

CONSTITUTION

AND

BY-LAWS

**OF THE SONS OF THE AMERICAN LEGION
DETACHMENT OF NEW YORK**

July 2008

CONSTITUTION
OF
THE SONS OF THE AMERICAN LEGION
DETACHMENT OF NEW YORK

PREAMBLE

PROUD POSSESSORS OF A PRICELESS HERITAGE,
WE MALE DESCENDANTS OF VETERANS OF THE GREAT WARS,
ASSOCIATE OURSELVES TOGETHER AS "SONS OF THE AMERICAN LEGION"
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 TRUE SPIRIT OF AMERICANISM;
TO PRESERVE THE MEMORIES OF OUR FORMER MEMBERS AND THE ASSOCIATIONS OF
OUR MEMBERS AND OUR FOREFATHERS 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 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 FRIENDSHIP BY OUR DEVOTION TO MUTUAL
HELPFULNESS;
TO ADOPT IN LETTER AND SPIRIT
ALL OF THE PRINCIPLES FOR WHICH THE AMERICAN LEGION STANDS;
AND TO ASSIST IN CARRYING ON FOR GOD AND COUNTRY.

ARTICLE I

NAME

Section 1 The name of this organization shall be the "Sons of The American Legion, Detachment of New York".

ARTICLE II

NATURE

Section 1 The Sons of The American Legion is a civilian organization. Membership therein does not affect nor increase liability for military or police service. Former service rank does not exist in the Sons of The American Legion.

Section 2 The Sons of The American Legion, Detachment of New York shall be absolutely non-political and shall not be used for the dissemination of partisan principles nor for the promotion of the candidacy of any person or group seeking office or preferment.

Section 3 The Sons of The American Legion, Detachment of New York shall be absolutely non-sectarian.

Section 4 Each member shall perform his full duty as a citizen according to his own conscience and understanding in accord with the law.

ARTICLE III

ELIGIBILITY

Section 1 All male descendants, adopted sons and stepsons of members of The American Legion, and such male descendants of veterans who died in service during World War I, World War II, and Korean War, the Vietnam War, Lebanon, Grenada, Panama and the Persian Gulf War, during the delimiting periods set forth in Article IV, Section 1 of the National Constitution The American Legion, or who died subsequent to their honorable discharge from such service, shall be eligible for membership in the Sons of The American Legion.

Section 2 There shall be no form or class of membership except an active membership.

- Section 3 The Commander (or the Executive Committee) of the sponsoring American Legion Post shall appoint a Committee of three or more members to supervise the activities of the "Sons of The American Legion" Squadron. The Chairman of this Committee shall be named Squadron Advisor.
- Section 4 No person may be a member at any one time of more than one Squadron.
- Section 5 No person, who has been expelled by a Squadron, shall be admitted to membership in another Squadron, without the consent of the expelling Squadron, except that where such consent has been asked for and denied by such Squadron he may then appeal to the Detachment Executive Committee for permission to be admitted to membership in another Squadron, and shall be ineligible for membership until such permission is granted.

ARTICLE IV

DETACHMENT CONVENTION

- Section 1 The legislative body of the Sons of The American Legion shall be a Detachment Convention to be held annually in the same city and during the same days as the annual Convention of The American Legion, Department of New York.
- Section 2 The annual Convention shall be composed of delegates and alternates from each County. Each County shall be entitled to two delegates and two alternates and to one additional delegate and one additional alternate for each ten (10) memberships or the major fraction thereof paid up thirty days prior to the date of the Detachment Convention. Each County shall be entitled to its authorized delegate and alternate Convention representation and voting strength provided the registration fees have been paid at or before the time said delegates or alternates are registered and prior to the close of registration.
- Section 3 The delegates to the Detachment Convention and the alternates shall be chosen by each County at a County Convention held at least 15 days prior to the Detachment Convention. Each County Committee shall provide the method of election of the delegates and alternates from its County in such manner that each Squadron in the County has a proportionate voice in their election, such proportion to be on the same basis as that of the Squadron representation on the County Committee.

