acquired and used or to be used as an airport seaplane base and rail and marine terminal".

Amend Section 1, page 1, line 1, by inserting after the word "township" the words "contiguous to and now owned by an adjacent city of the first class acquired and used or to be used as an airport seaplane base and rail and marine terminal not exceeding six hundred acres in area"; also same page, line 2, by striking out the words "any adjacent" and inserting in lieu thereof the words "the said"; also same page, at the beginning of line 3, by striking out the word "following"; also at the end of same line by striking out "viz" and inserting in lieu thereof the words "hereinafter set forth Provided however That no such annexation shall be made under the

provisions of this act after the expiration of two years from the effective date of this act"; also same page, by striking out all of lines 4 to 9 inclusive as follows:

"Two-thirds of the taxpayers in number and amount in that part of the township shall present a petition to the Council of said City asking for such annexation which said petition shall be accompanied by a plot of the township and of the portion thereof proposed to be annexed to the said City."

Amend Section 2, page 1, by striking out in lines 10 and 11 and on page 2 by striking out all of lines 1 to 5 inclusive the following:

"Upon the presentation to the Council of such City of such petition and plot said Council may by ordinance annex such part of the township whereupon the said part thereof shall become a part of the said City and if such City be in a different county it shall become a part of the county in which such City is situated"

and inserting in lieu thereof the following:

"The Council of the said City of the first class shall pass an ordinance annexing said contiguous part of the township owned by it to the said City of the first class. Said ordinance shall contain a plot of the township and of the portion thereof to the annexed to the said City."

Amend Section 3, page 2, by striking out in line 6 to 14 inclusive the following:

"That the action of said City Council shall be final and conclusive unless an appeal therefrom be taken within ten (10) days to the Court of Quarter Sessions of the county in which such City is situated upon such appeal the Clerk of said City Council shall certify to said Court all the papers and proceedings in the case whereupon said Court shall examine and inquire and if the proceedings appear to have been in conformity with law shall approve the same"

and inserting in lieu thereof the following:

"After the passage of the said Ordinance a certified copy thereof shall be filed in the Court of Quarter Sessions of the county in which the said City of the first class is located and in the Court of Quarter Sessions of the county in which such township is located and thirty (30) days after such filing the said annexation shall become effective and such part of the township shall become a part of the City and if such township and such city be in different counties the part of the township annexed shall become a part of the county in which such City is situated."

Amend Section 6, page 3, line 12, by inserting after the word "The" and before the word "township" the word "county"; also same line, by inserting after the word "township" the words "and school district"; also same line, by inserting after the word "officers" the words "of the county township and school district in which the annexed territory was situated"; also same page, line 14, by inserting after the word "the" and before the word "township" the word "county"; also same line, by inserting after the word "township" the words "or school district"; also same page, line 15, by inserting after the word "including" the word "county"; also at the end of same line, by inserting after the word "township" the words "and school district"; also same page, at the end of line 16, by inserting after the word "the" the word "county"; also same page, at the beginning of line 17, by inserting after the word "township" the words "and school district"; also same line, by inserting after the word "the" and before the word "township" the word "county"; also same line, by inserting after the word "township" and before the word "and" the words "and school district"; also same page, line 19, by inserting after the word "the" and before the word "township" the word "county"; also same line, by inserting after the word "township" the words "and school district"; also same page, at the end of line 22, by inserting after the word "the" and before the word "township" the word "county"; also at the end of same line by inserting after the word "township" the words "and school district respectively."

Amend Section 7, page 4, at the end of line 1, by inserting after the word "the" the words "said county"; also same page, at the beginning of line 2, by inserting after the word "township" the words "and school district"; also same page, at the beginning of line 6, by inserting after the word "th" and before the word "township" the words "said county"; also same line by inserting after the word "township" the words "or school district"; also same page, line 15, by inserting after the word "and" and before the word "township" the words "to the county"; also same line by inserting after the word "township" the words "and school district"; also same page by striking out in lines 15 to 18 inclusive the words "and in cases where the City and township are in different counties to the County Commissioners of the county of which the township is a part"; also same page, at the end of line 21, by inserting after the word "the" and before the word "township" the word "county"; also at the end of same line by inserting after the word "township" the words "and school district"; also same page, at the end of line 23, by inserting after the word "the" and before the word "township" the words "said county"; also at the end of same line by inserting after the word "township" the words "or school district"; also same page, line 24, by inserting after the word "the" and before the word "township" the words "said county"; also same line by inserting after the word "township" the words "or school district."

Amend Section 8, page 4, at the beginning of line 23, by inserting after the word "the" and before the word "township" the words "said county"; also same line by inserting after the word "township" the words "and school district"; also on page 5, line 1, by inserting after the word "the" and before the word "township" the word "county"; also same line by inserting after the word "township" the words "or school district"; also same page, line 4, by inserting after the word "or" the word "to"; also same line by inserting after the word "the" and before the word "township" the word "county"; also same line by inserting after the word "township" the words "or school district"; also same page, line 5, by inserting after the word "or" the words "against the county"; also at the beginning of line 6, by inserting after the syllable "skip" the words "or school district"; also same page, line 7, by inserting after the word "or" the words "to the county"; also same line by inserting after the word "township" the words "or school district"; also same page, line 8, by inserting after the word "or" the words "of such county"; also same line by inserting after the word "township" the words "or school district"; also same page, at the beginning of line 10, by inserting after the word "or" the words "to said county"; also same line by inserting after the word "township" the words "or School district"; also same page, line 11, by inserting after the word "the" and before the word "township" the word "county"; also same line by inserting after the word "township" the words "or school district"; also same page, at the end of line 13, by inserting after the word "or" the words "against any county"; also same page, at the beginning of line 14, by inserting after the word "township" the words "or school district"; also same page, line 15, by inserting after the word "against" the word "counties"; also same line by striking out after the word "cities" the word "or"; also same line by inserting after the word "townships" the words "or school districts"; also same page, at the end of line 20, by inserting after the word "the" the word "county"; also same page, at the beginning of line 21, by inserting after the word "township" the words "and school district"; also same page, at the end of line 25, by inserting after the word "and" and before the word "township" the words "upon such county"; also at the end of same line by inserting after the word "township" the words "or school district."

Amend Section 9, page 5, at the end of line 28, by striking out after the word "cities" the word "and"; also on page 6, at the beginning of line 1, by inserting after the part-word "ships" and before the word "are" the words "and school districts."

Amend Section 10, page 6, by striking out all of lines 8 to 15 inclusive as follows:

"Section 10 The Act approved the second day of July A D One thousand nine hundred and thirty-seven (Pamphlet Laws 2803) entitled "An act providing a method of annexation of townships of the first class and parts thereof to cities and boroughs and regulating the proceedings pertaining thereto" and all other Acts or parts of Acts insofar as they are inconsistent herewith or supplied hereby be and the same are hereby repealed."

Amend Section 11, page 6, at the beginning of line 16, by striking out after the word "Section" the figures "11" and inserting in lieu thereof the figures "10."

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—200

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

NAYS—4

- | | | | |
|-------------|-------------|--------|---------|
| Bretherick, | Cadwalader, | James, | Turner, |
|-------------|-------------|--------|---------|

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

Ordered, That the Clerk inform the Senate accordingly.

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

HOUSE BILL No. 1420.

An Act to amend 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" as amended by 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 by 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

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

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

Amend the title, page 2, at the end of line 7, by inserting after the word "Commonwealth" the words "and exempting casualty insurance companies having no capital stock from the tax imposed by this act."

Amend Section 1, page 6, line 25, by inserting after the word "life" the word "casualty."

On the question,

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

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

YEAS—204

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

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,
Fisher,	Lesko,	Reynolds,	Woodside,
Fisc,	Levy,	Rhee,	Wright,
Fleming,	Leydic,	Riley,	Yeakel,
Fletcher,	Lichtenwalter,	Rooney,	Yester,
Flynn,	Longo,	Rose, S.,	Young,
Foor,	Lovett,	Rose, W. E.,	Kilroy,
French,	Lyons,	Rosenfeld,	Speaker.

NAYS—0

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

Ordered, That the Clerk inform the Senate accordingly.

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

HOUSE BILL No. 1365.

An Act to amend the act approved the first day of May one thousand nine hundred and twenty-nine (P. L. 905), entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees and 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 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" as variously amended authorizing the Secretary of Revenue to establish a system of permanent registration of vehicles and further regulating the operation of vehicles and the suspension of registrations and operating privileges giving the Pennsylvania Turnpike Commission power to regulate traffic on turnpikes extending the time limit for cities of the second class A to make certain changes in traffic signals extending the liability of political subdivisions to include negligent operation of their vehicles drawn by animal power amplifying and changing provisions of said act relating to lighting signal and warning devices redefining the term dealer further regulating dealers in junked vehicles permits for over-size and overweight vehicles use of school buses registration plates and cards maximum size of vehicles and medical examinations by physicians providing for payment of certain fees by counties limiting and providing new exemptions from the various provisions of said act giving additional authority to peace officers and department employes in the matter of investigations further regulating prosecutions giving certain powers to local authorities for the regulation of traffic and the establishment of traffic courts changing and fixing additional fees changing and imposing new penalties giving the secretary additional powers and duties imposing additional duties on keepers and employers of garages and repair shops providing refunds to certain persons entering Federal services 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 the title, page 2, at the end of line 12, by inserting after the word "vehicles" the words "providing for the issuance of limited operator's licenses in certain cases;" also same page, line 23, by inserting after the word "devices" the words "and the transportation of vehicles;" also on page 3 of the title, at the end of line 11, by inserting after the word "services" the words "making it a misdemeanor for committing malicious mischief to motor vehicles parts or accessories thereof and establishing penalties therefor."

Amend Section 1, page 13, line 22, by inserting after the word "lying" the words "on along or."

Amend Section 3, page 2, line 25, by striking out after the word "a" the word "farm" and inserting in lieu thereof the word "form".

Amend Section 6, page 30, line 5, by striking out the word "recession" and inserting in lieu thereof the word "recision."

Amend Section 7, page 54, line 29, by inserting after the word "than" and before the word "mental" the words "as provided in clauses one two three and four of section six hundred fourteen of this act or for"; also on page 55, by inserting between line 7 and 8 the following:

"When the operator's license of any person is revoked for any of the crimes enumerated in clauses one two three and four of section six hundred fourteen of this act the secretary shall at his discretion issue or refuse to issue to such person the limited operator's license herein provided for the facts and circumstances of each individual case to be taken into consideration."

Amend Section 9, page 58, at the beginning of line 9, by striking out the "(1)".

Amend Section 20, page 73, line 1, by striking out the word "Subsection" and inserting in lieu thereof the words and letter "Subsections (b) and"; also same page by inserting between lines 7 and 8 the following:

"(b) If the secretary finds after hearing had that the provisions of this act are not being complied with or that the business of an official inspection station in connection with the corrections adjustments repairs or inspection of motor vehicles trailers or semi-trailers is being improperly conducted or receives notice of the conviction of any person conducting an official inspection station of any violation of the provisions of this act he shall suspend the certificate of appointment of any such station and require the immediate surrender and return of the certificate of appointment together with all department forms Provided however That if the servant or employe of any such inspection station shall without the authorization knowledge or consent of his employer violate any of the provisions of this act in reference to the inspection of vehicles such violation or violations shall not be the cause of the suspension of the certificate of appointment as herein provided but such employe shall be subject to prosecution as hereinafter provided Any person whose certificate or appointment is suspended under the provisions of this subsection may within thirty (30) days from the date thereof appeal to the court of common pleas of the county wherein such official inspection station is located and such court is hereby vested with jurisdiction and it shall be its duty to set the matter down for hearing upon thirty (30) days' written notice to the secretary and thereupon to take testimony and examine into the facts of the case and to determine whether the petitioner is subject to suspension of his certificate of appointment under the provisions of this act When any hearing is held by the secretary to determine whether the provisions of this act are not being complied with or that the business of an official inspection station in connection with the corrections adjustments repairs or inspection of motor vehicles trailers or semi-trailers is being improperly conducted the person or persons accused of such violations shall be given notice there-

of and shall be permitted to be present and represented by counsel

Penalty Any owner who operates such inspection station or any manager or operator thereof or any employe thereof violating any of the provisions of this section shall upon summary conviction before a magistrate be sentenced to pay a fine of twenty-five (\$25.00) dollars and costs of prosecution and in default of the payment thereof shall undergo imprisonment for not more than ten (10) days".

Amend Section 24, page 79, line 9, by inserting after the word "dismemberment" the words "the total length of"; also same line by striking out the light-faced brackets before and after the word "which"; also at the end of same line by striking out the words "where total length of"; also same page, at the beginning of line 10, by striking out the word "vehicles"; also same page, at the end of line 16, by inserting after the word "weight" the words "or axle load"; also same page, line 18, by inserting after the word "weight" the words "or axle load"; also same page, at the end of line 19, by inserting after the word "weight" the words "or axle load"; also same page, at the end of line 25, by inserting after the word "weight" the words "or axle load"; also same page, line 27, by inserting after the word "weight" the words "or axle load".

Amend Section 25, page 80, line 13, by inserting after the word "weight" the words "or axle load"; also same page, line 14, by inserting after the word "weight" the words "or axle load"; also same page, line 15, by inserting after the word "weight" the words "or axle load"; also same page, line 22, by inserting after the word "weight" the words "or axle load"; also same page, line 24, by inserting after the word "weight" the words "or axle load".

Amend Section 26, page 83, line 7, by inserting a light-faced bracket before the word "Whenever"; also same page, line 9, by inserting a light-faced bracket after the word "highway".

Amend Section 27, page 83, at the beginning of line 28, by inserting after the figures "27" and before the word "Clause" the following: "Clause 4 of subsection (b) and"; also on page 84, by inserting between lines 5 and 6 the following:

"(b) Subject to the provisions of subsection (a) of this section speeds in excess of the maximum limits herein-after provided shall be unlawful

* * * *

4 Twenty-five (25) or thirty-five (35) miles an hour speed limit All vehicles except those restricted by this act to lower maximum speeds within business or residential districts or public park areas where official signs erected by the proper authorities on the right-hand side of the highway facing the traffic to be controlled or on the left-hand side of one-way streets are displayed This limit shall be observed for a distance beyond said sign for not more than one-eighth (1/8) of a mile An additional sign shall be placed at intervals not greater than one-eighth (1/8) of a mile and any extension of such limited zone shall be marked by additional signs in like manner At the end of such limited zone there shall be an official sign similarly placed as to traffic indicating the end of the limited zone Provided however That cities of the first class and cities of the second class may by ordinance adopted in accordance with the provisions of section one thousand one hundred and three (i) of this act establish a speed limit of thirty-five (35) miles an hour to be effective in the business or residential districts within the limits of any such city except where official signs erected in conformity with the provisions of this subsection otherwise provide

* * * *";

Also same page, by striking out in lines 17 to 21 inclusive the following: "except that in ascertaining whether or not the operator of such vehicle is violating the speed limit at an intersection such measured stretch shall not be less than eighty-eight (88) feet in length"; also same page, at the beginning of line 24, by inserting after the word "vehicle" the words "painted predominately white

and."

Amend Section 28, page 85, at the beginning of line 24, by striking out after the word "Section" the figures "28" and inserting in lieu thereof the figures "29".

Amend Section 29, page 86, at the beginning of line 11, by striking out after the word "Section" the figures "29" and inserting in lieu thereof the figures "30".

Amend Section 30, page 87, at the beginning of line 24, by striking out after the word "Section" the figures "30" and inserting in lieu thereof the figures "31"; also on page 88, at the beginning of line 25, by striking out after the syllable "ment" and before the word "fire" the word "and" and inserting in lieu thereof the word "or"; also on page 89, by inserting between lines 11 and 12 the following:

"Section 32 That section 1033 of said act as last amended by the act of June twenty-seven one thousand nine hundred and thirty-nine (P. L. 1135) is hereby further amended to read as follows

Section 1033 Vehicles carrying other vehicles

(a) No person shall on or after January first one thousand nine hundred and [forty-two] forty-four operate a vehicle on the highways of this Commonwealth having two levels for the carriage of other vehicles

(b) No person shall on or after January first one thousand nine hundred and [forty-two] forty-four operate a vehicle on the highways of this Commonwealth carrying other vehicles any part of which is carried at a height of more than one hundred fifteen (115) inches above the ground

(c) [No person shall operate a vehicle on the highways of this Commonwealth carrying any other vehicle the weight of which is directly above the cab of the carrier vehicle or directly over the head of the operator of such vehicle] No vehicle being transported on another single vehicle or combination vehicle and trailer shall be carried in such manner as to extend above the cab of the transporting vehicle and where such vehicle shall be transported on a combination truck tractor and semi-trailer the transported vehicle shall be loaded wholly upon the semi-trailer and shall not extend more than five feet beyond the front extremity of the semi-trailer

(d) No person shall on or after January first one thousand nine hundred and [forty-two] forty-four operate a vehicle on the highways of this Commonwealth carrying any other vehicle any axle of which is more than three (3) feet higher than any other axle on such carrier vehicle

Penalty Any person violating any of the provisions of this section shall upon summary conviction before a magistrate be sentenced to pay a fine of twenty-five (\$25) dollars and costs of prosecution and in default of the payment thereof shall undergo imprisonment for not more than five (5) days".

Amend Section 31, page 89, at the beginning of line 12, by striking out after the word "Section" the figures "31" and inserting in lieu thereof the figures "33"; also on page 90, line 16, by inserting after the word "speed" the words "in the business and residential districts"; also on page 91, by inserting between lines 17 and 18 the following:

"Section 34 Section one thousand one hundred and three of said act as amended by the act approved the twenty-second day of June one thousand nine hundred and thirty-one (P. L. 751) is hereby further amended by adding thereto after subsection (g) one new subsection to read as follows

Section 1103 Powers of Local Authorities

* * * *

(h) Local authorities of cities of the first class and cities of the second class may by ordinance establish a speed limit of thirty-five (35) miles an hour to be effective in the business and residential districts within the limits of any such city except where official signs erected in conformity with the provisions of subsection (b) of section one thousand and two of this act otherwise provide In making such provisions the local authorities of such cities shall provide that signs showing the said thirty-five (35)

mile speed limit within said cities shall be posted at the entrance of such cities and at ten other locations at least within such cities and when so posted the said cities shall not be required to post any such signs elsewhere within the said cities

Section 35 Section one thousand one hundred and six of said act as amended by the act approved the fifth day of June one thousand nine hundred and thirty-seven (P. L. 1718) is hereby further amended to read as follows

Section 1106 Local Traffic Signs Local authorities in their respective jurisdiction may cause official signs in accordance with section one thousand one hundred and five of this act to be erected and maintained as may be appropriate to give notice of legal parking and other local ordinances rules and regulations shall not be enforceable against an alleged violator if at the time and place of the alleged violation an official sign giving notice thereof is not posted conspicuously by the municipalities making the same at points where any highway affected thereby joins other highways except as otherwise provided in this act."

Amend Section 32, page 91, at the beginning of line 18, by striking out after the word "Section" the figures "32" and inserting in lieu thereof the figures "36."

Amend Section 33, page 92, at the beginning of line 16, by striking out after the word "Section" the figures "33" and inserting in lieu thereof the figures "37."

Amend Section 34, page 93, at the beginning of line 27, by striking out after the word "Section" the figures "34" and inserting in lieu thereof the figures "38"; also on page 95, line 14, by inserting after the word "days" and before the word "after" the following:

"except in the case where the information is brought against any person who has not been stopped by the officer at the time of the violation in such cases all information must be filed and mailed by registered letter to the violator within five (5) days of the date of the said violation."

Amend Section 35, page 96, at the beginning of line 6, by striking out after the word "Section" the figures "35" and inserting in lieu thereof the figures "39."

Amend Section 36, page 98, at the beginning of line 21, by striking out after the word "Section" the figures "36" and inserting in lieu thereof the figures "40"; also on page 99, line 3, by inserting a light-faced bracket before the word "nine" where said word appears the first time in said line; also same line, by inserting a light-faced bracket after the figures "(903)"; also on page 100, line 6, by striking out the words "nine hundred and three"; also same page, at the beginning of line 7, by striking out the figures "(903)."

Amend Section 37, page 101, at the beginning of line 9, by striking out after the word "Section" the figures "37" and inserting in lieu thereof the figures "41."

Amend Section 38, page 103, at the beginning of line 23, by striking out after the word "Section" the figures "38" and inserting in lieu thereof the figures "42."

Amend Section 39, page 105, at the beginning of line 5, by striking out after the word "Section" the figures "39" and inserting in lieu thereof the figures "43."

Amend Section 40, page 106, at the beginning of line 5, by striking out after the word "Section" the figures "40" and inserting in lieu thereof the figures "44."

Amend Section 41, page 106, at the beginning of line 23, by striking out after the word "Section" the figures "41" and inserting in lieu thereof the figures "45"; also same page, line 25, by striking out after the word "twenty-two" the word "two" and inserting in lieu thereof the word "three"; also on page 107, at the end of line 27, by inserting after the word "examinations" the following: "And provided further That all said fees shall be paid from fines and penalties collected and bail forfeited under the provisions of subsection (f) of section six hundred and twenty of this act"; also on page 108, by inserting after line 4 the following paragraph:

"Section 1225 Any person who shall wilfully and maliciously break injure destroy or deface any motor

vehicle or any part or accessory thereof which motor vehicle part or accessory shall belong to another shall be guilty of a misdemeanor and upon conviction shall be sentenced to pay a fine not exceeding one hundred dollars (\$100.00) or suffer imprisonment not exceeding six months or both at the discretion of the court."

On the question,

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

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

The motion was agreed to.

Ordered, That the Clerk inform the Senate accordingly.

QUESTION OF INFORMATION

Mr. MIHM. Mr. Speaker, I arise to a question of information.

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

Mr. MIHM. Mr. Speaker, I would ask whether the Conference Reports on House Bills 1464, 1465, 1466, 1467 and 1468 are on file? I have not received the printed reports.

The SPEAKER. They are all printed and on file except on House Bill No. 1466.

Mr. MIHM. Mr. Speaker, may I call up all of the Conference Reports at the present time?

The SPEAKER. For the information of the gentleman from Allegheny, he may call them up.

Mr. MIHM. Mr. Speaker, I call up the reports of the Committees on conference on House Bills 1465, 1467, 1468, 1469, and 1526.

REPORT OF COMMITTEE OF CONFERENCE ON HOUSE BILL No. 1465

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. 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; * * * as amended, by requiring and providing for the registration of persons in military service before they shall be entitled to vote at any election."

Respectfully submit the following bill as our report:

Robert M. Miller
Paul M. Crider
J. K. McQuiddy

(Committee on the Part of the Senate.)

H. J. Maxwell
Martin C. Mihm

George T. Weingartner
(Committee on the part of the House of Representatives.)

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 per-

sonal registraion 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

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 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" is hereby amended to read as follows

Section 2 Definitions (a) The word "Commission" shall mean any registration commission having jurisdiction in boroughs towns and townships

(b) "Commissioner" shall mean a county commissioner acting as a member of the registration commission

(c) "Oath" shall include affirmation and "Swear" shall include affirm

(d) "Election" shall mean any general special municipal or primary election unless otherwise specified

(e) "General election" shall mean the election which the Constitution of this Commonwealth requires to be held in even-numbered years

(f) "Municipal election" shall mean the election which the Constitution of this Commonwealth requires to be held in odd-numbered years

(g) "Primary election" shall mean any election for the nomination of candidates

(h) "November election" shall mean either the general or the municipal election or both according to the context

(i) "Party" shall mean any party or political body one of whose candidates at the general election next preceding the primary polled in each of at least ten counties of the State not less than two per centum of the largest entire vote cast in each of said counties for any elected candidate and polled a total vote in the State equal to at least two per centum of the largest entire vote cast in the State for any elected candidate or any party or political body one of whose candidates at either the general or municipal election preceding the primary polled at least five per centum of the largest entire vote cast for any

electd candidate in any county containing therein any borough town or township

(j) "Political body" shall mean any political body not recognized as a political party which has filed proper nomination papers as required by law

(k) "Qualified elector" shall mean any person who shall possess all of the qualifications for voting now or hereafter prescribed by the Constitution of this Commonwealth or who being otherwise qualified by continued residence in his election district shall obtain such qualifications before the next ensuing election

(l) "Register" shall mean the cards containing or to contain all or any part of the registry list of qualified electors prepared or to be prepared by the registration commissions as hereinafter provided

(m) "County" shall mean any county of this Commonwealth

(n) "Public office" shall mean and include any National State judicial county city borough town township school district poor district ward or election office or employment requiring any person elected or appointed thereto to render any public service for a fixed fee or compensation except the office of notary public or commissioner of deeds

(o) Wherever a term in the masculine form is used in this act it shall refer alike to men and women

(p) "District" shall mean any election district or precinct of a borough town, or township

(q) All references to police officers clerks secretaries courts judges prothonotaries county treasurers county controllers county commissioners sheriffs peace officers registrars of vital statistics boards of school districts and other officials of counties boroughs towns townships and school districts where not otherwise specified shall refer only to those of any borough town or township or to those of any county within which such borough town or township is located or to any school district containing contained in or coextensive with any borough town or township

(r) "County election board" or "county board" shall mean the county board of elections of any county as now or hereafter provided for by the election laws of this Commonwealth

(s) In determining or reckoning any period of time mentioned in this act the day upon which the act is done paper filed or notice given shall be excluded from and the date of the primary election hearing or other subsequent event as the case may be shall be included in the calculation or reckoning Provided however That if the last day upon which any act may be done paper filed or notice given shall fall on a Sunday or a legal holiday the next following ordinary business day shall be considered as the last day for said purpose

(t) "Persons in military service" shall mean qualified electors of this Commonwealth who are or may be by enlistment enrollment or draft in actual military or naval service of the United States or any branch or unit thereof or in the military service of the Commonwealth

Section 2 Subsection (a) of section seventeen of the said act is hereby amended to read as follows

Section 17 Registration Cards Preparation and Distribution

(a) For the purpose of registering the qualified electors of each borough town or township the commission shall prepare registration cards serially numbered in duplicate and containing spaces for entering the information required by section eighteen and section eighteen and one-tenth of this act and either the following affidavit or the affidavit prescribed in section eighteen and one-tenth as the case may be

Registration Affidavit

State of Pennsylvania }
County of } ss

I hereby swear or affirm that I am a citizen of the United States that on the day of the next election I shall be at least twenty-one years of age and shall have resided in the State of Pennsylvania for one year (or having prev-

iously been a qualified elector or a native born citizen of the State and having removed and returned then six months) next preceding said election and in the election district two months that I am legally qualified to vote that I have read (or have had read to me) the foregoing statements made in connection with my registration and that they are true and correct

Subscribed and sworn to before me this day of 19....

..... Signature of Voter

..... Signature of Registrar

Section 3 The said act is amended by adding after section eighteen a new section eighteen and one-tenth to read as follows

Section 18.1 Manner of Registration by Persons in Military Service A person in military service may in addition to any other method herein provided also be registered in the following manner

(a) He may make application to the commission for a registration card

(b) The registration card shall require the statement of and shall provide sufficient space for the following information (1) The surname of the applicant (2) His Christian name or names (3) His occupation if any on the date of entering military service (4) The street or road and number if any of his residence on the date of entering military service (5) If his residence was a portion only of a house the location or number of the room or rooms apartment flat or floor which he occupied (6) The date his residence began at the place at which he resided on the date of entering military service (7) His residence address when he last registered and the year of such registration (8) The sex of the applicant (9) The color of the applicant (10) The state or territory of the United States or the foreign country where he was born (11) The date when place where and the court by which naturalized and the number of the naturalization certificate (12) If not naturalized personally the name of father mother or husband through whom naturalized (13) Whether he is unable by reason of illiteracy to read the names on the ballot or voting machine labels (14) whether he has a physical disability which will render him unable to see or mark the ballot or operate the voting machine or to enter the voting compartment or voting machine booth without assistance and if so his declaration of that fact and his statement of the exact nature of such disability (15) The designation of the political party of the elector for the purpose of voting at primaries (16) The affidavit of registration as hereinafter prescribed which shall be signed by the elector attested by the signature of the superior officer of the applicant or the judge of any court of record of the United States or of any state or territory thereof and dated by such superior officer or judge (17) The height of the applicant in feet and inches (18) The color of his hair (19) The color of his eyes (20) The date of his birth Each registration card for registration by persons in military service shall also have a sufficient number of spaces thereon for the insertion by the commission but not by the applicant of the borough town township ward and election district if any in which the applicant resided on the date of entering military service and to which he may from time to time remove after leaving military service together with his street address in each borough town or township and the other data required to be given upon such removal (21) The date of each election and primary at which the applicant votes after registration the number and letter if any of the stub of the ballot issued to him or his number in the order of admission to the voting machines and (22) The signature or initials of the election officer who enters the record of voting on the card

(c) In addition the foregoing registration card shall contain the following affidavit

Registration Affidavit

I hereby swear or affirm that I am a citizen of the United

States that on the day of the next election I shall be at least twenty-one years of age and shall have resided in the Commonwealth for one year (or having previously been a qualified elector or a native born citizen of the Commonwealth and having removed and returned then six months) and in the election district two months that I am now in actual military service under a requisition of the President of the United States or by the authority of the Commonwealth of Pennsylvania that the military naval or air unit in which I am enrolled or commissioned is with the rank of now located at that I am legally qualified to vote that I have read (or have had read to me) the foregoing statements made in connection with my registration and that they are true and correct

Signature of applicant for registration

Sworn to and subscribed before me this day of 19....

Signature of superior officer or judge of any court of record of the United States or any state or territory thereof and statement of official position

(d) Upon written application by any person in military service to the registration commission having jurisdiction in the borough town or township in which the applicant last resided on the date of entering military service a registration card in the form herein prescribed in duplicate shall be mailed postage prepaid to the applicant at the address given in such application Such person shall thereupon supply the information required on the registration card in duplicate and shall take the affidavit thereto in duplicate in the presence of his superior officer or of any judge of a court of record of the United States or any state or territory thereof and shall mail the same in duplicate postage prepaid to the registration commission from which it was procured

(e) Registration in this manner by persons in military service may be made at any time Provided however That if any registration card is received by any registration commission from any person in military service at any time when registration by personal appearance in the manner provided in section eighteen of this act could not be made under the provisions of section sixteen of this act such application shall be retained by the commission until the beginning of the next period during which such registration by personal appearance could be made and at such time the applicant if otherwise entitled shall be duly registered

(f) The status of any person in military service with respect to residence shall remain the same as it was when such person entered military service Provided however That if at the time of entering military service any person shall not have resided in Pennsylvania or in a particular election district thereof for a sufficient time to have been entitled to be registered but by continued residence would have become so entitled he shall be entitled to be registered at such time as he would have been so entitled had he not entered military service and had continued to reside where he then resided

(g) Registration cards returned by persons in military service to any registration commission shall be examined by a member of the commission or any clerk or registrar at a time and place when personal registration are being received and such member of the commission clerk or registrar shall announce in the hearing of all present the name of the person in military service who has thus offered to register and the address of his residence on the date of entering military service The right of such person in military service to be registered shall not be subject to challenge for any reason other than failure to have mailed the commission a properly completed registration card If the commission finds the registration card not properly completed it shall reject it in the manner hereinafter provided

Section 4 Section twenty-two of the said act is hereby amended to read as follows

Section 22 Incomplete or Rejected Applications to Be Recorded The registrar commissioner or clerk shall record on registration cards the surname Christian name or names and street and number of residence of each person who applies for registration whether or not the application is accepted Whenever the applicant is rejected after a portion of the record has been filled in the registration card or cards shall be marked "Applicant Rejected" and the registrar commissioner or clerk shall note thereon the reason for the rejection and shall sign his name thereon The registrar commissioner or clerk shall forthwith personally notify the applicant if his application for registration is rejected Provided however That if the registration card was received by mail from a person in military service notice of rejection shall be by mail All such cards shall be returned to the commission and shall be preserved for a period of two years

Section 5 Subsection (a) of section twenty-eight of the said act as amended by the act approved the ninth day of June one thousand nine hundred thirty-nine (Pamphlet Laws two hundred eighty-one) is hereby further amended to read as follows

Section 28 Change of Enrollment of Political Party Cancellation of Party Enrollment Persons Suffering Disability After Registration to Have Fact Recorded Cancellation (a) At any time prior to the thirtieth day next preceding a primary or an election excepting the thirty days next following each election and the five days next following each primary any person who desires to change the enrollment of his political designation or who although registered has not hitherto enrolled as a member of a party may appear before a registrar commissioner or clerk and state in writing over his signature the political party in which he desires to be enrolled and the registrar commissioner or clerk shall cause the enrollment of the elector's political designation to be made or altered accordingly in the general and district registers In such cases the signature of the elector shall be verified by comparison with his signature on the general and district registers before the change of enrollment is made If any elector desiring to change his party enrollment is unable to sign his application he shall make his mark thereto in the presence of the registrar commissioner or clerk and shall produce such other evidence as may be necessary to establish his identity When an elector has applied for a change in the enrollment of his political designation as provided herein the registrar commissioner or clerk shall upon request stamp or mark the change so made on the elector's card attesting his registration Any person in military service who desires to change his party enrollment shall be permitted to do so by addressing to the commission a signed written application under oath taken and subscribed to before any commissioned officer of the military or naval forces either within or without the Commonwealth or before any officer of this or any other state or territory of the United States authorized to administer oaths The application shall be sent by the applicant by registered mail return receipt required and shall also contain a statement that such person is at the time of making the application absent from his residence in military service If upon examination the signature appears authentic and the application conform to the provisions of this section the enrollment shall be changed in accordance with the application

Section 6 Section thirty of the said act is hereby amended to read as follows

Section 30 Check-up of Registers

(a) At any time prior to the thirtieth day next preceding an election or primary the commission may send by mail to any elector whose name appears in any district register a notice setting forth the elector's name and address as it shall appear in the register and requesting him in case of any error to present the notice on or before the tenth day next ensuing at the office of the commission and secure the correction of the error and warning the

elector that any discrepancy between his actual name and address and his name and address as recorded in the original register will constitute ground for challenging his vote Such notice shall contain on the outside a request to the postmaster to return it within five days if it cannot be delivered to the addressee at the address given thereon

(b) At any time prior to the thirtieth day next preceding an election or primary the commission may cause a check-up to be made by postmen of the United States Post Office of any elector whose name appears in any district register

(c) At least once in each four years the commission shall conduct a check-up of each registered elector in the boroughs towns and townships by either of the methods provided for in subsections (a) and (b) above

(d) Upon the return by the post office of any such notice which it has been unable to deliver at the given address because the addressee cannot be found there or upon report by the post office that any registered elector does not reside at the address given on his registration card the commission shall direct an authorized employe to visit in person the address of the elector and if he shall find that the elector does not reside at the address he shall leave at such address the notice prescribed by section thirty-one of this act and the commission shall at the expiration of the time specified in such notice cancel the registration of such person unless he personally appears and proves his qualifications as an elector Provided however That the registration of any person in military service shall not be cancelled by reason of the failure of such person to reside at the address appearing upon the district register if such person did reside at such address on the date of entering military service

Section 7 Section thirty-six of the said act is hereby amended by adding thereto subsection (h) to read as follows

(h) Persons in military service shall be entitled to vote if duly registered in a manner provided by this act Persons in military service and by reason thereof absent from their places of residence on the day of any election shall be entitled to vote in such manner as may now or hereafter be provided by law unaffected by the provisions of this section insofar as they relate to the manner of voting

Section 8 This act shall become effective immediately upon final enactment

On the question,

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

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

YEAS—204

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

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

REPORT OF THE COMMITTEE OF CONFERENCE ON HOUSE BILL No. 1467

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. 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; * * *' as amended, by requiring and providing for the registration of persons in military service to entitle them to vote at any election."

Respectfully submit the following bill as our report:

Robert M. Miller,
Paul M. Crider,
J. K. McQuiddy,

(Committee on the part of the Senate.)

H. J. Maxwell,
Martin C. Mihm,
George T. Weingartner,

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

An Act to amend the act approved the first day of June one thousand nine hundred thirty-seven (P. L. 1132), entitled "An act to provide for the permanent personal registration of electors in cities of the second class A as a condition of their right to vote at elections and primaries and their enrollment as members of political parties as a further condition of their right to vote at primaries prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors and prescribing the powers and duties of citizens parties political bodies registration commissions commissioners registrars inspectors of registration and other appointees of registration commission county election boards election officers municipal officers departments and bureaus police officers courts judges prothonotaries sheriffs county commis-

sioners 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

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

Section 1 Section three of the act approved the first day of June one thousand nine hundred thirty-seven (P. L. 1132), entitled "An act to provide for the permanent personal registration of electors in cities of the second class A as a condition of their right to vote at elections and primaries and their enrollment as members of political parties as a further condition of their right to vote at primaries prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors and prescribing the powers and duties of citizens parties political bodies registration commissions commissioners registrars inspectors of registration and other appointees of registration 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" is hereby amended by adding thereto a new subsection (u) to read as follows:

(u) "Persons in military service" shall mean qualified electors of this Commonwealth who are or may be by enlistment enrollment or draft in actual military or naval service of the United States or any branch or unit thereof or in the military service of the Commonwealth

Section 2 Subsection (a) of section eighteen of the said act is hereby amended to read as follows

Section 18 Registration Cards Preparation and Distribution

(a) For the purpose of registering the qualified electors of each city the commission shall prepare registration cards serially numbered in duplicate and containing spaces for entering the information required by section nineteen and nineteen and one-tenth of this act and either the following affidavit or the affidavit prescribed in section nineteen and one-tenth as the case may be

Registration Affidavit

State of Pennsylvania }
County of } ss:

I hereby swear or affirm that I am a citizen of the United States that on the day of the next election I shall be at least twenty-one years of age and shall have resided in the State of Pennsylvania for one year (or having previously been a qualified elector or a native born citizen of the State and having removed and returned then six months) next preceding said election and in the election district two months that I am legally qualified to vote that I have read (or have had read to me) the foregoing statements made in connection with my registration and that they are true and correct

Subscribed and sworn to before me this
..... day of 19.....
Signature of Voter

Signature of Registrar

Section 3 The said act is amended by adding after section nineteen a new section nineteen and one-tenth to read as follows

Section 19.1 Manner of Registration by Persons in Military Service A person in military service may in addition to any other method herein provided also be registered in the following manner

(a) He may make application to the commission for a registration card

(b) The registration card shall require the statement

of and shall provide sufficient space for the following information (1) the surname of the applicant (2) His Christian name or names (3) His occupation if any on the date of entering military service (4) The street or road and number if any of his residence on the date of entering military service (5) If his residence was a portion only of a house the location or number of the room or rooms apartment flat or floor which he occupied (6) The date his residence began at the place at which he resided on the date of entering military service (7) His residence address when he last registered and the year of such registration (8) The sex of the applicant (9) The color of the applicant (10) The state or territory of the United States or the foreign country where he was born (11) The date when place where and the court by which naturalized and the number of the naturalization certificate (12) If not naturalized personally the name of father mother or husband through whom naturalized (13) Whether he is unable by reason of illiteracy to read the names on the ballot or voting machine labels (14) Whether he has a physical disability which will render him unable to see or mark the ballot or operate the voting machine or to enter the voting compartment or voting machine booth without assistance and if so his declaration of that fact and his statement of the exact nature of such disability (15) The designation of the political party of the elector for the purpose of voting at primaries (16) The affidavit of registration as hereinafter prescribed which shall be signed by the elector attested by the signature of the superior officer of the applicant or the judge of any court of record of the United States or of any state or territory thereof and dated by such superior officer or judge (17) The height of the applicant in feet and inches (18) The color of his hair (19) The color of his eyes (20) The date of his birth Each registration card for registration by persons in military service shall also have a sufficient number of spaces thereon for the insertion by the commission but not by the applicant of the ward and election district if any in which the applicant resided on the date of entering military service and to which he may from time to time remove after leaving military service together with his street address in each such ward and district and the other data required to be given upon such removal (21) The data of each election and primary at which the applicant votes after registration the number and letter if any of the stub of the ballot issued to him or his number in the order of admission to the voting machines and (22) The signature or initials of the election officer who enters the record of voting on the card

(c) In addition the foregoing registration card shall contain the following affidavit

Registration Affidavit

I hereby swear or affirm that I am a citizen of the United States that on the day of the next election I shall be at least twenty-one years of age and shall have resided in the Commonwealth of Pennsylvania for one year (or having previously been a qualified elector or a native born citizen of the Commonwealth and having removed and returned then six months) and in the election district two months that I am now in actual military service under a requisition of the President of the United States or by the authority of the Commonwealth of Pennsylvania that the military naval or air unit in which I am commissioned or enrolled is with the rank of now located at that I am legally qualified to vote that I have read (or have had read to me) the foregoing statements made in connection with my registration and that they are true and correct

.....
Signature of applicant for registration

Sworn to and subscribed before me this day of 19...

.....
Signature of superior officer or judge of any court of record of the United States or any state or territory thereof and a statement of official position

(d) Upon written application by any person in military service to the registration commission having jurisdiction in the city in which the applicant resided on the date of entering military service a registration card in the form herein prescribed in duplicate shall be mailed postage prepaid to the applicant at the address given in such application Such person shall thereupon supply the information required on the registration card in duplicate and shall take the affidavit thereto in duplicate in the presence of his superior officer or of any judge of a court of record of the United States or any state or territory thereof and shall mail the same in duplicate postage prepaid to the registration commission from which it was procured

(e) Registration in this manner by persons in military service may be made at any time Provided however That if any registration card is received by any registration commission from any person in military service at any time when registration by personal appearance in the manner provided in section eighteen of this act could not be made under the provisions of section sixteen of this act such application shall be retained by the commission until the beginning of the next period during which such registration by personal appearance could be made and at such time the applicant if otherwise entitled shall be duly registered

(f) The status of any person in military service with respect to residence shall remain the same as it was when such person entered military service Provided however That if at the time of entering military service any person shall not have resided in Pennsylvania or in a particular election district thereof for a sufficient time to have been entitled to be registered but by continued residence would have become so entitled he shall be entitled to be registered at such time as he would have been so entitled had he not entered military service and had continued to reside where he then resided

(g) Registration cards returned by persons in military service to any registration commission shall be examined by a member of the commission or any clerk or registrar at a time and place when personal registrations are being received and such member of the commission clerk or registrar shall announce in the hearing of all present the name of the person in military service who has thus offered to register and the address of his residence on the date of entering military service The right of such person in military service to be registered shall not be subject to challenge for any reason other than failure to have mailed the commission a properly completed registration card If the commission finds the registration card not properly completed it shall reject it in the manner hereinafter provided

Section 4 Section twenty-three of the said act is hereby amended to read as follows

Section 23 Incomplete or Rejected Applications to Be Recorded The registrar commissioner or clerk shall record on registration cards the surname Christian name or names and street and number of residence of each person who applies for registration whether or not the application is accepted Whenever the applicant is rejected after a portion of the record has been filled in the registration card or cards shall be marked "Applicant Rejected" and the registrar commissioner or clerk shall note thereon the reason for the rejection and shall sign his name thereto The registrar commissioner or clerk shall forthwith personally notify the applicant if his application for registration is rejected Provided however That if the registration card was received by mail from a person in military service notice of rejection shall be by mail All such cards shall be returned to the commission and shall be preserved for a period of two years

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

Section 29 Change of Enrollment of Political Party Cancellation of Party Enrollment Persons Suffering Disability After Registration to Have Fact Recorded Cancellation (a) At any time prior to the fifteenth day next preceding a primary or an election excepting the thirty days next

following each election and the five days next following each primary any person who desires to change the enrollment of his political designation or who although registered has not hitherto enrolled as a member of a party may appear before a registrar commissioner or clerk and state in writing over his signature the political party in which he desires to be enrolled and the registrar commissioner or clerk shall cause the enrollment of the elector's political designation to be made or altered accordingly in the general and district registers In such cases the signature of the elector shall be verified by comparison with his signature on the general and district registers before the change of enrollment is made If any elector desiring to change his party enrollment is unable to sign his application he shall make his mark thereto in the presence of the registrar commissioner or clerk and shall produce such other evidence as may be necessary to establish his identity When an elector has applied for a change in the enrollment of his political designation as provided herein the registrar commissioner or clerk shall upon request stamp or mark the change so made on the elector's card attesting his registration Any person in military service who desires to change his party enrollment shall be permitted to do so by addressing to the commission a signed written application under oath taken and subscribed to before any commissioned officer of the military or naval forces either within or without the Commonwealth or before any officer of this or any other state or territory of the United States authorized to administer oaths The application shall be sent by the applicant by registered mail return receipt required and shall also contain a statement that such person is at the time of making the application absent from his residence in military service If upon examination the signature appears authentic and the application conform to the provisions of this section the enrollment shall be changed in accordance with the application

Section 6 Section thirty-one of the said act is hereby amended to read as follows

Section 31 Check-up of Registers

(a) At any time prior to the thirtieth day next preceding an election or primary the commission may send by mail to any elector whose name appears in any district register a notice setting forth the elector's name and address as it shall appear in the register and requesting him in case of any error to present the notice on or before the tenth day next ensuing at the office of the commission and secure the correction of the error and warning the elector that any discrepancy between his actual name and address and his name and address as recorded in the original register will constitute ground for challenging his vote Such notice shall contain on the outside a request to the postmaster to return it within five days if it cannot be delivered to the addressee at the address given thereon

(b) At any time prior to the thirtieth day next preceding an election or primary the commission may cause a check-up to be made by postmen of the United States Post Office of any elector whose name appears in any district register

(c) At least once in each four years the commission shall conduct a check-up of each registered elector in the city by either of the methods provided for in subsections (a) and (b) above

(d) Upon the return by the post office of any such notice which it has been unable to deliver at the given address because the addressee cannot be found there or upon report by the post office that any registered elector does not reside at the address given on his registration card the commission shall direct an authorized employe to visit in person the address of the elector and if he shall find that the elector does not reside at the address he shall leave at such address the notice prescribed by section thirty-two of this act and the commission shall at the expiration of the time specified in such notice cancel the registration of such person unless he personally appears and proves his qualifications as an elector Provided however That the registration of any person

in military service shall not be cancelled by reason of the failure of such person to reside at the address appearing upon the district register if such person did reside at such address on the date of entering military service

Section 7 Section thirty-seven of the said act is hereby amended by adding thereto a new subsection (h) to read as follows

(h) Persons in military service shall be entitled to vote if duly registered in a manner provided by this act Persons in military service and by reason thereof absent from their places of residence on the day of any election shall be entitled to vote in such manner as may now or hereafter be provided by law unaffected by the provisions of this section insofar as they relate to the manner of voting

Section 8 This act shall become effective immediately upon final enactment

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

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

YEAS—204

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

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 THE COMMITTEE OF CONFERENCE
ON HOUSE BILL No. 1468

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. 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; * * *,' as amended by requiring and providing for the registration of persons in military service to entitle them to vote at any election."

Respectfully submit the following bill as our report:

Robert M. Miller,
Paul M. Crider,
J. K. McQuiddy,
(Committee on the part of the Senate.)

H. J. Maxwell,
Martin C. Mihm,
George T. Weingartner,
(Committee on the part of the House of Representatives.)

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

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

Section 1 Section three of 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" is hereby amended to read as follows

Section 3 Definitions (a) the word "Commission" shall mean any registration commission having jurisdiction in any city of the second class

(b) "Commissioner" shall mean a member of a registration commission

(c) "Oath" shall include affirmation and "Swear" shall include affirm

(d) "Election" shall mean any general special municipal or primary election unless otherwise specified

(e) "General election" shall mean the election which the Constitution of this Commonwealth requires to be held in even-numbered years

(f) "Municipal election" shall mean the election which the Constitution of this Commonwealth requires to be held in odd-numbered years

(g) "Primary election" shall mean any election for the nomination of candidates

(h) "November election" shall mean either the general or the municipal election or both according to the context

(i) "Party" shall mean any party or political body one of whose candidates at the general election next preceding the primary polled in each of at least ten counties of the State not less than two per centum of the largest entire vote cast in each of said counties for any elected candidate and polled a total vote in the State equal to at least two per centum of the largest entire vote cast in the State for any elected candidate or any party or political body one of whose candidates at either the general or municipal election preceding the primary polled at least five per centum of the largest entire vote cast for any elected candidate in any county containing therein any city of the second class

(j) "Political body" shall mean any political body not recognized as a political party which has filed proper nomination papers as required by law

(k) "Qualified elector" shall mean any person who shall possess all of the qualifications for voting now or hereafter prescribed by the Constitution of this Commonwealth or who being otherwise qualified by continued residence in his election district shall obtain such qualifications before the next ensuing election

(l) "Register" shall mean the cards containing or to contain all or any part of the registry list of qualified electors prepared or to be prepared by the registration commission as hereinafter provided

(m) "County" shall mean any county of this Commonwealth within which is located a city of the second class

(n) "City" shall mean only a city of the second class

(o) All references to mayors police officers clerks secretaries courts judges prothonotaries county treasurers county controllers county commissioners sheriffs peace officers registrars of vital statistics boards of school directors and other officials of counties cities and school districts where not otherwise specified shall refer only to those of any city of the second class or to those of any county within which such city is located or to any school district with which it is coextensive

(p) "Public office" shall mean and include any National State judicial county city school district poor district ward or election office or employment requiring any person elected or appointed thereto to render any public service for a fixed fee or compensation except the office of notary public or commissioner of deeds

(q) Whenever a term in the masculine form is used in this act it shall refer alike to men and women

(r) "District" shall mean any election district of the city

(s) "County Election Board" or "County Board" shall mean the county board of elections of any county containing a city of the second class as now or hereafter provided for by the election laws of this Commonwealth

(t) In determining or reckoning any period of time mentioned in this act the day upon which the act is done paper filed or notice given shall be excluded from and the date of the primary election hearing or other subsequent event as the case may be shall be included in the calculation or reckoning Provided however That if the last day upon which any act may be done paper filed or notice given shall fall on a Sunday or a legal holiday

the next following ordinary business day shall be considered as the last day for said purpose

(u) "Persons in military service" shall mean qualified electors of this Commonwealth who are or may be by enlistment enrollment or draft in actual military or naval service of the United States or any branch or unit thereof or in the military service of the Commonwealth

Section 2 Subsection (a) of section eighteen of the said act is hereby amended to read as follows

Section 18 Registration Cards Preparation and Distribution (a) For the purpose [or] of registering the qualified electors of each city the commission shall prepare registration cards serially numbered in duplicate and containing spaces for entering the information required by section nineteen and nineteen and one-tenth of this act and either the following affidavit or the affidavit prescribed in section nineteen and one-tenth as the case may be

Registration Affidavit

State of Pennsylvania }
County of } ss

I hereby swear or affirm that I am a citizen of the United States that on the day of the next election I shall be at least twenty-one years of age and shall have resided in the State of Pennsylvania for one year (or having previously been a qualified elector or a native born citizen of the State and having removed and returned then six [months] months) next preceding said election and in the election district two months that I am legally qualified to vote that I have read (or had read to me) the foregoing statements made in connection with my registration and that they are true and correct

Subscribed and sworn to before me this day of 19....

..... Signature of Voter

..... Signature of Registrar

Section 3 The said act is amended by adding after section nineteen a new section nineteen and one-tenth to read as follows

Section 19.1 Manner of Registration by Persons in Military Service A person in military service may in addition to any other method herein provided also be registered in the following manner

(a) He may make application to the commission for a registration card

(b) The registration card shall require the statement of and shall provide sufficient space for the following information (1) The surname of the applicant (2) His Christian name or names (3) His occupation if any on the date of entering military service (4) The street or road and number if any of his residence on the date of entering military service (5) If his residence was a portion only of a house the location or number of the room or rooms apartment flat or floor which he occupied (6) The date his residence began at the place at which he resided on the date of entering military service (7) His residence address when he last registered and the year of such registration (8) The sex of the applicant (9) The color of the applicant (10) The state or territory of the United States or the foreign country where he was born (11) The date when place where and the court by which naturalized and the number of the naturalization certificate (12) If not naturalized personally the name of father mother or husband through whom naturalized (13) Whether he is unable by reason of illiteracy to read the names on the ballot or voting machine labels (14) Whether he has a physical disability which will render him unable to see or mark the ballot or operate the voting machine or to enter the voting compartment or voting machine booth without assistance and if so his declaration of that fact and his statement of the exact nature of such disability (15) The designation of the political party of the elector for the purpose of voting at primaries (16) The affidavit of registration as hereinafter prescribed which shall be

signed by the elector attested by the signature of the superior officer of the applicant or the judge of any court of record of the United States or of any state or territory thereof and dated by such superior officer or judge (17) The height of the applicant in feet and inches (18) The color of his hair (19) The color of his eyes (20) The date of his birth Each registration card for registration by persons in military service shall also have a sufficient number of spaces thereon for the insertion by the commission but not by the applicant of the ward and election district if any in which the applicant resided on the date of entering military service and to which he may from time to time remove after leaving military service together with his street address in each such ward and district and the other data required to be given upon such removal (21) The date of each election and primary at which the applicant votes after registration the number and letter if any of the stub of the ballot issued to him or his number in the order of admission to the voting machines and (22) The signature or initials of the election officer who enters the record of voting on the card

(c) In addition the foregoing registration card shall contain the following affidavit

Registration Affidavit

I hereby swear or affirm that I am a citizen of the United States that on the day of the next election I shall be at least twenty-one years of age and shall have resided in the Commonwealth of Pennsylvania for one year (or having previously been a qualified elector or a native born citizen of the Commonwealth and having removed and returned then six months) and in the election district two months that I am now in actual military service under a requisition of the President of the United States or by the authority of the Commonwealth of Pennsylvania that the military naval or air unit in which I am enrolled or commissioned is with the rank of now located at that I am legally qualified to vote that I have read (or have had read to me) the foregoing statements made in connection with my registration and that they are true and correct

..... Signature of applicant for registration

Sworn to and subscribed before me this day of 19....

..... Signature of superior officer or judge of any court of record of the United States or any state or territory thereof and a statement of official position

(d) Upon written application by any person in military service to the registration commission having jurisdiction in the city in which the applicant resided on the date of entering military service a registration card in the form herein prescribed in duplicate shall be mailed postage prepaid to the applicant at the address given in such application Such person shall thereupon supply the information required on the registration card in duplicate and shall take the affidavit thereto in duplicate in the presence of his superior officer or of any judge of a court of record of the United States or any state or territory thereof and shall mail the same in duplicate postage prepaid to the registration commission from which it was procured

(e) Registration in this manner by persons in military service may be made at any time Provided however That if any registration card is received by any registration commission from any person in military service at any time when registration by personal appearance in the manner provided in section eighteen of this act could not be made under the provisions of section sixteen of this act such application shall be retained by the commission until the beginning of the next period during which such registration by personal appearance could be made and at such time the applicant if otherwise entitled shall be duly registered

(f) The status of any person in military service with respect to residence shall remain the same as it was when such person entered military service Provided however That if at the time of entering military service any person shall not have resided in Pennsylvania or in a par-

ticular election district thereof for a sufficient time to have been entitled to be registered but by continued residence would have become so entitled he shall be entitled to be registered at such time as he would have been so entitled had he not entered military service and had continued to reside where he then resided

(g) Registration cards returned by persons in military service to any registration commission shall be examined by a member of the commission or any clerk or registrar at a time and place when personal registrations are being received and such member of the commission clerk or registrar shall announce in the hearing of all present the name of the person in military service who has thus offered to register and the address of his residence immediately prior to entering military service The right of such person in military service to be registered shall not be subject to challenge for any reason other than failure to have mailed the commission a properly completed registration card If the commission finds the registration card not properly completed it shall reject it in the manner hereinafter provided

Section 4 Section twenty-three of the said act is hereby amended to read as follows

Section 23 Incomplete or Rejected Applications to Be Recorded The registrar commissioner or clerk shall record on registration cards the surname Christian name or names and street and number of residence of each person who applies for registration whether or not the application is accepted Whenever the applicant is rejected after a portion of the record has been filled in the registration card or cards shall be marked "Applicant Rejected" and the registrar commissioner or clerk shall note thereon the reason for the rejection and shall sign his name thereto The registrar commissioner or clerk shall forthwith personally notify the applicant if his application for registration is rejected Provided however That if the registration card was received by mail from a person in military service notice of rejection shall be by mail All such cards shall be returned to the commission and shall be preserved for a period of two years

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

Section 29 Change of Enrollment of Political Party Cancellation of Party Enrollment Persons Suffering Disability After Registration to Have Fact Recorded Cancellation (a) At any time prior to the fifteenth day next preceding a primary or an election excepting the thirty days next following each election and the five days next following each primary any person who desires to change the enrollment of his political designation or who although registered has not hitherto enrolled as a member of a party may appear before a registrar commissioner or clerk and state in writing over his signature the political party in which he desires to be enrolled and the registrar commissioner or clerk shall cause the enrollment of the elector's political designation to be made or altered accordingly in the general and district registers In such cases the signature of the elector shall be verified by comparison with his signature on the general and district registers before the change of enrollment is made If any elector desiring to change his party enrollment is unable to sign his application he shall make his mark thereto in the presence of the registrar commissioner or clerk and shall produce such other evidence as may be necessary to establish his identity When an elector has applied for a change in the enrollment of his political designation as provided herein the registrar commissioner or clerk shall upon request stamp or mark the change so made on the elector's card attesting his registration Any person in military service who desires to change his party enrollment shall be permitted to do so by addressing to the commission a signed written application under oath taken and subscribed to before any commissioned officer of the military or naval forces either within or without the Commonwealth or before any officer of this or any other state or territory of the United States authorized to administer oaths The application shall be sent by the applicant by registered mail return receipt required and shall also contain a statement that such person is at the time of making the application absent from his residence in military service If upon ex-

amination the signature appears authentic and the application conform to the provisions of this section the enrollment shall be changed in accordance with the application

Section 6 Section thirty-one of the said act is hereby amended to read as follows

Section 31 Check-up of Registers

(a) At any time prior to the thirtieth day next preceding an election or primary the commission may send by mail to any elector whose name appears in any district register a notice setting forth the elector's name and address as it shall appear in the register and requesting him in case of any error to present the notice on or before the tenth day next ensuing at the office of the commission and secure the correction of the error and warning the elector that any discrepancy between his actual name and address and his name and address as recorded in the original register will constitute ground for challenging his vote Such notice shall contain on the outside a request to the postmaster to return it within five days if it cannot be delivered to the addressee at the address given thereon

(b) At any time prior to the thirtieth day next preceding an election or primary the commission may cause a check-up to be made by postmen of the United States Post Office of any elector whose name appears in any district register

(c) At least once in each four years the commission shall conduct a check-up of each registered elector in the city by either of the methods provided for in subsections (a) and (b) above

(d) Upon the return by the post office of any such notice which it has been unable to deliver at the given address because the addressee cannot be found there or upon report by the post office that any registered elector does not reside at the address given on his registration card the commission shall direct an authorized employe to visit in person the address of the elector and if he shall find that the elector does not reside at the address he shall leave at such address the notice prescribed by section thirty-two of this act and the commission shall at the expiration of the time specified in such notice cancel the registration of such person unless he personally appears and proves his qualifications as an elector Provided however That the registration of any person in military service shall not be cancelled by reason, of the failure of such person to reside at the address appearing upon the district register if such person did reside at such address on the date of entering military service

Section 7 Section thirty-seven of the said act is hereby amended by adding thereto subsection (h) to read as follows

(h) Persons in military service shall be entitled to vote if duly registered in a manner provided by this act Persons in military service and by reason thereof absent from their places of residence on the day of any election shall be entitled to vote in such manner as may now or hereafter be provided by law unaffected by the provisions of this section insofar as they relate to the manner of voting

Section 8 This act shall become effective immediately upon final enactment

On the question,

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

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

YEAS—204

Achterman,	Gallagher.	Malloy.	Royer,
Allmond,	Gates.	Marks.	Rush,
Auker.	Gerard.	Maxwell.	Sarge,
Baker.	Gillan.	McClanaghan.	Sarraf,
Balthaser.	Gillette.	McClester.	Scanlon,
Bentley.	Goodwin.	McDermott.	Schwab,
Bentzel.	Greenwood.	McDowell.	Serrill,
Boies.	Gross.	McFall.	Shaffer,

Boney,	Gryskewicz,	McIntosh,	Shaw,
Boorse,	Gyger,	McKinney,	Shepard,
Bower,	Habbyshaw,	McLanahan,	Simons,
Bradley,	Haberlen,	McLane,	Skale,
Bretherick,	Haines,	McMillen,	Snyder,
Brown,	Hall,	McSurdy,	Sollenberger,
Brunner, C. H.,	Hamilton,	Melchiorre,	Sorg,
Brunner, P. A.,	Hare,	Mihm,	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, R. L.,
Cook,	Hewitt,	Nunemacher,	Trout,
Cooper,	Hirsch,	O'Brien,	Turner,
Cordier,	Holland,	O'Connor,	VanAllsburg,
Corrigan,	Huntley,	O'Dare,	Verona,
Croop,	Imbrie,	O'Mullen,	Vincent,
Cullen,	James,	O'Neill,	Vogt,
Dalrymple,	Jefferson,	Owens,	Voldow,
Dennison,	Jones, G. E.,	Petrosky,	Voorhees,
DiGenova,	Jones, P. N.,	Pettit,	Wagner,
Dix,	Keenan,	Polaski,	Watkins,
Dolon,	Kenehan,	Polen,	Weingartner,
D'Ortona,	Kline,	Powers,	Weiss,
Duffy,	Knoble,	Prosen,	Welsh, E. B.,
Early,	Kolankiewicz,	Rank,	Welsh, M. J.,
Eckels,	Komorofski,	Rausch,	Wilkinson,
Elder,	Krise,	Readinger,	Williams,
Elliot,	Lee, E. A.,	Reagan,	Winner,
Ely,	Lee, T. H.,	Reese, D. P.,	Wood, L. H.,
Falkenstein,	Lelsey,	Reese, R. E.,	Wood, N.,
Finestone,	Leonard,	Regan,	Woodring,
Finnerty,	Lesko,	Reynolds,	Woodside,
Fisher,	Levy,	Rhea,	Wright,
Fiss,	Leydic,	Riley,	Yeakel,
Fleming,	Lichtenwalter,	Rooney,	Yester,
Fletcher,	Longo,	Rose, S.,	Young,
Flynn,	Lovett,	Rose, W. E.,	Kilroy,
Foor,	Lyons,	Rosenfeld,	Speaker.
French,			

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 THE COMMITTEE OF CONFERENCE ON HOUSE BILL No. 1469

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. 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; * * * as amended, by requiring and providing for the registration of persons in military service to entitle them to vote at any election.'"

Respectfully submit the following bill as our report:

Robert M. Miller

Paul M. Crider

J. K. McQuiddy

(Committee on the Part of the Senate.)

H. J. Maxwell

Martin C. Mihm

George T. Weingartner

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

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

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

Section 1 Section three of 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" is hereby amended to read as follows

Section 3 Definitions (a) The word "Commission" shall mean any board of county commissioners in any county within which is located a city of the third class acting as a registration commission

(b) "Commissioner" shall mean a member of a board of county commissioners acting as a registration commission

(c) "Oaths" shall include affirmation and "Swear" shall include affirm

(d) "Election" shall mean any general special municipal or primary election unless otherwise specified

(e) "General election" shall mean the election which the Constitution of this Commonwealth requires to be held in even-numbered years

(f) "Municipal election" shall mean the election which the Constitution of this Commonwealth requires to be held in odd-numbered years

(g) "Primary election" shall mean any election for the nomination of candidates

(h) "November election" shall mean either the general or the municipal election or both according to the context

(i) "Party" shall mean any party or political body one of whose candidates at the general election next preceding the primary polled in each of at least ten counties of the State not less than two per centum of the largest entire vote cast in each of said counties for any elected candidates and polled a total vote in the State equal to at least two per centum of the largest entire vote cast in the State for any elected candidate or any party or political body one of whose candidates at either the general or municipal election preceding the primary polled at least five per centum of the largest entire vote

cast for any elected candidate in any county containing therein any city of the third class

(j) "Political body" shall mean any political body not recognized as a political party which has filed proper nomination papers as required by law

(k) "Qualified elector" shall mean any person who shall possess all of the qualifications for voting now or hereafter prescribed by the Constitution of this Commonwealth or who being otherwise qualified by continued residence in his election district shall obtain such qualifications before the next ensuing election

(l) "Register" shall mean the cards containing or to contain all or any part of the registry list of qualified electors prepared or to be prepared by the registration commission as hereinafter provided

(m) "County" shall mean any county of this Commonwealth within which is located a city of the third class

(n) "City" shall mean only a city of the third class

(o) All references to mayors police officers clerks secretaries courts judges prothonotaries county treasurers county controllers county commissioners sheriffs peace officers registrars of vital statistics boards of school directors and other officials of counties cities and school districts where not otherwise specified shall refer only to those of any city of the third class or to those of any county within which such city is located or to any school district with which such city is coextensive

(p) "Public office" shall mean and include any National State judicial county city school district poor district ward or election office or employment requiring any person elected or appointed thereto to render any public service for a fixed fee or compensation except the office of notary public or commissioner of deeds

(q) Wherever a term in the masculine form is used in this act it shall refer alike to men and women

(r) "District" shall mean any election district of the city

(s) "County Election Board" or "County Board" shall mean the county board of elections of any county as now or hereafter provided for by the election laws of this Commonwealth

(t) In determining or reckoning any period of time mentioned in this act the day upon which the act is done paper filed or notice given shall be excluded from and the date of the primary election hearing or other subsequent event as the case may be shall be included in the calculation or reckoning Provided however That if the last day upon which any act may be done paper filed or notice given shall fall on a Sunday or a legal holiday the next following ordinary business day shall be considered as the last day for said purpose

(u) "Persons in military service" shall mean qualified electors of this Commonwealth who are or may be by enlistment enrollment or draft in actual military or naval service of the United States or any branch or unit thereof or in the military service of the Commonwealth

Section 2 Subsection (a) of section eighteen of the said act is hereby amended to read as follows

Section 18 Registration Cards Preparation and Distribution (a) For the purpose of registering the qualified electors of each city the commission shall prepare registration cards serially numbered in duplicate and containing spaces for entering the information required by section [eighteen] nineteen and nineteen and one-tenth of this act and either the following affidavit or the affidavit prescribed in section nineteen and one-tenth as the case may be

Registration Affidavit

State of Pennsylvania }
County of } ss

I hereby swear or affirm that I am a citizen of the United States that on the day of the next election I shall be at least twenty-one years of age and shall have resided in the State of Pennsylvania for one year (or having previously been a qualified elector or a native born citizen of the State and having removed and re-

turned then six months) next preceding said election and in the election district two months that I am legally qualified to vote that I have read (or have had read to me) the foregoing statements made in connection with my registration and that they are true and correct

Subscribed and sworn to before me thisday of 19....

..... Signature of Voter
.....Signature of Registrar

Section 3 The said act is amended by adding after section nineteen a new section nineteen and one-tenth to read as follows

Section 19.1 Manner of Registration by Persons in Military Service A person in military service may in addition to any other method herein provided also be registered in the following manner

(a) He may make application to the commission for a registration card

(b) The registration card shall require the statement of and shall provide sufficient space for the following information (1) The surname of the applicant (2) His Christian name or names (3) His occupation if any on the date of entering military service (4) The street or road and number if any of his residence on the date of his entering military service (5) If his residence was a portion only of a house the location or number of the room or rooms apartment flat or floor which he occupied (6) The date his residence began at the place at which he resided on the date of entering military service (7) His residence address when he last registered and the year of such registration (8) The sex of the applicant (9) The color of the applicant (10) The state or territory of the United States or the foreign country where he was born (11) The date when place where and the court by which naturalized and the number of the naturalization certificate (12) If not naturalized personally the name of father mother or husband through whom naturalized (13) Whether he is unable by reason of illiteracy to read the names on the ballot or voting machine labels (14) Whether he has a physical disability which will render him unable to see or mark the ballot or operate the voting machine or to enter the voting compartment or voting machine booth without assistance and if so his declaration of that fact and his statement of the exact nature of such disability (15) The designation of the political party of the elector for the purpose of voting at primaries (16) The affidavit of registration as hereinafter prescribed which shall be signed by the elector attested by the signature of the superior officer of the applicant or the judge of any court of record of the United States or of any state or territory thereof and dated by such superior officer or judge (17) The height of the applicant in feet and inches (18) The color of his hair (19) The color of his eyes (20) The date of his birth Each registration card for registration by persons in military service shall also have a sufficient number of spaces thereon for the insertion by the commission but not by the applicant of the ward and election district if any in which the applicant resided on the date of entering military service and to which he may from time to time remove after leaving military service together with his street address in each such ward and district and the other data required to be given upon such removal (21) The date of each election and primary at which the applicant votes after registration the number and letter if any of the stub of the ballot issued to him or his number in the order of admission to the voting machines and (22) The signature or initials of the election officer who enters the record of voting on the card

(c) In addition the foregoing registration card shall contain the following affidavit

Registration Affidavit

I hereby swear or affirm that I am a citizen of the United States that on the day of the next election I shall be at least twenty-one years of age and shall have resided in the Commonwealth of Pennsylvania for one

year (or having previously been a qualified elector or a native born citizen of the Commonwealth and having removed and returned then six months) and in the election district two months that I am now in actual military service under a requisition of the President of the United States or by the authority of the Commonwealth of Pennsylvania that the military naval or air unit which I am enrolled or commissioned is with rank of now located at that I am legally qualified to vote that I have read (or have had read to me) the foregoing statements made in connection with my registration and that they are true and correct

.....
Signature of applicant for registration

Sworn to and subscribed before me this day of 19....

