

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 213, entitled:

An Act to further amend the third paragraph of section one thousand four hundred and thirteen 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 provisions for the education of physically and mentally handicapped children.

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

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 220, entitled:

An Act to further amend section six of the act, approved the eighteenth day of June, one thousand nine hundred and twenty-three (P. L. 840), entitled "An act concerning declaratory judgments and decrees, and to make uniform the law relating thereto," further defining the circumstances under which the remedy provided is available.

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

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 233, entitled:

An Act to reenact and amend the title and the act approved the twentieth day of June, one thousand nine hundred and nineteen (P. L. 542), entitled "A supplement to an act, approved the twenty-eighth day of June, one thousand nine hundred and seventeen (P. L. 645), entitled "An act making it unlawful for any individual or individuals to carry on or conduct any business under an assumed or fictitious name, style, or designation, unless upon the filing of a certificate to that effect in the office of the Secretary of the Commonwealth and of the prothonotary; requiring county commissioners, at the expense of the county, to provide books for the entry of such certificates; fixing the fees of the Secretary of the Commonwealth and prothonotary; and providing penalties; permitting the cancellation of such certificate or an entry to be made on the margin of the book in which such certificate was entered showing who have withdrawn from the business; providing a method therefor; and prescribing a penalty," providing for addition of names to such certificates.

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

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 234, entitled:

An Act to amend or further amend the title and sections one and three of the act approved the twenty-eighth day of June, one thousand nine hundred and seventeen (P. L. 645), entitled "An act making it unlawful for any individual to carry on or conduct any business under an assumed or fictitious name, style, or designation, unless up-

on the filing of a certificate to that effect in the office of the Secretary of the Commonwealth and of the prothonotary; requiring county commissioners, at the expense of the county, to provide books for the entry of such certificates; fixing the fees of the Secretary of the Commonwealth and prothonotary; and providing penalties," extending the provisions thereof to corporations; and prescribing penalties.

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

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 250, entitled:

An Act to amend paragraph (a) of section one of the act, approved the thirty-first day of March, one thousand nine hundred thirty-seven (P. L. 160) entitled "An act creating a commission to be known as the Pennsylvania Public Utility Commission; defining in part the powers and duties of such commission; abolishing The Public Service Commission of the Commonwealth of Pennsylvania, terminating the terms of the members thereof, and transferring to the Pennsylvania Public Utility Commission the records, employes, property, and equipment of The Public Service Commission of the Commonwealth of Pennsylvania; authorizing the Pennsylvania Public Utility Commission to appear in and complete all pending proceedings, legal or otherwise, instituted before, by or against The Public Service Commission of the Commonwealth of Pennsylvania; providing that all certificates of public convenience, contracts, orders, and rules and regulations of the latter commission shall remain effective until repealed, changed or modified by the Pennsylvania Public Utility Commission, and transferring and appropriating to the Pennsylvania Public Utility Commission any unexpended balance of any existing appropriation to The Public Service Commission of the Commonwealth of Pennsylvania," by providing that members of the Pennsylvania Public Utility Commission, upon the expiration of their terms, may not hold over until their respective successors are duly appointed and qualified.

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

ADJOURNMENT

Mr. HEYBURN. Mr. President, I move that the Senate do now adjourn until Wednesday, March 10, 1943, at 11:00 o'clock a. m. Eastern War Time.

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

The Senate adjourned at 6:38 o'clock p. m. Eastern War Time until Wednesday, March 10, 1943, at 11:00 o'clock a. m. Eastern War Time.

HOUSE OF REPRESENTATIVES

TUESDAY, March 9, 1943

The House met at 1 p. m.

The SPEAKER (Ira T. Fiss) in the Chair.

PRAYER

The Chaplain, Rev. Lester C. Updegrove, offered the following prayer:

Almighty Father for this day we give Thee praise.

So teach us to number our days that we may apply our hearts unto wisdom. Help our country and her allies to wisely direct every energy in winning the war and establishing a lasting peace. Give Thy strength to the Commander-in-Chief, the Governor, the Lieutenant Governor, the Speaker of the House, the members of the Senate and the State House. May they and all our people look unto Thee from whence cometh our help. Amen.

JOURNAL APPROVED

The SPEAKER. The Clerk will read the Journal of Monday, March 8, 1943.

The Clerk proceeded to read the Journal of Monday, March 8, 1943, when on motion of Mr. REYNOLDS, unanimously agreed to, the further reading was dispensed with and the Journal approved.

BILLS INTRODUCED AND REFERRED

By Mr. SARGE. HOUSE BILL No. 554.

An Act creating a commission to make a study and investigation of the introduction and printing of bills and resolutions introduced in the General Assembly, the printing of journals and histories of the Senate and House of Representatives, the benefits to be gained by a divided session of the General Assembly and the repeal of obsolete legislation; providing for its appointment; directing such commission to make a report and recommendations to the General Assembly; conferring certain powers upon such commission, including the power to issue subpoenas, administer oaths and affirmations, retain employees and expense funds, and making an appropriation.

Referred to the Committee on Printing.

By Mr. SARGE. HOUSE BILL No. 555.

An Act to further amend 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," changing the term of county and district superintendents.

Referred to the Committee on Education.

By Messrs. KLINE and KENNETH H. WAGNER.
HOUSE BILL No. 556.

An Act to amend section three of the act, approved the seventeenth day of July, one thousand nine hundred thirty-five (P. L. 1092) entitled "An act defining fraternal benefit societies and their status; authorizing such societies to create subordinate lodges and to pay benefits to members and their beneficiaries from funds collected, and regulating such benefits and collections; providing for the organization and incorporation of such societies and for their supervision, regulation, and examination by the Insurance Commissioner, and for the admission of foreign societies; designating tables of mortality as a basis for rates of contributions; requiring all societies to make annual and other reports; and appointing the Insurance Commissioner as attorney for service of process providing penalties for any violations of the act; exempting such societies from taxation and certain other

societies from its provisions; and requiring beneficial associations, other than fraternal benefit societies, to report to and be supervised by the Insurance Commissioner; and repealing existing laws," providing for the waiving of the requirement for the holding of meetings by societies under certain conditions.

Referred to the Committee on Insurance.

By Mr. McATEE. HOUSE BILL No. 557.

An Act to add clause (m) to section two hundred four of the act approved the twenty-second day of May, one thousand nine hundred thirty-three, (P. L. 853), entitled "An act relating to taxation; designating the subjects, property and persons subject to and exempt from taxation for all local purposes; providing for and regulating the assessment and valuation of persons, property and subjects of taxation for county purposes, and for the use of those municipal and quasi-municipal corporations which levy their taxes on county assessments and valuations; amending, revising and consolidating the law relating thereto; and repealing existing laws," providing further exemptions from taxation; and making the provisions for exemptions applicable to institution district taxes.

Referred to the Committee on Counties.

By Mr. KRISE. HOUSE BILL No. 558.

An Act to further amend section two of the act, approved the twenty-ninth day of March, one thousand eight hundred ninety-nine (P. L. 21), entitled "An act to establish a board for the examination of accountants, to provide for the granting of certificates to accountants, and to provide a punishment for the violation of this act," by changing qualifications as to education and fitness necessary before taking examination.

Referred to the Committee on Professional Licensure.

By Messrs. MILLER and LIVINGSTONE.
HOUSE BILL No. 559.

An Act to amend section two thousand three hundred forty-seven 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," declaring Boards of Health to be bodies corporate and politic and permitting them to bring in their own names actions at law or in equity for the enforcement of their regulations, for the recovery of penalties for the violation thereof and for the collection of fees.

Referred to the Committee on Cities—Third Class.

By Mr. JAMES. HOUSE BILL No. 560.

An Act to further amend section four hundred two of the act approved the fifth day of December, one thousand nine hundred thirty-six, (P. L. 2897-1937), 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," to correct an error in previous amendment in connection with provisions covering ineligibility for compensation.

Referred to the Committee on Workmen's Compensation.

By Mr. MINTESS. HOUSE BILL No. 561.

An Act to amend section two, of the act, approved the twenty-fourth day of June, one thousand nine hundred thirty-nine (P. L. 685), entitled "An act designating certain life insurance companies as limited life insurance companies, and further describing the powers thereof," by increasing the amount for which, under certain conditions such companies may issue policies in the event of death from natural or accidental causes.

Referred to the Committee on Insurance.

By Messrs. FINNERTY and THOMPSON.
HOUSE BILL No. 562.

An Act to repeal the act, approved the first day of May, one thousand nine hundred and thirty-three (P. L. 102), entitled "A supplement to the act, approved the second day of June, one thousand nine hundred and fifteen (P. L. 762), entitled 'An act providing for the creation and administration of a State Fund for the insurance of compensation for injuries to employes of subscribers thereto; declaring false oaths by the subscribers to be misdemeanors; and providing penalties for the violation thereof,' providing for the examination and audit of the State Workmen's Insurance Fund by the Insurance Department and appropriating the moneys in the fund for the payment of the cost of such audit and examination."

Referred to the Committee on Insurance.

By Mr. DAVID P. REESE. HOUSE BILL No. 563.

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

Referred to the Committee on Public Utilities.

By Mr. MOSER. HOUSE BILL No. 564.

An Act to validate and quiet the title to real estate in this Commonwealth held by a foreign corporation unauthorized to hold the same and heretofore conveyed to a citizen of the United States or a corporation authorized to hold such real estate.

Referred to the Committee on Judiciary General.

By Mr. IRVIN. HOUSE BILL No. 565.

An Act to further amend section forty-seven of the act, approved the twentieth day of June, one thousand nine hundred nineteen (P. L. 521), entitled as amended "An act providing for the imposition and collection of certain taxes upon the transfer of property passing from a decedent who was a resident of this Commonwealth at the time of his death, and of property within this Commonwealth of a decedent who was a nonresident of the Commonwealth at the time of his death; defining and taxing transfers made in contemplation of death; defining as a transfer and taxing the right of survivorship in prop-

erty as to which such right exists; and making it unlawful for any corporation of this Commonwealth, or national banking association located therein, to transfer the stock of such corporation or banking association, standing in the name of any such decedent, until the tax on the transfer thereof has been paid; and providing penalties; and citing certain acts for repeal," by permitting registers of wills to retain commissions for their own use out of moneys collected as the agent of the Commonwealth.

Referred to the Committee on Counties.

By Mr. IRVIN. HOUSE BILL No. 566.

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

Referred to the Committee on State Government.

By Mr. BROWN. HOUSE BILL No. 567.

An Act relating to the jurisdiction and powers of the orphans' court to appoint ad litem representatives in all proceedings wherein lunatics, weak-minded persons, absentees, presumed decedents, or other persons under disability, are not properly represented.

Referred to the Committee on Judiciary General.

By Messrs. KOLANKIEWICZ and LOVETT.
HOUSE BILL No. 568.

An Act creating the Pennsylvania War Veterans' Commission as an independent administrative commission of the Commonwealth; prescribing its powers and duties; providing for the transfer to said commission of certain records, documents and funds of the Department of Military Affairs; abolishing the State Veterans' Commission and providing that the members thereof shall be the first members of said Pennsylvania War Veterans' Commission; and making an appropriation.

Referred to the Committee on Military Affairs.

By Mr. COOPER. HOUSE BILL No. 569.

An Act to amend section eleven of the act approved the fifth day of June, one thousand nine hundred forty-one, (P. L. 84), entitled "An act providing for and regulating the appointment, promotion and reduction in

rank, suspension and removal of paid members of the police force in boroughs, incorporated towns and townships of the first class maintaining a police force of not less than three members; creating a civil service commission in each borough, incorporated town and township of the first class; defining the duties of such civil service commission; imposing certain duties and expenses on boroughs, incorporated towns and townships of the first class; imposing penalties, and repealing inconsistent laws," providing for preference under preexisting law in favor of war veterans.

Referred to the Committee on Municipal Corporations.

By Mr. AUKER. HOUSE BILL No. 570.

An Act imposing a State tax payable by those herein defined as manufacturers and distributors, and by others, on soft drinks, carbonated beverages, and certain malt or brewed beverages used, sold, transported or delivered within the Commonwealth; prescribing the method and manner of evidencing the payment and collection of such tax; conferring powers; and imposing duties on the Department of Revenue, and those using or engaged in the sale at retail or wholesale or in the transportation of such drinks and beverages taxable hereunder; making an appropriation of the moneys collected hereunder to the Department of Public Instruction to be used for payment to school districts on account of teachers' salaries; and providing penalties.

Referred to the Committee on Ways and Means.

By Mr. WALTER E. ROSE. HOUSE BILL No. 571.

An Act empowering cities of the third class, boroughs, incorporated towns and townships to co-operate with each other, through joint agreements, in the exercise of their governmental powers, duties, and functions relating to the public health, recreation, zoning, and municipal planning.

Referred to the Committee on Cities—Third Class.

By Mr. CHARLES H. BRUNNER, Jr.
HOUSE BILL No. 572.

An Act providing for fresh pursuit by military forces, and authorizing this state to cooperate with other states therein.

Referred to the Committee on Military Affairs.

By Mr. CHARLES H. BRUNNER, Jr.
HOUSE BILL No. 573.

An Act to further amend 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" by adding clause XIX to Section 1006 so as to provide a special fund for construction and reconstruction after the cessation of hostilities in the war in which the United States is now engaged.

Referred to the Committee on Boroughs.

By Messrs. BREThERICK and FLEMING.
HOUSE BILL No. 574.

An Act to amend section twenty-four of the act, approved the sixth day of April, one thousand nine hundred thirty-seven (P. L. 200), entitled "An act licensing and regulating the business of pawnbrokers; providing for the issuance of licenses by the Secretary of Banking; authorizing the Secretary of Banking to make examinations and issue regulations; limiting the interest and charges

on loans; and prescribing penalties for the violation of this act," prescribing that notices of sales of pledges be given by registered mail.

Referred to the Committee on Judiciary General.

By Mr. CHARLES H. BRUNNER, Jr.
HOUSE BILL No. 575.

An Act to further amend 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," by adding an additional clause to Section 1202 LIII relating to exemptions from advertising.

Referred to the Committee on Boroughs.

By Mr. HABERLEN. HOUSE BILL No. 576.

An Act to amend 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," providing for the repeal of certain local ordinances inconsistent with said act or the rules and regulations adopted thereunder; prohibiting the adoption of any new ordinances thus inconsistent; eliminating the authority 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 the court of common pleas from the ruling of said council; and prescribing certain examinations and tests for all "approved inspectors" employed or to be employed under said act.

Referred to the Committee on Dairy Industries.

By Messrs. BARRETT and BOIES.
HOUSE BILL No. 577.

An Act to amend Section 1205, to further amend Sections 1206 and 1206.1 and to amend subsection (B) of Section 1208 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," changing and stabilizing the time fixed in said act for the opening and closing of the polls and for other official acts.

Referred to the Committee on Elections.

By Messrs. WEISS and ALSPACH.
HOUSE BILL No. 578.

An Act relating to chattel mortgages on livestock, farm machinery, farm equipment and crops, grown, growing or to be grown.

Referred to the Committee on Judiciary General.

By Mr. CORDIER. HOUSE BILL No. 579.

An Act validating city treasurers' sales for delinquent taxes wherein the returns of said sales are defective by

reason of not being made at proper time, lack of proper description of property sold, years for which the taxes were assessed, the date of sales and the amount of the taxes and the prices for which the lands were sold; and sales which were not confirmed in accordance with law or were conducted without first resorting to the sale of personal property on the premises; excluding however sales which were made the subject of litigation prior to this act.

Referred to the Committee on Judiciary General.

By Mr. CORDIER. HOUSE BILL No. 580.

A Supplement to the act, approved the twenty-third day of May, one thousand nine hundred seven (P. L. 206), entitled "An act to regulate and improve the civil service of the cities of the second class in the Commonwealth of Pennsylvania; making violations of its provisions to be misdemeanors, and providing penalties for violations thereof," providing for and regulating dismissal of certain employes under civil service in cities of the second class A, and authorizing fines and suspensions of them.

Referred to the Committee on Cities—Second Class.

By Mr. ERB. HOUSE BILL No. 581.

An Act to further amend section three of the act, approved the thirty-first day of May, one thousand nine hundred thirty-three (P. L. 1116), entitled "An act for the protection of the public health and to prevent fraud and deception in the manufacture, sale, offering for sale, exporting for sale, and having in possession with intent to sell, of adulterated or deleterious ice cream, custard ice cream, french ice cream, french custard, frozen custard, sherbet, ice and fruit ice, including coated ice cream and the coating thereof; fixing standards for ice cream, custard ice cream, french ice cream, french custard, frozen custard, sherbet, ice and fruit ice, and to prevent the sale of imitation ice cream and defining said imitation ice cream; providing penalties for the violation thereof; and providing for the enforcement thereof," by further defining adulterated ice cream.

Referred to the Committee on Public Health and Sanitation.

By Mr. LOVETT. HOUSE BILL No. 582.

An Act requiring boards of education and boards of school directors to cause an annual census to be taken of all persons twenty-one years of age or over residing in their school districts; providing for the employment and compensation of enumerators; prescribing the method for the taking of such census and the disposition to be made of the information when compiled; providing the manner in which the cost of such census shall be allocated between school districts, counties and municipalities; conferring certain additional powers and duties upon boards of education, boards of school directors, counties, cities and municipalities; prohibiting interference with enumerators in the performance of their duties; and prescribing penalties.

Referred to the Committee on Education.

By Messrs. THRASHER and SMITH.
HOUSE BILL No. 583.

An Act to further amend section fourteen of article four and section one of article five of the act, approved the ninth day of June, one thousand nine hundred eleven (P. L. 756), entitled "An act to provide for the health and safety of persons employed in and about the bituminous coal mines of Pennsylvania, and for the protection and preservation of property connected therewith," further

regulating lamps to be carried by short-firers and fire bosses.

Referred to the Committee on Mines and Mining.

By Mr. FLEMING. HOUSE BILL No. 584.

An Act authorizing counties of the second class to regulate the production of smoke from chimneys, smoke-stacks or other source including provisions for the payment of inspection and certificates of compliance fees incident thereto; authorizing the expenditure of money for the employment of persons and the acquisition of property for effectuating such regulations; and providing penalties for the violation thereof.

Referred to the Committee on Cities—Second Class.

By Mr. COSTA. HOUSE BILL No. 585.

An Act to amend section six of the act, approved the twelfth day of June, one thousand eight hundred seventy-eight (P. L. 196), entitled "An act supplementary to an act, entitled 'An act to consolidate revise and amend the penal laws of this commonwealth,' approved the thirty-first day of March, Anno Domini one thousand eight hundred and sixty," by fixing the time for the commencement and prosecution of indictments for felonies committed by certain persons.

Referred to the Committee on Judiciary Special.

By Mr. COSTA. HOUSE BILL No. 586.

An Act to amend sections eight hundred thirty-four and eight hundred thirty-six of the act, approved the twenty-fourth day of June, one thousand nine hundred thirty-nine (P. L. 872), entitled "An act to consolidate, amend and revise the penal laws of the Commonwealth," by correcting errors therein relating to the designation of certain offenses.

Referred to the Committee on Judiciary Special.

By Mr. REYNOLDS. HOUSE BILL No. 587.

An Act to further amend section seven of the act approved the seventeenth day of June, one thousand nine hundred fifteen (P. L. 1012), entitled "An act regulating the business of loaning money in sums of three hundred (\$300) dollars or less, either with or without security, to individuals pressed by lack of funds to meet immediate necessities; fixing the rates of interest and charges therefor; requiring the licensing of lenders; and prescribing penalties for the violation of this act," requiring certain banking institutions to register and pay a fee; and prescribing penalties.

Referred to the Committee on Banking.

By Mr. TIEMANN. HOUSE BILL No. 588.

An Act to amend paragraph four of subsection (c) of section two hundred two of the act, approved the seventeenth day of May, one thousand nine hundred 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 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," by extending the purposes for which certain companies may be incorporated to include insuring medical, hospital, surgical and funeral

expenses in connection with certain kinds of liability insurance; and insuring against loss or damage to property from certain causes for which the person insured is liable.

Referred to the Committee on Insurance.

By Mr. HANNON. HOUSE BILL No. 589.

An Act creating a Joint Legislative Committee for the purpose of gaining knowledge and information concerning the planning and operation of housing and housing projects by the examination and study of existing housing and housing projects in the Commonwealth; authorizing the employment of necessary assistants, the subpoenaing of witnesses and records, and making an appropriation.

