

Organization of Department of Commerce and Labor



BUILDING OCCUPIED BY THE LIGHT-HOUSE BOARD, THE BUREAU OF NAVIGATION,
AND THE STEAMBOAT-INSPECTION SERVICE

CHAPTER VII

LIGHT-HOUSE BOARD

[Including Light-House Establishment.]

The eight light-houses established by the maritime colonies were accepted by the Federal Government by act of Congress of August 7, 1789, and since that date all jurisdiction over and maintenance of aids to navigation have been in the General Government. They were placed under the direction of the Secretary of the Treasury, where they remained until their supervision was given to the Secretary of Commerce and Labor by act of Congress approved February 14, 1903, entitled "An act to establish the Department of Commerce and Labor."

The office of Commissioner of Revenue was established May 8, 1792, and the superintendence and control of lights devolved upon him, but when, in 1802, his office was abolished, the Secretary of the Treasury resumed direct control, and it remained with him until July 24, 1813, when the office of Commissioner of the Revenue was reestablished, and the control of the lights again became a part of his work. That office was a second time abolished by act of December 23, 1817, which went into operation July 1, 1820, when the care of the lights passed to the Fifth Auditor of the Treasury.

By act of July 7, 1838, Congress authorized the division of the light-house system into districts, in order that more exact information might be furnished to the Congress, and provided for the purchase abroad and importation of two sets of lenticular apparatus, and one set of reflector apparatus.

Beginning in 1842, Congress made a thorough investigation of the Light-House Establishment and its administration, and in 1845 sent abroad two naval lieutenants to procure information which would tend to the improvement of the light-house system of the United States. As a result, by the act of March 3, 1851, the Secretary of the Treasury was authorized to put the Fresnel illuminating apparatus into light-houses, and to appoint a board to inquire into the condition of the Establishment and make a detailed report and programme to guide legislation in extending and improving the system of construction, illumination, inspection, and superintendence. The elaborate report of this board formed the basis of the act of Congress approved August

31, 1852. This organic act constituted the Light-House Board as it has existed down to the present time, composed of officers of the Army and Navy and eminent scientists in civil life. The Establishment is modeled on the French service, and has complete supervision of all aids to navigation on our coasts.

Chairmen of the Light-House Board with dates of service.

Name.	From—	To—
William B. Shubrick, captain, U. S. Navy.....	Oct. 9, 1852	Feb. 7, 1859
Lawrence Kearney, captain, U. S. Navy.....	Feb. 7, 1859	June 6, 1859
William B. Shubrick, captain, rear-admiral, U. S. Navy, who served until retired by law.....	June 6, 1859	Oct. 30, 1871
Prof. Joseph Henry, LL. D., secretary of the Smithsonian Institution, who served until his death.....	Oct. 30, 1871	May 13, 1878
John Rodgers, rear-admiral, U. S. Navy, who served until his death.....	June 23, 1878	May 5, 1882
Robert H. Wyman, rear-admiral, U. S. Navy, who served until his death.....	June 5, 1882	Dec. 2, 1882
Stephen C. Rowan, vice-admiral, U. S. Navy, retired at own request.....	Jan. 18, 1883	Feb. 26, 1889
David P. Harmony, rear-admiral, U. S. Navy.....	Feb. 27, 1889	May 29, 1891
James M. Greer, rear-admiral, U. S. Navy.....	June 1, 1891	Dec. 1, 1894
John G. Walker, rear-admiral, U. S. Navy.....	Dec. 4, 1894	Mar. 23, 1897
Winfield S. Schley, commodore, U. S. Navy.....	Apr. 5, 1897	Mar. 25, 1898
F. V. McNair, rear-admiral, U. S. Navy.....	Mar. 18, 1898	July 5, 1898
Rush R. Wallace, commodore, U. S. Navy (retired).....	July 11, 1898	Oct. 3, 1898
Francis J. Higginson, commodore, U. S. Navy.....	Oct. 3, 1898	Apr. 22, 1901
Norman H. Farquhar, rear-admiral, U. S. Navy.....	May 2, 1901	May 6, 1902
George C. Remy, rear-admiral, U. S. Navy.....	May 6, 1902	Aug. 8, 1903
John J. Read, rear-admiral, U. S. Navy.....	Aug. 8, 1903	

LAW PERTAINING TO THE LIGHTHOUSE BOARD AND LIGHTHOUSE ESTABLISHMENT

[As modified by act of February 14, 1903.]

