

# DISABLED AMERICAN VETERANS



HILLSDALE COUNTY CHAPTER NO. 68 - HILLSDALE, MICHIGAN 49242

## CONSTITUTION

Constitution of Hillsdale Chapter #68 Disabled American Veterans  
of  
Hillsdale, Michigan

### Preamble

We, the Casualties of America's wars do hereby associate ourselves in a local chapter of the Disabled American Veterans to promote the well being of the Nation, State and Community and the common good of our members; to further the principles and ideals of the National Organization of Disabled American Veterans, being ever mindful that in giving service to, and caring for our disabled comrades, and their next of kin, we can best pay tribute to our honored dead; to pledge ourselves with all of our strength, to preserve America in all of its greatness, so that the stars and stripes shall be a symbol of freedom and justice to all the world forever.

### ARTICLE I. Name

This Chapter shall be known as Hillsdale Chapter #68, Disabled American Veterans", located at Hillsdale, Michigan.

### ARTICLE II. Purpose

The purpose of this Chapter shall be to uphold and defend the constitution and the laws of the United States of America, (We are non-political and non-sectarian); to promote good government and support all civic projects of the Community, which are designed to improve the welfare of our citizens and their standard of living; to do our utmost in aiding in the rehabilitation of our war casualties, to alleviate want and suffering, sickness and misfortune in the families of veterans of the community, state and nation, to cooperate with all agencies and organizations dealing with veteran problems, to promote the welfare of all veterans in veterans' organizations in our community, state and nation.

### ARTICLE III. Membership

All persons eligible for membership as prescribed by the National Constitution of the Disabled American Veterans shall be eligible for membership herein.

ARTICLE IV. Powers

This Chapter shall have perpetual succession with powers to sue and be sued in all courts of law and chancery: to receive, hold, own, use, buy, mortgage, pledge and dispose of such real and personal property as shall be deemed necessary to carry out the purposes of the organization: to adopt a constitution and by-laws, consistent with the constitution and by-laws of the National Organization of the Disabled American Veterans, the laws of the United States and the State of Michigan; to provide such officers by election and appointment as the duties of its officers, terms of office and its method of election or appointment, and further to provide for their election, appointment or removal: to provide for a system of dues and assessments to carry on the business of the Chapter: to establish business procedures, codes for discipline and decorum, and to provide for penalties for violation of the by-laws, rules and regulation of the Chapter.

To establish the time and place for all regular or special meetings of the organization and to provide proper procedure for calling special meetings; and further, to have all such powers as are legal and lawful to achieve its avowed purpose and intended objectives.

ARTICLE V. Amendment of Constitution

It is further provided that this constitution may be amended at any regular or special meeting of the Chapter by an affirmative vote of at least two-thirds of the membership present, provided, there is a quorum present as established in the by-laws, and further, provided that all members in good standing shall have been notified in writing of the proposed change, at least five (5) days prior to said meeting.

ARTICLE VI. Saving Clause

It is further provided that in the event any article, section, paragraph or other portion or part of this constitution are declared void by the state or national organization of the Disabled American Veterans, then such article, section, paragraph or other portion or part shall be deemed severable and the remainder of this constitution shall remain in full force and effect.

ARTICLE VII. Effective Date

It is further provided that this constitution shall become effective immediately upon its approval at a regular meeting assembled, wherein all members in good standing, and at least five (5) days prior thereto, have been notified in writing of the proposed adoption of this constitution on said date. We the undersigned, Commander and Adjutant of the Hillsdale Chapter #68 of Disabled American Veterans, do hereby certify that the foregoing Constitution was adopted at a regular meeting held on the 14th day of February 1951, all members in good standing have been notified prior thereto of the proposed adoption of said Constitution. Said meeting was held on the 14th day of February 1951.

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Commander

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Address

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Adjutant

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Address

I CERTIFY that the within constitution  
and/or by-laws does not conflict with  
those of the National Organization,  
and to that extent, is approved.

Date:

DAV National Judge Advocate

BY-LAWS

Section I. Admission of New Members

- Par. 1. New members shall make application on forms prescribed by the Association and shall be in accordance with Article III (membership) in the National Constitution of the Disabled American Veterans. It is desirable that new members be sponsored by a member of Hillsdale Chapter #68. All applicants must comply with requirements of eligibility as prescribed by the national and State Constitution of By-laws.
- Par. 2. No application for membership shall be considered unless accompanied by the dues for the current fiscal year.
- Par. 3. The annual dues of Hillsdale Chapter #68 shall be \$15.00 which covers a period of one fiscal year. Applicants for Life Membership shall pay a minimum installment as prescribed by National Department.
- Par. 4. The Chapter may, if it deems it proper and necessary, at any regular meeting, pay the dues or portion of Life Membership fees of any eligible veteran.

