

vide for the submission of civil cases by agreement of the parties to a referee learned in the law," approved the fourteenth day of May, one thousand eight hundred and seventy-four, and its supplements. [The court may, however, in its discretion, receive and consider any additional pertinent evidence, whether oral or written, either in open court or by deposition as the said court shall direct, and the decision of the department shall be reviewed in the light of such evidence, provided the court shall order a trial by jury upon demand of any appellant.]

When effective.

Section 7. This act shall become effective upon the date of its approval by the Governor.

APPROVED—The 26th day of June, A. D. 1931.

GIFFORD PINCHOT

—
No. 360

AN ACT

Making an appropriation to the Pennsylvania Commission for the Celebration of the Two Hundredth Anniversary of the Birth of George Washington.

Commission for
Celebration of
Two Hundredth
Anniversary of
Birth of George
Washington.

Appropriation.

Resolution of
May 6, 1925,
(P. L. 820),
cited.

Section 1. Be it enacted, &c., That the sum of twenty-five thousand dollars (\$25,000), or so much thereof as may be necessary, is hereby specifically appropriated to the Pennsylvania Commission for the Celebration of the Two Hundredth Anniversary of the Birth of George Washington, for the purpose of paying the expenses of the members of said commission, for the compensation and expenses of a secretary and clerks, for office rent, printing supplies, postage, and miscellaneous expenses, and generally for carrying into effect the provisions of the resolution of May sixth, one thousand nine hundred and twenty-five (Pamphlet Laws, eight hundred twenty), pursuant to which said commission was created.

APPROVED—The 26th day of June, A. D. 1931.

GIFFORD PINCHOT

—
No. 361

AN ACT

To apportion the State into congressional districts.

Congressional
apportionment.

Section 1. Be it enacted, &c., That for the purpose of electing representatives of the people of Pennsylvania to serve in the House of Representatives in the

Congress of the United States, this State shall be divided into thirty-four districts, as follows:

The first district shall consist of the first, second, third, fourth, fifth, sixth, twenty-sixth, thirty-ninth, and forty-eighth wards of the city of Philadelphia, and will have one Congressman. First district.

The second district shall consist of the seventh, eighth, ninth, tenth, twenty-fourth, twenty-seventh, thirtieth, thirty-sixth, and forty-fourth wards of the city of Philadelphia, and will have one Congressman. Second district.

The third district shall consist of the eleventh, twelfth, thirteenth, fourteenth, sixteenth, seventeenth, eighteenth, nineteenth, twentieth, twenty-fifth, thirty-first, thirty-seventh, and forty-fifth wards of the city of Philadelphia, and will have one Congressman. Third district.

The fourth district shall consist of the fifteenth, twenty-eighth, twenty-ninth, thirty-second, thirty-eighth, and forty-seventh wards of the city of Philadelphia, and will have one Congressman. Fourth district.

The fifth district shall consist of the twenty-third, thirty-third, thirty-fifth, forty-first, and forty-third wards of the city of Philadelphia, and will have one Congressman. Fifth district.

The sixth district shall consist of the thirty-fourth, fortieth, and forty-sixth wards of the city of Philadelphia, and will have one Congressman. Sixth district.

The seventh district shall consist of the twenty-first, twenty-second, and forty-second wards of the city of Philadelphia, and will have one Congressman. Seventh district.

The eighth district shall consist of the county of Delaware. Eighth district.

The ninth district shall consist of the counties of Bucks and Lehigh. Ninth district.

The tenth district shall consist of the counties of Lancaster and Chester. Tenth district.

The eleventh district shall consist of the county of Lackawanna. Eleventh district.

The twelfth district shall consist of the county of Luzerne. Twelfth district.

The thirteenth district shall consist of the counties of Schuylkill and Northumberland. Thirteenth district.

The fourteenth district shall consist of the county of Berks. Fourteenth district.

