

Public Law 85-530

AN ACT

July 18, 1958
[H. R. 11077]

To incorporate the Veterans of World War I of the United States of America.

Veterans of
World War I of the
U.S.A.
Incorporation.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following-named persons provided that they meet the eligibility requirements set forth in section 5 of this Act: Harlan W. Barnes, Portland, Oregon; Lewis Brake, Mount Vernon, Illinois; Fred J. Hollenbeck, Cape Vincent, New York; Reginald H. Murphy, Junior, Washington, District of Columbia; Stanton L. Smiley, Gary, Indiana; Emerson R. J. Follett, Dover, New Hampshire; M. George Deutch, Buffalo, New York; Patrick F. O'Connor, Braddock, Pennsylvania; Charles L. Gore, Baltimore, Maryland; Arch MacIntyre, Tampa, Florida;

G. Edwin Slater, Detroit, Michigan; John E. Erickson, Minneapolis, Minnesota; Al. H. Ohlsen, San Francisco, California; Arthur G. Estes, Albuquerque, New Mexico; M. C. Hermann, San Francisco, California; Merle E. Hopper, Roscommon, Michigan; Harry J. Millen, Watertown, New York; John C. Van Etten, Olympia, Washington; Emanuel Levy, Fort Wayne, Indiana; A. T. G. Novak, Seattle, Washington; Doctor Harry E. Mort, Saint Louis, Missouri; Martin F. Iverson, Washington, District of Columbia; Monte C. Walton, Portland, Oregon; Bert Mansfield, Portland, Oregon; W. N. Knight, Salisbury, North Carolina; Reverend George G. Shurtz, Newcomers-town, Ohio;

David G. Bollinger, Lakewood, Ohio; Catherine Sawyer, Napa County, California; Joseph Bergrath, Madison, Illinois; Arthur Means, Mena, Arkansas; James Butler, Long Beach, California; Joseph P. Crider, Westerly, Rhode Island; Frank Heise, Washington, District of Columbia; Joseph W. Padderatz, New Smyrna Beach, Florida; George Burdick, Twin Falls, Idaho; Dean V. Thompson, Boise, Idaho; M. H. Bond, Centralia, Illinois; Denton Opp, Aurora, Indiana; Paul Hadley, Rehoboth Beach, Delaware; George M. Leary, Quincy, Massachusetts; Charles Cooper, Clare, Michigan; Jack Greenwood, Minneapolis, Minnesota; Howard E. White, Kansas City, Missouri; C. P. Biffle, Polson, Montana;

John Twardus, Stratham, New Hampshire; Gustave G. W. Laegeler, Newark, New Jersey; George F. Patton, Portales, New Mexico; William F. Schwab, Buffalo, New York; E. G. Kittles, Charlotte, North Carolina; Victor E. Morgan, Bridgeport, Ohio; Ray Snider, La Grande, Oregon; Leslie E. Barnhart, Uniontown, Pennsylvania; J. L. FitzGibbon, Columbia, South Carolina; C. W. Nevins, Fort Worth, Texas; Howard Houck, San Pedro, California; Charles Wetter, Santa Ana, California; A. Thomas Wheaton, Dearborn, Michigan; T. D. Ladd, Amarillo, Texas; Cornelius B. Prins, Fort Pierce, Florida;

Charles Ulmer, Wellington, Kansas; Louis Alterici, Charleroi, Pennsylvania; Robert Brown, Minneapolis, Minnesota; Joseph J. Strobel, Molalla, Oregon; James R. McClain, Springfield, Illinois; Henry H. Hitchings, Johnson City, New York; Albert J. Graf, Lake View, New York; William E. Kilgore, Ludlow, Kentucky; Leo Thornton, Hammond, Indiana; Daniel A. Chester, Spencer, North Carolina; Frank B. Pace, Oklahoma City, Oklahoma; O. B. Pritchett, Jefferson City, Missouri; Dayton H. Montgomery, Hot Springs, Arkansas; Melvin D. Eddy, Belmont, Massachusetts; James L. Culbert, Haverhill, Massachusetts;

Joseph Perrone, New London, Connecticut; George H. Hoak, Houton Lake Heights, Michigan; and William A. McVeigh, Victor-

ville, California, and their associates and successors, are created and declared to be a body corporate of the District of Columbia, where its legal domicile shall be, the name of which shall be Veterans of World War I of the United States of America, Incorporated (hereinafter referred to as the "corporation"), and by such name the said corporation shall be known and have perpetual succession, the powers, limitations, and restrictions herein contained.