ORGANIZATION AND DUTIES OF LIGHTHOUSE BOARD

Composition of Board. *R. S., 4653.* The President shall appoint two officers of the Navy, of high rank, two officers of the Corps of Engineers of the Army, and two civilians of high scientific attainments, whose services may be at the disposal of the President, together with an officer of the Navy and an officer of engineers of the Army, as secretaries, who shall constitute the Lighthouse Board.

President. *R. S., 4654.* The Secretary of Commerce and Labor shall be ex-officio president of the Lighthouse Board.

Chairman. *R. S., 4655.* The Lighthouse Board shall elect, by ballot, one of their number as chairman of the Board, who shall preside at their meetings, when the president is absent, and shall perform such acts as may be prescribed by the rules of the Board.

Meetings. *R. S., 4656.* The Lighthouse Board shall meet, for the transaction of business, on the first Mondays in March, June, September, and December. But the Secretary of Commerce and Labor may convene the Board whenever, in his judgment, the exigencies of the service require it.

Government of meetings. *R. S., 4657.* The Lighthouse Board may adopt such regulations for the government of their meetings as they judge expedient.

Duties of Board. *R. S., 4658.* The Lighthouse Board shall be attached to the office of the Secretary of Commerce and Labor, and under his

superintendence shall discharge all administrative duties relating to the construction, illumination, inspection, and superintendence of lighthouses, light-vessels, beacons, buoys, sea-marks, and their appendages, and embracing the security of foundations of works already existing, procuring illuminating and other apparatus, supplies, and materials of all kinds for building, and for rebuilding when necessary, and keeping in good repair the lighthouses, light-vessels, beacons, and buoys of the United States; and shall have the charge and custody of all the archives, books, documents, drawings, models, returns, apparatus, and other things appertaining to the Light-house Establishment.

The Lighthouse Board shall cause to be prepared by the engineer secretary of the Board, or by such officer of engineers of the Army as may be detailed for that service, all plans, drawings, specifications, and estimates of cost, of all illuminating and other apparatus, and of construction and repair of towers, buildings, etc., connected with the Light-house Establishment, and no bid or contract shall be accepted or entered into, except upon the decision of the Board, at a regular or special meeting, and through their properly authorized officers.

The Lighthouse Board shall furnish, upon the requisition of the Secretary of Commerce and Labor, all the estimates of expense which the several branches of the lighthouse service may require, and such other information as may be required, to be laid before Congress at the commencement of each session.

The Lighthouse Board, with the approval of the Secretary of Commerce and Labor, shall prescribe, and from time to time may alter or amend, and cause to be distributed, such regulations as they deem proper for securing an efficient, uniform, and economical administration of the Lighthouse Establishment.

The Lighthouse Board shall arrange the Ocean, Gulf, Lake and River coasts of the United States into lighthouse districts, not exceeding sixteen in number.

The jurisdiction of the Lighthouse Board, created by the act entitled "An act making appropriations for lighthouses, light-boats, buoys, and so forth, and providing for the erection and establishment of the same, and for other purposes," approved August thirty-first, eighteen hundred and fifty-two, is hereby extended over the Mississippi, Ohio, and Missouri rivers, for the establishment of such beacon-lights, day-beacons, and buoys as may be necessary for the use of vessels navigating those streams; and for this purpose the said Board is hereby required to divide the designated rivers into one or two additional lighthouse districts, to be in all respects similar to the already existing light-house districts; and is hereby authorized to lease the necessary ground for all such lights and beacons as are used to point out changeable channels, and which in consequence can not be made permanent.

Duties of Board.
R. S., 4665.

