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The Pennsylvania General Assembly of 1931

The Constitution provides that members of the General Assembly shall be elected every second year and the term of office shall begin the first day of December following their election. Representatives serve for two years and Senators for four years, but in the case of the latter, every two years one-half of the total body is elected. The terms of Senators in the even numbered districts expired December 1930, and will again in 1934, whereas the terms of Senators from the odd numbered districts expired in December 1928, and will again in 1932.

There are fifty senatorial districts and one Senator from each district. According to the Constitution the senatorial ratio in forming the districts is obtained by dividing the whole population of the State by the number fifty, whereas members of the House of Representatives are apportioned among the several counties on a ratio obtained by dividing the whole population of the State, according to the last United States Census, by the number two hundred, but each County shall have at least one representative.

Although the term of office of members of the Assembly begins on the first day of December after election, they do not convene until the January following, at twelve o'clock noon on the first Tuesday thereof.

In the history of the State we have had four Constitutions, viz., 1776, 1790, 1838 and 1873. Under the Constitution of 1776 there were fourteen annual regular sessions of the Assembly. Under that of 1790 there were forty-eight annual regular sessions and six special sessions. Under that of 1838 there were thirty-six annual regular sessions and four special sessions. Under the present Constitution of 1873 there have been thirty-one regular sessions, all biennial after the session of 1879. There have also been four special sessions, the last being the session of 1926.

The recent session of the Assembly was the one hundred and twenty-ninth regular session since the Declaration of Independence. Under the Constitution of 1776 there were no governors, the executive power being lodged in a Supreme Executive Council having a President and Vice-President. Under the Constitution of 1790 the office of Governor was revived from colonial times and the term of office was made three years, with eligibility of successive terms. Eight governors served under this Constitution. The same provisions applied to the Constitution of 1838, and nine governors served thereunder. The present Constitution of 1873 made the term of office four years, but forbade succession. Governor Pinchot is the fifteenth governor to serve under this Constitution and is but the second executive to be elected a second time, the first being Governor Robert Emory Pattison. Although the Constitution forbids the executive to succeed himself, there is no inhibition against additional terms not successive.

There are but three former Governors of Pennsylvania living, Edwin Sydney Stuart, John Kinley Tener and John Stuchell Fisher.

The one hundred and twenty-ninth session of the Pennsylvania Assembly convened January 6th, 1931, and adjourned sine die May 28th, 1931. As has already been stated, the Senate is composed of fifty members and by the provisions of the Constitution, the Lieutenant Governor is, ex-officio, the presiding officer of that body, but shall have no vote unless the senators be equally divided. By another provision the Senate shall at the beginning and close of each session elect a speaker pro tempore, who shall perform the duties of the Lieutenant Governor in case of absence or disability of that official and whenever the said office shall be vacant.

The House is composed of two hundred and eight members and from this number the body elects a Speaker as its presiding officer.

The ceremony of organizing the House is most interesting. On Monday night, January 5, 1931, the caucus meetings of the members, according to party affiliations, were held and candidates for speaker, chief clerk and

other officers of the House were nominated and agreed upon.

The following morning, Tuesday, the 6th of January, at eleven o'clock, one of the former members, who had been reelected to the present session, announced from the Speaker's stand "that the members of the House of Representatives will meet this day at twelve o'clock noon for the purpose of organization."

At the appointed hour the Chief Clerk arose at his place and declared: "This being the day appointed by the Constitution for the meeting of the General Assembly, and there being present a sufficient number of elected members to constitute a quorum, the House will come to order."

By the provision of the Constitution a majority of the members constitutes a quorum and consists of one hundred and five members. After the announcement of the Clerk, the Secretary of the Commonwealth appeared at the bar of the House and the Sergeant-at-Arms announced his presence. Whereupon the Secretary addressed the Clerk and stated that he submitted herewith the election returns of the several members from the respective districts agreeably to the Constitution and the laws relating to elections. The Secretary then retired and a member of the House then arose and made the motion that the returns of election be opened and read. After the announcement of the returns, the Clerk called the roll and each member signified by answering "present." The members were then requested to come forward and the oath of office was administered by a Judge of the Dauphin County Court. The members then took their respective seats theretofore arranged and assigned by the Clerk, each seat bearing a distinct number. Order having been restored, a motion was then made that the members "do now, in conformity with the 9th section of the second article of the Constitution, proceed to the election of a Speaker."

