

**ENCLOSURE 3**

**THE CONSTITUTION OF THE  
AMERICAN LEGION POST 177, CANFIELD, OH 44406  
DEPARTMENT OF OHIO**

**DRAFT**

**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 AND HEADQUARTERS**

**Section 1.** The name of this organization shall be Post No. 177, The American Legion, Canfield, Department of Ohio.

**Section 2.** There is no Post Headquarters. All notices and documents addressed to the Post shall be sent to **Post Office Box XX**, Canfield, OH 44406.

**ARTICLE II – OBJECTS**

**Section 1.** The objects and purposes of this Post shall be to promote the principles and policies set forth in the foregoing preamble, and the National, Department, and County Constitution and By-laws 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. Rank does not exist in The American Legion; no member shall be addressed by his military or naval title in any meeting of the Post.

**Section 2.** This organization shall be absolutely non-political and non-sectarian, and shall not be used for the dissemination of partisan principles or for the promotion of the candidacy of any person seeking public office or preferment.

**Section 3.** Each member shall perform his full duty as a citizen according to his own conscience and understanding.

## **ARTICLE IV – MEMBERSHIP**

**Section 1.** Any person shall be eligible for membership in The American Legion who was a member of the Army, Navy, Marine Corps, Coast Guard, or Air Force of the United States and assigned to active duty at some time during any of the following periods: April 6, 1917 to November 11, 1918; December 7, 1941 to December 31, 1946; June 25, 1950 to January 31, 1955; February 28, 1961 to May 7, 1975; August 24, 1982 to July 31, 1984; December 20, 1989 to January 31, 1990; August 2, 1990 to the cessation of hostilities as determined by the government of The United States of America: all dates inclusive, or who being a citizen of the United States at the time of his entry therein, served on active duty in the Armed Forces of any of the governments associated with the United States during any of the said periods; provided, however, that such service shall have been terminated by honorable discharge or honorable separation, or continued honorably during or after any of said periods; provided, further, that no person shall be entitled to membership who, being in such service during any of said periods, refused on conscientious, political, or other grounds to subject himself to military discipline or unqualified service.

**Section 2.** All applications for membership accompanied by service discharge papers shall be referred to the Membership Chair and/or the Post Commander. Upon approval of eligibility, the application accompanied by the dues shall be presented to the Post at a regular meeting and shall be acted upon at such meeting. A majority vote of the Post shall be necessary for acceptance.

**Section 3.** There shall be no form or class of membership except an active membership. Dues shall be paid annually.

**Section 4.** No person who is a member of another American Legion Post can be a member of American Legion Post 177.

**Section 5.** Members may be reprimanded, suspended, or expelled from the American Legion. And Officers may be reprimanded, removed from office, suspended or expelled from membership only upon proper showing of cause per ARTICLE IV, SECTION 2 of the Department By-Laws.

**Section 6.** Any member who has been suspended, expelled or removed from office has the right of appeal to the Department Executive committee in the manner prescribed by said Committee. The decision of the department shall be final.

**Section 7.** No person, who has been expelled by a Post shall be admitted to membership in this Post without the consent of the expelling Post, except that where such consent has been asked for and has been denied by such Post, he may then appeal to the Department Executive Committee for permission to be admitted to membership in the Post and he shall be ineligible for membership until such permission is granted.

**Section 8.** A member who has been expelled or suspended from this Post for any cause other than non-payment of dues may be reinstated to membership by a two-thirds vote of the Executive Committee and a majority vote of the Post; provided, however, that he shall make payment of any arrears in his dues from the time of the expulsion or suspension, and also other regular dues which have been payable in the interval between his expulsion or suspension and his reinstatement.

**Section 9.** Any member in good standing desiring to transfer from this Post to another Post is entitled to a certificate from this Post stating his membership, the duration thereof, and the date to which his dues are paid.

## **ARTICLE V – OFFICERS**

**Section 1.** The Administration of the Post's affairs, between meetings of the Post, and except as may be otherwise provided in the By-laws of the Post, shall be under the supervision of an Executive Committee which shall consist of no fewer than three (3) and no more than five (5) members, to be known as Executive Committeemen, in addition to the elective officers of the Post which are the Commander and one (1) Vice-Commander.

**Section 2** All elective officers and Executive Committeemen shall be elected and installed in the month of June annually and they shall hold office until their successors are duly installed or as otherwise provided.

**Section 3.** Every member of this Post, in good standing, shall be eligible to hold office in this Post except as otherwise provided herein..

## **ARTICLE VI – FINANCES AND DUES**

**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 Post.

**Section 2.** The annual dues of individual members of the Post shall be THIRTY DOLLARS (\$30.00) and, in addition thereto, any amount charged as dues by any intermediate body between the Post and Department of Ohio per member; the amount of the Annual Post dues shall be as set forth in the Post By-laws.

**Section 3.** The Post shall expeditiously collect the annual dues for its members and shall pay to The American Legion, Department of Ohio such amount due to the National, Department, District, and County Organizations.

**Section 4.** All moneys received in any manner for welfare purposes of any nature by the Post shall be deposited in a duly authorized banking institution and none of such moneys shall be withdrawn except for welfare purposes and, upon draft signed by the Finance Officer of the Post and at least one other member thereof duly elected for that purpose.

**Section 5.** This Post shall not solicit another Post or County Organization for purposes of financial aid or relief.

### **ARTICLE VII – AUXILIARY**

**Section 1.** The Post recognizes an Auxiliary Organization known as the AUXILIARY OF THE AMERICAN LEGION POST NO. 177, OF THE AMERICAN LEGION, DEPARTMENT OF OHIO.

**Section 2.** Membership in the said Auxiliary Organization shall be governed by the Constitution of The American Legion.

### **ARTICLE VIII – SONS OF THE AMERICAN LEGION**

**Section 1.** This Post recognizes Sons of The American Legion Organization known as the SONS OF THE AMERICAN LEGION POST NO. 177 OF THE AMERICAN LEGION, DEPARTMENT OF OHIO.

**Section 2.** Membership in the Sons of The American Legion shall be governed by the constitution and By-Laws of the sons of The American Legion.

### **ARTICLE IX – AMENDMENTS**

**Section 1.** This Constitution is adopted subject to the provisions of the National, Department, and Lake County Constitution and By-laws, The American Legion. Any amendments to said National, Department, or County Constitution and By-laws which 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 a vote of two-thirds of the members attending such regular meeting providing there is a quorum present, provided that the proposed amendment shall have been submitted in writing and read at a preceding regular meeting of the Post, and provided further that written notice, including a copy of the proposed amendment shall have been sent to all members at least ten days in advance of the date when such amendment is to be voted upon.