



**CONSTITUTION OF ROBERT LEE WALSH POST NO. 337  
THE AMERICAN LEGION, DEPARTMENT OF NEW YORK,  
LOCATED AT BROADALBIN, FULTON COUNTY, NEW YORK**

**PREAMBLE**

For God and Country, we associate ourselves together for the following purposes: To uphold and defend the Constitution of the United States of America; to maintain law and order; to foster and perpetuate a one hundred percent Americanism; to preserve the memories and incidents of our associations in the Great Wars; to inculcate a sense of individual obligation to the community, state and nation, to combat the autocracy of both the classes and the masses; to make right the master of might; to promote peace and good will on earth; to safeguard and transmit to posterity the principles of justice, freedom and democracy; to consecrate and sanctify our comradeship by our devotion to mutual helpfulness.

**ARTICLE I – NAME**

*Section 1.* The name of the organization shall be ROBERT LEE WALSH POST NO. 337, THE AMERICAN LEGION, DEPARTMENT OF NEW YORK.

**ARTICLE II – OBJECTS**

*Section 1.* The objects and purpose of this post shall be to promote the principles and policies as set forth in the foregoing preamble, and the national and departmental constitutions of THE AMERICAN LEGION.

**ARTICLE III – NATURE**

*Section 1.* This post is a civilian organization and membership therein does not affect or increase liability for military or police service.

*Section 2.* This organization shall be absolutely non-political and non-sectarian, and shall not be used for the dissemination of partisan principles nor for the promotion of the candidacy of any person seeking public office or preferment.

*Section 3.* Rank does not exist in the American Legion: no member shall be addressed by *their* military or naval title in any meeting of this post.

**ARTICLE IV – MEMBERSHIP**

*Section 1.* Eligibility to membership in this post shall be as prescribed by the national constitution of The American Legion.

*Section 2.* Applications shall be made in writing, for membership, under such regulations as may from time to time be prescribed by the post executive committee.

*Section 3.* All applications for membership shall be acted upon at the next post executive committee meeting following the making of such application, and shall, at such meeting, be accepted, rejected, or referred for further consideration and investigation. If THREE or more executive committee cast their vote against the acceptance of said application, then such application shall be recorded as rejected. A rejected application shall not again be considered until after the expiration of six months from the date of such rejection. *At the next post meeting following that of the executive committee meeting, application for membership, together with the recommendation of the executive committee shall be presented and voted upon by show of hands of members in good standing. A two-thirds majority shall be necessary for election.*

*Section 4.* An applicant for membership in this post who has been suspended from another post in The American Legion for misconduct or misrepresentation, shall not be admitted in this post until a thorough

investigation has been made by the post executive committee, AS PRESCRIBED IN ARTICLE IV, SECTIONS 3 AND 4 OF THE NATIONAL CONSTITUTION.

*Section 5.* Any member of this post may be expelled for cause by a two-thirds vote of the executive committee, IN ACCORDANCE WITH THE PROCEDURE PRESCRIBED BY THE DEPARTMENT EXECUTIVE COMMITTEE.

*Section 6.* A member who has been expelled from this post for any cause may be reinstated to membership by a two-thirds vote of the executive committee: Provided, however, that *they* shall make payment of any arrears in *their* dues at the time of *their* expulsion, and also other regular dues which have been payable in the interval between *their* expulsion and *their* reinstatement.

## ARTICLE V – OFFICERS

*Section 1.* The administration of the affairs of this post of The American Legion shall, except as may be otherwise provided by the by-laws, be under the supervision of an executive committee which shall consist of *the THREE most recent active past commanders*, THREE members in addition to the duly elected officers of the post *including the adjutant who is appointed*. The term of office of members of the executive committee shall be for one year. This post, by its by-laws, may provide for such other standing committees as the business of the organization may require

*Section 2.* The officers of this post shall be a commander, THREE vice commanders, an adjutant, a post historian, a finance officer, a post chaplain and a sergeant-at-arms, and such other officers as may be deemed necessary by this organization, who shall be nominated from the floor at the meeting preceding the annual election.

