or State authority, and (5) has a combined capital and surplus (as set forth in its most recent published report of condition) of at least $3,000,000. If such trustee or a substitute trustee at any time ceases to meet the foregoing qualifications, the Secretary of Commerce shall disapprove such trustee or substitute trustee, and after such disapproval the transfer or assignment of such bond, note, or other evidence of indebtedness to a person not a citizen of the United States, without the approval of the Secretary of Commerce, shall be unlawful. If a bond, note, or other evidence of indebtedness which is secured by a mortgage of a vessel to a trustee is issued, transferred, or assigned to a person not a citizen of the United States in violation of this paragraph, the issuance, transfer, or assignment shall be void."

Validity of bonds held by noncitizens.

SEC. 4. Bonds, notes, and other evidence of indebtedness which are secured by a mortgage of a vessel to a trustee or by an assignment to a trustee of the owner's right, title, or interest in a vessel under construction which have heretofore been issued, transferred, or assigned, or are issued, transferred, or assigned within one year after the enactment of this Act, to a person not a citizen of the United States without the approval of the Secretary of Commerce are valid in the hands of such person and the validity and preferred status of such mortgage and the validity and lawfulness of such issuance, transfer, or assignment shall not be affected by such issuance, transfer, or assignment if the trustee or a substitute trustee is approved by the Secretary of Commerce within one year after enactment of this Act, under the standards for trustees specified in the amendments made by this Act to sections 9 and 37 of the Shipping Act, 1916, and to subsection O of the Ship Mortgage Act, 1920.

Pending litigation.

Nothing in this section shall be construed to alter retroactively any rights which were the subject matter of litigation pending on the date of enactment of this Act.

Approved November 8, 1965.

Public Law 89-347

November 8, 1965
[S. 1320]

AN ACT

To amend certain criminal laws applicable to the District of Columbia, and for other purposes.

District of Columbia. Criminal Laws.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 848 of the Act entitled "An Act to establish a code of law for the District of Columbia", approved March 3, 1901, as amended (D.C. Code, sec. 22–403), is further amended to read as follows:

50 Stat. 629.

Destruction of property.

"SEC. 848. Whoever maliciously injures or breaks or destroys, or attempts to injure or break or destroy, by fire or otherwise, any public or private property, whether real or personal, not his own, of the value of $200 or more, shall be fined not more than $5,000 or shall be imprisoned for not more than ten years, or both, and if the value of the property be less than $200 shall be fined not more than $1,000 or imprisoned for not more than one year, or both."

34 Stat. 126.

SEC. 2. The first section of the Act entitled "An Act for the preservation of the public peace and the protection of property in the District of Columbia", approved July 29, 1892, as amended (D.C. Code, sec. 22–3112), is further amended by striking out "destroy, injure, disfigure, cut, chip, break," and inserting in lieu thereof "disfigure, cut, chip,".

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Kidnaping.

SEC. 3. Section 812 of the Act entitled "An Act to establish a code of law for the District of Columbia", approved March 3, 1901, as amended (D.C. Code, sec. 22–2101), is further amended by striking out "for ransom or reward", and inserting in lieu thereof "for ransom or reward or otherwise, except, in the case of a minor, by a parent thereof,".

47 Stat. 858.

Immunity privileges.

SEC. 4. Section 9 of the Act entitled "An Act to enjoin and abate houses of lewdness, assignation, and prostitution; to declare the same to be nuisances; to enjoin the person or persons who conduct or maintain the same and the owner or agent of any building used for such purpose; and to assess a tax against the person maintaining such nuisance and against the building and owner thereof", approved February 7, 1914, as amended (D.C. Code, sec. 22–2721), is further amended to read as follows:

38 Stat. 282.

"SEC. 9. In any prosecution for violation of this Act or so much of the first section of the Act entitled 'An Act to confer concurrent jurisdiction on the police court of the District of Columbia in certain cases', approved July 16, 1912 (37 Stat. 192; D.C. Code, sec. 22–2722), as relates to the keeping of a bawdy or disorderly house, the court, upon application of the United States attorney made after such attorney has given notice thereof to the Corporation Counsel of the District of Columbia, may order any witness to testify or to produce evidence, or both. Upon such order of the court, such witness shall not be excused from testifying or from producing evidence on the ground that the testimony or evidence required of him may tend to incriminate him or subject him to a penalty or forfeiture. But no such witness shall be prosecuted or subjected to any penalty or forfeiture for or on account of any act, transaction, matter or thing concerning which he has been ordered to testify or to produce evidence after having claimed the privilege against self-incrimination, nor shall testimony or other evidence ordered to be given or produced under the provisions of this section be used as evidence in any criminal proceeding against him in any court. No witness shall be exempt under this section from prosecution for perjury or contempt committed in connection with giving testimony or producing evidence under order of the court as provided in this section."

