

## **CONSTITUTION AND BY-LAWS**

**Of The**

### **AMERICAN KENNEL CLUB**

---

*February, 1939*

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#### **ARTICLE I**

The name of this Club shall be "The American Kennel Club".

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#### **ARTICLE II**

The Seal of The American Kennel Club shall be circular in shape, having on the outer rim thereof the words, "American Kennel Club Incorporated" and in an inner circle the capital letters, "A.K.C."

#### **ARTICLE III OBJECTS OF THE CLUB**

The objects of the Club shall be to adopt and enforce uniform rules regulating and governing dog shows and field trials, to regulate the conduct of persons interested in breeding, registering, selling purchasing, exhibiting and running pure bred dogs, to prevent, detect, and punish frauds in connection therewith, to protect the interests of its members, to maintain and publish an official stud book and an official kennel gazette, and generally to do everything to advance the study, breeding, exhibiting, running and maintain of the pure bred dogs.

#### **ARTICLE IV MEMBERSHIP**

SECTION 1. All Clubs or Association which have held at least three Dog Shows or Field Trials in consecutive years under rules of The American Kennel Club and all Specialty Clubs which have been or shall be formed for the improvement of any breed of the pure bred dogs shall be eligible to become members of The American Kennel Club.

SECTION 2. Candidates for membership must apply in writing to The American Kennel Club on forms the terms of which shall be approved by the Board of Directors of The American Kennel Club which forms will be supplied by the Secretary of The

American Kennel Club upon request. Each application must be accompanied by a copy of the Constitution and By-Laws of the Applicant and a list of the names of its officers and members. Each candidate also must send with its application a check or cash for the amount of its admission fees and dues for the current year which will be returned to the candidate if and when it shall fail to be elected.

SECTION 3. No Club of Association shall be eligible to be admitted to membership in The American Kennel Club unless its Constitution and By-Laws shall provide that among the object for which said Club of Association has been formed are the holding of annual dog shows or annual field or that said Club of Association was formed for the protection of benefit of dogs.

SECTION 4. If one or more Specialty Clubs formed for the improvement of any given breed of pure bred dogs already are members in good standing of The American Kennel Club, no other Specialty Clubs formed for the improvement of the same breed of pure bred dogs shall be admitted to membership unless and until the candidate for membership first has obtained in writing the permission of the member Specialty Club which first was admitted to be a member, known as the Parent Club, allowing the non-member Specialty Club to apply.

If a Parent Club shall fail to give another specialty club permission in writing to apply for admission to membership in The American Kennel Club, said non-member specialty club may appeal to the Board of Directors of The American Kennel Club at an time after two but not later than three months from time when said permission was requested. The Board shall hear the parties, who may present their respective contentions either orally or in writing, and in its discretion, which must be by three-fourths affirmative vote of the members of the Board, may permit said non-member Specialty Club to apply for membership in The American Kennel Club.

SECTION 5. It shall be the duty and privilege of each parent member specialty club to define precisely the true type of the breed of pure-bred dogs which it was organized to promote and improve and its definition when approved by the Board of Directors of The American Kennel Club shall and will be recognized by The American Kennel Club as the sole standard of excellence for which such breed of pure-bred dogs shall be bred and by which specimens of such breed must be judged in the awarding of prizes or merit.

The standards of excellence of all breeds of pure-bred dogs now adopted by parent members specialty clubs and approved by the Board of Directors or The American Kennel Club shall not be changed in any respect until the wording of any proposed change or changes first has been submitted to the Board of Directors of The American Kennel Club and its approval of the same has been obtained.

It shall be the duty of the Board of Directors of The American Kennel Club to and it shall define precisely the true type of each breed of pure-bred dogs recognized by The American Kennel Club as eligible for registration in its Stud Book for which no standard of excellence has been adopted by any member specialty club and submitted to and approved by said Board of Director in the manner set forth in the preceding paragraphs of this section.

