

clerk of the courts of quarter sessions and oyer and terminer, and clerk of the orphans' court, and register of wills and recorder of deeds shall appoint one first deputy, to act in the case of the death or resignation of his principal, or when the office shall become vacant from other causes. In counties of the second and third classes, the first deputy prothonotary shall be designated from the force of clerks in the prothonotary's office, and shall give bond in the penal sum of ten thousand dollars, conditioned for the proper and faithful performance of his duties. [In counties of the third class, the first deputy prothonotary shall be learned in the law.]

Commonwealth of Pennsylvania,  
Governor's Office,  
Harrisburg, June 12, 1931.

I file herewith, in the office of the Secretary of the Commonwealth, with my objections, House Bill No. 23, Printer's No. 82, entitled "An act to amend section two hundred and twenty-four of the act, approved the second day of May, one thousand nine hundred and twenty-nine (Pamphlet Laws, one thousand two hundred seventy-eight), 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 eliminating the requirement that the first deputy prothonotary in counties of the third class shall be learned in the law."

This bill would amend section 224 of the County Code of May 2, 1929, P. L. 1278, by eliminating the requirement that the first deputy prothonotary in counties of the third class shall be learned in the law. That section of the code was amended in other respects by the omnibus amendment bill (House Bill No. 408) passed at the recent session of the Legislature. The change proposed by this bill is unnecessary, and approval of the bill might impair the effect of the prior amendment in the omnibus bill.

For these reasons the bill is not approved.

GIFFORD PINCHOT

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No. 59

AN ACT

To amend the act, approved the second day of May, one thousand nine hundred and twenty-nine (Pamphlet Laws, one thousand two hundred seventy-eight), 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 adding thereto section four hundred thirty-three, authorizing counties of the third and fourth classes to make annual appropriations to combined organizations for Armistice Day purposes.

Section 1. Be it enacted, &c., That the act, approved the second day of May, one thousand nine hundred and twenty-nine (Pamphlet Laws, one thousand two hundred seventy-eight), 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," is hereby amended, by adding thereto section four hundred thirty-three, to read as follows:

*Section 433. Appropriations for Armistice Day Celebrations; Third and Fourth Class Counties.*—The county commissioners of counties of

*the third and fourth classes are authorized to appropriate annually to combined posts, camps, and organizations of ex-service men, incorporated under the general corporation laws of the Commonwealth, a sum not to exceed five hundred dollars (\$500) to aid in defraying the expenses of a county Armistice Day celebration. Such payments shall be made to defray actual expenses only, and shall be made only upon the filing of verified vouchers of such expenditures. The place of holding the county Armistice Day celebration in such counties shall be determined by the various posts, camps, and organizations of ex-service men, incorporated as aforesaid; each post, camp, and organization having one vote.*

*Nothing contained in this section shall be construed to modify or repeal any other section of this act.*

Commonwealth of Pennsylvania,  
Governor's Office,  
Harrisburg, June 12, 1931.

I file herewith, in the office of the Secretary of the Commonwealth, with my objections, Senate Bill No. 770, Printer's No. 296, entitled "An act to amend the act, approved the second day of May, one thousand nine hundred and twenty-nine (Pamphlet Laws, one thousand two hundred seventy-eight), 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 adding thereto section four hundred thirty-three, authorizing counties of the third and fourth classes to make annual appropriations to combined organizations for Armistice Day purposes."

This bill would add to the County Code a section authorizing counties to appropriate amounts not to exceed five hundred dollars (\$500.00) a year to organizations of ex-service men for the celebration of Armistice Day.

I have nothing but the greatest sympathy with any movement or celebration which does honor to the valorous deeds and heroic sacrifices of our soldiers and which marks the end of the great war. However, I believe that such occasions should be observed and supported by the voluntary efforts and contributions of private citizens rather than from public funds. Governmental expenditures should be confined to governmental functions. This is not a time to increase the financial burdens of our citizens for purposes which, however desirable, are not essential.

A comprehensive omnibus act adopted at the recent session of the Legislature (House Bill No. 408), which I have approved, embodies the essential amendments to the county law.

For these reasons the bill is not approved.

GIFFORD PINCHOT

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No. 60

AN ACT

Fixing the salaries of the district attorneys in counties of the third class.

Section 1. Be it enacted, &c., That the annual salary of the district attorney in each county of the third class is hereby fixed at seven thou-

sand five hundred dollars (\$7,500). The salary of the district attorney in each such counties shall be paid by the county.

Section 2. The act approved the ninth day of July, one thousand nine hundred and nineteen (Pamphlet Laws, seven hundred ninety-five), entitled "An act to fix the salaries of district attorneys in counties having a population of less than one million inhabitants," be and the same is hereby repealed so far as it relates to counties of the third class.

All other acts or parts of acts inconsistent herewith be and the same are hereby repealed.

Commonwealth of Pennsylvania,  
Governor's Office,  
Harrisburg, June 12, 1931.

I file herewith, in the office of the Secretary of the Commonwealth, with my objections, Senate Bill No. 706, Printer's No. 290, entitled "An act fixing the salaries of the district attorneys in counties of the third class."

This bill would increase the salaries of district attorneys in counties of the third class from six thousand dollars (\$6,000) to seven thousand five hundred dollars (\$7,500) a year.

A similar provision is contained in the omnibus county amendment act (House Bill No. 408), adopted at the recent session of the Legislature, which I have approved. Therefore, there is no necessity for this bill.

For this reason the bill is not approved.

GIFFORD PINCHOT

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No. 61

AN ACT

To amend paragraph (c) of section seven of the act, approved the fifth day of May, one thousand nine hundred and eleven (Pamphlet Laws, one hundred ninety-eight), entitled "An act to establish a county court for the county of Allegheny, and prescribing its powers and duties; regulating the procedure therein, and providing for the expenses thereof," as amended, permitting cross suits in actions of trespass, and regulating the practice in such cases.

Section 1. Be it enacted, &c., That paragraph (c) of section seven of the act, approved the fifth day of May, one thousand nine hundred and eleven (Pamphlet Laws, one hundred ninety-eight), entitled "An act to establish a county court for the county of Allegheny, and prescribing its powers and duties; regulating the procedure therein, and providing for the expenses thereof," as amended by section one of the act, approved the twentieth day of June, one thousand nine hundred and nineteen (Pamphlet Laws, five hundred thirty-five), entitled "An act to amend sections seven, eight, and nineteen of an act, entitled 'An act to establish a county court for the county of Allegheny, and prescribing its powers and duties; regulating the procedure therein, and providing for the expenses thereof,' approved the fifth day of May, one thousand nine hundred and eleven, as amended; by requiring answers to be filed in all civil actions except by municipalities; by authorizing a demand for a jury trial, and providing for the trial of cases by a judge without a jury; regulating the procedure and practice thereof, and by

providing for the fixing of fees and costs," is hereby further amended to read as follows:

(c) In all actions the defendant shall, at least three days, exclusive of Sundays, before the time fixed for hearing by the writ, or within such further time as the court may allow upon cause shown, file with the clerk of the court an answer, duly sworn to, setting forth the nature and character of his defense to plaintiff's demand; or he may make a statement of such defense orally to the clerk, which shall be reduced to writing by the clerk, and sworn to. If no answer be filed, the plaintiff may, at any time after the time for filing such answer has expired, in actions for the recovery of money on contract and in actions of replevin, enter judgment in the clerk's office in default of such answer. In actions ex delicto the court shall, on or after the time for hearing fixed by the summons, enter such judgment as may be proper after examination of plaintiff's statement or after hearing such evidence as may be necessary for the proper disposal of the case. If an answer be filed as aforesaid, all material averments of plaintiff's statement which are not denied by the answer shall be deemed and taken to be true. In actions of trespass the averments in the statement of the person by whom the act was committed, the agency or employment of such person, the ownership or possession of the vehicle, machinery, property, or instrumentality involved, and all similar averments if not denied shall be taken to be admitted. The averments of the other facts, however, on which the plaintiff relies to establish liability, and averments relating to damages claimed or their amount, need not be answered or denied, but shall be deemed to be put in issue in all cases unless expressly admitted. *The defendant in such actions may, by affidavit of defense, in addition to denying negligence on his own part, allege negligence on the part of the plaintiff, and set up against the plaintiff, in the manner by this act prescribed, a claim for damages arising out of the same general circumstances upon which the plaintiff's claim is based and both claims shall, in the said cause, be tried as one action: Provided, That no such claim for damages in an affidavit of defense shall exceed the sum of fifteen hundred dollars: Provided, however, That municipalities shall not be required to file an answer. But in all cases the court may, for proper cause, require either party to file a bill of particulars.*

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

Commonwealth of Pennsylvania,  
Governor's Office,  
Harrisburg, June 12, 1931.

I file herewith, in the office of the Secretary of the Commonwealth, with my objections, House Hill No. 1771, Printer's No. 763, entitled "An act to amend paragraph (c) of section seven of the act, approved the fifth day of May, one thousand nine hundred and eleven (Pamphlet Laws, one hundred ninety-eight), entitled 'An act to establish a county court for the county of Allegheny, and prescribing its powers and duties; regulating the procedure therein, and providing for the expenses thereof,' as amended, permitting cross suits in actions of trespass, and regulating the practice in such cases."

This bill was designed to permit defendants in the county court of Allegheny County to set up, by affidavits of defense, counterclaims in

Other discriminatory situations of a like nature would also result from the peculiar wording of the bill.

If continuations through boroughs of township roads taken over by the State are to become parts of the highway system, all such continuations should be included. It would be unfair to take over only some and exclude others.

