ments made pursuant to such Acts shall include any amount for reimbursement to any insurance company or compensation insurance fund for loss payments made by such company or fund.

No part of any amounts awarded pursuant to the Acts referred to in section 1 of this Act shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with these claims, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this section shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

Approved August 26, 1958.

Public Law 85-761

August 26, 1958
[H. R. 13558]

AN ACT

To incorporate the Military Order of the Purple Heart of the United States of America, of combat wounded veterans who have been awarded the Purple Heart.

Military Order of the Purple Heart of the United States of America, Inc.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following persons to wit: Richard Golick, Chicago, Illinois; William B. Eaton, Lansing, Michigan; Victor F. Kubly, Daytona Beach, Florida; Luther Smith, Harrisburg, Pennsylvania; Olin E. Teague, College Station, Texas; Charles E. Potter, Cheboygan, Michigan; Paul H. Douglas, Chicago, Illinois; B. Carroll Reece, Johnson City, Tennessee; Errett P. Scrivner, Kansas City, Kansas; Edward Martin, Washington, Pennsylvania; General Melvin J. Maas, Saint Paul, Minnesota; General Patrick J. Hurley, Santa Fe, New Mexico; General William A. Donovan, New York, New York; Admiral John F. Ford, Hollywood, California;

Colonel Robert M. Bringham, Los Angeles, California; John J. Martin, Madison, Wisconsin; Robert Schroeder, Milwaukee, Wisconsin; Frank A. Weber, Bearer, Pennsylvania; Thomas A. Powers, Brooklyn, New York; Major Wilbur E. Dove, Washington, District of Columbia; Ernest L. Ihbe, Milwaukee, Wisconsin; Lloyd E. Henry, Hyattsville, Maryland; Stanley B. Kirschbaum, Detroit, Michigan; Raymond Cocklin, Daytona Beach, Florida; Francis J. Maguire, Gloucester City, New Jersey; Clifford A. Parmenter, Long Beach, California; Harry H. Dietz, Baltimore, Maryland; Charles S. Iskin, Miami, Florida; Victor N. Lukatz, Cincinnati, Ohio; John P. Hapsch, Minneapolis, Minnesota; Richard J. Flanders, Waukegan, Illinois; General Douglas MacArthur, New York, New York; General James A. Van Fleet, Auburndale, Florida;

William J. Schroder, Pelham, New York; John H. Hoppe, D. S. C., Alexandria, Virginia; John C. Reynolds, Covington, Kentucky; Anton Kneller, Philadelphia, Pennsylvania; John L. Schwartz, Albuquerque, New Mexico; Henry Marquard, Elmhurst, Illinois; James C. Doyle, Arlington, Massachusetts; Frank Heidel, Harrisburg, Pennsylvania; John E. Schwend, Webster Groves, Missouri; Anthony Badamo, Quincy, Illinois; Joseph E. Stanger, Bridgeton, New Jersey; Frank V. Fromme, Jasper, Indiana; Arthur Goetsch, Davenport, Iowa; Joseph Stiegler, Junior, Silver Spring, Maryland; William E. Savage, Seattle, Washington; Jack Medford, Tucson, Arizona; Joseph C. Kolinsky, Middletown, Connecticut; Jack M. Deckard, Tampa, Florida; Ted J. Swedo, North Chicago, Illinois; Linus Vonderheide, Saint Anthony, Indiana; Joseph Earith, Sioux City, Iowa; Howell Brewer, doctor of medicine, Shreveport, Louisiana; Francis Donnelly, Arlington, Massachusetts;

AUTHENTICATED
U.S. GOVERNMENT
INFORMATION
GPO

Bernard J. Young, Chicago, Illinois; Joseph Richter, Saint Louis, Missouri; William Long, North Troy, New York; Kevin J. Murphy, Bronx, New York; William H. Kinsinger, Columbus, Ohio; Carl R. Carlson, Portland, Oregon; Ray Dorris, Portland, Oregon; James Gehas, Coatesville, Pennsylvania; Charles J. Showalter, Lancaster, Pennsylvania; Aloysius J. Healy, Madison, Wisconsin; Charles O. Carlston, San Francisco, California; Andrew Munson, Sioux Falls, South Dakota; Peter C. Mueller, Glendora, California; John D. Goodin, Johnson City, Tennessee; Lars Eilefson, Billings, Montana; W. Phil Bohnert, Indianapolis, Indiana;