- Section 4 All past Detachment Commanders while in good standing in their respective Squadrons in this Detachment shall be life delegates to all Detachment Conventions with vote, to be exercised by them with their respective Counties.
- Section 5 A quorum shall exist at a Detachment Convention when there are present ten (10) or more Counties partially or wholly represented.

ARTICLE V

HEADQUARTERS DETACHMENT OFFICERS

- Section 1 The Department Commander of The American Legion shall appoint three (3) members of The American Legion, Department of New York to Headquarters Detachment. These three members shall be designated Consultant, Advisor and Assistant Advisor.
- Section 2 The Detachment Convention shall elect a Detachment Commander, five (5) Detachment Vice-Commanders, who shall serve without seniority, a Detachment Chaplain and a Detachment Historian.
- Section 3 No person shall be eligible to be elected to the office of Detachment Commander more than twice.
- Section 4 All elective officers shall serve until the adjournment of the succeeding Detachment Convention following their election and thereafter until their successors are chosen.
- Section 5 The Detachment Adjutant shall be appointed by the Detachment Executive Committee upon the nomination of the Detachment Commander at its first meeting following the Detachment Convention and may be removed by the Detachment Executive Committee at any time. He shall serve until his successor is appointed by the Detachment Executive Committee and qualifies.
- Section 6 The Detachment Judge Advocate shall be appointed by the Detachment Executive Committee upon the nomination of the Detachment Commander and shall hold office for one year and until his successor is appointed and qualifies.
- Section 7 The Detachment Master Sgt.-at-Arms shall be appointed by the Detachment Executive Committee upon the nomination of the Detachment Commander and shall hold office for one year until his successor is appointed and qualifies. Asst. Detachment Sgt.-at Arms may be appointed, as the Executive Committee deems useful.

Section 8 All Detachment Officers handling Detachment funds shall give adequate bonds which shall be approved by the Department Executive Committee of The American Legion, Department of New York. Said bond shall cover double the average of money handled in a single year.

Section 9 No person shall be elected to the office of Detachment Commander which is from the same County as the immediate presiding Detachment Commander, except as provided for in Section 3.

ARTICLE VI

DETACHMENT EXECUTIVE COMMITTEE

Section 1 Between the Detachment Conventions, the administrative power of the Detachment shall be vested in the Detachment Executive Committee, which shall be composed of the Detachment Commander, Five (5) Vice-Commanders, the National Executive Committeeman, Alternate National Executive Committeeman, Historian, Chaplain and a District Commander from each of the Districts.

The Detachment Executive Committee shall provide for the employment of such subordinate officers and employees as may be needed for the administration of the affairs of the Detachment and prescribe their duties and emoluments.

Section 2 The Detachment Adjutant, Detachment Judge Advocate, and Detachment Sgt.-at-Arms shall be members of the Detachment Executive Committee without vote. All past Detachment Commanders while in good standing in their respective Squadrons in the Detachment of New York shall be life members of the Detachment Executive Committee without vote.

ARTICLE VII

DISTRICT ORGANIZATION

Section 1 There shall be a District Organization in each Judicial District established by the Constitution of the State of New York, except the 10th and 11th Judicial Districts shall comprise one District Organization, which shall be known as the 10th District and the 1st and 12th Judicial Districts shall comprise one District Organization, which shall be known as the 1st District and each District Organization shall consist of a District Commander, District Vice-Commander and such standing or other Committees as may be prescribed by the Detachment By-Laws or may be appointed from time to time by the District Commander. The District Commander shall appoint a District Adjutant.

- Section 2 The delegates from each District to the Detachment Convention shall annually elect a District Commander and a District Vice-Commander who shall hold office for a term of one year and until their successors are elected and qualified, provided however, that no person shall be elected to the office of District Commander who is a member of a Squadron of the same County Organization as his immediate predecessor. The retiring District Commander shall be Chairman of the Delegates to the Detachment Convention from his District and immediately at the close of the Convention the newly elected District Commander shall become a member of the Detachment Executive Committee to succeed the retiring District Commander. In case of death, disability or resignation of the District Commander, the District Vice-Commander shall take his place as a member of the Detachment Executive Committee and shall assume his duties in all capacities, except that in case of disability of the District Commander, the District Vice-Commander shall take his place only until such disability ceases.
- Section 3 Each District Organization may approve a District Constitution and By-Laws, which together with any subsequent amendments thereto, shall be approved by the endorsement of the sponsoring American Legion District Organization, the Detachment Executive Committee, and Department Judge Advocate before becoming effective.
- Section 4 The Detachment Executive Committee may at any time prescribe such further provisions as it deems advisable, to all District Constitution and By-Laws provided that they be not inconsistent with the Detachment Constitution and By-Laws. The District Organization shall thereupon forthwith adopt the additional provisions so prescribed.

