AUTHENTICATED
U.S. GOVERNMENT
INFORMATION
GPO

CHAP. 66.—An act granting the right of way to the Pensacola and Memphis Railroad Company over and through the public lands of the United States in the States of Florida, Alabama, Mississippi, and Tennessee, and granting the right of way to said railroad company over and through the United States naval and military reservations near Pensacola, in the State of Florida. January 17, 1889.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Pensacola and Memphis Railroad Company, a company organized under the laws of the States of Florida, Alabama, and Mississippi, is hereby granted the right of way, one hundred feet wide, through the lands belonging to the United States lying near Pensacola, in the State of Florida, known as the naval reservation, be, and hereby is, granted to the Pensacola and Memphis Railroad Company, a corporation organized, and so forth, to be located to the satisfaction of the Secretary of the Navy, evidenced by his written consent: *Provided*, That the said railroad Company, on notification by the Secretary of the Navy, shall, within a reasonable time thereafter, construct, maintain, and operate at its own expense a spur track or tracks to enter into and be located at such place or places within the present limits of the navy-yard inclosure on said reservation as may be designated by the Secretary of the Navy: *And provided further*, That the Secretary of the Navy be, and is hereby, authorized to allow the use by said company, in the accommodation of its general traffic and the maintenance of a coaling station, of so much of the land and water-front of the said reservation lying west of and outside the present navy-yard inclosure as in his judgment will not be required for naval purposes, and as will not be a hinderance to the public defense nor prejudicial to the health of those residing on the Government reservation, and not to exceed in any case three hundred feet of water-front, which width may extend back along the line of said road not more than one thousand feet; the value of the use of land to be appraised by a board of naval officers, to be appointed by the Secretary of the Navy: *And provided further*, That said company shall reimburse the residents of said reservation for any damage to their property or tenements caused by the construction, excavation, or operation of said road, such damage in all cases to be fixed by said board: *And provided further*, That the right of way and other privileges granted in this section shall become inoperative and null and void, unless the said railroad company shall complete the construction of and have in use its tracks across said reservation within one year from the date of the passage of this act.

Pensacola and Memphis Railroad Company granted right of way through Pensacola naval reservation, Florida.

Location.

Provisos.

Tracks to navy-yard.

Water-front, etc., occupation.

Damages.

Commencement and completion.

The Secretary of the Navy may, at any time when he shall deem it necessary for the public good, cause to be removed or destroyed all or any of the structures hereby permitted, without subjecting the Government to damages, and Congress may at any time alter or repeal this act.

Amendment.

And the said company shall not erect or allow the use of any residences on said reservation, nor shall it erect any structures of any kind thereon, except such as the Secretary of the Navy shall approve, and all approvals in this act required shall be in writing.

Buildings, etc., to be approved by Secretary of the Navy.

Received by the President January 5, 1889.

[NOTE BY THE DEPARTMENT OF STATE.—The foregoing act having been presented to the President of the United States for his approval, and not having been returned by him to the house of Congress in which it originated within the time prescribed by the Constitution of the United States, has become a law without his approval.]