Referred to the Committee on State Government.

By Mr. HANNON. HOUSE BILL No. 590.

An Act requiring political subdivisions to refund taxes and license fees erroneously and inadvertently paid there-to, and giving a right of action against such political subdivision for the recovery of such taxes and fees upon their failure to make such refunds, making the provisions of the act retroactive and repealing existing laws.

Referred to the Committee on Municipal Corporations.

By Mr. LEE. HOUSE BILL No. 591.

An Act to amend section two of the act, approved the eighth day of April, one thousand nine hundred and thirty-seven (P. L. 256), entitled "An act relating to counties of the first class, and the duties of the treasurers thereof in connection with the collection of certain taxes, fees, license taxes, and license fees payable to the Commonwealth, and making provision for the disposition of the compensation therefor heretofore received by such treasurers," by authorizing the county treasurers in counties of the first class to deduct from moneys collected by them for the Commonwealth the amount of premiums paid by them for the bonds which they are required to furnish to protect and safeguard the funds of the Commonwealth in their hands.

Referred to the Committee on Cities—First Class.

By Mr. ERB. HOUSE BILL No. 592.

An Act to further amend section six hundred twenty-one of the act, approved the first day of May, one thousand nine hundred and twenty-nine (P. L. 905), entitled "An act for the protection of the public safety; regulating the use of highways, and the operation of vehicles, tractors, street cars, trackless trolley omnibuses, bicycles pedestrians, and the riding of animals upon the highways of this Commonwealth; providing for the titling, including liens, encumbrances and legal claims; registration of certain vehicles and licensing the operators thereof, upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts and the clerks thereof, owners of vehicles, and garage keepers; providing that records are admissible as evidence; imposing upon owners, counties, cities, boroughs, incorporated towns, townships, within the Commonwealth, liability for damages caused by the negligent operation of their motor vehicles; imposing penalties; imposing certain costs upon counties; providing for the disposition of fines, forfeitures, fees, and miscellaneous receipts; making an appropriation and providing for refunds," by permitting certain minors under eighteen years of age to operate a motor vehicle, as a paid operator.

Referred to the Committee on Motor Vehicles.

By Mr. REAGAN. HOUSE BILL No. 593.

An Act to further amend sections one, two and three of the act, approved the nineteenth day of July, one thousand nine hundred thirty-five (P. L. 1356), entitled "An act to regulate the sale and delivery of solid fuel, as herein defined; providing for appointment of licensed weighmasters; prescribing their powers and duties; authorizing substitute licensed weighmasters; imposing certain duties on the Department of Internal Affairs; and providing penalties," by defining the word "purchaser"; making the transportation of solid fuel unlawful in certain cases; and further regulating the forms used by weighmasters, and the disposition thereof.

Referred to the Committee on State Government.

By Mr. DENMAN. HOUSE BILL No. 594.

An Act making it a felony to hold up, delay or otherwise interfere with the production, delivery or transportation of materials or equipment intended for use in the production or transportation of munitions or supplies to be used by the armed forces of the United States or any of her allies in time of war.

Referred to the Committee on Judiciary Special.

By Messrs. MILLER and LIVINGSTONE.
HOUSE BILL No. 595.

An Act to amend section four thousand three hundred four of the act approved the twenty-third day of June, one thousand nine hundred thirty-one (P. L. 932), entitled "An act relating to cities of the third class; and amending, revising, and consolidating the law relating thereto," removing becoming a nonresident of the State as a cause for forfeiture of rights under the police pension fund.

Referred to the Committee on Cities—Third Class.

By Messrs. FLEMING and MIHM.
HOUSE BILL No. 596.

An Act to further amend sections four hundred four and four hundred ten of the act approved the twenty-ninth day of November, one thousand nine hundred 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," conferring jurisdiction on the county court of Allegheny County in cases of appeals from the Pennsylvania Liquor Control Board.

Referred to the Committee on Cities—Second Class.

By Messrs. FLEMING and MIHM.
HOUSE BILL No. 597.

An Act to further amend section fifteen of the act, approved the second day of May, one thousand nine hundred

and twenty-nine (P. L. 1237), entitled "An act affecting marital relations; prescribing grounds and regulating proceedings for divorce and the annulment of bigamous marriages; and amending, revising, and consolidating the law relating thereto," conferring jurisdiction in divorce actions on the county court of Allegheny County.

Referred to the Committee on Cities—Second Class.

By Messrs. FLEMING and MIHM.

HOUSE BILL No. 598.

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

Referred to the Committee on Cities—Second Class.

By Mr. SKALE.

HOUSE BILL No. 599.

An Act making it unlawful for any lessor of real property who supplies to the lessee electricity secured from a public utility, to charge the lessee any greater rate therefor than that prescribed for the utility in its tariff on file with the Pennsylvania Public Utility Commission; and providing penalties.

Referred to the Committee on Judiciary Special.

By Mr. SKALE.

HOUSE BILL No. 600.

An Act to further amend the first paragraph and clause (b) of section nine of the act, approved the twenty-fourth day of June, one thousand nine hundred 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," further providing for and regulating assistance to aged persons, and redefining aged persons and their eligibility for assistance.

Referred to the Committee on Welfare.

By Mr. DAGUE.

HOUSE BILL No. 601.

An Act to amend Section 3.1 of the act, approved the twentieth day of June, one thousand nine hundred one (P. L. 582), entitled "An act to provide for the registration of labels, trademarks, tradenames, 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," by further providing for the cancellation of such registrations in certain cases.

Referred to the Committee on Judiciary General.

By Mr. SKALE.

HOUSE BILL No. 602.

An Act making the insurer of defendant in an action in tort involving a motor vehicle a proper party defendant with the defendant; and providing for the effect of such joinder.

Referred to the Committee on Judiciary General.

By Mr. SKALE.

HOUSE BILL No. 603.

An Act making voidable releases of claims for personal injuries or death given within thirty days; and providing for the avoidance of the same.

Referred to the Committee on Judiciary General.

By Mr. SKALE.

HOUSE BILL No. 604.

An Act providing for the determination and effect of comparative negligence in actions of tort; and providing that contributory negligence shall not bar recovery.

Referred to the Committee on Judiciary General.

By Mr. DALRYMPLE (by request).

HOUSE BILL No. 605.

An Act authorizing the Pennsylvania Historical Commission to acquire by gift from the Erie County Historical Society a plot of ground in the city of Erie, Pennsylvania, to be used as a permanent resting place for the Flagship Niagara, and making an appropriation to said Commission for the improvement, development and preparation of such plot of ground and the removal of the said Flagship thereto.

Referred to the Committee on State Government.

By Mr. ROBERTSON.

HOUSE BILL No. 606.

An Act providing that former judges and attorneys of experience may be called upon to preside specially at any session of the various courts in any county, when called upon by the president judge to do so; and prohibiting the calling of judges from other judicial districts to preside specially.

Referred to the Committee on Judiciary General.

By Messrs. FLEMING and MIHM.

HOUSE BILL No. 607.

An Act to further amend sections four hundred twenty-six and four hundred twenty-seven of the act approved the second day of June, one thousand nine hundred fifteen (P. L. 736), entitled, as amended "An act defining the liability of an employer to pay damages for injuries received by an employee in the course of employment; establishing an elective schedule of compensation; providing procedure for the determination of liability and compensation thereunder; and prescribing penalties," conferring jurisdiction on the county court of Allegheny County in cases of appeals from the Workmen's Compensation Board.

Referred to the Committee on Cities—Second Class.

By Messrs. FLEMING and MIHM.

HOUSE BILL No. 608.

An Act to further amend section six of the act, approved the fifth day of May, one thousand nine hundred and eleven (P. L. 198), entitled "An act to establish a county court for the county of Allegheny, and prescribing its powers and duties; regulating the procedure therein, and providing for the expenses thereof," by conferring

upon said county court jurisdiction in certain criminal actions and in divorce, appeals from the Workmen's Compensation Board, and appeals from the Pennsylvania Liquor Control Board.

Referred to the Committee on Cities—Second Class.

By Messrs. FLEMING and MIHM.

HOUSE BILL No. 609.

An Act to further amend sections seven and thirteen of the act approved the third day of May, one thousand nine hundred thirty-three, (P. L. 252), entitled as amended "An act to regulate and restrain the traffic in malt and brewed beverages, as herein defined; providing for the licensing of the manufacture, transportation, sale and distribution of such beverages; imposing license and permit fees, and providing for collection and distribution thereof; restricting ownership and interest in licensed places; permitting municipalities and townships, by vote of the electors, to prevent the licensing therein of places where such beverages may be sold for consumption on the premises, and regulating elections for this purpose; imposing duties upon the Pennsylvania Liquor Control Board, quarter sessions courts, district attorneys, the Department of Justice, proper authorities of political subdivisions of the State and election officers; providing penalties; and repealing existing acts," conferring jurisdiction on the county court of Allegheny County in cases of appeals from the Pennsylvania Liquor Control Board.

Referred to the Committee on Cities—Second Class.

By Mr. PETTIT.

HOUSE BILL No. 610.

An Act to amend section four of the act of one thousand seven hundred five (1. Sm. L. 25), entitled "An act to restrain people from labour on the first day of the week," by authorizing the service or execution on Sunday of certain warrants and other instruments in cases of misdemeanors involving gambling.

Referred to the Committee on Law and Order.

By Mr. DENMAN.

HOUSE BILL No. 611.

An Act prohibiting the collection of state or local taxes from any person in the armed forces of the United States who is not a resident of the Commonwealth and who has not declared his intention to become such; and prescribing penalties.

Referred to the Committee on Judiciary General.

By Mr. WALTER E. ROSE (by request).

HOUSE BILL No. 612.

An Act regulating the employment of certain minors.

Referred to the Committee on Labor.

By Mr. DENMAN.

HOUSE BILL No. 613.

An Act creating a commission to investigate and consider various phases of aeronautics in order to keep the General Assembly advised as to legislation which may be needed to keep the Commonwealth of Pennsylvania abreast of present rapid developments in this field; directing such commission to make a report and recommendations to the General Assembly; conferring certain powers upon such commission, including the power to issue subpoenas, administer oaths and affirmations, retain employes and expend funds and making an appropriation.

Referred to the Committee on Aeronautics

By Mr. DENMAN.

HOUSE BILL No. 614.

An Act to add subsection (f) to section four hundred nine of the act, approved the first day of May, one thousand nine hundred twenty-nine (P. L. 905), entitled "An act for the protection of the public safety; regulating the use of highways, and the operation of vehicles, tractors, street cars, trackless trolley omnibuses, bicycles, pedestrians and the riding of animals upon the highways of this Commonwealth; providing for the titling, including liens, encumbrances, and legal claims; registration of certain vehicles and licensing the operators thereof, upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts and the clerks thereof, owners of vehicles, and garage keepers; providing that records are admissible as evidence; imposing upon owners, counties, cities, boroughs, incorporated towns, townships, within the Commonwealth, liability for damages caused by the negligent operation of their motor vehicles; imposing certain costs upon counties; providing for the disposition of fines, forfeitures, fees, and miscellaneous receipts; making an appropriation and providing for refunds," exempting nonresidents stationed in Pennsylvania while in service of the armed forces of the United States from fees, taxes, charges and certain requirements as to equipment, size and weight of motor vehicles imposed by said act.

Referred to the Committee on Motor Vehicles.

By Mr. DENMAN.

HOUSE BILL No. 615.

An Act to further amend sections four hundred nine and six hundred three of the act, approved the first day of May, one thousand nine hundred twenty-nine (P. L. 905), entitled "An act for the protection of the public safety; regulating the use of highways, and the operation of vehicles, tractors, street cars, trackless trolley omnibuses, bicycles, pedestrians, and the riding of animals upon the highways of this Commonwealth; providing for the titling, including liens, encumbrances and legal claims; registration of certain vehicles and licensing the operators thereof, upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts and the clerks thereof, owners of vehicles, and garage keepers; providing that records are admissible as evidence; imposing upon owners, counties, cities, boroughs, incorporated towns, townships, within the Commonwealth, liability for damages caused by the negligent operation of their motor vehicles; imposing penalties; imposing certain costs upon counties; providing for the disposition of fines, forfeitures, fees, and miscellaneous receipts; making an appropriation and providing for refunds," exempting nonresidents in the armed forces of the United States in time of war from all registration and license fees while stationed in this Commonwealth.

Referred to the Committee on Motor Vehicles.

By Messrs. DUFFY and DILLON.

HOUSE BILL No. 616.

An Act relating to the manufacture and distribution of candy and other confectionery products, and regulating the same; providing for the protecting of public health and the prevention of frauds; defining terms; providing for permits and certificates and the procedure for revocation or suspension thereof; and prescribing penalties.

Referred to the Committee on Public Health and Sanitation.

By Messrs. DILLON and HERSCH.

HOUSE BILL No. 617.

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, prohibiting the establishment of bakeries in basements, requiring the publication of weights and ingredients upon products, prohibiting rebates, discounts and special allowances, conferring powers on the Department of Agriculture, creating a Commissioner of Bakeries and inspectors under him, and providing penalties.

Referred to the Committee on Public Health and Sanitation.

By Messrs. DILLON and LEONARD.

HOUSE BILL No. 618.

An Act for safeguarding persons and property and promoting the welfare of the public; creating an electrical administrative board of the Commonwealth of Pennsylvania, and prescribing its duties and authority; establishing minimum standards for electrical equipment and its installation; providing for State-wide inspection of installations of electrical equipment; providing for the appointment of electrical inspectors for carrying out the provisions of this act and prescribing their qualifications, duties rights and authority; making it unlawful to undertake or perform the installation of electrical equipment without applying for inspection therefor, except as otherwise provided; providing for the licensing by the electrical administrative board of persons, firms or corporations engaged in the business of electrical contracting and electrical journeymen employed by them in the work of installing, maintaining, altering or repairing electrical equipment; making it unlawful to undertake or perform the installation of electrical equipment without a license, except as otherwise provided; providing penalties for the violation of this act and repealing all statutes and parts of statutes in conflict with this act.

Referred to the Committee on Public Utilities.

By Mr. BARTON.

HOUSE BILL No. 619.

An Act to further amend section one thousand six hundred one 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," authorizing the board of school directors of districts of the fourth class to fix the length of term for elementary and secondary schools within certain limits.

Referred to the Committee on Education.

By Mr. BARTON.

HOUSE BILL No. 620.

An Act to add clause seven-B to 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," increasing the minimum salaries of certain teachers; and requiring the Commonwealth to reimburse school districts for the whole amount of such increases.

Referred to the Committee on Education.

By Mr. SAMUEL ROSE.

HOUSE BILL No. 621.

An Act to further amend section two hundred twenty-two 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 providing for the payment to all employes of time and one-half for time worked in excess of a regularly established work week.

Referred to the Committee on State Government.

By Messrs. DALRYMPLE and STOCKHAM.

HOUSE BILL No. 622.

An Act prohibiting departments, boards, commissions, bureaus, officers, agents, and agencies of the Commonwealth of Pennsylvania and its political subdivisions from accepting, filing, and approving certain plans and specifications for buildings, works, and improvements, and from issuing or granting permits pursuant thereto unless such plans and specifications are signed by a person legally qualified to prepare the same.

Referred to the Committee on State Government.

By Mr. PAUL L. WAGNER.

HOUSE BILL No. 623.

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

survival of causes of action and suits thereupon by or against fiduciaries; investments by fiduciaries; the organization of corporations to carry on the business of decedents; the audit and review of accounts of fiduciaries; refunding bonds; transcripts to the court of common pleas of balances due by fiduciaries; the rights, powers, and liabilities of nonresident and foreign fiduciaries; the appointment, bonds, rights, powers, duties, and liabilities of trustees *durante absentia*; the recording and registration of decrees, reports and other proceedings, and the fees therefor; appeals in certain cases; and, also, generally dealing with the jurisdiction, powers, and procedure of the orphans' court in all matters relating to fiduciaries concerned with the estates of decedents" by repealing the provisions of subsection (b) thereof, which authorize executors, or administrators, to make distribution and pay or deliver legacies without the audit of their accounts.

Referred to the Committee on Judiciary General.

By Mr. BREATHERICK. HOUSE BILL No. 624.

An Act to further amend section two thousand six hundred twenty-three 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 providing for the fixing of the compensation of the controller auditing the accounts of second and third class school districts.

Referred to the Committee on Education.

By Mr. COOK. HOUSE BILL No. 625.

An Act to amend section one of the act, approved the sixth day of May, one thousand nine hundred twenty-seven (P. L. 843), entitled "An act authorizing the Department of Highways, with the approval of the Governor, to build, rebuild, construct, and maintain roads wholly upon the lands of State institutions and State parks, and providing for the payment of the cost thereof," by authorizing the Department of Highways, with the approval of the Governor, to build, rebuild, construct and maintain roads, bridges and viaducts wholly on State Armory properties and State Military Reservations and on the grounds of the Soldiers' and Sailors' Home of Erie, Pennsylvania.

Referred to the Committee on Highways.

By Messrs. LICHTENWALTER and LONGO.
HOUSE BILL No. 626.

An Act to validate and confirm certain contracts heretofore entered into by Boards of Township Supervisors, where the Township has received in maintenance and improvement of its highways a reasonable *quid pro quo* for such contracts; and to authorize, ratify, confirm and validate payments on such contracts by the Township; and to provide that no Township Supervisor shall be subject to surcharge for payments made on any such contract.

Referred to the Committee on Townships.

By Messrs. HAMILTON and HAUDENSHIELD.
HOUSE BILL No. 627.

An Act making an appropriation to the Department of Public Instruction for the use of the Pennsylvania Historical Commission for the purpose of completing restoration and preparing for public use as a museum, the

property at Ambridge, Beaver County, Pennsylvania, formerly owned and occupied by the Harmony Society, and known as "Old Economy."

Referred to the Committee on Appropriations.

By Mr. WALLIN. HOUSE BILL No. 628.

An Act making an appropriation to the Phillipsburg Volunteer Fire Department for the protection of State property.

Referred to the Committee on Appropriations.

By Messrs. ELDER and RILEY. HOUSE BILL No. 629.

An Act to amend section four hundred thirty-seven 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 the making of appropriations to more than one historical society.

Referred to the Committee on Counties.

RESOLUTIONS INTRODUCED AND REFERRED

By Messrs. GATES and SARGE.
(Concurrent) RESOLUTION No. 32.

In the House of Representatives, March 8, 1943.

Whereas, The observance of the Sabbath Day is a national heritage of great price; and

Whereas, The Commonwealth of Pennsylvania has always been in the forefront among the States comprising this Nation in its recognition of this sacred Day; and

Whereas, In wartime, the distress of the people of the world and of this Country as an active participant has punctuated and emphasized the value of this Holy Day; and

Whereas, The Churches of our land, by virtue of their observance of the Sabbath Day in Pennsylvania and throughout our Country, are making a vital contribution to the high morale necessary to its advancement; and

Whereas, The Sabbath Day is being observed by the members of our armed forces in every part of the world; and

Whereas, The House of Representatives and the Senate desire to demonstrate their deep interest in the continued observance of this sacred Day; therefore be it

Resolved, (if the Senate concur), That the Legislature hereby acknowledges the contribution to our Country's development and spiritual well-being through consecrated observance of the Sabbath Day; and

Resolved, That His Excellency, the Governor of Pennsylvania, shall issue, publish and declare an appropriate proclamation to the people of Pennsylvania emphasizing the importance and value of Sabbath Day observance.

Referred to the Committee on Rules.

By Messrs. GROSS and WALTON.
(Concurrent) RESOLUTION No. 33.

In the House of Representatives, March 8, 1943.

