

## HOUSE OF REPRESENTATIVES

THURSDAY, May 6, 1943

The House met at 12 noon.

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

### PRAYER

Rev. Dennie W. Hoggard, a Member of the House, offered the following prayer:

Father in Heaven: Father of the destiny and the affairs of men, we the members of the House; Representatives of the Keystone State of our great and glorious nation, think that it's both proper and fitting that we call Thee to guide and to witness in this session. In all our ways we wish to acknowledge Thee.

Guide us in these weighty and far-reaching transactions that we must act upon. They are binding upon us today and upon our posterity to-morrow. May we not be encumbered with a cold indifference and a lack of vision in such crises as we are now engaged. May our deportment be of such christian manliness and our legislating be of such vital and of such unbiased nature that future generations will rise up and call us blessed. In Jesus's name, we offer this, our prayer. Amen.

### JOURNAL APPROVED

The SPEAKER. The Clerk will read the Journal of Wednesday, May 5, 1943.

The Clerk proceeded to read the Journal of Wednesday, May 5, 1943, when, on motion of Mr. FOOR, unanimously agreed to, the further reading was dispensed with and the Journal approved.

### SENATE MESSAGE

#### SENATE BILL RETURNED TO GOVERNOR WITHOUT AMENDMENT

The Clerk of the Senate being introduced, presented bill numbered and entitled as follows, viz: Senate passes finally as recalled from the Governor.

#### 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

#### PERMISSION GRANTED COMMITTEE TO MEET DURING SESSION

Mr. ROYER asked and obtained permission for the Committee on Military Affairs to meet during the session of the House.

#### BILLS SIGNED BY SPEAKER

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

#### HOUSE BILL No. 179.

An Act making an appropriation to the Johnson Industrial School of Scranton Pennsylvania

#### HOUSE BILL No. 590.

An Act requiring political subdivisions to refund taxes and license fees erroneously and inadvertently paid thereto 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

#### HOUSE BILL No. 668.

An Act to further amend the act approved the fifth day of May one thousand nine hundred and 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" by authorizing nonprofit medical service corporations to provide medical service benefits to subscribers of over-income as herein defined

#### HOUSE BILL No. 669.

An Act to amend sections three four nine and nineteen of the act approved the twenty-seventh day of June one thousand nine hundred and thirty-nine (P. L. 1125) entitled "An act providing for the regulation and supervision of nonprofit medical service corporations organized to provide medical services to subscribers of low income by the Department of Health and the Insurance Department and defining the functions of such departments with respect thereto authorizing certain departments commissions officers and other agencies of the State and its political subdivisions to subscribe under certain circumstances to the medical service plan of such corporations on behalf of persons of low income prescribing legal investments for the funds of such corporations and the rights of doctors of medicine to register with such corporations conferring authority on the Department of Health and on the Insurance Commissioner each within its own sphere of lawful activity to regulate and supervise such corporations conferring certain rights powers duties and immunities upon such corporations and their officers and members prescribing the conditions on which such corporations may exercise their powers exempting such corporations from taxation prohibiting any person copartnership

association common law trust or corporation except a nonprofit medical service corporation from providing medical services on a nonprofit plan in return for prepayment periodical or lump sum payments providing penalties for the violation of and mandatory and injunctive relief for the enforcement of the provisions of this act" by authorizing nonprofit medical service corporations to provide medical service benefits to subscribers of over-income as herein defined

#### HOUSE BILL No. 750.

An Act to further amend subsection (a) of section twenty-five of the act approved the seventh day of June one thousand nine hundred seventeen (P. L. 447) entitled as amended "An act relating to the administration and distribution of the estates of decedents and of minors and of trust estates including the appointment bonds rights powers duties liabilities accounts discharge and removal of executors administrators guardians and trustees herein designated as fiduciaries the administration and distribution of the estates of presumed decedents widow's and children's exemptions debts of decedents rents of real estate as assets for payment thereof the lien thereof sales and mortgages of real estate for the payment thereof judgments and executions therefor and the discharge of real estate from the lien thereof contracts of decedents for the sale or purchase of real estate legacies including legacies charged on land the discharge of residuary estates and of real estate from the lien of legacies and other charges the appraisal of real estate devised at a valuation the ascertainment of the curtilage of dwelling houses or other buildings devised the abatement and survival of actions and the substitution of executors and administrators therein the survival of causes of action and suits hereupon 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 non-resident and foreign fiduciaries the appointment bonds rights powers duties and liabilities of trustees durante absentia the recording and registration of decrees reports and other proceedings and the fees therefor appeals in certain cases and also generally dealing with the jurisdiction powers and procedure of the orphans' court in all matters relating to fiduciaries concerned with the estates of decedents" by providing for the filing of petitions for the enforcement of payments of legacies charged upon real estate by executors administrators cum testamento annexo and administrators de bonis non cum testamento annexo

#### HOUSE BILL No. 805.

An Act authorizing the appointment of a clerk to the jury commissioners in counties of the third class by the court of common pleas the fixing of his salary by the salary board and the payment thereof by the county

#### HOUSE BILL No. 828.

An Act to further amend section one and paragraphs (a) and (b) of section three and sections four and seven and amend section five of the act approved the twenty-fifth day of July one thousand nine hundred thirteen (P. L. 1024) entitled "An act to protect the public health and welfare by regulating the employment of females in certain establishments with respect to their hours of labor and the conditions of their employment by establishing certain sanitary regulations in the establishments in which they work by requiring certain abstracts and notices to be posted by providing for the enforcement of this act by the Commissioner of Labor and Industry and others by prescribing penalties for violations thereof by defining the procedure in prosecutions and by repealing all acts and parts of acts inconsistent with the provisions thereof by changing the definitions of "week" and "day" and by increasing the hours of labor and temporarily suspending certain restrictions on employment

#### HOUSE BILL No. 953.

An Act making an appropriation from the Motor License Fund to the State Employees' Retirement Board to meet the obligations of the Commonwealth to the State Employees' Retirement System with respect to State employees receiving compensation from the Motor License Fund

#### HOUSE BILL No. 973.

An Act making an appropriation to the Trustees of the University of Pittsburgh for the general maintenance of and the purchase of apparatus and equipment for the University of Pittsburgh and for the maintenance of teaching facilities in hospitals for students in the School of Medicine

#### HOUSE BILL No. 1003.

An Act authorizing and directing the Department of Highways to erect and maintain as a post war construction project a toll bridge over the Allegheny River between a point in or near the Borough of Tarentum Allegheny County and a point in Westmoreland County and to provide the necessary approaches and connections with State highways providing for the acceptance of Federal aid empowering counties to pay certain damages providing for the collection of tolls on such bridge and making an appropriation

Whereupon,

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

#### REPORT FROM COMMITTEE

Mr. CORDIER from the Committee on Military Affairs, reported as committed, Senate Bill No. 566, entitled:

An Act to further amend section one of the act approved the twenty-second day of June one thousand nine hundred thirty-one (P. L. 662) entitled "An act relating to retirement from the Pennsylvania National Guard" by providing that Colonels having certain service shall be placed on retired list as Brigadier Generals.

#### UNANIMOUS CONSENT REQUESTED

Mr. CORDIER asked unanimous consent to have Senate Bill No. 566 read for the first time.

The SPEAKER. Will the House give its unanimous consent to read the bill the first time. Is there objection?

Mr. JAMES. Mr. Speaker, I object.

The SPEAKER. The Chair hears objection and consent is not granted.

#### PERMISSION GRANTED COMMITTEE TO MEET DURING SESSION

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

#### BILLS ON THIRD READING

The SPEAKER. If there is no objection the Chair will take up bills on third reading on page 17 of today's calendar. Is there objection? The Chair hears none.

#### BILLS PASSED OVER

There being no objection  
Senate Bill No. 347, Printer's No. 301, and  
Senate Bill No. 48, Printer's No. 342  
were passed over at the request of the SPEAKER.

The SPEAKER. The Chair requests the gentleman from Philadelphia, Mr. Scanlon, to preside.

MR. SCANLON IN THE CHAIR

There being no objection  
Senate Bill No. 49, Printer's No. 164 and  
Senate Bill No. 472, Printer's No. 360  
were passed over at the request of the SPEAKER pro tempore.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 165, entitled:

An Act to amend section six hundred seven and to further amend section seven hundred one 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 authorizing the appointment of certified public accountants for the purpose of auditing the accounts of the Auditor General and requiring the Auditor General to submit all books records and papers to such accountants

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

Section 1 Section six 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" is hereby amended to read as follows

Section 607 Fiscal Year All books and accounts kept by the Auditor General the State Treasurer and every department board and commission shall be kept as of the fiscal year which shall be the period beginning on the first day of June of each calendar year and ending on the thirty-first day of May of the calendar year next succeeding

The Auditor General and the Department of the Auditor General shall submit to any accountants appointed by

the Governor for the purpose of making an audit of the affairs of the Auditor General and the Department of the Auditor General all books papers and records in any way pertaining to such affairs

Section 2 Section seven hundred one of said act as last amended by the act approved the twenty-third day of April one thousand nine hundred and forty-one (P. L. 21) is hereby further amended by adding after clause (j) thereof the following clause to read as follows

Section 701 The Governor The Governor shall have the power and it shall be his duty

(a) To take care that the laws of the Commonwealth shall be faithfully executed

(b) To act as Commander-in-Chief of the Army and Navy of the Commonwealth and of the Militia except when they shall be called into active service by the United States Government

(c) To cause to be published through the Department of Property and Supplies from time to time for the information of the public bulletins of the work of the State Government

(d) To prescribe and require the installation of a uniform system or systems of bookkeeping accounting and reporting for the several administrative departments boards and commissions except for the Department of the Auditor General the Treasury Department and the Department of Internal Affairs but before prescribing and requiring such installation the Governor shall consult with the Department of the Auditor General

(e) To prescribe forms for accounts and financial records reports and statements for the several administrative departments boards and commissions except the Department of the Auditor General the Treasury Department and the Department of Internal Affairs but before prescribing such forms the Governor shall consult with the Department of the Auditor General

(f) To approve or disapprove all investments by departments boards or commissions of funds administered by such departments boards or commissions

(g) To submit to the General Assembly a State budget

(h) After each biennial appropriation to the Department of Property and Supplies (1) for the purchase of stationery paper printing binding ruling lithographing color printing engraving paper envelopes and other printing and binding supplies (2) for fuel supplies furniture furnishing repairs alterations and improvements (3) for automobiles and (4) for rentals of branch offices after making proper deductions for the needs of the legislative and judicial departments to allocate and from time to time to reallocate to the several administrative departments boards and commissions such portions of such appropriations as will fairly represent the needs of the departments boards and commissions for the biennium taking into consideration the right of any such department board or commission to pay its necessary expenses or purchase furniture materials or supplies out of fees or other moneys received by or moneys specifically appropriated to it

Every administrative department board or commission shall be limited in its right to make requisition upon the Department of Property and Supplies to the amount allocated to it unless the Governor shall subsequently permit the Department of Property and Supplies to honor requisitions in excess of such amount

(i) To do all other acts make all appointments fill all vacancies exercise all the powers vested in him and perform all the duties imposed upon him as provided and required by the Constitution and laws of this Commonwealth

(j) To grant to pilots engaged in the aeronautical work of the Department of Revenue commission of such grades as the Governor may prescribe.

(k) To appoint such competent accountants as may be necessary to make an annual audit of the affairs of the Auditor General and the Department of the Auditor General

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. COHEN. Mr. Speaker, there was some discussion on this bill when it was on second reading, and when certain amendments were rejected. The proposed amendments of course were in the interests of consistency in legislation and consistency in practice. The provisions of the amendments offered, which would have included the State Workmen's Insurance Fund as an agency of the government to be audited were not agreed to, and I find now that since the Auditor General under this bill is to be audited by an independent group of auditors, that the last citadel of bad government practice remains in the State Workmen's Compensation Fund. Mr. Speaker, there is no objection on this side of the House to the bill, except we thought there could have been more kindness in the expression of the bill and the words "affairs" could have been deleted because there is nothing in the administrative code which exactly matches the language of this bill.

Mr. LICHTENWALTER. Mr. Speaker, I believe in the debate that took place on this bill on second reading at which time amendments were offered on matters of phraseology, that that was the language relative to the other departments as far as the Auditor General is concerned in auditing the affairs of the other departments of the Commonwealth. I just want to make that explanation again, and I, therefore, ask the Members on both sides of the House to vote in favor of the bill.

On the question recurring,  
Shall the bill pass finally?

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

YEAS—202

|                 |                |                |                |
|-----------------|----------------|----------------|----------------|
| Alstach,        | Flack,         | Lane,          | Robertson,     |
| Auker,          | Fleming,       | Laughner,      | Root,          |
| Baker,          | Flynn,         | Lee,           | Rose, S.       |
| Barrett,        | Foor,          | Leisey,        | Rose, W. E.,   |
| Barton,         | Fox,           | Leonard,       | Rowley,        |
| Benley,         | Freed,         | Levy,          | Royer,         |
| Benzel,         | Fullerton,     | Leydic,        | Salus,         |
| Boies,          | Garber,        | Lichtenwalter, | Sarge,         |
| Bonawitz,       | Gardner,       | Livingstone,   | Sarraf,        |
| Boorse,         | Gates,         | Longo,         | Scanlon,       |
| Boony,          | Gillan,        | Lovett,        | Schuster,      |
| Bower,          | Goodling,      | Lyons,         | Serrill,       |
| Boyd,           | Goodwin,       | Madigan,       | Simons,        |
| Bradley,        | Gorman,        | Mahany,        | Skala,         |
| Bretherick,     | Grant,         | Maxwell,       | Smith,         |
| Brice,          | Green,         | McAtee,        | Snider,        |
| Brigerman,      | Greenwood,     | McClester,     | Sollenberger,  |
| Brown,          | Gross,         | McKinney,      | Sorg,          |
| Brunner, C. H., | Gyger,         | McMillen,      | Stank,         |
| Brunner, P. A., | Haberlen,      | McSurdy,       | Stockham,      |
| Burns,          | Hall,          | Menna,         | Stonier,       |
| Cadwalader,     | Hamilton,      | Mihm,          | Swope,         |
| Calvin,         | Hannon,        | Miller,        | Tahl,          |
| Campbell,       | Hare,          | Mintess,       | Tate,          |
| Chervenak,      | Harris,        | Mock,          | Taylor,        |
| Chudoff,        | Haudenshield,  | Modell,        | Thompson,      |
| Cohen,          | Heatherington, | Mooney,        | Thrasher,      |
| Colman,         | Helm,          | Moore,         | Tiemann,       |
| Cook,           | Herman,        | Moran,         | Trent,         |
| Cooper,         | Hersch,        | Moser,         | Trout,         |
| Cordier,        | Hewitt,        | Mulr,          | Turbett,       |
| Corrigan,       | Hocke,         | Munley,        | Van Allsburg,  |
| Costa,          | Hoffman,       | Murray,        | Verona,        |
| Cotison,        | Hoggard,       | Nowak,         | Wachhaus,      |
| Croop,          | Holmes,        | O'Brien,       | Wagner, K. H., |
| Cullen,         | Hoopes,        | O'Connor,      | Wagner, P. L., |
| Dague,          | Hunter, B. F., | O'Dare,        | Wallin,        |
| Dakymple,       | Hunter, W. M., | O'Neill,       | Walton,        |
| Deaman,         | Huntley,       | Owens,         | Watkins,       |

|           |               |               |              |
|-----------|---------------|---------------|--------------|
| Dennison, | Imbrle,       | Petrosky,     | Weiss,       |
| Depuy,    | Irvin,        | Pettit,       | Welsh,       |
| Dillon,   | James,        | Polaski,      | Winner,      |
| Dix,      | Jones,        | Powers,       | Wood, L. H., |
| Duffy,    | Kennedy,      | Readinger,    | Wood, N.,    |
| Elder,    | Kirley,       | Reagan,       | Worley,      |
| Elliott,  | Kitchen,      | Reese, D. P., | Wright,      |
| Ely,      | Kilne,        | Reese, R. E., | Yeakel,      |
| Erb,      | Kolankiewicz, | Regan,        | Yester,      |
| Ewing,    | Kowalski,     | Relly,        | Fiss,        |
| Flglock,  | Krepps,       | Reynolds,     | Speaker.     |
| Finnerty, | Krise,        | Riley,        |              |

NAYS—0

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

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

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 345, as follows:

An Act to further amend the act approved the first day of June one thousand nine hundred thirty-seven (P. L. 1168) entitled "An act to protect the right of employes to organize and bargain collectively creating the Pennsylvania Labor Relations Board conferring powers and imposing duties upon the Pennsylvania Labor Relations Board officers of the State government and courts providing for the right of employes to organize and bargain collectively declaring certain labor practices by employers to be unfair further providing that representatives of a majority of the employes be the exclusive representatives of all the employes authorizing the board to conduct hearings and elections and certify as to representatives of employes for purposes of collective bargaining empowering the board to prevent any person from engaging in any unfair labor practice and providing a procedure for such cases including the issuance of a complaint the conducting of a hearing and the making of an order empowering the board to petition a court of common pleas for the enforcement of its order and providing a procedure for such cases providing for the review of an order of the board by a court of common pleas on petition of any person aggrieved by such order and establishing a procedure for such cases providing for an appeal from the common pleas court to the Supreme Court providing the board with investigatory powers including the power to issue subpoenas and the compelling of obedience to them through application to the proper court providing for service of papers and process of the board prescribing certain penalties" further regulating the right to and procedure on appeals to court

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

Section 1 Subsection (d) of section seven of the act approved the first day of June one thousand nine hundred thirty-seven (P. L. 1168) entitled "An act to protect the right of employes to organize and bargain collectively creating the Pennsylvania Labor Relations Board conferring powers and imposing duties upon the Pennsylvania Labor Relations Board officers of the State government and courts providing for the right of employes to organize and bargain collectively declaring certain labor practices by employers to be unfair further providing that representatives of a majority of the employes to be exclusive representatives of all the employes authorizing the board to conduct hearings and elections and certify as to representatives of employes for purposes of collective bargaining empowering the board to prevent any person from engaging in any unfair labor

practice and providing a procedure for such cases including the issuance of a complaint the conducting of a hearing and the making of an order empowering the board to petition a court of common pleas for the enforcement of its order and providing a procedure for such cases providing for the review of an order of the board by a court of common pleas on petition of any person aggrieved by such order and establishing a procedure for such cases providing for an appeal from the common pleas court to the Supreme Court providing the board with investigatory powers including the power to issue subpoenas and the compelling of obedience to them through application to the proper court providing for service of papers and process of the board prescribing certain penalties" as amended by the act approved the ninth day of June one thousand nine hundred thirty nine (P. L. 293) is hereby further amended to read as follows

#### Section 7 Representatives and Elections

(d) Whenever an order of the board made pursuant to section eight subsection (c) is based in whole or in part upon facts certified following an investigation pursuant to subsection (c) of this section and there is a petition for the enforcement or review of such order such certification and the record of such investigation shall be included in the transcript of the entire record required to be filed under subsections (a) or (b) of section nine and thereupon the decree of the court enforcing modifying or setting aside in whole or in part the order of the board shall be made and entered upon the pleadings testimony and proceedings set forth in such transcript (an appeal may be taken from any certification although not a final order either immediately or within fifteen days of its issuance or after some final order has been entered as provided in section nine of this act but an appeal from an order which is not final shall neither stay nor supersede any proceeding pending before the board unless so ordered by the court)

Section 2 Subsection (b) of section nine of said act as amended by the act approved the ninth day of June one thousand nine hundred thirty-nine (P. L. 293) is hereby further amended to read as follows

#### Section 9 Judicial Review

(b) Any person aggrieved by a final order of the board granting or denying in whole or in part the relief sought or by an order certifying a collective bargaining agent of employes may obtain a review of such order in the court of common pleas of any county where the unfair labor practice in question was alleged to have been engaged in or wherein such person resides or transact business by filing in such court a written petition praying that the order of the board be modified or set aside. A copy of such petition shall be forthwith served upon the board and the board shall file in the court a transcript of the entire record in the proceedings certified by the board including the pleadings and testimony and order of the board and shall file in the court an answer specifically denying all averments of the petition not admitted by the board with a cross-petition for enforcement of the board's order. Upon such filing the court shall proceed in the same manner as in the case of an application by the board under subsection (a) and shall have the same exclusive jurisdiction to grant to the board such temporary relief or restraining order as it deems just and proper and in like manner to make and enter a decree enforcing modifying and enforcing as so modified or setting aside in whole or in part the order of the board and the findings of the board as to the facts if supported by substantial and legally credible evidence shall in like manner be conclusive. In all cases of review to the Supreme Court of Pennsylvania under this act the appellant may print a transcript containing an abridgment of the record in narrative form as far as necessary to present the questions for decisions. Such printed transcript shall refer to the page of the original transcript and record certified by the board which original transcript shall be filed with the Supreme Court

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

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

On the question,

Shall the bill pass finally?

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

#### YEAS—127

|                 |                |                |                |
|-----------------|----------------|----------------|----------------|
| Alspach.        | Fox,           | Krepps.        | Rose, W. E.,   |
| Auker.          | Freed.         | Krise.         | Rowley,        |
| Barton.         | Fullerton,     | Laughner.      | Royer,         |
| Bonawitz,       | Garber.        | Lee.           | Salus,         |
| Boorse,         | Gardner.       | Leisey,        | Sarge,         |
| Bower.          | Gates.         | Leydic,        | Serrill,       |
| Boyd,           | Gillan.        | Lichtenwalter, | Simons,        |
| Bretherlock,    | Goodling,      | Livingstone.   | Smith,         |
| Brice,          | Gorman.        | Lyons.         | Sollenberger,  |
| Brunner, C. H., | Greenwood.     | Madigan,       | Sorg,          |
| Cadwalader,     | Gross.         | Mahany,        | Stockham,      |
| 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,          | Hocke.         | Mintess.       | Van Allsburg,  |
| Dalrymple,      | Hoffman.       | Mock.          | Wachhaus,      |
| Denman.         | Holmes.        | Moore.         | Wagner, K. H., |
| Dennison.       | Hoopes.        | Moser.         | Wagner, P. L., |
| Depuy.          | Hunter, W. M., | Muir.          | Wallin,        |
| Dix.            | Huntley.       | Murray.        | Walton,        |
| Elder.          | Imbrie.        | Nowak.         | Watkins,       |
| Ely.            | Irvin.         | O'Dare.        | Winner.        |
| Erb.            | James.         | Reagan.        | Wood, L. H.,   |
| Ewing.          | Jones.         | Reese, D. P.,  | Wood, N.,      |
| Figlock.        | Kennedy.       | Reilly.        | Workley.       |
| Flack.          | Kitchen.       | Riley.         | Yeakel,        |
| Fleming.        | Kline.         | Robertson.     | Fiss,          |
| Foot.           | Kowalski.      | Root.          | Speaker.       |

#### NAYS—75

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

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

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

#### BILL PASSED OVER

There being no objection Senate Bill No. 85, Printer's No. 37, was passed over at the request of the SPEAKER pro tempore.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 377, as follows:

An Act abolishing the State Forests and Waters Fund in the State Treasury providing for the payment of the moneys therein and all future moneys heretofore payable into such special fund into the General Fund making the same available for all lawful expenditures and making certain repeals

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

Sect on 1 All moneys by law now payable into the State Forests and Waters Fund in the State Treasury shall be continued to be collectible in the manner now provided by law but shall henceforth be payable into the General Fund of the State Treasury The State Forests and Waters Fund is hereby abolished and all moneys unexpended and remaining in said fund shall be transferred by the State Treasurer into the General Fund in the State Treasury and shall become available for general use Any obligations incurred prior to the effective date of this act which were payable out of the State Forests and Waters Fund and which remain unpaid on said date shall be paid out of the biennial appropriations made out of the General Fund to the Department of Forests and Waters for the two fiscal years beginning June 1 1943 for similar purposes

Sect on 2 The following acts or parts of acts are hereby repealed absolutely

Paragraph 20 of Section 302 of the Act of April 9 1929 (P. L. 343) known as "The Fiscal Code" which was added thereto by the amendatory act approved the eleventh day of June one thousand nine hundred and thirty-five (P. L. 333)

The act approved the ninth day of June one thousand nine hundred and thirty-five (P. L. 639) entitled "An act appropriating the moneys in the State Forests and Waters Fund"

The act approved the sixteenth day of March one thousand nine hundred and thirty-seven (P. L. 97) entitled "An act to amend section one of the act approved the ninth day of July one thousand nine hundred and thirty-five (P. L. 639) entitled 'An act appropriating the moneys in the State Forests and Waters Fund' regulating payments from said fund to the Government of the United States"

Section 3 This act shall become effective on the first day of June one thousand nine hundred forty-three

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

On the question,

Shall the bill pass finally?

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

YEAS—202

- |                 |            |                |               |
|-----------------|------------|----------------|---------------|
| Aispach,        | Flack,     | Lane,          | Robertson,    |
| Auker           | Fleming,   | Laughner,      | Root,         |
| Baker           | Flynn,     | Lee,           | Rose, S.      |
| Barrett,        | For,       | Leisey,        | Rose, W. E.,  |
| Bartor,         | Fox,       | Leonard,       | Rowley,       |
| Bentley,        | Freed,     | Levy,          | Royer,        |
| Bentzel,        | Fullerton, | Leydic,        | Salus,        |
| Boles,          | Garber,    | Lichtenwalter, | Sarge,        |
| Bonavitz,       | Gardner,   | Livingstone,   | Sarraff,      |
| Boorse,         | Gates,     | Longo,         | Scanlon,      |
| Boory           | Gillan,    | Lovett,        | Schuster,     |
| Bowen,          | Goodling,  | Lyons,         | Serrill,      |
| Boyd,           | Goodwin,   | Madigan,       | Simons,       |
| Bradley,        | Gorman,    | Mahany,        | Skale,        |
| Bretherick,     | Grant,     | Maxwell,       | Smith,        |
| Brice,          | Green,     | McAtee,        | Snider,       |
| Brigerman,      | Greenwood, | McClester,     | Sollenberger, |
| Brown,          | Gross,     | McKinney,      | Sorg,         |
| Brunner, C. H., | Gyger,     | McMillen,      | Stank,        |
| Brunner, P. A., | Haberlen,  | McSurdy,       | Stockham,     |
| Burns           | Hall,      | Menna,         | Stonier,      |
| Cadwalader,     | Hamilton,  | Mihm,          | Swope,        |
| Calvir,         | Hannon,    | Miller,        | Tahl,         |
| Campbell,       | Hare,      | Mintess,       | Tate,         |
| Chervenak,      | Harris,    | Mock,          | Taylor,       |

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

NAYS—0

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

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

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 344, entitled:

An Act to further amend clause (c) of section three of the act approved the first day of June one thousand nine hundred thirty-seven (P. L. 1168) entitled "An act to protect the right of employes to organize and bargain collectively creating the Pennsylvania Labor Relations Board conferring powers and imposing duties upon the Pennsylvania Labor Relations Board officers of the State government and courts providing for the right of employes to organize and bargain collectively declaring certain labor practices by employers to be unfair further providing that representatives of a majority of the employes be the exclusive representatives of all the employes authorizing the board to conduct hearings and elections and certify as to representatives of employes for purposes of collective bargaining empowering the board to prevent any person from engaging in any unfair labor practice and providing a procedure for such cases including the issuance of a complaint the conducting of a hearing and the making of an order empowering the board to petition a court of common pleas for the enforcement of its order and providing a procedure for such cases providing for the review of an order of the board by a court of common pleas on petition of any person aggrieved by such order and establishing a procedure for such cases providing for an appeal from the common pleas court to the Supreme Court providing the board with investigatory powers including the power to issue subpoenas and the compelling of obedience to them through application to the proper court providing for service of papers and process of the board prescribing certain penalties" including persons subject to the National Labor Relations Act in the definition of "employer" and defining the term "labor organization"

On the question,

Will the House agree to the bill on third reading?

Mr. LICHTENWALTER. Mr. Speaker, I ask unanimous consent to offer an amendment at this time.

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

The Clerk read the amendment as follows:

Amend the title, page 1, line 1, by striking out "clause (c)" and inserting in lieu thereof the following: "Clauses (c) and (f)."

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

On the question,

Will the House agree to the amendment?

It was agreed to.

On the question,

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

It was agreed to.

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

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 444, as follows:

An Act to repeal the act approved the fourth day of May one thousand eight hundred eighty-nine (P. L. 87) entitled "An act relating to sales of provisions by description"

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

Section 1 The act approved the fourth day of May one thousand eight hundred eighty-nine (P. L. 87) entitled "An act relating to sales of provisions by description" is 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—202

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

|            |                |               |              |
|------------|----------------|---------------|--------------|
| Dalrymple, | Hunter, W. M., | O'Neill,      | Walton,      |
| Denman,    | Huntley,       | Owens,        | Watkins,     |
| Dennison,  | Imbrie,        | Petrosky,     | Weiss,       |
| Deputy,    | Irvin,         | Pettit,       | Welsh,       |
| Dillon,    | James,         | Polaski,      | Winner,      |
| Dix,       | Jones,         | Powers,       | Wood, L. H., |
| Duffy,     | Kennedy,       | Readinger,    | Wood, N.,    |
| Elder,     | Kirley,        | Reagan,       | Worley,      |
| Elliott,   | Kitchen,       | Reese, D. P., | Wright,      |
| Ely,       | Kline,         | Reese, R. E., | Yeakel,      |
| Erb,       | Kolankiewicz,  | Regan,        | Yester,      |
| Ewing,     | Kowalski,      | Relly,        | Fiss,        |
| Figlock,   | Krepps,        | Reynolds,     | Speaker.     |
| Finnerty,  | Krise,         | Riley,        |              |

NAYS—0

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

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

BILL PASSED OVER

There being no objection Senate Bill No. 494, Printer's No. 292, was passed over at the request of the SPEAKER pro tempore.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 532, as follows:

An Act to further amend the last paragraph of section five of the act approved the twelfth day of May one thousand nine hundred eleven (P. L. 295) entitled "A supplement to an act entitled 'An act for the government of cities of the second class' approved the seventh day of March Anno Domini one thousand nine hundred and one providing for the levy collection and disbursement of taxes and water-rents or rates and conferring certain powers and duties in reference thereto upon the city treasurer the board of water assessors and the collector of delinquent taxes and repealing certain acts relating to matters herein provided for" requiring the board of water assessors to furnish information to departments of the city government

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

Section 1 The last paragraph of section five of the act approved the twelfth day of May one thousand nine hundred eleven (P. L. 295) entitled "A supplement to an act entitled 'An act for the government of cities of the second class' approved the seventh day of March Anno Domini one thousand nine hundred and one providing for the levy collection and disbursement of taxes and water-rents or rates and conferring certain powers and duties in reference thereto upon the city treasurer the board of water assessors and the collector of delinquent taxes and repealing certain acts relating to matters herein provided for" as amended by the act approved the fifteenth day of June one thousand nine hundred fifteen (P. L. 976) is hereby further amended to read as follows

Section 5 \* \* \* \*

It shall be the duty of the board of water assessors in said cities to furnish [the department of assessors a copy of all water assessments made by them with a description of all properties against which such water-rents or rates have been levied and assessed on or before the first day of December in each year and said department of assessors shall include in their annual return of tax assessments to the city treasurer all water assessments so furnished by the board of water assessors] such departments of the city government such information at such time as the city council by ordinance may ordain

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—202

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

NAYS—0

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

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

BILL PASSED OVER

There being no objection Senate Bill No. 554, Printer's No. 354, was passed over at the request of the SPEAKER pro tempore.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 565, as follows:

An Act to amend section one of the act approved the sixteenth day of May one thousand nine hundred thirty-nine (P. L. 139) entitled "An act authorizing counties cities boroughs townships of the first and second class

and school districts to issue and sell bonds for certain purposes and for a certain period of time providing for a trust fund and a sinking fund for the payment thereof and defining the duties of the officers and governing bodies of the said municipalities or quasi municipalities in relation to said funds and fixing a penalty for the violation thereof" extending the provisions thereof to meet increased operating expenses during the war emergency

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

Section 1 Section one of the act approved the sixteenth day of May one thousand nine hundred thirty-nine (P. L. 139) entitled "An act authorizing counties cities boroughs townships of the first and second class and school districts to issue and sell bonds for certain purposes and for a certain period of time providing for a trust fund and a sinking fund for the payment thereof and defining the duties of the officers and governing bodies of the said municipalities or quasi municipalities in relation to said funds and fixing a penalty for the violation thereof" is hereby amended to read as follows

Section 1 That to meet the emergency occasioned by the extraordinary decrease in tax collections due to business depression and widespread unemployment or to meet increased operating expenses during the war emergency it shall be lawful for any county city borough township of the first and second class and school districts to issue and sell at not less than par bonds bearing interest at a rate not exceeding six per cent (6%) per annum payable in not more than ten (10) years from the date of said bonds in an amount not exceeding eighty per cent (80%) of the amount of uncollected taxes due on real estate at the date of the enactment of the ordinance or the adoption of the resolution authorizing such action less a sum sufficient to pay the interest and taxes covenanted to be paid thereon Any subsequent borrowing under the provisions of this act shall be limited to an amount which when added to the amount or amounts previously borrowed shall not exceed eighty per cent (80%) of the amount of the uncollected taxes less a sum sufficient to pay the interest and taxes covenanted to be paid on the amounts previously borrowed and proposed to be borrowed and the proceeds of any bonds created under the provisions of this act by any such municipality or quasi municipality shall be used only for the payment of the operating expenses of such municipality or quasi municipality

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

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

On the question,  
Shall the bill pass finally?

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

YEAS—151

|                 |               |                |               |
|-----------------|---------------|----------------|---------------|
| Alspach,        | Flack,        | Kolankiewicz,  | Rose, W. E.,  |
| Auker,          | Fleming,      | Kowalski,      | Rowley,       |
| Barton,         | Foor,         | Kreppts,       | Royer,        |
| Bonawitz,       | Fox,          | Krise,         | Salus,        |
| Boorse,         | Freed,        | Laughner,      | Sarge,        |
| Boory,          | Fullerton,    | Lee,           | Scanlon,      |
| Bower,          | Garber,       | Lelsey,        | Serrill,      |
| Boyd,           | Gardner,      | Levy,          | Simons,       |
| Bretherick,     | Gates,        | Leydic,        | Skale,        |
| Brice,          | Gillan,       | Lichtenwalter, | Smith,        |
| Brigerman,      | Goodling,     | Livingstone,   | Sollenberger, |
| Brunner, C. H., | Gorman,       | Lyons,         | Sorg,         |
| Cadwalader,     | Green,        | Madigan,       | Stockham,     |
| Calvin,         | Greenwood,    | Mahany,        | Stonier,      |
| Campbell,       | Gross,        | McAtee,        | Tahl,         |
| Chudoff,        | Gyger,        | McClester,     | Tate,         |
| Cohen,          | Hall,         | McKinney,      | Taylor,       |
| Cook,           | Hannon,       | McMillen,      | Thompson,     |
| Cooper,         | Hare,         | McSurdy,       | Thrasher,     |
| Cordier,        | Haudenshield, | Menna,         | Tiemann,      |

|            |                |               |                |
|------------|----------------|---------------|----------------|
| Corrigan,  | Helm,          | Miller,       | Trent,         |
| Costa,     | Herman,        | Mintess,      | Trout,         |
| Coulson,   | Hersch,        | Mock,         | Turbett,       |
| Cullen,    | Hewitt,        | Modell,       | Van Allsburg,  |
| Dague,     | Hocke,         | Moore,        | Wachhaus,      |
| Dalrymple, | Hoffman,       | Moser,        | Wagner, K. H., |
| Denman,    | Hoggard,       | Muir,         | Wagner, P. L., |
| Dennison,  | Holmes,        | Murray,       | Wallin,        |
| Depuy,     | Hoopes,        | Nowak,        | Walton,        |
| Dillon,    | Hunter, W. M., | O'Brien,      | Watkins,       |
| Dix,       | Huntley,       | O'Dare,       | Welsh,         |
| Duffy,     | Imbrie,        | Reagan,       | Winnor,        |
| Elder,     | Irvin,         | Reese, D. P., | Wood, L. H.,   |
| Ely,       | James,         | Reilly,       | Wood, N.,      |
| Erb,       | Jones,         | Riley,        | Worley,        |
| Ewing,     | Kennedy,       | Robertson,    | Yeakel,        |
| Figlock,   | Kitchen,       | Root,         | Fiss,          |
| Finnerty,  | Kline,         | Rose, S.,     | Speaker.       |

NAYS—51

|                 |                |            |               |
|-----------------|----------------|------------|---------------|
| Baker,          | Flynn,         | Maxwell,   | Reese, R. E., |
| Barrett,        | Goodwin,       | Mihm,      | Regan,        |
| Bentley,        | Grant,         | Mooney,    | Reynolds,     |
| Bentzel,        | Haberlen,      | Moran,     | Sarraf,       |
| Boies,          | Hamilton,      | Munley,    | Schuster,     |
| Bradley,        | Harris,        | O'Connor,  | Snider,       |
| Brown,          | Heatherington, | O'Neill,   | Stank,        |
| Brunner, P. A., | Hunter, B. F., | Owens,     | Swope,        |
| Burns,          | Kirley,        | Petrosky,  | Verona,       |
| Chevenak,       | Lane,          | Pettit,    | Weiss,        |
| Coleman,        | Leonard,       | Polaski,   | Wright,       |
| Croop,          | Longo,         | Powers,    | Yester,       |
| Elliott,        | Lovett,        | Readinger, |               |

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

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

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 579, as follows:

An Act to further amend section one thousand one hundred forty-seven 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" by providing as to certain additional roads streets lanes and alleys which may be accepted as public highways by boards of supervisors of townships of the second class

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

Section 1 Section one thousand one hundred forty-seven 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" as added by the act approved the eighteenth day of July one thousand nine hundred thirty-five (P. L. 1299) and amended by the act approved the eighth day of May one thousand nine hundred forty-one (P. L. 39) is hereby further amended to read as follows

Section 1147 Taking Over of Roads Streets Lanes and Alleys Heretofore Dedicated as Public Highways Whenever plans of dedicated roads streets lanes or alleys located in second class townships have been adopted approved and recorded the board of supervisors of any such township may with the consent of the court of quarter sessions upon petition filed accept any roads streets lanes or alleys as public highways if shown in said plans as dedicated to such use and provided the roads or streets shall be not less than thirty-three feet in width and the lanes or alleys not less than fifteen feet in width said acceptance to be evidenced by a resolution of the said board of supervisors properly describing said roads streets lanes or alleys and adopted by a majority thereof by a vote duly recorded and entered upon the minutes of said

board Upon the filing with the clerk of courts of quarter sessions of the county in which said township shall be situate a certified and attested copy of said resolution with the consent of the court endorsed thereon such road streets lanes or alleys shall be and become a part of the public highway system of said township and shall be so recorded in said court of quarter sessions Provided That in the case of any plan of dedicated roads streets lanes or alleys which was adopted approved and recorded prior to the effective date of this act said roads streets lanes or alleys if dedicated to public use may be taken over as public highways under the authority of and in accordance with the procedure prescribed by this section if said roads or streets are less than thirty-three feet in width and said lanes or alleys are less than fifteen feet in width

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—202

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

NAYS—0

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

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

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 899, as follows:

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

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

Section 1 Section four hundred and two of the act approved the twenty-ninth day of November one thousand nine hundred and thirty-three (P. L. 15 1933-34) entitled as amended "An act to regulate and restrain the sale manufacture possession transportation importation traffic in and use of alcohol and alcoholic and malt or brewed beverages conferring powers and imposing duties upon the Pennsylvania Liquor Control Board and its agents the Department of Public Instruction other officers of the State government courts and district attorneys authorizing the establishment and operation of State stores for the sale of such beverages not for consumption on the premises and the granting of licenses subject to local option to sell such beverages for consumption on and off the premises forbidding importation or bringing of such beverages into the State except as herein provided prohibiting certain sales or practices in connection with and transactions in such beverages by licensees and others providing for the forfeiture of certain property making disposition of the receipts from State stores and of fees and imposing penalties" as reenacted and last amended by the act approved the sixteenth day of June one thousand nine hundred and thirty-seven (P. L. 1762) is hereby further amended to read as follows

Section 402 Application for Hotel Restaurant or Club Liquor Licenses Every applicant for a hotel liquor license restaurant liquor license or club license shall file a written application with the board in such form and containing such information as the board shall from time to time prescribe which shall be accompanied by a filing fee of ten dollars the prescribed license fee and the bond hereinafter specified Every such application shall contain a description of that part of the hotel restaurant or club for which the applicant desires a license and shall set forth such other material information description or plan or that part of the hotel restaurant or club where it is proposed to keep and sell liquor as may be required by the regulations of the board If the applicant is a natural person his application must show that he is a citizen of the United States and has been a resident of this Commonwealth for at least three years immediately preceding his application If the applicant is a corporation the application must show that the corporation was created under the laws of Pennsylvania or holds a certificate of authority

to transact business in Pennsylvania that all officers directors and stock-holders are citizens of the United States and that the manager of the hotel restaurant or club is a citizen of the United States The application shall be signed and verified by oath or affirmation by the owner if a natural person or in the case of an association by a member or partner thereof or in the case of a corporation by an executive officer thereof or any person specifically authorized by the corporation to sign the application to which shall be attached written evidence of his authority If the applicant is an association the application shall set forth the names and addresses of the persons constituting the association and if a corporation the names and addresses of the principal officers thereof Every club applicant shall file with and as a part of its application a list of the names and addresses of its members directors officers agents and employes together with the dates of their admission election or employment and such other information with respect to its affairs as the board shall require The board shall refuse to issue licenses to clubs when it appears that the operation of the licensed business would inure to the benefit of individual members officers agents or employes of the club rather than to the benefit of the entire membership of the club

Every applicant for a new license or for the transfer of an existing license to another premises not then licensed shall post for a period of at least fifteen days beginning with the day the application is filed with the board in a conspicuous place on the outside of the premises for which the license is applied a notice of such application in such form of such size and containing such provisions as the board may require by its regulations Proof of the posting of such notice shall be filed with the board

Every applicant for a new license or for the transfer of an existing license to another premises shall publish notice of such application in such form as the board may prescribe once a week for two weeks in at least one newspaper of general circulation distributed in the municipality or township in which the licensed place or place proposed to be licensed is located and in the legal newspaper published in the county if any Proof of the publication of such notice shall be filed with the board

All applications must be verified by affidavit of applicant and if any false statement is intentionally made in any part of the application the affiant shall be deemed guilty of a misdemeanor and upon indictment and conviction shall be subject to the penalties provided by this act

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.

Messrs. Lovett, Lane and R. E. Reese asked for a verification of the roll.

