

Section 32. The costs to be paid by the appellant, as [hereinbefore] *herein* required, may nevertheless, be taxed in the appellant's bill, and recovered of the adverse party, if, in the event of the suit, the appellant is entitled to recover costs, agreeably to the provisions of this act: *Provided, That the compensation of the arbitrators repaid to the county by appellant as provided by clause V of section 27 of this act shall not be taxed as costs or recovered from the adverse party.*

Costs.

Proviso.

Section 6. Section 40 of said act is hereby amended by adding, immediately after clause V thereof, a new clause to read as follows:

Section 40, said act, amended by adding, after clause V thereof, a new clause VI.

Section 40. Referees and arbitrators in every case, as aforesaid, or a majority of them, shall have power—

Powers of referees and arbitrators.

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VI. *The arbitrators shall not be required to make a record of the proceedings before them. If any party shall desire a record, the arbitrators shall provide a reporter and cause a record to be made and the party requesting the same shall pay the cost thereof.*

Record of proceedings.

Section 7. Section 49 of said act is hereby amended to read as follows:

Section 49, said act, amended.

Section 49. Every referee and arbitrator, shall be entitled to receive the sum of one dollar for every day necessarily employed by him in the hearing and determination of the cause submitted to him.

Compensation of referees and arbitrators.

In all cases under section 8.1 of this act, the compensation of each member of the board of arbitrators shall be determined by the court and paid by the county for each case heard upon the filing of the report and award, if any. Such fees shall not be taxed as costs nor follow the award as other costs.

In cases under section 8.1 hereof.

APPROVED—The 14th day of January, A. D. 1952.

JOHN S. FINE

No. 591

AN ACT

To amend the act, approved the twelfth day of April, one thousand nine hundred fifty-one (Act No. 21), entitled "An act relating to alcoholic liquors, alcohol and malt and brewed beverages; amending, revising, consolidating and changing the laws relating thereto; regulating and restricting the manufacture, purchase, sale, possession, consumption, importation, transportation, furnishing, holding in bond, holding in storage, traffic in and use of alcoholic liquors, alcohol and malt, and brewed beverages and the persons engaged or employed therein; defining the powers and duties of the Pennsylvania Liquor Control Board; providing for the establishment and operation of State liquor stores, for the payment of certain license fees

to the respective municipalities and townships, for the abatement of certain nuisances and, in certain cases, for search and seizure without warrant; prescribing penalties and forfeitures; providing for local option, and repealing existing laws," by further regulating and limiting the issuance of distributors' and importing distributors' licenses, and changing residence requirements for stock ownership in corporations licensed as malt and brewed beverage manufacturers, distributors and importing distributors.

"Liquor Code."

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

Subsections (b) and (c) of section 431, act of April 12, 1951 (Act No. 21), amended.

Section 1. Subsections (b) and (c) of section 431 of the act, approved the twelfth day of April, one thousand nine hundred fifty-one (Act No. 21), entitled "An act relating to alcoholic liquors, alcohol and malt and brewed beverages; amending, revising, consolidating and changing the laws relating thereto; regulating and restricting *the manufacture, purchase, sale, possession, consumption, importation, transportation, furnishing, holding in bond, holding in storage, traffic in and use of alcoholic liquors, alcohol and malt and brewed beverages and the persons engaged or employed therein; defining the powers and duties of the Pennsylvania Liquor Control Board; providing for the establishment and operation of State liquor stores, for the payment of certain license fees to the respective municipalities and townships, for the abatement of certain nuisances and, in certain cases, for search and seizure without warrant; prescribing penalties and forfeitures; providing for local option, and repealing existing laws," are hereby amended to read as follows:

Section 431. Malt and Brewed Beverages Manufacturers', Distributors' and Importing Distributors' Licenses.—* * * * *

(b) The board shall issue to any reputable person who applies therefor, pays the license fee hereinafter prescribed, and files the bond hereinafter required, a distributor's or importing distributor's license for the place which such person desires to maintain for the sale of malt or brewed beverages, not for consumption on the premises where sold, and in quantities of not less than [a case of] twenty-four containers, each container holding seven fluid ounces or more, or [a case of] twelve containers, each container holding twenty-four fluid ounces or more, and such containers to be the original containers as prepared for the market by the manufacturer at the place of manufacture.