Whereas, The experience of every civilized country in the world as exemplified by the laws on their statute books governing the practice of pharmacy, including those on the statute books of all of the states of our own country, requires that a pharmacist shall have at least four years of professional training in a college of pharmacy to make him a safe person to be entrusted with the

responsibility of handling the many dangerous drugs and medicines prescribed by physicians, such as strychnine, morphine, sulfamidamide, bichloride of mercury, serums and vaccines, etc., and

Whereas, Members of the armed forces of the United States and especially those of them who are overseas at various fighting fronts, are entitled to receive, and it is the policy and desire of the people of the United States to furnish to them, the best treatment and meet proficient services within the power and capacity of the people and especially to furnish proficient and skillful graduate pharmacists to safeguard the health and lives of its fighting men; and

Whereas, The compounding and dispensing of drugs and medicines is essentially a professional service requiring great skill, intimate knowledge and experience with drugs and medicines; and

Whereas, This can only be accomplished by creating a Pharmacy Corps in the Army, which will have the authority required and the personnel of which will be adequately educated and trained for the purchase, selection, manufacture, standardization, storage and dispensing of medicines and for such other pharmaceutical and administrative duties as their education and training qualifies them to perform; therefore be it

Resolved (if the Senate concur), That the General Assembly of the Commonwealth of Pennsylvania hereby memorializes the Congress of the United States to pass Senate Bill No. 216 (House Bill No. 997), which creates a Pharmacy Corps in the Army of the United States; and be it further

Resolved, That copies of this resolution be transmitted by the Chief Clerk of the House to the President of the United States, the presiding officers of each House of Congress and to each United States Senator and Congressman from Pennsylvania.

Referred to the Committee on Federal Relations.

By Mr. DENMAN. (Concurrent) RESOLUTION No. 34.

In the House of Representatives, March 8, 1943.

Whereas, Many members of the armed forces of our Country on active duty outside the states of their residence have been required to pay taxes and secure automobile owners' and operators' licenses in states in which they are temporarily stationed, regardless of the length of their stay, so that their burdens are increased, as are their indignation against the governments and civilian populations of these states; and

Whereas, For our Country's common good, it behooves those of us still at home to treat with solicitation and respect the myriads of our young men and women who have temporarily left families and friends, homes and jobs, in their native states, to serve with the armed forces of our Nation in other states, in order to keep up their morals and fortify their strength; and

Whereas, For these purposes there have been introduced into the House of Representatives of the General Assembly of Pennsylvania bills exempting nonresidents of the Commonwealth in the armed forces in time of war from all motor vehicle registration and license fees while stationed in Pennsylvania, and prohibiting the collection of Pennsylvania state and local taxes from any person in the armed forces not a resident of the Commonwealth and not declaring his intention of becoming such; and

Whereas, It is the conviction of the House of Representatives of the General Assembly of Pennsylvania that the passing of similar laws by all the states of the United States would create and encourage necessary good-will among the members of the armed forces of America temporarily stationed in states other than their residence toward said states and their citizens; now therefore be it

Resolved, That the House of Representatives of the

General Assembly of the Commonwealth of Pennsylvania hereby memorializes the Congress of the United States to request and urge the General Assemblies of all other states of the United States to pass similar legislation without delay, exempting nonresidents from taxes and automobile licenses of the states in which they are temporarily serving with the armed forces of our Country; and be it further

Resolved, That copies of this resolution be promptly transmitted by the Chief Clerk of the House of Representatives of the General Assembly to the President of the Senate and Speaker of the House of Representatives of the Congress of the United States, and to each Senator and Member of the House of Representatives of the United States from the Commonwealth of Pennsylvania, and to the National and Pennsylvania secretaries of the American Legion, Veterans of Foreign Wars, and Disabled War Veterans.

Referred to the Committee on Federal Relations.

CONGRATULATORY RESOLUTION

By Messrs. O'Brien, Kolankiewicz, Finnerty, Thompson, Cullen, Trent, Hoggard, Welsh, Corrigan, Tate, Hersch, Duffy, Levy, Cohen, Scanlon, Chudoff, Brigrerman, Samuel Rose, Green, Skale, Boory, Herman and Modell.

(Not printed)

In the House of Representatives, March 8, 1943.

Responding to his country's call for men of integrity, sagacity and experience to carry on the work of the intelligence departments of the various branches of the armed forces of the United States, Honorable Francis X. McClanaghan, a Member of this House during 1941 and 1942, to-day reports for duty as a lieutenant junior grade in the Intelligence Division of the United States Navy.

Mr. McClanaghan was born in Philadelphia on July 8, 1906, was graduated from the Temple University Law School, served as Deputy Attorney General of the Commonwealth from 1936 to 1939, is a member of the American Bar Association and of the Philadelphia Bar Association. His many friends and associates know him as a congenial, affable and well-liked individual, and an outstanding example of a Philadelphia lawyer, who made for himself an excellent reputation as a conscientious Member of this House; therefore be it

Resolved, That the House of Representatives hereby sends congratulations and best wishes for great success to its former Member, Honorable Francis X. McClanaghan, on the occasion of his entering the wartime service of the United States; and directs the Chief Clerk to transmit a copy of this resolution to Lieutenant McClanaghan in further token of its best wishes.

Referred to the Committee on Rules.

SENATE MESSAGE

SENATE BILLS FOR CONCURRENCE

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

SENATE BILL No. 133.

An Act to further amend subsection (c) of section two hundred two 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, includ-

ing insurance carried by the State Workmen's Insurance Fund; providing penalties; and repealing existing laws," by authorizing casualty companies to insure against loss and damage to certain machinery and equipment of mines while located underground, and to underground passageways, gangways, airways, drifts, slopes, shafts overcasts, and stoppings of mining operations.

Referred to the Committee on Insurance.

SENATE BILL No. 138.

An Act to amend sections six hundred four, six hundred five and six hundred seven, and to further amend section two thousand four hundred seven of the act, approved the ninth day of April, one thousand nine hundred and twenty-nine (P. L. 177), entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions, and officers thereof, including the 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 further defining the duties of the Department of Internal Affairs.

Referred to the Committee on State Government.

PETITIONS AND COMMUNICATIONS

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

FOOD CROPS

Communications from the Pennsylvania Agricultural Information Committee, Philadelphia, urging adoption of Statements of Policy and Principles adopted by the Pennsylvania Food Production Committee.

Referred to the Committee on Agriculture.

TEACHERS' SALARIES

A communication from the Clinton County Local Branch, P. S. E. A., Avis, urging passage of House Bill No. 136 increasing teachers' salaries.

DAY CARE CENTER

A resolution from the Women's Auxiliary P. L. C. B. Local No. 90, Philadelphia, praying for the passage of House Bills No. 41 and 42, relating to Day Care Center Services.

Referred to the Committee on Education.

SCHOOL DISTRICTS REIMBURSED FOR LOST TAXES

A Resolution from the Pennsylvania State School Directors Association, Harrisburg, petitioning Pennsylvania Legislature to memorialize the Federal Government to reimburse all school districts of Pennsylvania for the amount of tax lost by the acquisition of land by the Federal Government for Army Camps, Army and Naval Supply Depots, Ordnance Depots, Munition Manufacturing Plants, Flood Control Dams, and other federal projects.

Referred to the Committee on State Government.

WAGE TAX

A communication from the United Republican Club of Pennsauken Township praying for the passage of legislation eliminating the Philadelphia wage tax for persons living outside of the State.

Referred to the Committee on State Government.

PUBLIC ASSISTANCE

A communication from Joseph Taylor, 2410 Aspen Street, Philadelphia, protesting passage of legislation returning relief to the separate counties.

Referred to the Committee on Welfare.

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:

INABILITY OF MADAME CHIANG KAI-SHEK TO ACCEPT INVITATION

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, March 8, 1943.

My dear Speaker:

The cordial invitation of the Legislature of Pennsylvania for Madame Chiang Kai-Shek to appear in Pennsylvania was duly transmitted.

I have received from Madame Chiang her expressions of keen regret that she is unable to comply with our request. Her declination was upon orders from her physician.

I had the honor of attending the great gathering in Madison Square Garden the other night, which was a testimonial to her great and splendid work for the United Nations. In addition to transmitting your cordial invitation, I had the opportunity of telling her in person how much our Legislature would like to honor her. The gracious manner in which she declined, I know, would have been inspiring to the Members of the Legislature of Pennsylvania.

Very sincerely,

(Signed) EDWARD MARTIN.

Honorable Ira T. Fiss,
Speaker, House of Representatives,
Harrisburg, Pennsylvania.

LEAVES OF ABSENCE

By unanimous consent leave of absence was granted as follows:

Mr. Yeakel for Mr. STOCKHAM for today's session.

Mr. Goodling for Mr. HOCKE because of illness.

Mr. Goodwin for Mr. B. FRANK HUNTER because of the death of his mother.

REPORTS FROM COMMITTEES

Mr. ROYER, from the Committee on State Government, reported as committed, House Bill No. 131, entitled:

An Act to amend section five of the act approved the fourteenth day of May, one thousand nine hundred fifteen (P. L. 524), entitled "An act creating a fund for the purpose of rebuilding, restoring, and replacing buildings, structures, equipment, or other property of the Commonwealth of Pennsylvania, damaged or destroyed by fire or other casualty, and regulating the placing of insurance

thereon, and providing penalties for any violation of the provisions of this act," eliminating the exception of armory buildings owned by the Commonwealth and under the supervision of the Armory Board from the provisions of said act.

Mr. CORDIER, from the Committee on State Government, reported as committed, House Bill No. 172, entitled:

An Act providing that the State of Pennsylvania may enter into a compact with any one or more of the States of Maine, New Hampshire, Massachusetts, Connecticut, Rhode Island, New York, New Jersey, Delaware, Maryland, Virginia, North Carolina, South Carolina, Georgia and Florida, and with such other states as may join, to promote the better utilization of the fisheries, marine, shell and anadromous of the Atlantic Seaboard, and to create the Atlantic State Marine Fisheries Commission; providing for the members of such commission from the State of Pennsylvania; providing for the carrying out of said compact; and making an appropriation.

Mr. MATEE, from the Committee on Judiciary General, reported as committed, House Bill No. 251, entitled:

An Act regulating the acknowledgment of deeds, conveyances mortgages and other instruments of writing made by corporations and the form of certificates of such acknowledgments.

Mr. ALSPACH, from the Committee on Judiciary General, reported as committed, House Bill No. 252, entitled:

An Act to amend section one of the act, approved the eighth day of June, one thousand eight hundred and ninety-three (P. L. 344), entitled "An act relating to husband and wife, enlarging her capacity to acquire and dispose of property, to sue and be sued, and to make a last will, and enabling them to sue and to testify against each other in certain cases," prescribing how husband may join in a wife's mortgage or conveyance.

Mr. MOSER, from the Committee on Judiciary General, reported as committed, House Bill No. 258, entitled:

An Act to validate certain acknowledgments and to regulate the affect thereof.

Mr. McEINNEY, from the Committee on State Government reported as committed, House Bill No. 310, entitled:

An Act to amend section two of the act, approved the second day of July, one thousand nine hundred thirty-seven (P. L. 2772), entitled "An act to require certain records of oil and gas wells drilled in the Commonwealth showing the location of the same and the geologic formations encountered therein, and to make copies of such records available upon payment of prescribed fees; and providing fees and penalties," creating a special fund in the State Treasury to be known as the Topographic and Geologic Survey Fund; providing for the transfer of certain moneys into said fund by the Department of Internal Affairs; and making an appropriation thereof.

Mr. KLIEE, from the Committee on State Government, reported as committed, House Bill No. 363, entitled:

An Act authorizing the conveyance to the Borough of Norristown of a certain tract of land in the Borough of Norristown, County of Montgomery, Pennsylvania.

Mr. IMBEIE, from the Committee on Judiciary General, reported as committed, House Bill No. 380, entitled:

An Act to amend section two of the act approved the twenty-first day of July, one thousand nine hundred forty-one (P. L. 425), entitled "An act to establish a system uniform throughout the Commonwealth for the compensation of witnesses, regulating the amount, payment and taxation as costs thereof, and repealing inconsistent legislation," increasing the compensation of witnesses.

Mr. KENNETH H. WAGNER, from the Committee on State Government, reported as committed, House Bill No. 460, entitled:

An Act to add Section six to 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, 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" saving to members of the Pennsylvania Motor Police Force, their right to increases in pay and certain advancements in rank.

Mr. MOSER, from the Committee on Boroughs, reported as committed, House Bill No. 467, entitled:

An Act to further amend 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," by prescribing the procedure to be followed by borough councils and officials in the adoption, as a single ordinance, of a consolidation, revision or codification of all the ordinances of such borough.

Mr. CULLEN, from the Committee on State Government, reported as committed, House Bill No. 495, entitled:

An Act to further amend clauses six and nine of section one, and section three 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," further defining State employes and original members, and making further exception to compulsory membership in the system.

Mr. BROWN, from the Committee on Judiciary General, reported as committed, House Bill No. 522, entitled:

An Act relating to post-war planning, creating a Post-War Planning Commission and defining its powers and

duties; conferring powers and duties upon State administrative departments, boards and commissions, political subdivisions, and other agencies; and making an appropriation.

Mr. BREThERICK, from the Committee on State Government, reported as amended, House Bill No. 408, entitled:

An Act to further amend section two hundred and two of, and to add section four hundred and fifty-three to, 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 and 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," creating a departmental administrative board in the Department of Public Instruction known as State Real Estate Board, and fixing qualifications and compensation of members.

BILLS RE-REFERRED

Mr. STONIER, from the Committee on Cities—Second Class, returned with the recommendation that it be referred to the Committee on Counties, House Bill No. 481, entitled:

An Act to further amend sections three hundred twenty and three hundred twenty-three of the act, approved the second day of May, one thousand nine hundred twenty-nine (P. L. 1278), entitled "An act relating to counties of the second, third, fourth, fifth, sixth, seventh and eighth classes; and revising, amending and consolidating the laws relating thereto," by providing for retirement allowances to all county employes who are dismissed after having not less than twenty years service.

The SPEAKER. The bill is re-referred to the Committee on Counties.

Mr. STONIER, from the Committee on Cities—Second Class, returned with the recommendation that it be referred to the Committee on Counties, House Bill No. 482, entitled:

An Act to further amend section three hundred twenty-four of, and to add section three hundred twenty-seven to, 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 a county employe to designate a beneficiary of his accumulated contributions, and by directing the county commissioners to pay into the retirement fund the salary deductions of any county employe inducted into the armed forces of the United States, and who does not come within the provisions of the act, approved the seventh day of June, one thousand nine hundred seventeen (P. L. 600), and the amendments thereto.

The SPEAKER. The bill is re-referred to the Committee on Counties.

BILLS ON SECOND READING

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 211, entitled:

An Act to add section 150.1 to 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" authorizing the county treasurer in counties of the fifth class to appoint a solicitor and providing for his salary payable out of the treasury from which the county treasurer is paid.

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

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 256, entitled:

An Act to amend section one thousand seven hundred nine of the act approved the twenty-fourth day of June one thousand nine hundred thirty-one (P. L. 1206) entitled "An act concerning townships of the first class amending revising consolidating and changing the law relating thereto" by permitting taxes to be levied upon either property or occupations.

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

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 262, entitled:

An Act to further amend section six hundred twenty-two of the act approved the twenty-fourth day of June one thousand nine hundred thirty-one (P. L. 1206) entitled "An act concerning townships of the first class amending revising consolidating and changing the law relating thereto" by increasing amount allowed delegates of townships for expenses while attending the annual meeting of the state association.

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

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 351, entitled:

An Act to amend section one thousand four hundred one of the act approved the first day of May one thousand nine hundred thirty-three (P. L. 103) entitled "An act concerning townships of the second class and amending revising consolidating and changing the law relating thereto" further regulating the establishment and maintenance of sidewalks.

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

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 353, entitled:

An Act to add article seven-A to the act approved the first day of May one thousand nine hundred thirty-three (P. L. 103) entitled "An act concerning townships of the second class and amending revising consolidating and changing the law relating thereto" for the protection of the public health providing for the appointment powers and duties of boards of health and health officers.

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

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 354, entitled:

An Act to amend the act approved the first day of May one thousand nine hundred and thirty-three (P. L. 103) entitled "An act concerning townships of the second class and amending revising consolidating and changing the law relating thereto" providing for township planning and the creation organization and powers of township planning commissions.

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

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 355, entitled:

An Act to amend section five hundred thirty of the act approved the first day of May one thousand nine hundred thirty-three (P. L. 103) entitled "An act concerning townships of the second class and amending revising consolidating and changing the law relating thereto" providing for the filing of the treasurers' bond.

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

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 356, entitled:

An Act to amend clause one of section seven hundred two of the act approved the first day of May one thousand nine hundred and thirty-three (P. L. 103) entitled "An act concerning townships of the second class and amending revising consolidating and changing the law relating thereto" increasing the period for which contracts for lighting may be made.

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

Ordered, To be transcribed for third reading.

Agreeably to order,

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

An Act to amend section nine of the act approved the thirteenth day of April one thousand nine hundred and forty-two (P. L. 37) entitled "An act relating to air raid precautions including blackouts conferring certain powers and duties upon the State Council of Defense local and district Councils of Defense political subdivisions members of certain municipal and volunteer agencies and civilians necessary for the safety defense and protection of civilians and property in the Commonwealth providing for the mobilization coordination and use of certain municipal agencies and volunteer agencies including

their personnel and equipment providing for immunity from liability for injury or death to persons or damage to property under certain circumstances and providing penalties" by providing for the payment of fines recovered under said section to municipalities and townships.

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

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 384, entitled:

An Act to add Section 654.2 to the act approved the twenty-fourth day of June one thousand nine hundred thirty-nine (P. L. 872) entitled "An act to consolidate amend and revise the penal laws of the Commonwealth" making it a crime for any officer of any labor union to discriminate because of race color or creed between applicants for membership in such union or between assignments for employment of union members because of their race color or creed.

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

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 421, entitled:

An Act to add section ten to the act approved the first day of July one thousand nine hundred thirty-seven (P. L. 2624) entitled "An act authorizing townships of the second class to adopt and enforce zoning ordinances regulating the location construction and use of buildings the size of courts and open spaces the density of population and the use of land" authorizing townships to make appropriations for said purposes.

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

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 38, entitled:

A Joint Resolution proposing an amendment to article eight, section eleven, of the Constitution of the Commonwealth of Pennsylvania.

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

Ordered, To be transcribed for third reading.

BILL PASSED OVER

There being no objection Senate Bill No. 52, Printer's No. 20, was passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 84, entitled:

An Act to amend paragraph A of section four hundred one of the act, approved the fifteenth day of May, one thousand nine hundred and thirty-three (P. L. 565), entitled "An act relating to the powers and duties of the Department of Banking and the Secretary of Banking in exercising supervision over, and taking possession of and conducting or liquidating the business and property of,

corporations, associations, and persons receiving deposits or otherwise transacting a banking business, corporations acting as fiduciaries, and building and loan associations; providing for the payment of the expenses of the Department of Banking by supervised corporations, associations, or persons, and appropriating the Banking Department Fund; authorizing the Department of Banking, under certain circumstances, to examine corporations, associations, or persons affiliated, or having business transactions with supervised corporations, associations or persons; authorizing appeals to the Supreme Court, and prescribing and limiting the powers and duties of certain other courts and their prothonotaries, registers of wills, recorders of deeds, and certain State departments, commissions, and officers; authorizing certain local public officers and State departments to collect fees for services rendered under this act; providing penalties; and repealing certain acts and parts of acts," by requiring the Department of Banking to examine all institutions thoroughly at least once every two years, instead of each year as now provided.

The first section was read.

On the question,

Will the House agree to the section?

Mr. MUIR offered the following amendment:

Amend Sec. 1, page 2, line 3, by striking out "Pamphle" and inserting in lieu thereof: "Pamphlet."

They were agreed to.

The section was agreed to as amended.

The second section was read and agreed to.

The title was read.

On the question,

Will the House agree to the title?

Mr. MUIR offered the following amendment:

Amend page 2, line 11 of the title by inserting after the word "Banking" and before the word "to" the following: "for a limited period of time."

Amend page 2, line 13 of the title by striking out after the word "as" and before the word "provided" the word: "[now]."

Amend page 2, line 13 of the title by inserting at the end of the line after the word "provided" the following: "by law."

They were agreed to.

The title was agreed to as amended.

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

Ordered, To be transcribed for third reading.

BILL ON FINAL PASSAGE

Agreeably to order,

The House proceeded to the consideration on final passage of House Bill No. 193, entitled:

An Act to amend Section six hundred fifty-one of the act approved the twenty-fourth day of June, one thousand nine hundred thirty-nine (P. L. 872), entitled "An act to consolidate, amend and revise the penal laws of the Commonwealth," permitting persons under the age of eighteen years to be present in bowling alleys.

On the question,

Shall the bill pass finally?

RECONSIDERATION OF VOTE

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

Mr. CHARLES H. BRUNNER, Jr. Mr. Speaker, I second the motion.

