Proviso.

the lands, aforesaid of the United States; *Provided*, That should the said bridge never be constructed, or having been constructed, shall be abandoned, by the said company, the rights vested therein, by this act, shall cease and determine.

Approved, July 1, 1836.

Statute I.

July 1, 1836.

Chap. CCLII.—*An Act to authorize and enable the President to assert and prosecute with effect, the claim of the United States to the legacy bequeathed to them by James Smithson, late of London, deceased, to found at Washington, under the name of the Smithsonian Institution, an establishment for the increase and diffusion of knowledge among men.*

May appoint an agent to prosecute the claim.

Be it enacted, by the Senate and House of Representatives of the United States of America in Congress assembled, That the President of the United States be, and he is hereby, authorized to constitute and appoint an agent or agents, to assert and prosecute for and in behalf of the United States, and in their name, or otherwise, as may be advisable, in the Court of Chancery, or other proper tribunal of England, the right of the United States to the legacy bequeathed to them by the last will and testament of James Smithson, late of London, deceased, for the purpose of founding, at Washington, under the name of the Smithsonian Institution, an establishment for the increase and diffusion of knowledge among men: and to empower such agent or agents, so appointed, to receive and grant acquittances for all such sum or sums of money, or other funds, as may or shall be decreed or adjudged to the United States, for, or on account of, said legacy.

Agent to give bonds.

Sec. 2. *And be it further enacted*, That the said agent or agents shall, before receiving any part of the said legacy, give a bond or bonds, in the penal sum of five hundred thousand dollars, to the Treasurer of the United States, and his successors in office, with good and sufficient securities to the satisfaction of the Secretary of the Treasury, for the faithful performance of the duties of the said agency, and for the faithful remittance to the Treasurer of the United States, of all and every sum or sums of money, or other funds, which he or they may receive, for payment in whole or in part of the said legacy. And the Treasurer of the United States is hereby authorized and required to keep safely all sums of money or other funds which may be received by him in virtue of the said bequest, and to account therefor separately from all other accounts of his office, and subject to such further disposal thereof as may be hereafter provided by Congress.

Sec. 3. *And be it further enacted*, That any and all sums of money, and other funds, which shall be received for, or on account of, the said legacy, shall be applied in such manner as Congress may hereafter direct, to the purpose of founding and endowing at Washington, under the name of the Smithsonian Institution, an establishment for the increase and diffusion of knowledge among men; to which application of the said moneys, and other funds, the faith of the United States is hereby pledged.

To defray the expenses.

Sec. 4. *And be it further enacted*, That, to the end that the claim to the said bequest may be prosecuted with effect, and the necessary expenses in prosecuting the same be defrayed, the President of the United States be, and he is hereby, authorized to apply to that purpose, any sum not exceeding ten thousand dollars, out of any moneys in the Treasury not otherwise appropriated.

Approved, July 1, 1836.

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