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 FLORISTS 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.