

benefit the same is performed, the Secretary of the Interior may prescribe such fees for said service as he may deem proper.

Alaska Historical Library and Museum. Secretary's fees to be used for.

Vol. 31, p. 333.

Bond of secretary.

SEC. 2. That all fees received by the secretary of the district of Alaska as such secretary, from every source whatsoever, shall be disbursed, on the order of the governor of the district of Alaska, for the benefit of the Alaska Historical Library and Museum, as provided in section thirty-two, chapter one, title one, of an Act approved June sixth, nineteen hundred, entitled "An Act making further provision for a civil government for Alaska, and for other purposes;" and all such receipts and disbursements shall be accounted for in the manner prescribed in said section.

SEC. 3. That the secretary of the district of Alaska, before entering upon the duties of said office, shall execute a bond with sufficient sureties, to be approved by the Secretary of the Interior, and in such penal sum as the Secretary of the Interior may prescribe, conditioned upon the safe-keeping, faithful disbursement, and proper accounting for all moneys from whatsoever source which may come into his hands as such secretary.

Approved, March 3, 1905.

March 3, 1905.
[H. R. 17941.]

[Public, No. 231.]

CHAP. 1498.—An Act To amend the Act entitled "An Act to provide for the construction of a light-house and fog signal at Diamond Shoal, on the coast of North Carolina, at Cape Hatteras," approved April twenty-eighth, nineteen hundred and four.

Diamond Shoal, Cape Hatteras, N. C.
Ante, p. 561, amended.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That chapter eighteen hundred and fourteen of the public statutes, second session Fifty-eighth Congress, entitled "An Act to provide for the construction of a light-house and fog signal at Diamond Shoal, on the coast of North Carolina, at Cape Hatteras," approved April twenty-eighth, nineteen hundred and four, be, and the same is hereby, amended to read as follows:

Construction of light-house and fog signal at, by Albert F. Eells.

That Albert F. Eells, of Boston, Massachusetts, be, and he is hereby, authorized, with such others as may be associated with him, to construct, in the manner and on the conditions herein specified, a substantial and sufficient light-house and fog signal of the latest and most improved construction, together with such auxiliary works of the most modern character and such as will be necessary to maintain the same permanently, upon the outer Diamond Shoal, on the coast of North Carolina, at Cape Hatteras.

"Structure" defined.

That the word "structure" hereinafter used shall be construed to mean "light-house and fog signal," as hereinbefore specified.

Papers to be filed.

That the said Eells and his associates shall, within six months from the date of the approval of this Act, file with the Secretary of Commerce and Labor—

Acceptance.

(a) An agreement in writing accepting all of the provisions of this Act; and

Drawings and specifications.

(b) Detailed drawings and specifications of the structure in all its parts for the approval of said Secretary upon his determination that the plans conform to the standards required by the Light-House Service, and assure the stability of the completed structure except as to the possible yielding of the sand or other material upon which it is to be placed affecting the verticality of the tower or the height of the light, the risk of which is wholly that of the said Eells and his associates, or successors, and their heirs and legal representatives. And unless said plans are approved by said Secretary prior to January first, nineteen hundred and six, and the construction of the proposed structure be in good faith commenced within six months after such approval, the authority granted by this Act shall cease.

Approval of plans by Secretary of Commerce and Labor.

That if the Secretary of Commerce and Labor shall approve the plans for said structure he shall, within sixty days after written request therefor from the said Eells and his associates, or successors, designate a suitable place upon the said Diamond Shoal where the water is at least twenty-four feet in depth, mean high tide, for the site of the said structure, upon which site the said structure shall be placed and be in good faith completed as soon as shall be reasonably practicable; and the Secretary of Commerce and Labor may at any time after January first, nineteen hundred and seven, after hearing, determine within what period thereafter the said structure must be ready for the installation of the light and other equipment therein.

That the said structure shall have a base of at least one hundred feet in diameter, and shall in all its parts be substantially and securely constructed and braced, and shall extend a sufficient height so that the light to be placed thereon shall be at least one hundred and fifty feet above mean high tide. The Secretary of Commerce and Labor shall prescribe what parts of said structure shall be painted, of what material, and in what color or colors.

That the said Eells and his associates shall make their own plans for the construction of that part of the structure below the line thirty feet above high-water mark and the plans for that part of the structure above the said line shall substantially conform to the specifications contained in the letter from D. W. Lockwood, lieutenant-colonel, Corps of Engineers, United States Army, secretary of the Light-House Board of the Department of Commerce and Labor, to the chairman of the Committee on Interstate and Foreign Commerce of the House of Representatives, dated February third, nineteen hundred and four, except as to the brick lining specified, and in lieu thereof the floors shall be supported by metal framework designed by said Eells, and except as herein further modified.