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

Mr. LLOYD H. WOOD. Mr. Speaker, I voted in the majority.

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

Mr. CHARLES H. BRUNNER, Jr. Mr. Speaker, voted in the majority.

On the question recurring,

Will the House agree to the bill on third reading?

Mr. LLOYD H. WOOD. Mr. Speaker, I ask unanimous consent to offer amendments at this time.

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

The Clerk read the amendments as follows:

Amend sec. 1 (Sec. 651), page 1, line 6, by striking out the light-face bracket before the word "and"

Amend sec. 1 (Sec. 651), page 1, line 7, by striking out the light-face bracket after the word "Alleys"

Amend sec. 1 (Sec. 651), page 2, line 1, by inserting after the word "public" the following: "pool-rooms".

Amend sec. 1 (Sec. 651), page 2, line 1, by striking out the words "pool room or"

Amend sec. 1 (Sec. 651), page 2, line 2, by striking out the light-face brackets before the word "bowling-" and after the word "alley"

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

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

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

It was agreed to.

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

BILLS ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 281, as follows:

An Act to amend section one of the act, approved the second day of May, one thousand eight hundred ninety-nine (P. L. 163), entitled "An act legalizing, and making it lawful to build, fences constructed in whole or in part of wire along the public highways, and as division fences," by authorizing the use of barbed wire and electric fences along highways.

On the question,

Will the House agree to the bill on third reading?

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

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

The Clerk read the amendments as follows:

Amend Sec. 1 (Sec. 1), page 2, by inserting after line 8 the following paragraph: "Any electric fence erected under the provisions of this act, must (1) conform with the safety rules of the National Bureau of Standards of the United States Department of Commerce for electric fencing, (2) have no strictly battery set connected di-

rectly with any 110-115 volt transmission line. (3) and must be equipped with controllers giving intermittent shocks.'

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

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

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

It was agreed to.

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

HOUSE BILLS No. 232, 312 and 313

Mr. COHEN asked and obtained unanimous consent to consider House Bill 232, Printer's No. 43 on page 5 of today's calendar, House Bill No. 312, Printer's No. 49, on page 6 of today's calendar, and House Bill No. 313, Printer's No. 50, on page 8 of today's calendar, at the same time.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 232, as follows:

An Act to amend section one of the act approved the thirteenth day of May one thousand nine hundred twenty-seven (P. L. 982) entitled "An act relating to the clerk of the court of oyer and terminer and quarter sessions of the peace and municipal court of any county of this Commonwealth having a population of one million five hundred thousand or over providing for the salaries and compensation of the clerk of the court of oyer and terminer and quarter sessions of the peace and municipal court deputies clerks and employes thereof" by changing titles of various deputies clerks and employes and equalizing salaries thereof

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

Section 1 Section one of the act approved the thirteenth day of May one thousand nine hundred twenty-seven (P. L. 982) entitled "An act relating to the clerk of the court of oyer and terminer and quarter sessions of the peace and municipal court of any county of this Commonwealth having a population of one million five hundred thousand or over providing for the salaries and compensation of the clerk of the court of oyer and terminer and quarter sessions of the peace and municipal court deputies clerks and employes thereof" is hereby amended to read as follows

Section 1 Be it enacted etc That from and after the [first day of June one thousand nine hundred and twenty-seven] approval of this act the salaries or compensations of the clerk of the court of oyer and terminer and quarter sessions of the peace and of the municipal court deputy clerks and employes of the court of oyer and terminer and quarter sessions of the peace and of the municipal court of any county of this Commonwealth having a population of one million five hundred thousand or over shall be as follows

Clerk of the court of oyer and terminer and quarter sessions of the peace and of the municipal court at the rate of ten thousand dollars per annum one deputy clerk [six thousand dollars per annum eleven court clerks five thousand dollars each per annum eleven assistant court clerks three thousand dollars each per annum one chief account clerk thirty-five hundred dollars per annum one assistant chief account clerk twenty-five hundred dollars per annum one cashier and clerk twenty-two hundred dollars per annum one assistant cashier and

clerk nineteen hundred dollars per annum one naturalization clerk twenty-eight hundred dollars per annum one assistant naturalization clerk twenty-two hundred dollars per annum one chief record appearance and appeal clerk twenty-two hundred dollars per annum one record clerk two thousand dollars per annum one assistant record clerk eighteen hundred dollars per annum two assistant record clerks seventeen hundred dollars each per annum one execution clerk eighteen hundred dollars per annum one assistant execution clerk seventeen hundred dollars per annum one road clerk eighteen hundred dollars per annum one assistant road clerk seventeen hundred dollars per annum two fee clerks two thousand dollars each per annum four clerks two thousand dollars each per annum one stenographer eighteen hundred dollars per annum one stenographer seventeen hundred dollars per annum two subpoena clerks eighteen hundred dollars each per annum two subpoena clerks seventeen hundred dollars each per annum one search clerk seventeen hundred dollars per annum one warrant clerk two thousand dollars per annum one custodian of records seventeen hundred dollars per annum one assistant custodian of records sixteen hundred dollars per annum one custodian and clerk eighteen hundred dollars per annum one assistant custodian and clerk eighteen hundred dollars per annum one clerk to court officers eighteen hundred dollars per annum seventeen miscellaneous clerks eighteen hundred dollars each per annum five miscellaneous clerks seventeen hundred dollars each per annum two messengers fourteen hundred dollars each per annum one janitor twelve hundred dollars per annum one stenographer and typewriter twenty-five hundred dollars per annum five clerks eighteen hundred dollars each per annum eight thousand dollars per annum six court clerks five thousand dollars each per annum one chief account and appeal clerk five thousand dollars per annum one assistant chief record and appeal clerk four thousand dollars per annum one bail clerk five thousand dollars per annum one assistant bail clerk three thousand six hundred dollars per annum one bond clerk four thousand five hundred dollars per annum one auditor three thousand four hundred dollars per annum eight assistant court clerks three thousand dollars each per annum two first assistant court clerks three thousand two hundred dollars each per annum one chief account clerk three thousand five hundred dollars per annum one assistant chief account clerk two thousand five hundred dollars per annum four cashier and clerks two thousand two hundred dollars each per annum four assistant cashier and clerks two thousand dollars each per annum one judgment clerk two thousand eight hundred dollars per annum one assistant judgment clerk two thousand five hundred dollars per annum one indictment clerk two thousand four hundred dollars per annum one assistant indictment clerk two thousand two hundred dollars per annum one record clerk two thousand dollars per annum two assistant record clerks eighteen hundred dollars each per annum two assistant record clerks seventeen hundred dollars each per annum one execution clerk nineteen hundred dollars per annum one assistant execution clerk seventeen hundred dollars per annum one road clerk eighteen hundred dollars per annum two fee clerks two thousand dollars each per annum four clerks two thousand dollars each per annum two stenographers nineteen hundred dollars each per annum three subpoena clerks nineteen hundred dollars each per annum one search clerk two thousand dollars per annum two warrant clerks two thousand two hundred dollars each per annum one file clerk sixteen hundred dollars per annum one custodian and clerk two thousand dollars per annum one assistant custodian and clerk nineteen hundred dollars per annum one clerk to court officers two thousand one hundred dollars per annum fourteen miscellaneous clerks eighteen hundred dollars each per annum three miscellaneous clerks seventeen hundred dollars each per annum one messenger fourteen hundred dollars per annum one janitor twelve hundred dollars per annum one chief executive clerk three thousand five hundred dollars per annum three executive clerks two thousand five hundred dollars each per annum four statement clerks nineteen

hundred dollars each per annum and such other clerks and employes as may be required by the courts of said county

Such salaries and compensation to be paid semi-monthly by the treasurer of such county according to existing laws

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

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. TATE. Mr. Speaker, I rise at this time to oppose the final passage of House Bill 232, inasmuch as I do not consider it a fair measure for consideration by this House of Representatives. The bill, as the title indicates, states that it is designed to revamp the system in the Clerk of Quarter Sessions Court of Philadelphia County. It states that it changes the title of certain deputy clerks and other employes, also equalizes the salaries thereof.

However, Mr. Speaker, it does not do exactly that. It brings back to the halls of this House the time-honored system of job-grabbing and pork-barrel politics to the tune of two more jobs on a very much overloaded payroll, and also a further increase of approximately twenty-five thousand dollars in the payroll of the Court of Quarter Session of Philadelphia County.

We of Philadelphia for many years have been trying to cut down the expenses of running our city government. The people of the city of Philadelphia have been frustrated from time to time in their efforts to cut down the heavy budget of the city of Philadelphia. Within recent years we have been in the position to have city council pare down the budget to a certain extent, and now we come to a legislative session and different departments who obtain their salaries from the Legislature come knocking at the door of the Legislature to obtain salary increases in the face of an already overloaded payroll.

It is not fair to the people of the city of Philadelphia, it is not fair to the Members of the House to ask them to give increases, when we are trying to cut down local taxation as much as possible, so that the people of the city of Philadelphia and the people of the Commonwealth can do their bit in contributing to the war effort.

If we go on haphazardly increasing salaries it will not permit us to buy bonds and stamps that we would like to buy in order to contribute our part to the war effort. However, I feel that possibly this bill will go down to defeat. It still is a further indication, as one of our Philadelphia newspapers very properly said a few weeks ago when this matter was up for consideration, that those things which belonged to Caesar must be rendered to Caesar. Caesar is not dead, Caesar's ghost still lurks in City Hall in Philadelphia and the Legislature of Pennsylvania must do its bidding.

Mr. LEVY. Mr. Speaker, during the latter part of last week and the beginning of this week much has been said about House Bills 312 and 313. It is not my purpose today to go into the demerits or merits of these pieces of legislation. I think that is now a matter of written record. I only want to impress upon the membership of this House that if this is the type of legislation de-

sired by his Excellency, the Governor of the Commonwealth, when he came before the joint session of the Assembly and asked that petty politics be discontinued, that matters of local issue be cast aside to make way for the big picture ahead, for the picture of cooperation between the state government and the federal government, between Members of the Legislature and the executive offices of the Commonwealth, then I do not believe that we know the definition of the word cooperation. The truth of the matter lies in the record, gentlemen. These bills, as has been explained to you, are an attempt to return the vicious, fraudulent bail racket to Philadelphia, and I say to you today that if the people from Tioga County, if the people from Delaware County or if the Representatives from every other county within the Commonwealth of Pennsylvania want to pass legislation to return the bail racket to Philadelphia, then those Representatives in the General Assembly today will vote for House Bill 312 and House Bill 313. If we desire, on the other hand, to do our legislative duty and turn back this vicious legislation, the kind which we are now to debate, I say to you you will vote clearly and distinctly against these measures and give to the people of Philadelphia the type of government that they desire to have.

Mr. CULLEN. Mr. Speaker, you hear a lot today about the meat shortage in Philadelphia. It is very evident there is plenty of political pork there. In regard to House Bill 232, we are advancing one gentleman in Philadelphia, a Deputy Clerk, from six thousand to eight thousand dollars. To the Clerk who is being paid twelve hundred dollars, we are giving nothing. We want to be fair about this and treat the employes equally. There is one man who is making six thousand dollars. Why do we give him two thousand dollars more and give to the janitor nothing? Those who are making fourteen hundred dollars, why do we give them an extra one hundred dollars? Those who are making seventeen hundred dollars, why do we give them an extra one hundred dollars, if we want to be generous about it and take a thousand dollars off Deputy Clerk?

It is very evident, Mr. Speaker, that the Deputy Clerk in Philadelphia is not worth such a salary. He does less work in my opinion than those clerks that he has under him and they are getting fourteen hundred dollars apiece, or the janitor. So, I say to the Members of the House this is a little bit of political pork grabbing by the Republican party in Philadelphia.

In regard to House Bill 312, which is a bill to steal four jobs from the Democrats, I warn Republicans of Philadelphia that this bill will come back to haunt them when we have another disgraceful spectacle in the Court of Quarter Sessions of Philadelphia.

Mr. SKALE. Mr. Speaker, in the course of this debate we heard certain statements made that there was no change in the machinery of the present setup with regard to House Bills 312 and 313. You know at the present time the City Controller in Philadelphia is the Bail Commissioner who certifies every bail piece entered, and we have heard on the floor of this House statements made by proponents of the bill that there is no change in the machinery. We have also heard statements by these same proponents to the effect that the Controller's records are records open to the public, and that any of the other

department heads may come in and get them. You have also heard of the argument with regard to that, namely that those records are not public property, and no other department head can go in and get them. There is nothing in these bills which transfers those records to the Clerk of the Court of Quarter Sessions.

Here is the situation which you will create if these bills pass here today. You will be transferring the duties of the City Controller with regard to the taking of bail without transferring the records in his possession. Those records are very important, and I say to you that the effect of the passage of these bills will be to destroy the present system of entering bail in Philadelphia.

We have not heard a single word of criticism against the present Bail Commissioner. Why then should we change it? We have not been shown that the present Commissioner has not been doing his duty properly. We have not been shown that anybody else can do it better. If that is the case, gentleman, why pass these bills? We are here to legislate for the purpose of improving conditions. Thus far we have not heard where these bills will improve conditions. On the contrary we have found, and the facts are present to testify to the effect that the present set-up is really the best set-up. The present Bail Commissioner, the Controller, is the watch dog. We all believe in the check and balance system. That is the system upon which our government is predicated. Here under the present system we have a check and balance in the matter of taking bail. If you pass these bills you remove the check and balance system in taking bail, and you make it possible to restore in Philadelphia the bail racketeering which existed prior to the enactment of the laws which are presently on our statute books.

Therefore, not with the sense of bias or prejudice or party politics, I submit to you, gentlemen, on the basis of logic and good government, these bills should be defeated.

QUESTION OF INFORMATION

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

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

Mr. SKALE. Mr. Speaker, in what order are we taking the bills?

The SPEAKER. In the order in which they appear on the calendar, House Bill No. 232, Printer's No. 43. The next will be House Bill 312, Printer's No. 49; the next, House Bill 319, Printer's No. 50.

Mr. SKALE. Do I understand that a separate vote will be taken on each bill?

The SPEAKER. That is correct.

On the question recurring,

Shall the bill pass finally?

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

Messrs. Bentley, Mihm, Levy and Chudoff asked for a verification of the roll.

The roll was verified and was as follows:

YEAS—117

| | | | |
|-----------------|----------------|----------------|----------------|
| Alsapach, | Freed, | Lee, | Rowley, |
| Auker, | Fullerton, | Lelsey, | Royer, |
| Barton, | Garber, | Leydic, | Salus, |
| Bonawitz, | Gardner, | Lichtenwalter, | Sarge, |
| Boorse, | Gates, | Livingstone, | Simons, |
| Bower, | Gorman, | Lyons, | Smith, |
| Boyd, | Greenwood, | Madigan, | Sollenberger, |
| Bretherick, | Gross, | Mahany, | Sorg, |
| Brice, | Gyger, | McAtee, | Stonier, |
| Brunner, C. H., | Hall, | McClester, | Tahl, |
| Cadwalader, | Hannon, | McKinney, | Taylor, |
| Calvin, | Hare, | McMillen, | Thrasher, |
| Campbell, | Haudenshield, | McSurdy, | Tiemann, |
| Cook, | Helm, | Menna, | Trout, |
| Cordier, | Hewitt, | Miller, | Turbett, |
| Costa, | Hoffman, | Mintess, | Van Allsburg, |
| Coulson, | Holmes, | Mock, | Wachhaus, |
| Dague, | Hoopes, | Moore, | Wagner, K. H., |
| Dalrymple, | Hunter, W. M., | Moser, | Wagner, P. L., |
| Denman, | Huntley, | Muir, | Wallin, |
| Dennison, | Imbrie, | Murray, | Walton, |
| Deputy, | Irvin, | Nowak, | Watkins, |
| Elder, | James, | O'Dare, | Winner, |
| Ely, | Jones, | Reagan, | Wood, L. H., |
| Erb, | Kennedy, | Reese, D. P., | Wood, N., |
| Figlock, | Kitchen, | Relly, | Worley, |
| Flack, | Kline, | Riley, | Yeakel, |
| Fleming, | Kowalski, | Robertson, | Fiss, |
| Foor, | Krepps, | Root, | Speaker. |
| Fox, | Krise, | Rose, W. E., | |

NAYS—65

| | | | |
|-----------------|----------------|------------|-----------|
| Baker, | Duffy, | Lane, | Regan, |
| Barrett, | Elliott, | Leonard, | Reynolds, |
| Bentley, | Finnerty, | Levy, | Sarraf, |
| Bentzel, | Flynn, | Longo, | Scanlon, |
| Boies, | Goodwin, | Mihm, | Schuster, |
| Boory, | Grant, | Modell, | Skale, |
| Brigerman, | Green, | Moran, | Snider, |
| Brunner, P. A., | Haberlen, | Munley, | Swope, |
| Chudoff, | Hamilton, | O'Brien, | Tate, |
| Cohen, | Harris, | O'Neill, | Thompson, |
| Coleman, | Heatherington, | Owens, | Trent, |
| Corrigan, | Herman, | Pettit, | Verona, |
| Croop, | Hersch, | Polaski, | Welsh, |
| Cullen, | Hoggard, | Powers, | Wright, |
| Dillon, | Kirley, | Readinger, | Yester, |
| Dix, | Kolankiewicz, | | |

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

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

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 312, as follows:

An Act to amend the title and sections three and four of the act approved the twenty-fifth day of June one thousand nine hundred and thirty-seven (P. L. 2326) entitled "An act creating in counties of the first class the position of bail approval commissioner prescribing the powers and duties thereof limiting jurisdiction to cases in which real property is offered as bail and conferring and imposing such powers and duties upon the controllers of counties of the first class providing for the appointment by such bail approval commissioner certain necessary clerks and employes and prescribing the duties and compensation thereof imposing duties on judges or officers of any of the courts of counties of the first class and upon magistrates in counties of the first class and requiring all departments of counties and cities of the first class to supply certain information prescribing offenses and providing penalties therefor" by transferring the powers and duties conferred and imposed by the act upon the county controller to the clerk of the court of oyer and terminer general jail delivery and quarter sessions of the peace in counties of the first class

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

Section 1 The title of the act approved the twenty-fifth day of June one thousand nine hundred and thirty-seven (P. L. 2326) entitled "An act creating in counties of the first class the position of bail approval commissioner prescribing the powers and duties thereof limiting jurisdiction to cases in which real property is offered as bail and conferring and imposing such powers and duties upon the controllers of counties of the first class providing for the appointment by such bail approval commissioner certain necessary clerks and employes and prescribing the duties and compensation thereof imposing duties on judges or officers of any of the courts of counties of the first class and upon magistrates in counties of the first class and requiring all departments of counties and cities of the first class to supply certain information prescribing offenses and providing penalties therefor" is hereby amended to read as follows

An Act creating in counties of the first class the position of bail approval commissioner prescribing the powers and duties thereof limiting jurisdiction to cases in which real property is offered as bail and conferring and imposing such powers and duties upon the [controller] clerk of the court of oyer and terminer general jail delivery and quarter sessions of the peace of counties of the first class providing for the appointment by such bail approval commissioner certain necessary clerks and employes and prescribing the duties and compensation thereof imposing duties on judges or officers of any of the courts of counties of the first class and upon magistrates in counties of the first class and requiring all departments of counties and cities of the first class to supply certain information prescribing offenses and providing penalties therefor

Section 2 Sections three and four of said act are hereby amended to read as follows

Section 3 From and after the effective date of this act the [controller] clerk of the court of oyer and terminer general jail delivery and quarter sessions of the peace of any county of the first class shall be a bail approval commissioner who shall have jurisdiction in cases where real property is offered as bail and shall have all the powers and duties hereinafter provided in this act For the purpose of carrying out the provisions of this act the commissioner is hereby authorized and empowered to appoint any necessary employes clerks and assistants not to exceed four in number the annual salary or compensation of any such assistant or employe shall not exceed the sum of two thousand four hundred dollars (\$2,400)

Section 4 The commissioner shall maintain within the office of the [controller] clerk of the court of oyer and terminer general jail delivery and quarter sessions of the peace of any county of the first class a complete and exact record by street address of all properties and the improvements thereon appearing on the records of the board for the assessment and revision of taxes of such county of the first class The record of each property shall contain the following information

- (a) The street address thereof and a brief description
- (b) The last assessed valuation thereof
- (c) The registered liens including any prior bail offered and accepted and still in force
- (d) Any delinquent taxes and
- (e) Such other information as the commissioner shall deem necessary and desirable for carrying out the purposes of this act

