
State Constitution of the Socialist Party of the State of New York [1918]

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Article I. Organization.

Name.

Section 1. The Socialist Party of the State of New York is a part of the national organization of the Socialist Party of the United States, and shall be governed by the platform, constitution, and resolutions of said party.

Locals.

Section 2. The state organization shall consist of all present local organizations of the Socialist Party, within the state of New York, and of all such as may hereafter be organized with the state.'

Formation of Locals.

Section 3. Five or more persons within a town, city, or village, in which no local of the party is in existence, may form a local of the Socialist Party upon declaring their adherence to the national and state platforms of the party and their readiness to conform to the national and state constitutions of the party.

Applications for Charters.

Section 4. Applications for the formation of such local shall be made to the State Committee, and shall be accompanied by a list of the names, addresses, and occupations of the proposed members and an initiation fee of 10 cents for every member.

Semi-Annual Reports.

Section 5. (a) Each local shall send every 3 months a statement showing its numerical strength and financial condition, also its progress and prospects, and shall report the names and addresses of members to the State Committee.

(b) Each local shall send every month to the State Committee a report containing the names and addresses of the members admitted during the month.

Local Bylaws.

Section 6. Locals or County and General Committees of said locals may adopt bylaws to govern their own proceedings, but such bylaws shall not be in conflict with the national or state constitution. A copy of the same shall be forwarded to the State Committee.

Officers of Locals.

Section 7. Every local shall elect from its membership the following officers: an Organizer, a Recording Secretary, a Financial Secretary, a Treasurer, a Literature Agent, and such other officers as it may find necessary. The Organizer shall act as Corresponding Secretary unless otherwise provided by the local.

Members in Locals.

Section 8. A qualified applicant residing within the territorial jurisdiction of a local may become a member by filing with the secretary of such local the application for membership, provided that the appli-

cation shall be read at the next regular meeting of the local and accepted.

Members at Large.

Section 9. A qualified applicant residing outside of the jurisdiction of any local may become a member at large by filing with the State Secretary his application for membership, subject to the approval of the State Executive Committee, and the payment of an initiation fee of 10 cents, and the payment of 6 months' dues in advance at 15 cents per month.

Objections to Admission of Members.

Section 10. Should objection be made to the admission of any applicant for membership, 2/3rds of the membership of the local voting shall be necessary to admit.

Membership Cards and Constitutions.

Section 11. There shall be issued to each member on admission, a membership card in the form prescribed by the State Executive Committee. Such card to be signed by the Financial Secretary of the local of which the applicant becomes a member, or in case of a member at large, by the State Secretary. With the membership card each member shall receive a copy of the state and national constitutions.

Transfer of Members.

Section 12. (a) In case of removal of a member from the jurisdiction of one local to that of another, his membership card showing payment of dues to date shall be taken as prima facie evidence of his qualification to membership to the latter local, when submitted with transfer card duly issued by the Financial Secretary of the local or branch that he is leaving.

(b) The State Committee shall provide locals or branches with transfer cards. No others than those provided by the State Committee shall be recognized.

Suspension and Expulsion.

Section 13. (a) A member may be expelled from

the party, or may be suspended for a period not exceeding one year for the following offenses:

(b) For supporting or aiding in the election of a candidate for any office, in either a primary or final election, of any other than the Socialist Party, or in opposition to the regularly selected candidates of the Socialist Party.

(c) For accepting the endorsement of a party other than the Socialist Party.

(d) For the larceny, embezzlement, or corrupt misappropriation for his own use or benefit party funds.

(e) For accepting or holding any appointed position, under a non-Socialist administration, except a civil service position, or a position to which the Socialist Party is entitled under the law.

(f) For failing or refusing, when elected to a public office or while acting as a delegate to an official party convention, to abide and carry out such instructions as he may have received from the dues paying party organization or as prescribed by the state or national constitutions.

(g) For the willful violation of any provisions of this constitution.

