

**CONSTITUTION OF THE AMERICAN LEGION
WILLIAM R. WITTY POST 37
DEPARTMENT OF MINNESOTA**

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 association 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 Goodwill 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 this organization shall be William R. Witty Post 37, The American Legion, Department of Minnesota, Saint Peter, Minnesota.

**ARTICLE II
OBJECTS**

Section 1. The objectives and purposes of the post shall be to promote the principles and policies as set forth in the foregoing preamble and the National and State Constitutions of the American Legion.

**ARTICLE III
NATURE**

Section 1. The 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 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 membership in the American Legion; no member shall be addressed by their military title in any meetings of this Post.

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**ARTICLE IV
MEMBERSHIP**

Section 1. Eligibility to membership in the Post shall be as prescribed by the National Constitution of The American Legion.

Section 2. Applications for membership shall be made in writing 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 meeting following the making of such application, and shall at such meeting, be accepted, rejected or referred for further investigation and consideration. If a majority of the members cast their vote against the acceptance of the said application, then such application shall be recorded as rejected.

Section 4. Any member of this Post may be expelled for cause by two-thirds vote of the Executive Committee after charges are preferred under oath in writing, and a fair trial had upon the same.

Section 5. A member who has been expelled or suspended from the Post for any cause may be reinstated to membership by two-thirds vote of the membership present in Post meeting, and the payment of current dues for the year in which reinstatement occurred.

Section 6. 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 denied by such Post, may then appeal to the state Executive Committee of the Department of the expelling Post for permission to apply for membership in the Post, and shall be ineligible for membership until such permission is granted.

**ARTICLE V
OFFICERS**

Section 1. The administrative affairs of the 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 seven members including the officers of the Post. The terms 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, a 1st and 2nd Vice-Commander, an Adjutant, a Finance officer, a Post historian, a Post chaplain, Post service officer 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 proceeding the annual election.

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Section 3. All officers and Executive Committee members shall be elected annually and they shall hold office until their successors are duly installed or as otherwise provided. Any office or Executive Committee member may be removed for inefficiency by the Executive Committee, a two-thirds vote of said committee being necessary to effect such removal.

Section 4. Every member of this Post in good standing shall be eligible to hold office in this Post.

Section 5. The duties of officers and the executive committee shall be those usually appertaining to such officers 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 other sources as may be approved by the Post Executive Committee.

Section 2. The amount of such membership or initiation fees and the amount of such annual post dues shall be fixed and determined by the Post.

Section 3. The Post shall pay to Department headquarters the National and Departmental annual membership dues for every member of the Post.

**ARTICLE VII
CHARTER MEMBERS**

Section 1. Members who joined this Post prior to November 11, 1919 (or members who joined this Post prior to the issuance of charter) shall be known as Charter Members. Note: The matter of charter members for the permanent charter is left to the decision of the Post members.

**ARTICLE VIII
AMERICAN LEGION AUXILIARY**

Section 1. This Post recognizes an auxiliary organization to be known as American Legion Auxiliary Post 37, The American Legion, Saint Peter, Minnesota.

Section 2. Membership in the Auxiliary shall be as prescribed by the National Constitution of the American Legion Auxiliary.

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**ARTICLE IX
SONS OF THE AMERICAN LEGION**

Section 1. This Post recognizes Sons of the American Legion, Post 37, The American Legion, Saint Peter Minnesota.

Section 2. Membership in the Sons of the American Legion shall be prescribed by the National Constitution of The Sons of the American Legion.

**ARTICLE X
AMERICAN LEGION RIDERS**

Section 1. This Post recognizes the American Legion Riders, Post 37, The American Legion, Saint Peter Minnesota.

Section 2. Membership in the American Legion Riders shall be prescribed by the National Constitution of the American Legion Riders.

**ARTICLE XI
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 Minnesota, The American Legion. Any amendments 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 the Constitution to the extent of such conflict.

Section 2. The Constitution may be amended at any regular Post meeting by vote of two-thirds of the members of said Post attending such meeting, providing the proposed amendment shall have been submitted in writing and read at the next preceding regular meeting of said Post, and providing further, written notice shall have been given to all members at least 7 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.

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This Constitution for the William R. Witty Post 37, The American Legion, Department of Minnesota supersedes all previous Constitution of this Post

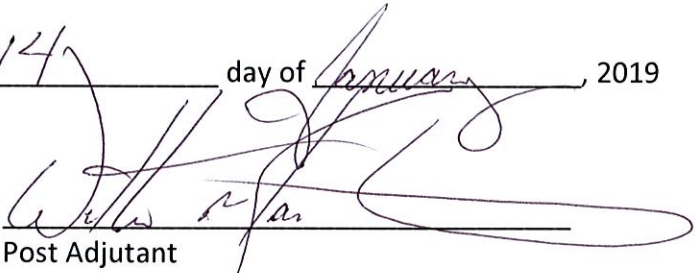
Adopted by two-thirds majority of members in the regular meeting

Dated this 12TH day of FEBRUARY, 2019



Post Commander

Subscribed and sworn before me this 14 day of January, 2019



Post Adjutant

Members of the Constitution update committee are Keith Keogh, Chairman, Dennis Zochert, Shawn Schloesser, Ron Davis, Jim Weber, Ron Fierst and Dick Stenzel.