The contest in the Republican Primary of 1930 for the gubernatorial nomination was acrimonious, expensive and shrouded in doubt until the decision of the Supreme Court

on the Luzerne County vote in August of that year. The contestants were Brown, Phillips and Pinchot. The liquor question was injected by Phillips as a wet, which was met squarely by Pinchot as a dry, but evaded by Brown on a theory of solution by referendum. The wet vote went largely to Brown and Phillips, whereas the solid dry vote went to Pinchot with the addition of the vote of Allegheny and Luzerne Counties upon considerations largely political and to the exclusion of the liquor question.

In the general election the Democratic candidate, Hemphill, relied upon the wet issue, but the Republican candidate, Pinchot, ignored that issue, stressing principally, the utilities question and the taking over by the Commonwealth of twenty thousand miles of township roads to the relief of the overburdened local tax payers. Many prominent Republicans throughout the State voted for the Democratic candidate in the guise of nominee of the Liberal Party, created for the occasion. The result of the election was a victory for Pinchot by approximately thirty thousand majority. The most amazing feature of the campaign was the open repudiation of the party candidate by the Philadelphia Republican Organization, dominated by the utility and wet elements of the city.

These facts are essential in a study of the course of legislation in the recent session, the votes of the members and the attitude of the Governor and the General Assembly.

The presiding officer of a legislative body is a powerful factor for two reasons. First and most important, under the rules, he selects the membership of the various committees; and second, in the administration of affairs in the open sessions of the body, he applies the technical principles of parliamentary law. If, therefore, the governor has a program of legislation to put through both houses, it is prerequisite that he have a favorably disposed presiding officer in each body. Under the American system of constitutional law, the governments, both federal and state, are divided into three coordinate or equal bodies, known as the legislative, the executive and the judicial branches.

The legislative branch creates the law, the executive administers the affairs of government and the judicial branch applies and expounds the law. In addition to the above functions, the executive has the power of veto of any measures passed by the General Assembly and the judiciary has a further veto upon measures as passed by both houses and approved by the executive in that the judges may declare such law invoked in given cases tried before them as being violative of the written constitutions of either the federal or state governments. Historically and technically the executive has no more right to transcend the powers of the legislative branch in the matter of law making than has the judiciary to dictate the passage of law. So far in the development of constitutional procedure there have been no instances, either federal or state, of judicial attempts so to assume legislative functions, aside from the development by the courts of the power to declare as unconstitutional and therefore void legislative acts transgressing the terms of the written constitutions.

Nevertheless, the phenomenon of progressive, steady encroachment of executive power over that of the legislative is one of the governmental features of the past three decades. It is a by-product of the rise of administrative government. Any one familiar with State affairs at Harrisburg extending over thirty years must express amazement at the increase of bureaus, commissions and departments—with few exceptions under absolute control of “hire and fire” by the chief executive. The repose of such tremendous power in the hands of the Governor, magnified to the nth degree by the recent Administrative Codes, has brought about such an ascendancy of the executive office over that of the legislative as to cause genuine alarm to not only many conservatives, but likewise to leaders of progressive thought. Said Governor Philip La Follette in his message to the 1931 Wisconsin Legislature:

“I agree that a Governor must be held responsible for his actions as Chief Executive. I do not agree that he should attempt to dictate, in isolation, the general policy of the political group in power. No one man has suffi-

cient wisdom to diagnose the needs of the State. In the exercise of the extensive semi-legislative powers necessarily given to administrative authorities, a continuing study of their trends and effects by both official and unofficial leadership is now necessary."

See also an interesting article in June 1931, number of State Government by Professor Carroll H. Woody, University of Chicago, entitled: "The Legislature; Watch-dog or House Dog?"

