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acres of land, more or less, together with the buildings and other improvements thereon, upon such terms as he may deem for the best interests of the United States; to convey such property to the purchaser thereof by quitclaim deed, and to deposit the proceeds of such sale in the Treasury of the United States as a miscellaneous receipt, after deducting the expenses incident to said sale.

Right to reject bids.

SEC. 2. The Secretary of Agriculture shall reserve the right to reject any and all bids if, in his judgment, it is in the public interest to do so.

Approved, July 1, 1932.

[CHAPTER 366.]

AN ACT

July 1, 1932.
[H. R. 11638.]
[Public, No. 237.]

To amend section 7 of an Act entitled "An Act making appropriations to provide for the government of the District of Columbia for the fiscal year ending June 30, 1903, and for other purposes," approved July 1, 1902, and for other purposes.

License fees, District of Columbia.
Vol. 32, p. 622.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 7 of an Act entitled "An Act making appropriations to provide for the government of the District of Columbia for the fiscal year ending June 30, 1903, and for other purposes," approved July 1, 1902, be, and the same is hereby, amended to read as follows:

Requirement.

"SEC. 7. No person shall engage in or carry on any business, trade, profession, or calling in the District of Columbia for which a license fee or tax is imposed by the terms of this section without having first obtained a license so to do. Applications for licenses shall be made to the Commissioners of the District of Columbia or their designated agent in accordance with the provisions of the Act of Congress, approved March 3, 1917, and no license shall be granted until payment for the same shall have been made. Every license shall specify by name the person, firm, or corporation to which it shall be issued, the business, trade, profession, or calling for which it is granted, and the location at which such business, trade, profession, or calling is to be carried on. Licenses granted under the terms of this section may be assigned or transferred on application upon the conditions applicable to granting the original licenses, and the Commissioners of the District of Columbia or their designated agent shall issue a certificate of such assignment or transfer upon the payment to the District of Columbia of a fee of $1 therefor. All licenses and transfers issued or granted shall be signed by the Commissioners of the District of Columbia or their designated agent and impressed with a seal to be adopted by the Commissioners of the District of Columbia.

Application.

Vol. 39, p. 1006.

Licenses.

Transferability of.

Certificate of assignment; fee.

Signatures and seal.

Fire escapes.

"PAR. 2. No license shall be issued to any person to conduct any business for which a license is required in any building mentioned in the Act entitled 'An Act to require the erection of fire escapes in certain buildings in the District of Columbia, and for other purposes,' approved March 19, 1906, as amended by the Act approved March 2, 1907, until such building has been provided and equipped with a sufficient number of fire escapes and other appliances required by said Acts; and no license shall be issued under the provisions of this section relating to hotels, apartment houses, lodging houses, theaters, public halls, public amusement parks, or buildings in which moving pictures are displayed for profit or gain, until the inspector of buildings, the chief officer of the fire department, and the electrical engineer have certified in writing to the Commissioners of the District of Columbia or their designated agent

Vol. 34, pp. 70, 1247.

Public buildings, halls, etc.
Certificate of safety required.

that the applicant for license has complied with the laws enacted and the regulations made and promulgated for the protection of life and property.

Theaters and amusement places.
License to terminate upon failure to comply with regulations.

"PAR. 3. Any license issued by the Commissioners of the District of Columbia or their designated agent to the proprietor of a theater or other public place of amusement may be terminated by the commissioners whenever it shall appear to them that after due notice the person holding such license shall have failed to comply with such regulations as may be prescribed by the commissioners for the public decency.

Fees when person conducts more than one trade, etc.

"PAR. 4. When more than one business, trade, profession, or calling for which a license is herein prescribed shall be carried on by the same person, the license fee or tax shall be paid for each such business, trade, profession, or calling, except where otherwise specifically provided herein: *Provided*, That licenses issued under any of the provisions of this section shall be good only for the location designated thereon, except in the case of licenses issued hereunder for businesses and callings which in their nature are carried on at large and not at a fixed place of business, and no license shall be issued for more than one place of business, profession, or calling, without the payment of a separate fee or tax for each: *Provided further*, That no person holding a license under the terms of this section shall willfully suffer or allow any other person chargeable with a separate license to operate under his license.

Provisos.
License valid for designated location only.

Not transferable.

Inclusive dates.

"PAR. 5. All licenses issued shall date from the 1st day of November in each year and expire on the 31st day of October following, except as hereinafter provided. Licenses issued at any time after the beginning of the license years shall date from the first day of the month in which the license was issued and end on the last day of the license year above prescribed, and payment shall be made of the proportionate amount of the annual license fee or tax: *Provided*, That where the license fee is $5 or less the fee shall not be prorated: *And provided further*, That no fee or tax shall be prorated to an amount less than $5.

When issued for less than year.

Provisos.
Minimum proration.

Posting of license.

"PAR. 6. All licenses granted under the terms of this section must be conspicuously posted on the premises of the licensee and said licenses shall be accessible at all times for inspection by the police or other officers duly authorized to make such inspections. Licensees having no located place of business shall exhibit their licenses when requested to do so by any of the officers above named.

Exhibiting.

Terms construed.
"Person."

"Agent."

"Merchandise."

"Dealers."

