

Whereas, Edwin L. Drake drilled this first oil well in Venango County near Titusville, Crawford County, Pennsylvania, and

Whereas, the said Edwin L. Drake, although affectionately known during his lifetime as "Colonel" Edwin L. Drake, never actually claimed this title and never had it officially conferred upon him, and

Whereas, the General Assembly of this Commonwealth is mindful of the importance of the oil industry to Pennsylvania and of the pioneering efforts of Edwin L. Drake in the beginnings of that industry; therefore,

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

Section 1. The Department of Military Affairs, with the approval of the Governor, is hereby authorized and directed to commission posthumously Edwin L. Drake as a Colonel in the Pennsylvania National Guard.

Section 2. The commission shall be deposited in the Memorial Museum and Park of the Drake Well Memorial.

Section 3. This act shall take effect immediately.

APPROVED—The 25th day of August, A. D. 1959.

DAVID L. LAWRENCE

Department of
Military Affairs,
with approval
of Governor,
authorized to
commission
posthumously
Edwin L. Drake.

Disposition of
commission.

Act effective
immediately.

No. 260

AN ACT

Amending the act of April 12, 1951 (P. L. 90), 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," further regulating the issuance and transfer of liquor licenses.

Liquor Code.

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

* "alholcolle" in original.

Section 1. Section 404 of the act of April 12, 1951 (P. L. 90), known as the "Liquor Code," is amended to read:

Section 404, act of April 12, 1951, P. L. 90, amended.

Section 404. Issuance of Hotel, Restaurant and Club Liquor Licenses.—Upon receipt of the application, the proper fees and bond, and upon being satisfied of the truth of the statements in the application that the applicant is the only person in any manner pecuniarily interested in the business so asked to be licensed and that no other person will be in any manner pecuniarily interested therein during the continuance of the license, except as hereinafter permitted, and that applicant is a person of good repute, that the premises applied for meet all the requirements of this act and the regulations of the board, that the applicant seeks a license for a hotel, restaurant or club, as defined in this act, and that the issuance of such license is not prohibited by any of the provisions of this act, the board shall, in the case of a hotel or restaurant, grant and issue to the applicant a liquor license, and in the case of a club may, in its discretion, issue or refuse a license: Provided, however, That in the case of any new license or the transfer of any license to a new location the board may, in its discretion, grant or refuse such new license or transfer if such place proposed to be licensed is within three hundred feet of any church, hospital, charitable institution, school or public playground, *or if such new license or transfer is applied for a place which is within two hundred feet of any other premises which is licensed by the board*, or if such new license or transfer is applied for a place where the principal business is the sale of liquid fuels and oil: *And provided further; That the board shall refuse any application for a new license or the transfer of any license to a new location if, in the board's opinion, such new license or transfer would be detrimental to the welfare, health, peace and morals of the inhabitants of the neighborhood within a radius of five hundred feet of the place proposed to be licensed:* And provided further, That the board shall not issue new licenses in any license district more than twice each license year, effective from specific dates fixed by the board, and new licenses shall not be granted unless the application therefor shall have been filed at least thirty days before the effective date of the license.

APPROVED—The 25th day of August, A. D. 1959.

DAVID L. LAWRENCE