In addition it is very doubtful whether this bill comes within any of the subjects specified in my proclamations convening the Legislature in special session. Subject No. 7 of my original proclamation was, "Authorizing the Department of Highways with the approval of the Governor and of the political subdivisions involved to enter upon and construct, reconstruct, or resurface wholly or partially at State expense any public roads, streets, and highways which are now constructed and maintained at the expense of the several political subdivisions of the Commonwealth, and making an appropriation for this purpose."

The present bill would do more than authorize certain borough streets to be taken over by the Department of Highways for construction purposes. It would require them to be taken over, regardless of the approval of the Governor or of the political subdivisions involved. The constitutionality of the bill is therefore extremely doubtful.

For these reasons the bill is not approved.

GIFFORD PINCHOT

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No. 4-E

AN ACT

Authorizing the use of certain moneys in the Motor License Fund in aid of unemployment relief for certain purposes in counties of the first class, and making the necessary appropriation from the Motor License Fund.

Section 1. Be it enacted, &c., That for the period commencing on the first day of June, one thousand nine hundred and thirty-one, and ending on the thirty-first day of May, one thousand nine hundred and thirty-three, the sum of one million eight hundred and fifty thousand dollars (\$1,850,000) shall be paid to the counties of the first class in aid of unemployment relief, on orders of the Secretary of Highways, for the purpose of constructing, reconstructing, maintaining and repairing the roads and highways of such counties and of cities coextensive with such counties. Said payments shall be made from the Motor License Fund, and, for such purposes, so much of the moneys in said Motor License Fund is hereby specifically appropriated.

Section 2. This act shall be in effect immediately upon its passage, and approval of the Governor.

Commonwealth of Pennsylvania,  
Governor's Office,  
Harrisburg, December 24, 1931.

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

I return herewith, without my approval, House bill No. 47, Printer's No. 53, entitled "An act authorizing the use of certain moneys in the Motor License Fund in aid of unemployment relief for certain purposes in counties of the first class and making the necessary appropriation from the Motor License Fund."

This bill would appropriate one million eight hundred fifty thousand dollars (\$1,850,000) out of the Motor License Fund to Philadelphia County to be used by the county in constructing, reconstructing, maintaining and repairing Philadelphia roads and highways.

To put one million eight hundred fifty thousand dollars (\$1,850,000) of motor license money into the hands of the county commissioners of Philadelphia County would merely be to create nearly two million dollars worth of havens of refuge for political drones and incompetents, many of whom are now threatened with dismissal from city or county pay rolls. The county commissioners have no equipment or organization for building roads and no road-building experience. All road work in Philadelphia is done by the Department of Public Works of the city.

If this bill were approved in its present form, it is evident that a very substantial part of the money appropriated would be wasted.

In any event, the failure of the General Assembly to impose an emergency gasoline tax will render it necessary to reduce to a minimum next summer's road program in rural Pennsylvania, thus increasing, rather than alleviating, unemployment. The present condition of the Motor License Fund renders it impossible seriously to consider a drain of one million eight hundred fifty thousand dollars (\$1,850,000) to be placed in the hands of a body which has no road-building organization and no facilities for making use of the money appropriated.

Finally, the bill does not come within any of the subjects stated in my proclamations convening the special session of the General Assembly and cannot, therefore, validly be enacted.

For these reasons the bill is not approved.

GIFFORD PINCHOT

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No. 5-E

AN ACT

Making an appropriation to the city of Philadelphia, in aid of unemployment relief, for the maintenance and repair of city streets which are continuations of State highways.

Section 1. Be it enacted, &c., That in aid of unemployment relief, the sum of five hundred thousand dollars (\$500,000) is hereby specifically appropriated out of the Motor License Fund to the city of Philadelphia, for the fiscal period beginning June first, one thousand nine hundred and thirty-one, and ending May thirty-first, one thousand nine hundred and thirty-three, for the maintenance and repair of the hereinafter described streets, which are continuations of State highways, viz:

Beginning at a point on the Philadelphia City-Yeadon Borough line on Baltimore Avenue, thence over Baltimore Avenue to an intersection with Forty-fourth Street, thence northerly over Forty-fourth Street to an intersection with Powelton Avenue, thence over Powelton Avenue to an intersection with Forty-second Street, thence over Forty-second Street to an intersection with Spring Garden Street, thence over Spring Garden Street to an intersection with Thirty-first Street, thence northerly over Thirty-first Street to an intersection with Haverford Avenue, thence westerly over Haverford Avenue to an intersection with Forty-second Street, thence southerly over Forty-second Street to the intersection of Forty-second Street and Spring Garden Street; beginning

again at the intersection of Thirty-first Street and Spring Garden Street, thence easterly over Spring Garden Street to an intersection with the Parkway, thence southeasterly over the Parkway to City Hall, a distance of about 7.03 miles.

Beginning at a point on the Philadelphia City-Millbourne Borough line, thence over Market Street to an intersection with Sixty-third Street, thence southerly over Sixty-third Street to an intersection with Chestnut Street, thence easterly over Chestnut Street to an intersection with Broad Street; beginning again at the intersection of Broad Street and Walnut Street, thence westerly over Walnut Street to an intersection with Sixty-third Street, thence northerly over Sixty-Third Street to the intersection of Sixty-Third Street and Chestnut Street, a distance of about 8.72 miles.

Beginning at a point on the Philadelphia City-Yeadon Borough line on Sixty-fifth Street, thence easterly over Sixty-fifth Street, Chester Avenue, and Sixty-fifth Street to an intersection with Kingsessing Avenue, thence northeasterly over Kingsessing Avenue to an intersection with Fifty-second Street, thence northwesterly over Fifty-second Street to an intersection with Springfield Avenue, thence northeasterly over Springfield Avenue to an intersection of Springfield Avenue and Baltimore Avenue, a distance of about 2.48 miles.

Beginning at a point on the Philadelphia City-Bucks County line on Roosevelt Boulevard, thence over the Roosevelt Boulevard to an intersection with Hunting Park Avenue, thence over Hunting Park Avenue to an intersection with Allegheny Avenue, thence westerly over Allegheny Avenue to an intersection with Ridge Avenue, thence over Ridge Avenue and Park Drive to an intersection with City Avenue, thence southwesterly over City Avenue to the Philadelphia City-Delaware County line at Cobbs Creek, a distance of 18.51 miles.

Beginning at a point on the Philadelphia City-Montgomery County line on Lancaster Avenue, thence southeasterly over Lancaster Avenue to an intersection with Spring Garden Street; beginning again at the intersection of the Parkway and Race Streets, thence easterly over Race Street to the Delaware River Bridge approach; beginning again at the intersection of the Delaware River Bridge approach and Vine Street, thence westerly over Vine Street to an intersection with the Parkway a distance of about 5.59 miles.

Beginning at a point on the Philadelphia City-Montgomery County line on Conshohocken Avenue, thence southeasterly on Conshohocken Avenue to an intersection with Belmont Avenue, to the intersection of Belmont Avenue and Lancaster Avenue, a distance of about 2.83 miles.

Beginning at a point on the Philadelphia City-Montgomery County line on Old York Road, thence southerly over Old York Road to an intersection with Broad Street, thence southerly over Broad Street to City Hall, thence by Filbert Street, Broad Street, and South Penn Square to the intersection of South Penn Square with South Broad Street, a distance of 8.38 miles.

Beginning at a point on the Philadelphia City-Montgomery County line on Wadsworth Avenue, thence southwesterly on Wadsworth Avenue to an intersection with Easton Road, thence along Easton Road to an intersection with Mt. Airy Avenue, thence along Mt. Airy Avenue to an intersection with Germantown Avenue; beginning again at the intersection of Germantown Avenue and Mt. Pleasant Avenue, thence

southwesterly over Mt. Pleasant Avenue to an intersection with Lincoln Drive, a distance of about 2.66 miles.

Beginning at a point on the Philadelphia City-Montgomery County line on Ogontz Avenue, thence southerly on Ogontz Avenue to an intersection with Stenton Avenue, thence southeasterly on Stenton Avenue to the intersection of Stenton Avenue and Broad Street, a distance of about 2.14 miles.

Beginning at a point on the Philadelphia City-Bucks County line on Bustleton Avenue, thence southerly on Bustleton Avenue to an intersection with Welsh Road, thence over Welsh Road to the intersection of Welsh Road and Roosevelt Boulevard, a distance of about 4.6 miles.

Beginning at a point on the Philadelphia City-Montgomery County line on Byberry Road, thence southeasterly over Byberry Road to its intersection with Bustleton Avenue, a distance of about .67 of a mile.

Beginning at a point on the Philadelphia City-Bucks County line on Frankford Avenue, thence southwesterly on Frankford Avenue to an intersection with Robbins Avenue, thence northwesterly on Robbins Avenue to the intersection of Robbins Avenue and the Roosevelt Boulevard, a distance of about 5.75 miles.

Beginning at a point on the Philadelphia City-Montgomery County line on Cottman Avenue, thence southeasterly over Cottman Avenue to an intersection with Frankford Avenue; beginning again at the intersection of Frankford Avenue and Levick Street, thence southeasterly over Levick Street to the Tacony-Palmyra bridge, a distance of about 4.59 miles.