ARTICLE VIII

COUNTY COMMITTEE

- Section 1 There shall be a County Committee in each County, which shall consist of one member from each Squadron in said County and at least one additional member for each additional ten members or major fraction thereof.
- Section 2 Each County Committee shall elect, at a County Convention held at least fifteen days prior to the Detachment Convention, a Commander, one or more Vice-Commanders, a Treasurer and Executive Committee of as many members as may be deemed desirable, and elect or appoint an Adjutant.
- Section 3 The method of election of all such officers shall be such that each Squadron in the County has a proportionate voice in their election, such proportion to be on the same basis as that of the Squadron representation on the County Committee.

Section 4 Each County Committee shall approve a County Constitution and By-Laws, which together with any subsequent amendments thereto, shall be approved by the endorsement of the sponsoring American Legion County Committee, the Detachment Executive Committee and the Department Judge Advocate before becoming effective.

Section 5 The Detachment Executive Committee may at any time prescribe such further provisions as it deems advisable to any County Constitution and By-Laws, provided that they not be inconsistent with the Detachment Constitution and By-Laws. The County Committee shall thereupon forthwith adopt the additional provisions so prescribed.

ARTICLE IX

LOCAL UNITS

Section 1 The local units shall be termed the Squadron, which shall have a ten (10) members in good standing.

Section 2 Those who desire to form a Squadron of the Sons of The American Legion shall make application for a charter to the Post Commander of the local Post of The American Legion in the area in which they reside. Upon approval by the sponsoring American Legion Post the application shall be forwarded to the County Sons of The American Legion Committee. Upon approval the application shall be forwarded to the County American Legion Committee. Upon approval the application shall be forwarded to the Detachment Executive Committee. Upon approval by the Detachment Executive Committee the application shall be forwarded to the Department Commander of The American Legion, and upon his approval it shall be forwarded to the National Headquarters of The American Legion, where the charter may be issued by the National Commander and the National Adjutant of The American Legion in the same manner as prescribed for the issuance of charters for Posts of The American Legion.

Section 3 Each Squadron shall approve a Squadron Constitution and By-Laws, which together with any subsequent amendments thereto, shall be approved by the endorsement of the sponsoring American Legion Post, the County Sons of The American Legion Committee, the County American Legion Committee, the Detachment Executive Committee and Department Judge Advocate before becoming effective.

Section 4 The Detachment Executive Committee may at any time prescribe such further provisions as it deems advisable, to any Squadron Constitution and By-Laws, provided that they not be inconsistent with the Detachment Constitution and By-Laws. The Squadron shall thereupon forthwith adopt the additional provisions so prescribed.

Section 5 Squadron Charters may be revoked, canceled or suspended by the Detachment Executive Committee with the approval of the Department Executive Committee and may be suspended or canceled as provided in the Detachment By-Laws pursuant to and in conformity with the procedure prescribed by the Department Executive Committee.

Section 6 No Squadron shall be named after any living person.

ARTICLE X

DUES

Section 1 Each Squadron shall pay annually to the County Organization, on or before October 20th, for each of its individual members, an amount deemed necessary by a regularly convened County Convention to operate its organization, in addition to whatever amount is required by the Detachment and to be paid to the National Organization of the Sons of The American Legion.

Section 2 A similar payment shall be made on the 20th of the month for all members of the previous month.

Section 3 On the 10th of the month following payment to the County Organization, that County Organization shall pay to the Detachment Organization of the Sons of The American Legion the sum of six dollars per member in addition to whatever amount is required to be paid to the Department of The American Legion on account of that member.