Appeals from Decisions.

Section 14. (a) An expelled or suspended member shall have the right to appeal to the State Committee against such suspension or expulsion. When appeals are filed with the State Committee, they are to be investigated by the State Executive Committee, and the results of the investigation, together with the recommendations of the State Executive Committee, shall be submitted to a vote of the members of the State Committee for approval or rejection.

(b) The action of the State Committee shall be final unless an appeal is filed for a referendum vote of the membership of the entire state; notice of such appeal, however, shall be filed not later than 15 days after the receipt of the verdict of the State Committee.

(c) An expelled or suspended local shall have the right to appeal to the entire membership of the state by the referendum vote. Such appeal must be made within 15 days after the decision of the State Executive Committee has been declared final, or approved of by the State Committee.

Revocation of Charters.

Section 15. The charter of any local may be revoked for the following reasons:

(a) For willfully adopting and adhering to a constitution or platform in violation of the national and state constitutions of the Socialist Party.

(b) For aiding in the nomination to any political office of any person not a dues paying member of the party.

(c) For failing to support all regular nominees of the Socialist Party.

(d) For failing to prosecute, and if found guilty, to punish a member for a violation of the provisions of the state and national constitutions.

(e) For failing to remit for dues to the State Committee for 3 consecutive months, provided, however, that notice of the intention to revoke such charter shall be given the local at least 30 days in advance.

Charges — Appeals.

Proceedings, How Instituted and Prosecuted.

Section 16. (a) Proceedings against a local for the violation of any section of this or the national constitution shall be instituted upon a written complaint, signed by at least three (3) members of the party in good standing, or by the State Secretary. Said complaint shall state specifically and clearly the nature of the offense or offenses with which the local is charged.

(b) The written charges shall be filed with the State Executive Committee, which is to appoint at its discretion a committee to investigate the said charges. The State Executive Committee shall report the findings of this committee with their recommendations to the State Committee. If no objection to the recommendations of the State Executive Committee from a member of the State Committee if filed with the State Secretary within 15 days, such recommendation shall be the final decision of the State Committee.

(c) In case of an objection on the part of any one member of the State Committee (the members of the State Committee from the local under charges not in-

cluded) it shall be submitted to a vote of the entire State Committee.

(d) Proceedings against a member for the commission of an offense shall be instituted only upon a written complaint signed by a member in good standing, said complaint shall state clearly the offense or offenses with which the member is charged.

(e) The written charges shall be filed with the Secretary of the local who must read the same at the next meeting. The charges may be tried either by the entire local, or by a committee elected for the purpose. The verdict or recommendation of such a committee shall be submitted to the local for final ratification.

Local Meeting.

Section 17. Each local shall hold a regular business meeting at least once a month.

Central Committees.

Section 18. In any local which is divided into 2 or more branches, all business of the local with the party's National and State Committees shall be carried on by a Central Committee.

Charters.

Section 19. (a) Not more than one charter shall be granted to any city, unless such city consists of more than one county, in which case one charter shall be granted to each country organization.

(b) More than one charter may be granted to such country with the consent of the existing organization.

County Committees.

Section 20. All counties composed of two or more locals shall organize County Committees composed of three or more delegates from each local in the county; such County Committees to work toward unifying the agitation and organization in the county, and especially assist in organizing the unorganized territory of their respective counties.

Members in Arrears.

Section 21. (a) Members who are in arrears in the payment of their dues for more than 3 months shall stand suspended from all membership rights until they have paid up such arrears.

(b) Members in arrears in the payment of their dues for more than one year may be dropped from the membership roll of the local.

Exemption from Dues.

Section 22. On application to their local, sick, or unemployment member shall be excused from payment of dues.

Names and Addresses of Officers.

Section 23. Upon the election of new officers, locals shall notify the State Committee within 10 days after such election, giving the names and addresses of such officers.

Candidates and Fusion.