.....
Signature of superior officer or judge of any court of record of the United States or any state or territory thereof and statement of official position

(d) Upon written application by any person in military service to the registration commission having jurisdiction in the city in which the applicant resided on the date of entering military service a registration card in the form herein prescribed in duplicate shall be mailed postage prepaid to the applicant at the address given in such application Such person shall thereupon supply the information required on the registration card in duplicate and shall take the affidavit thereto in duplicate in the presence of his superior officer or of any judge of a court of record of the United States or any state or territory thereof and shall mail the same in duplicate postage prepaid to the registration commission from which it was procured

(e) Registration in this manner by persons in military service may be made at any time Provided however That if any registration card is received by any registration commission from any person in military service at any time when registration by personal appearance in the manner provided in section eighteen of this act could not be made under the provisions of section sixteen of this act such application shall be retained by the commission until the beginning of the next period during which such registration by personal appearance could be made and at such time the applicant if otherwise entitled shall be duly registered

(f) The status of any person in military service with respect to residence shall remain the same as it was when such person entered military service Provided however That if at the time of entering military service any person shall not have resided in Pennsylvania or in a particular election district thereof for a sufficient time to have been entitled to be registered but by continued residence would have become so entitled he shall be entitled to be registered at such time as he would have been so entitled had he not entered military service and had continued to reside where he then resided

(g) Registration cards returned by persons in military service to any registration commission shall be examined by a member of the commission or any clerk or registrar at a time and place when personal registrations are being received and such member of the commission clerk or registrar shall announce in the hearing of all present the name of the person in military service who has thus offered to register and the address of his residence on the date of entering military service The right of such person in military service to be registered shall not be subject to challenge for any reason other than failure to have mailed the commission a properly completed registration card If the commission finds the registration card not properly completed it shall reject it in the manner hereinafter provided

Section 4 Section twenty-three of the said act is hereby amended to read as follows

Section 23 Incomplete or Rejected Applications to Be

Recorded The registrar commissioner or clerk shall record on registration cards the surname Christian name or names and street and number of residence of each person who applies for registration whether or not the application is accepted Whenever the applicant is rejected after a portion of the record has been filled in the registration card or cards shall be marked "Applicant Rejected" and the registrar commissioner or clerk shall note thereon the rejection and shall sign his name thereto The registrar commissioner or clerk shall forthwith personally notify the applicant if his application for registration is rejected Provided however That if the registration card was received by mail from a person in military service notice of rejection shall be by mail All such cards shall be returned to the commission and shall be preserved for a period of two years

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

Section 29 Change of Enrollment of Political Party Cancellation of Party Enrollment Persons Suffering Disability After Registration to Have Fact Recorded Cancellation (a) At any time prior to the thirtieth day next preceding a primary or an election excepting the thirty days next following each election and the five days next following each primary any person who desires to change the enrollment of his political designation or who although registered has not hitherto enrolled as a member of a party may appear before a registrar commissioner or clerk and state in writing over his signature the political party in which he desires to be enrolled and the registrar commissioner or clerk shall cause the enrollment of the elector's political designation to be made or altered accordingly in the general and district registers In such cases the signature of the elector shall be verified by comparison with his signature on the general and district registers before the change of enrollment is made If any elector desiring to change his party enrollment is unable to sign his application he shall make his mark thereto in the presence of the registrar commissioner or clerk and shall produce such other evidence as may be necessary to establish his identity When an elector has applied for a change in the enrollment of his political designation as provided herein the registrar commissioner or clerk shall upon request stamp or mark the change so made on the elector's card attesting his registration Any person in military service who desires to change his party enrollment shall be permitted to do so by addressing to the commission a signed written application under oath taken and subscribed to before any commissioned officer of the military or naval forces either within or without the Commonwealth or before any officer of this or any other state or territory of the United States authorized to administer oaths The application shall be sent by the applicant by registered mail return receipt required and shall also contain a statement that such person is at the time of making the application absent from his residence in military service If upon examination the signature appears authentic and the application conform to the provisions of this section the enrollment shall be changed in accordance with the application

Section 6 Section thirty-one of the said act is hereby amended to read as follows

Section 31 Check-up of Registers

(a) At any time prior to the thirtieth day next preceding an election or primary the commission may send by mail to any elector whose name appears in any district register a notice setting forth the elector's name and address as it shall appear in the register and requesting him in case of any error to present the notice on or before the tenth day next ensuing at the office of the commission and secure the correction of the error and warning the elector that any discrepancy between his actual name and address and his name and address as recorded in the original register will constitute ground for challenging his vote Such notice shall contain on

the outside a request to the postmaster to return it within five days if it cannot be delivered to the addressee at the address given thereon

(b) At any time prior to the thirtieth day next preceding an election or primary the commission may cause a check-up to be made by postmen of the United States Post Office of any elector whose name appears in any district register

(c) At least once in each four years the commission shall conduct a check-up of each registered elector in the city by either of the methods provided for in subsections (a) and (b) above

(d) Upon the return by the post office of any such notice which it has been unable to deliver at the given address because the addressee cannot be found there or upon report by the post office that any registered elector does not reside at the address given on his registration card the commission shall direct an authorized employe to visit in person the address of the elector and if he shall find that the elector does not reside at the address he shall leave at such address the notice prescribed by section [thirty-one] thirty-two of this act and the commission shall at the expiration of the time specified in such notice cancel the registration of such person unless he personally appears and proves his qualifications as an elector Provided however That the registration of any person in military service shall not be cancelled by reason of the failure of such person to reside at the address appearing upon the district register if such person did reside at such address on the date of entering military service

Section 7 Section thirty-seven of the said act is hereby amended by adding thereto subsection (h) to read as follows

(h) Persons in military service shall be entitled to vote if duly registered in a manner provided by this act Persons in military service and by reason thereof absent from their places of residence on the day of any election shall be entitled to vote in such manner as may now or hereafter be provided by law unaffected by the provisions of this section insofar as they relate to the manner of voting

Section 8 This act shall become effective immediately upon final enactment

On the question,

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

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

YEAS—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, | Mihm, | Stambaugh, |
| Burns, | Hare, | Modell, | Stank, |
| Burris, | Harkins, | Monks, | Stine, |
| Cadwalader, | Harmuth, | Mooney, | Stockham, |
| Chervenak, | Harris, | Moran, | Tarr, |
| Chudoff, | Heatherington, | Moul, | Tate, |
| Cochran, | Heim, | Mulr, | Taylor, |
| Cohen, M. M., | Hering, | Munley, | Thompson, E. F., |
| Cohen, R. E., | Herman, | Nagel, | Thompson, R. L., |
| Cook, | Herscht, | Nunemacher, | Trout, |
| Cooper, | Hewitt, | O'Brien, | Turner, |
| Cordier, | Hirsch, | O'Connor, | Van Allsburg, |
| | Holland, | O'Dare, | Verona, |

- | | | | |
|--------------|----------------|---------------|---------------|
| Corrigan, | Huntley, | O'Mullen, | Vincent, |
| Croop, | Imbrie, | O'Neill, | Vogt, |
| Cullen, | James, | Owens, | Voldow, |
| Dairymple, | Jefferson, | Petrosky, | Voorhees, |
| Dennison, | Jones, G. E., | Pettit, | Wagner, |
| DiGenova, | Jones, P. N., | Polaski, | Watkins, |
| Dix, | Keenan, | Polen, | Weingartner, |
| Doion, | Kenehan, | Powers, | Weise, |
| D'Ortona, | Kline, | Prosen, | Welsh, E. B., |
| Duffy, | Knoble, | Rank, | Welsh, M. J., |
| Early, | Kolankewicz, | Rausch, | Wilkinson, |
| Eckels, | Komorofski, | Readinger, | Williams, |
| Elder, | Krise, | Reagan, | Winner, |
| Elliott, | Lee, E. A., | Reese, D. P., | Wood, L. H., |
| Ely, | Lee, T. H., | Reese, R. E., | Wood, N., |
| Falkenstein, | Leisey, | Regan, | Woodring, |
| Finestone, | Leonard, | Reynolds, | Woodside, |
| Finnerty, | Lesko, | Rhea, | Wright, |
| Fisher, | Levy, | Riley, | Yeaker, |
| Fiss, | 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 and the report of the Committee of Conference was adopted.

Ordered, That the Clerk inform the Senate accordingly.

REPORT OF THE COMMITTEE OF CONFERENCE ON HOUSE BILL No. 1526

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. 1526, entitled:

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

Respectfully submit the following bill as our report:

Franklin S. Edmonds,
John M. Walker,

(Committee on the part of the Senate.)

Thomas J. Heatherington,
Clarence O. Williams,
Ronald L. Thompson,

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

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

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

Section 1 Section two hundred seven of the act approved the twenty-fourth day of June one thousand nine hundred and thirty-one (P. L. 1206) entitled "An act concerning townships of the first class amending, revising, consolidating and changing the law relating thereto" is hereby amended to read as follows

Section 207 Submission of Question to Voters At the first general or municipal election occurring or at a spe-

cial election held at least ninety days after the ascertainment by special enrollment or from the United States census including the United States census of one thousand nine hundred and thirty and each subsequent census that any township of the second class has a population of at least three hundred inhabitants to the square mile and after the filing of a petition signed by at least five per centum of the registered voters of the township has been filed in the quarter sessions court the question whether such township of the second class shall become a township of the first class shall be submitted to the voters of the township and the county commissioners shall cause to be printed on separate ballots to be used in such township at such election a proper question framed in accordance with the election laws of the Commonwealth A special election for such purpose shall be held on a day to be fixed by the court of quarter sessions of the county upon petition signed by at least five per centum of the registered voters of the township The costs and expenses of such a special election shall be paid by the petitioners as the court may direct

Section 2 This act shall become effective immediately upon final enactment

On the question,

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

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

YEAS—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,	Haberlien,	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,	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,
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,	Komorowski,	Readinger,	Williams,
Elliott,	Krise,	Reagan,	Winner,
Ely,	Lee, E. A.,	Reese, D. P.,	Wood, L. H.,
Falkenstein,	Lee, T. H.,	Reese, R. E.,	Wood, N.,
Finestone,	Leisey,	Regan,	Woodring,
Finnerty,	Leonard,	Reynolds,	Woodside,
Fisher,	Lesko,	Rhea,	Wright,
Fiss,	Levy,	Riley,	Yeakei,
Fleming,	Leydic,	Rooney,	Yester,
Fletcher,	Lichtenwaiter,	Rose, S.,	Young,
Flynn,	Longo,	Rose, W. E.,	Kilroy,
Foor,	Lovett,	Rosenfeld,	Speaker.
	Lyons,		

NAYS—0

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

Ordered, That the Clerk inform the Senate accordingly.

BILL ON THIRD 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. 608, 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. 1860, (Senate Bill No. 575), as follows:

An Act to further amend sections 1 2 7 and 13 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 providing for automatic suspension of registration in case of mental incompetency and exempting optometrists from the provisions of said act

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

Section 1 That sections 1 2 7 and 13 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" as variously amended are 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 on and after January first] [nineteen hundred and twelve it shall not be lawful for any person in the State of Pennsylvania to engage in the practice of medicine and surgery or to hold himself or herself forth as a practitioner in medicine and surgery or to assume the title of doctor of medicine and surgery or doctor of any specific disease or to diagnose diseases or to treat diseases by the uses of medicine and surgery or to sign any death certificate or to hold himself or herself forth as able to do so excepting those hereinafter exempted unless he or she has first fulfilled the requirements of this act and has received a certificate of licensure from the Bureau of Medical Education and Licensure created by this act which license shall be properly recorded in the office of the Superintendent of Public Instruction at Harrisburg]

On first offense any person wilfully violating the provisions of this section of this act shall upon conviction be deemed guilty of a misdemeanor and shall be subject to a fine of not more than five hundred dollars or imprisonment for not more than six months in the county prison or both or either at the discretion of the court on second offense shall be subject to a fine of not less than five hundred or more than one thousand dollars and imprisonment for not less than six months or more than one year at the discretion of the court Provided That this section shall not apply to those persons who under the laws of the Commonwealth at the date of the passage of this act have been accorded the right by a licensing certificate to diagnose and treat disease medically and surgically and to sign the form of death certificate required by laws of this Commonwealth or who are exempt therefrom by further provisions of this act

Section 1 Short Title and Definitions Be it enacted that (a) This act shall be known and may be cited as the "Medical Practice Act"

(b) The term "board" as used in this act shall mean the State Board of Medical Education and Licensure in the Department of Public Instruction originally known as the Bureau of Medical Education and Licensure but later created appointed and organized in accordance with the provisions of the Administrative Code

(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

Section 2 For the purpose of carrying out and enforcing the provisions of this act there shall be established in this Commonwealth a Bureau of Medical Education and Licensure to be attached to the Department of Public Instruction The said bureau shall consist of seven members two of whom the Superintendent of Public Instruction and the Commissioner of Health shall be ex officio members thereof the five remaining members shall be appointed by the Governor of the Commonwealth who shall appointed the same on or before September first nineteen hundred and eleven The said five members so appointed shall be selected from and at present legally incorporated State medical societies of the State of Pennsylvania namely one from the Medical Society of the State of Pennsylvania one from the Homeopathic Medical Society of the State of Pennsylvania and one from the Eclectic Medical Society of the State of Pennsylvania and who at the time of their appointment are licensed and qualified under the existing laws of this Commonwealth to practice medicine and surgery and who shall have practiced the same in this Commonwealth for a period of not less than ten years prior to their respective appointments And provided That the two remaining members shall not be of the same school or system of practice Two members of the bureau first appointed under this act shall serve for one year two for two years and one for three years after which the successor of each member shall be appointed for the term of three years but no member of said bureau shall be a member of the faculty of any undergraduate school college or university teaching medicine and surgery The Governor shall furnish each person appointed with a certificate of appointment under the seal of this Commonwealth He shall fill any vacancies caused by death resignation or otherwise and shall have the power to remove any appointed member of the said bureau for continued neglect of the duties which he may be required to perform as a member of the bureau or for any unprofessional or dishonorable conduct upon receiving proper proof of the same Appointment to fill vacan-

cies occurring through death resignation or otherwise shall be for the unexpired term of the deceased or retiring member

Section 2 Practice of Medicine and Surgery Without License Prohibited Penalties It shall not be lawful for any person in the State of Pennsylvania to engage in the practice of medicine and surgery or pretend to a knowledge of any branch or branches of medicine and surgery or to hold himself or herself forth as a practitioner in medicine and surgery or to assume the title of doctor of medicine and surgery or doctor of any specific disease or to diagnose diseases or to treat diseases by the use of medicines and surgery as defined in Section 1 (c) of this act or by any other means or to sign any death certificate or to hold himself or herself forth as able to do so excepting those hereinafter exempted unless he or she has first fulfilled the requirements of this act and has received a certificate of licensure from the board which license shall be properly recorded in the office of the Superintendent of Public Instruction at Harrisburg

On first offense any person wilfully violating the provisions of this section of this act shall upon conviction be deemed guilty of a misdemeanor and shall be subject to a fine of not more than five hundred dollars or imprisonment for not more than six months in the county prison or both or either at the discretion of the court on second offense shall be subject to a fine of not less than five hundred nor more than one thousand dollars and imprisonment of not less than six months nor more than one year at the discretion of the court Provided That this section shall not apply to those persons who under the laws of the Commonwealth at the date of passage of this act have been accorded the right by a licensing certificate to diagnose and treat disease medically and surgically and to sign the form of death certificate required by the laws of this Commonwealth or who are exempt therefrom by further provisions of this act

Section 7 License Certificates Exemptions Nonresident Practitioners Graduate Students Annual Registration Automatic Suspension in Case of Mental Incompetency Unlawful Practice (a) All persons who have complied with the requirements of the rules and regulations of the board and who shall have passed a final examination and who have otherwise complied with the provisions of this act shall receive from the Department of Public Instruction acting for the said board a licensing certificate entitling them to the right to practice medicine and surgery or [special] branch or branches of medicine and surgery as provided for in section six of this act in this Commonwealth which said license certificate shall be duly [registered] recorded in the office of the Department of Public Instruction of this Commonwealth in a record book to be properly kept for that purpose and which shall be open to public inspection and a certified copy of said record shall be received as evidence in all courts in this Commonwealth in the trial of any case Provided That this section relating to certificates to practice medicine and surgery shall not apply to officers in the regular medical service of the United States Army and Navy or in the United States Public Health and Marine Hospital Service while in discharge of their official duties or to any one who may be a duly [registered] licensed practitioner of medicine in any State or Commonwealth who may be called upon by a licensed and registered physician of this Commonwealth to consult with him in a case under treatment or to physicians of other jurisdictions who are in training for certification in special departments of medicine and surgery under clause (b) of this section or to any one while actually serving as a student intern under the supervision of the medical or surgical staff in any legally incorporated hospital or State hospital And provided further That any duly [registered] licensed practitioner of medicine residing in any State near the boundary line between said State and this Commonwealth whose practice extends into this State shall have the

right to practice in this Commonwealth at the discretion of the board provided he files with the [Secretary of the Board of Medical Education and Licensure] secretary of the board [of this Commonwealth] a certified copy of his [registration] license in the State where he resides and provided that the Board of Examiners of the adjoining State reciprocate by extending the same privilege to practitioners of medicine and surgery in this Commonwealth in which case he shall receive from the secretary of the board created by this act a licensing certificate [issued by the said board but] which shall be automatically revoked if he changes his said residence or office of practice. A record of all persons so licensed shall be kept in the archives of the Department of Public Instruction at Harrisburg and shall have the standing before the law of any other license issued by the said department for the [Board of Medical Education and Licensure] board. In these records shall be registered the names and addresses of each person duly qualified to conduct the practice of medicine and surgery or any of [the allied] its branch or branches of the healing art as provided for in this act in Pennsylvania.

(b) Physicians who are legally authorized to practice medicine and surgery in other states and territories of the United States and the Dominion of Canada or physicians from such jurisdictions who have passed the examination of the National Board of Medical Examiners and who are in training for certification in special departments of medicine and surgery in institutions in this Commonwealth recognized either by the board or the various examining boards in medical specialties approved by the Council on Medical Education and Hospitals of the American Medical Association as proper for such training shall receive a special certificate that is limited to said training and for the period of time required for this training after the payment of a nominal fee established by the Department of Public Instruction and shall thereupon report annually to the board until the course is completed.

If such a physician desires to remain in Pennsylvania and practice medicine and surgery after completion of the course a certificate to practice medicine and surgery under this act shall be issued provided the applicant shall have met all the requirements of this act and shall have paid a fee established by the Department of Public Instruction for such license.

(c) And it shall be the duty of all persons now qualified and engaged in the practice of medicine and surgery or any [of the allied] branch or branches thereof [of the healing art] provided for in this act or who shall hereafter be licensed by the Department of Public Instruction for the [Board of Medical Education and Licensure] board to engage in such practice in the Commonwealth of Pennsylvania to be registered with the said [Board of Medical Education and Licensure] board as practitioners on or before the first day of January one thousand nine hundred and twenty-six and thereafter to register in like manner annually on or before the first day of January of each succeeding year. The form and method of such registration shall be provided for by the said [Board of Medical Education and Licensure] board in such manner as will enable the [Board of Medical Education and Licensure] board to carry into effect the purposes of this act.

Each person so registering with the [Board of Medical Education and Licensure] board shall pay for each annual registration and for the certificate hereinafter provided for a fee of one dollar or such other sum as may be fixed by the Department of Public Instruction under authority of law which fee shall accompany the application for such registration. The money thus received shall be paid into the State Treasury for the use of the Commonwealth.

Upon receiving a proper application for such registration accompanied by the fee above provided for the Department of Public Instruction acting for said [Board of Medical Education and Licensure] board shall issue its

certificate of registration to the applicant. Said certificate together with its renewals shall be good and sufficient evidence of registration under the provisions of this act. And the Department of Public Instruction shall be required to publish biennially a list of the persons so registered.

(d) The registration to practice medicine and surgery shall be automatically suspended upon the legal commitment to an institution of a licensed physician because of mental incompetency from any cause upon filing with the Department of Public Instruction a certified copy of such commitment. Restoration of such registration shall be made in accordance with section eight of this act as in the case of revocation or suspension of licensure.

(e) Any person who shall practice medicine and surgery or any of [the allied] its branches [of the healing art] which come under the provisions of this act without having been registered in accordance with the provisions of this act shall on conviction thereof before any magistrate, alderman or justice of the peace in the county where the offense shall have been committed be subject to a fine of not less than ten dollars and not more than one hundred dollars to be collected by summary conviction as like fines are now collected by law or in case of nonpayment of the fine to undergo an imprisonment in the county jail for a period not exceeding ten days. Provided That any person so convicted shall have the right of appeal as in any other case of summary conviction.

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 and 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.

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

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. NAGEL. Mr. Speaker, I feel I would be derelict in my duty to the people of this great Commonwealth did I not rise at this time in opposition to Senate Bill No. 575. Those of us who are familiar with the legislation of our state that has given the medical profession their status know that prior to the year 1911 all that one needed to do to become a medical doctor was practically to say he was a doctor and to think he was a doctor and hang out his shingle. There were practically no formalities whatever that he had to go through. In 1911 we had the law enacted that formed the foundation for the medical profession in Pennsylvania, and almost every year since there have been added to that law amendments and new laws from time to time, and some parts of these laws were repealed, until today we have our present law governing the medical profession in this great state.

Now I submit to you, Mr. Speaker, that at this time no new law is needed, no further power is needed in order that the physicians or medical doctors of our country can proceed with their work and perform this work efficiently.

I do not think at any time in my history here in this House have I ever tried to create a noise of any kind so that one may not be heard, and I ask that I be extended the same courtesy for a few moments.—I do not intend to talk long, I do not intend to talk loud, because I do not expect and I do not want to frighten anybody.

I contend Mr. Speaker that no further legislation is needed. I can think of no instance in which the medical doctor is hampered. When he is called by a patient he has the privilege of deciding whether the patient will need an operation, whether he will be put in some kind of a plaster cast, or whether he will give the patient some kind of tablets; nobody else can say anything, and the laws are so much in his favor today in this state that should he make a mistake it is almost impossible to call him to account for it.

I have another reason for opposing this bill at this time. I believe I am safe in saying that not ten per cent of the Members of this House have read this bill; not ten per cent of the Members of this House understand this bill. In this closing time of our legislation, when there is excitement and when we are not given much to deliberation, we should be very careful not to allow something to go through that is not needed, something that might prove injurious to the people of our state. I remember when I first came here I contacted an old lawyer, and he said to me, "I am going to give you a bit of advice; when you go down to the legislature, if ever there comes a time when you are in doubt upon any bill I am going to tell you just how to vote". I said, "I would be pleased to have such advice". He said, "Always vote 'no'".

Let us examine this bill for just a moment. You will find definitions that I tried to amend yesterday. Our definitions were carried over verbatim from the 1937 law. Those definitions are all-inclusive. They go further than Webster's dictionary; they go further than any legal dictionary in defining medical practice and the healing arts. They have combined these two together in one

definition and made them inseparable, when in reality they are two different terms.

Mr. Speaker, I quote from Bouvier's Law Dictionary of 1940, which defines the meaning of the word "Medicine" as follows:

"The practice of medicine includes the application and use of medicines and drugs for the purpose of curing, mitigating or alleviating bodily diseases, while the practice of surgery is limited to manual operations usually performed by surgical instruments or appliances."

Mr. Speaker, I say we should give no further grounds for this powerful organization now is protected by law better than any other organization in the state of Pennsylvania. They can move in any direction now as far as they care to go, yet here they come asking for further leave and further license.

Mr. Speaker let us call attention to the bill and turn to page six and the amendment that we have there. I am quoting:

"It shall not be lawful for any person in the state of Pennsylvania to engage in the practice of medicine or surgery".

I quite agree with that, Mr. Speaker. That is all right. Then it goes on further and says,

"—or to pretend a knowledge of any branch or branches of medicine."

In other words Mr. Speaker it forbids you to think. You can use baking soda in making biscuits, but you don't know whether it is an acidifier or an alkalizer. You dare not know of the potentialities of Epsom Salts or castor oil; you are forbidden that, you dare not do that.

The bill goes on further and says,

"the treatment of disease by the use of medicine or surgery".

It must be either one of those things; it makes no exception whatever. It would not be permissible under this law for a mother to give her child afflicted with croup a spoonful of molasses; it would not permit any person to trim the fingernails of another person.

Mr. Speaker, I submit this bill was designed with malice aforethought. This bill is selfish, and I can prove it to you from yesterday's activities. This bill was sent from the Senate into the House and referred to our committee. There was opposition to this bill by certain groups because the sponsors of this bill, seemingly purposely, intentionally and maliciously left it in such shape that our optometrists and our osteopaths and our dentists were left out in the cold. This bill was amended. It was not their intention to have this bill go through in any way other than in the form in which it was drafted, forgetting the interests and the welfare of all these other noble professions that we need.

I do not think evil of our medical profession; I think our medical doctors and our surgeons have a place in our country and we should accord them their right, but when it comes to the building of an organization of this type, and attempting to put the last rail on the fence, they are now in the trough with all four feet, and they want to begin now to lie down.

Under this bill, if it were enacted into law, that great Galilean Prince of Peace who came to our world some

two thousand years ago, Jesus Christ, if he would attempt curing as he did then, this law would require that he go behind bars and even pay a fine of five hundred to one thousand dollars.

I ask you to give this bill careful consideration. Consider the people of our state. You will not take from the medical profession anything if this bill fails to pass. You are simply keeping them where they are, where they are amply protected, where they have a right to do just as they please. There is no law in Pennsylvania today governing medicine higher than the Medical Board. Why should we give them more? I ask you to vote against this bill.

Mr. SARRAF. Mr. Speaker, I do not care to take up a great deal of time of the House. I know we have gone through a very strenuous afternoon in debate, but I do wish to point out what this bill really does.

In the first place, this bill was formulated as a result of the approval of the accepted hospitals, that is, approved hospitals of the State, as well as the unapproved hospitals of the State, along with the Department of Health of the State a member of the Attorney General's office and the medical societies.

In 1911, the original act was passed. In 1937 Act No. 232 was passed amending the 1911 act. The definition of medicine and surgery as it appears in this particular act, Senate Bill 575, is identical with that contained in the Act of 1937. It is put into this act as Section one. This act does not have anything to do with any other board that is established in this State. By that I mean the Dental Board, the Nurses' Board, the Optometrist Board, or any of the other boards under the statutes of the state. They are not affected one iota by this bill. When an interne has graduated after one year's service in a hospital, there comes a waiting period between the time that he takes his State Board Examination and the time he receives his license from the state. This bill will permit that interne, instead of being a nobody during that period, as the board has decreed, or as one of its members really has taken it upon himself to decree, to be a doctor the day he is through as an interne in the hospital, along with post-graduate work in one of the greatest schools in the state of Pennsylvania. Anybody who attacks this bill does not realize that we are the mecca of the world in the practice of medicine. If we do realize that, then we ought to boost it sky high and we ought to keep it that way. This bill will allow post-graduate work. Along with that, this bill does not touch any chiropractor, any chiropodist, or any of the practitioners of the healing arts. This bill, in fact, protects that individual; this bill will make for better enforcement in our state and reduce illegal practice in the state. If you want to pass laws to make illegitimate work in this State legitimate, then you vote against this bill.

I don't know what the former speaker was referring to when he spoke about baking soda. There is nothing in this bill referring to baking soda. If this bill should not pass, but be defeated, the law would remain as it is on the books. It was only yesterday that Mr. Nagel inserted or attempted to insert his own amendments. If by inserting those amendments it made the bill good, why is not the bill good without the insertion of those amendments?

Mr. Speaker, I do not care to take up any more time, and I ask the gentlemen of the House to vote in favor of this bill.

Mr. WOODRING. Mr. Speaker, I desire to interrogate the gentleman from Allegheny, Mr. Sarraf.

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

Mr. SARRAF. I shall, Mr. Speaker.

Mr. WOODRING. Mr. Speaker, will this bill permit men who have graduated from a medical school to serve as internes during the period between their graduation and the time they are formally licensed?

Mr. SARRAF. Yes sir, Mr. Speaker, it will.

Mr. WOODRING. Mr. Speaker, is that provision a necessary one at the present time throughout the hospitals of our state?

Mr. SARRAF. Mr. Speaker, as I stated previously, this will limit the power of the Board because the Board today, under the law, can rule those individuals out, that is, they do not permit them to be internes after they are through their one year's internship; they are not employable by recognized or non-recognized hospitals.

Mr. WOODRING. Mr. Speaker, from the gentleman's knowledge of the hospitals in Allegheny County or throughout the state, are hospitals at the present time experiencing difficulty in securing internes to serve in their institutions?

Mr. SARRAF. Mr. Speaker, there is dire need of internes, there is no doubt about that.

Mr. NAGEL. Mr. Speaker, I desire to interrogate the gentleman from Allegheny, Mr. Sarraf.

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

Mr. SARRAF. I shall, Mr. Speaker.

Mr. NAGEL. Mr. Speaker, will the gentleman from Allegheny please tell us whether or not the graduates or those who have just graduated are not now permitted to act as internes?

Mr. SARRAF. Mr. Speaker, the gentleman from Beaver asks whether graduates are entitled to become internes, and I answer that graduates must be internes before they become doctors in our state.

Mr. NAGEL. Mr. Speaker is there not now power within the board to govern all of these things?

Mr. SARRAF. Mr. Speaker, there is discretionary power on the part of the board, there is no doubt about that. The chairman of that board has made this particular ruling, and his interpretation prevents that individual from being able to take advantage of an opportunity for service in a hospital. This law if passed will limit the board, in other words, it will confine their power to the extent that they must accept these gentlemen as they finish their interne year to be eligible for service in hospitals.

Mr. NAGEL. Mr. Speaker, I think this internship business is just a thin veil spread over this thing to cover something that they do not want known. I think it is a dangerous bill and I repeat again, gentlemen, vote it down.

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—136

Auker,	Gallagher,	McClanaghan,	Scanlon,
Baker,	Greenwood,	McClester,	Schwab,
Balthaser,	Gryskewicz,	McDermott,	Serrill,
Bentley,	Habbyshaw,	McFall,	Shaffer,
Bentzel,	Haines,	McGrath,	Shaw,
Boles,	Hall,	McIntosh,	Simons,
Boney,	Hamilton,	McLanahan,	Snyder,
Bower,	Hare,	McLane,	Sollenberger,
Bradley,	Harkins,	McMillen,	Sorg,
Brown,	Heatherington,	Melchiorre,	Stambaugh,
Brunner, O. H.,	Helm,	Mihm,	Stine,
Brunner, P. A.,	Hering,	Modell,	Stockham,
Burns,	Herman,	Monks,	Tarr,
Burris,	Hersch,	Moul,	Taylor,
Cadwalader,	Hewitt,	Munley,	Thompson, R. L.,
Chervenak,	Imbrie,	O'Brien,	Turner,
Chudoff,	Jones, G. E.,	O'Connor,	VanAllsburg,
Cordier,	Keenan,	O'Dare,	Verona,
Corrigan,	Keenehan,	O'Mullen,	Vincent,
Dennison,	Kline,	O'Neill,	Voldow,
DiGenova,	Kolankiewicz,	Owens,	Voorhees,
Dix,	Komorowski,	Petrosky,	Wagner,
Dolon,	Krise,	Pettit,	Watkins,
D'Ortona,	Lee, E. A.,	Polaski,	Weiss,
Duffy,	Lee, T. H.,	Powers,	Welsh, M. J.,
Early,	Leonard,	Prosen,	Winner,
Eckels,	Lesko,	Rank,	Wood, L. H.,
Elliott,	Leydic,	Readinger,	Wood, N.,
Finestone,	Lichtenwalter,	Reese, D. P.,	Woodring,
Fisher,	Longo,	Rhea,	Wright,
Fiss,	Lyons,	Rooney,	Yeakel,
Fleming,	Malloy,	Rose, S.,	Yester,
Fletcher,	Marks,	Sarge,	Young,
Flynn,	Maxwell,	Sarra,	Kilroy,

Speaker.

NAYS—6

Cullen,	Goodwin,	Nagel,	Rush,
Ely,	Moran,	Reese, R. E.,	

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.

REPORT OF COMMITTEE OF CONFERENCE ON HOUSE BILL No. 1466

Mr. MIHM. Mr. Speaker, I desire to call up the report of the Committee of Conference on House Bill No. 1466, Printer's No. 1189.

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. 1466, entitled:

"An act to amend the act, approved the third day of June, one thousand nine hundred and thirty-seven (P. L. 1333), entitled 'An act concerning elections, including general, municipal, special and primary elections, the nomination of candidates, primary and election expenses, and election contests; * * * 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."

Respectfully submit the following bill as our report:

Robert M. Miller,
Paul M. Crider,
J. K. McQuiddy,
(Committee on the Part of the Senate.)
H. J. Maxwell,
Martin C. Mihm,
George T. Weingartner.

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

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

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

Section 1 Section one hundred two of the act approved the third day of June one thousand nine hundred and thirty-seven (P. L. 1333) entitled "An act concerning elections including general municipal special and primary elections the nomination of candidates primary and election expenses and election contests creating and defining membership of county boards of elections imposing duties upon the Secretary of the Commonwealth courts county boards of elections county commissioners imposing penalties for violation of the act and codifying revising and consolidating the laws relating thereto and repealing certain acts and parts of acts relating to elections" is hereby amended to read as follows

Section 102 Definitions The following words when used in this act shall have the following meanings unless otherwise clearly apparent from the context

(a) The word "candidate" shall unless the context otherwise requires include both candidates for nomination and election

(b) The word "county" shall mean any county of this Commonwealth

(c) The words "county board" or "board" shall mean the county board of elections of any county herein provided for

(d) The words "district election board" or "election board" shall mean the election officers required to conduct primaries and elections in any election district in accordance with the provisions of this act

(e) The words "district register" shall mean the cards containing all or part of the registry list of qualified electors of the same election district as prepared by the registration commissions

(f) The word "election" shall mean any general municipal special or primary election unless otherwise specified

(g) The words "election district" shall mean a district division or precinct established in accordance with the provisions of this act within which all qualified electors vote at one polling place

(h) The words "general election" shall mean the election which the Constitution of this Commonwealth requires to be held in even-numbered years

(i) The words "independent nomination" shall mean the selection by an independent political body in ac-

cordance with the provisions of this act of a candidate for a public office authorized to be voted for at an election

(j) The words "municipal election" shall mean the election which the Constitution of this Commonwealth requires to be held in odd-numbered years

(k) The word "nomination" shall mean the selection in accordance with the provisions of this act of a candidate for a public office authorized to be voted for at an election

(l) The words "November election" shall mean either the general or municipal election or both according to the context

(m) The word "oath" shall include affirmation and the word "swear" shall include affirm

(n) The word "party" shall mean a political party as defined in section 801 of this act

(o) The words "party nomination" shall mean the selection by a political party in accordance with the provisions of this act of a candidate for a public office authorized to be voted for at an election

(p) The words "political body" shall mean an independent body of electors as defined in section 801 of this act

(q) The words "polling place" shall mean the room provided in each election district for voting at a primary or election

(r) The words "primary" or "primary election" shall mean any election held for the purpose of electing party officers and nominating candidates for public offices to be voted for at an election

(s) The words "public office" shall include every public office to which persons can be elected by a vote of the electors under the laws of this State

(t) The words "qualified elector" shall mean any person who shall possess all of the qualifications for voting now or hereafter prescribed by the Constitution of this Commonwealth or who being otherwise qualified by continued residence in his election district shall obtain such qualifications before the next ensuing election

(u) The words "registered and enrolled member of a political party" shall mean any qualified elector who shall be registered according to political designation in accordance with the provisions of the registration acts

(v) The words "special election" shall mean any election other than a regular general municipal or primary election

(w) "Electors in actual military service" shall mean qualified electors of this Commonwealth who are or may be by enlistment enrollment or draft in the military or naval service of the United States or any branch or unit thereof or in the military service of the Commonwealth

Section 2 Section three hundred and five of said act is hereby amended to read as follows

Section 305 Expenses of County Boards and of Primaries and Elections to Be Paid by County Expenses of Special Elections Boards to Be Provided with Offices

(a) The county commissioners or other appropriating authorities of the county shall appropriate annually and from time to time to the county board of elections of such county the funds that shall be necessary for the maintenance and operation of the board and for the conduct of primaries and elections in such county including the payment of the compensation of the employes of the board custodians election officers and other assistants and employes herein provided for and the fees of witnesses as herein provided for the purchase or printing under contracts made by the board of all ballots and other primary and election supplies required by this act or which the board shall consider necessary to carry out the provisions of this act for the purchase under contracts made by the board and maintenance of voting machines when adopted as herein provided and of all other primary and election equipment required by this act or which the board shall consider necessary to carry out the provi-

sions of this act for the publication of notices authorized by this act under contracts made by the board and for all other necessary expenses hereunder Provided however That bonds or other evidences of indebtedness payable not later than ten years from their dates of issuance may be issued by the county commissioners or other appropriating authorities of the county in accordance with the provisions of law relating to the increase of indebtedness of such county to meet all or any part of the cost of voting machines

1 The county shall be liable for the expenses of holding special elections for any city borough township school district or other municipality or incorporated district contained therein which is held on the day of any general municipal or primary election and on any special question which is required by law to be or which is at the discretion of the county board as hereinafter provided printed on the regular ballot after the list of the candidates or on the same voting machine as the list of candidates

2 Any city borough township school district or other municipality or incorporated district contained in any county holding a special election as authorized by law on the question of increase of indebtedness or any other question to be voted on by the electors of such subdivision which special election is held on the day of any general municipal or primary election and which is required by law to be conducted or at the discretion of the county board as hereinafter provided is conducted by special ballots for such question shall be liable to the county for the expenses necessarily incurred in the printing of such special ballots

3 If any other day than the day of any general municipal or primary election be fixed by the corporate authorities of any municipality school district or incorporated district for the holding of a special election on the question of increase of indebtedness or any other question as authorized by law such municipality school district or incorporated district shall be liable for and pay the entire expense of holding such election including the cost of printing ballots and supplies pay of election officers the rental of polling places and the cost of canvassing and computing the votes cast

(b) The county commissioners or other appropriating authorities of the county shall provide the county board with suitable and adequate offices at the county seat properly furnished for keeping its records holding its public sessions and otherwise performing its public duties and shall also provide such branch offices for the board in cities other than the county seat as may be necessary

(c) The Commonwealth shall reimburse each county for election expenses incurred at every election for the preparation handling and mailing of ballots for electors in actual military service in the sum of forty-three cents for each ballot mailed to an elector in actual military service in such manner as is now or may hereafter be provided by law

Each county board of elections shall file in the Department of State not later than thirty days after every election on a form prescribed by the Department of State a statement of the number of ballots mailed in such manner as is now or may hereafter be provided by law to electors in actual military service upon the written application of each such elector Such applications shall be preserved by each county board of elections until reimbursement is made as herein provided subject to inspection or production in the Department of State if demanded by the Department of State

The Department of State shall ascertain and fix the amount due as herein provided to each county for election expenses incurred for the preparation handling and mailing of ballots to electors in actual military service and by requisition in the usual course shall provide for payment of such amounts so found due from moneys appropriated to the Department of State for such purpose or shall prorate the moneys so appropriated among the

several counties to be reimbursed if the amount so appropriated shall not be sufficient for the payment in full to each county of the amount found to be due

Section 3 Article thirteen of said act is hereby repealed absolutely

Section 4 Said act is hereby amended by adding thereto a new article thirteen to read as follows

Article XIII

Voting By Persons In Actual Military Service

Section 1301 Qualified Electors in Actual Military Service Whenever any of the qualified electors of this Commonwealth shall be in any actual military service and as such absent from their place of residence on the days appointed by law for holding any election within this State or on the days for holding special elections to fill vacancies such electors shall be entitled at such times to exercise the right of suffrage as fully as if they were present at their usual places of election in the manner prescribed in this article and whether at the time of voting such electors shall be within the limits of this State or not

Section 1302 Ballots Ballots for use by electors in actual military service under the provisions of this article shall be prepared sufficiently in advance by the county boards of election and shall be by such boards distributed as hereinafter provided to the electors in actual military service entitled to vote at any election Such ballots shall be in substantially the form prescribed by article ten of this act for ballots to be used at the same elections within this Commonwealth but in cases where there is not time in the opinion of the county boards of elections to print on said ballots the names of the various candidates for district county and local offices the ballots shall contain blank spaces only under the titles of such offices in which the voters may insert the names of the candidates for whom they desire to vote and in such cases the county boards of elections shall furnish to the elector in actual military service a sufficient number of printed lists containing the names of all the candidates who have been regularly nominated under the provisions of this act for the use of the elector in preparing his ballot

Section 1303 Duties of County Boards In the case of any election at which votes are cast by electors in actual military service under the provisions of this article it shall be the duty of each county board of elections to withhold the completion of the computation of the returns of the county until the second Friday after such election within which period all votes cast by electors of the county in actual military service as provided in this article shall be added to and included in its computation of the returns of such election but not afterwards

Section 1304 Manner of Voting by Electors in Actual Military Service Electors mentioned in section one thousand three hundred and one shall have the right to apply not less than thirty (30) days and not more than fifty (50) days before any election for a "military ballot" The application shall be in writing signed by the applicant in his own hand and addressed to the county board of elections of the county wherein the applicant is registered to vote and shall state the county and the city borough or township and the precise ward or election district in or the street and number at which the applicant is registered to vote If the application is for a ballot for a primary election it shall also state the political party in which the applicant is enrolled

Section 1305 Ballots and Envelopes for Electors in Actual Military Service The County boards of elections shall prepare and upon request deliver to the said electors in actual military service a ballot by registered mail with return receipt required in an envelope addressed to each such elector at the address furnished by the elector in his application for a military ballot Such ballots shall be prepared and printed in the same form as the ballots provided for by section one thousand three hundred and two of this act but shall have in addition printed stamped

or endorsed thereon the words "Military Ballot" The county boards of elections shall also provide and deliver as aforesaid three envelopes for each military ballot of such size and shape that will permit the placing of one within the other On the first shall be printed stamped or endorsed only the words "Military Ballot" On the second shall be printed the affidavit of the elector together with the jurat of the officer in whose presence the ballot is marked and before whom the affidavit is made such affidavit and jurat to be in form prescribed by the Secretary of the Commonwealth On the third shall be placed the name and address of the county board of elections of the proper county All military ballots and envelopes shall be mailed at least fifteen (15) days before the election involved to the electors requesting them

Each county board of elections shall print and post in a conspicuous public place at its office a list setting forth the name present location and local voting district or ward of every elector to whom a military ballot has been sent This list shall be posted at least ten (10) days before the primary or election involved and shall also set forth the total number of military ballots prepared by the county board of elections Copies of such list shall be furnished upon request to the county chairman of each political party and political body

Section 1306 Voting by Electors in Actual Military Service Any such elector may make application within the time prescribed by section one thousand three hundred and four to the county boards of elections for a "Military Ballot" At any time after receiving such military ballot but on or before the day of the election such elector in actual military service may appear before any commissioned officer of the military or naval forces either within or without the Commonwealth or before any officer of this or any other state or territory of the United States authorized to administer oaths and mark such ballot under the scrutiny of such officer in the following manner The voter shall first display the ballot to such officer as evidence that the same is unmarked and shall then proceed to mark the ballot in the presence of such officer but in such manner that such officer is unable to see how the same is marked and then fold the ballot enclose and securely seal the same in the envelope on which is printed stamped or endorsed "Military Ballot" This envelope shall then be placed in the one on which is printed the affidavit of the elector and the jurat of the officer before whom the elector appears and such envelope sealed in like manner by the elector The elector shall then make out subscribe and swear to the affidavit printed on the face of such envelope and the jurat shall be subscribed by the officer before whom the affidavit was taken Such ballot and envelope shall then be securely sealed in the third envelope which the elector shall send by mail to the county board of elections of the proper county with postage prepaid

Section 1307 Receipt and Counting of Military Ballots The county board of elections upon receipt of such third envelope shall safely keep the same in their office until they meet to canvass the vote of such election under the provisions of this act

At such time the members of the county board of elections may in person dispose of military ballots in the manner hereinafter set forth or they may designate a sufficient number of clerks to perform such duties When it is determined that clerks shall be appointed the total number shall in every case be in multiples of three each member of the county board of elections shall appoint an equal number thereof

Watchers appointed in the manner prescribed by and subject to the restrictions imposed by section four hundred and seventeen of this act insofar as applicable shall be permitted to be present whenever any of the envelopes containing military ballots are opened and whenever any such ballots are counted and recorded

In disposing of military ballots the county board of elections or the clerks designated as aforesaid shall first

examine the third envelope and set aside unopened all such envelopes which bear a post mark later than the date of the particular election day involved. The envelopes thus set aside shall be retained for a period of one year and then destroyed unopened.

They shall then open the third envelopes not thus set aside and after examining the affidavit and jurat shall compare the signature of such absent voter with his signature upon any register or other record in their possession. If the county board is satisfied that the signatures correspond that the affidavit and jurat are sufficient and that the voter has been duly registered as provided by law they shall announce the name of the elector and shall give any person present an opportunity to challenge the same in like manner and for the same causes as such elector could have been challenged had he presented himself in his own district to cast his vote. If there are no challenges they shall open the second envelope in such manner as not to destroy the affidavit and jurat printed thereon which envelope shall be kept in their office for a period of one year thereafter. All envelopes on which are printed stamped or endorsed the words "Military Ballot" and containing the ballots shall be put into one depository at one time and said depository well shaken and the envelopes containing the ballots mixed before any ballot is taken therefrom. The county board shall then break the seals of such envelopes and record the said ballots in the same manner as district election officers are required to record votes under the provisions of this act. In like manner all military ballots received prior to completion of the computation of the returns of the county shall be counted and recorded and upon completion of the computation of the returns of the county the votes cast upon the military ballots shall then be added to the votes cast within the county city borough incorporated town township ward or election district as designated on each ballot. Military ballots shall be safely kept by the county board of elections for a period of one year.

Section 5 This act shall become effective immediately upon final enactment.

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

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

YEAS—204

Achterman,	Gallagher,	Malloy,	Royer,
Allmond,	Gates,	Marks,	Rush,
Auker,	Gerard,	Maxwell,	Sarge,
Baker,	Gillan,	McClanaghan,	Sarra,
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,	Skele,
Bretherick,	Haines,	McMillen,	Snyder,
Brown,	Hall,	McSurdy,	Sollenberger,
Brunner, J. H.,	Hamilton,	Melchiorre,	Sorg,
Brunner, P. A.,	Hare,	Mihm,	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, R. L.,
Cook,	Hewitt,	Nunemacher,	Trout,
Cooper,	Hirsch,	O'Brien,	Turner,
Cordier,	Holland,	O'Connor,	VanAllsburg,
Corrigan,	Huntley,	O'Dare,	Verona,
Croop,	Imbrie,	O'Mullen,	Vincent,
Cullen,	James,	O'Neill,	Vogt,
Dairymple,	Jefferson,	Owens,	Voldow,
Dennison,	Jones, G. E.,	Petrosky,	Voorhees,

Digenova,	Jones, P. N.,	Pettit,	Wagner,
Dix,	Keenan,	Polaski,	Watkins,
Dolon,	Kenehan,	Polen,	Weingartner,
D'Ortona,	Kilne,	Powers,	Weiss,
Duffy,	Knoble,	Prosen,	Welsh, E. B.,
Early,	Koiankiewicz,	Rank,	Welsh, M. J.,
Eckels,	Komoroski,	Rausch,	Wilkinson,
Elder,	Krlse,	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,
Finerty,	Lesko,	Reynolds,	Woodside,
Fisher,	Levy,	Rhea,	Wright,
Fiss,	Leydic,	Riley,	Yeakel,
Fleming,	Lichtenwaller,	Rooney,	Yester,
Fletcher,	Longo,	Rose, S.,	Young,
Flynn,	Lovett,	Rose, W. E.,	Kilroy,
Foor,	Lyons,	Rosenfeld,	Speaker,
French,			

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.

BILL ON THIRD READING

Mr. ELY asked and obtained unanimous consent to call out of order House Bill No. 1620, (Senate Bill No. 714), Printer's No. 227, on page 6 of today's calendar, bills on third reading.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1620, (Senate Bill No. 714), entitled:

An Act to further amend section fifteen of the act approved the eleventh day of May, one thousand nine hundred and twenty-one (P. L. 522) entitled "An act relating to dogs, and the protection of live stock and poultry from damage by dogs; providing for the licensing of dogs by the Secretary of Agriculture; providing for the enumeration of dogs by assessors; regulating the keeping of dogs, and authorizing their destruction in certain cases; providing for the protection of licensed dogs, and for dogs temporarily imported for trial, show, and breeding purposes; prescribing certain privileges for hunting dogs, and dogs owned or used by the Board of Game Commissioners; providing for the assessment of damages done to live stock and poultry by dogs, and for the illegal killing of licensed dogs, and the payment of such damages by the Commonwealth; imposing powers and duties on certain State, county, city, borough, town, and township officers and employes; directing the payment of all moneys collected into the State Treasury; and making an appropriation thereof; and providing penalties," by providing for the return of a portion of moneys received for licenses to the counties for use by Societies for the Prevention of Cruelty to Animals and specifically appropriating the same for such purpose.

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. ELY. Mr. Speaker, I want to call the attention of the House to what this bill does. This is an amendment to the act passed in 1921 in relation to dogs, and setting up a fund from which the damage done by dogs to live stock and poultry is paid. This bill would take fifteen per cent of that money and return it to the different counties for the use of the Society for the Prevention of

Cruelty to Animals. I think it is a dangerous precedent to tap this fund. If it should be returned to this society there are several others that could then with equal justice ask for a share of this money. I ask the Members of the House to vote this bill down.

Mr. WOODRING. Mr. Speaker, voicing the sentiment of the gentleman from Susquehanna Mr. Ely, I urge the membership to vote "no" on this bill. I think it is a bad precedent to divert these funds from their original purpose.

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—22

Corrigan,	Hersch,	O'Brien,	Taylor,
Elder,	Jefferson,	O'Mullen,	Thompson R. L.
Finestone,	Kolankiewicz,	Melchiorre,	Turner,
Habbyslaw,	Lee, E. A.,	Reese, D. P.,	Wells,
Haines,	McClanaghan,	Riley,	Welsh, E. B.,
Hering,	McFall,	Tate,	Kilroy, Speaker

NAYS—104

Auker,	Elliott,	Krise,	Rausch,
Baker,	Ely,	Lee, T. H.,	Readinger,
Balthaser,	Fleming,	Leisey,	Rhea,
Bentley,	Fletcher,	Leonard,	Rush,
Bentzel,	Flynn,	Levy,	Sarra,
Boies,	Gallagher,	Longo,	Schwab,
Boney,	Gerard,	Lyons,	Serrill,
Boorse,	Gillan,	Malloy,	Shaw,
Bower,	Goodwin,	Marks,	Sollenberger,
Breth,	Greenwood,	Maxwell,	Sorg,
Bretherick,	Gryskewicz,	McDermott,	Stambaugh,
Brown,	Cyger,	McDowell,	Stank,
Brunner, P. A.	Hall,	McIntosh,	Stine,
Burns,	Hamilton,	McKinney,	Stockham,
Cook,	Hare,	McLanahan,	Tarr,
Cordier,	Harkins,	McMillen,	VanAllsburg,
Cullen,	Heatherington,	McSurdy,	Vincent,
Dennison,	Heim,	Moran,	Vogt,
DiGenova,	Hewitt,	Muir,	Wagner,
Dix,	Imbrie,	Nagel,	Welsh M. J.,
Dolon,	James,	Owens,	Williams,
D'Ortona,	Jones, G. E.,	Petrosky,	Wood N.,
Duffy,	Jones, P. N.,	Pettit,	Woodring,
Early,	Keenan,	Polaski,	Wright,
Eckels,	Kenehar,	Powers,	Yester,
	Komorofski,	Prosen,	Young,

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

Mr. TARR. Mr. Speaker, I think the vote by which this bill was defeated is a tribute to the gentleman from Susquehanna, Mr. Ely.

Mr. ELY. Mr. Speaker, I wish to thank the gentleman of the House and also the gentleman from Fayette, Mr. Tarr.

BILLS ON THIRD READING

Mr. READINGER asked and obtained unanimous consent to call up out of order House Bill No. 1942 (Senate No. 1096), Printer's No. 607, on page 14 of today's calendar, bills on third reading.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1942, (Senate Bill No. 1096), entitled:

An Act to further amend section one of the act, approved the thirteenth day of June, one thousand nine hundred and seven (P. L. 640), entitled "An act to provide revenue by

levying a tax upon the shares of stock of companies incorporated under the provisions of section twenty-nine of an act, entitled 'An act to provide for the incorporation and regulation of certain corporations,' approved April twenty-ninth, one thousand eight hundred and seventy-four, and 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.

On the question.

Will the House agree to the bill on third reading?

BILL RECOMMENDED

Mr. READINGER. Mr. Speaker, I move that this bill be recommitted to the Committee on Ways and Means for further study.

The motion was agreed to.

Mr. READINGER asked and obtained unanimous consent to call up out of order House Bill No. 1943, (Senate Bill No. 1097), Printer's No. 606, on page 14 of today's calendar, bills on third reading.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1943, (Senate Bill No. 1097), as follows:

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

On the question,

Will the House agree to the bill on third reading?

BILL RECOMMENDED

Mr. READINGER. Mr. Speaker, I move that this bill be recommitted to the Committee on Ways and Means for further study.

The motion was agreed to.

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. 1746, (Senate Bill No. 559), as follows:

An Act prescribing additional powers and duties on the Joint State Government Commission to make a survey of the educational facilities of the Commonwealth conferring upon the commission full power to issue subpoenas to carry out such additional functions and duties and

conferring upon the courts of common pleas power to enforce obedience to subpoenas so issued imposing duties on departments and agencies of the State government and on colleges and universities and making an appropriation

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

Section 1 It shall be the duty of the Joint State Government Commission to conduct such studies and investigations as it shall deem proper pertaining to the education facilities and needs of the people of Pennsylvania to collate and digest the results of studies made by private research agencies which are willing to place the results of their research activities at the disposal of the General Assembly to secure all available information as to the present cost and functioning of the school system in this Commonwealth to determine what funds are required for the proper support of the public schools to recommend how the cost of such support should be divided between the Commonwealth and the school districts and the proper distribution of State funds among the several school districts having due regard for the abilities of the several school districts to raise funds to determine the possibility and practicability of merging dividing and reorganizing school districts to study existing distribution of higher educational institutions in the Commonwealth of Pennsylvania public and private and the functions they perform together with the relation between their programs and the occupational and professional needs and trends within the Commonwealth to make recommendations for securing adequate provisions for higher education as well as for education in the common schools to make recommendations regarding the discontinuance or alteration of functions and facilities of the State teachers' colleges and the Cheyney Training School for Teachers and to make such other studies and to compile such other material as may be deemed necessary for the information of the General Assembly in order to enable it to provide for the proper and equitable support of the educational facilities of the Commonwealth

Section 2 For the purpose of this act the Joint State Government Commission is authorized to hold hearings and to sit at such times and places as it may deem advisable to require by subpoena or otherwise the attendance of such witnesses and the production of such books papers and documents as it deems advisable to administer oaths and take testimony and to make expenditures not exceeding the amount hereinafter specified to employ counsel if it deems such employment necessary stenographic assistance to report the testimony taken at the hearings to be held by the commission and such other assistance as it deems advisable

Section 3 If any person corporation partnership or association wilfully neglects or refuses to testify before the commission or to produce any books papers records or documents subpoenaed by the commission the Chairman of the Joint State Government Commission shall file a petition with a court of common pleas having competent jurisdiction over said person corporation partnership or association setting forth such facts The said court of common pleas or a judge thereof shall thereupon issue a rule upon said person corporation partnership or association returnable no less than five nor more than seven days from service thereof commanding said person corporation partnership or association to appear before said court and show cause why the subpoena subpoena duces tecum or similar order of said commission shall not be complied with

If said person corporation partnership or association upon the return day of said rule to show cause is or are unable to show legal cause why the subpoena subpoena duces tecum or order of the commission should not be complied with the said court of common pleas shall forthwith enter an order of court directing said person corporation partnership or association to comply with the terms of the said subpoena subpoena duces tecum or order of the commission If thereupon such person corporation partnership or association shall refuse or fail to comply with the said order of court the said court of common pleas shall forthwith adjudge said person corporation

partnership or association to be in contempt of court and such person corporation partnership or association shall thereupon forthwith be subject to the penalties provided by the Commonwealth in such cases

Section 4 The commission shall make a report embodying its findings and recommendations together with such legislative proposals or drafts of legislation as it shall deem necessary to the General Assembly not later than the first day of February one thousand nine hundred and forty-three

Section 5 The sum of fifty thousand dollars (\$50,000) or as much thereof as shall be necessary is hereby appropriated to the Joint State Government Commission in addition to any other appropriation for the payment of the expenses of its members for the payment of the compensation and expenses of persons employed by the commission for postage telephone and telegraph charges supplies and printing and for all other expenses deemed necessary and proper by the commission to carry out the provisions of this act

Section 6 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,	Gallagher,	Malloy,	Royer,
Allmond,	Gates,	Marks,	Rush,
Auker,	Gerard,	Maxwell,	Sarge,
Baker,	Gillan,	McClanaghan,	Sarra,
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,	Mihm,	Stambaugh,
Burns,	Harkins,	Modell,	Stank,
Burriss,	Harmuth,	Monks,	Stine,
Cadwalader,	Harris,	Mooney,	Stockham,
Chervenak,	Heatherington,	Moran,	Tarr,
Chudoff,	Helm,	Moul,	Tate,
Cochran,	Hering,	Muir,	Taylor,
Cohen, M. M.,	Herman,	Munley,	Thompson, E. F.,
Cohen, R. E.,	Hersch,	Nagel,	Thompson, R. L.,
Cook,	Hewitt,	Nunemacher,	Trout,
Cooper,	Hirsch,	O'Brien,	Turner,
Cordier,	Holland,	O'Connor,	VanAllsburg,
Corrigan,	Huntley,	O'Dare,	Verona,
Croop,	Imbrie,	O'Mullen,	Vincent,
Cullen,	James,	O'Neill,	Vogt,
Dalrymple,	Jefferson,	Owens,	Voldow,
Dannison,	Jones, G. E.,	Petrosky,	Voorhees,
DiGenova,	Jones, P. N.,	Pettit,	Wagner,
Dix,	Keenan,	Polaski,	Watkins,
Dolon,	Kenehan,	Polen,	Weingartner,
D'Ortona,	Kline,	Powers,	Welsh,
Duffy,	Knoble,	Prosen,	Welsh, E. B.,
Early,	Kolankiewicz,	Rank,	Welsh, M. J.,
Eckels,	Komorowski,	Rausch,	Wilkinson,
Elder,	Krise,	Readinger,	Williams,
Elliott,	Lee, E. A.,	Reagan,	Winner,
Ely,	Lee, T. H.,	Reese, D. P.,	Wood, L. H.,
Falkenstein,	Lelsey,	Reese, R. E.,	Wood, N.,
Finestone,	Leonard,	Regan,	Woodring,
Finnerty,	Lesko,	Reynolds,	Woodside,
Fisher,	Levy,	Rhea,	Wright,
Fiss,	Leydic,	Riley,	Yeakel,
Fleminw,	Lichtenwalter,	Rooney,	Yester,
Fletcher,	Longo,	Rose, S.,	Young,
Flynn,	Lovett,	Rose, W. E.,	Young,
Foor,	Lyons,	Rosenfeld,	Kilroy,
French,			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.

QUESTION OF INQUIRY

Mr. WOODRING. Mr. Speaker I arise to a question of inquiry.

The SPEAKER. The gentleman from Northampton will state his question of inquiry.

Mr. WOODRING. Mr. Speaker, has the House taken action on Senate Bill 302 on page one of the calendar?

The SPEAKER. No, we have not.

Mr. WOODRING. Mr. Speaker, I would like that bill to be made a special order of business at this time.

The SPEAKER. It will not be necessary to do that. The Chair will lay the bill before the House.

BILL ON FINAL PASSAGE

Agreeably to order,

The House proceeded to the consideration on final passage of House Bill No. 1445, (Senate Bill No. 302), entitled:

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

On the question,

Shall the bill pass finally?

Mr. MAXWELL. Mr. Speaker, is there anyone in the House who can explain this bill?

PARLIAMENTARY INQUIRY

Mr. BROWN. Mr. Speaker, I arise to a question of parliamentary inquiry.

The SPEAKER. The gentleman from Allegheny will state his question of parliamentary inquiry.

Mr. BROWN. Mr. Speaker, is there any agreement on the part of the floor leaders to recess at any time in the near future?

The SPEAKER. The Chair hopes to be able to declare a recess at six thirty until nine o'clock standard time.

Mr. BROWN. Mr. Speaker, the title of the bill having been read and the vote now about to be taken, is it in order to ask that the bill go over?

The SPEAKER. If there is no objection the bill will go over.

Mr. BROWN. Mr. Speaker, I so request. I am fearful we are going to become involved in a real lengthy debate and we are just about worn out.

The SPEAKER. The Chair hears no objections and the bill will go over.

SENATE MESSAGE

RESOLUTION FOR CONCURRENCE

The Clerk of the Senate being introduced, presented an extract from the Journal of the Senate, which was read as follows:

In the Senate, July 12, 1941.

Resolved, (if the House of Representatives concur), That Senate Bill No. 618, Printer's No. 577, entitled:

An Act to further amend section two of the act approved the sixteenth day of June one thousand nine hundred thirty-three (P. L. 252 1933-34) entitled as amended "An act to regulate and restrain the traffic in malt and brewed beverages as herein defined providing for the licensing of the manufacture transportation sale and distribution of such beverages imposing license and permit fees and providing for collection and distribution thereof restricting ownership and interest in licensed places permitting municipalities and townships by vote of the electors to prevent the licensing therein of places where such beverages may be sold for consumption on the premises and regulating elections for this purpose imposing duties upon the Pennsylvania Liquor Control Board

be recalled from the Governor for the purpose of amendment.

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 OF CONFERENCE ON
SENATE BILL No. 51

Mr. BRADLEY presented the report of the Committee of Conference on the part of the House on Senate Bill No. 51.

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.

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.

REPORT OF COMMITTEE OF CONFERENCE ON
SENATE BILL No. 624

Mr. POLEN presented the report of the Committee of Conference on the part of the House on Senate Bill No. 624. 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.

SENATE MESSAGES

SENATE ADOPTS CONFERENCE COMMITTEE REPORT ON SENATE BILL No. 24.

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

SENATE BILL No. 24.

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

SENATE ADOPTS CONFERENCE COMMITTEE REPORTS ON HOUSE BILL No. 1465.

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. 1465.

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

HOUSE BILL No. 1466.

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

HOUSE BILL No. 1469.

An Act to amend the act approved the twenty-fifth day

of May one thousand nine hundred thirty-seven (P. L. 849) entitled "An act to provide for the permanent personal registration of electors in cities of the third class as a condition of their right to vote at elections and primaries and their enrollment as members of political parties as a further condition of their right to vote at primaries prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors and prescribing the powers and duties of citizens parties political bodies registration commissions commissioners registrars inspectors of registration and other appointees of registration commissions county election boards election officers municipal officers departments and bureaus police officers courts judges prothonotaries sheriffs county commissioners peace officers county treasurers county controllers registrars of vital statistics certain public utility corporations real estate brokers rental agents and boards of school directors imposing penalties and repealing existing legislation" as amended by requiring and providing for the registration of persons in military service to entitle them to vote at any election.

HOUSE BILL No. 1468.

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

HOUSE BILL No. 1467.

An Act to amend the act approved the first day of June one thousand nine hundred thirty-seven (P. L. 1132) entitled "An act to provide for the permanent personal registration of electors in cities of the second class A as a condition of their right to vote at elections and primaries and their enrollment as members of political parties as a further condition of their right to vote at primaries prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors and prescribing the powers and duties of citizens parties political bodies registration commissions commissioners registrars inspectors 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.

HOUSE BILL No. 1526.

An Act to amend section two hundred seven of the act approved the twenty-fourth day of June, one thousand nine hundred and thirty-one (P. L. 1206), entitled "An act concerning townships of the first class; amending, re-

vising, consolidating and changing the law relating thereto," further prescribing method by which second class townships may be classified as first class townships; and providing for the costs and holding of special elections for that purpose.

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. 892.

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

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.

RESOLUTION HIGHWAY BRIDGE

Mr. MATTHEW J. WELSH 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 12, 1941.

Whereas, In the City of Connellsville, Fayette County, there is a bridge over the Youghiogheny River, which is a connecting link between important and heavily traveled Federal and State highways; and

Whereas, Such bridge is at present inadequate to carry the traffic which must necessarily pass over it, being too narrow and in a poor state of repair; and

Whereas, Great increase of highway traffic resulting from the National Defense Program and general business improvement has even further overtaxed the facilities of this bridge; now therefore be it

Resolved, That the House of Representatives hereby urge the Department of Highways to make an immediate investigation of the present condition of the aforesaid bridge with a view to determining what changes or repairs should be made; and be it further

Resolved, That the Department of Highways is urged upon the conclusion of such investigation, to promptly undertake and complete the construction of an adequate bridge, sufficient to handle the present and future traffic requirements; and be it further

Resolved, That a certified copy of this resolution be transmitted to the Governor and to the Secretary of Highways.

CONGRATULATORY RESOLUTION

Messrs. O'NEILL and KENEHAN 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 12, 1941.

Whereas, The House of Representatives often pauses in its deliberations to pay homage to the distinguished citizens of this Commonwealth; and

Whereas, The younger citizens of this Commonwealth sometimes bring distinction to the Commonwealth, as well as do its adult citizens; and

Whereas, Gerald (Chick) Robinson has just won the National Marble Tournament in Wildwood, New Jersey, thereby bringing distinction to Pennsylvania and to his home City of Scranton; and

Whereas, Young "Chick" Robinson has shown himself to be a true sportsman, and a worthy representative of young America, and a true representative of the traditions of this Commonwealth; be it therefore

Resolved, That the House of Representatives congratulates "Chick" Robinson and his parents on this, a singular achievement of their son; and be it further

Resolved, That the Chief Clerk of the House forward a copy of this resolution to Mr. and Mrs. Robinson.

REPORT OF COMMITTEE OF CONFERENCE ON SENATE BILL No. 24.

Mr. ACHTERMAN. Mr. Speaker, I desire to call up the report of the Committee of Conference on Senate Bill No. 24, Printer's No. 602.

The report was read by the Clerk as follows:

To the Members of the Senate and House of Representatives:

We, the undersigned, Committee of Conference on the part of the Senate and House of Representatives for the purpose of considering Senate Bill No. 24, entitled:

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

Respectfully submit the following bill as our report:

John M. Walker

J. Fred Thomas

John H. Dent

(Committee on the Part of the Senate.)

Reuben E. Cohen

George J. Sarraf

David P. Reese, Jr.

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

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

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

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

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

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

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

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

cost of doing business which mark-up in the absence of proof of a lesser cost shall be not less than four per cent of the total cost at retail outlet

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

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

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

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

(7) The term "retailer" shall mean and include every person partnership corporation or association other than a manufacturer (not operating a retail business or trade) engaged in the business of making sales at retail or performing the retail function within this state Provided That in the case of a person partnership corporation or association other than a manufacturer (not operating a retail business or trade) engaged in the business of making sales both at retail and at wholesale such terms shall be applied only to the retail portion of such business

(8) The term "wholesaler" shall mean and include every person partnership corporation or association other than a manufacturer (not operating a retail business or trade) engaged in the business of making sales at wholesale or performing the wholesale function of supplying any retailer or retail outlet with merchandise for retail sale within this state Provided That in the case of a person partnership corporation or association other than a manufacturer (not operating a retail business or trade) engaged in the business of making sales both at wholesale and retail such terms shall be applied only to the wholesale portion of such business

(9) Every person partnership corporation or association other than a manufacturer (not operating a retail business or trade) engaged in the business of making sales at retail as defined in this act within this state which in addition to such business shall purchase merchandise for sale at retail from manufacturers packers processors growers or producers thereof without resort to a wholesaler as such shall be taken deemed and construed for the purpose of this act to be engaged in business both as a wholesaler and retailer as defined in this act and as such shall be subject to both the retail and wholesale mark-up provisions of this act

Section 3 It is hereby declared that advertisement offer to sell or sale of any merchandise either by retailers or wholesalers at less than cost as defined in this act with

the intent of unfairly diverting trade from or otherwise injuring a competitor or with the result of deceiving any purchaser or prospective purchaser substantially lessening competition unreasonably restraining trade or tending to create a monopoly in any line of commerce is an unfair method of competition contrary to public policy and in contravention of the policy of this act

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

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

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

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

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

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

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, Gallagher, Malloy, Royer,

Allmond,
Auker,
Baker,
Balthaser,
Bentley,
Bentzel,
Boles,
Bohey,
Boorse,
Bower,
Bradley,
Bretherick,
Brown,
Brunner, C. H.,
Brunner, P. A.,
Burns,
Burriss,
Cadwalader,
Chervenak,
Chudoff,
Cochran,
Cohen, M. M.,
Cohen, R. E.,
Cook,
Cooper,
Cordler,
Corrigan,
Croop,
Cullen,
Dalrymple,
Dennison,
DiGenova,
Dix,
Dolon,
D'Ortona,
Duffy,
Early,
Eckels,
Elder,
Elllott,
Ely,
Falkenstein,
Finestone,
Finnerty,
Fisher,
Fiss,
Fleming,
Fletcher,
Flynn,
Foor,
French,

Gates,
Gerard,
Gillan,
Gillette,
Goodwin,
Greenwood,
Gross,
Gryskewicz,
Gyger,
Habbyshaw,
Haberlen,
Haines,
Hall,
Hamilton,
Hare,
Harkins,
Harmuth,
Harris,
Heatherington,
Helm,
Hering,
Herman,
Hersch,
Hewitt,
Hirsch,
Holland,
Hurtley,
Imble,
James,
Jefferson,
Jones, G. E.,
Jones, P. N.,
Keenan,
Kenehan,
Kilne,
Knoble,
Kolankiewicz,
Komorofski,
Krise,
Lee, E. A.,
Lee, T. H.,
Lelsey,
Leonard,
Lesko,
Levy,
Leydic,
Lichtenwalter,
Longo,
Lovett,
Lyons,

Marks,
Maxwell,
McClanaghan,
McClester,
McDermott,
McDowell,
McFall,
McIntosh,
McKinney,
McLanahan,
McLane,
McMillen,
McSurdy,
Melchiorre,
Mihm,
Modell,
Monks,
Mooney,
Moran,
Moul,
Muir,
Munley,
Nagel,
Nunemacher,
O'Brien,
O'Connor,
O'Dare,
O'Mullen,
O'Neill,
Owens,
Petrosky,
Pettit,
Polaski,
Polen,
Powers,
Prosen,
Rank,
Rausch,
Readinger,
Reagan,
Reese, D. P.,
Reese, R. E.,
Regan,
Reynolds,
Rhea,
Riley,
Rooney,
Rose, S.,
Rose, W. E.,
Rosenfeld,

Rush,
Sarge,
Sarraf,
Scanlon,
Schwab,
Serrill,
Shaffer,
Shaw,
Shepard,
Simons,
Skale,
Snyder,
Sollenberger,
Sorg,
Stambaugh,
Stank,
Stine,
Stockham,
Tarr,
Tate,
Taylor,
Thompson, E. F.,
Thompson, R. L.,
Trout,
Turner,
VanAllsburg,
Verona,
Vincent,
Vogt,
Voidow,
Voorhees,
Wagner,
Watkins,
Welingartner,
Weiss,
Welsh, E. B.,
Welsh, M. J.,
Wilkinson,
Williams,
Winner,
Wood, L. H.,
Wood, N.,
Woodring,
Woodside,
Wright,
Yeakel,
Yester,
Young,
Kilroy,
Speaker.