Section 4 The minimum annual dues of individual members to be charged by each Squadron shall be amounts charged as dues by any intermediate body between the Squadron and the Detachment of New York.

ARTICLE XI

CHANGE OF RESIDENCE

Section 1 Any member in good standing in a Squadron in the Detachment, removing therefrom, shall be entitled to a certificate from his Squadron stating his membership, the duration thereof, and the date to which his dues are paid.

ARTICLE XII

AMENDMENTS

- Section 1 This Constitution may be amended at any Detachment Convention by a vote of two-thirds of the total authorized representation thereat provided that the proposed amendment shall have been submitted through the Detachment Adjutant to the several County Committees and Squadrons by mailing same to them at least sixty days prior to the convening of the next Detachment Convention; and provided further it may be amended by unanimous vote at any convention without notice. The amendment must be approved by a two-thirds vote of the Department Executive Committee of The American Legion.
- Section 2 It shall also be amended from time to time by the Detachment Executive Committee whenever and in so far as necessary to conform to changes hereafter made in the National Constitution or to conform to the changes as directed by the Department of New York.

BY-LAWS

OF

THE SONS OF THE AMERICAN LEGION

DETACHMENT OF NEW YORK

ARTICLE I

DUTIES OF OFFICERS

- Section 1 Detachment Commander: The Detachment Commander shall be the executive head of the Sons of The American Legion with full power to enforce the provisions of the Detachment Constitution, Detachment By-Laws and the will of the Detachment Convention. He shall appoint all necessary Committees, subject to the ratification of the Detachment Executive Committee, and shall perform such other duties as are usually incident to the office.
- Section 2 Detachment Vice-Commander: The Detachment Vice-Commander shall act as representatives of the Detachment Commander on all matters referred to them by him, and shall, on his request, preside over the meetings of the Detachment Convention or Detachment Executive Committee, and perform such other duties as are usually incident to the office.

- Section 3 Detachment Adjutant: The Detachment Adjutant shall give notice of all Detachment Conventions and of all meetings of the Detachment Executive Committee, shall conduct the correspondence and keep the records of the Detachment Organization, including list of names, serial numbers and addresses of all Squadrons in the Detachment of New York, and lists of members, Officers and Committeemen of the Detachment and of each County, shall keep the minutes of all Detachment Conventions and meetings, shall furnish to the Treasurer the names and addresses of the Officers and the addresses of the headquarters of each County Organization; shall notify the Detachment Officers and Committeemen of their election and subject to the direction and control of the Detachment Executive Committee and the Department Executive Committee and the Detachment Commander. Shall have general charge of and supervision over Detachment Headquarters and all paid personnel of the Detachment and shall perform such other duties as are usually incident to his office. He shall also be authorized in the event of the death or resignation of the Detachment Commander to summon the Detachment Executive Committee for the election of a successor.
- Section 4 Detachment Judge Advocate: The Detachment Judge Advocate shall advise the Detachment Officers and the Detachment Executive Committee on all legal matters including the construction and interpretation of the Detachment Constitution and By-Laws, and shall perform such other duties as are usually incident to the office. His rulings to District, County and Squadron inquiries formally and officially made, shall be binding until and unless overruled in the following order: Detachment Executive Committee and the Department Judge Advocate.
- Section 5 Detachment Chaplain: The Detachment Chaplain shall perform such divine and non-sectarian services as may be necessary, adhering to such ceremonial rituals as may be recommended by National and Detachment Headquarters from time to time.
- Section 6 Detachment Historian: The Detachment Historian shall collect from year to year all records and data of value and interest for the Detachment Headquarters of the Sons of The American Legion, and shall compile during his term of office, a complete history of the year's activities. He shall also assist Squadron Historians so as to coordinate and unify the work of these officials and shall have such other duties as the Detachment Executive Committee shall prescribe.
- Section 7 Sergeant-at-Arms: The Sergeant-at-Arms shall be charged with the responsibility of preserving order at all meetings and shall be given the custody and responsibility of the colors of the Organization. He shall perform such other duties as are usually incident to the office.