Estimates.
R. S., 4659.

Regulations.
R. S., 4669.

Light-house districts.
July 26, 1836, (2d Stat. 148) in place of R. S., 4670.

Jurisdiction over rivers.
June 23, 1871, (18 Stat., 230.)

Jurisdiction
extended.

[The jurisdiction of the Light-House Board was extended over the Red River, Louisiana, by the act approved *March 3, 1881*; over the Savannah, Georgia, St. Johns, Florida, Cape Fear, North Carolina, and Hudson rivers, by the act approved *March 3, 1885*; over the Columbia and Willamette rivers, Oregon, by the act approved *August 4, 1886*; over the East River, New York, Delaware, New Jersey, Elk River, Maryland, Chicot Pass, and to mark navigable channel along Grand Lake, Louisiana, Tennessee River and Great Kanawha River, and Puget Sound, Washington, by the act approved *March 3, 1887*; over the Connecticut and Illinois rivers, Sacramento and San Joaquin rivers, California, by the act approved *October 2, 1888*; over the Raritan River, New Jersey, and Indian River, Florida, by the act approved *March 2, 1889*; over the Thames River, Connecticut, by the act approved *March 3, 1891*; over the channels in St. Louis and Superior bays, Lake Superior, by the act approved *August 5, 1892*; over the York River, Virginia, by the act approved *August 18, 1894*.]

Inspectors.
R. S., 4671.

An officer of the Army or Navy shall be assigned to each district as a lighthouse inspector, subject to the orders of the Lighthouse Board; and shall receive for such service the same pay and emoluments that he would be entitled to by law for the performance of duty in the regular line of his profession, and no other, except the legal allowance per mile, when traveling under orders connected with his duties.

Duties of engi-
neers.
R. S., 4664.

The President shall cause to be detailed from the Engineer Corps of the Army, from time to time, such officers as may be necessary to superintend the construction and renovation of lighthouses.

[*R. S., 4672*, providing for the assignment of collectors of customs as superintendents of lighthouses by the Secretary of the Treasury, is no longer given effect.]

No additional
salary allowed.
R. S., 4679.

No additional salary shall be allowed to any civil, military, or naval officer on account of his being employed on the Lighthouse Board, or being in any manner attached to the lighthouse service.^a

ACCOUNTS AND RETURNS

Quarterly ac-
counts.

[The Secretary of the Treasury, in a letter to the Commissioner of Customs, dated April 17, 1863, grants the

^a EXECUTIVE MANSION,
Washington, D. C., November 12, 1880.

It is ordered that the duty of paying salaries to keepers of lighthouses shall be and is transferred from collectors of customs to lighthouse inspectors, who shall hereafter perform all the duties which have been heretofore performed by collectors of customs in paying said salaries, and that needful advances of moneys appropriated for the purpose may be made to make such payments, no compensation to be allowed for making such payments.

R. B. HAYES.

request of the chairman of the Lighthouse Board that accounts for lighthouse disbursements may be rendered quarterly.]

The expense of maintaining the vessels of the Light-house Establishment may be paid from any surplus of the appropriation for the works, general or special, on which the respective vessels are, for the time being, employed; and the cost of repairs to such vessels may be paid from the appropriation under which they respectively were employed when they were injured or became deteriorated to such an extent as to render the repairs necessary; or, if such appropriation be exhausted, then from the appropriation under which they are respectively to be next employed.

Vessels, ex-
pense of.
Mar. 3, 1879.
(20 Stat., 379.)

It shall be the duty of the engineer superintending the construction of a fortification, or engaged about the execution of any other public work, to disbursè the moneys applicable to the same; but no compensation shall be allowed him for such disbursement.

Disbursement
by engineer offi-
cers.
R. S., 1153.

APPROPRIATIONS

Hereafter there shall be submitted in the annual Book of Estimates, under each item of appropriation under the head of "Light-House Establishment," notes showing the number of persons employed and rate of compensation paid to each from each of said appropriations during the fiscal year next preceding the fiscal year for which estimates are submitted.