The roll was verified and was as follows:

YEAS—98

|             |            |                |                |
|-------------|------------|----------------|----------------|
| Alspach,    | Garber,    | Kline,         | Riley,         |
| Auker,      | Gardner,   | Kowalski,      | Robertson,     |
| Barton,     | Gates,     | Krise,         | Royer,         |
| Bonawitz,   | Gillan,    | Lelsey,        | Sarge,         |
| Boorse,     | Goodling,  | Lichtenwalter, | Serrill,       |
| Bower,      | Gorman,    | Lyons,         | Simons,        |
| Boyd,       | Greenwood, | Mahany,        | Sollenberger,  |
| Bretherick, | Gross,     | McAtee,        | Sorg,          |
| Cadwalader, | Gyger,     | McClester,     | Stockham,      |
| Campbell,   | Hall,      | McKinney,      | Tahl,          |
| Cook,       | Hannon,    | McMillen,      | Taylor,        |
| Costa,      | Hare,      | McSurdy,       | Tiemann,       |
| Coulson,    | Helm,      | Menna,         | Turbett,       |
| Dague,      | Hewitt,    | Miller,        | Van Allsburg,  |
| Dairympole, | Hoffman,   | Mintess,       | Wachhaus,      |
| Dennison,   | Holmes,    | Mock,          | Wagner, K. H., |
| Dix,        | Hoopes,    | Moore,         | Wagner, P. L., |

|          |                |               |          |
|----------|----------------|---------------|----------|
| Elder,   | Hunter, W. M., | Muir,         | Wallin,  |
| Ely,     | Huntley,       | Murray,       | Walton,  |
| Erb,     | Imbrle,        | Nowak,        | Watkins. |
| Figlock, | Irvin,         | Powers,       | Wood, N. |
| Flack,   | James,         | Reagan,       | Worley,  |
| Foor,    | Jones,         | Reese, D. P., | Yeakel,  |
| Fox,     | Kennedy,       | Reilly,       | Yester.  |
| Freed,   | Kitchen,       |               |          |

NAYS—87

|                 |                |               |              |
|-----------------|----------------|---------------|--------------|
| Baker,          | Ewing,         | Leonard,      | Regan,       |
| Barrett,        | Finnerty,      | Levy,         | Reynolds,    |
| Bentley,        | Fleming,       | Leydic,       | Rose, S.,    |
| Bentzel,        | Flynn,         | Livingstone,  | Rose, W. E., |
| Boory,          | Fullerton,     | Longo,        | Rowley,      |
| Bradley,        | Goodwin,       | Lovett,       | Salus,       |
| Brice,          | Grant,         | Maxwell,      | Sarraf,      |
| Brigerman,      | Green,         | Mihm,         | Scanlon,     |
| Brown,          | Haberlen,      | Modell,       | Schuster,    |
| Brunner, P. A., | Hamilton,      | Mooney,       | Skale,       |
| Burns,          | Harris,        | Moran,        | Smith,       |
| Calvin,         | Heatherington, | Moser,        | Snider,      |
| Chervenak,      | Herman,        | Munley,       | Stank,       |
| Chudoff,        | Hersch,        | O'Brien,      | Stonier,     |
| Coleman,        | Hoggard,       | O'Connor,     | Swope,       |
| Cordier,        | Hunter, B. F., | O'Neill,      | Tate,        |
| Corrigan,       | Kirley,        | Owens,        | Thompson,    |
| Croop,          | Kolankiewicz,  | Petrosky,     | Thrasher,    |
| Depuy,          | Krepps,        | Pettit,       | Trent,       |
| Dillon,         | Lane,          | Polaski,      | Verona,      |
| Duffy,          | Laughner,      | Readinger,    | Weiss,       |
| Elliott,        | Lee,           | Reese, R. E., | Welsh,       |
|                 |                |               | Wright,      |

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

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 837, as follows:

An Act to further amend section two hundred twenty-six 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 permitting a school director to resign and be elected solicitor of the board in certain cases

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

Section 1 Section two hundred twenty-six of the act approved the eighteenth day of May one thousand nine hundred eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" as amended by the act approved the twenty-sixth day of May one thousand nine hundred thirty-three (P. L. 1070) is hereby further amended to read as follows

Section 226 No school director shall during the term for which he was elected or appointed be employed in any capacity by the school district in which he is elected or appointed or receive from such school district any pay for services rendered to the district except as provided in this act Provided however That one who has served as a school director for [three consecutive terms] one term of six years [each] and is reelected for a succeeding term may be elected to the position of attorney or solicitor for the board of which he was a member by the unanimous vote of all the other members of the board and after receiving his office as school director shall be

entitled to receive such pay for his services as solicitor as the board of school directors may determine

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—165

|                 |                |                |               |
|-----------------|----------------|----------------|---------------|
| Alspach,        | Finnerty,      | Kowalski,      | Rose, S.,     |
| Auker,          | Flack,         | Krepps,        | Rose, W. E.,  |
| Barrett,        | Fleming,       | Krise,         | Rowley,       |
| Barton,         | Flynn,         | Laughner,      | Royer,        |
| Bentley,        | Foor,          | Lee,           | Salus,        |
| Boies,          | Fox,           | Lelsey,        | Sarge,        |
| Bonawitz,       | Freed,         | Levy,          | Serrill,      |
| Boorse,         | Fullerton,     | Leydic,        | Simons,       |
| Boory,          | Garber,        | Lichtenwalter, | Skale,        |
| Bower,          | Gardner,       | Longo,         | Smith,        |
| Boyd,           | Gates,         | Lyons,         | Snider,       |
| Bradley,        | Gillan,        | Madigan,       | Sollenberger, |
| Bretherick,     | Goodling,      | Mahany,        | Sorg,         |
| Brice,          | Gorman,        | Maxwell,       | Stank,        |
| Brigerman,      | Grant,         | McAtee,        | Stockham,     |
| Brown,          | Green,         | McClester,     | Stonier,      |
| Brunner, C. H., | Greenwood,     | McMillen,      | Swope,        |
| Brunner, P. A., | Gross,         | McSurdy,       | Tahl,         |
| Cadwalader,     | Gyger,         | Menna,         | Tate,         |
| Calvin,         | Haberlen,      | Mihm,          | Taylor,       |
| Campbell,       | Hall,          | Mintess,       | Tiemann,      |
| Chervenak,      | Hamilton,      | Mock,          | Trent,        |
| Cook,           | Hannon,        | Mooney,        | Trout,        |
| Cooper,         | Harris,        | Moore,         | Turbett,      |
| Cordier,        | Haudenshield,  | Moser,         | Van Allsburg, |
| Corrigan,       | Herman,        | Muir,          | Verona,       |
| Costa,          | Hersch,        | Murray,        | Wachhaus,     |
| Coulson,        | Hewitt,        | Nowak,         | Wagner P. L., |
| Dague,          | Hocke,         | O'Brien,       | Wallin,       |
| Dalrymple,      | Hoffman,       | O'Dare,        | Walton,       |
| Denman,         | Hoggard,       | Owens,         | Watkins,      |
| Dennison,       | Holmes,        | Petrosky,      | Weiss,        |
| Depuy,          | Hoopes,        | Pettit,        | Welsh,        |
| Dillon,         | Hunter, W. M., | Powers,        | Winner,       |
| Dix,            | Huntley,       | Readinger,     | Wood, L. H.,  |
| Duffy,          | Imbrle,        | Reagan,        | Wood N.,      |
| Elder,          | Irvin,         | Reese, D. P.,  | Worley,       |
| Elliott,        | James,         | Relly,         | Wright,       |
| Ely,            | Kennedy,       | Riley,         | Yeakel,       |
| Erb,            | Kitchen,       | Robertson,     | Fiss,         |
| Ewing,          | Kline,         | Root,          | Speaker.      |
| Figlock,        | Kolankiewicz,  |                |               |

NAYS—37

|          |                |               |                |
|----------|----------------|---------------|----------------|
| Baker,   | Heatherington, | McKinney,     | Regan,         |
| Bentzel, | Helm,          | Miller,       | Reynolds,      |
| Burns,   | Hunter, B. F., | Modell,       | Sarraf,        |
| Chudoff, | Jones,         | Moran,        | Scanlon,       |
| Cohen,   | Kirley,        | Munley,       | Schuster,      |
| Coleman, | Lane,          | O'Connor,     | Thompson,      |
| Croop,   | Leonard,       | C'Neill,      | Thrasher,      |
| Cullen,  | Livingstone,   | Polaski,      | Wagner, K. H., |
| Goodwin, | Lovett,        | Reese, R. E., | Yester,        |
| Hare,    |                |               |                |

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 Senate Bill No. 25, as follows:

An Act making an appropriation to the Monongahela Memorial Hospital Association of Monongahela City Pennsylvania

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

Section 1 The sum of ten thousand dollars (\$10,000) or as much thereof as many be necessary is hereby appropriated to the Monongahela Memorial Hospital Association of Monongahela Pennsylvania for the purpose of rebuilding and reequipping the laundry of said hospital which was destroyed by fire on September twelfth one thousand nine hundred and forty-two and against which the Commonwealth had a lien as provided for under the provisions of the act approved the ninth day of June one thousand nine hundred and eleven (P. L. 736) entitled "An act making appropriations to institutions not wholly managed by the Commonwealth of Pennsylvania liens on the premises of such institutions for the use of the Commonwealth and providing for the collection thereof" which lien has been or is intended to be paid off out of the proceeds of fire insurance carried on said laundry by the hospital association in favor of the Commonwealth The money hereby appropriated shall be paid over in accordance with law upon the payment and satisfaction of said existing lien and the entry of a new lien therefor in accordance with said act of Assembly

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—202

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

Finnerty, Krise, Reynolds, Fiss, 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 return the same to the Senate with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 30, as follows:

An Act making an appropriation to The Franklin Institute of the State of Pennsylvania at Philadelphia

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

Section 1 The sum of one hundred thousand dollars (\$100,000) or as much thereof as may be necessary is hereby appropriated to The Franklin Institute of the State of Pennsylvania at Philadelphia for the two fiscal years beginning the first day of June one thousand nine hundred forty-three for the purpose of the maintenance of said institute

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—202

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

|   |  |  |  |
|---|--|--|--|
| Ely,<br>Erb,<br>Ewing,<br>Figlock,<br>Finnerty,<br>Flack, | Kline,<br>Kolankiewicz,<br>Kowalski,<br>Krepps,<br>Krise,<br>Lane, | Reese, R. E.,<br>Regan,<br>Relly,<br>Reynolds,<br>Riley, | Wright,<br>Yeakel,<br>Yester,<br>Fiss,<br>Speaker. |
|---|--|--|--|

NAYS—0

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

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

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 77, as follows:

An Act making an appropriation to the Water and Power Resources Board for the reconstruction of the dam near the village of Seelyville in Wayne County which was recently dynamited to eliminate a flood hazard and authorizing said board to undertake and complete the reconstruction of the aforesaid dam

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

Section 1 The amount of Fifteen Thousand Dollars (\$15,000) or so much thereof as may be necessary is hereby specifically appropriated to the Water and Power Resources Board of the Commonwealth of Pennsylvania to be used for the purpose of rebuilding the dam in Wayne County near the village of Seelyville which was recently ordered by said board to be dynamited to eliminate a flood hazard and said board is hereby specifically authorized to undertake and complete the reconstruction of the aforesaid dam Provided however That no work shall be undertaken or expenditures made under the provisions of this act unless written authority is received from the owner of said dam to proceed with such work in accordance with plans and specifications which shall be submitted to said owner And provided further That upon completion of said work the Water and Power Resources Board shall be discharged of all responsibility for future maintenance and operation of said dam but the completion of said work shall not discharge the owner of said dam from the provisions of the act of June twenty-fifth one thousand nine hundred thirteen (P. L. 555)

Any purchases of real or personal property necessary in connection therewith shall be made in accordance with the provisions of the "Administrative Code of 1929" (P. L. 177)

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—202

|   |   |   |  |
|---|---|---|--|
| Alspach,<br>Auker,<br>Baker,<br>Barrett,<br>Barton,<br>Bentley,<br>Bentzel,<br>Boies,<br>Bonawitz,<br>Boorse,<br>Boory,<br>Bower,<br>Boyd,<br>Bradley,<br>Bretherick, | Flack,<br>Fleming,<br>Flynn,<br>Foor,<br>Fox,<br>Freed,<br>Fullerton,<br>Garber,<br>Gardner,<br>Gates,<br>Gillan,<br>Goodling,<br>Goodwin,<br>Gorman,<br>Grant, | Lane,<br>Laughner,<br>Lee,<br>Leisey,<br>Leonard,<br>Levy,<br>Leydic,<br>Lichtenwalter,<br>Livingstone,<br>Longo,<br>Lovett,<br>Lyons,<br>Madigan,<br>Mahany,<br>Maxwell, | Robertson,<br>Root,<br>Rose, W. E.,<br>Rowley,<br>Royer,<br>Salus,<br>Rose, S.,<br>Sarge,<br>Sarraf,<br>Scanlon,<br>Schuster,<br>Serrill,<br>Simons,<br>Skale,<br>Smith, |
|---|---|---|--|

|   |  |  |  |
|---|--|--|--|
| Brice,<br>Brigerman,<br>Brown,<br>Brunner, C. H.,<br>Brunner, P. A.,<br>Burns,<br>Cadwalader,<br>Calvin,<br>Campbell,<br>Chervenak,<br>Chudoff,<br>Cohen,<br>Coleman,<br>Cook,<br>Cooper,<br>Cordier,<br>Corrigan,<br>Costa,<br>Coulson,<br>Croop,<br>Cullen,<br>Dague,<br>Dalrymple,<br>Denman,<br>Dennison,<br>Depuy,<br>Dillon,<br>Dix,<br>Duffy,<br>Elder,<br>Elliott,<br>Ely,<br>Erb,<br>Ewing,<br>Figlock,<br>Finnerty, | Green,<br>Greenwood,<br>Gross,<br>Gyger,<br>Haberlen,<br>Hall,<br>Hamilton,<br>Hannon,<br>Hare,<br>Harris,<br>Haudenshield,<br>Heatherington,<br>Helm,<br>Herman,<br>Hersch,<br>Hewitt,<br>Hocke,<br>Hoffman,<br>Hoggard,<br>Holmes,<br>Hoopes,<br>Hunter, B. F.,<br>Hunter, W. M.,<br>Huntley,<br>Imbrie,<br>Irvin,<br>James,<br>Jones,<br>Kennedy,<br>Kirley,<br>Kitchen,<br>Kline,<br>Kolankiewicz,<br>Kowalski,<br>Krepps,<br>Krise, | McAtee,<br>McClester,<br>McKinney,<br>McMillen,<br>McSurdy,<br>Menna,<br>Mihm,<br>Miller,<br>Mintess,<br>Mock,<br>Modell,<br>Mooney,<br>Moore,<br>Moran,<br>Moser,<br>Muir,<br>Munley,<br>Murray,<br>Nowak,<br>O'Brien,<br>O'Connor,<br>O'Dare,<br>O'Neill,<br>Owens,<br>Petrosky,<br>Pettit,<br>Polaski,<br>Powers,<br>Readinger,<br>Reagan,<br>Reese, D. P.,<br>Reese, R. E.,<br>Regan,<br>Relly,<br>Reynolds,<br>Riley, | Snider,<br>Sollenberger,<br>Sorg,<br>Stank,<br>Stockham,<br>Stonier,<br>Swope,<br>Tahl,<br>Tate,<br>Taylor,<br>Thompson,<br>Thrasher,<br>Tlemann,<br>Trent,<br>Trout,<br>Turbett,<br>Van Aillsburg,<br>Verona,<br>Wachhaus,<br>Wagner, K. H.,<br>Wagner, P. L.,<br>Wallin,<br>Walton,<br>Watkins,<br>Weiss,<br>Welsh,<br>Winner,<br>Wood, L. H.,<br>Wood, N.,<br>Worley,<br>Wright,<br>Yeakel,<br>Yester,<br>Fiss,<br>Speaker. |
|---|--|--|--|

NAYS—0

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

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

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 99, as follows:

A Joint Resolution proposing an amendment to Section one of article Fourteen of the Constitution of the Commonwealth of Pennsylvania by making sheriffs eligible to succeed themselves

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

Section 1 The following amendment to the Constitution of the Commonwealth of Pennsylvania be and the same is hereby proposed in accordance with the provisions of the eighteenth article thereof

That section one of article fourteen of the Constitution of Pennsylvania be amended to read as follows

Section 1 County officers shall consist of sheriffs coroners prothonotaries register of wills recorder of deeds commissioners treasurers surveyors auditors or controllers clerks of the courts district attorneys and such other as may from time to time be established by law and no treasurer shall be eligible for the term next succeeding the one for which he may be elected

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—196

|                  |                    |                 |                     |
|------------------|--------------------|-----------------|---------------------|
| Auker,<br>Baker, | Flack,<br>Fleming, | Krise,<br>Lane, | Reynolds,<br>Riley, |
|------------------|--------------------|-----------------|---------------------|

|                 |                |               |                |
|-----------------|----------------|---------------|----------------|
| Barrett,        | Flynn,         | Lee,          | Robertson,     |
| Bentley,        | Fox,           | Lelsey,       | Root,          |
| Barton,         | Freed,         | Leonard,      | Rose S.        |
| Bentzel,        | Fullerton,     | Levy,         | Rose W. E.,    |
| Boies,          | Garber,        | Leydie,       | Rowley,        |
| Bonawitz,       | Gardner,       | Lovett,       | Salus,         |
| Boorse,         | Gates,         | Lichtenwalter | Sarge,         |
| Boory,          | Gillar,        | Livingstone,  | Sarra,         |
| Bowen,          | Gooding,       | Longo,        | Scanlon,       |
| Boyd,           | Gorman,        | Lyons,        | Schuster,      |
| Bradley,        | Goodwin,       | Madigan,      | Serrill,       |
| Bretherick,     | Grant,         | Mahany,       | Simons,        |
| Brice,          | Green,         | Maxwell,      | Skale,         |
| Brigernan,      | Greenwood,     | McAtee,       | Smith,         |
| Brown,          | Gross,         | McClester,    | Snider,        |
| Brunner. C. H., | Gyger,         | McKinney,     | Sollenberger.  |
| Brunner. P. A., | Haberlen,      | McMillen,     | Sorg,          |
| Burns           | Hall,          | McSurdy,      | Stank,         |
| Cadwslader,     | Hamilton,      | Menna,        | Stockham,      |
| Calvir,         | Hannon,        | Mihm,         | Stonier,       |
| Campbell,       | Hare,          | Miller,       | Swope,         |
| Chervanek,      | Haudenshield,  | Mintess,      | Tahl,          |
| Chudoff,        | Heatherington, | Mock,         | Tate,          |
| Cohen,          | Helm,          | Modell,       | Taylor,        |
| Coleman,        | Herman,        | Mooney,       | Thompson,      |
| Cook,           | Hersch,        | Moore,        | Thrasher,      |
| Cooper,         | Hewitt,        | Moran,        | Tiemann,       |
| Cordier,        | Hocke,         | Moser,        | Trent,         |
| Corrigan,       | Hoffman,       | Munley,       | Turbett,       |
| Costa,          | Hoggard,       | Muir,         | Van Allsburg,  |
| Coulscon,       | Holmes,        | Murray,       | Verona,        |
| Croop,          | Hoopes,        | Nowak,        | Wachhaus,      |
| Cullen,         | Hunter. B. F., | O'Brien,      | Wagner. K. H., |
| Dague,          | Hunter. W. M., | O'Connor,     | Wagner. P. L., |
| Dalrymple,      | Huntley,       | O'Dare,       | Wallin,        |
| Denman,         | Imbrie,        | Owens,        | Walton,        |
| Dennison,       | Irvin,         | O'Neill,      | Watkins,       |
| Depuy,          | James,         | Petrosky,     | Weiss,         |
| Dillon,         | Jones,         | Pettit,       | Weish,         |
| Dix,            | Kennedy,       | Polaski,      | Winner,        |
| Duffy,          | Kirley,        | Powers,       | Wood. L. H.,   |
| Elder,          | Kitchen,       | Readinger,    | Worley,        |
| Elliot,         | Kline,         | Reagan,       | Wright,        |
| Ely,            | Kolankiewicz,  | Reese D. P.,  | Yeakel,        |
| Erb,            | Kowalski,      | Reese R. E.,  | Yester,        |
| Ewing,          | Krepps,        | Regan,        | Fiss.          |
| Figloct,        | Laughner,      | Reilly,       | Speaker.       |
| Finnerty,       |                |               |                |

NAYS—6

|          |         |        |           |
|----------|---------|--------|-----------|
| Alspach, | Harris, | Trout, | Wood. N., |
| Foor,    | Royer,  |        |           |

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

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

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 121, as follows:

An Act to further amend the title and sections one and three of and to add section four to the act approved the tenth day of April one thousand nine hundred thirty-one (P. L. 23) entitled as amended "An act providing for the acceptance by the Commonwealth of a gift of lands from the American Petroleum Institute located on the left bank of Oil Creek in Oil Creek Township or Cherry Tree Township or both Venango County to establish the Drake Well Memorial Park under the control and supervision of the Department of Forests and Waters empowering the Department of Property and Supply to acquire additional lands for such Memorial Park without cost to the Commonwealth and making an appropriation" changing the name of said memorial and placing it under the supervision and control of the Pennsylvania Historical Commission defining the powers and duties of the commission relative thereto authorizing the employment of certain employes and the payment of their salaries and making an appropriation

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

Section 1 The title of the act approved the tenth day of April one thousand nine hundred thirty-one (P. L. 23) entitled as amended "An act providing for the acceptance by the Commonwealth of a gift of lands from the American Petroleum Institute located on the left bank of Oil Creek in Oil Creek Township or Cherry Tree Township or both Venango County to establish the Drake Well Memorial Park under the control and supervision of the Department of Forests and Waters empowering the Department of Property and Supplies to acquire additional lands for such Memorial Park without cost to the Commonwealth and making an appropriation" as last amended by the act approved the twenty-fourth day of April one thousand nine hundred thirty-five (P. L. 55) is hereby further amended to read as follows

An Act providing for the acceptance by the Commonwealth of a gift of lands from the American Petroleum Institute located on the left bank of Oil Creek in Oil Creek Township or Cherry Tree Township or both Venango County to establish and maintain a public museum and park as the Drake Well Memorial [Park] under the control and supervision of the [Department of Forests and Waters] Pennsylvania Historical Commission in cooperation with the Department of Forests and Waters and an advisory board to be appointed by the American Petroleum Institute prescribing the powers and duties of the commission relative to said memorial authorizing the employment of certain assistants and employes and for the payment of their salaries empowering the Department of Property and Supplies to acquire additional lands for such Memorial Park without cost to the Commonwealth and making an appropriation

Section 2 Section one of said act as last amended by the act approved the sixteenth day of March one thousand nine hundred thirty-seven (P. L. 104) is hereby further amended to read as follows

Section 1 Be it enacted etc That the Commonwealth hereby accepts free and clear of all encumbrances except reservations of oil gas and minerals any grant of lands by the American Petroleum Institute of not less than one-half and not more than five hundred acres with the improvements thereon located on either or both banks of Oil Creek in Oil Creek Township or Cherry Tree Township or both Venango County upon which is the site where Colonel Edwin L Drake drilled the first successful oil well in the world in the year one thousand eight hundred and fifty-nine to be hereafter used as a public museum and park and as a memorial to Colonel Drake and the petroleum industry The said [park and] memorial museum and park shall be known as the Drake Well Memorial [Park]

The acceptance of said grant shall be completed upon delivery to the Commonwealth of a deed in fee simple (subject to reservation if any of oil gas and minerals) approved by the Attorney General

Said property after its acceptance shall be under full control and supervision of the [Department of Forests and Waters] Pennsylvania Historical Commission subject however to the aforesaid reservations and the said commission shall have the power to adopt and carry into effect plans for the improvement care maintenance and preservation of the said museum and park and for the enlargement of said museum and to make and enforce rules and regulations therefor and for the visitation thereof by the public The Department of Forests and Waters shall [develop] at all times cooperate with the Pennsylvania Historical Commission in developing the forest resources of said lands

Section 3 Section three of said act as amended by the said act approved the twenty-fourth day of April one thousand nine hundred thirty-five (P. L. 55) is hereby further amended to read as follows

Section 3 The [Department of Forests and Waters] Pennsylvania Historical Commission is hereby authorized subject to its approval to permit the donor of such property to erect structures upon and to make improvements to such property after the same has been accepted by the Commonwealth and to accept such structures and improvements on behalf of the Commonwealth and to use

the same in connection with and for the protection of such [park and] memorial museum and park

Section 4 Said act is hereby amended by adding thereto after section three a new section to read as follows

Section 4 The Pennsylvania Historical Commission is hereby authorized to cooperate with the Drake Well Memorial Advisory Board in carrying out the provisions of this act in order to make and preserve such memorial as a world center for research connected with the early history of the oil industry

The said Drake Well Memorial Advisory Board shall consist of seven members residents of Pennsylvania to be appointed by the American Petroleum Institute as soon as possible after the effective date of this act The first four appointees shall serve for a term of four years and the other three appointees shall serve for a term of two years and thereafter the term of all appointees shall be for a term of four years Said board shall act in an advisory capacity to the commission and shall have power to make suggestions and recommendations to the commission for the improvement care maintenance preservations and enlargement of the said memorial Said board may accept gifts of money or securities for endowment purposes

Section 5 The sum of twenty-five thousand dollars (\$25,000) or so much thereof as may be necessary is hereby specifically appropriated to the Pennsylvania Historical Commission to be used for the improvement care maintenance and preservation of the Drake Well Memorial and for the proper management and supervision thereof and for the payment of salaries of employes necessary therefor including a curator and a librarian for the said museum and for the purchase and necessary expenses of collecting documents and relics connected with the early history of the oil industry

Section 6 All acts and parts of acts inconsistent with the provisions of this act are hereby repealed

Section 7 The provisions of this act shall become effective on the first day of June one thousand nine hundred forty-three

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

On the question,

Shall the bill pass finally?

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

YEAS—202

|                 |                |                |               |
|-----------------|----------------|----------------|---------------|
| Alsopach,       | Flack,         | Lane,          | Robertson,    |
| Auker,          | Fleming,       | Laughner,      | Root,         |
| Baker,          | Flynn,         | Lee,           | Rose, S.      |
| Barrett,        | Foor,          | Leisey,        | Rose, W. E.,  |
| Barton,         | Fox,           | Leonard,       | Rowley,       |
| Bentley,        | Freed,         | Levy,          | Royer,        |
| Bentzel,        | Fullerton,     | Leydic,        | Salus,        |
| Boies,          | Garber,        | Lichtenwalter, | Sarge,        |
| Bonawitz,       | Gardner,       | Livingstone,   | Sarraf,       |
| Boorse,         | Gates,         | Longo,         | Scanlon,      |
| Boory,          | Gillan,        | Lovett,        | Schuster,     |
| Bower,          | Goodling,      | Lyons,         | Serrill,      |
| Boyd,           | Goodwin,       | Madigan,       | Simons,       |
| Bradley,        | Gorman,        | Mahany,        | Skale,        |
| Bretherick,     | Grant,         | Maxwell,       | Smith,        |
| Brice,          | Green,         | McAtee,        | Snider,       |
| Brigerman,      | Greenwood,     | McClester,     | Sollenberger, |
| Brown,          | Gross,         | McKinney,      | Sorg,         |
| Brunner, C. H., | Gyger,         | McMillen,      | Stank,        |
| Brunner, P. A., | Haberlen,      | McSurdy,       | Stockham,     |
| Burns,          | Hall,          | Menna,         | Stonier,      |
| Cadwladar,      | Hamilton,      | Mihm,          | Tahl,         |
| Calvin,         | Hannon,        | Miller,        | Tate,         |
| Campbell,       | Hare,          | Mintess,       | Taylor,       |
| Chervenak,      | Harris,        | Mock,          | Thompson,     |
| Chudoff,        | Haudenshield,  | Modell,        | Thrasher,     |
| Cohen,          | Heatherington, | Mooney,        | Tiemann,      |
| Coleman,        | Hehn,          | Moore,         | Trent,        |
| Cook,           | Herman,        | Moran,         | Trout,        |
| Cooper,         | Hersch,        | Moser,         | Turbett,      |
| Cordier,        | Hewitt,        | Muir,          | Van Allsburg, |
| Corrigan,       | Hocke,         | Munley,        |               |

|           |                |               |                |
|-----------|----------------|---------------|----------------|
| Costa,    | Hoffman,       | Murray,       | Verona,        |
| Coulson,  | Hoggard,       | Nowak,        | Wachhaus,      |
| Croop,    | Holmes,        | O'Brien,      | Wagner, K. H., |
| Cullen,   | Hoopes,        | O'Connor,     | Wagner, P. L., |
| Dague,    | Hunter, B. F., | O'Dare,       | Wallin,        |
| Dahymple, | Hunter, W. M., | O'Neill,      | Walton,        |
| Denman,   | Huntley,       | Owens,        | Watkins,       |
| Dennison, | Imbrie,        | Petrosky,     | Weiss,         |
| Depuy,    | Irvin,         | Pettit,       | Welsh,         |
| Dillon,   | James,         | Polaski,      | Winner,        |
| Dix,      | Jones,         | Powers,       | Wood, L. H.,   |
| Duffy,    | Kennedy,       | Readinger,    | Wood, N.,      |
| Elder,    | Kirley,        | Reagan,       | Worley,        |
| Elliott,  | Kitchen,       | Reese, D. P., | Wright,        |
| Ely,      | Kline,         | Reese, R. E., | Yeakel,        |
| Erb,      | Kolankiewicz,  | Regan,        | Yester,        |
| Ewing,    | Kowalski,      | Reilly,       | Fiss,          |
| Figlock,  | Krepps,        | Reynolds,     | Speaker.       |
| Finnerty, | Krise,         | Riley,        |                |

NAYS—0

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

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

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 145, as follows:

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

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

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

For the support of research and investigation of long range basic problems affecting the mineral industries the sum of seventy-five thousand dollars (\$75,000)

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

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

On the question,

Shall the bill pass finally?

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

YEAS—202

|           |            |                |              |
|-----------|------------|----------------|--------------|
| Alsopach, | Flack,     | Lane,          | Robertson,   |
| Auker,    | Fleming,   | Laughner,      | Root,        |
| Baker,    | Flynn,     | Lee,           | Rose, S.     |
| Barrett,  | Foor,      | Leisey,        | Rose, W. E., |
| Barton,   | Fox,       | Leonard,       | Rowley,      |
| Bentley,  | Freed,     | Levy,          | Royer,       |
| Bentzel,  | Fullerton, | Leydic,        | Salus,       |
| Boies,    | Garber,    | Lichtenwalter, | Sarge,       |
| Bonawitz, | Gardner,   | Livingstone,   | Sarraf,      |
| Boorse,   | Gates,     | Longo,         | Scanlon,     |
| Boory,    | Gillan,    | Lovett,        | Schuster,    |
| Bower,    | Goodling,  | Lyons,         | Serrill,     |
| Boyd,     | Goodwin,   | Madigan,       | Simons,      |

|                 |                |               |                |
|-----------------|----------------|---------------|----------------|
| Bradley,        | Gorman,        | Mahany,       | Skale,         |
| Bretterick,     | Grant,         | Maxwell,      | Smith,         |
| Brice           | Green,         | McAtee,       | Snider,        |
| Brigerman,      | Greenwood,     | McClester,    | Sollenberger,  |
| Brown,          | Gross,         | McKinney,     | Sorg,          |
| Brunner, C. H., | Gyger,         | McMillen,     | Stank,         |
| Brunner, P. A., | Haberlen,      | McSurdy,      | Stockham,      |
| Burns,          | Hall,          | Menna,        | Stonier,       |
| Cadwalader,     | Hamilton,      | Mihm,         | Swope,         |
| Calvin,         | Hannon,        | Miller,       | Tahl,          |
| Campbell,       | Hare,          | Mintess,      | Tate,          |
| Cherwenak,      | Harris,        | Mock,         | Taylor,        |
| Chudoff,        | Haudenshield,  | Modell,       | Thompson,      |
| Cohen,          | Heatherington, | Mooney,       | Thrasher,      |
| Colerian,       | Helm,          | Moore,        | Tiemann,       |
| Cook            | Herman,        | Moran,        | Trent,         |
| Cooper,         | Hersch,        | Moser,        | Trout,         |
| Cordier,        | Hewitt,        | Muir,         | Turbett,       |
| Corrigan,       | Hocke,         | Munley,       | Van Allsburg,  |
| Costa,          | Hoffman,       | Murray,       | Verona,        |
| Coulson,        | Hoggard,       | Nowak,        | Wachhaus,      |
| Croop,          | Holmes,        | O'Brien,      | Wagner, K. H., |
| Cullen,         | Hoopes,        | O'Connor,     | Wagner, P. L., |
| Dague,          | Hunter, B. F., | O'Dare,       | Wallin,        |
| Dalrymple,      | Hunter, W. M., | O'Neill,      | Walton,        |
| Denman,         | Huntley,       | Owens,        | Watkins,       |
| Dennison,       | Imbrie,        | Petrosky,     | Weiss,         |
| Depuy,          | Irvin,         | Pettit,       | Welsh,         |
| Dillon,         | James,         | Polaski,      | Winner,        |
| Dix,            | Jones,         | Powers,       | Wood, L. H.,   |
| Duffy,          | Kennedy,       | Readinger,    | Wood, N.,      |
| Elder,          | Kirley,        | Reagan,       | Worley,        |
| Elliott,        | Kitchen,       | Reese, D. P., | Wright,        |
| Ely,            | Kline,         | Reese, R. E., | Yeakel,        |
| Erb,            | Kolankiewicz,  | Regan,        | Yester,        |
| Ewing,          | Kowalski,      | Reilly,       | Fiss,          |
| Figlock,        | Krepps,        | Reynolds,     |                |
| Finnerty,       | Krise,         | Riley,        | Speaker.       |

NAYS—0

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

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

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 171, as follows:

An Act making an appropriation to the Department of Forests and Waters to be used for the purchase of lands in the vicinity of the tract now owned by the Commonwealth containing the birthplace of James Buchanan in Franklin County

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

Section 1 The sum of nine thousand five hundred dollars (\$9,500) or so much thereof as may be necessary is hereby specifically appropriated to the Department of Forests and Waters of the Commonwealth of Pennsylvania to be used for the purchase of forest lands in the vicinity of the tract of land now owned by the Commonwealth and containing the birthplace of James Buchanan in Peters Township Franklin County The lands purchased with the appropriation made by this act shall be held and utilized in accordance with the provisions of the Administrative Code of April 9 1929 P. L. 177 relating to lands devoted to State forest purposes

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

Or 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—202

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

NAYS—0

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

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

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 172, as follows:

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

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

Section 1 The Department of Property and Supplies with the approval of the Governor and the Board of Trustees of the Pennsylvania Soldiers' Orphan School is hereby authorized to purchase in the name of the Commonwealth of Pennsylvania a certain tract of land now owned by Hiram S. McKenzie situated in Green Township Franklin County containing about forty-five acres and lying to the East of the present property of the Pennsylvania Soldiers' Orphan School at Scotland Pennsylvania

Section 2 Said tract or tracts of land when purchased shall be added to the lands of the Pennsylvania Soldiers' Orphan School

The deeds of conveyance shall be deposited with the Secretary of Internal Affairs

Section 3 The said land shall not be acquired until the title thereto has been approved by the Department of Justice

Section 4 The sum of four thousand five hundred dollars (\$4,500) or so much thereof as may be necessary is hereby appropriated to the Department of Property and Supplies for the payment of the purchase price of said tract of land and the expenses incidental thereto including title searches

Section 5 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—202

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

NAYS—0

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

Ordered, That the Clerk return the same to the Senate

with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 336, as follows:

An Act making an appropriation for The Dixmont Hospital Dixmont Allegheny County to provide for the repayment of a loan heretofore made by said hospital to provide funds necessary in the maintenance of said hospital

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

Section 1 The sum of thirty thousand (\$30,000) dollars is hereby specifically appropriated to The Dixmont Hospital Dixmont Allegheny County for the repayment of a loan heretofore made by said hospital and originally secured by a note executed by said hospital in the seventh day of December one thousand nine hundred and twenty-one to provide funds to pay expenditures theretofore made for the maintenance of said hospital this appropriation to be paid according to law

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—202

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

NAYS—0

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

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

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 338, as follows:

An Act making a certain deficiency appropriation to the Department of Welfare for The Dixmont Hospital Dixmont Allegheny County

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

Section 1 The sum of one hundred twelve thousand five hundred sixty-eight and 99/100 (\$112,568.99) dollars is hereby specifically appropriated to the Department of Welfare to provide funds for the payment of a certain deficit incurred by The Dixmont Hospital during the period of eight years ending on the thirty-first day of May one thousand nine hundred and forty-one in the maintenance of patients in the said The Dixmont Hospital and of which deficit no part has been repaid to The Dixmont Hospital this appropriation to be paid according to law

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—202

- Alspach, Auker, Baker, Barrett, Barton, Bentley, Benzel, Boles, Bonawitz, Boorse, Bocray, Bower, Boyd, Bradley, Brecherick, Brice, Brigerman, Brown, Brunner, C. H., Brunner, P. A., Burns, Cacwalader, Calvin, Campbell, Chervenak, Chudoff, Cohen, Coleman, Cook, Cooper, Cordier, Corrigan, Costa, Coulson, Croop, Cullen, Dague, Darymple, Denman, Dennison, Dejuv, Di, Dillon, Duffy, Flack, Fleming, Flynn, Foor, Fox, Freed, Fullerton, Garber, Gardner, Gates, Gillan, Gooding, Goodwin, Gorman, Grant, Green, Greenwood, Gross, Gyger, Haberlen, Hall, Hamilton, Hannon, Hare, Harris, Haudenshield, Heatherington, Helm, Herman, Hersch, Hewitt, Hocke, Hoffman, Hoggard, Holmes, Hoopes, Hunter, B. F., Hunter, W. M., Huntley, Imbrle, Irvin, James, Jones, Kennedy, Lane, Laughner, Lee, Leisey, Leonard, Levy, Leydic, Lichtenwalter, Livingstone, Longo, Lovett, Lyons, Madigan, Mahany, Maxwell, McAtee, McClester, McKinney, McMillen, McSurdy, Menna, Mihm, Miller, Mintess, Mock, Modell, Mooney, Moore, Moran, Moser, Muir, Munley, Murray, Nowak, O'Brien, O'Connor, O'Dare, O'Neill, Owens, Petrosky, Pettit, Polaski, Powers, Readinger, Robertson, Root, Rose, S., Rose, W. E., Rowley, Royer, Salus, Sarge, Sarraf, Scanlon, Schuster, Serrill, Simons, Skale, Smith, Snider, Sollenberger, Sorg, Stank, Stockham, Stonier, Swope, Tahl, Tate, Taylor, Thompson, Thrasher, Tlemann, Trent, Trout, Turbett, Van Allsburg, Verona, Wachhaus, Wagner, K. H., Wagner, P. L., Wallin, Walton, Watkins, Weiss, Welsh, Winner, Wood, L. H., Wood, N.,

- Elder, Elliott, Ely, Erb, Ewing, Figlock, Finnerty, Kirley, Kitchen, Kline, Kolankiewicz, Kowalski, Krepps, Krise, Reagan, Reese, D. P., Reese, R. E., Regan, Reilly, Reynolds, Riley, Worley, Wright, Yeakel, Yester, Fiss, Speaker.

NAYS—0

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

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

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 339, as follows:

An Act making an appropriation to the Department of Welfare for the payment of the cost of an additional steam boiler a fire alarm a fire sprinkler system and certain repairs and improvements at The Dixmont Hospital Dixmont Allegheny County

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

Section 1 The sum of fifty thousand (\$50,000) dollars or so much thereof as may be necessary is hereby specifically appropriated to the Department of Welfare for the payment of the cost of purchasing constructing and installing a new steam boiler at The Dixmont Hospital Dixmont Allegheny County

Section 2 The sum of fifty thousand (\$50,000) dollars or so much thereof as may be necessary is hereby specifically appropriated to the Department of Welfare for the payment of the cost of purchasing and installing a fire alarm system and a sprinkler system for the prevention or control of fire at said The Dixmont Hospital Dixmont Allegheny County

Section 3 The sum of twenty-five thousand (\$25,000) dollars or so much thereof as may be necessary is hereby specifically appropriated to the Department of Welfare for the payment of the cost of renewing replacing or repairing obsolete or worn-out laundry equipment in the laundry at said The Dixmont Hospital Dixmont Allegheny County

Section 4 The amounts appropriated in the foregoing sections of this act shall be available to pay the entire cost of the aforesaid additions and additional facilities repairs and improvements including the cost of such plans specifications advertising for bids supervision and architectural and engineering services as may be necessary in connection therewith

Section 5 The amount of the foregoing appropriations to be expended for any of the purposes aforesaid shall be determined with the approval of the Governor by the Department of Welfare

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—202

- Alspach, Auker, Baker, Barrett, Barton, Bentley, Benzel, Boles, Bonawitz, Boorse, Flack, Fleming, Flynn, Foor, Fox, Freed, Fullerton, Garber, Gardner, Gates, Lane, Laughner, Lee, Leisey, Leonard, Levy, Leydic, Lichtenwalter, Livingstone, Longo, Robertson, Root, Rose, S., Rose, W. E., Rowley, Royer, Salus, Sarge, Sarraf, Scanlon,

|                 |                |               |                |
|-----------------|----------------|---------------|----------------|
| Boory,          | Gillan,        | Lovett,       | Schuster,      |
| Bower,          | Goodling,      | Lyons,        | Serrill,       |
| Boyd,           | Goodwin,       | Madigan,      | Simons,        |
| Bradley,        | Gorman,        | Mahany,       | Skale,         |
| Bretherick,     | Grant,         | Maxwell,      | Smith,         |
| Brigerman,      | Green,         | McAtee,       | Snider,        |
| Brice,          | Greenwood,     | McClester,    | Sollenberger,  |
| Brown,          | Gross,         | McKinney,     | Sorg,          |
| Brunner, C. H., | Gyger,         | McMillen,     | Stank,         |
| Brunner, P. A., | Haberlen,      | McSurdy,      | Stockham,      |
| Burns,          | Hall,          | Menna,        | Stonier,       |
| Cadwalader,     | Hamilton,      | Mihm,         | Swope,         |
| Calvin,         | Hannon,        | Mtler,        | Tahl,          |
| Campbell,       | Hare,          | Mintess,      | Tate,          |
| Chervenak,      | Harris,        | Mock,         | Taylor,        |
| Chudoff,        | Haudenshield,  | Modell,       | Thompson,      |
| Cohen,          | Heatherington, | Mooney,       | Thrasher,      |
| Coleman,        | Helm,          | Moore,        | Tiemann,       |
| Cook,           | Herman,        | Moran,        | Trent,         |
| Cooper,         | Hersch,        | Moser,        | Trout,         |
| Cordier,        | Hewitt,        | Munley,       | Turbett,       |
| Corrigan,       | Hocke,         | Mulr,         | Van Allsburg,  |
| Costa,          | Hoffman,       | Murray,       | Verona,        |
| Coulson,        | Hoggard,       | Nowak,        | Wachhaus,      |
| Croop,          | Holmes,        | O'Brien,      | Wagner, K. H., |
| Cullen,         | Hoopes,        | O'Connor,     | Wagner, P. L., |
| Dague,          | Hunter, B. F., | O'Dare,       | Wallin,        |
| Dalrymple,      | Hunter, W. M., | O'Neill,      | Walton,        |
| Denman,         | Huntley,       | Owens,        | Watkins,       |
| Dennison,       | Imbrie,        | Petrosky,     | Weiss,         |
| Depuy,          | Irvin,         | Pettit,       | Welsh,         |
| Dillon,         | James,         | Polaski,      | Winner,        |
| Dix,            | Jones,         | Powers,       | Wood, L. H.,   |
| Duffy,          | Kennedy,       | Readinger,    | Wood, N.,      |
| Elder,          | Kirley,        | Reagan,       | Worley,        |
| Elliott,        | Kitchen,       | Reese, D. P., | Wright,        |
| Ely,            | Kline,         | Reese, R. E., | Yeakel,        |
| Erb,            | Kolankiewicz,  | Regan,        | Yester,        |
| Ewing,          | Kowalski,      | Reilly,       | Fiss,          |
| Figlock,        | Krepps,        | Reynolds,     |                |
| Finnerty,       | Krise,         | Riley,        | Speaker.       |

NAYS—0

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

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

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 349, as follows:

An Act making an appropriation to the Department of Forests and Waters to be used by the Navigation Commission for the Delaware River and its Navigable Tributaries for the removal of sunken wrecks from the tideway of the Delaware River and its navigable tributaries

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

Section 1 The sum of ten thousand dollars (\$10,000) or as much thereof as may be necessary is hereby specifically appropriated to the Department of Forests and Waters for the two fiscal years beginning June first one thousand nine hundred and forty-three to be used by the Navigation Commission for the Delaware River and its Navigable Tributaries for the removal of sunken wrecks whose owner or owners are unknown from the tideway of the Delaware River and its navigable tributaries

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—202

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

NAYS—0

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

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

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 378, as follows:

An Act making an appropriation to the Department of Forests and Waters for use by the Water and Power Resources Board in making necessary repairs to the Pymatuning Swamp project and for the purpose of making further surveys in connection therewith

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

Section 1 The sum of ten thousand dollars (\$10,000) is hereby specifically appropriated to the Department of Forests and Waters for use by the Water and Power Resources Board in making necessary repairs to the Pymatuning Swamp project and to complete surveys in connection therewith

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—202

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

NAYS—0

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

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

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 412, as follows:

An Act authorizing the Department of Property and Supplies with the approval of the Governor and the Board of Trustees of the Farview State Hospital to acquire a certain tract of land for the use of said hospital and making an appropriation therefor

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

Section 1 The Department of Property and Supplies with the approval of the Governor and the Board of Trustees of the Farview State Hospital is hereby authorized to purchase in the name of the Commonwealth of

Pennsylvania a certain of land known as the Lois Perkins' property consisting of approximately ten acres with residence and small buildings thereon situated in Canaan Township Wayne County Pennsylvania and surrounded on three sides by the present property of said Hospital in order to make the same available for use by said hospital in connection with its piggery

Section 2 Said tract or tracts of land when purchased shall be added to the lands of the Farview State Hospital The deeds of conveyance shall be deposited with the Secretary of Internal Affairs

Section 3 The said lands shall not be acquired until the titles thereto have been approved by the Department of Justice

Section 4 The sum of one thousand dollars (\$1,000) or so much thereof as may be necessary is hereby appropriated to the Department of Property and Supplies for the payment of the purchase price of said tract or tracts of land and the expenses incidental thereto including title searches

Section 5 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—202

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

NAYS—0

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

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

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 417, as follows:

An Act authorizing the Department of Property and Supplies with the approval of the Governor and the Board of Trustees of Pennhurst State School to acquire a certain tract of land for the use of the State Institution for the Feeble-Minded and Epileptic of Eastern Pennsylvania at Pennhurst and making an appropriation therefor

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

Section 1 The Department of Property and Supplies with the approval of the Governor and the Board of Trustees of Pennhurst School is hereby authorized to purchase in the name of the Commonwealth of Pennsylvania a certain tract of land of approximately 100 acres known as the Reck property situated in the Township of Limerick Montgomery County surrounded on three sides by property owned by the Commonwealth and so located that the entrance thereto must be over lands of said Institution said lands having been rented by the Commonwealth for more than twenty years and presently constituting a valuable acreage for production of vegetables for Institutional use

Section 2 Said tract of land when purchased shall be added to the lands of the State Institution for the Feeble-Minded and Epileptic of Eastern Pennsylvania at Pennhurst The deeds of conveyance shall be deposited with the Secretary of Internal Affairs

Section 3 The said lands shall not be acquired until the titles thereto have been approved by the Department of Justice

Section 4 The sum of sixteen thousand dollars (\$16,000) or so much thereof as may be necessary is hereby appropriated to the Department of Property and Supplies for the payment of the purchase price of said tract of land and the expenses incidental thereto including title searches

Section 5 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—202

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

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

NAYS—0

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

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

Agreeably to order,

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

An Act creating a Commission for the Port of Chester providing for the appointment of the members of said commission defining its powers and duties and making an appropriation to defray its expenses

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

Section 1 A commission is hereby created to be known as the Commission for the Port of Chester which shall consist of seven members one of whom shall be appointed by the Mayor of the City of Chester one by the Court of Common Pleas of Delaware County one by the President Pro Tempore of the Senate one by the Speaker of the House of Representatives and three by the Governor all of whom shall be residents of the County of Delaware and whose duty it shall be to study report upon and recommend measures for the development and improvement of the Port of Chester located within and upon that portion of the Delaware River within the territorial limits of the Commonwealth of Pennsylvania between Darby Creek to the northeast and the southern boundary of this Commonwealth to the southwest

Section 2 The said commission shall select a chairman from its own members and may employ a secretary counsel and such other assistants as may be needed It shall fix the compensation to be paid its said employees within the amounts duly made available by appropriation

Section 3 The said commission may meet anywhere within the Commonwealth of Pennsylvania It may take testimony and subpoena witnesses and require the production of books papers records and documents Its subpoenas shall be issued under the hand and seal of the chairman of the commission commanding any person or persons to appear before it to answer questions concerning matters properly being inquired into by the commission and to produce such books papers records and docu-

ments as the commission may deem necessary Such subpoenas may be served in the same manner and with the same force and effect as subpoenas issued out of the courts of this Commonwealth Each member of said commission shall have the power to administer oaths and affirmations to witnesses appearing before the commission

Section 4 Any person who shall willfully neglect or refuse to testify before said commission or to produce any books papers records or documents required by it shall be subject to penalties provided by the law in such cases

Section 5 The members of said commission shall receive no compensation for their services but they shall be entitled to necessary traveling expenses incurred in the performance of their duties

Section 6 The said commission shall remain in existence until January fifteenth one thousand nine hundred and forty-five and shall at that time make a full and complete report of its findings to the General Assembly with appropriate recommendations for legislative action

Section 7 The sum of ten thousand dollars (\$10,000) or so much thereof as may be necessary is hereby appropriated from any money in the State Treasury not otherwise appropriated payable on the requisition of the chairman of said commission and upon the warrant and audit of the Attorney General

Section 8 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—202

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

- |           |               |               |          |
|-----------|---------------|---------------|----------|
| Elliott,  | Kitchen,      | Reese, D. P., | Wright,  |
| Ely,      | Kline,        | Reese, R. E., | Yeakel,  |
| Erb,      | Kolankiewicz, | Regan,        | Yester,  |
| Ewing,    | Kowalski,     | Relly,        | Fiss,    |
| Figlock,  | Krepps,       | Reynolds,     | Speaker. |
| Finnerty, | Krise,        | Riley,        |          |

NAYS—0

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

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

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 449, as follows:

An Act making an appropriation to the Board of Finance and Revenue from the State Stores Fund for refund of distillers' licenses

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

Section 1 The sum of two thousand five hundred dollars (\$2,500) or as much thereof as may be necessary is hereby specifically appropriated from the State Stores Fund during the two fiscal years ending May thirty-first one thousand nine hundred forty-five to the Board of Finance and Revenue for the payment of approved claims for refund of distillers' licenses

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—202

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

|           |               |               |              |
|-----------|---------------|---------------|--------------|
| Dennison, | Imbrie,       | Petrosky,     | Weiss,       |
| Depuy,    | Irvin,        | Pettit,       | Welsh,       |
| Dillon,   | James,        | Polaski,      | Winner,      |
| Dix,      | Jones,        | Powers,       | Wood, L. H., |
| Duffy,    | Kennedy,      | Readinger,    | Wood, N.,    |
| Elder,    | Kirley,       | Reagan,       | Worley,      |
| Elliott,  | Kitchen,      | Reese, D. P., | Wright,      |
| Ely,      | Kline,        | Reese, R. E., | Yeakel,      |
| Erb,      | Kolankiewicz, | Regan,        | Yester,      |
| Ewing,    | Kowalski,     | Reilly,       | Fiss,        |
| Figlock,  | Krepps,       | Reynolds,     | Speaker.     |
| Finnerty, | Krise,        | Riley,        |              |

## NAYS—0

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

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

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 463, as follows:

An Act making an appropriation to the Department of Welfare for the purchase of furniture and equipment for the Philadelphia State Hospital

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

Section 1 The sum of one hundred fifty thousand dollars (\$150,000) or as much thereof as may be necessary is hereby specifically appropriated to the Department of Welfare for the purchase through the Department of Property and Supplies of furniture and equipment necessary for the furnishing of three newly constructed buildings for the housing of sixteen hundred patients at the Philadelphia State Hospital

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—202

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

|            |                |               |                |
|------------|----------------|---------------|----------------|
| Costa,     | Hoffman,       | Murray,       | Verona,        |
| Coulson,   | Hoggard,       | Nowak,        | Wachhaus,      |
| Croop,     | Holmes,        | O'Brien,      | Wagner, K. H., |
| Cullen,    | Hoopes,        | O'Connor,     | Wagner, P. L., |
| Dague,     | Hunter, B. F., | O'Dare,       | Wallin,        |
| Dalrymple, | Hunter, W. M., | O'Neill,      | Walton,        |
| Denman,    | Huntley,       | Owens,        | Watkins,       |
| Dennison,  | Imbrie,        | Petrosky,     | Weiss,         |
| Depuy,     | Irvin,         | Pettit,       | Welsh,         |
| Dillon,    | James,         | Polaski,      | Winner,        |
| Dix,       | Jones,         | Powers,       | Wood, L. H.,   |
| Duffy,     | Kennedy,       | Readinger,    | Wood, N.,      |
| Elder,     | Kirley,        | Reagan,       | Worley,        |
| Elliott,   | Kitchen,       | Reese, D. P., | Wright,        |
| Ely,       | Kline,         | Reese, R. E., | Yeakel,        |
| Erb,       | Kolankiewicz,  | Reilly,       | Yester,        |
| Ewing,     | Kowalski,      | Regan,        | Fiss,          |
| Figlock,   | Krepps,        | Reynolds,     | Speaker.       |
| Finnerty,  | Krise,         | Riley,        |                |

## NAYS—0

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

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

## SENATE MESSAGE

The Clerk of the Senate, Mr. McGroerty, being introduced, presented the following extracts from the Journal of the Senate:

For concurrence Senate Bill No. 471.

