

of some convenient point all or near the terminus of the Jacksonville Pensacola and Mobile Rail Road. Now the Florida Central and Western Rail Road for the purpose of connecting with the same and extend westwardly to the waters of Escambia Bay at the City of Pensacola thence to the Alabama line by the most direct route and whereas the Legislature of the State of Florida in consideration of the benefits that would accrue to the State from the construction of such Rail Road grant to the said Pensacola and Atlantic Rail Road Company by section seventeen of the said act approved March 4<sup>th</sup> 1851 twenty thousand acres per mile for each mile of Rail Road that said Company should grade complete and down of the lands granted to the state of Florida by act of Congress of the United States approved September 28<sup>th</sup> 1850 commonly known as the Swamp Land act which may be nearest the line of said Rail Road and its extensions and whereas the Legislature of the State of Florida did provide in said section seventeen of the said act that the grant of lands made by said section was made subject to the rights of all creditors of the Internal Improvement Fund of the State of Florida and to the trusts to which said Fund is applicable and subject to under said State Internal Improvement act approved January 6. 1853 and subject to Central and Mortgage sale and application of said Fund and the lower Courts under the same by the trustees of the Internal Improvement Fund for the purpose of said trust under said act and subject to the other provisions set forth and referred to in said section seventeen of said act approved March 4<sup>th</sup> 1851 and whereas the indebtedness of said Internal Improvement Fund has been as far paid off and reduced as to justify the said trustees of the Internal Improvement Fund in their opinion to convey the following lands to said Company under the provisions of section seventeen of said act approved March 4<sup>th</sup> 1851 and whereas the said Pensacola and Atlantic Rail Road Company have graded completed and down and have in operation one hundred and sixty one miles of Rail Road being the entire length of said Rail Road from the City of Pensacola to the Apalachicola River and have selected the following tracts or parcels of land hereafter described and enclosed in the said grant of twenty thousand acres per mile and which were granted to the state of Florida by act of Congress of September 28<sup>th</sup> 1850 and which lie near the line of the Pensacola and Atlantic Rail Road as aforesaid according to the plat of the survey thereof filed with the trustees of the Internal Improvement Fund and which lie and are situated in the County of Santa Rosa Florida all of fractional sections one Township Three South of Range Twenty Nine West the Lots numbered one of Section thirty six Township Two South of Range Twenty Nine West in the Lots numbered three of

38-29

35-29