Beginning at a point on the Philadelphia City-Darby Township line on Eighty-fourth Street, thence southeasterly over Eighty-fourth Street to an intersection with Penrose Avenue, thence northeasterly over Penrose Avenue to an intersection with Moyamensing Avenue, thence over Moyamensing Avenue to an intersection with Broad Street, thence northerly on Broad Street to City Hall, thence, by way of South Penn Square, Juniper Street, and Filbert Street, to the intersection of Filbert Street and North Broad Street, a distance of about 6.97 miles.

Beginning at a point on the Philadelphia City-Delaware County line on Essington Avenue, thence notheasterly on Essington Avenue to an intersection with Penrose Avenue, thence northeasterly on Penrose Avenue to the intersection of Penrose Avenue and Eighty-fourth Street; beginning again at the intersection of Moyamensing Avenue and Oregon Avenue, thence easterly over Oregon Avenue to the intersection of Delaware Avenue, thence northerly over Delaware Avenue to the intersection of Aramingo Avenue, thence northeasterly over Aramingo Avenue to the intersection of Frankford Avenue, thence over Frankford Avenue to the intersection of Robbins Avenue, a distance of about 12.3 miles.

Beginning at a point on the Philadelphia City-Montgomery County line on Perkiomen Road, thence southeasterly on Perkiomen Road to an intersection with Germantown Avenue, thence southeasterly over Germantown Avenue to an intersection with Mt. Pleasant Avenue, thence northeasterly on Mt. Pleasant Avenue to Chew Street, thence southeasterly on Chew Street to an intersection with Olney Avenue, thence easterly over Olney Avenue to an intersection with Roosevelt Boulevard, a distance of about 8.76 miles.

Beginning at a point on the Philadelphia City-Montgomery County line on Bethlehem Pike, thence southeasterly on the Bethlehem Pike,



to an intersection with Lincoln Drive, thence on Lincoln Drive to an intersection with Cliveden Street, thence southerly on Cliveden Street to an intersection with Park line, thence over Park line to an intersection with Walnut Lane, thence over Walnut Lane to an intersection with Ridge Avenue, thence southerly on Ridge Avenue to the intersection of Park Drive and Ridge Avenue, a distance of about 4.72 miles.

Beginning at a point on the Philadelphia City-Rockledge Borough line on Oxford Avenue, thence southeasterly on Oxford Avenue to an intersection with Hasbrook Avenue, thence southerly on Hasbrook Avenue to an intersection with Hartel Street, thence southeasterly on Hartel Street to an intersection with Rockwell Avenue, thence southerly on Rockwell Avenue to an intersection with Oxford Avenue, thence southerly on Oxford Avenue to the intersection of Oxford Avenue and the Roosevelt Boulevard, a distance of about 3.36 miles.

Section 2. Payments from said appropriations shall be made, from time to time, by requisition of the department of public works of said city, after approval by the Department of Highways.

Section 3. This act shall be in force immediately upon its passage, and approval by the Governor.

Commonwealth of Pennsylvania,  
Governor's Office,  
Harrisburg, December 24, 1931.

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

I return herewith, without my approval, House bill No. 50, Printer's No. 54, entitled "An act making an appropriation to the city of Philadelphia, in aid of unemployment relief, for the maintenance and repair of city streets which are continuations of State highways."

This bill would appropriate a half million dollars (\$500,000) to the city of Philadelphia for the maintenance and repair of certain designated city streets which are continuations of State highways.

For the reasons which I stated in vetoing House bill No. 47, I cannot approve a withdrawal of half a million dollars from the Motor License Fund for repair work on Philadelphia streets.

The bill does not come within any subject stated in my proclamations convening the special session. Therefore, Article III, Section 25, of the Constitution forbids its passage and approval.

For these reasons the bill is not approved.

GIFFORD PINCHOT

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No. 6-E

AN ACT

Making an appropriation to the Department of Property and Supplies for the erection of an additional office building in Capitol Park, and for grading and terracing the ground surrounding the same.

Section 1. Be it enacted, &c., That in order to provide work for unemployed persons the sum of two million three hundred thousand dollars (\$2,300,000), or so much thereof as may be necessary, is hereby specifically appropriated to the Department of Property and Supplies to be used by it for purchasing plans and causing specifications

to be prepared for, and for erecting and constructing, an additional office building in Capitol Park, to be located east of the North Office Building, and for grading and terracing the ground surrounding such building when constructed.

Section 2. The Department of Property and Supplies is hereby authorized to purchase from the architects who prepared the same the plans for the aforesaid office building, now in the possession of the Department of Property and Supplies, if the same have not already been purchased, and to cause said architects to prepare specifications and such further detailed plans and drawings as may be necessary to enable contracts to be awarded and the building constructed. The plans for the said building shall be approved by the Governor.

Section 3. The Department of Property and Supplies shall pay for all plans, specifications, supervision, and architectural and engineering fees required for carrying out the purposes of this act out of the appropriation made by this act.

Section 4. If the appropriation made by this act shall be insufficient for the completion of the office building authorized hereunder, it shall be lawful for the Department of Property and Supplies to award a contract or contracts for the construction of as much of the building as can be paid for out of the appropriation made by this act.

Section 5. This act shall become effective immediately upon its passage, and approval by the Governor.

Commonwealth of Pennsylvania,  
Governor's Office,  
Harrisburg, January 12, 1932.

I file herewith, in the office of the Secretary of the Commonwealth, with my objections, Senate bill No. 7, Printer's No. 19, entitled "An act making an appropriation to the Department of Property and Supplies for the erection of an additional office building in Capitol Park, and for grading and terracing the ground surrounding the same."

This bill would appropriate \$2,300,000 for the erection of North Office Building No. 2, in Capitol Park, Harrisburg.

I recognize the need for an additional office building for the use of the Commonwealth, as well as the strong desire of the people of the Commonwealth to see the so-called Capitol Group of Buildings completed. But the State, like an individual or a private business concern, cannot wisely spend money which it does not have. It is more limited than private business concerns in that it cannot borrow money, either for operating or capital expenditures, without the passage and approval of a constitutional amendment.

The Legislature when it passed this bill knew that it was not providing the revenue necessary to enable me to approve it. It knew, without being told, that I could not approve a bill for such a purpose unless there was revenue in sight out of which the appropriation could be paid. There is no such revenue.

For these reasons the bill is not approved.

GIFFORD PINCHOT

## No. 7-E

## AN ACT

Making an appropriation to the Department of Property and Supplies for the cost of erection and equipment of a State sanatorium for tubercular patients on State-owned lands.

Section 1. Be it enacted, &c., That the sum of one million dollars (\$1,000,000), or so much thereof as may be necessary, is hereby specifically appropriated to the Department of Property and Supplies for the purpose of paying the cost of the erection, construction and equipment of a State sanatorium for tubercular patients on land now owned by the Commonwealth, to be selected by the Secretary of Health. As much of the appropriation hereby made as may be necessary shall be used for paying architects' fees and the expenses of supervision.

Section 2. The plans and specifications for the construction work to be done hereunder shall be prepared under the supervision of the Department of Health, subject to the approval of the Department of Property and Supplies.

Section 3. Contracts for the construction work shall be awarded and the construction carried on as provided by the Administrative Code of one thousand nine hundred and twenty-nine.

Section 4. As soon as the erection, construction and equipment of the sanatorium is completed, it shall be turned over to the Department of Health for operation and management in the same manner as other sanatoria of the Commonwealth.

Commonwealth of Pennsylvania,  
Governor's Office,  
Harrisburg, January 12, 1932.

I file herewith, in the office of the Secretary of the Commonwealth, with by objections, Senate Bill No. 35, Printer's No. 21, entitled, "An act making an appropriation to the Department of Property and Supplies for the cost of erection and equipment of a State sanatorium for tubercular patients on state-owned lands."

This bill would appropriate one million dollars for the erection of a new sanatorium for tubercular patients. It makes no provision, and no provision has been made, for raising the million dollars.

I recognize the State's need for additional facilities to care for those afflicted with tuberculosis. But buildings can neither be erected nor maintained without money. For the Legislature to pass this bill, knowing that it had not provided revenue to meet it, was an irresponsible and empty gesture.

I cannot approve bills which undertake to spend money we do not have.

For these reasons the bill is not approved.

GIFFORD PINCHOT

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 No. 8-E

## AN ACT

Authorizing the erection and construction by the Department of Property and Supplies of a State tuberculosis sanatorium on State forest land in the northwestern part of the Commonwealth; placing the sanatorium, upon completion, under the jurisdiction and control of the Department of Health; and making an appropriation.

Section 1. Be it enacted, &c., That the sum of one million dollars (\$1,000,000), or as much thereof as may be necessary, is hereby speci-

cally appropriated to the Department of Property and Supplies for the erection and construction of a State tuberculosis sanatorium upon State forest land in the northwestern section of the Commonwealth, to be selected as hereinafter provided.

Section 2. The Department of Health, with the approval of the Governor, shall make, or cause to be made, a study and survey of the State forest reservations in the northwestern part of the Commonwealth for the purpose of ascertaining a site most suitable for the erection of the State tuberculosis sanatorium authorized by this act. After a site is agreed upon, the Governor shall specify the location of the site in and by an appropriate document, which shall be filed in the Department of Internal Affairs. Upon the completion of the sanatorium, the Department of Health shall have the same jurisdiction and control over the sanatorium as it now has over existing State sanatoria.

Section 3. The Department of Property and Supplies, with the approval of the Governor, shall pay, out of the appropriation made by this act, the cost of necessary plans, specifications, advertising for bids, supervision, architectural and engineering fees, grading, and improvement of the land comprising the site of the sanatorium, and other incidental expenses necessary for carrying out the purposes of this act.