NAYS—0

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

Ordered, That the Clerk inform the Senate accordingly.

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. 1513.

An Act to further amend section three of the act approved the twenty-second day of June one thousand nine hundred and forty-five (Chapter 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 thereon imposing duties on executors administrators registers wills recorders of deeds probators 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 cer-

tain 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

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 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. 571

An Act making an appropriation to the Department of Public Assistance for the purpose of carrying out the Public Assistance Law for the two fiscal years beginning June first one thousand nine hundred forty-one and for the payment of assistance and expenses accrued or incurred prior to and remaining unpaid on May thirty-first one thousand nine hundred forty-one and providing for certain allocations from such appropriation by the Department of Public Assistance and also by the Governor the Auditor General and the State Treasurer or the majority thereof.

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

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

Amend the title, page 1, at the beginning of line 2, by inserting after the part-word "sistance" the words "and providing for certain allocations therefrom"; also same page, by striking out in lines 8 to 12 inclusive of the title the words "and providing for certain allocations from such appropriation by the Department of Public Assistance and also by the Governor the Auditor General and the State Treasurer or the majority thereof."

Amend Section 3, page 2, by striking out all of lines 26 to 29 inclusive and on page 3, by striking out all of lines 1 to 6 inclusive as follows:

"Section 3 Out of the moneys appropriated by section one of this act the Governor the Auditor General and the State Treasurer or the majority thereof shall from time to time allocate to the Department of the Auditor General and the Treasury Department respectively such sums as may be deemed necessary to pay the administrative expenses of the Department of the Auditor General and the Treasury Department in auditing and disbursing appropriations for or relating to public assistance including any Federal funds supplementing such appropriations"; and inserting in lieu thereof the following new section:

"Section 3 Out of the moneys appropriated by section one of this act 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."

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,	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,	Habysshaw,	McLane,	Skale,
Bretherick,	Haberlen,	McMillen,	Snyder,
Brown,	Haines,	McSurdy,	Sollenberger,
Brunner, C. H.,	Hall,	Melchiorre,	Sorg,
Brunner, P. A.,	Hamilton,	Mihm,	Stambaugh,
Burns,	Hare,	Modell,	Stank,
Burris,	Harkins,	Monks,	Stine,
Cadwalader,	Harmuth,	Mooney,	Stockham,
Chervenak,	Harris,	Moran,	Tarr,
Chudoff,	Heatherington,	Moul,	Tate,
Cochran,	Helm,	Muir,	Taylor,
Cohen, M. M.,	Hering,	Munley,	Thompson, E. F.,
Cohen, R. E.,	Herman,	Nagel,	Thompson, R. L.,
Cook,	Hersch,	Nunemacher,	Trout,
Cooper,	Hewitt,	O'Brien,	Turner,
Cordier,	Hirsch,	O'Connor,	Van Allsburg,
Corrigan,	Holland,	O'Dare,	Verona,
Croop,	Huntley,	O'Mullen,	Vincent,
Cullen,	Imbrie,	O'Neill,	Vogt,
Dalrymple,	James,	Owens,	Voldow,
Dennison,	Jefferson,	Petrosky,	Voorhees,
DiGenova,	Jones, G. E.,	Pettit,	Wagner,
Dix,	Jones, P. N.,	Polaski,	Watkins,
Dolon,	Keenan,	Polen,	Weingartner,
D'Ortona,	Kenehan,	Powers,	Wells,
Duffy,	Kilne,	Prosen,	Weish, E. B.,
Early,	Knoble,	Rank,	Weish, M. J.,
Eckels,	Kolanekiewicz,	Rausch,	Wilkinson,
Elder,	Komorowski,	Readinger,	Williams,
Ellott,	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,	Lichtenwailer,	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.

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.

MINORITY REPORT OF COMMITTEE TO INVESTIGATE WESTERN PENNSYLVANIA HOSPITAL

Mr. MORAN. Mr. Speaker, I desire at this time to submit the minority report of the committee to investigate the Western Pennsylvania Hospital in Allegheny County.

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

SENATE MESSAGES

RESOLUTIONS CONCURRED IN BY SENATE

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

In the House of Representatives, July 12, 1941.

Resolved, (if the Senate concur), That House Bill No. 107, Printer's No. 742, entitled "An act to amend section eleven of the act approved the twenty-seventh day of April, one thousand nine hundred and twenty-seven, (P. L. 395), entitled 'An act empowering the Department of Highways to acquire certain toll bridges within the Commonwealth; providing the procedure therefor; providing for the reimbursement of the Commonwealth from tolls and charges, and making an appropriation,' as amended; by providing that such toll bridges heretofore or hereafter acquired by the Department of Highways shall be free bridges from the effective date of this act, or from the date they are so acquired." which was recalled from the Governor on July 1st for amendment, be returned to the Governor without amendment.

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

In the House of Representatives, July 12, 1941.

Resolved, (if the Senate concur), That House Bill No. 267, Printer's No. 713, entitled "An act making an appropriation to aid certain school districts," which was recalled from the Governor on July 1st for amendment.

be returned to the Governor without amendment.

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

In the House of Representatives, July 12, 1941.

Resolved, (if the Senate concur), That House Bill No. 280, Printer's No. 583, entitled "An act making an appropriation to the Trustees of the College of Lincoln University, Chester County," which was recalled from the Governor on July 1st for amendment.

be returned to the Governor without amendment.

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

In the House of Representatives, July 12, 1941.

Resolved, (if the Senate concur), That House Bill No. 281, Printer's No. 586, entitled "An Act making an appropriation to the Department of Labor and Industry, for the rehabilitation of the deaf and hard of hearing and for the purpose of matching additional federal funds," which was recalled from the Governor on July 1st for amendment.

be returned to the Governor without amendment.

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

In the House of Representatives, July 12, 1941.

Resolved, (if the Senate concur), That House Bill No. 291, Printer's No. 1047, entitled "An Act making appropriations for aid to free public non-sectarian county libraries, and for the purchase and transportation of books," which was recalled from the Governor on July 8th for amendment.

be returned to the Governor without amendment.

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

In the House of Representatives, July 12, 1941.

Resolved, (if the Senate concur), That House Bill No. 305, Printer's No. 737, entitled "An Act making an appropriation to the Elwyn Training School, at Elwyn, in The County of Delaware, Commonwealth of Pennsylvania; and prescribing certain conditions upon which the appropriation will be available to the school" which was recalled from the Governor on July 1st for amendment.

be returned to the Governor without amendment.

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

In the House of Representatives, July 12, 1941.

Resolved, (if the Senate concur), That House Bill No. 351, Printer's No. 600, entitled "An Act making an appropriation to the Johnson Industrial School of Scranton, Pennsylvania," which was recalled from the Governor on July 1st for amendment.

be returned to the Governor without amendment.

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

In the House of Representatives, July 12, 1941.

Resolved, (if the Senate concur), That House Bill No. 389, Printer's No. 339, entitled "An Act authorizing the Department of Property and Supplies with the approval of the Governor and the Board of Trustees of the Farview State Hospital, to acquire a certain tract of land for the use of said hospital; and making an appropriation therefor," which was recalled from the Governor on July 8th for amendment.

be returned to the Governor without amendment.

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

In the House of Representatives, July 12, 1941.

Resolved, (if the Senate concur), That House Bill No. 404, Printer's No. 1059, entitled "An Act relating to marriage; and amending, revising, consolidating and changing the law relating thereto," which was recalled from the Governor on July 1st for amendment.

be returned to the Governor without amendment.

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

In the House of Representatives, July 12, 1941.

Resolved, (if the Senate concur), That House Bill No.

502, Printer's No. 783, entitled "An Act authorizing the Department of Property and Supplies with advice and approval of the Pennsylvania Historical Commission to acquire on behalf of the Commonwealth of Pennsylvania, certain land which is the site of an old fortress known as Old Garrison in the City of Franklin, Venango County, or so much thereof as may be necessary as a historical memorial; providing for the control, management, supervision and improvement thereof; authorizing the Pennsylvania Historical Commission in cooperation with other agencies to make and enforce rules and regulations for the preservation and visitation thereof; authorizing the Pennsylvania Historical Commission to cooperate with the Daughters of the American Revolution and interested patriotic societies in providing funds for a restoration of Old Garrison; and making an appropriation," which was recalled from the Governor on July 1st for amendment.

be returned to the Governor without amendment.

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

In the House of Representatives, July 12, 1941.

Resolved, (if the Senate concur), That House Bill No. 581, Printer's No. 976, entitled "An act making an appropriation to the Department of Agriculture for laboratory research in the prevention of the transmission and in the cure of mastitis in cattle," which was recalled from the Governor on July 8th for amendment.

be returned to the Governor without amendment.

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

In the House of Representatives, July 12, 1941.

Resolved, (if the Senate concur), That House Bill No. 611, Printer's No. 773, entitled "An Act providing for the acquisition by the Department of Forests and Waters, in the name of the Commonwealth, of certain lands in Luzerne, Sullivan, and Wyoming Counties, for use of as a State Park; making an appropriation for said acquisition; providing for the management of said property by said department and defining the uses to which the property shall be put," which was recalled from the Governor on July 1st for amendment.

be returned to the Governor without amendment.

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

In the House of Representatives, July 12, 1941.

Resolved, (if the Senate concur), That House Bill No. 614, Printer's No. 616, entitled "An Act making an appropriation to the Downingtown Industrial and Agricultural School, Downingtown, Pennsylvania," which was recalled from the Governor on July 1st for amendment.

be returned to the Governor without amendment.

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

In the House of Representatives, July 12, 1941.

Resolved, (if the Senate concur), That House Bill No. 650, Printer's No. 164, entitled "An Act to amend section seven of the act approved the twenty-second day of June, one thousand nine hundred and thirty-one, (P. L. 720) entitled 'An Act providing for the taking over by the Commonwealth under certain terms, conditions and limitations, of certain streets in cities of the second class, second class A, and third class as State highways, and for the improve-

ment, construction, reconstruction, resurfacing and maintenance by the Commonwealth of certain defined widths of said streets; imposing duties on such cities and on public utility companies using such streets; providing that no assessment shall be made upon the Commonwealth in the elimination of any grade crossing thereon; * * * as last amended, by providing for the changing of width, lines, location or grades of streets in cities of the second class, second class A and third class by the Department of Highways without the consent of the city in which said street is located; relieving the city from liability for damages in such cases; and imposing liability for damages upon the Commonwealth of Pennsylvania, which was recalled from the Governor on July 1st, for amendment,

be returned to the Governor without amendment.

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

In the House of Representatives, July 10, 1941.

Resolved, (if the Senate concur), That House Bill No. 727, Printer's No. 821, entitled "An Act establishing certain public roads in the counties of Union and Northumberland as a State highway and providing for their construction and maintenance by the Commonwealth, subject to certain terms and conditions" which was recalled from the Governor on June 12, 1941.

be returned to the Governor without amendment.

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

In the House of Representatives, July 12, 1941.

Resolved, (if the Senate concur), That House Bill No. 1003, Printer's No. 591, entitled "An Act making an appropriation to the Moore Institute of Art, Science and Industry formerly Philadelphia School of Design for Women at Philadelphia, Pennsylvania," which was recalled from the Governor on July 1st for amendment.

be returned to the Governor without amendment.

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

In the House of Representatives, July 12, 1941.

Resolved, (if the Senate concur), That House Bill No. 1065, Printer's No. 599, entitled "An Act making an appropriation to the National Farm School, at Doylestown, Pennsylvania," which was recalled from the Governor on July 1st for amendment.

be returned to the Governor without amendment.

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

In the House of Representatives, July 12, 1941.

Resolved, (if the Senate concur), That House Bill No. 1066, Printer's No. 978, entitled "An Act making an appropriation to the Trustees of the Hahnemann Medical College and Hospital, of Philadelphia, Pennsylvania," which was recalled from the Governor on July 8th for amendment.

be returned to the Governor without amendment.

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

In the House of Representatives, July 12, 1941.

Resolved, (if the Senate concur), That House Bill No. 1068, Printer's No. 592, entitled "An Act making an appropriation to the Trustees of the University of Pennsylvania," which was recalled from the Governor on July 1st for amendment.

be returned to the Governor without amendment.

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

In the House of Representatives, July 12, 1941.

Resolved, (if the Senate concur), That House Bill No. 1083, Printer's No. 614, entitled "An Act making an appropriation to the Trustees of Temple University at Philadelphia, Pennsylvania," which was recalled from the Governor on July 8th for amendment.

be returned to the Governor without amendment.

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

In the House of Representatives, July 12, 1941.

Resolved, (if the Senate concur), That House Bill No. 1106, Printer's No. 1046, entitled "An Act making an appropriation to the Women's Medical College of Pennsylvania, located at East Falls, Philadelphia, Pennsylvania," which was recalled from the Governor on July 8th for amendment.

be returned to the Governor without amendment.

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

In the House of Representatives, July 12, 1941.

Resolved, (if the Senate concur), That House Bill No. 1203, Printer's No. 612, entitled "An Act making an appropriation to the Jefferson Medical College, of Philadelphia, Pennsylvania for medical education," which was recalled from the Governor on July 8th for amendment.

be returned to the Governor without amendment.

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

In the House of Representatives, July 12, 1941.

Resolved, (if the Senate concur), That House Bill No. 1321, Printer's No. 602, entitled "An Act making an appropriation to the Department of Property and Supplies for payment of balances due certain contractor for additions and alterations at the Harrisburg State Hospital," which was recalled from the Governor on July 1st for amendment.

be returned to the Governor without amendment.

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

In the House of Representatives, July 12, 1941.

Resolved, (if the Senate concur), That House Bill No. 1334, Printer's No. 588, entitled "An Act making an appropriation to the Department of Property and Supplies for the payment of claims arising in connection with the erection and construction of the Eastern State Penitentiary at Graterford," which was recalled from the Governor on July 1st for amendment.

be returned to the Governor without amendment.

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

In the House of Representatives, July 12, 1941.

Resolved, (if the Senate concur), That House Bill No. 1590, Printer's No. 572, entitled "An Act making an appropriation to the Board of Trustees of the Philadelphia Museum, Philadelphia," which was recalled from the Governor on July 1st for amendment.

be returned to the Governor without amendment.

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

In the House of Representatives, July 12, 1941.

Resolved, (if the Senate concur), That House Bill No. 1591, Printer's No. 634, entitled "An Act making an appropriation to the Pennsylvania Museum and School of Industrial Art, Philadelphia," which was recalled from the Governor on July 1st for amendment.

be returned to the Governor without amendment.

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

In the House of Representatives, July 12, 1941.

Resolved, (if the Senate concur), That House Bill No. 1659, Printer's No. 775, entitled "An Act making an appropriation to the Department of Revenue for the payment of accounts settled against the Commonwealth and that department in favor of certain persons, associations and corporations," which was recalled from the Governor on July 1st for amendment.

be returned to the Governor without amendment.

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

In the House of Representatives, July 12, 1941.

Resolved, (if the Senate concur), That House Bill No. 1722, Printer's No. 836, entitled "An Act authorizing the Department of Property and Supplies, with the approval of the Governor and the Board of Trustees of Warren State Hospital, to acquire a certain tract of land for the use of said hospital, and making an appropriation therefor," which was recalled from the Governor on July 1st for amendment.

be returned to the Governor without amendment.

SENATE MESSAGES

RESOLUTIONS FOR CONCURRENCE

The Clerk of the Senate being introduced, presented an extract from the Journal of the Senate, which was read as follows:

In the Senate July 12, 1941.

Resolved, (if the House of Representatives concur), That Senate Bill No. 419, (House Bill No. 1691), Printer's No. 268, entitled:

"An Act providing for the reconnaissance survey of a State highway between the city of Harrisburg in the county of Dauphin and the borough of New Hope in the county of Bucks."

which was recalled from the Governor on July first and returned to the Senate, be returned to the Governor without amendment.

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.

The Clerk of the Senate being introduced, presented an extract from the Journal of the Senate, which was read as follows:

In the Senate July 12, 1941.

Resolved, (if the House of Representatives concur), That Senate Bill No. 213, (House Bill No. 1751), printer's No. 297, entitled:

"An Act authorizing the Department of Property and Supplies acting for the Commonwealth of Pennsylvania, to acquire by gift from the owner thereof Pottsgrove Mansion with tract of land situate in the Ninth ward of the Borough of Pottstown, Montgomery County, Pennsylvania; providing for the control, management, supervision, improvement and maintenance thereof by the Pennsylvania Historical Commission; authorizing the Pennsylvania Historical Commission to make and enforce rules and regulations for the preservation, maintenance and visitation thereof; and creating an advisory board to assist in such functions."

which was recalled from the Governor on July first and returned to the Senate, be returned to the Governor without amendment.

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.

The Clerk of the Senate being introduced, presented an extract from the Journal of the Senate, which was read as follows:

In the Senate July 12, 1941.

Resolved, (if the House of Representatives concur), That Senate Bill No. 303, (House Bill No. 1695), Printer's No. 264, entitled:

"An Act authorizing the Department of Highways to cooperate with agencies of the Federal Government in designing and installing modern illuminating systems on certain State highways in cities of the first class."

which was recalled from the Governor on July first and returned to the Senate, be returned to the Governor without amendment.

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.

APPOINTMENT OF CONFERENCE COMMITTEE ON SENATE BILL No. 653

The Clerk of the Senate being introduced, informed that the Senate insists on its nonconcurrence in the amendments made and insisted upon by the House of Representatives to Senate Bill No. 653, entitled:

An Act regulating and improving the civil service of

certain departments and agencies of the Commonwealth vesting in the State Civil Service Commission and a Personnel Director certain powers and duties providing for classification of positions 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 subdivisions of the Commonwealth in matters relating to civil service defining certain crimes and misdemeanors imposing penalties making certain appropriations and repealing certain acts and parts thereof

And has appointed Messrs. Tallman, Walker and Ruth 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.

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. 656.

An Act to amend the third paragraph of article seven of the act approved the seventh day of March one thousand nine hundred and one (P. L. 20) entitled "An act for the government of cities of the second class" permitting the city treasurer to collect delinquent taxes under the act approved the thirtieth day of March one thousand nine hundred and three (P. L. 106)

HOUSE BILL No. 1156.

An Act to add section one thousand six hundred and seven and one-tenth to article sixteen of the act approved the eighteenth day of May one thousand nine hundred and eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" requiring teaching in the public and private schools of principles of democratic government and patriotism and imposing certain duties on the Superintendent of Public Instruction

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

APPOINTMENT OF CONFERENCE COMMITTEE ON HOUSE BILL No. 957

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.

And has appointed Messrs. Heyburn, Miller and Cox 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.

RESOLUTION

75TH ANNIVERSARY OF BOROUGH OF PLYMOUTH

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

The resolution was read, considered and adopted:

In the House of Representatives, July 12, 1941.

Whereas, during the second week of October of this year the Borough of Plymouth, Pennsylvania, will celebrate the seventy-fifth anniversary of its founding; and

Whereas, this community has long maintained its position as the "pulsating heart" of the anthracite region of Pennsylvania, representing the progress, advancement and achievement of the hard coal territory; and

Whereas, Old Shawnee has contributed to the government of this Commonwealth and of this nation to a greater degree than any other community of its size in America, by sending loyal sons and daughters to positions of high place in the nation and in the state; and

Whereas, this community, through its sons and daughters, has in a large measure guided the destinies of the County of Luzerne, has sent one of its citizens to the Governor's chair at Harrisburg, and has sent another to the Postmaster Generalship of the United States; and

Whereas, the legend of "Shawnee against the World," through the accomplishments and cooperative attitude of the municipality, has become "The World for Shawnee"; Now, Therefore, Be It

Resolved, that the House of Representatives join with the rest of the Commonwealth in extending to the officials and citizens of this great borough, congratulations and best wishes on the occasion of its seventy-fifth anniversary; and Be It Further

Resolved, that a copy of this resolution be transmitted to the burgess, president of the borough council, president of the Chamber of Commerce and the chairman of the Seventy-five Anniversary Celebration.

Mr. BONEY. Mr. Speaker, on behalf of the committee making ready for this great celebration I am extending to each and every Member of this House an invitation to attend this great celebration. I thank you.

REPORT OF THE COMMITTEE OF CONFERENCE ON HOUSE BILL No. 692

Mr. REUBEN E. COHEN. Mr. Speaker, I desire to submit the report of the Committee of Conference on House Bill No. 692.

The SPEAKER. The report will lie over for printing under the rules.

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.

SENATE MESSAGES

APPOINTMENT OF CONFERENCE COMMITTEE ON SENATE BILL No. 594

The Clerk of the Senate being introduced, informed that

the Senate insists on its noncurrence in the amendments made and insisted upon by the House of Representatives to Senate Bill No. 594, entitled:

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

And has appointed Messrs. Heyburn, Geltz and Shapiro 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. 594 and that a Committee of Conference be appointed.

The motion was agreed to.

APPOINTMENT OF COMMITTEE OF CONFERENCE ON SENATE BILL No. 594

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

Ordered, That the Clerk inform the Senate accordingly.

APPOINTMENT OF CONFERENCE COMMITTEE ON HOUSE BILL No. 803

The Clerk of the Senate being introduced, informed that the Senate insists on its noncurrence in the amendments made and insisted upon by the House of Representatives to House Bill No. 803, entitled:

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

And has appointed Messrs. Setzler, Kephart and Di-Silvestro 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 House Bill No. 803 and that a Committee of Conference be appointed.

The motion was agreed to.

APPOINTMENT OF COMMITTEE OF CONFERENCE ON HOUSE BILL No. 803

The SPEAKER. The Chair appoints as a Committee of Conference on said bill, Messrs. TATE, CHUDOFF and FLETCHER.

Ordered, That the Clerk inform the Senate accordingly.

APPOINTMENT OF CONFERENCE COMMITTEE ON SENATE BILL No. 298

The Clerk of the Senate being introduced, informed that the Senate insists on its noncurrence in the amendments made and insisted upon by the House of Representatives to Senate Bill No. 298, entitled:

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

And has appointed Messrs. Mallery, Snowden and Coleman 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. 298 and that a Committee of Conference be appointed.

The motion was agreed to.

APPOINTMENT OF COMMITTEE OF CONFERENCE ON SENATE BILL No. 298

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

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. 1127.

An Act defining regulating and providing for the licensing and registration of employment agents and their representatives including private employment agents theatrical employment agencies and nurses' registries

providing for revocation and suspension of licenses and registrations subject to appeal and for their reinstatement defining the powers and duties of the Department of Labor and Industry and the Department of Public Instruction providing penalties and repealing existing laws

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

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

Amend Section 2, page 3, at the end of line 8, by inserting after the part word "ployment" the following: "Provided however That nothing contained in this act shall be construed to apply to any agent agency or department of any firm copartnership corporation or association intended and established for the purpose of procuring or attempting to procure help employment or engagement for persons seeking employment or engagement with said firm copartnership corporation or association where no fee is charged either directly or indirectly"; also on page 4, by striking out in lines 17 and 18 the words "interviews counsels or advises applicants or employers clients or both and"; also same page, at the beginning of line 19, by inserting after the part word "ranges" the words "or becomes a party to."

Amend Section 5, page 6, by striking out in lines 18 and 19 the words "together with such other information as the department shall require"; also on page 7, by striking out in lines 13 and 14 the words "city borough town or township wherein such applicant intends to operate" and inserting in lieu thereof the words "Commonwealth of Pennsylvania."

Amend Section 7, page 9, line 13, by inserting after the word "investigation" the words "and hearing by the department"; also same page, line 16, by inserting after the word "unfair" the words "under the terms of this act."

Amend Section 12, page 12, line 27, by striking out after the word "suspended" the words "or revoked"; also on page 13, by striking out in lines 4 and 5 the words "or revocation"; also at the end of line 5, by inserting after the word "department" the following:

"The department shall institute proceedings in the court of common pleas of the county wherein such business is located asking for the revocation of such license for the causes enumerated hereinafter All matters remaining in abeyance until final hearing upon it appearing from the inspection or investigation of the department or upon sworn complaint filed with it that the licensee

(a) Was guilty of fraud or misrepresentation in the securing of the license

(b) Had not met or was not meeting the requirements under which the license was granted

(c) Was violating or failing to observe any provisions of this act or committed such acts inconsistent therewith as would entitle departments to refuse license."

Amend Section 14, page 13, line 20, by striking out after the word "induce" the word "supply."

Amend Section 15, page 14, line 16, by striking out after the word "representative" the words "or agent."

Amend Section 21, page 20, line 20, by striking out after the word "days" the following: "and within six (6) months."

Amend Section 22, page 21, at the end of line 15, by striking out the word "monthly" and inserting in lieu thereof the words "upon request"; also same page, line 17, by inserting after the word "made" the words "and such information is to be used by the department only when investigating a sworn complaint."

Amend Section 25, page 25, by striking out in lines 1 and 2 the words "to whom a position is offered" and inserting in lieu thereof the words "at the time of registration"; also same page, at the end of line 4, by strik-

ing out the words "the position" and inserting in lieu thereof the word "employment"; also same page, at the end of line 5, by striking out the words "for employment."

Amend Section 26, page 27, line 11, by striking out the word "Whoever" and inserting in lieu thereof the words "Any person who"; also same page by striking out in lines 16 and 17 the words "in the case of individuals or the responsible offers or agents of associations and corporations"; also same page, at the beginning of line 21, by striking out the word "Whoever" and inserting in lieu thereof the words "Any person who"; also same page, by striking out in lines 26 to 28 inclusive the words "in the case of individuals and the responsible officers and agents of associations and corporations."

Amend Section 27, page 28, line 9, by inserting after the word "Inspectors" the words "who shall have no other occupation or business and."

Amend Section 28, page 29, by striking out in lines 5 to 8 inclusive the words "Every employment agent shall file with the department the schedule of fees which he charges for any services rendered to employers seeking employes or persons seeking employment."

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

Ac	Gallagher,	Malloy,	Royer,
Allison,	Gates,	Marks,	Rush,
Auker,	Gerard,	Maxwell,	Sarge,
Baker,	Gillan,	McClanaghan,	Sarra,
Balthaser,	Gillette,	McClester,	Scanlon,
Bentley,	Goodwin,	McDermott,	Schwab,
Bentzel,	Greenwood,	McDowell,	Serrill,
Boles,	Gross,	McFall,	Shaffer,
Boney,	Gryskewicz,	McIntosh,	Shaw,
Boorse,	Gyger,	McKinney,	Shepard,
Boyer,	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,	Mihm,	Stambaugh,
Burns,	Harkins,	Modell,	Stank,
Burriss,	Harmuth,	Monks,	Stine,
Cadwalader,	Harris,	Mooney,	Stockham,
Chervenak,	Heatherington,	Moran,	Tarr,
Chadoff,	Helm,	Moul,	Tate,
Cochran,	Hering,	Muir,	Taylor,
Cohen, M. M.,	Herman,	Munley,	Thompson, E. F.,
Cohen, R. E.,	Hersch,	Nagel,	Thompson, R. L.,
Cook,	Hewitt,	Nunemacher,	Trout,
Cooper,	Hirsch,	O'Brien,	Turner,
Cordier,	Holland,	O'Connor,	VanAllesburg,
Corrigan,	Huntley,	O'Dare,	Verona,
Croop,	Imbrie,	O'Mullen,	Vincent,
Cullen,	James,	O'Neill,	Vogt,
Dairymple,	Jefferson,	Owens,	Voldow,
Dennison,	Jones, G. E.,	Petrosky,	Voorhees,
DiGenova,	Jones, P. N.,	Pettit,	Wagoner,
Dix,	Keenan,	Polaski,	Watkins,
Dolon,	Kenehan,	Polen,	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,	Lec. T. H.,	Reese, D. P.,	Wood, L. H.,
Falkenstein,	Leisey,	Reese, R. E.,	Wood, N.,
Finstone,	Leonard,	Regan,	Woodring,
Finnerty,	Lesko,	Reynolds,	Woodside,
Fisher,	Levy,	Rhea,	Wright,
Fiss,	Leydic,	Riley,	Yeakel,
Fleming,	Lichtenwalter,	Rooney,	Yester,
Fletcher,	Longo,	Rose, S.,	Young,
Flynn,	Lovett,	Rose, W. E.,	Kilroy,
Foor,	Lyons,	Rosenfeld,	Speaker,
French,			

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.

REPORT OF COMMITTEE OF CONFERENCE ON HOUSE BILL No. 803

Mr. TATE. Mr. Speaker, I desire to submit the report of the Committee of Conference on House Bill No. 803.

The SPEAKER. The report will lie over for printing under the rules.

SENATE INSISTS ON NONCONCURRENCE IN HOUSE AMENDMENTS

The Clerk of the Senate being introduced, informed that the Senate insists on its nonconcurrence 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 Lanus 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 SENATE BILL No. 654

The Clerk of the Senate being introduced, informed that the Senate insists on its nonconcurrence in the amendments made and insisted upon by the House of Representatives to Senate Bill No. 654, entitled:

An Act to amend sections two hundred two and four hundred fifty-two of the act approved the ninth day of April one thousand nine hundred and twenty-nine (P. L. 177), entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions and officers thereof, including the boards of trustees of State Normal Schools or Teachers Colleges, abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards and commissions, defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments, boards, commissions and officers fixing the salaries of the Governor, Lieutenant-Governor and certain other executive and administrative officers, providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments, boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments, boards and commissions shall be determined," as amended, in order to establish the State Civil Service Commission as a departmental administrative commission in the Executive Department

And has appointed Messrs. Tallman, Walker and Ruth, a committee of conference to confer with a similar committee of the House of Representatives (if the House of Representatives shall appoint such committee) (already appointed) 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. 654 and that a Committee of Conference be appointed.

The motion was agreed to.

APPOINTMENT OF COMMITTEE OF CONFERENCE ON SENATE BILL No. 654

The SPEAKER. The Chair appoints as a Committee of Conference on said bill, Messrs. READINGER, PETROSKY and VAN ALLSBURG.

Ordered, That the Clerk inform the Senate accordingly.

APPOINTMENT OF COMMITTEE OF CONFERENCE ON SENATE BILL No. 1308

The Clerk of the Senate being introduced, informed that the Senate insists on its nonconcurrence in the amendments made and insisted upon by the House of Representatives to Senate Bill No. 1308, entitled:

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

And has appointed Messrs. Heyburn, Homsher and Cox, 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. 1308 and that a Committee of Conference be appointed.

The motion was agreed to.

APPOINTMENT OF COMMITTEE OF CONFERENCE ON SENATE BILL No. 1308

The SPEAKER. The Chair appoints as a Committee of Conference on said bill, Messrs. SARRAF, MELCHIORRE, and EDWIN A. LEE.

Ordered, That the Clerk inform the Senate accordingly.

AMENDED SENATE BILLS 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. 236.

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

Mr. ACHTERMAN. Mr. Speaker, I move that the House insist upon its amendments non-concurred in by the Senate to Senate Bill No. 236 and that a Committee of Conference be appointed.

The motion was agreed to.

APPOINTMENT OF COMMITTEE OF CONFERENCE ON
SENATE BILL No. 236

The SPEAKER. The Chair appoints as a Committee of Conference on said bill, Messrs. LOVETT, LEVY and DAVID P. REESE.

Ordered, That the Clerk inform the Senate accordingly.

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 upon its amendments non-concurred in by the Senate to Senate Bill No. 1029 and that a Committee of Conference be appointed.

The motion was agreed to.

APPOINTMENT OF COMMITTEE OF CONFERENCE ON
SENATE BILL No. 1029

The SPEAKER. The Chair appoints as a Committee of Conference on said bill, Messrs. MELCHIORRE, BOIES and HALL.

Ordered, That the Clerk inform the Senate accordingly.

FORMER MEMBER WELCOMED

The SPEAKER. The Chair welcomes to the House a former member from Allegheny County, Mr. Frank A. Coolahan.

SENATE MESSAGES

APPOINTMENT OF CONFERENCE COMMITTEE ON
HOUSE BILL No. 1176

The Clerk of the Senate being introduced, informed that

the Senate has insisted upon its amendments, non-concurred in by the House of Representatives, to House Bill No. 1176, entitled:

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

And has appointed Messrs. Mallery, Snowden and Coleman a committee of conference to confer with a similar committee of the House of Representatives (already appointed) on the subject of the differences existing between the two houses in relation to said bill.

AMENDED SENATE BILLS CONCURRED IN BY
SENATE

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

SENATE BILL No. 205.

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.

SENATE BILL No. 1047.

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 system exclusively using a petroleum solvent having a flash point of one hundred and forty degrees Fahrenheit and empowering the Department of Labor and Industry and empowering said department to make alter amend and repeal rules and regulations.

SENATE BILL No. 1091.

An Act to amend the act approved the thirtieth day of March one thousand nine hundred thirty-seven (P. L. 115) entitled "An act to provide for the permanent personal registration of electors in cities of the first class as a condition of their right to vote at elections and primaries and their enrollment as members of political parties as a further condition of their right to vote at primaries prescribing 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 municipals 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 pro-

viding for the registration of persons in military service to entitle them to vote at any election.

APPOINTMENT OF CONFERENCE COMMITTEE ON
SENATE BILL No. 1044

The Clerk of the Senate being introduced, informed that the Senate insists on its concurrence in the amendments made and insisted upon by the House of Representatives to Senate Bill No. 1044, entitled:

An Act to further amend section eleven and section seventeen of the act approved the twenty-seventh day of June one thousand nine hundred twenty-three (P. L. 858) entitled "An act establishing a State employes' retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing State employes defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon the heads of departments in which State employes serve excepting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties" by permitting a member to borrow from his or her funds under certain provisions and regulating exempting from execution

And has appointed Messrs. Tallman, Wade and Cavalcante 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. 1044 and that a Committee of Conference be appointed.

The motion was agreed to.

APPOINTMENT OF COMMITTEE OF CONFERENCE ON
SENATE BILL No. 1044

The SPEAKER. The Chair appoints as a Committee of Conference on said bill, Messrs. WOODRING, McDERMOTT and CHARLES H. BRUNNER.

Ordered, That the Clerk inform the Senate accordingly.

AMENDED SENATE BILLS CONCURRED IN BY
SENATE

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

SENATE BILL No. 1313.

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

SENATE BILL No. 145.

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.

SENATE BILL No. 399.

An Act making an appropriation to the Treasury Department for the use of the Board of Finance and Revenue in granting refunds of "store and theatre" tax.

SENATE BILL No. 545.

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 and second class.

SENATE BILL No. 1098.

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

REPORT FROM COMMITTEE ON RULES

Mr. ACHTERMAN from the Committee on Rules offered the following report:

In the House of Representatives, July 12, 1941.

Resolved (if the Senate concur), that this Regular Session of the General Assembly adjourn sine die, Saturday, July 12, at 11:45 p. m.

Signed by the Committee on Rules

Leo A. Achterman
Anthony J. Gerard
Albert S. Readinger
James E. Lovett
Chas. Melchiorre
Elmer Kilroy

On the question,

Will the House adopt the resolution?

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

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

Mr. ACHTERMAN. I shall, Mr. Speaker, so long as it does not interfere with adjournment.

Mr. BROWN. Mr. Speaker, I just want the gentleman from Monroe to give some of us who are exhausted an assurance as to just when we will adjourn, notwithstanding the resolution.

The SPEAKER. The gentleman from Monroe said 11:45.

Mr. BROWN. I understand that, Mr. Speaker, but I mean truthfully speaking, not by way of resolution, but

by way of actual fact, according to the days of the week as we know them in our ordinary course of life.

The SPEAKER. The Chair would like to inquire from the gentleman from Allegheny whether he is speaking off the record. It is very important.

Mr. BROWN. Well, Mr. Speaker, it may be off or on. If the answer does not conflict with the resolution, we will keep it off the record, as it may perhaps hearten some of us by keeping it off the record.

Mr. ACHTERMAN. Mr. Speaker, either off or on the record, it will be 11:45 p. m. today.

On the question recurring,

Will the House adopt the resolution?

It was adopted.

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

CONFERENCE REPORT ON SENATE BILL No. 51

Mr. BRADLEY presented the report of the Committee of Conference on the part of the House on Senate Bill No. 51.

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.

SENATE MESSAGE

SENATE INSISTS ON NON-CONCURRENCE IN HOUSE AMENDMENTS

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. 169, entitled:

An Act to amend the act approved the twenty-fifth day of May, one thousand nine hundred and 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," abolishing the existing registration commission for cities of the second class and providing that the county commissioners of each county in which any such city is located shall act as a registration commission therefor further regulating the appointment of employes and assistants by the registration commission and removing the present appointees providing for the consolidation of the second class city general register with the general register of cities of the third class and boroughs towns and townships of the county providing for the transfer of the registration of electors upon change of residence from a third class city borough town or township in the same county changing the period during which changes of enrollment of political party may be made eliminating preparation and distribution of preliminary street lists and permitting the destruction of certain records

Mr. ACHTERMAN. Mr. Speaker, I move that the House insist upon its amendments non-concurred in by the Senate to Senate Bill No. 169 and that a Committee of Conference be appointed.

The motion was agreed to.

APPOINTMENT OF COMMITTEE OF CONFERENCE ON SENATE BILL No. 169

The SPEAKER. The Chair appoints as a Committee of Conference on said bill, Messrs. MIHM, BAKER and RHEA. Ordered, That the Clerk inform the Senate accordingly.

INTERROGATION

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

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

Mr. ACHTERMAN. I shall, Mr. Speaker.

Mr. WOODSIDE. Mr. Speaker, I made reference to two bills on page fourteen of the Calendar, Senate Bill No. 1096 and Senate Bill No. 1097. When the gentleman from Monroe and I went over the calendar together, these bills were marked to be recommitted because of an agreement made in the Ways and Means Committee at the time they were reported to the floor of the House, that they would be recommitted after two readings. I can make no objection to the recommission of those bills on account of that agreement, but I was not present when the bills were recommitted, because the gentleman from Monroe and I were attending a conference with the Governor. Since this is the last day of the session, or at least apparently so, and these bills will be dead if they are not brought out again and passed, I am going to ask the gentleman from Monroe whether he will agree to have the Committee on Ways and Means have a meeting, so that these bills can be considered by that committee, with the hope that they may be reported out on the floor of the House for final passage today.

Mr. ACHTERMAN. Mr. Speaker, the Chairman of the Ways and Means Committee advises me he is going to hold a meeting of his committee to consider these bills. Of course, we will interpose no objection to the holding of such a meeting. As to any action that the committee might take, of course, I am making no commitment.

Mr. WOODSIDE. I thank the gentleman from Monroe.

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. 145.

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.

SENATE BILL No. 399.

An Act making an appropriation to the Treasury Department for the use of the Board of Finance and Revenue in granting refunds of "store and theatre" tax.

SENATE BILL No. 545.

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 and second class

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 exceeding one hundred dollars to be in writing and filed with the county controller 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 and providing for the opening of bids and the award of contracts

SENATE BILL No. 1041.

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

SENATE BILL No. 1054.

An Act to amend sections four, five, twenty-six, thirty, thirty-one, and thirty-eight of the act, approved the twenty-ninth day of April, one thousand nine hundred thirty-seven (P. L. 487), entitled "An act to provide for the permanent personal registration of electors in boroughs, towns, and townships as a condition of their right to vote at elections and primaries, and their enrollment as members of political parties as a further condition of their right to vote at primaries; prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors; requiring the county commissioners of the various counties to act as a registration commission therefor; and prescribing the powers and duties of citizens, parties, political bodies, registration commissions, commissioners, registrars, inspectors of regis-

tration 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.

SENATE BILL No. 1055.

An Act to amend sections five, six, twenty-seven, thirty-one, thirty-two and thirty-nine of the act, approved the twenty-fifth day of May, one thousand nine hundred and thirty-seven (P. L. 849) entitled "An act to provide for the permanent personal registration of electors in cities of the third class as a condition of their right to vote at elections and primaries, and their enrollment as members of political parties as a further condition of their right to vote at primaries; prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors; and prescribing the powers and duties of citizens, parties, political bodies, registration commissions, commissioners, registrars, inspectors of registration and other appointees of registration commissions, county election boards, election officers, municipal officers, departments and bureaus, police officers, courts, judges, prothonotaries, sheriffs, county commissioners, peace officers, county treasurers, county controllers, registrars of vital statistics, certain public utility corporations, real estate brokers, rental agents, and boards of school directors; imposing penalties; and repealing existing legislation," extending the powers and duties of the registration commission and further regulating the check-up of electors and the cancellation of their registrations by the commission.

SENATE BILL No. 1098.

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

SENATE BILL No. 1283.

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.

SENATE BILL No. 1300.

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 over public hunting areas contiguous to regulated shooting grounds and changing shooting restrictions on regulated shooting grounds.

Whereupon,

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

PERMISSION TO ADDRESS HOUSE

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

Mr. Speaker, I wish to call your attention to the fact that in these closing hours of the Legislative session of 1941, we are greatly honored in having with us a very distinguished gentleman, a man who formerly attended the sessions of the Legislature very regularly, but of late has been absent most of the time. The reason for this was intimated on the floor of the house some time ago. However, tonight we have with us the well known columnist, John M. Cummings.

Mr. Speaker, the coming of Mr. Cummings was sensed by a number of beautiful blondes in Harrisburg, and a reception committee has been appointed to do him honor, but to their very great chagrin it was discovered that Mrs. Cummings came with him, as she was advised to do some time ago. I suggest that we welcome Mrs. Cummings.

PERMISSION TO ADDRESS HOUSE

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

Mr. Speaker, is the gentleman from Lancaster referring to Mr. Cummings as a columnist or a calumnist?

The SPEAKER. He is referring to the gentleman as a Communist.

PERMISSION TO ADDRESS HOUSE

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

Mr. Speaker, since one of America's most prominent columnists, Mr. John M. Cummings is in the House tonight I wish to make a brief and belated statement about the altercation he and Ellwood Turner had about a shad dinner several weeks ago.

Herr Schwetzer, pour wocha surick hut der Cummings und de Turner un dialogue cota uf de butta fun de Haus volfa un shad Midtaugh easa. De Cummings hut sakt as de Turner spote vor. Sis un sposicha ding as de Turner spote vor fer easa. Ich denk es vor der airshet mohl. Whas wissa se fun goota esa? Won se guta esa hava wella, se setta noch Lebanon cooma und seta fun unsa Lebanon Balogna, unsa snitz und knepp und unsa pissabet essa. No data se wissa whas goot esa is.

The SPEAKER. The Chair does not believe anything the gentleman said.

Mr. TAYLOR. Mr. Speaker, I move you that the remarks of the gentleman from Lebanon be spread upon the Journal just as they were made.

The SPEAKER. Impossible.

Mr. TAYLOR. Mr. Speaker, possibly we ought to have an interpreter to interpret his remarks. I suggest that Mr. Trout from Lancaster County be appointed.

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.

SENATE MESSAGES

APPOINTMENT OF CONFERENCE COMMITTEE ON HOUSE BILL No. 943

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

And has appointed Messrs. Dietrick, Becker and Haluska 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. 1365

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. 1365, entitled:

An Act to amend the act approved the first day of May one thousand nine hundred and twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" as variously amended authorizing the Secretary of Revenue to establish a system of permanent registration of vehicles providing for the issuance of limited operator's licenses in certain cases and further regulating the operation of vehicles and the suspension of registrations and operating privileges giving the Pennsylvania Turnpike Commission power to regulate traffic on turnpikes extending the time limit for cities of the second class A to make certain changes in traffic signals extending the liability of political subdivisions to include negligent operation of their vehicles drawn by animal power amplifying and changing provisions of said act relating to lighting signal and warning devices and the transportation of vehicles redefining the term dealer further regulating dealers in junked vehicles permits for oversize and overweight vehicles use of school buses registration plates and cards maximum size of vehicles and medical examinations by physicians providing for payment of certain fees by counties limiting and providing new exemptions from the

various provisions of said act giving additional authority to peace officers and department employes in the matter of investigations further regulating prosecutions giving certain powers to local authorities for the regulation of traffic and the establishment of traffic courts changing and fixing additional fees changing and imposing new penalties giving the secretary additional powers and duties imposing additional duties on keepers and employers of garages and repair shops providing refunds to certain persons entering Federal services making it a misdemeanor for committing malicious mischief to motor vehicles parts or accessories thereof and establishing penalties therefor and making an appropriation

And has appointed Messrs. Snowden, Kephart and Dent 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 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. 1365

The SPEAKER. The Chair appoints as a Committee of Conference on said bill, Messrs. CORRIGAN, O'BRIEN and LICHTENWALTER.

Ordered, That the Clerk inform the Senate accordingly.

REPORT OF COMMITTEE OF CONFERENCE ON HOUSE BILL No. 1365

Mr. CORRIGAN. Mr. Speaker, I desire to submit the report of the Committee of Conference on House Bill No. 1365.

The SPEAKER. The report will lie over for printing under the rules.

PERMISSION TO ADDRESS HOUSE

Mr. PRESLEY N. JONES asked and obtained unanimous consent to address the House.

Mr. Speaker, in presenting the following privileged resolution, I want it distinctly understood that even though the thought has been in the minds of the second, third, fourth and fifth term Members of the House, and those who have been here longer, yet the resolution came into being through the untiring efforts of the first term Members of the House. Many of us came here with vim and vigor, aspiring to do great things. Yet again we found but one man who became our leader on the floor, a gentleman who, at no time in his experience in the past six and a half months has shown any qualities of trepidation nor has he shown any qualities of being contumelious, but he is a man who has been straightforward and of the utmost value to the first term members of this House. We deeply appreciate that fact. He is a man we have heard ejaculate most vociferously, and yet again we have heard his voice in the most gripping sarcasm that can be acquired by man.

Mr. Speaker, it is only on an occasion of this kind, just a few days prior to a very historical occasion, that

we take this opportunity of showing our deep respect for the majority floor-leader of this House from the first term members, and those of the second, third, fourth, fifth, and longer terms, to our dear friend and fine leader, Leo A. Achterman.

CONGRATULATORY RESOLUTION

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

In the House of Representatives, July 2, 1941.

Whereas, In these closing moments of the Legislature, we believe we may be pardoned if we take certain liberties with that dimension known to the physicist as time, particularly in view of the fact that we are always turning back the clock to suit our own individual purposes; and

Whereas, On July 15th of this year, one of the most outstanding, if not the outstanding Member of the House, will celebrate his birthday; and

Whereas, It is our fervent wish that we shall not be here in person to present this resolution for the edification of the House on July 15th, although the present indications seem to make that highly probable; and

Whereas, Since this session has been particularly marked by the efficient and diplomatic activities of Leo A. Achterman, it is most appropriate that the day of final adjournment marking another milestone in the history of the General Assembly should closely coincide with Leo Achterman's birthday; therefore be it

Resolved, That the House of Representatives congratulates the Honorable Leo A. Achterman on this, his retroactive birthday, and wishes him many happy returns in the capacity of Majority Floor Leader of the day.

The SPEAKER. The Chair recognizes the gentleman from Monroe, Mr. Achterman.

Mr. ACHTERMAN. Mr. Speaker, some time ago, I think about three or four months ago, the newspapermen wanted to know when we were going to adjourn. I told them that it would be on the 15th of July, and gave them my reasons. They assured me that they would be happy if the House adjourned before that time and they would be very glad to send me a card. Now with all the Members knowing that the adjournment is going to be before that time I can understand their happiness, and, Mr. Speaker, I want to thank you for the sentiments, expressed in this resolution.

BILL ON FINAL PASSAGE

The SPEAKER. The Chair lays before the House, House Bill No. 1445 (Senate Bill No. 302), Printer's No. 464, on page 1 of today's Calendar, bill on final passage, which was passed over earlier in the day.

Agreeably to order,

The House proceeded to the consideration on final passage of House Bill No. 1445, (Senate Bill No. 302), as follows:

An Act to further amend section one thousand four hundred sixteen of the act approved the eighteenth day of May one thousand nine hundred and eleven (Pamphlet Laws 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 repeal-

ing all laws general special or local or any parts thereof that are or may be inconsistent therewith" changing the qualifications of certain children for exemption from compulsory attendance provisions

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

Section 1 Section one thousand four hundred sixteen of the act approved the eighteenth day of May one thousand nine hundred and eleven (Pamphlet Laws 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" as last amended by section four of the act approved the twenty-fourth day of June one thousand nine hundred and thirty-nine (Pamphlet Laws 786) is hereby further amended to read as follows

Section 1416 The provisions of this act requiring regular attendance shall not apply to any child who has attained the age of sixteen years and who is regularly engaged in any useful and lawful employment or service during the time the public schools are in session and who holds an employment certificate issued according to law nor to any child who has been examined by an approved mental clinic or by a person certified as a public school psychologist or psychological examiner and has been found to be unable to profit from further public school attendance and who has been reported to the board of school directors and excused in accordance with regulations prescribed by the State Council of Education nor shall the said provisions apply to any child who has attained the age of [fifteen years] fourteen years has satisfactorily completed either in public or private schools the sixth grade or the equivalent thereof and is engaged in farm work or domestic service in a private home on a permit issued by the school board or the designated school official of the school district of the child's residence in accordance with regulations which the Superintendent of Public Instruction is hereby authorized to prescribe [Provided That such a permit may be issued to any child who is at least fourteen (14) years of age and has satisfactorily completed either in public or private schools the equivalent of the highest grade of the elementary school organization prevailing in the public schools of the district in which he resides if the issuance of such a] Provided That such permit has first been recommended by the county or district superintendent of schools having supervision of the schools of the district where such child resides or by the principal of the private school where such child is enrolled and [such reason] the reason for the issuance of such permit has been approved by the Superintendent of Public Instruction

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

On the question recurring,
Shall the bill pass finally?

QUESTION OF INFORMATION

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

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

Mr. NAGEL. Mr. Speaker, is this the last bill on our calendar upon which we will vote during this session?

The SPEAKER. It is not. There are other bills on the calendar to be considered.

Mr. NAGEL. Mr. Speaker, it was my impression that it was the last bill. I am not going to ask anyone else to vote for it, and I am not going to talk for any length of time on this bill but my thought was that it was the last bill on the calendar on which we were going to vote. We have voted on the conference agreements.

I know many times during the roll call you have had to rap this House down. You have felt no doubt, Mr. Speaker, like throwing that gavel back into this audience and striking some recalcitrant Member. I want to say as we are about to reach the close of this session that our Speaker has been long suffering and patient with us during the roll calls. Let us during this particular bill preserve quietness and order, as we have done during our devotional exercises in the mornings when our sessions were opened, and show our leader that we still respect him notwithstanding our past conduct, and regard him as our leader; we are obeying his commands. Let us demonstrate to ourselves even though we have this closing time of hilarity that there still remains in us something of statesmanship and something of good order.

Mr. DIX. Mr. Speaker, it has been some time since I stood here before the microphone to say anything.

The SPEAKER. The Chair has missed the gentleman.

Mr. DIX. Mr. Speaker if the Members will bear with me in what I have to say I will take only about three minutes. I wish to pay a tribute to the Plain people of Pennsylvania.

Mr. Speaker, had this bill come up earlier in the session, when it should, I was prepared to talk on it and for it for five hours, but at this late date in the session, I do not propose to talk over five minutes and I hope other Members of the House will be as brief.

This bill is aimed primarily to aid the Amish and similar agricultural groups, but it is so worded that all agriculturalists will benefit by its enactment. Farm boys and girls, if this bill is enacted, will be able to leave school at age of fourteen years instead of sixteen, as is now the law. It is my opinion that very few farmers except those of the Amish and similar groups, will make use of this liberalized law.

I was born and brought up on a farm when there was no compulsory school law, and farm boys could quit, if their parents so desired, at almost any age, but did farmers keep their boys and girls out of school in those days because the law permitted them? They did not.

The Amish are our best type of agricultural people, our best type of citizens. Few if any criminals among them. None of them on relief dole, none of them asking for alms. None of them filling our courts with county or Commonwealth cases, none of them filling our jails. They don't cost our county or Commonwealth a cent, yet they pay their just share of taxes, and it is simple justice to give them this small measure of home rule and parental rights.

These plain people have kept to their quiet life, their simple ways of living, their agricultural vocation over several centuries, with the quaint customs and picturesque costumes, with their deep and abiding faith in their right to worship their Creator according to the dictates of their conscience.

Shall we by our votes aid in destroying this agricultural people; shall we by our votes help to drive these plain people from the farms to the crowded cities? Heaven forbid!

Let us be just to a just people, let us be honest to on honest people, let us be fair to the squarest citizenry of the Commonwealth of Pennsylvania.

Mr. GALLAGHER. Mr. Speaker, I possibly could stand here for five hours talking on this bill but I am not

going to do so. However, I am going to ask the membership of this House to vote down this bill, because as I understand it covers all the fourth class districts and we have many of those districts in the mining communities, and as one who had to work when he was thirteen years of age in the mines I do not think we should now change the child labor law in the state of Pennsylvania to allow any child at fourteen or fifteen years of age to go into the mines or any other industry. I thank you.

Mr. DIX. Mr. Speaker, I just want to correct a wrong impression that the former speaker has given. This bill does not affect anyone except agricultural people.

Mr. GALLAGHER. Mr. Speaker, I don't know as I could agree with Mr. Dix. I have read the bill and I believe the impression and understanding that I have of the bill is that the bill applied to all fourth class school districts.

Mr. TROUT. Mr. Speaker this bill has been sponsored by the Amish people of Lancaster County, and it does refer only to those engaged in farm work or domestic service in private home on a permit issued by the school board and the state school officials. Further it is provided that such permit be recommended by the county or district superintendent of schools, or the supervisor of schools of the district where such child resides, or by the principal of a private school where such child is enrolled.

Mr. Speaker I want to say to the Members of the House that these people have been up here, they have talked to a great many Members of the House. This is definitely a bill for agricultural people and does not extend farther. As far as the Members from Lancaster County are concerned we have asked and urged that the bill be brought before the House that the Members be given the opportunity of voting thereon. Your judgment will determine the result of this bill.

On the question recurring,
Shall the bill pass finally?

The SPEAKER. The Clerk will call the roll.

Mr. HEWITT. Mr. Speaker, for a number of months these Amish people have spent a lot of time in this House. They are not lobbyists, they are perfect gentlemen — — —

POINT OF ORDER

Mr. MAXWELL. Mr. Speaker, I rise to a point of order.

The SPEAKER. The gentleman will state his point of order.

Mr. MAXWELL. Mr. Speaker, there is nothing in order but the calling of the roll.

The SPEAKER. The point of order is well taken.

Mr. HEWITT. Mr. Speaker, that is what I am speaking about. I think the Amish people have had no recognition here at all tonight. I believe they deserve the respect of the Members. However, I am satisfied with the Chair's ruling to the effect that there is nothing in order but the calling of the roll.

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

YEAS—60

Balthaser,	Gross,	McClanaghan,	Serrill,
Boorse,	Gyger,	McClester,	Snyder,
Bower,	Habbyshaw,	McDowell,	Sollenberger,
Breth,	Haines,	McKinney,	Sorg,
Brunner, C. H.,	Hall,	McLanahan,	Stambaugh,
Cadwalader,	Hewitt,	Monks,	Stockham,
Chervenak,	James,	Muir,	Trout,
Cohen, M. M.,	Jones, G. E.,	Nagel,	Turner,
Dix,	Kilne,	O'Connor,	Wagner,
Elder,	Lee, T. H.,	O'Dare,	Weingartner,
Elliott,	Lelsey,	Owens,	Winner,
Ely,	Leydic,	Prosen,	Wood, L. H.,
Fiss,	Lichtenwalter,	Reagan,	Wood, N.,
French,	Lyons,	Reese, D. P.,	Yeakel,
Greenwood,	Marks,	Royer,	Kilroy, Speaker

NAYS—76

Auker,	Early,	Lesko,	Rhea,
Baker,	Finestone,	Malloy,	Rooney,
Baughner,	Fleming,	Maxwell,	Rose, S.,
Bentzel,	Fletcher,	McDermott,	Rosenfeld,
Boles,	Gallagher,	McFall,	Schwab,
Boney,	Gryskewicz,	McIntosh,	Shaffer,
Bradley,	Hamilton,	McSurdy,	Shepard,
Brown,	Harkins,	Mihm,	Stank,
Brunner, P. A.,	Heatherington,	Modell,	Tarr,
Burns,	Hering,	Mooney,	Tate,
Chudoff,	Herman,	Moul,	Thompson, R. L.,
Cohen, R. E.,	Hirsch,	Munley,	Vincent,
Cook,	Holland,	O'Brien,	Vogt,
Cooper,	Jefferson,	O'Mullen,	Voldow,
Cordier,	Jones, P. N.,	Pettit,	Watkins,
Cullen,	Kenehan,	Polaski,	Welsh, M. J.,
Dairymple,	Kolankiewicz,	Polen,	Woodring,
DiGenova,	Krise,	Powers,	Wright,
Dolon,	Leonard,	Reynolds,	Young,
D'Ortona,			

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

BILL ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1957, (Senate Bill No. 783), as follows:

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

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

Section 1 Section two of the act approved the twenty-

eight 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" is hereby amended to read as follows

Section 2 Definitions The following terms whenever used or referred to in this act shall have the following meanings except in those instances where the context clearly indicates otherwise

(a) The term "Authority" shall mean a body politic and corporate created pursuant to this act

(b) The term "Board" shall mean the governing body of an authority

(c) The term "bonds" shall mean and include the notes bonds and other evidence of indebtedness or obligations which each authority is authorized to issue pursuant to section 4 (i) of this act

(d) The term "municipal authority" shall mean the body or board authorized by law to enact ordinances or resolutions for the particular municipality

(e) The term "construction" shall mean and include acquisition and construction and the term "to construct" shall mean and include to acquire and to construct all in such manner as may be deemed desirable

(f) The term "municipality" shall mean any county city town borough or township of the Commonwealth of Pennsylvania

(g) The term "Federal agency" shall mean and include the United States of America the President of the United States of America the Federal Emergency Administrator of Public Works and any department or corporation agency or instrumentality heretofore or hereafter created designated or established by the United States of America

(h) The term "improvement" shall mean and include extension enlargement and improvement and the term "to improve" shall mean and include to extend to enlarge and to improve all in such manner as may be deemed desirable

(i) The term "persons" shall mean and include natural persons

(j) The term "project" shall mean any structure facility or undertaking which an authority is authorized to construct improve maintain or operate under the provisions of this act

(k) The term "resolution" shall refer only to actions by a board of county commissioners a board of commissioners of townships of the first class a board of supervisors of townships of the second class and the authority board of directors

Section 2 Sections three four and five of said act as last amended by the act approved the seventeenth day of May one thousand nine hundred and thirty-nine (P. L. 167) are hereby further amended to read as follows

Section 3 Method of Incorporation Whenever the municipal authorities of any municipality singly or of one or more municipalities jointly shall desire to organize an Authority under this act they shall adopt a resolution or an ordinance signifying their intention to do so and setting forth in full the proposed articles of incorporation thereof

[In the event that such resolution or ordinance sets forth the proposed articles of incorporation in full it shall not be required (any law to the contrary notwithstanding) in publishing such resolution or ordinance under the provisions of existing law to publish such

proposed articles of incorporation in full but it shall be sufficient compliance with such law in such publication to set forth briefly the substance of such proposed articles of incorporation and to refer to the provisions of this act] Thereafter the municipal authorities of such municipality or municipalities shall cause a notice of such ordinance to be personally served on all members of the governing body of the municipality or municipalities which are affected by such project or projects and if more than one county on all county commissioners of the counties which are affected by such project or projects and to be published at least one time in the legal periodical and in a newspaper of general circulation of the county in which such Authority is to be organized and if more than one municipality is involved at least one time in a newspaper published and of general circulation in such county or counties and in such municipalities Said notice shall contain a brief statement of the substance of said ordinance including the substance of such articles making reference to this act and shall state that on a day certain not less than [three] seven days after publication of said notice articles of incorporation of the proposed Authority will be filed with the Secretary of the Commonwealth of Pennsylvania

On or before the day specified in said notice the municipal authorities shall file with the Secretary of the Commonwealth articles of incorporation together with proof of publication of the notice as aforesaid Said articles of incorporation shall set forth

(a) The name of the "Authority"

(b) A statement that such Authority is formed under this act

(c) A statement that no other Authority organized under this act or under the act approved December twenty-seven one thousand nine hundred and thirty-three (Special Session one thousand nine hundred and thirty-three Pamphlet Laws 114) is in existence in or for the incorporating municipality or municipalities except that where any one or more of the municipalities have already joined with other municipalities not composing the same group in organizing a joint Authority the application shall set forth the name of the Authority theretofore created together with the names of the municipalities joining therein

(d) The name of the incorporating municipality or municipalities together with the names and addresses of its municipal authorities and

(e) The names addresses and terms of office of the first members of the board of said Authority

(f) A statement completely and specifically describing the project or projects and municipalities to be included in the service area for which such authority is created

All of which matter shall be determined in accordance with the provisions of this act Said articles of incorporation shall be executed by each incorporating municipality by its proper officers and under its municipal seal

If the Secretary of the Commonwealth finds that the articles of incorporation conform to law he shall forthwith but not prior to the day specified in the aforesaid notice endorse his approval thereon and when all proper fees and charges have been paid shall file the articles and issue a certificate of incorporation to which shall be attached a copy of the approved articles

Upon the issuance of such certificate of incorporation by the Secretary of the Commonwealth the corporate existence of said Authority shall begin Said certificate of incorporation shall be conclusive evidence of the fact that such Authority has been incorporated but proceedings may be instituted by the Commonwealth to dissolve any Authority which shall have been formed without substantial compliance with the provisions of this section

Any Authority heretofore created under the laws of the Commonwealth of Pennsylvania in addition to powers granted or conferred upon said Authority shall possess all the powers provided in this act

Section 4 Purposes and Powers General Every Au-

thority incorporated under this act shall be a body corporate and politic and shall be for the purpose of acquiring holding constructing improving maintaining and operating owning leasing either in the capacity of lessor or lessee buildings to be devoted wholly or partially for public uses and for revenue-producing purposes transportation marketing shopping terminal bridges tunnels streets highways parkways traffic distribution centers traffic circles parking spaces airports hangars projects parks recreation grounds and facilities sewers sewer systems or parts thereof sewage treatment works incinerators for rubbish and garbage waterworks water supply works water distribution systems swimming pools playgrounds lakes low head dams hospitals motor buses for public use when such motor buses are to be used within any municipality and subways (any and all the foregoing being herein called "projects") The purpose and intent of this act being to benefit the people of the Commonwealth by among other things increasing their commerce and prosperity and not to unnecessarily burden or interfere with existing business by the establishment of competitive enterprises none of the powers granted by this act shall be exercised in the construction improvement maintenance extension or operation of any project or projects which in whole or in part shall duplicate or compete with existing enterprises serving substantially the same purposes [Provided however That the municipality or municipalities organizing such an Authority may in the resolution or ordinance signifying their intention so to do or from time to time by subsequent resolution or ordinance specify the project or projects to be undertaken by the said Authority and no other projects shall be undertaken by the said Authority than those so specified] Every Authority is hereby granted and shall have and may exercise all powers necessary or convenient for the carrying out of the aforesaid purposes including but without limiting the generality of the foregoing the following rights and powers

(a) To have existence for a term of fifty years as a corporation as qualified in section three hereof

(b) To sue and be sued implead and be impleaded complain and defend in all courts

(c) To adopt use and alter at will a corporate seal

(d) To acquire purchase hold lease as lessee and use any franchise property real personal or mixed tangible or intangible or any interest therein necessary or desirable for carrying out the purposes of the Authority and to sell lease as lessor transfer and dispose of any property or interest therein at any time acquired by it

(e) To acquire by purchase lease or otherwise and to construct improve maintain repair and operate projects

(f) To make by-laws for the management and regulation of its affairs

(g) To appoint officers agents employes and servants to prescribe their duties and to fix their compensation

(h) To fix alter charge and collect rates and other charges for the use of the facilities of or for the services rendered by the Authority or projects thereof at reasonable rates to be determined by it [for] limited to the purpose of providing for the payment of the expenses of the Authority the construction improvement repair maintenance and operation of its facilities and properties the payment of the principal of and interest on its obligations and to fulfil the terms and provisions of any agreements made with the purchasers or holders of any such obligations Provided That the Revenues from any project shall not be expended directly or indirectly on any other project

(i) To borrow money make and issue negotiable notes bonds and other evidences of indebtedness or obligations (herein called "bonds") of the Authority said bonds to have a maturity date not longer than forty years from the date of issue and to secure the payment of such bonds or any part thereof by pledge or deed of trust of all or any of its revenues and receipts and to make such agreements with the purchasers or holders of such bonds or with others in connection with any such

bonds whether issued or to be issued as the Authority shall deem advisable and in general to provide for the security for said bonds and the rights of the holders thereof and in respect to any project constructed and operated under agreement with any public Authority of any adjoining state to borrow money and issue such notes bonds and other evidences of indebtedness and obligations jointly with any such Authority

(j) To make contracts of every name and nature and to execute all instruments necessary or convenient for the carrying on of its business Provided however That

(1) All construction reconstruction repairs or work of any nature made by any authority where the entire cost value or amount of such construction reconstruction repairs or work including labor and materials shall exceed five hundred dollars (\$500) except construction reconstruction repairs or work done by employes of said Authority with supplies and materials purchased in accordance with the provisions of paragraph 2 of this subsection shall be done only under contract or contracts to be entered into by the authority with the lowest responsible bidder upon proper terms after due public notice has been given asking for competitive bids

(2) All supplies and materials costing five hundred dollars (\$500) or more shall be purchased only after ten days' notice has been given by advertisement in not less than one newspaper of general circulation in all counties and municipalities affected and the Authority shall accept the lowest bid or bids kind quality and material being equal but the Authority shall have the right to reject any or all bids or select a single item from any bid Provided That such notice may be waived where an emergency exists and such supplies and materials must be immediately purchased by the said Authority

(3) No member of the Authority or officer or employe thereof shall either directly or indirectly be a party to or be in any manner interested in any contract or agreement with the Authority for any matter cause or thing whatsoever by reason whereof any liability or indebtedness is in any way created against such Authority If any contract or agreement shall be made in violation of the provisions of this section the same shall be null and void and no action shall be maintained thereon against such Authority

(4) Any member of the Authority voting for or any officer approving an order for the payment of Authority funds for any other purpose or drawn in any other manner than that provided in this act shall be individually liable to the Authority for the amount thereof

(k) Without limitation of the foregoing to borrow money and accept grants from and to enter into contracts leases or other transactions with any Federal agency

(l) To have the power of eminent domain

(m) To pledge hypothecate or otherwise encumber all or any of the revenues or receipts of the Authority as security for all or any of the obligations of the Authority Provided That revenues from any project shall not be pledged hypothecated or otherwise encumbered directly or indirectly for the benefit of any other project or projects

(n) To do all acts and things necessary or convenient to carry out the powers granted to it by this act or any other acts

(o) To contract with any corporation or any public Authority of any adjoining state on such terms as the said Authority shall deem proper for the construction and operation of any project which is partly in this Commonwealth and partly in such adjoining state

Provided however That the Authority shall have no power at any time or in any manner to pledge the credits or taxing power of the Commonwealth of Pennsylvania or any political subdivisions nor shall any of its obligations be deemed to be obligations of the Commonwealth of Pennsylvania or of any of its political subdivisions nor shall the Commonwealth of Pennsylvania or any political subdivision thereof be liable for the payment of principal of or interest on such obligations

Section 5 Purposes and Powers Bonds The bonds of any Authority hereinabove referred to and authorized to be issued shall be authorized by resolution of the board thereof and shall be of such series bear such date or dates mature at such time or times not exceeding forty years from their respective dates bear interest at such rate or rates not exceeding six per cent per annum payable semi-annually be in such denominations be in such form either coupon or fully registered without coupons carry such registration exchangeability and interchangeability privileges be payable in such medium of payment and at such place or places be subject to such terms of redemption not exceeding one hundred five per cent of the principal amount thereof and be entitled to such priorities in the revenues or receipts of such Authority as such resolution or resolutions may provide The bonds shall be signed by such officers as the Authority shall determine and coupon bonds shall have attached thereto interest coupons bearing the facsimile signature of the treasurer of the Authority all as may be prescribed in such resolution or resolutions Any such bonds may be issued and delivered notwithstanding that one or more of the officers signing such bonds or the treasurer whose facsimile signature shall be upon the coupon or any thereof shall have ceased to be such officer or officers at the time when such bonds shall actually be delivered

Said bonds except such bonds as are purchased or acquired by any agency of the Commonwealth of Pennsylvania or the United States of America [may] shall be sold [at public or private sale for such price or prices as the Authority shall determine] to the highest responsible bidder after public notice by advertisement once a week for three weeks in at least one newspaper of general circulation in the municipality or municipalities involved and the county or counties involved Provided That no bid for such bonds at less than their par value shall be accepted And provided further That where bonds have been advertised for sale as provided in this act and no bids have been received then it shall be lawful to sell the same at private sale for not less than par and accrued interest provided that the interest cost to maturity of the money received for any issue of said bonds shall not exceed six per centum per annum Pending the preparation of the definitive bonds interim receipts may be issued to the purchaser or purchasers of such bonds and may contain such terms and conditions as the Authority may determine

Any resolution or resolutions authorizing any bonds may contain provisions which shall be part of the contract with the holders thereof as to (a) pledging the full faith and credit of the Authority (but not of the Commonwealth of Pennsylvania or any political subdivision thereof) for such obligations or restricting the same to all or any of the revenues of the Authority from all or any projects or properties (b) the construction improvement operation extension enlargement maintenance and repair of the project and the duties of the Authority with reference thereto (c) the terms and provisions of the bonds (d) limitations on the purposes to which the proceeds of the bonds then or thereafter to be issued or of any loan or grant by the United States may be applied (e) the rate of tolls and other charges for use of the facilities of or for the services rendered by the Authority (f) the setting aside of reserves or sinking funds and the regulation and disposition thereof (g) limitations on the issuance of additional bonds (h) the terms and provisions of any deed or trust [or] of indenture securing the bonds or under which the same may be issued and (i) any other or additional agreements with the holders of the bonds

Any Authority may enter into any deeds of trust indentures or other agreements with any bank or trust company or other person or persons in the United States having power to enter into the same including any Federal agency as security for such bonds and may assign and pledge all or any of the revenues or receipts of the Authority thereunder Such deed of trust indenture or other agreement may contain such provisions as may

be customary in such instruments or as the Authority may authorize including (but without limitation) provisions as to (1) the construction improvement operation maintenance and repair of any project and the duties of the Authority with reference thereto (2) the application of funds and the safeguarding of funds on hand or on deposit (3) the rights and remedies of said trustees and the holders of the bonds (which may include restrictions upon the individual right of action of such bondholders) and (4) the terms and provisions of the bonds or the resolutions authorizing the issuance of the same

Said bonds shall have all the qualities of negotiable instruments under the law merchant and the negotiable instruments law of the Commonwealth of Pennsylvania Provided however That no resolution deed of trust indenture or any agreement shall be made by an Authority under the terms of which revenues from any project are to be expended pledged hypothecated or otherwise encumbered directly or indirectly for the benefit of any other project or projects

Section 3 Sections seven and eight of said act as amended by the act approved the twentieth day of May one thousand nine hundred and thirty-seven (P. L. 739) are hereby further amended to read as follows

Section 7 Governing Body The powers of each Authority shall be exercised by a governing body (herein called the "Board") composed as follows

(a) If the Authority is incorporated by one municipality the board shall consist of five members each of whom shall be a citizen of such municipality The governing body of such municipality shall appoint the members of the board one of whom shall serve for a year one for two years one for three years one for four years and one for five years from the January first next succeeding the date of incorporation Thereafter the said governing body shall at a meeting held not later than one month prior to January first in each year in which a vacancy occurs appoint as a member of the board a citizen of the municipality for which the Authority is created for a term of five years to succeed the member whose term expires on the January first next succeeding

If the Authority is incorporated by two or more municipalities the board shall consist of a number of members at least equal to the number of municipalities incorporating the Authority but in no event less than five

(b) The members of the board shall be appointed their terms staggered and vacancies filled and where the number of municipalities joining is less than five shall be apportioned in such manner as the articles of incorporation shall provide No member shall be appointed for a term longer than five years

(c) Members shall hold office until their successors have been appointed and may succeed themselves and shall receive such salaries as may be determined by the governing body or bodies of the municipality or municipalities but none of such salaries shall be increased or diminished during the term for which the member receiving the same shall have been appointed A member may be removed for cause by the court of quarter sessions of the county in which the Authority is located after having been provided with a copy of the charges against him for at least ten days and full hearing by the court If a vacancy shall occur by reason of the death disqualification resignation or removal of a member the municipal authorities shall appoint a successor to fill his unexpired term No member shall be appointed for a term longer than five years

(d) A majority of the members shall constitute a quorum of the board for the purpose of organizing the Authority and conducting the business thereof and for all other purposes and all action may be taken by vote of a majority of the members [present] unless in any case the by-laws shall require a larger number The board shall have full authority to manage the properties and business of the Authority and to prescribe amend and repeal by-laws rules and regulations governing the man-

ner in which the business of the Authority may be conducted and the powers granted to it may be exercised and embodied. The board shall fix and determine the number of officers agents and employes of the Authority and their respective compensation and duties and may delegate to one or more of their number or to one or more of said officers agents or employes such powers and duties as it may deem proper.