Section 8 All Officers of the Sons of The American Legion in the performance of their duties shall be governed by The American Legion at the appropriate level. All actions of the Sons of The American Legion at the Squadron level, intermediate level and at the Detachment level shall be subject to review and ratification at the appropriate level of The American Legion.

ARTICLE II

DETACHMENT EXECUTIVE COMMITTEE

Section 1 Subject to the provisions of the Detachment Constitution, the Detachment Executive Committee shall fill any vacancy in the membership of the Committee for the remainder of the unexpired term.

Section 2 The Detachment Executive Committee shall meet at regular periods or on at least five days previous written notice to all members by the Commander and Adjutant, or upon the written request of a majority of the Committee.

Section 3 In the event that a District Commander of the Detachment Executive Committee is unable to attend a meeting his designee from said District shall serve.

ARTICLE III

DETACHMENT STANDING COMMITTEE

Section 1 There shall be the following Detachment Commissions: Detachment Children and Youth Commission, Detachment Veterans Affairs and Rehabilitation Commission, Detachment Americanism Commission, Detachment Legislative Commission, Detachment Public Relations Commission, Detachment Finance Commission, and Detachment Internal Affairs Commission.

Section 2 Each Commission shall be made up of six members one of which shall be designated the Chairman. Said members shall be appointed to three year terms. The terms of the members shall be staggered so that two members of each Commission shall be appointed each year. Appointments to Commissions shall be made by the Detachment Executive Committee upon nomination of the Detachment Commander. The Chairman of the Detachment Finance Commission shall also serve as Detachment Finance Officer.

Section 3 There shall be the following Detachment Committees: Detachment Member Training and Development Committee, Detachment Membership Committee, Detachment Conventions and Meetings Committee, Detachment Commander's Advisory Committee, and Detachment Credentials Committee.

- Section 4 Each Committee shall be made up of six members, except Membership which shall have ten members (one from each District), Credentials which shall have three members and Commander's Advisory which shall have three members (who shall be the three immediate prior Past Detachment Commanders). The Junior Past Detachment Commander will be Chairman of the Commander's Advisory Committee. Said members shall be appointed for one year terms. Detachment Member Training and Development Committee, Detachment Membership Committee, and Detachment Conventions and Meetings Committee shall all report to the Detachment Internal Affairs Commission. The Credentials Committee shall report only at the Detachment Convention where it shall report directly to the Convention. The Commander's Advisory Committee shall report to the Detachment Executive Committee. Appointments to the Detachment Committees shall be made by the Detachment Executive Committee upon the nomination of the Detachment Commander.
- Section 5 All such Commissions and Committees shall keep regular minutes of their transactions and cause them to be recorded in a book kept for that purpose and shall report the same to the Detachment Executive Committee when called for.
- Section 6 Notwithstanding prior provisions of this Article, the Detachment Executive Committee may appoint such Temporary Committees as it may deem appropriate from time to time.

ARTICLE IV

DETACHMENT CONVENTION

- Section 1 The annual meeting of the Sons of The American Legion, Detachment of New York, shall be a Convention call pursuant to the provisions of the Detachment Constitution.
- Section 2 County Organizations shall be notified by the Detachment Adjutant sixty days in advance of the time and place of such Detachment Convention. Each County Adjutant shall, in turn notify the Squadrons within his County within ten days after the receipt of such notice from the Detachment Adjutant.
- Section 3 Alternates shall have the privilege of voting on the floor of the Convention only in the event of the absence or disability of the regular Delegates, but they shall have all other privileges of Delegates, including the right of serving on Committees.

ARTICLE V

REPRESENTATION IN NATIONAL ORGANIZATION

- Section 1 The Detachment Organization shall be represented on the National Executive Committee of the Sons of The American Legion by one member and one alternate to be elected at the Annual Detachment Convention and to hold office for two years from the time of the Annual National Convention immediately following their election or until their successors are chosen.
- Section 2 The Detachment Organization shall be entitled to three (3) delegates and one (1) additional delegate for each Five Hundred (500) members, or major fraction thereof, whose current dues have been received by the National Treasurer of The American Legion, thirty (30) days prior to the meeting of the National Convention, and whose registration fees, as fixed by the National Executive Committee, for its total authorized delegate strength, have been paid; and to one alternate for each delegate.

