

**DECLARATION OF TRUST CREATED BY THE
COMMANDERY-IN-CHIEF OF THE MILITARY ORDER OF THE
LOYAL LEGION OF THE UNITED STATES AT MEETING DULY
ASSEMBLED IN THE CITY OF PHILADELPHIA
PENNSYLVANIA, on
OCTOBER 4, 1955**

As amended October 11, 1957

WHEREAS, on April 15, 1865, the date of the death of Abraham Lincoln, certain officers of the United States Army and Navy founded The Military Order of the Loyal Legion of the United States and adopted a Constitution which was entered in the Clerk's office of the District Court of the United States for the Eastern District of Pennsylvania in the year 1865 according to Act of Congress; and

WHEREAS, one of the principles of the Order is to promote and teach true allegiance to the United States of America, based upon paramount respect for and fidelity to the National Constitution and Laws, manifested by discountenancing whatever may tend to weaken loyalty, incite to insurrection, treason or rebellion, or impair in any manner the efficiency and permanency of our free institutions; and

WHEREAS, from time to time, the Commandery-in-Chief and the several Commanderies have engaged in the publication of books, bulletins and pamphlets pertaining to events of history of the United States of America for the purpose of enlightening its members and other citizens; and

WHEREAS, from time to time, the Commandery-in-Chief has received funds from various sources including funds given in memory of Original Companions and expects additional receipts in the future by means of gift and/or bequest; and

WHEREAS, the members of the Commandery-in-Chief of The Military Order of the Loyal Legion of the United States in meeting duly assembled in the City of Philadelphia, Pennsylvania, on October 4, 1955, believing it desirable to consolidate all such funds and to create a Perpetuation Foundation Fund in trust to enable the Order to continue to carry out the purpose and objects set forth in the Constitution.

NOW THEREFORE, BE IT RESOLVED, that a trust be created to be known as the Loyal Legion Memorial Fund;

1. That said Loyal Legion Memorial Fund is formed for the purpose of receiving and maintaining a fund and administering and applying income and principal thereof within the United States of America or any of its possessions for educational, literary and patriotic purposes (a) to aid in the perpetuation of The Military Order of the Loyal Legion of the United States, (b) to aid in the publishing and distribution the National Bulletin of The Military Order of the Loyal Legion of the United States, (c) to aid in the publication and distribution of books, bulletins and pamphlets pertaining to

historic events of importance to the citizens of the United States of America, (d) to establish scholarship awards for students, (e) to grant awards in connection with annual membership programs, and (f) to grant other annual awards and contributions to movements of national importance, provided, however, that no part of the net earnings or principal of the trust shall inure to the benefit of any individual and no substantial part of the activities of the trust shall be devoted to carrying on propaganda, or otherwise attempting to influence legislation;

2. That the general management of the property and affairs, the receipt of gifts, bequests and contributions, the investment and reinvestment of the funds of the trust in securities of every kind and nature whatsoever, the administering and applying the income and principal thereof, and the making of the disbursements of funds in accordance with the purposes of the trust, shall be vested in the sole discretion of a Board of Trustees consisting of 7 members as follows: the Commander-in-Chief, the Senior Vice Commander-in-Chief, the Junior Vice Commander-in-Chief, the Recorder-in-Chief, the Treasurer-in-Chief, and two other individuals duly designated to so serve from the membership of the Commandery-in-Chief. All members of the board of Trustees shall be appointed or elected in accordance with the Constitution and By-Laws of the Military Order of the Loyal Legion of the United States.

3. That the Trustees duly assembled as such by a majority vote (and in writing when signed by all of the Trustees, from time to time acting, without assembly) shall have the power (a) to elect or appoint and remove at pleasure all agents and employees of the trust, prescribe their powers and duties and fix their compensation, provided, however, that no Trustee shall receive any compensation for his services as a Trustee, (b) to maintain an office of the trust from time to time whenever and wherever it may be necessary or convenient to do so, (c) to do anything and everything that may be lawful and necessary or convenient to carry out the purposes for which the trust has been formed, (d) to expend the income and principal thereof in carrying out the purposes of the trust, (e) to collect and receive all monies or property given, bequeathed, contributed, donated, paid or transferred to the trust and (f) to pay all necessary and reasonable expenses required to carry out the work of the trust out of the aforesaid monies or property;