Senate occurs in amended House bills recalled from the Governor, House Bills Nos. 72, 285, 421, 487.

House Bills returned without amendment 245, 254, 422, 501, 519, 585, 665, 726, 1039, 1064.

House Bills returned with amendment 36, 194, 650, 671, 873, 946.

## BILLS ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 465, as follows:

An Act authorizing the Department of Welfare to enter into contracts for foodstuffs to supply State institutions and to purchase the same in open market and to process the same for preservation providing for transfers from appropriations made to such institutions in payment thereof authorizing dehydrating plants and equipment at State institutions and the use of inmate labor thereat conferring power and imposing duties on the Department of Property and Supplies and making an appropriation

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

Section 1 The Department of Welfare is hereby authorized to enter into agreements with farmers fruit and vegetable growers and other food producers whereby such producers will grow for the Department and the Department will buy when grown any items of foodstuffs including food animals dairy products fruit and vegetables Such agreements may be entered into during the duration of the war and six months thereafter and may specify the quantity of such items to be bought or the acreage to be planted the standards of acceptability and the price to be paid which may be the market price at time of delivery

Section 2 The Department is hereby authorized to buy in the open market any items of food which the Department has the facilities to can dehydrate store or otherwise process for preservation

Section 3 Foodstuffs acquired under the provisions of this act shall be for the use of any State institution whether or not under the supervision of the Department of Welfare but shall not become a part of the stores

inventory of any State institution until assigned to such institution by the Department of Welfare. When so assigned there shall be a transfer from the appropriation for such State institution to the credit of the appropriation made by this act. Requisition effecting such transfer shall be drawn by the Department having supervision over such institution and approved by the Governor.

Section 4 The Department of Welfare is hereby authorized from the funds hereby appropriated to purchase install and erect dehydrating equipment at any State institution and to provide engineering and supervision for such installation and construction and with the approval and under the supervision of the Department of Property and Supplies to construct and equip a building and house such dehydrating plant.

Section 5 For any of the purposes of this act the Department of Welfare may require the Superintendent or Warden of any State institution to furnish inmate labor at such institution.

Section 6 The sum of one hundred and twenty-five thousand dollars (\$125,000) or as much thereof as may be necessary is hereby appropriated to the Department of Welfare for the purchase of cans jars canning and dehydrating supplies and equipment the purchase of supplies and equipment for constructing storage facilities the construction and installation of dehydrating and storage facilities the construction and equipment of a building to house such dehydrating plant the payment of labor costs and the purchase of foodstuffs under the provisions of this act and in addition thereto the amounts made available under the provisions of section three by credit to this appropriation are hereby appropriated for the same purposes.

Section 7 This act shall become effective immediately upon final enactment.

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

On the question,

Shall the bill pass finally?

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

YEAS—202

|                 |                |                |                |
|-----------------|----------------|----------------|----------------|
| Alsbach,        | Flack,         | Lane,          | Robertson,     |
| Auker,          | Fleming,       | Laughner,      | Root,          |
| Baker,          | Flynn,         | Lee,           | Rose, S.       |
| Barrett,        | Foor,          | Lelsey,        | Rose, W. E.,   |
| Barton,         | Fox,           | Leonard,       | Rowley,        |
| Bentley,        | Freed,         | Levy,          | Royer,         |
| Bentzel,        | Fullerton,     | Leydic,        | Salus,         |
| Boles,          | Garber,        | Lichtenwalter, | Sarge,         |
| Bonawitz,       | Gardner,       | Livingstone,   | Sarra,         |
| Boorse,         | Gates,         | Longo,         | Scanlon,       |
| Boory,          | Gillan,        | Lovett,        | Schuster,      |
| Bower,          | Goodling,      | Lyons,         | Serrill,       |
| Boyd,           | Goodwin,       | Madigan,       | Simons,        |
| Bradley,        | Gorman,        | Mahany,        | Skale,         |
| Bretherick,     | Grant,         | Maxwell,       | Smith,         |
| Brice,          | Green,         | McAtee,        | Snider,        |
| Brigerman,      | Greenwood,     | McClester,     | Sollenberger,  |
| Brown,          | Gross,         | McKinney,      | Sorg,          |
| Brunner, C. H., | Gyger,         | McMillen,      | Stank,         |
| Brunner, P. A., | Haberlen,      | McSurdy,       | Stockham,      |
| Burns,          | Hall,          | Menna,         | Stonier,       |
| Cadwalader,     | Hamilton,      | Mihm,          | Swope,         |
| Calvin,         | Hannon,        | Miller,        | Tahl,          |
| Campbell,       | Hare,          | Mintess,       | Tate,          |
| Chervenak,      | Harris,        | Mock,          | Taylor,        |
| Chudoff,        | Haudenshield,  | Modell,        | Thompson,      |
| Cohen,          | Heatherington, | Mooney,        | Thrasher,      |
| Coleman,        | Helm,          | Moore,         | Tiemann,       |
| Cook,           | Herman,        | Moran,         | Trent,         |
| Cooper,         | Hersch,        | Moser,         | Trout,         |
| Cordier,        | Hewitt,        | Muir,          | Turbett,       |
| Corrigan,       | Hocke,         | Munley,        | Van Allsburg,  |
| Costa,          | Hoffman,       | Murray,        | Verona,        |
| Coulson,        | Hoggard,       | Nowak,         | Wachhaus,      |
| Croop,          | Holmes,        | O'Brien,       | Wagner, K. H., |
| Cullen,         | Hoopes,        | O'Connor,      | Wagner, P. L., |
| Dague,          | Hunter, B. F., | O'Dare,        | Wallin,        |
| Dalrymple,      | Hunter, W. M., | O'Neill,       | Walton,        |
| Denman,         | Huntley,       | Owens,         | Watkins,       |

|           |               |               |              |
|-----------|---------------|---------------|--------------|
| Dennison, | Imbrie,       | Petrosky,     | Weiss,       |
| Depuy,    | Irvin,        | Pettit,       | Welsh,       |
| Dillon,   | James,        | Polaski,      | Winner,      |
| Dix,      | Jones,        | Powers,       | Wood, L. E., |
| Duffy,    | Kennedy,      | Readinger,    | Wood, N.,    |
| Elder,    | Kirley,       | Reagan,       | Worley,      |
| Elllott,  | Kitchen,      | Reese, D. P., | Wright,      |
| Ely,      | Kline,        | Reese, R. E., | Yeakel,      |
| Erb,      | Kolankiewicz, | Regan,        | Yester,      |
| Ewing,    | Kowalski,     | Relly,        | Fiss,        |
| Figlock,  | Krepps,       | Reynolds,     | Speaker.     |
| Finnerty, | Krise,        | Riley,        |              |

NAYS—0

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

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

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 499, as follows:

An Act making an appropriation to the Department of Health for use in demonstration work dealing with the improvement of nutritional status of industrial workers and other civilians.

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

Section 1 The sum of one hundred thousand dollars (\$100,000) or so much thereof as may be necessary is hereby specifically appropriated to the Department of Health for the use of the Land Grant College of Pennsylvania engaged by the Department for the purpose of advancing demonstrations on improvement in nutritional status and consequent efficiency and reduced absenteeism of industrial workers and the nutritional status of other civilians based on research work now in progress. The Department of Health shall commission those demonstrations to said Land Grant College and remain in an advisory capacity so as to benefit by such results of the demonstration as may ensue. The moneys so appropriated shall be advanced to the Land Grant College of Pennsylvania at such time or times and in such amount as the college shall request.

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—202

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

|            |                |               |                |
|------------|----------------|---------------|----------------|
| Calvin,    | Hannon,        | Miller,       | Tahl,          |
| Campbell,  | Hare,          | Mintess,      | Tate,          |
| Chervenak, | Harris,        | Mock,         | Taylor,        |
| Chudoff,   | Haudenshield,  | Modell,       | Thompson,      |
| Cohen,     | Heatherington, | Mooney,       | Thrasher,      |
| Coleman,   | Helm,          | Moore,        | Tiemann,       |
| Cook,      | Herman,        | Moran,        | Trent,         |
| Cooper,    | Hersch,        | Moser,        | Trout,         |
| Cordier,   | Hewitt,        | Mulr,         | Turbett,       |
| Corrigan,  | Hocke,         | Munley,       | Van Allsburg,  |
| Costa,     | Hoffman,       | Murray,       | Verona,        |
| Coulson,   | Hoggard,       | Nowak,        | Wachhaus,      |
| Croop,     | Holmes,        | O'Brien,      | Wagner, K. H., |
| Cullen,    | Hoopes,        | O'Connor,     | Wagner, P. L., |
| Dague,     | Hunter, B. F., | O'Dare,       | Wallin,        |
| Dalrymple, | Hunter, W. M., | O'Neill,      | Walton,        |
| Denman,    | Huntley,       | Owens,        | Watkins,       |
| Dennison,  | Imbrie,        | Petrosky,     | Weiss,         |
| Depuy,     | Irvin,         | Pettit,       | Welsh,         |
| Dillon,    | James,         | Polaski,      | Winnor,        |
| Dix,       | Jones,         | Powers,       | Wood, L. H.,   |
| Duffy,     | Kennedy,       | Readinger,    | Wood, N.,      |
| Elder,     | Kirley,        | Reagan,       | Worley,        |
| Elliot,    | Kitchen,       | Reese, D. P., | Wright,        |
| Ely,       | Kilne,         | Reese, R. E., | Yeaker,        |
| Erb,       | Kolankiewicz,  | Regan,        | Yester,        |
| Ewing,     | Kowalski,      | Rellily,      | Fiss,          |
| Figlock,   | Krepps,        | Reynolds,     |                |
| Finnerty,  | Krise,         | Riley,        | Speaker.       |

NAYS—0

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

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

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 498, as follows:

An Act creating a commission to make a study and investigation of strip mining 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

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

Section 1 There is hereby created a commission which shall be composed of three members of the Senate to be appointed by the President pro tempore thereof and three members of the House of Representatives to be appointed by the Speaker thereof

It shall be the duty of such commission

(1) To investigate strip mining and coal stripping operations in this Commonwealth the effects thereof and the problems in connection with the same

(2) To confer with the Secretary of Mines and inspectors of the Department of Mines

(3) To engage in any research necessary to discover effective remedies for such problems

(4) To make recommendations as to legislation which might be enacted by the General Assembly for the effective regulation and control of strip mining and for remedy of problems in connection therewith

The commission shall make its report to the General Assembly not later than the first day of February one thousand nine hundred forty-five

Section 2 The person appointed as members of said commission shall meet immediately after appointment and select one of their members to act as chairman of the commission The commission shall be assisted by the Secretary of Mines and employes of the Department of Mines

The commission shall have access to the maps plans reports and other records of the Department of Mines in connection with strip mining

The commission may in addition employ and fix the compensation of a secretary and such counsel engineers experts clerks stenographers and investigators as they deem necessary to perform the duties imposed by this act The members of the commission shall receive no compensation for their services but shall be reimbursed for living and traveling expenses necessarily incurred in the performance of their duties

Section 3 The said commission shall have power to issue subpoenas under the hand of its chairman requesting and commanding any person or persons to appear before them and to answer such questions touching matters properly being inquired into by the commission and to produce such books papers records and documents as the commission may deem necessary Such subpoenas may be served upon any person and shall have the force and effect of subpoenas issued out of the courts of this Commonwealth Each member of said commission shall have power to administer oaths and affirmations to witnesses appearing before the commission Any person who shall wilfully neglect or refuse to testify before said commission or to produce any books papers records or documents shall be subject to the penalties provided by the laws of the Commonwealth in such cases

Section 4 The sum of five thousand dollars (\$5,000) or so much thereof as may be necessary is hereby specifically appropriated to the commission for the payment of the expenses of its members in connection with the work required hereby and for the payment of the compensation and expenses of the secretary counsel engineers experts clerks stenographers and investigators for postage telegraph and telephone charges for witness fees allowed by the commission for supplies and printing and for all other expenses deemed necessary and proper by the commission

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

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

On the question,

Shall the bill pass finally?

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

YEAS—202

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

|            |                |               |                |
|------------|----------------|---------------|----------------|
| Cullen,    | Hoopes,        | O'Connor,     | Wagner, P. L., |
| Dague,     | Hunter, B. F., | O'Dare,       | Wallin,        |
| Dairymple, | Hunter, W. M., | O'Neill,      | Walton,        |
| Denmar,    | Huntley,       | Owens,        | Watkins,       |
| Dennison,  | Imbrie,        | Petrosky,     | Weiss,         |
| Depuy,     | Irvin,         | Pettit,       | Welsh,         |
| Dillon,    | James,         | Polaski,      | Winner,        |
| Dix,       | Jones,         | Powers,       | Wood, L. H.,   |
| Duffy,     | Kennedy,       | Readinger,    | Wood, N.,      |
| Elder,     | Kirley,        | Reagan,       | Worley,        |
| Elliott,   | Kitchen,       | Reese, D. P., | Wright,        |
| Ely,       | Kline,         | Reese, R. E., | Yeakel,        |
| Erb,       | Kolankiewicz,  | Reilly,       | Yester,        |
| Ewing,     | Kowalski,      | Regan,        | Fiss,          |
| Figlock,   | Krepps,        | Reynolds,     |                |
| Finnerty,  | Krise,         | Riley,        | Speaker.       |

NAYS—0

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

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

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 515, as follows:

An Act making an appropriation to the Department of Highways out of the Motor License Fund for the purpose of rebuilding certain bridges in the County of Wayne destroyed by flood in said county during the month of May one thousand nine hundred forty-two

Whereas By unusual and unprecedented floods in the County of Wayne in May one thousand nine hundred and forty-two a large number of state county and township bridges were destroyed and great incidental loss sustained by the residents of said county and

Whereas The cost of rebuilding the bridges destroyed and the roads made impassable by said floods would be too heavy a financial burden to be placed upon the residents of said county and

Whereas By legal proceedings duly instituted and completed by the county commissioners of said county the Court of Common Pleas of Dauphin County under the provisions of the Act of Assembly approved the fourteenth day of June one thousand nine hundred and twenty-three (P. L. 761) appointed viewers to view the locations of the proposed new bridges to give proper consideration to all the facts and to report to said court their findings and recommendations as provided by law and

Whereas The said viewers having been duly qualified proceeded to the performance of their duties and in due course made report to the court to the effect "that the accommodation of the traveling public businesses farmers etc in these various communities demand the rebuilding of the aforementioned bridges if their safety and livelihood are to be protected and secured" and

Whereas The said report of the viewers was confirmed nisi by the said court on September eleventh one thousand nine hundred and forty-two and on October fourteenth one thousand nine hundred and forty-two it was confirmed absolute by the said court as will appear by reference to the record entered to the number and term aforesaid now therefore

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

Section 1 The sum of one hundred seventy-seven thousand dollars (\$177,000) or so much thereof as may be necessary is hereby specifically appropriated out of the Motor License Fund to the Department of Highways for the purpose of rebuilding bridges in Wayne County destroyed by flood as aforesaid The bridges which shall be rebuilt with refunds from such appropriation and the maximum amounts which may be expended for each of such bridges are as follows

Fawley Borough Bridge ..... \$70,000

|                                |        |
|--------------------------------|--------|
| East Honesdale Bridge .....    | 40,000 |
| Honesdale Borough Bridge ..... | 30,000 |
| Texas Township Bridge .....    | 20,000 |
| Prompton Borough Bridge .....  | 17,000 |

Section 2 Before a contract is awarded for the construction of any of the bridges named in this act and before any work is begun on the construction of any of said bridges the County of Wayne shall enter into an agreement with the Department of Highways acting through the Secretary of Highways whereby the County of Wayne shall assume the responsibility for the payment of any sum or sums of money in excess of that sum appropriated by this act The county of Wayne shall likewise agree to be responsible for any sum or sums of money in excess of the maximum amount which may be expended under the terms of this act for each of said bridges

Section 3 The County of Wayne shall be responsible for the maintenance of any and all bridges constructed pursuant to this act

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

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

On the question,

Shall the bill pass finally?

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

YEAS—202

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

NAYS—0

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

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

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 547, as follows:

An Act making an appropriation for the expenses of the Committee of the Senate created by Senate Resolution Number three (Serial No 66) adopted the twelfth day of July one thousand nine hundred forty-one to investigate rioting in Donaldson Schuylkill County

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

Section 1 The sum of one thousand five hundred (\$1500) dollars or as much thereof as may be necessary is hereby appropriated to the Committee created by Senate Resolution Number three (Serial No 66) adopted the twelfth day of July one thousand nine hundred forty-one and authorized thereby to determine the actual and true facts connected with the disturbance in the town of Donaldson in Schuylkill County for the payment of the expenses of the necessary investigation by the committee including expenses of members of the committee cost of witnesses stenographic services compensation of clerks and other assistants and any other expenses of every kind that were incurred by the committee in connection with the conduct of its work

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

On the question,

Shall the bill pass finally?

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

YEAS—202

|                 |                |                |                |
|-----------------|----------------|----------------|----------------|
| Alspach,        | Flack,         | Lane,          | Robertson,     |
| Auker,          | Fleming,       | Laughner,      | Root,          |
| Baker,          | Flynn,         | Lee,           | Rose, S.       |
| Barrett,        | Foor,          | Lelsey,        | Rose, W. E.    |
| Barton,         | Fox,           | Leonard,       | Rowley,        |
| Bentley,        | Freed,         | Levy,          | Royer,         |
| Bentzel,        | Fullerton,     | Leydic,        | Salus,         |
| Boies,          | Garber,        | Lichtenwalter, | Sarge,         |
| Bonawitz,       | Gardner,       | Livingstone,   | Sarraaf,       |
| Boorse,         | Gates,         | Longo,         | Scanlon,       |
| Boory,          | Gillan,        | Lovett,        | Schuster,      |
| Bower,          | Goodling,      | Lyons,         | Serrill,       |
| Boyd,           | Goodwin,       | Madigan,       | Simons,        |
| Bradley,        | Gorman,        | Mahany,        | Skale,         |
| Bretherick,     | Grant,         | Maxwell,       | Smith,         |
| Brice,          | Green,         | McAtee,        | Snider,        |
| Brigerman,      | Greenwood,     | McClester,     | Sollenberger,  |
| Brown,          | Gross,         | McKinney,      | Sorg,          |
| Brunner, C. H., | Gyger,         | McMillen,      | Stank,         |
| Brunner, P. A., | Haberlen,      | McSurdy,       | Stockham,      |
| Burns,          | Hall,          | Menna,         | Stonier,       |
| Cadwalader,     | Hamilton,      | Mihm,          | Swope,         |
| Calvin,         | Hannon,        | Miller,        | Tahl,          |
| Campbell,       | Haese,         | Mintess,       | Tate,          |
| Chervenak,      | Harris,        | Mock,          | Taylor,        |
| Chudoff,        | Haudenschild,  | Modell,        | Thompson,      |
| Cohen,          | Heatherington, | Mooney,        | Thrasher,      |
| Coleman,        | Heim,          | Moore,         | Tiemann,       |
| Cook,           | Herman,        | Moran,         | Trent,         |
| Cooper,         | Hersch,        | Moser,         | Trout,         |
| Cordier,        | Hewitt,        | Muir,          | Turbett,       |
| Corrigan,       | Hocke,         | Munley,        | Van Allsburg,  |
| Costa,          | Hoffman,       | Murray,        | Verona,        |
| Coulson,        | Hoggard,       | Nowak,         | Wachhaus,      |
| Croop,          | Holmes,        | O'Brien,       | Wagner, K. H., |
| Cullen,         | Hoopes,        | O'Connor,      | Wagner, P. L., |
| Dague,          | Hunter, B. F., | O'Dare,        | Wallin,        |
| Dalrymple,      | Hunter, W. M., | O'Neill,       | Walton,        |

|           |               |               |              |
|-----------|---------------|---------------|--------------|
| Denman,   | Huntley,      | Owens,        | Watkins,     |
| Dennison, | Inbrie,       | Petrosky,     | Weiss,       |
| Depuy,    | Irvin,        | Pettit,       | Welsh,       |
| Dillon,   | James,        | Polaski,      | Winner,      |
| Dix,      | Jones,        | Powers,       | Wood, L. H., |
| Duffy,    | Kennedy,      | Readinger,    | Wood, N.,    |
| Elder,    | Kirley,       | Reagan,       | Worley,      |
| Elliott,  | Kitchen,      | Reese, D. P., | Wright,      |
| Ely,      | Kilne,        | Reese, R. E., | Yeakel,      |
| Erb,      | Kolankiewicz, | Regan,        | Yester,      |
| Ewing,    | Kowalski,     | Reilly,       | Fiss,        |
| Figlock,  | Krepps,       | Reynolds,     | Speaker.     |
| Finnerty, | Krise,        | Riley,        |              |

NAYS—0

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

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

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 572, as follows:

An Act to add section 617.2 to the act approved the eighteenth day of May one thousand nine hundred eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" authorizing school districts of the third and fourth class to continue work on school buildings abandoned as projects by the Works Projects Administration or other Federal agency on contracts entered into pursuant to solicited bids in order to protect such buildings from loss or damage by the elements

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

Section 1 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" is hereby amended by adding immediately after section 617.1 thereof a new section to read as follows

Section 617.2 Whenever any school district of the third or fourth class pursuant to contract with the Works Projects Administration or any other agency of the United States Government shall have expended money for the erection of a school building to be erected by such agency and after the erection of such building has been begun but before the completion thereof the project is abandoned by the Works Projects Administration or other agency of the United States Government the board of directors of such school district may with the approval of the Superintendent of Public Instruction enter into a contract for the immediate continuation of the work of erecting such school building to an extent necessary to protect the work already completed from loss or damage by the elements Such contract may be let on competitive bids solicited from at least three responsible bidders and approved by the Superintendent of Public Instruction

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

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

On the question,

Shall the bill pass finally?

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

YEAS—202

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

NAYS—0

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

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

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 575, as follows:

An Act to amend clause (d) of section six hundred two and one-tenth 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" further regulating

the power of directors of school districts in the sale of unused and unnecessary lands and buildings

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

Section 1 Clause (d) of section six hundred two and one-tenth 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" which was added to said act by the act approved the eleventh day of May one thousand nine hundred and thirty-nine (P. L. 117) is hereby amended to read as follows

Section 602.1 The board of school directors of any district is hereby vested with the necessary power and authority to sell unused and unnecessary lands and buildings by any of the following methods and subject to the following provisions

\* \* \* \* \*

(d) The board of school directors may at their discretion when selling property as authorized in (a) (b) and (c) sell and convey said properties to the purchasers for the accepted consideration payable partly in cash and partly in the form of a purchase money mortgage [(and bond)] to be [paid in not more than five years from the date thereof] reduced five per cent per annum and bearing interest at [the rate of not less than five per centum] a rate to be determined by the board of school directors said mortgage and bond to contain the customary provisions having to do with fire insurance and the payment of taxes water rents and assessments by the mortgagor and obligor

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—202

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

|            |                |               |              |
|------------|----------------|---------------|--------------|
| Dague,     | Hunter, B. F., | O'Dare,       | Wallin,      |
| Dairymple, | Hunter, W. M., | O'Neill,      | Walton,      |
| Denman,    | Huntley,       | Owens,        | Watkins,     |
| Dennison,  | Imbrie,        | Petrosky,     | Weiss,       |
| Deputy,    | Irvin,         | Pettit,       | Welsh,       |
| Dillon,    | James,         | Folaski,      | Winner,      |
| Dix,       | Jones,         | Powless,      | Wood, L. H., |
| Duffy,     | Kennedy,       | Readinger,    | Wood, N.,    |
| Elder,     | Kirley,        | Reagan,       | Worley,      |
| Elllott,   | Kitchen,       | Reese, D. P., | Wright,      |
| Ely,       | Kline,         | Reese, R. E., | Yeakel,      |
| Erb,       | Kolankiewicz,  | Regan,        | Yester,      |
| Ewing,     | Kowalski,      | Reilly,       | Fiss,        |
| Figlock,   | Krepps,        | Reynolds,     | Speaker.     |
| Finnerty,  | Krise,         | Riley,        |              |

NAYS—0

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

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

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 582, as follows:

An Act making an appropriation to the Department of Forests and Waters for the permanent improvement and maintenance of the Delaware division of the Pennsylvania Canal

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

Section 1 The sum of seventy-five thousand dollars (\$75,000) or so much thereof as may be necessary is hereby specifically appropriated to the Department of Forests and Waters for the purpose of making permanent improvements to the Delaware division of the Pennsylvania Canal including the reconstruction and repair of aqueducts bridges and locks forming a part of said canal and for the maintenance of the same

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—202

|                 |                |                |               |
|-----------------|----------------|----------------|---------------|
| Alsapach,       | Flack,         | Lane,          | Robertson,    |
| Auker,          | Fleming,       | Laughner,      | Root,         |
| Baker,          | Flynn,         | Lee,           | Rose, S.      |
| Barrett,        | Foor,          | Leisey,        | Rose, W. E.,  |
| Barton,         | Fox,           | Leonard,       | Rowley,       |
| Bentley,        | Freed,         | Levy,          | Royer,        |
| Bentzel,        | Fullerton,     | Leydic,        | Salus,        |
| Boles,          | Garber,        | Lichtenwalter, | Sarge,        |
| Bonawitz,       | Gardner,       | Livingstone,   | Sarraf,       |
| Boorse,         | Gates,         | Longo,         | Scanlon,      |
| Boory,          | Gillan,        | Lovett,        | Schuster,     |
| Bower,          | Goodling,      | Lyons,         | Serrill,      |
| Boyd,           | Goodwin,       | Madigan,       | Simons,       |
| Bradley,        | Gorman,        | Mahany,        | Skale,        |
| Bretherick,     | Grant,         | Maxwell,       | Smith,        |
| Brice,          | Green,         | McAtee,        | Snider,       |
| Brigerman,      | Greenwood,     | McClester,     | Sollenberger, |
| Brown,          | Gross,         | McKinney,      | Sorg,         |
| Brunner, C. H., | Gyger,         | McMillen,      | Stank,        |
| Brunner, P. A., | Haberlien,     | McSurdy,       | Stockham,     |
| Burns,          | Hall,          | Menna,         | Stonier,      |
| Cadwalader,     | Hamilton,      | Mihm,          | Swope,        |
| Calvin,         | Hannon,        | Miller,        | Tahl,         |
| Campbell,       | Hare,          | Mintess,       | Tate,         |
| Chervenak,      | Harris,        | Mock,          | Taylor,       |
| Chudoff,        | Haudenschild,  | Modell,        | Thompson,     |
| Cohen,          | Heatherington, | Mooney,        | Thrasher,     |
| Coleman,        | Helm,          | Moore,         | Tiemann,      |

|            |                |               |                |
|------------|----------------|---------------|----------------|
| Cook,      | Herman,        | Moran,        | Trent,         |
| Cooper,    | Hersch,        | Moser,        | Trout,         |
| Cordier,   | Hewitt,        | Muir,         | Turbett,       |
| Corrigan,  | Hocke,         | Munley,       | Van Allsburg,  |
| Costa,     | Hoffman,       | Murray,       | Verona,        |
| Coulson,   | Hoggard,       | Nowak,        | Wachaus,       |
| Croop,     | Holmes,        | O'Brien,      | Wagner, K. H., |
| Cullen,    | Hoopes,        | O'Connor,     | Wagner, P. L., |
| Dague,     | Hunter, B. F., | O'Dare,       | Wallin,        |
| Dairymple, | Hunter, W. M., | O'Neill,      | Walton,        |
| Denman,    | Huntley,       | Owens,        | Watkins,       |
| Dennison,  | Imbrie,        | Petrosky,     | Weiss,         |
| Deputy,    | Irvin,         | Pettit,       | Welsh,         |
| Dillon,    | James,         | Polaski,      | Winner,        |
| Dix,       | Jones,         | Powers,       | Wood, L. H.,   |
| Duffy,     | Kennedy,       | Readinger,    | Wood, N.,      |
| Elder,     | Kirley,        | Reagan,       | Worley,        |
| Elllott,   | Kitchen,       | Reese, D. P., | Wright,        |
| Ely,       | Kline,         | Reese, R. E., | Yeakel,        |
| Erb,       | Kolankiewicz,  | Regan,        | Yester,        |
| Ewing,     | Kowalski,      | Reilly,       | Fiss,          |
| Figlock,   | Krepps,        | Reynolds,     | Speaker.       |
| Finnerty,  | Krise,         | Riley,        |                |

NAYS—0

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

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

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 236, as follows:

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

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

Section 1 The existence of the temporary State commission created under the provisions of the act approved the twelfth day of June one thousand nine hundred and thirty-nine (P. L. 335) entitled "An act creating a temporary commission to examine report upon and recommend measures to improve the economic cultural health and living conditions of the urban colored population of the State and making an appropriation of the expenses of such commission" and the powers and duties granted such commission which were extended by the act approved the sixth day of August one thousand nine hundred and forty-one (P. L. 860) are hereby further extended until the next regular session of the General Assembly

Section 2 The sum of fifteen thousand dollars (\$15,000) or so much thereof as may be necessary is hereby appropriated from any money in the State Treasury not otherwise appropriated payable on requisition of the chairman of such commission on the warrant and audit of the Auditor General

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

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. COHEN. Mr. Speaker, the Democratic members of the House are of course wholeheartedly in favor of the enactment of this bill, and we hope it will be speedily

signed by the Governor so that the Commission can continue with its fine work.

The only comment, gentlemen, that I would like to make at this time is that it is a pity that the work this Commission has been doing, and the fine reports it has been making, no Legislature since its inception has seen fit to enact into law any of the recommendations or findings of this Commission.

On the question recurring,

Shall the bill pass finally?

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

YEAS—202

|                 |                |                |                |
|-----------------|----------------|----------------|----------------|
| Alsbach,        | Flack,         | Lane,          | Robertson,     |
| Auker,          | Fleming,       | Laughner,      | Root,          |
| Baker,          | Flynn,         | Lee,           | Rose, S.,      |
| Barratt,        | Foor,          | Lelsey,        | Rose, W. E.,   |
| Barton,         | Fox,           | Leonard,       | Rowley,        |
| Benley,         | Freud,         | Levy,          | Royce,         |
| Benzel,         | Fullerton,     | Leydic,        | Salus,         |
| Boies,          | Garber,        | Lichtenwalter, | Sarge,         |
| Bonawitz,       | Gardner,       | Livingstone,   | Sarraf,        |
| Boorse,         | Gates,         | Longo,         | Scanlon,       |
| Booy,           | Gillan,        | Lovett,        | Schuster,      |
| Bower,          | Goodling,      | Lyons,         | Serrill,       |
| Boyd,           | Goodwin,       | Madigan,       | Simons,        |
| Bradley,        | Gorman,        | Mahany,        | Skale,         |
| Brethrick,      | Grant,         | Maxwell,       | Smith,         |
| Brice,          | Green,         | McAtee,        | Snider,        |
| Briegerman,     | Greenwood,     | McClester,     | Solienberger,  |
| Brown,          | Gross,         | McKinney,      | Sorg,          |
| Bruaner, C. H., | Gyger,         | McMillen,      | Stank,         |
| Bruaner, P. A., | Haberlen,      | McSurdy,       | Stockham,      |
| Buras,          | Hall,          | Menna,         | Stonier,       |
| Cadwalader,     | Hamilton,      | Mihm,          | Swope,         |
| Calvin,         | Hannon,        | Miller,        | Tahl,          |
| Campbell,       | Hare,          | Mintess,       | Tate,          |
| Chevenak,       | Harris,        | Mock,          | Taylor,        |
| Chudloff,       | Haudenshield,  | Modell,        | Thompson,      |
| Cohen,          | Heatherington, | Mooney,        | Thrasher,      |
| Coleman,        | Helm,          | Moore,         | Tiemann,       |
| Cook,           | Herman,        | Moran,         | Trent,         |
| Cooper,         | Hersch,        | Moser,         | Trout,         |
| Corcier,        | Hewitt,        | Muir,          | Turbett,       |
| Corrigan,       | Hocke,         | Munley,        | Van Allsburg,  |
| Costa,          | Hoffman,       | Murray,        | Verona,        |
| Coulson,        | Hoggard,       | O'Brien,       | Wachhaus,      |
| Croop,          | Holmes,        | O'Connor,      | Wagner, K. H., |
| Cullen,         | Hoopes,        | O'Dare,        | Wagner, P. L., |
| Dagire,         | Hunter, B. F., | O'Neill,       | Wallin,        |
| Dalrymple,      | Hunter, W. M., | Owens,         | Walton,        |
| Denman,         | Huntley,       | Petrosky,      | Watkins,       |
| Denison,        | Imbrie,        | Pettit,        | Weiss,         |
| Depuy,          | Irvin,         | Polaski,       | Welsh,         |
| Dillon,         | James,         | Powers,        | Winner,        |
| Dix,            | Jones,         | Nowak,         | Wood, L. H.,   |
| Duffy,          | Kennedy,       | Readinger,     | Wood, N.,      |
| Elder,          | Kirley,        | Reagan,        | Worley,        |
| Ellicott,       | Kitchen,       | Reese, D. P.,  | Wright,        |
| Ely,            | Kline,         | Reese, R. E.,  | Yeakel,        |
| Erb,            | Kolankiewicz,  | Regan,         | Yester,        |
| Ewing,          | Kowalski,      | Reilly,        | Fiss,          |
| Figlack,        | Krepps,        | Reynolds,      | Speaker.       |
| Fincerty,       | Krise,         | Riley,         |                |

NAYS—0

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

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

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 363, as follows:

An Act to further amend section one thousand four hundred thirteen 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 changing the period covered by reports of boards of school directors and the provisions for institutions in which blind or deaf children may be educated

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

Section 1 The last paragraph of section one thousand four hundred thirteen of the act approved the eighteenth day of May one thousand nine hundred eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" as last amended by the act approved the twenty-fourth day of June one thousand nine hundred thirty-nine (P. L. 786) is hereby further amended to read as follows

Section 1413

\* \* \* \* \*

On or before the first day of [October] November of each year the secretary of the board of school directors in each district in which special education for physically or mentally handicapped children is provided shall make such reports in regard to such special education maintained during the previous year and that for which the approval of the State Council of Education is desired as may be required by the Department of Public Instruction as may be required by the Department of Public Instruction in regard to such special education being maintained for the current school year for which the approval of the State Council of Education is desired When any child between the ages of six (6) and twenty-one (21) years of age resident in this Commonwealth who is blind or deaf is enrolled with the approval of the Department of Public Instruction as a pupil in any of the schools or institutions for the blind or deaf under the supervision of [and] or approved by the Department of Public Instruction the school district in which such child is resident shall pay twenty-five per centum (25%) of the cost of tuition and maintenance of such child in such school or institution as determined by the Department of Public Instruction and for the tuition and maintenance of such children the Commonwealth shall pay out of funds appropriated to the department for special education seventy-five per centum (75%) of the cost of their tuition and maintenance as determined by the department Provided That the Commonwealth shall pay out of moneys appropriated to the department for special education the cost of tuition and maintenance of any child between the ages of six (6) and twenty-one (21) years of age who is blind or deaf and is enrolled with the approval of the Department of Public Instruction as a pupil in any of the schools or institutions for the blind or deaf under the supervision of [and] or approved by the Department of Public Instruction if the residence of such child in a particular school district in the Commonwealth cannot be determined When any person less than six (6) or more than twenty-one (21) years of age resident in this Commonwealth who is blind or deaf is enrolled with the approval of the Department of Public Instruction as a pupil in any of the schools or institutions for the blind or deaf under the supervision of [and] or approved by the Department of Public Instruction the Commonwealth shall pay to such school or institution out of moneys appropriated to the department for special education the cost of tuition and maintenance of such person as determined by the Department of Public Instruction To facilitate payments by the several school districts to the

schools or institutions in which deaf or blind children are enrolled of amounts due by such districts for their proportion of the cost of tuition and maintenance of such children the Superintendent of Public Instruction shall withhold from any moneys due to such districts out of any State appropriation for the assistance as reimbursement of school districts the amounts due by such districts to such schools or institutions for the blind or the deaf and amounts so withheld shall be paid to such schools or institutions by warrant of the Auditor General upon the State Treasurer after requisition of the Superintendent of Public Instruction for which purpose all amounts so withheld are hereby specifically appropriated to the Department of Public Instruction Payments of the Commonwealth's proportion of the cost of tuition and maintenance of blind or deaf pupils enrolled in schools or institutions for the blind or for the deaf as hereinbefore provided shall be made quarterly out of moneys appropriated to the Department of Public Instruction for special education by warrant of the Auditor General upon the State Treasurer after requisition by the Superintendent of Public Instruction For the purpose of enabling the Department of Public Instruction to determine from time to time what amounts are due to schools for the blind or for the deaf hereunder such schools shall forward to the department at such times and in such form as the department shall prescribe sworn statements setting forth the names ages and residences of all pupils enrolled hereunder specifying the school districts liable for a part of the cost of tuition and maintenance of any such pupils the per capita cost of and maintenance of pupils and such other information as the department shall require

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—202

- |                 |                |                |                |
|-----------------|----------------|----------------|----------------|
| Alspach,        | Flack,         | Lane,          | Robertson,     |
| Auker,          | Fleming,       | Laughner,      | Root,          |
| Baker,          | Flynn,         | Lee,           | Rose, S.,      |
| Barrett,        | Foor,          | Lelsey,        | Rose, W. E.,   |
| Barton,         | Fox,           | Leonard,       | Rowley,        |
| Bentley,        | Freed,         | Levy,          | Royer,         |
| Bentzel,        | Fullerton,     | Leydic,        | Salus,         |
| Boies,          | Garber,        | Lichtenwalter, | Sarge,         |
| Bonawitz,       | Gardner,       | Livingstone,   | Sarraf,        |
| Boorse,         | Gates,         | Longo,         | Scanlon,       |
| Boory,          | Gillan,        | Lovett,        | Schuster,      |
| Bower,          | Goodling,      | Lyons,         | Serrill,       |
| Boyd,           | Goodwin,       | Madigan,       | Simons,        |
| Bradley,        | Gorman,        | McAtee,        | Skale,         |
| Bretherick,     | Grant,         | Mahany,        | Smith,         |
| Brigerman,      | Green,         | Maxwell,       | Snider,        |
| Brice,          | Greenwood,     | McClester,     | Sollenberger,  |
| Brown,          | Gross,         | McKinney,      | Sorg,          |
| Brunner, C. H., | Gyger,         | McMillen,      | Stank,         |
| Brunner, P. A., | Haberlen,      | McSurdy,       | Stockham,      |
| Burns,          | Hall,          | Menna,         | Stonier,       |
| Cadwalader,     | Hamilton,      | Mihm,          | Swope,         |
| Calvin,         | Hannon,        | Miller,        | Tahl,          |
| Campbell,       | Hare,          | Mintess,       | Tate,          |
| Chervenak,      | Harris,        | Mock,          | Taylor,        |
| Chudoff,        | Haudenschild,  | Modell,        | Thompson,      |
| Cohen,          | Heatherington, | Mooney,        | Thrasher,      |
| Coleman,        | Helm,          | Moore,         | Tiemann,       |
| Cook,           | Herman,        | Moser,         | Trent,         |
| Cooper,         | Hersch,        | Moran,         | Trout,         |
| Cordier,        | Hewitt,        | Mulr,          | Turbett,       |
| Corrigan,       | Hocke,         | Munley,        | Van Allsburg,  |
| Costa,          | Hoffman,       | Murray,        | Verona,        |
| Coulson,        | Hoggard,       | Nowak,         | Wachhaus,      |
| Croop,          | Holmes,        | O'Brien,       | Wagner, K. H., |
| Cullen,         | Hoopes,        | O'Connor,      | Wagner, P. L., |
| Dague,          | Hunter, B F.,  | O'Dare,        | Wallin,        |
| Dalrymple,      | Hunter, W M.,  | O'Neill,       | Walton,        |
| Denman,         | Huntley,       | Owens,         | Watkins,       |

- |           |               |               |              |
|-----------|---------------|---------------|--------------|
| Dennison, | Imbrle,       | Petrosky,     | Weiss,       |
| Depuy,    | Irvin,        | Pettit,       | Welsh,       |
| Dillon,   | James,        | Polaski,      | Winner,      |
| Dix,      | Jones,        | Powers,       | Wood, L. H., |
| Duffy,    | Kennedy,      | Readinger,    | Wood, N.,    |
| Elder,    | Kitchen,      | Reagan,       | Worley,      |
| Elliott,  | Kirley,       | Reese, D. P., | Wright,      |
| Ely,      | Kline,        | Reese, R. E., | Yeakel,      |
| Erb,      | Kolankiewicz, | Regan,        | Yester,      |
| Ewing,    | Kowalski,     | Relly,        | Fiss,        |
| Figlock,  | Krepps,       | Reynolds,     | Speaker.     |
| Finnerty, | Krise,        | Riley,        |              |

NAYS—0

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

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

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 369, as follows

An Act to amend section five hundred thirty-six 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" making further provision for the fiscal year in school districts of the second class

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

Section 1 Section five hundred thirty-six 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" is hereby amended to read as follows

Section 536 In all school districts of the second third and fourth class in this Commonwealth the fiscal year shall begin on the first Monday of July each year Provided That by resolution of the board of school directors of any school district of the second class adopted by a two-thirds vote of the members thereof at a meeting of the board after not less than ten days' notice of the fact that such resolution would be presented for action at such meeting and upon approval of the Superintendent of Public Instruction the fiscal year of such school district may be fixed so as to begin on the first day of January in each year instead of on the first Monday of July as hereinabove provided