Estimates.
June 28, 1902.
(32 Stat., 453.)

From and after the first day of July, eighteen hundred and seventy-four, and of each year thereafter, the Secretary of the Treasury shall cause all unexpended balances of appropriations which shall have remained upon the books of the Treasury for two fiscal years to be carried to the surplus fund and covered into the Treasury: *Provided*, That this provision shall not apply to * * * appropriations for * * * lighthouses; * * * but the appropriations named in this proviso shall continue available until otherwise ordered by Congress.^a

Duration of ap-
propriations.
June 20, 1874.
(18 Stat., 110.)

All moneys heretofore appropriated for the construction of public buildings and now remaining to the credit of the same on the books of the Treasury Department, or which

Duration of ap-
propriations.
June 23, 1874.
(18 Stat., 275) in
place of R. S., 3685.

^a Extract from decision of the First Comptroller of the Treasury, dated July 17, 1874: "By the proviso to section 5 of the appropriation act of June 20, 1874, appropriations for 'lighthouses,' including former appropriations, which, by operation of previous laws, were not yet subject to be carried to the surplus fund, 'continue available until otherwise ordered by Congress.' I do not understand this provision as extending to all appropriations for the Board, but only to those for construction and repairs."

Decision of
Comptroller.

may hereafter be appropriated for such buildings, shall remain available until the completion of the work for which they are, or may be, appropriated; and upon the final completion of each or any of said buildings, and the payment of all outstanding liabilities therefor, the balance or balances remaining shall be immediately covered into the Treasury.^a

Partial pay-
ments for work
on vessels.
May 5, 1894.
(28 Stat., 532.)

The Secretary of Commerce and Labor be, and he hereby is, authorized to make partial payments, from time to time, upon existing contracts and all contracts hereafter made for the construction of vessels for the Department of Commerce and Labor, but not in excess of seventy-five per cent of the amount of the value of the work already done; and that the contracts hereafter made shall provide for a lien upon such vessels for all advances so made: *Provided*, That nothing in this joint resolution shall be construed to hereafter authorize any partial payments, except on contracts stipulating for the same and then only in accordance with such contract stipulation.

CONTRACTS

All money ap-
plied by con-
tract.
July 7, 1884.
(28 Stat., 198.)

It shall be the duty of the Lighthouse Board to apply the money appropriated, other than for surveys, as far as can be without detriment to the interests of the Government, by contract.

Materials to be
procured by con-
tracts.
R. S., 4666.

All materials for the construction and repair of light-houses, light-vessels, beacons, buoys, and so forth, shall be procured by public contracts, under such regulations as the Board may from time to time adopt, subject to the approval of the Secretary of Commerce and Labor, and all works of construction, renovation, and repair shall be made by the orders of the Board, under the immediate superintendence of their engineer secretary, or of such engineer of the Army as may be detailed for that service.

Public adver-
tisement re-
quired.
R. S., 4667.

No contract for the erection of any lighthouse shall be made except after public advertisement for proposals in such form and manner as to secure general notice thereof, and the same shall only be made with the lowest bidder therefor, upon security deemed sufficient in the judgment of the Secretary of Commerce and Labor.

Payments not
to exceed value
of previous labor
or service.
R. S., 3648.

No advance of public money shall be made in any case whatever. And in all cases of contracts for the performance of any service, or the delivery of articles of any description, for the use of the United States, payment shall not exceed the value of the service rendered, or of

^a The Secretary of the Treasury states, in a letter to the Lighthouse Board, dated July 16, 1874, that this act "is held by the Department to apply to public buildings under the supervision of the Lighthouse Establishment."

the articles delivered previously to such payment. It shall, however, be lawful, under the special direction of the President, to make such advances to the disbursing officers of the government as may be necessary to the faithful and prompt discharge of their respective duties, and to the fulfillment of the public engagements.^a The President may also direct such advances as he may deem necessary and proper, to persons in the military and naval service employed on distant stations, where the discharge of the pay and emoluments to which they may be entitled can not be regularly effected.