*Section 3.* All officers and executive committee members shall be elected annually *except the adjutant who shall be appointed by the commander*, and they shall hold office until their successors are duly installed or as otherwise provided.

*Section 4.* Any officer or executive *committeeperson* may be removed for inefficiency by the executive committee, a two-thirds vote of said committee being necessary to affect such removal.

*Section 5.* Every member of this post in good standing shall be eligible to hold office in this post unless otherwise provided herein.

*Section 6.* The duties of officers and the executive *committeepersons* shall be those usually appertaining to such officers or *committeepersons* and as further provided in the by-laws.

## ARTICLE VI – FINANCE

*Section 1.* The revenue of this post shall be derived from membership or initiation fees, from annual membership dues and from such other sources as may be approved by the executive committee.

*Section 2.* The annual dues of this post shall be determined by the membership payable annually in advance.

*Section 3.* *The post shall pay to county headquarters the national, departmental and county annual membership dues for every member of this post*

## ARTICLE VII – CHARTER MEMBERS

*Section 1.* Members who joined this post prior to November 11<sup>th</sup>, 1919 (or members who joined this post prior to the issuance of charter), shall be known as charter members.

## ARTICLE VIII – AMERICAN LEGION AUXILIARY

*Section 1.* This post recognizes an auxiliary organization to be known as The Auxiliary Unit of Robert Lee Walsh Post No. 337, The American Legion.

*Section 2.* Membership in the Auxiliary shall be as prescribed by the national constitution of The American Legion Auxiliary.

**ARTICLE IX – AMENDMENTS**

*Section 1.* This constitution is adopted subject to the provisions of the national constitution of The American Legion and of the department constitution of the department of New York, The American Legion. Any amendment to said national constitution or department constitution which is in conflict with any provisions hereof shall be regarded as automatically repealing or modifying the provisions of this constitution to the extent of such conflict.

*Section 2.* This constitution may be amended at any regular post meeting by vote of two-thirds of the members of said post attending such regular meeting, providing that the proposed amendment shall have been submitted in writing and read at the next preceding regular meeting of said post, and providing, further, that written notice shall have been given to all members at least FIVE days in advance of the date when such amendment is to be voted upon, notifying said members that at such meeting a proposal to amend the constitution is to be voted upon.

Approved by;

The American Legion Department of New York:

Title: \_\_\_\_\_

Print Name: \_\_\_\_\_

Signature: \_\_\_\_\_

CONFIDENTIAL - SECURITY INFORMATION

The following information is being provided to you for your information only. It is not intended to be used for any other purpose. This information is being provided to you for your information only. It is not intended to be used for any other purpose. This information is being provided to you for your information only. It is not intended to be used for any other purpose.

**POST BY-LAWS**  
**ROBERT LEE WALSH POST NO. 337**  
**THE AMERICAN LEGION, DEPARTMENT OF NEW YORK**  
**BROADALBIN, FULTON COUNTY, NEW YORK**

**ARTICLE – 1**

- Section 1.* The post existing under these by-laws is to be known as ROBERT LEE WALSH POST NO. 337, The American Legion, Department of New York.
- Section 2.* The objects of this post are set forth in the constitution.