The fifteenth district shall consist of the counties of Bradford, Pike, Susquehanna, Wayne, Columbia, Montour, Sullivan, and Wyoming. Fifteenth district.

The sixteenth district shall consist of the counties of Clinton, Lycoming, Potter, Tioga, McKean, and Cameron. Sixteenth district.

The seventeenth district shall consist of the county of Montgomery. Seventeenth district.

- Eighteenth district.** The eighteenth district shall consist of the counties of Fulton, Huntingdon, Juniata, Mifflin, Perry, Snyder, Bedford, and Union.
- Nineteenth district.** The nineteenth district shall consist of the counties of Cumberland, Dauphin, and Lebanon.
- Twentieth district.** The twentieth district shall consist of the counties of Warren, Mercer, Venango, Forest, Clarion, and Elk.
- Twenty-first district.** The twenty-first district shall consist of the counties of Northampton, Carbon, and Monroe.
- Twenty-second district.** The twenty-second district shall consist of the counties of Adams, York, and Franklin.
- Twenty-third district.** The twenty-third district shall consist of the counties of Clearfield, Centre, and Blair.
- Twenty-fourth district.** The twenty-fourth district shall consist of the counties of Fayette and Somerset.
- Twenty-fifth district.** The twenty-fifth district shall consist of the counties of Greene and Washington.
- Twenty-sixth district.** The twenty-sixth district shall consist of the counties of Beaver, Butler, and Lawrence.
- Twenty-seventh district.** The twenty-seventh district shall consist of the counties of Armstrong, Indiana, Jefferson, and Cambria.
- Twenty-eighth district.** The twenty-eighth district shall consist of the county of Westmoreland.
- Twenty-ninth district.** The twenty-ninth district shall consist of the counties of Crawford and Erie.
- Thirtieth district.** The thirtieth district shall consist of the twenty-first, twenty-second, twenty-third, twenty-fourth, twenty-fifth, twenty-sixth, and twenty-seventh wards of the city of Pittsburgh, and all the boroughs and townships, lying north of the Ohio and Allegheny Rivers, not included in the thirty-first district, in the county of Allegheny.
- Thirty-first district.** The thirty-first district shall consist of all the boroughs and townships lying between the Allegheny and Monongahela Rivers, and the boroughs of Springdale, Cheswick, Brackenridge, Tarentum, the townships of Harrison, Fawn, East Deer, Frazer, and Springdale, and the city of McKeesport, in the county of Allegheny.
- Thirty-second district.** The thirty-second district shall consist of the first, second, third, fourth, fifth, sixth, ninth, tenth, eleventh, and fifteenth wards of the city of Pittsburgh, in the county of Allegheny.
- Thirty-third district.** The thirty-third district shall consist of the seventh, eighth, twelfth, thirteenth, fourteenth, sixteenth, seventeenth, eighteenth, nineteenth, twentieth, and twenty-eighth wards of the city of Pittsburgh, in the county of Allegheny.
- Thirty-fourth district.** The thirty-fourth district shall consist of the twenty-ninth, thirtieth, thirty-first, and thirty-second wards of the city of Pittsburgh, the cities of Clairton and Duquesne, and all the boroughs and townships lying south of the Ohio and Monongahela Rivers, in the county of Allegheny.

Section 2. The nomination and election of members of the House of Representatives of the United States, which the qualified electors of any county, or of any part of a county, are entitled to elect of themselves unconnected with any other county or district, shall be made, held, and conducted, and the return of votes cast at primary and general elections for the nomination and election of such members shall be made, computed, canvassed, and certified, as now or hereafter may be provided by law.

Districts composed of one county, or part thereof.

Section 3. In all congressional districts composed of two or more counties, or parts of two or more counties, or of one or more counties and a part or parts of one or more counties, the county commissioners of each of such counties, in the case of primary elections, and the court of common pleas, in the case of general elections, shall appoint one of the judges of election of such county, or part of such county comprised within such district, to take charge of the returns of all votes cast at any primary or general election in said county, or part of said county, for any candidate or candidates for the nomination of Representatives in Congress from said district.