ARTICLE VI

MEMBERSHIP

- Section 1 Membership in the Sons of The American Legion, Detachment of New York, shall be acquired only by affiliation with a Squadron within its jurisdiction.
- Section 2 The membership of the Detachment shall be organized into Squadrons as prescribed in the Detachment Constitution.
- Section 3 Only persons eligible to membership in the Sons of The American Legion shall be members of this Detachment or of any Squadron within its jurisdiction.
- Section 4 Each applicant for membership must enroll in the Sons of The American Legion and pay his dues to the Squadron in this Detachment to which he applies, before becoming a member in the Sons of The American Legion, Detachment of New York, or in any Squadron of this Detachment.

ARTICLE VII

SQUADRON

- Section 1 Each Squadron shall be the judge of its own membership, subject to the restrictions of the National and of the New York Detachment Constitution and By-Laws, respectively, and

may restrict its membership as it desires, subject to the approval of the County in which it is located, except that no person, who is a member of an Organization which has for its aim the overthrow of the United States Government by force or violence, or who subscribes to the principles of any group opposed to our form of government, shall be eligible to become a member of the Sons of The American Legion.

- Section 2 Each Squadron shall have a headquarters with a Post Office address to which all notices and documents may be sent. It shall be the duty of the Squadron at the time of application for a charter or at any time of changing its headquarters, to notify its County Organization of such address, and all notices and documents shall be held to have been duly sent to or served upon such Squadron when mailed to it at the address so furnished. In default of a Squadron having furnished such address, any notice or document shall be held to have been duly served upon a Squadron if the same is mailed to it at the address of its Commander or Adjutant or other member signing the application for charter.
- Section 3 Each Squadron shall have a Constitution and By-Laws to govern its affairs and shall have officers to be known as Commander, Vice-Commander or Vice-Commanders, an Adjutant, a Treasurer and an Executive Committee. The Treasurer shall be bonded. The Squadron shall subscribe to the Constitution, By-Laws and regulations of its County Organization and of this Organization, and shall not incur any obligation in the name of any other Squadron, subdivision, organization, branch, committee, or group of members of the Sons of The American Legion which said Squadron is attached.
- Section 4 Squadrons shall submit copies of their Constitution and By-Laws and all amendments thereto through their respective County organization for approval of the Detachment Organization.
- Section 5 All funds received in any manner for welfare purposes of any nature by a Squadron or County organization shall be deposited in a duly authorized banking institution, and none of such funds shall be withdrawn except for welfare purposes and upon draft signed by the Treasurer of the Squadron or County Organization and at least one other member thereof duly elected for that purpose.
- Section 6 No Squadron shall solicit another Squadron or County Organization for purpose of financial aid or relief. Violation of this Section shall be grounds for revocation or suspension of Charter.
- Section 7 Officers of the Squadron shall be elected annually and the date of such election should conform, if possible, with the annual election of Post Officers of The American Legion.

ARTICLE VIII

COUNTY ORGANIZATION

- Section 1 The County Organization shall be that prescribed in the Detachment Constitution.
- Section 2 Upon organization each Squadron shall elect its member or members of the County Committee and thereafter as its membership increases shall elect such additional member or members of the County Committee as it is entitled to under the Detachment Constitution and shall certify to the County Committee over the signature of its Commander and Adjutant the number of its individual paid up members entitling it to such additional representation.
- Section 3 The County Organization shall pass each application for the Charter of a Squadron in its County and upon the proposed Constitution and By-Laws of each Squadron. It shall adopt a Constitution and By-Laws for its own government. In addition to the Officers provided for a County Organization by the Detachment Constitution each County Organization shall have an Executive Committee comprised of as many members as may be deemed desirable, including said Officers, which shall have power to act in the interim between meeting of the County Committee.
- Section 4 It shall be the duty of the County Organization to see that Squadrons are properly organized and conducted in each city, town and village in its County.
- Section 5 Each County Committee shall provide standing committees on Public Relations, Veterans Affairs and Rehabilitation, Children and Youth and Americanism, together with such other standing or temporary committees as the County Committee shall deem advisable.
- Section 6 The County Treasurer shall give a surety bond, approved by the County Executive Committee, to cover double the average amount of money handled in a single year.
- Section 7 All payments to be made to the County Organization shall be made to the County Treasurer.
- Section 8 No County Committee shall solicit for any purpose from any other County Committee nor from any Squadron outside of its own County.