"PAR. 7. For the purposes of this section the word 'person' shall signify and include firms, corporations, companies, associations, executors, administrators, guardians, or trustees; the word 'agent' shall signify and include every person acting for another; the word 'merchandise' shall signify and include every article of commerce whether sold in bulk or otherwise; the word 'dealers' shall signify and include every person engaged in selling or offering for sale any description of merchandise or property. Words of one number shall signify and include words of both numbers, respectively, and words of one gender shall signify and include words of every gender, respectively: *Provided*, That nothing in this section shall be interpreted as repealing any specific Act of Congress or any of the police or building regulations of the District of Columbia regarding the establishment or conduct of the businesses, trades, professions, or callings herein named, and not inconsistent with the provisions of this section.

Proviso.
Repeal clause.

Druggists.
Fees prescribed.

"PAR. 8. Apothecaries or druggists shall pay a license fee of $12 per annum. Every person who sells patent medicines, or manufactures, compounds, sells, or dispenses medicines by prescription or

otherwise from a located place of business shall be regarded as an apothecary or druggist.

Auctioneers. Condition.

"PAR. 9. Auctioneers shall pay a license fee of $5 per annum. No license shall issue hereunder without the approval of the major and superintendent of police. If any licensed auctioneer, his agent or employee, shall convert to his own use in the District of Columbia any goods, wares, merchandise, or personal property of any description, or the proceeds of the same, and shall fail to pay over the avails or proceeds from the sale thereof, less his proper charges, within five days after receiving the money or its equivalent from the purchaser or purchasers of said goods, wares, merchandise, or personal property of any description, and after demand made therefor by the person entitled to receive the same, or his or her duly authorized agent, he shall be deemed guilty of a misdemeanor, and upon information and conviction in the police court of the District of Columbia shall be fined not more than $1,000 or be imprisoned not exceeding six months, or both, in the discretion of the court. Nothing herein contained shall be construed to repeal or alter the provisions of the Act entitled 'An Act to prevent fraud at public auctions in the District of Columbia,' approved September 8, 1916.

Punishment for conversion.

Vol. 39, p. 846.

Barber shops, beauty parlors.

"PAR. 10. Owners or managers of barber shops, beauty parlors, beauty salons, vanity shops, or shingle shops, by whatsoever name called, where hair cutting, hairdressing, hair dyeing, manicuring, and kindred acts are practiced shall pay a license fee of $5 per annum.

Turkish, Russian, or medicated baths.

Vol. 33, p. 174.

Condition.

Unlawful massage treatment.

"PAR. 11. Owners or managers of massage establishments and Turkish, Russian, or medicated baths shall pay a license fee of $5 per annum. No license shall be issued under this paragraph without the approval of the major and superintendent of police. It shall be unlawful for any female to give or administer massage treatment or any bath to any person of the male sex, or for any person of the male sex to give or administer massage treatment or any bath to any person of the female sex, in any establishment licensed under this paragraph. Any person violating the provisions of this paragraph shall, upon conviction, be punished as hereinafter provided; and, in addition to such penalty, it shall be the duty of the Commissioners of the District of Columbia to revoke the license of the owner or manager of the establishment wherein the provisions of this paragraph shall have been violated.

Punishment.

Public baths.

"PAR. 12. Owners or managers of establishments where public baths are supplied to transients shall pay a license fee of $5 per annum.

Storage of moving-picture films.

"PAR. 13. Owners or managers of establishments where moving-picture films are kept or stored shall pay a license fee of $65 per annum. No license shall be issued hereunder without the approval of the fire marshal of the District of Columbia.

Condition.

Gasoline, etc., sale.

"PAR. 14. (a) Owners or managers of establishments where gasoline or oils of like grade are sold shall pay a license fee of $3 per annum for each pump used in dispensing said gasoline or oils.

Kerosene.

"(b) Owners or managers of establishments where kerosene or oils of like grade are stored or are kept for sale shall pay a license fee of $5 per annum.

Explosives storage.

"(c) Owners or managers of establishments where explosives of any kind are stored or are kept for sale shall pay a license fee of $5 per annum.

Condition.

"(d) No license shall be issued under this paragraph without the approval of the fire marshal of the District of Columbia.

Pyroxylin storage.

"PAR. 15. Owners or managers of establishments where pyroxylin is kept or stored for painting or spraying shall pay a license fee of

$5 per annum. No license shall issue hereunder without the approval of the fire marshal of the District of Columbia. Condition.

"PAR. 16. Owners or proprietors of abattoirs or slaughterhouses, by whatsoever name called, shall pay a license fee of $100 per annum. No license shall issue hereunder except with the approval of the health officer of the District of Columbia and a compliance with existing laws concerning location. Abattoirs. Condition.

"PAR. 17. (a) Owners or managers of laundries operated other than by hand power shall pay a license fee of $18 per annum. Laundries.

"(b) Owners or managers of laundries operated by hand power shall pay a license fee of $5 per annum.

"(c) Owners or managers of dry cleaning or dyeing establishments shall pay a license fee of $5 per annum. Dry cleaning establishments.

"PAR. 18. (a) Persons engaged in the business of manufacturing or renovating mattresses shall pay a license fee of $75 per annum. Mattress manufacturers, etc.

"(b) Owners or managers of establishments where mattresses are stored, sold, or kept for sale, shall pay a license fee of $10 per annum. Storage, etc.

"(c) Within the meaning of this paragraph, 'mattress' shall be deemed to include 'any quilt, comfort, pad, pillow, cushion, or bag stuffed with hair, down, feathers, wool, cotton, excelsior, jute, or any other soft material and designed for use for sleeping or reclining purposes.' "Mattress," defined.