Districts composed of two or more counties or parts thereof.

Return judge.

Section 4. Such return judges shall meet at such places in their respective districts as herein designated.

Places of meeting of return judges.

The return judges of the ninth district shall meet at the court house in Allentown, in the county of Lehigh.

Ninth district.

The return judges of the tenth district shall meet at the court house in Lancaster, in the county of Lancaster.

Tenth district.

The return judges of the thirteenth district shall meet at the court house in Pottsville, in the county of Schuylkill.

Thirteenth district.

The return judges of the fifteenth district shall meet at the court house in Montrose, in the county of Susquehanna.

Fifteenth district.

The return judges of the sixteenth district shall meet at the court house in Williamsport, in the county of Lycoming.

Sixteenth district

The return judges of the eighteenth district shall meet at the court house in Lewistown, in the county of Mifflin.

Eighteenth district.

The return judges of the nineteenth district shall meet at the court house in Harrisburg, in the county of Dauphin.

Nineteenth district.

The return judges of the twentieth district shall meet at the court house in Warren, in the county of Warren.

Twentieth district.

The return judges of the twenty-first district shall meet at the court house in Stroudsburg, in the county of Monroe.

Twenty-first district.

The return judges of the twenty-second district shall meet at the court house in Gettysburg, in the county of Adams.

Twenty-second district.

Twenty-third district.

The return judges of the twenty-third district shall meet at the court house in Hollidaysburg, in the county of Blair.

Twenty-fourth district.

The return judges of the twenty-fourth district shall meet at the court house in Uniontown, in the county of Fayette.

Twenty-fifth district.

The return judges of the twenty-fifth district shall meet at the court house in Washington, in the county of Washington.

Twenty-sixth district.

The return judges of the twenty-sixth district shall meet at the court house in Beaver, in the county of Beaver.

Twenty-seventh district.

The return judges of the twenty-seventh district shall meet at the court house in Brookville, in the county of Jefferson.

Twenty-ninth district.

The return judges of the twenty-ninth district shall meet at the court house in Meadville, in the county of Crawford.

Time of meeting.

Section 5. Such return judges shall meet and cast up the several returns of the counties, or parts of counties, composing the district on the Tuesday next following the day on which the official computation of the county returns in all of such counties shall have been completed.

Consolidated returns.

Section 6. The return judges shall execute, under their hands and seals, a general and true return of the whole district, which, in case such return is of the general election, shall be deposited with the prothonotary of the county wherein the return is executed, or, in case the return is of a primary election, with the county commissioners of such county. Immediately upon the receipt of such return, the prothonotary or county commissioners, as the case may be, shall make copies of such return, and shall transmit one copy thereof, properly certified, to the Secretary of the Commonwealth, and the other copy or copies, also certified, to the person or persons receiving the highest number of votes cast at the preceding general or primary election for the office for which the election was held or the nominations were made in the district.

Compensation.

Section 7. Every return judge shall receive, out of the treasury of his proper county, the sum of ten dollars for each day actually employed in computing such vote, and, in addition thereto, shall receive ten cents for every mile necessarily traveled in going to and from the place of meeting.

First election under this act.

Section 8. The first election under this act shall be held at the general election in the year one thousand nine hundred and thirty-two.

Congressmen now in office

The members of Congress now in office shall continue in such office until the expiration of their respective terms.

Vacancies now existing or happening after the passage of this act and before the commencement of the terms of the members elected at the election of one thousand nine hundred and thirty-two, shall be filled for the unexpired terms in the manner now provided by law in the particular district or at large, as the case may be.

Vacancies.

Section 9. The act approved the tenth day of May, one thousand nine hundred and twenty-one (Pamphlet Laws, four hundred forty-three), entitled "An act to apportion the State into Congressional district," is hereby repealed.