ARTICLE IX

DISTRICT ORGANIZATION

- Section 1 The District Organization shall be that prescribed in the Headquarters Detachment Constitution.

- Section 2 In addition to the duties prescribed by the Detachment Constitution, the District Commander shall preside at all District caucuses, conventions, and other District meetings in his District, shall maintain a liaison between the Headquarters Detachment and the County Organization in his district, shall act in such advisory or other capacities to the County Organization and Squadrons in his District as may from time to time be required by the Headquarters Detachment Commander of the Detachment Executive Committee and when called upon shall report to the Detachment Commander and the Detachment Executive Committee as to the condition of the District and the County Organization and Squadrons located herein.
- Section 3 Each District shall provide standing committees on Public Relations, Veterans Affairs and Rehabilitation, Children and Youth and Americanism, together with such other standing or temporary committees as the District shall deem advisable.
- Section 4 Subject to the provisions of the Detachment Constitution, the District Vice-Commander shall, in the event of the death, disability, resignation or absence of the District Commander take his place as District Commander, preside at District meetings, conventions and caucuses, and assume all the duties of his office. He shall also perform such other duties from time to time as may be prescribed by the District Commander or the District Executive Committee.

ARTICLE X

- Section 1 In the event that an action or review required to be undertaken by a County and such County is not organized such action or review shall be undertaken by the District.
- Section 2 In the event that an action or review is required to be undertaken by a District and such District is not organized such action or review shall be taken by the individual County Committees within the District.
- Section 3 In the event that an action or review is required by a County or a District and neither are organized then such action or review shall be undertaken by the Detachment Adjutant, Detachment Judge Advocate, or individual Squadrons as designated by the Detachment Commander.

ARTICLE XI

DISCIPLINE OF SQUADRONS CANCELLATION AND SUSPENSION OF CHARTERS

- Section 1 The Detachment Executive Committee may suspend, cancel or revoke a Squadron charter. The action taken by the Detachment Executive Committee shall be final and conclusive unless an appeal is taken to the Department Executive Committee within thirty days from the date of said suspension, cancellation or revocation. The action taken by the Department Executive Committee upon appeal shall be final.
- Section 2 Any Squadron failing to meet the obligations imposed upon it by the Constitution and By-Laws or ceasing to function for six months as a Sons of The American Legion Squadron, or voluntarily ceasing to function as a Squadron, or merging with one or more other Squadrons or refusing to pay the Detachment and National per capita dues, or under such other conditions as might make such action necessary, shall upon order of the Detachment Executive Committee surrender its charter for cancellation. Upon failure to surrender its charter, immediate steps may be taken for its revocation, suspension or cancellation.
- Section 3 Upon revocation, cancellation or suspension of the charter of a Squadron of the Sons of The American Legion, said Squadron shall immediately cease operations and upon revocation or cancellation shall turn over its charter to the Detachment Commander or Detachment Executive Committee, and the Post to which the Squadron is attached is authorized, empowered and directed by and through its duly authorized agent to take possession, custody and control of all the records, property and assets of said Squadron, provided, however, that nothing herein shall be construed as requiring any Post to which the Squadron is attached to take over or assume any financial responsibility as to such property. Said Detachment Executive Committee may provide for the transfer of the members in said Squadron to other Squadrons of their choice subject to the approval of such other Squadrons.

Section 4 In taking action pursuant to this Article, the Squadron, Bodies. and Officers of the Detachment shall be governed by the uniform code, defining the procedure to be followed in the revocation, cancellation or suspension of Squadron charters, and providing for a method of appeal, having been adopted by the National Executive Committee of the National By-Laws as the same may be from time to time amended pursuant to the authority of said section.