Section 3 All acts and parts of acts inconsistent herewith are hereby repealed

- (c) The registered liens including any prior bail 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:

YEAS—123

| | | | |
|-----------------|----------------|----------------|----------------|
| Alspach. | Fox. | Krepps, | Root, |
| Auker, | Freed, | Krise. | Rose, W. E., |
| Barton, | Fullerton, | Laughner, | Rowley, |
| Bonawitz, | Garber, | Lee, | Royer, |
| Boorse, | Gardner, | Lelsey, | Salus, |
| Bower, | Gates, | Leydie, | Sarge, |
| Boyd, | Gillan, | Lichtenwalter, | Serrill, |
| Brotherick, | Goodling, | Livingstone, | Simons, |
| Brice, | Gorman, | Lyons, | Smith, |
| Brunner, C. H., | Greenwood, | Madigan, | Sollenberger, |
| Cadwalsder, | Gross, | Mahany, | Sorg, |
| Calvin, | Gyger, | McAtee, | Stonier, |
| Campbell, | Hall, | McClester, | Tahl, |
| Cook, | Hannon, | McKinney, | Taylor, |
| Cooper, | Hare, | McMillen, | Thrasher, |
| Cordier, | Haudenshield, | McSurdy, | Tiemann, |
| Costa, | Helm, | Menna, | Trout, |
| Coulson, | Hewitt, | Miller, | Turbett, |
| Dague, | Hoffman, | Mintess, | Van Allsburg, |
| Dalrymple, | Holmes, | Mock, | Wachhaus, |
| Denman, | Hoopes, | Moore, | Wagner, K. H., |
| Dennison, | Hunter, W. M., | Moser, | Wallin, |
| Depuy, | Huntley, | Muir, | Walton, |
| Dix, | Imbrie, | Murray, | Watkins, |
| Elder, | Irvin, | Nowak, | Winner, |
| Ely, | James, | O'Dare, | Wood, L. H., |
| Erb, | Jones, | Reagan, | Wood, N., |
| Figlock, | Kennedy, | Reese, D. P., | Worley, |
| Flack, | Kitchen, | Relly, | Yeakel, |
| Fleming, | Kline, | Riley, | Fiss, |
| Foor, | Kowalski, | Robertson, | Speaker. |

NAYS—68

| | | | |
|-----------------|----------------|---------------|-----------|
| Baker, | Duffy, | Leonard, | Regan, |
| Barrett, | Elliott, | Levy, | Reynolds, |
| Bentley, | Finnerty, | Longo, | Rose, S., |
| Bentzel, | Flynn, | Lovett, | Sarra, |
| Boies, | Goodwin, | Mihm, | Scanlon, |
| Boory, | Grant, | Modell, | Schuster, |
| Bradley, | Green, | Mooney, | Skale, |
| Brigerman, | Haberlen, | Moran, | Sluder, |
| Brown, | Hamilton, | Munley, | Stank, |
| Brunner, P. A., | Harris, | O'Brien, | Swope, |
| Chudoff, | Heatherington, | O'Neill, | Tate, |
| Cohen, | Herman, | Owens, | Thompson, |
| Coleman, | Hersch, | Pettit, | Trent, |
| Corrigan, | Hoggard, | Polaski, | Verona, |
| Croop, | Kirley, | Powers, | Welsh, |
| Cullen, | Kolankiewicz, | Readinger, | Wright, |
| Dillon, | Lane, | Reese, R. E., | Yester, |

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

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

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 313, as follows:

An Act to amend the title and sections eighteen nineteen and twenty of the act approved the fifteenth day of June one thousand nine hundred thirty-seven (P. L. 1743) entitled "An act relating to magistrates and magistrates' courts in the city of Philadelphia imposing certain duties upon and prohibiting certain practices by magistrates imposing certain duties on the city controller in regard thereto authorizing the employment by him of additional clerks and fixing their compensation regulating the practice in magistrates' courts the entering of bail and the issuance of discharges in criminal cases in the county of Philadelphia conferring certain powers over magistrates and magistrates' courts and imposing certain duties in connection therewith upon the judges of the courts of common pleas of the county of Philadelphia providing for the appointment and em-

ployment of stenographers to report proceeding in certain cases heard by magistrates fixing salaries of persons employed by authority of this act providing penalties for violations of the provisions thereof and repealing certain prior acts" removing certain powers and duties of the city controller and conferring them upon the clerk of the court of oyer and terminer general jail delivery and quarter sessions of the peace authorizing said clerk to employ additional clerks and fixing their salaries

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

Section 1 The title of the act approved the fifteenth day of June one thousand nine hundred thirty-seven (F. L. 1743) entitled "An act relating to magistrates and magistrates' courts in the city of Philadelphia imposing certain duties upon and prohibiting certain practices by magistrates imposing certain duties on the city controller in regard thereto authorizing the employment by him of additional clerks and fixing their compensation regulating the practice in magistrates' courts the entering of bail and the issuance of discharges in criminal cases in the county of Philadelphia conferring certain powers over magistrates and magistrates' courts and imposing certain duties in connection therewith upon the judges of the courts of common pleas of the county of Philadelphia providing for the appointment and employment of stenographers to report proceedings in certain cases heard by magistrates fixing salaries of persons employed by authority of this act providing penalties for violations of the provisions thereof and repealing certain prior acts" is hereby amended to read as follows

An Act relating to magistrates and magistrates' courts in the city of Philadelphia imposing certain duties upon and prohibiting certain practices by magistrates imposing certain duties on the [city controller] clerk of the court of oyer and terminer general jail delivery and quarter sessions of the peace in regard thereto authorizing the employment by him of additional clerks and fixing their compensation regulating the practice in magistrates' courts the entering of bail and the issuance of discharges in criminal cases in the county of Philadelphia conferring certain powers over magistrates and magistrates' courts and imposing certain duties in connection therewith upon the judges of the courts of common pleas of the county of Philadelphia providing for the appointment and employment of stenographers to report proceedings in certain cases heard by magistrates fixing salaries of persons employed by authority of this act providing penalties for violations of the provisions thereof and repealing certain prior acts

Section 2 Sections eighteen nineteen and twenty of said act are hereby amended to read as follows

Section 18 Every magistrate before accepting bail secured by real property shall be furnished with a bail certificate issued by the [city controller] clerk of the court of oyer and terminer general jail delivery and quarter sessions of the peace and said certificate shall contain the following information

- The name of the owner of the particular property offered to the magistrate as security
- The amount of unpaid taxes due thereon
- The amount of liens thereon
- The assessed value thereof
- Whether the same property has heretofore been accepted as security for bail heretofore entered and still in force

It shall further be the duty of the [controller] clerk of the court of oyer and terminer general jail delivery and quarter sessions of the peace to retain a duplicate copy of each bail certificate issued together with the information as to whom the said certificate was issued The magistrate who has finally discharged such person or the district attorney after the grand jury has ignored the bill or bills of indictment or when the court has disposed of the case shall promptly notify the [controller] said clerk in writing of such final disposition and return the bail certificate to the [controller] clerk

Section 19 If the magistrate is satisfied from the information received from the [controller] clerk of the court of oyer and terminer general jail delivery and quarter sessions of the peace and the justification sworn to by the proposed bondsman that there is sufficient equity in the property tendered as security he may accept the surety or bondsman as bail and thereupon stamp or note upon the deed of the surety or bondsman which said magistrate shall require to be produced before him the fact that bail has been accepted by him the name of the particular case in which it was accepted the date of acceptance and the amount thereof which stamp or notation may only be cancelled by the [city controller] clerk of the court of oyer and terminer general jail delivery and quarter sessions of the peace upon discharge of the bail according to law

Section 20 The [City controller of Philadelphia] clerk of the court of oyer and terminer general jail delivery and quarter sessions of the peace shall provide twenty-four hours service of the information provided in the preceding sections of this act and to enable him to do so said [City controller] clerk is hereby authorized to appoint four additional clerks at an annual salary not exceeding two thousand dollars (\$2,000.00) each

From and after the effective date of this act the fees now chargeable by law for the entry of bail before magistrates shall be one dollar (\$1.00)

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

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

On the question,

Shall the bill pass finally?

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

YEAS—122

| | | | |
|-----------------|----------------|----------------|----------------|
| Alsbach, | Freed, | Krise, | Rose, W. E., |
| Barton, | Fullerton, | Laughner, | Rowley, |
| Bonawitz, | Garber, | Lee, | Royer, |
| Boorse, | Gardner, | Lelsey, | Salus, |
| Bower, | Gates, | Leydie, | Sarge, |
| Boyd, | Gillan, | Lichtenwalter, | Serrill, |
| Bretherick, | Goodling, | Livingstone, | Simons, |
| Brice, | Gorman, | Lyons, | Smith, |
| Brunner, C. H., | Greenwood, | Madigan, | Sollenberger, |
| Cadwalader, | Gross, | Mahany, | Sorg, |
| Calvin, | Gyger, | McAtee, | Stonier, |
| Campbell, | Hall, | McClester, | Tahl, |
| Cook, | Hannon, | McKinney, | Taylor, |
| Cooper, | Hare, | McMillen, | Thrasher, |
| Cordier, | Haudensfield, | McSurdy, | Tiemann, |
| Costa, | Helm, | Menna, | Trout, |
| Coulson, | Hewitt, | Miller, | Turbett, |
| Dague, | Hoffman, | Mintess, | Van Allsburg, |
| Dalrymple, | Holmes, | Mock, | Wachhaus, |
| Denman, | Hoopes, | Moore, | Wagner, K. H., |
| Dennison, | Hunter, W. M., | Moser, | Wallin, |
| Depuy, | Huntley, | Mulr, | Walton, |
| Dix, | Imbrle, | Murray, | Watkins, |
| Elder, | Irvin, | Nowak, | Winnor, |
| Ely, | James, | O'Dare, | Wood, L. H., |
| Erb, | Jones, | Reagan, | Wood, N., |
| Figlock, | Kennedy, | Reese, D. P., | Worley, |
| Flack, | Kitchen, | Reilly, | Yeakel, |
| Fleming, | Kline, | Riley, | Fiss, |
| Foot, | Kowalski, | Robertson, | Speaker, |
| Fox, | Krepps, | Root, | |

NAYS—70

| | | | |
|-----------------|------------|----------|-----------|
| Baker, | Duffy, | Levy, | Regan, |
| Barrett, | Elliott, | Longo, | Reynolds, |
| Bentley, | Flinnerty, | Lovett, | Sarraf, |
| Bentzel, | Flynn, | Mihm, | Scanlon, |
| Boies, | Goodwin, | Modell, | Schuster, |
| Boory, | Grant, | Mooney, | Skale, |
| Bradley, | Green, | Moran, | Snider, |
| Brigerman, | Haberlen, | Munley, | Stank, |
| Brown, | Hamilton, | O'Brien, | Swope, |
| Brunner, P. A., | Harris, | O'Neill, | Tate, |

| | | | |
|-----------|----------------|---------------|-----------|
| Burns, | Heatherington, | Owens, | Thompson, |
| Chudoff, | Herman, | Petrosky, | Trent, |
| Cohen, | Hersch, | Pettit, | Verona, |
| Coleman, | Hoggard, | Poiaski, | Weiss, |
| Corrigan, | Kirley, | Powers, | Welsh, |
| Croop, | Kolankiewicz, | Readinger, | Wright, |
| Cullen, | Lane, | Reese, R. E., | Yester, |
| Dillon, | Leonard, | | |

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.

ANNOUNCEMENT

There will be a Caucus of the Democratic Members during recess in the old House Caucus Room.

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 will come to order.

The SPEAKER (Ira T. Fiss) in the Chair.

PERMISSION TO ADDRESS HOUSE

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

Mr. Speaker, we, in this Commonwealth of Pennsylvania, pride ourselves on living in one of the greatest, if not the greatest, state in these United States. Pennsylvania is one of the original thirteen colonies which comprised America a long time ago. We have made tremendous strides in all phases of civilization and yet we have neglected a very large percentage of our citizens who, in peace times devote their energies to character moulding, and who, in war time, as now, are confronted with additional tasks such as Red Cross drives, welfare drives, the sale of war bonds, salvage drives, assistance in rationing and other necessary war time labors.

These people I speak of are your teachers. Other states even before the war have paid them a desert salary,—why can't we? It is an undisputable fact that the cost of living has risen 39% or more since the outbreak of the war. Teachers today, because of this rise, are unable to support their families properly.

In the coal fields, and I know whereof I speak, the salaries of the teachers are so low that many of my friends in the profession have resorted to borrowing money from whatever source possible to maintain a decent standard of living. In my district the teachers have on occasions waited a long time for their salaries. Sometimes as long as three months, with the result that they spent their pay before they got it. This condition is bad enough—underpaying them makes it worse. The teaching profession and its problems cannot be disregarded

or passed over too lightly. Education today, more than ever, remains one of the bulwarks of this Republic. Let us help preserve it. In these troublesome days, we cannot relegate the teaching profession to a menial task or a common labor. We can't afford to have it degenerate. We must make it attractive and luring to men and women properly qualified who would embrace it.

You all know that the germ of dissatisfaction breeds laziness and inefficiency, and we can't afford to have it in our schools. The boys and girls who will be the men and women of tomorrow, can't afford to either. The teachers financial status is not a healthy one these days, or conducive to the best interests of education. Employes in private industry can bargain collectively with their employers, and they have the remedies necessary to enforce their demands. The teachers can only look to us for bettering their working and financial conditions. Isn't it about time, gentlemen, that we take the necessary steps to correct the evils which beset teachers in these days of high prices and living? We should and we must.

An increase in the teachers' salaries commensurate with rising prices should be enacted to better enable them to provide for their families and themselves with the necessaries of life. It is not asking too much. My wholehearted support—yes, and yours too—should go to them for the splendid and thankless tasks they are doing. These teachers help to make our great Republic what it is.

God bless the teachers and may they carry on their splendid labors, and may we help carry them on by giving them the aid and assistance they now seek.

BILL ON SECOND READING

The SPEAKER. If there is no objection the Chair will return to the second reading calendar. Is there objection? The Chair hears none and the Chair returns to bills on second reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 16, entitled:

An Act prohibiting any political subdivision from imposing any wage, income or occupation tax upon non-residents.

The first section was read.

On the question,

Will the House agree to the section?

Mr. SCANLON offered the following amendment:

Amend Sec. 1, page 1, line 4, by inserting after the word "any" where it first appears in said line, the following: "resident or".

On the question,

Will the House agree to the amendment?

Mr. SCANLON. Mr. Speaker, we on this side of the House are for the enactment of legislation prohibiting the Republican City Council of Philadelphia from further imposing this un-American tax on our people.

The Democratic party of Philadelphia has consistently been against the obnoxious, unfair, and above all, pocket-picking levy commonly known as the "wage tax."

We in the legislative branches of municipal, county and state government should cut taxes to enable the wage earner to do his share in the paying of the war costs. We all know war is costly and yet there is little or no complaint on the part of the federal taxpayer to give and give. He bitterly resents having to be taxed to keep political henchmen on the public payroll.

"Help the little taxpayer" should be the aim of this body. The program of the Republican Party to take care of the rich is short of criminal.

What are the taxes the Governor wants eliminated? Who do they help? The little fellow—no. The little man will not benefit if we wipe out the State Personal Property Tax, Bank Stock Tax, the tax on shares or the Corporate Loans Tax.

As a subterfuge, the man who wants us to conduct ourselves on a non-partisan basis suggests the discontinuance of the mercantile taxes. If it meant the death knell of the mercantile levy, I would not refer to it. But do you know what the Republican leadership in Philadelphia is telling its workers in order to keep them in line and interested in their bad management of our civic affairs? I'll tell you. "If we win the coming Municipal election we will impose the mercantile tax on the Philadelphia businessman and small store operator, and then we will have plenty of jobs for you workers." I therefore ask the members of both sides of this house to support these amendments which would eliminate this obnoxious tax both on residents and non-residents.

Mr. BRETHERICK. Mr. Speaker, it would be entirely inconsistent with my position taken with regard to this so-called iniquitous tax were I to agree to these amendments. Certainly in taking the position that Philadelphia has no right to levy a tax on non-residents I could not take the alternative position that a member from Delaware County had the right by his bill as amended to say that Philadelphia could not levy any tax. That is a matter for Philadelphia, it is a matter of home rule for Philadelphia. So long as Philadelphia continues to tax its own, and does not seek to impose its taxation on those who do not reside within the confines of their city, I have no objection to that.

Therefore, Mr. Speaker and Members of the House, I am asking you to vote "no" on these proposed amendments.

Mr. WELSH. Mr. Speaker, it is a very interesting thing to consider the purpose of this bill this afternoon, and it is doubly interesting to the members of this Legislature who represent their people in Philadelphia to consider exactly what it means. If it were not for the fact that Philadelphia's wage tax was divided into four distinct parts, it would not be possible for Mr. Bretherick to come here and ask you to repeal that part which directly affects persons in his district.

The four parts of the Philadelphia wage tax are arranged in this fashion: First of all, the ordinance passed by city council says that every resident in the city of Philadelphia earning his wages within the city of Philadelphia, shall be called upon to pay one and one-half percent. This, of course, applies to preceding years. In the present year there is a reduction of one-half of one percent.

It further states, Mr. Speaker, that every resident of the city of Philadelphia, even though he earns his money outside of Philadelphia, is also obliged to pay one and one-half percent tax on the total earnings for that particular period. In the case of individuals residing and working in the city of Philadelphia, the tax is deducted by the employer. In a case where the employer refuses to deduct the tax, and some examples of this are employees of the Philadelphia Navy Yard, the Frankford Arsenal and other Governmental or state agencies, who have refused to deduct the wage tax from the wages of those persons who are under their supervision.

On the other hand the ordinance further provides that those persons who are employed in Philadelphia and reside outside of the city limits must also pay the city wage tax. In the case where they are employed in Philadelphia, where their employer is obliged to deduct the amount of their tax, he does so. It is on that point that Mr. Bretherick's ire has been aroused. It is upon that point that he has introduced the bill which is now before us.

I say to you, Mr. Speaker, in all seriousness that if the city of Philadelphia continues its tax on its own residents, those who are residents of the surrounding territories, who come into the city to earn their livelihood and enjoy the protection of the Philadelphia Police Department, its Fire Department, its various other public utilities, why should they be exempt from it? We in our turn are opposed to it. I have always been opposed to these wage taxes, and yet I can see no reason why if the tax is to be imposed upon me as a resident, persons who earn their income in Philadelphia, even though they are not residents of the city, should not be obliged to pay this tax. I think that is the only one justifiable course that the Members of this Legislature can take. If you say to the people of the surrounding sections of Philadelphia that this act is not good for them and you are going to legislate it out of existence, then you ought to do the same thing for the citizens of Philadelphia, and that is exactly what the amendments of Mr. Scanlon are intended to do. If you say that this tax is not good for the surrounding sections of Philadelphia, it is also not good for the residents of the city of Philadelphia. It seems to me that Philadelphia through the years has wasted millions and millions of dollars, so much so that there came a day when the great municipal gas works was packed up and taken figuratively to the pawn shop and pledged for the magnificent sum of forty-one million dollars. Then came a period of readjustment and re-funding and refinancing. Then came this great wage tax, a tax which thousands and thousands of people in Philadelphia and the surrounding sections have never even paid, in spite of the fact that there was a penalty, both monetary and penal. It seems to me therefore, Members of the House, if you vote against these amendments you will vote against the city of Philadelphia. Philadelphia's citizens must pay these taxes. Let everyone who earns his money in Philadelphia stand his fair share of the expense.

It is legal for the city of Philadelphia to impose this tax upon non-residents, and those of you who have been close to it will recall that the first test case was with a woman coming from the State of New Jersey, across the Delaware River. The Courts upheld it in every re-

spect. They said that it was legal so far as the present statute goes.

This tax has taken on a political aspect perhaps. Some Republicans here cannot conscientiously vote for the measure. They know perfectly well that it would be contrary to the party's dictates, and at the same time I feel that they are in every way convinced that this tax is an unfair one.