"PAR. 19. Proprietors of slot weighing machines, or slot machines used for dispensing foodstuffs or refreshments of any kind, shall pay a license fee of $2 per annum for each such machine. Slot machines.

"PAR. 20. (a) Owners or managers of theaters having a stage and movable scenery, used for the purpose of acting, performing, or playing in any play, farce, interlude, opera, or other theatrical or dramatic performance, or any scene, section, or portion of any play, farce, burlesque, or drama of any description, for profit or gain, shall pay a license fee of $50 per annum. Theaters.

"(b) Owners or managers of theaters in which moving pictures are displayed, for profit or gain, shall pay a license fee of $30 per annum. Moving picture theaters.

"(c) Owners or managers of buildings in which skating rinks, fairs, carnivals, balls, dances, exhibitions, lectures, or entertainments of any description are conducted, for profit or gain, shall pay a license fee of $8 per annum: *Provided*, That for entertainments, concerts, or performances of any kind where the proceeds are intended for church or charitable purposes, and where no rental is charged, no license shall be required. Skating rinks, etc. *Proviso.* Concerts, etc., for charitable purposes.

"PAR. 21. Owners or managers of establishments where bowling alleys, billiard or pool tables, or any table, alley, or board upon which legitimate games are played, shall, when they are operated or conducted for public use, or for profit or gain, pay a license tax of $12 per annum for each such alley, board, or table. No license shall issue hereunder without the approval of the major and superintendent of police: *Provided*, That in case of refusal of said major and superintendent to approve said license, or upon written protest of a majority or more of the property owners or residents of the block in which it is proposed to grant such license, an appeal may be taken to the Commissioners of the District of Columbia, whose decision shall be final. All establishments licensed hereunder shall be closed during the entire twenty-four hours of each and every Sunday and between the hours of one o'clock antemeridian and eight o'clock antemeridian on the secular days of the week. Bowling alleys, etc. Vol. 29, p. 594. Condition. *Proviso.* Appeal to commissioners. Closing hours.

Shooting galleries.
Conditions.

"PAR. 22. Owners or managers of shooting galleries shall pay a license fee of $10 per annum. No shooting gallery shall be licensed until the inspector of buildings for the District of Columbia shall furnish a certificate that suitable precautions have been taken for the public safety by the erection of suitable shields and such appliances as, in his judgment, may be necessary. Before such license shall be issued the proprietor shall furnish to the Commissioners of the District of Columbia or their designated agent the written consent of a majority of the occupants and residents on the same side of the square or block in which the proposed gallery is to be located and also on the confronting side of the square fronting opposite to the same. The major and superintendent of police is hereby authorized to prescribe the caliber of firearms and kind of cartridges to be used in such licensed places.

Caliber of firearms.

Athletic exhibition grounds.

"PAR. 23. (a) Owners or managers of grounds used for baseball, football, or other athletic exhibitions to which an admission fee is charged, directly or indirectly, shall pay a license fee of $5 per annum.

Amusement parks.

"(b) Owners or managers of grounds used for amusement parks, to which an admission is charged, directly or indirectly, other than those used for athletic exhibitions, shall pay a license fee of $65 per annum. Annual licenses issued under this paragraph shall date from April 1 in each year.

Swimming pools.

"PAR. 24. Owners or managers of swimming pools, indoor or outdoor, shall pay a license fee of $15 per annum.

Circuses.

"PAR. 25. Proprietors or owners of any circus transported by railroad into the District of Columbia shall pay a license fee of $3 per day for each carload of circus equipment, and proprietors or owners of any circus transported by wagons or motor trucks into the District of Columbia shall pay a license tax of $2 per day for each motor-truck load or wagon load of circus equipment, but not to exceed $250 per day.

Carnivals, etc.

"PAR. 26. Owners or managers of carnivals or fairs, by whatsoever name called, conducted for profit or gain, and not held in any building or structure licensed under this section, shall pay a license fee of $35 per day.

Commission merchants.

"PAR. 27. (a) Commission merchants dealing in food or food products shall pay a license fee of $5 per annum.

Bakeries, groceries, etc.

"(b) Owners or managers of bakeries, bottling establishments, candy-manufacturing establishments, grocery stores, ice-cream manufacturing establishments, meat shops, and market stands handling food or food products shall pay a license fee of $5 per annum: *Provided*, That if any licensee hereunder shall conduct upon the same premises more than one of the callings herein listed, no additional fee shall be required.

Proviso.
Single fee.

Restaurants, soda fountains, etc.

"(c) Owners or managers of delicatessens, ice-cream parlors, restaurants, soda fountains, or soft-drink establishments shall pay a license fee of $15 per annum: *Provided*, That if any licensee hereunder shall conduct upon the same premises more than one of the callings herein listed, or listed in the preceding paragraph, no additional fee shall be required. Within the meaning of this subparagraph a restaurant shall be any place where food or refreshments are served to transient customers to be eaten on the premises where sold.

Proviso.
Single fee.

"Restaurant" construed.

Wholesale fish dealers.

"(d) Wholesale dealers in fish or other marine products shall pay a license fee of $30 per annum.

Dairies.

"(e) Owners or managers of dairies shall pay a license fee of $160 per annum.

"(f) All dealers in food or food products not listed herein, or elsewhere in this section, shall pay a license fee of $5 per annum. Dealers in food products.

"PAR. 28. Owners or managers of hotels shall pay a license fee of $18 per annum. Every place where food and lodging are provided for transient guests shall be regarded as a hotel. Hotels.

