

THE
CANADIAN LEGION
— OF THE —
BRITISH EMPIRE
SERVICE LEAGUE

Constitution

which includes
Principles and Policy, Aims and Objects
and

General By-Laws

Including amendments authorized by the Seventh Dominion
Convention held in Fort William, Ontario,
January 31 - February 3, 1938.



DOMINION COMMAND

P.O. Box 640

Ottawa, Ont.

Provincial Commands

- British Columbia—Suite 810, Dominion Bank Building, 207 W.
Hastings St., Vancouver, B.C.
- Alberta—601 Leeson-Limeham Block, Calgary, Alta.
- Saskatchewan—Room 4, New Canada Life Building, Regina,
Saskatchewan.
- Manitoba—203 Lombard Bldg., Winnipeg, Manitoba.
- Ontario—MacLean Bldg., 210 Dundas St. W., Toronto, Ont.
- Quebec—Room 622, Drummond Bldg., 1117 St. Catherine
St. W., Montreal, Que.
- New Brunswick—69 King St., Saint John, N.B.
- Nova Scotia—P.O. Box 112, Halifax, N.S.
- Prince Edward
Island—57 Grafton Street, Charlottetown, P.E.I.

State Commands

- California—1220 Dwight Way, Berkeley, Calif., U.S.A.
- Great Lakes—1492 Hurlbut Ave., Detroit, Mich., U.S.A.
- Massachusetts—71 Prospect St., Milford, Mass., U.S.A.

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The
Canadian Legion
of the
British Empire Service League
CONSTITUTION

PART I.

Title

The title of the organization shall be "**The Canadian Legion of the British Empire Service League**". It is hereinafter referred to as "**The Legion**".

EXTRACT FROM LETTERS PATENT

Principles and Policy

The Legion shall be democratic, non-sectarian and shall not be affiliated to, or connected directly or indirectly with, any political party or organization.

The Legion shall stand for loyalty to the reigning Sovereign, Canada and the British Empire, for maintenance of the foundation principles of the British Constitution, for the development of a national and united spirit, and for ordered government in Canada, and while striving for peace, good will and friendship among all nations, will advocate the maintenance in and by Canada of adequate and efficient forces, on land, sea and in the air, for the defence of our country and for the discharge of those obligations which rest upon us by virtue of our partnership in the British Empire.

The Legion shall stand for strong and united comradeship among all those who have served in His Majesty's forces throughout the Empire, so that neither their rights nor their interests shall be forgotten, and so that their welfare and that of their dependents, especially the dependents of the disabled, sick, aged and needy, may be safeguarded.

Purposes and Objects

(a) To bring about the unity of all who have served in His Majesty's Navy, Army, Air Force or any Auxiliary Force;

(b) To further among them the spirit of comradeship and mutual help, and the close and kindly ties of active service;

(c) To preserve the records and memories of their services, and to see that their services generally shall not be forgotten by the Nation, and (that) due attention shall be paid to their welfare and that of their dependents;

(d) To perpetuate the memory and deeds of the fallen and of those who die in the future; and to promote and care for memorials to their valour and sacrifice; to provide suitable burial; and to keep an annual Memorial Day;

(e) To see to the maintenance and comfort of those who require special treatment, of the disabled, sick, aged and needy; and to promote the welfare of the women, children and others their dependents;

(f) To educate public opinion regarding national duties to the dead, the disabled, and others who have served, and their dependents;

(g) To foster loyalty among the public and education in the principles of patriotism, duty and unstinted public service;

(h) To support suitable undertakings for the training, employment and settlement of ex-service men and women, and the education of their children;

(i) To preserve their statutory, acquired and legitimate rights, and those of their dependents; and in so doing to offer the Legion's co-operation to those officially charged with the responsibility of administering such rights by Federal or other governments.

(j) To pass on to their families and descendants the traditions for which they stand;

(k) To assist comrades now serving, especially in connection with their return to civil life, and to safeguard the interests of their dependents whilst they are in service;

(l) To assist ex-service men to secure not less than the recognised standard rates of wages, in accordance with their ability;

(m) To secure adequate pensions, allowances, grants and war gratuities for ex-service men and women, their dependents, and the widows, children and dependents of those who are dead, and to labor

for honourable provision being made for those who, in declining years are unable to support themselves;

(n) To co-operate with Empire and Allied Associations of similar aims and objects;

(o) To establish, organize and regulate provincial, district and local bodies, or Commands and Branches, in convenient centres throughout Canada and elsewhere.

(p) To establish, organize and regulate provincial, district and local bodies of women for the purpose of assisting The Legion in seeing to the maintenance and comfort of disabled, sick, aged and needy ex-service men and women and their dependents, and to co-operate with The Legion in the promotion and carrying out of all the aims and objects of The Legion. Such groups to be known as the Ladies' Auxiliaries of The Canadian Legion of the British Empire Service League;

(q) To acquire and hold such property in the nature of club rooms, canteens, hospitals, rest homes, offices, equipment of all kinds and material, as may be necessary for the administration of The Legion and its authorized Provincial and District Commands, Branches and Ladies' Auxiliaries, in pursuit of the aims and objects of The Legion as herein described;

(r) To raise and co-ordinate funds for assisting those mentioned in the preceding paragraphs, to provide for the administration of The Legion and its authorized Provincial and District Commands, Branches and Ladies' Auxiliaries, and to see that these and other funds raised for such purposes are applied to those purposes and none other.

PART II.

General By-Laws

ARTICLE I.

Organization

1. The Dominion Convention, and when it is not in session, the Dominion Executive Council, shall have supreme jurisdiction in all matters within the purposes and objects of The Legion, and its decisions on questions of policy, and as to the course of action to be taken in respect thereof, shall be authoritative and binding upon all subordinate Councils and Branches. The supreme authority of The Legion shall be denominated the Dominion Command.

2. The Dominion Executive Council may organize and constitute only one Command in each of the Provinces of the Dominion of Canada. When constituted such Command shall be governed by Convention and Executive Council as hereafter provided.

3. The primary unit of The Legion shall be the Branch, to one of which every member must belong. Any Branch may decide to restrict its membership to persons who have seen service in any particular area or capacity, or who have some common interest either in service or in civil life. Each local Branch shall exercise complete autonomy in regard to its own property and affairs, and shall have power to make its own by-laws and regulations governing its activities, so long as they are consistent with the general rules and principles of these by-laws.

4. The work of organizing Branches shall rest in the first instance with the Provincial Commands, which may from time to time delegate any portion of this work to any subordinate Council, and also resume the same, as to the Provincial Command may seem best in the interests of The Legion. Provided that when, in the opinion of the Dominion Command, special work is necessary in any area, the Dominion Command may, upon notice to the Provincial Command concerned, make arrangements for, and carry out, any necessary work or organization effort in such area.

5. Upon the application of fifty or more persons within a city or ten or more persons in any outlying district who desire to form a Branch, and who fulfill the qualifications of membership, the Provincial Command, after being satisfied that the petitioners are able to maintain a satisfactory Branch may recommend its formation to the Dominion Command. A Charter may thereupon issue from the Dominion Command to such Branch, provided, however, that when any Branch organized in a city fails to maintain a minimum membership of fifty, the Charter of such Branch may be withdrawn.

6. (1) No officer or member shall make public any statement, oral or written, as to the policy of The Legion, in connection with any question or matter, unless or until such policy has been declared

(a) By a Meeting of the Branch affected, or by the Executive Committee of such Branch, as to matters of local character and within the jurisdiction of the Branch. Any appeal for financial assistance by any Branch shall be restricted to that area within which the Branch has jurisdiction.

(b) By a Provincial Convention or Provincial Executive Council, as to matters of a Provincial character and within the jurisdiction of such Provincial Command.

(c) By a Dominion Convention or the Dominion Executive Council, as to all other matters and questions and particularly those of a Dominion character.

(2) Branches and Executive Councils other than the Dominion Executive Council, shall be limited in the exercise of their autonomy each to its own territory and any and all activities contemplated, which are not so limited, shall be first approved by the superior Command having jurisdiction.

(3) The channel of communication shall be from the Branch through its superior Command.

7. The financial year for all Branches and Provincial Commands shall be the calendar year and on or before the 31st of March in each year all Provincial Commands shall file with the Dominion Command an Auditor's certificate as to receipts for per capita tax for the year. The financial year of the Dominion Command shall be as recommended by the Committees of Ways and Means and adopted from time to time by the Conventions of The Legion.

