Public Law 87-259

AN ACT

September 21, 1961
[H. R. 4669]

To amend the law relating to gambling in the District of Columbia.

D. C. Gambling equipment.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That subsection (c) of section 866 of the Act entitled "An Act to establish a Code of Law for the District of Columbia", approved March 3, 1901, as amended (District of Columbia Code, sec. 22–1505, 1951 edition), is amended to read as follows:

67 Stat. 95.

"(c) All moneys, vehicles, furnishings, fixtures, equipment, stock (including, without limitation, furnishings and fixtures adaptable to nongambling uses, and equipment and stock for printing, recording, computing, transporting, safekeeping, or communication), or other things of value used or to be used—

"(1) in carrying on or conducting any lottery, or the game or device commonly known as a policy lottery or policy, contrary to the provisions of section 863 of this Act;

52 Stat. 198. D. C. Code 22-1501.

"(2) in setting up or keeping any gaming table, bank, or device contrary to the provisions of section 865 of this Act; or

31 Stat. 1331. D. C. Code 22-1504.

"(3) in maintaining any gambling premises,

shall be subject to seizure by any member of the Metropolitan Police force, or the United States Park Police, or the United States marshal, or any deputy marshal, for the District of Columbia, and any property seized regardless of its value shall be proceeded against in the municipal court for the District of Columbia by libel action brought in the name of the District of Columbia by the Corporation Counsel or any of his assistants, and shall, unless good cause be shown to the contrary, be forfeited to the District of Columbia and shall be made available for the use of any agency of the government of the District of Columbia, or otherwise disposed of as the Commissioners of the District of Columbia may, by order or by regulation, provide: *Provided*, That if there be bona fide liens against the property so forfeited, then such property shall be disposed of by public auction. The proceeds of the sale of such property shall be available, first, for the payment of all expenses incident to such sale; and, second, for the payment of such liens; and the remainder shall be deposited in the Treasury of the United States to the credit of the District of Columbia. To the extent necessary, liens against said property so forfeited shall, on good cause shown by the lienor, be transferred from the property to the proceeds of the sale of the property."

SEC. 2. This Act shall not be considered as affecting the authority vested in the Board of Commissioners of the District of Columbia by Reorganization Plan Numbered 5 of 1952 (66 Stat. 824), and the performance of any function vested by said plan in the Board of Commissioners or in any office or agency under the jurisdiction and control of said Board of Commissioners shall continue to be subject to delegation by said Board of Commissioners in accordance with section 3 of such plan. Any function vested by this Act in any agency established pursuant to such plan shall be deemed to be vested in said Board of Commissioners and shall be subject to delegation in accordance with said plan.

D. C. Code, title 1 app.

Delegation of functions.

Approved September 21, 1961.

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