**ARTICLE II - MANAGEMENT**

- Section 1.* The governance and management of the post is entrusted to an executive committee of *fifteen (15)* members, to be known as the “executive committee.”
- Section 2.* The executive committee shall consist of *the THREE (3) most recent active past commanders,* THREE (3) active members in addition to the officers of the post who shall be elected annually. All elections of officers and *committeepersons* shall be by ballot and the candidate receiving the highest number of votes shall be elected to the respective office or offices for which they are candidates.
- Section 3.* *The officers of this post shall be a commander, THREE vice commanders, an adjutant, a post historian, a finance officer, a post chaplain and a sergeant-at-arms, and such other officers as may be deemed necessary by this organization, who shall be nominated from the floor at the meeting preceding annual election.*
- Section 4.* *The post commander shall activate a nominating committee at the SECOND April meeting. This committee shall consist of the executive committee and all available and interested past commanders, which will present a slate of proposed officers to the membership at the First May meeting. Nominations from the floor will then be entertained. The names of all candidates, for all offices, shall be read again at the next two meetings with additional nominations. Elections shall be held after a short recess, after the close of all other regular business at the FIRST June meeting. All officers shall be elected annually except the adjutant who shall be appointed*
- Section 5.* All vacancies existing in the executive committee, or in any office of the post from any cause other than the expiration of the term, shall be filled by a majority vote of the remaining members of the committee, and a person so appointed shall hold office for the unexpired term of the member of the committee or officer whom he succeeds. A vacancy shall exist when a member or officer is absent from his post for a continuous period considered detrimental to the interest of the post by the executive committee.

**ARTICLE III – POST EXECUTIVE COMMITTEE**

- Section 1.* The post executive committee shall meet for organization and such other business as may come before it at the call of the commander of the post within ten days after the installation of the new officers. Thereafter the post executive committee shall meet at the call of the commander as often as said commander may deem necessary. The commander shall call a meeting of the post executive committee upon the joint written request of three or more members of said post executive committee. SIX (6) members of the committee shall constitute a quorum thereof.
- Section 2.* The post executive committee, subject to the approval of the post, shall *recommend the hiring of* such employees as may be necessary; oversee all expenditures; shall require adequate bonds from all persons having the custody of post funds; shall hear the reports of post committee *chairpersons*; and generally, shall have charge and be responsible for the management of the affairs of this post.

## ARTICLE IV – DUTIES OF OFFICERS

- Section 1.* Duties of the post commander – It shall be the duty of the post commander to preside at all meetings of the post and to have general supervision over the business and affairs of the post, and such officer shall be the chief executive officer of the post. *They* shall approve all orders directing the disbursement of the post. *They* shall approve all orders directing the disbursement of funds and shall make an annual report covering the business of the post for the year, and recommendations for the ensuing year, which shall be read at the annual meeting and a copy thereof immediately forwarded to the department adjutant. *They* shall perform such other duties as directed by the post. *It is recommended newly elected post commanders attend the American Legion College as time permits after election.*
- Section 2.* Duties of the vice commanders – The vice commanders of the post shall assume and discharge the duties of the office of commander in the order of their election as: 1<sup>st</sup>, 2<sup>nd</sup> and 3<sup>rd</sup> vice-commander, in the absence or disability of the commander, or, when called upon by, the post commander.
- Section 3.* Duties of the post adjutant – The adjutant shall have charge and keep a full record, correct and complete, of all proceedings of all meetings, keep such records as the department and national organizations may require, render reports of membership annually or when called upon at a meeting, and under direction of the commander handle all correspondence of the post.
- Section 4.* Duties of the finance officer – The finance officer shall have charge of all finances and see that they are safely deposited in some local bank or banks and shall report once a month to the executive committee the condition of the finances of the post, with such recommendations as may deem expedient or necessary for raising funds with which to carry on functions and activities of the post. *They* shall sign all checks disbursing the moneys of the post. They shall furnish such surety bond in such sum as shall be fixed by the post executive committee.
- Section 5.* Duties of the post historian – The post historian shall be charged with the individual records and incidents of the post and post members, and shall perform such other duties as may properly pertain to the office as may be determined by the post or the executive committee.
- Section 6.* Duties of the post chaplain – The post chaplain shall be charged with the spiritual welfare of the post comrades and will offer divine but non-sectarian service in the event of dedications, funerals, public functions, etc., adhere to such ceremonial rituals as are recommended by the national or department headquarters from time to time.
- Section 7.* Duties of the sergeant-at-arms – The sergeant-at-arms shall preserve order at all meetings and shall perform such other duties as may be from time to time assigned to *them* by the post executive committee.

## ARTICLE V – DELEGATES

- Section 1.* Delegates and alternates to a county convention shall be *appointed by the commander* at least twenty days prior to the date of such convention.