8. The Dominion Convention shall meet in eastern, central and western Canada alternately, at a place to be fixed by vote of the next preceding Convention. Provided, however, that such Convention may be called by the Dominion Executive Council, at a date or place other than that fixed, if, in their opinion, there is sufficient reason for such change, and provided further that Conventions shall be held not less frequently than biennially.

A Convention must be called by the Dominion Executive Council at any time, on a request therefor by two-thirds in number of the Branches.

9. There shall be a Provincial Convention for each Province, which shall meet at a time and place fixed by a vote of the preceding Convention unless referred to the Provincial Executive Council. Provided, however, that such Convention may be called by the Provincial Executive Council at a date or place other than that fixed by the Convention, if, in their opinion, there is sufficient reason for such change. Provided further, that a Convention must be called at any time on request therefor by two-thirds of the Branches in the Command.

10. In the recess of the Provincial Convention its powers shall be exercised by the Provincial Executive Council, subject to these by-laws.

11. Subject to the powers of the Dominion Executive Council and these by-laws, the respective Provincial Executive Councils shall have jurisdiction upon all matters arising within their territorial limits, but where the policy in respect to such matters affects The Legion as a whole, or the members thereof beyond such limits, the Provincial Executive Council shall, before deciding upon the policy to be adopted, submit a recommendation in respect thereof to the Dominion Executive Council for approval.

12. Should a Provincial Convention desire, for convenience of administration, to organize part of its area as a separate district, it shall have power to do so and to delegate to the District Executive Council such of its duties and powers as may be permissible under these by-laws; provided, however, that no Charter shall hereafter be issued to any District Executive Council and such Councils, including those already holding a Charter, shall hereafter operate under, and be responsible to, the respective Provincial Commands having jurisdiction over the area within which any such District Executive Council has been or shall hereafter be organized.

13. All Branches shall be under the discipline of their respective Provincial Executive Councils, and, where a District has been formed, their District Executive Council.

14. The Dominion and Provincial Executive Councils may constitute special Branches under their respective names and jurisdictions for receiving members at large.

15. All Branches of The Legion in the United States of America shall be administered as follows:—

(a) Where there is a recognized State Command for a defined area, all Branches within that area shall be under the jurisdiction of such State Command.

(b) Any Branch not coming within the aforesaid provision, may elect to be attached to and become subject to the jurisdiction of any recognized State Command or any Provincial Command in the Dominion of Canada.

(c) All other Branches shall be under the direct control of the Dominion Command.

Auditors: Their Appointment and Remuneration

16. At the first meeting of the Dominion Executive Council and each Provincial Executive Council following Conventions, a chartered accountant shall be appointed to act as auditor until the next ensuing

Convention, or for such period as may be determined by such Executive Council and until his successor is appointed. Any auditor so appointed shall be required to report annually to the Executive Council appointing him.

17. Within one month before the Annual Meeting of a Branch, the accounts of the Branch shall be examined by a Finance Committee, who shall be elected for the Branch at a General Meeting. Provided that the Finance Committee appointed for any Branch need not be chartered accountants and may be members, but not officers, of any such Branch.

18. Subject to the express provisions herein contained, Sections 118 and 120 of the Companies Act, 1934, and amendments thereto shall be adopted and read as part of the by-laws, insofar as the same are not inconsistent with these by-laws.

Powers and Rights with Respect to the Holding of Property

19. The real property that may be held or acquired by any Branch or Council shall be held by a Board of Trustees, duly appointed by it for that purpose, whose appointment, rights, powers and duties shall in each case be fixed and determined as hereinafter set forth, and who may take, hold, possess and acquire by purchase, lease, exchange, donation, devise, bequest, endowment or otherwise, real or immovable property required for the actual use and occupation of The Legion, or necessary or requisite for the carrying out of its purposes and objects, and subject to Section 63 of the Companies Act, with power to sell, mortgage, pledge, hypothecate, or alienate such property in any manner whatsoever.

20. Subject to these by-laws, and at the request of the existing owners, the Board of Trustees of the Dominion Executive Council, or of any such Council or Branch as it may determine, may acquire and take over all existing assets, interests, rights, credits and property movable and immovable, held and enjoyed by The Legion or belonging to any organization that is or may become merged into or united therewith, subject to all the obligations and liabilities existing at the time.

21. The Branch at its first General Meeting may appoint a Board of Trustees of not less than three nor more than five, each of whom shall be over the age of twenty-one years, for the purpose of holding, on behalf of the Branch, all or any real property in which the Branch is or may become interested.

22. Any such property held by the Branch, or by The Legion for any Branch, shall be forthwith conveyed to the proper Trustees, duly appointed under this article by any such Branch or Council of The Legion.

23. The remuneration, if any, of the Trustees shall be fixed by the general meeting of the Branch, or Council concerned, and all charges, expenses and outlays whatsoever incurred by them in the execution or maintenance of the trust, shall be paid to the Trustees by the Branch or Council, upon demand of the Trustees, who shall, at the expense of the Branch or Council, have the right to engage all necessary and proper solicitors and agents for all trust purposes at all times.

24. In case any Trustee shall die or resign from the trust or become unfit or incapable of acting, or refusing to act, the Branch or Council shall forthwith appoint his successor, who, upon appointment, shall have all the duties and powers of the Trustee whose place he takes upon the Board.

25. (a) All property held by the Trustees shall be so held upon such terms and conditions as the Branch or Council shall determine. The property may be insured, leased, mortgaged, and sold only as the Branch or Council may direct, and the Trustees shall in all respects conform to any and all rules and regulations passed by the Branch or Council governing the holdings of said property, but otherwise, and in default of any such rules, the Trustees shall hold and manage the same in all respects in the best interests of the Branch or Council and The Legion.

(b) Instead of a Board of Trustees the Branch may incorporate a Society under the provisions of the appropriate Provincial law for the purpose of holding and managing the property of the Branch in trust for the Branch but such Society shall be so constituted that a majority of its members shall consist of the Officers and Executive Committee of the Branch for the time being and the rest of the members shall be members of the Branch, and the constitution of such Society shall not become operative until it shall have received the approval of the Dominion Command.

The foregoing by-laws relating to the rights, powers and obligations of a Board of Trustees shall apply so far as the context shall permit to such incorporated Society.

Badges

26. Official badges and other insignia of The Canadian Legion shall be as fixed by the Dominion Executive Council. There shall be a distinctive badge to be worn only by members of The Canadian Legion. Members of Auxiliaries, Past Presidents, Honorary Officers, and other members who have rendered meritorious service to The Legion, may wear badges of such a design as may be decided upon by the Dominion Executive Council.

Banking and Seal

27. All monies received by the Dominion or by a Provincial or District Executive Council or by Branches shall be forthwith deposited in such chartered bank or banks as such Executive Council or Branch may decide.

28. All cheques issued by the Dominion or by a Provincial or District Executive Council or by a Branch shall be signed by such Officers or members as such Executive Council or Branch may determine.

29. Branches shall maintain such systems of bookkeeping as may be directed by the Dominion Executive Council.

30. (a) The corporate seal of The Legion shall be in the custody of the General Secretary thereof, who, under such seal, shall have full and complete authority to certify as to the authenticity of any and all documents in his possession by virtue of his appointment to such office.

(b) Every Branch and Council shall have a seal which shall be according to such design as may be determined by the Dominion Executive Council, but which in each case shall bear on it the words, "_____ Branch", (or "Council", as the case may be), and the blanks shall be filled in with the proper designation of the Branch or Council.

(c) The seals of the Branches and Councils of The Legion shall be in the custody of the respective Secretaries thereof and who shall have authority to certify as to the authenticity of any and all documents in their custody by virtue of their office.

Special Departments

31. (a) The Dominion Council may establish a special Clubs Department for the purpose of assisting and advising ex-service men's Clubs as to their organization, membership and other interests.

(b) Organizations for the protection of particular sections of ex-service men, or for the execution of special work, shall be constituted by the Dominion or Provincial Executive Councils into or under special departments. The special interests of the members of the Tuberculous Veterans' Association and the Imperial Veterans shall be safeguarded by the departments that represent them, sending representatives as members to the Dominion and Provincial Executive Councils. They may elect such Officers as may be necessary to conduct the activities of their respective organizations and make by-laws for the government of such organizations, not inconsistent with the principles of The Legion and these by-laws. The adjustment and vocational services at Headquarters shall be directed by their special representatives in those departments. In the event of any other organization of veterans in Canada, having a Dominion Charter, applying for admission to The Legion, a Dominion Convention may admit such organization to membership within The Legion upon such terms and conditions as may be agreed upon.