"PAR. 29. Owners or managers of apartments houses shall pay a license fee of $15 per annum: *Provided*, That where the owner or manager maintains a restaurant on said premises the license fee shall be $18 per annum: *Provided further*, That if a restaurant is conducted on the premises by other than the owner or manager of the apartment house, the proprietor of such restaurant shall be liable for a separate restaurant license. Within the meaning of this paragraph an apartment house shall be a building in which the rooms are occupied in suites by three or more families. Apartment houses. *Provisos.* Restaurant additional. Fee if separately conducted.

"PAR. 30. Owners or managers of lodging houses shall pay a license fee of $15 per annum. Within the meaning of this paragraph a lodging house shall be a building in which sleeping quarters are provided to accommodate ten or more transients. Lodging houses.

"PAR. 31. (a) Every passenger vehicle for hire licensed under this paragraph shall be considered a public vehicle. Public vehicles.

"(b) Any person, partnership, association, trust, or corporation operating or proposing to operate any vehicle or vehicles not confined to rails or tracks for the transportation of passengers for hire over all or any portion of any defined route or routes in the District of Columbia, except when such vehicle or vehicles are to be operated solely for sight-seeing purposes, shall, on or before the 1st day of October in each year, or before commencing such operation, submit to the Public Utilities Commission of the District of Columbia, in triplicate, an application for license, stating therein the name of such person, partnership, association, trust, or corporation, the number and kind of each type of vehicle to be used in such operation, the schedule or schedules and the total number of vehicle-miles to be operated with such vehicles within the District of Columbia during the twelve-month period beginning with the 1st day of November in the same year. The Public Utilities Commission shall thereupon verify and approve, or return to the applicant for correction and resubmission, each such statement, and when approved, forward one copy thereof to the Commissioners of the District of Columbia or their designated agents and return one copy to the applicant. Upon receipt of the approved copy, and prior to the 1st day of November in the same year, or before commencing such operation, each such applicant shall pay to the collector of taxes, in lieu of any other franchise, personal or license tax, in connection with such operation, the sum of eight-tenths of 1 cent for each vehicle-mile proposed to be operated in the District of Columbia in accordance with the application as approved. Upon presentation of the receipt for such payment, the Commissioners of the District of Columbia or their designated agent shall issue a license authorizing the applicant to carry on the operations embodied in the approved application. No increase of operations shall be commenced or continued unless and until an application similar to the original and covering such increase in operation shall have been approved and forwarded in the same manner and the corresponding additional payment made and license issued. No license shall be issued under the terms of this subparagraph without the approval of the Public Utilities Commission of the District of Columbia. Application. Statements therein. Approval by Public Utilities Commission. Rate of fee. License. Increase of operations. Condition.

"(c) Owners of passenger vehicles for hire having a seating capacity of eight passengers or more, in addition to the driver or operator, other than those licensed in the preceding subparagraph, Vehicles of eight passenger, etc., capacity.

shall pay a license tax of $100 per annum for each vehicle used. No such vehicle shall be operated unless there shall be conspicuously displayed therein a license issued under the terms of this subparagraph.

Others.

" (d) Owners of passenger vehicles for hire, whether operated from a private establishment or from public space, other than those licensed in the two preceding subparagraphs, shall pay a license tax of $25 per annum for each such vehicle used in the conduct of their business. Licenses issued under this subparagraph shall date from July 1 in each year. There shall be carried on each such vehicle a number corresponding to the number of the license issued therefor, in such place and of such character and dimensions as may be prescribed by the Public Utilities Commission of the District of Columbia. Said commission is hereby authorized to establish stands upon the public space, adjacent to hotels, or otherwise, for occupancy by said vehicles, and is further authorized to make and enforce all such reasonable and usual police regulations as they may deem necessary for the proper conduct and control of all such vehicles, subject to the approval of the joint board created by section 6 (e) of the Act entitled 'An Act to amend the Acts approved March 3, 1925, and July 3, 1926, known as the District of Columbia Traffic Acts, and so forth,' approved February 27, 1931.

Date of license.

License number.

Public stands.

Police regulations.

Vol. 46, p. 1426.

Driving vehicle without license and badge prohibited.

" (e) No person shall engage in driving or operating any vehicle licensed under the terms of subparagraph (c) and (d) hereof without having procured from the Commissioners of the District of Columbia or their designated agent a license and a badge numbered to correspond with the number of said license, neither of which shall be issued except upon evidence satisfactory to the director of motor vehicles under the direction of the Commissioners of the District of Columbia that the applicant is a person of good moral character and is qualified to operate such vehicle, and upon payment of an annual license fee of $5. Such license shall be displayed within the vehicle and such badge prominently worn upon the driver's breast at all times while engaged in driving any vehicle licensed under the terms of subparagraphs (c) and (d). Application for such license shall be made in such form as shall be prescribed to the Commissioners of the District of Columbia or their designated agent. Each annual license issued under the provisions of this subparagraph shall be numbered, and there shall be kept in the Department of Vehicles and Traffic a record containing the name of each person so licensed, his annual license number, and all matters affecting his qualifications to be licensed hereunder. No license issued under the provisions of this subparagraph shall be assigned or transferred.

License, etc., to be displayed.

Application.

Number.

Not transferable.

Identification tags.

