ACT OF AUGUST 30, 1890 (SECOND MORRILL ACT)

[Chapter 841 of the 51st Congress; 26 Stat. 417]

[As Amended Through P.L. 111–122, Effective December 22, 2009]

Currency: This publication is a compilation of the text of Chapter 841 of the 51st Congress. It was last amended by the public law listed in the As Amended Through note above and below at the bottom of each page of the pdf version and reflects current law through the date of the enactment of the public law listed at https://www.govinfo.gov/app/collection/comps/.

Note: While this publication does not represent an official version of any Federal statute, substantial efforts have been made to ensure the accuracy of its contents. The official version of Federal law is found in the United States Statutes at Large and in the United States Code. The legal effect to be given to the Statutes at Large and the United States Code is established by statute (1 U.S.C. 112, 204).

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AN ACT To apply a portion of the proceeds of the public lands to the more complete endowment and support of the colleges for the benefit of agriculture and the mechanic arts established under the provsions of an act of Congress approved July second, eighteen hundred and sixty-two.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there shall be, and hereby is, annually appropriated, out of any money in the Treasury not otherwise appropriated, arising from the sales of public lands, to be paid as hereinafter provided, to each State and Territory for the more complete endowment and maintenance of colleges for the benefit of agriculture and the mechanic arts now established, or which may be hereafter established, in accordance with an act of Congress approved July second, eighteen hundred and sixty-two, the sum of fifteen thousand dollars for the year ending June thirtieth, eighteen hundred and ninety, and an annual increase of the amount of such appropriation thereafter for ten years by an additional sum of one thousand dollars over the preceding year, and the annual amount to be paid thereafter to...

1This table of contents is not part of the Act but is included for user convenience.

2Section 724 of the Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriations Act, 1995 (Public Law 103–330; 108 Stat. 2469; 7 U.S.C. 322 note) provides as follows: “No funds shall be available in fiscal year 1995 and thereafter for payments under the Act of August 30, 1890 and the tenth and eleventh paragraphs under the heading ‘Emergency Appropriations’ of the Act of March 4, 1907 (7 U.S.C. 321 et seq.).”
Sec. 2 ACT OF AUGUST 30, 1890 (SECOND MORRILL ACT)

The misspelling in section 2 appears in the law.

each State and Territory shall be twenty-five thousand dollars to
be applied only to instruction in food and agricultural sciences, and
to the facilities for such instruction: Provided, That no money shall
be paid out under this act to any State or Territory for the support
and maintenance of a college where a distinction of race or color
is made in the admission of students, but the establishment and
maintenance of such colleges separately for white and colored stu-
dents shall be held to be a compliance with the provisions of this
act if the funds received in such State or Territory be equitably di-
vided as hereinafter set forth: Provided, That in any State in which
there has been one college established in pursuance of the act of
July second, eighteen hundred and sixty-two, and also in which an
educational institution of like character has been established, or
may be hereafter established, and is now aided by such State from
its own revenue, for the education of colored students in agri-
culture and the mechanic arts, however named or styled, or whether
or not it has received money heretofore under the act to which
this act is an amendment, the legislature of such State may pro-
pose and report to the Secretary of the Interior a just and equitable
division of the fund to be received under this act between one col-
lege for white students and one institution for colored students es-
established as aforesaid, which shall be divided into two parts and
paid accordingly, and thereupon such institution for colored stu-
dents shall be entitled to the benefits of this act and subject to its
provisions, as much as it would have been if it had been included
under the act of eighteen hundred and sixty-two, and the fulfill-
ment of the foregoing provisions shall be taken as a compliance
with the provision in reference to separate colleges for white and
colored students.

SEC. 2. That the sums hereby appropriated to
the States and Territories for the further endowment and support
of colleges shall be annually paid on or before the thirty-first day
of October of each year, by the Secretary of the Treasury, upon the
warrant of the Secretary of the Interior, out of the Treasury of the
United States, to the State or Territorial treasurer, or to such offi-
cer as shall be designated by the laws of such State or Territory
to receive the same, who shall, upon the order of the trustees of
the college, or the institution for colored students immediately pay
over said sums to the treasurers of the respective colleges or other
institutions entitled to receive the same, and such treasurers shall
be required to report to the Secretary of Agriculture and to the Sec-
retary of the Interior, on or before the first day of December of each
year, a detailed statement of the amount so received and of its dis-
bursement. The grants of moneys authorized by this act are made
subject to the legislative assent of the several States and Terri-
itories to the purpose of said grants: Provided, That payments of
such installments of the appropriation herein made as shall become
due to any State before the adjournment of the regular session of
legislature meeting next after the passage of this act shall be made
upon the assent of the governor thereof, duly certified to the Sec-
retary of the Treasury.

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The misspelling in section 2 appears in the law.
SEC. 3. That [7 U.S.C. 325] if any portion of the moneys received by the designated officer of the State or Territory for the further and more complete endowment, support, and maintenance of colleges, or of institutions for colored students, as provided in this act, shall, by any action or contingency, be diminished or lost, or be misapplied, 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.

SEC. 4. [7 U.S.C. 321, 326] That on or before the first day of October 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.

SEC. 5. [7 U.S.C. 326a] There is appropriated annually, out of funds in the Treasury not otherwise appropriated, for payment to the Commonwealth of Puerto Rico, the Virgin Islands of the United States, Guam, American Samoa, the Commonwealth of the Northern Mariana Islands, the Federated States of Micronesia, the Republic of the Marshall Islands, and the Republic of Palau the amount they would be entitled to receive under this Act if they were States. Sums appropriated under this section shall be treated in the same manner and be subject to the same provisions of law, as would be the case if they had been appropriated by the first sentence of section 1.

SEC. 6. [7 U.S.C. 328] Congress may at any time amend, suspend, or repeal any or all of the provisions of this act.