On the fifteenth of this month, next Monday, you people all over the Commonwealth of Pennsylvania will have your worst headache ended over your federal income tax, and you know what that means. But at the same time the business men of Philadelphia will be having two headaches because on the fifteenth of March they must also make a return on their net profits. That return goes to the city of Philadelphia under the present wage tax. Let us eliminate it, let us vote for these amendments and show the people of Philadelphia and the surrounding territories that you mean to cooperate with them and relieve them from the terrible burden of which they are now complaining, and when they pay their income next year I trust that they will pay it to our country and not to the city of Philadelphia.

Mr. DENMAN. Mr. Speaker, I desire to interrogate the gentleman from Philadelphia, Mr. Welsh.

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

Mr. WELSH. I shall, Mr. Speaker.

Mr. DENMAN. Mr. Speaker, I should like to know whether any one working elsewhere in Pennsylvania for a corporation or an employer, domiciled in Philadelphia is subject to this wage tax, even though he may never go near the city of Philadelphia.

Mr. WELSH. He is, yes, Mr. Speaker.

Mr. DENMAN. Mr. Speaker, in that event any salesman working for a corporation or an employer in the city of Philadelphia is subject to this wage tax, even though he may live in Erie, or in Pittsburgh or some other distant place from Philadelphia and never go near the city?

Mr. WELSH. That is right, Mr. Speaker.

Mr. DENMAN. I thank the gentleman, Mr. Speaker.

Mr. WELSH. I will say that the Members of the Legislature representing Philadelphia districts, earning their money in Harrisburg, are also subject to the income tax in Philadelphia.

Mr. LEVY. Mr. Speaker, I desire to interrogate the gentleman from Delaware, Mr. Bretherick.

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

Mr. BRETHERICK. I shall, Mr. Speaker.

Mr. LEVY. Mr. Speaker, I desire to inquire of the gentleman from Delaware if he did not say a few moments ago the reason he was opposed to Mr. Scanlon's amendments was because it violated the principle of home rule.

Mr. BRETHERICK. Mr. Speaker, I said a few minutes ago that it would be inconsistent with my position to say that Philadelphia has no right to levy a tax on those who reside within its borders. I, representing my constituents in Delaware County, have no right to say that Philadelphia cannot levy a tax on those residing within its borders. I do not feel that I have the right to inter-

fere with Philadelphia's management of its own affairs so long as it does not endeavor to tax the residents of the rest of the state, who happen to work in Philadelphia, and I do not think there is a county in the state of Pennsylvania that does not have a resident subject to the payment of this Philadelphia wage tax.

Mr. LEVY. Mr. Speaker, I would again request the gentleman to kindly answer the question. I asked him if he did not say that the reason he could not support Mr. Scanlon's amendments to the bill was because it violated the principles of home rule.

Mr. BRETHERICK. Mr. Speaker, qualified by my previous answer, I would say that that is entirely correct.

Mr. LEVY. Mr. Speaker, will the gentleman kindly inform the House as to how in his imagination voting for his bill to tell Philadelphia which imposed a wage tax, and it is a wage tax on both residents and nonresidents, he then thinks his bill adheres to the principles of home rule?

Mr. BRETHERICK. Mr. Speaker, I think the answer is very simple. Home rule contemplates legislating for your own. I think certainly it does not contemplate legislating for those who do not reside within the limits of the municipality, and I think I can go back to the Declaration of Independence for a statement as to that.

Mr. LEVY. Mr. Speaker, we won't have to go back that far, just skip the Declaration.

Mr. BRETHERICK. It might be interesting, I think.

Mr. LEVY. Mr. Speaker, I desire further to interrogate the gentleman from Delaware.

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

Mr. BRETHERICK. Mr. Speaker, so long as the gentleman does not make it an inquisition. However, I still have this same sore throat.

The SPEAKER. The Chair would suggest that the gentlemen do not go back further than the question on the amendment to this section.

Mr. LEVY. Mr. Speaker, I cannot follow the consistency of the gentleman from Delaware.

Mr. BRETHERICK. Mr. Speaker, I did not expect that the gentleman could.

Mr. LEVY. Mr. Speaker, certainly the gentleman from Delaware knows that he made the statement concerning home rule. That is a very patriotic gesture on his part but I would like the gentleman to explain to the House how he can consistently say that the amendments of Mr. Scanlon violate the principles of home rule, but that the bill which he sponsors, which steps right into the city of Philadelphia and into the old City Fathers' office, does not violate the home rule principle?

Mr. BRETHERICK. Mr. Speaker, certainly the City Fathers stepped outside the bounds of propriety when they left the borders of their own municipality and endeavored to tax those who resided outside of their borders.

Mr. LEVY. Mr. Speaker, I personally believe that probably Mr. Bretherick does not know the ordinance that levies the city wage tax. When he talks about assessing the people outside the city he must remember that what the City Fathers in Philadelphia imposed in this ordinance is a wage tax on the people that are working in Philadelphia, and an income tax on the residents of Phila-

delphia. How Mr. Bretherick can say in his bill, I am going to tell the officials from Philadelphia what to do with their councilmanic ordinances on one hand, and maintain his very patriotic waving of home rule on the other, I do not know. I would suggest that the gentleman from Delaware is a little off the track.

Mr. BREThERICK. Mr. Speaker, may I suggest that the gentleman read the ordinance declaring this a Philadelphia wage tax.

Mr. LEVY. Mr. Speaker, I have read the ordinance.

Mr. BREThERICK. Mr. Speaker, if the gentleman will look at the title of the ordinance he will find that it is not called the Philadelphia wage tax.

Mr. LEVY. Mr. Speaker, I want the gentleman to explain to the House how, when he introduces a bill of this kind, he does not violate the principals of home rule. That is a pet subject for the Republicans, they know all about home rule, and I want him to explain why his bill does not violate home rule.

Mr. BREThERICK. Mr. Speaker, may I interrogate the gentleman from Philadelphia for just one question?

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

Mr. LEVY. I shall, Mr. Speaker.

Mr. BREThERICK. Mr. Speaker, am I now to understand that the gentleman from Philadelphia is defending the wage tax in toto?

Mr. LEVY. Mr. Speaker, I do not think that that question deserves an answer. According to the Speaker's ruling we are debating an amendment to abolish the wage tax in Philadelphia, not only on non-residents but on residents. I am arguing in favor of an amendment to do that. How the gentleman could ask such a ridiculous question, I cannot comprehend.

Mr. BREThERICK. Mr. Speaker, I was under the impression that the gentleman was in favor of the complete elimination of the wage tax.

Mr. LEVY. I certainly am, Mr. Speaker.

Mr. BREThERICK. For a few minutes he was certainly defending the City Fathers in everything that they had done.

Mr. LEVY. I have not made any statement on the bill, nor on the amendments, Mr. Speaker. I am endeavoring to find out from the gentleman from Delaware whether or not he knows what home rule is.

Mr. BREThERICK. Mr. Speaker, the gentleman talks so much and so loud that he is very apt at times to forget exactly what he has said.

Mr. LEVY. Mr. Speaker, that still is not an answer as to what home rule is. I want to know whether the great advocate of home rule, one of the leading members of the Republican party in the House, introduced a bill in direct violation of the principles of home rule; that is what I want to know.

Mr. BREThERICK. Mr. Speaker, I always thought home rule contemplated legislation affecting your own. I think home rule derives its name possibly from the role played by Ireland in the old days. They complained about it very stenuously down through the years with considerable success. I think their position was that Ireland should be able to pass laws and effect tariffs for itself. Philadelphia under that same general proposition ought

to be in a position to impose taxes and make laws or pass ordinances which affect Philadelphia, but I do not think that it comes within the provisions or the definition of home rule to permit Philadelphia to pass laws, rules and regulations and what not, which affect residents of every county in the Commonwealth of Pennsylvania. That is not home rule.

Mr. LEVY. Mr. Speaker, the gentleman either will not answer the question or he does not know the answer, but it is obvious to every member of this House that a bill that strikes at the legislative power of a municipality is certainly a violation of the home rule principle. I might inform the gentleman from Delaware that Philadelphia does not legislate for Philadelphians. It never did. Philadelphia has always legislated for Philadelphia, and if the gentleman were sincere, if the gentleman from Delaware feels that this tax is not warranted, if the gentleman from Delaware feels that this tax is bad on the statute books of Philadelphia, why does he not accept these amendments? No, he don't want anything like that. He may tread on the party in power in his own city. So he comes before us this afternoon and he says "No amendments. What I want to do is defend myself and defend the people of Delaware County."

There is no legislation, Mr. Speaker, relative to the people in Delaware County. The legislation as propounded by City Council is an ordinance enacting a wage tax on the wage earners in Philadelphia. Now, if the gentleman from Delaware feels that the people in Delaware County who work in Philadelphia should be exempt from paying the wage tax in Philadelphia, then why does he not get to the root of the evil and go along with an honest amendment? Oh, no, that he won't do. Certainly, gentlemen, it is obvious that the gentleman from Delaware refuses to do this because he realizes it might tread on some of his Republican brethren.

I say to the gentleman from Delaware, if you are sincere about the wage tax in Philadelphia, you will accept the wisdom and the counsel of Mr. Scanlon of Philadelphia, who has placed such counsel in the form of an amendment, and you will not ask this House to defeat the amendments; you will ask this House to approve them.

Mr. JAMES. Mr. Speaker, every once in a while there is a bill before this House in which the view point of that long ago forgotten man, that fellow who carries the cross in one hand and the bag in the other, that fellow who ultimately pays the bill, the employer, might be useful in determining the outcome. I recall several years ago when this Philadelphia wage tax was first ordained, about the same time, as has been said here before, that Philadelphia was up in Harrisburg making arrangements to hock its gas works, that we had on the part of our employes just a mild sympathy with this Philadelphia wage tax.

I am going to tell you why I believe the employer's view point has at least a modicum of reference to what we are discussing. Each and every increase in salary and all wage increases that have been granted under the principle of collective bargaining, has been made after the citation of the Philadelphia wage tax as something that came off of the employee, and therefore a reason why he should have increased pay. I said that our people in my own particular business are, strangely

enough, people who come from Delaware County, from Montgomery County and from the State of New Jersey. Just because they want to live out where the grass is a little greener in the spring time, where the birds sing a little sweeter, they cannot quite understand why they should be called upon to pay for any part of Philadelphia's municipal stupidity and incompetence, but our people, Mr. Speaker, read the Philadelphia papers and this morning this is one thing they read:

Representative James H. Irvin (R., Philadelphia) introduced a bill to permit Registers of Wills to retain commissions for their own use out of money collected as agents for the Commonwealth.

The measure would restore a practice which was wiped out by the Legislature in 1937. Under the law it was not uncommon for the Register of Wills in Philadelphia to pocket about \$70,000 a year in commissions. The present salary of the city's Register of Wills is \$5,000 and he may retain commissions up to \$10,000.

Companion bills would make the Commonwealth pay for the bonds required of Registers of Wills and County Treasurers.

People living in Delaware County, Montgomery County, in the State of New Jersey and in Bucks County and where ever you please wonder when they read things like that and then are asked to still contribute to Philadelphia's financial worries. Tomorrow morning I suppose the people of Delaware County, Montgomery County and the State of New Jersey will read something to the effect that the Clerk of the Court of Oyer and Terminer and Quarter Sessions of the Peace and of the Municipal Court will receive a salary of ten thousand dollars per annum, and then they will go on to read that there will be eight thousand dollars per annum paid to six other Court clerks, five thousand dollars to one chief accountant, and so forth and so forth. Those are very handsome salaries. They represent as I have learned upon the debate here, an increase over what is being paid now for the accomplishment of the same work.

It is not my purpose to criticize Philadelphia's financial management, although I believe that their philosophy about municipal management is distinctly cockeyed. What I do say is this: the question has been raised here about home rule. That is a question, of course, involved in this discussion, but it seems to me that there is another and more vital question, and that is the question of taxation without representation. I say to you if the people of Delaware County or Montgomery County or the State of New Jersey were given representation for their taxation they would within a very short space of time provide the City of Philadelphia with a sensible philosophy of political management. It is my belief that we in Delaware County, Montgomery County, and elsewhere outside of Philadelphia are being wrongly taxed. We have no choice in who will spend the money that we pay in contribution to that tax and therefore it is decidedly a taxation without representation.

On the other hand, Mr. Speaker, the people of Philadelphia who are paying their tax—and I certainly sympathize with them—I would certainly tear down party lines if I were a resident of Philadelphia on that matter, if for nothing else—if they chose to go along and cast their votes and pay their tax, and their votes are cast for the privilege of paying this tax in Philadelphia, that

is distinctly their affair. That is home rule in the essence.

Therefore, I believe, Mr. Speaker, that this bill as it now stands is a clear bill, it is one that is available for immediate consideration and without amendment. To call this tax a wage tax or an income tax is beside the point. A tax by any other name would smell as foul.

Mr. Speaker, I ask that the amendments be voted down.

Mr. TATE. Mr. Speaker, I desire to interrogate the gentleman from Delaware, Mr. James.

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

Mr. JAMES. I will, Mr. Speaker.

Mr. TATE. Mr. Speaker, in the gentleman's remarks I presume that he was referring to House Bill No. 232 which was passed by this House today. Can the gentleman tell me how he voted on House Bill 232?

Mr. JAMES. Mr. Speaker, I voted "aye." I voted "aye" because I believe down there in Philadelphia you have the right to take all the lacing you please to take, and it isn't particularly any of my business.

Mr. TATE. Mr. Speaker, does the gentleman recall House Bill 2 which passed this House some two or three weeks ago, which provided a war bonus increase for the county employees of the City of Philadelphia?

Mr. JAMES. Yes, I recall that bill, Mr. Speaker.

Mr. TATE. Mr. Speaker, how did the gentleman vote on that bill?

Mr. JAMES. I voted "aye" on that bill for the same reason, Mr. Speaker.

Mr. TATE. I thank the gentleman from Delaware, Mr. James. Mr. Speaker, I desire to make a further statement.

The SPEAKER. The gentleman will proceed.

Mr. TATE. Mr. Speaker, the gentleman from Delaware, Mr. James, has raised the old cry of taxation without representation. He calls to mind increases in salary which have been granted by legislation, which have been passed by this House with particular reference to Philadelphia County. Does the gentleman know that House Bill 232, to which he referred, provides an increase in the payroll of Philadelphia County to the tune of twenty-five thousand dollars? Does he know that House Bill 2 which passed this House, on which he voted "aye," increased the payroll of Philadelphia County to the tune of two hundred and thirty-two thousand dollars? I cannot see how the gentleman can stand here and say that he is being taxed without representation when he is consistently voting for measures which increase the payrolls of the City of Philadelphia.

Mr. SCANLON. Mr. Speaker, I ask for a roll call.

Mr. BRETHERICK. Mr. Speaker, there is one factor that seems to have been overlooked in this thing, one factor that the Philadelphia Representatives who have spoken on the subject have not seen fit to mention. In the Philadelphia Evening Bulletin of last week was a statement to the effect that some fifty thousand persons who reside outside of the city of Philadelphia were earning their living in the city of Philadelphia. I wonder whether the gentlemen in this House realize that at the

present time there are approximately thirty-five thousand Philadelphians who are working in Delaware County's war industries at wages greater than have ever been paid in the history of the United States of America; that those men earn their money in Delaware County and take it back into Philadelphia County to spend. The men from the outlying sections of Philadelphia, who earn their money in Philadelphia spend their money in Philadelphia, not only they, but the members of their families spend their money in Philadelphia because that is a great shopping center.

Mr. Speaker, I say to you that if ever there was an unfair tax on the back of any municipality, the Philadelphia wage tax, as Mr. Levy has dubbed it, is that tax, especially in view of the fact that Philadelphia is one of the sources of workmen to our own County of Delaware and the other counties in Pennsylvania, where as I said before they are earning more money than they ever earned before—and we have no objection to that whatever. We are proud to have them come into our community, we are proud to have them come and use the facilities of our municipalities, and we are glad to give them police protection and let them use our roads. We are perfectly willing to have them take their money out of our county and spend it where they want to, but I say to you, that it is an unfair and obnoxious tax and it ought to be repealed as far as the nonresidents of Philadelphia are concerned.

Therefore I ask you again to vote "no" on these amendments.

Mr. CHUDOFF. Mr. Speaker, I desire to interrogate the gentleman from Delaware, Mr. Bretherick.

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

Mr. BREATHERICK. I will endeavor to answer the gentleman's questions.

Mr. CHUDOFF. Mr. Speaker, I have in my possession a mimeographed copy of a letter addressed to the Honorable Weldon B. Heyburn to Honorable George Woodward, both senators in the General Assembly of Pennsylvania. This letter no doubt every member of the House received or at least every Member of the House from Philadelphia. In this letter he states that there are six hundred school teachers employed by the school district of Philadelphia residing in Delaware County. I would like to ask the gentleman from Delaware, Mr. Speaker, as to whether or not he believes that these school teachers who work for the school district of Philadelphia should be subjected to a wage tax?

Mr. BREATHERICK. Mr. Speaker, may I say first that I think that letter is just as inane and nonsensical as some of the other articles that have appeared in that gentleman's Pennsylvania Legislator.

May I say this in connection with House Bill 136, which is the famous teachers' salary bill, that I have received numerous letters from—

POINT OF ORDER

Mr. CHUDOFF. Mr. Speaker, I arise to a point of order.

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

Mr. CHUDOFF. Mr. Speaker, I do not believe the gentleman is answering the question.

Mr. BREATHERICK. I think, Mr. Speaker, I am answering his question.

The SPEAKER. The Chair is of the opinion that we have gone far afield from the question on the amendments to the first section. Will the gentlemen please confine their remarks to the amendments before us.

Mr. BREATHERICK. I was saying, Mr. Speaker, that I have received scores of letters from teachers who reside in the city of Philadelphia but who teach in the schools of Delaware County, and my answer therefore to the gentleman from Philadelphia is "no."

Mr. CULLEN. Mr. Speaker, I am going to speak on the amendments. Every one of the previous speakers agrees that the tax is no good, not for us in the city and not for those outside of the city. Now, all the amendment does is take in everybody. Why not vote for the amendment and dispose of the thing? I think that is the honorable thing to do. Everybody agrees it is no good for us in the city or for those outside the city. Why not kick it into the waste basket and vote for the amendment?

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

YEAS—66

| | | | |
|-----------------|----------------|---------------|-----------|
| Baker. | Goodwin, | Lovett, | Reynolds, |
| Bentley. | Grant, | Maxwell, | Sarraf, |
| Bentzel. | Green. | Mihm, | Scanlon, |
| Bradley. | Haberlen, | Modell, | Schuster, |
| Brigerman. | Hamilton, | Mooney, | Skale, |
| Brown. | Harris, | Moran, | Snider, |
| Brunner, P. A., | Heatherington, | Munley, | Stank, |
| Chudoff, | Herman, | O'Brien, | Swope, |
| Cohen. | Hersch, | O'Neill, | Tate, |
| Coleman. | Hoggard, | Owens, | Thrasher, |
| Corrigan, | Kirley, | Pettit, | Thompson, |
| Croop. | Kolankiewicz, | Polaski, | Trent, |
| Cullen. | Lane, | Powers, | Weiss, |
| Dillon. | Leonard, | Readinger, | Welsh, |
| Duffy. | Levy, | Reese, R. E., | Wright, |
| Elliott. | Longo, | Regan, | Yester, |
| Finnerty. | | | |

NAYS—115

| | | | |
|-----------------|----------------|----------------|----------------|
| Alspach. | Foor. | Krepps, | Root, |
| Barrett. | Fox. | Krisz. | Rose, W. E., |
| Barton. | Freed. | Laughner. | Rowley, |
| Boles. | Fullerton, | Lee, | Royer, |
| Bonawitz. | Garber, | Leisey, | Salus, |
| Boorse. | Gates. | Leydic, | Serrill, |
| Boory. | Goodling, | Lichtenwalter, | Simons, |
| Bower. | Gorman. | Livingstone, | Smith, |
| Boyd. | Greenwood, | Madigan, | Sollenberger, |
| Bretherick. | Gross, | Mahany, | Sorg, |
| Brice. | Gyger, | McAtee, | Stonier, |
| Brunner, C. H., | Hall. | McClester, | Tahl, |
| Cadwalader, | Hannon, | McKinney, | Taylor, |
| Calvin. | Hare, | McSurdy, | Tiemann, |
| Campbell. | Haudensfield, | Menna, | Trout, |
| Cook. | Helm. | Miller, | Turbett, |
| Cordier. | Hewitt, | Mintess, | Van Allsburg. |
| Costa. | Hoffman, | Mock, | Wachhaus. |
| Coulson. | Holmes, | Moore, | Wagner, K. H., |
| Dague. | Hoopes. | Moser, | Wallin, |
| Dairymple. | Hunter, W. M., | Muir, | Walton, |
| Denman. | Imbrie, | Murray, | Watkins, |
| Dennison. | Irvin, | Nowak, | Winner, |
| Dix. | James, | O'Dare, | Wood, L. H., |
| Elder. | Jones, | Reagan, | Wood, N., |
| Ely. | Kennedy, | Reese, D. P., | Worley, |
| Erb. | Kitchen. | Riley, | Yeakel, |
| Flack. | Kline. | Riley, | Fiss. |
| Fleming. | Kowalski, | Robertson. | Speaker. |

So the question was determined in the negative and the amendments were not agreed to.