" (f) All vehicles licensed under this paragraph shall bear such identification tags as the Commissioners of the District of Columbia may from time to time direct; and nothing herein contained shall exempt such vehicles from compliance with the traffic and motor-vehicle regulations of the District of Columbia, nor shall it deprive the Public Utilities Commission of the District of Columbia from assuming control over such vehicles, under such regulations as the Public Utilities Commission may from time to time adopt and promulgate: *Provided*, That nothing contained in this section shall be construed so as to diminish the powers conferred on the Commissioners of the District of Columbia under the provisions of the Act entitled 'An Act to amend the Acts approved March 3, 1925, and July 3, 1926, known as the District of Columbia Traffic Acts, and so forth,' nor to diminish the powers conferred on the Public Utilities Commission of the District of Columbia by said Act and

Proviso.
Powers conferred by designated acts not diminished.

Vol. 46, p. 1424.

Vol. 37, p. 974.

by the Act approved March 4, 1913, creating the Public Utilities Commission as amended.

Automobile rentals.

"PAR. 32. The owners or managers of establishments where automobiles or other motor vehicles are kept for rent or lease without a driver shall pay a license fee of $5 per annum for each such establishment: *Provided*, That nothing in this paragraph shall be so construed as to exempt such owners or managers from paying additional license taxes required by this section.

Proviso. Additional license taxes.

Vehicles for hire used in hauling goods.

"PAR. 33. Owners of vehicles for hire, used in hauling goods, wares, or merchandise, and operating from public space, shall pay a license tax of $25 per annum for each vehicle. Stands for such vehicles upon public space may be established in the manner provided in section 6 (e) of the Act entitled 'An Act to amend the Acts approved March 3, 1925, and July 3, 1926, known as the District of Columbia Traffic Acts, and so forth.'

Stands.

Vol. 46, p. 1426.

Garages, etc.

"PAR. 34. Owners or managers of establishments where motor vehicles of any description are washed, cleaned, greased, oiled, or repaired, for profit or gain, shall pay a license fee of $5 per annum.

Livery stables.

"PAR. 35. Owners or managers of livery stables shall pay a license fee of $5 per annum: *Provided*, That nothing in this paragraph shall be so construed as to exempt such owners or managers from paying additional license taxes required by this section.

Proviso. Additional license taxes.

Sales upon public streets, without license, prohibited.

Newspapers.

"PAR. 36. No person shall sell any article of merchandise, or anything whatever, excepting newspapers sold at large and not from a fixed location, upon the public streets, or from public space in the District of Columbia, without a license first having been obtained under this paragraph. Persons so licensed shall be considered as venders, whether selling from a fixed location, on foot from house to house, or from a vehicle of any description, and shall pay a license tax of $12 per annum. Every vender so licensed shall be furnished with a badge corresponding to the number of his license, which badge shall be worn conspicuously whenever transacting business, and where sales are made from a vehicle such vender shall be provided with a metal plate containing a number similar to the number of his license, which plate shall be conspicuously attached to the vehicle at all times when such vender is transacting business: *Provided*, That no license shall be required of any person bringing to and selling at the several markets produce of his own raising: *And provided further*, That raisers of produce shall not be exempt from the license tax imposed unless they sell such produce at the several markets or by the wholesale in cart, wagon, or carload lots. The Commissioners of the District of Columbia are hereby authorized and empowered to make, modify, and enforce necessary regulations governing the conduct upon the public streets and public spaces of venders licensed hereunder, including the power to locate the places where licensed venders on the public streets and public spaces shall stand, and to change them as often as the public interests require.

Vender's badge.

Provisos. Venders selling products of own raising.

Market, etc., sales.

Regulations to be prescribed.

House-to-house solicitors.

"PAR. 37. Solicitors shall pay a license fee of $5 per annum. Any person who goes from house to house, or place to place, within the District of Columbia, selling or taking orders for or offering to sell or take orders for goods, wares, merchandise, or any article or thing of value for future delivery, or for services to be performed in the future or for the making, manufacturing, or repairing of any article or thing whatsoever for future delivery, and requiring or accepting a deposit for such future delivery or service, shall be deemed to be a

"Solicitor" construed.

Proviso. Exception.

'solicitor,' within the meaning of this paragraph: *Provided, however*, That this definition shall not apply to persons selling goods, wares, merchandise, or any article or thing of value for resale to retailers in that commodity. Any person desiring a solicitor's license shall make application to the Commissioners of the District of Columbia or their designated agent on forms to be provided for that purpose, stating the name of the applicant, the name and address of the person whom he represents, the class and kind of goods offered for sale, or the kind of service to be performed. Such application shall be accompanied by a bond in the penal sum of $500, running to the District of Columbia, conditioned upon the making of final delivery of the goods ordered, or services to be performed, in accordance with the terms of such order, or failing therein, that the advance payment on such order be refunded. Any person aggrieved by the action of any such solicitor shall have the right of action on the bond for the recovery of money, or damages, or both. All orders taken by licensed solicitors shall be in writing in duplicate, stating the terms thereof and the amount paid in advance, and one copy shall be given to the purchaser.

Application.

Bond.

Right of action on.

Orders taken by solicitor.

Guide license.

"PAR. 38. No person shall, for hire, guide or escort any person through or about the District of Columbia, or any part thereof, unless he shall have first secured a license so to do. The fee for each such license shall be $10 per annum. No license shall be issued hereunder without the approval of the major and superintendent of police. The Commissioners of the District of Columbia are hereby authorized and empowered to make reasonable regulations for the examination of all applicants for such licenses and for the government and conduct of persons licensed hereunder, including the power to require said persons to wear a badge while engaged in their calling.

