

**CHAP. 1813.**—An Act Creating a commission to consider and recommend legislation for the development of the American merchant marine, and for other purposes.

April 28, 1904.  
[H. R. 7056.]

[Public, No. 245.]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That a commission is hereby created, to be called "The Merchant Marine Commission," to be composed as follows: Five members of the Senate of the United States and five members of the House of Representatives of the United States, to be appointed by the presiding officer of each House of Congress, respectively: *Provided,* That at least two of the said members of the Senate and two of the said members of the House of Representatives shall be members of the minority party.

American Merchant Marine.  
Commission to investigate, etc.  
Composition.

*Proviso.*  
Minority party representation.

**SEC. 2.** That it shall be the duty of this commission to investigate and to report to the Congress on the first day of its next session what legislation, if any, is desirable for the development of the American merchant marine and American commerce, and also what change, or changes, if any, should be made in existing laws relating to the treatment, comfort, and safety of seamen, in order to make more attractive the seafaring calling in the American merchant service.

Duties.

**SEC. 3.** That the commission shall give reasonable time for hearings, if deemed necessary, and if necessary it may appoint a subcommission or subcommissions of its own members to make investigation in any part of the United States, and it shall be allowed actual necessary expenses for the same. It shall have the authority to send for persons and papers and to administer oaths and affirmations. All necessary expenses, including clerks, stenographers, messengers, rent for place of meeting, and printing and stationery, shall be paid from any money in the Treasury not otherwise appropriated; however, not to exceed twenty thousand dollars for expenditure under this section, to be paid upon vouchers to be approved by the chairman of the commission.

Hearings.  
Subcommissions.

Powers.  
Expenses.

Limit.  
Vouchers.

**SEC. 4.** That any vacancies occurring in the commission, by reason of death, disability, or from any other cause, shall be filled by appointment by the officer and in the same manner as was the member whose retirement from the commission creates the vacancy.

Vacancies.

Approved, April 28, 1904.

**CHAP. 1814.**—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.

April 28, 1904.  
[H. R. 7264.]

[Public, No. 246.]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* 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, at the outer side of the outer Diamond Shoal, on the coast of North Carolina, at Cape Hatteras.

Diamond Shoal, Cape Hatteras.  
Construction of light-house and fog signal at, by Albert F. Eells.

Post, p. 1266.

That the construction of said proposed light-house and fog signal shall be in good faith commenced within twelve months from the date of the approval of this Act.

Commencement construction.

That the said light-house and fog signal shall be constructed and placed where the water is at least thirty feet in depth, mean high tide.

Depth of water.

That the construction of the superstructure or tower of said light-house or fog signal above the line thirty feet above high-water mark shall 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

Tower.

Specifications.

Exception.	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 further, except as herein modified.
Changes.	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.
Height of light.	That there shall be erected above said structure, as aforesaid, a circular steel tower or mast of sufficient diameter to contain a spiral stairway, which shall extend a sufficient height so that the light to be placed thereon shall be at least two hundred feet above mean high tide, all to be substantially and securely constructed and braced.
Plans.	That the said Eells shall make his own plans for the construction below the line thirty feet above high water mark herein provided for.
Secretary of Commerce and Labor to approve plans, etc.	That detailed drawings and specifications of that part of the structure above a line thirty feet above mean high water and including the lantern, watch room, and service room, which must conform to the standards required in the Light-House Service, shall be submitted by the said Eells to the Secretary of Commerce and Labor for approval in advance of construction.
Lens, etc.	That the plans and specifications of that part of the structure from the base of the foundation up to a line thirty feet above mean high water shall be furnished to the Secretary of Commerce and Labor for the purpose of determining the stability of the completed structure.
Selection of site.	That the lens and equipment for said light, light-house, and fog signal shall be furnished by the United States under the direction of the Secretary of Commerce and Labor, upon demand, in New York, without expense to said Eells or his associates, when the said structure shall be sufficiently completed to permit of their installation. The said Eells or his associates shall transport the above to the site of the light-house and install same under the direction of the Secretary of Commerce and Labor.
Inspection during construction.	That the Secretary of Commerce and Labor shall designate a suitable place for the site of the said proposed light-house and fog signal within sixty days after written request therefor from the said Eells or his associates. During the progress of the construction of said light-house 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 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 light-house.
Expense of inspection.	That the cost of the lens and equipment of the said light, light-house, and fog signal shall be paid for from appropriations to be hereafter made for that purpose by Congress.
Cost of lens, etc.	That the Secretary of Commerce and Labor shall prescribe the color or colors of which the outer part of said structure shall be painted, and the class or kind of light and the manner in which the same shall be exhibited. That when the said light-house shall be placed in position, in accordance with the conditions herein specified and ready to be lighted, that the said Eells and his associates are hereby authorized and required to maintain the said structure and operate the said light station in accordance with 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
Delivery to United States.	

year, the said light station shall be delivered to the United States and shall be placed under the control of the Light-House Board, who shall be required, under the direction of the Secretary of Commerce and Labor, to maintain and 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. 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 maintained by said Eells, if the said light-house 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, and such fact shall be so certified by the Secretary of Commerce and Labor, then and in such event the said Albert F. Eells or his assigns or legal representatives shall be authorized to demand from the United States the sum of five hundred and ninety thousand dollars: *Provided*, That if the said Eells and his associates shall fail to construct the said light-house in accordance with the terms hereof, or shall fail to maintain and operate the same for one year, or if at the end of said five years the said structure shall not be in a substantial and satisfactory condition as hereinbefore provided, then and in such event neither the said Eells or his associates or their heirs or personal representatives or successors 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: *Provided further*, That if the said light-house shall not be accepted that the same shall not be used by the United States.

Payment.

*Provisos.*  
No pay in case of nonfulfillment of contract, etc.

Not to be used unless accepted.

Approved, April 28, 1904.

CHAP. 1815.—An Act To amend the law relating to taxation in the District of Columbia.

April 28, 1904.  
[H. R. 8690.]

[Public, No. 247.]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That, beginning with the fiscal year commencing July first, nineteen hundred and four, the Board of personal tax appeals of the District of Columbia shall convene on the first Monday in February of each year, and continue in session to and including the second Monday in March of each year, instead of convening on the fifteenth day of November and continuing in session until the fifteenth day of December in each year, as now provided by law.

District of Columbia.  
Session of the board of personal tax appeals changed.  
Vol. 32, p. 617.

SEC. 2. That the Act of Congress approved July first, nineteen hundred and two, entitled "An Act making appropriations to provide for the expenses of the government of the District of Columbia for the fiscal year ending June thirtieth, nineteen hundred and three, and for other purposes," is hereby amended as follows:

Dealers in general merchandise.  
Vol. 32, p. 619, amended.

Strike out paragraph three of section six and insert in lieu thereof the following:

"Dealers in general merchandise of every description shall pay to the collector of taxes of the District of Columbia one and one-half per centum on the average stock in trade for the preceding year.

Tax on stock in trade.

"After the passage of this Act it shall be unlawful for any person or persons entering the District of Columbia subsequent to June thirtieth in each year and establishing a place of business for the sale of goods, wares, or merchandise, either at private sale or at auction, or engaging in the business of common carrier by vessels, ships, or boats, to conduct such business until a sworn statement of the value of such stock, vessels, ships, and boats has been filed with the assessor of the District of Columbia, who shall thereupon render a bill for the

Statement of stock before conducting business.

Common carrier by vessels, etc., added.