(c) Old Comrades' Associations, and similar organizations for maintaining a particular tradition and fellowship may be affiliated with The Legion on such terms and conditions as the Dominion Executive Council may judge best. The individual members of such organizations shall become ordinary members only on application to a Branch of The Legion.

ARTICLE II. Membership

1. Membership is open to the following classes:—

(1) Ordinary Members

Any person of good character:—

(a) Who has seen active service during any of the wars of the Empire in any of His Majesty's Forces, including the Mercantile Marine and the Fishery Patrol Services, or

(b) Who has served satisfactorily not less than three years in any of His Majesty's Forces, or The Royal Canadian Mounted Police, or

(c) Who is, or has become, a British Subject and who has served not less than three months in an allied force during the Great War, and saw active service therewith.

(2) Life Members

Any ordinary member may be admitted to Life Membership with the approval of the Branch of which he is a member, upon payment of fifteen years' Per Capita Tax to the Provincial and Dominion Commands.

(3) Associate Members

Any person of good character who has served satisfactorily in any of His Majesty's Forces, or in any Force of His Majesty's Allies and who has been honourably discharged therefrom, but is not eligible, as herein provided, as an ordinary member.

(4) Honorary Members

(a) Any person recommended by a local Branch who accepts and supports the purposes and objects of The Legion, and who has assisted in the advancement of these purposes and objects in the past, by giving time and work.

(b) Any person recommended by the Dominion or Provincial Executive Councils for Dominion or Provincial Honorary Membership.

(c) Nominations for Honorary Membership shall be in writing and submitted for approval with respect to Branch or Provincial Honorary Membership by a Provincial Executive Council, and with respect to Dominion Honorary Membership by the Dominion Executive Council.

(d) Local and Provincial Command Branches shall pay Per Capita Tax for all Honorary Members equivalent to the amount payable from time to time on Ordinary and Associate Members.

(e) No person eligible for ordinary membership as above defined, shall be eligible for Honorary Membership.

(f) Any Honorary Member as above defined shall be eligible for Honorary Life Membership with the approval of the Branch of which he is a member, and upon payment of fifteen years' Per Capita Tax to the Provincial and Dominion Commands; provided that such Honorary Life Membership shall be approved by the Provincial Executive Council in the case of a Branch under the jurisdiction of a Provincial Command, or by the Dominion Executive Council if such Branch is under the jurisdiction of the Dominion Command.

(5) Women Members

The formation of Women's Auxiliaries is permissible, in connection with and under the control of Branches of The Legion, and Charters may be granted to such Auxiliaries. Membership in and the activities of Branch Women's Auxiliaries shall be governed by by-laws passed by such Auxiliaries, but these by-laws shall not become effective unless conforming to the purposes and objects of The Legion nor until they have been approved by the Branch of The Legion and the Provincial Executive Council concerned. Where Provincial Commands of Women's Auxiliaries have been authorized, any such Auxiliary Command shall be under the direction and control of the Provincial Executive Council of The Legion.

(6) Junior Members

The formation of Junior Auxiliaries is permissible, under the control of and in connection with Branches of The Legion. Membership in and the activities of Junior Auxiliaries shall be governed by by-laws passed by the Branch sponsoring such Junior Auxiliary, but shall not become effective until approved by the Provincial Executive Council concerned.

2. No avowed Anarchist, Communist, or other person who advocates the destruction of organized government in Canada by force, shall be permitted to become or remain a member.

3. Only Ordinary and Life Members as defined in Section 1, sub-sections (1) and (2) shall be entitled to vote or hold office in, or be a member of any Branch Executive Council or Committee of The Legion. No salaried Officer of any Branch or Command shall be eligible to hold any elective office in The Legion. No person shall be nominated for any office in The Legion unless he be present, or has signified in writing his willingness to accept such office.

4. Application for original membership or reinstatement shall be made in writing upon the form supplied for that purpose, and shall be signed by the proposer of the applicant who must give in detail the particulars therein set forth. The application, accompanied by the enrolment fee, shall be sent to the Secretary of the Branch of which the applicant desires to become a member.

5. The Secretary of such Branch will make a preliminary investigation and report the application, with all information in his possession, to the Executive Committee at its next meeting. The Executive

Committee may either complete the investigation itself and report to the next meeting of the Branch, or refer the application to an Investigating Committee of the Branch, where such a Committee has been formed. The applicant shall declare whether he has been, or has tried to become, a member of any other Branch of The Legion. Notice of application for membership shall be given to the members of the Branch to which application has been made.

6. Every applicant must be proposed by an ordinary member in good standing or by a Life Member, and his or her application must be recommended by the body charged with the duty of investigation.

7. (1) All tuberculous and chest-disabled applicants accepted for membership in The Legion shall be assigned to the Tuberculous Veterans' Section and, subject to the consent of such applicants individually, their memberships shall be included in the nearest Tuberculous Veterans' Section Branch. Application forms of such applicants shall be clearly endorsed "Tuberculous Veterans' Section".

(2) Any member of the Tuberculous Veterans' Section may become an ordinary member of any Branch of The Legion upon presentation of his membership card, and payment of Branch dues less Per Capita Tax.

8. The Secretary of each Branch shall each month forward to the Provincial Executive Council a list of all applications for membership, showing the disposition made of them, and, in the case of rejections, the grounds on which applications were rejected.

9. Any person whose application has been rejected or any member who has been expelled or suspended shall not be eligible for membership in any other Branch without the consent of the Executive Council of the Command having jurisdiction over the Branch to which the later application is made.

Expulsion and Suspension of Members for Cause

10. (a) Any member may be expelled from The Legion for breach of his obligations, or of these by-laws, or for disloyal utterances or acts, or for profane or disorderly conduct in a meeting of any body of The Legion, or for maliciously making a false charge against a member, or for conduct unworthy of a member, or which in any way brings The Legion into discredit.

(b) Any charge against a member must be made in writing, signed by the complainant and lodged with the Secretary of the Branch or Command where the accusation is made.

(c) Upon receipt of the charge, the presiding Officer of the Branch or Command may suspend such member and shall appoint a Trial Committee of not less than three members (with one or more waiting members) to try the same, providing that the accused shall have the privilege of two peremptory challenges to the members of the Trial Committee.

(d) The Trial Committee shall take all necessary steps to ensure a fair trial, including notification to the accused of the general nature of the evidence submitted, which shall be in writing and signed by the respective witnesses.

(e) The Trial Committee shall forthwith report to the Executive its decision and the punishment awarded, if any, for confirmation or rejection; a two-thirds vote of the Executive being necessary to confirm the expulsion or suspension of a member. The Executive may by a similar vote reduce the award from expulsion to suspension, or may increase or diminish the term of suspension awarded by the Trial Committee.

(f) An appeal shall lie from a decision to the Executive of the next higher body; such appeal to be made by registered letter addressed to that body, within ten days after the decision of the Executive. The Appeal Body shall fix the time and place for the hearing, arrange for reasonable notice to the accused and complainant, and to the Secretary of the Branch or Command concerned, and make all other necessary provision for the hearing, and may hear the appeal on the evidence submitted to the Trial Committee, or shall have power to hear further evidence as they may think fit, and may confirm, vary, or reverse the decision.

(g) The conviction of any member by a competent court of Criminal Jurisdiction in Canada, or in the country where the member's local Branch is situated, for any offense as above mentioned, may be accepted by the Branch as conclusive evidence of the commission of such offense, without the formality of a Trial Committee.

Withdrawal

11. Any member of The Legion may withdraw therefrom by submitting to his Branch his resignation in writing and upon paying all arrears of dues and other charges properly made against him.

ARTICLE III.

Composition and Duties of Dominion Executive Council

1. The Dominion Executive Council shall consist of:—

(a) A Grand President, President, First Vice-President, Second Vice-President, Chairman, Honorary Treasurer, and the Immediate Past President, all of whom with the exception of the Immediate Past President, shall be elected by ballot at the Dominion Convention, by a majority vote of the whole Convention; and proxies may be voted.