Section 4. If the appropriation made by this act shall be insufficient for the completion of the sanatorium authorized hereunder, it shall be lawful for the Department of Property and Supplies to award a contract or contracts for the construction of as much of the sanatorium as can be paid for out of the appropriation made by this act.

Section 5. This act shall become effective immediately upon its passage, and approval by the Governor.

Commonwealth of Pennsylvania,  
Governor's Office,  
Harrisburg, January 12, 1932.

I file herewith, in the office of the Secretary of the Commonwealth, with my objections, Senate Bill No. 37, Printer's No. 20, entitled "An act authorizing the erection and construction by the Department of Property and Supplies of a State tuberculosis sanatorium on State forest land in the northwestern part of the Commonwealth; placing the sanatorium, upon completion, under the jurisdiction and control of the Department of Health; and making an appropriation.

This bill, like Senate Bill No. 35, would appropriate one million dollars for the erection of a new sanatorium for the care of persons afflicted with tuberculosis. It is more carefully drawn than Senate Bill No. 35, and if the State had the one million dollars it appropriates I should cheerfully approve it.

But the State does not have the million dollars. As I said in vetoing Senate Bill No. 35, I cannot approve bills which undertake to spend money we do not have.

For these reasons the bill is not approved.

GIFFORD PINCHOT

## AN ACT

To amend section two thousand five hundred and sixty-three of the act, approved the twenty-third day of June, one thousand nine hundred and thirty-one (Pamphlet Laws, nine hundred thirty-two), entitled "An act relating to cities of the third class; and amending, revising, and consolidating the law relating thereto," by limiting the amount of the penalty on taxes for the years one thousand nine hundred and thirty-one and one thousand nine hundred and thirty-two during a certain period.

Section 1. Be it enacted, &c., That section two thousand five hundred and sixty-three of the act, approved the twenty-third day of June, one thousand nine hundred and thirty-one (Pamphlet Laws, nine hundred and thirty-two), entitled "An act relating to cities of the third class; and amending, revising, and consolidating the law relating thereto," is hereby amended to read as follows:

Section 2563. Reductions and Penalties.—All persons who shall make payment during the months of March and April, in each year, of city and poor tax shall be entitled to a reduction or abatement of one per centum from the amount thereof. All such taxes shall be payable at their face during the months of May and June in each year. Upon all city and poor taxes remaining unpaid on the first day of July in each year, one per centum shall be added thereto, and upon the first day of each succeeding month thereafter, there shall be added or charged an additional penalty for nonpayment of one per centum, until such taxes are paid, which penalty shall be added to the taxes by said treasurer, as collector, and be collected by him: *Provided, however, That in the case of taxes for the calendar years one thousand nine hundred and thirty-one and one thousand nine hundred and thirty-two, the penalties imposed under the provisions of this or any other act shall not cumulate to an amount in excess of a total of six per centum of the amount of the taxes for the period such penalty shall run and ending on the first day of May, one thousand nine hundred and thirty-three, but as to such taxes the penalties above provided shall apply after May first, one thousand nine hundred and thirty-three.*

Section 2. This act shall be in force immediately upon its passage, and approval by the Governor.

Commonwealth of Pennsylvania,  
Governor's Office,  
Harrisburg, January 12, 1932.

I file herewith, in the office of the Secretary of the Commonwealth, with my objections, House Bill No. 93, Printer's No. 91, entitled, "An act to amend section two thousand five hundred and sixty-three of the act, approved the twenty-third day of June, one thousand nine hundred and thirty-one (Pamphlet Laws, nine hundred thirty-two), entitled 'An act relating to cities of the third class; and amending, revising, and consolidating the law relating thereto,' by limiting the amount of the penalty on taxes for the years one thousand nine hundred and thirty-one and one thousand nine hundred and thirty-two during a certain period."

This bill would amend the Third Class City Code by reducing penalties on unpaid taxes during the years one thousand nine hundred thirty-one and one thousand nine hundred thirty-two. It would provide that the maximum penalty should not exceed six per centum of the amount of the taxes for the period of the delinquency.

Whether or not such legislation would be advisable need not be con-

sidered at this time for the reason that this bill does not come within any of the subjects which I designated in my proclamations convening the special session of the General Assembly. Therefore, no useful purpose would be served by approving it as the courts would necessarily declare it unconstitutional.

One of the subjects which I stated was "Permitting local authorities under certain conditions to postpone tax sales during periods of economic depression and unemployment incident thereto."

On this specific subject two bills were introduced, one of which,—House Bill No. 3,—I have approved. The present bill does not relate to the postponement of tax sales but would merely reduce the aggregate penalties collectible for failure to make prompt payment. This is a subject entirely different from that which I designated.

For these reasons the bill is not approved.

GIFFORD PINCHOT

No. 10-E

AN ACT

To amend section one thousand three hundred and eight of the act, approved the fourth day of May, one thousand nine hundred and twenty-seven (Pamphlet Laws, five hundred nineteen), entitled "An act concerning boroughs; and revising, amending, and consolidating the law relating to boroughs," as amended, by limiting the amount of the penalty on taxes for the years one thousand nine hundred and thirty-one and one thousand nine hundred and thirty-two during a certain period.

Section 1. Be it enacted, &c., That section one thousand three hundred and eight of the act, approved the fourth day of May, one thousand nine hundred and twenty-seven (Pamphlet Laws, five hundred nineteen), entitled "An act concerning boroughs; and revising, amending, and consolidating the law relating to boroughs," as amended by section fourteen of the act, approved the ninth day of June, one thousand nine hundred and thirty-one (Pamphlet Laws, three hundred eighty-six), entitled "An act to amend sections two hundred sixteen, two hundred seventeen, two hundred eighteen, three hundred one, three hundred two, three hundred three, to add section three hundred four, to amend paragraph four of section one thousand six, sections one thousand twenty-six, one thousand thirty-five, one thousand thirty-seven, one thousand thirty-eight, one thousand thirty-nine, one thousand one hundred five, clauses twenty-six, fifty-three and fifty-four of section one thousand two hundred two, sections one thousand three hundred one, one thousand three hundred eight, one thousand six hundred five, one thousand six hundred ten, one thousand six hundred eleven, one thousand six hundred twelve, one thousand six hundred thirteen, one thousand six hundred fourteen, one thousand six hundred fifteen, one thousand seven hundred forty-five, to add sections two thousand one hundred seventy-four and two thousand one hundred seventy-five, two thousand four hundred ninety, two thousand four hundred ninety-one, two thousand four hundred ninety-two, to amend sections two thousand two hundred one, two thousand two hundred four, two thousand five hundred one, and two thousand nine hundred ten, and to repeal section two thousand nine hundred eleven, of the act, approved the fourth day of May, one thousand nine hundred and twenty-seven (Pamphlet Laws, five hundred nineteen), entitled "An act concerning boroughs; and revising, amending, and consolidating

the law relating to boroughs,' by further regulating the consolidating of boroughs; providing that in annulment proceedings territory formerly included in the borough may be created a new township; providing for the change of corporate names of boroughs; fixing the costs to be charged by burgesses; regulating surcharges against borough officers, and reports of auditors and appeals therefrom; further regulating the bonds and duties of borough treasurers, and the manner in which payments shall be made out of the funds in the treasury; authorizing the fixing of the time of opening and closing certain exhibitions; forbidding borough officers and employes to be interested in certain contracts, and prescribing penalties; providing for bonds to protect labor and materialmen on public works contracts; reducing time for allowance of tax reductions and changing penalties; eliminating the necessity of appointing viewers in certain proceedings; further regulating the opening and vacation of roads, streets and alleys, and assessment of damages therefor; authorizing adjoining boroughs to construct and maintain passageways; authorizing boroughs to construct sewers on boundary streets and assess the costs thereof, to erect retaining walls and to condemn property and assess benefits for such purposes; providing for the appropriation of lands for airports; and empowering boroughs to regulate and license transient retail business," is hereby further amended to read as follows:

Section 1308. Abatements and Penalties.—All persons who shall, within sixty days from the date of notice, make payment of any taxes charged against them in the duplicate shall be entitled to a reduction of five per centum from the amount thereof that shall be paid. All persons who shall fail to make payment of any taxes charged against them in said duplicate, within the sixty days from the date of said notice, shall be charged one-half of one per centum per month, or fractional part thereof, which shall be added thereto by the tax collector and collected by him: *Provided, however, That in the case of taxes for the calendar years one thousand nine hundred and thirty-one and one thousand nine hundred and thirty-two, the penalties imposed under the provisions of this or any other act shall not cumulate to an amount in excess of a total of six per centum of the amount of the tax for the period such penalty shall run and ending on the first day of May, one thousand nine hundred and thirty-three, but as to such taxes the penalties above provided shall apply after May first, one thousand nine hundred and thirty-three.*

Section 2. This act shall be in force immediately upon its passage, and approval by the Governor.

Commonwealth of Pennsylvania,  
Governor's Office,  
Harrisburg, January 12, 1932.

I file herewith, in the office of the Secretary of the Commonwealth, with my objections, House Bill No. 94, Printer's No. 92, entitled, "An act to amend section one thousand three hundred and eight of the act, approved the fourth day of May, one thousand nine hundred and twenty-seven (Pamphlet Laws, five hundred nineteen), entitled 'An act concerning boroughs; and revising, amending, and consolidating the law relating to boroughs,' as amended, by limiting the amount of the penalty on taxes for the years one thousand nine hundred and thirty-

one and one thousand nine hundred and thirty-two during a certain period."