COMPLETION OF ORGANIZATION

SEC. 2. The persons named in the first section of this Act are authorized, a majority concurring, to complete the organization of the corporation by the selection of officers and employees, the adoption of regulations and bylaws, not inconsistent with this Act, and the doing of such other acts as may be necessary for such purpose.

OBJECTS AND PURPOSES OF CORPORATION

SEC. 3. The purposes of the corporation shall be patriotic, fraternal, historical, and educational, in the service and for the benefit of veterans of World War I and are as follows:

(1) To provide for the veterans of World War I an organization for their mutual benefit, pleasure, and amusement, which will afford them the opportunities and means for personal contact with each other in order to keep alive friendships and memories of World War I and to venerate the memory of their honored dead;

(2) To cooperate to the fullest extent and in a harmonious manner with all veterans' organizations to the end that the best interests of all veterans of all wars in which the United States of America has participated, and the widows and orphans of deceased veterans of such wars, may be best served;

(3) To stimulate communities and political subdivisions into taking more interest in veterans of World War I, the widows and orphans of such deceased veterans, and the problems of such veterans and their widows and orphans;

(4) To collate, preserve, and encourage the study of historical episodes, chronicles, mementos, and events pertaining to World War I;

(5) To fight vigorously to uphold the Constitution and laws of the United States, as well as the individual States of the Union and to foster the spirit and practice of true Americanism;

(6) To fight unceasingly for our national security in order to protect Americans from enemies within our borders, as well as those from without, to the end that our American way of life be preserved;

(7) To fight to the utmost all those alien forces, particularly forces such as communism, whose objectives are to deny our very existence as a free people; and

(8) To do any and all acts and things necessary and proper to carry out the objects and purposes of the corporation.

POWERS OF CORPORATION

SEC. 4. The corporation shall have power—

(1) to have succession by its corporate name;

(2) to sue and be sued, complain and defend in any court of competent jurisdiction;

(3) to adopt, use, alter a corporate seal;

(4) to choose such officers, managers, agents, and employees as the activities of the corporation may require;

(5) to adopt, amend, and alter a constitution and bylaws not inconsistent with the laws of the United States or any State in

which the corporation is to operate, for the management of its property and the regulation of its affairs;

(6) to contract and be contracted with;

(7) to take by lease, gift, purchase, grant, devise, or bequest from any public body or agency or any private corporation, association, partnership, firm, or individual and to hold absolutely or in trust for any of the purposes of the corporation any property, real, personal, or mixed, necessary or convenient for attaining the objects and carrying into effect the purposes of the corporation, subject, however, to applicable provisions of law of any State (A) governing the amount or kind of property which may be held by, or (B) otherwise limiting or controlling the ownership of property by, a corporation operating in such State;

(8) to transfer, convey, lease, sublease, encumber, and otherwise alienate real, personal, or mixed property;

(9) to borrow money for the purposes of the corporation, issue bonds therefor, and secure the same by mortgage, deed of trust, pledge, or otherwise, subject in every case to all applicable provisions of Federal and State laws; and

(10) to do any and all acts and things necessary and proper to carry out the objects and purposes of the corporation.

MEMBERSHIP

SEC. 5. Eligibility for membership in the corporation and the rights, privileges, and designation of classes of members shall be determined as the constitution and bylaws of the corporation may provide but in no case shall eligibility for all classes of membership include persons who did not serve honorably in the armed forces of the United States during the period beginning April 6, 1917 and ending November 11, 1918.

GOVERNMENT; COMPOSITION; FORM; MEETING PLACES

SEC. 6. (a) The supreme governing authority of the corporation shall be the national convention thereof, composed of such officers and elected representatives from the several States and other local subdivisions of the corporate organization as shall be provided by the constitution and bylaws, each of such duly elected representatives to be entitled to one vote at such national convention. The form of the government of the corporation shall always be representative of the membership at large and shall not permit the concentration of the control thereof in the hands of a limited number of members or in a self-perpetuating group not so representative. The meetings of the national convention may be held in any State or Territory or in the District of Columbia.