No member of the Lighthouse Board, inspector, light keeper, or other person in any manner connected with the lighthouse service, shall be interested, either directly or indirectly, in any contract for labor, materials, or supplies for the lighthouse service, or in any patent, plan, or mode of construction or illumination, or in any article of supply for the lighthouse service.

No person in service shall be interested.
R. S., 4680.

The Secretary of Commerce and Labor is authorized to regulate the salaries of the respective keepers of light-houses in such manner as he deems just and proper, but the whole sum allowed for such salaries shall not exceed an average of six hundred dollars to each keeper.

Secretary to regulate salaries of keepers.
R. S., 4673.

Sections 4585, 4586, and 4587 of the Revised Statutes, and all other acts and parts of acts providing for the assessment and collection of a hospital tax for seamen, are hereby repealed, and the expense of maintaining the [Public Health and] Marine Hospital Service shall hereafter be borne by the United States out of the receipts for duties on tonnage provided for by this act; and so much thereof as may be necessary is hereby appropriated for that purpose.^b

Treatment of lighthouse employees in marine hospitals.
*June 26, 1884.
(25 Stat., 57.)*

LAND

The Lighthouse Board is authorized, whenever an appropriation has been or may be made by Congress for a new lighthouse, the proper site for which does not belong to the United States, to purchase the necessary land, provided the purchase-money be paid from the amount appropriated for such lighthouse.

Purchase of lighthouse site.
R. S., 4660.

^aUnder date of June 15, 1877, the President directed that needful advances of moneys appropriated for the Lighthouse Establishment be made to officers of the Army and Navy acting as engineers or inspectors in that service. (*Filed in office of First Comptroller, No. 9468, B. 18.*)

^bIt is provided by Treasury Department Circular No. 77, 1875, dated June 23, 1875, that "Sick and disabled seamen employed on vessels of * * * the Lighthouse Service will be admitted to the benefits of the Marine Hospital Service upon application of their respective commanding officers."

No money paid until title examined, and consent of State given.
R. S., 355.

No public money shall be expended upon any site or land purchased by the United States for the purposes of erecting thereon any armory, arsenal, fort, fortification, navy-yard, custom-house, *lighthouse*, or other public building, of any kind whatever, until the written opinion of the Attorney-General shall be had in favor of the validity of the title, nor until the consent of the legislature of the State in which the land or site may be, to such purchase, has been given. The district attorneys of the United States, upon the application of the Attorney-General, shall furnish any assistance or information in their power in relation to the titles of the public property lying within their respective districts. And the Secretaries of the Departments, upon the application of the Attorney-General, shall procure any additional evidence of title which he may deem necessary, and which may not be in the possession of the officers of the government, and the expense of procuring it shall be paid out of the appropriations made for the contingencies of the departments respectively.

Legal services.
Mar. 2, 1889.
(25 Stat., 941.)

That hereafter all legal services connected with the procurement of titles to site for public buildings, other than for life-saving stations and *pier-head lights*, shall be rendered by United States district attorneys: *Provided further*, That hereafter, in the procurement of sites for such public buildings, it shall be the duty of the Attorney-General to require of the grantors in each case to furnish, free of all expenses to the government, all requisite abstracts, official certifications, and evidences of title that the Attorney-General may deem necessary.

President authorized to procure assent of State.
R. S., 1835.

The President of the United States is authorized to procure the assent of the legislature of any State, within which any purchase of land has been made for the erection of forts, magazines, arsenals, dock-yards, and *other needful buildings*, without such consent having been obtained.

No lighthouse erected until cession.
R. S., 4661.

No *lighthouse*, *beacon*, public piers, or landmark, shall be built or erected on any site until cession of jurisdiction over the same has been made to the United States.^a

Cession may reserve serving process.
R. S., 4662.

A cession by a State of jurisdiction over a place selected as the site of a lighthouse, or other structure or work of the Lighthouse Establishment, shall be deemed sufficient within the preceding section, notwithstanding it contains a reservation that process issued under authority of such State may continue to be served within such place. And notwithstanding any such cession of jurisdiction contains no such reservation, all process may be served and executed within the place ceded, in the same manner as if no cession had been made.

