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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.

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.

Construction.

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 28, 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 28, 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.