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cation accompanied with competent and sufficient proof, and the surrender of such check, be paid the amount thereof from the said appropriation account to be denominated "Outstanding liabilities, District of Columbia," upon a claim therefor duly audited and approved by the auditor of the District of Columbia, subject to like conditions and provisions as those imposed and required by the Revised Statutes of the United States, with respect to the payment of amounts represented by checks of disbursing officers of the United States which have been covered back into the Treasury to the credit of outstanding liabilities.

R. S., sec. 306, p. 51.

Approved, April 28, 1904.

CHAP. 1828.—An Act To incorporate the Carnegie Institution of Washington.

April 28, 1904.
[H. R. 14093.]
[Public, No. 260.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the persons following, being persons who are now trustees of the Carnegie Institution, namely, Alexander Agassiz, John S. Billings, John L. Cadwalader, Cleveland H. Dodge, William N. Frew, Lyman J. Gage, Daniel C. Gilman, John Hay, Henry L. Higginson, William Wirt Howe, Charles L. Hutchinson, Samuel P. Langley, William Lindsay, Seth Low, Wayne MacVeagh, Darius O. Mills, S. Weir Mitchell, William W. Morrow, Ethan A. Hitchcock, Elihu Root, John C. Spooner, Andrew D. White, Charles D. Walcott, Carroll D. Wright, their associates and successors, duly chosen, are hereby incorporated and declared to be a body corporate by the name of the Carnegie Institution of Washington and by that name shall be known and have perpetual succession, with the powers, limitations, and restrictions herein contained.

District of Columbia.
Carnegie Institution of Washington incorporated.
Incorporators.

SEC. 2. That the objects of the corporation shall be to encourage, in the broadest and most liberal manner, investigation, research, and discovery, and the application of knowledge to the improvement of mankind; and in particular—

Objects.

(a) To conduct, endow, and assist investigation in any department of science, literature, or art, and to this end to cooperate with governments, universities, colleges, technical schools, learned societies, and individuals.

(b) To appoint committees of experts to direct special lines of research.

(c) To publish and distribute documents.

(d) To conduct lectures, hold meetings, and acquire and maintain a library.

(e) To purchase such property, real or personal, and construct such building or buildings as may be necessary to carry on the work of the corporation.

(f) In general, to do and perform all things necessary to promote the objects of the institution, with full power, however, to the trustees hereinafter appointed and their successors from time to time to modify the conditions and regulations under which the work shall be carried on, so as to secure the application of the funds in the manner best adapted to the conditions of the time, provided that the objects of the corporation shall at all times be among the foregoing or kindred thereto.

SEC. 3. That the direction and management of the affairs of the corporation and the control and disposal of its property and funds shall be vested in a board of trustees, twenty-two in number, to be composed of the following individuals: Alexander Agassiz, John S. Billings, John L. Cadwalader, Cleveland H. Dodge, William N. Frew, Lyman J. Gage, Daniel C. Gilman, John Hay, Henry L. Higginson, William

Trustees.

Wirt Howe, Charles L. Hutchinson, Samuel P. Langley, William Lindsay, Seth Low, Wayne MacVeagh, Darius O. Mills, S. Weir Mitchell, William W. Morrow, Ethan A. Hitchcock, Elihu Root, John C. Spooner, Andrew D. White, Charles D. Walcott, Carroll D. Wright, who shall constitute the first board of trustees. The board of trustees shall have power from time to time to increase its membership to not more than twenty-seven members. Vacancies occasioned by death, resignation, or otherwise shall be filled by the remaining trustees in such manner as the by-laws shall prescribe; and the persons so elected shall thereupon become trustees and also members of the said corporation. The principal place of business of the said corporation shall be the city of Washington, in the District of Columbia.

Powers. Property transferred from Carnegie Institution.

SEC. 4. That such board of trustees shall be entitled to take, hold and administer the securities, funds, and property so transferred by said Andrew Carnegie to the trustees of the Carnegie Institution and such other funds or property as may at any time be given, devised, or bequeathed to them, or to such corporation, for the purposes of the trust; and with full power from time to time to adopt a common seal, to appoint such officers, members of the board of trustees or otherwise, and such employees as may be deemed necessary in carrying on the business of the corporation, at such salaries or with such remuneration as they may deem proper; and with full power to adopt by-laws from time to time and such rules or regulations as may be necessary to secure the safe and convenient transaction of the business of the corporation; and with full power and discretion to deal with and expend the income of the corporation in such manner as in their judgment will best promote the objects herein set forth and in general to have and use all powers and authority necessary to promote such objects and carry out the purposes of the donor. The said trustees shall have further power from time to time to hold as investments the securities hereinabove referred to so transferred by Andrew Carnegie, and any property which has been or may be transferred to them or such corporation by Andrew Carnegie or by any other person, persons, or corporation, and to invest any sums or amounts from time to time in such securities and in such form and manner as are permitted to trustees or to charitable or literary corporations for investment, according to the laws of the States of New York, Pennsylvania, or Massachusetts, or in such securities as are authorized for investment by the said deed of trust so executed by Andrew Carnegie, or by any deed of gift or last will and testament to be hereafter made or executed.