On the question recurring,
Will the House agree to the section?
It was agreed to.

The second section was read.

On the question,

Will the House agree to the section?

Mr. SCANLON offered the following amendments.

Amend Sec. 2, page 1, line 7, by inserting after the word "upon" the following "residents or."

Amend Sec. 2, page 1, line 8, by inserting after the word "on" the following: "residents or."

They were not agreed to.

The section was agreed to.

The title was read.

On the question;

Will the House agree to the title?

Mr. SCANLON offered the following amendment:

Amend title, page 1, line 2 of title, by inserting after the word "upon" the following: "residents or."

It was not agreed to.

The title was agreed to.

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

Ordered, To be transcribed for a third reading.

BILLS ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 105, as follows:

An Act to reenact and amend the title of and the act approved the first day of July one thousand nine hundred and thirty-seven (P. L. 2611) entitled "An act authorizing political subdivisions other than cities of the first class to set-off delinquent taxes and municipal claims and penalties interest and cost due thereon against claims and accounts due by such political subdivisions" extending the provisions of said act so that judgments held by such political subdivisions and the costs and interest accrued thereon may be set-off against claims and accounts owing by the political subdivisions. The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The title of and the entire act approved the first day of July one thousand nine hundred and thirty-seven (P. L. 2611) entitled "An act authorizing political subdivisions other than cities of the first class to set-off delinquent taxes and municipal claims and penalties interest and cost due thereon against claims and accounts due by such political subdivisions" are hereby reenacted and amended to read as follows

An Act authorizing political subdivisions other than cities of the first class to set-off delinquent taxes [and] municipal claims and judgments held thereby and penalties interest and cost due thereon against claims and accounts due by such political subdivisions and providing a procedure therefor

Section 1 Be it enacted et cetera That the word "person" as used in this act shall be construed to include any individual association copartnership and corporation

The term "delinquent taxes and municipal claims" as used in this act shall include all delinquent taxes and municipal claims whether or not liens for such taxes or claims have been filed in the office of the prothonotary of the county and shall include also all penalties interest and costs due on such delinquent taxes and municipal claims

The term "political subdivision" as used in this act means county city other than city of the first class

borough town township poor district institution district and school district within the Commonwealth

Section 2 Every political subdivision before approving or paying the claim or account of any person against such political subdivision shall have power to inquire of the receiver of taxes of the political subdivision whether such person is indebted to it for or on account of any delinquent taxes or municipal claims In any case where it shall be found that such person is so indebted to the political subdivision or when such person is indebted to the political subdivision for any sum of money which debt shall have been reduced to judgment in favor of such political subdivision the approval and payment of such claim or account in whole or in part shall be withheld by the officer or employe authorized by law to make such approval or payment until such person shall have entered into an agreement with the political subdivision as hereinafter provided

Section 3 The political subdivision shall have power to enter into such agreements as it may deem necessary to assure the payment of delinquent taxes and municipal claims and unpaid judgments interest and costs thereon by persons having claims or accounts against the political subdivision including therein provision for the application of moneys due by the political subdivision on any such claim or account to the payment of such delinquent taxes [and] municipal claims and unpaid judgments interest and costs and the satisfaction of such taxes [and] municipal claims and judgments interest and costs on the public records in whole or in part If any person shall upon demand of the political subdivision refuse to enter into any such agreement the officer or employe of the political subdivision authorized to approve or pay such accounts shall continue to further withhold his approval or payment of such claim or account against the political subdivision or any part thereof and advise such person that the political subdivision has a set-off against his claim or account or the part thereof not approved or paid for delinquent taxes [and] municipal claims or a judgment or judgments held against such person and the interest and costs thereon and that payment thereof will be refused until such delinquent taxes [and] municipal claims or judgments with the interest and costs thereon are paid or provision for their payment made

Section 4 If any person who is indebted to the political subdivision on account of delinquent taxes municipal claims or judgment as aforesaid and who has a claim or account against such political subdivision shall upon demand of the political subdivision refuse neglect or fail to enter into an agreement as hereinbefore provided such political subdivision may petition the court of common pleas of the county setting forth the facts of the case and asking for a rule to show cause why a decree should not be made that the amount of such delinquent taxes municipal claim or judgment owing to the political subdivision be set-off against the claim or account which such person has against the political subdivision or against the proceeds of any judgment secured thereon Thereupon the court shall grant a rule against all parties interested to appear and show cause why such a decree should not be made The rule shall be returnable in not less than ninety (90) days from the date the petition was presented If during such period prior to the return of such rule the said person having such claim or account against the political subdivision shall enter into an agreement therewith satisfactory to the political subdivision the said proceedings upon notice given to the said court shall terminate

Section 5 If upon hearing the court is satisfied that service of the rule has been made upon the parties interested and that the facts stated in the petition are true it shall order and decree that the amount of delinquent taxes municipal claims and judgments owing to the said political subdivision by the said person having a claim or account against such political subdivision shall be set-off against such claim or account and against the proceeds of any judgment secured thereon The court shall in its order determine by whom the costs of the proceedings shall be paid

Section [4] 6 All acts and parts of acts inconsistent

with this [act] reenactment and amendment are hereby repealed

Section [5] 7 This [act] reenactment and amendment 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:

YEAS—200

| | | | |
|-----------------|----------------|----------------|----------------|
| Alspach, | Fleming, | Lee, | Root, |
| Auke, | Flynn, | Lelsey, | Rose, S., |
| Baker, | Foor, | Leonard, | Rose, W. E., |
| Barrett, | Fox, | Levy, | Rowley, |
| Barton, | Freed, | Leydic, | Royer, |
| Bertray, | Fullerton, | Lichtenwalter, | Salus, |
| Bertzel, | Garber, | Livingstone, | Sarge, |
| Boles, | Gardner, | Longo, | Sarra, |
| Borawitz, | Gates, | Lovett, | Scanlon, |
| Bocasa, | Gillan, | Lyons, | Schuster, |
| Bocry, | Goodling, | Madigan, | Serrill, |
| Bower, | Goodwin, | Mahany, | Shaw, |
| Boyd, | Gorman, | Maxwell, | Simons, |
| Brady, | Grant, | McAtee, | Skale, |
| Brehrick, | Green, | McClester, | Smith, |
| Brice, | Greenwood, | McKinney, | Snider, |
| Brigerman, | Gross, | McMillen, | Sollenberger, |
| Brown, | Gyger, | McSurdy, | Sorg, |
| Brunner, C. H., | Haberlen, | Menna, | Stank, |
| Brunner, P. A., | Hall, | Mihm, | Stonier, |
| Burns, | Hamilton, | Miller, | Swope, |
| Cadwalader, | Hannon, | Mintess, | Tahl, |
| Calvin, | Hare, | Mock, | Tate, |
| Campbell, | Harris, | Modell, | Taylor, |
| Chudoff, | Haudenshield, | Mooney, | Thompson, |
| Cohen, | Heatherington, | Moore, | Thrasher, |
| Coleman, | Helm, | Moran, | Tiemann, |
| Cook, | Herman, | Moser, | Trent, |
| Cooper, | Hersch, | Muir, | Trout, |
| Cordier, | Hewitt, | Munley, | Turbett, |
| Corrigan, | Hoffman, | Murray, | Turner, |
| Costa, | Hoggard, | Nowak, | Van Allsburg, |
| Coulson, | Holmes, | O'Brien, | Verona, |
| Croop, | Hoopes, | O'Connor, | Wachhaus, |
| Cullen, | Hunter, W. M., | O'Dare, | Wagner, K. H., |
| Dague, | Huntley, | O'Neill, | Wagner, P. L., |
| Dalrymple, | Imbrie, | Owens, | Wallin, |
| Denman, | Irvin, | Petrosky, | Walton, |
| Dennison, | James, | Pettit, | Watkins, |
| Depuy, | Jones, | Polaski, | Weiss, |
| Dillon, | Kennedy, | Powers, | Welsh, |
| Dix, | Kirley, | Readinger, | Winner, |
| Duffy, | Kitchen, | Reagan, | Wood, L. H., |
| Elder, | Kline, | Reese, D. P., | Wood, N., |
| Elliott, | Kolankiewicz, | Reese, R. E., | Worley, |
| Ely, | Kowalski, | Regan, | Wright, |
| Erb, | Krepps, | Reilly, | Yeakel, |
| Ewing, | Krlse, | Reynolds, | Yester, |
| Figlock, | Lane, | Riley, | Fiss, |
| Finnerty, | Lane, | Riley, | |
| Flack, | Laughner, | Robertson, | Speaker. |

NAYS—0

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

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

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 290, as follows:

An Act to amend sections one and seven of the act approved the twenty-first day of July one thousand nine hundred forty-one (P. L. 425) entitled "An act to establish a system uniform throughout the Commonwealth

for the compensation of witnesses regulating the amount payment and taxation as costs thereof and repealing inconsistent legislation" further regulating the payment of witnesses and the taxation thereof as costs of the proceeding

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

Section 1 Sections one and seven of the act approved the twenty-first day of July one thousand nine hundred forty-one (P. L. 425) entitled "An act to establish a system uniform throughout the Commonwealth for the compensation of witnesses regulating the amount payment and taxation as costs thereof and repealing inconsistent legislation" are hereby amended to read as follows

Section 1 The word "witness" as used in this act means a witness subpoenaed or requested by any party of record in the proceeding and present to testify before (a) any court of record or (b) any department board commission or legislative body of the state government or any municipality or (c) any officer or committee of or appointed by any such court department board commission or legislative body

Section 7 Witnesses who attend any proceeding under subpoena but who are not called to testify therein or who under subpoena shall have started on their way to any proceeding but have not arrived thereat when the proceeding is ended by settlement or non-suit shall receive the same compensation they would receive if actually called

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:

YEAS—200

| | | | |
|-----------------|----------------|----------------|----------------|
| Alspach, | Fleming, | Lee, | Root, |
| Auker, | Flynn, | Lelsey, | Rose, S., |
| Baker, | Foor, | Leonard, | Rose, W. E., |
| Barrett, | Fox, | Levy, | Rowley, |
| Barton, | Freed, | Leydic, | Royer, |
| Bentley, | Fullerton, | Lichtenwalter, | Salus, |
| Bentzel, | Garber, | Livingstone, | Sarge, |
| Boies, | Gardner, | Longo, | Sarra, |
| Bonawitz, | Gates, | Lovett, | Scanlon, |
| Boorse, | Gillan, | Lyons, | Schuster, |
| Boory, | Goodling, | Madigan, | Serrill, |
| Bower, | Goodwin, | Mahany, | Shaw, |
| Boyd, | Gorman, | Maxwell, | Simons, |
| Bradley, | Grant, | McAtee, | Skale, |
| Bretherick, | Green, | McClester, | Smith, |
| Brice, | Greenwood, | McKinney, | Snider, |
| Brigerman, | Gross, | McMillen, | Sollenberger, |
| Brown, | Gyger, | McSurdy, | Sorg, |
| Brunner, C. H., | Haberlen, | Menna, | Stank, |
| Brunner, P. A., | Hall, | Mihm, | Stonier, |
| Burns, | Hamilton, | Miller, | Swope, |
| Cadwalader, | Hannon, | Mintess, | Tahl, |
| Calvin, | Hare, | Mock, | Tate, |
| Campbell, | Harris, | Modell, | Taylor, |
| Chudoff, | Haudenshield, | Mooney, | Thompson, |
| Cohen, | Heatherington, | Moore, | Thrasher, |
| Coleman, | Helm, | Moran, | Tiemann, |
| Cook, | Herman, | Moser, | Trent, |
| Cooper, | Hersch, | Muir, | Trout, |
| Cordier, | Hewitt, | Munley, | Turbett, |
| Corrigan, | Hoffman, | Murray, | Turner, |
| Costa, | Hoggard, | Nowak, | Van Allsburg, |
| Coulson, | Holmes, | O'Brien, | Verona, |
| Croop, | Hoopes, | O'Connor, | Wachhaus, |
| Cullen, | Hunter, W. M., | O'Dare, | Wagner, K. H., |
| Dague, | Huntley, | O'Neill, | Wagner, P. L., |
| Dalrymple, | Imbrie, | Owens, | Wallin, |
| Denman, | Irvin, | Petrosky, | Walton, |
| Dennison, | James, | Pettit, | Watkins, |
| Depuy, | Jones, | Polaski, | Weiss, |
| Dillon, | Kennedy, | Powers, | Welsh, |
| Dix, | Kirley, | Readinger, | Winner, |
| Duffy, | Kitchen, | Reagan, | Wood, L. H., |
| Elder, | Kline, | Reese, D. P., | Wood, N., |

| | | | |
|-----------|---------------|---------------|----------|
| Elliott, | Kolankiewicz, | Reese, R. E., | Worley, |
| Ely, | Kowalski, | Regan, | Wright, |
| Erb, | Krepps, | Relly, | Yeakel, |
| Ewing, | Krise, | Reynolds, | Yester, |
| Figlock, | Lane, | Riley, | Fiss, |
| Finnerty, | Laughner, | Robertson, | Speaker. |
| Flack, | | | |

NAYS—0

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

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

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 321, as follows:

An Act to amend section three hundred one of the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1225) entitled "An act concerning game and other wild birds and wild animals and amending revising consolidating and changing the law relating thereto" changing the requirements for persons in the armed forces of the United States to secure resident hunters' license

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

Section 1 Section three hundred one of the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1225) entitled "An act concerning game and other wild birds and wild animals and amending revising consolidating and changing the law relating thereto" is hereby amended to read as follows

Section 301 Residents of State For the purpose of this article any person who has been a bona fide resident of this Commonwealth for a period of sixty days next preceding his application and was born in the United States of America or was fully naturalized under the laws of the United States or who is a citizen of the United States of America and regularly enrolled in the United States Army the United States Navy or the United States Marine Corps and officially stationed within the Commonwealth [thirty] ten or more days next preceding his application shall be entitled to the license herein referred to as the resident hunter's license upon the further fulfillment of the requirements of this article

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

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

On the question,

Shall the bill pass finally?

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

YEAS—200

| | | | |
|-------------|------------|----------------|---------------|
| Alspach, | Fleming, | Lee, | Root, |
| Auker, | Flynn, | Lelsey, | Rose, S., |
| Baker, | Foor, | Leonard, | Rose, W. E., |
| Barrett, | Fox, | Levy, | Rowley, |
| Barton, | Freed, | Leydic, | Royer, |
| Bentley, | Fullerton, | Lichtenwalter, | Salus, |
| Bentzel, | Garber, | Livingstone, | Sarge, |
| Boies, | Gardner, | Longo, | Sarraf, |
| Bonawitz, | Gates, | Lovett, | Scanlon, |
| Boorse, | Gillan, | Lyons, | Schuster, |
| Boory, | Goodling, | Madigan, | Serrill, |
| Bower, | Goodwin, | Mahany, | Shaw, |
| Boyd, | Gorman, | Maxwell, | Simons, |
| Bradley, | Grant, | McAtee, | Skale, |
| Bretherick, | Green, | McClester, | Smith, |
| Brice, | Greenwood, | McKinney, | Snider, |
| Brigerman, | Gross, | McMillen, | Sollenberger, |
| Brown, | Gyger, | McSurdy, | Sorg, |

| | | | |
|-----------------|----------------|---------------|----------------|
| Brunner, C. H., | Haberlen, | Menna, | Stank, |
| Brunner, P. A., | Hall, | Mihm, | Stonier, |
| Burns, | Hamilton, | Miller, | Swope, |
| Cadwalader, | Hannon, | Mintess, | Tahl, |
| Calvin, | Hare, | Mock, | Tate, |
| Campbell, | Harris, | Modell, | Taylor, |
| Chudoff, | Haudenshield, | Mooney, | Thompson, |
| Cohen, | Heatherington, | Moore, | Thrasher, |
| Coleman, | Helm, | Moran, | Tiemann, |
| Cook, | Herman, | Moser, | Trent, |
| Cooper, | Hersch, | Mulr, | Trout, |
| Cordier, | Hewitt, | Munley, | Turbett, |
| Corrigan, | Hoffman, | Murray, | Turner, |
| Costa, | Hoggard, | Nowak, | Van Allsburg, |
| Coulson, | Holmes, | O'Brien, | Verona, |
| Croop, | Hoopes, | O'Connor, | Wachhaus, |
| Cullen, | Hunter, W. M., | O'Dare, | Wagner, K. H., |
| Dague, | Huntley, | O'Neill, | Wagner, P. L., |
| Dalrymple, | Imbrie, | Owens, | Wallin, |
| Denman, | Irvin, | Petrosky, | Walton, |
| Dennison, | James, | Pettit, | Watkins, |
| Deputy, | Jones, | Polaski, | Weiss, |
| Dillon, | Kennedy, | Powers, | Welsh, |
| Dlx, | Kirley, | Readinger, | Winner, |
| Duffy, | Kitchen, | Reagan, | Wood, L. H., |
| Elder, | Kline, | Reese, D. P., | Wood, N., |
| Elliott, | Kolankiewicz, | Reese, R. E., | Worley, |
| Ely, | Kowalski, | Regan, | Wright, |
| Erb, | Krepps, | Relly, | Yeakel, |
| Ewing, | Krise, | Reynolds, | Yester, |
| Figlock, | Lane, | Riley, | Fiss, |
| Finnerty, | Laughner, | Robertson, | Speaker. |
| Flack, | | | |

NAYS—0

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

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

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 328, as follows:

An Act regulating the issuance of birth certificates and copies of and statements relating to birth records by the Department of Health the clerks of the orphans' courts and the local registrars limiting the amount of information to be given in such certificates copies and statements and declaring such limited certified copies of birth records competent legal evidence

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

Section 1 Whenever under any act of Assembly any person is entitled to receive a copy of any birth record or birth certificate or statement relative thereto whether certified or not the department official or person in whose power and whose duty it is to issue such certificate copy or statement shall be limited by the provisions of this act and shall issue such birth certificate copy or statement in accordance herewith

Section 2 Except for the purpose of recording in the proper office as required by existing law and except as herein otherwise provided no birth certificate or copy of a birth record or statement relative to a birth certificate or record shall be given to any person containing any information or facts relative to such births and entered in such record other than the name sex date of birth and place of birth of the person to whom such record relates This act is intended to apply to the Department of Health the clerks of the orphans' court the local registrars and other health officers and in all cases where under existing laws such officials are directed to issue to any person a certified copy copy or statement of any birth record or information or facts contained in a birth certificate or record such certified copy copy or statement shall be issued or given containing only the information prescribed by this act and no person except those officially connected with the office wherein such birth records are kept shall be allowed to examine such records

Section 3 A certified copy of a part of any birth record given under the limitations prescribed by this act shall be prima facie evidence of all matters and facts therein contained and shall be admissible in all judicial proceedings

Section 4 The provisions of this act shall not apply to and shall not be construed to prevent the issuing of a certified copy of a complete birth record upon an order of any court of record upon written request of any person to whom such record relates or of either of such persons' parents or his legal representative or an official request by the head of any department board or agency of the Commonwealth or of the United States Government or the examination of birth records by health officers when such examination is necessary for the purpose of performing their official duty

Section 5 All acts and parts of acts inconsistent with the provisions of this act are hereby repealed

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

On the question,

Shall the bill pass finally?

