

board of directors. Special meetings may be called as prescribed in the constitution. The national council and the board of directors shall have power to hold meetings and keep the seal, books, documents, and papers of the corporation within or without the District of Columbia.

(Mar. 16, 1950, ch. 62, § 5, 64 Stat. 24; Aug. 14, 1953, ch. 486, § 1, 67 Stat. 582.)

AMENDMENTS

1953—Act Aug. 14, 1953, struck out provision that there must be a meeting of the National Council at least once every two years.

§ 36. Exclusive right to emblems, badges, marks, and words or phrases

The corporation shall have the sole and exclusive right to have and to use, in carrying out its purposes, all emblems and badges, descriptive or designating marks, and words or phrases now or heretofore used by the old corporation and by its successor in carrying out its program, including the sole and exclusive right to use, or to authorize the use of, during the existence of the corporation, the badge of the Girl Scouts, Incorporated, which is referred to in the Act of August 12, 1937 (Public, Numbered 259, Seventy-fifth Congress; 50 Stat. 623), and all the other aforesaid emblems and badges, descriptive or designating marks, and words or phrases in connection with the manufacturing, advertising, and selling of equipment and merchandise: *Provided, however,* That nothing in this chapter shall interfere or conflict with established or vested rights.

(Mar. 16, 1950, ch. 62, § 6, 64 Stat. 24; Aug. 17, 1951, ch. 328, 65 Stat. 192.)

REFERENCES IN TEXT

Act of August 12, 1937 (Public, Numbered 259, Seventy-fifth Congress; 50 Stat. 623), referred to in text, is act Aug. 12, 1937, ch. 590, 50 Stat. 623, which is not classified to the Code.

AMENDMENTS

1951—Act Aug. 17, 1951, inserted “and by its successors” and “including the sole and exclusive right to use, or to authorize the use of, during the existence of the corporation, the badge of the Girl Scouts, Incorporated, which is referred to in the Act of August 12, 1937 (Public, Numbered 259, Seventy-fifth Congress; 50 Stat. 623), and all the other aforesaid emblems and badges, descriptive or designating marks, and words or phrases in connection with the manufacturing, advertising, and selling of equipment and merchandise” and substituted “*Provided, however,* That” for “it being distinctly and definitely understood, however, that”.

§ 37. Annual report

On or before the first day of April of each year the corporation shall make and transmit to Congress a report of its proceedings for the preceding fiscal year.

(Mar. 16, 1950, ch. 62, § 7, 64 Stat. 24; Aug. 14, 1953, ch. 486, § 2, 67 Stat. 583; Aug. 30, 1964, Pub. L. 88-504, § 4(2), 78 Stat. 636.)

AMENDMENTS

1964—Pub. L. 88-504 struck out “, including a full, complete, and itemized report of receipts and expenditures of whatever kind” after “fiscal year”.

1953—Act Aug. 14, 1953, substituted “for the preceding fiscal year” for “for the year ending December 31, preceding” after “its proceedings”.

§ 38. Acquisition of assets and liabilities of existing corporation

On March 16, 1950, the separate existence of the old corporation shall cease and the old corporation shall be merged into the corporation. The corporation shall possess all the public and private rights, privileges, powers, and franchises and shall be subject to all the restrictions, disabilities, and duties of the old corporation so merged into it, and all of the rights, privileges, powers, and franchises of the old corporation, and all property—real, personal, and mixed—and all debts due it on whatever account shall be vested in the corporation; and all property, rights, privileges, powers, and franchises and all other interests of the old corporation shall be the property of the corporation and the title to any real estate vested in the old corporation by deed or otherwise, under the laws of the District of Columbia or any State, shall not revert or be in any way impaired by reason of this chapter: *Provided, however,* That all rights of creditors and all liens upon any property of the old corporation shall be preserved unimpaired and all its debts, liabilities, and duties shall attach to the corporation and may be enforced against it to the same extent as if such debts, liabilities, and duties had been incurred or contracted by it.

(Mar. 16, 1950, ch. 62, § 8, 64 Stat. 24.)

§ 38a. Reservation of right to amend or repeal chapter

Congress shall have the right to repeal, alter, or amend this chapter at any time.

(Mar. 16, 1950, ch. 62, § 9, 64 Stat. 24.)

§ 39. Printing annual report

The annual report of the Girl Scouts of the United States of America shall be printed each year, with accompanying illustrations, as a separate House document of the session of the Congress to which such report may be submitted.

(Apr. 16, 1951, ch. 29, 65 Stat. 32.)

CODIFICATION

Section was not enacted as part of act Mar. 16, 1950, ch. 62, 64 Stat. 22, which comprises this chapter.

CHAPTER 3—THE AMERICAN LEGION

Sec.	
41.	Corporation created.
42.	Completion of organization.
43.	Purpose of corporation.
44.	Powers of corporation.
45.	Membership.
46.	Nonpolitical nature of corporation.
47.	Acquisition of assets and liabilities of existing organization.
48.	Exclusive right to names.
49.	Annual report.
50.	Agents for service of process.
51.	Reservation of right to amend or repeal chapter.

