

ness of a farmer which consists of buying or receiving animals for grazing and feeding purposes and the sale or disposal of such animals after the grazing and feeding period, *or the sale by a farmer of any surplus or unprofitable animals.*

(d) The term "agent," as used in this act, shall mean any person, firm, association, partnership or corporation buying or receiving or soliciting or negotiating the sale of animals for or on behalf of any dealer or broker.

APPROVED—The 16th day of April, A. D. 1943.

EDWARD MARTIN

No. 36

AN ACT

To repeal the act, approved the twenty-third day of June, one thousand eight hundred ninety-seven (Pamphlet Laws, two hundred two), entitled "An act to prevent fraud and deception in the manufacture and sale of cheese, and defining what shall constitute the various grades of cheese, providing rules and regulations for marking and branding the same, providing for the enforcement of this act, prescribing penalties for its violation."

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

Act of June 23,
1897, P. L. 202,
repealed.

Section 1. The act, approved the twenty-third day of June, one thousand eight hundred ninety-seven (Pamphlet Laws, two hundred two), entitled "An act to prevent fraud and deception in the manufacture and sale of cheese, and defining what shall constitute the various grades of cheese, providing rules and regulations for marking and branding the same, providing for the enforcement of this act, prescribing penalties for its violation," is hereby repealed.

APPROVED—The 16th day of April, A. D. 1943.

EDWARD MARTIN

No. 37

AN ACT

To further amend section four hundred ten of the act, approved the twenty-ninth day of November, one thousand nine hundred and thirty-three (Pamphlet Laws, fifteen, one thousand nine hundred thirty-three and thirty-four), entitled, as amended "An act to regulate and restrain the sale, manufacture, possession, transportation, importation, traffic in, and use of alcohol, and alcoholic and malt or brewed beverages; conferring powers and

imposing duties upon the Pennsylvania Liquor Control Board and its agents, the Department of Public Instruction, other officers of the State government, courts, and district attorneys; authorizing the establishment and operation of State stores for the sale of such beverages not for consumption on the premises, and the granting of licenses, subject to local option, to sell such beverages for consumption on and off the premises; forbidding importation or bringing of such beverages into the State except as herein provided; prohibiting certain sales or practices in, connection with, and transactions in such beverages by licensees and others; providing for the forfeiture of certain property; making disposition of the receipts from State stores and of fees; and imposing penalties," by postponing the time for the taking effect of orders of the Pennsylvania Liquor Control Board, suspending or revoking licenses for a period of twenty days, during which time the licensee may take an appeal.

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

Section 1. Section four hundred ten of the act, approved the twenty-ninth day of November, one thousand nine hundred and thirty-three (Pamphlet Laws, fifteen, one thousand nine hundred thirty-three and thirty-four), entitled, as amended "An act to regulate and restrain the sale, manufacture, possession, transportation, importation, traffic in, and use of alcohol, and alcoholic and malt or brewed beverages; conferring powers and imposing duties upon the Pennsylvania Liquor Control Board and its agents, the Department of Public Instruction, other officers of the State government, courts, and district attorneys; authorizing the establishment and operation of State stores for the sale of such beverages not for consumption on the premises, and the granting of licenses, subject to local option, to sell such beverages for consumption on and off the premises; forbidding importation or bringing of such beverages into the State except as herein provided; prohibiting certain sales or practices in, connection with, and transactions in such beverages by licensees and others; providing for the forfeiture of certain property; making disposition of the receipts from State stores and of fees; and imposing penalties," as last reenacted and amended by the act, approved the sixteenth day of June, one thousand nine hundred and thirty-seven (Pamphlet Laws, one thousand seven hundred sixty-two), is hereby further amended to read as follows:

Section 410. Revocation and Suspension of License.—Upon learning of any violation of this act, or any laws of this Commonwealth relating to liquor, alcohol, or malt or brewed beverages, or of any regulations of the board adopted pursuant to such laws, or any violation of any laws of this Commonwealth or of the United States of America relating to the tax payment of liquor or malt or brewed beverages by any licensee, his officers, servants, agents or employes, or upon any other suffi-