(e) Where any Authority has been created prior to the effective date of these amendments with a board composed of five members such board shall continue as the governing body of such Authority with all the powers conferred by this act. The members of any such board shall hold the terms of office for which they were originally appointed and in case of a vacancy for any reason in the office of any member a successor shall be appointed for a full term of five years by the governing body of the municipality for which the Authority was created. Provided That the total salary to be paid all members of the Authority shall not exceed five (5) per centum of the total income derived by the Authority through its operations and that no member of the Authority shall receive more than one thousand dollars (\$1,000) per annum.

No contract for the employment of any employe of an Authority shall be entered into by the Authority for a term longer than four years and no contract for management service or supervisory service shall be entered into by the Authority for a term extending beyond the maturity of the bonds issued by such Authority to finance the project in connection with which such contract is made.

Section 8 Moneys of the Authority. All moneys of any Authority from whatever source derived shall be paid to the treasurer of the Authority. Said moneys shall be deposited in the first instance by the treasurer in one or more banks or trust companies in one or more special accounts and each of such special accounts to the extent the same is not insured shall be continuously secured by a pledge of direct obligations of the United States of America of the Commonwealth or of the municipality or municipalities creating the Authority having an aggregate market value exclusive of accrued interest at all times at least equal to the balance on deposit in such account. Such securities shall either be deposited with the treasurer or be held by a trustee or agent satisfactory to the Authority. All banks and trust companies are authorized to give such security for such deposits. The moneys in said accounts shall be paid out on the warrant or other order of the chairman of the Authority or of such other person or persons as the Authority [may] shall authorize to execute such warrants or orders. The controller auditors or accountant designated by the municipality or municipalities are hereby authorized and empowered from time to time to examine at the expense of the Authority the accounts and books of the Authority including its receipts disbursements contracts leases sinking funds investments and any other matter relating to its finances operation and affairs and shall make such audits within sixty days from the close of the fiscal year of said Authority. On the completion of the audits such auditors shall make correct duplicate reports thereof which shall contain an itemized statement of all receipts expenditures and credits whatsoever and assets and liabilities of said municipal authority one copy to be filed with the board and the other copy to be filed in the court of common pleas of the county in which such Authority is located.

The Authority or any bondholder thereof or any taxpayer of the municipality or municipalities affected may appeal from any auditor's report. When any appeal as aforesaid shall be taken by any of the parties above mentioned the appeal shall be placed upon the argument list of the proper court of common pleas by direction of any party interested and depositions of witnesses and other evidence to be used at the argument may be taken on behalf of any of said parties before any person competent to administer an oath upon rule for that purpose served upon the opposite party or such party's counsel. After hearing argument the court shall file its findings

of fact and law and enter judgment in accordance therewith. Provided That if after argument the court shall deem any question or questions of fact so doubtful under the evidence submitted as to render it desirable that an issue should be directed as to such question or questions to be tried by a jury the court may direct such an issue. Appeals may be taken by any person interested to the Superior or Supreme Court from any such judgment of the court of common pleas in the same way that appeals are now authorized by law to be taken from rulings or decisions of the court of common pleas made in appeals from settlements or reports of county borough or township auditors.

All books and records of an Authority are hereby declared to be public records.

Section 4 Sections nine and eleven of said act as last amended by the act approved the seventeenth day of May one thousand nine hundred and thirty-nine (P. L. 167) are hereby further amended to read as follows:

Section 9 Transfer of Existing Facilities to Authority. The Commonwealth the county or any city borough or township in the county or any owner may and they are hereby authorized to lease lend grant or convey to the Authority upon such terms and conditions as are mutually satisfactory to the Authority and the corporate authorities of the Commonwealth the county or any such city borough or township or owner any existing bridges tunnels streets highways parkways traffic distribution centers traffic circles parking spaces airports hangars parks recreation grounds and facilities swimming pools sewers sewer systems or parts thereof sewage treatment works incinerators for rubbish and garbage waterworks water supply works water distribution systems lakes or any part or parts thereof or any interest in real or personal property which may be used by the Authority in the construction improvement maintenance or operation of any project. The Commonwealth the county or any city borough or township are also authorized to transfer assign and set over to the Authority any contracts which may have been awarded by said Commonwealth county city borough or township for the construction of projects not begun or if begun not completed.

[This section without reference to any other law shall be deemed complete for the acquisition by agreement of projects as defined in this act located wholly within or partially without the municipality or municipalities causing such Authority to be incorporated any provisions of other laws to the contrary notwithstanding and no proceedings or other action shall be required except as herein prescribed.]

Section 11 Acquisition of Lands Buildings Equipment Facilities Water and Water Rights. The Authority shall have the power to acquire by purchase or eminent domain proceedings either the fee or such right title interest or easement in such lands buildings equipment facilities water and water rights as the Authority may deem necessary for any of the purposes mentioned in this act. Provided however That water and water rights may not be acquired unless and until approval is obtained from the Water and Power Resources Board in accordance with the law in such cases made and provided. And provided further That no property devoted to a public use nor any property of a public service company nor property used for burial purposes places of public worship or a dwelling house and the reasonable curtilage [not to be less than three hundred feet] appurtenant thereto shall be taken under the right of eminent domain. The right of eminent domain shall be exercised by the Authority in the manner provided by law for the exercise of such right by municipalities of the same class as the municipality or one of the municipalities by which such Authority was organized.

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

On the question.

Will the House agree to the bill on third reading?

It was agreed to,
On the question,
Shall the bill pass finally?

Mr. CORDIER. Mr Speaker, I intend voting against this piece of legislation. I do so because the provision providing for the approval of the Public Utility Commission before these authorities are created or where created they can acquire private utility property, is stricken from the Bill as passed in the Senate. Also the provisions which requires a certificate of approval on the bond question from the Department of Internal Affairs is taken out. This, and other features of the Bill as amended make it a flat, meaningless Bill with no voice for the people in the areas that will be affected, provided in the Bill.

Mr. Speaker, in February I introduced a Bill which required a referendum by the people in the various municipalities where these authorities would operate, on this vital question. This Bill failed to get the approval of the Committee to which it was referred to in the House. When the Bill before us reached the Public Utilities Committee of the House, I attempted to have it amended to include the referendum clause—this effort also failed.

I am voting against this Bill because it is my firm conviction that the taxpayers should have a voice in this matter.

What a pity it is that the voice of the people seems to be so weak in the Legislative Halls on this most important question. It is my considered opinion that their voice should ring in sonorous tones, through these Legislative Halls because of happenings in this Commonwealth under the creation of these municipal authorities, why shouldn't they have a say in this matter. I make this statement on this Bill so that the people I have the honor to represent will know that I have gone all the way in my efforts to give them a voice in the matter. I shudder to think of what will happen in some sections of the Commonwealth including my own county on this question after we adjourn. I hope the people are fortified for the shock.

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—17

Auker,	Knoble,	Royer,	Vogt,
Bower,	Lyons,	Rush,	Winner.
Brunner, C. H.,	Nunemacher	Tate.	Wood, L. H.,
Cadwalader,	O'Mullen,	Trout,	Wood, N.,
Hamilton,	Rose, S.,		

NAYS—112

Baker,	Fletcher,	Lelsey,	Reagan,
Balthaser,	French,	Leonard,	Reese, D. P.,
Bentzel,	Gallagher,	Lesko,	Reynolds,
Boles,	Gerard,	Leydic,	Rhea,
Boney,	Greenwood,	Lichtenwalter,	Rosenfeld,
Bradley,	Gross,	Lovett,	Shaffer,
Breth,	Cyger,	Marks,	Shaw,
Brunner, P. A.,	Habbyshaw,	Maxwell,	Shepard,
Burns,	Haines,	McClanaghan,	Snyder,
Chervenak,	Hall,	McDermott,	Sollenberger,
Chudoff,	Harkins,	McDowell,	Sorg,
Cohen, M. M.,	Harris,	McFall,	Stambaugh,
Cook,	Heatherington,	McIntosh,	Stank,
Cooper,	Herman,	McLanahan,	Tarr,
Cordier,	Hersch,	McSurdy,	Taylor,
Corrigan,	Hewitt,	Mihm,	Thompson, R. L.,
Dalrymple,	Hirsch,	Modell,	Turner,

DiGenova,	Holland,	Monks,	Vincent,
Dix,	Huntley,	Mooney,	Voldow,
Dolon,	Imbrie,	Moul,	Wagner,
Duffy,	James,	Muir,	Watkins,
Early,	Jefferson,	O'Connor,	Weingartner,
Eckels,	Jones, G. E.,	O'Dare,	Weish, M. J.,
Elder,	Jones, P. N.,	Owens,	Woodring,
Elliott,	Kenehan,	Pettit,	Woodside,
Ely,	Kline,	Polen,	Wright,
Fiss,	Krise,	Powers,	Young,
Fleming,	Lee, T. H.,	Rausch,	Kilroy, Speaker.

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

PERMISSION TO ADDRESS HOUSE

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

Mr. Speaker, during the long weeks of this memorable Session of this House, we have had occasion to meet and work with many men, and the experience of knowing these outstanding personalities will, I am sure, remain forever pleasant images indelibly engraved upon the tablets of our memories.

As a Member of this House from the great County of Luzerne, I am proud to know that I speak for the entire membership in declaring that outstanding in this parade of able citizens, a native of my County, stands well to the fore. Especially during these last trying days when the nerves of most of us have become a bit frayed and jangled, our tempers—perhaps not at their best, this gentleman's pleasing personality, the even tenor of his disposition, his calm poise and graciousness and his many other fine qualities of service have endeared him to our hearts and cemented our friendship.

Mr. Speaker, and Members of the House, I pay tribute to the Chief Clerk, of the House of Representatives, Mr. Thomas J. Callahan.

There is no official of this General Assembly, nor member of this august body whose duties are more exacting, more demanding of time, ability and skill than are his. Diplomatic, kind, always willing to listen to our tales of woe and distress, ever ready to lend a helping hand to give wise counsel and advice to the new members, and experienced aid to the veterans, this tireless gentleman has made himself indispensable to the smooth functioning of this Session. And how especially happy were we to enter his hospitable office on those glad days when the eagle screamed and our checks were ready for our willing and toil-worn hands.

I have been privileged to be a neighbor of his, as a native of his native County, and I am happy to testify to the high regard and esteem in which he is held by the citizens of God's greatest gift to this Commonwealth, the County of Luzerne.

Loyal and faithful to his friends, a civic leader, patriotic and God fearing gentlemen, it was only natural that he be entrusted by this House with the many responsibilities of his important office.

Mr. Speaker, not only do I congratulate Mr. Callahan for his splendid record of service to this House but I congratulate the Commonwealth of Pennsylvania and this House on its wise judgment and good fortune in having Tom Callahan as the Chief Clerk.

CONGRATULATORY RESOLUTION

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

In the House of Representatives, July 11, 1941.

The great task and responsibility of managing the activities of the extensive personnel employed by the House of Representatives to perform the multitude of services necessary to properly carry forward the details of legislation, falls to the lot of the Chief Clerk.

The House at its present session is particularly fortunate in having as its Chief Clerk a man well fitted by temperament, experience and training for the position which he holds, and whose energy and leadership have contributed materially to the highly satisfactory manner in which the activities under his supervision have been conducted, therefore, be it

Resolved, That the Members of the House of Representatives take this opportunity to thank Thomas J. Callahan and his able and loyal staff of assistants for their cooperation and their ready and willing assistance in the performance of their routine duties, as well as whenever specially called upon to do whatever was necessary to further the business of the House; and be it further

Resolved, That a copy of this resolution be presented to Mr. Callahan as a further token of the appreciation of this House of his efficient services.

CONGRATULATORY RESOLUTION

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

In the House of Representatives, July 12, 1941.

The experience gained as Chief Clerk of the Senate during the legislative sessions of 1937 and 1938 has made Dennis J. Mulvihill particularly well qualified to carry out the functions of Secretary of the House of Representatives. He has performed with marked efficiency the important duty of supervising the roll calls. The correspondence of Members of the House has been courteously and expeditiously handled. And his multitude of other duties are always performed promptly and well; therefore, be it

Resolved, That the thanks of the membership of the House of Representatives is hereby tendered to Mr. Mulvihill, its Secretary; and that, in token thereof, a certified copy hereof be prepared and delivered to him in person by the Chief Clerk of the House.

CONGRATULATORY RESOLUTION

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

In the House of Representatives, July 12, 1941.

Amid the haste and confusion of a legislative session the spiritual values of life are apt to be minimized, and the many practical problems demanding immediate solution may cause us to lose sight of the all important place which religion must play in the application of our democratic philosophies.

In frequent reaffirmation of our faith in Almighty God and in order to bring us closer to His wisdom and guidance, it has long been our custom to rise in prayer at the opening of each day's legislative session.

At this session it has been our special privilege to have the Reverend Donald McFall with us as Chaplain to make the opening prayers.

These prayers have been a never failing source of help and inspiration to the Members of the House, and have started our daily sessions with a fitting atmosphere of reverence, devotion and responsibility, therefore be it

Resolved, That we the Members of this House, extend to our Chaplain, the Reverend Donald McFall, our deepest appreciation and most sincere thanks for his truly inspiring services at our daily sessions, and direct the Chief Clerk of the House to transmit to him a copy of this resolution.

CONGRATULATORY RESOLUTION

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

In the House of Representatives, July 12, 1941.

Since the creation of the Legislative Reference Bureau by the Act of April 27, 1909, P. L. 208, its personnel has labored tirelessly and efficiently to lighten the arduous tasks of the members of the General Assembly and to make the legislative machinery run more smoothly. At no time however, has this Bureau filled a more necessary or satisfactory function than during this regular session of one thousand nine hundred and forty-one.

Due to the now existing National Emergency as well as to various other circumstances the present session of the General Assembly has been unduly prolonged and the number of bills introduced has been unusually large.

It has been the task of the Legislative Reference Bureau to draft the greater portion of these bills, many of which related to new and comparatively unexplored fields of the law. It has also been the duty of the Legislative Reference Bureau to prepare a great number of amendments for these bills required partly by the nature of the legislation involved and partly by the divided political complexion of the General Assembly.

In spite of its added burdens, the Legislative Reference Bureau, without any increase in personnel or expenditures, performed all its functions promptly and efficiently to the great benefit of the General Assembly and the Commonwealth, therefore be it

Resolved, That we the Members of the House of Representatives extend to the new director of the Legislative Reference Bureau, the Hon. Herbert B. Cohen, our thanks and appreciation for the helpful, efficient and courteous services performed by the Bureau under his supervision, and for the valuable contribution which his wide legislative experience has brought to the Bureau; and be it further

Resolved, That we extend our gratitude to the attorneys, stenographers, clerks and other members of the staff of the Legislative Reference Bureau for their long hours of tiring work and close application, not only during regular office hours but also at night, and on Saturdays, Sundays and holidays in order that the drafting of the great number of bills and amendments might continue promptly and accurately for our accommodation, and be it further

Resolved, That a copy of this resolution be transmitted by the Chief Clerk of the House to the Director of the said Legislative Reference Bureau as evidence of our appreciation of the invaluable services performed by the Bureau under his direction.

CONGRATULATORY RESOLUTION

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

In the House of Representatives, July 10, 1941.

In daily parlance, whenever "the press" is referred to our thoughts too often visualize only a collection of all the available printed daily newspapers, without consideration of the numberless individuals whose thoughts, ingenuity and enterprise combine in the gathering of news and the presenting thereof in a manner to arrest the attention and to make interesting and informative reading.

To us as members of the General Assembly the attitude of the press can be a source of much gratification or a

scourge of justice or injustice. Be it said, however, of the gentlemen of the press who cover the activities of Pennsylvania's legislative deliberations that their treatment has been uniformly fair and courteous, and wholly free from unmerited rebuke and unfair criticism; be it therefore

Resolved, That the House of Representatives hereby thanks the legislative correspondents for their courtesy and consideration during the long months of this session; and expresses its sincere hope that the cordial relations existing between members of the General Assembly and members of the press may long continue and grow stronger and fuller as time goes by; and be it further

Resolved, That a certified copy of this resolution be forwarded by the Chief Clerk of the House to the Legislative Correspondents' Association, in further token of our friendly feeling towards its members.

CONGRATULATORY RESOLUTION

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

In the House of Representatives, July 12, 1941.

Whereas, On Friday, July 11, 1941, there was held in the Hall of the House, a most enjoyable and appropriate ceremony whereby particular tribute was paid to the characteristics and abilities of certain Members of the House; and

Whereas, At such ceremony gifts were presented to certain officers and leaders of the House in fitting recognition of their able, industrious and unselfish service in their respective capacities; and

Whereas, The preparation for, and conduct of, this ceremony and presentation was due to the careful planning of a committee of House Members of which the Honorable William A. Shaw was chairman; therefore be it

Resolved, That the House of Representatives extends its thanks to the Honorable William A. Shaw and to the members of his committee for the satisfactorily arranged and conducted ceremonies held on the floor of the House on Friday, July 11, 1941, in recognition and honor of certain leaders and officials thereof.

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

Mr. SHAW. Mr. Speaker, on behalf of the committee I wish to extend our gratitude to you for this resolution. I thank you very much.

SENATE MESSAGE

SENATE ADOPTS CONFERENCE COMMITTEE REPORT ON SENATE BILL No. 561

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

SENATE BILL No. 561.

An Act to amend the act approved the thirtieth day of March one thousand nine hundred and thirty-seven (P. L. 115) entitled "An act to provide for the permanent personal registration of electors in cities of the first class as a condition of their right to vote at elections and primaries and their enrollment as members of political parties as a further condition of their right to vote at primaries prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors and prescribing the powers and duties of citizens parties bodies of electors registration commissions com-

missioners registrars inspectors of registration and other appointees of registration commission election officers municipal officers departments and bureaus police officers courts judges prothonotaries sheriffs county commissioners peace officers county treasurers county controllers registrars of vital statistics real estate brokers rental agents certain public service companies persons firms and corporations operating vehicles for moving furniture and household goods and boards of school directors and imposing penalties" as amended by amplifying and changing the powers and duties of the commission its employes and commissioners further regulating and changing the provisions of said act relating to the appointment and removal of registrars and the powers privileges rights and duties of registrars watchers election officers and electors revising and changing the provisions of said act relating to the times places and manner of registering electors and their enrollment as members of political parties change of party enrollment cancellation of registrations preparation and distribution of streets list appeals to the commission and to courts and the procedure thereon the inspection of the records of the commission providing for appeals by the commission to appellate courts changing certain provisions of said act relating to removal notices providing for the manner of reckoning time imposing additional duties on certain officers and officials clarifying and coordinating certain provisions of said act and imposing additional penalties

REPORT OF COMMITTEE OF CONFERENCE ON SENATE BILL No. 561

Mr. ROSENFELD. Mr. Speaker, I desire to call up the report of the Committee of Conference on Senate Bill No. 561, Printer's No. 613.

The report was read by the Clerk as follows:

To the Members of the Senate and House of Representatives:

We, the undersigned, Committee of Conference on the part of the Senate and House of Representatives for the purpose of considering Senate Bill No. 561, entitled:

"An Act to amend the act approved the thirtieth day of March, one thousand nine hundred and thirty-seven, (P. L. 115), entitled 'An act to provide for the permanent personal registration of electors in cities of the first class, as a condition of their right to vote at elections and primaries, and their enrollment as members of political parties as a further condition of their right to vote at primaries; * * * as amended; by amplifying and changing the powers and duties of the commission, its employes and commissioners; further regulating and changing the provisions of said act relating to the appointment and removal of registrars and the powers, privileges, rights and duties of registrars, watchers, election officers and electors; revising and changing the provisions of said act relating to the times, places and manner of registering electors, and their enrollment as members of political parties, change of party enrollment, cancellation of registrations, preparation and distribution of street lists, appeals to the commission and to courts and the procedure thereon; the inspection of the records of the commission providing for appeals by the commission to appellate courts; changing certain provisions of said act, relating to removal notices; providing for the manner of reckoning time, imposing additional duties on certain officers and officials; clarifying and coordinating certain provisions of said act, and imposing additional penalties,"

Respectfully submit the following bill as our report:

Louis H. Farrell
A. Evans Kephart
Israel Stiefel

(Committee on the Part of the Senate.)

Samuel M. Rosenfeld
Joseph A. Scanlon
Thomas H. Lee

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

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

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

Section 1 Section two of the Act approved the Thirtieth day of March one thousand nine hundred and thirty-seven (P. L. 115) entitled "An act to provide for the permanent personal registration of electors in cities of the first class as a condition of their right to vote at elections and primaries and their enrollment as members of political parties as a further condition of their right to vote at primaries prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of elector 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" is hereby amended by adding thereto after clause (r) a new clause to read as follows

Section 2 Definitions

* * *

(s) In determining or reckoning any period of time mentioned in this act the day upon which the act is done paper filed or notice given shall be excluded from and the date of the primary election hearing or other subsequent event as the case may be shall be included in the calculation or reckoning Provided however That if the last day upon which any act may be done paper filed or notice given shall fall on a Sunday or a legal

holiday the next following ordinary business day shall be considered as the last day for said purpose

Section 2 Clauses (a) (b) and (c) of section four of said act are hereby amended to read as follows

(a) The commission may make regulations not inconsistent with this act or the laws of this Commonwealth (1) to govern the public sessions of such commission (2) to carry into effect the provisions of this act and to permit the efficient administration thereof (including the designation of the duties to be performed and functions to be exercised hereunder at its respective offices) and [(2)] (3) for the performance of the duties imposed [by this act] hereunder and may enforce such regulations and all its orders and subpoenas to witnesses as herein provided and if necessary shall have the assistance of the court of common pleas of the county and of all public officers subservient thereto in enforcing the same which assistance said officers as well as the judges of said court shall render when requested to do so subject however to the right of certain persons to appeal from the orders of the commission as herein provided

(b) The commission shall have power to correct direct or permit the correction of any error or any irregularity in registration to change or permit the change on the registration affidavits and its records of the name of any registered elector changed by order of a court of competent jurisdiction or by reason of her marriage or divorce and to cancel the registration of any person whom it may find to be improperly registered and to cancel the party enrollment of any registered elector whom it may find to be improperly enrolled as a member of a party subject only to the provisions of this act and provided that notice in writing shall be given to or left at the address of each person whose registration or enrollment is cancelled [A like notice as well as a copy of any notice served upon or left at the address of any elector with respect to his right to be registered or enrolled as a member of the political party designated by him as hereinafter provided shall be sent promptly to the city chairman of the political party of which such person was registered as a member] Notice in writing of the cancellation of the registration or party enrollment of any elector as well as notice of the serving of any paper upon or left at the address of any elector with respect to his right to be registered or enrolled as a member of the party designated by him shall be sent promptly to the city chairman of the party of which such person was or may be registered as a member if such party has headquarters within the city known to the commission

(c) The commission and any commissioner shall have power on its or his own [optional] motion (1) to summon and interrogate any person concerning the registration of electors or any matter related thereto (2) to investigate any irregularities in registration (3) to summon and examine witnesses and (4) to require the production of any relevant books and papers

Section 3 Clauses (a) (b) (c) (d) (e) (g) and (h) of section five of said act are hereby amended to read as follows

(a) The commission shall have power to appoint such assistants clerks and employes (including inspectors as from time to time it may deem necessary to carry out the provisions of this act The commission shall also have power to assign such of its assistants employes or clerks to act as registrars who shall not receive any additional compensation therefor at its office or offices as it may from time to time deem necessary and when so acting such assistants employes or clerks shall have and may exercise the powers and shall perform the duties and obligations conferred by or in accordance with the law upon registrars

(b) The commission [shall in the year one thousand nine hundred thirty-seven at su time as it shall deem necessary of which due public notice shall be given appoint four registrars for each election district From and after the first day of January one thousand nine hundred thirty-eight the commission not later than the fif-

teenth day of August] in each year shall designate the place or places in each or any ward to be used as registration places and shall appoint [not less than] two or more [than four] registrars for each such registration place as it may deem necessary. No more than one-half of the number of registrars appointed [for each election district in the year one thousand nine hundred thirty-seven and] for each registration place in each [subsequent] year shall be members of the same political party [In the year one thousand nine hundred thirty-seven all]. All registrars appointed shall be qualified electors of the election district or [for which they have been appointed and in all subsequent years shall be qualified electors of] [the] ward for which they have been appointed shall be of good moral character shall not have been convicted of any crime shall be able to read English in an intelligent manner and to write legibly and shall be familiar with qualifications of electors and duties of the registrars. Such registrars shall be empowered to register the qualified electors of such election district or wards and in so doing to administer oaths and affirmations and shall perform all other duties imposed on registrars by this act and by the registration commission.

Each registrar shall receive as compensation ten dollars (\$10.00) for each day during which he is engaged in the active performance of his duties as registrar. The commission shall designate the duties to be performed by each such registrar appointed by it. The said registrars shall be appointed in the manner as hereinafter provided in subsection (c) of this section.

(c) In the year one thousand nine hundred thirty-seven at such time as shall be determined by the commission of which time due public notice shall be given any five or more qualified electors of any election district of the same political party and in all subsequent years not later than the twentieth day of July of each year any five or more qualified electors of any ward of the same political party may file with the commissioners their petition for the appointment of not more than two qualified persons also members of said party as registrars. The petition shall set forth the name address qualifications occupation and political affiliation of each person suggested for appointment as a registrar shall give the respective residences of the petitioners and shall declare that each of them belongs to the same party as that designated as the party of each candidate which petition shall be signed by each petitioner in his own handwriting and sworn to by one of them and by each candidate. More than one petition may be filed on behalf of the same party for each ward or district provided that no elector shall be competent to sign petitions for more than two candidates but if any candidate dies withdraws or becomes disqualified before the last day of filing petitions aforesaid any elector who recommended him may sign a petition for another candidate. All petitions shall be open to public inspection and in the year one thousand nine hundred and thirty-seven at such time as the commission may designate and not earlier than July twenty-sixth of each subsequent year the commissioners shall commence public hearings thereof considering them on consecutive week days in the numerical order of the wards and of the election district within each ward to which they relate respectively unless reasonable cause be shown for postponing any hearing to a later time or date and reasonable notice of such postponement given to all concerned. The commissioners shall publish one general notice of the place and times or days when they will examine the candidates from the election districts of the various wards at least three days prior to the first hearing in at least two daily newspapers each having a paid circulation of at least fifty thousand copies daily in the city and shall mail to each candidate a special notice of the time and place where he will be examined regarding his qualifications at least three days before the day fixed for same except that the commissioners need not notify any candidate who had previously been appointed a registrar to appear but may reappoint him without such examination. If more candidates are duly nominated as members of any party than it is entitled to have appointed the commissioners shall appoint the candidate or candidates

whom they consider most fit and if there are not sufficient fit candidates nominated on behalf of any party the commissioners may appoint any other persons without regard to party of whom they have knowledge. Any person appointed a registrar must perform his duties as prescribed by this act unless excused therefrom by the commissioners for cause shown.

(c) In each year at such time as shall be determined by the commission of which at least fifteen days' notice shall be publicly given the city chairman of the party having polled the highest vote in the city at the last preceding November election and the city chairman of the party having polled the second highest vote in the city at such election may file with the commission a written list of names of members of said party whom such chairman recommends for appointment as registrars at the said registration places. Such lists shall contain the name address qualifications and occupation of each person so recommended and shall be open to public inspection in the office of the commission. The commission shall appoint persons whose names appear on such list as the registrars representing such parties. If more candidates are recommended by the chairman of any such party than it is entitled to have appointed the commission shall appoint those candidates from the names appearing on such list whom the commission finds to be qualified in accordance with the provisions of clause (b) of this section and if there are not sufficient candidates qualified to serve recommended by any city chairman the commission may appoint such other person whom the commission believes qualified.

(d) Should any vacancy occur in the office of registrar of any election district in the year one thousand nine hundred thirty-seven or of any registration place in any [subsequent] year by reason of death resignation removal from the district or ward or other cause the commission shall fill said vacancy by appointing an elector of the district or ward as the case may be who is qualified according to subsection (b) of this section and who is a registered and enrolled member of the same political party as the registrar or registrars whose office was vacated. The appointment shall be made in like manner as the annual appointments of registrars as provided by this act.

(e) No registrar or inspector of registration shall exercise any power of his office nor shall any employe assigned by the commission to act as registrar at [the] any office of the commission so act until he shall have taken an oath of office which the commission shall prescribe and shall have received from the commission a certificate of appointment setting forth his name and address the date of his appointment and the length of time for which he shall have been appointed.

(g) The registration commission shall have the power to remove any employe inspector registrar or other officer appointed or employed by it but no registrar appointed by the commission under the provisions of clause (c) of this section shall be removed except for cause.

(h) Any inspector of registration on his own motion or on complaint of any person [known] to him may and when directed by the commission shall

1 Investigate all questions relating to the registration of electors in such city and for that purpose shall have power to enter and inspect any house dwelling building inn lodging-house or hotel within such city and to interrogate any inmate householder lodger lessee keeper caretaker owner proprietor or agent thereof or therein regarding any person or persons residing or claiming to reside thereat or therein without being required to show any warrant for so doing except his certificate of appointment.

2 Inspect [in like manner] any copy any register of lodgers in any lodging-house inn or hotel relating to or affecting the rights of any persons to vote or to be registered in any such city.

3 Arrest any person without warrant except any herein privileged from such arrest who in the presence of the inspector of registration violates or attempts to violate any of the provisions of this act when such violation is punishable as a crime.

4 Call on any police or peace officer of such city to assist the inspector of registration in the maintenance of peace at any place of registration or in making any arrest or in the performance of any of his duties

Section 4 Section six of said act is hereby amended to read as follows

Section 6 Removal of Registrars (a) [Anyone claiming to be a] Any qualified elector of [this] the city may appear before the commission and show wherein any person [nominated selected or] appointed as a registrar under the provisions of clauses (b) and (c) of section five of this act does not possess the qualifications requisite for the performance of the duties of his office or has violated the provisions of this act If after public hearing the commission shall find the charges brought by such elector to be true the commission shall decline to appoint such person or remove such registrar

(b) The commissioners shall provide [at all times] a board of registrars for each ward or district place of registration so appointed not more than one-half of whom shall be of the same [political faith] party If [therefore] it appears at any time that by reason of a change in political [affiliations] affiliation or because of error in [the] appointment a board is not so divided any ten registered electors of [any election] such ward or district may file a petition with the commissioners setting forth the facts and praying that one or more of the appointments may be revoked and that other appointments may be made Upon presentation of such a petition one of the commissions shall fix a time not less than five days thereafter and at least three days' notice shall be given by mail to all registrars of such board who are alleged to be of the same [political faith] party when a public hearing shall be given all concerned and if the facts are then found to be as represented the commissioners shall [give] grant the relief [asked for] prayed for

Section 5 Clause (b) of section eight of said act is hereby amended to read as follows

(b) The appropriating authorities of the city shall provide the commission thereof with suitable and adequate main offices properly furnished for keeping its records holding its public sessions and otherwise performing its duties and such other offices which it may from time to time during the period of ninety days preceding any election deem it advisable to establish for the convenience of the electors in exercising their rights powers and functions and performing their duties hereunder and upon failure to do so [within sixty days after the effective date of this act] the commission may lease such office space for its main office as is reasonably required for the performance of the functions and duties under this act

Section 6 Section eleven of said act is hereby amended to read as follows

Section 11 Immunity from Arrest

[Commissioners] Employees or clerks of the commission while acting as registrars registrars commissioners and inspectors of registration shall be privileged from arrest while performing their duties as such except upon warrant of a court of record or judge thereof for felony for wanton breach of the peace or for criminal violation of this act

Section 7 Section thirteen of said act is hereby amended to read as follows

Section 13 Records and Documents to Be Open to Public Inspection The records of the commission and all district registers street lists voting check lists voters' certificates affidavits petitions appeals witness lists accounts contracts reports and other documents in its custody except the general registers shall be open to public inspection except as herein provided and may be inspected and copied by any qualified elector of the city during ordinary business hours [at any time] except when they are [not] necessarily being used by the commission or its employes having duties to perform in reference thereto or when such inspection or copying shall unreasonably interfere with the proper and efficient performance of the duties and exercise of the functions of the Commis-

sion or its employes in administering this act Such public inspection thereof shall only be in the presence of a commissioner or an authorized employe of [a] the commission and shall be subject to proper regulation for safe-keeping of the records and documents and subject to the further provisions of this act

Section 8 Section fourteen of said act is hereby amended to read as follows

Section 14 Watchers at Places of Registration Privileges

(a) Any party or body of electors which now is or hereafter may be entitled to have watchers at any election may recommend not more than three electors to act as watchers without expense to the county at any place of registration or any office of the commission during the time when it shall remain open for the registration of electors The commission shall appoint such persons as watchers and provide them with proper certificates stating their names and the party which they represent respectively unless any be shown to have previously been convicted of any crime

(b) Any watcher shall be entitled to remain at any place of registration or any office of the commission during the time when it shall remain open for the registration of electors and to keep a list or other memorandum of or concerning the persons applying for registration and to challenge any person regarding his right to be registered and to inspect any papers produced by such person The registrars clerks or employes of the commission acting as registrars commission and commissioners shall give every watcher ample opportunity and afford him every convenience for the discharge of his duties Provided however That a registrar clerk or employe of the commission acting as registrar [commission or] inspector commissioner or the commission may at any time require any watcher to show his certificate of appointment And provided That not more than one watcher for each party or body of electors represented shall be allowed in a place of registration or an office of the commission at any one time unless the commission by regulation shall provide otherwise

Section 9 Clause (c) of section fifteen of said act is hereby amended to read as follows

(c) All watchers or attorneys appointed or selected in the manner provided by sub-sections (a) and (b) of this section may exercise the same rights under the same conditions at any public session or sessions of the commission as watchers at places of registration or offices of the commission open for the registration of electors

Section 10 Clauses (a) (d) and (e) of section seventeen of said act are hereby amended to read as follows

(a) [from and after the first day of June one thousand nine hundred and thirty-seven the] The commission or any commissioner employe or [clerks] clerk assigned for that purpose shall at the main office of the commission during ordinary business hours and during such additional hours as the commission shall from time to time prescribe on each day and on such days and during such hours as the commission may from time to time designate at other offices in the city which the commission shall from time to time during the period of ninety days preceding any election have power to establish and discontinue except Sundays holidays the days hereinafter provided for the registration of electors in the districts or wards the day of each election and each primary the thirty days next preceding the primary election in the year one thousand nine hundred and forty-one the fifty days next preceding each general and in all subsequent years each primary election [and each primary] the thirty-five days next preceding each municipal election or any special election not held on a day fixed for the holding of November or primary elections and the thirty days next following each election and the five days next following each primary [at the office of the commission] receive personal applications from persons who claim that they are entitled to be registered as electors of the city and who appear for registration Provided however [That in the year one thousand nine hundred and thirty-

seven the commission shall arrange to have four registrars present to receive applications for the personal registration of electors at the polling place or some other suitable place in each election district of the city on at least three separate days prior to August fifteenth (one of them being in June another in July and another in August) And provided further] That in each year [thereafter] the commission may also when it considers it necessary for the convenience of the electors provide one or more places of registration in each or any ward of the city at which two or more registrars as the commission may deem necessary shall be present to receive personal applications from [persons] qualified electors of the city who claim that they are entitled to be registered which registrars shall be present thereat between the hours of seven antemeridian and one postmeridian and between the hours of four and ten postmeridian on [two] such days as may be selected by the commission [in even-numbered years one to be not earlier than the sixth Saturday nor later than the fifth Saturday before the spring primary and the other to be not earlier than the sixth Saturday and not later than the fifth Saturday before the] which shall be not less than twenty days prior to the primary election in the year one thousand nine hundred and forty-one and not more than sixty days and not less than fifty days prior to any general election and the primary election in any subsequent year [and on one day in odd-numbered years not earlier than the twelfth Saturday nor later than the eleventh Saturday before the] and not more than forty days and not less than thirty-five days prior to any municipal election Provided further however That with respect to any person who shall become a citizen of the United States on a day subsequent to the sixtieth day prior to any election or primary but at least one month prior to the day of such election or primary the commission or any commissioner employe or clerk assigned for that purpose shall receive personal applications from such person if he or she is otherwise qualified at the office of the registration commission until the thirtieth day prior to such election or primary during ordinary business hours except Sundays holidays and the days hereinbefore provided for the registration of electors in the districts or wards

(d) The proper city or county authorities shall furnish suitable space room or rooms in the city hall or any of its annexes or other municipal or county building under their jurisdiction or control and shall cause such space room or rooms to be open on each day when such space room or rooms may be desired by the commission for use as a place of registration or as an office of the commission Provided That such use shall not interfere with the use for which such room or rooms is primarily designed

(e) The commission shall in reasonable time publicly announce the address of each place of registration each office of the commission established for the registration of electors other than [the] its main office [of the commission] and the days and hours when the place or office shall be open for the registration of electors by posting thereat and at its main office a notice thereof [at its office at such place of registration] and at least five placards or notices thereof in conspicuous places in the neighborhood of such place of registration or office and [by publication at least once in a newspaper of general circulation published in the city at least three days prior to the date when the place shall be so opened and in] [proper order for use as a place of registration] by such other means as it shall deem advisable

Section 11 Clauses (a) (c) and (d) of section nineteen of said act are hereby amended to read as follows

(a) For the purpose of registering the qualified electors of the city the commission shall prepare registration cards serially numbered in duplicate or triplicate as the commission may determine and containing spaces for entering the information required by section twenty of this act and the following affidavit

Registration Affidavit

State of Pennsylvania }
County of } ss

I hereby swear or affirm that I am a citizen of the United States that on the day of the next election I shall be at least twenty-one years of age and shall have resided in the State of Pennsylvania for one year (or having previously been a qualified elector or native born citizen of the State and having removed and returned then six months) next preceding said election and in the election district two months that I am legally qualified to vote that I have read (or have had read to me) the foregoing statements made in connection with my registration and that they are true and correct

Subscribed and sworn to before me this day of

(Signature of Registrar or Person Authorized to act as Registrar)

.....
Signature of Voter

(c) Each card shall be printed on stock of good quality shall be of suitable uniform size and shall be filled out in duplicate or triplicate as the Commission may determine for such applicant for registration The commission shall provide suitable binders and cabinets for filing and indexing the original and duplicate registration cards which binders and cabinets can be locked The keys of all such binders and cabinets shall at all times be retained by the commission

(d) The commission shall keep a record of the serial numbers of the registration cards issued from time to time to each registrar or person authorized to act as registrar and may if and when the commission deems it advisable keep a record by serial number of each registration card prepared by or for it showing the name ward and district of the elector if any registered upon such card and whether such registration or card has been canceled voided lost destroyed or otherwise removed from the district registers

Section 12 Clauses (a) (b) (c) and (f) of section twenty of said act are hereby amended to read as follows

(a) Every person claiming the right to be registered as an elector must appear in person before the commission a commissioner a clerk or employe of a commission acting as registrar or a registrar at the main office of the commission or at such other office or place as the commission shall have designated and answer the questions required to be asked in accordance with this act

(b) He shall first be sworn or affirmed to the truth of the statements which he is about to make and informed that any wilful false statement will constitute perjury and will be punishable as such He then shall be asked to state the facts required herein and his answers together with the other information herein required shall be recorded in his presence by the register or by the person authorized to act as a registrar or commission in permanent writing or typewriting in triplicate or duplicate as the commission may determine in the proper spaces on the registration cards as follows

(c) (1) The surname of the applicant (2) his Christian name or names (3) his occupation (4) the street and number of his residence (5) if his residence is a portion only of the house the location or number of the room apartment flat or floor which he occupies (6) the length of his residence in the state and district respectively (7) [his residence address when he last registered and the year of such registration] such information relating to the applicant's prior registration and voting record as the commission shall by regulation deem it necessary or advisable to require (8) the sex of the applicant (9) the color of the applicant (10) the state or territory of the United States or the foreign country where he was born (11) the date when place where and the court by which naturalized and number of the naturalization certificate (12) If not naturalized personally

the name of father mother or husband through whom naturalized (13) whether he [is unable by reason of illiteracy to read the names on the ballot or on the voting machine labels or whether he has a physical disability which will render him unable to see or mark the ballot or operate the voting machine or to enter the voting compartment or voting machine booth without assistance at the ensuing election and if so his declaration of that fact and his statement of the exact nature of such disability] is entitled to receive assistance in voting because by reason of illiteracy he is unable to read the names on the ballot or on the voting machine labels or because he has a physical disability which renders him unable to see or mark the ballot or operate the voting machine or to enter the voting machine compartment or voting machine booth without assistance and if so his declaration of that fact and his statement of the exact nature of such disability (14) the designation of the political party of the elector for the purpose of voting at primaries (15) the affidavit of registration which shall be signed by the elector attested by the signature of the registrar commissioner [or] clerk or employe and dated by him (16) his height in feet and inches (17) the color of his hair (18) the color of his eyes and (19) the date of his birth or unless he claims to have been naturalized through either his father or mother or unless such date is otherwise material in the determination of citizenship a statement that he has attained his majority (20) if an applicant claims naturalization through her marriage to a citizen the date and place of marriage Each registration card shall also have a sufficient number of spaces thereon for the insertion of [(20)] (21) the ward and election district in which the elector resides and to which he may from time to time remove together with his street address in each such district and the other data required to be given upon such removal [(21)] (22) the date of each election and primary at which the elector votes and the number of stub of ballot issued or number of admission to voting machine and party at primary [(22)] (23) the signature or initials of the election officer who enters the record of voting on the card Provided however That the commission may to more effectually carry out the provisions of this act from time to time alter or change the form of registration cards the order in which the information shall be recorded thereon and provide additional spaces for the recording of such other information concerning the identity of the applicant or naturalization data of foreign born applicants as it may deem necessary

(f) Any person employed in the service of this Commonwealth or in the service of the Federal Government and required thereby to be absent from the city wherein he resided when entering such employment his wife or her husband unless actually separated and living apart shall be registered as of the district wherein he or she shall have resided immediately prior to entering such service and be enrolled as a member of the political party he or she designates without declaring a residence by street and number All persons employed by this Commonwealth who register in this manner shall produce a certificate from the Auditor General under the seal of his office setting forth that said person or the husband or wife of said person is actually employed in the service of this Commonwealth and also setting forth the nature of such employment and the time when such person first entered such employment

All persons employed by the Federal Government who register in this manner shall produce a certificate from the head of the proper department or chief of the proper department or chief of the proper division or bureau under the seal of his office setting forth that said person or the husband or wife of said person is actually employed in the service of the United States and also setting forth the nature of such employment and the time when such person first entered such employment

The commission shall retain such certificates and shall cause to be noted on the registration card of each person so registered the fact that such person is an employe of this Commonwealth or of the Federal Government as the case may be

Section 13 The said act is hereby amended by adding thereto after section twenty a new section to read as follows

Section 20.1 When the registration of an elector registered thereafter has been completed the registrar commissioner employe or clerk shall deliver to such registered elector a written or printed statement signed by such registrar commissioner employe or clerk setting forth the name and address of the elector his ward and district the fact of registration designation of party enrollment the date thereof the serial number of the elector's registration card and such other information as the commission may deem advisable Each such statement shall contain a warning to the effect that the said statement relates only to the time of the issuance thereof and is not of itself evidence or proof of the elector's qualifications to vote at any election or primary Upon request made at the office of the commission by any registered elector who has been registered prior thereto the commission if satisfied that such elector is a qualified elector of the district in which he is registered shall mail or deliver such a statement of his registration to such elector

Section 14 Section twenty-one of said act is hereby amended to read as follows

Section 21 Who May Register Who May Vote Electors Need Register Only Once Exception

Every person who shall possess all the qualifications of an elector as provided in the Constitution and laws of this Commonwealth or who by continued residence in his election district will obtain such qualifications before the next ensuing general or municipal election shall be entitled to be registered as herein provided and [from and after the twentieth day of September one thousand nine hundred and thirty-seven] no person shall be permitted to vote at any election or primary held in such city unless he shall have been so registered [except by order of a court of common pleas as hereinafter provided] and no elector so registered shall be required to register again for any election or primary while he continues to reside at the same address or has removed his residence to another district in the city and has filed a removal notice as provided by this act unless his registration is cancelled by the commission by reason of his failure to vote during [a] the certain period [of four years] as hereinafter provided or for any other reason under the provisions of this act

Section 15 Section twenty-three of said act is hereby amended to read as follows

Section 23 Naturalized Applicants Applicants Whose Fathers Mothers or Husbands Were Naturalized All persons claiming the right to vote by reason of naturalization shall produce the proper naturalization papers or a certified copy thereof before they shall be registered Provided That any person claiming citizenship by reason of the naturalization of his father or mother [during his minority] may be registered either by the production of his father's or mother's original papers or a certified copy thereof or by making affidavit as to the court in which and time when his father or mother was naturalized and the date of his birth indicating that he the applicant [was] then [less than twenty-one years of age] acquired citizenship and that he is unable to produce his father's or mother's naturalization papers or a certified copy thereof stating the reason And provided further That any woman claiming citizenship by reason of her marriage prior to September twenty-second one thousand nine hundred and twenty-two may be registered either (a) by the production of her husband's original naturalization papers or a certified copy thereof or by making affidavit that her husband was naturalized prior to their marriage stating therein the date and place of their marriage the time when and the court in which such naturalization was effected and that she is unable to produce his original naturalization papers or a certified copy [of them] thereof stating the reason therefor or (b) by the production of evidence that her husband was a native born citizen of the United States or by making affidavit of such fact stating therein the place and date

of her husband's birth and the date and place of their marriage. Each such affidavit shall be filed with the registration affidavit of the person whose registration it affects and shall be returned therewith to the office of the registration commission.

Section 16 Section twenty-five of said act is hereby amended to read as follows:

Section 25 Appeal of Rejected Applicant Any person whose application to be registered has been denied by a registrar clerk or by a commissioner may file a petition with the commission not later than the fifteenth day [prior to an election or primary] thereafter setting forth the ground of his complaint under oath and praying to be registered. The commission shall fix a time for a public hearing [thereof] thereon at its office not later than the tenth day [prior to the election or primary] after the filing of the petition. At the time so fixed the commission shall hear and dispose of the petition having first given at least forty-eight hours' notice of the hearing to the registrar clerk or commissioner who rejected the petitioner's application for registration. In the taking of testimony the commission shall not be bound by technical rules of evidence. The commission if satisfied upon competent evidence that the petitioner is entitled to be registered shall direct a registrar employe clerk or commissioner to register him in the usual manner and shall amend accordingly the records affected but any registrar or inspector of registration or qualified elector of the city may appear and show cause why the petitioner should not be registered. [The testimony presented at such hearing shall be stenographically recorded and made a part of the records of the commission. The decision of the commission upon such petition shall be final and conclusive. Provided however That the commission shall grant a rehearing in any case upon reasonable cause shown or where the interests of justice require it. And provided further however That the said decision shall be subject to review by the court of common pleas of the county as hereinafter provided.]

Section 17 Section twenty-six of said act is hereby amended to read as follows:

Section 26 General Register A copy of the registration affidavits for the entire city shall be placed in [visible] cabinets in exact alphabetical order and [visibly] indexed as to name [and voting record] and shall be kept at the office of the commission in a place and in such manner as to be properly safeguarded. These affidavits shall constitute the general register of such city and shall not be removed from the office of the commission nor open to public inspection except upon order of the court of common pleas of the county wherein such city is located upon sufficient cause having been shown.

Section 18 Section twenty-seven of said act is hereby amended to read as follows:

Section 27 District Registers [Street List Registers] Triplicate Registration Cards

(a) [District Registers] The original registration affidavits shall be filed by election districts and within each election district in exact alphabetical order or in the order in which their residences appear upon the streets of the election district and in exact alphabetical order for each residence as the commission may determine and shall be visibly indexed as to name and voting record. The affidavits so filed for each election district shall constitute the district register for such district. The district register shall be kept at the office of the commission except as herein provided and shall be open to public inspection [at all times] subject to reasonable safeguards rules and regulations and to the provisions of this act.

[(b) Street List Register The triplicate registration affidavits shall be filed by election districts and within each district in the order in which their residences appear upon the streets of the election district and shall be open to public inspection at all times subject to reasonable safeguards rules and regulations.]

(b) The commission shall safely retain all triplicate registration affidavits or cards now in its custody and

such as it may under the provisions of this act hereafter require to be used in the registration of electors for the same period of time as the commission is required to retain all other registration affidavits or cards and in such order or manner as it may by regulation direct. Any such triplicate registration affidavit or card may be substituted for a lost destroyed or mislaid original or duplicate affidavit or card of the same elector on order of the commission endorsed thereon and signed by a commissioner and such triplicate affidavit or card when so substituted shall be deemed and considered for all purposes as though it shall be the original or duplicate affidavit or card as the case may be.

Section 19 Section twenty-eight of said act is hereby amended to read as follows:

Section 28 Removal Notices (a) The commission shall provide forms of removal notices which it shall cause to be made available for the convenient use of registered electors. These notices shall be printed upon cards suitable for mailing addressed to the office of the registration commission and shall contain spaces wherein the elector shall write (1) the street and number of his present residence and the specific location thereof including the number of the room apartment flat or floor in his residence if a portion only of a house (2) the street and number of the address from which he was last registered (3) the date of his removal to his present address (4) the serial number of his registration card [(4)] (5) space wherein the elector shall sign his name and insert the date of signing [(5)] (6) space wherein two registered electors of the district to which he has removed shall sign their names and addresses certifying to the truth of the statement on said notice as to his present place of residence. The removal notice shall contain a statement that the elector may by filling out properly and signing a removal notice having it witnessed as aforesaid and returning it to the office of the commission secure the transfer of his registration to the election district in which he resides effective as to elections and primaries occurring at least two months after the date of his removal into the new district. Each removal notice shall contain a warning to the elector that the notice will not be accepted as an application for transfer of the elector's registration unless the signature thereon can be identified by the commission with the elector's signature in the general and district register and that if he notifies the commission of a change of his residence address knowing or having reason to know that he is not entitled to have his residence address changed he shall be guilty of a misdemeanor and subject to the penalties as provided by this act. Each removal notice to be effective must be received either through the mail or by delivery at the office of the commission postmarked or delivered as the case may be not later than the [thirtieth] fiftieth day prior to any general or primary [or] election [of which warning shall also be contained on the removal notice] and not later than the thirty-fifth day prior to any municipal election and must have been signed by the elector within ten days prior to the date of mailing or delivery. Warning of these provisions shall also appear on each removal notice form.

(b) Any elector who removes his residence from one place to another within the same election district shall notify the commission by filing a removal notice with the commission in the manner herein provided not later than ten days next preceding the primary or election.

Section 20 Section twenty-nine of said act is hereby amended to read as follows:

Section 29 Transfer of Registration Recording Change of Residence (a) Upon receipt [not later than the thirtieth day next preceding any primary or election] of a [signed] removal notice properly filled out and executed [or a signed request] on the form prescribed by the commission within the times and in the manner provided by this act containing the required information and setting forth a removal of residence to another location in the same city the commission shall cause the signature thereon to be compared with the signature on the registration affidavit

of the elector from whom the removal notice purports to come and if the signature shall appear authentic shall enter the change of residence in the [general and district] registers and if the removal shall have been from one election district to another in the same city shall transfer the registration affidavit of the elector from the district register of the election district of his previous residence to the district register of the election district of his new residence. In any case the commission shall advise the elector promptly in writing of its action.

(b) Provided That when a [request for transfer] removal notice or application provided for in clause (d) of this section believed authentic by the commission as aforesaid shall have been received at the office of the commission and shows thereon a removal within the period of two months next preceding an election or primary and the removal shall have been from one election district to another the commission shall transfer the registration affidavit of the elector from the district register of the election district of his previous residence but shall not include it in the register of the district of his new residence until after the election or primary. In any case the commission shall advise the elector promptly in writing of its action.

(c) If the commission shall doubt that the request [for transfer] is authentic it shall without transferring the registration or entering the change of residence as the case may be promptly notify the elector that it will be necessary of him to apply in person at [the] any office of the commission [for the transfer of his registration] to have the transfer or change of residence entered in the registers.

(d) No elector who is unable to write his name shall be permitted to apply for transfer of registration or the recording of his change of residence by use of a written removal notice but each such elector must apply in person at [the] any office of the commission or [before the registrars in the ward in which he resides] any place of registration on one of the days and at such time as prescribed for the registration of electors establish his identity and state under oath or affirmation to which he shall affix his mark in the presence of a registrar clerk or [a] commissioner who shall affix his own signature thereto as a witness the information required of registered electors in a removal notice. Any other elector may also appear in person at any office of the commission or any place of registration on any of the said days and apply for the recording of his change of residence within the city in which case the signatures of two registered electors of the district shall not be required if such elector shall establish his identity and after stating under oath or affirmation the information required in a removal notice shall sign the same in the presence of a registrar clerk or commissioner who shall affix his own signature thereto as a witness.

(e) Immediately upon the receipt of a removal notice by the commission it shall note thereon the date of receipt and number the same in the order of its receipt and shall forthwith mail to the elector at the address to which he has requested his registration to be transferred an acknowledgement of the receipt of such notice stating the date of receipt and the number assigned to it and that the elector will be advised by the commission of the action taken thereon. Each acknowledgement so mailed shall contain on the outside a request to the postmaster to return it to the commission within five days if it cannot be delivered to the addressee at the address given thereon and not to forward the same to any other address. In the event that any such removal notice shall be filed or application made for transfer of registration or the recording of his change of residence as provided in clause (d) of this section by an elector at any place of registration or at any office of the commission a similar acknowledgement shall be delivered to him by the registrar clerk or employe receiving the same signed by him. Provided however That such removal notices and applications shall be numbered by the registrar clerk or employe in the order of their receipt at the respective registration places or offices. The commission may cause blank forms of acknowledgements to be physically attached to the

removal notices and applications and may require the elector to insert his name and new address thereon before filing the same.

(f) Nothing contained in this act shall be construed as to prevent any elector who after having been registered under the provisions hereof has removed his residence to another location in the city in lieu of filing a removal notice or application as provided herein from again applying for registration at any office of the commission or any place of registration and being registered as an elector of the district in which he shall then reside if such elector shall then be qualified. The commission shall thereupon cancel such elector's prior registration or registrations.

Section 21 Section thirty of said act is hereby amended to read as follows:

Section 30 Change of Party Enrollment Notice Change of Enrollment of Political Party Cancellation of Party Enrollment Persons Suffering Disability after Registration to Have Fact Recorded Cancellation (a) The commission shall provide change of party enrollment notices which it shall cause to be available for the convenient use of registered electors. Those notices shall be printed upon cards and shall contain spaces wherein shall be recorded under oath (1) the street and number of the elector's residence (2) his ward and election district (3) the political party in which he is enrolled (4) the political party in which he desires to be enrolled (5) the signature of the elector (6) the serial number of his registration card.

(b) At any time prior to the thirtieth day next preceding [a] the primary election in the year one thousand nine hundred and forty-one and the fiftieth day next preceding the primary [or an] election in any subsequent year excepting the thirty days next following an election [and the five days next following each primary] any person who desires to change his party enrollment or who although registered has not hitherto enrolled as member of a party shall appear at [the] any office of the commission or before the registrars in his ward or district and sign the change of party enrollment notice containing the information required by sub-section (a) of this section stating the designation of the political party in which he desires to be enrolled. Provided however That no registered elector shall be permitted to change his party enrollment between any primary and the following general or municipal election nor more than once between any November election and the following primary election. The commission shall cause the signature thereon to be compared with the signature on the general and district registers and if the signatures appear authentic shall enter the change of enrollment of political party in the [general and district] registers unless such elector is prohibited from changing his party enrollment as aforesaid.

(c) Any elector who is unable to write his name shall in addition establish his identity and shall affix his mark in lieu of his signature in the presence of a registrar clerk or commissioner who shall affix his own signature thereto as a witness to the information required in the change of party enrollment notice.