Surveys for lighthouses.
R. S., 4663.

Whenever preliminary surveys are required to ascertain the necessity for any lighthouse, lightship, beacon, or other warning to vessels, the erection of which is or may be authorized by law, or to determine the proper site for the same, or to ascertain more fully what the public exigency

^aThis section is amended in special cases to allow lights on leased ground.

requires, the Secretary of Commerce and Labor may cause the necessary examinations and surveys on the sea-board to be made under the direction of the Superintendent of the Coast [and Geodetic] Survey, and those on the northwestern lakes to be made under the direction of the Corps of Engineers. In all cases in which adverse reports are made, they shall be submitted to Congress at its next session. In all cases in which the objects authorized are favorably reported upon, the works may be commenced immediately after valid titles and cessions of jurisdiction shall have been obtained to the sites.

The Secretary of Commerce and Labor shall have power to order the sale at auction, after due public notice, of any real estate or other property pertaining to the Lighthouse Establishment, no longer required for lighthouse purposes; the proceeds of such sales, after the payment therefrom of the expenses of making the same, to be deposited and covered into the Treasury as miscellaneous receipts, as now provided by law in like cases.

Secretary may sell real estate. June 23, 1874, (18 Stat., 217), in place of R. S. 4675.

[The Lighthouse Board is authorized to lease the necessary ground for all such lights and beacons as are used to point out changeable channels, and which in consequence cannot be made permanent. Some thirty waters were included in appropriation act of March 3, 1903.]

Leased ground.

The Secretary of Commerce and Labor is hereby authorized, whenever he shall deem it advisable, to acquire, by donation or purchase in behalf of the United States, the right to use and occupy sites for * * * pier-head beacons the establishment of which has been, or shall hereafter be, authorized by Congress.

Title to pier-head beacon sites. Mar. 3, 1875, (18 Stat., 372.)

The jurisdiction of the Lighthouse Board is extended so that it shall be lawful for said board to lease the necessary ground for erection and maintenance of lights to guide into the cut through the outer bar at the mouth of the Saginaw River, in the State of Michigan.

Saginaw range lights. Mar. 3, 1875, (18 Stat., 380.)

The Lighthouse Board is hereby authorized to establish a small pier-head light on the pier of the Portage Lake Ship Canals, Lake Superior, and to lease so much of said pier as may be necessary for said purpose. And the provision of sections *three hundred and fifty-five and forty-six hundred and sixty-one* of the Revised Statutes of the United States shall not be applicable to this structure so far as title to the site thereof and cession of jurisdiction thereover are involved.^a

Portage Lake Ship Canals. June 20, 1878, (20 Stat., 214.)

Authority is hereby given to the Secretary of Commerce and Labor to lease, at his discretion for a period not exceeding five years, such unoccupied and unproductive property of the United States under his control, for the leasing of which there is no authority under existing law, and such leases shall be reported annually to Congress.

Secretary may lease unoccupied U. S. property. Mar. 3, 1879, (20 Stat., 383.)

^a The law prohibiting the construction of Government buildings on leased ground (R. S. 355 and 4661) is here made inapplicable.

Condemnation
of land.
Aug. 1, 1888.
(25 Stat., 357.)

In every case in which the Secretary of the Treasury or any other officer of the Government has been, or hereafter shall be, authorized to procure real estate for the erection of a *public building or for other public uses* he shall be, and is hereby, authorized to acquire the same for the United States by condemnation, under judicial process, whenever, in his opinion, it is necessary or advantageous to the Government to do so, and the United States circuit or district courts of the district wherein such real estate is located, shall have jurisdiction of proceedings for such condemnation, and it shall be the duty of the Attorney-General of the United States, upon every application of the Secretary of Commerce and Labor, under this act, or such other officer, to cause proceedings to be commenced for condemnation, within thirty days from the receipt of the application at the Department of Justice.

