of the public domain for the purpose of such disposition as is herein provided, and the President is authorized as soon thereafter as he may deem advisable, by proclamation open said lands to settlement in the same manner and to the same effect, as in this act provided concerning the lands acquired from said Creek Indians, but until said lands are opened for settlement by proclamation of the President, no person shall be permitted to enter upon and occupy the same, and no person violating this provision shall be permitted to enter any of said lands or acquire any right thereto.

SEC. 15. That the President may whenever he deems it necessary to create not to exceed two land districts embracing the lands which he may open to settlement by proclamation as hereinbefore provided, and he is empowered to locate land offices for the same appointing them in conformity to existing law registers and receivers and for the purpose of carrying out this provision five thousand dollars or so much thereof as may be necessary is hereby appropriated.

Approved, March 2, 1889.

March 2, 1889.

CHAP. 413.—An act to regulate and license pawnbrokers in the District of Columbia,

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Commissioners of the District of Columbia may from time to time grant licenses, under their hands and seal, to such persons citizens of the United States as shall produce to them satisfactory evidence of their good character, to exercise or carry on the business of a pawnbroker, which license shall designate the building in which said person shall carry on said business; and no person shall exercise or carry on the business of a pawnbroker without being duly licensed by the commissioners of the District of Columbia, nor in any other building than the one designated in said license, except by the consent in writing of the said commissioners, under the penalty of fifty dollars for each day he or she shall exercise or carry on said business without such license, or in any other building than the one so designated, except by the consent of the Commissioners as aforesaid, Any person, corporation, member, or members of a corporation or firm who loans money on deposits or pledge on personal property, or other valuable thing, other than securities or printed evidences of indebtedness, or who deals in the purchasing of personal property or other valuable thing on condition of selling the same back again at a stipulated price, is hereby declared and defined to be a pawnbroker.

SEC. 2. That every person receiving such license shall pay therefor the sum of one hundred dollars for the use of the District of Columbia yearly, and every such license shall expire one year from the date thereof, and may be renewed on application to the Commissioners of the District each and every year on payment of the same sum, and upon performance of the other conditions herein contained.

SEC. 3. That every person so licensed shall at the time of receiving such license, and before the same shall be operative, enter, with two sufficient sureties, into a joint and several recognizance to the Commissioners of the District of Columbia, in the penal sum of three thousand dollars, conditioned for the due observance of all such acts of the Congress of the United States as may be passed or in force respecting pawnbrokers at any time during the continuance of such license. If any person shall be aggrieved by the misconduct of any such licensed pawnbroker, and shall recover judgment against him therefor, such person may, after the return unsatisfied, either
in whole or part, of any execution issued upon said judgment, maintain an action in his own name upon the bond of said pawnbroker in any court having jurisdiction, of the amount claimed, provided such court shall, upon application made for the purpose, grant such leave to prosecute.

Sec. 4. That every pawnbroker shall keep a book in which shall be fairly written, at the time of each loan, an accurate account and description of the goods, article, or thing pawned or pledged, the amount of money loaned thereon, the time of pledging the same, the rate of interest to be paid on such loan, and the name and residence of the person pawning or pledging the said goods, article, or thing, together with a particular description of such person, including complexion, color of eyes and hair, and his or her height and general appearance.

Sec. 5. That every pawnbroker, shall, at the time of each loan deliver to the person pawning or pledging any goods, article, or thing a memorandum or note, signed by him or her, containing the substance of the entry required to be made in his or her book by the last preceding section, excepting as to the description of the person and no charge shall be made or received by any pawnbroker for any such entry, memorandum or note. Sec. 6. That the said book shall at all reasonable times be open to the inspection of the Commissioners of the District of Columbia, all judges of criminal courts, major and superintendent of police, captains of police of the city of Washington, District of Columbia, or any or either of them, or of any policeman who shall be duly authorized in writing for that purpose by any or either of them, and who shall exhibit such written authority to such pawnbroker.

Sec. 7. That no pawnbroker shall ask, demand, or receive any greater rate of interest than twenty-four per centum, per annum upon any loan not exceeding the sum of twenty-five dollars, or more than twelve per centum per annum upon any loan exceeding the sum of twenty-five dollars, under the penalty of one hundred dollars for every such offense.

Sec. 8. That no pawnbroker shall sell any pawn or pledge until the same shall have remained one year in his or her possession, unless by consent in writing of the pawner; and all such sales shall be made at public auction and not otherwise, and shall be made or conducted by such auctioneers as shall be designated and approved of for that purpose by the Commissioners of the District of Columbia.

Sec. 9. That notice of every such sale shall be published for at least six days previous thereto, in one or more of the daily newspapers of general circulation printed in the city of Washington, District of Columbia, and such notice shall specify the time and place at which such sale is to take place, the name of the auctioneer by whom the same is to be conducted, and a description of the articles to be sold.

Sec. 10. That the surplus money, if any, arising from any such sale, after deducting the amount of the loan, the interest then due on the same, and the expenses of the advertisement and sale, shall be paid over by the pawnbroker to the person who would be entitled to redeem the pledge in case no such sale had taken place.

Sec 11. That no pawnbroker shall make any loan on the separate or divided part or parts of any one article or thing, and which article or thing shall have been offered entire or collectively to him or her by way of pawn or pledge.

Sec 12. That no pawnbroker shall, under any pretense whatever, purchase or buy any second-hand furniture, metals, or clothes, or any other article or thing whatever offered to him or her as a pawn or pledge, except at sale by public auction, as hereinbefore provided.

Sec. 13. That any pawnbroker who shall violate or neglect or refuse to comply with any or either of the provisions of this act, except...
those contained in sections one and seven, shall, for every such offense, upon conviction before a court of competent jurisdiction, pay a fine of not more than one hundred dollars, for the use of the District of Columbia.

SEC 14. That all acts and parts of acts inconsistent herewith be, and the same are hereby, repealed.

Approved, March 2, 1889.