In line with this modern development of executive power, Governor Pinchot announced before the convening of the General Assembly that he was unalterably opposed to the Senate re-electing Senator Augustus F. Daix, Jr., from the 6th Philadelphia District, as its President pro tempore during the 129th session of the General Assembly and pressed for favorable consideration by the Upper House as his candidate for this office Senator William D. Mansfield, of the 44th Allegheny District. This action precipitated a contest at the outset of the session resulting in the defeat of the Governor's candidate and the election of Senator Daix. The attitude of the majority of the Senators was that of resentment to what they contended was an interference with senatorial prerogative and a disturbance of senatorial precedent, Senator Daix having been elected the President pro tempore for the interim between the 128th and 129th sessions and the custom being for the Senate to re-elect such an incumbent to the ensuing session. The opposition of the Governor to Senator Daix was based, it was said, upon three grounds—(1) that as a Philadelphian he had not supported the candidacy of the Governor in the preceding November election; (2) that he was friendly to the utilities and therefore as presiding officer would name committees unfavorable to the Governor's policies; and (3) that in case of the death of the Lieutenant Governor and subsequently the Governor, under the Constitution Senator Daix as President pro tempore would succeed to the office of Governor. By reference to the Pennsylvania Manual, 1929, at pages 380-81 wherein is listed the Presidents pro tempore under the Constitution of 1873, it appears that

the precedent of re-election is established. Moreover, the antagonism engendered by this contest, together with the repeated onslaughts by the Governor against the Philadelphia Republican Organization, overshadowed much of legislation proposed in both houses during the session. However, in the lower House, the Governor was favored with a clear majority and consequently there was no contest over the Speakership. In the Republican Caucus the Honorable C. J. Goodnough, of Cameron County, was nominated for Speaker, together with all former officers of the House and at the first session were elected by a solid Republican vote. Mr. Goodnough had served as Speaker in the previous session of 1923.

The business of the House and its parliamentary procedure are governed by what are known as the Rules of the House. These rules are ninety-six in number, designated so numerically. A copy of these rules is given to each member by the Clerk and it is the member's duty to familiarize himself thoroughly with the same. Rule 89 provides:

"The rules of parliamentary practice comprised in Jefferson's Manual shall govern the House in all cases to which they are applicable, and in which they are not inconsistent with the standing rules of the House."

Consequently, it is also necessary for each member to have or acquire a fair working knowledge of the general principles of parliamentary law as set forth in the Manual, whose author was Thomas Jefferson. This Manual also constitutes the base of parliamentary practice observed in the Halls of the Congress of the United States, and was originally prepared by Jefferson for his own guidance, as President of the Senate in the years of his Vice Presidency from 1797 to 1801. In 1817, the House of Representatives of the United States by rule provided that the provisions of the Manual should govern the House when it did not conflict with standing Rules and Orders. A very helpful short treatise on parliamentary procedure has been prepared by the Hon. Henry C. Downward, a former Speaker of the House of Representatives of the State of Delaware. In our

local House through the course of years there have been collated a number of decisions of former Speakers on various questions as raised, and these must be likewise studied by the member who desires that his work in the House be intelligent and effective. The Rules of the House, together with the decisions, will be found published in the Pennsylvania Manual, 1929, page 992. The Senate likewise has its own set of Rules and decisions, and lastly there are a set of Rules which govern the General Assembly, viz. the joint body, composed of the Senate and the House. Needless to add, in addition to all the foregoing, the provisions of the Constitution of Pennsylvania must be studied, for it, of necessity, must constitute the base of all valid legislation. The business of the House is transacted largely through Committees, which are of four kinds and rank in the order named (Rule 22):

Committee of the Whole House
Standing Committees
Select Committees
Conference Committees

The Standing Committees are forty-five in number and cover every variety and subject of proposed legislation. By the terms of Rule 28 the several Committees shall consist of not less than twenty-five members, except the Committee on Appropriations, which shall consist of not less than forty members, and the Committees on Education, Electric Railways, Municipal Corporations, Public Health and Sanitation, Public Roads, and Ways and Means, which shall consist of not less than thirty-five members, and the Committee on Rules, five members.