Sec. 2.

The practice, pleadings, forms and modes of proceeding in causes arising under the provisions of this act shall conform, as near as may be, to the practice, pleadings, forms and proceedings existing at the time in like causes in the courts of record of the State within which such circuit or district courts are held, any rule of the court to the contrary notwithstanding.

LIGHTS AND BUOYS

Pier-heads to
be marked.
R. S., 4677.

The Lighthouse Board shall properly mark all pier-heads belonging to the United States situated on the northern and northwestern lakes, whenever the board is duly notified by the department charged with the construction or repair of pier-heads that the construction or repair of any such pier-heads has been completed.

Lights may be
discontinued,
and reestab-
lished.
R. S., 4674.

The Secretary of Commerce and Labor may, upon the recommendation of the Lighthouse Board, discontinue from time to time such lights as may from any cause become useless or unnecessary. And he may, upon the like recommendation, from time to time reestablish any lights which have been thus discontinued whenever he believes such reestablishment to be required by public convenience or the necessities of trade or commerce.

Life-saving
stations at light-
houses.
R. S., 4245.

The Secretary of the Treasury may also establish such [life-saving] stations at such lighthouses as, in his judgment, he shall deem best, and the keepers of such lights shall take charge of such boats and apparatus as may be put in their charge respectively, as a part of their official duties.

Signal stations
at lighthouses.
R. S., 223.

The Secretary of War is authorized to establish signal stations at lighthouses and at such of the life-saving stations on the lake or sea coast as may be suitably located for that purpose, and to connect the same with such points as may be necessary for the proper discharge of the signal service by means of a suitable telegraph line in cases where

no lines are in operation, to be constructed, maintained, and worked under the direction of the Chief Signal Officer of the Army, or the Secretary of War and the Secretary of Commerce and Labor; and the use of the life-saving stations as signal stations shall be subject to such regulations as may be agreed upon by said officials.

Every person who holds out or shows any false light, or extinguishes any true light, with intent to bring any vessel, sailing upon the sea, into danger, or distress, or shipwreck, shall be punished by a fine of not more than five thousand dollars, and imprisoned at hard labor not more than ten years.

Penalty for false lights.
R. S., 5358.

The Lighthouse Board may, when they deem it is necessary, place a light-vessel, or other suitable warning of danger, on or over any wreck or temporary obstruction to the entrance of any harbor, or in the channel or fairway of any bay or sound.

Marking of wrecks.
R. S., 4676.

Whenever any of the light-vessels occupying positions which are adapted to the erection of lighthouses upon pile foundations require to be rebuilt, or require such extensive repairs as to render the substitution of such lighthouses advisable and practicable, such permanent structures may be erected in place of any such light-vessels; but the expense arising from all such changes and erections shall be defrayed from the general annual appropriations for repairs, and so forth, of light-vessels, except when a special appropriation is made for such change.

Permanent structures may replace light-vessels.
R. S., 4668.

All buoys along the coast, or in bays, harbors, sounds, or channels, shall be colored and numbered, so that passing up the coast or sound, or entering the bay, harbor, or channel, red buoys with even numbers shall be passed on the starboard hand, black buoys with uneven numbers on the port hand, and buoys with red and black stripes on either hand. Buoys in channel-ways shall be colored with alternate white and black perpendicular stripes.

Buoys to be colored and numbered.
R. S., 4678.

All parties owning, occupying, or operating bridges over any navigable river shall maintain at their own expense, from sunset to sunrise, throughout the year, such lights on their bridges as may be required by the Lighthouse Board for the security of navigation; and in addition thereto, all persons owning, occupying, or operating any bridge over any navigable river shall, in any event, maintain all lights on their bridge that may be necessary for the security of navigation. ^a

Lighting bridges over navigable rivers.
Aug. 7, 1882.
(22 Stat., 309.)

MISCELLANEOUS

Masters of lighthouse tenders shall have police powers in matters pertaining to Government property and smuggling

Masters of tenders have police powers.
June 16, 1880.
(21 Stat., 263.)
Impairing public works.
Aug. 14, 1876.
(19 Stat., 189.)