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—202

- |          |          |           |              |
|----------|----------|-----------|--------------|
| Alspach, | Flack,   | Lane,     | Robertson,   |
| Auker,   | Fleming, | Laughner, | Root,        |
| Baker,   | Flynn,   | Lee,      | Rose, S.     |
| Barrett, | Foor,    | Lelsey,   | Rose, W. E., |

|                 |                |                |                |
|-----------------|----------------|----------------|----------------|
| Barton,         | Fox,           | Leonard,       | Rowley,        |
| Bendley,        | Freed,         | Levy,          | Royer,         |
| Benzel,         | Fullerton,     | Leydie,        | Salus,         |
| Boies,          | Garber,        | Lichtenwalter, | Sarge,         |
| Bonswiltz,      | Gardner,       | Livingstone,   | Sarraf,        |
| Boorse,         | Gates,         | Longo,         | Scanlon,       |
| Boory,          | Gillan,        | Lovett,        | Schuster,      |
| Bowar,          | Goodling,      | Lyons,         | Serrill,       |
| Boyc,           | Goodwin,       | Madigan,       | Simons,        |
| Bradley,        | Gorman,        | Mahany,        | Skale,         |
| Bretherick,     | Grant,         | Maxwell,       | Smith,         |
| Brice,          | Green,         | McAtee,        | Snider,        |
| Brigerman,      | Greenwood,     | McClester,     | Sollenberger,  |
| Brown,          | Gross,         | McKinney,      | Sorg,          |
| Brunner, C. H., | Gyger,         | McMillen,      | Stank,         |
| Brunner, P. A., | Haberlen,      | McSurdy,       | Stockham,      |
| Burrs,          | Hall,          | Menna,         | Stonier,       |
| Cadwalader,     | Hamilton,      | Mihm,          | Swope,         |
| Calvin,         | Hannon,        | Miller,        | Tahl,          |
| Campbell,       | Hare,          | Mintess,       | Tate,          |
| Chervenak,      | Harris,        | Mock,          | Taylor,        |
| Chucoff,        | Haudenshield,  | Modell,        | Thompson,      |
| Cohen,          | Heatherington, | Mooney,        | Thrasher,      |
| Coleman,        | Helm,          | Moore,         | Tiemann,       |
| Cook,           | Herman,        | Moran,         | Trent,         |
| Cooper,         | Hersch,        | Moser,         | Trout,         |
| Cord er,        | Hewitt,        | Muir,          | Turbett,       |
| Corrigan,       | Hocke,         | Murray,        | Van Allsburg,  |
| Coste,          | Hoffman,       | Munley,        | Verona,        |
| Coulson,        | Hoggard,       | Nowak,         | Wachhaus,      |
| Croop,          | Holmes,        | O'Brien,       | Wagner, K. H., |
| Cullen,         | Hoopes,        | O'Connor,      | Wagner, P. L., |
| Dague,          | Hunter, B. F., | O'Dare,        | Wallin,        |
| Dairmple,       | Hunter, W. M., | O'Neill,       | Walton,        |
| Denman,         | Huatley,       | Owens,         | Watkins,       |
| Denrison,       | Imbrle,        | Petrosky,      | Wels,          |
| Deputy,         | Irvin,         | Pettit,        | Welsh,         |
| Dillon,         | James,         | Polaski,       | Winner,        |
| Dix,            | Jones,         | Powers,        | Wood, L. H.,   |
| Duffy,          | Kennedy,       | Readinger,     | Wood, N.,      |
| Elder,          | Kirley,        | Reagan,        | Worley,        |
| Elliott,        | Kitchen,       | Reese, D. P.,  | Wright,        |
| Ely,            | Kilne,         | Reese, R. E.,  | Yeakel,        |
| Erb,            | Kolankiewicz,  | Regan,         | Yester,        |
| Ewing,          | Kowalski,      | Regan,         | Fiss,          |
| Figlock,        | Krepps,        | Reilly,        |                |
| Finnerty,       | Krise,         | Reynolds,      | Speaker.       |
|                 |                | Riley,         |                |

## NAYS—0

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

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

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 372, as follows:

An Act to amend section two hundred and twelve of the act approved the fifth day of August one thousand nine hundred forty-one (P. L. 752) entitled "An act regulating and improving the civil service of certain departments and agencies of the Commonwealth vesting in the State Civil Service Commission and a Personnel Director certain powers and duties providing for classification of positions adoption of compensation schedules and certification of payrolls imposing duties upon certain officers and employes of the Commonwealth authorizing service to other State departments or agencies and political subdivisions of the Commonwealth in matters relating to civil service defining certain crimes and misdemeanors imposing penalties making certain appropriations and repealing certain acts and parts thereof" by providing for the support of the commission on a revolving fund basis and appropriating moneys for this purpose

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

Section 1 Section two hundred twelve of the act ap-

proved the fifth day of August one thousand nine hundred forty-one (P. L. 752) entitled "An act regulating and improving the civil service of certain departments and agencies of the Commonwealth vesting in the State Civil Service Commission and a Personnel Director certain powers and duties providing for classification of positions adoption of compensation schedules and certification of payrolls imposing duties upon certain officers and employes of the Commonwealth authorizing service to other State departments or agencies and political subdivisions of the Commonwealth in matters relating to civil service defining certain crimes and misdemeanors imposing penalties making certain appropriations and repealing certain acts and parts thereof" is hereby amended to read as follows

Section 212 Service to [Other] State Departments Boards and Commissions or Agencies and Political Subdivisions Cooperation with Other Civil Service Agencies (a) The services and facilities of the commission and its staff shall be available to the State departments boards and commissions set forth in paragraph (c) of section three of this act and to other State departments boards commissions or agencies and political subdivisions of this Commonwealth upon such terms and conditions as may be prescribed by the rules of the commission which rules shall provide for the payment to and reimbursement of the Commonwealth for the reasonable cost of such services and facilities

(b) The cost of such services and facilities made available by the commission shall be borne by every State department board commission or agency and political subdivision to which the same are made available in the proportion which the cost of said services and facilities to each bears to the total cost of said services and facilities The commission shall prepare and issue monthly statements of such cost setting forth the total and the share attributable to each department board commission or agency and political subdivision to which services or facilities are made available Upon receipt of such statements each State department board commission or agency and political subdivision shall pay its share of the cost to the commission

(c) Any money payable to the [Commonwealth] commission by way of reimbursement shall be paid into the General Fund through the Department of Revenue shall be credited to the biennial appropriation made to the commission out of the General Fund [by this act or to any subsequent appropriation made to the commission out of the General Fund] for the proper conduct of its work under this act and shall be available for the same purposes for which any such appropriation is available In case any State department board commission or agency which is supported out of the General Fund becomes liable to the commission under the provisions of this section such liability shall be defrayed out of the current appropriation to such State department board commission or agency for the proper conduct of its work and any such appropriation is hereby appropriated for such purpose In addition as much money as may be necessary is hereby appropriated to the commission from time to time from the State Stores Fund to meet the cost of the services and facilities of the commission as may be attributable to the work of the commission with respect to the Pennsylvania Liquor Control Board and as much as may be necessary is hereby appropriated from the Administrative Fund to meet the cost of services and facilities of the commission as may be attributable to the work of the commission with respect to the work of the Department of Labor and Industry under the Unemployment Compensation Law In the event any other State department board commission or agency which is supported out of a special fund becomes obligated to the commission under the provisions of this section as much money as may be necessary is hereby appropriated from time to time out of such special fund to meet the cost of services and facilities of the commission as may be attributable to the work of such administrative depart-

ment board commission or agency Such amounts as are appropriated out of said special funds shall from time to time be transferred from such funds to the General Fund shall be credited to the current appropriation made to the commission out of the General Fund for the proper conduct of its work and are hereby appropriated to the commission for the same purposes as the aforesaid appropriation out of the General Fund is appropriated

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

Section 2 This act shall become effective on the first day of June one thousand nine hundred forty-three

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

On the question,

Shall the bill pass finally?

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

YEAS—202

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

NAYS—0

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

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

Agreeably to order,

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

An Act to amend section one of the act approved the twelfth day of May one thousand nine hundred and thirty-nine (P. L. 133) entitled "An act to regulate the sale and possession of sulfanilamide and its derivatives in the interest of public health" by excepting sulfathiazole-impregnated finger or small adhesive gauze bandages

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

Section 1 Section one of the act approved the twelfth day of May one thousand nine hundred and thirty-nine (P. L. 133) entitled "An act to regulate the sale and possession of sulfanilamide and its derivatives in the interest of public health" is hereby amended to read as follows

Section 1 The drug known as sulfanilamide and any of its derivatives except sulfathiazole-impregnated finger or small adhesive gauze bandages shall not be sold at retail or dispensed to any person except upon the written prescription of a duly licensed physician dentist or veterinarian compounded or dispensed by a registered pharmacist or under the immediate personal supervision of a registered pharmacist and no pharmacist shall dispense any such drug without affixing to the container in which the drug is sold or dispensed a label bearing the name and address of the pharmacist the date compounded and the consecutive number of the prescription under which it is recorded in his prescription files together with the name of the physician dentist or veterinarian prescribing it Provided That the provisions of this section of this act shall not apply to a duly licensed physician dentist or veterinarian Provided however That they keep a record of the amount of such drugs purchased and a dispensing record showing the date name of the quantity of the drugs dispensed and the name and address of the patient No physician dentist or veterinarian shall dispense any such drug without affixing to the container in which the drug is sold or dispensed a label bearing the name and address of the dispenser the date dispensed the name and address of the patient and the directions for the use of the drug by the patient

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—202

- |             |            |                |              |
|-------------|------------|----------------|--------------|
| Alspach,    | Flack,     | Lane,          | Robertson,   |
| Auker,      | Fleming,   | Laughner,      | Root,        |
| Baker,      | Flynn,     | Lee,           | Rose, S.,    |
| Barrett,    | Foor,      | Leisey,        | Rose, W. E., |
| Barton,     | Fox,       | Leonard,       | Rowley,      |
| Bentley,    | Freed,     | Levy,          | Royer,       |
| Bentzel,    | Fullerton, | Leydic,        | Salus,       |
| Boles,      | Garber,    | Lichtenwalter, | Sarge,       |
| Bonawitz,   | Gardner,   | Livingstone,   | Sarra,       |
| Boorse,     | Gates,     | Longo,         | Scanlon,     |
| Boory,      | Gillan,    | Lovett,        | Schuster,    |
| Bower,      | Goodling,  | Lyons,         | Serrill,     |
| Boyd,       | Goodwin,   | Madigan,       | Simons,      |
| Bradley,    | Gorman,    | Mahany,        | Skale,       |
| Bretherick, | Grant,     | Maxwell,       | Smith,       |

|                 |                |               |                |
|-----------------|----------------|---------------|----------------|
| Brice,          | Green,         | McAtee,       | Snider,        |
| Brigeman,       | Greenwood,     | McClester,    | Sollenberger,  |
| Brown,          | Gross,         | McKinney,     | Sorg,          |
| Brunner, C. H., | Gyger,         | McMillen,     | Stank,         |
| Brunner, P. A., | Haberlen,      | McSurdy,      | Stockham,      |
| Burns           | Hall,          | Menna,        | Stonier,       |
| Cadwalader,     | Hamilton,      | Mihm,         | Swope,         |
| Calvir,         | Hannon,        | Miller,       | Tahl,          |
| Campbell,       | Hare,          | Mintess,      | Tate,          |
| Chervenak,      | Harris,        | Mock,         | Taylor,        |
| Chudoff,        | Haudenshield,  | Modell,       | Thompson,      |
| Cohen           | Heatherington, | Mooney,       | Thrasher,      |
| Coleman,        | Helm,          | Moore,        | Tiemann,       |
| Cook,           | Herman,        | Moran,        | Trent,         |
| Cooper,         | Hersch,        | Moser,        | Trout,         |
| Cordier,        | Hewitt,        | Mulr,         | Turbett,       |
| Corrigan,       | Hocke,         | Munley,       | Van Allsburg,  |
| Costa,          | Hoffman,       | Murray,       | Verona,        |
| Coulson,        | Hoggard,       | Nowak,        | Wachhaus,      |
| Croop           | Holmes,        | O'Brien,      | Wagner, K. H., |
| Culler,         | Hoopes,        | O'Connor,     | Wagner, P. L., |
| Dague,          | Hunter, B. F., | O'Dare,       | Wallin,        |
| Dalrymple,      | Hunter, W. M., | O'Neill,      | Walton,        |
| Denman,         | Huntley,       | Owens,        | Watkins,       |
| Dennison,       | Imbrie,        | Petrosky,     | Weiss,         |
| Deputy,         | Irvin,         | Pettit,       | Welsh,         |
| Dillon,         | James,         | Polaski,      | Winner,        |
| Dix,            | Jones,         | Powers,       | Wood, L. H.,   |
| Duffy,          | Kennedy,       | Readinger,    | Wood, N.,      |
| Elder,          | Kirley,        | Reagan,       | Worley,        |
| Elliot,         | Kitchen,       | Reese, D. P., | Wright,        |
| Ely,            | Kline,         | Reese, R. E., | Yeakel,        |
| Erb,            | Kolankiewicz,  | Regan,        | Yester,        |
| Ewing,          | Kowalski,      | Reilly,       | Fiss,          |
| Fliglock,       | Krepps,        | Reynolds,     |                |
| Flinnerty,      | Krise,         | Riley,        | Speaker.       |

NAYS—0

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

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

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 613, entitled:

An Act to further amend section four of the act, approved the twenty-eighth day of June, one thousand nine hundred thirty-five (P. L. 452), entitled as amended "An act to promote the welfare of the people of the Commonwealth; creating a General State Authority as a body corporate and politic with power to construct, improve, equip, furnish, and operate projects, and to lease the same, and to fix and collect fees, rentals, and charges for the use thereof; authorizing and regulating the issuance of bonds by said Authority, and providing for the payment of such bonds, and the rights of the holders thereof; and to enter into agreements with the Government of the United States or any Federal agency; and authorizing the Department of Property and Supplies to grant, assign, convey, or lease to the Authority lands of the Commonwealth and interests therein, and to acquire lands therefor; granting the right of eminent domain; and providing that no debt of the Commonwealth shall be incurred in the exercise of any of the powers granted by this act," empowering the General State Authority to lease any project constructed by it to any person, copartnership, association or corporation, for certain uses.

On the question,

Will the House agree to the bill on third reading?

Mr. COHEN. Mr. Speaker, I desire to interrogate the majority floor leader.

The SPEAKER pro tempore. Will the gentleman from Lehigh permit himself to be interrogated?

Mr. LICHTENWALTER. I will, Mr. Speaker.

Mr. COHEN. Mr. Speaker, turning to page 5 of the bill, the amendment reads as follows: "and with the approval of the Governor to lease any such project to any person copartnership association or corporation for the use in the manufacture of any war material or any article intended for use by the armed forces of the United States or any of its allied nations."

I presume, Mr. Lichtenwalter, this a duration measure? Mr. LICHTENWALTER. That is correct, Mr. Speaker.

Mr. COHEN. Then, Mr. Speaker, may I ask whether or not we might not agree now to withhold action on this bill to insert amendments to say that it is for the duration, because as I interpret the amendment as just read, manufacture of war material or material intended for use by the armed forces, that could of course be true even after the war is over.

Mr. LICHTENWALTER. I have no objection, but while we are on this bill, I might say that one of the buildings at Huntingdon, that is not in use at the present time because of the labor situation there, I believe it is a type of building that is vital to industry, and they would like to lease it for the duration of the war. We need this legislation in order to carry that out.

Mr. COHEN. May I ask would the gentleman agree to pass the bill over until an amendment can be inserted making it a war measure?

BILL POSTPONED

Mr. LICHTENWALTER. Mr. Speaker, I move that this bill be placed on the postponed calendar.

The motion was agreed to.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 26, as follows:

An Act providing for the payment of moneys to school districts of the fourth class the taxes of which have been reduced by the acquisition of certain lands and property by the Commonwealth

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

Section 1 In all cases where the Commonwealth has at any time since the first day of June one thousand nine hundred and eight acquired any lands or property within the limits of any school district of the fourth class for use in connection with any educational welfare or penal institution and the amount of property within the school district taxable for school purposes has thereby been reduced and no provision has heretofore been made for reimbursing the school district either in whole or in part for the loss of such revenue the board of school directors of any such school district shall immediately after the effective date of this act certify to the Auditor General and the Department of Public Instruction the assessed valuation of such lands and property at the time of such acquisition

Section 2 After the effective date of this act the board of school directors shall from year to year at the time of its annual levy of taxes for school purpose certify to the Auditor General and Department of Public Instruction the rate of its levy for the next school year Thereupon the Department of Public Instruction shall ascertain the amount of taxes which would have been collected upon the assessed valuation certified as hereinbefore provided at the rate of the levy so certified Upon the ascertainment of such amount the same shall be paid by the Commonwealth from time to time from the general fund

Section 3 This act is intended to make provision for

payments by the Commonwealth to school districts in addition to all other payments now provided for by law and shall not be construed to repeal or in anywise effect any other law making such provision

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

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

On the question,

Shall the bill pass finally?

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

## YEAS—202

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

## NAYS—0

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

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

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 314, as follows:

An Act to further amend section one thousand one hundred twenty-six 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 changing the provisions for supervisors of special education in counties employing fewer than five hundred and fifty teachers

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

Section 1 Section one thousand one hundred twenty-six of the act approved the eighteenth day of May one thousand nine hundred eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" as last amended by the act approved July first one thousand nine hundred thirty-seven (P. L. 2592) is hereby further amended to read as follows

Section 1126 Every county superintendent having more than one hundred and fifty (150) and not more than five hundred and fifty (550) teachers under his supervision shall have one assistant county superintendent Every county superintendent having more than five hundred and fifty (550) but not more than one thousand and fifty (1050) teachers under his supervision shall have two assistant county superintendents Every county superintendent having more than one thousand and fifty (1050) teachers under his supervision shall have one additional assistant county superintendent for each additional five hundred teachers or fraction thereof but no county superintendent shall have more than five assistants In addition to the assistant county superintendents herein provided for in each county in which there are 550 or more teachers under the supervision of the county superintendent there shall be appointed at least one supervisor of special education and in each county in which they are [less] fewer than 550 teachers under the supervision of the county superintendent there shall be appointed a [joint] part-time supervisor of special education who shall serve jointly in two or more counties except in the case of a county which employs fewer than 550 teachers and is not adjacent to any other county employing fewer than 550 teachers in which case a full-time or a part-time supervisor of special education shall be appointed In no instance shall such supervisor of special education serve in more than three counties The State Council of Education shall have power and it shall be their duty to determine the counties which shall be served jointly by a joint supervisor of special education The time of the joint supervisor of special education shall be apportioned among the several counties on the basis of the number of teachers under the supervision of the county superintendent in each county

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—202

|                 |                |                |                |
|-----------------|----------------|----------------|----------------|
| Alsbach,        | Flack.         | Lane.          | Robertson,     |
| Auxer,          | Fleming,       | Laughner,      | Root,          |
| Baker,          | Flynn,         | Lee,           | Rose, S.       |
| Barrett,        | Foor,          | Leisey,        | Rose, W. E.,   |
| Barton,         | Fox,           | Leonard,       | Rowley,        |
| Bentley,        | Freed,         | Levy,          | Royer,         |
| Bentzel,        | Fullerton,     | Leydic,        | Salus,         |
| Bokes,          | Garber,        | Lichtenwalter, | Sarge,         |
| Bomawitz,       | Gardner,       | Livingstone,   | Sarraf,        |
| Boorse,         | Gates,         | Longo,         | Scanlon,       |
| Bocry,          | Gillan,        | Lovett,        | Schuster,      |
| Bower,          | Goodling,      | Lyons,         | Serrill,       |
| Bord,           | Goodwin,       | Madigan,       | Simons,        |
| Bradley,        | Gorman,        | Mahany,        | Skale,         |
| Bretherick,     | Grant,         | Maxwell,       | Smith,         |
| Brice,          | Green,         | McAtee,        | Snider,        |
| Brigerman,      | Greenwood,     | McClester,     | Sollenberger,  |
| Brcwn,          | Gross,         | McKinney,      | Sorg,          |
| Brunner, C. H., | Gyger,         | McMillen,      | Stank,         |
| Brunner, P. A., | Haberlen,      | McSurdy,       | Stockham,      |
| Burns,          | Hall,          | Menna,         | Stonier,       |
| Cacwalader,     | Hamilton,      | Mihm,          | Swope,         |
| Calvin,         | Hannon,        | Miller,        | Tahl,          |
| Campbell,       | Hare,          | Mintess,       | Tate,          |
| Chervenak,      | Harris,        | Mock,          | Taylor,        |
| Chudoff,        | Haudenshield,  | Moodell,       | Thompson,      |
| Cohen,          | Heatherington, | Mooney,        | Thrasher,      |
| Coleman,        | Heim,          | Moore,         | Thieman,       |
| Cock,           | Herman,        | Moran,         | Trent,         |
| Cocper,         | Hersch,        | Moser,         | Trout,         |
| Cordier,        | Hewitt,        | Muir,          | Turbett,       |
| Corrigan,       | Hocke,         | Munley,        | Van Allsburg,  |
| Corta,          | Hoffman,       | Murray,        | Verona,        |
| Cowson,         | Hoggard,       | Nowak,         | Wachhaus,      |
| Croop,          | Holmes,        | O'Brien,       | Wagner, K. H., |
| Cullen,         | Hoopes,        | O'Connor,      | Wagner, P. L., |
| Dague,          | Hunter, B. F., | O'Dare,        | Wallin,        |
| Darymple,       | Hunter, W. M., | O'Neill,       | Walton,        |
| Deaman,         | Huntley,       | Owens,         | Watkins,       |
| Deanison,       | Imbrle,        | Petrosky,      | Weiss,         |
| Depuy,          | Irvin,         | Pettit,        | Welsh,         |
| Dillon,         | James,         | Polaski,       | Winnor,        |
| Dix,            | Jones,         | Powers,        | Wood, L. H.,   |
| Duffy,          | Kennedy,       | Readinger,     | Wood, N.,      |
| Elder,          | Kirley,        | Reagan,        | Worley,        |
| Elliot,         | Kitchen,       | Reese, D. P.,  | Wright,        |
| Ely,            | Kline,         | Reese, R. E.,  | Yeakel,        |
| Ert,            | Kolankiewicz,  | Regan,         | Yester,        |
| Ewing,          | Kowalski,      | Reilly,        | Floss,         |
| Figlock,        | Krepps,        | Reynolds,      | Speaker.       |
| Flinerty,       | Krise,         | Riley,         |                |

## NAYS—0

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

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

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 524, as follows:

An Act to amend sections four hundred twenty-six and four hundred twenty-seven of the act approved the twenty-first day of June one thousand nine hundred thirty-nine (P. L. 566) entitled "An act defining the liability of an employer to pay damages for occupational disease contracted by an employe arising out of and in the course of employment establishing an elective schedule of compensation providing procedure for the determination of liability and compensation thereunder imposing duties on the Department of Labor and Industry the Workmen's Compensation Board Workmen's Compensation Referees and deans of medical schools creating a medical board to detremine controverted medical issues establishing an Occupational Disease Fund in custody of the State Workmen's Insurance Board imposing upon the

Commonwealth a part of the compensation payable for certain occupational diseases making an appropriation and prescribing penalties" conferring exclusive jurisdiction on the county court of Allegheny County in cases of appeals from the Workmen's Compensation Board

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

Section 1 Sections four hundred twenty-six and four hundred twenty-seven of the act approved the twenty-first day of June one thousand nine hundred thirty-nine (P. L. 566) entitled "An act defining the liability of an employer to pay damages for occupational disease contracted by an employe arising out of and in the course of employment establishing an elective schedule of compensation providing procedure for the determination of liability and compensation thereunder imposing duties on the Department of Labor and Industry the Workmen's Compensation Board Workmen's Compensation Referees and deans of medical schools creating a medical board to determine controverted medical issues estbalishing an Occupational Disease Fund in custody of the State Workmen's Insurance Board imposing upon the Commonwealth a part of the compensation payable for certain occupational diseases making an appropriation and prescribing penalties" are hereby amended to read as follows

Section 426 The board upon petition of any party and upon cause shown at any time before the court of common pleas of any county of this Commonwealth other than Allegheny County and in Allegheny County before the county court of Allegheny County to which an appeal has been taken under the provisions of section four hundred and twenty-seven of this article shall have taken final action thereon may grant a rehearing of any petition upon which the board has made an award or disallowance of compensation or other order or ruling or upon which the board has sustained or reversed any action of a referee but such rehearing shall not be granted more than one year after the board has made such award disallowance or order or ruling or has sustained or reversed any action of the referee If the board shall grant a rehearing of any petition from the board's action on which an appeal has been taken to and is pending in the court of common pleas [of any county of this Commonwealth] or in the county court of Allegheny County as the case may be under the provisions of section four hundred and twenty-seven of this article the board shall file in such court a certified copy of its order granting such rehearing and it shall thereupon be the duty of such court to cause the record of the case to be remitted to the board Provided however That nothing contained in this section shall limit or restrict the right of the board or a referee designated by the board to review modify set aside reinstate suspend or terminate an original or supplemental agreement or an award in accordance with the provisions of section four hundred thirteen of this article

Section 427 Any party may appeal from any action of the board on matters of law to the court of common pleas of the county in which the employe was last employed prior to his disability or death or of the county in which the adverse party resides or has a permanent place of business or by agreement of the parties to the court of common pleas of any other county of this Commonwealth Provided That no such appeal shall be taken to the court of common pleas of Allegheny County but in Allegheny County all such appeals shall be taken to the county court of Allegheny County which shall have exclusive jurisdiction of such appeals Such appeal must in all cases be brought within twenty days after notice of the action of the board has been served upon such party unless any court of common pleas or the county court of Allegheny County as the case may be to which an appeal lies shall upon cause shown extend the time herein provided for taking the appeal The party taking the appeal shall at the time of taking the appeal serve upon the adverse party a written notice thereof setting forth the date of the appeal and the court in which the

same is filed and shall file either with his notice of appeal or within thirty days thereafter such exceptions to the action of the board as he may desire to take and shall specify the findings of fact if any of the board or of the referee sustained by the board which he alleges to be unsupported by sufficient competent evidence

Upon filing of the notice of an appeal the prothonotary of the court of common pleas or the clerk of the county court of Allegheny County as the case may be to which the appeal has been taken shall issue a writ of certiorari directed to the board commanding it within ten days after service thereof to certify to such court its entire record in the matter in which the appeal has been taken. The writ so issued shall be mailed by the prothonotary or the clerk of the county court or Allegheny County as the case may be to the department at Harrisburg together with a copy of the exceptions. The board shall within ten days after such service certify to such court its entire record in the matter in which the appeal has been taken including the notes of testimony.

Any court before which an appeal is pending from any action of the board may remit the record to the board for more specific findings of fact if the findings of the board or referee or of the medical board are not in its opinion sufficient to enable it to decide the question of law raised by the appeal.

If the court of common pleas [of any county of this Commonwealth] or the county court of Allegheny County as the case may be shall affirm an award or order of the board or of a referee sustained by the board fixing the compensation payable under this act the court shall enter judgment for the total amount stated by the award or order to be payable whether then due and accrued or payable in future instalments if such court shall sustain the appellant's exceptions to a finding or findings of fact and reverse the action of the board founded thereon the court shall remit the record to the board for further hearing and determination in which the procedure shall be the same as that hereinbefore provided in this article in the case of a petition presented to the board except that the testimony taken in the original proceedings shall be considered as though taken in such further hearing.

The prothonotary of any court of common pleas or the clerk of the county court of Allegheny County as the case may be to which an appeal has been taken from the board shall send to the board a certificate of the judgment of the court as soon as rendered with a copy of any opinion which may be filed in the case and within five days shall give notice of such judgment and the date thereof by registered mail to each attorney at law appearing in the case at the address given by the attorney in the pleadings and if no attorney at law has appeared by registered mail to the party or parties not represented by counsel. At the end of the period hereinafter allowed for an appeal from the judgment of the court the record of the board shall be remitted to it by the prothonotary or the clerk of the county court of Allegheny County as the case may be unless an appeal shall have been taken to the Superior Court as hereinafter provided. If such appeal shall be taken the record shall be remitted to the board by the prothonotary or the clerk of the county court of Allegheny County as the case may be on its return from the appellate court.

Any party may appeal to the Superior Court from the judgment of the court of common pleas or the county court of Allegheny County as the case may be within thirty days after entry of said judgment irrespective of the amount involved. Such appeal shall be taken and prosecuted in the same manner and form and with the same effect as is provided in other cases of appeal to the Superior Court and the record so certified shall contain all that was before the court of common pleas or the county court of Allegheny County as the case may be. Any appeal from the action of the board to a court of common pleas or the county court of Allegheny County as the case may be and from it to the Superior Court shall take precedence over all other civil actions. The judgment of the Superior Court

shall be final unless an appeal therefrom is allowed as in the case of other judgments of that court.

Upon the rendition of any judgment in the county court of Allegheny County hereunder the party to whom such judgment is awarded shall be entitled to file in the office of the prothonotary of Allegheny County a transcript from the docket of the county court showing the judgment so rendered which judgment shall be entered upon the judgment index of such county in the same manner and with like effect as in the case of other judgments rendered by the county court of Allegheny County.

It is the intention of this act that all appeals from the Workmen's Compensation Board heretofore triable in the court of common pleas of Allegheny County shall hereafter be exclusively triable in the county court of Allegheny County regardless of the amount of money involved in the appeal.

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. MORAN. Mr. Speaker, I would like to have somebody explain Senate Bill No. 524, Printer's No. 294.

The SPEAKER pro tempore. Is there a Member in the House who can explain Senate Bill No. 524, Printer's No. 294?

Mr. FLEMING. Mr. Speaker, we recently passed four bills in the House and sent them to the Senate for concurrence, which would transfer from the Common Pleas Court in Allegheny County to the County Court of Allegheny County the right to hear appeals on Liquor Control cases and Workmen's Compensation cases. Those bills were jointly sponsored by the gentleman from Allegheny, Mr. Mihm, and myself. We had neglected, however, to put in a companion bill to permit the County Court to hear appeals on occupational disease cases. As the deadline for introducing bills is March 15, the bill could not be introduced in the House and we had gone over to the Senate and have Senator Walker introduce a bill in the Senate, which the Senate passed unanimously, and it is now before the House. It only provides that the County Court of Allegheny County can hear appeals in Workmen's Compensation cases involving occupational diseases. I believe that is correct.

Mr. BROWN. Mr. Speaker, the gentleman from Allegheny is correct, and I would ask the Members on this side of the House to vote for the bill.

On the question recurring,

Shall the bill pass finally?

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

## YEAS—202

|            |            |                |              |
|------------|------------|----------------|--------------|
| Alsbach    | Flack      | Lane.          | Robertson.   |
| Auker.     | Fleming.   | Laughner.      | Root,        |
| Barton.    | Flynn.     | Lee.           | Rose, S.,    |
| Baker.     | Foor.      | Lelsey.        | Rose, W. E., |
| Barrett.   | Fox.       | Leonard.       | Rowley,      |
| Bentley.   | Fullerton. | Levy.          | Royer,       |
| Bentzel.   | Freed.     | Leydic.        | Salus,       |
| Boes.      | Garber.    | Lichtenwalter, | Sarge,       |
| Bonawitz.  | Gardner.   | Livingstone.   | Sarraff,     |
| Boorse.    | Gates.     | Longo.         | Scanlon,     |
| Boory.     | Gillan.    | Lovett.        | Schuster,    |
| Bower.     | Goodling.  | Lyons.         | Serrill.     |
| Boyd.      | Goodwin.   | Madigan.       | Simons,      |
| Bradley.   | Gorman.    | Mahany.        | Skale,       |
| Brethrick. | Grant.     | Maxwell.       | Smith,       |
| Brice.     | Green.     | McAtee.        | Snider,      |

|                |                |               |                |
|----------------|----------------|---------------|----------------|
| Brigerman,     | Greenwood,     | McClester,    | Sollenberger,  |
| Brown,         | Gross,         | McKinney,     | Sorg,          |
| Bruner, C. H., | Gyger,         | McMillen,     | Stank,         |
| Bruner, P. A., | Haberlen,      | McSurdy,      | Stockham,      |
| Burns,         | Hall,          | Menna,        | Stonier,       |
| Cadwalader,    | Hamilton,      | Mihm,         | Swope,         |
| Calvin,        | Hannon,        | Miller,       | Tahl,          |
| Campbell,      | Hare,          | Mintess,      | Tate,          |
| Cheremak,      | Harris,        | Mock,         | Taylor,        |
| Chudoff,       | Haudenschild,  | Modell,       | Thompson,      |
| Coher,         | Heatherington, | Mooney,       | Thrasher,      |
| Coleman,       | Helm,          | Moore,        | Tiemann,       |
| Cook,          | Herman,        | Moran,        | Trent,         |
| Cooper,        | Hersch,        | Moser,        | Trout,         |
| Cordier,       | Hewitt,        | Muir,         | Turbett,       |
| Corrigan,      | Hocke,         | Munley,       | Van Allsburg,  |
| Costa,         | Hoffman,       | Murray,       | Verona,        |
| Coulson,       | Hoggard,       | Nowak,        | Wachhaus,      |
| Croop,         | Holmes,        | O'Brien,      | Wagner, K. H., |
| Cullen,        | Hoopes,        | O'Connor,     | Wagner, P. L., |
| Dagus,         | Hunter, B. F., | O'Dare,       | Wallin,        |
| Dalrymple,     | Hunter, W. M., | O'Neill,      | Walton,        |
| Denman,        | Huntley,       | Owens,        | Watkins,       |
| Dennison,      | Imbrie,        | Petrosky,     | Weiss,         |
| Deputy,        | Irvin,         | Pettit,       | Welsh,         |
| Dillon,        | James,         | Polaski,      | Winner,        |
| Dix,           | Jones,         | Powers,       | Wood L. H.,    |
| Duffy,         | Kennedy,       | Readinger,    | Wood, N.,      |
| Elder,         | Kirley,        | Reagan,       | Worley,        |
| Elliott,       | Kitchen,       | Reese, D. P., | Wright,        |
| Ely,           | Kline,         | Reese, R. E., | Yeakel,        |
| Erb,           | Kolankiewicz,  | Regan,        | Yester,        |
| Ewing,         | Kowalski,      | Reilly,       | Fiss,          |
| Figlock,       | Krepps,        | Reynolds,     | Riley,         |
| Finney,        | Krise,         |               | Speaker.       |

NAYS—0

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

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

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 603, entitled:

An Act authorizing the Department of Property and Supplies to establish, operate and maintain self-sustaining restaurants, as herein defined, in the State Capitol and adjacent buildings, creating a revolving fund for this purpose to be known as The State Restaurant Fund, providing additional duties for the State Treasurer and the Department of Health in connection therewith, and appropriating the necessary funds for these purposes.

On the question,

Will the House agree to the bill on third reading?

Mr. WACHHAUS. Mr. Speaker, I ask unanimous consent to offer amendments at this time.

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

The Clerk read the amendments as follows:

Strike out in preamble "and adjacent buildings". On page 1—Section 1, Line 5, strike out "and adjacent buildings". On page 2—Section 1, Line 6, strike out beginning with the word "in the buildings of the Capitol group" and insert in place thereof "in the State Capitol building". Add between paragraph 6 and 7 the following: This Act shall not be construed to deny nor prohibit the operation of any refreshment stand in any building on the State Capitol grounds by a blind person under the supervision of the State Council for the Blind.

The SPEAKER pro tempore. 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.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 631, as follows:

An Act relating to the administration liquidation and distribution of title insurance reserve funds in the possession of the Secretary of Banking as receiver and providing for the rights and powers of corporations in respect to the writing of policies of reinsurance in connection therewith

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

Section 1 Definitions The following terms shall be construed in this Act to have the following meanings except in those instances where the context clearly indicates otherwise

"Court" The court of common pleas of the county in which the certificate of possession of an institution has been filed by the Secretary

"Institution" A bank and trust company or trust company in possession of the Secretary and having a title insurance reserve fund

"Policy of Title Insurance" A policy of title insurance issued by an institution or in respect to which liability has been assumed by the institution which was in full force and effect upon the date of possession of the institution by the Secretary and on which liability has not been discharged under the provisions of this act or otherwise since the date of possession of the institution

"Policyholder" The holder of a policy of title insurance

"Secretary" The Secretary of Banking of this Commonwealth as receiver of an institution or his duly authorized deputy or representative

"Title Insurance Reserve" The Title Insurance Reserve Fund and the assets comprising such fund (a) of an institution of which the Secretary of Banking took possession as receiver prior to July 3 1933 or (b) of an institution of which the Secretary of Banking took possession on or after July 3 1933 but prior to the effective date of this act in the case of which notice was given to the Insurance Commissioner as required by law but of which the Insurance Commissioner has not become liquidator prior to the effective date of this Act

Section 2 Notice Notice of intention to liquidate the title insurance reserve of an institution shall be given by the Secretary solely by advertisement in accordance with the provisions of law governing notice by newspaper advertisement by the Secretary generally

Such notice shall specify a time not less than thirty days from the date thereof for the presentation of written claims against the title insurance reserve involving losses incurred which are insured under policies of title insurance

The notice shall inform policyholders that claims must be presented within the specified time or else be permanently barred from sharing in any distribution of the assets of the title insurance reserve

Section 3 Reinsurance A Any assets which shall remain in a title insurance reserve after the payment of administrative expenses and claims as provided for in this act shall be applied if possible to the purchase of reinsurance for the liabilities represented by policies of title insurance

B The Secretary shall proceed as follows for the purchase of reinsurance

(1) The amount of liability upon outstanding policies

of title insurance shall be established by the Secretary by estimate or by adopting the amount of such liability as last reported by the institution to the Department of Banking before its closing less the aggregate of valid claims filed with the Secretary under the provisions of this act.

(2) The Secretary shall file written application with at least two companies duly authorized by law to write policies of such reinsurance for the largest amount of reinsurance obtainable in consideration of the assets available in the hands of the Secretary for payment as a premium therefor. Within thirty days after the date of the application by the Secretary if such companies shall fail or refuse to offer to write a policy of reinsurance as applied for the Secretary shall advertise in accordance with the provisions of law governing advertisement by the Secretary generally for offers of reinsurance which may be made by any company authorized to write policies of title insurance in Pennsylvania.

(3) Any offer to write a policy of reinsurance shall be presented by the Secretary to the court for its approval before said policy is purchased by the Secretary.

(4) If an offer to write a policy of reinsurance is not received by the Secretary within thirty days after the date of final advertisement therefor the Secretary shall pay over into the general assets of the institution any asset remaining in his hands and otherwise available for the purchase of reinsurance.

C If in the opinion of the Secretary the amount of assets remaining in his hands and available for the purchase of reinsurance is too small to warrant his proceeding for the purchase of reinsurance or if no acceptable offer to write a policy of reinsurance has been received within the time specified by the Secretary he may with the approval of the court pay over such assets into the general assets of the institution.

D For the purpose of this Act

(1) Any company authorized to write policies of title insurance in Pennsylvania shall be authorized to offer to write and to write policies of reinsurance which may be applied for or advertised for by the Secretary.

(2) Such companies in offering to write or in writing such policies of reinsurance shall not be restricted to the acceptance of cash premiums and may in their discretion accept from the Secretary any assets available for the payment of a premium for reinsurance.

(3) The law otherwise relating to the portion of premium for title insurance or reinsurance to be transferred or set aside into a title insurance reserve fund shall not apply to premiums for reinsurance policies written pursuant to the provisions of this act if at least fifty per centum of such premium is transferred to the title insurance reserve fund of such reinsuring company or companies.

E Any policy of reinsurance obtained by the Secretary pursuant to the provisions of this act shall be issued to the Commonwealth of Pennsylvania for the use and benefit of the policyholders and shall be filed with the court.

F Reinsurance under any policy obtained by the Secretary pursuant to the provisions of this act shall until the whole amount thereof shall have been exhausted be available to all policyholders to the full amount of their policies.

Section 4 Partial or Final Account Objections At any time after the expiration of the period fixed by the Secretary pursuant to the provisions of this act for the presentation of claims he shall file a partial or final account of his administration of the title insurance reserve duly verified by him under oath or affirmation in the office of the prothonotary.

The account shall include a statement of all assets of such title insurance reserve all expenditures by the Secretary a list of all claims which have been allowed and a separate list of claims which have been objected to or are disputed showing as to all claimants their names and addresses the amounts due or claimed to be due

therein and any priorities in the order of distribution granted to or claimed by them.

The Secretary shall forthwith give written or printed notice of such filing of an account to all corporations or persons who have filed claims as provided in this act. Such notice shall also state that unless an exception to the account or to any item therein is filed with the court within thirty days from the filing thereof it will be confirmed absolutely.

He shall also advertise such notice in accordance with the provisions of law governing notice of newspaper advertisement by the Secretary generally stating the date upon which he has filed his partial or final account and the fact that all exceptions to the account must be filed within thirty days from the date of the filing of such accounts.

The Secretary shall forthwith file with the court under oath an affirmation or statement that he has in the manner provided by this act sent notice of his filing an account to all corporations or persons entitled thereto whose names appear in the account at the addresses stated therein. He shall also file proofs of publication of the advertisement which he has inserted pursuant to the provisions of this act which sets forth his filing of an account.

The prothonotary shall not be under any duty to re-copy or otherwise record such account. He shall make no charge except the regular fee for filing such or similar papers.

Section 5 Order of Preference in Distribution The following shall be the order followed by the Secretary in the distribution pursuant to the provisions of this act of the assets of a title insurance reserve.

First Any expenditure made by the Secretary pertaining to the administration liquidation or distribution of a title insurance reserve.

Second Any claim which is given a preference by law.

Third Any claim for loss which is insured under a policy of title insurance.

Fourth Any expenditure made by the Secretary for the purchase of reinsurance.

Fifth In the event reinsurance is not obtainable or is not obtained in accordance with the provisions of this act any assets remaining shall be paid into the general assets of the institution.

Section 6 Miscellaneous Provisions The provisions of law relating generally to the possession administration liquidation and distribution of the assets of an institution by the Secretary shall be applicable and shall apply to the administration liquidation and distribution of title insurance reserves under the provisions of this act.

Section 7 Effective Date 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—202

|             |            |                |              |
|-------------|------------|----------------|--------------|
| Alsapach,   | Flack,     | Lane,          | Robertson,   |
| Auker,      | Fleming,   | Laughner,      | Root,        |
| Baker,      | Flynn,     | Lee,           | Rose, S.,    |
| Barrett,    | Foor,      | Leisey,        | Rose, W. E., |
| Barton,     | Fox,       | Leonard,       | Rowley,      |
| Bentley,    | Freed,     | Levy,          | Royer,       |
| Bentzel,    | Fullerton, | Leydic,        | Salus,       |
| Boles,      | Garber,    | Lichtenwalter, | Sarge,       |
| Bonawitz,   | Gardner,   | Livingstone,   | Sarra,       |
| Boorse,     | Gates,     | Longo,         | Scanlon,     |
| Boory,      | Gillan,    | Lovett,        | Schuster,    |
| Bower,      | Goodling,  | Lyons,         | Serrill,     |
| Boyd,       | Goodwin,   | Madigan,       | Simons,      |
| Bradley,    | Gorman,    | Mahany,        | Skale,       |
| Bretherick, | Grant,     | Maxwell,       | Smith,       |
| Brice,      | Green,     | McAtee,        | Snider,      |

|                |                |               |                |
|----------------|----------------|---------------|----------------|
| Brigerman,     | Greenwood,     | McClester,    | Sollenberger,  |
| Brown,         | Gross,         | McKinney,     | Sorg,          |
| Bruner, C. H., | Gyger,         | McMillen,     | Stank,         |
| Bruner, P. A., | Haberlen,      | McSurdy,      | Stockham,      |
| Buras,         | Hall,          | Menna,        | Stonier,       |
| Cadwalader,    | Hamilton,      | Mihm,         | Swope,         |
| Calvin,        | Hannon,        | Miller,       | Tahl,          |
| Campbell,      | Hare,          | Mintess,      | Tate,          |
| Chevenak,      | Harris,        | Mock,         | Taylor,        |
| Chudoff,       | Haudenshield,  | Modell,       | Thompson,      |
| Cohen,         | Heatherington, | Mooney,       | Thrasher,      |
| Coleman,       | Helm,          | Moore,        | Tiemann,       |
| Cook,          | Herman,        | Moran,        | Trent,         |
| Cooper,        | Hersch,        | Moser,        | Trout,         |
| Corcier,       | Hewitt,        | Mulr,         | Turbett,       |
| Corrigan,      | Hocke,         | Munley,       | Van Allsburg,  |
| Costa,         | Hoffman,       | Murray,       | Verona,        |
| Cou son,       | Hoggard,       | Nowak,        | Wachhaus,      |
| Croop,         | Holmes,        | O'Brien,      | Wagner, K. H., |
| Cullen,        | Hoopes,        | O'Connor,     | Wagner, P. L., |
| Dagie,         | Hunter, B. F., | O'Dare,       | Wallin,        |
| Dalrymple,     | Hunter, W. M., | O'Neill,      | Walton,        |
| Denman,        | Huntley,       | Owens,        | Watkins,       |
| Denison,       | Imbrie,        | Petrosky,     | Wells,         |
| Depuy,         | Irvin,         | Pettit,       | Welsh,         |
| Dillon,        | James,         | Polaski,      | Winner,        |
| Dix,           | Jones,         | Powers,       | Wood, L. H.,   |
| Duffy,         | Kennedy,       | Readinger,    | Wood, N.,      |
| Elder,         | Kirley,        | Reagan,       | Worley,        |
| Ellictt,       | Kitchen,       | Reese, D. P., | Wright,        |
| Ely,           | Kline,         | Reese, R. E., | Yeakel,        |
| Erb,           | Kolankiewicz,  | Regan,        | Yester,        |
| Ewing,         | Kowalski,      | Reilly,       | Fiss,          |
| Figlock,       | Krepps,        | Reynolds,     | Speaker.       |
| Flinterty,     | Krise,         | Riley,        |                |

NAYS—0

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

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

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 149, entitled:

An Act to amend section two of 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 provision to be misdemeanor and providing penalties for violations thereof" providing for the appointment of members of the civil service commissions by the Court of common pleas

Or the question,

Will the House agree to the bill on third reading?

BILL RECOMMITTED

Mr. BROWN. Mr. Speaker, I move that this bill be recommitted to the Committee on Judiciary General for the purpose of further study and possible amendment.

The motion was agreed to.

BILLS NOT ON FILE

The SPEAKER pro tempore:

House Bill No. 900, Printer's No. 738;

Senate Bill No. 34, Printer's No. 456;

House Bill No. 894, Printer's No. 470 and

Senate Bill No. 626, Printer's No. 462

are not on file and will be passed over.

CALENDAR CORRECTION

The SPEAKER pro tempore. On page 3 of today's calendar, House Bill No. 1112, Printer's No. 727, is erroneously on the second reading calendar. This bill should appear on the third reading calendar.