Act of May 10, 1921 (P. L. 443), repealed.

All other acts and parts of acts inconsistent herewith are hereby repealed.

Repeal.

APPROVED—The 27th Day of June, A. D. 1931.

The passage of this Bill compels me to choose between signing it, and thereby enacting into law a vicious apportionment, or vetoing it, and thereby bringing upon the Commonwealth an unworkable and unfair election, in which the use of voting machines would be impossible.

This Bill was drawn not to be passed but to be killed. The purpose behind it was to force the election of Representatives in Congress and Delegates to the National Convention in the State at large instead of by Districts as at present.

To this end there were written into the Bill provisions so unjust yet so easily corrected that the intention of the Senate majority (with the Republican State machine behind it) to force an election at large upon the Commonwealth was beyond all doubt.

Under this Bill the Twelfth Congressional District, for example, has a population of 444,409; the Fifteenth District, which surrounds it on two sides, has a population of 205,084, or less than half. Berks, a Democratic County, with a population of only 231,717, is made into a separate district, while Schuylkill and Northumberland, both Republican, are made into a district with a population of 364,009.

The Twenty-seventh District is given 409,953 people, while the Twenty-fifth, with 246,569, and the Twenty-ninth, with 238,257, have between them but 75,000 more than the Twenty-seventh alone.

It is, of course, impossible to prevent differences between districts. But to insist on discrepancies like these against the vehement protests of the House and the Governor can mean only one thing—the intention to bring on an election at large by killing the Bill.

By this raw deal the votes of some citizens of our Commonwealth in electing Congressmen are worth, under the Bill, only half or less than half the votes of other citizens. And this was done with the full knowledge and consent of State Chairman Martin, the remnants of the old Republican machine, the Senate majority, and the Senate conferees on the Bill. This is political leadership at its worst.

So much for the injustice the Bill would work if it were approved.

But if the Bill were not approved the result at the State-wide Primary Election in 1932 would be to put so large a number of candidates upon the ballot that the average voter would be deprived of any reasonable chance to express his

will. Indeed, in most if not all the districts of the State, a veto of this bill would make it utterly impossible for the full vote to be cast because of the unconscionable length of time needed to mark the ballot.

The Bureau of Elections certifies that the following officers would be chosen at large on a State-wide ticket if this Bill were vetoed:

- 1 United States Senator
- 1 Judge of the Superior Court
- 1 State Treasurer
- 1 Auditor General
- 34 Representatives in Congress
- 79 Delegates to National Convention
- 79 Alternate Delegates

making a total of 196 places to be filled and squares to be marked by each voter.

If on the average there were only three candidates for each place on the State-wide ticket, a total of 588 names would appear on the State-wide ballot. There is also, of course, the possibility that this number would be greatly increased.

But that is not all. In addition to this bedlam of State-wide names on the ballot, candidates for the entire House of Representatives would be voted for, as well as one Senator from each even numbered district throughout the State. Add to that candidates for the State Committee in each Senatorial District and members of the County Committees in every political unit, and I have no language to describe the result.

Such a condition would nullify all chance of a fair and free election. A ballot like this could not be marked and voted by the honest voters of the State. But it could be counted by dishonest election officials. No voting machine could be used, for none has space for such a flood of candidates.

This would amount to a heavy and intentional handicap against those portions of the State where elections are honest, and in favor of those machine controlled portions where they are not. By the sheer impossibility of recording the upstate vote it would throw the election into the hands of machine controlled cities.

This discrimination will continue for the next ten years, and those who will suffer from it must put the blame where it belongs. I regret profoundly that I cannot prevent the bitter injustice committed in this Bill against the people of individual counties. That could be done only by yielding to the greater injustice of disfranchising the uncontrolled voters of this Commonwealth.

I refuse to be a party to the practical disfranchisement of the honest voters of Pennsylvania through a political trick. Therefore I sign the Bill.

GIFFORD PINCHOT