## ARTICLE VI – APPOINTMENTS

- Section 1.* The post commander immediately upon taking office each year, shall appoint the following standing committees: Membership, house, finance, legal, publicity, service, *graves & registration*, visiting, Americanism, athletics and *Boy Scouts*. Such standing committees shall consist of such members, and *chairpersons* thereof, as shall be designated by the post commander.
- Section 2.* Membership committee – The *1<sup>st</sup> Vice Commander* shall have charge of all matters pertaining to the membership of the post, including the procuring of new members, reinstatement and eligibility of members.
- Section 3.* House committee – The house committee shall have charge of all matters pertaining to the care of the post quarters, promotion of club advantages and arrangements for social activities. *The commander shall appoint a bar (house) manager.*

*Section 4. Finance committee – The finance committee shall be charged with the administration of the financial policy, preparation of budget recommendations, audit of all post financial accounts, and supervision of receiving, disbursing and accounting of all post funds*

*Section 5. Legal Committee – **The legal chairperson shall be charged with the legal supervision of post affairs, with direction from the posts attorney as required.***

*Section 6. Publicity committee – The publicity **chairperson** shall be charged with the promotion of public support of the Legion's program by the establishment of proper contact with the American Legion Monthly, department and national Legion news service and by local publicity of post program and activities.*

*Section 7. Service Committee – The service committee shall supervise all matters pertaining to service to comrades in the persecution of all just claims against the United States or state governments, employment, relief, etc., and community welfare matters.*

*Section 8. Visiting Committee – The visiting committee is charged with the visiting and comforting of members and their families when sick or bereaved and with visiting ex-service **members** in nearby hospitals.*

*Section 9. Americanism Committee – The Americanism committee shall be charged with the inspiration of patriotism and good citizenship by arrangements for proper observance of patriotic occasions; encouragement of patriotic and civic phases of instruction in schools; Americanization of aliens; combating anti-American propaganda by education of the general public in American ideals through public forums, etc., and activities for community and civil betterment.*

*Section 10. Athletic Committee – The athletic committee shall be charged with the promotion of physical development and clean sports by the organization of post athletic teams, recreation, etc., and by cooperation and support in the general recreational and athletic program of the community.*

## ARTICLE VII

*Section 1. All resolutions of state or national scope presented to this post by a member or reported to this post by a committee shall merely embody the opinion of this post on the subject and copy of same shall be forwarded to the department headquarters for its approval before any publicity is given or action other than mere passage by the post is taken*

## ARTICLE VIII – MEETINGS

*Section 1. The regular meetings of the post will be held **downstairs at the post on the FIRST and THIRD Mondays** of each month, at which may be transacted such business as may be properly brought up for action; such meetings may be converted into entertainment meetings, as may be deemed advisable by the officers of the post.*

*Section 2. The post commander or a majority of the executive committee shall have power to call a special meeting of the post at any time.*

*Section 3. **Upon written request from twelve (12) members,** the committee shall call a special meeting of the post.*

*Section 4. **Twelve (12)** members shall constitute a quorum.*

## ARTICLE IX - NOTICES

*Section 1. Every member shall furnish the post adjutant with his or her address for mailing purposes.*

*Section 2. The post adjutant shall cause notice of the annual election to be given at least two weeks prior thereto.*

## ARTICLE X – RULES TO ORDER

*Section 1. All proceedings of this post shall be conducted under and pursuant to Roberts' Rules of Order, except as herein otherwise provided.*

## ARTICLE XI – LIMITATIONS OF LIABILITIES

*Section 1.* This post shall incur, or cause to be incurred, no liability nor obligations whatsoever which shall subject to liability any other post, subdivision, group of *people*, members of The American Legion, or other individuals, corporations or organizations.

## ARTICLE XII – AMENDMENTS

*Section 1.* These by-laws may be amended at any regular post meeting by a vote of two-thirds of the members of said post attending such regular meeting; PROVIDED, that the proposed amendment shall have been submitted in writing and read at the next preceding regular meeting of said post; and PROVIDED, further, that written notice shall have been given to all members at least FIVE (5) days in advance of the date when such amendment is to be voted upon, notifying said members that at such meeting a proposal to amend the by-laws is to be voted upon.