(d) At any time not later than the [twentieth] thirtieth day preceding any primary any qualified elector of the city including any watcher may petition the commission to cancel the party enrollment of any registered elector of such city who has previously enrolled as a member of a party for the purpose of voting at primary elections setting forth under oath that he believes that such elector is not a member of the party with which he has been enrolled and also setting forth that due notice of the time and place when said petition would be presented had been given to the person so registered at least forty-eight hours prior to presentation of the same by delivering a copy of the said petition to him personally or by leaving it with an adult member of the family with which he resides. If at or before the hearing of any such petition the elector against whom the petition is filed [appears] files an affidavit with the commission in which he [and] swears or affirms that at the last election at which he voted he voted for a majority of the candidates of the party [with]

as a member of which he [was then] desires to be enrolled all of the candidates of a party for presidential elector being counted as two candidates the petition shall be refused otherwise the party enrollment of such elector shall be forthwith cancelled [The testimony presented at such hearing shall be stenographically recorded and made a part of the records of the commission]

(e) Any elector who has since the time of registration suffered a physical disability which renders him unable to see or mark the ballot or prepare the voting machine or to enter the voting compartment or voting machine booth without assistance shall at least seven days prior to the next succeeding primary or election personally make application under oath to the commission or [a registrar] registrars to have such fact entered on his registration affidavit together with the exact nature of his physical disability which entry shall be made accordingly

(f) When the commission shall ascertain that any elector who has declared his need for assistance is no longer illiterate or no longer suffers from the disability stated by him [or has voted without assistance] it shall [forthwith] cancel on his registration affidavit the entry relating to illiteracy or physical disability which authorized him to have assistance and shall forthwith notify such elector by mail of this action

Section 22 Clause (c) of section thirty-one of said act as amended by the act approved the ninth day of June one thousand nine hundred and thirty-nine (P. L. 283) is hereby further amended and clauses (d) (e) and (f) are hereby added to said section to read as follows

(c) All public service companies furnishing electricity or gas to householders in any city shall report in writing from time to time to the registration commission upon the request of the commission all cases of discontinuance of their service to residences together with the names of persons who contracted for such service and the addresses to which such persons have removed if known to them All real estate brokers and rental agents shall re-upon the request of the commission all cases of residence property managed by them which have been vacated by the tenants and the addresses to which they have removed if known to them All persons firms and corporations operating vehicles for moving furniture and household goods in any city of the first class shall report in writing from time to time to the registration commission upon the request of the commission all cases of removals of furniture and household goods together with the names of such persons whose furniture or household goods have been removed and the addresses to which they have removed if known to them [The commission shall forthwith send to each such person who is found to be registered as an elector from the addresses given in said report and to all members of his family and household who are electors registered from the same addresses the notice provided for by section thirty-two of this act and shall proceed thereupon in accordance with the provisions of that section]

(d) The mayor of each city of the first class or other officer of such city charged with the duty of examination and licensing hotels and lodging houses under the provisions of the act approved the second day of July one thousand eight hundred and ninety-five (P. L. 428) entitled "An act to regulate and license public lodging houses in the different cities in this Commonwealth" shall from time to time at the request of the commission furnish to the registration commission the names and addresses of persons partnerships firms or corporations licensed under the provisions of that act together with the names or designations and addresses of hotels and lodging houses for which licenses have been issued The registration commission may require each licensee of a hotel or lodging house to report from time to time the names of all persons who have resided in any hotel or lodging house owned or operated by such licensee for a period of two calendar months or more during the period of one year preceding the date of such request and to designate in such report whether or not such persons have removed and the addresses to which they have removed if known to the licensee

(e) The registration commission shall cause the information received under this section to be placed on file and retained for at least one year For this purpose the commission may in its discretion cause to be printed file cards of uniform size on which such information may be entered and from time to time corrected on the basis of new reports received by the commission

(f) Upon receipt of any report provided for in this section the commission shall forthwith cause to be sent by mail to each person so reported as having removed and to each member of his family and household who is registered under the provisions of this act a notice warning each such person that it will be necessary for him to execute and file a removal notice in order for him to be eligible to vote at ensuing elections if he continues to live in the city Where the report lists the residence address to which any such person shall have removed and such residence address is located in the city the notice together with a removal notice form shall be sent to the new residence address of such person Where the report does not list the residence address to which such person has removed it shall be sent to the last residence listed on the registration affidavit of the person reported or to the address listed in the report if they differ or to both addresses For the purposes of this subsection the commission shall cause to be printed postcards of suitable size in such manner that a removal notice in the form provided for by subsection (a) of section twenty-nine of this act shall be physically attached thereto The notice shall contain a direction to the postmaster that he is to forward the postcard or if no forwarding address is known to return the card within five days to the office of the commission

Section 23 Clause (d) of section thirty-two of said act is hereby amended to read as follows

(d) Upon the return by the post office of any such notice which it has been unable to deliver at the given address because the addressee cannot be found there or upon report by the post office that any registered elector does not reside at the address given on his registration card the commission shall direct an authorized employe to visit in person the address of the elector and if he shall find that the elector does not reside at the address he shall leave at such address the notice prescribed by section thirty-three of this act and the commission shall at the expiration of the time specified in such notice cancel the registration of such person unless his qualifications as an elector are proved [The testimony taken at such time shall be stenographically recorded and made a part of the records of the commission]

Section 24 Section thirty-four of said act is hereby amended to read as follows

Section 34 Comparison and Correction of Registers Street Lists (a) Commencing [thirty (30)] fifty days prior to each primary and each general election [or primary] and thirty-five days prior to each municipal election the commission shall compare and correct the general and district registers

(b) After the [fifth Saturday preceding the Spring primary and after the last registration day in the fall of the even-numbered years and after the fifth Saturday preceding the Fall primary in odd-numbered years] last day preceding each primary municipal and general election when electors may be registered the [registration] commission shall prepare for each election district a street list of the names and addresses of all registered electors [as of that date] resident in the district arranged by streets and house numbers and except before each municipal election shall cause to be made at least a hundred exact copies or such list and not later than [twenty days following the aforesaid days] fifteen days preceding each primary and general election shall distribute copies of such lists among the inspectors and special inspectors of registration and the official concerned with the conduct of primaries and elections and among the parties bodies of electors candidates and organized bodies of citizens interested therein giving at least ten copies of each street list to the city committee of each political party or body of electors upon the written application of the chairman thereof and at least ten copies of each street list to the executive or governing board or

committee of each organized body of citizens having as its purposes the investigation and prosecution of election frauds upon the written application of the presiding officer of such [a] body of citizens and at least one copy of each street list with which his candidacy is concerned to each candidate upon his written request and keeping two complete sets of such street lists on file at the office of the commission convenient for public inspection during all the hours when the other records of the commission are open to public inspection as herein provided Not later than the seventh day preceding each election and primary the commission shall post or cause to be posted at each polling place in such city at a point accessible to the public one of the said street lists to be maintained at such place until the closing of the polls on the succeeding election day

Section 25 Section thirty-five of said act is hereby amended to read as follows

Section 35 Petitions to Strike Off Names Filing and Notice [Any] At any time not later than the twenty-fifth day preceding any election or primary any qualified elector of the city including any watcher registrar or inspector of registration [of the city] may [file his] petition [with] the commission [praying for the cancellation of] to cancel the registration of any registered elector of the city [upon such grounds as may be set forth in such petition] setting forth under oath supported by the affidavits of at least two qualified electors of the city sufficient grounds for such cancellation One of the commissioners shall fix a time and place for a hearing thereon not later than [ten (10)] fifteen (15) days before any primary or election and the petitioners shall cause forty-eight (48) hours notice of the proceeding to be given to the person [whose registration is in question by a duly authorized employe of the commission] so registered by service by an adult person of known responsibility of a copy of the said petition with the time and place fixed for the hearing endorsed thereon either personally or by leaving a copy of the petition [with the time and place fixed for the hearing of the same endorsed thereon] so endorsed with an adult person at his place of residence as given by him and recorded in the registers if he cannot be found at the place given in the district register as his residence and upon the filing by such [duly authorized employe] person of an affidavit that the copy so endorsed has been so served by him or that there is no adult person residing at the address given the [commissioners] commission or commissioners assigned by the commission for that purpose shall proceed with [the] a public hearing [of] on the petition

Section 26 Section thirty-six of said act is hereby amended to read as follows

Section 36 Hearing on Petition to Strike off Names At the time so fixed the commission or any two commissioners not being enrolled as members of the same political party assigned by the commission for that purpose shall hear testimony not being bound by technical rules of evidence and if satisfied upon competent evidence that any such person is not legally entitled to be registered shall cancel the registration of such person and amend accordingly the registers and any other records affected thereby Provided however That the commission or any commissioner assigned for that purpose may without hearing cancel the registration of any such person and amend accordingly the registers and the other records affected if the petitioners shall have filed with the commission an affidavit by an adult person of known responsibility of the service of a copy of the petition as provided in section thirty-five of this act and if the person so registered was not served personally that he could not be found at the place given in the district register as his residence and that the person in charge thereof or some other person having knowledge of the names of all persons residing at the address given as such residence to be mentioned by name had declared that he or she was well acquainted with the names of all persons residing at the address given as such residence and that the person so registered had never been or was no longer one of them or that no such person is residing at the address given or an affidavit that there

is no adult person residing at the address given and although due inquiry has been made no information can be obtained as to the whereabouts of the person so registered unless he shall appear and show cause why the same should not be done [shall hear testimony not being bound by technical rules of evidence and if satisfied upon competent evidence that the said person is not legally entitled to be registered it shall cancel the registration of such elector and amend accordingly the general street and district registers and any other records affected thereby The testimony presented at such hearing shall be stenographically recorded and made a part of the records of the commission The decision of the commission upon such petition shall be final and conclusive Provided however That the commission shall grant a rehearing in any case upon reasonable cause shown or where the interests of justice require it And provided further however That the said decision shall be subject to review by the court of common pleas of the county as hereinafter provided]

Section 27 Section thirty-seven of said act is hereby amended by adding thereto a new clause to read as follows

Section 37 Delivery of District Registers to Commissioners in Charge of Elections

* * *

(c) In the event that any of said district registers when so delivered shall contain the names of registered electors not contained in the street list posted in the district as required by section thirty-four (b) or shall omit names of registered electors contained in said street list then the said registers shall be accompanied by a list showing such names as were added and such names as were omitted with a brief explanation or key showing the cause for such addition or omission Such list shall remain in the polling place on election day open to public inspection One copy of such list shall be posted at the office of the commission at the time of the delivery of the binders and shall remain posted until after the next succeeding election and one copy of such list shall be furnished to the chairman of the city committee of each party entitled to a ballot at the preceding primary

Section 28 Clauses (a) (f) and (g) of section thirty-eight of said act are hereby amended to read as follows

(a) Any person whose registration affidavit appears [name is] in the district register of any election district in [such] the city and who upon applying to vote shall have signed his name to a voter's certificate in the form hereinafter provided as a means of identification and whose signature thereon shall have been compared by the election officers in the presence and view of the watchers with the signature of the applicant as recorded in the district register and shall have been deemed authentic by said election officers shall be entitled to vote in such district at any general municipal or special election unless it be shown to the satisfaction of the election officers that he has become disqualified by removal from the district since registration or that he has violated any law of this Commonwealth prohibiting bribery at elections [Provided That if] If however, the signature on the voter's certificate as compared with the signature as recorded in the district register shall not be deemed authentic by any of the election officers such elector shall nevertheless not be denied the right to vote for that reason but shall be considered challenged as to identify and required to make the affidavit and produce the evidence as provided in [subsection] clause (e) of this section Provided however That any person applying to vote who claims that he is a duly registered and qualified elector of the election district shall be permitted to vote subject to all other requirements and provisions of this section although his registration affidavit does not appear in the district register if it shall appear by the street list posted in the district and the list accompanying the district register as hereinbefore provided that he is a registered elector of the district and that his registration affidavit should have appeared

in the district register both inspectors of election agreeing as to his identity or if upon application the proper court of common pleas shall have ordered the election officers to accept such elector's vote Provided further that any such person shall be considered challenged as to identity and residence and be required to produce the evidence as provided in clause (e) of this section and shall also be required to swear or affirm to a special affidavit on forms prepared and furnished by the commissioners in charge of elections stating his name address the date when and place where he was registered that since having registered he has resided continuously at the same address or if he has since changed his registration to another address in the city that he has in all respects complied with the provisions of this act to secure the transfer of his registration to his present address stating the time when and the manner in which he complied with such provisions that his registration has not been cancelled for any reason that he is in all respects entitled to vote as a qualified and registered elector of the district and that the absence of his registration affidavit from the district register of the district is not due to any fault or omission on his part All such affidavits shall be numbered in the order in which they are executed and the election officer in charge of the voters' certificates shall note on the voters' certificate of any such person being so permitted to vote that fact the reason therefor as hereinbefore provided and the number of the special affidavit executed by him After the closing of the polls all such affidavits shall be arranged in numerical order by the election officers and together with such orders of the court or certified copies thereof received by them as aforesaid shall be sealed in an envelope to be furnished them by the commissioners in charge of elections and returned to the commission with the voting check list

(f) The commissioners in charge of elections shall cause to be printed each election district a suitable number of Voter's Certificates which shall be in form approved by the Secretary of the Commonwealth substantially as follows

Voter's Certificate

Number (serially numbered) (Primary) (Election) 19.. I hereby certify that I am qualified to vote at this (primary) (election)
 Signature
 Address Pennsylvania

If voter's registration card is not in register insert the number of his special affidavit here and check reason for permitting him to vote Court order

It appears by street list posted and list accompanying District Register that he is a registered elector of this district both inspectors of election having agreed as to his identity

Approved
 Refused
 Number of stub of ballot issued (or number of admission to voting machine)
 (and party at primary)

The voter's certificates shall be so prepared as to be capable of being inserted by the election officers in a suitable file or binder to be furnished by the commissioners conducting the election After a voter's certificate has been presented by an elector and has been compared with his signature in the district register and approved or in the case of an elector who is unable to write the notations [herein above] hereinbefore required have been made thereon one of the election officers who made the comparison shall sign his name or initials thereon and if the elector's signature is not readily legible shall print such elector's name over his signature After the elector has been admitted to vote the number of the stub of the ballot issued to him or his number in the order of admission to the voting machines and at primaries a letter or abbreviation designating the

party in whose primary he votes shall be entered on his voter's certificate and the same shall thereupon be inserted in the file or binder One such file or binder shall be furnished for each election district for each primary and election and shall have printed or written thereon the words "Voting Check List" and the name of the district and date of the primary or election The Voter's Certificates so bound shall constitute the voting check list of the district All voter's certificates prepared by persons applying to vote whose applications to vote are refused by the election officers shall be carefully preserved and returned to the commission with the voting check list

(g) The district register shall constitute the ballot check list of the district As each voter is found to be qualified and votes unless such voter is permitted to vote notwithstanding the absence of his registration affidavit in the register as hereinbefore provided the election officer in charge of the district register shall write or stamp the date of the election or primary the number of the stub of the ballot issued to him or his number in the order of admission to the voting machines and at the primaries a letter or abbreviation designating the party in whose primary he votes and sign his name or initials in the proper space on the registration affidavit of such voter contained in the district register After the polls are closed the names of all electors on the district register so marked or stamped as having voted together with such others whose registration affidavits did not appear in the register who may nevertheless have been permitted to vote as aforesaid shall be immediately counted and the result compared with the number of persons voting shown by the voting check list and numbered lists of voters and announced and the cause of any difference ascertained if possible before the ballot box or voting machine is opened The district register [and] the voting check list the voters' certificates prepared by persons whose applications to vote are refused and the orders of the court or certified copies thereof and the special affidavits as provided in clause (a) of this section shall be immediately sealed or locked in envelopes or containers and shall be returned to the custody of the registration commission by the judge of election before noon on the day following the election or primary

Section 29 Clause (c) of section thirty-nine of said act is hereby amended to read as follows

(c) The commission specifically shall cause the signature of each elector on each voter's certificate to be compared with his signature in the district register or on such other records in its custody on which it may appear and shall report forthwith in writing to the district attorney any evidence or indication of probable fraud personation or forgery which may appear to the commission by reason of any comparison of the voter's certificates and registers [hereby prescribed] or other records in its custody

Section 30 Section forty of said act is hereby amended to read as follows

Section 40 Cancellation of Registration upon Failure to Vote Within [Four Years] Certain Periods Request for Reinstatement Correction of Errors of the Commission in Cancellation of Registrations Within three months after [any general or] the municipal election held in the year one thousand nine hundred and forty-one and within three months after each general and municipal election held thereafter the commission shall cause all of the district registers [or general registers] to be examined and in the case of each registered elector who is not recorded as having voted at any election or primary within the period of four years immediately preceding the date of [said] the municipal [or general] election held in the year one thousand nine hundred and forty-one and in the case of each registered elector who is not recorded as having voted at any election or primary within the period of two years immediately preceding any municipal or general election held in any subsequent year the commission shall send to such elector by

mail at his address appearing upon his registration affidavit a notice setting forth that the records of the commission indicate that he has not voted within a period of four years or two years as the case may require and that his registration will be cancelled at the expiration of ten days from the date of mailing such notice unless he shall within that period file with the commission either personally or by mail a written request for reinstatement of his registration signed by him setting forth his place of residence [and signed by him A copy of said notice] A list of the persons to whom such notices shall have been mailed shall be sent promptly to the city chairman of the political party of which [such elector was] the electors were registered as [a member] members At the expiration of the time specified in the notice the commission shall cause the registration of such elector to be cancelled unless he has filed with the commission a signed request for reinstatement of his registration as above provided The cancellation of the registration of any such elector for failure to vote within a period of four years or two years as the case may require shall not affect the right of any such elector to subsequently register by personal application [to the commission or a registrar] in the manner provided by this act

Whenever the registration of an elector has been cancelled through error such elector may petition the commission for the reinstatement of his registration not later than the tenth day preceding any primary or election and after a hearing on said application if error on the part of the commission is proved the commission shall reinstate the registration of such elector [The testimony presented at such hearing shall be stenographically recorded and made a part of the records of the commission]

Section 31 Section forty-two of said act is hereby amended to read as follows

Section 42 Appeals to Court Time of Hearing Notice Postponement Hearing Decision of Court Costs and Fees (a) Any person whose claim for registration has been denied by the commission or whose name although previously registered has been removed and not restored by the commission upon a petition filed for that purpose as herein provided or any qualified elector of the city whose rights are impaired by any order of the commission not including registration of particular names by the commission on personal application made to it as aforesaid or refusals to remove names upon any petition of any kind aforesaid may file an appeal with the proper court of common pleas not later than the [seventh] eleventh day preceding any election or primary setting forth why he feels that an injustice has been done and praying for such order as will give him relief Provided That if the order of the commission appealed from was entered within [ten] thirteen days of any election or primary such appeal shall be filed within two days thereafter Thereupon any judge of the said court [may] shall fix a time and place for hearing the matter in dispute of which notice shall be served with a copy of said appeal by the appellant upon the commission or upon counsel of the commission and upon any elector or his attorney who opposed the contention of the appellant before the commission at least forty-eight hours before such matter may be reviewed by the court Proof of notice or the waiver thereof must be filed therein

(b) Any judge of said court may enlarge the time of notice or postpone such hearing as may be reasonable with due regard for the time remaining before the succeeding election or primary At the time so fixed the court or any judge thereof assigned for the purpose [shall review the record made before the commission Provided however That no additional testimony shall be taken before said court] shall hear all the witnesses and other evidence that may be offered de novo unless the issue can be decided in some other manner by agreement of the parties concerned

(c) [The said court on appeal from any decision or action of the registration commission shall be limited to the determination of the regularity of such decision or action and whether the findings and decision of the regis-

tration commission are reasonable in the light of the competent evidence presented before said commission and in conformity with law] If after such public hearing the said courts shall find that [the decision or action of the registration commission has been erroneous it shall direct the commission to correct its decision] an injustice has been done it may reverse or alter the decision of the commission and modify any order made by it accordingly and if necessary issue its mandate to the election officers of any election district to permit the appellant to vote at any designated election or primary although his name may not have been entered in or restored to the district [registry] register of such district If the appellant shall not satisfy the court that an injustice has been done the decision of the commission shall be affirmed

(d) The said court may compel the appellant unless his appeal is sustained or any opposing party other than the commission or in proper cases the county to pay all the witness fees and other legal costs of such appeal which may be taxed by the prothonotary in the usual manner

Section 32 Clauses (b) and (c) of section forty-three of said act are hereby amended to read as follows

(b) The commission shall be a party appellee to all such appeals [but the commission shall not be obliged to answer any appeal and shall not be obliged by subpoena or otherwise to appear at any such hearing unless it shall deem it expedient to do so] and may itself appeal from any judgment order or decree made or entered by the court of common pleas to such court of appellate jurisdiction as may have jurisdiction over the subject matter of the controversy and shall be deemed and considered a proper party appellant and in interest to file and prosecute such appeal

[(c) The stenographic record of any proceeding required by this act to be stenographically recorded shall when certified by any commissioner present at such proceeding be prima facie evidence of the events therein recorded]

Section 33 Clause (n) of section forty-five of said act is hereby amended and a new clause (o) is hereby added to the said section to read as follows

(n) Any person who shall [serve any paper being or purporting to be a copy of a petition to strike a voter's name from the registers or a copy of a notice or order of the commission without being duly authorized so to serve as provided herein] intentionally remove deface or destroy a copy of a street list posted by the commission in accordance with section thirty-four (b) of this act shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine not exceeding one [thousand (\$1,000.00)] hundred (\$100.00) dollars [and] or to undergo an imprisonment of not [less] more than [three] six months [nor more than three years] or both in the discretion of the court

(o) Any person who shall sign his name to the removal notice of any elector certifying to the truth of the statement therein as to the place of residence of such elector knowing that the statement is false shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine not exceeding five hundred (\$500.00) dollars or to undergo an imprisonment of not more than two (2) years or both in the discretion of the court

Section 34 It is the intention of the General Assembly that if this act cannot take effect in its entirety because of the judgment of any court of competent jurisdiction holding unconstitutional any part or parts thereof the remaining provisions of the act shall be given full force and effect as completely as if the part or parts held unconstitutional had not been included herein

Section 35 All acts and parts of acts inconsistent herewith are hereby repealed

Section 36 The respective provisions of this act shall not impair or affect any act done or offense committed or right accruing accrued or acquired or liability duty obligation penalty judgment or punishment incurred prior to the time such provisions take effect but the same may be enjoyed asserted enforced prosecuted or inflicted as

fully and to the same extent as if this act has not been passed

Section 37 Sections nineteen twenty twenty-four twenty-five twenty-six twenty-seven twenty-eight thirty-one thirty-two and thirty-three of this amending act shall become effective September fifteenth one thousand nine hundred and forty-one

Except as herein otherwise specifically provided the provisions of this act shall become effective immediately upon final enactment Provided however That in every case where the provisions of this amending act require any change in existing forms papers records or equipment or the use of new or different forms papers records or equipment such provisions shall not be deemed to prohibit the use of the forms papers records and equipment provided for under existing law until November fifteenth one thousand nine hundred and forty-one or until the officials responsible for such new changed or different forms papers records and equipment shall have the same prepared and available for use prior to said date

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

NAYS—0

The majority required by the Constitution having voted

in the affirmative, the question was determined in the affirmative, 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. 1729

Mr. STINE. Mr. Speaker, I desire to submit the report of the Committee of Conference on House Bill No. 1729.

The SPEAKER. The report will lie over for printing under the rules.

REPORT OF COMMITTEE OF CONFERENCE ON HOUSE BILL No. 481

Mr. MOUL. Mr. Speaker, I desire to submit the report of the Committee of Conference on House Bill No. 481.

The SPEAKER. The report will lie over for printing under the rules.

SENATE MESSAGES

APPOINTMENT OF CONFERENCE COMMITTEE ON HOUSE BILL No. 803

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. 803, entitled:

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.

And has appointed Messrs. Setzler, Kephart and Di-Silvestro 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. 846

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. 846, entitled:

An Act requiring school boards in all school districts to grant leaves of absence to all school employes who shall volunteer or be called for military or naval service 1940 or subsequent laws of the United States of America and to all school employes in the National Guard land or naval in time of war or during a state of national emergency preserving certain contracts salaries increments retirement rights seniority State contributions and

grants to local school boards eligibility lists re-employment authorizing school boards to employ substitutes in place of such employes reserving all rights and privileges of employes granted leaves of absence under the provisions herein superseding or repealing all contrary laws

And has appointed Messrs. Homsher, Crider and McGinnis 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 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. 846

The SPEAKER. The Chair appoints as a Committee of Conference on said bill, Messrs. HERING, GRYSKEWICZ and EDWIN A. LEE.

Ordered, That the Clerk inform the Senate accordingly.

REPORT OF COMMITTEE OF CONFERENCE ON HOUSE BILL No. 551

Mr. GERARD. Mr. Speaker, I desire to call up the report of the Committee of Conference on House Bill No. 551, Printer's No. 1198.

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. 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 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.

Respectfully submit the following bill as our report:

Anthony J. Gerard
Fred Marks
Robert E. Woodside, Jr.

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

George B. Stevenson
Cyrus B. Tyler
B. B. McGinnis

(Committee on the part of the Senate.)

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 pro-

vide for the ordinary expenses of the Executive Legislative and Judicial Departments of the Commonwealth interest on the public debt and the support of the Public schools for two years beginning June first one thousand nine hundred and thirty-nine and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending May thirty-first one thousand nine hundred and thirty-nine" providing for 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

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

Section 1 The sum of one hundred and five thousand dollars (\$105,000) or as much thereof as may be necessary for deficiencies in the appropriation made to the Department of Property and Supplies by the act to which this is a supplement is hereby specifically appropriated to the Department of Property and Supplies for the cost of alterations furnishing equipment books and necessary improvements on space in the main Capitol building now occupied or to be occupied by the Senate the House of Representatives and the Legislative Reference Bureau The deficiency appropriation hereby made may be paid out of the revenues of the fiscal biennial period beginning June first one thousand nine hundred forty-one

Section 2 Neither this appropriation nor the unexpended balance of the appropriation for said purposes made by the act to which this is a supplement shall lapse until such purposes are fully completed

Section 3 This act shall become effective immediately upon final enactment

On the question,

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

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

YEAS—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,
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,
Dairyple,	James,	Owens,	Voldow,
Dennison,	Jefferson,	Petrosky,	Voorhees,
DiGenova,	Jones, G. E.,	Pettit,	Wagner,
Dix,	Jones, P. N.,	Polaski,	Watkins,
Dolan,	Keenan,	Polen,	Weingartner,
	Kenehan,	Powers,	Weiss,

D'Ortona,	Kline,	Prosen,	Welsh, E. B.,
Duffy,	Knoble,	Rank,	Welsh, M. J.,
Eckels,	Kolankiewicz,	Rausch,	Wilkinson,
Early,	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,
Finnerty,	Lesko,	Rhea,	Wright,
Fisher,	Levy,	Riley,	Yeakel,
Fiss,	Leydic,	Rooney,	Yester,
Fleming,	Lichtenwalter,	Rose, S.,	Young,
Fletcher,	Longo,	Rose, W. E.,	Kilroy,
Fivinn,	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 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. 846

Mr. Edwin A. Lee. Mr. Speaker, I desire to submit the report of the Committee of Conference on House Bill No. 846.

The SPEAKER. The report will lie over for printing under the rules.

HOUSE BILL No. 401 TAKEN FROM TABLE

Mr. ACHTERMAN. Mr. Speaker, I move that House Bill No. 401, together with the communication from the Governor, which was laid on the table Thursday, May 29, 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. 401

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, May 29, 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. 401, Printer's No. 564, for the purpose of further consideration.

Accordingly, the original bill is herewith returned.

ARTHUR H. JAMES.

RESOLUTION

RETURNING HOUSE BILL No. 401 TO THE GOVERNOR

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

In the House of Representatives, July 12, 1941.

Resolved (if the Senate concur), that House Bill No. 401, Printer's No. 564, entitled "An act to further amend section five hundred eleven 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' appropriating to the Department of Military Affairs the proceeds of the sale of certain products to be expended for the Indiantown Gap Military Reservation," which was recalled from the Governor on May 29th for the purpose of amendment, be returned to the Governor without amendment.

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

SENATE MESSAGES

APPOINTMENT OF CONFERENCE COMMITTEE ON
HOUSE BILL No. 448

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. 448, entitled:

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

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. 448

The SPEAKER. The Chair appoints as a Committee of Conference on said bill, Messrs. BROWN, McCLANAGHAN and CORDIER.

Ordered, That the Clerk inform the Senate accordingly.

SENATE INSISTS ON NON-CONCURRENCE IN HOUSE
AMENDMENTS

The Clerk of the Senate being introduced, informed that the Senate insists on its concurrence in the amendments made and insisted upon by the House of Representatives to Senate Bill No. 46, entitled:

An Act to amend the title of and to add section one hundred fifty and one-tenth to the act approved the second day of May one thousand nine hundred and twenty-nine (P. L. 1278) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" authorizing the county treasurer in counties of the first second third fourth fifth sixth seventh and eighth classes to appoint a solicitor and providing for his salary payable out of the treasury from which the county treasurer is paid.

Mr. ACHTERMAN. Mr. Speaker, I move that the House insist upon its amendments nonconcurrent in by the Senate to Senate Bill No. 46 and that a Committee of Conference be appointed.

The motion was agreed to.

APPOINTMENT OF COMMITTEE OF CONFERENCE ON
SENATE BILL No. 46

The SPEAKER. The Chair appoints as a Committee of Conference on said bill, Messrs. PROSEN, PRESLEY N. JONES and HABBYSKAW.

Ordered, That the Clerk inform the Senate accordingly.

REPORT OF COMMITTEE OF CONFERENCE ON
HOUSE BILL No. 594

Mr. ACHTERMAN. Mr. Speaker, I desire to submit the report of the Committee of Conference on House Bill No. 594.

The SPEAKER. The report will lie over for printing under the rules.

REPORT OF COMMITTEE OF CONFERENCE ON
HOUSE BILL No. 692

Mr. REUBEN E. COHEN. Mr. Speaker, I desire to call up the report of the Committee of Conference on House Bill No. 692, Printer's No. 1202.

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. 692, entitled:

An Act to amend 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 * * *" as amended by making further provision for the granting of easements or rights-of-way or other interests in upon across over under or along lands and waters of the Commonwealth making further provision for the granting of commissions to certain air pilots authorizing the Pennsylvania Historical Commission to charge certain admission fees conferring power upon the Department of Property and Supplies to control and supervise certain buildings devised to the Commonwealth authorizing the micro-filming of records in the various administrative departments boards or commissions and authorizing the leasing of Indiantown Gap Military Reservation and State airport or landing field and certain other real estate of the Commonwealth to the United States

Respectfully submit the following bill as our report:

Robert M. Miller

John H. Cox

J. G. Snowden

(Committee on the Part of the Senate)

Reuben E. Cohen

Wm. E. Habbyskaw

Albert S. Readinger

(Committee on the part of the House of Representatives)

An Act to amend the act approved the ninth day of April one thousand nine hundred and twenty-nine (Pamphlet Laws 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 by making further provision for the granting of easements or rights-of-way or other interests in upon across over under or along lands and waters of the Commonwealth making further provision for the granting of commissions to certain air pilots authorizing the Pennsylvania Historical Commission to charge certain admission fees conferring power upon the Department of Property and Supplies to control and supervise certain buildings devised to the Commonwealth authorizing the micro filming of records in the various administrative departments boards or commissions and authorizing the leasing of Indiantown Gap Military Reservation any state airport or landing field and certain other real estate of the Commonwealth to the United States

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

Section 1 Section five hundred fourteen of the act approved the ninth day of April one thousand nine hundred and twenty-nine (Pamphlet Laws 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 last amended by the act approved the twenty-second day of May one thousand nine hundred thirty-five (Pamphlet Laws two hundred forty-one) and the act approved the twelfth day of July one thousand nine hundred thirty-five (Pamphlet Laws seven hundred ninety-one) is hereby further amended to read as follows

Section 514 Sale of Real Estate and Grants of Rights

of Way or Other Rights Over or in Real Estate Tapping Water Lines of Institutions and Sanatoria (a) Except as otherwise in this act expressly provided a department board or commission shall not sell or exchange any real estate belonging to the Commonwealth or grant any easement right of way or other interest over or in such real estate without specific authority from the General Assembly so to do but a department board or commission may with the approval of the Governor grant a license to any public service corporation to place upon in or over any dry or submerged land or bridge of or maintained by the Commonwealth any public service line if such line will enable any State building or State institution to receive better service or if such line is necessary for the service of persons living adjacent to the Commonwealth's land upon in or over which it is proposed to run the line the public and it is necessary or reasonably required to cross the Commonwealth's land to afford such service or if the running of such line over a bridge will be more economical than the erection of a separate bridge for the line Every such license shall be revocable for reasonable cause upon six months' written notice by the Commonwealth and [upon] also after like notice for violation of such [other] proper terms and conditions as the department board or commission with the approval of the Governor shall prescribe when the license issues [and unless] Unless any such line is primarily for the benefit of a State building or State institution the license shall provide for the payment to the Commonwealth of compensation for the use of its property in such amount as the department board or commission granting it shall with the approval of the Governor prescribe

But nothing herein contained shall authorize the Commonwealth to impose and collect from any municipality or township any compensation for a license granted to such municipality or township for the running of a public service line over any such bridge

This section shall be deemed the exclusive system for the granting of licenses consents and permits to place public service lines upon in or over any dry or submerged lands of the Commonwealth In the case of submerged lands such licenses shall be granted only by the Water and Power Resources Board and the permit shall prescribe such terms and conditions as shall be deemed necessary by the board to protect the interests of the public In the case of dry lands licenses shall be issued by the department board or commission having the management of such lands

(b) Any department board or commission having control over lands of the Commonwealth underlaid with veins of coal may with the approval of the Governor exchange part of such coal for coal in place owned by private interests which may be necessary to insure lateral or surface support for any building reservoir or structure erected or to be erected on such lands of the Commonwealth Provided That the coal given by the department board or commission to private interests shall be approximately equivalent in value to the coal received in exchange therefor every such department board or commission is hereby authorized and empowered to execute and deliver and to receive legal instruments and deeds necessary to effectuate any exchange authorized hereunder which instruments and deeds shall have the prior approval of the Department of Justice and a copy thereof shall be filed with the Department of Internal Affairs

(c) Any department board or commission having control over any water supply serving any State institution or sanatorium may with the approval of the Governor permit and authorize the public authorities of any political subdivision to which no other source of supply is available under suitable regulations to tap the lines of any such water supply for the purpose of supplying water to the people of any community living in proximity to such institution or sanatorium and may impose reasonable charges payable periodically by such political subdivision for the water so furnished All moneys received under the provisions of this clause shall be paid into the State Treasury through the Department of Revenue

(d) In the event that the facilities of any corporation heretofore created under the act approved the twenty-

ninth day of April one thousand eight hundred seventy-four (Pamphlet Laws seventy-three) section two clause eleven as amended by the act approved the eighth day of May one thousand eight hundred eighty-nine (Pamphlet Laws one hundred thirty-six) are located by virtue of a permanent easement right of way upon across over under or along lands of the Commonwealth which lands were acquired by it subject to such easement or right of way and in the interest of National Defense such corporation consents or is required to remove or dispose of such facilities and abandon such easement or right of way any department board or commission having control over such lands of the Commonwealth may with the approval of the Governor and upon the surrender to the Commonwealth of the easement or right of way pertaining to such facilities grant to such corporation a permanent easement or right of way upon across over under or along other lands of the Commonwealth in the same locality Every such department board or commission is hereby authorized and empowered to execute and deliver and to receive deeds or other legal instruments necessary to effectuate such grant and surrender which deeds or instruments shall have the prior approval of the Department of Justice and a copy thereof shall be filed with the Department of Internal Affairs

(e) Subject to the approval of the Governor any administrative department board or commission may in the interest of National Defense grant to the United States of America any easement right of way or other interest over on or in any real estate belonging to the Commonwealth upon such terms and conditions and for such periods of time as such department board or commission may prescribe

Section 2 Paragraph (j) of section seven hundred one of the said act which was added to said section by the act approved the twenty-first day of June one thousand nine hundred thirty-seven (Pamphlet Laws one thousand eight hundred sixty-five) is hereby amended to read as follows

Section 701 The Governor The Governor shall have the power and it shall be his duty

* * * * *

(j) To grant to pilots engaged in [the] aeronautical work [of] the Department of Revenue under the provisions of The Aeronautical Code of May twenty-five one thousand nine hundred thirty-three (P. L. 1001), and its amendments commission of such grades as the Governor may prescribe

Section 3 Paragraph (f) of section one thousand three hundred nine of the said act is hereby amended to read as follows

Section 1309 Pennsylvania Historical Commission Subject to any inconsistent provisions in this act contained the Pennsylvania Historical Commission shall have the power

* * * * *

(f) To assume the preservation care and maintenance of historical buildings grounds monuments or antiquities committed to its custody by the General Assembly and to make and enforce rules and regulations for the visitation of such places by the public and at its discretion to charge admission fees therefor such fees to be paid into the State Treasury through the Department of Revenue and credited to the General Fund

Section 4 Paragraph (a) of section two thousand four hundred two of the said act as amended by the act approved the sixteenth day of May one thousand nine hundred forty (Act No 7) is hereby further amended to read as follows paragraph (i) of said section is hereby amended to read as follows paragraph (k) of said section as added by the act approved the twenty-first day of June one thousand nine hundred and thirty-seven (P. L. 1865) is hereby amended to read as follows paragraph (1) of said section as added by the act approved the sixteenth day of May one thousand nine hundred and forty (Act No. 7) is hereby amended to read as follows and said section is hereby further amended by adding at the end thereof a new paragraph to read as follows

Section 2402 Grounds Buildings and Monuments in General The Department of Property and Supplies shall have the power and its duty shall be

(a) Subject to the powers by this act vested in the Board of Commissioners of Public Grounds and Buildings to control and supervise the State Capitol Building and the public grounds and buildings connected with the State Capitol including the State Arsenal any building or buildings that may have been devised or may hereafter be devised to the Commonwealth within the City of Harrisburg the Northwest Office Building now occupied by the Pennsylvania Liquor Control Board and the Executive Mansion and to make or supervise the making of all repairs alterations and improvements in and about such grounds and buildings including the furnishing and refurnishing of the same and also to have general supervision over repairs alterations and improvements to all other buildings lands and property of the State except as in this act otherwise provided

* * * * *

(i) To rent to individuals firms or corporations or the Government of the United States or any branch or agency thereof such real estate owned by the Commonwealth as is not being used in connection with the work of any department board or commission thereof upon such terms and conditions as the Secretary of Property and Supplies may prescribe with the approval of the Governor in writing Provided however That no lease executed under the authority hereby conferred shall be for a longer term than one year and so on from year to year

* * * * *

[(k)] (1) To establish standards for and supervise generally the operation of all mechanical and electrical equipment used in connection with the operation of any State institution or other State building

[(1)] (m) To supervise the work of employes of the Pennsylvania Liquor Control Board who are employed by the board for the cleaning care preservation and protection of the Northwest Office Building and the furnishings records and other matters therein and for the operation of the mechanical plants in such building

(n) To lease the whole or any part of the Indiantown Gap Military Reservation or any state airport or landing field to the Government of the United States or any branch or agency thereof upon such terms and conditions and for such periods of time as the Adjutant General in the case of the Indiantown Gap Military Reservation or the Secretary of Revenue in the case of any State airport or landing field may prescribe with the approval of the Governor in writing

Section 5 Article five of the said act is hereby amended by adding at the end thereof a new section to be known as section five hundred twenty-five and to read as follows

Section 525 Any administrative department board or commission may with the approval of the Executive Board have micro film records made of any correspondence records or other papers for the purpose of protecting and safeguarding the original correspondence records or other papers or for the purpose of conserving filing space and such micro film reproduction shall when properly identified be admitted in evidence in any proceedings in place of the original correspondence records or other papers.

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

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

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,
Atker,	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,	Meichiorre,	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,
Cordler,	Hirsch,	O'Brien,	Turner,
Corrigan,	Holland,	O'Connor,	VanAllsburg,
Croop,	Huntley,	O'Dare,	Verona,
Cullen,	Imbrie,	O'Mullen,	Vincent,
Dalrymple,	James,	O'Neill,	Vogt,
Dennison,	Jefferson,	Owens,	Voldow,
DiGenova,	Jones, G. E.,	Petrosky,	Voorhees,
Dix,	Jones, P. N.,	Pettit,	Wagner,
Dolon,	Keenan,	Polaski,	Watkins,
D'Ortona,	Kenehan,	Polen,	Weingartner,
Duffy,	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,	Winnier,
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 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. 943

Mr. PAUL A. BRUNNER. Mr. Speaker, I desire to submit the report of the Committee of Conference on House Bill No. 943.

The SPEAKER. The report will lie over for printing under the rules.

QUESTION OF INFORMATION

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

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

Mr. SARRAF. Mr. Speaker, I arise to inquire what action has been taken on the report of the Conference Committee on House Bill No. 943.

The SPEAKER. No action has been taken on the Conference report. The conference committee was appointed on the part of the House on July 11th.

Mr. SARRAF. Mr. Speaker, we are not accepting the report of the Conference Committee now, are we, Mr. Speaker?

The SPEAKER. That is correct.

SENATE MESSAGES

APPOINTMENT OF CONFERENCE COMMITTEE
ON SENATE BILL No. 236

The Clerk of the Senate being introduced, informed that the Senate insists on its concurrence in the amendments made and insisted upon by the House of Representatives to Senate Bill No. 236, entitled:

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

And has appointed Messrs. Bartlett, Stevenson and Dent 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 SENATE BILL No. 1044

The Clerk of the Senate being introduced, informed that the Senate insists on its nonconcurrence in the amendments made and insisted upon by the House of Representatives to Senate Bill No. 1044 entitled:

An Act to further amend section eleven and section seventeen of the act approved the twenty-seventh day of June one thousand nine hundred twenty-three (P. L. eight hundred fifty-eight) entitled "An act establishing a State employes' retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing State employes defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon the heads of departments in which State employes serve excepting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties" by permitting a member to borrow from his or her funds under certain provisions and regulating exemption from execution

And has appointed Messrs. Crowe, Wade and Cavalcante 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.

CONFERENCE REPORT ON SENATE BILL No. 1044

Mr. WOODRING presented the report of the Committee of Conference on the part of the House on Senate Bill No. 1044.

The report was read by the Clerk as follows:

Harrisburg, Pennsylvania, July 12, 1941.

To the Members of the Senate and House of Representatives:

The conferees on the part of the Senate and the House of Representatives appointed to compose the differences between the said Senate and House of Representatives on Senate Bill No. 1044, Printer's No. 590 entitled "An act establishing a State Employees Retirement system * * *", respectfully report that the conferees have been unable to agree upon said differences and to arrive at a mutually satisfactory report, and hereby respectfully recommend that the bill be dropped from the calendar of the Senate and the House of Representatives.

Montgomery F. Crowe

Geo. M. Wade

Committee on the part of the Senate

Carleton T. Woodring

James J. McDermott

Committee on the part of the House

The Speaker. The Conferees having failed to agree they are discharged with the thanks of the House.

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:

SENAAE BILL No. 559.

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

Mr. ACHTERMAN. Mr. Speaker, I move that the House insist upon its amendments non-concurred in by the Senate to Senate Bill No. 559 and that a Committee of Conference be appointed.

The motion was agreed to.

APPOINTMENT OF COMMITTEE OF CONFERENCE
ON SENATE BILL No. 559

The SPEAKER. The Chair appoints as a Committee of Conference on said bill, Messrs. BOIES, MELCHIORRE and SOLLENBERGER.

Ordered, That the Clerk inform the Senate accordingly.

QUESTION OF INFORMATION

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

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

Mr. WOODSIDE. Mr. Speaker, I understand we are about to take a recess which will probably result in having a Sunday session.

The SPEAKER. That is correct.

Mr. WOODSIDE. Mr. Speaker, I want to state that in a conference of the leaders I objected to holding a Sun-

day session. I object to this recess on that basis, feeling that we should come back at one minute after twelve on Monday to take up the business of the House.

QUESTION OF INFORMATION

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

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

Mr. HARKINS. Mr. Speaker, has the Chair any information as to whether the Senate is likewise going to recess until a similar hour?

The SPEAKER. That is correct.

PERMISSION TO ADDRESS HOUSE

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

Mr. Speaker, I would like to call to the attention of the gentleman from Dauphin, Mr. Woodside the fact that probably the reason for the House being required to have a Sunday session is also the reason that the Senate will find itself holding a Sunday session. I am quite sure as far as I am concerned I would rather be here at 12.01 a. m. and I would suggest to the minority floor leader if he can persuade his side of the House and the Senate to do so, we will accommodate them and come back at 12.01 Monday morning, if the Senate does the same.

RECESS

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

AFTER RECESS

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

The SPEAKER (Elmer Kilroy) in the Chair.

CONFERENCE COMMITTEE ON SENATE BILL No. 236

The SPEAKER. The Chair wishes to announce that on Senate Bill 236 the Chair has appointed instead of the Gentleman from Westmoreland, Mr. Lovett the gentleman from Philadelphia, Mr. Levy, and instead of the gentleman from Allegheny, Mr. Boies and the gentleman from Philadelphia, Mr. Reuben E. Cohen.

SENATE MESSAGES

APPOINTMENT OF CONFERENCE COMMITTEE ON SENATE BILL No. 46

The Clerk of the Senate being introduced, informed that the Senate insists on its concurrence in the amendments made and insisted upon by the House of Representatives to Senate Bill No. 46 entitled:

An Act to amend the title of and to add section one hundred fifty and one-tenth to the act approved the second day of May one thousand nine hundred and twenty-nine (P. L. 1278) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and con-

solidating the laws relating thereto" authorizing the county treasurer in counties of the first second third fourth fifth sixth seventh and eighth classes to appoint a solicitor and providing for his salary payable out of the treasury from which the county treasurer is paid

And has appointed Messrs. Chapman, Letzler 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.

APPOINTMENT OF CONFERENCE COMMITTEE ON SENATE BILL No. 559

The Clerk of the Senate being introduced, informed that the Senate insists on its concurrence in the amendments made and insisted upon by the House of Representatives to Senate Bill No. 559, entitled:

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

And has appointed Messrs. Homsher, James and Cox 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 SENATE BILL No. 448

The Clerk of the Senate being introduced, informed that the Senate insists on its concurrence in the amendments made and insisted upon by the House of Representatives to Senate Bill No. 448, entitled:

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

And has appointed Messrs. Miller, Bartlett and Cavalcante 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.

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. 248.

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

HOUSE BILL No. 629.

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

HOUSE BILL No. 647.

An Act relating to the bonds to be given by county officers their deputies clerks and assistants in counties of the second class the amount and conditions thereof the sureties for such bonds the payment of the premiums therefor and the recording and custody thereof

HOUSE BILL No. 736.

An Act to further amend section two thousand five hundred and sixty-three 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" changing the penalties and interest imposed for the nonpayment of taxes

HOUSE BILL No. 861.

An Act to further amend the act approved the fourth day of May one thousand nine hundred and twenty-seven (P. L. 519) entitled "An act concerning boroughs and revising amending and consolidating the law relating to boroughs" by further regulating the affairs of boroughs and revising amending and changing the law relating thereto

HOUSE BILL No. 1014.

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

HOUSE BILL No. 1129.

An Act to further amend subsection (a) of section six of the act approved the seventh day of June one thousand nine hundred seventeen (P. L. 447) entitled as amended "An act relating to the administration and distribution of

the estates of decedents and of minors and of trust estates including the appointment bonds rights powers duties liabilities accounts discharge and removal of executors administrators guardians and trustees herein designated as fiduciaries the administration and distribution of the estates of presumed decedents widow's and children's exemptions debts of decedents rents of real estate as assets for payment thereof the lien thereof sales and mortgages of real estate for the payment thereof judgments and executions therefor and the discharge of real estate from the lien thereof contracts of decedents for the sale or purchase of real estate legacies including legacies charged on land the discharge of residuary estates and of real estate from the lien of legacies and other charges the appraisal of real estate devised at a valuation the ascertainment of the curtilage of dwelling houses or other buildings devised the abatement and survival of actions and the substitution of executors and administrators therein the survival of causes of action and suits thereupon by or against fiduciaries investments by fiduciaries the organization of corporations to carry on the business of decedents the audit and review of accounts of fiduciaries refunding bonds transcripts to the court of common pleas of balances due by fiduciaries the rights powers and liabilities of nonresident and foreign fiduciaries 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" eliminating requirements for advertising and for appointment of masters where value of estates of presumed decedents is not in excess of five hundred dollars

HOUSE BILL No. 1197.

An Act to amend Sections 201, 202, 204, 205, 211 and 805 of the act, approved the fourth day of May, one thousand nine hundred twenty-seven (P. L. 519), entitled "An act concerning boroughs, and revising, amending, and consolidating the law relating to boroughs," changing certain provisions relating to the incorporation of new boroughs, and providing for the incorporation of boroughs from townships of the first class having a population of eight thousand or more, and for the organization of the government therein.

HOUSE BILL No. 1336.

An Act authorizing and directing the Department of Property and Supplies to reprint the Report of the Commission to Locate the Sites of the Frontier Forts of Pennsylvania and providing for the distribution thereof

HOUSE BILL No. 1398.

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

in certain cases by making certain changes in the scope of the act and by making certain provisions relating to the filing of notices of changes of registered offices

HOUSE BILL No. 1400.

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

HOUSE BILL No. 1511.

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

HOUSE BILL No. 1570.

An Act authorizing the Department of Property and Supplies to have a certain number of copies printed of the Report of the Joint State Government Commission on the Organization and Administration of Pennsylvania's State Government; providing for the distribution and sale of such copies; imposing new duties on the Joint State Government Commission; and making an appropriation.

HOUSE BILL No. 1662.

An Act to amend the title and further amend section one of the act, approved the twenty-second day of June, one thousand nine hundred and thirty-one (P. L. 844), entitled "An act authorizing the Commonwealth of Pennsylvania; or any department or division thereof, and counties, cities, boroughs, incorporated towns, townships, school districts and poor districts to make contracts of life, health, and accident policies for the benefit of employes thereof, and contracts for pensions for such employes; and providing for the payment of the cost thereof," authorizing the making of contracts for hospitalization and medical services and extending the provisions of the act to vocational school districts and institution districts

HOUSE BILL No. 1678.

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

HOUSE BILL No. 1770.

An Act to amend the title and to further amend section forty-three of the act, approved the seventh day of June, one thousand nine hundred and one (P. L. 493), entitled "An act providing for the examination, licensure, and registration of persons, firms, or corporations engaged or engaging in the business or work of plumbing or house drainage, and prescribing certain rules, regulations, and requirements for the construction of plumbing, house drainage, and cesspools in cities of the second class; and imposing fines, penalties, and forfeiture for violation thereof," by permitting the use of enclosed wood-work about sinks in all except tenement-houses and lodging houses in cities of the second class, second class A, and third class

HOUSE BILL No. 1831.

An Act to further amend section twenty-one of the act approved the seventh day of June one thousand nine hundred fifteen (P. L. 900) entitled "An act to provide for the immediate registration of all births and deaths throughout the Commonwealth of Pennsylvania by means of certificates of births and deaths and burial or removal permits requiring prompt returns to the Central Bureau of Vital Statistics as required to be established by the State Department of Health and in order to secure prompt and faithful registration of births marriages deaths and diseases of practitioners of medicine and surgery of midwives nurses and undertakers and of all persons whose occupation is deemed to be of importance in obtaining complete registration of births deaths marriages and diseases throughout the State as provided in section ten of an act entitled 'An act creating the Department of Health and defining its powers and duties' approved the twenty-seventh day of April nineteen hundred and five and providing penalties for violations of this act" by directing the Department of Health to maintain branch offices in counties of the second class for the filing of death certificates authorizing such offices to issue certified copies of death certificates and make searches of their files imposing additional duties upon local registrars in such counties and prescribing fees

HOUSE BILL No. 1878.

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

HOUSE BILL No. 1832.

An Act making an emergency appropriation to the Department of Highways for allocation to and distribution among boroughs and townships for the repair of certain roads and streets in Western Pennsylvania

HOUSE BILL No. 1935.

An Act to further amend clause six of section one and section three of the act, approved the twenty-seventh day of June, one thousand nine hundred and twenty-three (P. L. 858), entitled "An act establishing a State employes' retirement system, and creating a retirement board for the administration thereof; establishing certain

funds from contributions by the Commonwealth and contributing State employes, defining the uses and purposes thereof and the manner of payments therefrom, and providing for the guaranty by the Commonwealth of certain said funds; imposing powers and duties upon the heads of departments in which state employes serve; excepting annuities, allowances, returns, benefits, and rights from taxation and judicial process; and providing penalties," by further defining "State employe" so as to include certain employes of the Board of Fish Commissioners providing that such employes shall have the option of joining the State Employes Retirement Association and permitting their membership in such association to be retroactive upon the making of certain back payments by them and by the Board of Fish Commissioners

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

REPORT OF COMMITTEE OF CONFERENCE ON HOUSE BILL No. 846

Mr. HERING. Mr. Speaker, I desire to call up the Report of the Committee of Conference on House Bill No. 846, Printer's No. 1205.

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. 846, entitled:

"An act requiring school boards in all school districts, and boards of directors of all vocational school districts to grant leaves of absence to all school employes who shall volunteer or be called for military or naval service in time of war or during a state of national emergency, preserving certain contracts, salaries, increments, retirement rights, seniority, State contributions and grants to local school boards, eligibility lists re-employment, authorizing school boards, and boards of directors of vocational schools to employ substitutes in place of such employes, requiring school districts and vocational school districts to make additional payments into the School Employes' Retirement Fund, reserving all rights and privileges of employes granted leaves of absence under the provision herein, and superseding or repealing all contrary laws."

Respectfully submit the following bill as our report:

Fred L. Homsher
Paul M. Crider
B. B. McGinnis

(Committee on the Part of the Senate.)

Edwin A. Lee
John B. Hering
Walter Gryskewicz

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

An Act requiring school boards in all school districts and boards of directors of all vocational school districts to grant leaves of absence to all school employes who shall volunteer or be called for military or naval service in time of war or during a state of national emergency preserving certain contracts salaries increments retirement rights seniority State contributions and grants to local school boards eligibility lists reemployment authorizing school boards and boards of directors of vocational schools to employ substitutes in place of such employes requiring school districts and vocational school districts to make additional payments into the School Employes' Retirement Fund reserving all rights and privileges of employes granted leaves of absence under the provisions herein and superseding or repealing all contrary laws

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

Section 1 The Congress of the United States of America has enacted and the President of the United States has approved a statute entitled "An act to provide for the common defense by increasing the personnel of the armed forces of the United States and providing for its training" in which it is provided that certain male citizens of the United States shall be liable for training and service in the land or naval forces of the United States under a system of compulsory selective induction into such forces

Under said statute and subsequent statutes of the United States of America and under the laws of the United States concerning the National Guard and the land and naval reserve forces employes of school districts and vocational school districts in the Commonwealth of Pennsylvania may volunteer or be selected and assigned to military or naval service in defense of this nation

It Is Hereby Declared To Be The Intention of this act that such employes so affected shall retain all of the rights and privileges they shall have acquired prior to assignment to service under said Federal statutes or any such rights and privileges they would have acquired or received if they had not been assigned to such service it is intended that such employes assigned to such service shall be considered in all respects to be continuing in the service of the school board or board of directors of vocational schools for which they were last working prior to such assignment to military or naval service

Section 2 (a) Any employe of any school district or vocational school district within the Commonwealth who shall have been regularly employed by said school district or vocational school district for a period of not less than one year prior thereto and who shall volunteer or be called for military or naval service by the United States of America in time of war or during a state of national emergency shall within thirty days of the receipt of notice to said effect send a copy of such notice to the secretary of the school board or board of directors of vocational school by which he is employed

(b) The secretary of the school board or board of directors of vocational schools shall verify the information contained in the notice from any employe concerning selection or induction into military or naval service and upon verification of such facts shall record the same in the records of the school board or board of directors of vocational schools and send notice thereof to said employe

(c) Without further action by the board of school directors or board of directors of vocational schools the employe inducted into military or naval service shall forthwith be considered to be upon leave of absence for the entire duration of such service all rights and privileges shall be reserved to such employe as if he continued in the service of said school board or board of directors of vocational schools provided however that no such leave of absence shall be granted unless said employe shall in writing agree upon termination of the said leave to return to employment in said school district or vocational school district for a period of not less than one school year

Section 3 (a) Wherever a contract is required by law and wherever a contract actually exists between the school board or board of directors of vocational schools and the employe the same shall be considered to continue in full force and effect during said leave of absence

(b) Upon termination of the military or naval service of an employe in time of war or during a state of national emergency the school board or boards of directors of vocational schools shall immediately return said employe to the same position in the same school or schools vocational school or vocational schools from which said employe was granted leave of absence or if this is impracticable in the opinion of the board then to a similar position

(c) During the leave of absence under the aforesaid conditions the school board or board of directors of vo-

ational schools shall be required to pay to the dependent wife dependent child or children or dependent parent or parents of the employe the difference between his regular salary and the salary paid to any substitute employe temporarily engaged because of such absence but in no event more than half of the employe's regular salary from the school district or vocational school district provided that no school district or vocational school district shall pay to the dependent or dependents of any employe in military or naval service a total of more than two thousand dollars (\$2000) per annum.

No school district or vocational school district shall pay to the dependent or dependents of any employe more than the difference between the military or naval pay including commutation and allowance of said employe and the regular salary that said employe would have received if he were actually performing the duties of his regular position as an employe of the school district or vocational school district.

No allowance shall be paid under the provisions of this Act to the dependent or dependents of any employe if his military or naval pay including commutation and allowance exceeds the regular salary that said employe would have received if he were actually performing the duties of his regular position.

(d) Increments shall not be abated during the said leave of absence but shall continue to accrue to such employes.

(e) The school district or vocational school district shall pay into the School Employees' Retirement Fund on behalf of each such employe in addition to the contributions required by law to be made by it the full amount of the contribution required by law to be paid by the employe so that such employe's retirement rights shall in no way be affected by such leave of absence. In all cases where any part of the salary of any employe is payable to his dependents under the provisions of this act the school district or vocational school district shall deduct from the part of his salary so payable in so far as the same is sufficient therefor all moneys paid by it into the retirement fund on account of the employe's contributions.

(f) The period of said leave of absence shall be considered as service to the school board or board of directors of vocational schools in the matter of seniority rights and credit toward the time necessary for sabbatical leave. Such leave shall not be regarded as a Sabbatical Leave.

Section 4 During the period of said leave of absence if a qualified substitute is employed the Commonwealth shall pay the school board or board of directors of vocational schools the full amount of State contribution or grant as if the said employe were performing his regular school duties for the said school board or board of directors of vocational schools.

Section 5 (a) No person who shall have acquired a place upon the eligibility list for any position in any school district or vocational school district shall suffer the loss of such listing and the position thereon as the result of such induction into military or naval service it shall be the duty of the school board or board of directors of vocational schools to provide a fair and equitable method of preserving rights of such persons.

(b) Any person who shall have entered the military or naval services as aforesaid and whose name shall be reached upon said eligibility lists for any position in any school district or vocational school district shall be appointed to said position as if such person were in fact available for actual service in said position and such person shall be so notified by the secretary of the school board or board of directors of vocational schools of said district and thereafter all of the provisions of this act shall apply.

Section 6 The act approved the seventh day of June one thousand nine hundred and seventeen (P. L. 600) entitled "An act providing that appointive officers and employes employed by the Commonwealth of Pennsylvania in its civil service or by any department bureau commission or office thereof or by any county municipi-

ality township or school district shall not be deemed or held to have resigned or abandoned their offices or employments by reason of enlistment enrollment or draft in the military or naval service of the United States or any branch or unit thereof in time of war or contemplated war prohibiting the removal from their offices or employments of such officers and employes during the period of their service in the Army or Navy directing that one-half of the salaries or wages of such officers or employes as have dependent wives children or parents and not exceeding two thousand dollars per annum be paid during the term of their service in the Army or Navy to such dependents authorizing the employment during said term of substitutes to perform the duties theretofore performed by such officers or employes respectively and providing for the compensation of such substitutes" is hereby repealed in so far as it applies to employes of school districts and vocational school districts.

All other acts and parts of acts inconsistent herewith or supplied hereby are hereby repealed.

Section 7 This act shall become effective immediately upon final enactment any employe inducted into military or naval service as aforesaid prior to the final enactment hereof shall nevertheless be entitled to all of the benefits hereof.

Section 8 This act shall apply to all employes of all school districts and of vocational school districts who volunteer or are inducted into the military or naval services under the laws of the United States of America.

Section 9 The provisions of this act are severable if any provision shall be construed or deemed to be in violation of the Constitution of the Commonwealth or of the United States or otherwise invalid then the other provisions herein shall not be affected thereby but shall be enforced.

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—203

Achterman,	French,	Malloy,	Rosenfeld,
Auker,	Gallagher,	Marks,	Royer,
Baker,	Gates,	Maxwell,	Rush,
Balthaser,	Gerard,	McClanaghan,	Sarge,
Baughner,	Gillan,	McClester,	Sarraff,
Bentley,	Gillette,	McClanaghan,	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,
Breth,	Haberlen,	McLane,	Skale,
Bretherick,	Haines,	McMillen,	Snyder,
Brown,	Hall,	McSurdy,	Sollenberger,
Brunner, C. H.,	Hamilton,	Meichlorre,	Sorg,
Brunner, P. A.,	Hare,	Mihm,	Stambaugh,
Burns,	Harkins,	Modell,	Stank,
Burriss,	Harmuth,	Monks,	Stine,
Cadwalader,	Harris,	Mooney,	Stockham,
Chervenak,	Heatherington,	Moran,	Tarr,
Chudoff,	Helm,	Moul,	Tate,
Cochran,	Hering,	Muir,	Taylor,
Cohen, M. M.,	Herman,	Munley,	Thompson, E. F.,
Cohen, R. E.,	Hersch,	Nagel,	Thompson, R. L.,
Cook,	Hewitt,	Nunemacher,	Trout,
Cooper,	Hirsch,	O'Brien,	Turner,
Cordler,	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,	Wagner,
DiGenova,	Jones, P. N.,	Pettit,	Watkins,
Dix,	Keenan,	Polaski,	Weingartner,
Dolon,	Kenehan,	Polen,	Weiss,
D'Ortona,	Kline,	Powers,	Welsh, E. B.,
Duffy,	Knoble,	Prosen,	Welsh, M. J.,

Early,	Kolankiewicz,	Rank,	Wilkinson,
Eckels,	Komorowski,	Rausch,	Williams,
Elder,	Krise,	Readinger,	Winner,
Elliott,	Lee, E. A.,	Reagan,	Wolf,
Ely,	Lee, T. H.,	Reese, D. P.,	Wood, L. H.,
Falkenstein,	Leisey,	Reese, R. E.,	Wood, N.,
Finestone,	Leonard,	Reynolds,	Woodring,
Fisher,	Lesko,	Rhea,	Woodside,
Fliss,	Leydic,	Riley,	Wright,
Fleming,	Lichtenwalter,	Rooney,	Yeakel,
Fletcher,	Longo,	Rose, S.,	Yester,
Flynn,	Lovett,	Rose, W. E.,	Young,
Foot,	Lyons,		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.

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. 11.

An Act to create a uniform and exclusive system for the administration of parole in this Commonwealth establishing the "Pennsylvania Board of Parole" conferring and defining its jurisdiction duties powers and functions including the supervision of persons placed upon probation in certain designated cases providing for the method of appointment of its members regulating the appointment removal and discharge of its officers clerks and employes dividing the Commonwealth into administrative districts for purposes of parole fixing the salaries of members of the board and of certain other officers and employes thereof making violations of certain provisions of this act misdemeanors providing penalties therefor and for other cognate purposes and making an appropriation.

HOUSE BILL No. 53.

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

Whereas There is located in Cresson Township Cambria County Pennsylvania the birthplace of Admiral Robert Edwin Peary which should be preserved as a historical place and park for the benefit of the people of this Commonwealth therefore

HOUSE BILL No. 70.

An Act to amend section seven hundred three of the act, approved the twenty-fourth day of June, one thousand nine hundred and thirty-one (P. L. 1206), entitled "An act concerning townships of the first class; amending, revising, consolidating, and changing the law relating thereto by providing for the compensation paid to township commissioners

HOUSE BILL No. 215.

An Act to further amend sections one and four of the act, approved the sixteenth day of May, one thousand nine hundred and nineteen (P. L. 180), entitled "An act providing a method of establishing title to land acquired at a sale for unpaid taxes or municipal claims," extending the provisions of said act to include land acquired at city treasurer's sales for unpaid taxes and providing that in certain cases notice of the proceedings by advertisement shall be deemed a good and sufficient service

HOUSE BILL No. 355.

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

HOUSE BILL No. 472.

An Act making an appropriation to the Department of Health for use in research work dealing with human nutrition for children.

HOUSE BILL No. 522.

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

HOUSE BILL No. 553.

An Act to amend section twenty-two of the Act approved the seventh day of June one thousand nine hundred and seventeen (P. L. 403) entitled "An act relating to the form execution revocation and interpretation of wills to nuncupative wills to the appointment of testamentary guardians to spendthrift trusts to forfeiture of devise or legacy in case of murder of testator to elections to take under or against wills and to the recording and registering of such elections and of decrees relative thereto and to the fees therefor" by providing for forfeiture of the right to take property under the will of a murdered testator

HOUSE BILL No. 554.

An Act to amend section twenty-three of the act approved the seventh day of June one thousand nine hundred and seventeen (P. L. 429) entitled "An act relating to the descent and distribution of the real and personal property of persons dying intestate and to provide for the recording and registering of the decrees of the Orphans' Court in connection therewith and the fees therefor" by providing for forfeiture of the right to inherit or to take property of a murdered intestate under the said act

HOUSE BILL No. 571.

An Act making an appropriation to the Department of Public Assistance and providing for certain allocations therefrom for the purpose of carrying out the Public Assistance Law for the two fiscal years beginning June first one thousand nine hundred forty-one and for the payment of assistance and expenses accrued or incurred prior to and remaining unpaid on May thirty-first one thousand nine hundred forty-one

HOUSE BILL No. 579.

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

HOUSE BILL No. 652.

An Act authorizing any county city borough town township poor district school district or institution district to execute a special warranty deed for any real property which it has acquired at any sale for the nonpayment of taxes or municipal claims

HOUSE BILL No. 653.

An Act to add clause eighteen A to section three of article nineteen of the act, approved the seventh day of March, one thousand nine hundred one (P. L. 20), entitled "An act for the government of cities of the second class" authorizing cities of the second class to impose and collect charges for the care and treatment at municipal hospitals of persons who are financially able to pay the expenses of such care and treatment.

HOUSE BILL No. 656.

An Act to amend the third paragraph of article seven of the act approved the seventh day of March one thousand nine hundred and one (P. L. 20) entitled "An act for the government of cities of the second class" permitting the city treasurer to collect delinquent taxes under the act approved the thirtieth day of March one thousand nine hundred and three (P. L. 106)

HOUSE BILL No. 657.

An Act to amend sections one, two, three and four of the act, approved the twenty-first day of May, one thousand nine hundred and thirty-seven (P. L. 787), entitled "An act authorizing the compromise or reduction of tax claims on real property purchased by any county, city, borough, town, school district or poor district at any sale for the nonpayment of taxes; and the reconveyance or private sale of such property," extending the provisions of said act to properties purchased by said political subdivisions at sales for municipal claims, and to the payment of such claims from the proceeds of such compromises or sales, and changing the time when such compromises may be made.

HOUSE BILL No. 687.

An Act to further amend the title and section one of the act approved the third day of May, one thousand nine hundred and nine (P. L. 424), entitled "An act providing that in all counties having more than five hundred thousand inhabitants, advertisements and notices, required by law or rules of court to be published in newspapers of general circulation, unless dispensed with by special order of court, shall be published in the legal newspapers, issued at least weekly, of the proper county, designated by rules of court for the publication of court or other legal notices," as amended, extending the provisions of the said act to counties of the sixth class.

HOUSE BILL No. 724.

An Act to further amend section 363 of the act approved May second 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" and further regulating the form and contents of county auditors reports.

HOUSE BILL No. 750.

An Act authorizing the Department of Property and Supplies, with the approval of the Governor, to convey to the county commissioners of Somerset County certain real property located in said county and heretofore acquired by the Commonwealth for development as an airport.

HOUSE BILL No. 848.

An Act to further amend paragraph nineteen of section one thousand two hundred ten of the act approved the eighteenth day of May one thousand nine hundred eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" providing for the continuation of payments for closed schools to districts which by reason of any increase in population have been changed from a fourth class district to one of another class

HOUSE BILL No. 892.

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

HOUSE BILL No. 895.

An Act to authorize counties cities boroughs incorporated towns townships school districts poor districts and county institution districts to file tax and municipal claims not filed within the time specified by law and to file suggestions of nonpayment and averments of default or to sue out writs of scire facias on certain tax or municipal claims and to revive judgments where the lien of such claims or the judgments thereon have been lost and providing for the reinstatement of the liens of such claims and judgments

HOUSE BILL No. 896.

An Act authorizing county commissioners to sell seated and unseated lands purchased at tax sales, upon which the period of redemption has expired; and validating certain sales heretofore made.

HOUSE BILL No. 971.

An Act to further amend section fifteen, and to repeal sections fifteen and one-tenth, fifteen and two-tenths, and fifteen and three-tenths of the act approved the sixteenth day of May, one thousand nine hundred and twenty-three (P. L. 207) entitled "An act providing when, how, upon what property, and to what extent, liens shall be allowed for taxes and for municipal improvements, for the removal of nuisances, and for water rents or rates, sewer rates and lighting rates; for the procedure upon claims filed therefor; the methods for preserving such liens and enforcing payment of such claims; the effect of judicial sales of the properties liened; the distribution of the proceeds of such sales, and the redemption of the property therefrom; for the lien and collection of certain taxes heretofore assessed, and of claims for municipal improvements made and nuisances removed, within six months before the passage of this act; and for the procedure on tax and municipal claims filed under other and prior acts of Assembly," as amended, by providing for the renewal extension revival and continuation of liens for tax municipal and other claims until the same are paid and satisfied and repealing certain existing sections of said act

HOUSE BILL No. 974.

An Act to amend article twelve section one thousand two hundred six 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 com-

pensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined' by providing for the issuance of a certificate of approval for weights and measures of county city and borough sealers

HOUSE BILL No. 1035.

An Act to further amend clause ten of section one of the act approved the twenty-seventh day of June one thousand nine hundred and twenty-three (P. L. 858) entitled "An act establishing a State employes' retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing State employes defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon the heads of departments in which State employes serve excepting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties" further defining "new member"

HOUSE BILL No. 1121.

A Further Supplement to the act approved the first day of April one thousand eight hundred and sixty-three (P. L. 213) entitled "An act to accept the grant of Public Lands by the United States to the several states for the endowment of Agricultural Colleges" making an appropriation for carrying the same into effect.

HOUSE BILL No. 1127.

An Act defining regulating and providing for the licensing and registration of employment agents and their representatives including private employment agencies theatrical employment agencies and nurses' registries providing for revocation and suspension of licenses and registrations subject to appeal and for their reinstatement defining the powers and duties of the Department of Labor and Industry and the Department of Public Instruction providing penalties and repealing existing laws

HOUSE BILL No. 1130.

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

HOUSE BILL No. 1156.

An Act to add section one thousand six hundred and seven and one-tenth to article sixteen of the act approved the eighteenth day of May one thousand nine hundred and eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" requiring teaching in the public and private schools of principles of democratic government and patriotism and imposing certain duties on the Superintendent of Public Instruction

HOUSE BILL No. 1194.

An Act to amend sections two and three of the act, approved the eleventh day of May, one thousand nine hundred and eleven, (P. L. 275), entitled "An act to provide for the appointment of county and city inspectors of weights and measures; providing for their compensation and expenses; prescribing their duties; prohibiting vendors from giving false or insufficient weights; and fixing the penalties for the violation of the provisions hereof," as amended, by providing for the issuance of certificates of

approval for weights and measures of county, city, and borough sealers

HOUSE BILL No. 1253.

An Act providing a method of annexation of parts of townships now owned by and contiguous to cities of the first class acquired and used or to be used as an airport seaplane base and rail and marine terminal and regulating the proceedings pertaining thereto

HOUSE BILL No. 1326.

An Act to amend sections three and four of the act, approved the thirtieth day of March, one thousand nine hundred three (P. L. 110), entitled "A supplement to an act, entitled 'An act regulating the construction, maintenance, alteration, and inspection of buildings and party walls in cities of the second class,' approved the seventh day of June, Anno Domini one thousand eight hundred and ninety-five; regulating the construction, alteration and ventilation of tenement-houses, and providing for the safety of the inhabitants thereof; and providing penalties for the violation of the same," further regulating the erection, alteration and ventilation of certain tenement houses

HOUSE BILL No. 1327.

An Act to amend section six and to further amend section eleven of the act, approved the twenty-eighth day of May, one thousand nine hundred and fifteen (P. L. 596), entitled "An act requiring cities of the second class to establish a pension fund for employes of said cities, and regulating the administration and the payment of such pensions," restricting the right of per diem employes to join such pension system, and giving peace time drafted employes credit for the time spent in the services of the United States

HOUSE BILL No. 1328.

An Act to reenact and amend the title and the act approved the twenty-ninth day of April one thousand nine hundred thirty-seven (P. L. 526) entitled "An act providing for and regulating joint purchases by counties (other than counties of the first and second classes) cities of the third class boroughs towns townships school districts and poor districts" by including second class counties cities of the second class and institution districts within the provisions of the act

HOUSE BILL No. 1390.

An Act making an appropriation to the Treasury Department out of various funds to pay replacement checks issued in lieu of outstanding checks when presented

HOUSE BILL No. 1417.

An Act making an appropriation to The General State authority to defray the costs and expenses of the said Authority in connection with the organization administration and operation thereof.

HOUSE BILL No. 1419.

An Act making an appropriation to the Department of Welfare for the maintenance of certain hospitals

HOUSE BILL No. 1420.

An Act to amend 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 connec-

tion therewith; and modifying existing legislation which provided for raising revenue for State purposes," as amended, by 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 by 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 and exempting casualty insurance companies having no capital stock from the tax imposed by this act.

HOUSE BILL No. 1435.

An Act to authorize housing authorities to undertake the development or administration of projects to provide safe and sanitary dwellings for persons engaged in national defense activities who would not otherwise be able to secure such dwellings within the vicinity thereof to limit the initiation of the development of such projects until December 31 1943 to authorize housing authorities to cooperate with or act as agent of the Federal Government in the development and administration of such projects of the Federal Government to acquire or lease such projects and to sell or lease certain projects to the Federal Government to authorize public bodies to assist such projects of housing authorities and of the Federal Government to provide safe and sanitary dwellings for persons engaged in national defense activities

HOUSE BILL No. 1487.

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

HOUSE BILL No. 1513.

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, corporations, 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

HOUSE BILL No. 1658.

An Act to further amend the first paragraph of section one of article fifteen of the act, approved the seventh day of March, one thousand nine hundred and one (P. L. 20), entitled "An act for the government of cities of the

second class," by further regulating the manner of letting contracts relating to city affairs.

HOUSE BILL No. 1835.

An Act creating a Highway Traffic Advisory Committee to the War Department of the United States of America; providing for its appointment; prescribing its powers and duties; and authorizing the use by the committee of the employes, equipment, supplies and facilities of certain State agencies.

HOUSE BILL No. 1895.

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

Whereupon,

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

CONFERENCE REPORT ON SENATE BILL No. 46

Mr. PRESLEY N. JONES presented the report of the Committee of Conference on the part of the House on Senate Bill No. 46.

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.

SENATE MESSAGES

APPOINTMENT OF CONFERENCE COMMITTEE ON SENATE BILL No. 169

The Clerk of the Senate being introduced, informed that the Senate insists on its concurrence in the amendments made and insisted upon by the House of Representatives to Senate Bill No. 169, entitled:

An Act to amend the act approved the twenty-fifth day of May, one thousand nine hundred and 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," abolishing the existing registration commission for cities of the second class and providing that the county commissioners of each county

in which any such city is located shall act as a registration commission therefor further regulating the appointment of employes and assistants by the registration commission and removing the present appointees providing for the consolidation of the second class city general register with the general register of cities of the third class and boroughs towns and townships of the county providing for the transfer of the registration of electors upon change of residence from a third class city borough town or township in the same county changing the period during which changes of enrollment of political party may be made eliminating preparation and distribution of preliminary street lists and permitting the destruction of certain records

And has appointed Messrs. Geltz, Walker 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.

AMENDED HOUSE BILLS RETURNED FOR CONCURRENCE

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

HOUSE BILL No. 605.

An Act making an appropriation to the Pennsylvania State College for expenditure by the School of Mineral Industries thereof under the supervision of the Department of Mines for the purpose of developing new uses and markets for anthracite and bituminous coal

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

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

(This bill was amended in the Senate, Printer's No. 1020. It was again amended in the Senate, Printer's No. 1066, and returned to the House in its original form.)

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—203

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

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

NAYS—0

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

Ordered, That the Clerk inform the Senate accordingly.