Such license shall authorize the holder thereof to sell or deliver malt or brewed beverages in quantities above specified anywhere within the Commonwealth of Pennsylvania, which, in the case of distributors, have been purchased only from persons licensed under this act as

* "and" in original.

manufacturers or importing distributors, and in the case of importing distributors, have been purchased from manufacturers or persons outside this Commonwealth engaged in the legal sale of malt or brewed beverages or from manufacturers or importing distributors licensed under this article.

(c) The aforesaid licenses shall be issued only to reputable individuals, partnerships and associations who are, or whose members are, citizens of the United States and have for two years prior to the date of their applications been residents of the Commonwealth of Pennsylvania, or to reputable corporations organized or duly registered under the laws of the Commonwealth of Pennsylvania. Such licenses shall be issued to corporations duly organized or registered under the laws of the Commonwealth of Pennsylvania only when it appears that all of the officers and directors of the corporation are citizens of the United States and have been residents of the Commonwealth of Pennsylvania for a period of at least two years prior to the date of application, and that at least fifty-one per centum of the capital stock of such corporation is actually owned by individuals who are citizens of the United States and have been residents of the Commonwealth of Pennsylvania for a period of at least two years prior to the date of application: *Provided, That stock inherited by an individual nonresident from a deceased resident owner thereof and stock held by an individual or corporate trustee for the benefit of any individual who is a beneficiary of a trust which is valid under the laws of this Commonwealth shall, for the purposes of this subsection, be considered as being owned by a resident of the Commonwealth of Pennsylvania, so long as it is actually owned by such individual nonresident inheritor or held by such trustee.*

Section 2. Section 437 of said act is hereby amended by adding, at the end thereof, a new subsection to read as follows:

Section 437, said act, amended by adding, at end thereof, a new subsection (f).

Section 437. Prohibitions Against the Grant of Licenses.—

* * * * *

(f) *No new distributor's or importing distributor's license shall hereafter be granted by the board in any county of the Commonwealth where the combined number of distributor and importing distributor licenses exceeds one license for each ten thousand inhabitants or fraction thereof of the county in which the license is to be issued: Provided, That a combined total of five such licenses may be granted in any county of the Commonwealth.*

Nothing in this subsection shall be construed as denying the right of the board to renew or to transfer exist-

ing distributors' or importing distributors' licenses or to exchange a distributor's license for an importing distributor's license or to exchange an importing distributor's license for a distributor's license, upon adjustment of the applicable fee, notwithstanding that the number of such licensed places in the county shall exceed the limitation hereinbefore prescribed: Provided, That no distributor's license or importing distributor's license shall be transferred from one county to another county so long as the quota is filled in the county to which the license is proposed to be transferred.

APPROVED—The 14th day of January, A. D. 1952.

JOHN S. FINE

No. 592

AN ACT

To further amend the second paragraph of section 2 of the act, approved the seventh day of June, one thousand nine hundred one (Pamphlet Laws 493), entitled, as amended, "An act providing for the examination, licensure and registration of persons, firms or corporations engaged or engaging in the business or work of plumbing or house drainage, and prescribing certain rules, regulations and requirements for the construction of plumbing, house drainage and cesspools, in cities of the second class, second class A and third class and imposing fines, penalties and forfeiture for violation thereof," by further providing for the appointment of the plumbing inspector in certain cases in third class cities.

Plumbers.

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

Second paragraph of section 2, act of June 7, 1901, P. L. 493, as last amended by act of March 31, 1937, P. L. 168, further amended.

Section 1. The second paragraph of section 2 of the act, approved the seventh day of June, one thousand nine hundred one (Pamphlet Laws 493), entitled, as amended, "An act providing for the examination, licensure and registration of persons, firms or corporations engaged or engaging in the business or work of plumbing or house drainage, and prescribing certain rules, regulations and requirements for the construction of plumbing, house drainage and cesspools, in cities of the second class, second class A and third class and imposing fines, penalties and forfeiture for violation thereof," as last amended by the act, approved the thirty-first day of March, one thousand nine hundred thirty-seven (Pamphlet Laws 168), is hereby further amended to read as follows:

Section 2.

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Appointment of plumbing inspector.

The mayor of said cities is hereby authorized and required to appoint a practical plumber of at least ten