Approved by;

The American Legion Department of New York:

Title: \_\_\_\_\_

Print Name: \_\_\_\_\_

Signature: \_\_\_\_\_



**ROBERT LEE WALSH POST NO. 337**  
**THE AMERICAN LEGION, DEPARTMENT OF NEW YORK**  
**Post Constitution**  
**And**  
**Post By-Laws**  
**Proposed Record of Amendments**

| Date Approved | Article / section                               | Change  |
|---------------|---|---|
| Proposed      | Constitution, Article III – Nature, Section 2   | Strike from Article III Section 2 to align with the National Constitution the below.<br>“No candidate for or incumbent of a remunerative elective public office shall hold any office in this post of the American Legion, and the declaration of candidacy for a public office by any person who is an officer of this post of the American Legion shall operate automatically to vacate his office in this post, and the same shall be filled as hereinafter provided”. |
| Proposed      | Constitution, Article III – Nature, Section 3   | Changed “his” to “Their”  |
| Proposed      | Constitution, Article IV- Membership, Section 3 | Added Para at end:<br>At the next post meeting following that of the executive committee meeting, application for membership, together with the recommendation of the executive committee shall be presented and voted upon by show of hands of members in good standing. A two-thirds majority shall be necessary for election.  |
| Proposed      | Constitution, Article IV- Membership, Section 6 | “he” to “they”  |
| Proposed      | Constitution, Article IV- Membership, Section 6 | “his” to “their” , 6 instances  |
| Proposed      | Constitution, Article V- Officers, Section 1    | insert “the THREE most recent active past commanders,”  |
| Proposed      | Constitution, Article V- Officers, Section 1    | Insert “including the adjutant who is appointed”  |
| Proposed      | Constitution, Article V- Officers, Section 3    | Insert “except the adjutant who shall be appointed by the commander”  |
| Proposed      | Constitution, Article V- Officers, Section 3    | Move a portion of section 3 to create a new section 4. “Any officer or executive committee person may be removed for inefficiency by the executive committee, a two-thirds vote of said committee being necessary to affect such removal.   |
| Proposed      | Constitution, Article V- Officers,              | Change “committeemen” to  |

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|          | Section 4                                       | "committeeperson"   |
| Proposed | Constitution, Article V – Officers<br>Section 5 | Moved section 4 to section 5  |
| Proposed | Constitution, Article V – Officers<br>Section 5 | Move section 5 and create section 6   |
| Proposed | Constitution, Article V – Officers<br>Section 6 | Change "committeemen" to<br>"committeeperson", 2 instances.   |
| Proposed | Constitution, Article VI – Finance<br>Section 2 | Change from<br>"The amount of such membership<br>or initiation fees and the amount of<br>such annual post dues shall be fixed<br>and determined by this post, in no<br>case being less than \$2. Per<br>member annually."<br>To<br>"The annual dues of this post shall<br>be determined by the membership<br>payable annually in advance."  |
| Proposed | Constitution, Article VI – Finance<br>Section 2 | Change from<br>"The post shall pay to departmental<br>headquarters the national and<br>departmental annual membership<br>dues for every member of the post."<br>To<br>The post shall pay to county<br>headquarters the national,<br>departmental and county annual<br>membership dues for every member<br>of this post."  |
| Proposed | By-Laws, Article II Management,<br>Section 1    | Change "twelve (12)"<br>To<br>"fifteen (15)"  |
| Proposed | By-Laws, Article II Management,<br>Section 2    | Insert "the THREE (3) most recent<br>active past commanders,"   |
| Proposed | By-Laws, Article II Management,<br>Section 2    | Change from<br>"All elected officers and<br>committeemen shall"<br>To<br>"All elected officers and<br>committeepersons shall"   |
| Proposed | By-Laws, Article II Management,<br>Section 3    | Move existing section 3 to ne<br>section 5. New section 3 to read<br>"The officers of this post shall be a<br>commander, THREE vice<br>commanders, an adjutant, a post<br>historian, a finance officer, a post<br>chaplain and a sergeant-at-arms,<br>and such other officers as may be<br>deemed necessary by this<br>organization, who shall be<br>nominated from the floor at the<br>meeting preceding annual election." |
| Proposed | By-Laws, Article II Management,<br>Section 4    | Create new section 4 to read as<br>follows.<br>"The post commander shall activate<br>a nominating committee at the<br>SECOND April meeting. This<br>committee shall consist of the<br>executive committee and all<br>available and interested past<br>commanders, which will present a  |