Section 24. Under no circumstances shall the state or local organization cooperate with any other political party, or independent organization organized to advance the interests of a candidate for public office; and no local shall nominate anyone as a candidate for public office who has not been a member of the party for at least 2 years, except locals which have been in existence less than 2 years.

Article II. Administration of State Organization.**Conduct of Affairs.**

Section 1. The affairs of the organization shall be conducted by the State Committee, State Executive Committee, and the general vote of the members.

State Committee.

Section 2. The State Committee shall consist of

one member from each organized county in the state, and one additional member for ever 500 members in good standing; same to be based on the dues stamps bought by the local or locals in such counties during the year ending in the month of September.

Election.

Section 3. The members of the State Committee shall be elected and may be recalled and their successors chosen by referendum vote of the members of the local or locals in the county. In cases, however, when one local covers the whole county and conducts its business through a County Committee, such County Committee shall have the power to fill vacancies, and shall also have the power to suspend State Committeemen, but shall immediately submit such suspension to a referendum of its members in the county. The members of the State Committee must be members in good standing for at least 2 years, except in the counties not organized for that period of time.

Term of Office.

Section 4. The members of the State Committee shall be elected in the month of December for a term of one (1) year. The term of office to begin in the month of January.

Duties of State Committee.

Section 5. (a) The State Committee shall meet on the second Sunday in April, except in years when a State Convention is to be held, and it shall then meet at the same time and place with the Convention. The expenses of State Committeemen in attending these meetings shall be paid out of the treasury of the State Committee.

(b) The State Committee shall have the power to review and revise the actions of the State Executive Committee. The Platform Committee, Committee on Rules, and all other important committees of the State Convention shall be elected by the State Committee at its meeting prior to the State Convention, and all these committees to be so appointed shall render reports of their work through the party press not later than 2 months prior to the date set for the State Con-

vention.

(c) At its annual meeting the State Committee shall elect a State Secretary.

(d) The State Committee shall call the State Conventions of the party.

(e) Any 3 members of the State Committee, other than members of the Executive Committee, may initiate a motion which shall be submitted to a vote of the State Committee.

(f) The State Committee at its annual meeting shall determine the location of the State Headquarters.

Composition of State Executive Committee.

Section 6. The State Executive Committee shall consist of 9 members of the party, elected by the State Committee at its annual meeting. Nominations to be made by the State Committeemen at least 1 month prior to the annual meeting, and a list of those accepting the nominations shall be sent to the State Committeemen in advance of such meeting.

Vacancies shall be filed by the State Committeemen voting by correspondence. Members of the State Executive Committee must have the same qualifications as required of members of the State Committee.

Duties of State Executive Committee.

Section 7. The State Executive Committee shall have immediate charge of the work of organization, agitation, and campaign throughout the state; shall elect a Treasurer and such officers as may be deemed necessary for the proper transaction of business; pass upon all applications for charters; furnish to locals the monthly dues stamps bought of the National Committee, at the price of 10 cents each; furnish to locals quarter-annual report blanks. It shall meet at least once a month, and carry on a general correspondence between the locals and the state organization; and its meeting not later than 30 days before a State Convention shall appoint a Committee on Rules; prepare a present to the State Convention a draft of a platform for the action of the convention. To prepare the order of business for the State Convention and have same published in the party press at least 2 months prior to

the date set for the holding of the same.

Report of State Executive Committee.

Section 8. The State Executive Committee shall furnish reports of its meetings and actions taken thereon to the State Committee after each meeting. Upon the demand of 2 members of the State Committee, made within 15 days after submission of report, any act of the Executive Committee must be submitted to a vote of the State Committee. The minutes of the State Executive Committee shall be sent to all the members of the State Committee for their approval, and unless objections are raised within 15 days after their submission, all actions contained therein shall stand approved.

Quorum.

Section 9. Five member of the State Executive Committee shall constitute a quorum for the transaction of business.

Vacancies.