Orral O. Jackson, Sioux Falls, South Dakota; Major General Thomas F. Foley, Worcester, Massachusetts; Reverend Alfred W. Price, Philadelphia, Pennsylvania; John T. Mullins, New York, New York; Frank Cushner, Ansonia, Connecticut; Colonel Walter F. Bowman, California; Michael Thiede, Dearborn, Michigan; Robert Sobel, Phoenix, Arizona; Ray Schulze, Yountville, California; Joseph Feingold, Miami, Florida; Herbert McFarland, Cumberland, Maryland; Arthur LaBrack, Brighton, Massachusetts; John W. Fitzer, Junior, Detroit, Michigan; Arthur F. D. Evans, Saint Louis, Missouri; Roland C. Smith, Orange, New Jersey; Charles Burkhardt, Troy, New York; Hugo Engler, Ridgefield, Washington; Edward Commers, Helena, Montana;

Theodore Fauntz, Seattle, Washington; Albert O. Rabassa, Baltimore, Maryland; Michael Doohan, New Haven, Connecticut; Occa V. Phillips, Saint Cloud, Minnesota; Uriah Lucas, Salisbury, North Carolina; Donald Lindley, Kansas City, Missouri; Percy O. Buterbaugh, Lincoln, Nebraska; Stanley C. Lagncaskey, Trenton, New Jersey; Alfred J. Gardner, Statesville, North Carolina; Sagie Nishioka, Salem, Oregon; Edgar Eichler, San Antonio, Texas; H. J. Theisen, Port Orchard, Washington; Colonel Michael Ushakoff, Seattle, Washington; Alfred H. Klineschmidt, Reno, Nevada;

Francis J. Cayouette, Augusta, Maine; William Floyd, Aurora, Colorado; Henry H. Carter, Junior, North Augusta, South Carolina; Ike Parish, Marianna, Arkansas; Daniel P. Borota, Gary, Indiana; Jerome S. Daunhauer, Ferdinand, Indiana; Robert H. Gamber, Davenport, Iowa; William Powers, Lyndon, Kentucky; Colonel Michael Glossinger, Waneland, Mississippi; Kenneth Spry, Wyandotte, Michigan; Joseph C. Taylor, Youngstown, Ohio; George A. Davis, Helena, Montana; Harold H. Hamilton, Lancaster, Pennsylvania; Thomas H. McGovran, Charleston, West Virginia;

Bernard Maurer, Edgemoor, Delaware; Marcus E. Diffenderfer, Ossipee, New Hampshire; Andrew Nomland, Grand Forks, North Dakota; Admiral John Hoskins, Quonset, Rhode Island; Jesus Ascencio Vazquez, South Margarita, Canal Zone; Ernest Collins, Arlington, Virginia; Genaro Cabrera, Cayey, Puerto Rico; Roberto Cruz Figueroa, Rio Piedras, Puerto Rico; Henry B. Haina, Honolulu, Hawaii; John T. Stanton, Kansas City, Kansas; and their successors are hereby created and declared to be a body corporate of the District of Columbia, where the legal domicile shall be, by the name of the Military Order of the Purple Heart of the United States of America, Incorporated (hereinafter referred to as the "corporation"), and by such name shall be known and have perpetual succession and the powers, limitations, and restrictions herein contained.

COMPLETION OF ORGANIZATION

SEC. 2. A majority of the persons named in the first section of this Act are authorized to complete the organization of the corporation by the selection of officers and employees, the adoption of a constitu-

tion and bylaws, not inconsistent with the provisions of this Act and the doings of such acts as may be necessary for such purpose.