(b) One other member from each Province of Canada, and in the case of the Province of Ontario, one additional member, all of whom shall be elected at their respective Provincial Conventions, as provided in Article IV, Section 1 of the "Composition and Duties of the Provincial Executive Council", and who shall take office immediately following the Provincial Convention.

(c) One representative of each of these departments of Headquarters which are charged with watching over the interests of special classes of ex-service men and women, as contemplated in Article I, Section 31 (b) "Special Departments". The Dominion Executive Council shall extend Honorary Membership to the Naval Veterans' Branches.

(d) As a memorial to the work and time devoted to organizing and establishing the Canadian Legion of the B.E.S.L., Lieutenant-General Sir Percy Lake, K.C.B., K.C.M.G., shall hold office as a Life Member of the Dominion Executive Council.

(e) All members of the Dominion Executive Council must be paid-up members of a Branch of The Legion.

(f) Any ten members of the Dominion Executive Council shall form a quorum. The Dominion Executive Council shall have the power to appoint from among its members a Sub-Executive Committee, consisting of such members as the Council may decide; provided that in the event of the representatives of the Tuberculous Veterans' Section or Imperial Veterans being resident not further than 350 miles from Ottawa, he or they shall be included in such Sub-Executive Committee. Such Sub-Executive Committee to have power to hold meetings, transact business and carry out all necessary administrative duties of the Dominion Executive Council between meetings of the full Executive Council.

2. The Dominion Executive Council shall have power to perform and carry to completion work entrusted to it by the last Convention

or these by-laws, to fill all vacancies during recess, to supply any omissions of the Convention, and generally to carry on the business of The Legion in any manner not inconsistent with the expressed will of the Convention.

3. The consultations of the Dominion Executive Council may be held by telegraph or telephone, and subsequently confirmed by letter. Any decision of the Dominion Executive Council may be made by the written ballots of its members.

4. No salary shall be paid to any member of the Dominion Executive Council, and no member shall receive any money for his services other than such compensation and expense allowance as may be authorized by a Convention on the report of the Committee on Ways and Means. No salaried Officer of any local Council or Branch shall sit on the Dominion Executive Council as a member thereof, while drawing a salary from the said Council or Branch.

5. Salaried Executive Officers of the Dominion Executive Council such as the General Secretary, shall be appointed by, and be under the disciplinary control of the Council. The Dominion President may suspend, and the Dominion Council may dismiss any such salaried Officer, and the Dominion Council shall be responsible that any Officer handling any funds of the Council is properly bonded. In the absence of a written agreement, a salaried Officer shall be deemed to be hired from month to month, and shall be required to give one month's notice if he wishes to resign.

6. Subject to an appeal to the next Dominion Convention:—

(a) The Dominion President may, after enquiry, and for cause clearly stated, suspend the Charter or powers of any Provincial or District Council or any Branch or Auxiliary or any Officer thereof from the exercise of the duties of his or her office, and shall forthwith report upon the action taken to the Dominion Executive Council which may approve of such suspension or may in its discretion restore or cancel such power, Charter or office.

(b) Contemporaneous with suspension as herein provided, the Dominion President or the Dominion Executive Council may appoint a Trustee or Trustees to act in the name of and on behalf of any Branch or Council, the Charter of which has been suspended, in order to preserve all property and to administer the affairs of such Branch or Council for such period of time as may be designated in such appointment.

ARTICLE IV.

Composition and Duties of the Provincial Executive Council

1. (a) Each Provincial Executive Council shall consist of a President, a Vice-President, an Honorary Treasurer, the Dominion Executive Council member or members for the Province and such other Officers and members as the Provincial Convention may determine, all of whom shall be elected at the Provincial Convention by a majority vote of the whole Convention, and, in addition, one representative of each of those departments of Headquarters, which are charged with watching over the interests of special classes of ex-service men and women, as contemplated in Article I, Section 31 (b) "Special Departments", provided there are Branches of such Special Department within the Province.

(b) All members of the Provincial Executive Council must be paid-up members of a Branch of The Legion.

(c) If authorized by the Provincial Convention, the Provincial Executive Council for reasons of convenience or economy, shall have the power to appoint, from among its members, a Sub-Executive Committee, consisting of such members as the Council may decide, such Sub-Executive Committee to have power to hold meetings, transact business and carry out such necessary administrative duties, between meetings of the full Executive Council as may be authorized by the Executive Council.

2. A Provincial President and a Provincial Executive Council shall exercise, within their jurisdiction, like powers to those granted to the Dominion President and the Dominion Executive Council including disciplinary measures as set out in Article III, Section 6.

3. A majority of the members of a Provincial Executive Council shall form a quorum.

ARTICLE V. Dominion Conventions

1. (a) Every Branch shall be entitled to send to the Dominion Convention, as representing its members, one delegate for every one hundred members or fraction thereof. On a standing "yea" and "nay" vote, each delegate to the Convention shall have one vote. Any delegate accredited by his Branch and attending a Dominion Convention may carry, in addition to his own credentials, not more than four proxy credentials, from his or any other Branch, or Branches within his own Provincial Command, which

has, or have, selected him to represent it. Such proxies must be registered at the opening of the Convention, and may only be used when a Poll Vote is demanded, except as aforesaid.

(b) A quorum for any Dominion or Provincial Convention shall be the presence thereof of duly accredited representatives from at least five per cent (5%) of the Branches of the Legion at the time of such Convention in good standing. Provided, however, that one or more such duly accredited representatives shall have authority only to adjourn such Convention from time to time for the purpose of obtaining a quorum.

(c) Individual members of The Legion, as such, shall have no right to vote or take part in any Convention of The Legion or of any Provincial Convention; all votes thereat being cast only by delegates duly accredited from the various Branches of The Legion. Subject, however, to the rights of the members of the Dominion Executive Council and the members of the Provincial Executive Council to vote thereat as is herein elsewhere set forth.

2. Where no poll is demanded, the vote of the Convention shall be "yea" and "nay", or a standing vote. A poll vote shall only be granted on demand supported by at least twenty per cent of the delegates on the floor of the Convention and shall be by ballot. The vote, which shall include proxies, shall be determined after a vote of delegates within each Provincial Command for or against the motion. The Convention result shall be declared by each Provincial Command recording votes which shall be wholly either for or against the motion, equal to the number of members as shown on paid Per Capita Tax on returns filed with the Dominion Command for the three months period next preceding the Convention.

3. Irrespective of whether they have been elected as delegates, the Dominion and Provincial Executive Council members shall be fully qualified members of their respective Convention until it closes. Where no poll is demanded they shall have a vote, but where the vote is by ballot they shall not vote unless accredited as delegates.

4. All resolutions for submission to a Convention shall be in the hands of the Secretary one month at least in advance of the date fixed for the assembly.

5. Prior to the opening session of any Dominion Convention a Resolutions Committee shall be constituted, comprised of one delegate from each Provincial Executive Council and Special Sections and such Committee shall meet before the opening of the Convention, at the

expense of the Dominion Executive Council for the additional expense for days in attendance prior to the Convention. The members of the Resolutions Committee shall, by virtue of such appointment, be accredited delegates to the Dominion Convention.

6. To the Resolutions Committee shall be handed all resolutions for combination, amendment, or consolidation, and for report to the Convention. Should the Committee not report any resolution to the Convention, any delegate shall have the right to introduce it to the Convention, provided that a majority of the delegates present agree, but only after all resolutions presented by the said Committee and all other matters of regular business have been disposed of.

7. In the discretion of the Dominion Executive Council, Committees on Ways and Means and Constitution and Laws, and such other special Committees as may be decided upon, may be convened prior to the opening session of any Dominion Convention on such terms as in the circumstances may be deemed proper. Members for such Committees, if convened, shall be nominated by Provincial Executive Councils and Special Sections.

8. (a) At the opening session of any Convention the following Committees shall be elected, whose powers and duties shall terminate with the adjournment of the Convention:—

1. Procedure.
2. Credentials.
3. Ways and Means.
4. Appeals.
5. Constitution and Laws.

(b) **Committee on Procedure.** This Committee shall decide on the programme of the Convention, and the priority of the resolutions.

(c) **Committee on Credentials.** This Committee shall examine and report upon the sufficiency of credentials as filed by delegates subject to an appeal to the Convention, and all votes by ballot shall be on the voting strength as reported by the Credentials Committee.