Fee.

Condition.

Regulations to be prescribed.

Secondhand dealers.

"PAR. 39. Dealers in secondhand personal property, including the return or other unused portion of any ticket, order, or token purporting to evidence the right of the holder or possessor thereof to be transported by any railroad or other common carrier, however operated, from one State or Territory of the United States, or from the District of Columbia, to any other State or Territory of the United States or to the District of Columbia, shall pay a license tax of $50 per annum. Every person engaged in the business of buying, selling, trading, exchanging, or dealing in secondhand personal property of any description, including the return or unused portion of any such ticket, order, or token, shall be regarded as a secondhand dealer. Hereafter, when any piping or other household fixtures or secondhand goods of any description whatever have been stolen and sold to a dealer in junk, or secondhand dealer, in the District of Columbia, under such circumstances that the Commissioners of the District of Columbia, after hearing granted, are satisfied that said dealer should have had reasonable ground to believe, or could have ascertained by reasonable inquiry or investigation, that the goods were stolen, and that the dealer did not make reasonable inquiry or investigation as to the title of the seller before making the purchase, the commissioners are authorized and directed to revoke the license of said dealer; and this action shall not be a bar to criminal prosecution for receiving stolen goods.

Acceptance of stolen goods.

Criminal prosecution.

Dealers in dangerous weapons.

Conditions.

Post, p. 652.

"PAR. 40. Dealers in dangerous or deadly weapons shall pay a license tax of $50 per annum. No license shall issue hereunder without the approval of the major and superintendent of police, and the Commissioners of the District of Columbia are hereby authorized and empowered to make and promulgate regulations for the conduct of the business of persons licensed hereunder, including the power to

require a record to be kept of all sales of deadly or dangerous weapons, to prescribe a form therefor, and to require reports of all such sales to the major and superintendent of police at such time as the commissioners may deem advisable.

Detective agencies, etc.

"PAR. 41. (a) Private detectives, or detective agencies, by whatsoever name called, shall pay a license tax of $100 per annum: *Provided*, That no license shall be issued under this paragraph without the approval of the major and superintendent of police.

Proviso. Condition.

"Detective," "detective agency" defined.

"(b) For the purpose of this paragraph, the term 'detective' or 'detective agency' shall mean and include any person, firm, or corporation engaged in the business of, or advertising, or representing himself, or itself, as being engaged in the business of detecting, discovering, or revealing crime or criminals, or securing information for evidence relating thereto, or discovering or revealing the identity, whereabouts, character, or actions of any person or persons, thing, or things.

Conducting agency, etc., without license, unlawful.

"(c) It shall be unlawful for any person to engage in the business of detective, or operate, manage, or conduct a detective agency, for profit or gain, or to advertise or represent his business to be that of a detective, or that of conducting, managing, or operating a detective agency, without first obtaining a license so to do.

Regulations to be prescribed.

"(d) The Commissioners of the District of Columbia are hereby authorized and empowered to make such reasonable regulations as they deem advisable for the government and conduct of the business of private detectives licensed hereunder, and are further authorized and empowered to revoke the license of a private detective when in their judgment such is deemed advisable in the public interest.

Laws governing Metropolitan police force made applicable.

"(e) All laws which govern the Metropolitan police force of the District of Columbia in the matters of persons, property, or money shall be applicable to all private detectives licensed hereunder, and such detectives shall make like returns and dispositions of such matters as is required by existing law and the rules of the Commissioners of the District of Columbia governing the Metropolitan police department.

Employment agency.

"PAR. 42. It shall be unlawful for any person to open, keep, operate, maintain, or carry on any private employment agency without first having obtained a license from the District of Columbia so to do. The fee for such license shall be $100 per annum. Any license may be denied, revoked, or suspended for cause by the said commissioners: *Provided*, That any person whose license shall be denied, revoked, or suspended by the commissioners may, within thirty days after such denial, revocation, or suspension, apply to any justice of the Court of Appeals of the District of Columbia for a writ of error to review such action. Such application shall not operate as a stay of any order issued in connection with such denial, revocation, or suspension.

Fee.

Revocation of license.

Proviso. Writ of error.

Terms defined. "Private employment agency."

"(a) The term 'private employment agency' means any business, enterprise, or undertaking that procures, offers to procure, promises to procure, attempts to procure, or aids in procuring, either directly or indirectly, help or employment for another, for any fee, remuneration, profit, or any consideration whatsoever, promises, paid, or received therefor, either directly or indirectly. It shall also include domestic, commercial, clerical, executive, professional, and general emloyment[1] bureaus, and shall apply to theatrical employment agencies and nurses' registry conducted for profit or gain.

"Nurses' registry."

"(a–1) The term 'nurses' registry' means and includes the business of conducting an agency, bureau, office, or other place for the purpose of procuring, offering to procure, promising to procure,

[1] So in original.

attempting to procure, or aiding in procuring employment or engagements for nurses of any kind.

"Theatrical employment agency."

"(a–2) The term 'theatrical employment agency' includes the business of conducting any agency, bureau, office, or other place providing engagements for circus, vaudeville, theatrical, and other entertainments or exhibitions or performances, or of giving information as to where such engagements may be procured or provided, but does not include the business of managing the artists or the attraction constituting such performances, where such business only incidentally involves the seeking of employment therefor.