BILLS ON THIRD READING

BILL PASSED OVER

There being no objection House Bill No. 1112, Printer's No. 727, was passed over at the request of Mr. CHUDOFF.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 49, as follows:

An Act to amend the act approved the first day of May one thousand nine hundred and twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" as variously amended suspending the provisions of Section nine hundred and two (f) thereof for the duration of the war and six (6) months thereafter

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

Section 1 Section 902 (f) of the act approved the first day of May one thousand nine hundred and twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" as last amended by the act approved the twenty-ninth day of June one thousand nine hundred thirty-seven (P. L. 2329) is hereby further amended to read as follows:

Section 902 Size of Vehicles and Loads \* \* \* \* \*

(f) It shall be unlawful for any person to transport on

a motor vehicle trailer or semi-trailer operated for the carriage of passengers for hire a load of twenty-five (25) per centum in excess of the registered seating capacity or for any person to cause or permit any such operation Provided however That a child under the age of six years shall not be counted as a person when computing load on any such vehicle And provided further That nothing contained in this subsection shall make unlawful the transportation of a load of more than twenty-five (25%) per centum in excess of the registered seating capacity when such load is carried by a vehicle for not more than ten consecutive miles

The provisions of this subsection are suspended and rendered ineffective for the duration of the war and a period of six (6) months thereafter

Section 2 Effective Date This act shall become effective immediately upon final enactment

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. COHEN. Mr. Speaker, this bill has been kicking around on the calendar for several weeks, and I think it ought to be kicked off. I cannot feel the least bit of charity towards a bill of this sort, because it is dealing with the safety of passengers and travellers in motor vehicles operated for hire on the highways of Pennsylvania, and the bill is being introduced for the purpose of increasing the profits of bus companies under the guise of being a war measure.

Several weeks ago we acted on a bill to help the transportation companies with respect to vehicles on the highways, and if it is a question of getting more vehicles out, then I suppose we ought to go along, but what this bill seeks to do is to suspend certain safety provisions of the law with respect to the overloading of motor vehicles or buses. I cannot believe that any member of the House, even under the plea that this is a war measure in order to get more workers transported to war industries by overloading buses using the highways can justify a vote in favor of the bill. It can be very well said that having a twenty-five per cent overload it may be just as safe as fifty per cent, but, Mr. Speaker, there seems to be no limit to overloading of buses. I suggest that possibly during the summer when the roads are all right and the day is right that possibly the accident rate may be low, but in wintertime when the roads are slippery and driving is hazardous we are going to permit people to be packed in like sardines, and in case of accident there will be great loss of life among persons using these vehicles. I think we should be very careful and hold a red light against all bills of this sort which would tend to eliminate the protection of people using these buses, and which would tend toward the indiscriminate use of overloaded buses for the transportation of the very people whom it is supposed to help. I would ask all Members of the House to vote this bill down in the interests of those persons who must be protected against those who care for nothing but the profit they can make out of their transportation.

Mr. TROUT. Mr. Speaker, I desire to interrogate the gentleman from Philadelphia, Mr. Cohen.

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

Mr. COHEN. I will.

Mr. TROUT. Mr. Speaker, after all what we are trying to do is to speed the war effort.

Mr. COHEN. We all ought to do that.

Mr. TROUT. One thing more is that we want to make provision to take our people to the defense plants.

Mr. COHEN. I agree with the gentleman, Mr. Speaker.

Mr. TROUT. The owners of the bus are responsible for any accident, damage or loss of life.

Mr. COHEN. I agree with the gentleman, because I think they carry adequate insurance, but, Mr. Speaker, in further answer may I say that war industries want men that can work and not men in bed counting the damages they can collect from the insurance companies.

Mr. TROUT. I wonder, Mr. Speaker, how the gentleman can differentiate between the effort to bring the war to a close and bringing people to their places of employment and then hesitate on the question of loading passengers where the operator is solely responsible.

Mr. COHEN. I tried, Mr. Speaker, to give an answer to that. We both agree that we want to speed the war effort, but the gentleman will have to agree that if we are to speed the war effort we should get our workers transported to the plants safely.

Mr. TROUT. Mr. Speaker, I should like to ask the gentleman from Philadelphia, Mr. Cohen, what method he suggests we are the use to take war workers to their plants.

Mr. COHEN. Mr. Speaker, in answer to the gentleman I would say that if the facilities for taking the war workers to the defense plants requires that nonessential civilian transportation be curtailed, then I am in favor of curtailing nonessential civilian transportation and the marshaling of all this transportation for war workers in the defense plants.

Mr. TROUT. The gentleman from Philadelphia knows that additional transportation facilities are not available.

Mr. COHEN. Mr. Speaker, that of course I do not know. But I do know this, that there is talk generally that the office of defense transportation has in mind the rationing of all types of travel in order to insure to the armed forces a sufficient supply of materials, to expedite the transportation of men and goods in the war effort, and I presume that includes war workers.

Mr. TROUT. I do not believe that is available at this time, Mr. Speaker.

Mr. COHEN. I do not know, Mr. Speaker.

Mr. TROUT. I thank the gentleman.

Mr. Speaker, I do not think any of these bus companies are particularly anxious to incur additional hazards. They realize that they have a function to perform. People want to get to their work and under the present law the bus companies are limited in what they can transport. The gentleman knows it is for the duration, and I think as a war measure we should give them the opportunity of carrying a reasonable number of people to their work. I ask the House to vote for this bill.

Mr. FREED. Mr. Speaker, I believe that you Members are aware that the folks back home would like to get up at a half decent time and not an hour or two ahead of time to get to work. I hope you will think this bill over, because if it goes into effect they can gang in any way they want to. I believe Ma Perkins, Secretary of Labor, said just a short time ago a lot of absenteeism is caused

due to lack of transportation, the length of time the buses are required to take them back and forth to work. Just as soon as the buses are capable of jamming them in there you will find that your "A" certificates will go down less than one and a half because you don't need them. They will feel that the transportation may be able to take care of that job of getting them back and forth, and that is what is holding up the transportation and war effort now. I believe by voting against this particular bill you are going to save the "A" tickets and you are going to get people to the plants. You are going to get them there in better shape, you are going to let them lie in bed a half hour later in the morning and you'll get them to the work in the style that they want to get there. I ask you to vote against this bill.

Can the question recurring,

Shall the bill pass finally?

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

## YEAS—81

|                 |                |               |                |
|-----------------|----------------|---------------|----------------|
| Auker,          | Gross,         | McKinney,     | Sorg,          |
| Barton,         | Hall,          | McMillen,     | Stockham,      |
| Bonawitz,       | Hare,          | McSurdy,      | Stonier,       |
| Bower,          | Haudenschild,  | Menna,        | Tahl,          |
| Brize,          | Helm,          | Mintess,      | Taylor,        |
| Brunner, C. H., | Hewitt,        | Moore,        | Thrasher,      |
| Cacwalader,     | Hunter, W. M., | Mulr,         | Tiemann,       |
| Campbell,       | Huntley,       | Murray,       | Van Alisburg,  |
| Cock,           | Irvin,         | O'Dare,       | Wachhaus,      |
| Cocper,         | Kilne,         | Reagan,       | Wagner, K. H., |
| Condler,        | Kowalski,      | Reilly,       | Wagner, P. L., |
| Dague,          | Krepps,        | Riley,        | Wallin,        |
| Derman,         | Krise,         | Robertson,    | Walton,        |
| Derlison,       | Laughner,      | Rose, W. E.,  | Watkins,       |
| Depuy,          | Lee,           | Rowley,       | Wood, L. H.,   |
| Elcer,          | Leydic,        | Salus,        | Wood, N.,      |
| Ewing,          | Lichtenwalter, | Sarge,        | Worley,        |
| Fleming,        | Mahany,        | Serrill,      | Yeakel,        |
| Focht,          | McAtee,        | Smith,        | Fiss,          |
| Fox,            | McClester,     | Sollenberger, | Speaker.       |

## NAYS—82

|                 |                |               |               |
|-----------------|----------------|---------------|---------------|
| Baker,          | Ely,           | Imbrie,       | O'Neill,      |
| Barrett,        | Erb,           | Jones,        | Owens,        |
| Bentley,        | Finnerty,      | Kirley,       | Petrosky,     |
| Beatzel,        | Freed,         | Kitchen,      | Pettit,       |
| Boes,           | Gates,         | Kolankiewicz, | Polaski,      |
| Boary,          | Goodling,      | Lane,         | Powers,       |
| Brigerman,      | Goodwin,       | Lelsey,       | Reese, R. E., |
| Brown,          | Grant,         | Leonard,      | Regan,        |
| Brunner, P. A., | Green,         | Levy,         | Reynolds,     |
| Burns,          | Greenwood,     | Livingstone,  | Royer,        |
| Caivin,         | Haberlen,      | Longo,        | Sarrat,       |
| Chervenak,      | Hamilton,      | Lovett,       | Scanlon,      |
| Chudoff,        | Heatherington, | Madigan,      | Schuster,     |
| Cohen,          | Hersch,        | Mihm,         | Snider,       |
| Corrigan,       | Hocke,         | Miller,       | Thompson,     |
| Cowison,        | Hoffman,       | Modell,       | Trent,        |
| Croop,          | Hoggard,       | Mooney,       | Trout,        |
| Cullen,         | Holmes,        | Moran,        | Weiss,        |
| Dillon,         | Hoopes,        | O'Brien,      | Welsh,        |
| Duffy,          | Hunter, B. F., | O'Connor,     | Yester,       |
| Ellrott,        |                |               |               |

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

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 85, entitled:

A. Joint Resolution making application to the Congress of the United States to call a convention for proposing an amendment to the Constitution of the United States pro-

hibiting the imposition of conditions upon grants of moneys and the invasion of the states rights

On the question,

Will the House agree to the bill on third reading?

Mr. BROWN. Mr. Speaker, I do not arise in total opposition to the bill, but I do request some information concerning the bill we are now about to pass. I should like to interrogate someone here in the House who would be willing to offer his services to explain some provisions of this bill.

Mr. HARE. Mr. Speaker, it will be a pleasure to offer what limited service I have to the gentleman from Allegheny, Mr. Brown.

Mr. BROWN. Mr. Speaker, may I then interrogate the gentleman from Somerset, Mr. Hare?

The SPEAKER pro tempore. Will the gentleman from Somerset permit himself to be interrogated?

Mr. HARE. I will, Mr. Speaker.

Mr. BROWN. Mr. Speaker, reading the title of this joint resolution it says:

"Making application to the Congress of the United States to call a convention for proposing an amendment to the Constitution of the United States prohibiting the imposition of conditions upon grants of money and the invasion of the states rights."

I take it, therefore, that the purpose of this joint resolution is to protect the invasion of states rights, is that correct?

Mr. HARE. That is one of the provisions of the bill, yes, Mr. Speaker.

Mr. BROWN. On page 2, beginning with the word "Congress" section 1, line 11, the bill reads:

". . . Congress shall not pass any law conditioning any grant of public money upon the passage of state laws."

Does not that provision of the bill distinctly contradict the title of the bill, in that the title of the bill prevents the invasion of states rights, and yet the body of the bill asks Congress to pass an amendment which would prevent the state from passing laws? It is hard for me to reconcile this inconsistency.

Mr. HARE. Is the gentleman asking me whether I think so, Mr. Speaker?

Mr. BROWN. I am asking whether the gentleman can reconcile that inconsistency.

Mr. HARE. Yes, I have reconciled that inconsistency, Mr. Speaker.

Mr. BROWN. I should be very happy to hear the gentleman's explanation on that particular point only, and the reason I ask is that I believe this bill should be amended, and there are things that I think should be stricken from it. The only question I ask the gentleman is, if the purpose of this resolution is to prevent the invasion of states rights how then in the body of the bill can you carry a paragraph which asks Congress to pass a Constitutional amendment preventing the state from passing laws?

Mr. HARE. That is the very purpose of passing the joint resolution, Mr. Speaker, to prevent the imposition of conditions as to the purpose for which the grants of money will be used.

Mr. BROWN. Doesn't the bill also say, Mr. Speaker,—and I am reading it as I understand it:

".....Congress shall not pass any law conditioning any grant of public money upon the passage of state laws."

In other words if we pass laws those laws would be absolutely null and void because we have a Constitutional amendment prohibiting us to pass such laws.

Mr. HARE. That depends on the construction you put on it. To my mind this is saying that the Federal government shall not pass laws and then come in here and say to the state "you cannot participate unless you too pass a bill which we ask you now to pass, which may or may not be vital to your best interests."

Mr. BROWN. Does not the amendment then, Mr. Speaker, prevent the state from passing those laws also?

Mr. HARE. Not in my opinion. Of course I am not a constitutional authority.

Mr. BROWN. Then maybe I should ask the gentleman to yield to somebody who is an authority, because this resolution says:

".....Congress shall not pass any law conditioning any grant of public money upon the passage of state laws."

In other words our state laws are rendered, under this amendment, absolutely ineffective, and therefore, we are asking the Congress to call a Constitutional Convention to keep us from passing laws. It seems to me that this title should be amended.

As I understand it, this is a pretty long question, but it is the only way I can ask it, and the gentleman will please excuse me if it is too long. As I understand, we have acts in Pennsylvania now creating the Turnpike Commission, creating the General State Authority, creating the National Guards, creating the Unemployment Compensation Commission, creating the aid to dependent children, regulating the use of Federal funds for highways, allowing people of political subdivisions to take advantage of the housing fund and also laws wherein we can get contributions with the help of the United States government. As I understand this amendment, we would be prevented from passing these laws, as all laws are conditioned upon receiving grants of money, and as I understand the state cannot receive any money until it passes laws by which that money can be received. Now, wouldn't this amendment prevent us from passing these laws if these laws had anything to do with the receipt of money from the Federal government?

Mr. HARE. Not in my opinion, Mr. Speaker. If the Federal Government makes outright grants to the state we are asking under the interpretation of this act that they make that grant without so-called Federal strings attached to it.

Mr. BROWN. Mr. Speaker, I am in accord with that, but I do not think we ought to have in this amendment anything that has to do with the passage of laws by the state of Pennsylvania. Doesn't the gentleman feel that an amendment to this joint resolution to clear it up would be preferable?

Mr. HARE. Possibly the gentleman will notice that they have deleted that section "matching such grants or parts thereof" from this bill, and this bill of course calls for a convention proposing an amendment. That is why they used the general term "state laws" rather than the "Commonwealth."

Mr. BROWN. Another question, where in the Constitution is there any provision for Congress to invade the rights of states? Where in the Constitution is there any provision for Congress to pass a law that is an invasion of states' rights or that might invade the rights of the states?

Mr. HARE. That is our contention. According to our contention they have been doing it unconstitutionally through bureaucratic control.

Mr. BROWN. The gentleman says they have been doing it unconstitutionally. Does the gentleman have any opinion of any appellate court which says that Congress does that?

Mr. HARE. I said in our opinion, Mr. Speaker. As we see it, this is a matter of the peoples' voice. In other words popular opinion asking for it.

Mr. BROWN. I am not against the gentleman in his opinion, Mr. Speaker, and I think he is entitled to his opinion, and I will fight for his opinion, but I think the title of the act is wholly misleading. Congress has no powers now except those powers expressly given to it under the Constitution, and there is no reason for us to pass an act which will make us a laughing stock in that we are asking for a Constitutional Convention to propose an amendment that will keep Congress from invading the rights of the state.

Would the gentleman agree to pass this bill over until we can talk with the sponsor? I feel the language is ambiguous and we should clear the matter up.

Mr. HARE. I will agree to passing it over, Mr. Speaker, temporarily, possibly for the next forty-five minutes.

Mr. BROWN. I do not object to the time limit, Mr. Speaker. If we can see the sponsor I will be glad to go now. I am through with my interrogation, Mr. Speaker.

#### BILL POSTPONED

Mr. HARE. Mr. Speaker, I move that this bill be placed on the postponed calendar.

The motion was agreed to.

#### PERMISSION TO ADDRESS HOUSE

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

Mr. Speaker, sometime between sun-up yesterday morning and sun-up this morning, there was perpetrated upon this House a violation of what I believe to be our legislative prerogative. There was an unwarranted interference with the proper deliberation of a committee of this House which amounted to a travesty, in my opinion, upon the alleged independence of one of the three great divisions of our state constitutional government.

I refer to Senate Bill No. 473 and the manner in which it was brought into this House and hustled out of here without opportunity for proper study. I do not intend to debate the bill at this time. I will only say that it was one of the most complicated bills that we have had before us; a bill with far-reaching implications. I find this morning, Mr. Speaker, that somebody, somewhere this day or yesterday, within the massive walls of this Capitol; somebody won a great victory over this bill. I find a headline in a Philadelphia newspaper this morning which says "Martin battles McClure's gang and whips them."

I don't want to believe that the Governor of this Commonwealth set out with a weapon known as Senate Bill No. 473 to do battle with some people who might be called McClure's gang, and if there is such an organization or body of warriors that can be dubbed McClure's gang, I feel certain that they did not make Senate Bill No. 473 a battleground. This article in this Philadelphia paper seems to reflect all that happened here yesterday with respect to this particular piece of legislation with uncanny accuracy. I am going to read it because I think it is the type of thing that we should have out in the open, and not under the table. This is date-lined Harrisburg and it reads as follows:

Governor Martin tonight at long last cracked the whip over the Legislature.

Asserting his leadership for the first time, he fought and licked the John J. McClure gang.

#### Forces Revival

Martin forced the House Committee on Public Utilities to revive the Becker-Dent municipal authority regulatory bill after a unanimous vote against it earlier in the day.

The bill, designed to prevent repetitions of the notorious Delaware County water scandal, provides that the Public Utility Commission must approve the purchasing price of water companies and other utilities acquired by municipal authorities.

Although approved by the Senate, the bill met vigorous House opposition.

#### Turner Lobbies

Principal lobbyist against it was former Speaker Ellwood Jackson Turner, a McClure henchman. The committee to which it was referred is headed by Representative Thomas Stockham, lieutenant of former U. S. Senator Joseph R. Grundy and a close friend of Turner. The bill was then referred to a sub-committee headed by Representative Benjamin F. James, another McClure follower.

Just to take no chances, some Democratic members of the committee were lined up by the opposition.

The committee met to consider the bill. Not a vote was cast in favor of it.

#### Things Happen

Then things happened.

1. The Governor sent for House leaders, members of the committee and also leaders of the GOP high command. It is reported he threatened to blast all concerned if the bill was not reconsidered.

2. House Democrats planned to keep their party's skirts clean by repudiating the committee's action.

But the Governor got in the first punch.

#### Members Sheepish

When the House reconvened, it was announced there would be a meeting of the Committee on Public Utilities.

Sheepishly, members paraded to a conference room in the rear. They were there for about 15 minutes.

The bill was reported out, 14 to 8, on motion of Representative Anthony J. Petrosky, Westmoreland Democrat.

Now, gentlemen, I say that this legislative branch of our constitutional government has indeed come to a sorry pass when things can happen in either of its two divisions; that can bring forth before the public an item headed "Martin battles McClure's gang and whips them."

I have had the privilege of knowing former Senator McClure for upwards of thirty years. It has never been my privilege to know him well as knowledge of acquaintances go in this busy world. I have seen him at

intervals of perhaps six months, and there have been intervals when I haven't seen him for six years. I suppose that I have been against former Senator McClure, politically, perhaps as often as I have been with him. However, I am not here on this floor to say that the so-called McClure gang, or former Senator McClure, has an unholy interest in this or any other bill. I am here to say to you that I do not believe that up to this day and hour John J. McClure knows that there is such a bill as Senate Bill No. 473, and if he does know it, I don't believe he cares anything about what is in it.

I need not say to you that I have heard, in times past, the name of John J. McClure, along with the names of other men, dragged across the floor of this House in what was designed to be some form of shame, but I will say to you that there is one thing that I do know about former Senator McClure, and that is, he never practices self-evasion of mind. If he were to make an agreement to hold a committee meeting, for example, or not to hold a meeting, that agreement would be kept. You can depend on his word; that is not only my statement, but the opinion of those who know him.

So far as Governor Martin is concerned, I hold him in sufficiently high respect to publicly express my belief that he did not make Senate Bill No. 473 a weapon of war on something that has been called the McClure gang. I believe this bill was put before the Senate for what its sponsors believed was an honest purpose.

I believe that they designed it in a way that they believed would correct certain evils that have come upon the people of several communities in this State in the past, but I sincerely believe that they were mistaken in the way that they attempted, under this bill, to provide for the correction of those evils. It was with the idea of seriously and honestly and studiously analyzing Senate Bill 473 that it was placed in sub-committee of which I happened to be the permanent Chairman.

I got that bill at eleven o'clock on one morning, as the Chairman of the sub-committee, and I went into session in this House and I worked in this House—if you call it work here—until past one o'clock the following morning. I took the bill down to my hotel and worked on it until I couldn't hold my eyes open any further in a real endeavor to bring a report to the committee which would be an honest report, and one we in turn could uphold in debate on the floor of this House.

I am not going any further with a discussion as to why or how or for what purpose, but the bill was finally railroaded out of Committee and onto the floor of this House over my protests. All that is history now and everybody knows what has happened. I am going to skip from the time the bill appeared here to the point where I objected to its being given first reading immediately by unanimous consent.

I am going to justify honesty. My objection was not made in spite; it was not made in hate; it was made because I believe that if this bill is read for the first time today, in order, some of us who are interested in those municipal authorities in our counties—which are set up and operated by the duly elected representatives of the people from among their friends and neighbors—can have the time between the first and second reading to provide amendments to this bill, amendments which in our judg-

ment will protect the public as effectively as the Public Utility Commission would do it, but through the principle of local government and through the offices of the local courts. We want to have such amendments considered by this House. We have gained a day by my objection, although that is very very little time to continue study of the bill and to prepare amendments. We hope that by the time the bill comes on the calendar for second reading we can accomplish the work. When our amendments are offered, so far as I am concerned, they will be offered in the name of over 250,000 decent people who live in Delaware County and who elected me to this body to represent them; who expect me to understand such bills as come before this body that may affect their interests, before I vote on them.

In stopping immediate consideration of newly introduced bills this morning, my purpose was to bring to a head a situation that has existed here for twenty-four hours and which should be stopped. It has been monkey business. I am not a monkey and I don't want to play with monkeys. I will object to no further procedures which will facilitate the quick adjournment of this House. But my people want—and I intend—that the things I do here and the things that I say here shall have meaning.

#### BILLS ON THIRD READING

Agreeably to order,

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

The House resumed the consideration on third reading of Senate Bill No. 613, entitled:

An Act to further amend section four of the act approved the twenty-eighth day of June one thousand nine hundred thirty-five (P. L. 452) entitled as amended "An act to promote the welfare of the people of the Commonwealth creating a General State Authority as a body corporate and politic with power to construct improve equip furnish and operate projects and to lease the same and to fix and collect fees rentals and charges for the use thereof authorizing and regulating the issuance of bonds by said Authority and providing for the payment of such bonds and the rights of the holders thereof and to enter into agreements with the Government of the United States or any Federal agency and authorizing the Department of Property and Supplies to grant assign convey or lease to the Authority lands of the Commonwealth and interests therein and to acquire lands therefor granting the right of eminent domain and providing that no debt of the Commonwealth shall be incurred in the exercise of any of the powers granted by this act" empowering the General State Authority to lease any project constructed by it to any person copartnership association or corporation for certain uses

On the question recurring,

Will the House agree to the bill on third reading.

Mr. COHEN. Mr. Speaker, I ask unanimous consent to offer an amendment at this time.

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

The Clerk read the amendment as follows:

Amend Sec. 1 (Sec. 4), page 5, line 10, by inserting after the word "nations" the following: "for the duration of the present emergency and six months thereafter."

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

On the question,

Will the House agree to the amendment?

It was agreed to.

On the question,

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

It was agreed to.

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

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1112, as follows:

An Act to further amend section two 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 non-resident 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 property 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 providing that when the transfer is by the intestate laws and at the expiration of seven years from the death of the intestate the estate has not been distributed the taxes imposed shall be at the rate of eighty per centum upon the clear value of the property passing to a first cousin or other relative more remote in degree than a first cousin and that such taxes shall be imposed upon every transfer of an estate or portion thereof which has not been distributed prior to the passage of this act

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

Section 1 Section two 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 property 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" as last amended by the act approved the twenty-fourth day of June one thousand nine hundred thirty-nine (P. L. 721) is hereby further amended to read as follows

Section 2 All taxes imposed by this act shall be imposed upon the clear value of the property subject to the tax and shall be at the rate of two per centum upon the clear value of the property subject to such tax passing to or for the use of father mother husband wife children lineal descendants born in lawful wedlock legally adopted children children of a former husband or wife or the wife or widow of the son of a person dying seized or possessed thereof and also on the clear value of such property passing from the mother of an illegitimate child or from any person of whom the mother is a lineal descendent to such child his wife or widow and passing from an illegitimate child to his mother and at the rate of ten per centum upon the clear value of the property

subject to such tax passing to or for the use of any other person or persons bodies corporate or politic to be paid for the use of the Commonwealth Provided That when the transfer is by the intestate laws of this Commonwealth and at the expiration of seven years from the date of the death of the intestate the estate of the intestate has not been distributed the taxes imposed by this act shall be at the rate of eighty per centum upon the clear value of the property subject to such tax passing to or from the use of a first cousin or other relative more remote in degree than a first cousin and the taxes imposed by this proviso are imposed upon every transfer by the intestate laws of this Commonwealth of an estate or a portion of an estate which estate or portion thereof shall not have been distributed prior to the passage of this act In ascertaining the clear value of such estate the only deductions to be allowed from the gross values of such estate shall be the debts of the decedent reasonable and customary funeral expenses bequests or devises in trust in reasonable amounts the entire interest or income from which is to be perpetually applied to the care and preservation of the family burial lot or lots their enclosures and structures erected thereon reasonable expenses for the erection of monuments or grave stones grave and lot markers and the expenses of the administration of such estates and no deduction whatsoever shall be allowed for or account of any taxes paid on such estates to the Government of the United States or to any other State or Territory except as otherwise provided in section one of this act Provided That no deductions shall be allowed for any debts of the decedent of which notice is not given to the executor administrator or the register of wills within one year of the date of the death of the decedent And provided further That the deductions herein allowed in the case of any indebtedness of the decedent shall when founded upon a promise or agreement be limited to the extent that they were contracted bona fide and for an adequate and full consideration in money or money's worth

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

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

QUESTION OF INFORMATION

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

The SPEAKER pro tempore. The gentleman will state his question of information.

Mr. COHEN. Did I understand, Mr. Speaker, that the Chair announced that this bill has been read three times? My calendar says, "Bills on Second Reading."

The SPEAKER pro tempore. That error was corrected earlier in the day. It is a printer's error.

On the question recurring,  
Shall the bill pass finally?

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

YEAS—128

|                 |            |                |               |
|-----------------|------------|----------------|---------------|
| Alspach.        | Fox,       | Kowalski,      | Root,         |
| Auker,          | Freed,     | Krepps,        | Rose, W. E.,  |
| Barton,         | Fullerton, | Krise,         | Rowley,       |
| Bonawitz,       | Garber,    | Laughner,      | Royer,        |
| Boorse,         | Gardner,   | Lee,           | Salus,        |
| Bower,          | Gates,     | Lelsey,        | Sarge,        |
| Boyd,           | Gillan,    | Leydic,        | Serrill,      |
| Bretherick,     | Goodling,  | Lichtenwalter, | Simons,       |
| Brice,          | Gorman,    | Livingstone,   | Smith,        |
| Brunner, C. H., | Greenwood, | Lyons,         | Sollenberger, |
| Cadwalader,     | Gross,     | Madigan,       | Sorg,         |

|            |                |               |                |
|------------|----------------|---------------|----------------|
| Calvin,    | Gyger,         | Mahany,       | Stockham,      |
| Campbell,  | Hall,          | McAtee,       | Stonier,       |
| Cook,      | Hamilton,      | McClester,    | Tahl,          |
| Cooper,    | Hannon,        | McKinney,     | Taylor,        |
| Cordier,   | Hare,          | McMillen,     | Thompson,      |
| Costa,     | Haudenshield,  | McSurdy,      | Tiemann,       |
| Coulson,   | Helm,          | Menna,        | Trout,         |
| Dague,     | Hewitt,        | Miller,       | Turbett,       |
| Dairymple, | Hocke,         | Mintess,      | Van Allsburg,  |
| Denman,    | Hoffman,       | Mock,         | Wachhaus,      |
| Dennison,  | Holmes,        | Moore,        | Wagner, K. H., |
| Depuy,     | Hoopes,        | Moser,        | Wagner, P. L., |
| Dix,       | Hunter, W. M., | Muir,         | Wallin,        |
| Elder,     | Huntley,       | Murray,       | Walton,        |
| Ely,       | Imbrie,        | Nowak,        | Watkins,       |
| Erb,       | Irvin,         | O'Dare,       | Winner,        |
| Ewing,     | James,         | Reagan,       | Wood, L. H.,   |
| Figloer,   | Jones,         | Reese, D. P., | Wood, N.,      |
| Flack,     | Kennedy,       | Relly,        | Worley,        |
| Fleming,   | Kitchen,       | Riley,        | Yeakel,        |
| Foor,      | Kilne,         | Robertson,    | Fiss,          |

NAYS—74

Speaker.

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

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

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

QUESTION OF PERSONAL PRIVILEGE

Mr. PETROSKY. Mr. Speaker, I rise to a question of personal privilege.

The SPEAKER pro tempore. The gentleman will state his question of personal privilege.

Mr. PETROSKY. Mr. Speaker, much was said on the floor a short time ago about certain information reaching certain persons, and that oftentimes such information is misconstrued to a great extent. In this instance, Mr. Speaker, I hold no brief for the battle of the McClure gang. I only wish to clarify the record in regard to certain articles which appeared in the newspaper.

QUESTION OF PERSONAL PRIVILEGE

Mr. SARGE. Mr. Speaker—  
The SPEAKER pro tempore. For what purpose does the gentleman rise?

Mr. SARGE. Mr. Speaker, I would like to ask the gentleman from Westmoreland, Mr. Petrosky, if he will yield half a minute.

Mr. PETROSKY. Mr. Speaker, I am speaking on the question of personal privilege.

The SPEAKER pro tempore. Will the gentleman yield on his question of personal privilege?

Mr. PETROSKY. I will, Mr. Speaker.

PERMISSION GRANTED COMMITTEE TO MEET  
DURING SESSION

Mr. SARGE asked and obtained permission for the Committee on State Government to meet during the session of the House.

Mr. PETROSKY. To resume, Mr. Speaker, may I say that there certainly was no whip cracked over my head. This statement goes on to say that the Members of the Committee were called into the Governor's office, I venture to say, for myself that I was not called into the Governor's office and to the best of my knowledge no other Member on the Democratic side of the House who was a member of this committee was called into the Governor's office on this matter.

I further wish to say, that references were made relative to the meeting earlier in the day yesterday, and certain statements about information being divulged out of committee regarding a vote not being cast against the measure. I must say that possibly I was lax in my duties in not attending that committee meeting, but due to certain circumstances I was unable to be there.

I further say that when the articles go on to state that "sheepishly the members of the committee paraded to the conference room," I certainly did not observe that feeling amongst the membership of the committee. I feel that the membership of the committee went into their business and acted in accord with their conscience, and certainly did their job as it should have been done. I see no reason for any statement being made that we on this side of the House wanted to keep our skirts clean in regard to Senate Bill No. 473.

In upholding the merits of the legislation I say that it has far reaching effect; it is not too complicated and it has at stake the survival of the interests of the rate payers of the Commonwealth under our municipal authorities.

I further wish to state, Mr. Speaker, that certainly some day some person is going to get a bum steer on what went on in the committee and it is going to stand to reason that they are going to be wrong entirely in making certain statements to the public. I certainly don't know from what source the party received information in making certain statements in the newspaper. These statements were made; perhaps they are wrong, perhaps they are right, but the selfishness of those who have received these statements marks well the category in which they belong, in receiving information that should not be divulged from committee.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 554, as follows:

An Act to amend sections two five seven ten eleven twelve fifteen seventeen nineteen twenty-one twenty-two twenty-six and thirty-one and to repeal sections nine twenty-four and thirty-six of the act approved the sixth day of August one thousand nine hundred forty-one (P. L. 861) entitled "An act to create a uniform and exclusive system for the administration of parole in this Commonwealth establishing the 'Pennsylvania Board of Parole, conferring and defining its jurisdiction duties powers and functions including the supervision of persons placed upon probation in certain designated cases providing for the method of appointment of its

members regulating the appointment removal and discharge of its officers clerks and employes dividing the Commonwealth into administrative districts for purposes of parole fixing the salaries of members of the board and of certain other officers and employes thereof making violations of certain provisions of this act misdemeanors providing penalties therefor and for other cognate purposes and making an appropriation" by reducing the membership of said board further conferring revising and defining its jurisdiction duties powers and functions changing the appointment removal and discharge of certain officers decreasing the salaries of members of the board and fixing the salaries of certain officers and employes

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

Section 1 Section two of the act approved the sixth day of August one thousand nine hundred forty-one (P. L. 861) entitled "An act to create a uniform and exclusive system for the administration of parole in this Commonwealth establishing the 'Pennsylvania Board of Parole' conferring and defining its jurisdiction duties powers and functions including the supervision of persons placed upon probation in certain designated cases providing for the method of appointment of its members regulating the appointment removal and discharge of its officers clerks and employes dividing the Commonwealth into administrative districts for purposes of parole fixing the salaries of members of the board and of certain other officers and employes thereof making violations of certain provisions of this act misdemeanors providing penalties therefor and for other cognate purposes and making an appropriation" is hereby amended to read as follows

Section 2 There shall be and there is hereby established an independent administrative board for the administration of the parole laws of this Commonwealth which shall be known as the "Pennsylvania Board of Parole" and which is hereinafter referred to as the "board" Said board shall consist of [five] three members who shall be appointed by the Governor by and with the advice and consent of two-thirds of all the members of the Senate and each of whom shall hold office for a term of four years or until his successor shall have been duly appointed and qualified Provided however That in making the first appointments to said board [two members] one member shall be appointed for a [terms] term of two years [each] and [three] two members shall be appointed for terms of four years each Vacancies occurring in an office of member of the board by expiration of term death resignation removal or for any other reason shall be filled in the manner aforesaid for a full term of four years [Provided however That in filling vacancies on said board if the appointment of such person or persons for four years will result in the terms of more than three of the members expiring in the same calendar year than the Governor by and with the advice and consent of two-thirds of all the members of the Senate shall make such appointment for an additional period of one year]

Subject to the provisions of this act the board shall have all the powers and shall perform the duties generally vested in and imposed upon independent administrative boards and commissions by the act approved the ninth day of April one thousand nine hundred twenty-nine (Pamphlet Laws one hundred seventy-seven) designated as "The Administrative Code of 1929" and its amendments and shall be subject to all the provisions of such code which apply generally to independent administrative boards and commissions

Section 2 Section five of said act is hereby amended to read as follows

Section 5 The chairman of the board shall receive a salary of ten thousand [five hundred] dollars [(\$10,500)] (\$10,000) per annum and each of the other members of the board shall receive a salary of [ten] nine thousand dollars [(\$10,000)] (\$9,000) per annum

Section 3 Section seven of said act is hereby amended to read as follows

Section 7 As soon as may be convenient after their appointment the members of the Board of Parole shall

meet and organize They shall appoint a secretary who shall not be a member of the board who shall hold office at their pleasure who shall have such powers and perform such duties not inconsistent with any law of this Commonwealth as the board shall prescribe and who shall receive such compensation as the board shall determine not exceeding five thousand dollars (\$5,000) per annum In the absence or incapacity of the secretary to act the board may designate such other person as it may choose to perform temporarily the duties of secretary

Section 4 Section ten of said act is hereby amended to read as follows

Section 10 The principal office of the board [and of the General Director of Parole] shall be in Harrisburg and the board shall appoint and employ therein such number and character of officers agents clerks stenographers and employes as may be necessary to carry out the purposes of this act The salaries of persons so appointed and employed by the board shall be fixed by the board The board with the approval of the Governor shall divide the Commonwealth for administrative purposes into a suitable number of districts not to exceed ten in each of which there shall be a district office which shall have immediate charge of the supervision of cases of parole arising in the courts of the judicial districts embraced within its territorial limits but as occasion may require the supervision of particular parolees may be transferred by the board to other appropriate parole districts

The board shall fix and determine the location of the various district offices within their respective districts having regard to local conditions in each district and to the most convenient and efficient functioning of the office therein established and at each of the locations so fixed and determined shall provide such office accommodations furniture equipment and supplies as may be reasonably suitable and adequate for the proper handling and dispatch of the parole business of the district and to this end the board is hereby authorized and empowered to enter into contracts on behalf of the Commonwealth for such office accommodations furniture equipment and supplies aforesaid through the Department of Property and Supplies

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

Section 11 Each district parole office shall be in charge of a district supervisor who shall be appointed by the board [as hereinafter provided] with the approval of the Governor and who shall receive such annual salary not exceeding [five thousand dollars (\$5,000)] four thousand five hundred dollars (\$4,500) as the board shall determine Said district supervisor shall be the executive head of the district office to which he shall be appointed and shall have the control management and direction of all employes of the board assigned to said district subject to the supervision of the [General Director of Parole] board [as aforesaid]

Section 6 Section twelve of said act is hereby amended to read as follows

Section 12 The board shall appoint in the various district offices a sufficient number of parole officers clerks stenographers and other agents and employes to fully and efficiently administer the parole laws of this Commonwealth but no employe of the board other than its secretary and district supervisors shall be appointed by the board except in the manner hereinafter provided The salaries of such appointees as aforesaid shall be fixed by the board It shall be the duty of the board from time to time by appropriate rule or regulation to prescribe the qualifications to be possessed by its appointees Said qualifications shall be such as will best promote the efficient operation of parole

Section 7 Section fifteen of the said act is hereby amended to read as follows

Section 15 No employe of the board except the secretary and district supervisors shall be removed discharged or reduced in pay or position except for cause and only after giving him the reasons therefor in writing and affording him an opportunity to be heard in answer thereto Provided however That an employe may be sus-

pending without pay and without hearing for a period not exceeding thirty days but the reason or reasons for such suspension shall be given to the employe by the board in writing And provided further That successive suspensions of the same employe under the power hereby granted shall not be made

Section 8 Section seventeen of said act is hereby amended to read as follows

Section 17 The board shall have exclusive power to parole and reparole commit and recommit for violations of parole and to discharge from parole all persons heretofore or hereafter sentenced by any court in this Commonwealth to imprisonment in any prison or penal institution thereof whether the same be a state or county penitentiary prison or penal institution as hereinafter provided It is further provided that the board shall have exclusive power to supervise any person hereafter placed on probation or parole (when sentenced to a maximum period of less than two years) by any judge of a court having criminal jurisdiction when the court may by special order directed supervision by the board in which case the probation or such parole case shall be known as a special case and the authority of the board with regard thereto shall be the same as herein provided with regard to parole cases within one of the classifications above set forth Provided however That the powers and duties herein conferred shall not extend to persons sentenced for a maximum period of less than two years and nothing herein contained shall prevent any court of this Commonwealth from paroling any person sentenced by it for a maximum period of less than two years And provided further That the period of two years herein referred to shall mean the entire continuous term of sentence to which a person is subject whether the same be by one or more sentences either to simple imprisonment or to an indeterminate imprisonment at hard labor as now as hereafter authorized by law to be imposed for criminal offenses The power of the board to parole shall extend to prisoners sentenced to definite or flat sentences

Section 9 Section nineteen of said act is hereby amended to read as follows

Section 19 It shall be the duty of the Board of Parole upon the commitment to prison of any person whom said board is herein given the power to parole to investigation and inform itself respecting the circumstances of the offense for which said person shall have been sentenced and in addition thereto it shall procure information as full and complete as may be obtainable with regard to the character mental characteristics habits antecedents connections and environment of such person The board shall further procure the stenographic record if any of the trial conviction and sentence together with such additional information regarding the crime for which sentence was imposed as may be available The board shall further cause the conduct of the person while in prison and his physical mental and behavior condition and history and his complete criminal record as far as the same may be known to be investigated and reported All public officials having possession of such records or information are hereby required and directed to furnish the same to the board upon its request and without charge therefor Said investigation shall be made by the board so far as may be practicable while the case is recent and in granting paroles the board shall consider the nature and character of the offense committed and any recommendation made by the trial judge as well as the general character and history of the prisoner

The board shall in all cases consider the recommendations of the trial judge and of the district attorney and of each warden or superintendent as the case may be who has had charge of an applicant each of whom is directed to submit to the board his recommendation and the reasons therefor with respect to each parole application

Section 10 Section twenty-one of said act is hereby amended to read as follows

Section 21 The board is hereby authorized to release on parole any convict confined in any penal institution of this Commonwealth as to whom power to parole is herein granted to said board except convicts condemned to death or serving life imprisonment whenever in its opinion the

best interests of the convict justify or require his being paroled and it does not appear that the interests of the Commonwealth will be injured thereby. If at the time a person is paroled he has been imprisoned for a period in excess of the minimum term of imprisonment to which he shall have been sentenced the period of parole may be extended by the board up to but not beyond the maximum term imposed [but in no case in excess of the maximum sentence provided by law for the offense for which he shall have been sentenced]. The power to parole herein granted to the Board of Parole may not be exercised in the board's discretion at any time before but only after the expiration of the minimum term of imprisonment fixed by the court in its sentence or by the Pardon Board in a sentence which has been reduced by commutation. Provided however if the Board of Parole refuse to parole the prisoner at the expiration of any minimum term fixed by the Pardon Board it shall within ten days after the date when the minimum term expired transmit to the Pardon Board a written statement of the reasons for refusal to parole the prisoner at the expiration of the minimum term fixed by the Pardon Board. Thereafter the Pardon Board may either accept the action of the Board of Parole or order the immediate release of the prisoner on parole under the supervision of the Board of Parole. Said board shall have the power during the period for which a person shall have been sentenced to recommit one paroled for violation of the terms and conditions of his parole and from time to time to reparole and recommit in the same manner and with the same procedure as in the case of an original parole or recommitment if in the judgment of the said board there is a reasonable probability that the convict will be benefited by again according him liberty and it does not appear that the interests of the Commonwealth will be injured thereby.

Section 11 Section twenty-two of said act is hereby amended to read as follows

Section 22 The board shall have the power subject to the provisions and limitations set forth in section twenty-one to grant paroles of its own motion whenever in its judgment the interests of justice require the granting of the same. In addition thereto the board shall have the power and it shall be its duty to consider applications for parole by a prisoner or by his attorney relatives or friends or by any person properly interested in the matter. Hearings of applications shall be held by the board whenever in its judgment hearings are necessary. Reasonable rules and regulations shall be adopted by the board for the presentation and hearing of applications for parole. Provided however That whenever any prisoner is paroled by the board whether of its own motion or after hearing of an application therefor or whenever an application for parole is refused by the board a brief statement of the reasons for the board's action shall be filed of record in the offices of the board and shall be at all reasonable times open to public inspection in no case shall a parole be granted or an application for parole be dismissed unless [one member of the board] a district supervisor shall have seen and heard him in person to regard thereto within [one year] six months prior to the granting or dismissal thereof. Application shall be disposed of by the board within six months of the filing thereof. Except in cases where the Pardon Board has reduced a minimum term by commutation the board shall initially act on the application if possible before the expiration of the minimum term so fixed and in no case more than thirty days thereafter.

In granting and revoking paroles and in discharging from parole the members of the board acting thereon shall not be required to personally hear or see all the witnesses and evidence submitted to them for their action but they may act on report submitted to them by their agents and employes together with any pertinent and adequate information furnished to them by fellow members of the board or by others.

At least ten days before paroling a prisoner on its own motion the board shall give written notice of such contemplated parole to the district attorney of the county wherein the prisoner shall have been sentenced and in

cases of hearings on applications for parole as herein provided for at least ten days written notice of the time and place fixed for such hearing shall be given either by the board or by the applicant as the board shall direct to the court and district attorney of the county wherein the applicant shall have been sentenced.

Section 12 Section twenty-six of said act is hereby amended to read as follows

Section 26 Paroles from imprisonment for less than [one year] a maximum period of two years shall be granted by the sentencing court and shall together with all probations except probation as to which supervision is specially ordered by the court as provided for in section [seventeen] twenty-five of this act be without supervision by the board.

Section 13 Section thirty-one of said act is hereby amended to read as follows

Section 31 Anything herein contained to the contrary notwithstanding this act shall not apply to persons committed to the Pennsylvania Training School houses of refuge for boys or girls institutions for the discipline or correction of juveniles as defined by existing laws or persons imprisoned in any county jail workhouse or other penal or correctional institution under sentence by an alderman justice of the peace or magistrate or committed in default of payment of any fine or of bail.

This act shall apply to inmates confined in the Pennsylvania Industrial School (White Hill) situate at Camp Hill Pennsylvania the Industrial Home for Women at Muncy Pennsylvania and the Pennsylvania Industrial School at Huntingdon Pennsylvania when the maximum sentence which could have been imposed for the crime of which the prisoner was convicted equals or exceeds two years including juveniles under 18 years of age serving sentence in the above named institutions but exclusive of juveniles committed to said institutions.

Section 14 Sections nine twenty-four and thirty-six of said act are hereby repealed

Section 15 This act shall become effective the first day of June one thousand nine hundred and forty-three

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. COHEN. Mr. Speaker, some months ago there was introduced into the Senate a bill which became known by the title "Jaspan Parole Ripper." It has received various interpretations, one of which was that it was an agreement by Democrats to help the Governor to rip out the parole law that was passed in the 1941 session. I am happy to say that history now records the fact in connection with ripping the parole board it now bears the seal of approval and the sanction of the Republican party and the Governor, and has been divested of any possible suggestion that the Democratic party could have any hand in this stab in the back of a good and honest governmental function. Now that that is clear, Mr. Speaker, let us talk about the bill.

For many years the matter of the commutation of sentence and parole in the Commonwealth was conducted by a loose and leaky system.

I remember some years ago during my infant days in politics when discussing a certain candidate for high office, a good Republican friend of mine who was advocating his election said to me "Why, he's a swell candidate and he's a good fellow to the boys, because when he was Lieutenant-Governor some years ago and was Chairman of the Pardon Board all you had to do to get a person out of jail was to go to him and you got your job done."