After the organization of the House on January 6th, 1931, there was an adjournment to January 19th, 1931, being Monday, at nine o'clock in the evening. The purpose of this interval, which is the customary period, is to afford the Speaker the necessary time to study the personnel of the two hundred and seven members in the formation of the various standing committees. It is the endeavor of the Speaker to so locate the respective members on these com-

mittees as their experience, knowledge and training would indicate the most effectiveness and usefulness. As has already been intimated, political consideration and party policies have also an important bearing frequently in the matter of these appointments.

The House subsequently convened for business fully organized with the various committees appointed, upon the evening of January 19th, 1931, at nine o'clock.

House Rule No. 13 provides:

"The House shall convene on Mondays at nine o'clock, P. M., and on all other days, unless otherwise ordered, it shall convene at eleven o'clock, A. M."

House Rule No. 14 provides:

"The daily order of business shall be as follows:

First. Prayer by the Chaplain.

Second. Reading and approval of the Journal.

Third. The referring to proper committees by the Speaker of bills, letters, petitions, memorials, remonstrances, and accompanying documents.

Fourth. The asking of leave of absence.

Fifth. The receiving of reports of committees.

Sixth. Resolutions—(House and concurrent).

After the foregoing orders shall have been finished the following shall be the orders of the day:

Mondays (1) Motions to recommit may be made.

(2) Unfinished business other than bills.

(3) Bills on first reading.

Tuesdays (1) Bills on final passage.

(2) Bills on third reading and final passage.

Wednesdays Bills on second reading.

Thursdays Bills on second reading.

Fridays (1) Motions to recommit may be made.

(2) Unfinished business other than bills.

(3) Bills on first reading.

When the regular orders prescribed for any day shall be gone through, the following shall be the order of business:

- First. Bills on final passage.
- Second. Bills on third reading and final passage.
- Third. Bills on second reading.
- Fourth. Bills on first reading."

The method of presenting a bill in the House is very simple. The member signals to a page by a raising of the hand. The bill is given to the page, who takes the same forward to the desk of the Chief Clerk. Other members have no knowledge by announcement of the contents of the various bills as offered. This information may later be obtained upon inquiry at the office of the Chief Clerk or by reference to the House History of Bills, published in pamphlet form and furnished each member at every successive Monday Session. All bills are handed by the Chief Clerk to the Speaker, who marks thereon the reference to the particular committee. The announcement of reference already indicated by the Daily Order of Business is made by the Speaker publicly through the Reading Clerk, after which the bills as referred are consigned to the custody of the Resident Clerk. The Chairmen of the respective committees obtain their appropriate bills at the Resident Clerk's Office.

House Rules Nos. 17, 18 and 19 provide:

"Bills shall be introduced by filing with the Chief Clerk to be by him numbered and handed to the Speaker for reference to appropriate committees, and report at the session following the day of presentation.

If the Speaker shall neglect or refuse to refer any bill or bills (whether House or Senate) within two days after presentation, in which the House is in session, it shall be in order for any member to move for the reference of said bill or bills to the appropriate committee or committees. Upon instruction so given, the bill or bills shall be immediately referred to said committee or committees."

"All bills shall be presented in triplicate, and signed by the member introducing the same, and date of filing entered thereon. The original copy is for the use of the committee, but second copy is for the use of the printer and

the third copy is for the use of the members of the press."

"All bills as soon as introduced shall be printed on pink paper for the use of the members and shall be numbered consecutively."

House Rule No. 35 provides:

"No bill shall be considered unless referred to a committee, returned therefrom, and printed for the use of the members, as required by the Constitution, Art. III, Sec. 2."

The rule just quoted is in the precise language of the constitutional mandate.

House Rule No. 36 provides:

"No committee, either standing or select, shall report any bill for the action of the House, the passage of which is prohibited by the Constitution of the State as provided by Art. III, Sec. 7."

The section of the Constitution to which reference is made places certain limitations upon special and local legislation.

Upon a reference of a Bill by the Speaker to a Committee, it is incumbent upon that body to proceed at once to a consideration of the measure and to report to the House the results of the Committee's deliberations.