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|          |  | slate of proposed officers to the membership at the First May meeting. Nominations from the floor will then be entertained. The names of all candidates, for all offices, shall be read again at the next two meetings with additional nominations. Elections shall be held after a short recess, after the close of all other regular business at the FIRST June meeting. All officers shall be elected annually except the adjutant who shall be appointed." |
| Proposed | By-Laws, Article II Management, Section 5                | Move old section 3 to new section 5<br>Wording remains the same as was when section 3  |
| Proposed | By-Laws, Article III Post executive committee, Section 2 | Change from<br>"hire such employees"<br>To<br>"recommend the hiring of"  |
| Proposed | By-Laws, Article III Post executive committee, Section 2 | Change "Chairman" to<br>"Chairperson"  |
| Proposed | By-Laws, Article IV Duties of officers, Section 1        | Change "He" to "They" 3 instances.   |
| Proposed | By-Laws, Article IV Duties of officers, Section 1        | Add to end of para.<br>"It is recommended newly elected post commanders attend the American Legion College as time permits after election"   |
| Proposed | By-Laws, Article IV Duties of officers, Section 4        | Change "He" to "They"  |
| Proposed | By-Laws, Article IV Duties of officers, Section 7        | Changed "Him" to "Them"  |
| Proposed | By-Laws, Article V Delegates, Section 1                  | Change from<br>"elected by ballot by the post at a regular meeting of the post to be held"<br>to<br>"appointed by the commander"   |
| Proposed | By-Laws, Article VI Appointments, Section 1              | add "graves & registration"  |
| Proposed | By-Laws, Article VI Appointments, Section 1              | Add "Boy Scouts"   |
| Proposed | By-Laws, Article VI Appointments, Section 1              | Change "chairman" to<br>"chairperson"  |
| Proposed | By-Laws, Article VI Appointments, Section 2              | Change from "The membership committee" to "The 1 <sup>st</sup> Vice Commander"   |
| Proposed | By-Laws, Article VI Appointments, Section 3              | Add to original at end of para.<br>The commander shall appoint a bar (house) manager.  |
| Proposed | By-Laws, Article VI Appointments, Section 5              | Change from<br>"The legal committee shall be charged with the legal supervision of post affairs and audit of post financial accounts"<br>To<br>"The legal chairperson shall be charged with the legal supervision of post affairs, with direction from   |

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|          |  | the posts attorney as required”  |
| Proposed | By-Laws, Article VI Appointments,<br>Section 6             | Change “ chairman” to<br>“chairperson”   |
| Proposed | By-Laws, Article VI Appointments,<br>Section 7             | Change “men” to “members”  |
| Proposed | By-Laws, Article VIII Meetings,<br>Section 1               | Change from<br>“at the club rooms on the FIRST<br>and THIRD Fridays”<br>To<br>“downstairs at the post on the<br>FIRST and THIRD Mondays” |
| Proposed | By-Laws, Article VIII Meetings,<br>Section 3               | Change<br>“upon the written request of<br>members”<br>To<br>“upon the written request of twelve<br>(12) members”                         |
| Proposed | By-Laws, Article VIII Meetings,<br>Section 4               | Change from<br>“Six (6)” to Twelve (12)”   |
| Proposed | By-Laws, Article XI Limitations of<br>Liability, Section 1 | Change “men” to “people”   |
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