For fear of offending Members on the other side I shall not mention the name of the former Lieutenant-Governor. I mention the incident merely as an example of what happenings were permitted in Pennsylvania in the matter of rehabilitation and relief of criminals, or let us say persons who have violated the law and were incarcerated for their trouble.

Back in 1935, if memory serves me correctly, a commission was appointed to study the entire problem of parole in Pennsylvania. The commission was headed by Judge James Gay Gordon of Philadelphia, a jurist of high intellect, great sincerity and of unquestioned honesty and reputation, as independent as any man could be in public life, and who served Philadelphia and Pennsylvania to the everlasting credit of that city the state and himself. After years of painstaking study and consultation with many persons and many agencies in the Commonwealth a model parole bill was presented to this House in 1939. After serious consideration by that body made up then by a majority of Republicans in both the House and the Senate, the bill received approval and became law when it was signed by Governor James—rather I should say when it reached him he approved the bill, but regretted that he had to veto it because it lacked one ingredient that would have made it effective, and that was an appropriation. I am very sorry that that little detail was overlooked then, because if it had not been the commission would have been appointed, and by 1941 when the Democratic party had a majority in this House it could have saved the life of the act and the commission would then have had two years of experience upon which we today could intelligently deliberate.

However, in 1941 the bill was again presented, and this time with the proviso of an appropriation. The bill was passed by a Democratic House, was passed by a Republican Senate and was then signed by Governor James. It is one of the few things he did that I wholeheartedly approve. I did not approve, of course, of his long delay in appointing the Commission so that it might get down to work, and I should not like to suggest even that it was a part of a plot of the Governor to so long delay the appointment and the functioning of the Parole Board and the incoming Parole Commission so that when this Commission came into being we could be given the thoroughly fallacious argument that the Commission was not doing a good job. The Parole Commission cannot tell you that by experience it has done a good job because it hasn't had enough life to give us today a history of accomplishments which would indicate to us whether it was a good plan or a bad plan.

We are faced with a problem, we are faced with the statement that the Commission is not good, and we are asked now to strip the Commission of its very best feature without having had the opportunity of seeing the operation of this feature in actual practice.

Some months ago the Philadelphia Record presented the arguments that were made on behalf of the Parole Commission at a public hearing before the Senate, and it presented the arguments of outstanding citizens of the Commonwealth whose opinion was not prejudiced and whose position was not biased. Each person appearing before the Senate hearing testified in favor of the new board and pleaded for more time for it to accomplish a

job to present on the merits of its accomplishments its position in the State's governmental structure.

The Philadelphia Record very vividly showed the array of citizens of the Commonwealth, both deceased and living who if alive and present would have testified for the parole system. One of the gentlemen who might have testified on behalf of ripping out the parole board and sending it back to the good old days was the notorious and infamous Blackie Zukowski, who went to jail for ninety-nine years for not only many crimes against the peace and the dignity of the Commonwealth, but against the morals and the safety of the people. I disagreed when he was sent to jail for ninety-nine years, because I do not believe that is good penology, but that of course is another question. Blackie Zukowski was not a dummy, Blackie Zukowski was a smart one, because he had to be smart to evade the law as long as he did, to roll up the crimes that he did, and Blackie Zukowski was a good boy for almost ten years.

I had occasion recently, Mr. Speaker, to visit the Eastern Penitentiary in Philadelphia to talk to a person who was asking for representation to present a case before the parole board for commutation. He had served nine years and three months of a ten to thirty years sentence for highway robbery. I asked him whether during his time in prison he had met Blackie Zukowski and he said he had. He said as a matter of fact he had become a great pal of Blackie's, and I asked him what he thought of Blackie. He said Blackie was an all right guy, but he said Blackie was a smart one. If you didn't play ball with Blackie be careful, and almost everybody in jail played ball with Blackie, so he had his way. But Blackie was able to convince a pardon board under the old system that he should be free, and maybe Blackie made the bargain that he wanted to, because he felt that he would rather die in jail; he would rather take his chances beating the law, but he missed, and with regret must I admit that we in Pennsylvania permitted Blackie out on the highways again, so that within a year he shot and killed an innocent citizen of the state of New Jersey, for which he paid the supreme penalty.

Maybe Blackie didn't care whether he lived or not, but he probably felt a fast life was the best one, he would rather not linger long before he met his Maker.

Then the Philadelphia Record expressed the opinion of other famous criminals including Dannie Day who was released on parole and eventually landed on the hot seat. He went there with a lofty demeanor the same as other notorious criminals who have brought disgrace upon Philadelphia and Pennsylvania.

The new parole board, I couldn't say whether it would be perfect because it had no chance to prove it, nor could I say it would have been imperfect because we have no chance to prove that either. If it were imperfect I should be one of the first to come here to do what we have been doing all session long, amending bills which we found not to be perfect, to make the law better, but not to come here and rip out a law which we found not to be to the entire satisfaction of everyone. That is what we are doing now, at least that is what we are being asked to do, to rip out an advance in government and an advance in the administration of government that has had no chance to live.

Many of the features of the old parole bill are alleged to be in this bill, but like the 1939 bill that was passed without an appropriation, we are asked to pass a bill without teeth, or at least to enact a bill with soft teeth, so that no one will get hurt. We are asked to take a reform in government, which should be kept on a high plane and out of politics, out of any possible party consideration, and give a Governor,—and that goes for any Governor,—Governor Martin or any man who may be hereafter elected in the Commonwealth, the right to appoint persons to administer, in the various districts in Pennsylvania, the real machinery of the parole law.

I do not deny that the Governor would make very fine appointments, and I cannot deny that he would not appoint people who would be honest and sincere and would do a good job, but let us, as the gentleman from Westmoreland, Mr. Lovett, has so frequently said, be fair. Let us admit that we often with the little bit of patronage that comes to our table appoint who we hope will do a job but we are quite sure won't do a job, and I admit for the record that in the past I have been guilty, not by intent, but at least by results. I know that the gentleman is honest enough to admit that he is not perfect, and I believe that when we finally sit down and chat with him around the table he would admit that most likely he would appoint some person merely to suit the convenience of some sections of the state. It would be fatal if only one of the ten supervisors would turn out to be a politician who had no scruples, because supposing that he would be assigned to the Philadelphia area, under his jurisdiction would be the Eastern State Penitentiary, and under his jurisdiction he would have the resting place and the home of many of our citizens who went the wrong way, men who in many instances leave the prison walls only to make a bet on how soon they might come back again, the people who come out to do harm to our neighbors, our friends and maybe even to ourselves.

Another subject I should like to touch upon is a peculiar sort of thing, something brand new, that was not in existence under the old law. It is provided that in every instance where parole is granted or denied by the parole board the reasons must be filed. I believe there is a provision for appeal to the pardon board, which means only one thing, that the right of appeal to the pardon board, which we are trying to get away from will overcome, revoke, rescind, recommit, do everything that we do to pickle things and overcome any decent consideration of particular cases, so that the effectiveness of the parole system again rests in the hands of a pardon board, a system which the originators of the new system sought to get away from.

I have the highest respect for the present pardon board. I do not say this because I have a case before them coming up in two weeks. I have no reason to suspect their honesty and integrity,—in fact I shouldn't even say that,—I believe they will do a swell job, but that is not what we are talking about; we are talking about a pardon board as an institution, we are talking about a pardon board eight or ten or twelve years from now; we are talking about a system that is defective and not about people who are defective, and that, Mr. Speaker, is the story. The question is whether we shall as representatives of the people be fair; whether we are going to rescind our

actions of two years ago because someone somewhere is dissatisfied.

Let the man or men who are living today, and I am not talking about the criminals who have been paroled, but let the man who is alive today who opposes this bill, the man in public office or the man in private life who has never been through the mill but who is interested in the repeal and the breaking down of our parole system, let him appear and give us a plan of any sort or a reason of any kind why the system proposed in the 1941 act is not good. The mere fact is that they have not appeared up to this time, either in committee, in secret or in public. Why have they not come? It leads me to but one conclusion, that that person would have to hang his head in shame in explaining his opposition to the 1941 law, that he would be doing so with tongue in cheek because I think he couldn't conscientiously and sincerely dispute that the 1941 act and the system it put into effect is a good system, and he could not honestly say that the system had a chance to show what it was worth.

I ask you, Members of the House, to forget a few political jobs, and to think of one person who might meet a violent death by one mistake that might be made by one person being paroled improperly. On that one basis think of the saving of one life, think of that one bad crime, think of the one bad consequence, and let that be enough for you as it is for me to make me utterly and unreconcilably opposed to any tampering with the parole system as we have it now, until such time as it proves its worth or until such time as it shows that it cannot have our confidence any longer.

Mr. ALSPACH. Mr. Speaker, I would like to say a few words to clear up a little error. In the first place I do not think there is any person in the House who is more interested in efficient proper parole system, and I do not think that any political party is more interested in having an efficient, proper, well-managed, well-run parole system. I do not think that there is any political party that is more anxious to divorce itself as a political party from a parole system than is the Republican party, because I think any person, partisan as you may be, must recognize that tampering with the penal institutions, correctional control and rehabilitation is dynamite.

The bill which we have before us is quite a good deal different from other bills which have been introduced in these two Houses on the same subject. The present bill which we have before us does simply one or two things, and I would like to call the attention of the Members of the House to these particular things.

In the first place, it reduces the present parole board from five members to three members. It reduces the salaries of the members of the parole board. It provides for district supervisors up to ten in number, and it provides for the parole officers to do the case work.

The only difference between this bill and the prior bill is that the board is now scheduled to be comprised of three members instead of five, that we have district supervisors up to ten, and that these particular persons are appointed by the board with the consent of the Governor.

I am not asking you Members of the House to support this bill merely because of the reduction in cost in government, laudable as that may be, I am not standing here and suggesting that because it might save the Commonwealth \$100,000 a year we should pass it for that reason.

I am not stating that; I don't think there is any price that can be paid that would be too much for a proper control of this problem, but I do wish to point that out in passing, because it deserves your attention.

We have been besieged the past few months by various bodies, particularly emanating in the city of Philadelphia to oppose this particular legislation, to oppose Senate Bill No. 13, I think it was, the so-called Jaspán bill. From the time it was introduced up to the present time we have been besieged practically every week by pamphlets, bulletins, letters, and so forth from associations. There are several things in this bill, before passing on to some other situation to which I wish to call your attention. I would call your attention when talking about reduction from five to three, it seems to me to serve no purpose whatsoever to have a five person board when three can accomplish the same purpose and get the same results.

The members of the board are supposed to be a policy determining group of men and are not charged with administrative duties, not charged with ministerial tasks, and if that be so, then certainly we can get along just as well with a board of three as we can with a board of five as we have at the present time. Under the working of this bill and the working of a prior bill under which we are operating, when a person seeks parole he makes out an application, and the parole officer visits him. The parole officer goes over his case, reviews all the facts, prior record, along with the recommendations of the various penal authorities, the judge and district attorney, and decides whether or not in his opinion the man merits clemency or parole. He then makes his report. Under the present act that is a duty upon the members of the parole board, these five men. Before this man may be paroled, all visit each and every applicant for a parole and interview him personally which, of course, results in a rather ludicrous situation. You have a complete record of the particular individual, and he, the member of the board goes down to the particular county jail or to the state pen, he has before him a list of all persons whom he is going to interview, he interviews them one by one, talks to them, and on the basis of that talk is supposed to make a recommendation as to whether or not the man is entitled to be paroled. It seems to me, members of the House, that that is a duplication of effort. I certainly think that if a proper personnel is maintained among the parole officers they are thoroughly able and competent to make a report on the various men who have been interviewed, and it would do no particular good to require these members of the board, high-priced, high-salaried men to take up their time to rehash something that has already been gone over once before, and perhaps oftener than that. It seems to serve no particular purpose to have a board of five when a board of three can serve the purpose just as well.

This bill cuts out the position of the director of parole. If we are going to have men on the parole board who are real members, who are worth their salt, they are going to be active and do the job they are appointed to do. They are not going to sit around and let the director of personnel do the work. Therefore, this bill contemplates the abolition of that office. Why should we have that office when there are men on the payroll who are supposed to do that particular chore? I think the answer to that is

very obvious, that there is no reason for this particular job, therefore, it is sensible that it be abolished.

When we are speaking about the way this particular act would work, we contemplate that these particular district parole supervisors should more or less remain in their own districts; they should not be jumping jacks, jumping from one corner of the state to another whenever the whim suits them or catches their fancy for the purpose of interviewing persons. They should remain in and be responsible for their own particular district. This is going to save the Commonwealth a lot of money. Between \$300,000 and \$400,000 is consumed in travelling expenses and paying for junkets across the State by the present board and the present staff which takes advantage of the situation to travel long distances, when the thing could be much more efficiently administered if we were to have the thing set up in workable districts.

Of course there are many other things here which I would like to call to your attention. When these bills were first introduced there was a hue and cry: "We are going to cut out civil service." At the present time there is not a single word in this bill which takes the parole officers from civil service. The way this bill is presently drafted these men are in civil service, and they are the ones who meet the criminals and interview them in the institutions; they are the ones who are going to make the recommendations. If any person has any fear that this is going to be misused, that it is going to be a political football, that it is going to be kicked back and forth, depending upon who can get the ear of a politically appointed parole officer, let him remember, that this bill, Senate Bill No. 554 keeps all the parole officers exactly where they are now, under civil service. There is no thought of taking them out of the civil service act and putting them back into politics, as the expression has been often used. It is not sought to do here anything but provide the best service possible for these men. They are a problem, they are an increasing problem and perhaps after the war is over they may be even more of a problem, so after all, Members of the House, there is no thought on the part of the sponsors of this bill or the Members on this side of the House or anyone connected with the bill to in anyway jeopardize the parole board insofar as the motives and the purposes of this bill are concerned. The only thing we are seeking to do is to set up a bill which is supposed to work, is expected to work, and which does not put too great a demand on personalities; which does not require men to do things which they humanly cannot do.

I don't think there would be any great advantage in standing here and telling at length what his bill does and what it does not do beyond what has already been said. I think most of the opposition at the outset was directed against the civil service feature. As I said before, that is now as it was before; the jurisdiction is the same as it is at present, namely, two years and the provisions of the bill are chiefly the ones I have just outlined, namely, changing the personnel of the board, providing for district supervisors and several amendments which clarify the bill so far as the jurisdiction of the present board is concerned, namely, over a flat sentence, over a general sentence. That briefly is what the bill proposes to do, and if there are any questions I would be glad to try to answer them if humanly possible.

One of the amendments on page 9 requires the trial

judge, the district attorney and wardens of the institutions to submit reports and make recommendations which shall be considered. There are many things that are very meritorious in the bill, and I submit to the Members of the House, if you want to pass a good piece of constructive legislation this is one that is going to reflect credit on this House and the General Assembly. I ask that you vote for Senate Bill No. 554.

Mr. LEVY. Mr. Speaker, I desire to interrogate the Majority Floor Leader, Mr. Lichtenwalter.

The SPEAKER pro tempore. Will the gentleman from Lehigh permit himself to be interrogated?

Mr. LICHTENWALTER. I shall, Mr. Speaker.

Mr. LEVY. Mr. Speaker, might I inquire of the gentleman from Lehigh as to whether or not this is the attitude of the Administration on parole in Pennsylvania?

Mr. LICHTENWALTER. Mr. Speaker, I believe that the Administration on one or two occasions, in public expressed the thought that the present Board of Parole was rather an expensive experiment in Pennsylvania, and it probably could be said that this would be an Administration parole bill. I think if this bill passes the Administration will sign the bill.

Mr. LEVY. Mr. Speaker, I desire further to interrogate the gentleman. In the gentleman then stating to the House that the Administration has placed its stamp of approval upon a politically dominated parole system in Pennsylvania?

Mr. LICHTENWALTER. Mr. Speaker, there might be various opinions as to a politically controlled system. Now, that might be the opinion of the gentleman from Philadelphia and other people in Pennsylvania, but I do not say that this is a politically controlled system. The only thing that I see is the matter of about eight or not over ten people that were under Civil Service under the prior system that would not be covered under this bill. I certainly don't see that the eight or ten people means that this a politically controlled bill by any means.

Mr. LEVY. Mr. Speaker, could the gentleman tell the Members of the House then, why in place of the present uniform, exclusive and non-political parole system as passed by the Assembly in the last session, and incidentally by a Democratic House, a Republican Senate and a Republican Governor affixing his signature, why we plan at the present time to replace that with ten politically appointed and politically controlled supervisors in ten sections of the state?

Mr. LICHTENWALTER. Mr. Speaker, I believe the gentleman from Lancaster covered a lot of the points with reference to this bill which probably would answer that. I would like to answer that experience has shown that a change of this type, I believe, is very, very necessary for a good, efficient operating parole board in the Commonwealth of Pennsylvania.

Mr. LEVY. Did the Majority Leader say a good, efficient Republican parole system, or a good, efficient parole system?

Mr. LICHTENWALTER. I said, Mr. Speaker, a good, efficient, parole system.

Mr. LEVY. Why then, Mr. Speaker, does the Majority Leader contend that the supervision placed in the hands of supervisors, employes administering the system

throughout the Commonwealth is inferior to a politically appointed and politically dominated ten supervisors?

Mr. LICHTENWALTER. Mr. Speaker, I would say that change is a very, very essential thing in legislation, and in our past experience we have found that there were many mistakes made, that the present system was certainly not operating to the best efficiency that we on this side thought it should have, and even with the changes made now we will probably have to come back here in sessions in the future and make additional changes to make it a real, good operating board. But for the time being, I certainly see no reason whatsoever that this should be branded a political controlled board or in any way a politically minded parole board or parole system.

Mr. LEVY. Mr. Speaker, the Majority Leader talks of mistakes made by the parole commission appointed by Governor James. I would like to have the Majority Leader relate to the House some of the mistakes.

Mr. LICHTENWALTER. I would yield to the gentleman from Lancaster, Mr. Alspach, who I believe will point out for the gentleman some of the mistakes.

Mr. LEVY. Mr. Speaker, I again would request of the majority leadership of the House the mistakes he is referring to.

Mr. LICHTENWALTER. I am asking, Mr. Speaker, that the gentleman from Lancaster, Mr. Alspach, answer the questions.

Mr. LEVY. Mr. Speaker, the gentleman stated a moment ago that from his own experience he knows of many mistakes made. I would ask the gentleman, without referring to the gentleman from Lancaster, to tell us what mistakes he is referring to.

Mr. LICHTENWALTER. I again yield to the gentleman from Lancaster, Mr. Speaker. I think that he will be able to give the gentleman some of the mistakes that I feel, and I know he feels have been made.

The SPEAKER pro tempore. The gentleman from Lehigh yields to the gentleman from Lancaster, Mr. Alspach.

Mr. ALSPACH. Now, Mr. Speaker, will the gentleman repeat the question?

Mr. LEVY. The Majority Leader, Mr. Speaker, made mention through his own experience that he knows of some mistakes made by the James appointed parole commission. I would like to have stated this afternoon in the House these mistakes that were made.

Mr. ALSPACH. Mr. Speaker, one of the mistakes that comes to my attention is the fact that the present board in its infinite or not so infinite wisdom decided that they were going to scrap all the old experienced hands at the parole business, and decided that they were going to have examinations, that they were going to mark papers, and having marked the papers they were going to come up with a certain number of names of those successfully passing the examination who were going to be appointed to that particular position. I think it is public knowledge and public information that many persons who had been with the department as long as thirty-five years,—the Department of Justice,—were superseded by persons who might have graduated from certain social colleges, with certain social degrees.

I am not in position to say it is not a nice thing to be a graduate of a college with a social degree, but I do

say that there is a certain advantage, when you go to talk to a person in jail to be familiar with his tactics and his lingo, with the way he feels and the way he thinks, and that an awful lot of the chances for success of a system depends upon the investigator knowing the tricks of the trade.

Mr. LEVY. Will the gentleman from Lancaster explain to the House how Senate Bill No. 554 would correct the situation whereby the employes under the parole system were let out of the system to make way for the Civil Service appointees if in his judgment the bill still carries in it the right to carry Civil Service employes?

Mr. ALSPACH. My answer to that, Mr. Speaker, is one word, philosophy.

Mr. LEVY. I am satisfied that the gentleman has something there, Mr. Speaker. Proceed, Mr. Alspach.

Mr. ALSPACH. I think it has been the attitude, Mr. Speaker, but I say the philosophy behind what has been going on in the present board, that these things should be foisted upon the people and these things should be done, their attitude is expressed by what they have done, and I feel confident that when this bill passes and when a parole board is appointed, that the appointees are going to be good level-headed men who have both feet on the ground and know what it is all about so far as the parole business is concerned.

Mr. LEVY. Does the gentleman from Lancaster then, Mr. Speaker, intend to inform this House that by the passage of Senate Bill No. 554, all the political appointments made prior to the administration of the new parole act of 1941 would then be returned to the parole system as intended under 554?

Mr. ALSPACH. No, Mr. Speaker, we make no such statement. The gentleman knows better than that.

Mr. LEVY. Then how is the gentleman going to correct the mistakes he is talking about, Mr. Speaker.

Mr. ALSPACHER. I say, Mr. Speaker, that they are an honest group of men on the parole board who set the policies which the board is going to continue to carry out, and I say that the board is going to use judgment in appointing supervisors. A lot of the success of the entire organization is determined by the men who run the thing, and determine the policies. If you have something that is rotter or wrong at the top, you can hardly expect the men to run correctly underneath.

Mr. LEVY. In view of the fact that the Majority Leader has seen fit to yield to the gentleman from Lancaster, permit me to ask what I should have asked the Majority Leader: what are the duties of the ten political appointees, the ten political supervisors going to be under this new act?

Mr. ALSPACH. Mr. Speaker, I have not answered that question because I do not think these political appointees are political supervisors. I mean to say they would be appointed by the parole board by and with the consent of the Governor, and I think it is totally wrong to use the word political in the tone of voice which Mr. Levy uses it because I know what the implications are.

Mr. LEVY. Mr. Speaker, I would then ask the gentleman from Lancaster to give the House an idea as to what the duties are of the ten supervisors throughout the state?

Mr. ALSPACH. Mr. Speaker, I have answered that question, it seems to me, and the answer is so obvious

that it is useless to answer it again. For the purpose of simplicity of administration the state would be broken up into districts not exceeding ten in number. There are certain obvious, logical districts into which the state might be broken and divided, and one supervisor would be in charge of the various parole officers who work in the penal institutions in that locality. Philadelphia might be one area, Pittsburgh one area, southeastern Pennsylvania another area, the section up between the mountains another area, and we would have a supervisor in control of the particular parole officers and it is his duty to correlate the work that they do, and supervise them. If there is any answer more obvious than that, I would like to know what it is.

Mr. LEVY. I asked what are the duties, Mr. Speaker. I didn't ask how the districts are constituted. Will the gentleman please answer that question, what are the duties of the supervisors.

Mr. ALSPACH. The duties are to oversee, as implied by the name of supervisor, to look over.

Mr. LEVY. I want to know the duties of the supervisor, Mr. Speaker. The gentleman knows what this bill is all about. Let us not kid about it. This is important.

Mr. ALSPACH. I know it is important, Mr. Speaker. I say the word supervisors means one who supervises if the gentleman wants it in one word.

Mr. LEVY. I understand that a supervisor is one who supervises, but will the supervisor then recommend paroles?

Mr. ALSPACH. I might say, Mr. Speaker, that the parole officer will make the recommendation. That is my understanding.

Mr. LEVY. Then I suggest, Mr. Speaker, that the gentleman from Lancaster read the bill. The supervisors would certainly recommend paroles under the Jones bill. I would like to ask the gentleman from Lancaster—

Mr. ALSPACH. Is the gentleman talking to or interrogating me?

Mr. LEVY. Mr. Speaker, will they recommend paroles is what I want to know.

The SPEAKER pro tempore. Does the gentleman further desire to interrogate the gentleman from Lancaster?

Mr. LEVY. I do, Mr. Speaker.

The SPEAKER pro tempore. Will the gentleman from Lancaster permit himself to be further interrogated?

Mr. ALSPACH. I will, Mr. Speaker.

Mr. LEVY. Will the gentleman from Lancaster, Mr. Speaker, kindly inform the House as to whether under the conditions of Senate Bill No. 554, these ten district supervisors will recommend paroles?

Mr. ALSPACH. Will the gentleman please turn to page 6 and read Section 11:

Each district parole office shall be in charge of a district supervisor who shall be appointed by the board with the approval of the Governor and who shall receive such annual salary not exceeding four thousand five hundred dollars as the board shall determine. Said district supervisor shall be the executive head of the district office to which he shall be appointed and shall have the control, management and direction of all employes of the board assigned to said district subject to the supervision of the board.

Does that answer the question?

Mr. LEVY. I will ask the gentleman from Lancaster,

who is a keen student of English, whether they would recommend paroles.

Mr. ALSPACH. Mr. Speaker, I see nothing in the bill that says they do or do not. I cannot conceive of a supervisor being totally oblivious to anything that happened under his supervision. I think that you must agree that a parole supervisor would be a "dumbbell" if he were the head of a group of men, intelligent men under civil service, making reports and recommendations, and who would not know what is going on underneath.

Mr. LEVY. Under the terms of the bill, Mr. Speaker, may I ask the gentleman from Lancaster who is mainly interested in this piece of legislation? Who is going to make recommendations for parole of prisoners?

Mr. ALSPACH. I think the answer is obvious, Mr. Speaker. If the gentleman will read the bill he will find the answer.

Mr. LEVY. My contention, Mr. Speaker, is that the district supervisor will make the recommendation, and I am asking the gentleman from Lancaster if he is not in accord with that statement?

Mr. ALSPACH. Mr. Speaker, I might answer that question by another question. I ask where in the bill it appears that the district supervisor makes the recommendation?

Mr. LEVY. Then I ask the gentleman, Mr. Speaker, when and under what circumstances the parolee is to be returned to prison?

Mr. ALSPACH. I am still waiting for an answer to my question, Mr. Speaker.

Mr. LEVY. I have been interrogating the gentleman, Mr. Speaker. If the gentleman feels that he doesn't know enough about Senate Bill No. 554, then let him yield to another Republican Member. Until that time I insist that my interrogations be answered, and not by questions.

My question then is, Mr. Speaker, who is to decide when and under what circumstances parolees are to be returned to prison?

Mr. ALSPACH. The answer to that is obvious, Mr. Speaker. Will the gentleman read the bill and find out? I cannot understand the purpose of the interrogation. If the gentleman will read the bill he will find the answer. He knows the answer and I don't see why he should ask me that question.

Mr. LEVY. Permit me to further interrogate the gentleman. Is it not true that the Jones bill, Senate Bill No. 554, reinforces the control of paroles by these district supervisors when it includes a provision that the board in the future would have a right to certify its reasons for refusing parole? Maybe that is an easy one.

Mr. ALSPACH. Will the gentleman point out the particular paragraph that is in?

Mr. LEVY. I can give the gentleman the same answer, Mr. Speaker. It is obvious, he should read the bill.

Mr. ALSPACH. If the gentleman does not have it before him, might I ask whether the gentleman has read the bill?

Mr. LEVY. Yes, I have, Mr. Speaker. I have read it so thoroughly that I am convinced that the gentleman from Lancaster doesn't know what he is talking about.

Mr. ALSPACH. Mr. Speaker, I wonder why the gentleman couldn't answer questions if he is so familiar with the bill as he says he is? Is there anything more, Mr. Levy?

Mr. LEVY. Mr. Speaker, it is unfortunate that a disgraceful piece of legislation such as Senate Bill No. 554 must find its place on the calendar a few hours before we are to adjourn sine die. I don't know what really is behind the strategy of the Republican leadership in the state. Every newspaper within the confines of the state of Pennsylvania is against Senate Bill No. 554. Public opinion as expressed in the press is undoubtedly against it.

Mr. DIX. Mr. Speaker—

Mr. LEVY. Will the gentleman from Wayne county, Mr. Speaker, get on to selling his poems and leave me alone for a minute?

#### POINT OF ORDER

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

The SPEAKER pro tempore. The gentleman will state his point of order.

Mr. DIX. Mr. Speaker, I wish to correct a misstatement that Mr. Levy just made.

Mr. LEVY. Mr. Speaker, that is not a point of order.

The SPEAKER pro tempore. The gentleman from Philadelphia has the floor. That is not a point of order. Will the gentleman from Philadelphia yield?

Mr. LEVY. I will not, Mr. Speaker.

#### QUESTION OF PERSONAL PRIVILEGE

Mr. DIX. Mr. Speaker, I rise to a question of personal privilege.

The SPEAKER pro tempore. A question of personal privilege is not in order at the present time. The gentleman from Philadelphia will proceed.

Mr. DIX. Mr. Speaker. The point is that the gentleman is not talking on the bill.

The SPEAKER pro tempore. The gentleman from Philadelphia will confine his remarks to the bill.

Mr. DIX. Mr. Speaker, the gentleman from Philadelphia has had the floor about three-fourths of the time during the sessions, and I think he ought to yield.

The SPEAKER pro tempore. The gentleman is out of order. The gentleman from Philadelphia, Mr. Levy, will proceed.

Mr. LEVY. Mr. Speaker, there is no doubt in my mind that when the Governor talks about the people of Pennsylvania he knows that the people of Pennsylvania are against destruction of a decent governmental reform. What does the Jones Bill intend to do? It intends to crucify a decent governmental reform on the altar of politics, nothing more and nothing less.

The gentleman from Lancaster amuses me. The gentleman from Lancaster spoke about twenty minutes, he spoke about everything else but why the Republican leadership should approve such a bill. He talks of ten district supervisors. Do you gentlemen know that these ten district supervisors are not only going to recommend paroles but that these ten district supervisors will interview the applicants, will decide when and under what circumstances parolees are to return to prison. They will also supervise parolees, and last but not least I say to the gentleman from Lancaster they will recommend paroles.

If it is the intention of the Republican majority to place the governmental reform as written into the law of

1941 back into the muck of politics, they will undoubtedly be for Senate Bill 554, but I know some Republicans will not. I know some Republicans won't be blindly led by a Senator or by the portion of his party that is attempting by this bill to bring a decent reform back into the mire of indecency.

What does the bill do, gentlemen, aside from the ten supervisors? This is the key to the whole situation: it eliminates enough heads in order to make it easier for political manipulation. I say to the Republican leadership if they can refute that statement let them refute it, but I haven't heard one word in support of the bill that refutes an argument of this kind.

What else does Senate Bill 554 do? It rips out the safeguards to plunge parole into the most unsavory political mess in the history of the Commonwealth.

Recall, gentlemen, that nearly five years ago a Governor's nonpartisan nonpolitical commission had this to say about the parole system of Pennsylvania:

It is essential, Mr. Governor, that the parole system be shielded as completely as possible from the baneful effects of political and other subversive influence. Every witness who appeared before our commission without a single exception emphasized this as the most important safeguard for the efficient administration of parole.

I intended to ask the gentleman from Lehigh, who certainly represents the Republican voice, whether the Jones bill in any manner attempts to conform with the bipartisan and nonpolitical desires of the Parole Commission created by this Assembly? No, gentlemen, there apparently is no answer, because the gentleman from Lehigh has no answer. He says something about the dream of the Republican party to effect some economies. I say that is definitely a false issue. If under the rehabilitated parole system in Pennsylvania we have saved one Zukowski within the confines of our Commonwealth, I say it is worth five times as much as the administration of this parole system in Pennsylvania, and the Republican leadership knows it. Let them answer that charge.

What then could be in the minds of men who agree with such assertions, who agree with such charges, and yet in the flying days of a legislative session are here attempting to push through the most disgraceful bill that has yet appeared on the calendar? I say, gentlemen, let us go easy on legislation of this kind.

I heard the gentleman from Delaware, Mr. James, this afternoon talk about monkeys. I say, gentlemen, a vote for Senate Bill 554 is the act of a monkey in attempting to fly from limb to limb on the theory of decent government.

Maybe some of the membership is not familiar with the fallacies of the old parole system as practiced before the act of 1941. I want only to say to them, let them look at the record. Governor James himself when he finally signed the parole bill of 1941 said: "It is something that has been needed", and the only question that resolved itself around that question at that time was the fact that he thought the money was probably not available.

I say to the Republican membership of this House this evening, let us look at all the facts in this case. If you want a politically dominated parole board then that is your prerogative, but let the issue stand out clear and the one issue involved in the passage of this legislation

is whether we are willing to crucify a decent governmental reform on the altar of politics.

Mr. ALSPACH. Mr. Speaker, might I say that I sat here listening to the gentleman expostulate at great length, and I perhaps would have been somewhat impressed by his magnificent flow of oratory had it not been for the fact that he wound up in a terrific lather in which he characterized this bill as "the most disgraceful piece of legislation". I have yet to see a bill that he has opposed that was not "the most disgraceful piece of legislation". Every single bill he opposed is disgraceful, but I am very much disappointed in one respect, he failed to characterize this bill as "a fraud on the people" and that is what he has called probably every other bill that he has seen fit to oppose, and I proposed before he sat down to find out whether he would call Senate Bill No. 554 likewise "a fraud upon the people."

I would like to call attention to one thing, and that is that under the workings of the parole system prior to the present act under which we are working we had a system which was floating along on a very small appropriation. You gentlemen know very well that if you want to kill something all you need do is cut off the appropriation by which it can continue operations. If we wanted to kill off anything we would just cut off the appropriation and it would be like a ship at sea without sail in a perfect calm. So in the case of the old parole board they had no money with which to work, and consequently could not hire and employ competent agents sufficient in number to keep up with the increasing problem of parole. There was a wave of opinion in the state that we ought to do something about it. Somebody came along here and suggested we cut off the appropriation. I think and I believe that if the presently proposed parole board is given a chance to operate, is given an appropriation which will enable it to take care of itself, it will be able to get along properly.

There have been abuses,—there are bound to be abuses under any system. I was in a restaurant a few weeks ago and got a rather severe stomach ache. That didn't prove to me that the food was bad; that didn't convince me that I should not ever eat again. I was riding along the road the other day and almost had a blowout because the tire sidewall got wedged. That didn't convince me that all tires are no good. You cannot appraise a system or a principle by one isolated act.

It is true there are abuses; abuses are bound to creep in, but only when we can set up a system in which we have implicit faith and confidence in the men at the head, knowing full well that in principle they are doing the job; that they have set eyes on a proper guiding star and that they are seeking to accomplish a goal, then and then only will we have a system which is going to work. But there are bound to be crimes committed; somebody is bound to be murdered during the next few weeks somewhere in the state; there is bound to be an automobile stolen; certainly, that is human nature. We are never going to find ourselves in such a Utopia as that, but I say the fact that there have been abuses does not condemn the system as a system. It condemns the way the thing may be working. I say to you Members of the House that with a proper appropriation here, with proper supervision, a proper board, a board which has both feet

on the ground and is trying to do the right thing, is going in the right direction, I feel that certainly we will have a parole system which is second to none in the United States.

Mr. SAMUEL ROSE. Mr. Speaker, I was very sorry to see certain personal issues injected into the debate on this particular bill, because I think we should consider this on an entirely non-partisan basis. I do not think that any of the Members of the House today are not interested in the problem of the rehabilitation of criminals and proper penology reforms to be followed by the Commonwealth. I admit, and I listened to the testimony before the open hearing in the Senate some time ago in which some of the proponents of the present system admitted that there are certain defects in the present parole laws, certain defects that might well be eliminated. The members of the parole board and Judge Gordon and other persons who were interested in a decent parole system themselves indicated that possibly because of the short time in which this parole board had been working there were certain errors that might arise. However, from a study of this parole bill I do not think these defects have been met, and I want to point out to all those Members of the House here who are interested in a decent parole system in Pennsylvania one fact that has not been brought out in the debate until this moment, and that is that the parole board itself after it has failed to grant a parole would have to certify its reasons for refusing parole.

Gentlemen of the House, you can well realize the burden that this would impose upon the parole board, whether it be a three man board or a five man board. This would put the parole board on the defensive every time an application for parole had been refused, and gentlemen, I wish the Members of the House would realize that there could be political pressure brought by some individuals throughout the state in every case where a parole has been refused. Today the forces of evil are somewhat under control in Pennsylvania. The racketeer and the criminal, because of the passage of the parole bill during the last session of the legislature have been squelched to a certain extent, and I say to you gentlemen of the House that if you were to pass the present bill the forces of evil would rejoice. I appeal to you, not on a partisan basis but as gentlemen who are honestly interested in a decent effective parole system to defeat the present bill.

Mr. GRANT. Mr. Speaker, I have visited the Berks County prison for seven or eight years,—I forget what year I was appointed, and in such capacity I am very much interested in a good parole system I know that before I came up here, because of my associations and contracts with the old parole system that only two members of the old parole system passed a Civil Service examination, and those two members passed because of the additional credits they received because of the fact that they were ex-service men.

I was told before we convened in this session that a bill would be brought up under the parole system for one reason and one reason only. Mr. Alspach has told us that some of the Members who had years of experience failed to pass the Civil Service examination, but he didn't tell us about the qualifications of the men who were qualified to pass and who did pass this Civil Service Examination,

and what experiences they had whether or not they are capable of functioning. It all boils down to this, gentlemen, one simple little question, the information that was conveyed to me before this House convened in session was that some of the Members under the old parole system failed to pass that Civil Service examination, and that some bill would be presented to this House, and here it is. It gives an opportunity for the Governor to appoint ten men from the old parole system to ten very responsible jobs.

I say to you that those men may be very high caliber men and they may be qualified to do their duties, but do we believe in the Civil Service system or do we not believe in the Civil Service system? The primary purpose of the parole system is to rehabilitate and, when we are convinced that they have served their time, it serves no good purpose to keep them confined in penal institutions when they have been rehabilitated to the extent that they can go out and be good members of society.

If we vote for this bill in its present form we are only voting for the one reason that was conveyed to me before we came into this session, it gives the Governor the opportunity to appoint those eight men who worked under the old system who failed to pass the civil service examination, and that is the whole bill in a nut shell.

Mr. DIX. Mr. Speaker, I would like to challenge some of the statements made by the gentleman from Philadelphia, Mr. Levy. Mr. Levy stated that all the newspapers of Pennsylvania were opposing this bill. I wish to say that I do not believe ten percent of the newspapers in Pennsylvania opposed this bill. I doubt if there are five percent of the newspapers in Pennsylvania who oppose this bill. If the editors of some of the newspapers understood this bill there wouldn't be over one percent who would oppose it. As far as I can learn there hasn't been a weekly newspaper that has come out and opposed this bill, and I know that Mr. Levy is entirely wrong in making such a statement. The statement that the newspapers are opposed to this bill is just about like the rest of his statements. If I stood on the floor of this House all this afternoon and made the number of misstatements that Mr. Levy has made in this session, I wouldn't come anywhere near to answering that description. This one is just another example. I dare say that not over one percent of the newspapers of Pennsylvania are opposed to this bill, and I think if they understood it they would all be in favor of it.

Further regarding examinations, I wonder if the gentleman knows something about what the examinations are? There are a lot of fool examinations made up by cost experts and by social service workers. I bet there are not five men in this House who can pass those examinations—not five, and it is for that reason that I think this bill, which has a great deal of merit should be passed. All it does is to streamline the parole board. I think you all know that the big manufacturers get out more and more automobiles every year. I wouldn't suggest that we get out a new parole board every year, but when you find that a parole board is ineffective or the carbureter is out of whack, I think it is about time to change the board and get out a new model.

Mr. HOFFMAN. Mr. Speaker, it is not difficult to understand why we should be in disagreement here this

afternoon on this measure. Its involvement is really highly important. We are dealing in the final analysis with human souls. It is true that they may be wayward, but they are human just the same, and I think if we could bring our minds to a point where we could look at this controversy from the standpoint of dealing with it on the basis of humane consideration, and with some degree of the milk of human kindness we would get away from the political character of this measure.

I cannot conceive that the Governor, who is now being pre-judged, is so far removed from the responsibility of what this measure means that he would deliberately give his approval to a measure the outcome of which might become disastrous. I feel this afternoon that in dealing with this problem of parole it must be lifted from the strata of politics, and whether we are Republicans or whether we are Democrats it is our bounden duty first to the citizens of Pennsylvania, and second to the society of Pennsylvania that we keep our minds clear on the political aspects and confine our deliberation to the point as to how best we can serve them, how well we can place about them safeguards that will rehabilitate their lives and make them useful citizens to the state and to society.

Because a man goes wrong is no reason why society should forever condemn him. In every good there is some evil and we ought to look at the subject from the standpoint of our obligations to human society and feel gratified that we are not among those who are unfortunately delinquent in their obligations to society. I cannot conceive of any higher responsibility as a Member of this Legislature than to commit myself to do something today that will place around these unfortunate criminals, if you please, some system of efficiency and protection and hope that will enable them in their distress to find themselves again so that they may become redeemed not only in mind but in heart, and find a system and a practice and a principle set up by the state, who after all does regard its obligations to society whether that society be weak or whether it be strong. I say to you men of this House, that I think we shall find ourselves doing a duty today that in the tomorrow we can be glad of when we can lend our endorsement both as Republicans and Democrats, and, still better and more transcending than that, as good citizens of the state of Pennsylvania, interested in the society of Pennsylvania to pass this bill this afternoon, and not from a political standpoint prejudice the Governor of our state, who from my experience with him is elevating his judgment and his conception of his duties on a higher plane than politics. I, therefore, ask you, regardless of your political connection with this House, to support this bill.

Mr. WEISS. Mr. Speaker, I don't believe that the present parole system has been given a fair chance to really find out whether it can operate efficiently or not, and before we could decide as to whether it has been given a fair chance and whether it can operate we should hesitate before we vote for this particular bill. I believe that every Member of this House should know how the judiciary, the judges of the various counties feel about this particular parole system.

I know that the judges of Westmoreland County are unanimous in opposing any change in the present parole

system without giving it a fair chance and a fair trial to see if it will operate efficiently. Much study and work has been given to the job of getting the present parole system through, and if you were to discard it and change it against the opinion, I would say of about ninety percent of the judiciary of this Commonwealth, I believe it would be a travesty on justice.

On the question recurring,

Shall the bill pass finally?

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

## YEAS—120

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

Speaker.

## NAYS—69

|                 |                |           |               |
|-----------------|----------------|-----------|---------------|
| Baker,          | Duffy,         | Leonard,  | Readinger,    |
| Barrett,        | Elliott,       | Levy,     | Reese, R. E., |
| Bentzel,        | Finnerty,      | Longo,    | Regan,        |
| Boies,          | Goodwin,       | Lovett,   | Reynolds,     |
| Boory,          | Grant,         | Maxwell,  | Rose, S.,     |
| Bradley,        | Green,         | Mihm,     | Sarra,        |
| Brigerman,      | Greenwood,     | Modell,   | Scanlon,      |
| Brown,          | Haberlen,      | Mooney,   | Schuster,     |
| Brunner, P. A., | Hamilton,      | Moran,    | Snider,       |
| Burns,          | Heatherington, | Munley,   | Swope,        |
| Chervenak,      | Herman,        | O'Brien,  | Tate,         |
| Chudoff,        | Hersch,        | O'Connor, | Thompson,     |
| Cohen,          | Hoggard,       | O'Neill,  | Trent,        |
| Coleman,        | Hunter, B. F., | Petrosky, | Weiss,        |
| Corrigan,       | Kirley,        | Pettit,   | Welsh,        |
| Cullen,         | Kolankiewicz,  | Polaski,  | Wright,       |
| Denman,         | Lane,          | Powers,   | Yester,       |
| Dillon,         |                |           |               |

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

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

## THE SPEAKER (Ira T. Fiss) IN THE CHAIR

The SPEAKER. The Chair thanks the gentleman from Philadelphia, Mr. Scanlon, for presiding.

## SENATE MESSAGES

## SENATE BILL FOR CONCURRENCE

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

## SENATE BILL No. 589.

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

Referred to the Committee on State Government.

## CONCURRENCE IN HOUSE RESOLUTION No. 44

The Clerk of the Senate being introduced, informed that the Senate has concurred in the resolution from the House of Representatives, as follows:

In the House of Representatives, March 17, 1943.

After the discovery of the Philippine Archipelago four hundred years ago by Ferdinand Magellan, and until 1898 the islands were held and ruled by Spain.

Following the sinking of the Maine in February, 1898, the declaration of war against Spain and the taking of Manila by Admiral Dewey, the Spanish Government ceased therein and was succeeded by United States Military Rule.

In June, 1898, the Filipinos proclaimed their independence with Aguinaldo as President, and within less than a year which was marked by increased hostility toward the United States, the Melolos Constitution was proclaimed declaring the Philippines a Republic.

On the night of February 4th, 1899, the inevitable conflict between the Americans and the Filipinos was precipitated and Aguinaldo declared war on the United States resulting in a struggle which was not terminated until the capture of Aguinaldo by General Frederick Funston, two years later.

Many of the American soldiers who participated in quelling the Philippine insurrection and bringing peace to the islands and their inhabitants and delivering them from starvation, are alive today and are deeply interested in the freedom of the natives and their full and complete independence, which under the terms of the Tydings-McDuffie Act is scheduled to occur in 1945.

The seizure of the islands by Japan will not interfere with the realization of that dream by the Filipinos, for

before the day fixed in 1945 for their independence the Japs will have been driven from the Islands and the loyal natives will be better equipped than before to take their place among the free peoples of the world.

Nothing could better serve to mark this epochal event than to have the men who delivered those islands from slavery in 1899 return as Ambassadors of Good Will to the new nation for whose existence they will in great measure have been responsible; 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 take such measures as may be necessary to furnish free transportation on United States warships or other vessels to and from the Philippines as soon after the cessation of present hostilities as is possible to all those men who formed a part of the expeditionary force that made possible the freedom of the Filipinos and the creation of the new Republic of the Philippines; 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 the Congress of the United States and to each Senator and Representative from Pennsylvania in the Congress of the United States.

## RESOLUTION CONCURRED IN BY SENATE

The Clerk of the Senate being introduced, informed that the Senate has concurred in the resolution from the House of Representatives, as follows:

In the House of Representatives, May 5, 1943.