77 Stat. 617.

Healing arts. Corporation Counsel, enforcement functions.

SEC. 5. The last sentence of section 46 of the Healing Arts Practice Act, District of Columbia, 1928, as amended (D.C. Code, sec. 2–137), is further amended by striking out "by said United States District Attorney when instituted on behalf of the Commission, and" and by striking out "when instituted on behalf of the Commissioners of said District or by the major and superintendent of police of said District".

45 Stat. 1340.

SEC. 6. The fourth sentence of section 8 of the Act entitled "An Act to define the term 'registered nurse' and to provide for the registration of nurses in the District of Columbia", approved February 9, 1907, as amended (D.C. Code, sec. 2–407), is amended by striking out "United States Attorney for the District of Columbia" and inserting in lieu thereof "Corporation Counsel of the District of Columbia".

45 Stat. 1521.

SEC. 7. Section 2 of the Act entitled "An Act to regulate the practice of optometry in the District of Columbia", approved May 28, 1924 (D.C. Code, sec. 2–502), is amended by adding at the end thereof the following new sentence: "Prosecutions for violations of this Act shall be conducted in the name of the District of Columbia by the Corporation Counsel.".

43 Stat. 177.

Accountants.

SEC. 8. Section 9 of the Act entitled "An Act to create a board of accountancy for the District of Columbia, and for other purposes", approved February 17, 1923 (D.C. Code, sec. 2–909), is amended by adding at the end thereof the following new sentence: "Prosecutions for violations of this Act shall be conducted in the name of the District of Columbia by the Corporation Counsel.". 42 Stat. 1263.

Repeal.

SEC. 9. (a) Sections 425 to 428, inclusive, of the Act entitled "An Act to revise and consolidate the statutes of the United States, general and permanent in their nature, relating to the District of Columbia, in force on the first day of December, in the year of our Lord one thousand eight hundred and seventy-three", approved June 22, 1874 (D.C. Code, secs. 4–168—171, inclusive), are hereby repealed.

Private detectives, bond requirement.

(b) The Board of Commissioners of the District of Columbia shall by regulation require that bonds in the amount of not more than $25,000 shall be furnished and kept in force by all persons licensed as private detectives in the District of Columbia. Bonds required by this section shall be corporate bonds and shall run to the District and shall be conditioned upon the observance by the licensed private detective and any agent, employee, or person acting in behalf of the licensed private detective of all laws and regulations in force in the District of Columbia applicable to the conduct of persons licensed as private detectives. Such bonds shall be for the benefit of any person who may suffer damages as a result of violation of any law or regulation by or on the part of any licensed private detective or any agent, employee, or person acting on the behalf of any private detective. In addition to any right to any other legal action, any person aggrieved by the violation of any law or regulation by a licensed private detective may bring suit against the surety on a bond required by this section either alone or jointly with the principal thereon and recover damages for such violation of law or regulation in an amount not to exceed the penal amount of the bond. The provisions of the second, third, and fifth subparagraphs of paragraph (b) of the first section of the Act entitled "An Act to grant additional powers to the Commissioners, and for other purposes", approved December 20, 1944 (58 Stat. 820; sec. 1–244(b), D.C. Code), shall be applicable to each bond authorized by this section as if it were the bond authorized by the first subparagraph of such paragraph (b): *Provided*, That nothing in this subsection shall be construed to impose upon the surety on any such bond a greater liability than the total amount thereof or the amount remaining unextinguished after any prior recovery or recoveries.

Estates of absentees, etc.

SEC. 10. The last sentence of the first section of the Act entitled "An Act to provide for the conservation and settlement of estates of absentees and absconders in the District of Columbia, and for other purposes", approved April 8, 1935, as amended (D.C. Code, sec. 20–701), is amended by striking out "The United States attorney in and for the District of Columbia" and inserting in lieu thereof "The Corporation Counsel of the District of Columbia". 49 Stat. 111; *Ante*, pp. 733, 785.

Effective date.

SEC. 11. Sections 5 through 8, inclusive, and section 10 shall take effect thirty days from the approval of this Act, but shall not in any case apply to proceedings instituted prior to the approval of this Act. Section 9 of this Act shall take effect on the first day of the first full license year for licensing of private detectives and detective agencies prescribed by section 7 of the Act approved July 1, 1902 (32 Stat. 622, ch. 1352), as amended (sec. 47–2301, et seq., D.C. Code), which begins at least ninety days after approval of this Act. 47 Stat. 550.

Approved November 8, 1965.