

Proviso.
Not to hold land for speculation.

Amendment, etc.

Provided, That this act shall not permit said corporation to take or hold real estate in the District for speculative purposes, and only such as is used and held for the corporate purposes aforesaid.

SEC. 6. Congress reserves the right to alter, amend or repeal this act.
Approved, July 28, 1892.

July 28, 1892.

CHAP. 313.—An act to confer jurisdiction on the Court of Claims to hear and determine the claim of the heir of Hugh Worthington, for his interest in the steamer Eastport.

Preamble.

Whereas, it is claimed the Steamer Eastport was taken by the United States anno Domini eighteen hundred and sixty-two, and converted into a gunboat; and

Whereas, it is claimed at the time of such taking one Hugh Worthington, then of Metropolis, Massac County, Illinois, but since deceased, was the owner of three-fifths interest in said steamer, and no compensation has been paid to said Hugh Worthington or his heirs: and

Whereas, his daughter, Mrs. Sarah A Oakes of Metropolis, Illinois, claims that Hugh Worthington was a loyal citizen, that she is his only heir at law, and is justly entitled to receive from the United States compensation for the value of her father's interest in said steamer; Therefore,

Hugh Worthington.
Claim referred to
Court of Claims.

Be it Enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That full jurisdiction is hereby conferred upon the Court of Claims to hear and determine what are the just rights in law of the said Sarah A. Oakes, as heir of Hugh Worthington, deceased and that from any judgment so entered by said Court of Claims either party may appeal to the Supreme Court of the United States, for compensation for the value of said Worthington's interest in said steamer Eastport. That upon proper petition being presented by said Sarah A. Oakes, her heirs, executors, or administrators, to said court, said court is authorized and directed to inquire into the merits of said claim, and if on a full hearing the court shall find that said claim is just, the court shall enter judgment in favor of the claimant and against the United States for whatever sum shall be found to be due.

Hearing.

Appropriation for
payment of judgment
against United States.

SEC. 2. That in case judgment shall be rendered against the United States, the Secretary of the Treasury shall be, and he is hereby, authorized and directed to pay the claimant, her heirs, executors, or administrators whatever sum shall be adjudged by the court to be due, out of any money in the Treasury not otherwise appropriated,

Approved, July 28, 1892.

July 28, 1892.

CHAP. 314.—An act to grant the right of way to the Pensacola Terminal Company through the lands of the naval reservation near Pensacola.

Pensacola Terminal
Company granted
right of way through
naval reservation.
Pensacola, Fla.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That a right of way shall be, and is hereby, granted to the Pensacola Terminal Company, a railroad corporation, incorporated under the laws of Florida, through the lands of the United States near Pensacola, in said State of Florida, known as the navy reservation; that said right of way shall be not more than one hundred feet in width, and located, at the expense of said railroad company, through said naval reservation, and to the satisfaction of the Secretary of the Navy, to be evidenced by his written consent and approval. That said railroad corporation, on a written notification by the Secretary of the Navy of his assent and approval to and of the route to be followed, shall construct, maintain, and operate, at its own expense, a line of railway on said route from Pensacola to Warrington, on said naval reservation.

Maintenance of rail-
way.

SEC. 2. That the Secretary of the Navy shall be, and he is hereby, empowered and directed to allow the use by said railroad company for the accommodation of its freight and passenger traffic of so much of the water front of said naval reservation lying outside and east of the present navy-yard inclosure, not exceeding two hundred feet front on the bay by five hundred feet in depth, as in the judgment of the Secretary of the Navy is necessary for the purposes of a depot and terminal facilities for said railroad company; The Secretary of the Navy is also hereby authorized to permit said railroad company to construct a wharf on the east side of the present navy-yard inclosure, connecting its depot with the channel of the bay, said wharf not to exceed fifty feet in width. The value of the use of any land now occupied by or in possession by inclosure of any person that shall be appropriated for the use of said railroad company, under the powers granted to it by this act, shall be appraised by a board of six residents of said naval reservation, appointed by the commandant of the navy-yard, and the amount so appraised shall be paid by said railroad company before it shall have the right to enter upon or use such land. The Secretary of the Navy may, at any time when he shall deem it necessary to the public good, cause to be removed or destroyed all or any of the structures hereby permitted, without subjecting the Government to any claim for damages. Said railroad company shall not erect or allow the use of any building or structures on said naval reservation without the consent of the Secretary of the Navy.

Use of water front.

Wharf.

Appraising damages.

Removal, etc.

Consent of Secretary of the Navy.

Construction.

SEC. 3. That all rights of way and privileges hereby granted shall become null and void unless said railroad company shall construct and operate its line of railway through said reservation within one year from the time said Secretary of the Navy has, in writing, notified said company of his assent to and approval of its route through said reservation, and its failure so to do shall be a forfeiture of this franchise.

Approved, July 28, 1892.

CHAP. 315.—An act to provide for the examination of certain officers of the Marine Corps, and to regulate promotion therein.

July 23, 1892.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That hereafter promotions to every grade of commissioned officers in the Marine Corps below the grade of Commandant shall be made in the same manner and under the same conditions as now are or may hereafter be prescribed, in pursuance of law, for commissioned officers of the Army: *Provided,* That examining boards which may be organized under the provisions of this act to determine the fitness of officers of the Marine Corps for promotion shall in all cases consist of not less than five officers, three of whom shall, if practicable, be officers of the Marine Corps, senior to the officer to be examined, and two of whom shall be medical officers of the Navy: *Provided further,* That when not practicable to detail officers of the Marine Corps as members of such examining boards, officers of the line in the Navy shall be so detailed.

Marine Corps Promotions.

Provisos.
Examining boards.

Detail of naval officers.

Approved, July 28, 1892.

CHAP. 316.—An act authorizing the Secretary of War to lease public property in certain cases.

July 23, 1892.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That authority be, and is hereby, given to the Secretary of War, when in his discretion it will be for the public good, to lease, for a period not exceeding five years and revocable at any time, such property of the United States under his

Secretary of War may lease public property not required.