Resolved (if the Senate concur), that House Bill No. 661, Printer's No. 607, entitled "An act to amend clause (g) of section nineteen of the act approved the first day of June one thousand nine hundred thirty-seven (P. L. 1132) entitled 'An act to provide for the permanent personal registration of electors in cities of the second class A as a condition of their right to vote at elections and primaries and their enrollment as members of political parties as a further condition of their right to vote at primaries prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors and prescribing the powers and duties of citizens parties political bodies registration commissions commissioners registrars inspectors of registration and other appointees of registration commissions county election boards election officers municipal officers departments and bureaus police officers courts judges prothonotaries sheriffs county commissioners peace officers county treasurers county controllers registrars of vital statistics certain public utility corporations real estate brokers rental agents and boards of school directors and imposing penalties' by changing the procedure relating to the registration of State and Federal employes," be recalled from the Governor for the purpose of amendment.

## HOUSE BILLS CONCURRED IN BY SENATE

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

## HOUSE BILL No. 245.

An Act making an appropriation to the Department of Welfare for use by the State Council for the Blind in supplying home instruction for adult blind persons.

## HOUSE BILL No. 254.

An Act authorizing the Pennsylvania Historical Commission on behalf of the Commonwealth of Pennsylvania, to acquire, by gift, the Harmony Society Graveyard in the Borough of Ambridge, Pennsylvania, providing for the control, management and maintenance thereof; authorizing the Commission to make and enforce rules and

regulations for the preservation, maintenance and visitation thereof

HCUSE BILL No. 422.

An Act to amend section four of the act approved the ninth day of April one thousand eight hundred and seventy (P. L. 1121) entitled "A supplement to an act entitled 'An act for the regulation and government of the Lehigh county prison' approved the sixth day of April one thousand eight hundred and sixty-nine" by increasing the salaries of prison inspectors in Lehigh county.

HCUSE BILL No. 501.

An Act regulating the lien of judgments prescribing the procedure for the revival of judgments and for the continuance of the lien thereof and repealing certain acts and parts of acts

HCUSE BILL No. 509.

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

HCUSE 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

HCUSE BILL No. 519.

An Act to amend the act approved the eighth day of July, one thousand nine hundred forty-one (P. L. 298), entitled "An act authorizing the creation of, and providing for, and regulating the maintenance and operation of a county employes' retirement system in counties of the fourth class, imposing certain charges on counties, and fixing penalties," further regulating such retirement systems.

HCUSE BILL No. 665.

An Act to amend section three hundred sixteen of the act approved the seventeenth day of May one thousand nine hundred and twenty-one (P. L. 682) entitled "An

act relating to insurance amending revising and consolidating the law providing for the incorporation of insurance companies and the regulation supervision and protection of home and foreign insurance companies Lloyds associations reciprocal and inter-insurance exchanges and fire insurance rating bureaus and the regulation and supervision of insurance carried by such companies associations and exchanges including insurance carried by the State Workmen's Insurance Fund providing penalties and repealing existing laws" by extending the provisions to include officers and employes.

HOUSE BILL No. 726.

An Act to amend section twelve of the act approved the twelfth day of May, one thousand nine hundred twenty-five, (P. L. 603), entitled "An act concerning conditional sales; and to make uniform the law relating thereto," making further provision for the satisfaction of conditional sales contracts filed in the office of the prothonotary

HOUSE BILL No. 1039.

An Act to further amend section five hundred forty-seven of the act approved the first day of May one thousand nine hundred thirty-three (Pamphlet Laws 103) entitled "An act concerning townships of the second class and amending revising consolidating and changing the law relating thereto" by further regulating publication of the auditors' report

HOUSE BILL No. 1064.

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

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

RESOLUTIONS CONCURRED IN BY SENATE

The Clerk of the Senate being introduced, informed that the Senate has concurred in the resolution from the House of Representatives, as follows:

In the House of Representatives, May 5, 1943.

Resolved (if the Senate concur), that House Bill No. 659, Printer's No. 241, entitled "An act to amend clause (g) of section eighteen of the act approved the twenty-ninth day of April one thousand nine hundred thirty-seven (P. L. 487) entitled 'An act to provide for the permanent personal registration of electors in boroughs towns and townships as a condition of their right to vote at elections and primaries and their enrollment as members of political parties as a further condition of their right to vote at primaries prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors requiring the county commissioners of the various counties to act as a registration commission therefor and prescribing the powers and duties of citizens parties political bodies registration commissions commissioners registrars inspectors of registration and other appointees of registration commissions county election boards election officers municipal officers departments and bureaus police officers courts judges prothonotaries sheriffs county commissioners peace officers county treasurers county controllers registrars of vital statistics certain public utility corporations real estate brokers rental agents and boards of school directors and imposing penalties' by changing the procedure relating to the registration of State and Federal employes," be recalled from the Governor for the purpose of amendment.

The Clerk of the Senate being introduced, informed that the Senate has concurred in the resolution from the House of Representatives, as follows:

In the House of Representatives, May 5, 1943.

Resolved (if the Senate concur), that House Bill No. 660, Printer's No. 608, entitled "An act to amend clause (g) of section nineteen of the act approved the twenty-fifth day of May one thousand nine hundred thirty-seven (P. L. 814) entitled 'An act to provide for the permanent personal registration of electors in cities of the second class as a condition of their right to vote at elections and primaries and their enrollment as members of political parties as a further condition of their right to vote at primaries prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors and prescribing the powers and duties of citizens parties political bodies registration commissions commissioners registrars inspectors of registration and other appointees of registration commissions county election boards election officers municipal officers departments and bureaus police officers courts judges prothonotaries sheriffs county commissioners peace officers county treasurers county controllers registrars of vital statistics certain public utility corporations real estate brokers rental agents and boards of school directors and imposing penalties' by changing the procedure relating to the registration of State and Federal employes," be recalled from the Governor for the purpose of amendment.

The Clerk of the Senate being introduced, informed that the Senate has concurred in the resolution from the House of Representatives, as follows:

In the House of Representatives, May 5, 1943.

Resolved (if the Senate concur), that House Bill No. 747, Printer's No. 244, entitled "An act to further amend clause (f) and to amend clause (g) of section twenty of the act approved the thirtieth day of March one thousand nine hundred thirty-seven (P. L. 115) entitled 'An act to provide for the permanent personal registration of electors in cities of the first class as a condition of their right to vote at elections and primaries and their enrollment as members of political parties as a further condition of their right to vote at primaries prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors and prescribing the powers and duties of citizens parties bodies of electors registration commissions commissioners

registrars inspectors of registration and other appointees of registration commission election officers municipal officers departments and bureaus police officers courts judges prothonotaries sheriffs county commissioners peace officers county treasurers county controllers registrars of vital statistics real estate brokers rental agents certain public service companies persons firms and corporations operating vehicles for moving furniture and household goods and boards of school directors and imposing penalties' by changing procedure relating to registration of State and Federal employes," be recalled from the Governor for the purpose of amendment.

The Clerk of the Senate being introduced, informed that the Senate has concurred in the resolution from the House of Representatives, as follows:

In the House of Representatives, May 5, 1943.

Resolved (if the Senate concur), that House Bill No. 655, Printer's No. 606, entitled "An act to amend clause (g) of section nineteen of the act approved the twenty-fifth day of May one thousand nine hundred thirty-seven (P. L. 849) entitled 'An act to provide for the permanent personal registration of electors in cities of the third class as a condition of their right to vote at elections and primaries and their enrollment as members of political parties as a further condition of their right to vote at primaries prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors and prescribing the powers and duties of citizens parties political bodies registration commissions commissioners registrars inspectors of registration and other appointees of registration commissions county election boards election officers municipal officers departments and bureaus police officers courts judges prothonotaries sheriffs county commissioners peace officers county treasurers county controllers registrars of vital statistics certain public utility corporations real estate brokers rental agents and boards of school directors imposing penalties and repealing existing legislation' by changing the procedure relating to the registration of State and Federal employes," be recalled from the Governor for the purpose of amendment.

#### BILLS SIGNED BY SPEAKER

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

##### SENATE BILL No. 11.

An Act to amend section eighteen of the act approved the thirteenth day of June one thousand eight hundred thirty-six (P. L. 551) entitled "An act relating to roads highways and bridges" authorizing vacation of parts of public roads where termini of remaining parts of road are not in public highway or place of public resort

##### SENATE BILL No. 63.

An Act to amend the act approved the twenty-second day of April one thousand nine hundred and thirty-seven (P. L. 394) entitled "An act to authorize the Secretary of Highways to disregard terminal points in relocating State highway routes under certain conditions" by adding certain other conditions under which the Secretary of Highways may disregard terminal points

##### SENATE BILL No. 64.

An Act authorizing the Secretary of Highways to establish construct and maintain parallel or approximately parallel State highways in townships boroughs incorporated towns and cities in certain cases providing for the payment of property damages resulting therefrom and authorizing the Secretary of Highways to control the direction of the flow of traffic thereover

## SENATE BILL No. 65.

An Act to further amend section one of the act approved the twenty-seventh day of April one thousand nine hundred and twenty-seven (P. L. 392) entitled "An act providing that highways or sections thereof abandoned as State highway routes shall revert for maintenance to the party or parties responsible for the maintenance of said highways prior to their coming under the jurisdiction of the Department of Highways" by providing that sections of highways abandoned by relocation shall be maintained by and at the expense of the township borough incorporated town or city within which they are located after being improved and repaired by the Department of Highways and by adding a new section to provide that portions or sections of the old highway which are not included within the changed altered or established widths shall be considered vacated if such portions or sections are not of the full width of the highway or previously established

## SENATE BILL No. 86.

An Act to amend paragraph (f) of section two thousand three and paragraph (e) of section two thousand five 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 extending the authority of the Department of Highways to rent and sell certain equipment and material

## SENATE BILL No. 201.

An Act to amend the title and section one of the act approved the twentieth day of April one thousand nine hundred and five (P. L. 239) entitled "An act providing for and defining the rights remedies duties and liabilities of purchasers of real estate at judicial sales and of their grantees heirs and devisees and of the persons then in possession thereof" extending the provisions of said act to purchasers of real estate at tax sales and their grantees heirs and devisees and persons then in possession thereof

## SENATE BILL No. 208.

An Act allowing costs and counsel fees to stakeholder in interpleader proceeding out of funds paid into court

## SENATE BILL No. 220.

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.

## SENATE BILL No. 301.

An Act to amend section one hundred four clause (a)

of section two hundred five clause (a) of section two hundred twelve section four hundred three section five hundred two of the act approved the twenty-fifth day of June one thousand nine hundred and forty-one (P. L. 159) entitled "An act amending revising consolidating and changing the law relating to the borrowing of money by certain political subdivisions the authorization issuance and sale of general obligation bonds as herein defined of bonds imposing no general obligation of debt and of bonds not deemed to constitute a debt for certain purposes and to the funding of debt and the refunding of bonds regulating the keeping and use of sinking funds imposing powers and duties upon the Department of Internal Affairs and upon corporate bodies and officers of political subdivisions imposing penalties and repealing existing laws" clarifying and correcting the provisions of said sections and providing for the funding of debts represented by judgments entered by courts

## SENATE BILL No. 400.

An Act to ratify confirm and validate as debts of the municipality bonds and obligations issued by municipal corporations for the payment of the cost of a public improvement which were to rest alone for their security and payment upon assessments for benefits

## SENATE BILL No. 427.

An Act to amend Sections 2501, 2504, 2505 and 2506 of the act, approved the twenty-fourth day of June, one thousand nine hundred and thirty-one (P. L. 1206), entitled "An act concerning townships of the first class; amending, revising, consolidating and changing the law relating thereto," providing for the payment of sewer assessments in monthly or quarterly instalments; regulating the filing of liens therefor and authorizing the filing of such liens after the time fixed by law shall have expired.

## SENATE BILL No. 516.

An Act authorizing during the continuance of the present war and for a period thereafter the employment except during school hours or after the hour of eleven o'clock post meridian of certain male minors as pin boys in bowling alleys; and suspending existing laws which prohibit such employment

## SENATE BILL No. 534.

An Act to amend section four hundred thirty-seven and to further amend section four hundred thirty-eight 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" changing the amount of aid which the board of county commissioners may pay out of the county funds to the historical society of the county and changing the qualifications of historical societies to receive county appropriations

## SENATE BILL No. 539.

An Act to further amend section eight hundred one of the act approved the twentieth day of April one thousand nine hundred thirty-seven (P. L. 417) entitled "An act relating to milk and the products thereof creating a Milk Control Commission establishing its jurisdiction powers and duties regulating the production transportation manufacturing processing storage distribution delivery and sale of milk and certain products thereof providing for the licensing of milk dealers and the payment of fees therefor requiring milk dealers to file bonds to secure payment for milk to producers and certain milk dealers authorizing the holding of hearings and the issuance of subpoenas by the commission conferring jurisdiction upon

courts to punish contempts and to prohibit violations of this act and of rules regulations and orders of the commission authorizing the commission to adopt rules regulations and orders and to enter into interstate and Federal compacts requiring persons who weigh measure sample or test milk to procure permits or certificates to take examinations to pay fees therefor to furnish certain notices records and statements and to use certain methods of weighing measuring sampling and testing authorizing the commission to examine the business papers and premises of milk dealers and producers requiring the keeping of records and the filing of reports by milk dealers and permitting with limitations the use of information obtained thereby authorizing the commission to fix prices for milk and certain milk products subject to the approval of the Governor and conferring certain powers upon the Governor with respect thereto providing for appeals to the courts from decisions of the commission and for the burden of proof upon such appeals prescribing penalties fines and imprisonment for violations of this act and rules regulations and orders of the commission defining perjury defining remedies repealing legislation supplied and superseded by this act and saving rights duties and proceedings thereunder and making appropriations" by requiring further hearings on proposed orders and eliminating the requirement of the Governor's approval for certain orders of the commission and any amendments or revisions thereof fixing or changing the price of milk

Whereupon,

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

#### REPORTS FROM COMMITTEES

Mr. BOWER from the Committee on State Government reported as committed, Senate Bill No. 589, entitled:

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

Mr. CORDIER from the Committee on State Government reported as committed, Senate Bill No. 619, entitled:

An Act to further amend section four hundred fifty-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 department, boards, commissions, and officers thereof, including the boards of trustees of State Normal Schools, or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards, and commissions; defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, commissions, and officers; fixing the salaries of the Governor, Lieutenant-Governor, and certain other executive and administrative officers; providing for the appointment of certain administrative officers, and of all deputies and other assistants and employes in certain departments, boards and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments, boards and commissions shall be determined," as amended, by changing the provision regarding the maximum compensation of the State Civil Service Commission

Mr. COOPER from the Committee on Cities-Second Class reported as committed, Senate Bill No. 356, entitled:

An Act to amend sections twelve and seventeen of the act, approved the twenty-first day of June, one thousand nine hundred thirty-nine (P. L. 626), entitled "An act providing for and regulating the assessment and valuation of all subjects of taxation in counties of the second class; creating and prescribing the powers and duties of a Board of Property Assessment, Appeals and Review; imposing duties on certain county and city officers; abolishing the board for the assessment and revision of taxes in such counties; and prescribing penalties," by providing for appeals from the judgment order or decrees of the court of common pleas to the Supreme or Superior Court, and for exoneration and refund of taxes when any assessment has been reduced by the Board of Property Assessment, Appeals and Review or by any court

Mr. KIRLEY from the Committee on Cities-Second class reported as committed, Senate Bill No. 531, entitled:

An Act authorizing counties of the second class to enter into contracts with any city within the county for the hospitalization of persons suffering from infectious diseases, and to make appropriations therefor

Mr. MAHANY from the Committee on Judiciary General reported as committed, Senate Bill No. 633, entitled:

An Act to amend section twenty-one of the act, approved the seventh day of June, one thousand nine hundred seventeen (P. L. 429), entitled, "An act relating to the descent and distribution of the real and personal property of persons dying intestate; and to provide for the recording and registering of the decrees of the orphans' court in connection therewith, and the fees therefor," by providing that the bar of said section may be pleaded by any relative or person concerned whose right in the estate will be defeated or diminished by the allowance of such claim and by the Commonwealth in the furtherance of its right of escheat, but it may not be pleaded by the personal representatives of the estate in order to enable them to retain an estate or portion thereof to which they are not legally entitled, and that the provisions of this amendment be retroactive but any relatives or persons concerned whose claims would be sooner barred by this amendment, may lay legal claim to their respective shares within six months after the passage of this amendment; and further that this amendment shall not have the effect of removing the bar of this section as to any legal claim which may have been barred prior to the passage of this amendment.

Mr. WALTER E. ROSE from the Committee on Rules reported as committed House Resolution No. 49.

## BILLS ON FIRST READING

By unanimous consent the following bills were read the first time.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 566, entitled:

An Act to further amend section one of the act, approved the twenty-second day of June, one thousand nine hundred thirty-one (P. L. 662), entitled "An act relating to retirement from the Pennsylvania National Guard," by providing that Colonels having certain service shall be placed on retired list as Brigadier Generals.

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

Agreeably to order,

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

An Act to amend sections twelve and seventeen of the act, approved the twenty-first day of June, one thousand nine hundred thirty-nine (P. L. 626), entitled "An act providing for and regulating the assessment and valuation of all subjects of taxation in counties of the second class; creating and prescribing the powers and duties of a Board of Property Assessment, Appeals and Review; imposing duties on certain county and city officers; abolishing the board for the assessment and revision of taxes in such counties; and prescribing penalties," by providing for appeals from the judgment order or decrees of the court of common pleas to the Supreme or Superior Court, and for exoneration and refund of taxes when any assessment has been reduced by the Board of Property Assessment, Appeals and Review or by any court.

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

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 531, entitled:

An Act authorizing counties of the second class to enter into contracts with any city within the county for the hospitalization of persons suffering from infectious diseases, and to make appropriations therefor.

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

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 633, entitled:

An Act to amend section twenty-one of the act, approved the seventh day of June, one thousand nine hundred seventeen (P. L. 429), entitled, "An act relating to the descent and distribution of the real and personal property of persons dying intestate; and to provide for the recording and registering of the decrees of the orphans' court in connection therewith, and the fees therefor," by providing that the bar of said section may be pleaded by any relative or person concerned whose right in the estate will be defeated or dismissed by the allowance of such claim and by the Commonwealth in the furtherance of its right of escheat, but it may not be pleaded by the personal representatives of the estate in order to enable them to retain an estate or portion thereof to which they are not legally entitled, and that the pro-

visions of this amendment be retroactive but any relatives or persons concerned whose claims would be sooner barred by this amendment, may lay legal claim to their respective shares within six months after the passage of this amendment; and further that this amendment shall not have the effect of removing the bar of this section as to any legal claim which may have been barred prior to the passage of this amendment.

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

## UNANIMOUS CONSENT REQUESTED

Mr. CORDIER asked unanimous consent for Senate Bill 619 to be read the first time.

The SPEAKER. Will the House give its consent for this bill to be read the first time? Is there objection?

Mr. CULLEN. Mr. Speaker, I object.

The SPEAKER. The Chair hears objection and consent is not granted.

Mr. BOWER asked unanimous consent for Senate Bill No. 589 to be read the first time.

The SPEAKER. Will the House give its consent for this bill to be read the first time? Is there objection?

Mr. CULLEN. Mr. Speaker, I object.

The SPEAKER. The Chair hears objection and consent is not granted.

## BILLS SIGNED BY SPEAKER

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

## SENATE BILL No. 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

## SENATE BILL No. 502.

An Act authorizing the Department of Property and Supplies to sell and convey a lot or piece of land in Delaware County.

Whereupon,

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

## ADDITIONAL SPONSORS TO RESOLUTION

Mr. SARGE asked and obtained unanimous consent to have three sponsors to a resolution.

## RECESS

The SPEAKER. If there is no objection the Chair is about to declare a recess until 8:45 p. m. Is there objection? The Chair hears none and a recess is declared.

## AFTER RECESS

The House reconvened at 8:45 p. m.

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

## SENATE MESSAGE

## SENATE BILL FOR CONCURRENCE

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

## SENATE BILL No. 471.

An Act limiting the time within which suits or actions, hereafter begun, shall be brought for damages to surface land and property resulting from the mining of coal and operations in connection therewith

Referred to the Committee on Judiciary General.

## COMMUNICATION FROM THE GOVERNOR

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

APPROVAL OF HOUSE BILLS Nos. 374, 462, 625, 644, 731, 767, 771, 780, 789 and 849.

Commonwealth of Pennsylvania,

Governor's Office, Harrisburg, May 6, 1943.

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

I have the honor to inform you that I have this day approved and signed House Bill No. 374, Printer's No. 81, 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."

I have the honor to inform you that I have this day approved and signed House Bill No. 462, Printer's No. 476, entitled "An Act authorizing in certain cases the renewal of old motor vehicle operators' licenses for persons honorably discharged from the armed forces of the United States or from any women's organization officially connected therewith without a learners permit examination or additional fee and while in such service the operation of motor vehicles without renewal of operator's license and the temporary suspension of existing laws requiring the same."

I have the honor to inform you that I have this day approved and signed House Bill No. 625, Printer's No. 371, entitled "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 and The Pennsylvania State College."

I have the honor to inform you that I have this day approved and signed House Bill No. 644, Printer's No. 477, entitled "An Act to further amend sections five hundred and eleven and six hundred and ten of the act approved the first day of May one thousand nine hundred and twenty-nine (P. L. 1005) entitled 'An act relating to and regulating tractors and trailers and their operation providing for their registration and the licensing of certain operators by the Department of Revenue upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of tractors and trailers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns and townships within the Commonwealth liability for damages caused by the negligent operation of tractors and trailers imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds' authorizing the issuance of special permits for the operation upon the highways of oversize and overweight quarry equipment and machinery and fixing fees therefor."

I have the honor to inform you that I have this day approved and signed House Bill No. 731, Printer's No. 242, entitled "An Act to further amend subsection (c) of section four hundred twelve 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' fixing the mileage of judges of election for transmitting returns of primaries and elections and ballot boxes."

I have the honor to inform you that I have this day approved and signed House Bill No. 767, Printer's No. 346, entitled "An Act to amend section five hundred and 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' changing the provisions of said act relating to registration plates and the issuance thereof by the department."

I have the honor to inform you that I have this day approved and signed House Bill No. 771, Printer's No. 351, entitled "An Act to amend section three hundred and one of the act approved the first day of May one thousand nine hundred and twenty-nine (P. L. 1005) entitled 'An act relating to and regulating tractors and trailers and their operation providing for their registration and the licensing of certain operators by the Department of Revenue upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of tractors and trailers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns and townships within the Commonwealth liability for damages caused by the negligent operation of tractors and trailers imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds' changing the provisions of said act relating to registration plates and the issuance thereof."

I have the honor to inform you that I have this day approved and signed House Bill No. 780, Printer's No. 352, entitled "An Act to amend the definition of 'Trailer' in section one hundred two of the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 1005) entitled 'An act relating to and regulating tractors and trailers and their operation providing for their registration and the licensing of certain operators by the Department of Revenue upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of tractors and trailers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns and townships within the Commonwealth liability for damages caused by the negligent operation of tractors and trailers imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds' providing that a wagon or truck drawn by a tractor for the transportation of agricultural products of the owner shall be exempt from registration fees."

I have the honor to inform you that I have this day approved and signed House Bill No. 789, Printer's No. 429, entitled "An Act to amend the definition of 'Trailer' in section one hundred two as amended 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 magis-

trates 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' provided that in certain cases where wagons and agricultural machinery are used for hauling the products of the owner no registration fee shall be required therefor."

I have the honor to inform you that I have this day approved and signed House Bill No. 849, Printer's No. 332, entitled "An Act relating to child care centers conferring certain powers and duties upon the State Council of Defense local and district councils of defense and political subdivisions providing for the adoption of rules and regulations for the maintenance operation and conduct thereof authorizing appropriations by political subdivisions and providing penalties."

EDWARD MARTIN.

### SENATE MESSAGE

#### SENATE INSISTS ON ITS AMENDMENTS TO HOUSE BILL No. 92.

The Clerk of the Senate being introduced, informed that the Senate has insisted upon its amendments, nonconcurring in by the House of Representatives, to House Bill No. 92, entitled:

An Act to amend 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" changing and revising sections of said act relating to obstructing an officer in the execution of process fornication and bastardy lotteries firearms receiving stolen property trespass on posted property cheating by fraudulent pretenses principals in the second degree and accessories aiders and abettors and repealing certain sections relating to larceny and certain existing acts.

#### APPOINTMENT OF CONFERENCE COMMITTEE ON HOUSE BILL No. 92

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

The motion was agreed to.

The SPEAKER. The Chair appoints as a Committee of Conference on said bill Messrs. Charles H. Brunner, Jr., Imbrie and Chudoff.

Ordered, That the Clerk inform the Senate accordingly.

### SENATE MESSAGE

#### AMENDED HOUSE BILLS RECALLED FROM THE GOVERNOR CONCURRED IN BY SENATE

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

#### HOUSE BILL No. 72.

An Act to further amend subsection (a) of section four of the act approved the twenty-fourth day of June one thousand nine hundred thirty-seven (P. L. 2045) entitled

"An act relating to the support of indigent persons publicly cared for or assisted providing for the support of such persons by certain relatives and for the recovery of public moneys expended for care and assistance from the property and estates of such persons providing for guardians of the person and property of such persons providing for the arrest and seizure and sale of the property of deserters and providing procedure" providing for the divestiture of judgments obtained thereunder by county commissioners sales heretofore or hereafter made

#### HOUSE BILL No. 285.

An Act to further amend section one of the act approved the second day of May one thousand nine hundred and twenty-nine (P. L. 1518) entitled as amended "An act regulating the construction equipment maintenance operation and inspection of elevators granting certain authority to and imposing certain duties upon the Department of Labor and Industry providing fees for inspection of elevators certificates of operation and approval of plans providing penalties for violations of this act and repealing all acts or parts of acts inconsistent with this act" by exempting from the provisions of said act elevators used in the coal mines of this Commonwealth and plants connected therewith

#### HOUSE BILL No. 421.

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 to accept grants of money and service for said purposes from private or public sources State or Federal

#### HOUSE BILL No. 487.

An Act to amend section three of the act approved the third day of May one thousand nine hundred and nine (P. L. 413) entitled "An act relating to the granting of titles by the Commonwealth of Pennsylvania to vacant or unappropriated land the price to be paid for the same the conveyance to the State Forestry Reservation Commission where desirable for forest culture or forest preservation preventing the granting of warrants for the beds of navigable rivers and providing for acceptance of returns of surveys without limitation as to excess or surplus" by providing for and regulating the granting of warrants and rights to certain additional lands

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

#### RESOLUTIONS REPORTED FROM COMMITTEE

Mr. YEAKEL asked and obtained unanimous consent to report from the Committee on Rules as committed House Resolution (not printed) and for its immediate consideration.

The resolution was twice read, considered and adopted as follows:

In the House of Representatives, March 8, 1943.

William F. Smith, a former State Commander of the American Legion, prominent in the business and political life of the Commonwealth and a leading citizen of Jefferson County, died at his home in Punxsutawney on January 30th.

He was born in Tioga County on April 7, 1888, attended the Mansfield State Teachers College and graduated from the Indiana State Teachers College in 1908. During the

first World War he was commissioned a first lieutenant and after the termination of hostilities, he spent several years as business manager of National Park Seminary near Washington, D. C.

In 1920 he returned to Punxsutawney where he has since been engaged in business.

Upon taking up his residence in Punxsutawney, he became interested in and devoted much of his time to local activities. He was a director of the Chamber of Commerce, a trustee of the Adrian Hospital Association, and a director of the Central Y. M. C. A. Fraternally he was an active member of the Punxsutawney Lodge of Elks and of the Fraternal Order of Eagles.

It was as a member of the American Legion however that he became best known throughout the State. He served as Commander of the John Jacob Fisher Post of Punxsutawney, later as County Commander, then as District Commander, and as Western Vice Commander. In 1938 he was elected Department Commander and his regime was marked by an outstanding record in the promotion of Americanism.

He is survived by his widow, Mrs. Alice Evans Smith, and a son John Evans Smith, who is now in military service; therefore be it

Resolved, That the House of Representatives extends its most sincere sympathy to the widow and son of this illustrious citizen of the Commonwealth; and be it further

Resolved, That the Chief Clerk of the House shall forward a copy of this Resolution to his widow, Mrs. Alice Evans Smith.

Mr. YEAKEL asked and obtained unanimous consent to report from the Committee on Rules as committed House Resolution No. 19 and for its immediate consideration.

The resolution was twice read, considered and adopted as follows:

In the House of Representatives, February 9, 1943.

George W. Hensel, Jr., of Quarryville, Lancaster County, Pennsylvania, founder of the Slumbering Groundhog Lodge of Quarryville, died at his home on Sunday, February 7th, after a busy life that added six years to his allotted span of three score and ten.

Merchant, banker, philosopher and sage, he lived in a house by the side of the road, and watched the world go by, giving to it in rich abundance of his wit and wisdom.

For thirty-seven years he was the Hibernating Governor of the lodge that he had founded, which counted among its members some of the most prominent citizens of the Nation, and some from foreign lands.

All his life he was a prominent Democrat and served as Post Master of his home town, as United States Jury Commissioner, as a member of the Board of Public Assistance of his county, and as a Valley Forge Park Commissioner.

He was President and a director of the Martinsville Horse Detective Association, a Director of the Humane Society, a member of the Pennsylvania Society, the Lancaster County Historical Society and the Pennsylvania German Society, and of the St. Paul's Evangelical and Reformed Church.

For many years his home and store in Lancaster County were the mecca for Governors, Members of Congress, prominent judges and high officials of the Army and Navy.

His death will deprive his home county of its most unique and outstanding character who brought prominence to it through the close friendships he made with prominent people who delighted in his company; therefore be it

Resolved, By the House of Representatives of the Commonwealth of Pennsylvania that in the passing of George W. Hensel, Jr., an outstanding citizen has been lost whose place in history will always reflect credit upon it,

That the House extends to his widow its most sincere sympathy; and be it further

Resolved, That the Chief Clerk of this House shall transmit to his widow, a copy of this resolution.

## BILLS ON FIRST READING

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 169, entitled:

An Act establishing and providing for the defining of the boundaries of highway protective strips along state highways and the Pennsylvania Turnpike outside cities, boroughs and towns; for the regulation of the location and other characteristics of buildings and structures and of the uses of buildings, structures and land within said highway protective strips and for the location and design of access roads creating the State Roadside Zoning Commission; prescribing its powers and duties; conferring powers and imposing restrictions on powers of counties, municipalities and townships; providing for the enforcement of this act and for disposition of fees and fines collected hereunder, 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 House proceeded to the first reading and consideration of Senate Bill No. 492, entitled:

An Act to reenact and further amend the title of, and the act, approved the twenty-ninth day of September, one thousand nine hundred thirty-eight (P. L. 53) entitled "An act relating to institutions of counties, cities and institution districts for the care, maintenance and treatment of mental patients; providing for the transfer of such institutions to the Commonwealth; providing for the management and operation or closing and abandonment thereof, and the maintenance of mental patients therein, including the collection of maintenance in certain cases; providing for the retransfer of certain property to institution districts under certain circumstances; conferring and imposing upon the Governor, the Department of Welfare, the courts of common pleas and counties, cities and institution districts certain powers and duties; prohibiting cities, counties and institution districts from maintaining and operating institutions, in whole or in part, for the care and treatment of mental patients; and repealing inconsistent laws," including institutions of wards boroughs, townships and other political subdivisions under the terms thereof; and providing for the retransfer of certain property to counties, cities, wards, boroughs, townships, institution districts and other political subdivisions.

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

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 473, entitled:

An Act to further amend sections four five and nine of the act approved the twenty-eighth day of June one thousand nine hundred thirty-five (P. L. 463) entitled as amended "An act providing for [a limited period of time for] the incorporation as bodies corporate and politic of 'Authorities' for municipalities counties and townships defining the same prescribing the rights powers and duties of such authorities authorizing such Authorities to acquire construct improve maintain and operate projects and to borrow money and issue bonds therefor providing for the payment of such bonds and prescribing the rights of the holders thereof conferring the right of eminent domain on such Authorities authorizing such Authorities to enter into contracts with and to accept grants from the Federal Government or any agency thereof and for other purposes" by limiting the power of an Authority to acquire the title to projects subject to the jurisdiction

of the Pennsylvania Public Utility Commission by requiring approval of said commission.

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

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 445, entitled:

An Act giving the consent of the Commonwealth of Pennsylvania to the acquisition by the United States of America of a tract of land in the City and County of Philadelphia, Pennsylvania, known as the Philadelphia Armor Plate Plant, and ceding jurisdiction to the United States.

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

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 452, entitled:

An Act giving the consent of the Commonwealth of Pennsylvania to the acquisition by the United States of America of two tracts of land in Lycoming and Union Counties, Pennsylvania, known as Pennsylvania Ordnance Works, and ceding jurisdiction to the United States.

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

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 457, entitled:

An Act giving the consent of the Commonwealth of Pennsylvania to the acquisition by the United States of America of two tracts of land in the Forty-eighth Ward of the City of Philadelphia, Pennsylvania, known as the Philadelphia Quartermaster Depot, and ceding jurisdiction to the United States.

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

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 500, entitled:

An Act giving the consent of the Commonwealth of Pennsylvania to the acquisition by the United States of America of two tracts of land in the City and County of Philadelphia, Pennsylvania, known as the Frankford Arsenal, and ceding jurisdiction to the United States.

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

## BILLS ON SECOND READING

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 689, entitled:

An Act to enable cities of the third class to adopt the city manager plan of government; providing the procedure for the adoption or discontinuance thereof; making suitable provisions for the conduct of city government thereunder and in connection therewith imposing certain duties on mayors, city councils, county commissioners, and election 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 Senate Bill No. 53, entitled:

An Act relating to the practice procedure regulations and adjudications of departments departmental administrative boards and commissions independent administrative boards and commissions officers and other administrative agencies of this Commonwealth and judicial review thereof and preserving equitable jurisdiction in certain cases and providing for certain exceptions.

The first section was read.

On the question,

Will the House agree to the section?

#### BILL RECOMMITTED

Mr. McKINNEY. Mr. Speaker, I move that this bill be recommitted to the Committee on Judiciary General.

The motion was agreed to.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 71, entitled:

A Joint Resolution proposing an amendment to section four article two of the Constitution of the Commonwealth of Pennsylvania providing for annual sessions of the General Assembly salary of members and annual general appropriations

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. 1070, entitled:

An Act providing for and regulating the appointment, promotion and reduction in rank, suspension and removal of paid operators of fire apparatus in boroughs, incorporated town and townships of the first class; 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 town and townships of the first class; imposing penalties and repealing inconsistent laws.

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. 239, entitled:

An Act to amend section one and two of the act approved the tenth day of July one thousand nine hundred thirty-five (P. L. 641) entitled "An act providing for the eradication of mosquitoes authorizing the establishment of county mosquito extermination commissions after popular referendum and the appointment of their members by the county commissioners prescribing the powers and duties of such commissions" by providing for abolition of existing mosquito extermination commissions after popular referendum.

The first section was read and agreed to.

The second section was read.

On the question,

Will the House agree to the section?

Mr. BRETHERICK offered the following amendment:

Amend as follows: Section 2, page 3, line 19, after the word effective strike out the following: "immediately upon final enactment;" and insert in lieu thereof the following: "the first Monday of January, nineteen hundred and forty-five."

It was agreed to.

The section was agreed to as amended.

The title was read and agreed to.

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

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 315, entitled:

An Act to further amend section sixteen of the act, approved the eleventh day of April, one thousand eight hundred sixty-two (P. L. 471) entitled "A further supplement to the act, entitled 'An act for the regulation and continuance of a system of education by common schools', approved the eighth day of May, one thousand eight hundred and fifty-four," clarifying and providing for the computation of cost of tuition for pupils from without the school district in certain cases.

The first section was read.

On the question,

Will the House agree to the section?

#### BILL DROPPED FROM CALENDAR

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

The motion was agreed to.

#### BILL PASSED OVER

There being no objection Senate Bill No. 243, Printer's No. 194, was passed over at the request of Mr. LICHTENWALTER.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 502, entitled:

An Act to amend sections two, three, four and five of the act, approved the second day of June, one thousand nine hundred thirty-seven (P. L. 1206), entitled "An act relating to memorial halls in counties of the second class, erected in memory of the soldiers, sailors and marines who served in the Civil War; and providing for the use, upkeep, and management and control of such halls." by including Disabled American Veterans among the organizations named in the act.

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. 54, entitled:

An Act providing for the Pennsylvania Register for the

publication and distribution of certain orders regulations rules notices proclamations and similar instruments imposing powers and duties on the Legislative Reference Bureau the Department of Property and Supplies creating the Pennsylvania Register Board and defining its powers and duties and making an appropriation for payment of expenses and costs of publication and distribution of the Pennsylvania Register.

The first section was read.

On the question,

Will the House agree to the section?

#### BILL RECOMMITTED

Mr. McKINNEY. Mr. Speaker, I move that this bill be recommitted to the Committee on Judiciary General.

The motion was agreed to.

#### BILL PASSED OVER

There being no objection Senate Bill No. 602, Printer's No. 3-1, was passed over at the request of Mr. LICHTENWALTER.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 258, entitled:

An Act to amend section two of the act approved the twenty-ninth day of April one thousand one hundred twenty-five (P. L. 358) entitled "An act for the identification of infants born in places where maternity cases are handled providing for the taking of finger or foot prints of infants and the filing of the same and charging persons in charge of such places with the enforcement thereof" by providing for the taking of finger prints of the mother of each such infants

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. 350, entitled:

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

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

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 371, entitled:

An Act to further amend section three of an act approved the thirteenth day of May one thousand nine hundred and twenty-seven (P. L. 988) entitled "An act providing for and regulating the State registration of nurses and licensed attendants the annual recording of registration certificates and regulating the profession of nursing and repealing certain existing laws" providing for emergency registration of Nurses to meet the present war emergency and a period thereafter.

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. 497, entitled:

An Act authorizing the Department of Property and Supplies with the approval of the Governor and the Navigation Commission for the Delaware River and its Navigable Tributaries to secure accommodations ashore for use by said commission in the conduct of the nautical school now located at the Port of Philadelphia and making an appropriation

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. 419, entitled:

An Act giving the consent of the Commonwealth of Pennsylvania to the acquisition by the United States of America of approximately twenty-one thousand acres of land in the County of Franklin Commonwealth of Pennsylvania know as the Letterkenny Ordnance Depot and ceding jurisdiction to the United States

The first and second sections were separately read and agreed to.

The third section was read.

On the question,

Will the House agree to the section?

Mr. LICHTENWALTER offered the following amendment:

Amend page 18, by inserting between lines 5 and 6 the following: "Section 4. The jurisdiction so ceded to the United States shall be upon the further condition that the Commonwealth reserves to itself and its political subdivisions whatever power of taxation it may constitutionally reserve, to levy and collect all taxes, now or hereafter imposed, by the Commonwealth and its political subdivisions upon property, persons and franchises, within the boundaries so ceded."

It was agreed to.

The section was agreed to as amended.

The fourth section was read.

On the question,

Will the House agree to the section?

Mr. LICHTENWALTER offered the following amendment:

Amend page 18, section 4, line 15, by striking out, with bold face brackets, after the word "Section" and before the word "This", the figure: "[4]"; and inserting in lieu thereof, the figure: "5".

It was agreed to.

The section was agreed to as amended.

The title was read and agreed to.

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

Ordered, To be transcribed for a third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 420, entitled:

An Act giving the consent of the Commonwealth of Pennsylvania to the acquisition by the United States of America of a tract of land in Lancaster County Pennsylvania known as the Marietta Holding and Reconsignment Point and ceding jurisdiction to the United States

The first and second sections were separately read and agreed to.

The third section was read.

On the question,

Will the House agree to the section?

Mr. LICHTENWALTER offered the following amendment:

Amend page 6 by inserting between the lines 16 and 17 the following: "Section 4. The jurisdiction so ceded to the United States shall be upon the further condition that the Commonwealth reserves to itself and its political subdivisions whatever power of taxation it may constitutionally reserve, to levy and collect all taxes, now or hereafter imposed, by the Commonwealth and its political subdivisions upon property, persons and franchises, within the boundaries so ceded."

It was agreed to.

The section was agreed to as amended.

The fourth section was read.

On the question,

Will the House agree to the section?

Mr. LICHTENWALTER offered the following amendment:

Amend page 6, section 4, line 26, by striking out, with boldface brackets, after the word "Section" and before the word "This", the figure: "[4]"; and inserting in lieu thereof, the figure "5".

It was agreed to.

The section was agreed to as amended.

The title was read and agreed to.

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

Ordered, To be transcribed for a third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 425, entitled:

An Act giving the consent of the Commonwealth of Pennsylvania to the acquisition by the United States of America of a tract of land in Crawford County, Pennsylvania, known as the Keystone Ordnance Plant, and ceding jurisdiction to the United States.

The first and second sections were separately read and agreed to.

The third section was read.

On the question,

Will the House agree to the section?

Mr. ALSPACH offered the following amendment:

Amend page 5 by inserting between lines 2 and 3 the following: "Section 4. The jurisdiction so ceded to the United States shall be upon the further condition that the Commonwealth reserves to itself and its political subdivisions whatever power of taxation it may constitutionally

reserve, to levy and collect, all taxes, now or hereafter imposed, by the Commonwealth and its political subdivisions upon property, persons and franchises, within the boundaries so ceded."

It was agreed to.

The section was agreed to as amended.

The fourth section was read.

On the question,

Will the House agree to the section?

Mr. ALSPACH offered the following amendment:

Amend page 5, section 4, line 12, by striking out, with boldface brackets, after the word "Section" and before the word "This", the figure: "[4]"; and inserting in lieu thereof, the figure "5".

It was agreed to.

The section was agreed to as amended.

The title was read and agreed to.

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

Ordered, To be transcribed for a third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 430, entitled:

An Act giving the consent of the Commonwealth of Pennsylvania to the acquisition by the United States of America of a tract of land in the Thirty-eighth Ward, of the City of Philadelphia, Pennsylvania, known as the Philadelphia Signal Depot, and ceding jurisdiction to the United States

The first and second sections were separately read and agreed to.

The third section was read.

On the question,

Will the House agree to the section?

Mr. ALSPACH offered the following amendment:

Amend page 3 by inserting between lines 21 and 22 the following: "Section 4. The jurisdiction so ceded to the United States shall be upon the further condition that the Commonwealth reserves to itself and its political subdivisions whatever power of taxation it may constitutionally reserve, to levy and collect all taxes, now or hereafter imposed, by the Commonwealth and its political subdivisions upon property, persons and franchises, within the boundaries so ceded."

It was agreed to.

The section was agreed to as amended.

The fourth section was read.

On the question,

Will the House agree to the section?

Mr. ALSPACH offered the following amendment:

Amend page 4, section 4, line 3, by striking out, with boldface brackets, after the word "Section" and before the word "This", the figure: "[4]"; and inserting in lieu thereof, the figure "5".

It was agreed to.

The section was agreed to as amended.

The title was read and agreed to.

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

Ordered, To be transcribed for a third reading.

BILL PASSED OVER

There being no objection Senate Bill No. 433, Printer's No. 448 was passed over at the request of Mr. ALSPACH.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 540, entitled:

An Act giving the consent of the Commonwealth of Pennsylvania to the acquisition by the United States of America of a tract of land in Montgomery County, Pennsylvania, known as the United States Naval Air Station, Hatboro Willow Grove, Pennsylvania, and ceding jurisdiction to the United States.

The first and second sections were separately read and agreed to.

The third section was read.

On the question,

Will the House agree to the section?

Mr. ALSPACH offered the following amendment:

Amend page 4 by inserting before line 1 the following: "Section 4. The jurisdiction so ceded to the United States shall be upon the further condition that the Commonwealth reserves to itself and its political subdivisions whatever power of taxation it may constitutionally reserve, to levy and collect all taxes, now or hereafter imposed, by the Commonwealth and its political subdivision upon property, persons and franchises, within the boundaries so ceded."

It was agreed to.

The section was agreed to as amended.

The fourth section was read.

On the question,

Will the House agree to the section?

Mr. ALSPACH offered the following amendment:

Amend page 4, section 4, line 10, by striking out, with boldface brackets, after the word "Section" and before the word "This", the figure: "[4]", "and inserting in lieu thereof, the figure "5".

It was agreed to.

The section was agreed to as amended.

The title was read and agreed to.

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

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 545, entitled:

An Act giving the consent of the Commonwealth of Pennsylvania to the acquisition by the United States of America of a tract of land in Cumberland County, Pennsylvania, for a supply depot, known as the United States Naval Supply Depot, Mechanicsburg, Pennsylvania, and ceding jurisdiction to the United States.

The first and second sections were separately read and agreed to.

The third section was read.

On the question,

Will the House agree to the section?

Mr. ALSPACH offered the following amendment:

Amend page 6 by inserting between lines 15 and 16 the following: "Section 4. The jurisdiction so ceded to the United States shall be upon the further condition that the Commonwealth reserves to itself and its political subdivisions whatever power of taxation it may constitutionally reserve, to levy and collect all taxes, now or hereafter imposed, by the Commonwealth and its political subdivisions upon property, persons and franchises, within the boundaries so ceded."

It was agreed to.

The section was agreed to as amended.

The fourth section was read.

On the question,

Will the House agree to the section?

Mr. ALSPACH offered the following amendment:

Amend page 6, section 4, line 25, by striking out, with boldface brackets, after the word "Section" and before the word "This", the figure: "[4]", and inserting in lieu thereof, the figure "5".

It was agreed to.

The section was agreed to as amended.

The title was read and agreed to.

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

Ordered, To be transcribed for a third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 304, entitled:

An Act to amend Sections 1205 1604 1605 1606 1607 1608 and 1843 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 nominations of candidates, primary and election expenses and election contests; creating and defining membership of county boards of elections; imposing duties upon the Secretary of the Commonwealth, courts, county boards of elections, county commissioners; imposing penalties for violation of the act, and codifying, revising and consolidating the laws relating thereto; and repealing certain acts and parts of acts relating to elections" by changing the time for closing the polls at primaries and elections further regulating the payment of primary and election expenses the making of contributions therefor the filing of expense accounts and providing penalties

The first section was read.

On the question,

Will the House agree to the section?

Mr. CHUDOFF offered the following amendments.

Amend Sec. 1, page 2, line 1, by striking out the figure "1205"

Amend Sec. (Sec. 1205), page 2, lines 14 to 18, both inclusive, by striking out all of said lines.

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. CHUDOFF offered the following amendments.