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

HOUSE BILL No. 413.

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

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 title, page 1, line 6, by striking out at the end of said line, the word "hereafter" also in line 11, by inserting after the word "defined" the following: "or who advocate Communism Fascism or Naziism or who advocate or support a political party or organization of individuals advocating or supporting Communism Fascism or Naziism or any "un-American or Subversive Doctrines" or are members of any organization of individuals advocating or supporting Communism Fascism or Naziism or any "un-American or Subversive Doctrines";.

Amend Section 2, page 2, line 10, by striking out after the word "who" the word "hereafter"; also in line 15, by inserting after the word "doctrines" the following: "or who advocates Communism Fascism or Naziism or who advocates or supports a political party or organization of individuals advocating or supporting Communism, Fascism or any "un-American or subversive doctrines" also in line 26, by striking out after the word "resides" the word "which" and inserting in lieu thereof the following: "If the employe aggrieved shall so request in his petition

such hearing shall be de novo The "; also in line 27, by striking out after the word "testimony" the words "de novo".

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—81

- | | | | |
|-----------------|---------------|----------------|------------------|
| Auker, | Gates, | Lee, T. H., | Serrill, |
| Boorse, | Gillan, | Lejsey, | Simons, |
| Bower, | Gillette, | Leydic, | Snyder, |
| Bretherick, | Greenwood, | Lichtenwalter, | Sollenberger, |
| Brunner, C. H., | Gross, | Lyons, | Sorg, |
| Cadwalader, | Gyger, | McClester, | Stambaugh, |
| Cook, | Habbyshaw, | McDowell, | Stockham, |
| Cooper, | Haines, | McKinney, | Taylor, |
| Cordier, | Hall, | McMillen, | Thompson, R. L., |
| Dalrymple, | Hare, | McSurdy, | Trout, |
| Dennison, | Helm, | Muir, | Turner, |
| Dix, | Hewitt, | O'Dare, | Van Allsburg, |
| Eckels, | Huntley, | Rank, | Wagner, |
| Elder, | Imbrie, | Reagan, | Watkins, |
| Ely, | James, | Reese, D. P., | Weingartner, |
| Fisher, | Jones, G. E., | Rhea, | Wilkinson, |
| Fiss, | Kilne, | Riley, | Winner, |
| Fleming, | Knoble, | Rose, W. E., | Wood, L. H., |
| Fletcher, | Krise, | Royer, | Wood, N., |
| For, | Lee, E. A., | Sarge, | Woodside, |
| | | | Yeakel, |

NAYS—122

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

Less than the majority required by the Constitution having voted in the affirmative, the question was determined in the negative and the amendments were not concurred in.

Ordered, That the Clerk inform the Senate accordingly.

REPORT OF COMMITTEE OF CONFERENCE ON HOUSE BILL No. 1365

Mr. CORRIGAN, Mr. Speaker, I desire to call up the report of the Committee of Conference on House Bill No. 1365, Printer's No. 1207.

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. 1365 entitled:

An Act to amend the act approved the first day of May one thousand nine hundred and twenty-nine (P. L. 905) entitled 'An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth * * *' as variously amended authorizing the Secretary of Revenue to establish a system of permanent registration of vehicles providing for the issuance of limited operator's licenses in certain cases and further regulating the operation of vehicles and the suspension of registration and operating privileges giving the Pennsylvania Turnpike Commission power to regulate traffic on turnpikes extending the time limit for cities of the second class A to make certain changes in traffic signals extending the liability of political subdivisions to include negligent operation of their vehicles drawn by animal power amplifying and changing provisions of said act relating to lighting signal and warning devices and the transportation of vehicles * * *

Respectfully submit the following bill as our report:

J. G. Snowden
A. Evans Kephart
John H. Dent

(Committee on the part of the Senate)

John P. Corrigan
Joseph M. O'Brien

Franklin H. Lichtenwalter

(Committee on the part of the House of Representatives)

An Act to amend the act approved the first day of May one thousand nine hundred and twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue 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" as variously amended authorizing the Secretary of Revenue to establish a system of permanent registration of vehicles providing for the issuance of limited operator's licenses in certain cases and further regulating the operation of vehicles and the suspension of registrations and operating privileges giving the Pennsylvania Turnpike Commission power to regulate traffic on turnpikes extending the time limit for cities of the second class A to make certain changes in traffic signals extending the liability of political subdivisions to include negligent operation of their vehicles drawn by animal power amplifying and changing provisions of said act relating to lighting signal and warning devices and the transportation of vehicles redefining the term dealer further regulating dealers in junked vehicles permits for oversize and overweight vehicles use of school buses registration plates and cards maximum size of vehicles and medical examinations by physicians providing for payment of certain fees by counties limiting and providing new exemptions from the various

provisions of said act giving additional authority to peace officers and department employes in the matter of investigations further regulating prosecutions giving certain powers to local authorities for the regulation of traffic and the establishment of traffic courts changing and fixing additional fees changing and imposing new penalties giving the secretary additional powers and duties imposing additional duties on keepers and employers of garages and repair shops providing refunds to certain persons entering Federal services making it a misdemeanor for committing malicious mischief to motor vehicles parts or accessories thereof and establishing penalties therefor and making an appropriation

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

Section 1 Section one hundred and two of the act approved the first day of May one thousand nine hundred and twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" as last amended by the act approved the twenty-seventh day of June one thousand nine hundred and thirty-nine (P. L. 1135) is hereby further amended to read as follows

Section 102 Definitions The following words and phrases when used in this act shall for the purpose of this act have the meanings respectively ascribed to them in this section except in those instances where the context clearly indicates a different meaning

"Approved" Having been favorably passed upon by the secretary as suitable for the purpose designed

"Auxiliary Driving Lamp" A complete road illuminating device (in addition to or supplementing the head lamps) located upon the front of a motor vehicle and intended for use in pairs instead of the head lamps or singly in conjunction with the head lamps

"Bicycle with Motor Attached" Every vehicle except a motorcycle as herein defined which is self-propelled by an engine not exceeding four (4) horsepower

"Business District" The territory contiguous to a highway when fifty (50) per cent or more of the frontage thereon for a distance of three hundred (300) feet or more is occupied by buildings in use for business

"Chassis" The chassis of a motor vehicle to be propelled by an internal combustion or steam engine shall consist of an assembly of all essential parts with protective housings ready for operation on the highway including as minimum equipment a set of tires attached to wheels driver's seat including cab front wheel fenders running board or mounting step tool compartment priming coat on all parts to be painted pair of front lamps and one rear lamp license brackets jack and a set of tools commonly used for making adjustments and minor repairs on the highway water oil and fuel

"Clearance Lamp" A lamp or lamps arranged to mark the extreme sides of the motor vehicle and so arranged to show white green or amber to the front and red to the rear

"Commercial Motorcycle" Every motorcycle designed to travel on three wheels in contact with the ground and designed for carrying freight merchandise implements or articles of any kind or service in connection with calling for and delivering automobiles to patrons

"Commercial Motor Vehicle" Any motor vehicle designed for carrying freight or merchandise Provided however That a motor vehicle originally designed for passenger transportation to which has been added a removable box body without materially altering said motor vehicle when owned and used by a farmer shall not be deemed a "commercial motor vehicle" for the purpose of this act And further provided That any motor vehicle of the bus type operated under contract with or owned by any school district of this Commonwealth for the transportation of school children shall be deemed a "commercial motor vehicle"

"Crosswalk" That portion of a highway ordinarily included within the prolongation of curb and property lines at intersections or any portion of a highway clearly indicated for pedestrian crossing by lines or other markings on the surface

"Cushion Rubber Tire" A tire molded on a steel base having a longitudinal cavity running circumferentially at the center line of the tire extending from its base with a height of no less than one half the overall standing height of the tire such tires when new being no less than four and one-half (4½) inches high over all including steel base

"Dealer" [Any person firm corporation or association engaged in the purchase and sale of motor vehicles trailers and semi-trailers and who has an established place of business or any person regularly engaged in the business of transporting new vehicles on their own wheels and who has an established place of business] (1) A person actively and principally engaged in and devoting a substantial portion of his time to the business of buying selling or exchanging new motor vehicles trailers or semi-trailers on commission or otherwise who maintains a salesroom or garage devoted exclusively to the motor vehicle business and who holds a contract in writing with a manufacturer giving such person selling rights for new motor vehicles trailer or semi-trailers or with a jobber of such vehicles who as such jobber holds a manufacturer's franchise or contract giving selling rights on new motor vehicles trailers or semi-trailers in this Commonwealth or (2) a person actively and principally engaged in and devoting a substantial portion of his time to the business of buying selling or exchanging used motor vehicles trailers or semi-trailers and who maintains a salesroom garage or used car lot actually occupied by such person either continuously or at regular intervals and upon which or adjacent thereto is a building owned or rented by such person where his books and records are kept and which is devoted exclusively to the motor vehicle business in which the repair of motor vehicles is subordinate or incidental to the business of buying selling or exchanging the same or (3) any person regularly engaged in the business of transporting new motor vehicles trailers or semi-trailers on their own wheels and who has an established place of business or (4) a person who is duly authorized to do business in this Commonwealth and is actively engaged in the business of financing sales or making loans on security of motor vehicles Provided however That a person entitled to dealer registration under clause (3) hereof may only use dealer's registration plates for the purpose of transporting new motor vehicles trailers or semi-trailers on their own wheels and a person entitled to dealer registration under clause (4) hereof may only use dealer's registration plates for the purpose of moving or operating a motor vehicle trailer or semi-trailer which he is repossessing or which after repossession he is moving for the purpose of repairing or having repaired demonstrating for sale or which he is moving for delivery to a bona fide purchaser in the regular course of his business

"Department" The Department of Revenue of this Commonwealth

"Emergency Brake" The means of applying braking

effort to at least two (2) wheels on a motor vehicle normally operated by the operator's hand. Provided however that where there are two (2) brakes both designed to be operated by the foot the one (1) equipped with a ratchet or other device for holding the brake in the applied position shall be considered the "Emergency Brake" and the requirements shall be the same as herein set forth.

"Essential Parts" All integral parts and body parts the removal alteration or substitution of which will tend to conceal the identity or substantially alter the appearance of the vehicle.

"Explosives" Any chemical compound or mechanical mixture that is commonly used or intended for the purpose of producing an explosion that contains any oxidizing and combustible units or other ingredients in such proportions quantities or packing that any ignition by fire by friction by concussion by percussion or by detonator of any part of the compound or mixture may cause such a sudden generation of highly heated gases that the resultant gaseous pressures are capable of producing destructive effects on contiguous objects or of destroying life or limb.

"Flammable Liquid" Any liquid which has a flash point of seventy degrees Fahrenheit or less as determined by a tabliabue or equivalent closed cup test device.

"Fog or Adverse Weather Lamps" A complete road illuminating device mounted in pairs upon the front of a motor vehicle and intended for use only during adverse weather conditions.

"Foreign Vehicles" Every motor vehicle trailer or semi-trailer which shall be brought into this Commonwealth otherwise than in the ordinary course of business by or through a manufacturer or dealer and which has not been registered in this Commonwealth.

"Gross Weight" The combined weight of the vehicle or combination of vehicles and its or their load or loads exclusive of the operator.

"Headlamp" A complete road illuminating device located upon the front of a motor vehicle the rays from which are projected forward other than a sidelight clearance lamp auxiliary driving lamp fog or adverse weather lamp searchlight or spot lamp.

"Highway" Every way or place of whatever nature open to the use of the public as a matter of right for purposes of vehicular travel. The term "highway" shall not be deemed to include a roadway or driveway upon grounds owned by private persons colleges universities or other institutions.

"Intersection" The area embraced within the prolongation of the lateral curb lines or if none then the lateral boundary lines of two or more highways which join one another at an angle whether or not one such highway crosses the other.

"Jobber" Any person firm corporation or association engaged in the purchase and sale of new motor vehicles trailers or semi-trailers and their sale directly to dealers.

"Learner's Permit" A permit issued to any person to learn to operate a motor vehicle or tractor.

"License Plate Lamp" A lamp designed to illuminate the rear registration plate with a white light without directing the white light to the rear. It may be separate from or in combination with the rear lamp.

"Local Authorities" Every county municipal and other local board or body having authority to adopt local police regulations under the Constitution and laws of this Commonwealth.

"Magistrate" A mayor burgess magistrate alderman justice of the peace or other officer having powers of a committing magistrate.

"Manufacturer" Every person engaged in the business of manufacturing motor vehicles trailers semi-trailers motors or bodies of such vehicles.

"Mechanical Signal" A movable device operated mechanically or by the driver and so constructed and arranged as to give a cautionary or direction signal to the front and rear.

"Metal Tires" All tires the surface of which in contact with the highway is wholly or partly of metal or other hard non-resilient material.

"Motor Bus" Shall include all motor vehicles operated for the carriage of passengers for hire by individuals associations copartnerships or corporations required under the laws of this Commonwealth to obtain certificate of public convenience from the Public Utility Commission of the Commonwealth of Pennsylvania before engaging in the carriage of passengers for hire or by individuals associations copartnerships or corporations who or which were engaged in the business of carrying passengers for hire as common carriers prior to the first day of January one thousand nine hundred and fourteen.

"Motoreycle" Every motor vehicle having a saddle for the use of the rider and designed to travel on not more than three wheels in contact with the ground except any such vehicle as may be included within the term "tractor".

"Motor Omnibus" Shall include all motor vehicles operated for the carriage of passengers for hire by individuals associations copartnerships or corporations who or which were not engaged in the carriage of passengers for hire as common carriers prior to the first day of January one thousand nine hundred and fourteen and who or which are not required under the laws of this Commonwealth to obtain from the Public Utility Commission of the Commonwealth of Pennsylvania certificate of public convenience for the carriage of passengers for hire or motor vehicle of the bus type not operated for the carriage of passengers for hire except as herein provided. This definition shall not include or apply to any motor vehicle operated under contract with any school district of this Commonwealth for the transportation of school children such motor vehicles to come within the definitions of commercial motor vehicles or motor vehicles.

"Motor Vehicle" Every vehicle as herein defined which is self-propelled except tractors power shovels road rollers agricultural machinery and vehicles which move upon or are guided by a track or travel through the air.

"New Motor Vehicle" Every motor vehicle which is not defined as a reconstructed rebuilt or used motor vehicle.

"Nonresident" Any person not a resident of this Commonwealth.

"Obscured Registration Plate" Every registration plate the characters on which are not legible in daylight at a distance of fifty (50) feet from the front or rear of the motor vehicle on the line of the axis of the vehicle on an approximately level stretch of highway.

"Operator" Every person who is in actual physical control of a motor vehicle or tractor upon a highway.

"Operator's License" The license issued to any person to operate a motor vehicle or tractor.

"Overtake" A vehicle or combination of vehicles shall be deemed to overtake another vehicle or combination of vehicles when all of the vehicle and its load or all of the combination of vehicles and their loads move so that any part of the vehicle or its load or any part of the combination of vehicles or their loads is opposite to or alongside of any other moving vehicle or its load or combination of vehicles or their loads being operated in the same direction as the overtaking vehicle or combination of vehicles.

"Owner" A person or persons holding the legal title of a vehicle or in the event a vehicle is the subject of an agreement for the conditional sale or lease thereof or other like agreement with the right of purchase upon performance of the conditions stated in the agreement and with an immediate right of possession vested in the conditional vendee or lessee then such conditional vendee or lessee shall be deemed the owner for the purpose of this act.

"Parking" The standing of a vehicle except police or fire department vehicle or ambulance whether occupied or not upon a highway otherwise than temporarily for the purpose and while actually engaged in loading or unloading or in obedience to traffic regulations or traffic signs or signals.

"Parking Lamp or Clearance Lamp" A lamp or lamps so arranged to show white green or amber to the front and red to the rear

"Pass" A vehicle or combination of vehicles shall be deemed to pass another vehicle or combination of vehicles when all of the vehicle and its load or all of the combination of vehicles and their loads moves by or in advance of any moving vehicle and its load or combination of vehicles and their loads being operated in the same direction as the passing vehicle or combination of vehicles

"Passenger Seat" Each sixteen (16) inches of seating capacity in any motor omnibus or motor bus

"Peace Officer" A sheriff deputy sheriff constable member of the Pennsylvania Motor Police or other police officer vested with authority of arrest

"Pedestrian" Any person afoot

"Person" Every natural person firm copartnership association or corporation

"Pneumatic Tires" All tires inflated with compressed air

"Private Road or Driveway" Every road or drive not open to the use of the public for purposes of vehicular travel

"Railway Grade Crossing" Any set of tracks or rails of any steam gasoline or electric railway line which intersects or crosses any highway at the same level or grade of such highway except electric railway lines within cities boroughs or incorporated towns

"Rear Lamp" A lamp located upon the rear of a motor vehicle trailer or semi-trailer so arranged as to show red to the rear and which may or may not illuminate the rear registration plate with a white light

"Rebuilt Motor Vehicle" Every motor vehicle which shall have been assembled by using new parts and used parts derived from other motor vehicles of the same make and rebuilt by the manufacturer thereof

"Reconstructed Motor Vehicle" Any motor vehicle which shall have been assembled or constructed largely by means of essential parts new or used derived from other motor vehicles or makes of motor vehicles of various names models and types or which if originally otherwise constructed shall have been materially altered by the removal of essential parts or by the addition or substitution of essential parts new or used derived from other motor vehicles or makes of motor vehicles

"Registration Card" Includes temporary registration card as well as other registration cards

"Registration Plates" Includes temporary registration plates as well as other registration plates

"Residence District" The territory contiguous to a highway not comprising a business district when the frontage on such highway for a distance of three hundred (300) feet or more is closely built up with dwellings or by dwellings and buildings in use for business

"Resident" Any person who has a regular place of abode or business in the Commonwealth for a period of more than thirty (30) consecutive days in the year except as otherwise provided in sections four hundred nine and six hundred three

"Right of Way" The privilege of the immediate use of the highway

"Safety Zone" The area of space officially set aside within a highway for the exclusive use of pedestrians and which is so plainly marked or indicated by proper signs as to be plainly visible at all times while set apart as a safety zone

"Secretary" The Secretary of Revenue of this Commonwealth

"Semi-trailer" Every vehicle of the trailer type so designed and used in conjunction with a motor vehicle that some part of its own weight and that of its own load rests upon or is carried by another vehicle

"Service Brake" The means of applying braking effort

to at least two (2) wheels on a motor vehicle normally operated by the operator's foot

"Sidelights" Any lights upon a motor vehicle other than headlamp [or] auxiliary driving lamp [or] fog or adverse weather lamps signal lamp clearance lamp searchlight or spot lamp the rays of which project forward

"Sign" Any device mark marker board plate or other contrivance designed for the purpose of guiding traffic or informing of a traffic regulation

"Signal lamp" A lamp located upon the side or rear of a motor vehicle so arranged to show red green or yellow to the rear as a cautionary signal

"Solid Rubber Tire" Every tire made of rubber other than a pneumatic tire or a cushion rubber tire

"Specially Constructed Vehicle" Any vehicle which shall not have been originally constructed under a distinctive name make model or type by a generally recognized manufacturer of vehicles

"Spot Lamp" An auxiliary illuminating device either fixed or movable intended to project a powerful concentrated beam of light

"State" A State territory organized or unorganized or district of the United States of America

"Street Car" Every device traveling exclusively upon rails when upon or crossing a highway other than railroad cars or trains

"Tractor" Every vehicle of the tractor type as defined in the Tractor Code

"Traffic" Pedestrians vehicles and street cars either singly or together while using any highway for purposes of travel

"Traffic Signal" Any device using words or colored lights or a combination thereof either manually or electrically controlled by which traffic is alternately directed to stop and go

"Trailer" Every vehicle without motive power designed to carry property or passengers wholly on its own structure and to be drawn by a motor vehicle Provided That wagons or agricultural machinery drawn by either tractor truck or any other motor vehicle for agricultural purposes only shall not be included within such definition and no fee shall be required to operate such vehicles on any public highway lying on along or between any farm owned operated or leased by the person operating such vehicle

"Truck Tractor" Every motor vehicle designed and used primarily for drawing other vehicles and not so constructed as to carry a load other than a part of the weight of the vehicle and load so drawn

"Used Motor Vehicles" Every motor vehicle which has been sold bargained exchanged given away or title transferred from the person who first acquired it from the manufacturer or jobber or dealer and so used as to have become what is commonly known as "second-hand" within the ordinary meaning thereof

"Vehicle" Every device in upon or by which any person or property is or may be transported or drawn upon a public highway excepting tractors agricultural machinery devices moved by human power or used exclusively upon stationary rails or tracks Provided That for the purpose of Article X of this act a bicycle or a ridden animal or a tractor or any other device moving upon wheels on a public highway except a device moving upon wheels upon stationary rails or tracks on a public highway shall be deemed a vehicle

Section 2 Section two hundred and ten of said act as last amended by the act approved the twenty-seventh day of June one thousand nine hundred and thirty-nine (P. L. 1135) is hereby further amended by adding thereto after subsection (j) a new subsection and amending the penalty clause to read as follows

Section 210 Destruction and Cancellation of Records of Certificates of Title Notice of Junking Motor Vehicles Records of Dealers in Junked Motor Vehicles

* * * *

(k) Every dealer in junked motor vehicles or other person engaged in the business of purchasing motor vehicles for the purpose of destruction or dismantling shall keep and maintain accurate records for a period of three years of the date of purchasing or acquiring any motor vehicle the name and address of the person from whom such motor vehicle was purchased or acquired the motor number the manufacturer's serial number the certificate of title number the date the motor vehicle was dismantled whether owner applied for and purchaser received a certificate of junk and the number thereof or whether certificate of title was assigned to a dealer and in such case the disposition thereof and if the motor vehicle was sold the name and address of the purchaser. Every such dealer in junked motor vehicles shall allow full and free access to such records during regular business hours to duly authorized representatives of the department and to peace officers.

Penalty Any person violating any of the provisions under subsections (b) (c) (h) or (k) of this section shall upon summary conviction before a magistrate be sentenced to pay a fine of twenty-five (\$25) dollars and costs of prosecution and in default of the payment thereof shall undergo imprisonment for not more than ten (10) days.

Section 3 Subsection (d) and the penalty clause of section four hundred and nine and section four hundred and eleven of said act as amended by the act approved the twenty-seventh day of June one thousand nine hundred and thirty-nine (P. L. 1135) are hereby further amended to read as follows:

Section 409 Registration by Nonresidents Exemption of Nonresidents and Agreements with other States

* * * *

(d) Where provisions relating to the equipment size weight or construction of vehicles engaging in interstate commerce are included within or prohibited by any Federal law or regulation now existing or hereafter to be enacted or adopted the secretary shall have the authority to exempt from the operation of any or all of the provisions of articles eight and nine of this act any or all classifications of vehicles registered in this Commonwealth with such restrictions conditions and privileges or lack of them as he may deem advisable. Provided however That such exemption shall be effective and applicable to a vehicle of any classification exempted as aforesaid only so long as such Federal laws and regulations shall be complied with and such exemption shall cease to exist as to such vehicle upon any violation thereof and the operator and owner of such vehicle shall thereupon and until such time thereafter as the vehicle is put in compliance with the Federal law and regulations be subject to all provisions of articles eight and nine of this act. Vehicles so exempted shall be subject to the laws or regulations enacted or adopted by the Federal Government relating to the equipment size weight or construction of such vehicles to the same extent and with the same force and effect as if such laws or regulations were expressly set forth in this act. Prosecutions and arrests for violations of such laws or regulations shall be brought or made subject to the conditions herein described with the same limitations as is now or may hereafter be provided for other prosecutions and arrests made under this act.

* * * *

Penalty Any person owning or operating a vehicle not registered in this Commonwealth in violation of any of the provisions of this section (or in the absence of any agreement) shall upon summary conviction before a magistrate be sentenced to pay a fine of twenty-five (\$25) dollars and costs of prosecution and in default of the payment thereof shall undergo imprisonment for not more than ten (10) days or suffer such other penalty as the secretary may prescribe under subsection (e) of this section.

Section 411 Transfer of Registration Temporary Registration Cards

(a) Upon transfer of ownership or the destruction of any motor vehicle trailer or semi-trailer the registration shall expire.

(b) When transfer of registration plates is made from one motor vehicle to another owned by the same person application shall be made immediately to the department upon a form furnished by the department accompanied by the transfer fee provided in this act when the motor vehicle trailer or semi-trailer is of equal or less horsepower or classification than that originally registered or accompanied by the transfer fee provided in this act and the difference between the fee originally paid and that due if the motor vehicle trailer or semi-trailer to which the registration plates are transferred be properly registered in a higher class. Such application shall also be accompanied by the owner's registration card if and when the secretary exercises his discretionary power to allow the use of temporary registration cards as hereafter provided.

(c) The application shall contain the full name and the actual or bona fide address of the owner together with the name manufacturer's serial number engine number the character of the motive power and the horsepower or seating capacity and in the case of a commercial motor vehicle the gross weight of the chassis as given and certified to by the manufacturer and in the case of electric commercial motor vehicles the gross maximum weight of chassis battery body and load as given and certified to by the manufacturer and in the case of trailers and semi-trailers the combined weight of the chassis and body and also such description of the motor vehicle trailer or semi-trailer including lamps and other equipment as the secretary shall require. The application shall be signed by the owner if a natural person and in the case where the owner is a corporation copartnership or association by an executive officer thereof or some person specifically authorized by the said corporation copartnership or association to sign the same.

(d) When a transfer of registration is made the owner shall be given a transfer registration card and new registration number if transfer is made to another classification. Immediately upon receipt of such transfer registration card and owner shall return to the department the original registration card unless such card has been lost or destroyed.

(e) When a transfer of registration is made after a vehicle has been registered for the succeeding year and the transfer application has been received and completed by the department prior to [January] April first of such succeeding year the transfer fee provided in this act shall not be required.

(f) The secretary shall have the discretionary power to allow the use of temporary registration cards pending the receipt of an annual registration card from the department which shall be valid for all purposes of this act but which shall be void upon the receipt of an annual registration card. Temporary registration cards in the discretion of the secretary may be delivered to any notary public magistrate or dealer who shall have the authority to issue such temporary registration cards to any person upon the transfer of ownership of a motor vehicle. Provided however That the secretary shall have the authority to suspend the privilege of any such notary public magistrate or dealer to issue temporary registration cards and upon suspension of such privilege the secretary shall require the surrender of any temporary registration cards that such person shall have in his possession upon a finding by the secretary that such person has issued a temporary registration card containing a misstatement of fact or has issued a card in violation of any of the regulations promulgated by the secretary under authority of this subsection. Temporary registration cards shall set forth the name and address of the owner of the vehicle the registration number the make of engine and manufacturer's number of the vehicle from which transfer of registration is desired and the make engine number and manufacturer's number of the vehicle that has been purchased the date of issuance of such temporary registration card.

and any other information that the secretary may require. The secretary shall have the power to make such rules and regulations not inconsistent herewith as he shall deem necessary for the purpose of carrying out the provisions of this subsection.

(g) It shall be unlawful for any notary public magistrate or dealer knowingly to issue a temporary registration card to any person containing any misstatement of fact.

(h) It shall be unlawful for any person making an application for transfer of registration or for any person authorized to present such application to fail to forward or cause to be forwarded to the department such application within forty-eight (48) hours after the transfer of registration plates is made from one motor vehicle to another owned by the same person.

Penalty Any person violating any of the provisions of subsections (b) [or] (d) (f) (g) or (h) of this section or any rule or regulation made by the secretary in accordance with subsection (f) of this section shall upon summary conviction before a magistrate be sentenced to pay a fine of ten (\$10) dollars and costs of prosecution and in default of the payment thereof shall undergo imprisonment for not more than five (5) days.

Section 4 Article four of said act is hereby amended by adding thereto after section four hundred fifteen a new section to read as follows:

Section 416 Permanent Registration The secretary may in his discretion establish a system of permanent registration of vehicles in this Commonwealth and for that purpose the secretary shall have the power and authority to promulgate such rules and regulations not inconsistent herewith as he may deem necessary.

Section 5 Section five hundred and seven of said act is hereby amended to read as follows:

Section 507 Temporary Use of Registration Plates Pending Transfer After the transfer of registration plate or plates from a motor vehicle trailer or semi-trailer to another motor vehicle trailer or semi-trailer owned by the same owner the owner or operator shall not for a period of twenty (20) days be subject to a fine for the operation of the latter motor vehicle trailer or semi-trailer without the proper transfer registration card for the registration plate or plates displayed provided he shall have made application to the department as required in this act within forty-eight (48) hours after said transfer of registration plate or plates for transfer of the registration and provided he shall upon prosecution make an affidavit or testify under oath to that effect.

Section 6 Said act is hereby amended by adding thereto after section five hundred and ten a new section to read as follows:

Section 511 Temporary Registration Plates

(a) The secretary in his discretion and subject to the limitations and conditions hereinafter set forth may deliver temporary registration plates to dealers when the application therefor is accompanied by the fee prescribed in this act. Such application shall be made upon a form prescribed and furnished by the department. Dealers subject to the limitations and conditions hereinafter set forth may issue such temporary registration plates to owners of vehicle provided that such owners shall comply with the pertinent provisions of this section.

(b) Every dealer who has made application for temporary registration plates shall maintain in permanent form a record of all temporary registration plates delivered to him and shall also maintain in permanent form a record of all temporary registration plates issued by him and in addition thereto shall maintain in permanent form a record of any other information pertaining to the receipt or the issuance of temporary registration plates that the secretary may require. Each record shall be kept for a period of at least three years from the date of entry of such record. Every dealer shall allow full and free access to such records during regular business hours to duly authorized representatives of the department and to peace officers.

(c) Every person who issues temporary registration plates shall on the day that he issued such plates send to the department a copy of the temporary registration plate application properly executed by such dealer and the owner.

(d) A person shall not issue assign transfer or deliver temporary registration plates to any one other than the bona fide purchaser or owner of the vehicle to be registered nor shall a person issue temporary registration plates unless previous to or at the time that the dealer sends to the department a copy of the executed temporary registration plate application the owner has sent or sends a bona fide application for annual registration nor shall a person issue temporary registration plates to any one possessed of annual registration plates for a vehicle that has been sold or exchanged nor shall a person who has been convicted of a violation of section six hundred and twenty (j) of this act issue temporary registration plates to any person nor make application for or receive any temporary registration plates for the purpose of issuance to an owner nor shall a person who has been convicted of three or more violations of the provisions of this section make application for or issue any temporary registration plates nor shall a dealer lend to any one or use on any vehicle that he may own temporary registration plates. It shall be unlawful for any person to issue any temporary registration plate or plates containing any misstatement of fact or knowingly to insert any false information upon the face thereof.

(e) Every person who issues temporary plates shall affix or insert clearly and indelibly on the face of each temporary registration plate the date of issuance and expiration and the make and serial number of the vehicle for which issued.

(f) Every person who makes application for temporary registration plates shall execute the temporary registration plate application and shall return such application to the dealer from whom the vehicle to be registered has been or will be purchased.

(g) Every person who makes application for temporary registration plates shall execute and send an application for annual registration plates to the department previous to or at the same time that the dealer sends to the department a copy of the executed temporary registration certificate but in no event shall such application for annual registration plates be made later than the day on which the temporary registration plates are issued to such owner.

(h) Every person to whom temporary registration plates have been issued shall permanently destroy such temporary registration plates immediately upon receiving the annual registration plates from the department. Provided That if the annual registration plates are not received within twenty (20) days of the issuance of the temporary registration plates the owner shall notwithstanding immediately upon the expiration of such twenty (20) day period permanently destroy the temporary registration plates.

(i) Temporary registration plates shall expire and become void upon the receipt of the annual registration plates from the department or upon the rescission of a contract to purchase a motor vehicle or upon the expiration of twenty (20) days from the date of issuance depending upon whichever event shall first occur. No refund or credit of fees paid by dealers to the department for temporary registration plates shall be allowed except in the event that the secretary discontinues the issuance of temporary registration plates. Dealers returning temporary registration plates to the department may petition for refund or a credit thereof.

(j) The secretary shall have the power to make such rules and regulations not inconsistent herewith as he shall deem necessary for the purpose of carrying out the provisions of this section.

Penalty Any person violating any of the provisions of subsections (b) (c) (d) or (e) of this section shall upon summary conviction before a magistrate be sentenced to

pay a fine of twenty-five (\$25) dollars and costs of prosecution for the first offense fifty (\$50) dollars and costs of prosecution for any subsequent offense and in default of the payment thereof shall undergo imprisonment for not more than ten (10) days and upon conviction of a third offense no temporary registration plates shall thereafter be delivered to such person for the purpose of issuing such plates to an owner nor shall such person thereafter issue any temporary registration plates Any person violating any of the provisions of subsections (f) (g) or (h) of this section or any rule or regulation made by the secretary as hereinbefore provided shall upon summary conviction before a magistrate be sentenced to pay a fine of ten (\$10) dollars and costs of prosecution for the first offense and twenty-five (\$25) dollars and costs of prosecution for any subsequent offense and in default of the payment thereof shall undergo imprisonment for not more than five (5) days

Section 7 Said act is hereby amended by adding thereto after section six hundred seventeen a new section to read as follows

Section 617.1 Limited Operator's Licenses Should Be Issued Under Certain Circumstances Notwithstanding any other provisions of this or any other law to the contrary any person whose operator's license has been revoked once or suspended once for reasons other than as provided in clauses one two three and four of section six hundred fourteen of this act or for mental or physical infirmities or disabilities and who is required to operate a commercial motor vehicle motor bus motor omnibus or motor vehicle as a condition of or in connection with such operator's employment shall be issued and if such license has been so revoked or suspended more than once such person may in the discretion of the secretary be issued an operator's license conferring the limited right to operate said commercial vehicle motor bus motor omnibus or motor vehicle as an operator in the course of such employment only

Any person having been issued a limited operator's license pursuant to the authority of this section who shall operate any vehicle contrary to the limitation thereof shall be subject to the penalties provided by this act for operating a motor vehicle without an operator's license

Any operator's license issued under the authority of this section shall be distinctly marked to show its limited use and the holder thereof shall be subject to all the provisions of this act relating to operator's licenses including penalties

Section 8 Section six hundred and nineteen of said act as last amended by the act approved the twenty-ninth day of June one thousand nine hundred and thirty-seven (P. L. 2329) is hereby further amended to read as follows

Section 619 Counties and Municipalities Liable for Negligence of their Employees Every county city borough incorporated town or township within this Commonwealth employing any person shall be jointly and severally liable with such person for any damages caused by the negligence of such person while operating a motor vehicle or fire department equipment or any vehicle drawn by animal power upon a highway in the course of their employment and every city borough incorporated town and township shall also be jointly and severally liable with any member of a volunteer fire company of any such city borough incorporated town or township for any damages caused by the negligence of such member while operating a motor vehicle or fire department equipment used by or belonging to such volunteer fire company while going to attending or returning from a fire or while engaged in any other proper use of such motor vehicle or fire department equipment for such volunteer fire company

Section 9 Section six hundred and twenty of said act as amended by the act approved the twenty-ninth day of June one thousand nine hundred and thirty-seven (P. L. 2329) and as amended in part by the act approved the twenty-seventh day of June one thousand nine hundred and thirty-nine (P. L. 1135) is hereby further amended to read as follows

Section 620 Violation of License Provisions It shall be unlawful for any person to commit any of the following acts

(a) To display or cause or permit to be displayed or to have in possession any operator's license or learner's permit knowing the same to be fictitious or to have been cancelled revoked suspended or altered

(b) To lend to or knowingly permit the use of by one not entitled thereto any operator's license or learner's permit issued to the person so lending or permitting use thereof

(c) To display or to represent as one's own any operator's license or learner's permit not issued to the person so displaying the same

(d) To fail or refuse to surrender to the department upon demand any operator's license learner's permit registration card registration plates certificate of title or duplicates thereof which have been suspended canceled or revoked as provided in this act

(e) To make use of or operate any motor vehicle without the knowledge or consent of the owner or custodian thereof

(f) To operate a motor vehicle street car or trackless trolley omnibus while under the influence of intoxicating liquor or any narcotic drug or habit producing drug or permit any person who may be under the influence of intoxicating liquor or narcotic or habit producing drug to operate any motor vehicle owned by him or in his custody or control

(g) To turn off any or all the lights on a motor vehicle for the purpose of avoiding identification or arrest

(h) To operate any motor vehicle upon the highways of this Commonwealth after the operating privilege is suspended or revoked and before such operating privilege has been reinstated

(i) To operate any motor vehicle upon the highways of this Commonwealth after its registration has been suspended by the secretary

(j) To use a false or fictitious name or give a false or fictitious address in any application or form required under the provisions of this act or make a false statement or conceal a material fact or otherwise commit a fraud in any application

(k) Knowingly to aid abet or in any manner assist any person required to furnish information under the provisions of this act in giving or furnishing any false information in any application or other form required by this act or in making any false statement or concealing any material fact or otherwise committing a fraud affecting any material fact or statement in any such application or other form

Penalty Any person violating any of the provisions of subsections (a) (b) (c) (d) of this section shall upon summary conviction before a magistrate be sentenced to pay a fine of fifty (\$50) dollars and costs of prosecution and in default of the payment thereof shall undergo imprisonment for not more than ten (10) days

Any person violating any of the provisions of subsection (j) or (k) of this section shall upon summary conviction before a magistrate be sentenced to pay a fine of one hundred (\$100) dollars and costs of prosecution and in default of the payment thereof shall undergo imprisonment for not more than twenty (20) days

Any person violating any of the provisions of subsections (e) (f) (g) (h) or (i) of this section shall be guilty of a misdemeanor and shall upon conviction thereof in a court of quarter sessions be sentenced to pay a fine of not less than one hundred (\$100) dollars and not more than five hundred (\$500) dollars and costs of prosecution or undergo imprisonment for not more than three (3) years or suffer both such fine and imprisonment

Section 10 Section seven hundred and two of said act as reenacted by the act approved the twenty-second day of June one thousand nine hundred and thirty-one (P. L. 751) is hereby amended to read as follows

Section 702 Motor Vehicles The fee for annual registration of motor vehicles except as provided in this act shall be at the rate of forty (40) cents for each horsepower or fractional part thereof Provided That the minimum fee payable for such annual registration shall be ten (\$10) dollars Provided further That the fee for the annual registration of any type of motor vehicle used exclusively in connection with the drilling of wells shall be ten (\$10) dollars

Section 11 Said act is hereby amended by adding thereto after section seven hundred and two a new section to read as follows

Section 702.1 Fee for Temporary Registration The fee for the temporary registration of motor vehicles shall be fifty (50c) cents for each set issued and dealers may purchase no less than five (5) sets of temporary registration plates at any one time

Section 12 Section seven hundred and twelve of said act as amended by the act approved the twenty-seventh day of June one thousand nine hundred and thirty-nine (P. L. 1135) is hereby further amended to read as follows

Section 712 Lighting Equipment

(a) The fee for approval and registration of head lamps and auxiliary driving lamps shall be one hundred and fifty (\$150) dollars for each type approved

(b) The fee for approval and registration of rear lamps signal lamps reflectors flares electrical signal devices and mechanical signal devices shall be fifty (\$50) dollars for each type approved

(c) The fee for approval and registration incident to the renewal of a certificate of approval for head lamps shall be fifty (\$50) dollars

(e) The fee for approval and registration of vacuum or pressure hose for brake systems shall be twenty-five (\$25) dollars for each type approved

(f) The fee for approval and registration incidental to the renewal of a certificate of approval for vacuum or pressure hose for brake systems or lens shall be ten (\$10) dollars

(g) The fee for approval and registration of a hitch or coupling device shall be twenty-five (\$25) dollars for each type approved

(h) Certificates approving each type of hitch or coupling device hereafter issued by the secretary will not expire until revoked by the secretary

Section 13 Article seven of said act is hereby amended by adding thereto after section seven hundred and twenty-four a new section to read as follows

Section 725 Refunds to Certain Persons (a) All persons who under the provisions of this act have paid for the year one thousand nine hundred forty-one or for any year thereafter while the present national emergency exists fees for the registration of any motor vehicle and who have subsequent to such payment been inducted into the armed forces of the United States by virtue of the Selective Service Act or who have volunteered for service in the armed forces of the United States shall be entitled upon application to the Department of Revenue on forms to be prepared by the Department of Revenue to receive a refund of fifty per centum (50%) of the fee or fees which such persons have paid to the Department of Revenue provided such persons were inducted or enlisted prior to the fifteenth day of June one thousand nine hundred forty-one or of any year thereafter while the present national emergency exists All persons selected or enlisting after the fifteenth day of June one thousand nine hundred forty-one or of any year thereafter as aforesaid shall be entitled upon application to the Department of Revenue as aforesaid to a refund of twenty-five per centum (25%) of the fee or fees paid by such persons

The State Treasurer is hereby authorized to make such refunds from the Motor License Fund upon requisition of the Department of Revenue and warrant of the Auditor General

(b) So much of the moneys of the Motor License Fund as shall be necessary to carry out the provisions of this

act is hereby specifically appropriated from such fund for the purpose above stated

Section 14 Subsections (a) and (b) of section eight hundred and one of said act as amended by the act approved the twenty-ninth day of June one thousand nine hundred and thirty-seven (P. L. 2329) are hereby further amended to read as follows

Section 301 Required Lighting Equipment

(a) When Lights Must Be Displayed Every vehicle upon a highway within this Commonwealth during the period from lone (1) one half ($\frac{1}{2}$) hour after sunset to lone (1) one-half ($\frac{1}{2}$) hour before sunrise and at any other time when there is not sufficient light to render clearly discernible persons and vehicles on the highway at a distance of five hundred (500) feet ahead shall be equipped with lighted lamps and illuminating devices as in this section respectively required for different classes of vehicles

(b) Head Lamps on Motor Vehicles Every motor vehicle other than a motorcycle or bicycle with motor attached shall be equipped with two (2) head lamps no more and no less at the front of and on opposite sides of the motor vehicle which head lamps shall comply with the requirements and limitations set forth in this act and shall be of a type which at the time of their use are approved by the secretary

Section 15 Section eight hundred and two of said act as amended by the act approved the twenty-seventh day of June one thousand nine hundred and thirty-nine (P. L. 1135) is hereby further amended to read as follows

Section 302 Additional Permissible Lights and Devices

(a) Spot Lamps Any motor vehicle or motorcycle may be equipped with not to exceed one (1) spot lamp and every lighted spot lamp shall be so aimed and used upon approaching another vehicle that no part of the high intensity portion of the beam will be directed to the left of the prolongation of the extreme left side of the vehicle nor more than one hundred (100) feet ahead of the vehicle

(b) Auxiliary Driving Lamps Fog or Adverse Weather Lamps Any motor vehicle may be equipped with not more than a total of three (3) [nor less than two (2)] auxiliary driving lamps and fog or adverse weather lamps or combinations thereof not more nor less than two (2) auxiliary driving lamps and not more nor less than two (2) fog or adverse weather lamps mounted on the front spaced at a distance of not less than twenty (20) inches apart and of a height not less than twelve (12) inches nor more than forty-two (42) inches above the level surface upon which the vehicle stands which lamps shall comply with requirements and limitations set forth in this act and shall be of types which at the time of their use are approved by the secretary Auxiliary [or] fog or adverse weather lamps shall not be used in substitution of head lamps except under conditions of rain or fog rendering disadvantageous the use of head lamps

(c) Signal Lamps and Mechanical Signal Devices

1 Whenever a motor vehicle is required to be equipped with a signal lamp or a signal device it shall be so constructed and located on the vehicle as to give a signal of intention to stop or to turn right or left the signal shall be yellow white or red in color and shall be plainly visible in normal sunlight and at night from a distance of one hundred (100) feet to the front and from a distance of one hundred (100) feet to the rear of the vehicle but shall not project a glaring or dazzling light and all such signals shall be of types which at the time of their use are approved by the secretary except that a signal giving the intention to stop shall only be visible from a distance of one hundred (100) feet to the rear

2 When a vehicle is equipped with a mechanical signal the mechanical signal shall be self-illuminated when in use at the times mentioned in section eight hundred one (801) and shall be of a type which at the time of its use is approved by the secretary

3 On and after November first one thousand nine hundred and thirty-nine when a vehicle is equipped with an electrical signal device such device shall be of a

type which at the time of its use is approved by the secretary

Penalty Any person violating any of the provisions of this section shall upon summary conviction before a magistrate be sentenced to pay a fine of ten (\$10) dollars and costs of prosecution and in default of the payment thereof shall undergo imprisonment for not more than five (5) days

Section 16 Section eight hundred two and one-tenth of said act which was added by the act approved the sixteenth day of July one thousand nine hundred and thirty-five (P. L. 1056) is hereby amended to read as follows

Section 802.1 Multiple Beam Road Lighting Equipment

Except as hereinafter provided the headlamps or the auxiliary driving lamps or combinations thereof on motor vehicles shall be so arranged that the driver may select at will between distributions of light projected to different elevations subject to the following requirements and limitations

(a) There shall be an uppermost distribution of light or composite beam so aimed and of such intensity as to reveal persons and vehicles at a distance of at least three hundred fifty (350) feet ahead for all conditions of loading The maximum intensity of this uppermost distribution of light or composite beam one (1) degree of arc or more above the horizontal level of the lamps when the vehicle is not loaded shall not exceed eight thousand (8000) apparent candlepower and at no other point of the distribution of light or composite beam shall there be an intensity of more than seventy-five thousand (75,000) apparent candlepower

(b) There shall be a lowermost distribution of light or composite beam so aimed that

1 When the vehicle is not loaded none of the high intensity portion of the light which is directed to the left of the prolongation of the extreme left side of the vehicle shall at a distance of twenty-five (25) feet ahead project higher than a level of [ten (10)] eight (8) inches below the level of the center of the lamp from which it comes

2 When the vehicle is not loaded none of the high intensity portion of the light which is directed to the right of the prolongation of the extreme left side of the vehicle shall at a distance of twenty-five (25) feet ahead project higher than a level of [five (5)] three (3) inches below the level of the center of the lamp from which it comes

3 In no event shall any of the high intensity of such lowermost distribution of light or composite beam project higher than a level of forty-two (42) inches above the level on which the vehicle stands at a distance of seventy-five (75) feet ahead

(c) Where one intermediate beam is provided the beam on the left side of the road shall be in conformity with subsection (b) of this section except when arranged in accordance with the practice specified in subsection (e)

(d) All road lighting beams shall be so aimed and of sufficient intensity to reveal a person or vehicle at a distance of at least one hundred (100) feet ahead

(e) All road lighting equipment manufactured and installed on and after January first one thousand nine hundred thirty-six shall be so arranged that whenever any beam is used which is not in conformity with subsection (a) of this section two (2) white or yellow lights one (1) on each side of the vehicle visible to an oncoming driver and to the driver of said vehicle shall be lighted except that other suitable alternate means may be provided for indicating to the driver behind the light when such beams are on Indicator lights shall not be connected otherwise than as required in this paragraph Beam indicator lights and front parking lights shall be so connected that neither of said lights shall be lighted when a beam is in use which conforms with subsection (b) one of this section Every new motor vehicle registered in this Commonwealth or on or after the first day of January one

thousand nine hundred forty-two which has multiple beam road-lighting equipment shall be equipped with a beam indicator which shall be lighted whenever the uppermost distribution of light from the head lamps is in use and shall not otherwise be lighted Said indicator shall be so designed and located that when lighted it will be readily visible without glare to the driver of the vehicle so equipped

Penalty Any person violating any of the provisions of this section shall upon summary conviction before a magistrate be sentenced to pay a fine of ten (\$10) dollars and costs of prosecution and in default of the payment thereof shall undergo imprisonment for not more than five (5) days

Section 17 Section eight hundred and five of said act is hereby amended to read as follows

Section 805 Use Test and Approval of Lamps

(a) It shall be unlawful for any person to use upon a motor vehicle upon a highway any electric headlamp lens reflector or headlight control device or any electric auxiliary driving lamp rear lamp electrical signal device mechanical signal device or signal lamp unless of a type which has been submitted to the secretary for test and for which a certificate of approval has been issued by the secretary and is then in effect as provided in this act

(b) The secretary is hereby authorized to adopt and enforce rules and uniform standard specifications as to the amount color and direction of light to be emitted by headlamps auxiliary driving lamps rear lamps lenses electrical signal devices mechanical signal devices and signal lamps and the secretary is authorized and required to determine whether any headlamps auxiliary driving lamps signal lamps lenses electrical signal devices mechanical signal devices and rear lamps submitted will comply with such rules and uniform standard specifications and the secretary may approve such headlamps auxiliary driving lamps signal lamps lenses electrical signal devices mechanical signal devices and rear lamps and to publish lists of such devices by name and type together with the permissible candlepower rating of the electric lamps or bulbs as he shall determine are lawful thereunder

(c) Any person desiring approval of any lighting device electrical signal device or mechanical signal device herein provided shall submit to the secretary two (2) sets of each type of device upon which approval is desired together with the fee provided in this act The secretary shall upon notice to the applicant submit such device to the United States Bureau of Standards or to such other recognized testing laboratory he may elect for a report as to the compliance of such device with the rules and uniform standards specifications adopted by the secretary Such devices will also be subject to any road tests or other tests as the secretary may deem necessary to determine that each type of headlamp auxiliary driving lamp rear lamp lens electrical signal device mechanical signal device and signal lamp they and their component parts are so constructed and mounted as to render them readily and universally adjustable to conform to the requirements as adopted by the secretary The secretary is authorized to refuse approval of any lighting device electrical signal device or mechanical signal device certified as complying with the specifications and requirements which the secretary determines will be in actual use unsafe or impracticable or would fail to comply with the provisions of this act or such requirements as may be adopted by the secretary

(d) The secretary shall request the testing agency to submit a report of each type of device to the secretary in duplicate For those which are found to comply with the specifications and requirements the report shall include any special adjustments required and the candlepower rating of the bulbs for such conformance Reports of all tests shall be accessible to the public and a copy thereof shall be furnished by the secretary to the applicant for the test

Penalty Any person violating any of the provisions of subsection (a) of this section shall upon summary con-

viction before a magistrate be sentenced to pay a fine of ten (\$10) dollars and costs of prosecution and in default of the payment thereof shall undergo imprisonment for not more than five (5) days

Section 18 Section eight hundred six and two-tenths of said act which was added by the act approved the twenty-ninth day of June one thousand nine hundred and thirty-seven (P. L. 2329) is hereby amended to read as follows

Section 806.2 Sale on Unapproved Vacuum or Pressure Hose Prohibited It shall be unlawful for any persons to sell or lease or to offer for sale or hire either separately or as a part of the equipment of a vehicle any vacuum hose for brake systems unless such hose is approved by the secretary and bears the trade-mark or name under which it is approved so as to be legible when installed and is accompanied by printed instructions as to the manner of installation or use necessary for compliance with the requirements of this act

Penalty Any person violating any of the provisions of this section shall upon summary conviction before a magistrate be sentenced to pay a fine of [fifty (\$50)] ten (\$10) dollars and costs of prosecution and in default of the payment thereof shall undergo imprisonment for not more than [ten (10)] five (5) days

Section 19 Section eight hundred and nine of said act as amended by the act approved the twenty-second day of June one thousand nine hundred and thirty-one (P. L. 751) is hereby further amended to read as follows

Section 809 Red Light Visible From in Front of Vehicles No person shall operate or move any vehicle except fire department [and] fire patrol apparatus or the private vehicles of those chiefs of fire departments assistant chiefs of fire departments or fire marshals who in accordance with a statement filed with the Pennsylvania Motor Police prior thereto use the same for answering fire or emergency calls upon a highway with a red light displayed on or showing to the front thereof

Penalty Any person violating any of the provisions of this section shall upon summary conviction before a magistrate be sentenced to pay a fine of ten (\$10) dollars and costs of prosecution and in default of the payment thereof shall undergo imprisonment for not more than five (5) days

Section 20 Subsections (b) and (g) and the penalty clause of section eight hundred and thirteen of said act as amended by the act approved the twenty-seventh day of June one thousand nine hundred and thirty-nine (P. L. 1135) are hereby further amended to read as follows

Section 813 Official Inspection Stations

* * * *

(b) If the secretary finds after hearing had that the provisions of this act are not being complied with or that the business of an official inspection station in connection with the corrections adjustments repairs or inspection of motor vehicles trailers or semi-trailers is being improperly conducted or receives notice of the conviction of any person conducting an official inspection station of any violation of the provisions of this act he shall suspend the certificate of appointment of any such station and require the immediate surrender and return of the certificate of appointment together with all department forms Provided however That if the servant or employe of any such inspection station shall without the authorization knowledge or consent of his employer violate any of the provisions of this act in reference to the inspection of vehicles such violation or violations shall not be the cause of the suspension of the certificate of appointment as herein provided but such employe shall be subject to prosecution as hereinafter provided Any person whose certificate or appointment is suspended under the provisions of this subsection may within thirty (30) days from the date thereof appeal to the court of common pleas of the county wherein such official inspection station is located and such court is hereby vested with jurisdiction and it shall be its duty to set the matter down for hearing upon thirty (30) days' written notice to the secretary and thereupon to take testimony and examine into the facts of the case and to determine

whether the petitioner is subject to suspension of his certificate of appointment under the provisions of this act When any hearing is held by the secretary to determine whether the provisions of this act are not being complied with or that the business of an official inspection station in connection with the corrections adjustments repairs of inspection of motor vehicles trailers or semi-trailers is being improperly conducted the person or persons accused of such violations shall be given notice thereof and shall be permitted to be present and represented by counsel

Penalty Any owner who operates such inspection station or any manager or operator thereof or any employe thereof violating any of the provisions of this section shall upon summary conviction before a magistrate be sentenced to pay a fine of twenty-five (\$25.00) dollars and costs of prosecution and in default of the payment thereof shall undergo imprisonment for not more than ten (10) days

(g) Any peace officer who shall be in uniform and shall exhibit his badge or other sign of authority may stop any motor vehicle trailer or semi-trailer and require the owner or operator to demonstrate that such vehicles conform with the provisions of this act If such demonstration discloses the necessity for corrections adjustments or repairs to such vehicle the owner shall be notified that unless a certificate issued or executed by a representative of an official inspection station is submitted within five (5) days to the peace officer indicating that the necessary corrections adjustments or repairs have been made or that the registrations plates and card for such vehicle have been surrendered and returned to the department for cancellation and the vehicle removed from the highways information for the prosecution or arrest of the owner or operator will be made for the specific violation or violation of this act noted at the time of notification Provided That when service and emergency brakes applied simultaneously will not stop a motor vehicle trailer or semi-trailer within distance defined in this act or hold a motor vehicle trailer or semi-trailer on a descending grade not exceeding ten (10) per centum or when the lighting equipment is glaring or insufficient or not in operation or is not equipped with a mirror or windshield wiper as defined and required in this act the owner or operator may be required to correct the faulty condition before being permitted to proceed with the vehicle and may be prosecuted for the specific violation of this act

* * * *

Penalty Any [owner who operates such inspection station or any manager or operator thereof or any employe thereof] person violating any of the provisions of this section shall upon summary conviction before a magistrate be sentenced to pay a fine of twenty-five (\$25) dollars and costs of prosecution and in default of the payment thereof shall undergo imprisonment for not more than ten (10) days

Section 21 Section eight hundred and fourteen of said act is hereby amended to read as follows

Section 814 Horns and Warning Devices

(a) Every motor vehicle when operated upon a highway shall be equipped with a horn or other warning device in good working order capable of emitting sound audible under normal conditions from a distance of not less than two hundred (200) feet and it shall be unlawful except as otherwise provided in this act for any vehicle to be equipped with or for any person to use upon a vehicle any siren bell compression or sparkplug whistle or for any person at any time to use a horn or other warning devices otherwise than as a reasonable warning or to make any unnecessary or unreasonably loud or harsh sound by means of a horn or other warning device

(b) Every police [and] fire department and fire patrol vehicle [and every] ambulance or the vehicle of the chief of any fire department assistant chief of any fire department or fire marshal who in accordance with a statement filed with the Pennsylvania Motor Police prior thereto uses the same for answering fire or emergency calls may

be equipped with a bell siren compression or sparkplug whistle of a type approved by the secretary

Penalty Any person violating any of the provisions of subsection (a) of this section shall upon summary conviction before a magistrate be sentenced to pay a fine of ten (\$10) dollars and costs of prosecution and in default of the payment thereof shall undergo imprisonment for not more than five (5) days

Section 22 Section eight hundred sixteen and two-tenths of said act which was added by the act approved the twenty-ninth day of June one thousand nine hundred and thirty-seven (P. L. 2329) is hereby amended to read as follows

Section 816.2 Unlawful to Sell Equipment Not in Conformance with Act It shall be unlawful for any person to sell lease use install or repair either for himself or as the agent or employe of another or through such agent or employe any glass lighting devices signal devices brakes [vacuum or pressure hose] or any other kind of equipment whatsoever for use in any vehicle trailer or semi-trailer that is not in conformity with the provisions of this act or the regulations made thereunder

Penalty Any person violating any of the provisions of this section shall upon summary conviction before a magistrate be sentenced to pay a fine of ten (\$10) dollars and costs of prosecution and in default of the payment thereof shall undergo imprisonment for not more than five (5) days

Section 23 Subsection (g) of section eight hundred and twenty-three subsection (a) of section eight hundred and twenty-four and clause (6) of subsection (b) of section eight hundred and twenty-eight of said act as amended by the act approved the twenty-seventh day of June one thousand nine hundred and thirty-nine (P. L. 1135) is hereby further amended to read as follows

Section 823 Official Inspections

* * * *

(g) Any peace officer who shall be in uniform and shall exhibit his badge or other sign of authority may stop any motor vehicle trailer or semi-trailer and require the owner or operator to display an official certificate [or other satisfactory proof of inspection] for the motor vehicle trailer or semi-trailer being operated It shall be unlawful for any such certificate to be displayed on a motor vehicle trailer or semi-trailer or by the owner or operator unless an official inspection of its mechanism or equipment shall have been made and the motor vehicle trailer or semi-trailer conforms to the provisions of this act

Section 824 Danger and Caution Signals

(a) Every motor bus and every motor omnibus for the carriage of passengers for hire except taxicabs and every commercial vehicle or combination of vehicles [having] authorized to carry a gross weight of eleven thousand (11,000) pounds or more and every trailer or semi-trailer designed for the living quarters or carriage of persons shall be equipped with at least three (3) red flags or dimensions not less than twelve by twelve (12 x 12) inches and a sufficient number of flares not less than three (3) or electric lanterns electric flashing signals or other signals capable of continuously producing three warning lights each visible from a distance of at least five hundred (500) feet for a period of at least eight (8) hours Provided however That the provisions of this section shall not apply to vehicles within the confines of a municipality or within a business or residence district

Every such flare lantern electric flashing signal or other signal shall be of a type approved by the secretary and he shall publish lists of those devices which he has approved as adequate for the purposes of this section

Section 828 School Buses and Safety Requirements

* * * *

(b) No person shall own or operate a school bus carrying school children on the highways of this Commonwealth in a school bus that in addition to the other requirements of this act does not conform with the following

* * * *

(6) There shall be at least thirteen (13) inches of seating space provided for each school child carried and there shall be a measurement of at least twelve (12) inches from the front of every seat to the back of the seat next to the rear All seats shall have spring cushions and all back rests shall be well padded and shall be securely fastened to the bus There shall be no longitudinal seats opposite to and facing each other within a distance of eighteen (18) inches and in all new buses purchased after the effective date of this act there shall be no longitudinal seats except in buses where fifty per centum or more of the pupils transported on any one trip of the school day are crippled

Section 24 Subsections (a) and (g) of section nine hundred and two and the penalty clause of section nine hundred and three of said act as amended by the act approved the twenty-ninth day of June one thousand nine hundred and thirty-seven (P. L. 2329) are hereby further amended to read as follows

Section 902 Size of Vehicles and Loads (a) No vehicle except fire department equipment threshing or binding equipment street sweepers and snow plows shall exceed a total maximum width including any load thereon of ninety-six (96) inches except that the limitations as to size of vehicles stated in this act shall not apply to vehicles loaded with hay or straw in bulk

* * * *

(g) No truck tractor and semi-trailer coupled together except fire department equipment shall exceed a total maximum length inclusive of load and bumpers of five hundred forty (540) inches excepting [that until but not after January first one thousand nine hundred forty-one any truck tractor and semi-trailer properly registered in this Commonwealth on the effective date of this act may when coupled together be of a total maximum length not exceeding seventy (70) feet excepting further] that nothing in this subsection shall prohibit the transportation of articles impossible of dismemberment the total length of which [do] does not exceed seventy (70) feet

Section 903 Weight of Vehicles and Loads

* * * *

Penalty Any person operating any vehicle or combination of vehicles upon any highway with a gross weight or axle load exceeding by more than five (5) per centum the maximum gross weight or axle load allowed and not exceeding by more than ten (10) per centum the maximum gross weight or axle load allowed shall upon summary conviction before a magistrate be sentenced to pay a fine of twenty-five (\$25) dollars and costs of prosecution and in default of the payment thereof shall undergo imprisonment for not more than five (5) days and any person operating any vehicle or combination of vehicles on any highway with a gross weight or axle load exceeding by more than (10) per centum the maximum gross weight or axle load allowed shall upon summary conviction before a magistrate be sentenced to pay a fine of fifty (\$50) dollars and costs of prosecutions and in default of the payment thereof shall undergo imprisonment for not more than ten (10) days

Section 25 The penalty clause of section nine hundred and three of said act as last amended by the act approved the twenty-ninth day of June one thousand nine hundred and thirty-seven (P. L. 2329) is hereby further amended to read as follows

Section 903 Weight of Vehicles and Loads

* * * *

Penalty [Any person operating any vehicle] Where any vehicle shall be operated upon any highway with a gross weight or axle load exceeding by more than five (5) per centum the maximum gross weight or axle load allowed and not exceeding by more than ten (10) per centum the maximum gross weight or axle load allowed the owner or operator thereof or both shall upon summary conviction before a magistrate be sentenced to pay a fine of twenty-five (\$25) dollars and costs of prosecution and in default of the payment thereof shall undergo imprisonment

ment for not more than five (5) days and [any person operating any vehicle on] where any vehicle shall be operated upon any highway with a gross weight or axle load exceeding by more than ten (10) per centum the maximum gross weight or axle load allowed the owner or operator thereof or both shall upon summary conviction before a magistrate be sentenced to pay a fine of fifty (\$50) dollars and costs of prosecution and in default of the payment thereof shall undergo imprisonment for not more than ten (10) days. Provided That where the owner of the vehicle is a corporation partnership or association the officers of such corporation or the members of such partnership or association violating the provisions of this section shall be subject to the penalties provided for herein. And provided further That the operator of any such vehicle who is not its owner shall not be liable for such violation nor subject to the penalties set forth herein if he can establish by evidence that he did not have notice or knowledge of the overweight of such vehicle. The secretary shall have authority to suspend the registrations of any resident owner to operate or to have his vehicle operated in this Commonwealth who shall fail to pay any fine imposed under the provisions of this section upon any such resident or non-resident owners and such registration or privilege to operate or to have his vehicles operated in this Commonwealth shall remain suspended until such fine has been paid. The secretary upon reinstatement of the registration or operating privilege of any such resident or nonresident owner shall have the discretionary power to determine whether or not financial security for further violations shall be required. Such security if required may be in the form of a bond cash or securities not exceeding in amount or value the sum of one hundred fifty (\$150) dollars which shall be deposited with the State Treasurer until released upon order of the secretary.

Section 26 Subsection (a) of section nine hundred and five of said act as amended by the act approved the fifth day of June one thousand nine hundred and thirty-seven (P. L. 1718) is hereby further amended to read as follows:

Section 905 Permits for Excessive Size and Weight (a) The Secretary of Highways of this Commonwealth and local authorities in their respective jurisdiction may in their discretion upon application in writing accompanied by the fee provided in this act and good cause being shown therefor issue a special permit in writing authorizing the applicant to operate or move either a vehicle or combination of vehicles or a vehicle and load or a combination of vehicles and their load or loads of a size or weight exceeding the maximum specified in this act upon any highway under the jurisdiction of and for the maintenance of which the authorities granting the permit are responsible. When a permit has been issued by the Secretary of Highways no other authorities shall require any further or additional permit for any portion of the route specified therein. Every such permit shall be issued for a single trip and shall designate the route to be traversed subject to such rules regulations restrictions or conditions as shall be deemed necessary by the authority granting such permit. Provided That upon request included in the application a combination permit may be issued for a single continuous round trip whether or not a load or loads may be transported for the entire trip but no substantial increase in the size or weight of vehicles or combination of vehicles or of load shall be made between intermediate points without supplemental permit. The Secretary of Highways may in his discretion issue a single permit for any fixed number of movements across the highway or along the highways of vehicles or combinations thereof exceeding the maximum size or weight specified in this act at specified locations or within any area in the Commonwealth designated in the permit. [Whenever any such permit shall have been issued for crossing the highway it shall be unlawful to move said vehicles along the highway.] The movement of any vehicle or load requiring a permit shall impose the obligation on the permittee to restore or replace any section of highway or bridge damaged as a result of such movement whether or not such damage may be attributable to negligence on the part of the permittee. Every

such permit shall be carried in the vehicle to which it refers and shall be open to inspection by any peace officer or employe of the Department of Highways of this Commonwealth or to any person having collision with or suffering injury from such vehicle.

Section 27 Clause 4 of subsection (b) and Clause (1) of subsection (d) of section one thousand and two of said act as amended by the act approved the twenty-seventh day of June one thousand nine hundred and thirty-nine (P. L. 1135) is hereby further amended to read as follows:

Section 1002 Restrictions as to Speed

* * * *

(b) Subject to the provisions of subsection (a) of this section speeds in excess of the maximum limits hereinafter provided shall be unlawful.

* * * *

4 Twenty-five (25) or thirty-five (35) miles an hour speed limit. All vehicles except those restricted by this act to lower maximum speeds within business or residential districts or public park areas where official signs erected by the proper authorities on the right-hand side of the highway facing the traffic to be controlled or on the left-hand side of one-way streets are displayed. This limit shall be observed for a distance beyond said sign for not more than one-eighth ($\frac{1}{8}$) of a mile. An additional sign shall be placed at intervals not greater than one-eighth ($\frac{1}{8}$) of a mile and any extension of such limited zone shall be marked by additional signs in like manner. At the end of such limited zone there shall be an official sign similarly placed as to traffic indicating the end of the limited zone. Provided however That cities of the first class and cities of the second class may by ordinance adopted in accordance with the provisions of section one thousand one hundred and three (i) of this act establish a speed limit of thirty-five (35) miles an hour to be effective in the business or residential districts within the limits of any such city except where official signs erected in conformity with the provisions of this subsection otherwise provide.

* * * *

(d) (1) When the rate of speed of any vehicle is timed on any highway within a business or residence district where official speed limit signs are erected as provided in this section for the purpose of ascertaining whether or not the operator of such vehicle is violating a speed provision of this act such time shall be taken by not less than two (2) peace officers one of whom shall have been stationed at each end of a measured stretch and no conviction shall be had upon the unsupported evidence of one (1) peace officer except as hereinafter provided and no such measured stretch shall be less than one-eighth ($\frac{1}{8}$) of a mile in length. Under all other conditions the rate of speed shall be timed for a distance of not less than one quarter ($\frac{1}{4}$) mile by a peace officer using a motor vehicle painted predominately white and equipped with a speedometer tested for accuracy within a period of thirty (30) days prior to the alleged violation. An official certificate from an official speedometer testing station showing such test was made that the speedometer was adjusted for accuracy the date thereof and the degree of accuracy of such speedometer after adjustment shall be competent and prima facie evidence of the fact that such certificate was issued by an official speedometer testing station appointed by the secretary and of the accuracy of the speedometer in every proceeding where an information is brought charging a violation of this section.

Section 29 Section one thousand and three of said act is hereby amended to read as follows:

Section 1003 Railroad Warning Signals Must Be Obeyed. Whenever any person driving a vehicle approaches an interurban or steam railway grade crossing and a clearly visible and positive signal gives warning of the immediate approach of a railway train or car it shall be unlawful for the driver of the vehicle to fail to bring the vehicle to a complete stop before traversing such grade crossing.