4. That meetings of the Trustees may be held at any time and place when all the Trustees then in office shall have assembled for that purpose or when they have consented in writing or by telegram, waiving notice of the time, place and purpose of the meeting, which waiver may be given either prior to or subsequent to the meeting, provided a majority of the Trustees in office shall be necessary to constitute a quorum at all meetings;

5. That the Trustees shall report annually as to the assets of the trust and as to the funds received and disbursements made, to the Commandery-in-Chief at the annual assembly thereof;

6. That an individual Trustee shall not be liable for any act done or taken except for his own willful misconduct and malfeasance;

7. The trust herein created being deemed for literary and educational purposes, the duration of the same shall be in perpetuity and if for any reason the purposes of the trust shall cease as herein provided, distribution of said trust fund shall be in accordance with the cy pres doctrine.

8. The situs of the trust created by this Declaration of Trust shall be Pennsylvania and the validity and construction thereof, as well as the administration thereof shall be governed by the laws of that Commonwealth.

9. That this Declaration of Trust shall become effective this 4th day of October, 1955, and that all trust and memorial funds heretofore held by the Treasurer-in-Chief and/or the Commandery-in-Chief shall by this resolution become the property of the trust hereby created.

IN WITNESS WHEREOF, the Commandery-in-Chief of The Military Order of the Loyal Legion of the United States, by its duly constituted Officers, does this 11th day of October, 1957 hereby, by Resolution as aforesaid, make this Declaration of Trust and does attach its Seal hereto.

s/ Ulysses S. Grant, 3rd
Major General, U.S.A. Ret'd.
Commander-in-Chief

s/ J. Truman Swing
Recorder-in-Chief

The Loyal Legion Memorial Fund

BY-LAWS

In order to carry out and administer the purposes of the Trust as set forth in its Articles of Association the following by-laws are hereby adopted:

I

Name The name of the Trust shall be the Loyal Legion Memorial Fund.

II

Seal The seal of the Trust shall contain the name of the Trust, Pennsylvania, and the year 1955.

III

President The Commander-in-Chief of the Military Order of the Loyal Legion of the United States shall be the President of the Trust. He shall preside at all meetings of the Board of Trustees and is authorized to sign all legal documents together with the Treasurer or Secretary on behalf of the Trust. He shall have general charge and supervision of the Trust.

IV

Treasurer The Treasurer-in-Chief of the Military Order of the Loyal Legion of the United States shall be the Treasurer of the Trust. He shall have the custody of all funds and securities of the Trust which may have come into his hands; when necessary or proper, he shall endorse on behalf of the Trust for collection, checks, notes and other obligations, and shall deposit the same to the credit of the Trust in such bank or banks or depository as the Board of Trustees may designate; he shall sign all receipts and vouchers for payments made to the Trust. He shall jointly with either the President or the Secretary sign all checks made by the Trust and shall pay out and dispose of the same under the direction of the Board; he is authorized to sign all legal documents together with either the President or the Secretary on behalf of the Trust. Whenever required by the Board of Trustees, he shall render a statement of his cash account, he shall enter regularly in books of the Trust to be kept by him for the purpose, full and accurate account of all moneys received and paid by him on account of the Trust. He shall make an annual report at the annual meeting of the Board of Trustees. He shall give a bond conditioned for the faithful performance of his duties in such an amount and at such time as the Board of Trustees shall deem necessary.

V

Secretary The Recorder-in-Chief of the Military Order of the Loyal Legion of the United States shall be the Secretary of the Trust. He shall keep the minutes of all meetings of the Board of Trustees; he shall attend to the

giving of all notices; he is authorized to sign all legal documents together with either the President or the Treasurer on behalf of the Trust and shall affix the seal of the Trust thereto when so required.

VI

The Board of Trustees shall hold its annual meeting at the place where and during the time when the annual meeting of the Commandery-in-Chief of the Military Order of the Loyal Legion of the United States is held. The Secretary shall give at least five days notice of the time and place of said meeting. Other meetings of the Board may be held in accordance with paragraph 4 of the Articles of Association.