

tional Education Association of amended bylaws to provide for the administration of the property of the corporation and for the selection of the secretary of the Association, section 7 of the Act June 30, 1906 (34 Stat. 804) [this section], shall be of no further force and effect." [At its Annual Meeting convened on July 1, 1968, the National Education Association adopted a bylaw amendment transferring the duties of the Board of Trustees, including responsibility for the Permanent Fund and selection of the Secretary, to the Executive Committee.]

§ 5308. Principal office

The principal office of the said corporation shall be in the city of Washington, District of Columbia: *Provided*, That the meetings of the corporation, its officers, committees, and departments, may be held, and that its business may be transacted and an office or offices may be maintained elsewhere within the United States, as may be determined, in accordance with the by-laws.

(June 30, 1906, ch. 3929, § 8, 34 Stat. 807; June 14, 1937, ch. 336, § 4, 50 Stat. 258.)

AMENDMENTS

1937—Act June 14, 1937, which directed the amendment of this section by striking out "by the Board of Directors, or otherwise", was executed by striking "by the board of directors, or otherwise" after "as may be determined", to reflect the probable intent of Congress.

§ 5309. Charter

The charter, constitution, and by-laws of the National Educational Association shall continue in full force and effect until the charter granted by this chapter shall be accepted by such association at the next annual meeting of the association, and until new by-laws shall be adopted, and the present officers, directors, and trustees of said association shall continue to hold office and perform their respective duties as such until the expiration of the terms for which they were severally elected or appointed, and until their successors are elected. At such annual meeting the active members of the National Educational Association then present may organize and proceed to accept the charter granted by this chapter and adopt by-laws, to elect officers to succeed those whose terms have expired or are about to expire, and generally to organize the "National Education Association of the United States," and the board of trustees of the corporation hereby incorporated shall thereupon, if the charter granted by this chapter be accepted, receive, take over, and enter into possession, custody, and management of all property, real and personal, of the corporation heretofore known as the National Educational Association, incorporated as aforesaid under the Revised Statutes of the District of Columbia, and all its rights, contracts, claims, and property of every kind and nature whatsoever; and the several officers, directors, and trustees of such last-named association, or any other person having charge of any of the securities, funds, books, or property thereof, real or personal, shall on demand deliver the same to the proper officers, directors, or trustees of the corporation hereby created: *Provided*, That a verified certificate executed by the presiding officer and secretary of such annual meeting, showing the acceptance of

the charter granted by this chapter by the National Educational Association shall be legal evidence of the fact, when filed with the recorder of deeds of the District of Columbia: *And provided further*, That in the event of the failure of the association to accept the charter granted by this chapter at said annual meeting, then the charter of the National Educational Association and its corporate existence shall be, and are hereby, extended until the thirty-first day of July, nineteen hundred and eight, and at any time before said date its charter may be extended in the manner and form provided by the general corporation law of the District of Columbia.

(June 30, 1906, ch. 3929, § 9, 34 Stat. 807.)

§ 5310. Rights of creditors

The rights of creditors of the said existing corporation, known as the National Educational Association, shall not in any manner be impaired by the passage of this chapter, or the transfer of the property heretofore mentioned, nor shall any liability or obligation, or the payment of any sum 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; and the 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 action or proceeding before any court or tribunal shall be deemed to have abated or been discontinued by reason of this chapter.

(June 30, 1906, ch. 3929, § 10, 34 Stat. 807.)

§ 5311. Reservation of right to amend or repeal chapter

Congress may from time to time alter, repeal, or modify this chapter, but no contract or individual right made or acquired shall thereby be divested or impaired.

(June 30, 1906, ch. 3929, § 11, 34 Stat. 808.)

CHAPTER 86—SOCIETY OF AMERICAN FLOWERS AND ORNAMENTAL HORTICULTURISTS

Sec.