§ 41. Corporation created

That the following persons, to wit: William S. Beam, of North Carolina; Charles H. Brent, of

New York; William H. Brown, of Connecticut; G. Edward Buxton, junior, of Rhode Island; Bennett C. Clark, of Missouri; Richard Derby, of New York; L. H. Evridge, of Texas; Milton J. Foreman, of Illinois; Ruby D. Garrett, of Missouri; Fred J. Griffith, of Oklahoma; Roy C. Haines, of Maine; John F. J. Herbert, of Massachusetts; Roy Hoffman, of Oklahoma; Fred B. Humphreys, of New Mexico; John W. Inzer, of Alabama; Stuart S. Janney, of Maryland; Luke Lea, of Tennessee; Henry Leonard, of Colorado; Henry D. Lindsley, of Texas; Ogden L. Mills, of New York; Thomas W. Miller, of Delaware; Edward Myers, of Pennsylvania; Franklin D'Olier, of Pennsylvania; W. G. Price, junior, of Pennsylvania; S. A. Ritchie, of New York; Theodore Roosevelt, junior, of New York; Albert A. Sprague, of Illinois; John J. Sullivan, of Washington; Dale Shaw, of Iowa; Daniel G. Stivers, of Montana; H. J. Turney, of Ohio; George A. White, of Oregon; Eric Fisher Wood, of Pennsylvania; George H. Wood, of Ohio; Mathew H. Murphy, of Alabama; Andrew P. Martin, of Arizona; J. J. Harrison, of Arkansas; Henry G. Mathewson, of California; H. A. Saidy, of Colorado; Alfred M. Phillips, junior, of Connecticut; George N. Davis, of Delaware; A. H. Blanding, of Florida; Walter Harris, of Georgia; E. C. Boom, of Idaho; George G. Seaman, of Illinois; Raymond S. Springer, of Indiana; Mathew A. Tinley, of Iowa; W. A. Phares, of Kansas; Henry De Haven Moorman, of Kentucky; T. Semmes Walmsley, of Louisiana; A. L. Robinson, of Maine; James A. Gary, junior, of Maryland; George C. Waldo, of Michigan; Harrison Fuller, of Minnesota; Alexander Fitzhugh, of Mississippi; H. C. Clark, of Missouri; Charles E. Pew, of Montana; John G. Maher, of Nebraska; J. G. Scragham, of Nevada; Frank Knox, of New Hampshire; Hobart Brown, of New Jersey; Charles M. De Bremon, of New Mexico; C. K. Burgess, of North Carolina; Julius Baker, of North Dakota; F. C. Galbraith, of Ohio; Ross N. Lillard, of Oklahoma; E. J. Eivers, of Oregon; George F. Tyler, of Pennsylvania; Alexander H. Johnson, of Rhode Island; Julius H. Walker, of South Carolina; M. L. Shade, of South Dakota; Roane Waring, of Tennessee; Claude V. Birkhead, of Texas; Wesley E. King, of Utah; Charles Francis Cocke, of Virginia; H. Nelson Jackson, of Vermont; Harvey I. Moss, of Washington; Jackson Arnold, of West Virginia; John C. Davis, of Wisconsin; A. H. Beach, of Wyoming; E. Lester Jones, of the District of Columbia; Lawrence Judd, of Hawaii; Robert R. Landon, of the Philippine Islands; and such persons as may be chosen who are members of the "American Legion", an unincorporated patriotic society of the soldiers, sailors, and marines of the Great War, 1917 to 1918, known as the "American Legion", and their successors, are created and declared to be a body corporate. The name of this corporation shall be "The American Legion."

(Sept. 16, 1919, ch. 59, §1, 41 Stat. 284.)

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in section 42 of this title.

§ 42. Completion of organization

Said persons named in section 41 of this title and such other persons as may be selected from

among the membership of the American Legion, an unincorporated society of the soldiers, sailors, and marines of the Great War of 1917-1918, are hereby authorized to meet to complete the organization of said corporation by the selection of officers, the adoption of a constitution and by-laws, and to do all other things necessary to carry into effect the provisions of this chapter, at which meeting any person duly accredited as a delegate from any local or State organization of the existing unincorporated organization known as the "American Legion" shall be permitted to participate in the proceedings thereof.

(Sept. 16, 1919, ch. 59, §2, 41 Stat. 284.)

§ 43. Purpose of corporation

The purpose of this corporation shall be: To uphold and defend the Constitution of the United States of America; to promote peace and good will among the peoples of the United States and all the nations of the earth; to preserve the memories and incidents of the two World Wars and the other great hostilities fought to uphold democracy; to cement the ties and comradeship born of service; and to consecrate the efforts of its members to mutual helpfulness and service to their country.

(Sept. 16, 1919, ch. 59, §3, 41 Stat. 285; Oct. 29, 1942, ch. 633, §1, 56 Stat. 1012; July 26, 1955, ch. 386, §1, 69 Stat. 379; Sept. 1, 1966, Pub. L. 89-550, §1, 80 Stat. 371.)

AMENDMENTS

1966—Pub. L. 89-550 substituted "and the other great hostilities" for "and the Korean hostilities".

1955—Act July 26, 1955, amended section generally, inserting reference to Korean hostilities.

1942—Act Oct. 29, 1942, amended section generally, inserting reference to the Constitution and to second world war.

§ 44. Powers of corporation

The corporation created by this chapter shall have the following powers: To have perpetual succession with power to sue and be sued in courts of law and equity; to receive, hold, own, use, and dispose of such real estate and personal property as shall be necessary for its corporate purposes; to adopt a corporate seal and alter the same at pleasure; to adopt a constitution, by-laws, and regulations to carry out its purposes, not inconsistent with the laws of the United States or of any State; to use, in carrying out the purposes of the corporation, such emblems and badges as it may adopt and to have the exclusive right to manufacture, and to control the right to manufacture, and to use, such emblems and badges as may be deemed necessary in the fulfillment of the purposes of the corporation; to establish and maintain offices for the conduct of its business; to establish State and Territorial organizations and local chapter or post organizations; to publish a magazine or other publications, and generally to do any and all such acts and things as may be necessary and proper in carrying into effect the purposes of the corporation.

(Sept. 16, 1919, ch. 59, §4, 41 Stat. 285; June 26, 1953, ch. 153, §1, 67 Stat. 82.)