

**NATIONAL EXECUTIVE COMMITTEE  
OF  
THE AMERICAN LEGION  
Philadelphia, Pennsylvania  
October 15, 1926**

**Resolution No. 1: Overseas Graves Decoration Fund  
Origin: Overseas Graves Decoration Trust Committee  
Submitted by: Overseas Graves Decoration Trust Committee**

WHEREAS, The American Legion is, by public contribution, creating a fund to be known as the Overseas Graves Decoration Fund, the income of which is to be used for the appropriate decoration of graves of ex-service men in foreign countries; and

WHEREAS, It is deemed advisable to have certain control of such funds now and hereafter vested in The American Legion in a suitable way; now, therefore, be it

**RESOLVED, By the National Executive Committee of The American Legion in regular meeting assembled in Philadelphia, Pennsylvania, on October 15, 1926, That there shall be and is hereby created a separate fund, designated as The Overseas Graves Decoration Fund of The American Legion; that the control of said fund shall be vested in a body of Trustees, in accordance with the terms of a declaration of trust attached hereto; and, be it further**

**RESOLVED, That the national judge advocate of The American Legion is hereby instructed to immediately prepare forms of acceptance of said Trust and transmit the same to the several persons designated as Trustees and upon the execution and delivery of said acceptance, such persons shall be and become Trustees under said declaration of trust; and, be it further**

**RESOLVED, That the national treasurer of The American Legion is hereby authorized and directed to deliver to said Trustees upon their organization all securities and funds and the unexpended increment arising therefrom, now in his custody, for the purposes of Overseas Grave Decorations, together with a statement in detail of all receipts, disbursements and investments of such funds or securities; and, be it finally**

**RESOLVED, That the senior past national commander, Milton J. Foreman, be directed to call a meeting of the said trustees for the purpose of effectuating the organization of these trustees.**

## Addendum A

### DECLARATION OF TRUST

WHEREAS, in pursuance of what is deemed a sacred duty, a fund has been and is still being contributed to by the several State Departments of The American Legion and by other patriotic organizations and persons, of which the income is to be used to honor, preserve and decorate the graves of those who served in the Army and Navy of the United States in the Great War, who lie buried overseas; and

WHEREAS, the undersigned, who are under this instrument designated and appointed Trustees of and charged with the custody, control and administration of said Fund, desire to and do hereby declare by this instrument the trusts under which said Fund, with all additions and accretions thereto, is held by them and the manner in which it shall be held and administered and the income thereof used and disbursed;

NOW, THEREFORE, the undersigned, Trustees of said Fund, which shall be known as the OVERSEAS GRAVES DECORATION TRUST OF THE AMERICAN LEGION (hereinafter referred to as Trust Fund) do hereby declare that said Trust Fund and all additions and accretions thereto, when delivered to their custody and care, is held by them in trust for the uses and purposes herein set forth, that is to say

The Trustees shall consist of the present National Commander of The American Legion and the present Past National Commanders of The American Legion, who shall execute in duplicate an acceptance of said trust and file the same within thirty days from date hereof with the National Adjutant of The American Legion, provided that the National Adjutant shall, after the organization of said Trustees as hereinafter provided, file one of such original acceptances with the Secretary of said Trustees. The Trustees shall collectively be known as TRUSTEES OF THE OVERSEAS GRAVES DECORATION TRUST OF THE AMERICAN LEGION (hereinafter referred to as Trustees.)

Hereafter, each National Commander of The American Legion shall automatically become a Trustee of said Trust Fund upon his election as said National Commander and the execution of an acceptance of said trust, in the manner aforesaid. He shall thereafter continue to be a Trustee during his lifetime.

The Trustees shall serve without compensation and shall organize themselves by the selection from amongst of their number; a chairman, a vice chairman, a secretary and a treasurer, and from time to time such other officers as may be deemed necessary, and all of those duties shall from time to time be prescribed by the Trustees.

The treasurer shall give bond satisfactory to the Trustees in the penal sum of one and one-half times the amount of the Trust Fund.

The Trustees may from time to time adopt such rules and regulations for the performance of this trust as may be by them deemed proper, necessary or expedient and which are in conformity with and not contrary to the provisions and purposes of this instrument.

The Trustees shall select a national bank (hereinafter referred to as Depository) in which shall be lodged, subject to such rules and regulations as the Trustees may from time to time prescribe, the securities in which the Trust Fund is invested, provided that at all times the title to such securities shall be and remain vested in the Trustees. The Trustees may change the Depository whenever in their judgment it is deemed expedient.

The Trust Fund shall be invested in securities issued by or guaranteed by the United States or in securities which are the direct obligation of a State of the Union.

**Addendum A**

The Trustees shall use the income of the Trust Fund to honor, preserve and decorate the graves of those who served in the Army and Navy of the United States in the Great War who lie buried overseas, and may adopt and use such methods and means as they may deem advisable, including the active cooperation and aid of the Overseas Departments and Posts of The American Legion and of other agencies, and in pursuance thereof may prescribe all details, methods and practices deemed necessary, expedient or convenient.

The income shall be used exclusively to honor, preserve and decorate the graves and for no other purpose and under no circumstances shall the Trustees have power or authority to expend, use or divert the Trust Fund, or any part thereof, for any purpose whatsoever.

The Trustees shall keep accurate books of account showing the amount of the Trust Fund, the securities in which it is invested, detailed receipts and the sources thereof and the disbursements and the character thereof, and shall render quarterly statements thereof to the National Executive Committee of The American Legion, and at the end of each year an audit by a firm of certified public accountants which shall be submitted to the National Convention of The American Legion. The National Executive Committee shall have the power at any time to cause an audit to be made of the books of the Trustees and an examination of the securities by a committee appropriately appointed by said body

This trust shall continue until December 31,1973 and if at that time the purposes of this Trust are not continued by a new trust, then and in that event the funds constituting the Trust Fund shall be delivered and paid to the President of the United States who shall authorize its use by the instrumentality of the United States which is charged with the purposes for which the Trust Fund has been contributed.

The Trust hereby created shall become effective and be in force and effect upon the delivery to and acceptance by said Trustees of the Trust Fund, and the unexpended increment arising therefrom or the securities in which the same may have heretofore been invested;

This instrument is executed in duplicate originals, one of which is lodged at the National Headquarters of The American Legion, and the other with the Trustees.

IN WITNESS WHEREOF, the Trustees have set their hand and affixed their seals as of  
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