"Applicant for employment."

"(a–3) The term 'applicant for employment' means any person seeking work, employment, or engagement of any character.

"Applicant for help."

"(a–4) The term 'applicant for help' means any person seeking help, employees, or performers.

"The singular shall include the plural and the masculine the feminine.

Bond.

"BOND

Amount.

"PAR. 42b. No license shall become effective hereunder until bond in due form in the penal sum of $1,000, or such lesser amount as the commissioners may determine, with two or more sureties or duly authorized surety company to be approved by the commissioners,

Payable to District of Columbia.

shall have been deposited with the commissioners. The bond shall be payable to the District of Columbia and shall be conditioned that the person applying for the license will comply with this Act and shall pay all damages occasioned to any person by reason of any misstatement, misrepresentation, fraud, or deceit, or any unlawful act or omission of any licensed person, made, committed, or omitted in the business conducted under such license, or caused by any other violation of this Act in carrying on the business for which such

Recoveries upon.

license is granted. One or more recoveries upon such bond shall not vitiate the same, but it shall remain in full force and effect: *Provided, however*, That the aggregate amount of all such recoveries

Proviso. Amount of recoveries.

shall not exceed the full amount of the bond. Upon the commencement of any action or actions against the surety upon any such bond for a sum or sums aggregating or exceeding the amount of such bond the commissioners may require a new and additional bond in like amount as the original one, which shall be filed with the commissioners within thirty days of the demand therefor. Failure to file such bond within the prescribed time shall constitute cause for the revocation of the license therefor issued. Any suit or action against the surety on any bond required by the provisions of this section shall be commenced within one year from the accruing of the cause of action thereon.

Additional bond.

Revocation of license upon failure to file.

Actions against surety.

Bond of licensee.

"If at any time, in the opinion of the commissioners, the sureties, or any of them, shall become irresponsible, the person holding such license shall, upon notice from the commissioners, give a new bond, and the failure to give a new bond within ten days after such notice, in the discretion of the commissioners, shall operate as a revocation of such license.

Certified copy.

"The commissioners shall furnish to anyone applying therefor a certified copy of any such bond filed in their office upon the payment

Fee.

of a fee of $1, and such certified copy shall be prima facie evidence in any court that such bond was duly executed and delivered by the person or corporation whose name appears therein.

"REGISTERS

Registers.

"PAR. 42c. It shall be the duty of every licensee to keep a register, approved by the commissioners, in which shall be entered, in the English language, the date of the application for employment, the name and address of the applicant to whom employment is promised or offered, the amount of the fee received, and, whenever possible, the names and addresses of former employers or persons to whom such applicant is known. Such licensee shall also enter in a separate register, approved by the commissioners, in the English language, the name and address of every applicant accepted for help, the date of such application, kind of help requested, the names of the persons sent, with the designation of the one employed, and the amount of the fee received. The aforesaid registers of applicants for employment and help shall be open during office hours to inspection by the said commissioners. No such licensee shall make any false entry in such registers. It shall be the duty of every licensee, whenever possible, to communicate orally or in writing with at least one of the persons mentioned as references for every applicant for work in private families or employed in a fiduciary capacity, and the result of such investigation shall be kept on file in such agency: *Provided*, That if the applicant for help voluntarily waives in writing such investigation of references by the licensee, failure on the part of the licensee to make such investigation shall not be deemed a violation of this section.

Licensee to keep.

Entries.

Separate register.

Entries.

Inspection by Commissioners.

False entries prohibited.

Communication with references.

Proviso.
Waiver by applicant for help.

"RECEIPTS

Receipts.

"PAR. 42d. It shall be the duty of such licensee to give to every applicant for employment from whom a fee shall be received a receipt in which shall be stated the name of said applicant, the date and amount of the fee, and the purpose for which it was paid, and to every applicant for help a receipt stating the name and address of said applicant, the date and amount of the fee, and the kind of help to be provided. Every receipt given by such licensee shall bear the name and address of such licensee printed in large type thereon. Every receipt shall have printed on the back thereof a copy of paragraph 42h of the Act in the English language.

Statements therein.

Post, p. 562.

"PAR. 42e. No private employment agency licensed hereunder shall be located in rooms used for living purposes, or in rooms where boarders or lodgers are kept, or where meals are served or persons sleep, or in any building or on premises wherein rooms are located and used for living purposes, or wherein boarders or lodgers are kept, or where meals are served, or persons sleep, or in any building wherein such rooms are located; nor shall any such private employment agency be located in any such building where the entrance thereto is not separate and apart from the entrance to the building proper, or where there is any entrance into the building proper from said private employment agency: *Provided*, That no one shall be precluded from keeping an employment agency in an office building by reason of there being a café or restaurant in another part of said building.

Location of private employment agency restricted.

Proviso.
Exception.

"APPLICATION OF MINOR

Application of minor.

"PAR. 42f. No licensee shall accept any application for employment made by or on behalf of any child, or shall place or assist in placing any such child in any employment whatever in violation of any compulsory education or child labor laws.

Acceptance in violation of child labor laws, etc., prohibited.

Inspection.

"INSPECTION

By Commissioners.

"PAR. 42g. All registers, books, records, and other papers required to be kept pursuant to this article in any private employment agency shall be open at all reasonable hours to the inspection of the commissioners, and every licensee shall post in a conspicuous place in such agency the license certificate.

False information.

"FALSE INFORMATION

Publishing, etc., prohibited.

