

Territory of district thereof. The corporation shall not accept, own, or hold directly or indirectly any property, real or personal, except such as may be reasonably necessary to carry out the purposes of its creation as defined in this chapter. (Feb. 24, 1925, c. 303, § 6, 43 Stat. 967.)

§ 97. **Membership.** Membership is limited to women, and no woman shall be a member of this corporation unless she is a citizen of the United States and unless her son or sons or daughter or daughters of her blood served in the Army or Navy of the United States or in the military or naval service of its allies in the great World War at some time during the period between April 6, 1917, and November 11, 1918, both dates inclusive, having an honorable discharge or still in the service. (Feb. 24, 1925, c. 303, § 7, 43 Stat. 968.)

§ 98. **Nonpolitical.** This organization shall be non-political, and as an organization shall not promote the candidacy of any person seeking public office. (Feb. 24, 1925, c. 303, § 8, 43 Stat. 968.)

§ 99. **Assets of existing corporation.** The corporation may acquire any or all of the assets of the existing organization known as "American War Mothers" upon discharging or satisfactorily providing for the payment and discharge of all its liabilities. (Feb. 24, 1925, c. 303, § 9, 43 Stat. 968.)

§ 100. **Exclusive right to name.** The corporation and its State, Territorial, and local subdivisions shall have the sole and exclusive right to have and to use in carrying out its business purposes the name of American War Mothers. (Feb. 24, 1925, c. 303, § 10, 43 Stat. 968.)

§ 101. **Reports to Congress.** The corporation shall, on or before the 1st day of January in each year, make and transmit to the Congress a report of its proceedings for the preceding calendar year, including a full and complete report of its receipts and expenditures. Said report shall not be printed as a public document. (Feb. 24, 1925, c. 303, § 11, 43 Stat. 968.)

§ 102. **State agents.** As a condition precedent to the exercise of any power or privilege herein granted or conferred the corporation shall file in the office of the secretary of each State the name and post-office address of an authorized agent in such State upon whom local process or demands against American War Mothers may be served. (Feb. 24, 1925, c. 303, § 12, 43 Stat. 968.)

§ 103. **Acceptance by majority of incorporators.** This charter shall take effect upon its being accepted by a majority vote of the incorporators named herein who shall be present at the first meeting of the corporation, due notice of which meeting shall be given to each of the incorporators named herein, and a notice of such acceptance shall be given by said corporation, causing a certificate to that effect, signed by its president and secretary, to be filed in the office of the recorder of deeds of the District of Columbia. (Feb. 24, 1925, c. 303, § 13, 43 Stat. 968.)

§ 104. **Right to repeal, etc., reserved.** Congress may from time to time alter, repeal, or modify this chapter of incorporation, but no contract or individual right made or acquired shall hereby be divested or impaired. (Feb. 24, 1925, c. 303, § 14, 43 Stat. 968.)

§ 105. **Present officers.** The management and direction of the affairs of the corporation and the controlling and disposing of its property and funds shall be vested in the persons duly elected at the last annual convention held in Kansas City, Missouri, who shall be the officers of the American War Mothers for the year beginning October 1923 to serve until the next annual convention to be held at Philadelphia, Pennsylvania, on October 8, 1925, or until their successors are duly appointed, and who are the following:

Margaret N. McCluer, National War Mother, Kansas City, Missouri; Carrie L. Root, first vice National War Mother, Gardner, Illinois; Blanche A. Bellak, second

vice National War Mother, Philadelphia, Pennsylvania; Mary E. Spence, third vice National War Mother, Milwaukee, Wisconsin; Rose S. Sargent, fourth vice National War Mother, San Francisco, California; Alice Bronson Oldham, national recording secretary, Lexington, Kentucky; Florence A. Latham, national corresponding secretary, Kansas City, Missouri; Mahala M. Boyd, national treasurer, Newcastle, Indiana; Kate C. De Kay, national historian, Blackfoot, Idaho; Carrie White Avery, national custodian of records, Washington, District of Columbia; Estelle T. Wilcox, national auditor, Omaha, Nebraska. (Feb. 24, 1925, c. 303, § 15, 43 Stat. 968.)

Chapter 8.—AMERICAN BATTLE MONUMENTS COMMISSION

Sec.

121. American Battle Monuments Commission; members; appointment; secretary; terms of office; vacancies; expenses; designation of personnel of Army, Navy, or Marine Corps to assist.
122. Expenses of Army officers serving on commission.
123. Powers and duties as to memorials.
124. Approval of designs or materials for memorials.
125. Arrangements with foreign countries.
126. Funds received from States, municipalities, or private individuals.
127. Preparation, etc., of memorials at arsenals or navy yards; use of captured war material.
128. Replicas of memorials.
129. Cooperation with States, etc., in erection of memorials.
130. Maintenance of memorials erected.
131. Statements to President.
132. Records and archives.
133. Disbursing agent for disbursement of expenditures outside of United States.
134. Amount of obligations authorized.
135. Power to contract for work in Europe.
136. Seal of Commission; judicial notice.
137. Disposition of land in foreign countries.
138. Appropriation.