(d) **Committee on Ways and Means.** This Committee shall consider the financial standing of The Legion and recommend the per capita tax to be paid, and also any extraordinary expenditure not provided for in these by-laws.

(e) **Committee on Appeals.** To this Committee shall be referred all appeals to the Convention for consideration and decision by the Committee subject to report to and confirmation by the Convention.

(f) **Committee on Constitution and Laws.** To this Committee shall be handed all proposed amendments to the Letters Patent and by-laws of The Legion, for consideration and report to the Convention.

ARTICLE VI. Provincial Conventions

1. The number of delegates which each Branch shall be entitled to send to a Provincial Convention, as representing its members, shall be one for the first fifty members or fraction thereof, and one for each additional one hundred members or fraction thereof.

2. On a poll vote the result shall be declared on the number of votes cast by delegates including proxies.

3. Save as aforesaid Article V shall apply to Provincial Conventions.

ARTICLE VII. Membership Fees and Per Capita Tax

1. An enrolment fee of \$1.00 shall be charged by every Branch.

2. The amounts of, and periods of payment of ordinary and other membership dues shall be fixed by special by-laws of the Branch. The annual dues to be paid by each member shall include the yearly subscription of the member to THE LEGIONARY. Each subscription when paid shall be forwarded by the Branch Secretary direct to THE LEGIONARY.

3. In the absence of any special by-law of the Branch, the dues shall become payable half-yearly at the first meeting of the Branch in the months of January and July in every year.

4. Per Capita Tax shall be paid by Branches as levied from time to time by a Dominion Convention for the Dominion Command, and by Provincial Conventions for Provincial Commands.

5. **Suspension for non-payment of dues.** Notice shall be sent each quarter to all members in arrears, showing the amount of dues owing. Any member to whom such notice has been sent and who remains more than one quarter in arrears shall, at the end of the second quarter become suspended, and notice thereof shall be sent to him by registered letter to his last known address; provided, however, that if such member pay up his arrears within one month after the date of suspension, he may be reinstated, otherwise his membership shall cease at the expiration of that month and any office held by him shall be forfeited.

6. An ex-member who has lost his membership under the foregoing provision may be reinstated by Branch Executive Council on payment of the unpaid dues, but his reinstatement will not restore to him any office which he may have forfeited. Provided, however, that in deserving cases unpaid dues and per capita tax may be remitted by any Branch subject to the approval of the Provincial Command.

7. In case the member in default is a member of the Dominion or a Provincial Executive Council, a duplicate of the notice of suspension shall be mailed by the Secretary of the Branch to the Secretary of such Executive Council.

8. Any ordinary member producing satisfactory evidence to his Branch of being unable, through ill-health, or unemployment, to maintain his contributions, may have them suspended or remitted. In every such case, the Branch shall be responsible for payment of per capita tax, unless the same shall have been waived by the Provincial Command.

9. Any member leaving, suspended, expelled, or dismissed from membership in The Legion, shall have no claim upon The Legion, or against any of its Officers or Officials.

10. **Transfers and Cards.** Any member in good standing may apply to the Secretary of his Branch for transfer of his membership to any other Branch he may indicate, and the Secretary shall furnish him with a card, which shall be signed by the Secretary and by the member himself in the Secretary's presence. The card shall indicate the amount of the unused membership dues of the member and shall also state any office which he may have held in that Branch. The Branch to which the transfer is being made shall, after the transfer has been accepted, and after he has signed in the presence of the President or other Officials, receive such member and credit him with the amount of his unused membership dues, which amount shall be remitted by the Branch from which such member has been transferred.

11. Upon request the Secretary of a Branch shall furnish to a member in good standing a Travelling Card, which shall be good until the date mentioned thereon, and shall entitle such member to Branch privileges in any Branch of The Legion.

12. **Returns Required.** Each Branch shall furnish every three months, to the Dominion Secretary, and its Provincial Secretary, a complete list of all members in good standing, together with a per capita tax return, on a form provided for that purpose by the Dominion and by the Provincial Executive Councils respectively, and shall at all

times supply such further information relating to the affairs of the Branch as may from time to time be required by the Dominion, or Provincial Executive Council. The Dominion Executive Council shall undertake the establishment of a uniform system for Branch records and for all returns from Branches.

ARTICLE VIII.

By-Laws of the Dominion Command of The Canadian Legion of The British Empire Service League Governing Branches in the United States of America

Statement of principles and policy for Branches situated in the United States of America under Article (c) of the Purposes and Objects, set out in Letters Patent incorporating The Canadian Legion of the British Empire Service League. (See Part I).

Branches of the Canadian Legion of the British Empire Service League Chartered, or hereafter to be Chartered, in the United States of America, shall be democratic and non-sectarian, and shall not be affiliated to, or connected directly or indirectly with, any political party or partisan organization.

Members of The Canadian Legion resident in the United States of America shall maintain and uphold the Purpose, Objects, and Principles as set forth in the Letters Patent, insofar as the same are consistent with the allegiance which they owe to the country of their adoption, to which allegiance they are especially enjoined faithfully to adhere whilst citizens of the United States of America. They shall, with an earnest will and endeavour, perpetuate a spirit of comradeship and the memory of those who have given their lives in service; cooperate with governments for the maintenance and extension of the acquired and legitimate interests of needful comrades, and of the widows, orphans and dependents of those who served their country in a time of war; promote the cause of peace and amity amongst all nations; and finally, in every community of endeavour, propagate the principles of justice and personal liberty.

Membership

1. The right to membership shall be as defined in the general by-laws of The Canadian Legion of the British Empire Service League.

Organization

2. Branches shall be Chartered by the Dominion Executive Council in conformity with the general by-laws of The Canadian Legion of the British Empire Service League. Their distribution shall be as defined by Article 1, Section 15 and they shall be governed by the general by-laws in the same manner as Branches in the Dominion of Canada.

3. Commands shall be chartered and organized as follows:—

(a) The California State Command for the State of California;

(b) The Great Lakes State Command to include the States of Michigan, Ohio, Illinois, and Indiana;

(c) Such other Commands as may be decided upon by the Dominion Executive Council;

provided that other Commands than those named shall not be constituted, without notice to, and consultation with, the Commands, the jurisdiction of which has been hereinbefore fixed, if any such Command shall be affected thereby, but the consent of any such Command shall not necessarily be required.

4. All Commands constituted in the United States of America shall be governed by the general by-laws as they relate to Provincial Commands Chartered in the Dominion of Canada, and may pass by-laws for their government not inconsistent with the general by-laws of The Canadian Legion.

5. Representation of Commands constituted in the United States of America, on the Dominion Executive Council, shall be at the expense of each Command having representation, except, or until, there shall have been maintained by such Command for a period of one year or more, a paid membership in excess of 1,000 unless otherwise approved by the Dominion Executive Council.

ARTICLE IX.

Amendments

1. These by-laws may be amended, repealed or re-enacted at any Dominion Convention, by a majority vote of the whole Convention provided that one month's notice has been given to the Dominion Executive Council of such amendment, unless such notice is unani- mously waived by the Convention. Any such amendment, repeals, re-enactments shall be approved by supplementary Letters Patent.

Suggested
MODEL BY-LAWS

The Model By-Laws
contained in the following pages are for the use of Provincial or State Commands and Branches

SUGGESTED MODEL BY-LAWS FOR USE BY PROVINCIAL
AND STATE COMMANDS

Principles and Policy, Aims and Objects

1. As in Part I of Constitution.

Organization

2. The primary unit of the Legion shall be the Branch, to one of which every member must belong. Any Branch may decide to restrict its membership to persons who have seen service in any particular area or capacity, or who have some common interest either in service or in civil life. Each local Branch shall exercise complete autonomy in regard to its own property and affairs, and shall have power to make its own by-laws and regulations governing its activities, so long as they are consistent with the general rules and principles of the By-Laws of the Canadian Legion.

No officer or member shall make public any statement, oral or written, as to the policy of the Legion, in connection with any question or matter, unless or until such policy has been declared

(a) By a meeting of the Branch affected, or by the Executive Committee of such Branch, as to matters of local character and within the jurisdiction of the Branch. Any appeal for financial assistance by any Branch shall be restricted to that area within which the Branch has jurisdiction.

(b) By a Provincial Convention or a Provincial Executive Council, as to matters of a Provincial character, and within the jurisdiction of such Provincial Command.

(c) By a Dominion Convention or the Dominion Executive Council as to all other matters and questions and particularly those of a Dominion character.