Amend title, page 1, line 1 of title, by striking out the figure "1205"

Amend title, page 1, last two lines of title on page 1, by striking out the words "changing the time for closing the polls at primaries and elections"

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.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 17, entitled:

An Act creating a Municipal Employees' Retirement System for the payment of retirement allowances to officers and employes of political subdivisions and institutions supported and maintained by them and providing for the administration of the same by a board composed of certain state officers and others appointed by the Governor imposing certain duties on the State Employees' Retirement Board and the actuary thereof providing the procedure whereby political subdivisions may join such system and imposing certain liabilities and obligations on such political subdivisions in connection therewith and as to certain existing retirement and pension systems and upon officers and employes of such political subdivisions and institutions supported and maintained by them providing certain exemptions from taxation execution attachment levy and sale and making an appropriation

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. 176, entitled:

An Act to amend an act approved the twenty-eighth day of July one thousand nine hundred and forty-one (P. L. 541) entitled "An act authorizing county commissioners to sell seated and unseated lands purchased at tax sales upon which the period of redemption has expired and validating certain sales heretofore made" extending the time within which sales may be made

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. 305, Printer's No. 171, 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. 355, entitled:

An Act to amend section three of the act, approved the twenty-seventh day of May, one thousand eight hundred forty-one (P. L. 400) entitled "An act relating to the election of county treasurers and for other purposes," by changing certain provisions as to the ineligibility of certain county officers to election as county treasurer.

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. 411, entitled:

An Act authorizing the Department of Property and Supplies, with the approval of the Governor and the Board of Trustees of the Philadelphia State Hospital, to acquire a certain tract of land for the use of said hospital, and making an appropriation therefor.

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. 416, entitled:

An Act authorizing the Department of Property and Supplies, with the approval of the Governor and the Board of Trustees of Western State Penitentiary to acquire certain tracts of land for the use of the State Penitentiary at Rockview, and making an appropriation therefor.

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. 428, entitled:

An Act authorizing the Department of Property and Supplies, with the approval of the Governor, and the Board of Trustees of Danville State Hospital, to acquire certain tracts of land for the use of said hospital, and making an appropriation therefor.

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. 462, entitled:

An Act making an appropriation to the State Veterans' Commission for the expense of the commission; furnishing certain assistance to needy Pennsylvania veterans of any war or their dependents; for participation in certain defense activities and for the rehabilitation and care of veterans, including the acquisition of land and construction of buildings for such purpose.

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. 519, entitled:

An Act establishing as state highways certain county highways and requiring their construction repair and maintenance as such

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. 523, entitled:

An Act to amend section six hundred 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 the completion of public monuments.

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. 609, entitled:

An Act relating to the release reduction or limitation of powers of appointment

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. 615, entitled:

An Act to amend section sixty of the act, approved the seventh 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 and of minors, and of trust estates; including the appointment, bonds, rights, powers, duties, liabilities, accounts, discharging and removal of executors, administrators, guardians, and trustees, herein designated as fiduciaries the administration and distribution of the estates of presumed decedents; widow's and children's exemptions; debts of decedents, rents of real estate as assets for payment thereof, the lien thereof, sales and mortgages of real estate for the payment thereof, judgments and executions therefor, and the discharge of real estate from the lien thereof; contracts of decedents for the sale or purchase of real estate; legacies, including legacies charged on land; the discharge of residuary estates and of real estate from the lien of legacies and other charges; the appraisal of real estate devised at a valuation; the ascertainment of the curtilage of dwelling houses or other buildings devised; the abatement and survival of actions, and the substitution of executors and administrators therein; the survival of causes of action and suits thereupon by or against fiduciaries; investments by fiduciaries; the organization of corporations to carry on the business of decedents; the audit and review of accounts of fiduciaries; re-unding 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," further regulating the administration and distribution of the estates of missing persons; prescribing the jurisdiction, powers and duties of the orphans' court relative thereto, and of the trustees appointed by said court for the management, control and distribution of such estates; and repealing existing laws.

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. 551, entitled:

An Act authorizing the Department of Public Instruction with the approval of the Board of Trustees of the Kutztown State Teachers College to contract with the borough of Kutztown for the right to connect the said college with the borough sewer system and the payment of a part of the cost of construction of such sewer system, and making an appropriation.

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. 185, entitled:

An Act to further amend clause (c) of paragraph nineteen of section one thousand two hundred ten of the act approved the eighteenth day of May one thousand nine hundred eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" by providing that school districts of the third class which are in or coterminous with townships shall hereafter be entitled to receive annual payments from the Superintendent of Public Instruction for certain closed or discontinued schools

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. 581, entitled:

An Act to further amend section one thousand seven hundred seven 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 allowing certain pupils to attend schools in other districts.

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. 593, entitled:

An Act relating to vocational rehabilitation; accepting the provisions and benefits of the act of Congress, approved the second day of June, one thousand nine hundred and twenty, entitled "An act to provide for the promotion of vocational rehabilitation of persons disabled in industry or otherwise and their return to civil employment"; providing for the rehabilitation of persons disabled in industry and their return to civil employment; imposing duties upon the Bureau of Rehabilitation, the Department of Labor and Industry and the State Treasurer.

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. 634, entitled:

An Act to amend section one of the act, approved the thirty-first day of July, one thousand nine hundred forty-one (Appropriation Acts of 1941, P. L. 81), entitled "An act making an appropriation to the Thomas Jefferson Bicentennial Commission of Pennsylvania," by providing that the unexpended balance of the appropriation made by said act shall not lapse until the purposes for which it was made are fully completed, and the affairs of the Thomas Jerguson Bicentennial Commission of Pennsylvania are finally closed.

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. 635, entitled:

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

And said bill having been read at length the second time and agreed to  
 Ordered, To be transcribed for third reading.

RULES 14 and 41 SUSPENDED

Mr. LICHTENWALTER. Mr. Speaker, I move that Rules 14 and 41 be suspended for the specific purpose of reading Senate Bills Nos. 589 and 619 recently reported from committee as committed.

On the question,  
 Will the House agree to the motion?  
 The yeas and nays were required by Mr. Cullen and Mr. Tate.  
 Messrs. Tate, Lane and Cohen asked for a verification of the roll.  
 The roll was verified and was as follows:

YEAS—124.

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

NAYS—59.

- |          |           |         |           |
|----------|-----------|---------|-----------|
| Baker,   | Elliott,  | Lovett, | Reynolds, |
| Barrett, | Finnerty, | Modell, | Sarraf,   |

- |                 |                |               |           |
|-----------------|----------------|---------------|-----------|
| Bentzel,        | Goodwin,       | Mooney,       | Scanlon,  |
| Boory,          | Grant,         | Moran,        | Schuster, |
| Bradley,        | Green,         | Munley,       | Skale,    |
| Brunner, P. A., | Haberlen,      | O'Brien,      | Snider,   |
| Burns,          | Hamilton,      | O'Neill,      | Swope,    |
| Chervenak,      | Harris,        | Owens,        | Tate,     |
| Chudoff,        | Heatherington, | Petrosky,     | Thompson, |
| Cohen,          | Hunter, B. F., | Pettit,       | Trent,    |
| Coleman,        | Kirley,        | Polaski,      | Weiss,    |
| Corrigan,       | Kolankiewicz,  | Powers,       | Welsh,    |
| Croop,          | Lane,          | Readinger,    | Wright,   |
| Cullen,         | Leonard,       | Reese, R. E., | Yester,   |
| Dillon,         | Longo,         | Regan,        |           |

So the question was determined in the affirmative and the motion was agreed to.

BILLS ON FIRST READING

Agreeably to order,  
 The House proceeded to the first reading and consideration of Senate Bill No. 589, entitled:

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

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

Agreeably to order,  
 The House proceeded to the first reading and consideration of Senate Bill No. 619, entitled:

An Act to further amend section four hundred fifty-two of the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 179), entitled, "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions, and officers thereof, including the boards of trustees of State Normal Schools, or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards, and commissions; defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, commissions, and officers; fixing the salaries of the Governor, Lieutenant-Governor, and certain other executive and administrative officers; providing for the appointment of certain administrative officers, and of

all deputies and other assistants and employes in certain departments, boards, and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments, boards and commissions shall be determined, as amended, by changing the provision regarding the maximum compensation of the State Civil Service Commission.

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

## BILLS ON FINAL PASSAGE

### BILL PASSED OVER

There being no objection

House Bill No. 933, Printer's No. 729, and

Senate Bill No. 297, Printer's No. 441,

was passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the consideration on final passage of Senate Bill No. 311, as follows:

An Act relating to appointments reclassifications and promotions made under any civil service system of this Commonwealth after the effective date of this act until a period after the cessation of hostilities making such appointments of war duration providing for examinations at the end of such period suspending inconsistent laws saving the right to return to former position and status suspending powers and duties of the Personnel Director of the State Civil Service Commission for a limited period and conferring powers on the State Civil Service Commission

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

Section 1 In order that the men serving in the armed forces of the United States and the women serving in the uniformed services directly connected with the armed forces of the United States during the present hostilities shall not be put to a disadvantage because of such service in securing public employment under the several civil service systems of this Commonwealth through examinations held for permanent appointments and permanent appointments pursuant thereto made during their absence all appointments reclassifications and promotions to positions in any department board commission or state agency of this Commonwealth that is now or hereafter becomes subject to civil service requirements under any law rule or regulation of any department board commission or state agency that are made after the effective date of this act shall be war-duration appointments until appropriate eligible lists can be established after the cessation of all hostilities as hereinafter provided

Section 2 Each such appointment reclassification and promotion hereafter made by the appointing authority shall be made under and in accordance with such rules and regulations as may with the approval of the Executive Board established by The Administrative Code of 1929 as amended be adopted by the department board commission or state agency having or whose head has the power of appointment or has supervision over other appointing authorities All appointments reclassifications and promotions made under the authority of this act shall continue until the same can be filled from employment and promotion lists established as the result of examinations given by the Personnel Director or other appropriate officer or agency on or after a date as hereinafter provided in the manner and subject to the provisions of the Civil Service Act or other applicable law rule or regulation Any person who accepts war-duration appointments reclassifications or promotions shall have the right of return to their former positions and status in the Classified service

Section 3 Six months after the cessation of hostilities

in all wars in which the United States is now engaged the Personnel Director or other appropriate officers of any department board commission or state agency shall commence the preparation of eligible lists in accordance with laws rules and regulations then in effect in order that eligible lists may be available from which to make appointments under civil service upon the expiration of this act In computing the final rating attained in any examination to establish eligible lists as provided for in this section no extra weight or experience credit shall be given to any war-duration employe appointed under the provisions of this act by reason of his or her war-duration employment in any department board commission or agency of the Commonwealth affected by this act except where such war-duration employe has been honorably discharged from some branch of the armed service of the United States or from some women's uniformed service directly connected therewith

Section 4 The powers and duties of the Personnel Director of the State Civil Service Commission are hereby suspended for the duration of the war and until six months after cessation of all hostilities but the State Civil Service Commission shall exercise such powers and duties of the Director as are not inconsistent with the provisions of this act or with the rules and regulations adopted by the department board or state agency having or whose head has the power of appointment

Section 5 The provisions of the act approved the fifth day of August one thousand nine hundred forty-one (P. L. 752) entitled "An act regulating and improving the civil service of certain departments and agencies of the Commonwealth vesting in the State Civil Service Commission and a Personnel Director certain powers and duties providing for classification of positions adoption of compensation schedules and certification of payrolls imposing duties upon certain officers and employes of the Commonwealth authorizing service to other State departments or agencies and political subdivisions of the Commonwealth in matters relating to civil service defining certain crimes and misdemeanors imposing penalties making certain appropriations and repealing certain acts and parts thereof" in so far as the same are inconsistent with the provisions of this act and every other act and part of act inconsistent therewith are hereby suspended so long as this act shall remain in effect

Section 6 The provisions of this act shall become effective immediately upon final enactment and remain in effect until eligible lists have been established and appointments made as provided herein

On the question,

Shall the bill pass finally?

Mr. CULLEN. Mr. Speaker, Senate Bill No. 311, Printer's No. 444, which has been amended, I think five times before, has become infamously known throughout the Commonwealth and elsewhere as the Wade-Taylor Civil Service Ripper Bill.

I know that this bill will be passed by this House.

I am aware that with its passage through this Chamber, civil service as it should be properly administered in Pennsylvania will pass into oblivion.

I believe, too, that this bill in its present form is a fake and a fraud.

I am confident, too, that if Republican Members could, they would agree with me that it is a fake, and a fraud, and its sole purpose is job-grabbing.

I am not alone in this belief. Every fair-minded newspaper editor in this state is opposed to its passage.

Listen to what the Evening Bulletin of Philadelphia has to say about Civil Service rippers. In an editorial entitled, "Ousting The Service Men"

A rule that gave a civil service employe of this State the right to resume his job upon his release

from military service would appeal to everybody as fair and proper.

But this is not what is proposed by sponsors of the civil service rippers in the Legislature at Harrisburg. They profess to be fearful lest there be no jobs with the State and local governments for which the boys can compete when they return from the wars. So they propose that all jobs falling vacant until the end of the war \* \* \* be filled permanently by competition at some uncertain date after the cessation of hostilities.

There is a certain plausibility about the idea, but it promptly withers away on examination. One difficulty lies in the rank of unfairness to the man who, on entering the military service, leaves a job he has won for himself in civil service competition.

Certain members of the Legislature are now telling him, out of their deep friendship for him that they intend not to give him back his old job, but to throw it open to the competition of all comers.

The editorial closes by saying this:

It doesn't add up. The motive of these bills is just plain spoils, not solicitude for servicemen.

Mr. Speaker, the editorial which I have just read is not from a Democratic newspaper. The Evening Bulletin, is one of America's greatest newspapers. It is independent in its politics. It is fair and honest. It is impartially edited in the best interests of our citizens and in the best traditions of what an American newspaper should represent in public service.

But even this condemnation by so impartial a newspaper as the Bulletin, which has so clearly warned the Republicans of what they are doing, will not stop the blindness of the majority leadership. And in this instance, the Republican state leadership must take the full blame, for this bill is co-sponsored by the Republican State Chairman.

Other representative newspapers have expressed the same thought as does the Bulletin. But even this state-wide protest against the double-crossing of servicemen will not be sufficient to prevent its passage.

We on this side of the House are unable alone to prevent its enactment.

All that we can do in this war veteran's crisis is to plead in their behalf to virtually deaf ears.

All that we can do is make a futile effort to salvage as much as possible for the patriotic men and women who cannot come here and voice their own denunciation and pleas for fairness.

This House agreed Monday to amendments offered by the gentleman from Philadelphia, Mr. Cohen, which amendments, I am told, were submitted to the majority and to a representative of the Republican State Committee. However, the bill as it stands now, is still an insult and imposition on the servicemen. In Section 3 it is provided "Six months after the cessation of hostilities in all wars in which the United States is engaged", which simply means that should the war in one theatre cease and those veterans return to civil life, they would still be unable to compete for jobs since the nation might be engaged in a war in another part of the globe.

This bill, Mr. Speaker and members of the House, is a Republican party "must" bill.

It is "must" because the Republican party must have more jobs.

It is not "must" because the Republican leadership believes they are doing something for the servicemen.

You know what you are doing, and what we on this side of the House know you are doing is also known by everyone who has read the bill.

This bill has been discussed in Republican caucus and has been amended and amended. No member on the other side can later say he voted under a misapprehension. Republicans will vote straight down the line and deny jobs to freedom's defenders.

What the Republicans are in effect saying in this bill to their prospective appointees is this "You are now, and will be a State employe as long as you behave yourself. We enacted this bill for faithful Republicans."

You are saying "We were, and still are, opposed to civil service in the Departments of Public Assistance; the Liquor Control Board; the Department of Health; Unemployment Compensation and all other departments, boards and commissions."

You are saying "It makes jobs for Republicans because we hold the appointing power through Departmental secretaries."

You are saying "Take the job and forget all about civil service."

That easily could be a conversation between a job-getter and a job seeker—a Republican bigwig and a Republican worker.

Neither the Republican Senators nor the Republican Members of this House can honestly run around the State shouting "We saved jobs for war veterans."

This bill does just the opposite. This simply would be deliberate lying and gross deceiving.

It saves little for the men and women members of our armed forces and their auxiliaries.

It is a fraud, a brazen fake, a dishonest way of dealing into jobs Republican followers, and a shameful way to deal out war veterans, under the guise that they are being protected.

It does little for the men in the service.

If the relatives and friends of these men and women have written to them saying jobs are being kept intact for their return, they have been fooled by Republican duplicity.

War or no war, Republicans want jobs for Republicans.

Recently we celebrated the birthday of Thomas Jefferson and there was much speaking on retaining the American way of life—about liberty and justice for all, in the spirit of the nation's founders.

Now we are confronted with the spectacle of the Republican party denying justice to those who are defending our liberties.

What would Jefferson, with his intense desire for justice, say about such a bill as ~~this~~?

He would denounce it as being a stab in the back to all servicemen!

Mr. Speaker and Members of the House, this whole bill is quackery. It is a travesty on the American way of justice. It needs lots of amending before it can be acceptable to us, or to servicemen.

This bill, Mr. Speaker, will freeze into jobs the war-duration employes as securely as the Republican leadership desires.

It saves little for the servicemen.

When the defenders of liberty come back, they will have less opportunity for a State job than they had before they left to defend you and me.

It is taking advantage of men while they are in a life or death struggle to protect us and the very method of law-making that we say we so cherish, but which at this minute, is flagrantly flaunted for political purposes.

I say that this bill saves nothing for the servicemen and women because it prevents them from having a chance to displace those who will be appointed to the vacancies that shall occur and the inevitable changes that will be brought about through dismissals on the slightest pretext.

No one knows what the departments and boards and commissions will determine to be the rules and regulations which are provided to be established by this act.

Now another matter that should be clarified is the right of appeal. In the act before it was amended as we now have it, the Superintendent of Public Instruction was to hear appeals. This provision has been dropped. It was dropped probably because the Federal Government would not go along with such a concentration of power. Personally, I don't know, and members of this House probably don't know, how the Federal Government feels towards the provisions of the bill as it now stands.

We in Pennsylvania receive about \$45,000,000 a year from the Federal Government or \$90,000,000 a biennium. We receive this Federal money for two reasons. The first is that the Federal Government is aware that States cannot carry entirely the cost of the various social services, and, secondly, we receive these huge funds because we conform to the provisions of the Social Security Act with respect to civil service.

I don't believe Governor Martin's policy is to lose the Federal assistance. But, if it isn't his intention to conflict with Washington on this vital matter of civil service, then this bill needs more than the casual passage that it would have, should we on this side of the House not have pointed out the inequalities that the bill in its present form makes certain.

Mr. Speaker, this bill has been exposed for the trickery that it establishes in governmental office. Any attempt to amend it can give but little relief to the servicemen over whom this administration has been shedding crocodile tears.

Mr. Speaker, this bill is iniquitous and the fact that it was reported out of Committee, is an insult to the members of this House.

I, therefore ask, the Members of the House to vote "no" on this bill.

Mr. LICHTENWALTER. Mr. Speaker, I just want to make a few very brief remarks relative to the amendments that have been inserted in this bill. I will not take the time of the House to discuss the amendments because it has been decided that this bill is to go to a conference committee and then we can adopt a conference report. I would just like to briefly reply to a few remarks made by the gentleman from Philadelphia.

He first read from an editorial, I believe, which appeared in the Philadelphia Evening Bulletin. I might say when that editorial was written most of the things which had been under criticism were things which have now been corrected by amendments inserted in the bill. When that

editorial was written the bill as it appeared in the Senate had abolished the entire Civil Service Commission, had abolished the Director of the Civil Service Commission. The amendments inserted in the House also changed the effective date of this particular act which was also under criticism, as I recall, in that editorial.

The gentleman from Philadelphia also stated that it would freeze those people that are now in the particular jobs, in those jobs. If the gentleman will read the bill it is exactly the opposite; it provides that from the effective date of the act those employed from that particular date back to March 16, 1942 are not frozen in their jobs but are provisional employees. They will also have to stand for the same tests as the boys and girls who return from the armed services and are qualified to take these examinations.

As far as the Federal Government is concerned, I would like to inform the gentleman that as late as today the Federal Government has approved the provisions of this act and the amendments which are to be inserted. Therefore, I feel the arguments of the gentleman must fall and I ask for the enactment of Senate Bill No. 311.

Mr. CULLEN. Mr. Speaker, I desire to interrogate the gentleman from Lehigh, Mr. Lichtenwalter.

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

Mr. LICHTENWALTER. I shall, Mr. Speaker.

Mr. CULLEN. Mr. Speaker, did I understand the gentleman to say that the Federal Government has agreed that this will conform with the Federal act after he has put in the amendments which he intends to put in?

Mr. LICHTENWALTER. That is correct, Mr. Speaker.

Mr. CULLEN. All right, I thank the gentleman.

Mr. Speaker, I do not have a copy of the proposed amendment. All I can talk about is the bill before me. What they might put in it in the conference committee I don't know, and whether that will agree with the Federal regulations I don't know. The assumption is that they are going to do something, that the Senate and the House will get together in the dying hours of this session and agree on it. I can't see that the Majority Floor Leader has answered any of the charges made in my address.

Mr. McMILLEN. Mr. Speaker, I listened with considerable interest to the arguments of the gentleman from Philadelphia on the bill and tried to follow him through on his thoughts. I find myself in quite a bit of difficulty in trying to connect his thoughts one with the other. It seems to me maybe they did not tie up, and summing up his entire argument I might give a little story I once heard.

It is reported that a farmer was driving down a country road in his Model T Ford behind three bulls traveling in the same direction, a big bull, a medium sized bull and a little bull. Following the three bulls down the road for some distance the farmer became quite discouraged and horned them off the road. The big bull turned off into a clover field to eat and rest. The two bulls now continued on down the road. Finally the middle sized bull became tired and turned up into a field to eat and rest, but the little bull was persistent; he stayed in the middle of the road. The farmer in desperation horned the little bull to pull over to the side of the road, but he wouldn't.

The farmer finally in desperation pulled up beside him and said; "Listen, little bull. Why don't you pull off to the side of the road and eat and rest?"

The little bull turned to the farmer, and in reply said, "You, Mr. Farmer, better than anyone else should know that a little bull can go a long, long way."

Mr. LOVETT. Mr. Speaker, I desire to interrogate the Majority Floor Leader.

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

Mr. LICHTENWALTER. I shall, Mr. Speaker.

Mr. LOVETT. May I ask the gentleman, Mr. Speaker, if I understood him that we are now going to amend this bill in a conference committee?

Mr. LICHTENWALTER. That is correct, Mr. Speaker.

Mr. LOVETT. That is all, Mr. Speaker, may I call upon my good friend Homer Brown, and the gentleman whose name I do not know, who offered the resolution last night to amend the Constitution, and ask those two men whether or not they think we are within the Constitution when we start to amend bills in conference committees instead of on the floor of the House?

On the question recurring,

Shall the bill pass finally?

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

## YEAS—122

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

## NAYS—69

|                 |                |           |               |
|-----------------|----------------|-----------|---------------|
| Baker,          | Elliott,       | Longo,    | Reese, R. E., |
| Barrett,        | Finnerty,      | Lovett,   | Regan,        |
| Bentzel,        | Goodwin,       | Maxwell,  | Reynolds,     |
| Boory,          | Grant,         | Mihm,     | Sarrat,       |
| Bradley,        | Green,         | Modell,   | Scanlon,      |
| Brigerman,      | Haberlen,      | Mooney,   | Schuster,     |
| Brown,          | Hamilton,      | Moran,    | Skale,        |
| Brunner, P. A., | Harris,        | Munley,   | Snider,       |
| Burns,          | Heatherington, | O'Brien,  | Swope,        |
| Chervenak,      | Herman,        | O'Connor, | Tate,         |
| Chudoff,        | Hersch,        | O'Neill,  | Thompson,     |
| Cohen,          | Hoggard,       | Owens,    | Trent,        |
| Coleman,        | Hunter, B. F., | Petrosky, | Verona,       |
| Corrigan,       | Kirley,        | Pettit,   | Weiss,        |
| Croop,          | Kolankiewicz,  | Polaski,  | Welsh,        |
| Cullen,         | Lane,          | Powers,   | Wright,       |

Dillon,  
Duffy,

Leonard,

Readinger,

Yester,

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

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

## BILL ON THIRD READING

Mr. HARE. Mr. Speaker, I desire to call up at this time Senate Bill No. 85, Printer's No. 37 on page 20 of today's calendar, which was temporarily postponed earlier today.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 85, entitled:

A Joint Resolution making application to the Congress of the United States to call a convention for proposing an amendment to the Constitution of the United States prohibiting the imposition of conditions upon grants of moneys and rebates of taxes in certain cases

On the question,

Will the House agree to the bill on third reading?

Mr. BROWN. Mr. Speaker, with the consent of the gentleman from Somerset, Mr. Hare, and the Senator from Philadelphia, Mr. Kephart, I ask unanimous consent to offer amendments at this time.

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

The Clerk read the amendments as follows:

Amend Bill, Sec. 1, page 2, line 11 by striking out the words "pass any".

Amend Bill, Sec. 1, page 2, lines 12 to 18 inclusive, by striking out the said lines and inserting in lieu thereof the following: "make any law providing to any state or to the people".

Amend Bill, Sec. 1, page 2, line 20 inserting between the words "otherwise" and "any" the following: "except in the exercise of powers delegated to the United States by the Constitution".

Amend title of Bill, page 1, lines 4 and 5 of title by striking out the words "the invasion of the states-rights" and inserting in lieu thereof the following: "rebates to taxes in certain cases".

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 RESOLUTION No. 71

Mr. STOCKHAM. Mr. Speaker, I desire to call up House Resolution No. 71, Printer's No. 744.

The Resolution was read by the Clerk as follows:

In the House of Representatives, May 5, 1943.

Whereas December 7, 1941 at Pearl Harbor proved

America cannot stay out of war because she wills it so and

Whereas The radio and the aeroplane have obliterated distances and brought all the world into close and related contact thereby destroying our former isolation and rendering necessary dealing with global problems as part of our own and

Whereas It has therefore become necessary for us to be thinking of world peace because it will be part of our peace and we must not be unprepared for that peace as we were for the war therefore be it

Resolved (if the Senate concur) That the Congress and the people of the United States give more thought to a closer association of the United Nations to further the speedy termination of the war and the winning of the kind of peace that will rid the world once and for all of the banditry and aggression that have made life intolerable for all people who believe in liberty and justice and the dignity of mankind

On the question,

Will the House adopt the resolution?

Mr. PAUL L. WAGNER. Mr. Speaker, I think we are justified at this late hour in taking probably just two minutes to discuss and stress the thought that goes with this particular resolution. It is a very simple resolution that at last has found its way to the House. One thing on which we can all agree, it expresses the desire and the hope and the prayer of the American people that the peace that follows this war may bring us to that state of civilized Christianity in which we may unite and live together peacefully and advance the interests of common humanity.

There are many things that I would like to say about this resolution. There are many things I would like to say about the peace that shall follow this war, but I want to just confine myself to one thought. One time St. John arose in a concentration camp on the Isle of Patmos, and presented that part of the Book of Revelations that we are probably best able to understand and appreciate. At that particular time he said "And I saw a new Heaven and a new earth, for the first Heaven and the first earth were passed away; and there was no more sea." That must have meant something to the people of Bible times, because the sea constituted a voyage, because the sea separated them from anything that lay beyond their vision and their immediate vicinity, and that prophecy and that vision have indeed come true today because there is indeed one world in fact, no more sea; distance has been annihilated in this world and no place ever again will be very far removed from any other place. We are now living in proximity without community. We of this world are living together but we do not understand one another. It is the hope of the people of Pennsylvania in this simple non-controversial resolution that we do not make the mistake after this war that we made after the previous one. We must disregard isolationism and put aside this feeling of singleness, and with the people of this earth we should learn to live together lest we and civilization perish.

I am asking, Members of the House, for your unanimous support of this resolution memorializing Congress for a just and lasting peace among men of good will.

Mr. DENMAN. Mr. Speaker, I desire to second this resolution.

Mr. Speaker, permanent peace is a vision which all men hope will become a reality. We can win war and

lose a peace. That is what happened in the First World War.

For countless generations men have engaged in warfare hoping in the end that some how, some way, there would be a lasting peace, which would end wars.

This thought is gradually coming to the front in the present conflict.

In a recent publication Mr. Wendell Willkie said "There are no distant places in the world any more." It is well known that no spot on this earth is more distant than thirty-six hours from any other spot.

Nations are realizing that the world of civilized persons probably could not withstand another world conflict in the future.

Religious people, throughout the world are expressing a concern over the future; a concern whether we shall again win a world war and again lose the peace.

These people are concerned with the establishment of a permanent peace. They realize that the formula for a permanent peace was given to the world nineteen hundred years or more ago by the living Christ in His Sermon on the Mount. They realize that if humanity can bring itself to follow those principles that there can be no war.

Efforts are being made to have this nation take a positive step in the ultimate direction of establishment of a permanent peace after this present war is won.

State Legislatures of North Carolina, of Maryland of Connecticut, New Jersey, Vermont and New York have passed resolutions asking the United States Congress to interest itself in a World Federation, founded on religious principles, dedicated to the proposition that nations shall live together in peace and that the hatreds which cause wars shall be no more.

Mr. Willkie further states:

We must face the fact that if billions of human beings are not to be disappointed, if the world of which we dream is to be achieved even in part, then today, not tomorrow, the United Nations must become a common council, not only for the winning of the war, but for the future welfare of mankind.

It is time for Pennsylvania, the Keystone state of this nation to express a concern over the proposition that all nations shall have the opportunity to live in peace.

Peace can come by the adoption of the principles of the Sermon on the Mount. We have but to look to the left front wall of this House of Representatives, to see the reaction of the American Indians when they were confronted by a stranger, William Penn, who practiced those principles, and there we learn that permanent peace can be established when it is so desired.

We have but to look to the right front wall of this House of Representatives to see what an aroused people, ruled by tyranny answer when unfairly treated.

The generations of warriors who have preceded us have hurled to us a torch of human freedom; they have challenged us to hold it high and not break faith with those who die that freemen might live; they have hurled to us the challenge to adopt the principles of the Sermon on the Mount. They, and those who now ask us to concern ourselves with taking a step tonight which will place Pennsylvania as another state desiring permanent peace expect us to remember that those who fought and died that this may come to pass, do not expect us to fail in our Christian Duty towards them.

It is time for us to take this step that we shall not disregard the mandates of those who went before; that we shall remember their sacrifices, sufferings and deaths, and that we shall avow ourselves that war shall be no more. Let us show our belief in the truths of our religious instructions.

Lord God of Hosts, be with us yet,  
Lest we forget.

Mr. BROWN. Mr. Speaker, some of us regret that resolution No. 71 does not go far enough, and for the sake of brevity I should like to read my remarks into the record.

Vice President Henry A. Wallace, addressing the Conference on Christian Bases of World Order held in Delaware, Ohio, on March 8, declared that there are three great philosophies in the world today.

The first based on the Supremacy of might over right says that war between nations is inevitable until such time as a single master race dominates the entire world and everyone is assigned his daily task by an arrogant self appointed Fuhrer. The second—the Marxian philosophy says that class warfare is inevitable until such time as the proletariat comes out on top everywhere in the world, and can start building a society without classes. The third—which we in this County know as the Democratic Philosophy denies that man was made for war, whether it be war between classes and asserts boldly that ultimate peace is inevitable, that all men are brothers and that God is their Father.

This statement of our distinguished Vice President will be accepted unanimously by the great majority of the people of the world as a great truth. However these philosophies are not new and we are face to face with the naked fact that these philosophies cannot live together in a world of lasting peace. We fought a world war 20 years ago, believed that the blood shed, the lives lost, the children made orphans, the gigantic debt incurred would be an unforgettable lesson. We achieved military victory, but we know now that we lost the peace. Sir Norman Angell in his recent book "Let the People Know" asks this question—This is a war to make the world safe for Democracy, so was the last, but it did not do it. Why should this one?

America is a great nation composed of great people of countless races and nationalities, and we must realize that this greatness that is our heritage likewise carries greater responsibilities, and unless we use our power in defense of the weak, soon the weak will be strong, and the strong will be weak. Certain truths must be self-evident. First, world peace cannot be achieved by demanding that all nations embrace our form of government, the form of government must be determined by those who live under that government. Second, race is unimportant, equality of the individual must be substituted for the idea of dominate race. Third, political states like individuals, must be willing to co-operate and demand that slavery of all forms be forever abolished, and that imperialism and militarism be completely destroyed. "Where there is no law, there is no freedom." It therefore follows that laws enunciated and enforced by those political states that believe in a lasting peace must be resident in some international or world forum, strong and powerful enough to punish any nation or group of nations that would seek again to plunge the world into another needless war.

Unless we are vigilant, there will arise in our midst

after we have achieved a military victory over the Axis, groups of persons who by wrapping themselves around our constitution will attempt to defeat our participation in a world federation. Those who will cry that we should not endanger our freedom by joining with other nations in this undertaking—they are present with us now. No nation can secure complete freedom for itself "Where all demand complete freedom, none in the end has any." France, Great Britain, the United States and all the defeated nations know this today. Will they recognize this fundamental truth when the war is won.

Finally if there is to be a lasting peace, we must join with all political states in compelling obedience to the most fundamental law that controls the destiny of all human beings, it is sometimes referred to as the "higher law," it is a law above our constitution, it is above all the law promulgated by man. Thou shall not kill must be given a new meaning and must have if we are to be saved from another slaughter the collective force of all nations sufficient to repel and to destroy any nation or groups of nations that would violate the natural right of people to live without being butchered and slaughtered.

In 1935 the Emperor of Etheopia called upon the world in these never-to-be-forgotten words:

Do the people of the world not yet realize that by fighting on until the bitter end, I am not only performing my sacred duty to my people but standing guard in the last citadel of collective security? Are they too blind to see that I have my responsibilities to the whole of humanity to face? I must hold on until my tardy allies appear. And if they never come, then I say prophetically and without bitterness: The West will perish.

Because this nation was weak, small and defenseless, the strong refused to heed his cry. The tardy allies were late appearing, and if after this war we forget this cry and fail to establish a force powerful enough of the nations of the world so that aggression will be outlawed forever, we cannot escape, witnessing and participating in further wars which are inevitable.

Mr. GATES. Mr. Speaker, I am delighted that even though it is in the closing days of this session Pennsylvania has finally awakened to the fact that this resolution is one of the most important pieces of legislation that has come before this House in this particular session. Pennsylvania should have been the first state in the United States to adopt a resolution of this kind, because it was on the soil of Pennsylvania that democracy was born. Through the selfishness and the avarice of a certain group of leaders across the waters they have caused the countries of the world to spend over eight hundred billion dollars, an amount of money that no man's mind can comprehend, and if this war continues, every country in the world will be bankrupt.

I am most heartily in favor of winning the peace and hope in conclusion, Members of this House, when a World Court is once established, in addition to the statesmen of the various countries of the world they will have on that court the religious leaders of the world, that they will take into consideration the Protestant Church of the world, that they will take into consideration the Roman Catholic Church of the world and that they will take into consideration the Jewish Church of the world, and on that World Court the representatives of these great religions shall find their place.

Mr. COHEN. Mr. Speaker, I was always taught in my youth, and I learned my lesson well, to be thankful for little things. One of the gentlemen who spoke on this resolution said it was a simple resolution, and in its text it is simple, but it takes in a most comprehensive and weighty subject which could be debated today, tomorrow and continuously for days and weeks and still not reach a complete conclusion, so let us each make brief comment and to each other give our brief thoughts so that they may be carried back with us to the end that they may eventually swell into the result that we seek to attain.

One of the previous gentlemen called this a resolution memorializing Congress. As I read the resolution I see no reference to memorializing Congress. We have passed many resolutions in this House memorializing Congress to do many things, such as the Ruml Plan and a lot of other things which are puny and inconsequential when placed along side and compared with the matter contained in this resolution.

I must take issue with the wording of the resolution when it only asks that the Congress and the people of the United States give more thought to a closer association of people. There is no necessity for reminding Congress that our people should give more thought to a post-war problem involving a good and decent peace; I should rather, Mr. Speaker, that this House memorialize Congress in so many words not to give thought to peace, but to take positive action toward planning today the peace of tomorrow.

We well remember that during the course of the last world war too little thought was given to the idea of a permanent peace, too little action rather was taken, so that when the war was won, at least the war of arms was won, Woodrow Wilson was unable to win the peace because a Congress and a Senate refused to win that peace. It left Woodrow Wilson a man broken in spirit and in health and brought on his early and premature death.

I think we should be well aware of our duty today as public servants to encourage our people not to think of what is to happen after the war of arms is over, but today to take positive action, to have positive planning on a world-wide basis, so that when the war of arms has ceased plans which have been formulated and the blueprints which have been drawn can be put into immediate action. I think it is the duty of the two great political parties in America to plan today for the peace of tomorrow, and not just to think of the peace of tomorrow.

I well remember not very long ago when Wendell Willkie, according to the newspapers, went to Chicago to a meeting of the Republican National Committee, and according to the newspapers it is reported that he had to fight to compel that committee to adopt a resolution which was more aggressive in thought than the contemplated action to be taken by the Convention.

I mention that as an instance of what members of political parties can do and should do today to urge those of their own political faith the ultimate goal of immediate planning and immediate action for the drawing of the terms and the plans of a peace which all of the gentlemen before me have so eloquently dwelt upon because we all know, and we know it in our hearts that we all want this to be the last war on earth, because frankly I am fearful that should the penalty of this war not be big enough and

heavy enough to lead us into a permanent peace the world must disintegrate and civilization must perish.

Mr. STOCKHAM. Mr. Speaker, it is fitting indeed that Pennsylvania take such steps as we are endeavoring to take here this evening, because out of the turmoil that existed in Europe in the seventeenth century there came a man to the shores of this Commonwealth. That man had vision, that man was prophetic. Among other things he wrote a prophecy which well applies in our world today, a theme written around the walls of the dome of the Capitol Building.

That an example may be set up to the nations, that we may do the thing that is truly wise and just and my God will make it the seed of a nation.

Here are the seeds that have been established even on the soil of this Commonwealth of ours, the way of liberty, the way of life and the way of justice. We must of necessity dare to lead. We are the hope of the world, and in that daring to lead, what we are fighting for today is predicted upon something this great William Penn wrote:

Justice is the end of Government, it is the end of civil society, it ever has been and will be pursued until it be obtained or until liberty be lost in the pursuit.

That is what we are fighting for today, that is what the United Nations are fighting for.

These are black days, that take courage, our brave boys in all parts of the world are fighting for the principles that William Penn himself wrote and prophesied. Dark indeed are the days.

The words were dark and the night was black  
And only an owl could see the track  
But the cheery driver made his way  
Through the great pine woods as if it were day.  
I ask him, "How do you manage to see?"  
The road and the forest are one to me."  
"To me the same," he replied, "and I  
Can only drive by the path in the sky."  
I looked above where the tree tops tall  
Rose from the road like an ebon wall  
And like a beautiful starry lane  
Round as the road wound and made it plain.  
And since, when my path is dark and drear  
And all is blackness and doubt and fear  
And the horrors of midnight are here below  
And I know not a step of the way to go  
Then, oh, then, I look on high  
And walk on earth by the path in the sky.

Mr. Speaker, I move the adoption of this resolution.

On the question,

Will the House adopt the resolution?

Mr. WELSH. Mr. Speaker, the resolution before us tonight is a little baby brother of that great big resolution that was introduced in the Senate some time ago that even the Democratic and Republican sponsors were so ashamed of that they put it up in the attic. It contained idealism, far greater idealism, than that advocated by the sponsor tonight in moving for the adoption of this resolution.

It seems to me that it tries to bring about a oneness of thought, a oneness of unity in the world, but that of itself is a thing that has very little foundation to rest upon. I know that the Members of the House want to go on their way tonight. I think I might say much that would contain logic, but I can say nothing more than the words contained in this morning's Harrisburg Patriot, in an editorial which I think explains this thing, and I feel

sure that those of you who have read it will recognize in it the real substance of what these idealists are trying to accomplish, and the uselessness of it.

The editorial is written by Mr. Paul Mallon, and it is actuated and prompted by that book written by Wendell Willkie "One World."

Most of you will remember when you were boys you read a book entitled "Around the World in Eighty Days." Mr. Willkie went around the world in forty-nine days, and as a result of that trip he wrote that book which prompted this editorial. I am inviting your kind attention to it. I will read:

Distances never have had anything to do with unity. You may have lived next door to two neighbors for 20 years, barely spoken to one and have become very close to another—but not nearly so attached as to a friend who lives on the other side of town, or perhaps one in Canada or Labrador.

Oneness is made out of something more spiritually substantial than distance. It comes from similarity of ideals, habits, customs, methods of living.

If a Chinese happened to live next door to you and you did not understand his way of life, the proximity would not in itself lead you to be friends. But if you happened to be a fellow Chinese, or a person who knew the Chinese way of life intimately, you might become close friends and might establish a basis of unity.

Nations are only groups of people in a world neighborhood, and always have been. We have lived many years an equal distance from both Mexico and Canada. With Canada, we share a valid bond of friendship; with Mexico, we had our troubles now happily adjusted.

Therefore, Mr. Willkie has erred grievously in his primary idea. He is just plain wrong in his initial assumption that whereas this was many worlds before, the plane has made it one world. It is the same old world, and, as distances have had nothing to do with the establishment of our international friendships of the past, they will have nothing to do with it in the future.

We like people who like us, who share our views, hopes, and expectations, and we will always continue to like such people and dislike others, regardless of how fast a few can fly back and forth.

Mr. Willkie's error is grievous, because if we now base our hopes of peace on a false assumption we will not only be disillusioned sadly, but we are likely to have more international troubles as a direct result, perhaps even war. Only a thoroughly realistic peace can be a lasting peace.

The plane, to be sure, will bring new commercial and military factors into the post-war world. Some say it may be possible for a debutante to order a gown straight from Paris by a mail order catalog for a week-end party.

Many people certainly will fly to England in eight hours. A great many people will use the plane for passenger service instead of boats, and it is possible commercial travel will eventually develop to an extent not known before.

From a military standpoint, it will also be necessary, for our protection, to acquire bases throughout the world from which we may intercept possible air attacks on us.

But these are not the things Mr. Willkie was talking about. He spoke of political unity as a primary assumption, but the prospective use of the plane commercially and militarily does not itself justify such an assurance.

These factors are just as apt to lead to rivalry as oneness. Certainly if rivalry is to be avoided entirely, the world politicians will have to remake human nature, not only here at home but chiefly abroad.

What I would consider more important than Willkie's views is what Stalin thinks about the future

use of the plane and its political effect. And those of Mr. Churchill's one British empire.

A few readers accused me of trying to "smear" Willkie. I have never smeared anyone. Smear tactics have been so notoriously pursued in several instances of late years that they should arouse the outraged indignation of every man—regardless of whether the smeared one is right or wrong.

Democracy is a debate in which false ideas should be smeared—never the personal dignity of the individual.

I would say, Mr. Speaker, that this resolution has been in the House for a long time. The resolution I referred to that was in the Senate as you will remember was not printed for public information. The only copies of the resolution that I could secure were those that I tore from a Senate History. This resolution comes to us in the last hours of this Legislature and it seems to me that the people of our Commonwealth should have had an opportunity to see, to read it, to dissect it and to fathom its real meaning, its real intent, and to come forward and speak against the false idealism that it most assuredly brings forth.

It seems to me it is a waste of money for us to print this, it is a waste of money to ask Congress to do anything about it. The time for this type of idealism has not arrived, and I hope that the Members of this General Assembly will vote this resolution down.

On the question recurring,

Will the House adopt the Resolution?

It was adopted.

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

## SENATE MESSAGE

### AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

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

HOUSE BILL No. 711.

An Act to further amend section one thousand one hundred twenty-six 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 further providing for the appointment of assistant county superintendents.

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

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

Amend section 1, page 2, line 16, by striking out the words and figures "one hundred and twenty-five (125)" and inserting in lieu thereof the words and figures "one hundred and thirty-five (135)"; also same page, line 19 by inserting light-faced brackets before and after the word "shall"; also same line by inserting after the word "shall" the word "may"; also same page, line 24 by inserting light-faced brackets before and after the word

"shall"; also same line by inserting after the word "shall" the word "may"; also same page, line 27, by inserting light-faced brackets before and after the word "shall"; also same line by inserting after the word "shall" the word "may"; also page 3, line 5, by inserting light-faced brackets before and after the word "shall"; also same line by inserting after the word "shall" the word "may"; also same page, line 9, by inserting light-faced brackets before and after the word "shall"; also same line by inserting after the word "shall" the word "may"; also same page, line 10, by inserting light-faced brackets before and after the word "shall"; also same line by inserting after the word "shall" the word "may"; also same page, line 14, by inserting light-faced brackets before and after the word "shall" the word "may"; also same line by inserting after the word "shall" the word "may".

On the question.

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

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

The motion was agreed to.

Ordered, That the Clerk inform the Senate accordingly.

#### COMMUNICATION FROM THE GOVERNOR

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

##### APPROVAL OF RESOLUTION RECALLING HOUSE BILL No. 662

Commonwealth of Pennsylvania,  
Governors Office, Harrisburg, May 6, 1943.

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

I have the honor to inform you that I have this day approved and signed House Concurrent Resolution recalling from the Governor House Bill No. 662, Printer's No. 220, for further consideration.

Accordingly, the original bill is herewith returned.

EDWARD MARTIN.

#### RECONSIDERATION OF VOTE

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

Mr. WILLIAM M. HUNTER. Mr. Speaker, I second the motion.

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

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

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

Mr. WILLIAM M. HUNTER. Mr. Speaker, I voted in the majority.

On the question,

Will the House agree to the motion?

It was agreed to.

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

The motion was agreed to.

On the question,

Will the House agree to the bill on third reading?

Mr. WATKINS. Mr. Speaker, I ask unanimous consent to offer an amendment at this time.

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

The Clerk read the amendment as follows:

Amend title, page 2, last line of title, by inserting after the word "petitions" the following: "and nomination papers".

The SPEAKER. Will the House give unanimous consent to the offering of amendment at this time? Is there objection?

The Chair hears none.

On the question,

Will the House agree to the amendment?

It was agreed to.

On the question,

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

It was agreed to.

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

#### ADJOURNMENT

Mr. READINGER. Mr. Speaker, I move that this House do now adjourn until Friday, May 7, 1943 at 12 noon.

The motion was agreed to, and (at 11:57 p. m.) the House adjourned.