Section II. Election of Officers ---Duties

- Par. 1. The annual election of officers shall be held under the ritual heading of "New Business" at the first regular meeting in May of each year.
- Par. 2. The Chapter shall elect annually the following officers:
- Commander
  - Senior Vice-Commander
  - Junior Vice-Commander
  - Chaplain
  - One (1) Trustee (to serve for three (3) years).

- Par. 3. Elections shall be by written ballot conducted as follows:

The Commander shall appoint three (3) tellers, who shall distribute ballots for election purposes, gather ballots, tabulate and announce the results thereof.

Officers shall be nominated and elected in the sequence named in Paragraph 2, Section 2. The presiding officer shall ask for nominations from the floor. After receiving same, he shall ask three (3) times, "Are there any further nomination?" If there are no further nominations, he shall declare the nominations closed for the office under consideration.

He shall instruct the tellers to proceed as previously stated. The successful candidate shall be declared elected upon receiving a majority of the votes cast.

In the event there are more than two candidates for an elective officer, and there is no majority of votes cast, another vote shall be taken eliminating for candidates on said second ballot all but the two candidates who have received the highest votes. Whenever there is a tie vote the winner shall be determined by lot. The tellers shall determine the method.

- Par. 4. Installation of the new officers shall be held prior to July 1 of each year.
- Par. 5. Any officer who is absent from three consecutive meetings, without a reasonable excuse, shall be removed.
- Par. 6. Any officer may be removed from office for malfeasance, misfeasance or non-feasance, or for bringing disgrace upon himself or the organization. Removal shall be in the following manner.

Charges, specific as to time and place of the alleged derelictions, requesting removal must be made, signed by ten or more members, filed with the Adjutant or Commander, or may be read on the floor in open meeting. When filed with the Adjutant or Commander, they must be read at the next regular business meeting. A copy of the charges are, by registered mail, sent to the accused. This is the duty of the Commander or the Adjutant. Such copy is to be delivered within seven days following said meeting. The Chapter shall make a decision on the Charges and the removal request at the next regular meeting, which follows delivery of the charges to the one accused, provided the accused has seven days notice thereof.

- Par. 7. Vacancies occurring in any elective office may be filled at any regular meeting by following the procedure as outlined in Paragraph 3 of this section.
- Par. 8. The elective officers, Treasurer, Trustees, and Immediate Past Commander shall constitute the Executive Committee to be the governing body between meetings. They shall have the power to spend or obligate the Chapter for sums not to exceed \$150.00 between any regular meetings. The Adjutant shall be the Secretary to the Committee and he shall keep an accurate record of its proceedings and shall read such proceedings at the next regular business meeting. The executive Committee may meet at their own pleasure and convenience, and at the order of the Commander.
- Par. 9. The Commander shall be the Executive Officer of the Chapter and shall counter-sign all checks. He shall be the Presiding Officer of the Executive Committee and an Ex-Officio Member of all committees. He shall appoint an Adjutant and a Treasurer with the approval of the Executive Committee elect, he may combine the offices and duties of the Adjutant and Treasurer. He shall also appoint such other officers and committees as are required by the State and National Organization of Disabled American Veterans, or by the Chapter. He may also appoint

such other officers and committees as he deems necessary. All appointees of the Commander are to serve or be removed at his pleasure. No appointee shall serve beyond the tenure of the appointing power, unless such appointments are extended by majority vote at a regular meeting of the Chapter.

- Par. 10. The Senior Vice-Commander shall aid and assist the Commander in the performance of his duties, and in the absence of the Commander, the Senior Vice-Commander shall perform his duties, in the event of a vacancy in the office of the Commander, due to death or removal, or inability to serve, he shall be advanced and installed as the Commander.
- Par. 11. The Junior Vice-Commander shall aid the Commander and Senior Vice-Commander in the performance of their duties, and in the absence of the Commander and Senior Vice-Commander, he shall assume the duties of the Commander. In event of vacancies in the next higher office, he shall automatically be advanced and installed in that office.
- Par. 12. The Adjutant shall keep an accurate record of the membership records, the minutes of all meetings of the Chapter and Executive Committee meetings. He shall be the custodian of all papers, seals, records and books of the Chapter, excepting the books and records of the Treasurer. He shall also attest all communications and papers of routine business and such communications and papers as are ordered by the Commander and the Chapter.
- Par. 13. The Treasurer shall receive and be custodian of all funds which shall be deposited in some suitable bank. He shall make all expenditures as ordered or required by the Chapter, or State or National Organization, or as provided for in the By-Laws or subsequent regulations adopted by the Chapter. All expenditures shall be by check, counter-signed by the Commander. The Treasurer shall be bonded for an amount in excess of anticipated funds on hand at any time during his term of office.
- Par. 14. The duties of the Chaplain shall be as defined in the Official Ritual of the National Organization and all such other duties as might be incumbent upon his office.
- Par. 15. All appointive officers shall perform their duties as defined by the Ritual and as ordered by the Commander.
- Par. 16. The Trustees shall be empowered to sign their own names as representatives of this Chapter in the purchase or sale of real and personal property or in negotiating loans, leases, rentals or in making investments. They shall be custodians of all real and personal property, incidental to the proper functioning of real estate investments. The Trustees shall be charged with the responsibility of proper maintenance, insurance and protection of any fore-named property belonging to this Chapter. The trustees shall be responsible for custodial care of hall, grounds, rentals, and houseman duties, and may appoint or hire another member to perform such duties subject to