(b) Each member of the corporation, other than associate or honorary members, shall have the right to one vote on each matter submitted to a vote at all other meetings of the members of the corporation.

BOARD OF ADMINISTRATION; COMPOSITION

SEC. 7. (a) During the intervals between the national convention, the board of administration shall be the governing board of the corporation and shall be responsible for the general policies, programs, and activities of the corporation.

(b) Upon the enactment of this Act the membership of the initial board of administration of the corporation shall consist of such of the following present members of the board of administration of the Veterans of World War I of the United States of America, Incor-

porated (the corporation described in section 18 of this Act) as qualify for membership under section 5 of this Act and who are qualified members of said board of administration, to wit: Harlan W. Barnes, Lewis Brake, Fred J. Hollenbeck, Reginald H. Murphy, Junior, Stanton L. Smiley, Catherine Sawyer, Emerson R. J. Follett, M. George Deutsch, Patrick F. O'Connor, Charles L. Gore, Arch MacIntyre, G. Edwin Slater, John E. Erickson, A. H. Ohlsen, and Arthur G. Estes.

(c) Thereafter, the board of administration of the corporation shall consist of not less than seven members elected in the manner and for the term prescribed in the constitution and bylaws of the corporation.

OFFICERS OF CORPORATION: SELECTION, TERMS, DUTIES

SEC. 8. The officers of the corporation shall be a national commander, a national senior vice commander, a national junior vice commander, a national quartermaster, a national adjutant (which latter two offices may be held by one person), a national judge advocate, nine regional vice commanders, and such other officers as may be prescribed in the constitution and bylaws. The officers of the corporation shall be selected in such manner and for such terms and with such duties and titles as may be prescribed in the constitution and bylaws of the corporation.

PRINCIPAL OFFICE; TERRITORIAL SCOPE OF ACTIVITIES

SEC. 9. (a) The principal office of the corporation shall be located in Washington, District of Columbia, or in such other place as may be determined by the board of administration; but the activities of the corporation shall not be confined to that place, but may be conducted throughout the various States, the District of Columbia, and Territories and possessions of the United States.

(b) The corporation shall have in the District of Columbia at all times a designated agent authorized to accept services of process for the corporation; and notice to or service upon such agent, or mailed to the business address of such agent, will be deemed notice to or service upon the corporation.

DISTRIBUTION OF INCOME OR ASSETS TO MEMBERS; LOANS

SEC. 10. (a) No part of the income or assets of the corporation shall inure to any of its members or officers as such, or be distributed to any of them during the life of the corporation or upon its dissolution or final liquidation. Nothing in this subsection, however, shall be construed to prevent the payment of compensation to officers of the corporation or reimbursement for actual necessary expenses in amounts approved by the board of administration of the corporation.

(b) The corporation shall not make loans to its officers or employees. Any member of the board of administration who votes for or assents to the making of a loan or advance to an officer or employee of the corporation, and any officer who participates in the making of such a loan or advance, shall be jointly and severally liable to the corporation for the amount of such loan until the repayment thereof.

NONPOLITICAL NATURE OF CORPORATION

SEC. 11. The corporation and its officers and agents as such shall not contribute to or otherwise support or assist any political party or candidate for public office.

LIABILITY FOR ACTS OF OFFICERS AND AGENTS

SEC. 12. The corporation shall be liable for the acts of its officers and agents when acting within the scope of their authority.

PROHIBITION AGAINST ISSUANCE OF STOCK OR PAYMENT OF DIVIDENDS

SEC. 13. The corporation shall have no power to issue any shares of stock or to declare or pay any dividends.

BOOKS AND RECORDS; INSPECTION

SEC. 14. The corporation shall keep correct and complete books and records of account and shall keep minutes of the proceedings of its national convention and board of administration. All books and records of the corporation may be inspected by any member, or his agent or attorney, for any proper purpose, at any reasonable time.