Any person who shall willfully and unlawfully injure any pier, breakwater, or other work of the United States

^aThe maintenance of lights by owners of bridges is required by acts authorizing construction of bridges.

for the improvement of rivers or harbors, or navigation in the United States, shall, on conviction thereof, be punished by a fine not exceeding one thousand dollars.

Mar. 3, 1899.
(30 Stat., 1152.)
Sec. 14.

It shall not be lawful for any person or persons to take possession of or make use of for any purpose, or build upon, alter, deface, destroy, move, injure, obstruct by fastening vessels thereto or otherwise, or in any manner whatever impair the usefulness of any sea wall, bulkhead, jetty, dike, levee, wharf, pier, or other work built by the United States, or any piece of plant, floating or otherwise, used in the construction of such work under the control of the United States, in whole or in part, for the preservation and improvement of any of its navigable waters or to prevent floods, or as *boundary marks, tide gauges, surveying stations, buoys, or other established marks*, nor remove for ballast or other purposes any stone or other material composing such works: *Provided*, That the Secretary of War may, on the recommendation of the Chief of Engineers, grant permission for the temporary occupation or use of any of the aforementioned public works when in his judgment such occupation or use will not be injurious to the public interest.

Penalties.
Sec. 16.

Every person and every corporation that shall violate, or that shall knowingly aid, abet, authorize, or instigate a violation of the provisions of section * * * fourteen of this Act shall be guilty of a misdemeanor, and on conviction thereof shall be punished by a fine not exceeding twenty-five hundred dollars nor less than five hundred dollars, or by imprisonment (in the case of a natural person) for not less than thirty days nor more than one year, or by both such fine and imprisonment, in the discretion of the court, one-half of said fine to be paid to the person or persons giving information which shall lead to conviction. And any and every master, pilot, and engineer, or person or persons acting in such capacity, respectively, on board of any boat or vessel who shall * * * willfully injure or destroy any work of the United States contemplated in section fourteen of this Act, * * * shall be deemed guilty of a violation of this Act, and shall upon conviction be punished as hereinbefore provided in this section, and shall also have his license revoked or suspended for a term to be fixed by the judge before whom tried and convicted. And any boat, vessel, scow, raft, or other craft used or employed in violating any of the provisions of section * * * fourteen of this Act shall be liable for the pecuniary penalties specified in this section, and in addition thereto for the amount of the damages done by said boat, vessel, scow, raft, or other craft, which latter sum shall be placed to the credit of the appropriation for the improvement of the harbor or waterway in which the damage occurred, and said boat, vessel, scow, raft, or other craft may be proceeded against summarily by way of libel in any district court of the United States having jurisdiction thereof.

The Department of Justice shall conduct the legal proceedings necessary to enforce the foregoing provisions of sections nine to sixteen, inclusive, of this Act. * * * Sec. 17.

[Authorization for acceptance of Statue of Liberty, New York Harbor, and the establishment of a light there was given by act of March 3, 1877. By President's order of December 30, 1901, all jurisdiction over this light was transferred to War Department.] Statue of Liberty.
Mar. 3, 1877.
(19 Stat., 410.)

“ [Maintenance of lights in Alaska and Porto Rico is provided for in appropriation acts.] Alaska and Porto Rico.

Any law or regulation prohibiting the employment in the light-houses of the United States of persons of more than forty-five years of age be and the same is hereby repealed. Age of employees.
July 26, 1886.
(24 Stat., 148.)

The Secretary of Commerce and Labor may authorize the printing of the * * * special publications of the * * * Light-House Board in such editions as the interests of the Government and of the public may require. Printing.
Jan. 12, 1895.
(28 Stat., 623.)
Sec. 39.

[The Office of the Light-House Board consists of a chief clerk, at a salary of \$2,400, and clerks, draftsmen, etc.] Office of the Light-House Board.
Appropriation acts.

“ Aids to Navigation in Porto Rico were taken charge of under an order of the President.