"PAR. 42h. No licensee conducting any private employment agency shall publish or cause to be published any false or fraudulent or misleading information, representation, notice, or advertisement, nor shall he give any false information, or make any false promise or false representation concerning an engagement or employment to any applicant who shall register or apply for an engagement or employment or help.

Exceptions.

"EXCEPTIONS

Employment bureaus of hospitals, etc.

"PAR. 42i. This Act shall not apply to employment bureaus conducted by registered medical institutions, duly incorporated hospitals, or duly incorporated alumni associations of registered nurses, or to any bureau maintained by persons for the purpose of securing help or employees where no fee is charged.

Mediums, etc.

"PAR. 43. Mediums, clairvoyants, soothsayers, fortune tellers, palmists, or phrenologists, by whatsoever name called, conducting business for profit or gain, directly or indirectly, shall pay a license tax of $250 per annum. No license shall be issued hereunder without the approval of the major and superintendent of police, nor shall any license be issued hereunder to any person not an actual resident of the District of Columbia for two years next preceding his date of application: *Provided*, That no license shall be required of persons pretending to tell fortunes or practice palmistry, phrenology, or any of the callings herein listed, in a regular licensed theater, or as a part of any play, exhibition, fair, or show presented or offered in aid of any benevolent, charitable, or educational purpose: *And provided further*, That no license shall be required of any ordained priest or minister, or accredited representative of any such priest or minister, the fees for whose ministrations are not the private property of such ordained priest, minister, or accredited representative of such priest or minister.

Condition.

Proviso. Exception.

Clergymen, etc.

Living targets prohibited.

"PAR. 44. No person shall set up, operate, or conduct any business or device by or in which any person, animal, or living object shall act or be exposed as a target for any ball, projectile, missile, or thing thrown or projected for or in consideration of profit or gain, directly or indirectly.

Licenses of other businesses.

"PAR. 45. The Commissioners of the District of Columbia are hereby authorized and empowered, when in their discretion such is deemed advisable, to require a license of other businesses or callings not listed herein and which, in their judgment, require inspection, supervision, or regulation by any municipal agency or agencies and to fix the license fee therefor in such amount as, in their judgment, will be commensurate with the cost to the District of Columbia of such inspection, supervision, or regulation, and are further authorized and empowered in their discretion to modify any of the provisions of this section so far as eliminating therefrom any business or calling herein required to be licensed, or to raise or lower the amount of the license fee provided herein, as the cost of inspection, supervision, or regulation is raised or lowered.

"PAR. 46. The commissioners are further authorized and empowered to make any regulations that may be necessary in furtherance of the purpose of this section and to revoke any license issued hereunder when, in their judgment, such is deemed desirable in the interest of public decency or the protection of lives, limbs, health, comfort, and quiet of the citizens of the District of Columbia, or for any other reason they may deem sufficient. Regulations to revoke licenses.

"PAR. 47. Prosecutions for violations of any of the provisions of this section, or of any paragraph added hereto from time to time by the Commissioners of the District of Columbia, or of any regulation made by the commissioners under authority of this section, shall be on information in the police court of the District of Columbia by the corporation counsel of the District of Columbia or any of his assistants. Prosecutions for violations.

"PAR. 48. Any person violating any of the provisions of this section, or additions thereto made from time to time by the Commissioners of the District of Columbia, where no specific penalty is fixed, or the violation of any regulation made by the commissioners under the authority of this section, shall upon conviction be fined not more than $300 or imprisoned for not more than ninety days. Any person failing to file any information required by this section, or by any regulation of the Commissioners of the District of Columbia made under the provisions hereof, or who in filing any such information makes any false or misleading statement, shall upon conviction be fined not more than $300 or imprisoned for not more than ninety days. Penalties. Failure to file information.

"PAR. 49. Any violation of any provision of law or regulation issued hereunder which is repealed by this section and any liability arising under such provisions or regulations may, if the violation occurred or the liability arose prior to such repeal, be prosecuted to the same extent as if this section had not been enacted. Liability under prior acts.

"PAR. 50. If any provision of this section is declared unconstitutional, or the applicability thereof to any person or circumstance is held invalid, the validity of the remainder of the section and the applicability of such provision to other persons and circumstances shall not be affected thereby. Separability of provisions.

"PAR. 51. The Commissioners of the District of Columbia are hereby authorized to refund any license fee or tax, or portion thereof, erroneously paid or collected under this section." Refunds.

Approved, July 1, 1932.

[CHAPTER 367.]

AN ACT

To provide for the relinquishment by the United States of certain lands to the city of Coeur d'Alene, in the county of Kootenai, in the State of Idaho.

July 1, 1932.
[H. R. 1133.]
[Public, No. 238.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the United States relinquish unto the city of Coeur d'Alene, in the county of Kootenai, in the State of Idaho, all of its right, claim, or title to or the possession of all that part of the Fort Sherman Military Reserve (now abandoned) in section 14, township 50 north, range 4 west, Boise meridian, described as follows: Commencing at the southeast corner of the Fort Sherman Military Reserve (now abandoned) in section 14, township 50 north, range 4 west, Boise meridian; thence running northwesterly in a direct line, making a northwesterly included angle of eighty-four degrees, thirty-three minutes with the east limit of said Fort Sherman Military Reserve, a distance of six hundred and sixty-one and six-tenths feet more or less Fort Sherman Military Reserve, Idaho. Rights of United States to, conveyed. Description.