Penalty. Any person violating any of the provisions of this section shall upon summary conviction before a

magistrate be sentenced to pay a fine of [ten (\$10) dollars] one (\$1) dollar and costs of prosecution and in default of the payment thereof shall undergo imprisonment for not more than [five (5)] three (3) days

Section 30 Section one thousand and fourteen of said act as amended by the act approved the twenty-second day of June one thousand nine hundred thirty-one (P. L. 751) is hereby further amended to read as follows

Section 1014 Exceptions to the Right of Way Rule

(a) The driver of a vehicle entering a highway from a private road or drive shall yield the right of way to all vehicles approaching on such highway

(b) The driver of a vehicle upon a highway shall yield the right of way to police [and] fire department and fire patrol vehicles [and] ambulances and the vehicles of those chiefs of fire departments assistant chiefs of fire departments and fire marshals who signify in writing their intention to use such vehicles while answering fire or emergency calls and file the written declaration prior to such use thereof with the Pennsylvania Motor Police when such vehicles are operated upon official business and the drivers thereof sound audible signal This provision shall not operate to relieve the driver of [a police or fire department vehicle or ambulance] any such vehicle from the duty to drive with due regard for the safety of all persons using the highway nor shall it protect the driver of any such vehicle from the consequence of an arbitrary exercise of such right of way

(c) The driver of a vehicle entering a through highway or stop intersection which has been established as such under provisions of this act shall yield the right of way to all vehicles approaching in either direction on such through highway This provision shall not operate to relieve the driver of any vehicle being operated on a through highway from the duty to drive with due regard for the safety of vehicles entering such through highway nor shall it protect the driver of any vehicle on a through highway from the consequence of an arbitrary exercise of such right of way

Penalty Any person violating any of the provisions of this section shall upon summary conviction before a magistrate be sentenced to pay a fine of ten (\$10) dollars and costs of prosecution and in default of the payment thereof shall undergo imprisonment for not more than five (5) days

Section 31 Section one thousand and fifteen of said act as last amended by the act approved the twenty-ninth day of June one thousand nine hundred and thirty-seven (P. L. 2329) is hereby further amended to read as follows

Section 1015 What to do on Approach of Police or Fire Department Vehicle

(a) Upon the approach of any police [or] fire department and fire patrol vehicle [or] ambulance or the vehicle of the chief of any fire department assistant chief of any fire department or fire marshal who in accordance with a statement filed with the Pennsylvania Motor Police prior thereto uses the same for answering fire or emergency calls giving audible signal the driver of every other vehicle shall immediately drive the same to a position as near as possible and parallel to the right-hand edge or curb of the highway clear of any intersection or highways and shall stop and remain in such position unless otherwise directed by a peace officer until [the police or fire department vehicle or ambulance] such vehicle shall have passed

(b) It shall be unlawful for the driver of any vehicle street car or trackless trolley omnibus other than one on official business to follow any fire apparatus traveling in response to a fire alarm closer than five hundred (500) feet or to park such vehicle within five hundred (500) feet where fire apparatus has stopped in answer to a fire alarm

(c) Upon the approach of any police [or] fire department or fire patrol vehicle [or] ambulance or the vehicle of the chief of any fire department assistant chief of any fire department or fire marshal who in accordance with a statement filed with the Pennsylvania Motor Police prior thereto uses the same for answering fire or emergency calls

giving audible signal the operator of every street car or trackless trolley omnibus shall immediately stop and remain in such position unless otherwise directed by a peace officer until [the police or fire department vehicle or omnibus] such vehicle shall have passed

Penalty Any person violating any of the provisions of this section shall upon summary conviction before a magistrate be sentenced to pay a fine of ten (\$10) dollars and costs of prosecution and in default of the payment thereof shall undergo imprisonment for not more than five (5) days

Section 32 That section 1033 of said act as last amended by the act of June twenty-seven one thousand nine hundred and thirty-nine (P. L. 1135) is hereby further amended to read as follows

Section 1033 Vehicles carrying other vehicles

(a) No person shall on or after January first one thousand nine hundred and [forty-two] forty-four operate a vehicle on the highways of this Commonwealth having two levels for the carriage of other vehicles

(b) No person shall on or after January first one thousand nine hundred and [forty-two] forty-four operate a vehicle on the highways of this Commonwealth carrying other vehicles any part of which is carried at a height of more than one hundred fifteen (115) inches above the ground

(c) [No person shall operate a vehicle on the highways of this Commonwealth carrying any other vehicle the weight of which is directly above the cab of the carrier vehicle or directly over the head of the operator of such vehicle] No vehicle being transported on another single vehicle or combination vehicle and trailer shall be carried in such manner as to extend above the cab of the transporting vehicle and where such vehicle shall be transported on a combination truck tractor and semi-trailer the transported vehicle shall be loaded wholly upon the semi-trailer and shall not extend more than five feet beyond the front extremity of the semi-trailer

(d) No person shall on or after January first one thousand nine hundred and [forty-two] forty-four operate a vehicle on the highways of this Commonwealth carrying any other vehicle any axle of which is more than three (3) feet higher than any other axle on such carrier vehicle

Penalty Any person violating any of the provisions of this section shall upon summary conviction before a magistrate be sentenced to pay a fine of twenty-five (\$25) dollars and costs of prosecution and in default of the payment thereof shall undergo imprisonment for not more than five (5) days

Section 33 Subsection (a) of section one thousand one hundred and three as amended by the act approved the fifth day of June one thousand nine hundred and thirty-seven (P. L. 1718) is hereby further amended to read as follows

Section 1103 Powers of Local Authorities

(a) Local authorities except as expressly authorized by this act shall have no power or authority to alter any speed limitations declared in this act or to enact or enforce any ordinance rule or regulation contrary to the provisions of this act except that local authorities shall have power to provide by ordinance for the regulation of traffic by means of peace officers or official traffic signals on any portion of the highway where traffic is heavy or continuous and may regulate or prohibit parking stopping or loading of vehicles or prohibit other than one-way traffic upon certain highways and may regulate the use of the highways by processions or assemblages and may regulate the kinds and classes of traffic and its turning on certain highways at all or certain hours and may regulate the transportation by motor vehicles of passengers for compensation within the limits of a city or from points beyond the city limits and make and enforce regulations for the operation of such vehicles not inconsistent with this act and designate certain streets upon which such vehicles may be operated

Provided however That any regulations of the kinds and classes of traffic on State Highway Routes within cities

shall be subject to the approval of the Secretary of Highways first had and obtained

And excepting further that any city of the first class and any city of the second class may by ordinance provide that the maximum speed in the business and residential districts within said city shall not exceed thirty-five (35) miles an hour

Local authorities may designate any highway or any part of a highway under their jurisdiction a "Play Highway" and may close such designated highway to general traffic where interference to traffic will not be serious. Such highways or portions of highways shall be used for play purposes and shall be clearly designated by appropriate signs specifying the hours between which such highways shall be closed to general traffic

Local authorities may regulate parking by means of mechanical devices requiring the deposit of a coin or coins to cause or permit the device to be actuated and may fix the denomination of the coins to be deposited and the limit of time vehicles may be parked proportionate to the amount of money so deposited if official signs giving notice thereof are first posted conspicuously at points where any highway affected thereby joins other highways and if official signs giving notice of such charges and time limits are attached to each device. All income received from the use of mechanical devices to regulate parking shall be deposited in a separate account and shall be appropriated and expended first for the purchase operation and maintenance of such mechanical devices and incidental costs arising from such regulation and any balance thereafter remaining may be expended only for general traffic regulation and for no other purpose

Section 34 Section one thousand one hundred and three of said act as amended by the act approved the twenty-second day of June one thousand nine hundred and thirty-one (P. L. 751) is hereby further amended by adding thereto after subsection (g) one new subsection to read as follows

Section 1103 Powers of Local Authorities

* * * * *

(h) Local authorities of cities of the first class and cities of the second class may by ordinance establish a speed limit of thirty-five (35) miles an hour to be effective in the business and residential districts within the limits of any such city except where official signs erected in conformity with the provisions of subsection (b) of section one thousand and two of this act otherwise provide. In making such provision the local authorities of such cities shall provide that signs showing the said thirty-five (35) mile speed limit within said cities shall be posted at the entrance of such cities and at ten other locations at least within such cities and when so posted the said cities shall not be required to post any such signs elsewhere within the said cities

Section 35 Section one thousand one hundred and six of said act as amended by the act approved the fifth day of June one thousand nine hundred and thirty-seven (P. L. 1718) is hereby further amended to read as follows

Section 1106 Local Traffic Signs Local authorities in their respective jurisdiction may cause official signs in accordance with section one thousand one hundred and five of this act to be erected and maintained as may be appropriate to give notice of legal parking and other local ordinances rules and regulations shall not be enforceable against an alleged violator if at the time and place of the alleged violation an official sign giving notice thereof is not posted conspicuously by the municipalities making the same at points where any highway affected thereby joins other highways except as otherwise provided in this act

Section 36 Subsection (g) of section one thousand one hundred and ten of said act which was added by section fourteen of the act approved the fifth day of June one thousand nine hundred and thirty-seven (P. L. 1718) and amended by the act approved the ninth day of June one thousand nine hundred and thirty-nine (P. L. 317) and by the act approved the twenty-seventh day of June one

thousand nine hundred and thirty-nine (P. L. 1135) is hereby further amended to read as follows

Section 1110 Erection of Traffic Signs Signals and Markings

* * * * *

(g) Traffic signals electrically operated that have been erected prior to the passage of this act whenever reconstructed or the controllers or wiring are replaced shall be made to conform with the provisions of this act and the regulations of the Secretary of Highways but in any event all such signals except in cities of the second class A shall be made to so conform not later than January first one thousand nine hundred and forty-two and in cities of the second class A not later than January first one thousand nine hundred and forty-four unless extension of time shall be granted by the Secretary of Highways in each specified case

Section 37 Article eleven of said act is hereby amended by adding thereto after section one thousand one hundred and fourteen a new section to read as follows

Section 1115 Regulation of Traffic on Pennsylvania Turnpike (a) The Pennsylvania Turnpike Commission shall have the power by resolution to promulgate rules and regulations for the regulation of traffic by means of peace officers or official traffic signs or signals on any portion of any turnpike or highway under its supervision and control may establish one-way traffic lanes and may regulate or prohibit parking stopping or loading of vehicles or the use of the turnpike or any highway under its supervision and control by processions or assemblages the kinds and classes of traffic and its turning upon or the crossing of the medial strip or any other portion of such turnpikes or highways the transportation by vehicles of automobiles machinery and merchandise and the transportation of passengers and generally make and enforce regulations for the operation of same with due regard to the safety of the traveling public. Provided however That such rules and regulations shall not be inconsistent with the provisions of this act

(b) The rules and regulations promulgated by the Pennsylvania Turnpike Commission governing the traffic upon any turnpike or highways under its supervision and control shall become effective upon the publication thereof in the manner which the commission shall prescribe. A copy of all such rules and regulations which shall become effective shall be posted and remain posted so long as they are effective in a conspicuous place at all entrances to such turnpike or highway for the inspection of persons using such turnpike or highway

(c) Any person or persons violating any of the rules and regulations of said commission for which no penalty has been provided in Vehicle Code or other laws relating to vehicles shall upon summary conviction before a magistrate or justice of the peace be sentenced to pay a fine of ten dollars (\$10) and costs of prosecution and in default of the payment thereof shall undergo imprisonment of not more than ten (10) days

Section 38 Section one thousand two hundred and one of said act as amended by the act approved the twenty-seventh day of June one thousand nine hundred and thirty-nine (P. L. 1135) is hereby further amended to read as follows

Section 1201 Limitations of Actions

(a) Informations charging violations of any of the summary provisions of this act by any person shall be brought before the nearest available magistrate within the city borough incorporated town or township where the alleged violation occurred except that local authorities in cities may establish a special magistrate's or traffic court before which such informations shall be brought. Provided however That where there is no substantial difference between the respective distances from the place where the alleged violation occurred to the offices of more than one magistrate any such prosecution may be brought before any one of such magistrates or if there is no person holding the office of magistrate in

such city borough incorporated town or township then such information [shall] may be brought before [such nearest] any available magistrate in any [adjoining] city borough incorporated town or township adjoining such district wherein the alleged violation occurred and if there is no person holding the office of magistrate in such district then such information may be brought before any available magistrate in any district adjoining any district adjoining the district wherein the alleged violation occurred and if there is no person holding the office of magistrate in such district then such information may be brought before any magistrate in the county wherein the violation occurred except that informations charging violations of any of the provisions of this act which shall occur upon any highway under the supervision and control of any Pennsylvania Turnpike Commission now or hereafter created may be brought before any magistrate within any county wherein the alleged violation occurred and excepting further that where a special magistrate's or traffic court is set up in any city the information may be filed with that traffic court regardless of the availability or nearness of any other magistrate to the place where the offense was alleged to have been committed Provided however That such information must be filed in the special magistrate's or traffic court located in the city where the offense was alleged to have been committed Such informations shall be brought within fifteen (15) days except in the case where the information is brought against any person who has not been stopped by the officer at the time of the violation In such cases all information must be filed and mailed by registered letter to the violator within five (5) days of the date of the said violation after the commission of the alleged offense and not thereafter except that where an information is filed against a person prima facie guilty of a summary offense and it subsequently appears that a person other than the person named in the information was the offender an information may be filed against such other person within fifteen (15) days after his or her identity shall have been discovered and excepting further that information charging violations of the provisions of sections 207 210 212 406.1 601.1 and 620 (j) of this act may be brought within fifteen (15) days after it is discovered that a violation of any of these sections has been committed and excepting further that informations charging violations of the provisions of section one thousand and twenty-five (d) of this act may be brought against a person within fifteen (15) days after his or her identity shall have been discovered

(b) Where the offense committed is designated a felony or misdemeanor information may be filed as now provided by law

Section 39 Section one thousand two hundred and two of said act as amended by the act approved the twenty-ninth day of June one thousand nine hundred and thirty-seven (P. L. 2329) is hereby further amended to read as follows

Section 1202 Proceedings by Information and Warrant

(a) Summary proceedings under this act [may] or any violation of a local ordinance rule or regulation enacted under the authority thereof except as hereinafter provided shall be commenced by the filing of information which information must be filed in the name of the Commonwealth and within the period of seven (7) days after information has been lodged the magistrate shall send by registered mail to the person charged at the address shown by the records of the department a notice in writing of the filing of the information together with a copy thereof and a notice to appear within ten (10) days of the date of the written notice at which time the person charged shall appear and may plead guilty and pay fine and costs imposed waive a hearing and post bail or request a hearing at the date of which shall be fixed by the magistrate at a time not less than five (5) nor more than ten (10) days from the date of such appearance Provided however That the person charged in lieu of a personal appearance as described above may plead

guilty and pay by registered mail the fine and costs imposed or request by registered mail a hearing Where the person charged requests by registered mail a hearing the magistrate shall fix a date for such hearing at a time not less than ten (10) nor more than twenty (20) days from the date such request was received and notice of such hearing shall be sent to the person charged by the magistrate within five (5) days of the receipt of such request

1 If the person named in the information shall not voluntarily appear within ten (10) days of the date of the written notice a warrant shall then issue and may be served by a peace officer having authority to serve warrants in the county in which the alleged violation has been committed

If the person charged cannot be served within such county then the magistrate shall deputize a peace officer having authority to serve warrants in the county wherein the person charged resides or may be found to serve such warrant

2 The peace officer serving such warrant shall take the defendant before a magistrate within the city borough incorporated town or township in which the defendant is found or if there is no person holding the office of magistrate in such city borough incorporated town or township then the defendant shall be taken before a magistrate in any adjoining city borough incorporated town or township who shall take bail either for the defendant's appearance before the magistrate who issued the warrant or for his appearance for trial in the proper court if a summary hearing is waived

(b) Where the offense committed is designated a felony or misdemeanor information may be filed and warrant served as now provided by law

(c) Whenever an arrest is made upon view under any of the provisions of and as limited by this act the officer making the arrest shall forthwith make and file with the magistrate before whom the arrested person is taken an information setting forth in detail the offense and at once furnish a copy thereof to the person arrested

(d) Any person so arrested shall be given the opportunity of having an immediate hearing or of giving bail as provided in this act for a hearing before the magistrate to be held at a date not more than ten (10) days from the date of such arrest or of waiving a hearing and giving bail for his appearance in court

Section 40 Section one thousand two hundred and seven of said act as last amended by the act approved the twenty-seventh day of June one thousand nine hundred and thirty-nine (P. L. 1135) is hereby further amended to read as follows

Section 1207 Disposition of Fines and Forfeitures

(a) All fines and penalties collected under the provisions of this act for violations of the same and all bail forfeited shall be paid to the department and transmitted to the State Treasury and credited to the "General Fund" except those collected for violations of the provisions of section [nine hundred and three (903)] nine hundred and five (905) one thousand and two (1002) one thousand and eleven (1011) one thousand and fifteen (1015) one thousand and eighteen (1018) one thousand and twenty (1020) one thousand and twenty-six (1026) one thousand and twenty-eight (1028) of this act committed within cities boroughs incorporated towns and townships which fines and penalties and all bail forfeited shall be paid to the treasurer of the city borough incorporated town or township wherein the violation occurred to be used by such city borough incorporated town or township for the construction repair and maintenance of the highways thereof Provided That all fines and penalties collected and all bail forfeited for violations of the provisions of section one thousand and sixteen (1016) committed within cities boroughs incorporated towns and townships shall be paid to the treasury of the city borough incorporated town or township wherein the violation occurred to be used by such

city borough incorporated town or township for the construction repair and maintenance of the highways thereof And provided further That all fines and penalties collected and all bail forfeited for violations of the provisions of subsection (f) of section six hundred twenty (620) shall be paid to the treasury of the county wherein the violation occurred to be used by such county for the payment of physicians' fees for the examination of persons accused of violating the provisions of the said section [Any] and any balance remaining in the treasury of the county at the expiration of the calendar year and not payable for physicians' services rendered shall be used for county highway purposes And provided further That all fines and penalties collected and all bail forfeited for violations of the provisions of sections nine hundred and five (905) one thousand and two (1002) one thousand and eleven (1011) one thousand and fifteen (1015) one thousand and sixteen (1016) one thousand and eighteen (1018) one thousand and twenty (1020) one thousand and twenty-six (1026) and one thousand and twenty-eight (1028) of this act upon any highway under the supervision and control of any Pennsylvania Turnpike Commission now or hereafter created shall be paid to the county commissioners of each of the respective counties wherein the violations occurred who shall distribute semi-annually all such moneys received from such fines penalties and bail forfeited equally among the several boroughs incorporated towns and townships bordering upon such highways in each such county All such moneys received by such boroughs incorporated towns and townships shall be used for the construction repair and maintenance of the highways thereof

(b) Sworn statements of all fines and penalties so collected and all bail forfeited shall also be made by the magistrate or other officer imposing or receiving the same to the secretary upon forms furnished by the department such reports shall be made monthly not later than the tenth (10th) day of the following month

Penalty Any magistrate or other officer who shall fail to make such monthly reports and returns or either of them shall be guilty of a misdemeanor in office and upon conviction thereof in a court of quarter sessions shall be sentenced to pay a fine of five hundred (\$500.00) dollars and costs of prosecution or undergo imprisonment for not more than sixty days or suffer both such fine and imprisonment

Section 41 Section one thousand two hundred and eleven of said act as amended by the act approved the twenty-seventh day of June one thousand nine hundred and thirty-nine (P. L. 1135) is hereby further amended to read as follows

Section 1211 Limitation of Authority for Pennsylvania Motor Policemen Such employes of the Commonwealth as are designated as Pennsylvania Motor Policemen are hereby declared to be peace officers and are hereby given police power and authority throughout the Commonwealth to arrest on view on Sunday or any other day when in uniform without writ rule order or process any person violating any of the provisions of this act in addition to any other power or authority conferred by law except such motor policeman shall have no authority to arrest on view any person violating any of the provisions of subsections (d) or (e) of section eight hundred thirteen (813) or subsections (c) (d) (e) or (f) of section eight hundred twenty-three (823) of this act

Whenever an arrest of any person is made upon view on Sunday or any other day under the provisions of this section the officer making the arrest shall forthwith take the defendant before the nearest available magistrate in the city borough incorporated town or township where the alleged offense occurred except that informations charging violations of any of the provisions of this act which shall occur upon any highway under the supervision and control of any Pennsylvania Turnpike Commission now or hereafter created may be brought before any magistrate within any county wherein the alleged violation occurred and excepting further that local authorities in cities may establish a special magistrate's or traffic court before which such informations shall be brought

Provided however That where there is no substantial difference between the respective distances from the place where the alleged violation occurred to the offices of more than one magistrate any such prosecution may be brought before any one of such magistrates or if there is no magistrate available in such district then the officer [shall forth with] may take the defendant to [such nearest] any available magistrate in any [adjoining city borough incorporated town] [or township] district adjoining the district wherein the alleged violation occurred and if there is no person holding the office of magistrate in such district then the officer may take the defendant to any available magistrate in any district adjoining the district wherein the alleged violation occurred and if there is no person holding the office of magistrate in such district then the officer may take the defendant to any magistrate in the county wherein the violation occurred [and] except where a special magistrate's or traffic court is set up in any city the information may be filed with that traffic court regardless of the availability or nearness of any other magistrate to the place where the offense was alleged to have been committed Provided however That such information must be filed in the special magistrate's or traffic court located in the city where the offense was alleged to have been committed The officer making the arrest shall make and file with the magistrate before whom the arrested person is taken an information setting forth in detail the offense and at once furnish a copy thereof to the person arrested

Any person so arrested on any day other than Sunday shall be given the opportunity of having an immediate hearing or of waiving a hearing or of giving bail and any person so arrested on Sunday shall be given the opportunity of giving bail which shall be accepted by the magistrate the same as on any other day as provided in this act for a hearing before the magistrate to be held at a date not more than ten days from the date of such arrest or of waiving a hearing and giving bail for his appearance in court

Section 42 Subsection (c) of section one thousand two hundred and twelve of said act as amended by the act approved the twenty-second day of June one thousand nine hundred and thirty-one (P. L. 751) is hereby further amended to read as follows

Section 1212 Enforcement of Local Ordinances

* * * * *

(c) Any city borough incorporated town township or county which enforces an ordinance rule or regulation on a matter concerning which authority is expressly delegated to said authorities by this act or for traffic matters not covered by this act may impose a fine of not more than fifty (\$50) dollars to be collected by summary conviction before any magistrate [as fines and penalties are now by law collected] as provided in this act In the event of nonpayment of fines and costs of prosecution the magistrate may sentence any person convicted of violating an ordinance rule or regulation to undergo imprisonment for a period of not exceeding ten (10) days Provided That any person so convicted shall have the right of appeal as in other cases of summary conviction And further provided That any person accused of violating a local ordinance rule or regulation enforced under the authority of this act may waive summary hearing and give bond in a sum equal to double the amount of the maximum fine and costs that might be imposed for appearance for trial before a judge of the court of quarter sessions or in the county court or in the municipal court in counties wherein such courts exist and thereupon the magistrate shall within fifteen (15) days return the information to the said court and if any person so accused shall be convicted in such court of the offense charged he shall be fined as prescribed by said ordinance rule or regulation or in event of non-payment of such fine and costs of prosecution to suffer imprisonment for a period not to exceed ten (10) days All fines and bail forfeited as provided for in this section shall be paid to the treasurer of such city borough incorporated town or township for the construction repair and maintenance of the highways thereof

Section 43 Subsection (b) of section one thousand two hundred and fourteen and section one thousand two hundred and fifteen of said act are hereby amended to read as follows

Section 1214 Duty to Report Accidents

* * * * *

(b) Local authorities may require the reporting of motor vehicle accidents [in such form as they deem advisable] occurring within their jurisdiction but such reports shall only be made on forms prescribed by the department and such local reports shall not conflict with the necessity for reporting such accidents to the department

Section 1215 Garage Keeper to Report Damaged Motor Vehicles The person in charge of any garage or repair shop to which is brought any motor vehicle which shows evidence of having been struck by any bullet shall report to the nearest police station or sheriff's office within [twenty-four (24)] eight (8) hours after such motor vehicle is received giving the name engine number manufacturer's serial number registration plate number and the name and address of the owner or operator of such vehicle

Penalty Any person violating any of the provisions of this section shall upon summary conviction before a magistrate be sentenced to pay a fine of ten (\$10) dollars and costs of prosecution and in default of the payment thereof shall undergo imprisonment for not more than five (5) days

Section 44 Subsection (c) of section one thousand two hundred and eighteen of said act is hereby amended to read as follows

Section 1218 Signals and Investigations by Officers

* * * * *

(c) Any peace officer or department employe who shall be in uniform or shall exhibit a badge or other sign of authority shall have the right to inspect any motor vehicle in any public garage or repair shop or upon any parking or used car lot for the purpose of locating stolen motor vehicles [and] investigating the title and registration of motor vehicles and determining whether motor vehicles are in a safe condition for operation upon the highways and for such purpose the owner of any such garage [or] repair shop or parking or used car lot shall permit any such peace officer or department employe without let or hindrance to make investigation as herein authorized

Section 45 Article twelve of said act is hereby amended by adding thereto after section one thousand two hundred and twenty-two three new sections to read as follows

Section 1223 Medical Examination by Physicians Fee

Where any person charged with violating any of the provisions of section six hundred and twenty (f) of this act shall be examined by a physician such examination shall be made by a physician whose office is within the city borough incorporated town or township where the alleged violation occurred or if such physician or physicians shall not be in their offices or shall refuse to make an examination or there shall not be a physician having an office within such city borough incorporated town or township then such examination shall be made by a physician having an office in any other city borough incorporated town or township within the county wherein the alleged violation occurred

The physician's fee for the medical examination of any person charged with violating the provisions of section six hundred and twenty (f) of this act and for any appearances as a witness that may be necessary shall be deemed to be an item of the costs when prosecution is brought Such fee shall be ten (\$10) dollars and shall be paid by the county to the examining physician upon authorization of the district attorney in those cases where no bill of indictment charging any person with such violation is presented to the grand jury and in all other cases as now provided by law Provided however That no fees shall be paid under the provisions of this section to

a physician whenever such examination could have been made by a physician receiving compensation at regular intervals whose regular duties include the duty of making such examinations And provided further That all said fees shall be paid from fines and penalties collected and bail forfeited under the provisions of subsection (f) of section six hundred and twenty of this act

Section 1224 Notice by Registered Mail of Suspension or Revocation of License Privileges

Wherever under the provisions of this act the secretary is required to give notice of the suspension or revocation of any license privilege such notice may be given by registered mail

Section 1225 Any person who shall wilfully and maliciously break injure destroy or deface any motor vehicle or any part or accessory thereof which motor vehicle part or accessory shall belong to another shall be guilty of a misdemeanor and upon conviction shall be sentenced to pay a fine not exceeding one hundred dollars (\$100.00) or suffer imprisonment not exceeding six months or both at the discretion of the court

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—203

- | | | | |
|-----------------|----------------|---------------|------------------|
| Achterman, | French, | Lyons, | Royer, |
| Auker, | Gallagher, | Malloy, | Rush, |
| Baker, | Gates, | Marks, | Sarge, |
| Balthaser, | Gerard, | Maxwell, | Sarraf, |
| Baughner, | 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, |
| Breth, | Haberlen, | McLane, | Snyder, |
| Bretherick, | Haines, | McMillen, | Sollenberger, |
| Brown, | Hall, | McSurdy, | Sorg, |
| Brunner, C. H., | Hamilton, | Melchiorre, | Stambaugh, |
| Brunner, P. A., | Hare, | Mihm, | Stank, |
| Burns, | Harkins, | Modell, | Stine, |
| Burriss, | Harmuth, | Monks, | Stockham, |
| Cadwalader, | Harris, | Mooney, | Tarr, |
| Chervenak, | Heatherington, | Moran, | Tate, |
| Chudoff, | Helm, | Muir, | Taylor, |
| Cochran, | Hering, | Munley, | Thompson, E. F., |
| Cohen, M. M., | Herman, | Nagel, | Thompson, R. L., |
| Cohen, R. E., | Hersch, | Nunemacher, | Trout, |
| Cook, | Hewitt, | O'Brien, | Turner, |
| Cooper, | Hirsch, | O'Connor, | Van Alisburg, |
| Cordier, | Holland, | O'Dare, | Verona, |
| Corrigan, | Huntley, | O'Mullen, | Vincent, |
| Croop, | Imbrie, | O'Neill, | Vogt, |
| Cullen, | James, | Owens, | Voldow, |
| Dalrymple, | Jefferson, | Petrosky, | Wagner, |
| Dennison, | Jones, G. E., | Pettit, | Watkins, |
| DiGenova, | Jones, P. N., | Polaski, | Weingartner, |
| Dix, | Keenan, | Polen, | Weiss, |
| Dolan, | Kenehan, | Powers, | Welsh, E. B., |
| D'Ortona, | Kline, | Prosen, | Welsh, M. J., |
| Duffy, | Knoble, | Rank, | Wilkinson, |
| Early, | Kolankiewicz, | Rausch, | Williams, |
| Eckels, | Komorowski, | Readinger, | Winner, |
| Elder, | Lee, E. A., | Reagan, | Wolf, |
| Elllott, | Lee, T. H., | Reese, D. P., | Wood, L. H., |
| Ely, | Lelsey, | Reese, R. E., | Wood, N., |
| Falkenstein, | Leonard, | Reynolds, | Woodring, |
| Finestone, | Lesko, | Rhea, | Woodside, |
| Fisher, | Levy, | Riley, | Wright, |
| Fiss, | Leydic, | Rooney, | Yeaker, |
| Fleming, | Lichtenwaller, | Rose, S., | Yester, |
| Fletcher, | Longo, | Rose, W. E., | Young, |
| Flynn, | Lovett, | Rosenfeld, | Kilroy, |
| For, | | | Speaker. |

NAYS—0

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

Ordered, That the Clerk inform the Senate accordingly.

SENATE 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. 931.

An Act to further amend section six of the act approved the first day of July one thousand nine hundred and thirty-seven (P. L. 2603) entitled "An act relating to vocational education creating vocational school districts for the purpose of conducting systems of vocational schools departments or classes providing for their government prescribing their powers and duties conferring powers and imposing duties on school districts and on the State Board for Vocational Education and providing for referendum in certain cases" fixing the rate of the annual tax levy on real estate and authorizing the computation and entry for collection purposes in tax duplicates of the county or school districts of the taxes due to vocational school districts and the separate accounting and return thereof and making further provision with reference to the bond of tax collectors

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

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

Amend the title, page 2, line 2, by striking out at the end of said line the words "or school districts".

Amend Section 1, page 3, line 3, by inserting light-faced brackets before and after the word "school"; also same line by inserting after the word "school" the word "county"; also same page, line 4, by inserting a light-faced bracket before the word "in"; also same page, at the beginning of line 5, by inserting a light-faced bracket after the word "districts"; also at the end of same line by inserting light-faced brackets before and after the word "school"; also same line by inserting after the word "school" the word "county"; also on page 4, line 21, by striking out after the syllable "ments" the word "either"; also same page by striking out in lines 21 to 23 inclusive the words "or with the various school districts or tax collectors of the municipal subdivisions involved"; also same page, line 25, by striking out after the word "columns" the word "either"; also same page, at the beginning of line 26, by striking out the words "or school".

On the question,

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

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

The motion was agreed to.

Ordered, That the Clerk inform the Senate accordingly.

SENATE INSISTS ON AMENDMENTS NON-CONCURRED IN BY HOUSE

The Clerk of the Senate being introduced, informed

that the Senate has insisted upon its amendments, non-concurred in by the House of Representatives, to House Bill No. 654, entitled:

An Act authorizing counties, cities, except cities of the first class, boroughs towns townships school districts poor districts and institution districts at any sale of real property for the nonpayment of taxes or municipal claims to take title jointly in proportion to their tax claims provide for the management of such real property and for the resale and conveyance of their interests to a purchaser

Mr. BENTLEY. Mr. Speaker, I move that the House recede from its non-concurrence in the amendments made and insisted upon by the Senate and concur in the Senate amendments.

On the question,

Will the House agree to the motion?

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

YEAS—203

Achterman,	Foor,	Lovett,	Rosenfeld,
Auker,	French,	Lyons,	Royer,
Baker,	Gallagher,	Malloy,	Rush,
Balthaser,	Gates,	Marks,	Sarge,
Baugher,	Gerard,	Maxwell,	Sarrat,
Bentley,	Gillan,	McClanaghan,	Scanlon,
Bentzel,	Gillette,	McClaster,	Schwab,
Boles,	Goodwin,	McDermott,	Serrill,
Boney,	Greenwood,	McDowell,	Shaffer,
Boorse,	Gross,	McFall,	Shaw,
Bower,	Gryskewicz,	McIntosh,	Shepard,
Bradley,	Gyger,	McKinney,	Simons,
Breth,	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,
Burris,	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. J.
Cook,	Hersch,	Nagel,	Trout,
Cooper,	Hewitt,	Nunemacher,	Turner,
Cordier,	Hirsch,	O'Brien,	Van Allsburg
Corrigan,	Holland,	O'Connor,	Verona,
Croop,	Huntley,	O'Dare,	Vincent,
Cullen,	Imbrie,	O'Mullen,	Vogt,
Dairymple,	James,	O'Neill,	Voldow,
Dennison,	Jefferson,	Owens,	Wagner,
DiGenova,	Jones, G. E.,	Petrosky,	Watkins,
Dix,	Jones, P. N.,	Pettit,	Weingartner,
Dolon,	Keenan,	Polaski,	Weiss,
D'Ortona,	Kenehan,	Polen,	Welsh, E. B.,
Duffy,	Kilne,	Powers,	Welsh, M. J.,
Early,	Knoble,	Prosen,	Wilkinson,
Eckels,	Kolankiewicz,	Rank,	Williams,
Elder,	Komorowski,	Rausch,	Winner,
Elllott,	Krise,	Readinger,	Wolf,
Ely,	Lee, E. A.,	Reagan,	Wood, L. H.,
Falkenstein,	Lee, T. H.,	Reese, D. P.,	Wood, N.,
Finestone,	Leisey,	Reese, R. E.,	Woodring,
Fisher,	Leonard,	Reynolds,	Woodside,
Fiss,	Leko,	Rhea,	Wright,
Fleming,	Levy,	Riley,	Yeakel,
Fletcher,	Leydic,	Rooney,	Yester,
Flynn,	Lichtenwalter,	Rose, S.,	Young,
	Longo,	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 BILLS RETURNED FOR CONCURRENCE

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

HOUSE BILL No. 1728.

An Act relating to the compatibility of office of members of the Boards and officers of the Authorities incorporated under the Municipality Authorities Act as amended and supplemented

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

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

Amend Section 1, page 1, line 5, by inserting after the word "supplemented" the words "heretofore or hereafter appointed"; also in line 6, by striking out after the word "Authority" the words "heretofore or hereafter."

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—203

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

NAYS—0

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

Ordered, That the Clerk inform the Senate accordingly.

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

HOUSE BILL No. 1727.

An Act providing that proceedings acts and bonds issued by Authorities incorporated under the Municipality Authorities Act as amended and supplemented shall not be invalid by reason of certain circumstances

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 title, page 1, line 1, by striking out after the word "that" the words "proceedings acts and"; also in same line by inserting after the word "bonds" the words "notes and other evidences of indebtedness";

Amend Section 1, page 1, line 1, by striking out after the word "No" the words "proceedings heretofore taken and no acts", and inserting in lieu thereof the following: "bonds notes or other evidences of indebtedness"; also in line 2, by striking out after the word "heretofore" the word "done" and inserting in lieu thereof the word "issued," also in line 4, by striking out after the word "supplemented" the words "and no bonds heretofore issued by such Authorities"; also in line 8, by striking out after the word "of" the words "such proceedings the taking of such action or"; also in line 9, by inserting after the word "bonds" the words "notes or other evidences of indebtedness"; also on page 2, line 1, by striking out after the word "Such" the words "proceedings acts or"; also in line 2, by inserting after the word "bonds" the words "notes or other evidences of indebtedness"; also in same line, by striking out after the word "valid" the following: "The provisions of this act shall not validate any proceedings acts or bonds issued by any Authority the validity of such proceedings acts or bonds issued which is now the subject of any action in any court of this Commonwealth.

On the question,

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

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

The motion was agreed to.

Ordered, That the Clerk inform the Senate accordingly.

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

HOUSE BILL No. 1766.

A Supplement to the act, approved the eighteenth day of July, one thousand nine hundred seventeen (P. L. 1043), entitled "An act establishing a public school employees' retirement system, and creating a retirement board for the administration thereof; establishing certain funds from contributions by the Commonwealth and contributing employes, defining the uses and purposes thereof and the manner of payments therefrom, and providing for the guaranty by the Commonwealth of certain of said funds; imposing powers and duties upon boards having the employment of public school employes; exempting annuities, allowances, returns, benefits, and rights from

taxation and judicial process; and providing penalties," defining the rights and obligations of members of the School Employees' Retirement Association engaged in active military service.

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

The SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend the beginning of the title, page 1, by striking out the words "A Supplement" and inserting in lieu thereof the words "An Act"; also same page, at the beginning of line 1 of the title, by inserting after the word "To" the words "add clause six to section thirteen of"; also the same page, line 14, by inserting after the word "the" and before the word "rights" the words "disability retirement"; also at the end of the same line by striking out the words "and obligations"; also same page, line 16, by striking out the word "engaged" and inserting in lieu thereof the words "who engage".

Amend section 1 to 5 inclusive by striking out all of lines 1 to 25 inclusive on page 2, lines 1 to 29 inclusive on page 3, lines 1 to 28 inclusive on page 4, lines 1 to 29 inclusive on page 5, lines 1 to 28 inclusive on page 6 and lines 1 to 11 inclusive on page 7 as follows:

"Section 1 Definitions The following words and phrases as used in this act unless a different meaning is plainly required by the context shall have the following meanings

(1) "The act to which this is a supplement" shall mean the act approved the eighteenth day of July one thousand nine hundred seventeen (P. L. 1043) entitled "An act establishing a public school employees' retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing employees defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon boards having the employment of public school employees exempting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties" and all amendments thereto passed finally before the effective date of this act

(2) "Employee" shall mean any person who is an employe as defined in the act to which this is a supplement

(3) "Employer" shall mean the Commonwealth school district or other agency by which an employe is paid

(4) "Salary deductions" shall mean the amount certified by the Public School Employees' Retirement Board and either (a) deducted from the salary of a contributor to the School Employees' Retirement Fund and paid by the treasurer of each employer into the fund created by the act to which this is a supplement through the Department of Revenue under the provisions of section seven of said act or (b) deducted from any grant-in-aid subsidy or benefit payable or paid by the Commonwealth of Pennsylvania to an employe or his dependent or dependents while in active military service as defined in this act and paid into the Retirement Fund by the State Treasurer through the Department of Revenue

(5) "Board" shall mean the Public School Employees' Retirement Board created by the act to which this is a supplement

(6) "Active military service" shall mean full time service in the armed forces of the United States under a requisition from or by executive order of the President of the United States or in the armed forces organized for the defense of the Commonwealth of Pennsylvania by the authority of this Commonwealth

Section 2 An employe who enters into active military service may elect to continue to pay into the School Employees' Retirement Fund his salary deductions on the basis of his salary on the date of his entry into such active military service Such election shall be in writing on the form prescribed by the board and it shall be filed with the board within thirty (30) days after the effective

date of this act or within thirty (30) days after the member's induction into active military service By such election an employe shall authorize and direct the treasurer of his employer to pay into the School Employees' Retirement Fund an amount certified to such treasurer by the board as the member's salary deduction The treasurer shall deduct such amount from any moneys payable to such employe or his dependent or dependents under the provisions of the act approved the seventh day of June one thousand nine hundred seventeen (P. L. 600) entitled "An act providing that appointive officers and employes employed by the Commonwealth of Pennsylvania in its civil service or by any department bureau commission or office thereof or by any county municipality township or school district shall not be deemed or held to have resigned or abandoned their offices or employments by reason of enlistment enrollment or draft in the military or naval service of the United States or any branch or unit thereof in time of war or contemplated war prohibiting the removal from their offices or employments of such officers and employes during the period of their service in the Army or Navy directing that one-half of the salaries or wages of such officers or employes as have dependent wives children or parents and not exceeding two thousand dollars per annum be paid during the term of their service in the Army or Navy to such dependents authorizing the employment during said term of substitutes to perform the duties theretofore performed by such officers or employes respectively and providing for the compensation of such substitutes" or under any act of assembly extending the benefits of said act to employes or providing for the payment of grants-in-aid or subsidies to an employe while in active military service or under any law now in force or hereafter enacted and the treasurer of the employer shall pay the amount so deducted into the fund created by the act to which this is a supplement

Section 3 An employe who does not elect to pay into the School Employees' Retirement Fund during the period of his active military service an amount equal to his salary deductions may during the period of such active military service and for a further period of forty (40) days after completion of such active military service pay into the School Employees' Retirement Fund an amount which shall be equal to the salary deductions multiplied by the number of the monthly periods during which he or she was absent from school employment in active military service to the credit of the annuity savings account in such manner as may be agreed upon by the employe and the board but in no event shall such payments be made in installments less than sufficient to pay such amount by the time the member attains superannuation retirement age

Section 4 An employe who complies with the provisions of section two or section three of this act shall after such election be classified by the board as an employe in active military service and shall thereafter during such active military service and for a period of forty (40) days after the completion of such active military service be entitled to all benefits to which he or she may be entitled upon the date of entry into active military service under the provisions of the act to which this is a supplement as fully as though such employe continued to be in the actual employ and service of the employer at the salary such employe had been receiving on the date of his or her entry into active military service Provided however That such employe shall not have the right to retire upon disability under the provisions of section thirteen of the act to which this is a supplement except as hereinafter provided If such member returns to the actual employ and service of the employer within a period of forty (40) days after such active military service the employer shall certify such member as an employe with active military service

Section 5 An employe who does not file with the board an election to pay his salary deductions into the School Employees' Retirement Fund as provided in section two of this act shall be classified as a nonpaying member

in active military service of the School Employees' Retirement Association until he shall return to the actual employ and service of his or her employer or until such member complies with section three of this act in the manner provided or for the period of such active military service and for forty (40) days after the completion of such active military service Such member shall enjoy all the benefits to which the member was entitled on the date of entry into active military service under any law of the Commonwealth of Pennsylvania relating to the School Employees' Retirement Association and the School Employees' Retirement Fund Provided however That such member shall not have the right to retire upon disability under the provisions of section thirteen of the act to which this is a supplement except as hereinafter provided If such member returns to the actual employ and service of his or her employer within a period of forty (40) days after such active military service the employer shall certify such member as an employe with active military service"

and inserting in lieu thereof the following:

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

Section 13 Retirement upon disability shall be made and discontinued as follows

* * * * *

Amend Section 6, page 7, at the beginning of line 12, by striking out before the figure "6" the word "Section"; also same page, line 13, by inserting after the word "service" the words "for active military service consisting of full time service in the armed forces of the United States under a requisition from or by executive order of the President of the United States or in the armed forces organized for the defense of the Commonwealth of Pennsylvania by the authority of this Commonwealth"; also same page by striking out in lines 13 and 14 the words "for active military service"; also same page, line 18, by striking out the words "medical" and inserting in lieu thereof the word "mental"; also same page, line 21, by inserting after the word "examination" the words "The form and content of the examination and the certificates made pursuant thereto shall be prescribed by the board with the advice of the board's actuary and a physician or a psychiatrist to be employed by the board for that purpose"; also on page 8, by striking out in lines 1 to 4 inclusive the words to which the member was entitled under the act to which this is a supplement on the date of entry into active military service" and inserting in lieu thereof the words "of this act"; also same page by striking out in lines 14 to 16 inclusive the words "of the act to which this is a supplement or the benefit of section eight of this act or the benefits of the act to which this is a supplement" and inserting in lieu thereof the words "of this act or the benefits of this act"; also same page, at the end of line 17, by inserting after the word "as" the word "an"; also same page, by striking out in lines 18 to 23, inclusive the words "Such employe shall enjoy all the rights incident to membership in the Retirement System except the right to retire for disability or upon disability and to receive a disability retirement allowance Such member's salary deduction shall be reduced accordingly"; also same page, at the end of line 26, by inserting after the word "service" the following: "All employes who shall have been engaged in active military service and who shall have returned to the employment or service of his or her employer without exam-

ination or certification shall be classified by the board as employes without disability rights All persons classified as employes without disability rights shall enjoy all the rights incident to membership in the Retirement System except the right to retire for disability or upon disability and to receive a disability retirement allowance Such member's salary deduction shall be reduced accordingly The amount by which the salary deduction of an employe without disability rights to be paid into the fund shall be reduced shall be determined by the board in accordance with tables to be prepared and certified by the actuary".

Amend Section 7 to 10 inclusive by striking out all of lines 27 to 29 inclusive on page 8 and all of lines 1 to 22 inclusive on page 9 as follows:

"Section 7 The form and content of the examination and certificate required by section six of this act shall be prescribed by the board with the advice of the board's actuary and a physician or psychiatrist to be by the board employed for that purpose

Section 8 All employes who shall have been engaged in active military service and who shall have returned to the employment or service of his or her employer without examination or certification as required by sections six and seven of this act shall be classified by the board as employes without disability rights Such employe shall enjoy all the rights incident to membership in the Retirement System except the right to retire for disability or upon disability and to receive a disability retirement allowance Such member's salary deduction shall be reduced accordingly

Section 9 The amount by which the salary deduction of an employe without disability rights to be paid into the fund shall be reduced shall be determined by the board in accordance with tables to be prepared and certified by the actuary

Section 10 The provisions and benefits of this act shall be applied and extended to all employes who were members of the School Employees' Retirement System on October fifteenth one thousand nine hundred forty."

Amend Section 11, page 9, at the beginning of line 23, by striking out after the word "Section" the figures "11" and inserting in lieu thereof the figure "2."

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—203

Achterman,	French,	Lyons,	Royer,
Auker,	Gallagher,	Malloy,	Rush,
Baker,	Gates,	Marks,	Sarge,
Balthaser,	Gerard,	Maxwell,	Sarra,
Baughner,	Gillan,	McClanaghan,	Scanlon,
Bentley,	Gillette,	McClister,	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,
Breth,	Haberlen,	McLane,	Snyder,
Bretherick,	Haines,	McMillen,	Sollenberger,
Brown,	Hall,	McSurdy,	Sorg,
Brunner, C. H.,	Hamilton,	Melchiorre,	Stambaugh,
Brunner, P. A.,	Hare,	Mihm,	Stank,
Burns,	Harkins,	Modell,	Stine,
Burriss,	Harmuth,	Monks,	Stockham,
Cadwalader,	Harris,	Mooney,	Tarr,
Chervenak,	Heatherington,	Moran,	Tate,
Chudoff,	Helm,	Moul,	Taylor,
Cochran,	Hering,	Muir,	Thompson, E. F.,
Cohen, M. M.,	Herman,	Munley,	Thompson, R. L.,
Cohen, R. E.,	Hersch,	Nagel,	Trout,
Cook,	Hewitt,	Nunemacher,	Turner,
Cooper,	Hirsch,	O'Brien,	Van Allsburg,
Cordier,	Holland,	O'Connor,	Verona,
Corrigan,	Huntley,	O'Dare,	Vincent,

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

NAYS—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.

CONFERENCE REPORT ON SENATE BILL No. 624

Mr. POLEN presented the report of the Committee of Conference on the part of the House on Senate Bill No. 624.

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.

CONFERENCE REPORT ON SENATE BILL No. 1308

Mr. MELCHIORRE presented the report of the Committee of Conference on the part of the House on Senate Bill No. 1308.

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.

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

The SPEAKER. (Elmer Kilroy) in the Chair.

REPORT OF COMMITTEE OF CONFERENCE ON HOUSE BILL No. 803

Mr. TATE. Mr. Speaker, I desire to call up the report of the Committee of Conference on House Bill No. 803, Printer's No. 1201.

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. 803, entitled:

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 persons from employing minors under fifteen 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 employing minors under fifteen years of age; and providing penalties for the violation of the provisions of this act'.

Respectfully submit the following bill as our report:

A. H. Letzler
A. Evans Kephart
Anthony J. DiSilvestro

(Committee on the Part of the Senate.)

James H. J. Tate
Earl Chudoff
W. A. Fletcher

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

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 employing minors under fifteen years of age and providing penalties for the violation of the provisions of this act

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

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

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

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—203

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

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.

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. 605.

An Act making an appropriation to the Pennsylvania State College for expenditure by the School of Mineral Industries thereof, under the supervision of the Department of Mines, for the purpose of developing new uses and markets for anthracite and bituminous coal.

HOUSE BILL No. 654.

An Act authorizing counties cities except cities of the first class boroughs towns townships school districts poor districts and institution districts at any sale of real property for the nonpayment of taxes or municipal claims to

take title jointly in proportion to their tax claims provide for the management of such real property and for the resale and conveyance of their interests to a purchaser

HOUSE BILL No. 1213.

An Act to amend an act approved the seventh day of June one thousand nine hundred seventeen (P. L. 600) entitled "An act providing that appointive officers and employes employed by the Commonwealth of Pennsylvania in its civil service or by any department bureau commission or office thereof or by any county municipality township or school district shall not be deemed or held to have resigned or abandoned their offices or employments by reason of enlistment enrollment or draft in the military or naval service of the United States or any branch or unit thereof in time of war or contemplated war prohibiting the removal from their offices or employments of such officers and employes during the period of their service in the Army or Navy directing that one-half of the salaries or wages of such officers or employes as have dependent wives children or parents and not exceeding two thousand dollars per annum be paid during the term of their service in the Army or Navy to such dependents authorizing the employment during said term of substitutes to perform the duties theretofore performed by such officers or employes respectively and providing for the compensation of such substitutes" by more fully defining the times during which the benefits shall be payable and the amounts thereof and to whom payable and removing employes of school districts from the provisions of said act

HOUSE BILL No. 1465.

An Act to amend the act approved the twenty-ninth day of April one thousand nine hundred and 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.

HOUSE BILL No. 1466.

An Act to amend the act approved the third day of June one thousand nine hundred and thirty-seven (P. L. 1333) entitled "An act concerning elections including general municipal special and primary elections the nomination of candidates primary and election expenses and election contests creating and defining membership of county boards of elections imposing duties upon the Secretary of the Commonwealth courts county boards of elections county commissioners imposing penalties for violation of the act and codifying revising and consolidating the laws relating thereto and repealing certain acts and parts of act 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 in-

curred for canvassing the vote of electors in actual military service.

HOUSE BILL No. 1467.

An Act to amend the act approved the first day of June one thousand nine hundred thirty-seven (P. L. 1132) entitled "An act to provide for the permanent personal registration of electors in cities of the second class A as a condition of their right to vote at elections and primaries and their enrollment as members of political parties as a further condition of their right to vote at primaries prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors and prescribing the powers and duties of citizens parties political bodies registration commissions commissioners registrars inspectors 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

HOUSE BILL No. 1468.

An Act to amend the act approved the twenty-fifth day of May one thousand nine hundred thirty-seven (P. L. 814) entitled "An act to provide for the permanent personal registration of electors in cities of the second class as a condition of the 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.

HOUSE BILL No. 1469.

An Act to amend the act approved the twenty-fifth day of May one thousand nine hundred thirty-seven (P. L. 849) entitled "An act to provide for the permanent personal registration of electors in cities of the third class as a condition of their right to vote at elections and primaries and their enrollment as members of political parties as a further condition of their right to vote at primaries prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors and prescribing the powers and duties of citizens parties political bodies registration commissions commissioners registrars inspectors of registration and other appointees of registration commissions county election boards election officers municipal officers departments and bureaus police officers courts judges prothonotaries sheriffs county commissioners peace officers county treasurers county controllers registrars of vital statistics certain public utility corporations real estate brokers rental agents and boards of school directors imposing penalties and repealing existing legislation" as amended by requiring and providing for the registration of persons in military service to entitle them to vote at any election.

HOUSE BILL No. 1526.

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

HOUSE BILL No. 1728.

An Act relating to the compatibility of office of members of the Boards and officers of the Authorities incorporated under the Municipality Authorities Act as amended and supplemented

HOUSE BILL No. 1766.

An Act to add clause six to section thirteen of the act approved the eighteenth day of July one thousand nine hundred seventeen (P. L. 1043) entitled "An act establishing a public school employes' retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing employes defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon boards having the employment of public school employes exempting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties" defining the disability retirement rights of members of the School Employes' Retirement Association who engage in active military service

Whereupon,

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

MR. LOVETT IN THE CHAIR

RESOLUTION
GAME AND FISH

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

The resolution was read, as follows:

In the House of Representatives, July 12, 1941.

Resolved, That the House of Representatives of the Commonwealth of Pennsylvania hereby protests against the continuance by the Commonwealth of the stocking of our public lands and streams with game and fish which will benefit only a few who can afford membership in clubs owning or leasing large tracts of land, and the moneys contributed by sportsmen throughout the Commonwealth shall be used only for replenishing of game and fish for the enjoyment of all licensed hunters and fishermen.

On the question,

Will the House adopt the resolution?

Mr. TARR. Mr. Speaker, I would ask favorable action on this resolution due to the fact that certain interests in the Commonwealth of Pennsylvania are making an attempt at the present time to appropriate for themselves land which has been stocked by the Commonwealth out of the game funds of the Commonwealth, which were paid by sportsmen, for their own selfish use. I am very glad the resolution was introduced because no doubt it will bring to the attention of the sportsmen of the state that some of the best hunting land in Pennsylvania, forty thousand

acres is about to be or has been leased by a group of so called Philadelphia sportsmen. It is high time that we of the General Assembly and the sportsmen of the Commonwealth wake up to the fact that if we do not focus the attention of the sportsmen of the state on these lands we will soon be without any such lands. I would respectfully ask that this House unanimously adopt this resolution.

On the question recurring,

Will the House adopt the resolution?

It was adopted.

THE SPEAKER (Elmer Kilroy) IN THE CHAIR

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

PERMISSION TO ADDRESS HOUSE

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

Mr. Speaker, the confusion and the misunderstanding that has arisen in this House in the last two weeks reminds me very much of an incident that happened back in the country town where I live. A stranger came into our town who had imbibed a little too freely.

He staggered across the street to a policeman on the corner and said to the policeman, "Would you please tell me where the other side of the street is?"

The policeman being a man of understanding and heart, took the fellow kindly by the arm and pointing said, "My dear friend, it is right over there."

The stranger looked at him with disgust in his eye and said, "I'll be damned. I was just over there and they told me it was over here."

My friends of the legislature and my colleagues, I believe in the closing days of this particular session we have sunk to a new low in the workings of democracy in the state of Pennsylvania. We have transgressed not only the laws of man but we have transgressed today the laws of God. You men of this House were elected by your constituents because they believed you to be honorable, honest and trustworthy, and in the services that I have seen you perform in this House on both sides of the House I will gladly say that you all have tried to do the very best that you possibly could under the circumstances that have confronted you. But in the last two weeks the actions of this House have been influenced by vested interests. In a few minutes I hope to call upon this House to rise above petty politics, to rise to a new height of independence in the state of Pennsylvania and to say to these particular interests that they are not interested in you, they are not interested in me, they are not interested in the people of the state of Pennsylvania, but they are only interested in their own selfish gains.

Mr. Speaker, I read an editorial in the Pittsburgh Post-Gazette a few days ago, one of the leading newspapers in western Pennsylvania. In that editorial it said that they would not support a Representative and they would not support a Senator who voted for adjournment until a new reapportionment act was on the statute books. But I say to you, Mr. Speaker, that patience has ceased to be a virtue in this scramble of ours. The cost of this session, as I understand, will be over two million dollars,

and you men who come from different parts of the state, representing entirely different interests, can now meet on common ground when you discuss the ever increasing tax burden of the people of my state and your state.

I believe you will say with me that this session probably has been longer than any other for one hundred years.

In a few moments, Mr. Speaker, I shall offer for the consideration of this House a resolution to which I hope sincerely you will unanimously consent. Before I do that, however, I would like to ask unanimous consent for this resolution, which is not a privileged resolution, to be read by the Clerk at this time, and unanimously endorsed by this body.

I therefore present this resolution and move for its immediate consideration.

The SPEAKER. Will the House give its unanimous consent for the resolution to be read and for its immediate consideration?

Mr. LOVETT. I object.

The SPEAKER. The Chair hears objection and consent is not granted. The resolution will be referred under the rules.

RESOLUTION INTRODUCED AND REFERRED

By Mr. GATES. (Concurrent) RESOLUTION No. 110.

In the House of Representatives, July 12, 1941.

Resolved (if the Senate concur), That all bills be dropped from the calendar of the House of Representatives and from the calendar of the Senate, that all conference committees appointed in the House of Representatives and the Senate be discharged, and that this Regular Session of the General Assembly adjourn sine die immediately.

Referred to the Committee on Rules.

SENATE MESSAGE

RESOLUTION CONCURRED IN BY SENATE

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

In the House of Representatives, July 12, 1941.

Be It Resolved (if the Senate concur), That the Governor shall, at an appropriate time, issue his proclamation designating and calling upon the schools, the Boy Scouts of America, other organizations devoted to promoting the interests and welfare of youth and the citizens of the Commonwealth in general to observe the birthday of Daniel Carter Beard, the great benefactor of boyhood, which is the twenty-first day of June.

This day shall be known as "Youth's Day," and shall be observed on the twenty-second day of June, one thousand nine hundred and forty-two, the twenty-first falling on a Sunday.

In pursuance of said proclamation of the Governor, appropriate exercises observing the anniversary of Daniel Beard's birth, reaffirming the principles so long advocated by him and furthering the interests and welfare of youth in general shall be held.

REPORT OF COMMITTEE OF CONFERENCE ON HOUSE BILL No. 1176.

Mr. ACHTERMAN. Mr. Speaker, I desire to submit

the report of the Committee of Conference on House Bill No. 1176.

The SPEAKER. The report will lie over for printing under the rules.

CONFERENCE REPORT ON SENATE BILL No. 298

Mr. ACHTERMAN presented the report of the Committee of Conference on the part of the House on Senate Bill No. 298.

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.

CONFERENCE REPORT ON SENATE BILL No. 236

Mr. REUBEN E. COHEN presented the report of the Committee of Conference on the part of the House on Senate Bill No. 236.

The report was read by the Clerk.

Mr. REUBEN E. COHEN. Mr. Speaker, in asking the Members of the Democratic party at the proper time to vote in support of this conference report, I am doing so with the full knowledge of the obstinacy on the part of the Republican party against our efforts to liberalize this phase of the Workmen's Compensation Law in Pennsylvania, an attitude which is quite opposed to the attitude expressed by the leader of that party. We know we are making a very small advance forward in the ultimate fight to give Pennsylvania a truly liberal workmen's compensation system. I will not debate the particular items of the bill; that was done at length the other day, I only want to tell the Republican party here and now that my party has just begun to fight for a real, honest-to-God Workmen's Compensation Law.

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.

PERMISSION TO ADDRESS HOUSE

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

Mr. Speaker, I want at this time to take jovial exception to the remarks of the gentleman from Armstrong, Mr. Gates. He spoke about the differences between the House and Senate, and he proposes to adjourn sine die,—I don't know which pronunciation is correct.

It reminds me very much of the story I have told in the House on a number of occasions, in which two Lancaster County Dutchmen met one day.

One Dutchman said to the other, "Now, Jake, you know this war in Germany is getting bad now."

He said, "Oh, yes, Louie, it is getting bad now."

Louie said to Jake, "You know, I wouldn't be a bit surprised if we have an invasion in the United States one of these days."

He said, "Do you think these Dutchmen would come over and fight in the United States?"

Louie said, "Yes."

"Then," Jake said, "there won't be any fight in Lancaster County because the battlefield is over in Gettysburg."

I might say to the gentleman from Armstrong the battle is not in the House; it is over in the Senate.

PERMISSION TO ADDRESS HOUSE

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

Mr. Speaker, I wish to take exception to part of the statement made by the gentleman from Dauphin, Mr. Taylor. There has never been a Pennsylvania Dutchman in Lancaster County by the name of "Louie."

The SPEAKER. The Chair would like to know whether the gentleman from Dauphin, Mr. Taylor, knows any good bedtime stories.

Mr. TAYLOR. Mr. Speaker, I know a lot of them, but I would not dare tell them here.

SENATE MESSAGE

SENATE ADOPTS CONFERENCE COMMITTEE REPORT ON SENATE BILL No. 51

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

SENATE BILL No. 51.

An Act authorizing and empowering school districts of the first and second class 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 to such school districts shall not affect or limit the provisions hereof.

REPORT OF COMMITTEE OF CONFERENCE ON SENATE BILL No. 51

Mr. BRADLEY. Mr. Speaker, I desire to call up the report of the Committee of Conference on Senate Bill No. 51, Printer's No. 614.

The report was read by the Clerk as follows:

To the Members of the Senate and House of Representatives:

We, the undersigned, Committee of Conference on the part of the Senate and House of Representatives for the purpose of considering Senate Bill No. 51, entitled:

"An act authorizing and empowering school districts of the first and second class 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 to such school districts shall not affect or limit the provisions hereof"

Respectfully submit the following bill as our report:

A. Evans Kephart
G. Harold Watkins
Henry E. Lanius
(Committee on part of
the Senate.)

Joseph P. Bradley
Elmer F. McSurdy
Harry P. O'Neill
(Committee on the part
of the House of Representatives.)

An Act authorizing and empowering school districts of the first and second class 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 to such school districts shall not affect or limit the provisions hereof.

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

Section 1 That the directors of school districts of the first and second class be and they are hereby authorized and empowered to furnish food including milk to the undernourished and poor school children attending the schools within their district at the expense of the school district The provisions of this act shall not be limited or affected by the acceptance and distribution by school directors of surplus commodities made available by the Federal Government

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

On the question,

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, | Lyons, | Rosenfeld, |
| Auker, | Gallagher, | Malloy, | Royer, |
| Baker, | Gates, | Marks, | Rush, |
| Balthaser, | Gerard, | Maxwell, | Sarge, |
| Baughner, | 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, |
| Breth, | Haberlen, | McLane, | Skale, |
| Bretherick, | Haines, | McMillen, | Snyder, |
| Brown, | Hall, | McSurdy, | Sollenberger, |
| Brunner, C. H., | Hamilton, | Melchiorre, | Sorg, |
| Brunner, P. A., | Hare, | Mihm, | Stambaugh, |
| Burns, | Harkins, | Modell, | Stank, |
| Burriss, | Harmuth, | Monks, | Stine, |
| Cadwalader, | Harris, | Mooney, | Stockham, |
| Chervenak, | Heatherington, | Moran, | Tarr, |
| Chudoff, | Helm, | Moul, | Tate, |
| Cochran, | Hering, | Muir, | Taylor, |
| Cohen, M. M., | Herman, | Munley, | Thompson, E. F., |
| Cohen, R. E., | Hersch, | Nagel, | Thompson, R., |
| 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, | Wagner, |
| DiGenova, | Jones, P. N., | Pettit, | Watkins, |
| Dix, | Keenan, | Polaski, | Weingartner, |
| Dolon, | Kenehan, | Polen, | Weiss, |
| D'Q'ona, | Kline, | Powers, | Weish, E. B., |
| Duffy, | Knoble, | Prosen, | Weish, M. J., |
| Early, | Kolankiewicz, | Rank, | Wilkinson, |
| Eckels, | Komorowski, | Rausch, | Williams, |
| Elder, | Krise, | Readinger, | Winner, |
| Elliott, | Lee, E. A., | Reagan, | Wolf, |
| Ely, | Lee, T. H., | Reese, D. P., | Wood, L. H., |
| Falkenstein, | Lelsey, | Reese, R. E., | Wood, N., |
| Finestone, | Leonard, | Reynolds, | Woodring, |
| Fisher, | Lesko, | Rhea, | Woodside, |
| Fiss, | Levy, | Riley, | Wright, |
| Fleming, | Leydic, | Rooney, | Yeakel, |
| Fletcher, | Lichtenwalter, | Rose, S., | Yester, |
| Flynn, | Longo, | Rose, W. E., | Young, |
| Foor, | Lovett, | | 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.

SENATE MESSAGE

SENATE ADOPTS CONFERENCE COMMITTEE REPORT ON SENATE BILL No. 624

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

SENATE BILL No. 624.

An Act to further amend clause seven of section one thousand two hundred ten of the act, approved the eighteenth day of May, one thousand nine hundred eleven (P. L. 309), entitled "An act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special, or local, or any parts thereof, that are or may be inconsistent therewith," by increasing the minimum salaries of teachers and providing annual increments in school districts of the fourth class and requiring the Commonwealth to make certain payments on account of such salaries.

REPORT OF COMMITTEE OF CONFERENCE ON SENATE BILL No. 624

Mr. POLEN. Mr. Speaker, I desire to call up the report of the Committee of Conference on Senate Bill No. 624, Printer's No. 615.

The report was read by the Clerk as follows:

To the Members of the Senate and House of Representatives:

We, the undersigned, Committee of Conference on the part of the Senate and House of Representatives for the purpose of considering Senate Bill No. 624, entitled:

"An Act to further amend clause seven of section one thousand two hundred ten of the act, approved the eighteenth day of May, one thousand nine hundred eleven (P. L. 309), '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 increasing the minimum salaries of teachers and providing annual increments in school districts of the fourth class and requiring the Commonwealth to make certain payments on account of such salaries"

Respectfully submit the following bill as our report:

Frederick L. Homsher
Howard I. James
Frank W. Ruth
(Committee on the part of the Senate.)

J. Dean Polen
Francis E. Pettit
D. Raymond Sollenberger
(Committee on the part of the House of Representatives.)

An Act to further amend clause seven of section one

thousand two hundred ten of the act approved the eighteenth day of May one thousand nine hundred eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" by increasing the minimum salaries of teachers and providing annual increments in school districts of the fourth class and requiring the Commonwealth to make certain payments on account of such salaries

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

Section 1 Clause seven of section one thousand two hundred ten of the act approved the eighteenth day of May one thousand nine hundred eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" as last amended by the act approved the twenty-third day of May one thousand nine hundred twenty-three (P. L. 328) is hereby further amended to read as follows

Section 1210 One The minimum salaries of all teachers supervisors principals and superintendents in the public schools of the Commonwealth except as otherwise herein-after provided shall be paid by the several classes of districts in which such persons are employed in accordance with the following schedules

* * * *

Seven Districts of the fourth class Elementary teachers minimum [monthly salary one hundred dollars (\$100)] annual salary one thousand dollars (\$1,000) minimum annual increment fifty dollars (\$50) minimum number of increments two (2) high school teachers minimum [monthly salary one hundred thirty dollars (\$130)] annual salary of one thousand two hundred dollars (\$1,200) minimum annual increment fifty dollars (\$50) minimum number of increments two (2) The first increments provided for hereby shall apply for the school year one thousand nine hundred forty-two one thousand nine hundred forty-three

In addition to the payments now required by law to be made by the Commonwealth to school districts of the fourth class on account of salaries of members of the teaching staff the Commonwealth shall pay for each elementary and high school teacher the full amount of the excess prescribed by these amendments over the minimum salary theretofore required by law on the basis of the length of the school term maintained in the district during the school year one thousand nine hundred forty one thousand nine hundred forty-one

Provided that the salaries of teachers employed under contract prior to the effective date of these amendments at annual salaries greater than the minimum salaries hereby prescribed shall in no case be decreased through the operation of these amendments

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

On the question,

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

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

YEAS—203

Achterman,	French,	Lyons,	Royer,
Auker,	Gallagher,	Malloy,	Rush,

Baker,	Gates,	Maxwell,	Sarge,
Balthaser,	Gerard,	McCianaghan	Sarraf,
Baughner,	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,
Breth,	Haberlen,	McMillen,	Snyder,
Bretherick,	Haines,	McSurdy,	Sollenberger,
Brown,	Hall,	Meichiorre,	SORG,
Brunner, C. H.,	Hamilton,	Mihm,	Stambaugh,
Brunner, P. A.,	Hare,	Modell,	Stank,
Burns,	Harkins,	Monks,	Stine,
Burriss,	Harmuth,	Mooney,	Stockham,
Cadwalader,	Harris,	Moran,	Tarr,
Chervenak,	Heatherington,	Moul,	Tate,
Chudoff,	Helm,	Muir,	Taylor,
Cochran,	Hering,	Munley,	Thompson, E. F.,
Cohen, M. M.,	Herman,	Nagel,	Thompson, R. L.,
Cohen, R. E.,	Hersch,	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,	Voidow,
Dairymple,	Jefferson,	Petrosky,	Wagner,
Dennison,	Jones, G. E.,	Pettit,	Watkins,
DiGenova,	Jones, P. N.,	Polaski,	Weingartner,
Dix,	Keenan,	Polen,	Weiss,
Dolon,	Kenehan,	Powers,	Weish, E. B.,
D'Ortona,	Kilne,	Prosen,	Weish, M. J.,
Duffy,	Knoble,	Rank,	Wilkinson,
Early,	Kolankiewicz,	Rausch,	Williams,
Eckels,	Komorowski,	Readinger,	Winner,
Elder,	Krise,	Reagan,	Wolf,
Elliott,	Lee, E. A.,	Reese, D. F.,	Wood, L. H.,
Ely,	Lee, T. H.,	Reese, R. E.,	Wood, N.,
Falkenstein,	Laisey,	Reynolds,	Woodring,
Finestone,	Leonard,	Rhea,	Woodside,
Fisher,	Lesko,	Riley,	Wright,
Fiss,	Levy,	Rooney,	Yeakel,
Fleming,	Leydic,	Rose, S.,	Yester,
Fletcher,	Lichtenwaller,	Rose, W. E.,	Young,
Flynn,	Longo,	Rosenfeld,	Kilroy,
Foor,	Lovett,		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.

PERMISSION TO ADDRESS HOUSE

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

Mr. Speaker, in answer to the gentleman from Dauphin, Mr. Taylor, I wonder if he thinks the House is in the same position as the gentleman in Harrisburg the other day, who was imbibing quite freely, and was strolling down the street. The policemen were watching very carefully, as he was acting very suspiciously, but they decided to let him go until he stopped in front of the bank down on Market Street. When he got there, he pulled an envelope out of his pocket and started to write. At that, the policeman got suspicious enough to go up and tap him on the shoulder:

He said, "My dear friend, what are you doing?"

The man staggered around a little bit and said, "I am just writing myself a letter."

The policeman said, "What's in the letter, will you please tell me?"

The man said, "How in the h--- do I know? I won't get it until tomorrow."

SENATE MESSAGE

SENATE ADOPTS CONFERENCE COMMITTEE REPORT ON SENATE BILL No. 46

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

SENATE BILL No. 46.

An Act authorizing the county treasurer in counties of the first second third fourth fifth sixth seventh and eighth classes to appoint a solicitor and providing for his salary payable out of the treasury from which the county treasurer is paid

REPORT OF COMMITTEE OF CONFERENCE ON SENATE BILL No. 46

Mr. PRESLEY N. JONES. Mr. Speaker, I desire to call up the report of the Committee of Conference on Senate Bill No. 46, Printers No. 621.