This bill would amend the Borough Code by reducing penalties on unpaid taxes during the years one thousand nine hundred thirty-one and one thousand nine hundred thirty-two. It would provide that the maximum penalty should not exceed six per centum of the amount of the taxes for the period of the delinquency.

For the same reasons which I stated in vetoing House Bill No. 93, I cannot approve this bill.

For these reasons the bill is not approved.

GIFFORD PINCHOT

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No. 11-E

AN ACT

To amend section one of the act, approved the twenty-ninth day of May, one thousand nine hundred and thirty-one (Pamphlet Laws, two hundred eighty), entitled "An act relating to delinquent taxes on seated lands, and prescribing interest charges on non-payment thereof; requiring the receivers and collectors of county, city, borough, town, township, school district and poor district taxes to make a return to the county commissioners of such unpaid taxes, and providing for the lien thereof; authorizing the county treasurers to collect such taxes, and to sell seated lands at public sale for taxes heretofore or hereafter returned as unpaid; and authorizing the county commissioners to purchase such lands and resell the same under certain circumstances," by limiting the amount of penalties and interest on taxes for the year's one thousand nine hundred and thirty-one and one thousand nine hundred and thirty-two during a certain period.

Section 1. Be it enacted, &c., That section one of the act, approved the twenty-ninth day of May, one thousand nine hundred and thirty-one (Pamphlet Laws, two hundred eighty), entitled "An act relating to delinquent taxes on seated lands, and prescribing interest charges on non-payment thereof; requiring the receivers and collectors of county, city, borough, town, township, school district and poor district taxes to make a return to the county commissioners of such unpaid taxes, and providing for the lien thereof; authorizing the county treasurers to collect such taxes, and to sell seated lands at public sale for taxes heretofore or hereafter returned as unpaid; and authorizing the county commissioners to purchase such lands and resell the same under certain circumstances," is hereby amended to read as follows:

Section 1. Be it enacted, &c., That from and after the passage of this act, it shall be the duty of each receiver or collector of any county, city, borough, town, township, school district or poor district taxes, to make a return to the county commissioners of such taxes which are assessed and levied on seated lands, and which are unpaid, and for which no liens have been filed, not later than the first Monday of May, in the year succeeding the year in which the respective taxes were assessed and levied, filing therewith a description of said real estate by adjoiners, or otherwise, sufficient to identify said land with name of the owner or reputed owner against whom such taxes were assessed and levied, and the amounts of taxes unpaid, and the year during which the said taxes were assessed or levied. In addition to penalties under existing laws, interest at the rate of six per centum per annum shall be added, beginning on the first day of May, of the year following the levy and assessment of such tax, until such taxes are paid or the seated lands responsible therefor are sold as hereinafter provided: *Provided, however, That in the case of taxes for the calendar years one thousand nine hundred and thirty-one and one thousand nine hundred and thirty-two, the penalties under existing laws and the inter-*



*est to be added under the provisions of this section shall not cumulate to an amount in excess of a total of six per centum of the amount of the tax for the period such penalties and interest shall run and ending on the first day of May, one thousand nine hundred and thirty-three, but as to said taxes the penalties under existing laws and the interest above provided shall apply after May first, one thousand nine hundred and thirty-three.*

Section 2. This act shall be in force immediately upon its passage, and approval by the Governor.

Commonwealth of Pennsylvania,  
Governor's Office,  
Harrisburg, January 12, 1932.

I file herewith, in the office of the Secretary of the Commonwealth, with my objections, House Bill No. 95, Printer's No. 93, entitled, "An act to amend section one of the act, approved the twenty-ninth day of May, one thousand nine hundred and thirty-one (Pamphlet Laws, two hundred eighty), entitled 'An act relating to delinquent taxes on seated lands, and prescribing interest charges on non-payment thereof; requiring the receivers and collectors of county, city, borough, town, township, school district and poor district taxes to make a return to the county commissioners of such unpaid taxes, and providing for the lien thereof; authorizing the county treasurers to collect such taxes, and to sell seated lands at public sale for taxes heretofore or hereafter returned as unpaid; and authorizing the county commissioners to purchase such lands and resell the same under certain circumstances,' by limiting the amount of penalties and interest on taxes for the years one thousand nine hundred and thirty-one and one thousand nine hundred and thirty-two during a certain period."

This bill would amend the Act of May 29, 1931, P. L. 280, by limiting, during the years one thousand nine hundred thirty-one and one thousand nine hundred thirty-two, the aggregate penalties and interest which can be added to delinquent taxes on seated lands.

For the same reasons which I stated in vetoing House Bill No. 93, I cannot approve this bill.

For these reasons the bill is not approved.

GIFFORD PINCHOT

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No. 12-E

AN ACT

To amend section two hundred and twenty-five of the act, approved the fourteenth day of May, one thousand nine hundred and twenty-five (Pamphlet Laws, seven hundred sixty-two), entitled "An act concerning poor relief, and the creation and government of poor districts and the administration of the same in all counties of the Commonwealth, except in counties of the first and second class; and revising, amending, consolidating, and changing the law relating thereto," as added, by lengthening the time for which notes may be issued for temporary loans.

Section 1. Be it enacted, &c., That section two hundred and twenty-five of the act, approved the fourteenth day of May, one thousand nine hundred and twenty-five (Pamphlet Laws, seven hundred sixty-two), entitled "An act concerning poor relief and the creation and government of poor districts and the administration of the same in all counties of the Commonwealth, except in counties of the first and second class; and revising, amending, consolidating, and changing

the law relating thereto," as added by the act, approved the twelfth day of June, one thousand nine hundred and thirty-one (Pamphlet Laws, five hundred twenty-four), entitled "An act to amend article eleven of the act, approved the fourteenth day of May, one thousand nine hundred and twenty-five (Pamphlet Laws, seven hundred sixty-two), entitled 'An act concerning poor relief and the creation and government of poor districts and the administration of the same in all counties of the Commonwealth, except in counties of the first and second class; and revising, amending, consolidating, and changing the law relating thereto,' by authorizing the directors to make temporary loans to meet unusual expenditures; and providing for the payment of such loans," is hereby further amended to read as follows:

Section 225. Temporary Loans.—For the purpose of meeting unusual or unforeseen demands for maintenance or support of the poor of the district and expenditures in the operation of the district arising therefrom, the directors may, *with the approval of the court of common pleas of the county*, borrow money and give temporary notes therefor. Such temporary notes shall not be for a longer period than [six months] *one year*, shall not bear interest at a higher rate than six per centum, shall not be negotiated for less than par. The amount of such temporary loans shall be included in the requisition of the directors of the poor, and payment thereof shall be provided for by the county commissioners in the next annual tax levy.

Commonwealth of Pennsylvania,  
Governor's Office,  
Harrisburg, January 12, 1932.

I file herewith, in the office of the Secretary of the Commonwealth, with my objections, House Bill No. 31, Printer's No. 73, entitled, "An act to amend section two hundred and twenty-five of the act, approved the fourteenth day of May, one thousand nine hundred and twenty-five (Pamphlet Laws, seven hundred sixty-two), entitled 'An act concerning poor relief, and the creation and government of poor districts and the administration of the same in all counties of the Commonwealth, except in counties of the first and second class; and revising, amending, consolidating, and changing the law relating thereto,' as added, by lengthening the time for which notes may be issued for temporary loans."

This bill would make two changes in the present law authorizing poor districts to make temporary loans for emergency purposes.

Under the present law any board of poor directors may make such loans running for a period not longer than six months. Under this bill, while the notes could run for one year, no such loans could be made without the approval of the court of common pleas.

Were this bill to be approved temporary loans would be more difficult to make than at present. In a time like this they ought to be made easier, not harder.

This bill is entirely consistent with the disregard for unemployment relief shown by a certain element in the Legislature. Instead of giving poor boards more flexibility in financing their operations, this bill would render it more difficult for them to do so.

I would not be a party to legislation of this type at this time.

In addition this bill does not come within any of the subjects desig-

nated in my proclamations convening the special session and is, therefore, unconstitutional.

For these reasons the bill is not approved.

GIFFORD PINCHOT

No. 13-E

A SUPPLEMENT

To an act, approved the twenty-sixth day of May, one thousand nine hundred and thirty-one (Appropriation Acts, page one hundred six), entitled "An act making an appropriation to the Department of Welfare for the maintenance of certain hospitals," making an additional emergency appropriation.

Section 1. Be it enacted, &c., That in addition to the amount appropriated by the act to which this is a supplement, the sum of two million dollars (\$2,000,000), or so much thereof as may be necessary, is hereby specifically appropriated to the Department of Welfare, as an emergency appropriation, for the two fiscal years ending May thirty-first, one thousand nine hundred and thirty-three, including any deficiencies incurred during said fiscal period but prior to the passage of this act, to be paid by it to the hospitals hereinafter designated, in the amounts hereinafter specified, for the purpose of the maintenance of such hospitals, in the manner prescribed by law, at the rate of three dollars (\$3) per diem for the medical and surgical services rendered to and maintenance of persons treated in such hospitals who are entitled to free service; and for each day of part pay service, such proportion of the three dollars (\$3) per diem rate as the part of the regular charge which the person treated is not able to pay bears to the regular ward charge for free service, except that no hospital shall receive compensation at a rate exceeding the actual cost of service per capita in its public ward.

