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Saint Louis and San Francisco Railway Company; and that Third street, as the same appears on the map and plat of the reserve addition of said city of Fort Smith, be extended in a straight line from Garrison avenue to the southwesterly line of Parker avenue; that the block of ground included within the boundaries of Rogers and Parker avenues and Second and Third streets, as thus extended by this Act, it being a rectangular block three hundred feet by two hundred and ninety feet two and three-fourths inches, and upon which block is located the public buildings known as the United States jail and hospital, belonging to the United States, be, and the same is hereby, reserved to the United States; that such parts of said ground as shall be occupied for said streets and alleys is hereby donated to the said city of Fort Smith for the purpose of being dedicated to public use.

Jail and hospital reserved.

Lands donated.

That said city of Fort Smith is hereby authorized and empowered to remove the old Fort walls and buildings attached thereto, and to dispose of the same for its own use.

Disposal of old fort.

That the Secretary of the Interior shall cause said lands to be surveyed into lots and blocks, according to the plans and surveys of said city, and shall file a plat showing such survey in his office, and he shall cause the portions thereof, not specifically reserved herein, to be sold at public auction, to the highest bidder, upon such terms and under such regulations as he may direct; and upon the full payment of the purchase money, execute proper conveyances to the purchaser or purchasers thereof.

Sale of lots.

The funds arising from the sale of said lots shall be turned into the Treasury to the credit of the United States.

Proceeds.

Approved, February 26, 1897.

CHAP. 333.—An Act To provide for closing the crevasse in Pass a Loutre, one of the outlets of the Mississippi River.

February 26, 1897.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the sum of two hundred and fifty thousand dollars, or so much thereof as may be necessary, be, and is hereby, appropriated, out of any money in the Treasury not otherwise appropriated, to close the crevasse in Pass a Loutre of the Mississippi River, to be expended under the direction and according to the plans and specifications of the Secretary of War.

Mississippi River. Appropriation for closing crevasse in Pass a Loutre.

SEC. 2. That nothing herein contained shall be held or construed to destroy or impair any right or rights of the United States arising under the Acts of March third, eighteen hundred and seventy-five, June nineteenth, eighteen hundred and seventy-eight, and March third, eighteen hundred and seventy-nine, containing the contract or contracts between James B. Eads and such persons as might become associated with him and the United States, or to release the legal representatives of said James B. Eads or other persons associated with him, jointly or severally, from any obligation, expressed or implied, arising under and from said Acts or other Acts pertaining thereto: *Provided*, That nothing herein contained shall be held or construed to release in anywise the executors of the estate of James B. Eads as such executors, or the associates of said James B. Eads, jointly or severally, in whole or in part, from any liability which now exists, if any such liability does exist, for a failure to close said Pass a Loutre crevasse, and the question of such liability shall be referred to the Attorney-General for his decision; and should the decision of the Attorney-General, after a full hearing to both parties, be to the effect that the responsibility for the closing of the said Pass a Loutre crevasse rests upon the executors of the estate of James B. Eads as such executors, and the associates of the said James B. Eads, jointly or severally, under existing laws, then upon the completion of the twenty years' contract for the maintenance of the channel in South

Contracts with Jas. B. Eads not impaired. Vol. 18, p. 463; Vol. 20, pp. 168, 376.

Proviso.
Liability of estate of James B. Eads, referred to Attorney-General.
Money to be withheld.

Pass outlet of the Mississippi River, as the same now exists, the Secretary of War shall withhold so much of the money then to be paid to the executors of the estate of James B. Eads as such executors, or to the associates of the said James B. Eads, jointly or severally, as shall have been expended under the authority of this Act, until the same shall be judicially or otherwise legally determined in favor of such executors as such executors, or said associates of James B. Eads, jointly or severally.

Approved, February 26, 1897.

February 26, 1897.

CHAP. 334.—An Act To authorize the Montgomery, Hayneville and Camden Railroad Company to construct and maintain a bridge across the Alabama River between Lower Peachtree and Prairie Bluff, Alabama.

Montgomery, Hayneville and Camden Railroad Company may bridge Alabama River, Alabama.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Montgomery, Hayneville and Camden Railroad Company, a corporation created and existing under an act of the general assembly of the State of Alabama, be, and is hereby, authorized to construct and maintain a railroad bridge, for the passage of railway engines and cars across the Alabama River at such point as may be selected by such company, between Lower Peachtree and Prairie Bluff, in the State of Alabama, said bridge to be so constructed as not to obstruct the navigation of said river and to be provided with a suitable draw: *Provided*, That any bridge constructed under this Act and according to its limitations shall be a lawful structure, and shall be known and recognized as a post route, and the same is hereby declared to be a post route, and the United States shall have the right of way for a postal telegraph across said bridge: *Provided also*, That all railroad companies desiring the use of said bridge shall have and be entitled to equal rights and privileges relative to the passage of railway trains or cars over the same, and over the approaches thereto, upon payment of a reasonable compensation for such use; and in case of any disagreement between the parties in regard to the terms of such use or the sums to be paid all matters at issue shall be determined by the Secretary of War upon hearing the allegations and proofs submitted to him.

Location.

Provisos.
Lawful structure and post route.

Postal telegraph.

Use by other companies.

Compensation.

Secretary of War to approve plans, etc.

SEC. 2. That the bridge authorized to be constructed under this Act shall be located and built under and subject to such regulations for the security of the navigation of said river as the Secretary of War shall prescribe; and the said company or corporation shall submit to the Secretary of War, for his examination and approval, a design and drawing of the proposed bridge and a map of the location, giving for the space of one-half mile above and one-half mile below the proposed location the topography of the banks of the river, the shore lines at high and low water, the direction and strength of the currents, and the soundings, accurately showing the bed of the stream, and shall furnish such other information as may be required for a full and satisfactory understanding of the subject; and until the said plan and location of the bridge are approved by the Secretary of War no work upon the bridge shall be commenced, and should any change be made in the plan of said bridge during the progress of construction such change shall be subject to the approval of the Secretary of War.

Amendment, etc.

SEC. 3. That Congress reserves the right to alter, amend, or repeal this Act at any time, and that if at any time navigation of said river shall in any manner be obstructed or impaired by the said bridge the Secretary of War shall have authority, and it shall be his duty, to require the said bridge company to alter and change the said bridge, at its own expense, in such manner as may be proper to secure free and complete navigation without impediment.

Changes.

Draw.

SEC. 4. That the draw provided for the bridge herein authorized to be constructed shall be opened promptly, upon reasonable signal, for the passing of boats; and said company or corporation shall maintain,

Lights, etc.