House Rules 37, 38 and 39 provide:

"All reports of committees shall be in writing: Provided, That the minority of a committee may make a report in writing, setting forth the reasons for their dissent."

"The recommendations by a committee that a bill be negatived shall not affect its consideration by the House, but the words 'Negative recommendation' shall be printed conspicuously on a line above the title of the bill. Such bill shall not be placed upon the calendar except by a majority vote of the members elected to the House, but if such motion be negatived once, it shall not be renewed.

No bill negatived by a committee shall be placed upon the calendar of the House unless a motion to place such bill on the calendar be made within five days after such bill is reported from committee."

"When a committee has directed that a bill or resolution be reported to the House, it shall be the duty of the

member assigned to report the same, to make report thereof at the next meeting of the House and in no event shall such report be delayed longer than two days, in which the House is in session. If the member assigned to report any bill or resolution shall fail to report the same within two days as aforesaid, the chairman of the committee or the secretary of the committee, if he be a member, or either of them, is authorized to report a duly certified copy of said bill or resolution, or the committee may authorize another member to make report of said copy or the original bill or resolution."

In the committee's deliberations it is an established practice for the chairman of the committee, upon a motion made, to refer a Bill to a sub-committee for further study and report.

The report of the Committee may be (1) a negative report (2) a recommendation that the Bill be reported "as committed," (3) a recommendation that the Bill be reported with certain amendments, (4) that the matter be "indefinitely postponed."

If the Bill is withheld by the Committee without definite action as provided by the rules the sponsor may ask for action upon the floor of the House.

House Rule No. 40 provides:

"That when a bill or resolution has been ten days in the hands of a committee after having been referred to it, any committee may be discharged from the further consideration of the bill or resolution by a majority vote of all the members-elect."

The report of a committee through one of its members always takes place upon the Floor of the House and under the appropriate order of business. The action of the Committee is announced at once publicly by the Reading Clerk at the desk and if the action is a favorable one, either as committed or as amended, the bill is then consigned to the Resident Clerk.

House Rule No. 41 provides:

"All bills and joint resolutions reported affirmatively

shall be placed on the files and the calendars in the order in which they were reported to the House. The Resident Clerk shall prepare all calendars of bills."

The business of the House in the matter of the consideration of Bills and joint resolutions is conducted according to a stated printed calendar prepared by the Resident Clerk's Office, a copy of which is placed upon the desk of every member at the beginning of each day's session.

House Rule No. 42 provides:

"Every bill and every joint resolution shall be read at length on three different days. All amendments made thereto shall be printed for the use of the members before the final vote is taken thereon; and no bill shall become a law and no such resolution be adopted unless, on its final passage, the vote be taken by yeas and nays. The names of the persons voting for and against the same shall be entered on the Journal, and a majority of the members elected be recorded thereon as voting in its favor, as required by the Constitution, Art. III, Sec. 4."

House Rule No. 43 provides:

"When bills on first reading are in order the Speaker shall take up the calendar and announce each bill in the order in which it appears on the calendar. They shall be severally read at length, and agreed to without amendment or debate, and journalized accordingly."

In 12 Coke's Reports 7, the following maxim of the law is quoted. "When form is not observed, a nullity of the act is inferred."

This maxim is apt in describing the actual first reading of bills. The form alone is observed and but for the Calendar in the hands of the respective members together with the copies of the Bills according to numbers in their files, no one except the Speaker and the Reading Clerk and a few other privileged persons would know what the matter was about. The Reading Clerk simply reads the title to the Bill under consideration, after which the Speaker announces:

"Laid aside for second reading."

This procedure constitutes the observance of the requirements of the Constitution. Any member might object and insist upon the Clerk reading the entire bill at length, but the only accomplishment would be the consumption of time. There are instances in parliamentary procedure where this course might be pursued for the sole purpose of gaining an advantage by the passage of time.

Moreover, the Bill on first reading is, by the terms of Rule 43, agreed upon without amendment or debate and journalized accordingly.