(d) Branches and Executive Councils, other than the Dominion Executive Council, shall be limited in the exercise of their autonomy each to its own territory and any and all activities contemplated, which are not so limited shall be first approved by the superior Command having jurisdiction.

3. The channel of communication shall be from the Branch through its superior Command.

General By-Laws

At a regular meeting duly called and held on the _____
day of _____ A.D., 19____, at _____
in the Province of _____, it was enacted as follows:—

1. The title of the organization is the _____
Command of the Canadian Legion of the British Empire Service
League. It is hereinafter referred to as The Command.

2. *Organization.* The Command is chartered by the Dominion
Command of the Canadian Legion of the British Empire Service
League and is subject to the jurisdiction of the Dominion Command,
and bound by the Letters Patent incorporating and By-Laws of the
Canadian Legion.

3. The Command is comprised of all members of the Canadian
Legion of the British Empire Service League, resident in the Province
of _____, and in good standing.

Composition and Duties of the Executive Council

4. Subject to the control of the Convention the affairs of the
Command shall be administered by an Executive Council consisting of
President, Vice-President, Chaplain, Chairman, Vice-Chairman,
Honorary Treasurer, Dominion Representative and Zone Representa-
tives, and a representative of each of those Departments especially
provided for by Dominion Command to watch over the interests of
ex-service men and women, (and particularly the Tuberculous
Veterans' Association and the Imperial Veterans as contemplated in
Article I, Section 31 of the By-Laws of the Canadian Legion). The
principle of representation of all parts of the Province shall be observed
as far as possible.

5. Consultations of the Executive Council may be held by tele-
graph, or telephone, and subsequently confirmed by letter. A ballot
of the Executive Council may be taken by mail.

6. Officers, members, and employees of the Executive Council
shall be entitled to expenses when attending Conventions, Meetings
of the Executive Council or when otherwise engaged on the business
of the Canadian Legion, when duly authorised as follows:—Railway
fare and such per diem allowance as the Executive Council may
determine from time to time.

7. The President shall preside at the opening and closing of all
Conventions and meetings of the Executive Council. He shall exercise
a general supervision and control over the officers, members, and
business of the Command. He shall call all Conventions and meetings
of the Executive Council as provided herein or in the By-Laws of the
Canadian Legion. He shall transact such other business as may by
custom pertain to his office.

8. In the absence or disability of the President, all the rights and powers vested in the President shall, for the time being, be vested in the Vice-President, and in the absence or disability of both the President and the Vice-President, all the rights and powers vested in the President shall for the time being be vested in the Chairman, (if no Chairman provided for, then provide for the election of a Chairman by the Convention or Executive Council, and delete provisions applicable to Chairman and Vice-Chairman), and in the absence or disability of the President, Vice-President and Chairman, all the rights and powers vested in the President shall for the time being be vested in the Vice-Chairman.

9. The Chairman, or in his absence the Vice-Chairman, shall preside over the debate and transaction of business of the Convention, and in the absence of the President and Vice-President shall exercise all rights and powers of the President.

10. The Honorary Treasurer shall countersign all cheques issued by the Secretary, and all promissory notes, bills of exchange and other instruments involving any liability of the Command.

11. The Secretary shall be appointed by the Executive Council and shall keep a record of the proceedings of all Conventions and of the meetings of the Executive Council in special books provided for that purpose. He shall give notice of, and shall attend all Conventions and meetings of the Executive Council and have with him the necessary minute and record books and correspondence relative to the business of the Command. He shall be custodian of the Seal of the Command. He shall keep a just and true account of all monies received and paid out by the Command, of all financial transactions of any and every kind whatsoever, including a full and complete statement of the credits and liabilities of the Command. He shall deposit all funds of the Command in the bank as hereinafter provided. He shall pay out all monies owing by the Command when duly authorised to do so. He shall keep his books in the office of the Command, and they shall be open to the inspection of the officers and members of the Executive Council at all times. Whenever required by the Executive Council he shall furnish a detailed statement containing a summary of the property and liabilities of the Command, and of all its financial dealings. He shall hold all his books and records and act at all times and in all respects entirely at the will and direction of the Executive Council and shall perform such other duties and conform to all such rules and regulations as the Executive Council may determine from time to time. He shall be bonded at an amount to be fixed by the Executive Council.

12. Meetings of the Executive Council or of the officers of the Command shall be called by the President at such times as he deems necessary.

13. Five shall constitute a quorum at any meeting of the Executive Council.

Provincial Convention

14. All resolutions for submission to the Convention shall be filed with the Secretary of the Command at least three days prior to the opening of the Convention.

15. Special Committees may be appointed as required, and unless otherwise determined by the Convention shall be named by the presiding officer. They shall perform the duties assigned to them and report as required.

16. Unless otherwise provided the first named on the Committee shall act as convenor to call the Committee together after which a Chairman shall be elected. The majority of any Committee shall constitute a quorum for the transaction of business.

17. All reports of Committees shall be presented in writing signed by the members offering the same.

Procedure at Provincial Convention

18. Following shall be the suggested order of business:—

- (1) Called to order by the President.
- (2) At the word of the President, all stand with bowed heads in one minute silence in memory of our Fallen Comrades.
- (3) Singing of one verse of "O Canada".
- (4) Receipt of greetings, welcomes, and replies thereto.
- (5) Election of Committees.
- (6) Recess for meeting and organizing of Committees.
- (7) Chairman assume chair.
- (8) First report of Credentials Committee.
- (9) Annual address and report of the President.
- (10) Reports of Secretary, Honorary Treasurer, and Auditor.
- (11) Reports of Committees.
- (12) General Business.
- (13) Nomination and election of officers and members of the Command.
- (14) Unfinished business.
- (15) President resumes chair.
- (16) National Anthem—"God Save the King".

19. The Presiding Officer shall enforce order and strict observance of the By-Laws. He shall decide all points of order subject to an appeal to the Convention.

20. The Presiding Officer shall, when debate has ceased on any question, put the same to a vote giving the words of the motion or resolution clearly so that no member may misunderstand the question on which he is about to vote. He shall have the deciding vote in case of a tie.

21. Any one wishing to speak shall rise and address the Presiding Officer. He shall wait until he is recognised and state his name and branch before speaking further.

22. No private discussions shall be held when the Convention is in session, nor shall debate be conducted in an unseemly manner. In matters not provided for in these by-laws all proceedings shall be conducted in accordance with Parliamentary procedure.

23. The success of any Provincial Convention depends upon the open-minded consideration by the delegates of the views expressed at the Convention, and instructions by Branches to Delegates should not be in a hard and fast form precluding such consideration.

Banking and Seal. Crest and Charters

24. All monies payable to the Command shall be paid to the Secretary, and shall be deposited by him forthwith in the _____ Bank. The account shall be kept in the name of the Command.

25. All payments by the Command shall be made by cheque, signed by the Secretary and countersigned by the Honorary Treasurer, or the President or Vice-President. No cheque shall be signed in blank.

26. There shall be a Seal for the Command, and for every Branch, which shall be according to such design as may be approved by the Dominion Command.

27. The official Crest shall be used on all stationery issued and used by the Command, and a cut thereof shall be procured and kept in the custody of the Secretary.

28. At the first Executive Council Meeting following a Convention, a chartered accountant shall be appointed to act as auditor, and his salary fixed. The auditor shall report to the Executive Council annually.

29. Members of the Legion who are qualified may be appointed Auditors provided that no officer or member of the Executive Council shall be eligible. A copy of the auditor's report shall be filed with the President and Honorary Treasurer of the Command prior to a Convention, and shall be presented by the Honorary Treasurer to the Convention.

30. Branches shall be required to make the following returns to the Secretary of the Command:—

- (1) The original and one copy of the application for membership of each accepted member, together with six month's per capita tax for both Dominion and _____ Commands, and twenty-five cents for badge.
- (2) Monthly returns of all applications for membership showing disposition made of them, and in the case of rejections the grounds on which the application was rejected.
- (3) Quarterly returns in duplicate of all members in good standing on the first days of January, April, July, and October in each year.
- (4) Yearly returns of officers and members of Executive Committees elected or appointed at the Annual Meeting of the Branch, immediately thereafter, together with a copy of the Annual Financial Statement of the Branch showing any real estate, stocks, bonds or other property held by such Branch.
- (5) Forms for these returns shall be provided and supplied to Branches by the Secretary of the Command.