The report was read by the Clerk as follows:

To the Members of the Senate and House of Representatives:

We, the undersigned, Committee of Conference on the part of the Senate and House of Representatives for the purpose of considering Senate Bill No. 46, entitled:

"An Act authorizing the county treasurer in counties of the first, second, third, fourth, fifth, sixth, seventh and eighth classes to appoint a solicitor and providing for his salary payable out of the treasury from which the county treasurer is paid."

Respectfully submit the following bill as our report:

- L. E. Chapman,
- A. H. Letzler,
- Joseph M. Barr,
- (Committee on the Part of the Senate.)
- I. Edward Prosen,
- Presley N. Jones,
- Wm. E. Habbyshaw.

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

An Act authorizing the county treasurer in counties of the first second third fourth fifth sixth seventh and eighth classes to appoint a solicitor and providing for his salary payable out of the treasury from which the county treasurer is paid

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

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

matters as may be submitted to him and shall conduct any litigation desired by the county treasurer He shall hold office at the pleasure of the treasurer

Section 2 This act shall become effective immediately upon final enactment

On the question,

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

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

YEAS—203

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

NAYS—0

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

Ordered, That the Clerk inform the Senate accordingly.

SENATE MESSAGE

SENATE ADOPTS CONFERENCE COMMITTEE REPORT ON SENATE BILL No. 236

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 be-

tween the two Houses on Senate Bill numbered and entitled as follows:

SENATE BILL No. 236.

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

REPORT OF COMMITTEE OF CONFERENCE ON
SENATE BILL No. 236

Mr. REUBEN E. COHEN. Mr. Speaker, I desire to call up the report of the Committee of Conference on Senate Bill No. 236, Printer's No. 621.

The report was read by the Clerk as follows:

To the Members of the Senate and House of Representatives:

We, the undersigned, Committee of Conference on the part of the Senate and House of Representatives for the purpose of considering Senate Bill No. 236, entitled:

"An Act to amend section six hundred fifty-four of article six of the act, approved the seventeenth day of May, one thousand nine hundred and twenty-one (P. L. 682), entitled 'An act relating to insurance, amending, revising, and consolidating the law providing for the incorporation of insurance companies, and the regulation, supervision and protection of home and foreign insurance companies, * * * providing for appeals from any classification, rule, rate or schedule of the Insurance Commissioners affecting insurance of employes and employers under the Workmen's Compensation Act of one thousand nine hundred and fifteen and the supplements and amendments thereto, and exempting the State Workmen's Insurance Fund from the control of the Rating Bureau and the Insurance Commissioner.'"

Respectfully submit the following bill as our report:

C. A. P. Bartlett
Henry I. Wilson
John H. Dent

(Committee on the part of the Senate.)

Reuben E. Cohen
David M. Boies
David P. Reese, Jr.

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

An Act to amend section six hundred fifty-four of article six of the act approved the seventeenth day of May one thousand nine hundred and twenty-one (P. L. 682) entitled "An act relating to insurance amending revising and consolidating the law providing for the incorporation of insurance companies and the regulation supervision and protection of home and foreign insurance companies Lloyds associations reciprocal and inter-insurance exchanges and fire insurance rating bureaus and the regulation and supervision of insurance carried by such companies associations and exchanges including insurance carried by the State Workmen's Insur-

ance Fund providing penalties and repealing existing laws" providing for appeals from any classification rule rate or schedule of the Insurance Commissioner affecting insurance of employes and employers under the Workmen's Compensation Act of one thousand nine hundred and fifteen and the supplements and amendments thereto

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

Section 1 Section six hundred fifty-four of article six of the act approved the seventeenth day of May one thousand nine hundred and twenty-one (P. L. 682) entitled "An act relating to insurance amending revising and consolidating the law providing for the incorporation of insurance companies and the regulation supervision and protection of home and foreign insurance companies Lloyds associations reciprocal and inter-insurance exchanges and fire insurance rating bureaus and the regulation and supervision of insurance carried by such companies associations and exchanges including insurance carried by the State Workmen's Insurance Fund providing penalties and repealing existing laws" is hereby amended to read as follows

Section 654 Classification of Risks Underwriting Rules Premium Rates and Schedule and Merit Rating Plans The classification of risks underwriting rules premium rates and schedule or merit rating plans for insurance of employes and employes under "The Workmen's Compensation Act of nineteen hundred and fifteen" and acts amendatory thereof shall be [established] proposed annually by one or more rating bureaus said rating bureau or bureaus to be situate within the Commonwealth of Pennsylvania subject to supervision and to examination by the Insurance Commissioner and approved by the Insurance Commissioner as adequately equipped to compile rates on an equitable and impartial basis Such schedule or merit rating plans shall be applied only by the approved rating bureau or bureaus and in the preparation of schedules no employer shall be discriminated against or penalized because of physical impairment of any employe or because of the number of dependents of any employe

The classification of risks underwriting rules premium rates and schedule of merit or rating plans for insurance of employes and employes under "The Workmen's Compensation Act of nineteen hundred and fifteen" and acts amendatory thereof shall be filed with and shall be subject to review by the Insurance Commissioner and the Insurance Commissioner shall by order modify amend or approve the same Any person corporate or otherwise aggrieved by such order classification rule rate or schedule issued by the Insurance Commissioner may obtain a review thereof before the Insurance Commissioner and if still aggrieved by such reviewed order classification rule rate or schedule may obtain a further review thereof in the Common Pleas Court of Dauphin County of the Commonwealth of Pennsylvania by filing in the said court a written petition praying that the order classification rule rate or schedule issued by the Insurance Commissioner be modified amended or set aside in whole or in part The judgment and decree of said court modifying or enforcing or setting aside in whole or in part any such action of the Insurance Commissioner shall be final subject to review by the Superior Court of the Commonwealth of Pennsylvania upon certiorari or certificate as in such cases made or provided The commencement of proceedings under this section shall not unless specifically ordered by the court operate as a stay of the Insurance Commissioner's order

No risk classification underwriting rule premium rate or schedule or merit rating plan shall take effect without the consent of the Insurance Commissioner and he may withdraw his approval whenever in his judgment the same is inadequate or discriminates unfairly between risks of essentially the same hazard

Neither the State Workmen's Insurance Fund nor any insurance corporation mutual association or company shall issue renew or carry any policy or contract of insurance against liability under "The Workmen's Compen-

sation Act of one thousand nine hundred and fifteen" and acts amendatory thereof except in accordance with the classifications underwriting rules premium rates and schedules or merit rating [promulgated] proposed by the rating bureau aforesaid for the risk insured and as modified amended or approved by the Insurance Commissioner for such insurer

A complete copy of every policy or a true copy of the substantive provisions of any policy or contract of insurance against liability under "The Workmen's Compensation Act of one thousand nine hundred and fifteen" or acts amendatory thereof and a true copy of every endorsement upon any such policy and of every agreement pertaining thereto shall be filed with the rating bureau aforesaid within a reasonable time after the effective date of any such policy endorsement contract or agreement

Section 2 The action shall become effective immediately upon final enactment

On the question,

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

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

YEAS—202

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

NAYS—1

Lovett,
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. 1729

Mr. STINE. Mr. Speaker, I desire to call up the report of the Committee of Conference on House Bill No. 1729, Printer's No. 1203.

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. 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 co-operation with public and private agencies and the Federal Government in Federal flood control works and improvements, and entering into compacts and agreements with other states for flood control works and improvements; conferring the power of eminent domain; providing for the setting off of benefits; imposing certain charges upon the Commonwealth; providing for appeals; and conferring certain powers on municipalities, counties, and townships, and the Department of Highways,' authorizing the Secretary of Highways and the various political subdivisions, with the approval of the Water and Power Resources Board, to grant easements and flowage rights to the Federal Government, over certain highways, roads, streets, bridges and adjacent lands."

Respectfully submit the following bill as our report:

- | |
|---|
| Montgomery F. Crowe |
| G. Harold Watkins |
| Joseph M. Barr |
| (Committee on the Part of the Senate) |
| Russell S. Stine |
| Clayton E. Moul |
| W. W. Muir |
| (Committee on the Part of the House of Representatives) |

An Act to add section fourteen and one-tenth to the act approved the seventh day of August one thousand nine hundred and thirty-six (P. L. 106) entitled as amended "An act relating to flood control prescribing the powers and duties of the Water and Power Resources Board of the Department of Forests and Waters in relation to the creation of flood control districts adoption of plans for flood control works and improvements carrying into effect of such plans assistance aid and cooperation with public and private agencies and the Federal Government in Federal flood control works and improvements and entering into compacts and agreements with other states for flood control works and improvements conferring the power of eminent domain providing for the setting off of benefits imposing certain charges upon the Commonwealth providing for appeals and conferring certain powers on municipalities counties and townships and the Department of Highways" authorizing the Secretary of Highways and the various political subdivisions with the approval of the Water and Power Resources Board to grant easements and flowage rights to the Federal Government over certain highways roads streets bridges and adjacent lands
The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows
Section 1 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 co-operation 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" which was reenacted and amended by the act approved the tenth day of March one thousand nine hundred and thirty-seven (P. L. 43) is hereby further amended by adding thereto after section four a new section to read as follows

Section 14.1 Easements Over Highways et cetera Given to Federal Government The Secretary of Highways for the Commonwealth and the authorities of each municipality may with the approval of the Water and Power Resources Board grant easements or flowage rights to the Government of the United States or any agency thereof of over and to submerge during the emergency caused by floods or threatened floods the highways streets roads bridges and lands adjacent thereto which are owned or maintained by the Commonwealth or by the respective municipalities as the case may be in any flood area

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

On the question,

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

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

YEAS—203

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

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

PERMISSION TO ADDRESS HOUSE

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

Mr. Speaker, one time in examinations in school I asked a question, "What are the two great enemies of society?" I expected, of course, to get the answer, "Poverty and ignorance".

There happened to be a boy in that class of more than average ability—he was exceptional. When I came to his paper, he wrote as his answer, "The Democrats and the Republicans."

I think in the way history will be written about the fighting on the other side, he was wrong. He should have added, "A few of the Democrats."

QUESTION OF INFORMATION

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

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

Mr. MAXWELL. Mr. Speaker, what day is it now?

The SPEAKER. This is Saturday, fourteen minutes to eleven.

Mr. MAXWELL. I wish, Mr. Speaker, you would inform the hotels of Harrisburg that today is still Saturday.

PERMISSION REQUESTED TO HOLD COMMITTEE MEETING

Mr. SKALE. Mr. Speaker, I ask unanimous consent for the Committee on Banking to meet during the session of the House.

The SPEAKER. Will the House give its unanimous consent? Is there objection? The Chair hears objection and consent is not granted.

PERMISSION TO ADDRESS HOUSE

Mr. REUBEN E. COHEN asked and obtained unanimous consent to address the House.

Mr. Speaker, hearing the remarks of the gentleman from Indiana, Mr. McMillen, the gentleman from Westmoreland, Mr. Maxwell and the gentleman from Philadelphia, Mr. Skale reminds me of the story of what the thread said to the needle at the Nudist camp, "sew what?".

PERMISSION TO ADDRESS HOUSE

Mr. CHARLES H. BRUNNER asked and obtained unanimous consent to address the House.

Mr. Speaker, a few minutes ago we had a resolution introduced into the House for the purpose of adjourning immediately and thereafter a member, the gentleman from Armstrong, Mr. Gates stood up and gave us some more of his thoughts along the lines of legislation, which proves that some people can never be satisfied.

Hearing that I am reminded of a little story about the gentleman who obtained a room in a rooming house with the understanding that the landlady would supply each day for him a lunch to take to work. The first day he went to work she packed for him a sandwich and three pieces of fruit. When he returned from work she asked how he had enjoyed his lunch. He said there wasn't much bread in it. So the next day she gave him two sandwiches, and upon his return from work she again asked him and he said, "There still isn't enough bread in it."

Finally the third day she put eight sandwiches in his lunch and upon his return he still said he didn't have enough bread, whereupon she went down the street and bought one of those three foot long sandwich loaves. She sliced it lengthwise and put in it lots of meat and made a big sandwich like some of those fish I want to catch after the session is over, wrapped it up and gave it to him with his lunch. The next day when he came back she asked, "How did you like your lunch today?" He said, "All right, but you are back to two pieces of bread again."

SENATE MESSAGES

SENATE ADOPTS CONFERENCE COMMITTEE REPORT ON HOUSE BILL No. 551

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. 551.

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

SENATE ADOPTS CONFERENCE COMMITTEE REPORT ON HOUSE BILL No. 692

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. 692.

An act to amend 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 thereto 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 by making further provision for the granting of easements or rights-of-way or other interests in upon, across over, under or along lands and waters of the Commonwealth making further provision for the granting of commissions to certain air pilots authorizing the Pennsylvania Historical Commission to change certain admission fees conferring power upon the Department of Property and Supplies to control and supervise certain buildings devised to the Commonwealth authorizing the micro filming of records in the various administrative departments, boards or commissions and authorizing the leasing of Indiantown Gap Military Reservation any state airport or landing field and certain other real estate of the Commonwealth to the United States.

REPORT OF COMMITTEE OF CONFERENCE ON HOUSE BILL No. 481

Mr. ACHTERMAN. Mr. Speaker, I desire to call up the report of the Committee of Conference on House Bill No. 481, Printer's No. 1204.

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. 481, entitled:

"An Act to amend sections eighteen and nineteen of the act, approved the second day of July, one thousand nine hundred and thirty-five (P. L. 589) entitled 'An act to safeguard human health and life by providing for the issuance of permits to and regulation of persons and entities selling milk and milk products, conferring powers and imposing duties on the Secretary of Health, the Advisory Health Board and otherwise providing for the administration of the act; and imposing penalties, eliminating the power of the Advisory Health Board to make certain rules and regulations; establishing a Dairy Advisory Council in the Department of Health; conferring powers and imposing duties thereon; providing for appeals to courts of common pleas; and requiring local ordinances, rules and regulations in certain cases to conform to the provisions of this act."

Respectfully submit the following bill as our report:

Harry Shapiro,
George B. Scarlett,
(Committee on the part of the Senate.)

Carleton T. Woodring,
Clayton E. Moul,
Frank E. Snyder.
(Committee on the part of the House of Representatives.)

An Act to amend sections eighteen and nineteen of the act approved the second day of July one thousand nine

hundred and thirty-five (P. L. 589) entitled "An act to safeguard human health and life by providing for the issuance of permits to and regulation of persons and entities selling milk and milk products conferring powers and imposing duties on the Secretary of Health the Advisory Health Board and otherwise providing for the administration of the act and imposing penalties" eliminating the power of the Advisory Health Board to make certain rules and regulations establishing a Dairy Advisory Council in the Department of Health conferring powers and imposing duties thereon providing for appeals to courts of common pleas and requiring local ordinances rules and regulations in certain cases to conform to the provisions of this act

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

Section 1 Sections eighteen and nineteen of the act approved the second day of July one thousand nine hundred and thirty-five (P. L. 589) entitled "An act to safeguard human health and life by providing for the issuance of permits to and regulation of persons and entities selling milk and milk products conferring powers and imposing duties on the Secretary of Health the Advisory Health Board and otherwise providing for the administration of the act and imposing penalties" are hereby amended to read as follows

Section 18 The provisions of this act and the regulations made thereunder shall [not be taken nor deemed to] repeal existing municipal ordinances [nor to] prevent municipalities from enacting and enforcing new ordinances [for the further protection of the public health Provided That this] inconsistent with the provisions of this act or with the rules and regulations of the Department of Health This section shall become effective on September first one thousand nine hundred forty-two or at anytime prior thereto in the event that the Dairy Advisory Council shall have at anytime prior to said date adopted and promulgated rules and regulations This act shall be considered as establishing uniform requirements and regulations [and that nothing herein contained shall be deemed to prevent municipalities from ordaining and enforcing such additional requirements in excess of the requirements and regulations hereunder as may be deemed necessary from time to time for the preservation of public health and to require applications from and to issue permits to such persons as may be defined by local ordinances]

Section 19 [The advisory health board of the State Department of Health is hereby authorized to adopt and promulgate rules and regulations for the proper enforcement of this act]

a There is hereby created and established in the Department of Health a Board to be known and designated as the Dairy Advisory Council The Dairy Advisory Council shall consist of seven (7) members

The Secretary of Agriculture or his authorized representative shall be the Chairman of the Council The Secretary of Health or his authorized representative shall be a member of the Council One member shall be a person actually connected with the Health Department of one of the municipalities of the Commonwealth and shall be appointed by the Secretary of Health The other four members shall be appointed by the Secretary of Agriculture Two members shall be persons familiar with and possessing either training or experience in dairying and the production of milk Two members shall be persons who through training or experience are familiar with the operation of milk plants and the handling and distribution of milk

The Secretary of Health or his authorized representative is hereby authorized to convene meetings of the Dairy Advisory Council whenever in his opinion such meetings are necessary and shall convene meetings thereof at any time upon the request in writing of three members thereof and he shall be the custodian of the records and proceedings of such Council.

The members of the Dairy Advisory Council other than those employed and paid by the Commonwealth or a municipality shall be paid at the rate of ten dollars per day while actually engaged in the work of the Council and shall receive their necessary traveling expenses

The term of office of all appointed members of the Dairy Advisory Council shall run concurrently with the term of the office of the Governor of the Commonwealth and until their successors shall have been appointed

b The Dairy Advisory Council shall adopt and promulgate rules and regulations not inconsistent with the provisions of this Act for its proper administration and enforcement on or before September first one thousand nine hundred forty-two Such rules and regulations shall repeal any and all municipal ordinances or regulations inconsistent therewith and shall preclude municipalities from enacting and enforcing new ordinances inconsistent therewith Such rules and regulations shall be adopted only after a public hearing for the consideration thereof notice of which hearing shall be mailed at least seven (7) days prior thereto to each applicant for or holder of a permit and to any other person who shall have requested notice of public hearings and notice of such hearing shall be given to the public in such newspaper or newspapers as will afford an opportunity to all persons affected to attend such a hearing Such rules and regulations shall be filed in the office of the Secretary shall be open to inspection by the public and copies thereof shall be mailed at least seven (7) days prior to the effective date thereof to each applicant for or holder of a permit and to any other person who shall have requested such copies provided however that such mailing shall not be a condition precedent to the validity of such rule or regulation Such rules and regulations may contain all provisions necessary to carry into effect the intent of the provisions of the Act concerning quality or grades of milk and milk products standards of milk plants and equipment standards of physical condition of dairy farms and cattle sanitary requirements of dairy farms and milk plants sanitary requirements relating to shipping transporting and delivering milk and milk products qualifications and classification of approved inspectors and all other standards practices or sanitary requirements necessary to the effective administration and enforcement of this Act

c Any person aggrieved by any decision made by the Dairy Advisory Council may within twenty (20) days after the decision or adoption of such rule or regulation file an appeal therefrom in the Court of Common Pleas of Dauphin County or of the County in which such person resides or has his principal place of business No such appeal shall be permitted to act as a supersedeas except on special order of the court A special order of court permitting the appeal to act as a supersedeas may be made only after reasonable notice to the Secretary of Health The appeal from the action of the Dairy Advisory Council shall be by petition against the Secretary of Health officially as defendant alleging therein in brief detail the action of the Dairy Advisory Council complained of and praying for a reversal thereof Such petition shall specify the petitioner's objections to the action of the Dairy Advisory Council and shall state the reasons in support of such objections All averments in the petition reciting facts shall be supported by oath or affirmation and the petition shall include as part thereof under oath or affirmation an averment that the appeal is not filed for the purpose of delay Upon service of a summons upon the Secretary of Health returnable at least ten (10) days from the date of service the Secretary of Health may on or before the return day file a motion to dismiss the appeal raising questions of law or attacking the form or sufficiency of the petition If such motion is not sustained the Secretary of Health shall be given leave to file an answer within not less than ten (10) days after the order of court overruling the motion Upon the filing of the answer by the Secretary of Health the case shall be at issue without further pleadings and upon application of either party the case shall be advanced and heard without further delay

The Secretary of Health shall on the return day of such summons certify to the court the record of the proceedings before the Dairy Advisory Council to which the petitioner refers Such record shall include the testimony if any taken relative thereto the findings of facts of the Dairy Advisory Council and a copy of the rules and regulations complained of in the petition

Mere technical irregularities in the procedure of the

Dairy Advisory Council shall not be the basis of the decision of the court in an appeal from the decision and action of the Dairy Advisory Council the case shall be heard upon the record certified to the court by the Secretary of Health. No evidence shall be received at the hearing of an appeal but if any party shall satisfy the court that evidence has been discovered since the hearing before the Dairy Advisory Council that could not have been obtained for use at that hearing by the exercise of reasonable diligence and will materially affect the merits of the case the court may in its discretion remand the record and proceedings to the Dairy Advisory Council with directions to take such after-discovered evidence and after consideration thereof to make such findings and so modify the decision rules and regulations complained of in the petition as the Dairy Advisory Council may deem proper and re-certify and re-submit to the court the record together with such additional supplemental findings decision rules and regulations as the Dairy Advisory Council shall have issued. Whereupon the court of common pleas shall proceed with the hearing of said appeal on the original and supplemental record.

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—163

- | | | | |
|-----------------|----------------|---------------|------------------|
| Achterman, | Gallagher, | Lyons, | Rush, |
| Auker, | Gates, | Malloy, | Sarge, |
| Balthaser, | Gillan, | Maxwell, | Scanlon, |
| Baughner, | Gillette, | McClanaghan, | Schwab, |
| Bentzel, | Greenwood, | McDermott, | Serrill, |
| Boney, | Gross, | McDowell, | Shepard, |
| Bower, | Gryskewicz, | McFall, | Simons, |
| Bradley, | Gyger, | McIntosh, | Skale, |
| Breth, | Habbyshaw, | McLanahan, | Snyder, |
| Brunner, P. A., | Haberlen, | McLane, | Sollenberger, |
| Burns, | Haines, | McMillen, | Sorg, |
| Burriss, | Hall, | McSurdy, | Stambaugh, |
| Chervenak, | Hamilton, | Melchiorre, | Stank, |
| Chudoff, | Hare, | Modell, | Stine, |
| Cochran, | Harris, | Monks, | Stockham, |
| Cohen, M. M., | Helm, | Moul, | Tarr, |
| Cohen, R. E., | Hering, | Munley, | Tate, |
| Cook, | Herman, | Nagel, | Taylor, |
| Corrigan, | Hersch, | Nunemacher, | Thompson, E. F., |
| Croop, | Hewitt, | O'Brien, | VanAlisburg, |
| Cullen, | Hirsch, | O'Connor, | Vincent, |
| Dalrymple, | Huntley, | O'Dare, | Vogt, |
| Dennison, | Imbrie, | O'Mullen, | Voldow, |
| DiGenova, | James, | O'Neill, | Wagner, |
| Dix, | Jefferson, | Owens, | Watkins, |
| Dojon, | Jones, G. E., | Petrosky, | Weingartner, |
| D'Ortona, | Jones, P. N., | Pettit, | Weiss, |
| Duffy, | Fenehan, | Polaski, | Weish, E. B., |
| Early, | Kilne, | Polen, | Welsh, M. J., |
| Eckels, | Kolankiewicz, | Prosen, | Wilkinson, |
| Elder, | Komorowski, | Rank, | Williams, |
| Elllott, | Krise, | Rausch, | Wolf, |
| Ely, | Lee, E. A., | Readinger, | Wood, N., |
| Falkenstein, | Lee, T. H., | Reagan, | Woodring, |
| Finestone, | Lelsey, | Reese, D. P., | Woodside, |
| Fisher, | Lesko, | Reese, R. E., | Wright, |
| Fiss, | Levy, | Riley, | Yeakel, |
| Fletcher, | Leydic, | Rooney, | Young, |
| Flynn, | Lichtenwalter, | Rose, S., | Kilroy, |
| Foor, | Longo, | Rose, W. E., | Speaker. |
| French, | Lovett, | Rosenfeld, | |

NAYS—41

- | | | | |
|-----------------|----------------|------------|------------------|
| Baker, | Fleming, | Marks, | Royer, |
| Bentley, | Gerard, | McClester, | Sarraf, |
| Boies, | Goodwin, | McKinney, | Shaffer, |
| Boorse, | Harkins, | Mihm, | Shaw, |
| Bretherick, | Harmuth, | Mooney, | Thompson, R. L., |
| Brown, | Heatherington, | Moran, | Trout, |
| Brunner, C. H., | Holland, | Muir, | Turner, |
| Cadwalader, | Keenan, | Powers, | Powers, |
| Cooper, | Knoble, | Reynolds, | Winner, |
| Cordier, | Leonard, | Rhea, | Wood, L. H., |

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

Ordered, That the Clerk inform the Senate accordingly.

SENATE MESSAGES

SENATE ADOPTS CONFERENCE COMMITTEE REPORT ON SENATE BILL No. 594

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

SENATE BILL No. 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 appointment of an administrator to supervise coordinate and regulate work relief projects authorizing the Department of Public Assistance with the approval of the Governor to contribute funds to and cooperate in the operation of work relief projects subject to certain provisions and conditions making certain acts unlawful and imposing penalties

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. 1768.

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

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

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

Amend Section 1, page 3, line 1, by striking out the words "a new section" and inserting in lieu thereof the words "new sections"; also same page, line 2, by inserting after the word "one-tenth" the words "Section six hundred two and two-tenths"; also on page 4, by inserting between lines 4 and 5 the following:

"Section 602.2 All moneys received from the Social Security Board under Title Three of the Social Security Act or the provisions of the Wagner-Peyser Act and all moneys made available by the Commonwealth or its political subdivisions and matched by moneys granted to the Commonwealth pursuant to the provisions of the Wagner-Peyser Act shall be expended solely for the purposes and in the amounts found necessary by the Social Security Board for the proper and efficient administration of this Act."

Amend Section 2, page 4, at the end of line 7, by striking out the word "forty-two" and inserting in lieu thereof the word "forty-one".

On the question,

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

Mr. WOODSIDE. Mr. Speaker, this bill as amended by the Senate contains the amendments to the Pennsylvania Unemployment Compensation Law which are required by the acts of Congress, and which have been approved by the Social Security Board in Washington. If this bill is not enacted into law with the amendments made by the Senate the Federal Social Security Board will not approve any further administrative expenses for the administration of the Unemployment Compensation Fund. It, therefore, becomes one of the most important "must" bills.

I, therefore, ask the members of the House to vote to concur in the amendments made by the Senate.

On the question recurring,

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—81

Auker,	Gillan,	Leydic,	Simons,
Boorse,	Gillette,	Lichtenwalter,	Snyder,
Bower,	Greenwood,	Lyons,	Sollenberger,
Bretherick,	Gross,	McClester,	Sorg,
Brunner, C. H.,	Gyger,	McDowell,	Stambaugh,
Cadwalader,	Habbyshaw,	McKinney,	Stockham,
Cook,	Haines,	McMillen,	Taylor,
Cooper,	Hall,	McSurdy,	Thompson, R. L.,
Cordier,	Hare,	Muir,	Trout,
Dalrymple,	Helm,	O'Dare,	Turner,
Dennison,	Hewitt,	Rank,	VanAllsburg,
Dix,	Huntley,	Reagan,	Wagner,
Eckels,	Imbrie,	Reese, D. P.,	Watkins,
Elder,	James,	Rhea,	Weingartner,
Ely,	Jones, G. E.,	Riley,	Wilkinson,
Fisher,	Kline,	Rose, S.,	Winner,
Fiss,	Knoble,	Rose, W. E.,	Wood, L. H.,
Fleming,	Krise,	Royer,	Wood, N.,
Fletcher,	Lee, E. A.,	Sarge,	Woodside,
Foor,	Lee, T. H.,	Serrill,	Yeakel,
Gates,			

NAYS—122

Achterman,	French,	McDermott,	Rooney,
Baker,	Gallagher,	McFall,	Rosenfeld,
Balthaser,	Gerard,	McIntosh,	Rush,
Baughner,	Goodwin,	McLanahan,	Sarraf,
Bentley,	Gryskewicz,	McLane,	Scanlon,
Bentzel,	Haberien,	Melchiorre,	Schwab,
Boles,	Hamilton,	Mihm,	Shaffer,
Boney,	Harkins,	Modell,	Shaw,
Bradley,	Harmuth,	Monks,	Shepard,

Breth,	Harris,	Mooney,	Skale,
Brown,	Heatherington,	Moran,	Stank,
Brunner, P. A.,	Hering,	Moul,	Stine,
Burns,	Herman,	Munley,	Tarr,
Burris,	Hersch,	Nagel,	Tate,
Chervenak,	Hirsch,	Nunemacher,	Thompson, E. F.,
Chudoff,	Holland,	O'Brien,	Verona,
Cochran,	Jefferson,	O'Connor,	Vincent,
Cohen, M. M.,	Jones, P. N.,	O'Mullen,	Vogt,
Cohen, R. E.,	Keenan,	O'Neill,	Voldow,
Corrigan,	Kenehan,	Owens,	Welss,
Croop,	Kolankiewicz,	Petrosky,	Welsh, E. B.,
Cullen,	Komorowski,	Pettit,	Welsh, M. J.,
Digenova,	Leonard,	Polaski,	Williams,
Dolon,	Lesko,	Polen,	Wolf,
D'Ortona,	Levy,	Powers,	Woodring,
Duffy,	Longo,	Prosen,	Wright,
Early,	Lovett,	Rausch,	Yester,
Elliott,	Malloy,	Readinger,	Young,
Falkenstein,	Marks,	Reese, R. E.,	Kilroy,
Finestone,	Maxwell,	Reynolds,	Speaker.
Flynn,	McClanaghan,		

Less than the majority required by the Constitution having voted in the affirmative, the question was determined in the negative and the amendments were not concurred in.

Ordered, That the Clerk inform the Senate accordingly.

REPORT OF COMMITTEE OF CONFERENCE ON
SENATE BILL No. 594

Mr. ACHTERMAN. Mr. Speaker, I desire to call up the report of the Committee of Conference on Senate Bill No. 594, Printer's No. 618.

The report was read by the Clerk as follows:

To the Members of the Senate and House of Representatives:

We, the undersigned, Committee of Conference on the part of the Senate and House of Representatives for the purpose of considering Senate Bill No. 594, entitled:

"An Act to amend the act approved the twenty-fourth day of June one thousand nine hundred and thirty-seven (P. L. 2051) entitled 'An act relating to public assistance * * *' as amended by redefining assistance to include work relief providing for the appointment of an Administrator to supervise coordinate and regulate work relief projects authorizing the Department of Public Assistance with the approval of the Governor to contribute funds to and cooperate in the operation of work relief projects subject to certain provisions and conditions making certain acts unlawful and imposing penalties."

Respectfully submit the following bill as our report:

James A. Geltz
Weldon B. Heyburn
Harry Shapiro
(Committee on the Part
of the Senate.)

Leo A. Achterman
William A. Shaw
Robert E. Woodside, Jr.
(Committee on the part
of the House of Representatives.)

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 appointment of an administrator to supervise coordinate and regulate work relief projects authorizing the Department of Public Assistance with the approval of the Governor to contribute funds to and cooperate in the operation of 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 (l) 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 Governor to contribute to the cost of any cooperate in the operation of work relief projects approved by him and submitted by any State administrative department board or commission or by any political subdivision of the Common-

wealth under and subject to the following provisions and conditions

1 That all work relief projects under this act shall be voluntary on the part of any political subdivision of the Commonwealth

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

3 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

4 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 an amount equivalent to fifty per centum (50%) of the amount of general assistance grant that would otherwise be payable to the recipients of general assistance who are employed upon any such project

5 That the Governor shall appoint and fix the compensation of an administrator who shall serve directly under the Governor and whose duty it shall be to examine all proposed work relief project agreements and the financial arrangements pertaining thereto for the purpose of recommending to the Governor whether or not such projects should be approved or disapproved Subject to the approval of the Governor the administrator shall also have the power and duty to determine all disputes regarding prevailing rates and to supervise coordinate and regulate the operation of all work relief projects

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

7 It is hereby declared to be the legislative intent that the work relief authorized by this act shall not be in competition with work relief of the Federal Works Progress Administration The Federal Works Progress Administration shall have precedence in requisitioning available employables receiving general assistance from the Department of Public Assistance No work relief project shall in any event be in substitution of existing projects 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 relief 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 Provided however That the foregoing limitation shall not be construed to prevent the State undertaking operating or completing Federal Works Projects which because of employment quotas lack of funds or for any other reason the Federal Works Project Administration may be found to be unable to undertake operate or complete

8 That upon the termination of the employment of any employe assigned to any work relief project the general assistance grant to such employe shall be resumed immediately if such employe is otherwise eligible for assistance

9 That the Speaker of the House of Representatives upon his request shall have authority to examine any and all records books or papers in the office of the Administrator relating to work relief projects undertaken or to be undertaken under the provisions of this act and for this purpose shall have free and full access to any and all such records books or papers

10 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 with-

holding 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 deprive 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 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—154

- | | | | |
|-----------------|---------------|---------------|------------------|
| Achterman, | Gates, | McClanaghan, | Scanlon, |
| Auker, | Gerard, | McClester, | Serrill, |
| Balthaser, | Gillan, | McDermott, | Shaffer, |
| Baughner, | Gillette, | McDowell, | Shaw, |
| Bentley, | Greenwood, | McIntosh, | Shepard, |
| Boies, | Gross, | McKinney, | Simons, |
| Boorse, | Gyger, | McMillen, | Snyder, |
| Bower, | Habbyshaw, | McSurdy, | Sollenberger, |
| Breth, | Haberlen, | Melchiorre, | Sorg, |
| Bretherick, | Haines, | Mihm, | Stambaugh, |
| Brown, | Hall, | Modell, | Stank, |
| Brunner, C. H., | Hare, | Monks, | Stine, |
| Brunner, P. A., | Harkins, | Moul, | Stockham, |
| Burris, | Harmuth, | Muir, | Tate, |
| Cadwalader, | Harris, | Nunemacher, | Taylor, |
| Chervenak, | Helm, | O'Brien, | Thompson, E. F., |
| Cohen, R. E., | Hering, | O'Dare, | Thompson, R. L., |
| Cook, | Hersch, | O'Mullen, | Trout, |
| Cooper, | Hewitt, | Owens, | Turner, |
| Cordier, | Holland, | Polaski, | Van Allsburg, |
| Corrigan, | Huntley, | Powers, | Verona, |
| Cullen, | Imbrie, | Prosen, | Voldow, |
| Dalrymple, | James, | Rank, | Wagner, |
| Dennison, | Jones, G. E., | Rausch, | Watkins, |
| DiGenova, | Keenan, | Readinger, | Weingartner, |
| Dix, | Kenehan, | Reagan, | Weiss, |
| D'Ortona, | Kilne, | Reese, D. P., | Welsh, E. B., |
| Early, | Knoble, | Reese, R. E., | Welsh, M. J., |
| Eckels, | Kolankiewicz, | Reynolds, | Wilkinson, |
| Elder, | Krise, | Rhea, | Winner, |
| Ely, | Lee, E. A., | Riley, | Wolf, |
| Falkenstein, | Lee, T. H., | Rooney, | Wood, L. H., |
| Finestone, | Lelsey, | Rose, S., | Wood, N., |

- | | | | |
|-----------|----------------|--------------|-----------------|
| Fisher, | Leonard, | Rose, W. E., | Woodring, |
| Fliss, | Leydic, | Rosenfeld, | Woodside, |
| Fleming, | Lichtenwailer, | Royer, | Yeakel, |
| Fletcher, | Lovett, | Rush, | Young, |
| Flynn, | Lyons, | Sarge, | Kilroy, Speaker |
| Foor, | Marks, | | |

NAYS—49

- | | | | |
|---------------|----------------|------------|-----------|
| Baker, | French, | Levy, | O'Neill, |
| Bentzel, | Gallagher, | Longo, | Petrosky, |
| Boney, | Goodwin, | Malloy, | Pettit, |
| Bradley, | Gryskewicz, | Maxwell, | Polen, |
| Burns, | Hamilton, | McFall, | Sarraf, |
| Chudoff, | Heatherington, | McLanahan, | Schwab, |
| Cochrane, | Herman, | McLane, | Skale, |
| Cohen, M. M., | Hirsch, | Mooney, | Tarr, |
| Croop, | Jefferson, | Moran, | Vincent, |
| Dolon, | Jones, P. N., | Munley, | Vogt, |
| Duffy, | Komorofski, | Nagel, | Williams, |
| Elliott, | Lesko, | O'Connor, | Wright, |
| | | | Yester, |

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

Ordered, That the Clerk inform the Senate accordingly.

SENATE ADOPTS CONFERENCE COMMITTEE REPORT ON SENATE BILL No. 1308

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

SENATE BILL No. 1308.

An Act to amend section one further amend section three and to reenact section six of the act approved the twenty-second day of May one thousand nine hundred thirty-three (P. L. 912) entitled "An act to protect the public health defining and providing for the licensing of bakeries and regulating the inspection maintenance and operation of bakeries and premises stores and shops connected therewith defining and regulating the manufacture sale and offering for sale of bakery products conferring powers on the Department of Agriculture and providing penalties" by redefining "bakery" removing the exception from registration and licensing requirements requiring registered bakery products to show the facts 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

REPORT OF COMMITTEE OF CONFERENCE ON SENATE BILL No. 1308

Mr. ACHTERMAN. Mr. Speaker, I desire to call up the report of the Committee of Conference on Senate Bill No. 1308, Printer's No. 617.

The report was read by the Clerk as follows:

To the Members of the Senate and House of Representatives:

We, the undersigned Committee of Conference on the part of the Senate and House of Representatives for the purpose of considering Senate Bill No. 1308, entitled:

"An Act to amend section one further amend section three and to reenact section six of the act approved the twenty-second day of May one thousand nine hundred thirty-three (P. L. 912) entitled 'An act to protect the

public health defining and providing for the licensing of bakeries and regulating the inspection maintenance and operation of bakeries and premises stores and shops connected therewith * * * 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"

Respectfully submit the following bill as our report:

Frederick L. Homsher
Weldon B. Heyburn
John F. Cox
(Committee on the Part
of the Senate)

Charles Melchiorre
Edwin A. Lee
George J. Sarraf
(Committee on the part
of the House of Representatives)

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

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

Section 1 Section 1 of the act approved the twenty-second day of May one thousand nine hundred thirty-three (P. L. 912) entitled "An act to protect the public health defining and providing for the licensing of bakeries and regulating the inspection maintenance and operation of bakeries and premises stores and shops connected therewith defining and regulating the manufacture sale and offering for sale of bakery products conferring powers on the Department of Agriculture and providing penalties" is hereby amended to read as follows

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That 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

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 product or with the name and address of the distributor or wholesale dealer distributing such bakery products preceded by the words "distributing 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 reenacted 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 The provisions of this act shall become effective immediately upon final enactment

On the question,

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

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

YEAS—202

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

NAYS—1

Sarraff,

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

Ordered, That the Clerk inform the Senate accordingly.

SENATE ADOPTS CONFERENCE COMMITTEE REPORT ON HOUSE BILL No. 846

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. 846.

An Act requiring school boards in all school districts and boards of directors of all vocational school districts to grant leaves of absence to all school employes who shall volunteer or be called for military or naval service in time of war or during a state of national emergency preserving certain contracts salaries increments retirement rights seniority State contributions and grants to local school boards eligibility lists reemployment authorizing school boards and boards of directors of vocational schools to employ substitutes in place of such employes requiring school districts and vocational school districts to make additional payments into the School Employes' Retirement Fund reserving all rights and privileges of employes granted leaves of absence under the provisions herein and superseding or repealing all contrary laws

SENATE ADOPTS CONFERENCE COMMITTEE REPORT ON HOUSE BILL No. 1365

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. 1365.

An Act to amend the act approved the first day of May one thousand nine hundred and twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" as variously amended authorizing the Secretary of Revenue to establish a system of permanent registration of vehicles providing for the issuance of limited operator's licenses in certain cases and further regulating the operation of vehicles and the suspension of registrations and operating privileges giving the Pennsylvania Turnpike Commission power to regulate traffic on turnpikes extending the time limit for cities of the second class A to make certain changes in traffic signals extending the liability of political subdivisions to include negligent operation of their vehicles drawn by animal power amplifying and changing provisions of said act relating to lighting signal and warning devices and the transportation of vehicles redefining the term dealer further regulating dealers in junked vehicles permits for oversize and overweight vehicles use of school buses registration plates and cards maximum size of vehicles and medical examinations by physicians providing for payment of certain fees by counties limiting and providing

new exemptions from the various provisions of said act giving additional authority to peace officers and department employes in the matter of investigations further regulating prosecutions giving certain powers to local authorities for the regulation of traffic and the establishment of traffic courts changing and fixing additional fees changing and imposing new penalties giving the secretary additional powers and duties imposing additional duties on keepers and employers of garages and repair shops providing refunds to certain persons entering Federal services making it a misdemeanor for committing malicious mischief to motor vehicles parts or accessories thereof and establishing penalties therefor and making an appropriation

SENATE RECEDES FROM ITS AMENDMENTS

The Clerk of the Senate being introduced, informed that the Senate has receded from its amendments non-concurred in by the House and concurs in House Bill numbered and entitled as follows:

HOUSE BILL No. 413.

An Act prohibiting the employment by the Commonwealth or any county city borough incorporated town township school district vocational school district or institution district thereof or by any authority or any institution supported in whole or in part out of public funds of persons who advocate or participate in un-American or subversive doctrines as herein defined or who advocate Communism Fascism or Nazism or who advocate or support a political party or organization of individuals advocating or supporting Communism Fascism or Nazism or any "un-American or Subversive Doctrines" or are members of any organization of individuals advocating or supporting Communism Fascism or Nazism or any "un-American or Subversive Doctrines" providing for dismissals under existing laws and permitting appeals to courts of common pleas and appellate courts in all such cases

AMENDED SENATE BILL RECALLED FROM THE GOVERNOR RETURNED FOR CONCURRENCE

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

SENATE BILL No. 618.

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

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

The SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend the title, page 1, at the beginning of line 2, by striking out the word "sixteenth" and inserting in lieu thereof the word "third"; also same line by striking out the word "June" and inserting in lieu thereof the word "May"; also same page, line 3, by striking out the figures "1933-34."

Amend Section 1, page 2, at the end of line 1, by striking out the word "sixteenth" and inserting in lieu thereof the word "third"; also same page, line 2, by striking out the word "June" and inserting in lieu thereof the word "May"; also same page, line 3, by striking out the figures "1933-34."

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—203

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

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

The SPEAKER (Elmer Kilroy) in the Chair.

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. 551.

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

HOUSE BILL No. 692.

An Act to amend 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 by making further provision for the granting of easements or rights-of-way or other interests in upon across over under or along lands and waters of the Commonwealth making further provision for the granting of commissions to certain air pilots authorizing the Pennsylvania Historical Commission to charge certain admission fees conferring power upon the Department of Property and Supplies to control and supervise certain buildings devised to the Commonwealth authorizing the micro filming of records in the various administrative departments boards or commissions and authorizing the leasing of Indiantown Gap Military Reservation any state airport or landing field and certain other real estate of the Commonwealth to the United States

HOUSE BILL No. 846.

An Act requiring school boards in all school districts and boards of directors of all vocational school districts to grant leaves of absence to all school employes who

shall volunteer or be called for military or naval service in time of war or during a state of national emergency preserving certain contracts salaries increments retirement rights seniority State contributions and grants to local school boards eligibility lists reemployment authorizing school boards and boards of directors of vocational schools to employ substitutes in place of such employes requiring school districts and vocational school districts to make additional payments into the School Employes' Retirement Fund reserving all rights and privileges of employes granted leaves of absence under the provisions herein and superseding or repealing all contrary laws

HOUSE BILL No. 1365.

An Act to amend the act approved the first day of May one thousand nine hundred and twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolly 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" as variously amended authorizing the Secretary of Revenue to establish a system of permanent registration of vehicles providing for the issuance of limited operator's license in certain cases and further regulating the operation of vehicles and the suspension of registrations and operating privileges giving the Pennsylvania Turnpike Commission power to regulate traffic on turnpikes extending the time limit for cities of the second class A to make certain changes in traffic signals extending the liability of political subdivisions to include negligent operation of their vehicles drawn by animal power amplifying and changing provisions of said act relating to lighting signal and warning devices and the transportation of vehicles redefining the term dealer further regulating dealers in junk vehicles permits for oversize and overweight vehicles use of school buses registration plates and cards maximum size of vehicles and medical examinations by physicians providing for payment of certain fees by counties limiting and providing new exemptions from the various provisions of said act giving additional authority to peace officers and department employes in the matter of investigations further regulating prosecutions giving certain powers to local authorities for the regulation of traffic and the establishment of traffic courts changing and fixing additional fees changing and imposing new penalties giving the secretary additional powers and duties imposing additional duties on keepers and employers of garages and repair shops providing refunds to certain persons entering Federal services making it a misdemeanor for committing malicious mischief to motor vehicles parts or accessories thereof and establishing penalties therefor and making an appropriation

HOUSE BILL No. 248.

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

HOUSE BILL No. 629.

An Act to amend section one of, and to add section

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

HOUSE BILL No. 647.

An Act relating to the bonds to be given by county officers their deputies clerks and assistants in counties of the second class the amount and conditions thereof the sureties for such bonds the payment of the premiums therefor and the recording and custody thereof

HOUSE BILL No. 736.

An Act to further amend section two thousand five hundred and sixty-three 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" changing the penalties and interest imposed for the nonpayment of taxes

HOUSE BILL No. 861.

An Act to further amend the act approved the fourth day of May, one thousand nine hundred and twenty-seven (P. L. 519), entitled "An act concerning boroughs, and revising, amending, and consolidating the law relating to boroughs," by further regulating the affairs of boroughs; and revising, amending, and changing the law relating thereto.

HOUSE BILL No. 1014.

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

HOUSE BILL No. 1129.

An Act to further amend subsection (a) of section six 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 decedent widow's and children's exemptions debts of decedents rents of real estate as assets for payment thereof the lien thereof sales and mortgages of real estate for the payment thereof judgments and executions therefor and the discharge of real estate from the lien thereof contracts of decedents for the sale or purchase of real estate legacies including legacies charged on land the discharge of residuary estates and of real estate from the lien of legacies and other charges the appraisal of real estate devised at a valuation the ascertainment of the curtilage of dwelling houses or other

buildings devised the abatement and survival of actions and the substitution of executors and administrators therein the survival of causes of action and suits thereupon by or against fiduciaries investments by fiduciaries the organization of corporations to carry on the business of decedents the audit and review of accounts of fiduciaries refunding bonds transcripts to the court of common pleas of balances due by fiduciaries the rights powers and liabilities of nonresident and foreign fiduciaries the appointment bonds rights powers duties and liabilities of trustees durante absentia the recording and registration of decrees reports and other proceedings and the fees therefor appeals in certain cases and also generally dealing with the jurisdiction powers and procedure of the orphans' court in all matters relating to fiduciaries concerned with the estates of decedents" eliminating requirements for advertising and for appointment of masters where value of estates of presumed decedents is not in excess of five hundred dollars

HOUSE BILL No. 1197.

An Act to amend Sections 201 202 204 205 211 and 805 of the act approved the fourth day of May one thousand nine hundred twenty-seven (P. L. 519) entitled "An act concerning boroughs and revising amending and consolidating the law relating to boroughs" changing certain provisions relating to the incorporation of new boroughs and providing for the incorporation of boroughs from townships of the first class having a population of eight thousand or more and for the organization of the government therein

HOUSE BILL No. 1336.

An Act authorizing and directing the Department of Property and Supplies to reprint the Report of the Commission to Locate the Sites of the Frontier Forts of Pennsylvania and providing for the distribution thereof

HOUSE BILL No. 1398.

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

HOUSE BILL No. 1400.

An Act to amend the act approved the fifth day of May one thousand nine hundred thirty-three (P. L. 364) entitled "An act relating to business corporations defining and providing for the organization merger consolidation reorganization winding up and dissolution of such corporations conferring certain rights powers duties and immunities upon them and their officers and shareholders prescribing the conditions on which such corporations

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

HOUSE BILL No. 1511.

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

HOUSE BILL No. 1570.

An Act authorizing the Department of Property and Supplies to have a certain number of copies printed of the Report of the Joint State Government Commission on the Organization and Administration of Pennsylvania's State Government providing for the distribution and sale of such copies imposing new duties on the Joint State Government Commission and making an appropriation.

HOUSE BILL No. 1662.

An Act to amend the title and further amend section one of the act approved the twenty-second day of June one thousand nine hundred and thirty-one (P. L. 844) entitled "An act authorizing the Commonwealth of Pennsylvania or any department or division thereof and counties cities boroughs incorporated towns townships school districts and poor districts to make contracts of life health and accident policies for the benefit of employes thereof and contracts for pensions for such employes and providing for the payment of the cost thereof" authorizing the making of contracts for hospitalization and medical services and extending the provisions of the act to vocational school districts and institution districts

HOUSE BILL No. 1678.

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

HOUSE BILL No. 1770.

An Act to amend the title and to further amend section forty-three of the act approved the seventh day of June one thousand nine hundred and one (P. L. 493) entitled "An act providing for the examination licensure and registration of persons firms or corporations engaged or engaging in the business or work of plumbing or house drainage and prescribing certain rules regulations and requirements for the construction of plumbing house drainage and cesspools in cities of the second class and imposing fines penalties and forfeitures for violation thereof" by permitting the use of enclosed woodwork about sinks in all except tenement-houses and lodging-houses in cities of the second class second class A and third class

HOUSE BILL No. 1831.

An Act to further amend section twenty-one of the act, approved the seventh day of June, one thousand nine hundred fifteen (P. L. 900), entitled "An act to provide for the immediate registration of all births and deaths throughout the Commonwealth of Pennsylvania by means of certificates of births and deaths, and burial or removal permits; requiring prompt returns to the Central Bureau of Vital Statistics, as required to be established by the State Department of Health; and, in order to secure prompt and faithful registration of births, marriages, deaths, and diseases, of practitioners of medicine and surgery, of midwives, nurses, and undertakers, and of all persons whose occupation is deemed to be of importance in obtaining complete registration of births, deaths, marriages, and diseases throughout the state, as provided in section ten of the act, entitled 'An act creating the Department of Health and defining its powers and duties,' approved the twenty-seventh day of April; nineteen hundred and five, and providing penalties for violations of this act," by directing the Department of Health to maintain branch offices in counties of the second class for the filing of death certificates; authorizing such offices to issue certified copies of death certificates and make searches of their files; imposing additional duties upon local registrars in such counties; and prescribing fees.

HOUSE BILL No. 1832.

An Act making an emergency appropriation to the Department of Highways for allocation to and distribution among boroughs and townships for the repair of certain roads and streets in Western Pennsylvania.

HOUSE BILL No. 1878.

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

HOUSE BILL No. 1935.

An Act to further amend clause six of section one and section three of the act, approved the twenty-seventh day of June, one thousand nine hundred and twenty-three (P. L. 858), entitled "An act establishing a State employes' retirement system, and creating a retirement board for the administration thereof; establishing certain funds from contributions by the Commonwealth and contributing State employes, defining the uses and purposes thereof and the manner of payments therefrom, and providing for the guaranty by the Commonwealth of certain of said funds; imposing powers and duties upon the heads of departments in which State employes serve; excepting annuities, allowances, returns, benefits, and rights from taxation and judicial process; and providing penalties," by further defining "State employe" so as to include certain employes of the Board of Fish Commissioners providing that such employes shall have the option of joining the State Employes Retirement Association; and permitting their membership in such association to be retroactive upon the making of certain back payments by them and by the Board of Fish Commissioners.

Whereupon,

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

REPORT OF COMMITTEE OF CONFERENCE ON
HOUSE BILL No. 1176

Mr. READINGER. Mr. Speaker, I desire to call up the report of the Committee of Conference on House Bill No. 1176, Printer's No. 1208.

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. 1176, entitled:

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

Respectfully submit the following bill as our report:

Charles R. Mallery
J. G. Snowden
Edward J. Coleman
(Committee on the Part
of the Senate.)

Leo A. Achterman
Albert S. Readinger
Ira T. Fiss
(Committee on the part
of the House of Representatives.)

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

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

Section 1 The sum of ten million dollars (\$10,000,000) is hereby appropriated to the Department of Highways for the two calendar years beginning January first one thousand nine hundred forty-two out of the Motor License Fund for allocation to and expenditures in the townships of the second class of the Commonwealth in the amounts upon the terms in the manner and for the purposes hereinafter set forth in this act

Section 2 The moneys hereby appropriated shall be allocated and apportioned among the second class townships of this Commonwealth in the ratio which the mileage of township roads in each township of the second class bears to the total mileage of township roads in all of the townships of the second class in the Commonwealth as of January first one thousand nine hundred forty-two

The funds so apportioned shall be expended by the supervisors of each township but only after consultation with the Department of Highways as to the most beneficial and efficient manner of making such expenditures and shall be used for the maintenance construction reconstruction resurfacing and improvement of township roads and the maintenance construction and reconstruction of township bridges in townships of the second class excepting that in townships which do not have sufficient funds from

other sources for the maintenance and repair of all the roads and bridges under their jurisdiction the allocation to such townships shall be used in whole or in part for such maintenance and repair purposes

Section 3 Nothing in this act shall be construed to relieve any of the second class townships from any obligation they may have incurred under any contract or agreement entered into prior to January first one thousand nine hundred forty-two for the construction or repair of any highway or structure now under their jurisdiction

Section 4 The supervisors of each township shall appoint a foreman who may be a member of the board of supervisors to supervise the work to be done under the provisions of this act and in the event more than one foreman is required the Department of Highways may authorize the supervisors to appoint one or more additional foremen The Secretary of Highways shall have the right to remove any foreman so appointed for incompetency Said supervisors shall also employ any laborers required for said work and fix their wages

Nothing herein contained shall be construed to prevent work under the act being done by contract let by the township supervisors

Section 5 No payment shall be made from moneys allocated under this act to the townships of the second class except on warrants drawn by the Auditor General upon the State Treasurer as provided by the act of Assembly to the treasurer of the board of supervisors and such payment if approved by the Secretary of Highways shall be made in four equal installments payable the first day of March the first day of June the first day of September and the first day of December of each year

There shall be submitted to the Department of Highways by the board of township supervisors a report on the last days of May and November of each year showing the cost of the work done under the provisions of this act in such detail as may be required by the Department of Highways In case any records or reports required by law are not made in the manner or at the time required no further funds shall be approved for payment by the Secretary of Highways to such township until such reports have been made and approved

Nothing in this act shall be construed to permit the funds appropriated by the act to be paid for other than labor rental of equipment payrolls material purchases including repair parts for equipment small tools road drags and snow fence on road and bridge work performed by the townships under the provisions of this act

Nothing herein contained shall be construed to prevent the use of the funds allocated under this act for Federal projects sponsored by the townships or for county-aid work relating to the improvement of roads and bridges

*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—203

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

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

SENATE MESSAGE

AMENDED SENATE BILLS CONCURRED IN
BY SENATE

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

SENATE BILL No. 575.

An Act to further amend sections 1 2 7 and 13 of the act approved the third day of June, one thousand nine hundred and eleven (P. L. 639), entitled as amended "An act relating to the right to practice medicine and surgery in the Commonwealth of Pennsylvania; and providing a Bureau of Medical Education and Licensure as a bureau of the Department of Public Instruction, and means and methods whereby the right to practice medicine and surgery and any of its branches may be obtained, and exemptions therefrom; and providing for an appropriation to carry out the provisions of said act, and providing for revocation and suspension of licenses by said bureau; and providing penalties for violations thereof, and repealing all acts or parts of acts inconsistent therewith," by defining certain terms; imposing certain additional duties upon the State Board of Medical Education and Licensure; making provisions for graduate students from other states territories and Canada providing for automatic suspension of registration in case of mental incompetency and exempting optometrists from the provisions of said act

SENATE BILL No. 913.

An Act authorizing and directing the Department of Revenue, to prepare airport approach plans for publicly owned airports; empowering and directing such department and also counties, municipalities and other political subdivisions to promulgate, administer and enforce airport zoning regulations, limiting the height of structures excepting those structures that are under the jurisdiction

of the Pennsylvania Public Utility Commission* and objects of natural growth, and otherwise regulating the use of property in the vicinity of such airports; providing for the granting of zoning permits and variances and for appeals from zoning regulations; authorizing the acquisition by purchase, grant or condemnation of air rights and other interests in land; and providing penalties and remedies for violations of this act or of any ordinance or regulation made under the authority conferred thereby

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. 46.

An Act authorizing the county treasurer in counties of the first second third fourth fifth sixth seventh and eighth classes to appoint a solicitor and providing for his salary payable out of the treasury from which the county treasurer is paid

SENATE BILL No. 51.

An Act authorizing and empowering school districts of the first and second class 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 to such school districts shall not affect or limit the provisions hereof

SENATE BILL No. 236.

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

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 appointment of an administrator to supervise coordinate and regulate work relief projects authorizing the Department of Public Assistance with the approval of the Governor to contribute funds to and cooperate in the operation of work relief projects

subject to certain provisions and conditions making certain acts unlawful and imposing penalties

SENATE BILL No. 624.

An Act to further amend clause seven of section one thousand two hundred ten of the act approved the eighteenth day of May one thousand nine hundred eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" by increasing the minimum salaries of teachers and providing annual increments in school districts of the fourth class and requiring the Commonwealth to make certain payments on account of such salaries.

SENATE BILL No. 24.

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

SENATE BILL No. 561.

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

SENATE BILL No. 56.

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

SENATE BILL No. 205.

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.

SENATE BILL No. 213.

An Act authorizing the Department of Property and Supplies acting for the Commonwealth of Pennsylvania, to acquire by gift from the owner thereof, Pottsgrove Mansion with tract of land situate in the ninth ward of the Borough of Pottstown, Montgomery County, Pennsylvania; providing for the control, management, supervision, improvement and maintenance thereof by the Pennsylvania Historical Commission; authorizing the Pennsylvania Historical Commission to make and enforce rules and regulations for the preservation, maintenance and visitation thereof; and creating an advisory board to assist in such functions.

SENATE BILL No. 229.

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.

SENATE BILL No. 257.

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

SENATE BILL No. 258.

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

SENATE BILL No. 303.

An Act authorizing the Department of Highways to cooperate with agencies of the Federal Government in designing and installing modern illuminating systems on State highways.

SENATE BILL No. 379.

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 excluding proceeds of life insurance policies from the provisions thereof.

SENATE BILL No. 419.

An Act providing for the reconnaissance survey of a State highway between the city of Harrisburg, in the county of Dauphin, and the borough of New Hope, in the county of Bucks.

SENATE BILL No. 480.

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.

SENATE BILL No. 489.

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.

SENATE BILL No. 571.

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

SENATE BILL No. 575.

An Act to further amend sections 1, 2, 7 and 13 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 providing for automatic suspension of registration in case of mental incompetency and exempting optometrists from the provisions of said act.

SENATE BILL No. 598.

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.

SENATE BILL No. 715.

An Act to repeal certain obsolete acts relating to paupers and the management, control and operation of poor districts.

SENATE BILL No. 913.

An Act authorizing and directing the Department of Revenue to prepare airport approach plans for publicly owned airports empowering and directing such department and also counties municipalities and other political subdivisions to promulgate administer and enforce airport zoning regulations limiting the height of structures excepting those structures that are under the jurisdiction of the Pennsylvania Public Utility Commission and objects of natural growth and otherwise regulating the use of property in the vicinity of such airports providing for the granting of zoning permits and variances and for ap-

peals 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.

SENATE BILL No. 1047.

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 system exclusively using a petroleum solvent having a flash point of one hundred and forty degrees Fahrenheit and empowering the Department of Labor and Industry and empowering said department to make alter amend and repeal rules and regulations.

SENATE BILL No. 1087.

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

SENATE BILL No. 1090.

An Act to amend the act approved the first day of June one thousand nine hundred thirty-seven (P. L. 1132) entitled "An act to provide for the permanent personal registration of electors in cities of the second class A as a condition of their right to vote at elections and primaries and their enrollment as members of political parties as a further condition of their right to vote at primaries prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors and prescribing the powers and duties of citizens parties political bodies registration commission commissioners registrars inspectors of registration and other appointees of registration commissions county election boards election officers municipal officers departments and bureaus of 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.

SENATE BILL No. 1091.

An Act to amend the act approved the thirtieth day of March one thousand nine hundred thirty-seven (P. L. 115) entitled "An act to provide for the permanent personal registration of electors in cities of the first class as a condition of their right to vote at elections and primaries and their enrollment as members of political parties as a further condition of their right to vote at primaries prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors and prescribing the powers and duties of citizens parties bodies of electors registration commissions commissioners registrars inspectors of registration and other appointees of registration commission election officers municipal officers departments and bureaus police officers courts judges prothonotaries sheriffs county commissioners peace officers county treasurers county controllers registrars of vital statistics real estate brokers rental agents certain public service companies persons firms and corporations operating vehicles for moving furniture and household goods and boards of school directors and imposing penalties" as amended by requiring and providing for the registration of persons in military service to entitle them to vote at any election.

SENATE BILL No. 1172.

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

SENATE BILL No. 1188.

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.

SENATE BILL No. 1257.

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

SENATE BILL No. 1259.

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.

SENATE BILL No. 1260.

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

SENATE BILL No. 1282.

An Act authorizing the Department of Property and Sup-

plies 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

SENATE BILL No. 1306.

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

SENATE BILL No. 1313.

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

Whereupon,

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

REMARKS EXPUNGED FROM RECORD

Mr. LEVY. Mr. Speaker, I move that the remarks of the gentleman from Westmoreland, Mr. Lovett, the remarks of the gentleman from Delaware, Mr. Turner, and all the remarks made by gentlemen of the House following their remarks, including the question of personal privilege, be expunged from the record.

The motion was agreed to.

PERMISSION TO ADDRESS HOUSE

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

Mr. Speaker, I have been looking over the Pennsylvania Manual and gathering some information concerning the length of sessions, which I think would be interesting to the Members of this House and to any person who might subsequently read the Legislative Journal. I think it would be a good idea to call the attention of the Members of the House to the information contained in the Manual, and which can be found by reference thereto.

In the first place we might note that this session which opened on January 7th of this year is, to this calendar day of July 14th, 188 days long. This is the longest regular session and is the latest date of adjournment of any regular session for 99 years.

In 1842 the regular session of this Legislature opened on January 4th and closed on July 26th, for a record of 204 days. That was the longest session since the Constitution of 1790 was adopted. There was one other session of equal length which opened on December 4, 1938 and adjourned on June 25, 1839. That was the last regular session of the legislature which opened during the first week of December. Up until that time that was the regular date of convening the legislature, but since that time the legislature convenes during the first week of January.

Those were the only times since the Constitution of

1790 was adopted that sessions were longer than the present one.

Second place for length of the session goes to 1897, 1901 and 1917. In those three years the regular sessions lasted 178 days, and only one of them, the session of 1897, ran into July, and that session adjourned on July 1st.

There is one other very interesting incident that is noted there, and that is concerning the session of 1883. The Legislature went into regular session on January 2, 1883 and adjourned June 6, 1883 after being in session 186 days. On June 7th of that year the Governor called them back in Special Session, which of course was the day after they adjourned, and they continued in session until December 6, 1883. So that in 1883 this legislature was in continuous session, either regular or special, without any days intervening from January 2, 1883 to December 6, 1883, a total of 339 days.

I thought that this information would be interesting to the members of the House. I came across it a few days ago when I was looking over the lengths of the sessions.

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. 1952.

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

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

The SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend the title, page 1, by striking out all of lines 1 and 2 as follows: "Fixing the salary of the Parliamentarian of the House of Representatives" and inserting in lieu thereof the following new title:

"To amend section four of the act approved the first day July one thousand nine hundred and nineteen (P. L. 717) entitled "An act fixing the number compensation mileage and duties of the officers and employes of the General Assembly and providing for their election or appointment term of office and manner of filling vacancies" by providing for the appointment compensation and duties of clerks and pages to the majority and minority floor leaders respectively of the Senate and of the House of Representatives and making an appropriation."

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

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

and inserting in lieu thereof the following new section:

"Section 1 Section four of the act approved the first day of July one thousand nine hundred and nineteen (P. L. 717) entitled "An act fixing the number compensation mileage and duties of the officers and employes of the General Assembly and providing for their election or appointment term of office and manner of filling vacancies" is hereby amended to read as follows

Section 4 In addition to the officers and employes herein

specified the chief clerk of the Senate is hereby authorized to appoint for the session not more than four stenographers for the use of the members and officers of the Senate and the chief clerk of the House of Representatives is hereby authorized to appoint for the session not more than six stenographers for the use of the members and officers of the House of Representatives The salary of each of the stenographers specified in this section shall be five dollars per diem

The majority floor leader and the minority floor leader in both the Senate and the House of Representatives are each hereby authorized to appoint one clerk and one page and to prescribe their respective duties The clerk to each of the aforesaid majority and minority floor leaders shall receive a salary of two thousand four hundred dollars (\$2,400) per annum and the page to each of such floor leaders shall receive compensation of seven hundred and twenty dollars (\$720) per annum."

Amend Section 2, page 1, by striking out all of lines 5 and 6 as follows:

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

and inserting in lieu thereof the following new section:

"Section 2 The following sum or as much thereof as may be necessary are hereby specifically appropriated from the General Fund to the Senate and to the House of Representatives of the General Assembly for the payment of the compensation of the clerks and pages to the majority and minority floor leaders thereof for the two years beginning June first one thousand nine hundred and forty-one

TO THE SENATE

For the payment of the salary of the clerks to the majority and minority floor leaders respectively of the Senate the sum of nine thousand six hundred dollars (\$9,600)

For the payment of the salary of the pages for the majority and minority floor leaders respectively of the Senate the sum of two thousand eight hundred eighty dollars (\$2,880)

TO THE HOUSE OF REPRESENTATIVES

For the payment of the salary of the clerks to the majority and minority floor leaders respectively of the House of Representatives the sum of nine thousand six hundred dollars (\$9,600)

For the payment of the salary of the pages for the majority and minority floor leaders respectively of the House of Representatives the sum of two thousand eight hundred eighty dollars (\$2,880)."

On th question,

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

Mr. ACHTERMAN. Mr. Speaker, I move that the House non-concur in the amendments made by the Senate and that a Committee of Conference be appointed.

The motion was agreed to.

APPOINTMENT OF COMMITTEE OF CONFERENCE ON HOUSE BILL No. 1952

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

Ordered, That the Clerk inform the Senate accordingly.

CONGRATULATORY RESOLUTION

Mr. WOODSIDE 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 12, 1941.

Fifty-eight years ago in Plymouth, Luzerne County, a boy was born whose life is the perfect exemplification of that equality of opportunity which has been the heritage of every youth in America and which that boy has since striven to save and preserve for those who follow.

Starting life in humble circumstances he grasped every opportunity afforded by our democratic form of government and by study and application and perseverance he rose to eminence.

From the public schools of his home county he went to Dickinson School of Law and upon graduation with the class of 1904 was admitted to practice law in Luzerne County.

In 1919, after spending fifteen years in the practice of his profession, making friends and proving his worth, he was elected district attorney of Luzerne County and was reelected in 1923.

In 1926, before the full completion of his second term as district attorney, he was elected Lieutenant Governor of the Commonwealth and served in that capacity until January 20, 1931.

At the election succeeding his retirement as Lieutenant Governor he was elected for a full term as Judge of the Superior Court and served with credit to himself and the Court until he resigned to take the oath of office as Governor of this Commonwealth on January 17, 1939.

He embraced every opportunity presented by our American form of Government and so used each succeeding one as to make way for the next. In all his public life he was sincere and earnest and honest. His sincerity carried conviction, his earnestness compelled belief and his honesty commanded respect; therefore be it

Resolved, That this House extends to his Excellency Governor Arthur H. James its most sincere congratulations, its best wishes for the often repeated return of this anniversary and its hope that there remains for him many more opportunities to perform public service so that his life will be an example to the youth of our great Commonwealth of what is theirs under our form of government; and be it further

Resolved, That a copy of this resolution be transmitted by the Chief Clerk to his Excellency, the Governor.

BILL SIGNED BY SPEAKER

Bill numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the title was publicly read as follows:

HOUSE BILL No. 413.

An Act prohibiting the employment by the Commonwealth or any county city borough incorporated town township school district vocational school district or institution district thereof or by any authority or any institution supported in whole or in part out of public funds

of persons who advocate or participate in un-American or subversive doctrines as herein defined or who advocate Communism Fascism or Naziism or who advocate or support a political party or organization of individuals advocating or supporting Communism Fascism or Naziism or any "un-American or Subversive Doctrines" or are members of any organization of individuals advocating or supporting Communism Fascism or Naziism or any "un-American or Subversive Doctrines" providing for dismissals under existing laws and permitting appeals to courts of common pleas and appellate courts in all such cases

Whereupon,

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

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

The SPEAKER (Elmer Kilroy) in the Chair.

REPORT FROM COMMITTEE ON RULES ADJOURNMENT SINE DIE

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

In the House of Representatives, Tuesday, July 15, 1941.

Resolved (if the Senate concur) that this Regular Session of the General Assembly adjourn sine die Tuesday, July 15, 1941 at 11:45 p. m.

Signed by the Committee on Rules

Leo. A. Achterman,
James E. Lovett,
Elmer Kilroy,
Albert S. Readinger.

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

ADJOURNMENT

Mr. BAKER. Mr. Speaker, I move that this House do now adjourn until Tuesday, July 15, 1941, at 10.45 a. m. The motion was agreed to, and (at 11:55 p. m.) the House adjourned.