Section 10. Any member of the State Executive Committee absent for 3 consecutive meetings of the committee shall have his seat declared vacant.

Rules of Procedure.

Section 11. The State Committee and the State Executive Committee shall adopt their own rules of procedure not inconsistent with this constitution or the national constitution of the party.

State Secretary — Duties.

Section 12. The State Secretary shall be the executive officer of the state organization. His duties shall include the following:

(a) Have charge of the State Office and all records or documents.

(b) He shall be ex-officio member of the State Executive Committee and State Committee and shall have a voice but no vote at their meetings.

(c) He shall act as Financial Secretary of the State

Committee and in this capacity shall receive and receipt for all moneys of the organization, and pay out the same in the discharge of current expenses and obligations duly authorized.

(d) He shall submit quarterly a written financial report to the members of the State Committee, and annual reports to all locals.

(e) He shall submit his books to the Auditing Committee every 3 months, or whenever called upon either by the Auditing Committee, State Committee, or State Executive Committee.

(f) Turn over to his successor in office all books, papers, money, or any other property belonging to the State Committee, which may have been in his possession.

(g) He shall have charge of and supervise the work of the State Organizers and speakers, subject to instruction from the State Executive Committee.

(h) He shall be authorized to employ the necessary clerical help, subject to the approval of the State Executive Committee.

(i) He shall perform such special duties as may be prescribed by the State Committee or State Executive Committee.

Auditing Committee.

Section 13. An Auditing Committee of 3 members shall be elected for a term of 1 year by the State Executive Committee, whose duties shall be to audit the accounts of the State Committee every 3 months or whenever called upon by the State Committee or State Executive Committee, a copy of each audited report to be sent to every member of the State Committee and to the locals.

Article III. State Conventions.

Regular Conventions.

Section 1. Regular State Conventions of the party shall be held in all years when a Governor of the state is to be elected.

Special Conventions.

Section 2. Special conventions may be called whenever decided upon by a general vote. The question of calling a special convention may be submitted to a general vote of the membership by the State Committee on its own motion and shall be submitted upon the demand of any 3 locals located in 3 different counties.

Representation.

Section 3. At all state organization conventions the representation shall be by locals, each local being entitled to 1 delegate and 1 additional delegate for every 100 members in good standing, to be determined by the number of dues stamps purchased during the 6 months preceding the call for the election of such delegates.

Delegates to the state convention must be members of the party for at least 2 years, except from locals which have not been organized for that period. They must also be members of the county which they are to represent.

Political Convention.

Section 4. All statutory political conventions where the work of the convention has been prescribed by referendum, convention, or committees of the dues-paying organization, shall be held at the seat of the state organization, and the State Executive Committee may direct that the delegates near or at the seat of the State Headquarters shall constitute a quorum at such conventions and shall assemble and hold such convention as the law provides.

Delegates' Expenses.

Section 5. The railroad fare of the delegates in going to or from the place of the convention shall be paid from the treasury of the state organization. The fund for this purpose shall be raised by a per capita assessment on the membership, or in such other manner as the State Committee shall find expedient.

Article IV. National Committeemen.

Election.

Section 1. The locals in the state of New York shall elect by referendum vote in the month of January each year, such number of representatives of the National Committee of the party as the state may be entitled to, provided, however, that not more than 1 member shall be from the same local.

To qualify as a candidate for National Committeeman, such candidate shall be nominated by not less than 2 locals in 2 different counties.

Term of Office.

Section 2. The election of National Committeemen shall be conducted by the State Committee, and the National Committeemen elected shall hold office for the term of 1 year and until their successors are elected.

Vacancies.

Section 3. Any vacancies occurring in the offices of National Committeeman shall be filled by a referendum vote without delay.

Written Reports.

Section 4. The National Committeemen shall make a written report to the State Committee in the months of January, April, July, and October of each year, and to the State Convention whenever it meets. The seat of any National Committeeman who shall fail to make reports for 2 consecutive quarters shall be declared vacant and new election ordered.