These By-Laws may be amended or repealed by a majority vote of a Convention provided that one month's notice has been given to the Executive Council unless such notice be unanimously waived by the Convention.

SUGGESTED MODEL BY-LAWS FOR USE BY BRANCHES

Principles and Policy, Aims and Objects

1. As in Part 1 of Constitution.

Organization

2. The primary unit of the Legion shall be the Branch, to one of which every member must belong. Any Branch may decide to restrict its membership to persons, who have seen service in any particular area or capacity, or who have some common interest either in service or in civil life. Each local Branch shall exercise complete autonomy in regard to its own property and affairs, and shall have power to make its own by-laws and regulations governing its activities, so long as they are consistent with the general rules and principles of the By-laws of the Canadian Legion.

No officer or member shall make public any statement, oral or written, as to the policy of the Legion, in connection with any question or matter, unless or until such policy has been declared

(a) By a meeting of the Branch affected, or by the Executive Committee of such Branch as to matters of local character and within the jurisdiction of the Branch. Any appeal for financial assistance by any Branch shall be restricted to that area within which the Branch has jurisdiction.

(b) By a Provincial Convention or a Provincial Executive Council as to matters of a Provincial character, and within the jurisdiction of such Provincial Command.

(c) By a Dominion Convention or the Dominion Executive Council as to any and all other matters and questions and particularly those of a Dominion character.

3. Branches and Executive Councils, other than the Dominion Executive Council, shall be limited to the exercise of their autonomy each to its own territory and any and all activities contemplated, which are not so limited shall be first approved by the superior Command having jurisdiction.

4. The channel of communication shall be from the Branch through its superior Command.

General By-Laws

At a regular meeting duly called and held on _____ day of _____ A.D., 19____, at _____ in the Province of _____ it was enacted as follows:—

1. That this Branch shall be known and designated as the _____ Branch, No. _____ Command of the Canadian Legion of the British Empire Service League.

2. The General Meeting of the Branch shall be the organization for carrying out its activities in connection with the welfare of ex-service men and women, and with the social and comradeship life of the Branch, and for prosecuting the aims and objects of the Legion, within the limits of and subject to By-Laws of the Canadian Legion and the _____ Provincial Command.

3. The Annual General Meeting of the Branch shall be held at a time and place fixed by a previous General Meeting, but in any event prior to the 28th day of March in each year. At the Annual General Meeting there shall be elected an Executive Committee which shall consist of a President, First and Second Vice-Presidents, (a Treasurer when the office of Secretary and Treasurer are not combined, and as well such other officers as may be necessary for the conduct of the affairs of the Branch), and _____ members, (not less than three in number).

4. A majority of the Executive Committee shall form a quorum.

5. The committee shall have all the power of the Branch except the power to rescind or alter the By-Laws thereof. It shall have power to expel members, save as otherwise provided by the By-Laws of the Dominion Command; and the power to raise money by way of loan or mortgage on debentures, or to sell any realty or assets belonging to the Branch.

6. The Committee shall meet at least monthly, on a day to be fixed by the Committee, or at the call of the Chairman, for the passing of accounts, the transaction of current business, the examination and discussion of any suggestions made to them for the general welfare of the Legion or the Branch, and such other business as may be introduced. Any vacancy on the Committee occurring during the year shall be filled by the Committee at a meeting of the Committee called for the purpose, of which three days' notice shall be given.

7. The Executive Committee may suspend or dismiss any such salaried officer and shall be responsible that any officer handling funds of the Branch is properly bonded. In the absence of a written agreement, a salaried officer shall be deemed to be hired from month to month, and shall be required to give one month's notice if he wishes to resign. No such written agreement shall provide for a hiring for longer than one year.

8. The Committee shall have power to levy an assessment on each and every member of the Branch to meet any extraordinary expenditure in any year, provided that such expenditure has been approved by two-thirds of those present at any General Meeting called for the purpose of considering the same, and is in pursuance of the purposes and objects of the Canadian Legion.

9. Should any member of the Committee be absent from three consecutive meetings of either the Committee or the Branch without an excuse satisfactory to the other members of the Committee, he shall, if a resolution to that effect is passed by the Committee after notice to him, cease to hold office, and his place shall be filled in the manner relating to vacancies provided by Section 6.

10. The Committee shall appoint a Secretary or Secretary-Treasurer and such other officers, servants and agents as may be required for the proper working of the Branch.

11. Salaried officers of the Branch, such as the Secretary or Secretary-Treasurer, shall be appointed by and be under the disciplinary control of the Executive Committee of the Branch.

12. The President shall preside at all meetings and enforce order and strict observance of the by-laws. He shall exercise a general supervision and control over the officers and business of the Branch and shall call meetings of the Executive Committee, or the Branch, when he considers it advisable. He shall transact such other business as may by custom appertain to his office, and he shall have the casting vote when there shall be an equal division on any question.

13. In the absence or disability of the President, all the rights and powers vested in the President shall, for the time being, be vested in the First Vice-President, and in the absence or disability of both the President and First Vice-President, all the rights and powers vested in the President shall, for the time being, be vested in the Second Vice-President.

14. The Secretary shall keep a record of the proceedings of all meetings, whether of the Branch or of the Executive Committee, in special books kept for that purpose. He shall be required, at every business meeting, to have with him the proper minute and record books, and all necessary books and correspondence which he may have in his possession, relative to the business likely to be transacted at any meeting. He shall be the custodian of the Seal of the Branch. He shall hold these and act at all times and in all respects entirely at the will and direction of the Executive Committee, and shall conform to all such rules and regulations as the Executive Committee may determine.

15. The Treasurer shall keep a just and true account of all moneys received and paid out by the Branch, and of all financial transactions of any and every kind whatsoever, including always a full and complete statement of the credits and liabilities of the Branch. He shall deposit all funds of the Branch in _____ Bank, and the account shall be kept in the name of the Branch. All moneys in excess of \$5.00 payable by the Branch shall be paid out by cheque only, signed by the Treasurer or Secretary or a member of the Executive Committee, and countersigned by the President or Vice-President of the Branch, and no cheque shall in any case be signed by any officer in blank. The Treasurer shall keep his books at the office of the Branch, and they shall be open to the inspection of the Executive Committee at all times. When, and as often as the Executive Committee require, he shall submit a detailed balance sheet, containing a summary of the property and liabilities of the Branch, and of all its financial dealings, arranged in a proper and business-like style, from time to time as required by the Committee.

16. At the hour appointed the President shall take the Chair and call the meeting to order and preside during the meeting. In case the President is absent or has been disqualified the First Vice-President shall act in his stead, and in the absence or disability of both the President and the First Vice-President, the Second Vice-President shall take the Chair and preside. In the absence or disability of the President and both Vice-Presidents, the Secretary or Secretary-Treasurer shall call the meeting to order, and a temporary Chairman shall be elected.

17. At any Meeting of the Branch, whether special or general, the quorum shall be _____ and questions shall be decided by a majority of those present, the Presiding Officer having the casting vote in case of a tie.

18. The Presiding Officer of any meeting shall rule out of order all matters pertaining to political questions, which do not refer to the well-being of the Canadian Legion, and also all matters of religious discussion.

19. The Presiding Officer at any meeting shall enforce order and strict observance of these By-Laws, and the By-Laws of Provincial and Dominion Commands. He shall have the right to decide all questions of order, subject to an appeal to the meeting sustained by a two-thirds vote of those present.

20. The Presiding Officer shall, when debate has ceased on any question, put the same to an open vote, giving the words of the motion or resolution clearly, so that no member may misunderstand the question on which he is about to vote. In the event, however, of a two-thirds majority of the members present demanding a secret ballot on any particular question, such question shall be decided by a secret ballot.

21. A member wishing to introduce a motion, or to speak, shall arise and address the Presiding Officer, and shall wait until he is recognised before speaking.

22. Members should not hold private discussions during a meeting, or talk on any subject in an unseemly manner. In matters not provided for in these By-Laws, all meetings shall be conducted on Parliamentary lines, and the rules of procedure contained in "Bourin's Rules and Procedure" shall govern.