House Rule No. 44 provides:

"When bills on second reading are in order, the Speaker shall take up the calendar, and having announced each bill in its order, it shall be considered in the Committee of the Whole House; when the bill is reported back to the House the question shall be put, "Will the House agree to the report of the Committee of the Whole?" and if agreed to, any amendments made by the Committee of the Whole shall become a part of the bill. The House shall then immediately proceed to the second reading of the bill: Provided, That when a bill has been read at length in Committee of the Whole House, it shall be considered one of the readings required by the Constitution, and the bill shall not be again read at length on second reading, but the question shall be, "Will the House agree to the bill?" which shall be subject to amendment in any part. No bill shall be considered in Committee of the Whole House unless called up by a member, and if not called up for two successive weeks, it shall be dropped from the calendar unless otherwise ordered by the House. Bills on second reading shall be placed upon the calendar in the order which they were agreed to on first reading."

When in the course of the Session's proceedings the Speaker comes to the order of second reading, the usual practice is for the Speaker to present at once the following question:

"Will the House dispense with the Committee of the Whole in the consideration of the second reading calendar?" After a pause of a moment, sufficient in time to

give any member the opportunity to object, the Speaker then announces:

"Agreed to."

If, before this announcement, any member of the House objects to the motion he may state his agreement to the matter except as to a certain measure upon the calendar. It is the usual practice to set aside the particular bill as mentioned for consideration by the Committee of the Whole as per the terms of Rule 44. However, it would appear that this matter could be determined by a majority vote, although the practice is to ask for unanimous consent.

House Rule 88 provides:

"Any rule of the House may be suspended at any time for a specific purpose by a majority vote of the members-elect; after the accomplishment of which purpose the rule shall remain in force as before."

In the Session of 1931 there were but few measures considered by the House as a Committee of the Whole, notably in the instances of the Bills on Sunday Legislation and the Public Utilities. The hundreds of other measures were passed on second reading by the House with amendments offered if desired upon the floor of the House.

Relative to amendments House Rule No. 47 provides:

"When amendments are made to a bill, there shall be presented to the Chair, four typewritten copies of each amendment."

In the consideration of Bills upon second reading, the same are considered section by section, together with the title, and at the end of this reading, there being no objections noted, the same is ordered placed upon the Third Reading Calendar.

House Rule No. 45 provides:

"When bills on third reading are in order, the Speaker shall take up the calendar and announce each bill in its order, when it shall be read at length and, having been agreed to, the Speaker shall announce as follows:

"This bill has been read three times at length, on three

separate days, considered and agreed to, and is now on its final passage. Agreeably to the provisions of the Constitution, the yeas and nays will be taken. The question is: 'Shall the bill pass finally?'"

Bills on third reading and final passage shall be placed upon the calendars in the order in which they were agreed to on second reading and third reading, respectively."

By resolution of the House, adopted May 28, 1931, as a report of the Rules Committee, the following changes were made.

"Resolved, That Rule 14 of the Rules of the House of Representatives be amended to read as follows:

DAILY ORDER OF BUSINESS

The daily order of business shall be as follows:

- First. Prayer by the Chaplain;
 - Second. Reading and approval of Journal;
 - Third. The referring to proper committee by the Speaker, of bills, letters, petitions, memorials, remonstrances and accompanying documents;
 - Fourth. The asking of leave of absence;
 - Fifth. The receiving of reports of Committees;
 - Sixth. Resolutions (House and Concurrent);
 - Seventh. Motions to recommit. (This motion may also be made when a bill is reached in its order);
 - Eighth. Unfinished business other than bills;
 - Ninth. Bills on first reading;
 - Tenth. Bills on second reading;
 - Eleventh. Bills on Final Passage Recalled from the Governor;
 - Twelfth. Bills on Final Passage (Bills on the Final Passage Postponed Calendar may be recalled up under this order of business);
 - Thirteenth. Bills on Third Reading and Final Passage (Bills on the Third Reading or Final Passage Postponed Calendar may be called up under this order of business).
- Any subject may by a majority vote of the House be made a special order of business, and when the time fixed for its consideration arrives the Speaker shall lay it before

the House. A similar vote shall be required to rescind or postpone a special order of business.