AUDIT OF FINANCIAL TRANSACTIONS; REPORT TO CONGRESS

SEC. 15. (a) The financial transactions of the corporation shall be audited annually by an independent certified public accountant in accordance with the principles and procedures applicable to commercial corporate transactions. The audit shall be conducted at the place or places where the accounts of the corporation are normally kept. All books, accounts, financial records, reports, files, and all other papers, things, or property belonging to or in use by the corporation and necessary to facilitate the audit shall be made available to the person or persons conducting the audit; and full facilities for verifying transactions with the balances or securities held by depositories, fiscal agents, and custodians shall be afforded to such person or persons.

(b) A report of such audit shall be made by the corporation to the Congress not later than March 1 of each year. The report shall set forth the scope of the audit and shall include a verification by the person or persons conducting the audit of statements of (1) assets and liabilities, (2) capital and surplus or deficit, (3) surplus or deficit analysis, (4) income and expense, and (5) sources and application of funds. Such reports shall not be printed as a public document.

ACTIVITIES REPORT TO CONGRESS

SEC. 16. On or before March 1 of each year the corporation shall report to the Congress on its activities during the preceding fiscal year. Such report may consist of a report on the proceedings of the national convention covering such fiscal year. Such report shall not be printed as a public document.

EXCLUSIVE RIGHT TO NAME, EMBLEMS, SEALS, AND BADGES

SEC. 17. The corporation and its subordinate divisions shall have the sole and exclusive right to use the name "Veterans of World War I of the United States of America, Incorporated". The corporation shall have the exclusive and sole right to use, or to allow or refuse the use of, such emblems, seals, and badges as it may legally adopt, and such emblems, seals, and badges as have heretofore been used by the Ohio corporation described in section 18 of this Act and the right to which may be lawfully transferred to the corporation.

ACQUISITION OF ASSETS AND LIABILITIES OF EXISTING CORPORATION

SEC. 18. The corporation may acquire the assets of the Veterans of World War I of the United States of America, Incorporated, a corporation organized under the laws of the State of Ohio, upon discharging or satisfactorily providing for the payment and discharge of all of the liability of such corporation and upon complying with all laws of the State of Ohio applicable thereto.

DISSOLUTION OR LIQUIDATION

SEC. 19. The national convention may, by resolution, declare the event upon which the corporate existence of the organization is to terminate and provide for the disposition of any property remaining to the corporation after the discharge or satisfaction of all outstanding obligations and liabilities. A duly authenticated copy of such resolution shall be filed in the office of the United States District Court for the District of Columbia. Upon the happening of the event thus declared, and upon the filing of a petition in said United States District 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.

RESERVATION OF RIGHT TO AMEND OR REPEAL ACT

SEC. 20. The right to alter, amend, or repeal this Act is expressly reserved.

Approved July 18, 1958.

Public Law 85-531

AN ACT

To cancel certain bonds posted pursuant to the Immigration Act of 1924, as amended, or the Immigration and Nationality Act.

July 18, 1958
[H. R. 8439]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Attorney General shall, upon application made pursuant to such rules and regulations as he shall promulgate pursuant to this Act, cancel any departure bond posted pursuant to the Immigration Act of 1924, as amended, or the Immigration and Nationality Act, on behalf of any refugee who entered the United States as a nonimmigrant after May 6, 1945, and prior to July 1, 1953, and who had his immigration status adjusted to that of an alien admitted for permanent residence pursuant to any public or private law: *Provided, however*, That such application is made not later than five years after the date of enactment of this Act.

SEC. 2. For the purposes of this Act, the term "refugee" shall mean any alien who (1) establishes that he lawfully entered the United States as a nonimmigrant, (2) that he is or was a person displaced from the country of his birth or nationality or of his last residence as a result of events subsequent to the outbreak of World War II, and (3) that he cannot or could not return to any of such countries because of persecution or fear of persecution on account of race, religion, or political opinions.

SEC. 3. The Attorney General is hereby authorized and directed to refund any sum or sums of moneys received by the Treasury of the United States pursuant to the forfeiture of any bond posted in the

Immigration.
Departure bonds,
cancellation.

43 Stat. 152; 66
Stat. 163.
8 USC 201, 1101
note.

"Refugee".

Refund.