Additional donations.

SEC. 5. That the said corporation may take and hold any additional donations, grants, devises, or bequests which may be made in further support of the purposes of the said corporation, and may include in the expenses thereof the personal expenses which the trustees may incur in attending meetings or otherwise in carrying out the business of the trust, but the services of the trustees as such shall be gratuitous.

Organization.

SEC. 6. That as soon as may be possible after the passage of this Act a meeting of the trustees hereinbefore named shall be called by Daniel C. Gilman, John S. Billings, Charles D. Walcott, S. Weir Mitchell, John Hay, Elihu Root, and Carroll D. Wright, or any four of them, at the city of Washington, in the District of Columbia, by notice served in person or by mail addressed to each trustee at his place of residence; and the said trustees, or a majority thereof, being assembled, shall organize and proceed to adopt by-laws, to elect officers and appoint committees, and generally to organize the said corporation; and said trustees herein named, on behalf of the corporation hereby incorporated, shall thereupon receive, take over, and enter into possession, custody, and management of all property, real or personal, of the corporation heretofore known as the Carnegie Institution, incorporated, as hereinbefore set forth under "An Act to establish a

Management of property, etc.

Vol. 31, p. 1280.

Code of Law for the District of Columbia, January fourth, nineteen hundred and two," and to all its rights, contracts, claims, and property of any kind or nature; and the several officers of such corporation, or any other person having charge of any of the securities, funds, real or personal, books or property thereof, shall, on demand, deliver the same to the said trustees appointed by this Act or to the persons appointed by them to receive the same; and the trustees of the existing corporation and the trustees herein named shall and may take such other steps as shall be necessary to carry out the purposes of this Act.

Creditors of existing corporation.

SEC. 7. That the rights of the creditors of the said existing corporation known as the Carnegie Institution shall not in any manner be impaired by the passage of this Act, or the transfer of the property hereinbefore mentioned, nor shall any liability or obligation for the payment of any sums due or to become due, or any claim or demand, in any manner or for any cause existing against the said existing corporation, be released or impaired; but such corporation hereby incorporated is declared to succeed to the obligations and liabilities and to be held liable to pay and discharge all of the debts, liabilities, and contracts of the said corporation so existing to the same effect as if such new corporation had itself incurred the obligation or liability to pay such debt or damages, and no such action or proceeding before any court or tribunal shall be deemed to have abated or been discontinued by reason of the passage of this Act.

Amendment.

SEC. 8. That Congress may from time to time alter, repeal, or modify this Act of incorporation, but no contract or individual right made or acquired shall thereby be divested or impaired.

Effect.

SEC. 9. That this Act shall take effect immediately.

Approved, April 28, 1904.

April 28, 1904.
[H. R. 14424.]
[Public, No. 261.]

CHAP. 1829.—An Act For the extension of Wyoming avenue to Twenty-third street west.

District of Columbia.
Extension of Wyoming avenue.
Proceedings to condemn land for.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That within thirty days after the passage of this Act the Commissioners of the District of Columbia be, and they are hereby, authorized and directed to institute in the supreme court of the District of Columbia, sitting as a district court, by petition, particularly describing the lands to be taken, a proceeding in rem to condemn all the land (about two thousand five hundred and thirty-two square feet) contained in lot thirty-four of Lowndes subdivision of Widows Mite for the extension of Wyoming avenue through to Twenty-third street west.

Assessment of benefits and damages.

SEC. 2. That the entire amount found to be due and awarded as damages for and in respect of the land condemned for the extension of Wyoming avenue as herein provided, shall be assessed by the jury hereinafter provided for as benefits, and to the extent of such benefits, against those pieces or parcels of land on each side of said avenue as extended, and also on any or all pieces or parcels of land which will be benefited by the extension of said avenue as said jury may find said pieces or parcels of land will be benefited, and in determining the amounts to be assessed against said pieces or parcels of land the jury shall take into consideration the respective situations of such pieces or parcels of land and the benefits they may severally receive from the extension of said avenue as aforesaid.

Notice of proceedings.
By advertisement.

SEC. 3. That the said court shall cause public notice of not less than ten days to be given of the filing of said proceedings, by advertisement in such manner as the court shall prescribe, which notice shall warn all persons having any interest in the proceedings to attend court at a day to be named in said notice and to continue in attendance until the court