PRINCIPLES AND OBJECTS OF THE CORPORATION

SEC. 3. (a) The principles underlying the corporation are patriotic allegiance to the United States of America, fidelity to its Constitution and laws, the security of civil liberty, and the permanence of free institutions.

(b) The objects of the corporation are educational, fraternal, historical, and patriotic, perpetuating the principles of liberty and justice which have created the United States of America, by (1) commemorating all national patriotic holidays; (2) maintaining true allegiance to the Government of the United States of America and fidelity to its Constitution and laws; (3) preserving and strengthening comradeship and patriotism amongst its members; (4) assisting, comforting, and aiding all needy and distressed members and their dependents; (5) giving needed hospital and service work through its Veterans' Administration certified service officers; (6) cooperating with other civic and patriotic organizations having worthy objectives; (7) keeping alive the achievements and memory of our country's founders; (8) ever cherishing the memory of General George Washington, who founded the Purple Heart at his headquarters at Newburgh-on-the-Hudson, on August 7, 1782; (9) influencing and teaching our citizenry, in a loyal appreciation of the heritages of American citizenship, with its responsibilities and privileges; and (10) preserving and defending the United States of America from all enemies whomsoever.

CORPORATE POWERS

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 and alter a corporate seal;

(4) to charge and collect membership dues;

(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 lease, gift, purchase, grant, devise, or bequest from any private corporation, association, partnership, firm or individual and to hold any property, real, personal or mixed, necessary or convenient for attaining the object 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, 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; and

(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.

PRINCIPAL OFFICE: SCOPE OF ACTIVITIES: DISTRICT OF COLUMBIA AGENT

SEC. 5. (a) The principal office of the corporation shall be located in Washington, District of Columbia, or in any such other place as

may later be determined by the national executive board, but the activities of the corporation shall not be confined to that place and may be conducted throughout the various States, 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 service of process for the corporation; and notice to or service upon such agent, or mailed to the business address of such agent, shall be deemed notice to or service upon the corporation.

MEMBERSHIP: VOTING RIGHTS

SEC. 6. (a) All persons of good moral character who are, have been, or may become members of the Armed Forces of the United States or any foreign country of whatever rank, who have received or who may hereafter receive the Purple Heart for wounds received during military or naval combat against an armed enemy of the United States, shall be eligible for active membership in the corporation.

(b) The corporation shall have the power, moreover, to extend eligibility for membership, as associate members; to parents and lineal descendants of the described in subsection (a) of this section under such conditions and upon such terms as the corporation may specify in its constitution and bylaws.

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

(d) Notwithstanding the limitations set out in subsections (a) and (b) of this section, any member in good standing of the corporate body referred to in section 16 of this Act shall be admitted on request to comparable membership in the corporation created by this Act.

BOARD OF DIRECTORS: COMPOSITION: RESPONSIBILITIES

SEC. 7. (a) Upon the enactment of this Act the membership of the initial board of directors of the corporation shall consist of the present officers of the Military Order of the Purple Heart, referred to in section 16 of this Act, or such of them as may then be living and are qualified officers of that corporation, to wit: Richard P. Golick of Chicago, Illinois; Adolph Sutro, Hollywood, California; William B. Eaton of Lansing, Michigan; Joseph Martin of Menandes, New York; Reverend Thomas W. Riordan, Chicago, Illinois; Victor F. Kubly, Daytona Beach, Florida; Albert Gale, Minneapolis, Minnesota; Wilbur E. Dove, Washington, District of Columbia; James B. Barrett, doctor of medicine, Troy, New York; who are respectively, the commander, the senior vice commander, finance officer, judge advocate, chaplain, adjutant, inspector, historian, and surgeon.

(b) Thereafter, the board of directors of the corporation shall consist of such number (not less than eighteen), shall be selected in such manner (including the filling of vacancies), and shall serve for such terms as may be prescribed in the constitution and bylaws of the corporation.

(c) The board of directors shall be the governing board of the corporation and shall, during the intervals between corporation meetings, be responsible for the general policies and program of the corporation. The board shall be responsible for all finances of the corporation.