Act of November 29, 1933, P. L. 15, 1933-34, section 410, as last amended by act of June 16, 1937, P. L. 1762. further amended.

cient cause shown, the board may, within one year from the date of such violation or cause appearing, cite such licensee to appear before it or its examiner, not less than ten nor more than fifteen days from the date of sending such licensee, by registered mail, a notice, addressed to him at his licensed premises, to show cause why such license should not be suspended or revoked. Hearings on such citation shall be held in the same manner as provided herein for hearings on applications for license. Upon such hearing, if satisfied that any such violation has occurred, or for other sufficient cause, the board shall [immediately] suspend or revoke the license, notifying the licensee thereof, by registered letter addressed to his licensed premises. *Such suspensions and revocations shall not go into effect until twenty days have elapsed from the date of notice of issuance of the board's order, during which time the licensee may take an appeal as provided for in this act.* When a license is revoked, the licensee's bond may be forfeited by the board. Any licensee whose license is revoked shall be ineligible to have a license under this act or under any other act of the Commonwealth of Pennsylvania relating to the manufacture, transportation or sale of liquor or malt or brewed beverages until the expiration of three years from the date such license was revoked. In the event the board shall revoke a license, no license shall be granted for the premises or transferred to the premises in which the said license was conducted for a period of at least one year after the date of the revocation of the license conducted in the said premises, except in cases where the licensee or a member of his immediate family is not the owner of the premises, in which case the board may, in its discretion, issue or transfer a license within said year. In all such cases, the board shall file of record at least a brief statement, in the form of an opinion, of the reasons for the ruling or order. In the event the person whose license was suspended or revoked by the board shall feel aggrieved by the action of the board, he shall have the right to appeal to the court of quarter sessions in the same manner as herein provided for appeals from refusals to grant licenses. Such appeal shall act as a supersedeas, unless, upon sufficient cause shown, the court shall determine otherwise. In those cases where the board shall suspend a license, the board may accept from the licensee an offer in compromise as a penalty in lieu of such suspension, and thereupon rescind such suspension. In the case of hotel, restaurant, and club licensees, the offer in compromise shall be at the rate of ten dollars for each day of suspension, and in the case of importers and sacramental wine licensees, the offer in compromise shall be at the rate of thirty dollars per day. No offer

in compromise may be accepted by the board in those cases where the suspension is for a period in excess of one hundred days.

Section 2. The provisions of this act shall become effective immediately upon final enactment.

APPROVED—The 16th day of April, A. D. 1943.

EDWARD MARTIN

No. 38

AN ACT

Validating county treasurers' sales for delinquent taxes where the reports and returns of such sales were not made to the court of common pleas and such sales were not confirmed by the court.

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

Section 1. Whenever heretofore any land has been sold by the county treasurer of any county, for the purpose of securing the payment of delinquent taxes which were assessed and levied against such land, and the deed to the purchaser of such land was properly executed and acknowledged but the said county treasurer failed to make a report and return of such sale to the court of common pleas, and failed to publish a notice of such report, and the said sale was never confirmed by the court as required by law, such sale shall not be invalidated by reason of such failure to comply with existing law, if in all other respects the laws relating to such sales were fully complied with, and all such treasurers' sales are hereby ratified, confirmed and validated, and the title to any such land purchased by any person or by the county commissioners of any county at any such treasurers' sale is hereby declared to be as valid as if such failure to make the aforesaid report and return and confirmation of such sale had not been made: Provided, however, That nothing herein contained shall affect or be applicable to any lands so sold for which action at law or equity are now pending for the purpose of determining title to said lands.

County treasurers' sales for delinquent taxes validated.

Section 2. The provisions of this act shall become effective immediately upon final enactment.

Act effective immediately.

APPROVED—The 22nd day of April, A. D. 1943.

EDWARD MARTIN