Section 121. American Battle Monuments Commission; members; appointment; secretary; terms of office; vacancies; expenses; designation of personnel of Army, Navy, or Marine Corps to assist. A commission is created and established, to be known as the American Battle Monuments Commission (hereinafter referred to as the commission), to consist of seven members who shall be appointed by the President, who shall also appoint one officer of the Regular Army to serve as its secretary. The members and secretary shall serve at the pleasure of the President who shall fill any vacancies that from time to time occur. The secretary shall also serve as disbursing officer of the commission, who shall make disbursements upon vouchers approved by its chairman.

The members of the commission shall serve without compensation except that their actual expenses in connection with the work of the commission may be paid from any funds appropriated for the purposes of this chapter, or acquired by other means hereinafter authorized.

Upon the request of the commission the President is authorized to designate such personnel of any department or of the Army, Navy, or Marine Corps as may be necessary to assist in carrying out the purposes of this chapter, and the commission is authorized to employ such further personnel as may be necessary to carry out the purposes of this chapter, within the limits of any appropriation or appropriations made for such purposes. (Mar. 4, 1923, c. 283, § 1, 42 Stat. 1509.)

§ 122. **Expenses of Army officers serving on commission.** When traveling on business of the Commission officers of the Army serving as members or as secretary of the Commission may be reimbursed for expenses as provided for civilian members of the Commission. (Apr. 2, 1924, c. 81, § 1, 43 Stat. 35; June 7, 1924, c. 292, § 1, 43 Stat. 522; Apr. 22, 1926, c. 171, § 1, 44 Stat. 307; Feb. 11, 1927, c. 104, 44 Stat. 1071; May 16, 1928, c. 580, § 1, 45 Stat. 575; Feb. 20, 1929, c. 270, § 1, 45 Stat. 1232; Apr. 19, 1930, c. 201, § 1, 46 Stat. 231; Feb. 23, 1931, c. 281, § 1, 46 Stat. 1356; June 30, 1932, c. 330, § 1, 47 Stat. 454; June 16, 1933, c. 101, § 1, 48 Stat. 285.)

§ 123. **Powers and duties as to memorials.** The commission shall prepare plans and estimates for the erection of suitable memorials to mark and commemorate the services of the American forces in Europe and erect memorials therein at such places as the commission shall determine, including works of architecture and art in the American cemeteries in Europe.

The commission shall control as to materials and design, provide regulations for and supervise the erection of all memorial monuments and buildings in the American cemeteries in Europe.

The commission shall cause such photographs to be secured or taken of the terrain of the various battle fields of Europe, upon which units of the armed forces of the United States were actively engaged with the enemy, as will complete the historical photographic record of the operations of such units; and the commission shall transmit such record when completed to the Secretary of War for permanent file with the records of the War Department. (Mar. 4, 1923, c. 283, § 2, 42 Stat. 1509.)

The functions of the War Department pertaining to national cemeteries and memorials located in foreign countries were transferred to the American Battle Monuments Commission by Executive Order Feb. 26, 1934, No. 6614 set out in the notes under section 132 of Title 5.

§ 124. **Approval of designs or materials for memorials.** Before any design or material for memorials is accepted by the commission, the same shall be approved by the National Commission of Fine Arts. (Mar. 4, 1923, c. 283, § 3, 42 Stat. 1510.)

§ 125. **Arrangements with foreign countries.** The President is requested to make the necessary arrangements with the proper authorities of the countries concerned to enable the commission to carry out the purposes of this chapter. (Mar. 4, 1923, c. 283, § 4, 42 Stat. 1510.)

§ 126. **Funds received from States, municipalities, or private individuals.** The commission is authorized to receive funds from any State, municipal, or private source for the purposes of this chapter, and such funds shall be deposited by the commission with the Chief of Finance of the United States Army and shall be kept by him in separate accounts and shall be disbursed upon vouchers approved by the chairman of the commission. (Mar. 4, 1923, c. 283, § 5, 42 Stat. 1510.)

§ 127. **Preparation, etc., of memorials at arsenals or navy yards; use of captured war material.** Authority is given for the preparation of models and designs and the fabrication of memorials, and the materials for such memorials, at arsenals or navy yards or by other governmental agencies, if the commission shall so determine.

Authority is given for the use of captured war materials, not otherwise disposed of by congressional action, in the fabrication of not to exceed ten thousand pounds of bronze to be used on the memorials constructed under the provisions of this chapter. In the selection of materials the commission shall refrain from utilizing material which might otherwise be available for decorative or memorial purposes. (Mar. 4, 1923, c. 283, § 6, 42 Stat. 1510.)