ARTICLE XII

DISCIPLINE OF SQUADRON MEMBERS

Section 1 Members may be suspended or expelled from the Sons of The American Legion only upon proper showing or cause. Charges shall be based upon disloyalty, neglect of duty, dishonesty, or other conduct unbecoming a member of the Sons of The American Legion. All charges must be made under oath in writing by the accusers, and no member in good standing shall lose his membership until given a fair trial in such manner and form as the Detachment By-Laws and Department Executive Committee of The American Legion shall prescribe. This section shall govern procedure whenever charges are brought against any person at any time appearing upon the rolls of a Squadron as a member, upon the grounds of his ineligibility to membership either in the Squadron or in the Sons of The American Legion.

Section 2 Any member who has been suspended or expelled has the right of appeal to the Department Executive Committee of The American Legion in the manner. prescribed by the said Commander. The decision of the Department shall be final.

Section 3 A member whose dues for the current year have not been paid by January first shall be classed as delinquent. If his dues are paid on or before February first, he shall be automatically reinstated. If he is still delinquent after February first, he shall be suspended from all privileges. If he is still under such suspension on June thirteenth of such year, his membership in the Sons of The American Legion shall be forfeited. A membership so suspended or whose membership has been so forfeited may be reinstated to active membership in good standing by vote of the Squadron and payment of current dues for the year in which the reinstatement occurs. Provided, however, that the Squadron, Detachment and National Organization may waive the provisions hereof, with reference to former members who have been prevented from the payment of dues by reason of active military service.

ARTICLE XIII

LIMITATION OF JURISDICTION OF SQUADRON MEMBERS, POSTS, COUNTIES DISTRICTS AND DEPARTMENTS

- Section 1 No individual member of the Sons of The American Legion unless specifically previously authorized by the proper body, shall have the right to speak in the name
- of the Sons of The American Legion, Detachment of New York, or any Squadron of the Sons of The American Legion. His individual action if full and unhampered, being that of an American citizen, but he shall not present such action to be that of any Sons of The American Legion Organization.
- Section 2 All matters of state, national or international scope that appeal to the Sons of The American Legion, Squadrons, or Detachments may be treated, discussed and acted upon by any unit of the Sons of The American Legion, provided, however, that such action shall be submitted for approval through the prescribed Sons of The American Legion and The American Legion channels to the body having jurisdiction thereof.
- Section 3 A Squadron or County Organization may discuss the action taken by the Detachment or National Organization and adopt a resolution protesting against any action taken by the Detachment or National Organization and request through channels that such action be reversed.
- Section 4 The principles set forth in this Article shall be observed by all Sons of The American Legion, by all Squadrons, by all District and County Organizations, and by this Detachment. A violation of any of the provisions of this Article by a member of the Sons of The American Legion, by a Squadron, or by a County or District Organization, shall be sufficient cause for investigation and disciplinary action by the Detachment Executive Committee and in case of a Son of The American Legion, by the Squadron of which he is a member.

ARTICLE XIV

MONEYS AND COLLECTIONS

- Section 1 All Detachment, District, County and Squadron officials handling Sons of The American Legion moneys shall be properly bonded with a good and solvent bonding and surety company, as surety to cover double the average amount of money handled in a single year. In case of delinquencies of the payment of moneys due Detachment Headquarters or Department Headquarters of The American Legion action shall be taken at once by the proper officials to bring about a speedy and complete settlement.
- The bonds provided by Detachment and District officials shall be approved by the Department Executive Committee of The American Legion and those provided by County and Squadron officials shall be approved respectively by the County and Post Executive Committees.

Section 2 Department Headquarters of The American Legion, shall, should it be deemed advisable, detail special auditors to investigate the membership roll and financial statement of any District, County, Squadron or other subdivision within this Detachment.

ARTICLE XV

REGULATIONS

Section 1 The Department Executive Committee of The American Legion is authorized to make and publish regulations for the organization, management and conduct of this Detachment and of the County, Squadron and all other organizations of this Detachment. Such regulations shall be consistent with the Department Constitution and these By-Laws and shall be complied with by all concerned.

ARTICLE XVI

RULES

Section 1 The procedure of the Detachment Convention shall be governed by Robert's Rules of Order, Revised.

ARTICLE XVII

AMENDMENTS

Section 1 All amendments hereto must conform to the requirements of Article XII of the Constitution.

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