Resolved, That Rule 24 of the Rules of the House of Representatives be amended to read as follows:

The Rules and proceedings of the House shall be observed in the Committee of the Whole as far as they are practicable except that a member may speak more than once on the same subject. A motion for the previous question cannot be made therein nor a motion to lay on the table or to adjourn.

Resolved, That Rule 27 of the Rules of the House of Representatives be so amended as to eliminate the standing Committee on Boroughs and the standing Committee on Townships and to substitute in lieu of said Committees one Standing Committee on Boroughs and Townships.

Resolved, That Rule 30 of the Rules of the House of Representatives be amended to read as follows:

Each committee shall have full power over the bill, resolution or other paper committed to it except that the committee cannot change the title or subject nor amendments adopted by the House.

Resolved, That Rule 43 of the House of Representatives shall be amended as follows:

FIRST READING

When bills on first reading are in order the Speaker shall take up the calendar and announce each bill in the order in which it appears on the calendar. They shall be severally read at length and agreed to without amendment or debate and journalized accordingly. No bill after it has once been reported from committee shall be recommitted until it has been read the first time.

Resolved, That Rule 44 of the Rules of the House of Representatives be amended to read as follows:

SECOND READING

44. When bills on second reading are in order the Speaker shall take up the calendar and, having announced each bill in its order, it shall be considered in the Committee of the Whole House. When the bill is reported back to the House, the question shall be put, "Will the House agree to the report of the Committee of the Whole?" and, if agreed to, any amendments made by the Committee of the Whole shall become a part of the bill. The House shall then immediately proceed to the second reading of the bill, Provided, That when a bill has been read at length in Committee of the Whole House it shall be considered one of the readings required by the Constitution and the bill shall not be again read at length on second reading, but the question shall be, "Will the House agree to the bill?" which shall be subject to amendment in any part. No House bill shall be considered in Committee of the Whole House unless called up by a member, and if not called up for two successive weeks it shall be dropped from the calendar unless otherwise ordered by the House. Bills on second reading shall be placed upon the calendar in the order which they were agreed to on first reading.

Resolved, That Rule 73 of the Rules of the House of Representatives be amended to read as follows:

All motions made shall be repeated by the Speaker, who shall put the question distinctly in the following form, viz: "As many as favor the motion will say 'Aye.'"

After the affirmative is expressed "As many as are opposed will say 'No.'"

Resolved, That Rule 78 of the Rules of the House of Representatives be amended to read as follows:

No member shall be permitted to vote on any question unless he be present in the House when the yeas and nays are called to answer to his name."

During the session of the General Assembly there were introduced into the House 2164 bills, including those which came over from the Senate. The number of resolutions adopted was 58.

In the Senate 1400 bills were introduced, including those which came over from the House, and 57 resolutions were adopted.

Of this mass of Bills, all of which received some consideration either in Committee or on the Floor, or both, 617 were finally adopted and passed by both Houses. Of this total number the Governor vetoed 256, leaving 361 measures which received the Governor's approval and will constitute the Pamphlet Laws of the Regular Session of 1931.

The Act of June 22, 1931, No. 203, establishing certain Township Roads as State Highways by virtue of which approximately 20,000 miles of township roads are taken over by the State, will only be printed in part in the general Pamphlet Laws pursuant to the provisions of concurrent resolution No. 131 approved June 22, 1931, authorizing the Secretary of the Commonwealth, with the approval of the Governor, to print only the general sections of this act in Pamphlet Laws, Sections 2 to 67, inclusive, describing the various State highway routes in each County, being eliminated. The Act has been printed in its entirety in a separate volume as authorized by this resolution.

Although the entire session was occupied, according to popular notion, in an intensive effort to pass legislation in the interests of a more liberal Sunday and in a curbing of the alleged rapacities of the public utilities, nevertheless, there were other pieces of legislation passed and eventually approved by the Governor materially affecting in a number of aspects the body of our legislation and redounding to the welfare of the people.

(The more important of these Acts will be discussed in the next issue of this Review.)

Chambersburg, Pa.

A. J. WHITE HUTTON.