23. The following is a suggested order of business:—

- (1) Call to order by Chairman.
- (2) At word of Chairman all shall stand with bowed heads in silence for one minute in memory of, and out of respect for our Fallen Comrades.
- (3) One verse of "O Canada".
- (4) Roll Call of Officers.
- (5) Minutes of last meeting and Minutes of Executive Committee Meeting.
- (6) Applications for membership.
- (7) Admission of new members.
- (8) Unfinished business.
- (9) Financial statement.
- (10) Correspondence.
- (11) Question by Chairman: "Is any member out of employment?"
- (12) Social.
- (13) Reports of Committees.
- (14) Notices of Motion.
- (15) General business welfare of the Legion or Branch.
- (16) Election of officers and Committees.
- (17) National Anthem, "God Save the King".

At the admission of a new member, part of the proceedings shall be the formal reading of the principles and Policy of the Canadian Legion.

24. Where there has been a notice sent to the members specifying the business of a meeting, or where notice of motion has been given at a previous meeting, the business of which notice has been given shall have the right of way.

25. Where business arises of which no notice as aforesaid has been given, the Presiding Officer may, if he considers it in the interests of the Branch, adjourn to the next Meeting the debate on such business.

26. There may be the following Committees; Finance, Employment, Investigation, Entertainment, Reception, Visiting, House, Publicity, Relief, Local, and By-Laws; (each Local Branch may determine for itself the number and nature of the standing Committees necessary and their powers, rights and duties).

27. All Committees shall be named by the Presiding Officer, unless otherwise determined by the meeting, and shall perform the duties assigned to them within the time specified and report to the Branch.

28. No member shall be excused from Committee work unless two-thirds of those present at the meeting agree thereto, but no member shall be obliged to serve on more than two Committees at one time.

29. The first-named member on a Committee shall act as Convener to call the Committee together, when a Chairman shall be elected. A majority of any Committee shall constitute a quorum for the transaction of business.

30. All reports of Committees shall be presented in writing and signed by the members offering same.

31. The fees and dues payable by members shall be as follows:—

- (a) Enrolment fee and badge \$1.00.
- (b) Per Capita Tax payable to Provincial and Dominion Commands.
- (c) \$_____ per annum Branch dues, including subscription to "The Legionary" of 50c.

32. The financial year of the Branch shall be the calendar year.

33. Trustees to hold property on behalf of the Branch as provided for in the By-Laws of the Canadian Legion, and in compliance therewith, shall be elected at the Annual General Meeting of the Branch. If any member or members of the Branch wilfully or negligently damage the property of the Branch, the Executive Committee shall assess the amount of such damage, and the amount thereof so assessed

shall be paid to the Branch by such member or members. Any member or members failing to pay such damage within a period of thirty days after the same has been assessed, as aforesaid, may be suspended by the Executive Committee.

If any member shall be dissatisfied with the assessment of such damage, or his suspension, he may appeal therefrom to the General Meeting of the Branch, whereupon his appeal shall be disposed of in accordance with the procedure prescribed for the suspension of a member for cause.

34. These By-Laws shall not be altered or amended except upon a motion, of which notice shall have been given at a meeting of the Branch held previously to the meeting at which the same is to be considered, which notice shall set out such alteration or amendment, and shall be signed by the member presenting the same; and a two-thirds majority vote of the members present and entitled to vote at any ordinary or special meeting of the members of the Branch shall be required to make such proposed alteration or amendment effective.

35. These By-Laws shall become effective upon the approval thereof by the _____ Provincial Command.

CERTIFIED to be a true and correct copy of the By-Laws of the _____ Branch of the Canadian Legion of the British Empire Service League.

_____ Branch President

_____ Branch Secretary

Approved on behalf of the _____ Provincial Command of the Canadian Legion of the British Empire Service League, this _____ day of _____ A.D., 19_____.

_____ Provincial President

_____ Provincial Secretary



AMENDMENTS TO THE DOMINION CONSTITUTION
of the
Canadian Legion of the British Empire Service League
formally adopted by Dominion Convention
properly assembled
in Montreal, Quebec, May 27, 28, 29, 30, A.D. 1940

Article I, Section 16, Auditors.

That Section 16 of Article I be amended by striking out the words "chartered accountant" in the second and third lines of said section, and substituting the words

"Certified member of an incorporated and recognized association of accountants and auditors:"

Article I, Section 31 (b), Special Departments.

That Section 31 (b) of Article I be amended by the addition of the following provisos:—

"Provided that Naval Veterans' Branches shall be deemed a special class within the meaning of this Section and shall be entitled to send a representative as a member to the Dominion and Provincial Executive Councils";

"And provided further the Dominion Executive Council may extend similar membership to the Air Force in the event branches of this special class of ex-service men are organized."

Article II, Section 1, Ordinary Members.

That Section 1 of Article II, Sub-Sections (a) and (c) are hereby repealed, and the following substituted therefor:—

(a) Who has seen Active Service during any of the wars of the Empire in any of His Majesty's Forces, including the Mercantile Marine and the Fishery Patrol Services and who has been honourably discharged therefrom, or

(c) Who is, or has become, a British Subject and who has served not less than three months in an Allied force during any of the wars of

the Empire, and saw Active Service therewith, provided he was honourably discharged therefrom.

Article II, Section 2, Life Members.

That Section 2 of Article II is hereby repealed, and the following substituted therefor:—

Any ordinary member may be admitted to Life Membership for meritorious service to the Legion upon the recommendation of the Branch of which he is a member, upon payment of fifteen years' Per Capita Tax to the Provincial and Dominion Commands, provided that Per Capita Tax shall be payable only for the periods following upon a member submitting satisfactory proof to the Branch that he has attained:—

60 years of age—10 years' Per Capita Tax

65 years of age— 7 years' Per Capita Tax

70 years of age— 5 years' Per Capita Tax

Article II, Section 1, Clause 3 (a), Active Service Associate Members.

That Section 1 of Article II be amended by the addition of the following clause:—

“(3a) *Active Service Associate Members:*—

Any person of good character who has enlisted into any branch, Naval, Military, or Air Force of the Canadian Active Service Force.”

Article II, Section 1, Clause 4, Honorary Members.

That Section 1 of Article II, Clause 4 be amended by re-lettering the present Sub-section (f) as Sub-section (g) and by adding the following Sub-section (f).

“(f) Honorary Membership shall terminate on the 31st December next after the date of admission thereto, provided however that the Branch or Council originally recommending an Honorary Member may, in its discretion, by resolution, continue such Honorary Membership from year to year thereafter.”

Article III, Section 1(b), Composition and Duties of Dominion Executive Council.

That Section 1 (b) of Article (c) is hereby repealed and the following substituted therefor:—

“(b) One other member from each Province of Canada and in the case of the Province of Ontario, one additional member and in the case of the Province of Quebec, one additional member all of whom shall be elected at their respective Provincial Conventions as provided in Article IV, Section 1 of the “Composition and Duties of the Provincial Executive Council” and who shall take office immediately following the Provincial Convention.”

Article III, Section 1(c), Composition and Duties of Dominion Executive Council.

That Section 1 (c) of Article III is hereby repealed and the following substituted therefor:—

“(c) One Representative of each of these Departments of Headquarters which are charged with watching over the interests of special classes of ex-service men and women as contemplated in Article I, Section 31 (b) “Special Departments”.”

Article III, Section 7, Composition and Duties of Dominion Executive Council.

That Article III be amended by the inclusion of the following Section:—

“7. In the event of any unanticipated curtailment of the fixed revenue of the Command, the Dominion Executive Council shall have power to make a levy upon Branches, through the Provincial Commands, sufficient to replace the revenue so curtailed. Each Provincial Command shall be notified of the total amount of the Provincial levy which shall be based on the paid-up membership of the Command, and the Provincial Commands shall thereupon assess their respective Branches on a per capita basis to the extent of the said levy. Failure on the part of any Branch to pay its assessment shall render the Branch liable to suspension.”

Article V, Section 6, Dominion Conventions.

That Section 6 of Article V is hereby repealed and the following substituted therefor:—

“6. To the Resolutions Committee shall be handed all resolutions for combination, amendment or consolidation, and for report to the Convention. The Committee shall report all resolutions and any delegate to the Convention may move concurrence in any resolution adversely reported on, provided that a majority of the delegates present agree.”

Article VI, Section 1, Provincial Conventions.

That Section 1 of Article VI is hereby repealed and the following substituted therefor:—

- (1) The number of delegates which each Branch shall be entitled to send to a Provincial Convention, as representing its members, shall be one for the first fifty members or fraction thereof and one for each additional fifty members or fraction thereof.