Said structure, including lantern, and watch, service, boat, and other rooms, must conform to the standards required in the Light-House Service.

Any changes or modification in design or construction, which may hereafter appear to be necessary by either the Light-House Board or the said Eells, may be made by consent of both parties.

During the progress of the construction of said structure the same will be inspected under the direction of the Secretary of Commerce and Labor, who will pass upon all materials and workmanship, and any part of either which is not in accordance with the usual specifications of the Light-House Board must be satisfactorily replaced by the said Eells or his associates the expense of inspection other than quarters and board of inspector hereinafter otherwise provided for, to be paid from the general appropriations for the Light-House Service. The said Eells, or his associates, shall furnish suitable quarters and board for the inspector designated by the Secretary of Commerce and Labor when employed at the site of the structure and transport him to and from the same and from and to the mainland when necessary.

That the Secretary of Commerce and Labor shall prescribe the class or kind of light to be placed in the lantern of said structure and cause the lens and equipment for said structure, which shall be paid for from appropriations to be hereafter made for that purpose by Congress, to be furnished at the expense of the United States, at the light-house depot, Tompkinsville, New York, to the said Eells and his associates, or successors, upon demand, when the said structure shall be sufficiently completed to permit of their installation. The said Eells and his associates, or successors, shall transport the above to the site of the structure and install same under the direction of the Secretary of Commerce and Labor.

Commencement of work.

Designation of site.

Time of completion.

Structure above water.

Structure below water line.

Light-house standards required.

Changes.

Inspection during construction.

Expense.

Furnishing equipment.
Ante, p. 1171.

Probation term. That when the said light station shall have been completed in accordance with the conditions herein specified and be ready to be lighted the Secretary of Commerce and Labor shall prescribe the manner in which the light shall be exhibited and the said light station be operated, and thereupon the said Eells and his associates, or successors, are authorized and required to operate the said light station in accordance with the said directions of said Secretary and the regulations of the Light-House Board for a period of one year, and at the cost and expense of said Eells and his associates and successors. That at the expiration of said period of one year, the said light station shall be delivered to the United States and shall be placed under the control of the Light-House Board, to operate the said light station in accordance with such regulations as may be prescribed by said Board and at the expense of the United States for a period of four years: *Provided*, That if at any time after the installation of the lens and equipment in said structure the Secretary of Commerce and Labor shall find said structure to be insecure he shall cause said lens and equipment to be removed therefrom, if such removal is practicable without unreasonable expense or peril to life, and the United States shall not thereafter use the said structure. That at the expiration of five years after the date when the said light station shall have been completed and lighted, and which period shall embrace the one year during which the said light station shall have been operated by said Eells and his associates, or successors, if the said structure shall be in a substantial and secure condition and in all respects sufficient for the purpose of a light-house at the place where located, such fact shall be so certified by the Secretary of Commerce and Labor, and then and in such event the said Eells and his associates, or successors, assigns, or legal representatives, shall be authorized to demand from the United States the sum of seven hundred and fifty thousand dollars and shall thereafter be free from responsibility incident to said structure and the said light station shall thereupon become part of the permanent light-house establishment of the United States: *Provided*, That if the said Eells and his associates, or successors, shall fail to construct the said structure in accordance with the terms hereof, or shall fail to operate the same for one year, or if at the end of said period of five years the said structure shall not be in a substantial and satisfactory condition as hereinbefore provided, then and in any or either, such event neither the said Eells and his associates, nor any of them, nor their or either of their successors, or assigns nor the heirs, successors, or legal representatives of any of them, or of their successors, or assigns, shall be entitled to demand or receive from the United States any compensation whatever, in whole or in part, by reason of any act or acts done in pursuance hereof.

Delivery to United States.

Proviso. Removal of equipment if structure insecure.

Payment.

Amount.

Responsibility of contractor to end.

No payment in case of nonfulfillment of contract, etc.

Approved, March 3, 1905.

March 3, 1905.
[H. R. 18040.]

[Public, No. 232.]

Gila County, Ariz.
May issue bonds for court-house, etc.

Denominations, interest, etc.

Term.

CHAP. 1499.—An Act To authorize Gila County, Arizona, to issue forty thousand dollars in bonds to build a court-house, and so forth.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled. That the board of supervisors of the county of Gila, Territory of Arizona, is hereby authorized to issue bonds of said county in the sum of forty thousand dollars for the construction of a court-house and jail for said county and vaults for the preservation of its records.

SEC. 2. That said bonds may be in such denominations as the said board may prescribe, and shall bear no more than five per centum interest per annum, and shall not be sold for less than their par value.

SEC. 3. That said bonds shall be made payable in thirty years, with