OFFICERS; ELECTION OF OFFICERS

SEC. 8. (a) The officers of the corporation shall be a commander, a senior vice commander, a chaplain, an adjutant, a finance officer, a

judge advocate, an inspector, a surgeon, a historian, and other elected officers as prescribed in the constitution and bylaws of the corporation.

(b) The officers of the corporation shall be elected in such manner and for such terms and with such duties as may be prescribed in the constitution and bylaws of the corporation.

USE OF INCOME; LOANS TO OFFICERS, DIRECTORS, OR EMPLOYEES

SEC. 9. (a) No part of the income or assets of the corporation shall inure to any member, officer, or director, or be distributable to any such person otherwise than upon dissolution or final liquidation of the corporation as provided in section 15 of this Act. Nothing in this subsection, however, shall be construed to prevent the payment of compensation to officers of the corporation in amounts approved by the executive committee of the corporation.

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

NONPOLITICAL NATURE OF CORPORATION

SEC. 10. The corporation, and its officers and directors 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. 11. 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. 12. The corporation shall have no power to issue any shares of stock or to declare or pay any dividends.

BOOKS AND RECORDS; INSPECTION

SEC. 13. The corporation shall keep correct and complete books and records of account and shall keep minutes of the proceedings of its members, board of directors, and committees having any authority under the board of directors, and it shall also keep at its principal office a record of the names and addresses of its members entitled to vote. All books and records of the corporation may be inspected by any member entitled to vote, or his agent or attorney, for any proper purpose, at any reasonable time.

AUDIT OF FINANCIAL TRANSACTIONS

SEC. 14. (a) The financial transactions shall be audited annually, at the end of the fiscal year established by the corporation, 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 depositors, fiscal agents, and custodians shall be afforded to such persons or persons.

(b) A report of such audit shall be made by the corporation to the Congress not later than six months following the close of such fiscal year for which the audit is made. The report shall set forth the scope of the audit and shall include 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 report shall not be printed as a public document.

USE OF ASSETS ON DISSOLUTION OR LIQUIDATION

SEC. 15. Upon final dissolution or liquidation of the corporation, and after discharge or satisfaction of all outstanding obligations and liabilities, the remaining assets of the corporation may be distributed in accordance with the determination of the board of directors of the corporation and in compliance with the constitution and bylaws of the corporation and all Federal and State laws applicable thereto.

TRANSFER OF ASSETS

SEC. 16. The corporation may acquire the assets of the Military Order of the Purple Heart of the United States of America, Incorporated, a body corporate organized under laws of the State of New Jersey, upon discharging or satisfactorily providing for the payment and discharge of all of the liabilities of such State corporation and upon complying with all the laws of the State of New Jersey applicable thereto.

RESERVATION OF RIGHT TO AMEND OR REPEAL CHARTER

SEC. 17. The right to alter, amend, or repeal this Act is expressly reserved.

Approved August 26, 1958.

Public Law 85-762

AN ACT

August 26, 1958
[S. 377]

To amend the Interstate Commerce Act and the Transportation Act of 1940, with respect to periods of limitation applicable to actions or claims, including those by or against the United States, for recovery of charges for the transportation of persons or property, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Interstate Commerce Act, as amended, is amended as follows:

Interstate Commerce Act, amendment.
Claims, time limitation.
41 Stat. 491; 54 Stat. 912.
49 USC 16.

(1) Amend section 16 (3) as follows: In subparagraph (a) strike out "two years" and insert "three years"; in subparagraph (c) strike out "two years" and insert "three years", and strike out "two-year" and insert "three-year"; and in subparagraph (d) strike out the word "two-year" the second time it occurs and insert "three-year".

(2) Add the following new subparagraph (i) to section 16 (3):

"(i) The provisions of this paragraph (3) shall extend to and embrace all transportation of property or passengers for or on behalf of the United States in connection with any action brought before the Commission or any court by or against carriers subject to this