AUTHENTICATED
U.S. GOVERNMENT
INFORMATION
GPO

Provisos.
Minor purchases.

erly to carry out the provisions of the Act: *Provided*, That the provisions of section 3709 of the Revised Statutes (U. S. C., title 41, sec. 5) shall not apply to any purchase made or service procured when the aggregate amount involved is $100 or less: *Provided further*, That not more than $3,500 shall be expended for the purchase of real property, and expenses incidental thereto: *Provided further*, That no part of the appropriation herein authorized shall be expended for the construction of any of the county bridges to be located within any county until the governing body of such county has given assurance, satisfactory to the Secretary of State—

Purchase, etc., of real property.
Conditional expenditure.

Property title.

(a) That it will cause to be furnished, without cost to the United States, evidence satisfactory to the American Commissioner, International Boundary Commission, United States and Mexico, that title to all lands or easements in lands which may be designated by the said American Commissioner as necessary for the construction, operation, and maintenance of the bridges and approaches, the title to which is not vested in the United States, is vested in the county;

Approach roads.

(b) That it will perform without cost to the United States all work involved in any required changes, including changes in pavements or other road surfaces, in the approaches or approach roads to the bridges to be located within such county;

Operation, etc., of bridges.

(c) That it will, upon notification by the said American Commissioner that any bridge has been completed, take over and operate and maintain such bridge; and

Release from liability for damage, etc.

(d) That it will hold the United States harmless on account of any damage or claim of damage arising out of or in any way connected with the construction, operation or maintenance, or failure to operate and maintain any bridge or bridges or any part thereof located within such county;

Dona Ana County, N. Mex., bridges.

And provided further, That no part of the appropriation herein authorized shall be expended for the construction of any of the bridges to be located in Dona Ana County, New Mexico, until the governing body of said county has given assurance satisfactory to the Secretary of State that it will remove or rebuild, in accordance with plans and specifications to be approved by the American Commissioner, the bridges known as Old Anthony Bridge and Salem Bridge.

Approved, April 22, 1940.

[CHAPTER 130]

April 22, 1940
[H. R. 8238]
[Public, No. 473]

AN ACT

Providing for the incorporation of the United Spanish War Veterans.

United Spanish War Veterans, incorporation.
Membership.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the organization known as United Spanish War Veterans, with a membership limited to officers, soldiers, and sailors of the Army, Navy, or Marine Corps of the United States of America, including acting assistant surgeons, contract doctors, dentists, veterinary surgeons, officers, and enlisted men in the United States Revenue Cutter Service on vessels temporarily under the control of the War or Navy Department, commissioned medical officers of the United States Marine Hospital Service, officers and enlisted men in the Philippine Scouts and other organizations of native troops maintained by the War Department in the Philippine Islands, paymaster clerks actually on duty in the field or aboard ship who served at any time during the War between the United States of America and the Kingdom of Spain, or at any time during the War for the Suppression of the Insurrection in the Philippine Islands, including the China Relief Expedition, prior to July 4,

1902, and who either have been honorably discharged from the service or still continue in the same, and women who served honorably under contract or by appointment as Army nurses, chief nurses, or superintendents of the Army Nurse Corps at any time between April 21, 1898, and July 4, 1902, is hereby created a body corporate and politic of the District of Columbia, by the name of "United Spanish War Veterans", by which name it shall be a person in law, capable of suing and being sued, and of having and exercising all incidental powers as a litigant or otherwise as if it were a natural person, with power to acquire by purchase, gift, devise, or bequest, and to hold, convey, or otherwise dispose of property, real or personal, as may be necessary to carry into effect the patriotic, fraternal, and charitable purposes of its organization, and to use in carrying out the purposes of the corporation such emblems and badges as it may have heretofore or may hereafter adopt, 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.

Corporate powers.

SEC. 2. The object and purpose of this corporation shall be to perpetuate the name of United Spanish War Veterans and to preserve in corporate form said organization as now and heretofore maintained and conducted, and to thus provide and continue an agency and instrumentality through and by which its members, for and during the remainder of their natural lives, unite in the fraternal bonds of comradeship; perpetuate the memories of the War with Spain and the campaigns incident thereto; promote peace and good will at home and among all nations; encourage an adequate national defense and protect and preserve our institutions of government. The corporation shall not at any time engage in any business for pecuniary profit and gain.

Object and purpose.