Adrian Hospital Association, Punxsutawney, .....	\$ 6,400
Allegheny General Hospital, Pittsburgh, .....	50,700
Allegheny Valley Hospital, Tarentum, .....	5,500
Allentown Hospital, Allentown, .....	30,800
Altoona Hospital, .....	16,200
American Hospital for Diseases of Stomach, Philadelphia, .....	2,800
American Oncologic Hospital, Philadelphia, .....	4,800
Anthracite Hospital of Pottsville, .....	2,500
Barnes, Simon H., Memorial Hospital, .....	800
Beaver Valley General Hospital, New Brighton, ....	4,500
Belvedere Hospital, Pittsburgh, .....	1,100
Berwick Hospital, .....	3,800
Blair, J. C., Memorial Hospital, Huntingdon, .....	10,300
Bloomsburg Hospital, .....	7,500
Braddock General Hospital, .....	13,300
Bradford Hospital, .....	10,100
Brookville Hospital, .....	1,800
Brownsville General Hospital, .....	9,500
Butler County General Hospital, .....	4,700
Canonsburg General Hospital, .....	4,700
Carbondale Emergency Hospital, .....	5,600
Carlisle Hospital, .....	6,400

Centre County Hospital, Bellefonte, .....	\$ 8,100
Chambersburg Hospital, .....	5,300
Charleroi-Monessen Hospital, .....	7,800
Chester County Hospital, West Chester, .....	15,500
Chester Hospital, City of Chester, .....	20,100
Christian H. Buhl Hospital, Sharon, .....	6,500
Citizens General Hospital, New Kensington, .....	11,000
Clearfield Hospital, .....	11,000
Coatesville Hospital, .....	13,200
Columbia Hospital, Columbia, .....	3,900
Community Hospital, Kane, .....	1,800
Conemaugh Valley Memorial Hospital, .....	22,400
Corry Hospital Association, .....	3,600
Coudersport General Hospital, .....	1,000
Delaware County Hospital, .....	7,000
Eagleville Sanatorium for Consumptives, .....	31,000
Easton Hospital, .....	16,800
Elizabeth Steel Magee, Pittsburgh, .....	12,600
Elk County General Hospital, Ridgway, .....	5,600
Ellwood City Hospital, .....	2,600
Eye and Ear Hospital, Pittsburgh, .....	6,000
Frankford Hospital, Philadelphia, .....	18,400
Franklin City Hospital, .....	2,400
Frederick Douglas Memorial Hospital and Training School, Philadelphia, .....	4,500
Garretson Hospital, Philadelphia, .....	4,800
General Hospital of Monroe County, East Strouds- burg, .....	3,100
Germantown Dispensary and Hospital, .....	30,500
Good Samaritan Hospital, Lebanon, .....	9,500
Grandview Hospital, Sellersville, .....	4,300
Grandview Hospital for Consumptives, Oil City ....	4,700
Greene County Memorial Hospital, Waynesburg, ....	2,800
Greenville Hospital, Greenville, .....	1,300
Grove City Hospital, .....	1,000
Hahnemann Hospital, Philadelphia, .....	47,100
Hahnemann Hospital, Scranton, .....	15,400
Hamot Hospital Association, Erie, .....	23,200
Hanover General Hospital, Hanover, .....	3,400
Harrisburg Hospital, Harrisburg, .....	22,400
Harrisburg Polyclinic Hospital, Harrisburg, .....	16,000
Homeopathic Hospital of Chester County, Chester, ..	8,400
Homeopathic Medical and Surgical Hospital, Pitts- burgh, .....	24,000
Homeopathic Medical and Surgical Hospital, Reading,	17,500
Homestead Hospital, .....	12,500
Indiana Hospital, .....	9,500
Jamison Memorial Hospital Association, New Castle,	7,800
Jefferson Medical College Hospital, .....	55,300
Kane Summit Hospital Association, .....	2,800
Kensington Hospital for Women, Philadelphia, ....	9,500
Kittanning General Hospital, .....	2,300
Lancaster County Tuberculosis Society, Rossmere, ..	16,000
Lancaster General Hospital, .....	17,100

Latrobe Hospital, .....	\$ 5,900
Lewistown Hospital, .....	12,800
Lock Haven Hospital, .....	10,000
Lying-in-Charity Hospital, Philadelphia, .....	21,900
Maple Avenue Hospital Association, DuBois, .....	3,600
Maternity Hospital, Philadelphia, .....	9,100
McKeesport Hospital, .....	16,200
Meadville City Hospital, .....	3,900
Memorial Hospital Association, Monongahela City, ..	3,800
Memorial Hospital, Roxborough, Philadelphia, .....	13,600
Chestnut Hill Hospital, Philadelphia, .....	5,600
Children's Hospital, Bainbridge Street, Philadelphia,	12,600
Children's Hospital of Pittsburgh, .....	28,000
Mercy Hospital, Altoona, .....	13,100
Mercy Hospital, Philadelphia, .....	16,800
Mercy Hospital, Wilkes-Barre, .....	21,700
Mid-Valley Hospital, Blakely, .....	7,300
Miners' Hospital of Northern Cambria, .....	10,900
Montefiore Hospital, Pittsburgh, .....	18,000
Montgomery Hospital, Norristown, .....	10,100
Mount Pleasant Memorial Hospital, Mount Pleasant, .	5,800
Mount Sinai Hospital, Philadelphia, .....	33,600
Nason Hospital Association, Roaring Springs, .....	8,100
National Stomach Hospital, Philadelphia, .....	1,600
Northern Liberties Hospital, .....	5,700
Northeastern Hospital of Philadelphia, .....	8,300
Northwestern General Hospital, Philadelphia, .....	4,900
Ohio Valley General Hospital, McKees Rocks, .....	6,700
Oil City Hospital, .....	7,200
Packer, Mary M., Hospital, Sunbury, .....	7,800
Packer, Robert, Hospital, Sayre, .....	22,400
Passavant Hospital, Pittsburgh, .....	15,300
Pennsylvania Epileptic Hospital and Colony Farm, Oakburne, .....	11,200
Pennsylvania Hospital of Philadelphia (Contributors),	36,600
Philadelphia Orthopedic Hospital and Infirmary, ..	18,200
Phoenixville Hospital, .....	4,900
Pittsburgh Hospital Association, .....	15,600
Pittston Hospital Association, .....	12,600
Pottstown Homeopathic Hospital, .....	2,900
Pottstown Hospital, .....	5,000
Pottsville Hospital, .....	15,100
Presbyterian Hospital, Pittsburgh, .....	17,700
Providence Hospital of Beaver County, .....	3,000
Punxsutawney Hospital Association, .....	3,900
Reading Hospital, .....	26,300
Renovo Hospital, .....	1,500
Rochester General Hospital, .....	8,700
Rush Hospital for Consumptives, Philadelphia, .....	18,500
Saint Christopher's Hospital for Children, Philadel- phia, .....	16,800
Saint Francis Hospital, Pittsburgh, .....	.....
Saint John's General Hospital, Pittsburgh, .....	12,900

Saint Joseph's Hospital, Carbondale, .....	\$	3,600
Saint Luke's Hospital, South Bethlehem, .....		19,600
Saint Luke's Homeopathic Hospital, Philadelphia, ..	}	23,700
Children's Homeopathic Hospital, Philadelphia, ....		
Saint Vincent's Hospital Association, Erie, .....		22,800
Temple University Hospital, Philadelphia, .....		27,700
Sewickley Valley Hospital, .....		7,300
South Side Hospital, Pittsburgh, .....		19,900
Spencer Hospital, Meadville, .....		8,400
Stetson Hospital, Philadelphia, .....		3,900
Suburban General Hospital, Bellevue, .....		4,400
Taylor Hospital Association, .....		7,600
Taylor Hospital, Ridley Park, .....		6,500
Titusville Hospital, .....		1,700
Tuberculosis League of Pittsburgh, .....		25,000
Uniontown Hospital, .....		15,900
University of Pennsylvania Hospital, Philadelphia, ..		46,400
University of Pennsylvania Graduate Hospital, ....	}	50,400
Howard Hospital, .....		
University of Pennsylvania Polyclinic Hospital, ....		
Medico-Chirurgical Hospital, Philadelphia, .....		
Warner, Annie M., Hospital, Gettysburg, .....		2,200
Warren General Hospital, .....		4,200
Washington Hospital, .....		16,200
Wayne County Memorial Hospital, Honesdale, .....		1,000
Waynesboro Hospital, .....		3,900
Western Pennsylvania Hospital, Pittsburgh, .....		45,500
Westmoreland Hospital Association, Greensburg, ....		10,200
West Philadelphia Hospital for Women, .....		11,500
West Side Hospital Association, Scranton, .....		18,300
Wilkes-Barre General Hospital, .....		37,800
Williamsport Hospital, .....		23,600
Wills Eye Hospital, Philadelphia, .....		18,900
Women's Homeopathic Hospital, Philadelphia, .....		17,700
Women's Hospital of Philadelphia, .....		13,300
Women's Medical College Hospital, Philadelphia, ...		16,800
Women's Southern Homeopathic Hospital, Philadel- phia, .....		8,500
Wyoming Valley Homeopathic Hospital, Wilkes- Barre, .....		9,600
York Hospital, .....		21,500
Philadelphia College of Osteopathy and Osteopathic Hospital of Philadelphia, .....		2,800
Quakertown Hospital Association, .....		1,800
Zem Zem Hospital for Crippled Children, of Erie, Pennsylvania, .....		2,100
<b>Total</b> .....	<b>\$</b>	<b>2,000,000</b>

Section 2. Notwithstanding the provisions of section one of this act, no part of the appropriation made to the Department of Welfare thereunder shall be paid to any hospital therein named if such hospital is a denominational or sectarian institution or corporation or association.