§ 128. **Replicas of memorials.** The commission is authorized to furnish replicas of any memorial, or any part thereof, to States, municipalities, or interested private persons or associations at actual cost, and to apply any proceeds from such sales to the purposes of this chapter. (Mar. 4, 1923, c. 283, § 7, 42 Stat. 1510.)

§ 129. **Cooperation with States, etc., in erection of memorials.** The commission is authorized and directed to cooperate with American citizens, States, municipalities, or associations desiring to erect war memorials in Europe in such manner as may be determined by the commission. No assistance in erecting any such memorial shall be given by any administrative agency of the United States unless the plan has been approved in accordance with the provisions of this chapter. (Mar. 4, 1923, c. 283, § 8, 42 Stat. 1510.)

§ 130. **Maintenance of memorials erected.** It shall be the duty of the Secretary of War to maintain the memorials erected by the commission under authority of this chapter, and the commission shall advise the Secretary of War of the location and date of completion of each memorial. (Mar. 4, 1923, c. 283, § 9, 42 Stat. 1510.)

§ 131. **Statements to President.** The commission shall transmit to the President of the United States annually on the 1st of July a statement of all its financial and other transactions during the preceding fiscal year. (Mar. 4, 1923, c. 283, § 10, 42 Stat. 1510.)

§ 132. **Records and archives.** The records and archives of the commission shall, upon the termination of its duties, be deposited with the Secretary of War. (Mar. 4, 1923, c. 283, § 12, 42 Stat. 1510.)

§ 133. **Disbursing agent for disbursement of expenditures outside of United States.** Disbursements for expenditures outside of continental United States may be made by a special disbursing agent designated by the commission and under such regulations as it may prescribe. (Apr. 2, 1924, c. 81, § 1, 43 Stat. 35; June 7, 1924, c. 292, § 1, 43 Stat. 522; Apr. 22, 1926, c. 171, § 1, 44 Stat. 307; Feb. 11, 1927, c. 104, § 1, 44 Stat. 1071.)

See Executive Order June 10, 1933, 6166, § 4, and Executive Order May 29, 1934, 6728, set out in the note under section 132 of Title 5.

§ 134. **Amount of obligations authorized.** The commission may incur obligations and enter into contracts for building materials and supplies and for construction work, which, inclusive of the amounts herein and heretofore made available, shall not exceed a total of \$4,500,000. (Apr. 22, 1926, c. 171, § 1, 44 Stat. 307; Feb. 11, 1927, c. 104, § 1, 44 Stat. 1071; May 16, 1928, c. 580, § 1, 45 Stat. 575; Feb. 20, 1929, c. 270, § 1, 45 Stat. 1231; Apr. 19, 1930, c. 201, § 1, 46 Stat. 230; Feb. 23, 1931, c. 281, § 1, 46 Stat. 1356; June 30, 1932, c. 330, § 1, 47 Stat. 454; June 16, 1933, c. 101, § 1, 48 Stat. 285.)

§ 135. **Power to contract for work in Europe.** Notwithstanding the requirements of existing laws or regulations and under such terms and conditions as the commission may in its discretion deem necessary and proper, the commission may contract for work in Europe, and engage, by contract or otherwise, the services of architects, firms of architects, and other technical and professional personnel. (Apr. 22, 1926, c. 171, § 1, 44 Stat. 307; Feb. 11, 1927, c. 104, § 1, 44 Stat. 1071; May 16, 1928, c. 580, § 1, 45 Stat. 575; Feb. 20, 1929, c. 270, § 1, 45 Stat. 1231, 1232; Apr. 19, 1930, c. 201, § 1, 46 Stat. 230, 231; Feb. 23, 1931, c. 281, § 1, 46 Stat. 1356; June 30, 1932, c. 330, § 1, 47 Stat. 454; June 16, 1933, c. 101, § 1, 48 Stat. 285.)

§ 136. **Seal of Commission; judicial notice.** The commission shall have a seal, which shall be judicially noticed. (Feb. 11, 1927, c. 104, § 1, 44 Stat. 1071.)

§ 137. **Disposition of land in foreign countries.** The commission may, under such terms and conditions and in such manner as the commission may in its discretion deem necessary and proper dispose of any land or interest in land in foreign countries which has been or may hereafter be acquired by the commission in connection with its work. (Feb. 11, 1927, c. 104, § 1, 44 Stat. 1071.)

§ 138. **Appropriation.** Such sum or sums as Congress may hereafter appropriate for the purpose of this chapter are hereby authorized to be appropriated. (Mar. 4, 1923, c. 283, § 11, 42 Stat. 1510.)

Chapter 9.—MISCELLANEOUS

- Sec.
 141. Display of flag on buildings on second Sunday in May.
 142. Second Sunday in May designated as Mother's Day.
 143. May first designated as Child Health Day.
 144. National anthem; Star-Spangled Banner.
 145. May twenty-second designated as National Maritime Day.
 146. October twelfth as Columbus Day.