SEC. 3. The principal office of this corporation shall be kept and maintained in the city of Washington, District of Columbia, but annual or other meetings of its governing body and members may be held in any State of the Union, and the corporation shall have the power to possess and hold property needful or desirable for its objects and purposes anywhere in the United States or any of its Territories or dependencies consistently with the provisions of local laws pertaining thereto.

Principal office.

Power of corporation to possess and hold property.

SEC. 4. The supreme governing and controlling authority in said organization shall be the national encampment thereof, composed of representatives from the several department encampments as are now or may hereafter be organized: *Provided*, That there shall never be any change in the plan of organization of said national encampment that shall materially change its present representative form of government or render possible the concentration of the control thereof in the hands of a limited number or in a self-perpetuating body not representative of the membership at large.

National encampment, authority.

Proviso.
Restriction on change of plan, etc.

SEC. 5. The qualifications for membership in said organization, except as they are limited by the provisions in section 1 of this Act, and the rights and privileges of the members thereof shall be such as are fixed by the constitution and rules and regulations heretofore or hereafter adopted by said national encampment.

Qualifications, rights, and privileges.

SEC. 6. The activities of said corporation shall be exercised through and by the following agencies in accordance with the constitution and rules and regulations now in force or such as may be hereafter enacted by the national encampment thereof, namely:

Activities exercised by designated agencies.

First. Through the national encampment, its officers, and committees.

National encampment.

Second. Through such department encampments as may have been heretofore or as may be hereafter organized, their officers, and committees.

Department encampments.

Camps.

Third. Through such camps as may have been heretofore or may be hereafter organized, their officers, and committees.

Auxiliary organizations.

Fourth. Through such auxiliary organizations by whatever name or designation as have been heretofore or may hereafter be authorized by the national encampment.

Authority of agencies.

Such department encampments and auxiliary organizations shall be subject and subordinate in authority to the national encampment, and such camps shall be also subject to such control exercised through the department encampment and department officers of the particular department to which it belongs.

Exclusive rights to name.

SEC. 7. Said corporation and its State and local subdivisions shall have the sole and exclusive rights to have and to use in carrying out its purposes the name "United Spanish War Veterans."

Termination on death of last member.

SEC. 8. The corporate existence of United Spanish War Veterans and the exclusive rights of its surviving members to wear the insignia of membership therein shall terminate only when the last of its members dies: *Provided*, *however*, That if, at any national encampment hereafter held, a memorial shall be adopted by the vote of three-fourths of the members present reciting that because of the decrease in its membership, or because of the age and infirmity of its surviving members, it no longer is advisable and practicable to hold future annual national encampments, such action shall not operate to deprive said organization of any of its corporate powers; but the government thereof may be modified to provide for such contingency subject to the restrictions contained in section 3 of this Act: *Provided further*, That nothing in this Act shall in any manner affect the right or the power of such camps or departments to dispose of or otherwise affect the ownership of property held by any camp or department in its own name, nor affect the right of such camps or departments to organize corporations under State laws for the purpose of caring for and disposing of such property.

Provisos.
Continuance if annual encampments no longer held.

Property rights, etc.

Disposition and future ownership of property.

SEC. 9. The national encampment may, by resolution, provide for the disposition and future ownership of its property and archives, and may declare the event in which such disposition shall become effective and such ownership vested, and a duly authenticated copy of such resolutions shall be filed in the office of the Supreme Court of the District of Columbia. Upon the happening of the event thus declared, and upon the filing of a petition in said Supreme Court reciting said facts, said court shall take jurisdiction thereof and, upon due proof being made, the court shall enter a decree which shall be effectual to vest title and ownership in accordance with the provisions of such resolution.

Approved, April 22, 1940.

[CHAPTER 131]

April 22, 1940
[H. R. 8262]
[Public, No. 474]

AN ACT

To regulate, in the District of Columbia, the disposal of certain refuse, and for other purposes.

Disposal of certain refuse, D. C.
Acts repealed.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Acts of Congress entitled "An Act to regulate, in the District of Columbia, the disposal of certain refuse, and for other purposes", approved January 25, 1898, and "An Act to amend an Act entitled 'An Act to regulate, in the District of Columbia, the disposal of certain refuse, and for other purposes', approved January 25, 1898", approved March 20, 1902, are hereby repealed.

30 Stat. 231; 32 Stat. 74.
20 D. C. Code, ch. 5, pt. VII.