Instructions.

Section 5. The State Committee or State Executive Committee may call upon the National Committeemen at any time to appear before it to discuss such questions as the committee deems important, and the decisions arrived at by majority vote of the committee shall be binding upon the National Committeemen and they shall vote as instructed.

Article V. Amendments.

Method of Amending This Constitution.

Any amendment of this constitution shall be submitted to a general vote upon motion of the State Committee or upon demand of at least 3 locals in 3 different counties.

Article VI. Referendums.

When Taken.

Section 1. The State Committee or 3 or more locals in 3 different counties with at least 500 members may demand a referendum vote on all questions.

Demands on Referendums.

Section 2. A demand for a referendum vote made by a local must stand open for 6 weeks for 2 locals to second it. If no endorsement is received from 2 locals within the specified time such motion shall be null and void.

Section 3. All referendum votes shall be open for 6 weeks for locals to vote, and no extension of time shall be made by the State Committee.

Section 4. It shall be the duty of the State Secretary to submit every proposed referendum to the locals within 3 weeks after it has been duly initiated.

Article VII. National Constitutions.

Method of Election and Appointment of Delegates.

The election of delegates to national conventions of the party shall be through the country organizations. The number of delegates to be apportioned by the State Committee in proportion to the membership in the county organizations.

Article VIII. Miscellaneous Regulations.**Resignation of Candidates
and Appointees.**

Section 1. All candidates for public office or appointees to public office selected by the dues-paying membership of the Socialist Party of the State of New York or any of its sub-divisions shall sign the following resignation blank before nomination is made official, or appointment is made final.

Form of Resignation.*Section 2.*

Recognizing the Socialist Party as a purely democratic organization in which the source and seat of all powers lies in the dues-paying membership, as an elected (or appointed) official of the party it shall be my duty to ascertain and abide by the wishes of the majority of the dues-paying members of my local or political sub-division.

To the end that my official acts may at all times be under the direction and control of the party membership I hereby sign and place in the hands of Local _____ to which I may be elected (or appointed), such resignation to become effective whenever a majority of the local shall so vote.

I sign this resignation voluntarily as a condition of receiving said nomination (or appointment) and pledge my honor as a man, a Socialist, to abide by it.

**Forms of Resignation to Be Supplied
by State Executive Committee.**

Section 3. The State Executive Committee shall supply each local with the necessary resignation forms.

**Appointment for
Non-Competitive Offices.**

Section 4. Elected Socialist officials shall submit the names of the proposed or contemplated appointments for heads of departments, members of Mayor's Cabinets, Commissioners, Deputies and Members of Commissions, or any other appointees to position of administrative or executive character for the approval of the local or county organizations. If said local or county organization shall disapprove of any proposed appointment, it may submit its choice of appointment

to the said elected official. In case of further disagreement, the local or county organization and the elected officials have the right to appeal to the State Executive Committee.

**Selection of Candidates to Be Voted
For at the Fall Primaries.**

Section 5. (a) All candidates for public offices other than for County, Township, Municipal offices, or candidates lying wholly within one county, to be nominated at the primary elections, shall be selected by a referendum vote of the dues-paying membership in such districts, or by a convention of delegates from the locals of such districts.

(b) The selections made through such referendums or conventions shall be binding on the members composing the official committees authorized by law to make the designations for the primary elections.

Eligibility for Public Office.

Section 6. No person shall be eligible as a candidate of the Socialist Party for any political or public office (this not to include members of the political committee elected for the purpose of designating candidates) who is not a member in good standing at the time of his nomination, and has been such for a period of 2 years preceding the date of his nomination. Provided that this rule shall not apply where there has been no local organization in existence for the prescribed period.

No one but party members in good standing shall be nominated for member of political committees, authorized by law to designate candidates.

Article IX. National Constitution.**Takes Precedence.**

In case of conflict between any provisions of this constitution and the national constitution, the latter shall take precedence.