Commonwealth of Pennsylvania,  
 Governor's Office,  
 Harrisburg, January 19, 1932.

I file herewith, in the office of the Secretary of the Commonwealth, with my objections, House bill No. 74, Printer's No. 76, entitled "A supplement to an act, approved the twenty-sixth day of May, one thousand nine hundred and thirty-one (Appropriation Acts, page one hundred six), entitled 'An act making an appropriation to the Department of Welfare for the maintenance of certain hospitals,' making an additional emergency appropriation."

Under the false guise of meeting emergency needs for the unemployed, this bill would appropriate two million dollars to certain State-aided hospitals, distributing the amounts paid to each on a percentage basis wholly without regard to the new needs created by unemployment.

I recommended to the extra session an appropriation of the same amount, to be distributed, however, by the Department of Welfare to hospitals in accordance with their needs—not in disregard of them. My recommendation was, of course, conditioned upon the passage by the Legislature of revenue measures that would provide the money. There being no surplus, the money could be made available only if the Legislature raised it. This it did not do.

I am deeply sorry that the State-aided hospitals are deprived by the action of the Legislature of the additional help I recommended for them.

Two compelling reasons require me to veto this bill.

First. The Legislature failed to provide revenue out of which the appropriation could be paid.

Second. The basis of distribution has no relation to the requirements of the individual hospitals to meet the added burden caused by unemployment.

The Secretary of Revenue, who is charged by law with the duty of making estimates, has estimated that at the end of this biennium, because of the depression, the State will face a deficit of from five to ten million dollars.

The Secretary of Revenue is the officer in the best position to know. During the extra session the State Treasurer repeatedly said to me in the presence of others that his estimate and that of the Secretary of Revenue agreed "to a penny."

Yet on January 1st the State Treasurer asserted that receipts in the General Fund for the first seven months of the biennium exceeded the estimates by \$2,846,688.85, and that if the same rate continues there should be a surplus at the end of the biennium of more than \$10,000,000.

Whether this statement represented mere ignorance or was deliberately intended to deceive, I do not know. In any case, it is utterly false.

The facts are that the total revenue receipts to the General Fund for the first seven months of this biennium were \$49,350,300.15. The total estimate for that period was \$48,829,317. The receipts, therefore, appeared to exceed the estimates by \$520,983.15. But of that amount \$246,170.12 came from transfers from abolished funds. It follows that the excess of receipts over estimates for the seven months

was \$274,813.03, or less than one-tenth of the \$2,846,688.85 alleged by the State Treasurer.

I can imagine no reason why the State Treasurer should deliberately spread information concerning the State's finances which, if he knew anything about them at all, he knew to be false. Revenue is collected on the previous year's basis, and the fall in stocks and other values during 1931 will be reflected in the revenue of the fiscal year 1932-33. No one with the most rudimentary knowledge of the State's fiscal methods and situation and present business conditions could for a moment assume that the revenue for the fiscal year 1932-33 will come within millions of that for the previous fiscal year much less exceed it by \$10,000,000.

If the Talbot Bill should be declared constitutional, another \$10,000,000 would be added to the deficit, to say nothing of the \$35,000,000 surplus inherited from the properous biennium which preceded this one when the anthracite coal tax was still in effect and which will not be available when the next budget comes to be made, because it was appropriated at the last regular session. But unless the appropriations for the State Government in the next biennium are to be cut down by \$35,000,000, that amount will have to be supplied either by borrowing or by increased taxation.

We have no surplus and no prospect of a surplus. On the contrary, we are facing the certainty of a grave deficiency of revenue. That being so, much as I would like to help the hospitals, because of the failure of the Legislature to raise the necessary funds, I cannot approve this bill. It would create an additional State debt of \$2,000,000, and it would distribute the money on a percentage basis without regard to the real needs of the distressed and the unemployed.

For these reasons the bill is not approved.

GIFFORD PINCHOT



## RESOLUTIONS

### No. 1-E.

Whereas, Special Bulletin No. Twenty-three, issued by the Bureau of Statistics of the Department of Labor and Industry in July, one thousand nine hundred and thirty-one, on page thirteen, says that during June, one thousand nine hundred and thirty-one, the estimated number of unemployed in Pennsylvania totaled nine hundred eighteen thousand seven hundred sixty-eight; and

Whereas, His Excellency, the Governor of the Commonwealth, in his message to this Assembly on November tenth, one thousand nine hundred thirty-one, said: "Whatever the causes of the great depression and however near the longed-for recovery may be, the Commonwealth of Pennsylvania is facing an imperative and inescapable task. That task, which our duty and our interest both forbid us to neglect, is to care for those who, through no fault of their own, are now in dire distress or who will be in distress during the coming winter;" and

Whereas, His Excellency, the Governor of the Commonwealth, did, by his proclamation convening the General Assembly, issued October thirty-one, one thousand nine hundred thirty-one, recognize that an economic condition exists in Pennsylvania which makes necessary the exercise of the police power for the protection and preservation of the public health, safety, and welfare when he said: "The welfare of the people in this Commonwealth, as in the United States at large, is endangered by the prevailing unemployment which has deprived one quarter of the workers of Pennsylvania of the opportunity to earn a living;" and

Whereas, The Supreme Court of Pennsylvania, in the case of *Busser v. Snyder*, two hundred eighty-two Pennsylvania four hundred forty, said that "indigent \* \* \* persons, without ability or means to sustain themselves, \* \* \* become direct charges on the body politic for its own preservation and protection. As such, in the light of an expense, they stand exactly in the same position as the preservation of law and order;" in the same case also said, "the thing which for more than two hundred years fixed the charge on the Commonwealth was the fact of inability (of the poor) to support themselves, or without means of support. The Constitution of one thousand eight hundred seventy-three recognized this condition as a public liability. Nothing is said therein prohibiting, interfering with or controlling the performance of the duty;" and

Whereas, The Supreme Court of Pennsylvania, in *Commonwealth versus Andrews*, two hundred eleven Pennsylvania one hundred ten, approved this language of Judge Henderson of the Superior Court: "The promotion of public morals and public health is a chief function of government to be exercised at all times as occasion may require. The methods by which the results may be accomplished depends upon the circumstances of particular cases and the largest legislative discretion is allowed;" and

Whereas, The Supreme Court of the United States, in *Powell versus Pennsylvania*, one hundred twenty-seven United States six hundred seventy-eight, said: "It is settled doctrine of this court that as government is organized for the purpose among others of preserving the

public health and public morals, it cannot divest itself of the power to provide for those objects, and the fourteenth amendment was not designed to interfere with the exercise of that power by the states;" and

Whereas, There are thousands of men, women, and children in Pennsylvania who, by reason of unemployment, have been temporarily brought within the legal status of indigency, and this aggravated condition requires the General Assembly to grant aid to those unable to support themselves for the protection of the public health, safety, and welfare, and requires the assumption by the State of an inherent governmental duty; therefore be it

Resolved (if the Senate concur), That the General Assembly hereby declares that the additional burden imposed on poor districts of the Commonwealth by wide spread unemployment has caused a grave emergency, and demands the assumption by the Commonwealth of its inherent duty to care for and maintain all those unable to support themselves, and requires the exercise of the police power for the protection and preservation of the public health, safety, and welfare.

Commonwealth of Pennsylvania,

Governor's Office,

Harrisburg, January 9, 1932.

I file herewith, in the office of the Secretary of the Commonwealth, with my objections, House Resolution No. 18, dated December 7, 1931, Printer's No. 61.

After quoting passages of my message to the special session of the Legislature and certain decisions of the Supreme Court of Pennsylvania, this resolution declares that "the additional burden imposed on poor districts of the Commonwealth by wide spread unemployment has caused a grave emergency, and demands the assumption by the Commonwealth of its inherent duty to care for and maintain all those unable to support themselves and requires the exercise of the police power for the protection and preservation of the public health, safety and welfare."

The purpose of this resolution is apparent. It is intended to lend support to the effort of certain members of the General Assembly to "bend the Constitution" so as to justify the passage of the Talbot Bill.

There is no doubt that we face a grave emergency and that in the emergency the police power of the Commonwealth should be exercised to the fullest possible extent for the protection and preservation of the public health, safety and welfare. Concerning these statements there can be no difference of opinion among those who are well informed and sincere.

But to say that the Commonwealth has an inherent duty to maintain "all those unable to support themselves" is false in fact, in history and in law.

In the Old Age Pension Case (*Busser v. Snyder*, 282 Pa. 440), the court of common pleas of Dauphin County, in its opinion, said:

"Pennsylvania has recognized its inherent duty to care for its poor. Its system had been in operation many years when the Constitution of 1874 was framed. That system provided for poor districts, poor directors and overseers, and for the relief of paupers as a matter of local concern. Those who framed the Constitution

understood it, and no word is contained in the Constitution with reference to it. The system was left untouched. If there had been any purpose to change that system, some word indicating that purpose would have been found in the Constitution. If it had been intended that direct appropriations might be made out of the State Treasury for the relief of the poor, some provision evidencing such intention, which would create so radical a change in the governmental policy in this regard, would have been inserted in the Constitution. The conclusion is therefore irresistible that a direct appropriation from the State treasury to any person or class of persons, cannot be sustained on the theory that it is a discharge of the inherent obligation of the State to take care of its paupers."

This quotation was expressly approved by the Supreme Court, speaking through Mr. Justice Kephart.