5401. Corporation created.

5402. Reservation of right to amend or repeal chapter.

§ 5401. Corporation created

James Dean, of Freeport; Charles W. Ward, of Queens; William Scott, of Buffalo; and Charles Henderson, of New York City, all in the State of New York; William J. Stewart, Michael H. Norton, and Patrick Welch, of Boston; Edmund M. Wood, of Natick; and Lawrence Cotter, of Dorchester, all in the State of Massachusetts; Edward G. Hill, of Richmond, in the State of Indiana; John N. May, of Summitt, John G. Esler, of Saddle River; Patrick O'Mara, of Jersey City; William A. Manda, of South Orange, all in the State of New Jersey; Benjamin Durfee, William

R. Smith, William F. Gude, and Henry Small, Junior, of Washington, in the District of Columbia; Willis N. Rudd, of Chicago; Emil Buettner, of Park Ridge; John C. Vaughan, of Chicago, all in the State of Illinois; Joseph A. Dirwanger, of Portland, in the State of Maine; Robert Craig, Edwin Lonsdale, W. Atlee Burpee, and John Burton, of Philadelphia; H. B. Beatty, of Oil City; and William Falconer, of Pittsburgh; all in the State of Pennsylvania; George M. Kellogg, of Pleasant Hill, in the State of Missouri; John T. D. Fulmer, of Des Moines, and J. C. Rennison, of Sioux City, in the State of Iowa; L. A. Berckmans, of Augusta, in the State of Georgia; H. Papworth, of New Orleans, in the State of Louisiana; Elmer D. Smith, of Adrian, and Harry Balsley, of Detroit, in the State of Michigan; F. A. Whelan, of Mount Vernon on the Potomac, in the State of Virginia; Adam Graham, of Cleveland, in the State of Ohio; William Fraser, of Baltimore, in the State of Maryland; John Spalding, of New London, and John N. Champion, of New Haven, in the State of Connecticut; and Charles W. Hoitt, of Nashua, in the State of New Hampshire, their associates and successors, are hereby created a body corporate and politic, within the District of Columbia, by the name of the Society of American Florists and Ornamental Horticulturists, for the education of the general public and of members of the florist industry in the subjects of, and for the scientific development of, floriculture and horticulture in all their branches. Said corporation is authorized to adopt a constitution and to make bylaws not inconsistent with law, to hold real and personal estate in the District of Columbia and elsewhere, so far only as may be necessary to its lawful ends, to an amount not exceeding \$1,000,000, and such other estate as may be donated or bequeathed in any State or Territory: *Provided*, That all property so held, and the proceeds thereof, shall be held and used solely for the purposes set forth in this chapter. Said corporation shall operate without profit and any earnings and/or surplus funds that may be created through any of its educational or scientific activities shall be available only for the further accomplishment of the corporation's stated purposes. The principal office of the corporation shall be located within the District of Columbia, but the annual meetings may be held in such other places as the incorporators or their successors shall determine: *Provided*, That this corporation shall not be permitted to occupy any park in the city of Washington.

(Mar. 3, 1901, ch. 876, §1, 31 Stat. 1453; June 29, 1938, ch. 796, 52 Stat. 1226.)

AMENDMENTS

1938—Act June 29, 1938, amended section generally, striking out provision referring to kindred purposes of corporation in the interest of floriculture and horticulture, substituting "\$1,000,000" for "fifty thousand dollars" as limit on real and personal estate of corporation, and inserting direction that corporation was to operate without profit and that any earnings or surplus funds created through any educational or scientific activities be available only for further accomplishment of corporation's stated purposes.

§ 5402. Reservation of right to amend or repeal chapter

Congress reserves the right to alter, amend, or repeal this chapter in whole or in part.

(Mar. 3, 1901, ch. 876, §2, 31 Stat. 1454; June 29, 1938, ch. 796, 52 Stat. 1227.)

AMENDMENTS

1938—Act June 29, 1938, amended section generally, reenacting text without change.

CHAPTER 87—CORPORATION FOR THE PROMOTION OF RIFLE PRACTICE AND FIREARMS SAFETY

SUBCHAPTER I—ESTABLISHMENT AND OPERATION OF CORPORATION

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