approval of the Executive Committee. They shall keep detailed records of income and expenses pertaining to rentals and house funds, and all net proceeds shall be deposited with the treasurer. They shall make, or cause to be made in the interim between election and installation of officers any audit of the finances of the Chapter, and if requested by the CHAPTER, an inventory of all real and personal property, and shall report in detail the findings of such audit and inventory. The Trustees shall not be sovereign in their actions within or unto themselves, but shall be subject to the regulations and mandates of this Chapter. In all actions of the Trustees, the action of any two of the contrary to the Constitution, By-Laws, Rules or Regulations of this Chapter, State or National Organization.

Par. 17. The Chapter shall elect annually a State Executive Committeeman, whose term shall run concurrently with the regular officers of the chapter. Such election shall take place immediately following the election of Chapter Officers, and on the same date and place.

Par. 18. All Officers of the Chapter, the Executive Committeeman and the Trustees shall, upon the adoption of these By-Laws, be continued in office as per regulations previously adopted, to complete their tenure in office, until the next regular annual election as set forth herein.

Section .3. Meetings - Regular or Special

Par. 1. Regular meeting dates and places thereof may be established by a majority vote at any regular meeting. In the event that the regular date and place of meeting be changed, all members shall be notified in writing of such change at least seven (7) days prior thereto, stating the time and place thereof.

Par. 2. The first regular meeting date of each month shall be a business meeting and at said meeting the ritual shall be used in full for opening and closing ceremonies, and also for initiation of recruits.

Par. 3. The Chapter may also establish additional regular meeting dates at which time all or any part of the ritual may be omitted.

Par. 4. The Commander or the Executive Committee may call special meetings whenever it is deemed necessary. The Commander shall call special meetings upon written request of ten or more members. Such request shall state the reason and the business at hand for such meeting. In the event a special meeting is called, all members must have notice in writing seven (7) days prior to such meeting, stating time and place and the business at hand. Only matters contained in the call of the Special Meeting may be acted upon.

Par. 5. In the event at any regular or special meeting the Commander, Senior Vice-Commander and Junior Vice-Commander are absent, the members present shall by caucus designate an acting Commander for the meeting,

Section 4. Delegates to Conventions

The Newly elected Commander and Senior Vice-Commander shall be delegates to the State Convention. The Commander elect shall be the chairman of the delegation, and the Senior Vice-Commander elect shall be vice chairman, provided further that if either the Commander elect or the Senior Vice-Commander elect is state executive committeeman, he shall not be a delegate. The balance of the delegates shall be elected at the regular May meeting, according to form as per Section 2, Paragraph 3. Duly elected delegates, unable to attend the State Convention, shall with the approval of the Commander elect, select their own alternate, who shall be so certified.

Par. 2. In the event the Chapter chooses to send a delegate or delegates to the National Convention, such delegate or delegates shall be elected at the first regular meeting of May.

Par. 3. Remuneration for expenses of delegates to any convention shall be determined at the meeting at which they are elected. Otherwise, no expenses shall be borne by the Chapter.

Section 5. Good of the Order

Par. 1. Trials and charges shall be as prescribed by the National Organization of the Disabled American Veterans.

Section 6. Amendments

Par. 1. These By-Laws may be amended at any meeting by a favorable vote of two-thirds of the membership present, provided that all members in good standing shall have been notified in writing of the proposed change, at least five (5) days prior to said meeting.

Section 7. Saving Clauses

Par. 1. All By-Laws heretofore adopted are hereby repealed.

Par. 2. In the event any section, paragraph, sentence or other part of these By-Laws are declared null and void by the State or National Organization, the same shall be deemed severable, and the balance of the By-Laws shall remain in full force and effect.



Section 8. Effective Date

Par. 1. These By-Laws shall take effect immediately upon their approval in regular meeting assembled on this 8th day of April, 1988. It is hereby noted that all members in good standing have been notified in writing of the proposed adoption of these By-Laws on the regular meeting date of Friday April 8, 1988.

Fred W. Waldecker  
Commander - Fred W. Waldecker

Herbert H. Hine  
Adjutant - Herbert H. Hine

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Address 1716 N. Bunn, Hillsdale

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I CERTIFY that the within Constitution and/or By-Laws does not conflict with those of the State Department, and to that extent is approved. With the exception of that part of Section II Paragraph 16 "to sign their own names as representatives of this Chapter in the purchase or sale of real ...property or in negotiating loans, leases ....." It is my suggestion that the chapter incorporate.

[Signature]  
DAV Department Judges Advocate



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DAV Department Judges Advocate

Robert J. Hall