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

YEAS—200

| | | | |
|-----------------|----------------|----------------|----------------|
| Alsbach, | Fleming, | Lee, | Root, |
| Auker, | Flynn, | Lelsey, | Rose, S., |
| Baker, | Foor, | Leonard, | Rose, W. E., |
| Barrett, | Fox, | Levy, | Rowley, |
| Barton, | Freed, | Leydie, | Royer, |
| Bentley, | Fullerton, | Lichtenwalter, | Salus, |
| Bentzel, | Garber, | Livingstone, | Sarge, |
| Boies, | Gardner, | Longo, | Sarraf, |
| Bonawitz, | Gates, | Lovett, | Scanlon, |
| Boorse, | Gillan, | Lyons, | Schuster, |
| Boory, | Goodling, | Madigan, | Serrill, |
| Bower, | Goodwin, | Mahany, | Shaw, |
| Boyd, | Gorman, | Maxwell, | Simons, |
| Bradley, | Grant, | McAtee, | Skale, |
| Bretherick, | Green, | McClester, | Smith, |
| Brice, | Greenwood, | McKinney, | Snider, |
| Brigerman, | Gross, | McMillen, | Sollenberger, |
| Brown, | Gyger, | McSurdy, | Sorg, |
| Brunner, C. H., | Haberlen, | Menna, | Stank, |
| Brunner, P. A., | Hall, | Mihm, | Stonier, |
| Burns, | Hamilton, | Miller, | Swope, |
| Cadwalader, | Hannon, | Mintess, | Tahl, |
| Calvin, | Hare, | Mock, | Tate, |
| Campbell, | Harris, | Modell, | Taylor, |
| Chudoz, | Haudenshield, | Mooney, | Thompson, |
| Cohen, | Heatherington, | Moore, | Thrasher, |
| Coleman, | Helm, | Moran, | Tiemann, |
| Cook, | Herman, | Moser, | Trent, |
| Cooper, | Hersch, | Muir, | Trout, |
| Cordier, | Hewitt, | Munley, | Turbett, |
| Corrigan, | Hoffman, | Murray, | Turner, |
| Costa, | Hoggard, | Nowak, | Van Allsburg, |
| Coulson, | Holmes, | O'Brien, | Verona, |
| Croop, | Hoopes, | O'Connor, | Wachhaus, |
| Cullen, | Hunter, W. M., | O'Dare, | Wagner, K. H., |
| Dague, | Huntley, | O'Neill, | Wagner, P. L., |
| Dairyman, | Imbrle, | Owens, | Wallin, |
| Denman, | Irvin, | Petrosky, | Walton, |
| Dennis, | James, | Pettit, | Watkins, |
| Depuy, | Jones, | Polaski, | Weiss, |
| Dillon, | Kennedy, | Powers, | Welsh, |
| Dix, | Kirley, | Readinger, | Winner, |
| Duffy, | Kitchen, | Reagan, | Wood, L. H., |
| Elder, | Kline, | Reese, D. P., | Wood, N., |
| Elliott, | Kolankiewicz, | Reese, R. E., | Worley, |
| Ely, | Kowalski, | Regan, | Wright, |
| Erb, | Krepps, | Reilly, | Yeaker, |
| Ewing, | Krise, | Reynolds, | Yester, |
| Flglock, | Lane, | Riley, | Fiss, |
| Finnerty, | Laughner, | Robertson, | Speaker. |
| Flack, | | | |

NAYS—0

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

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

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 332, as follows:

An Act to amend section one thousand two hundred twelve of the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1225) entitled "An act concerning game and other wild birds and wild animals and amending revising consolidating and changing the law relating thereto" by authorizing the refund of certain moneys erroneously paid into the State Treasury for hunting license fees by former county treasurers

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

Section 1 Section one thousand two hundred twelve of the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1225) entitled "An act concerning game and other wild birds and wild animals and amending revising consolidating and changing the law relating thereto" is hereby amended to read as follows

Section 1212 Return of Fees Fines or other Moneys Erroneously Paid into Treasury Whenever the commission is satisfied that any fee fine or any other moneys paid into the State Treasury under any of the provisions of this act of any act superseded by it were erroneously collected and deposited the commission within twelve months after such deposit may by resolution authorize the director to draw a requisition upon the Game Fund for the amount involved Upon receipt of such requisition and an extract of the minutes of the commission the Auditor General shall draw his warrant upon the State Treasurer in favor of the person from whom such fee fine or other money was erroneously collected

The twelve month limitation period hereinbefore prescribed shall not apply to moneys erroneously paid into the State Treasury for hunting license fees by former county treasurers during the year one thousand nine hundred thirty-five if the return of such fees was requested of the Commonwealth within six months after their payment into the State Treasury

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

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

On the question,

Shall the bill pass finally?

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

YEAS—200

| | | | |
|-----------------|------------|----------------|---------------|
| Alsbach, | Fleming, | Lee, | Root, |
| Auker, | Flynn, | Lelsey, | Rose, S., |
| Baker, | Foor, | Leonard, | Rose, W. E., |
| Barrett, | Fox, | Levy, | Rowley, |
| Barton, | Freed, | Leydie, | Royer, |
| Bentley, | Fullerton, | Lichtenwalter, | Salus, |
| Bentzel, | Garber, | Livingstone, | Sarge, |
| Boies, | Gardner, | Longo, | Sarraf, |
| Bonawitz, | Gates, | Lovett, | Scanlon, |
| Boorse, | Gillan, | Lyons, | Schuster, |
| Boory, | Goodling, | Madigan, | Serrill, |
| Bower, | Goodwin, | Mahany, | Shaw, |
| Boyd, | Gorman, | Maxwell, | Simons, |
| Bradley, | Grant, | McAtee, | Skale, |
| Bretherick, | Green, | McClester, | Smith, |
| Brice, | Greenwood, | McKinney, | Snider, |
| Brigerman, | Gross, | McMillen, | Sollenberger, |
| Brown, | Gyger, | McSurdy, | Sorg, |
| Brunner, C. H., | Haberlen, | Menna, | Stank, |
| Brunner, P. A., | Hall, | Mihm, | Stonier, |
| Burns, | Hamilton, | Miller, | Swope, |
| Cadwalader, | Hannon, | Mintess, | Tahl, |

| | | | |
|------------|----------------|---------------|----------------|
| Calvin, | Hare, | Mock, | Tate, |
| Campbell, | Harris, | Modell, | Taylor, |
| Chudoff, | Haudenshield, | Mooney, | Thompson, |
| Cohen, | Heatherington, | Moore, | Thrasher, |
| Coleman, | Helm, | Moran, | Tiemann, |
| Cook, | Herman, | Moser, | Trent, |
| Cooper, | Hersch, | Muir, | Trout, |
| Cordier, | Hewitt, | Munley, | Turbett, |
| Corrigan, | Hoffman, | Murray, | Turner, |
| Costa, | Hoggard, | Nowak, | Van Allsburg, |
| Coulson, | Holmes, | O'Brien, | Verona, |
| Croop, | Hoopes, | O'Connor, | Wachhaus, |
| Cullen, | Hunter, W. M., | O'Dare, | Wagner, K. H., |
| Dague, | Huntley, | O'Neill, | Wagner, P. L., |
| Dalrymple, | Hirley, | Owens, | Wallin, |
| Denman, | Irvine, | Petrosky, | Walton, |
| Dennison, | James, | Pettit, | Watkins, |
| Depuy, | Jones, | Polaski, | Weiss, |
| Dillon, | Kennedy, | Powers, | Welsh, |
| Dix, | Kirley, | Readinger, | Winnier, |
| Duffy, | Kitchen, | Reagan, | Wood, L. H., |
| Elder, | Kline, | Reese, D. P., | Wood, N., |
| Elliott, | Kolankiewicz, | Reese, R. E., | Worley, |
| Ely, | Kowalski, | Regan, | Wright, |
| Erb, | Krepps, | Reilly, | Yeakel, |
| Ewing, | Krise, | Reynolds, | Yester, |
| Figlock, | Lane, | Riley, | Fiss, |
| Finnerty, | Laughner, | Robertson, | Speaker. |
| Flack, | | | |

NAYS—0

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

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

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 440, as follows:

An Act to further amend section seven hundred two of the act approved the fifth day of May one thousand nine hundred thirty-three (P. L. 289) entitled "An act relating to nonprofit corporations defining and providing for the organization merger consolidation and dissolution of such corporations conferring certain rights powers duties and immunities upon them and their officers and members prescribing the conditions on which such corporations may exercise their powers providing for the inclusion of certain existing corporations of the first class within the provision, 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" by further regulating the method of approval of amendments of articles of incorporation of nonprofit corporations by the members thereof

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

Section 1 Section seven hundred two of the act approved the fifth day of May one thousand nine hundred thirty-three (P. L. 289) entitled "An act relating to nonprofit corporations defining and providing for the organization merger consolidation and dissolution of such corporations conferring certain rights powers duties and immunities upon them and their officers and members prescribing the conditions on which such corporations may exercise their powers 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 the act approved the second day of July one thousand nine hundred thirty-seven (P. L. 2838) is hereby further amended to read as follows

Section 702 Approval of Amendments by Members Before the application is made to the court a resolution authorizing the proposed amendments shall be adopted by the affirmative vote of at least a majority of the members entitled to vote thereon who are present at a regular or special meeting duly convened after at least ten days' written notice to all the members of this purpose If a proposed amendment would make any change in the rights of the members of any class then the members of such class shall be entitled to vote as a class upon such amendment whether by the terms of the article such class is or is not entitled to vote and in addition to the general vote herein required the affirmative vote of at least a majority of the members of each class so affected by the amendment who are present at such meeting shall be necessary for the adoption thereof Any amendments which might be adopted at a meeting of the members may be adopted without a meeting if written consent to the amendment has been given by all members entitled to vote thereon The resolution shall contain the language of the proposed amendment to the articles by providing that the articles shall be amended so as to read as therein set forth in full or that any provision thereof be amended so as to read as therein set forth in full or that the matter stated in the resolution be added to or stricken from the articles

Section 2 This act shall become effective immediately upon final enactment

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

On the question,

Shall the bill pass finally?

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

YEAS—200

| | | | |
|-----------------|----------------|----------------|---------------|
| Alspach, | Fleming, | Lee, | Root, |
| Auker, | Flynn, | Leisey, | Rose, S., |
| Baker, | Foor, | Leonard, | Rose, W. E., |
| Barrett, | Fox, | Levy, | Rowley, |
| Barton, | Freed, | Leydic, | Royer, |
| Bentley, | Fullerton, | Lichtenwalter, | Salus, |
| Bentzel, | Garber, | Livingstone, | Sarge, |
| Boies, | Gardner, | Longo, | Sarraf, |
| Bonawitz, | Gates, | Lovett, | Scanlon, |
| Boorse, | Giljan, | Lrons, | Schuster, |
| Boory, | Goodling, | Madigan, | Serrill, |
| Bower, | Goodwin, | Mahany, | Shaw, |
| Boyd, | Gorman, | Maxwell, | Simons, |
| Bradley, | Grant, | McAtee, | Skale, |
| Bretherick, | Green, | McClester, | Smith, |
| Brice, | Greenwood, | McKinney, | Snider, |
| Brigerman, | Gross, | McMillen, | Sollenberger, |
| Brown, | Gyger, | McSurdy, | Sorg, |
| Brunner, C. H., | Haberlen, | Menna, | Stank, |
| Brunner, P. A., | Hall, | Mihm, | Stonier, |
| Burns, | Hamilton, | Miller, | Swope, |
| Cadwalader, | Hannon, | Mintess, | Tahl, |
| Calvin, | Hare, | Mock, | Tate, |
| Campbell, | Harris, | Modell, | Taylor, |
| Chudoff, | Haudenshield, | Mooney, | Thompson, |
| Cohen, | Heatherington, | Moore, | Thrasher, |
| Coleman, | Helm, | Moran, | Tiemann, |
| Cook, | Herman, | Moser, | Trent, |
| Cooper, | Hersch, | Muir, | Trout, |
| Cordier, | Hewitt, | Munley, | Turbett, |
| Corrigan, | Hoffman, | Murray, | Turner, |
| Costa, | Hoggard, | Nowak, | Van Allsburg, |
| Coulson, | Holmes, | O'Brien, | Verona, |
| Croop, | Hoopes, | O'Connor, | Wachhaus, |

| | | | |
|------------|----------------|---------------|----------------|
| Cullen, | Hunter, W. M., | O'Dare, | Wagner, K. H., |
| Dague, | Huntley, | O'Neill, | Wagner, P. L., |
| Dalrymple, | Imbrie, | Owens, | Wallin, |
| Denmar, | Irvin, | Petrosky, | Walton, |
| Dennisen, | James, | Pettit, | Watkins, |
| Deputy, | Jones, | Polaski, | Weiss, |
| Dillon, | Kennedy, | Powers, | Welsh, |
| Dix, | Kirley, | Readinger, | Winner, |
| Duffy, | Kitchen, | Reagan, | Wood, L. H., |
| Elder, | Kline, | Reese, D. P., | Wood, N., |
| Elliot, | Kolankiewicz, | Reese, R. E., | Worley, |
| Ely, | Kowalski, | Regan, | Wright, |
| Erb, | Krepps, | Relly, | Yeakel, |
| Ewing, | Krise, | Reynolds, | Yester, |
| Flglock, | Lane, | Riley, | Fiss. |
| Finnert, | Laughner, | Robertson, | Speaker. |
| Flack | | | |

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.

ADDITIONAL SPONSORS TO RESOLUTION

Mr GOODWIN asked and obtained unanimous consent to add an additional name as sponsor to a condolence resolution.

The SPEAKER. The resolution will be filed with the Clerk under the Rules.

PERMISSION TO ADDRESS HOUSE

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

Mr Speaker and members of the House, on January 26, 1943, Governor Edward Martin in his message to the General Assembly of Pennsylvania had the following to say with reference to reapportionment:

"A fair and equitable re-districting and reappointment of our Congressional, Senatorial and Legislative districts should have the immediate consideration of this Legislature."

Since January 26, 1943, we have not heard anything further from our Honorable Governor except for the fact that he is interested in Congressional reapportionment. By the way, it happens in New York, the people are faced with the same situation with reference to reapportionment, and Governor Dewey, who also happens to be a Republican, is actively sponsoring a reapportionment measure.

On January 19, Representative Tiemann of Philadelphia introduced a very commendable resolution in reference to reapportionment, which among other things asks the House Committee on Legislative Apportionment to make an immediate survey of the state on the basis of the last Federal census, and to recommend as early as possible during the present session legislation for reapportionment of the legislative districts of the Commonwealth.

That was on January 19. Nearly two months have passed, and I think the resolution is still resting very safely in the Committee on Reapportionment without any action having been taken by it up to the present time.

On February 2, 1943, the following is part of an excerpt from the Philadelphia Inquirer mentioning statistics in a few districts in Philadelphia in reference to the House and in reference to the Senate:

"In Philadelphia for instance one House district, the ninth, in the central city has a population of 9,618. The seventeenth district, in the northeast, has a population of 177,522. Each district has one assemblyman".

Mind you, there is a difference of 168,000 people as far as a Representative representing the people is concerned, and we have numerous instances of the same type throughout the state. I say to you that it is not fair for one representative to represent 177,000 people and another representative to represent 9,618 and have the same voice in the government.

Gentlemen, when it comes to reapportionment as far as the Senate is concerned, we also must go to Philadelphia—by the way we always had to go to Philadelphia for everything else, so also reapportionment. In Philadelphia one district, the third district of Philadelphia, has a population of seventy-five thousand and has one Senator, while the fourth district, embracing West Philadelphia, has 412,371 residents, more than five times as many as the other, and it also has one Senator.

You also note many of the newspapers, especially the Pittsburgh Press and many other papers throughout the state are crying for a reapportionment bill to end this lop-sided representation, but in looking over the House History and the Senate History I note that the only bills referring to reapportionment are the two for Congressional representation in which the Members on the other side found out they were asleep and the Democrats elected a couple of Congressmen. The representations as far as Congress are concerned, and especially as passed during the special session, is not nearly as bad as the Senatorial and Representative reapportionment, and yet up to the present time it seems that Congressional reapportionment worries them a lot more than the Legislative or Senatorial reapportionment.

I might say that I have introduced, two bills, one for the reapportionment of the House and one for the Senate. These bills may not be satisfactory to all the Members of the House or the Senate but there will be at least one bill in each House that we have to talk about, because if something is not done by March 15, we will again not have any reapportionment.

The last reapportionment bill was passed fifty-five years ago and times certainly have changed during that time. I hope therefore that you Members of the Legislature will forget your little personal difficulties and the possibility that some of you might lose your seats due to the fact of reapportionment, and try to be fair to the rest of the state by going along with a fair and equitable reapportionment bill.

I am willing to sit down with any Member on this side of the House or the other side of the House in an effort to get an equitable bill.

CONDOLENCE RESOLUTION

Messrs. GOODWIN, MORAN and HEATHERINGTON offered a privileged resolution which was twice read, considered and adopted as follows:

In the House of Representatives, March 9, 1943.

The Mother of the Honorable B. Frank Hunter, a member of this House, died on Sunday last, and left to her children and grandchildren, who mourn her loss, the memory of many happy years devoted to them and their

comfort, and her devotion to her husband who predeceased her.

After a life that lasted well beyond the three score years and ten that mark the end of our allotted span, she wearied of the way and fell asleep.

The accomplishment of rearing an outstanding family becomes a resplendent memorial to her years as wife and mother; therefore be it

Resolved, That this House of Representatives extends to the family of Mrs. Mary Harman Hunter, and in particular to our fellow Member, the Honorable B. Frank Hunter, its deepest sympathy; and that this resolution be spread on the Journal of the House, and a copy thereof, duly certified, be forwarded to them by the Chief Clerk of this House.

RESOLUTION

CONGRATULATING PRESIDENT

Messrs. COHEN and TATE offered the following resolution and asked and obtained unanimous consent for its immediate consideration.

The resolution was twice read, considered and adopted:

In the House of Representatives, March 8, 1943.

Whereas, March 4th marked the 10th anniversary of the induction into office of our beloved President and courageous Commander-in-Chief, Franklin Delano Roosevelt; and

Whereas, During the earlier years of his term as President he charted a course through our worst and longest economic depression, and it was in large part due to his leadership and determination in combatting the misery and discontent of that depression that our democratic institutions were so preserved and vitalized as to be able successfully to assume the then unforeseen burdens to be imposed upon them by World War II; and

Whereas, The statesmanship and foresight of President Roosevelt during the years preceding the outbreak of World War II, contributed immeasurably toward the ultimate and indispensable union of the many nations opposing the conquests and ambitions of the axis powers; and

Whereas, Ever since our Nation was plunged into war on December 7th, 1941, by the treacherous Japanese attack upon Pearl Harbor, President Roosevelt has ably and courageously led our Nation along the path to ultimate and inevitable victory; and

Whereas, He has steadfastly advanced the cause of the "four freedoms," and given voice to our determination that the present world conflict shall be followed by a

"peace" in the true sense of that word, with due consideration to be given all races and nations; and

Whereas, By his real and lasting achievements, in both time of peace and time of war, Franklin Delano Roosevelt has taken his place among our greatest presidents and leaders; now therefore be it

Resolved, That the Members of the House of Representatives of the Commonwealth of Pennsylvania send their hearty congratulations to the President of the United States on the occasion of the 10th anniversary of his induction into that high office; and be it further

Resolved, That a copy of this resolution be forwarded to the President at the White House as a token of the continued confidence of the people of Pennsylvania that under his leadership and statesmanship, the United States of America will achieve final and complete victory in this war and, in the peace to follow, will attain the ideals for which we are fighting.

COMMITTEE MEETINGS

There will be meetings of the Committees on:

Cities—Third Class, Tuesday, March 9, after session, Room 324.

Counties, Wednesday, March 10, at 11 a. m., Room 522.

Dairy Industries, Wednesday, March 10, at 11 a. m., Old House Caucus Room.

Highways, Wednesday, March 10 at 10 a. m., Room 329.

Judiciary Special, Wednesday, March 10, at 11:30 a. m., Room 325.

Motor Vehicles, Wednesday, March 10, at 11 a. m., Room 329.

Municipal Corporations, Tuesday, March 9, after session, Room 521.

Public Health and Sanitation, Wednesday, March 10, at 10:30 a. m., Room 522.

There will be a caucus of the Republican Members in the New House Caucus Room on Wednesday, March 10, at 12 o'clock noon.

ADJOURNMENT

Mr. LAUGHNER. Mr. Speaker, I move that this House do now adjourn until Wednesday, March 10, 1943, at 1 p. m.

The motion was agreed to, and (at 4:43 p. m.) the House adjourned.