

Proclamation.

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.

Land districts to be created.

SEC. 15. That the President may whenever he deems it necessary 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 thereto 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.

Expenses.

Approved, March 2, 1889.

March 2, 1889.

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

Pawnbrokers, D. C.  
To be licensed by  
Commissioners.

*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.

Penalty for carrying  
on business without  
license.

Definition of pawn-  
broker.

Cost of license.

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.

To issue yearly.

Bond for due ob-  
servance of law

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

Recovery against  
surety.

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.

Book of entries of goods, etc., pawned. Particulars.

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.

Memorandum of receipt.

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.

Book to be open to the authorities.

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.

Maximum rate of interest on loans.

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.

Goods to remain in pawn one year before sale.

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.

Notice of sale, etc.

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.

Disposal of surplus of sale.

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.

Loans forbidden.

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.

Purchases forbidden.

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

Penalty for violations.

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.

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 That all acts and parts of acts inconsistent herewith be, and the same are hereby, repealed.

Approved, March 2, 1889.

March 2, 1889.

CHAP. 414.—An act to forfeit lands granted to the State of Michigan to aid in the construction of a railroad from Marquette to Ontonagon, in said State.

Forfeiture of un-earned lands granted to railroads in Michigan.

Vol. 11, p. 21.

Restored to public domain.

Provisos.

Rights of way, etc.

Settlers' rights not limited.

Vol. 24, p. 556.

Lands earned by construction not forfeited.

Provisos.  
Location.

Rights of legal or equitable relief not impaired.

Confirmation of certain lands disposed of.

Proviso.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That there is hereby forfeited to the United States, and the United States hereby resumes the title thereto all lands heretofore granted to the State of Michigan by virtue of an act entitled "An act making a grant of alternate sections of the public lands to the State of Michigan, to aid in the construction of certain railroads in said State and for other purposes," which took effect June third, eighteen hundred and fifty-six, which are opposite to and coterminous with the uncompleted portion of any railroad, to aid in the construction of which said lands were granted or applied, and all such lands are hereby declared to be a part of the public domain: *Provided,* That this act shall not be construed as forfeiting the right of way or depot grounds of any railroad company heretofore granted: *And provided further,* That nothing in this act contained shall be construed as limiting the rights granted to purchasers or settlers by "An act to provide for the adjustment of land grants made by Congress to aid in the construction of railroads and for the forfeiture of unearned lands, and for other purposes," approved March third, eighteen hundred and eighty-seven, or as repealing, altering, or amending said act, nor as in any manner affecting any cause of action existing in favor of any purchaser against his grantor for breach of any covenants of title.

SEC. 2. That nothing in this act shall be construed as forfeiting any lands that have been heretofore earned by the location and construction of any portion of any railroad hereinbefore mentioned under any act of Congress making a grant of public lands in the State of Michigan, *Provided:* That such lands lie opposite such constructed road, or if indemnity lands are provided in such grants the same shall be selected from the public lands within such indemnity limits lying nearest to such constructed road: *And provided further,* That this act shall not be construed to prejudice any right of the Portage Lake Canal Company, or the Ontonagon and Brule River Railroad Company, or any person claiming under them, to apply hereafter to the courts or to Congress for any legal or equitable relief to which they may now be entitled, nor to prejudice any right of forfeiture, as hereby declared, or recovery of the United States in respect of any of the lands claimed by said companies, nor to the prejudice of the right of any person claiming adversely to said companies or their assigns, under the laws of the United States.

SEC. 3. That in all cases when any of the lands forfeited by the first section of this act, or when any lands relinquished to, or for any cause resumed by, the United States from grants for railroad purposes, heretofore made to the State of Michigan, have heretofore been disposed of by the proper officers of the United States or under State selections in Michigan confirmed by the Secretary of the Interior, under color of the public-land laws, where the consideration received therefor is still retained by the Government, the right and title of all persons holding or claiming under such disposals shall be, and is hereby, confirmed: *Provided, however,*