In addition, for the Legislature to declare that it is the inherent duty of the Commonwealth to maintain all those who are unable to support themselves would impose upon the State a burden which it could not possibly bear without a tremendous increase in taxation or the borrowing of vast sums of money.

There are many persons unable to support themselves who are not public charges. Many such persons are maintained by relatives or others legally liable to do so. It is only those who have neither means of support nor relatives or others legally liable to maintain them who have hitherto been regarded as proper beneficiaries of the funds available to the poor authorities of the State.

Approval of this resolution would be tantamount to a declaration that all expenditures for poor relief should be transferred from the local authorities to the State Government; but, as in the case of all of the appropriations made by the special session of the Legislature, those who sponsored the resolution gave no thought whatever to the source from which the State should derive funds to undertake this new burden.

In addition, it is a well known fact that many poor districts of Pennsylvania have not exhausted their legal capacity to cope with the present situation. Some poor boards levied no poor tax whatever in 1931. Very few of them levied the full ten mills which the law permits. The average levy was less than four mills. Assuming that the Legislature has authorized the poor boards of the State to raise an amount commensurate with the needs for poor relief, this resolution would amount to a declaration that the State is responsible to the extent of upwards of sixteen million dollars per annum for this purpose. That is the aggregate amount which the poor districts of the State are authorized each year to expend. These figures exclude the city of Pittsburgh and the greater part of the city of Philadelphia.

Finally, it would be impossible by any construction or misconstruction of language to bring this resolution within any subject which I designated in my proclamations convening the special session.

For these reasons the resolution is not approved.

GIFFORD PINCHOT

## No. 2-E.

Whereas, Section twelve, article four, of the Constitution provides that "He may, on extraordinary occasions, convene the General Assembly," and, in the exercise of the powers conferred by said section, the Governor, by proclamation and supplement thereto, convened the General Assembly in extraordinary session on Monday, November ninth, at nine Post Meridian; and

Whereas, Section twenty-five, article three, provides that "When the General Assembly shall be convened in special session, there shall be no legislation upon subjects other than those designated in the proclamation of the Governor calling the session;" and

Whereas, The legislative power of this Commonwealth is vested in the General Assembly, composed of a Senate and House of Representatives; and

Whereas, The proclamation and supplement of the Governor should be interpreted to ascertain the subject or subjects contained therein, the emergency which actuated the Governor, and the purpose to be accomplished, in order that the Legislature may intelligently exercise its powers and legally legislate on said subject or subjects in the manner which to it seems most effectively to meet the problems confronting the State; and

Whereas, In the preamble to his proclamation and in the nineteen detailed paragraphs contained in the proclamation and supplement, the single problem of unemployment relief is stressed, and in his address to the Legislature, delivered on November tenth, one thousand nine hundred and thirty-one, the Governor interpreted the purpose of said proclamation and supplement when he said: "In announcing the extra session I gave notice that it would be confined to unemployment relief 'and nothing else'; and this notice has been strictly followed in the call. Very many demands were made to include miscellaneous subjects, whose alleged connection with unemployment relief could be argued with more or less plausibility. After full consideration, I have been obliged to leave them out. Nothing has been included in the call which does not bear directly upon the problem before us. To admit other matters, however desirable in themselves, would have extended the session indefinitely and correspondingly delayed relief;" therefore be it

Resolved (if the Senate concur), That the Senate and House of Representatives in special session convened do hereby interpret the proclamation of the Governor, and the supplement thereto, as having convened said special session for the purpose of enacting legislation on the following general subjects:

I. The solicitation, receipt, and disbursement of private contributions for unemployment relief.

II. The administration of unemployment relief funds.

III. The incurring of indebtedness by the State and local governments.

IV. The imposition and collection of State and local taxes.

V. The appropriation of public moneys by State and local governments.

VI. The erection and construction of public works.

VII. The rehabilitation of the bituminous coal industry.

That the single purpose for which the enactment of laws on said subjects was desired by the Governor to afford unemployment relief; that, by a construction of the preamble and the nineteen numbered paragraphs in said proclamation and supplement, said general subjects can be clearly ascertained; and that the nineteen numbered paragraphs, after the general subjects of legislation have been abstracted, are, by the Senate and House of Representatives, deemed to be advisory only and to set forth in more detail the kind and character of legislation which, in the opinion of the Governor, is most desirable for the granting of unemployment relief.

Commonwealth of Pennsylvania,  
Governor's Office,  
Harrisburg, January 9, 1932.

I file herewith, in the office of the Secretary of the Commonwealth, with my objections, House Resolution No. 21, dated December 14, 1931, Printer's No. 78.

This resolution is an amazing document. Its purpose is to rewrite the proclamations which I issued for convening the special session on November 9, 1931.

In my original proclamation I stated fifteen subjects for the consideration of the Legislature, and in my supplemental proclamation four, the last of which was a modification of the eighth subject in the original proclamation. Thus I stated a total of nineteen subjects.

The resolution would condense the nineteen subjects into seven.

This attempt by the Legislature to revise an executive document was obviously inspired by the hope that the passage of the resolution would render constitutional bills which are clearly unconstitutional.

The subjects designated in my proclamations were not ambiguous. They did not require interpretation or construction to enable the General Assembly to know what they were intended to include. Indeed, throughout the session, the official "History of House Bills" and the official "History of Senate Bills" each carried a statement showing what bills came within the several subjects in my proclamations. In the Senate history the list was entitled "Legislation Included in the Proclamation Calling the Extraordinary Session," and in the House history "Synopsis of Legislation to be Considered, According to Governor's Proclamation."

If the secretaries and clerks of the General Assembly found it possible to match up particular bills with the subjects stated in my proclamations, surely the members themselves could not be in serious doubt as to the meaning and scope of those subjects.

For the Legislature to attempt to rewrite the Governor's proclamations is just as absurd as to have the Supreme Court first rewrite an Act of Assembly and then interpret it. The latter would be a usurpation by the judicial branch of the Government of a function of the legislative branch. The present resolution is an attempted usurpation by the legislative branch of a function which the Constitution has committed exclusively to the executive branch.

I formulated a definite program for the Legislature's consideration and I worded my proclamations so as to require the Legislature to consider this program. The responsibility for that action rests exclusively

with me. The Legislature cannot revise my proclamations under the guise of "interpretation." That is what this resolution attempts to do.

For these reasons the resolution is not approved.

GIFFORD PINCHOT

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No. 3-E.

In the Senate, December 28, 1931.

Whereas, There is a growing demand for a reduction in the cost of the State Government; and

Whereas, By a concurrent resolution of April thirtieth, one thousand nine hundred twenty-nine, (Pamphlet Laws, one thousand eight hundred sixteen), a joint legislative committee was constituted to devise ways and means of financing the Commonwealth, which committee was continued by joint resolution, enrolled in the Pamphlet Laws of 1931 as Resolution No. 45, for a further period of two years; therefore be it

Resolved (if the House of Representatives concur), That said joint legislative committee, in addition to the powers heretofore conferred, is hereby authorized to make a detailed inquiry and study into the cost of operating the State Government, and to ascertain which activities of the Commonwealth may be safely discontinued, and wherein savings in the cost of administration and State-aid may be effected; and, for such purposes, shall have authority to call upon the heads of departments, boards, bureaus and commissions for such information as may be deemed necessary to accomplish the purposes of this resolution; and be it further

Resolved, That the result of the studies of the committee under this resolution be included in the report of the committee to the General Assembly, with such drafts of legislation as may be deemed expedient to carry into effect its recommendations.

Commonwealth of Pennsylvania,

Governor's Office,

Harrisburg, January 12, 1932.

I file herewith, in the office of the Secretary of the Commonwealth, with my objections, Senate Resolution of December 28, 1931.

This resolution would confer additional powers upon a legislative committee created by a resolution approved April thirty, one thousand nine hundred twenty-nine, (Pamphlet Laws, one thousand eight hundred sixteen).

As constituted in 1929, the committee was directed "to devise ways and means of financing the Commonwealth in the future, and to make report of their recommendations to the General Assembly of one thousand nine hundred and thirty-one." The work of the committee during the first two years of its existence was valueless, but, rather than let it expire, the Legislature in 1931, by resolution, continued it for a further period of two years.

It is now proposed to add to the committee's duties, which it has shown no ability properly to perform, the further duty of making a de-

tailed inquiry and study into the cost of operating the State Government, to ascertain which activities of the State may be safely discontinued and wherein a saving in the cost of administration and State-aid may be effected. The real purpose of the resolution is disclosed in that part of it which authorizes the committee to call upon the heads of departments, boards, bureaus, and commissions for such information "as may be deemed necessary to accomplish the purposes of this resolution."

The real purpose is to embarrass the present administration rather than to help the State Government. A Legislature which has just appropriated nineteen million dollars more than the estimated revenues of the State for the biennium without providing a penny of revenue to meet the appropriations can scarcely qualify as a proper agency to study possible economies in the conduct of State Government.

My disapproval of this resolution does not imply that I am opposed to a study such as it pretends to provide. On the contrary, prior to the introduction of this resolution in the Senate, I had appointed a committee of department heads, experienced in the work of the State Government, for the express purpose of making a similar study. That work will go on and, if it be found that the cost of State Government can be diminished by re-organization or by economies, it will not be necessary to await a future session of the Legislature to render effective the recommendations of the committee.

Finally, nothing in my proclamations convening the recent special session of the General Assembly would warrant the approval of legislation dealing with this subject. It cannot possibly be brought within any of the subjects which I designated for the consideration of the General Assembly.

For these reasons the resolution is not approved.

GIFFORD PINCHOT