

it shall be replaced by the State or Territory to which it belongs, and until so replaced no subsequent appropriation shall be apportioned or paid to such State or Territory; and no portion of said moneys shall be applied, directly or indirectly, under any pretense whatever, to the purchase, erection, preservation, or repair of any building or buildings. An annual report by the president of each of said colleges shall be made to the Secretary of Agriculture, as well as to the Secretary of the Interior, regarding the condition and progress of each college, including statistical information in relation to its receipts and expenditures, its library, the number of its students and professors, and also as to any improvements and experiments made under the direction of any experiment stations attached to said colleges, with their cost and results, and such other industrial and economical statistics as may be regarded as useful, one copy of which shall be transmitted by mail free to all other colleges further endowed under this act.

Limitation upon subsequent payments.

No portion to be applied to buildings.

Annual report of colleges to Secretaries of Agriculture and the Interior.

Exchanges of college reports, mail free.

SEC. 4. That on or before the first day of July in each year, after the passage of this act, the Secretary of the Interior shall ascertain and certify to the Secretary of the Treasury as to each State and Territory whether it is entitled to receive its share of the annual appropriation for colleges, or of institutions for colored students, under this act, and the amount which thereupon each is entitled, respectively, to receive. If the Secretary of the Interior shall withhold a certificate from any State or Territory of its appropriation the facts and reasons therefor shall be reported to the President, and the amount involved shall be kept separate in the Treasury until the close of the next Congress, in order that the State or Territory may, if it should so desire, appeal to Congress from the determination of the Secretary of the Interior. If the next Congress shall not direct such sum to be paid it shall be covered into the Treasury. And the Secretary of the Interior is hereby charged with the proper administration of this law.

Annual ascertainment and certification of amounts, etc., due to States, etc.

Withheld certificates.

Secretary of Interior to report facts to President, etc.

Appeal from Secretary of Interior to Congress.

Congress failing, amount to be covered in.

Secretary of Interior to administer the law.

SEC. 5. That the Secretary of the Interior shall annually report to Congress the disbursements which have been made in all the States and Territories, and also whether the appropriation of any State or Territory has been withheld, and if so, the reasons therefor.

Annual report to Congress as to disbursement, withholding, etc.

SEC. 6. Congress may at any time amend, suspend, or repeal any or all of the provisions of this act.

Amendment, etc.

Approved, August 30, 1890.

CHAP. 854.—An act granting the use of certain lands to the town of New Haven, Connecticut, for a public park.

September 1, 1890.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there is hereby granted to the town of New Haven, in the State of Connecticut, the right to occupy, improve, and control, for the purposes of a public park, for the use and benefit of citizens of the United States and for no other purposes whatever, the tract of land owned by the United States which is situated on the east shore of New Haven Harbor, containing thirty acres, more or less, known as the Fort Hale tract, and partly occupied by an abandoned earth-work of that name, said tract being bounded northerly by the north side of the roadway leading to said tract, easterly by lands owned by various private parties, and southerly and westerly by New Haven Harbor, upon the following conditions and provisions:

New Haven, Conn. Grant of Fort Hale tract, for public park, to town of.

Limitation of use, etc.

Description of tract.

Boundaries.

Conditions of grant.

Secretary of War to approve plans.

First. That before beginning any use or improvement of said land the said town shall present to the Secretary of War detailed plans of such improvement and shall have received his approval thereof.

Police regulations and protection of earthwork.

Second. That said town shall have and exercise power to make and enforce police regulations concerning said tract, and shall protect said earth-work from injury or defacement.

Fee, etc., reserved.

Third. That the United States reserves to itself the fee in said tract and the right to resume possession and occupy any portion thereof whenever, in the judgment of the President, the exigency arises that should require the use and appropriation of the same for the public defense or otherwise, or for such other disposition as Congress may determine, without any claim for compensation to said town for improvements thereon or damages on account thereof.

Approved, September 1, 1890.

September 2, 1890.

CHAP. 856.—An act to authorize the construction of a bridge across the Little Tennessee River at or near Niles' Ferry, Tennessee.

Knoxville Southern Railroad Company may bridge Little Tennessee River at Niles' Ferry, Tenn.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Knoxville Southern Railroad Company, a corporation organized under the laws of the State of Tennessee, be, and is hereby, authorized to construct and maintain a bridge, and approaches thereto, over the Little Tennessee River at or within two miles of Niles' Ferry, Tennessee. Said bridge shall be constructed to provide for the passage of railway trains, and, at the option of the corporation by which it may be built, may be used for the passage of wagons and vehicles of all kinds, for the transit of animals, and for foot-passengers, for reasonable rates of toll, to be fixed by said company; and the Secretary of War shall have the right, from time to time, to revise, prescribe, and determine such rates or tolls.

Railway or wagon and foot bridge.

Toll.

Lawful structure and post-route.

SEC. 2. That any bridge built under this act and subject to its limitations shall be a lawful structure, and shall be recognized and known as a post-route, and it shall enjoy the rights and privileges of other post-roads in the United States, and the same is hereby declared to be a post-route, upon which also no higher charge shall be made for the transmission over the same of the mail, troops, and munitions of war of the United States than the rate per mile for their transmission over the railroad leading to said bridge, and equal privileges in the use of said bridge shall be granted to all telegraph companies, and the United States shall have the right of way across said bridge for postal-telegraph purposes; that the said bridge shall be so constructed, either by draw-span or otherwise, that a free and unobstructed passage-way may be secured to all water-craft navigating said river at the point aforesaid: *Provided,* That if said bridge authorized to be constructed under this act shall be constructed as a draw-bridge, the draws shall be opened promptly upon the reasonable signals for the passage of boats or vessels; and said corporation shall maintain, at its own expense, from sunset to sunrise, such lights or other signals on said bridge as the Light-House Board shall prescribe.

Use by telegraph companies.

Postal-telegraph.

Draw-span or otherwise.

Unobstructed navigation.

Proviso.

Opening of draws.

Lights, etc.

Use by other rail road companies.

Compensation.

Disagreement.

Secretary of War to decide.

Security of navigation.

SEC. 3. 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 over the same, and over the approaches thereto, upon the payment of a reasonable compensation for such use; and in case the owner or owners of said bridge and the several railroad companies, or any of them, desiring such use shall fail to agree upon the sum or sums to be paid, and upon rules and conditions to which each shall conform in using said bridge, all matters at issue between them shall be decided by the Secretary of War upon the hearing of the allegations and proofs of the parties.

SEC. 4. That any bridge authorized to be constructed under this act shall be built and located under and subject to such regulations