Any member specialty club shall have the right at any time except as hereinafter provided to propose to the parent member specialty club of its breed changes in the standard of excellence of its breed. In the event of the failure of such parent club to act upon such proposals within a reasonable time, or in the event that any such parent club in acting upon such proposals, shall make a decision which is wholly or partly unsatisfactory to any member specialty club or clubs of that breed, including the member specialty club making the proposals, such aggrieved member specialty club or clubs shall have as matter of right an appeal to the Board of Directors of The American Kennel Club. When such appeal is taken, the Board of Directors of The American Kennel Club shall hold a hearing after notice has been five to all member specialty clubs of the breed affected and such other persons as the Board of Directors of The American Kennel Club shall in its discretion decide to summon. After such hearing the Board of Directors shall make a decision respecting the matter fully and thereafter for a period of two years no proposal to that parent member specialty club for changes in the affected portion or portions of the standard or standards of that breed shall be made to or entertained by that parent member specialty club without permission of the Board of Directors of The American Kennel Club.

SECTION 6. The name of such candidate and the fact that it has applied for membership must be published in the first issue of the AMERICAN KENNEL GAZETTE which shall be published after the receipt by the Secretary of The American Kennel Club of such application and again in the next succeeding issue of said Gazette and such application then shall be referred to the Board of Directors of The American Kennel Club for its approval or disapproval.

SECTION 7.. Any person, Club or Association which may desired to object to the admission of a candidate for membership may do so by sending a letter to the Board of Directors of The American Kennel Club stating the reasons for such objection and such letter will be considered a privileged communication the contents of which must not be disclosed.

SECTION 8. The Board of Directors of The American Kennel Club shall report to The American Kennel Club at the next regular meeting of the Club its findings as to the eligibility of all candidates for membership the names of which duly have been published as provided in Section 5 of the Article, indicating the approval and disapproval of the Board by using the word "approved" or the word "disapproval" as the case may be, and said Board or any members or it in no instance shall be required to give any reason for the findings of said Board.

SECTION 9. The election of all candidates for membership which have been reported "approved" or which have not been reported "disapproved" by the Board of Directors of The American Kennel Club in accordance with the provision of Section 7 of this Article shall be by ballot at a regular meeting of The American Kennel Club and it shall require the affirmative vote of four-fifths in number of all the delegates present at such meeting to elect.

SECTION 10. No candidate for membership which shall be disapproved by the Board of Directors of The American Kennel Club or which shall fail to be elected may again become a candidate until after one year from the date of such failure.

## **ARTICLE V ADMISSION FEE AND DUES**

SECTION 1. The amount of the admission fee for all new members of The American Kennel Club which may be elected after January 1, 1933, shall be two hundred and fifty (\$250) dollars. The amount of the admission fee for all former members which may be reelected after January 1, 1933 shall be determined in each instance by the Board of Directors of The American Kennel Club.

SECTION 2. The amount of annual dues of the members of The American Kennel Club shall be determined by the Board of Directors of The American Kennel Club subject to approval by the delegates to The American Kennel Club, and shall be payable January 1 in each year, in advance. Any member which shall have failed to pay its annual dues on or before the day of the annual meeting of The American Kennel Club, may have its right to membership terminated at the election of the Board of Directors of The American Kennel Club which may take such action in each instance as it shall deem wise or may impose such action in each instance as it shall deem wise or may impose such fines or penalties as it may deem just and proper under the particular circumstance. This section of Article V shall be printed on each bill for dues so that no member may be in ignorance thereof.

## **ARTICLE VI DELEGATES**

SECTION 1. The voting powers of each Member Club or Association can and shall be exercised only by a male delegate selected by said club to represent it for that purpose.

SECTION 2. Any Member Club or Association which desires to be represented by a delegates must apply in writing to The American Kennel Club on a form of credentials the terms of which shall be approved by the Board of Directors of The American Kennel Club and which will be supplied by the Secretary of The American Kennel Club and which will be supplied by the Secretary of the American Kennel Club upon request. Each such application must be signed by the President or the Vice-President or the Secretary of the Member Club or Association making the applications.

SECTION 3. The name and address of each candidate for the position of delegate and the fact that application has been made for his appointment must be published in the first issue of the AMERICAN KENNEL GAZETTE which shall be published after the receipt by the Secretary of The American Kennel Club of his credentials and again in the next

succeeding issue of said GAZETTE and his credentials then shall be referred to the Board of Directors of The American Kennel Club for its approval or disapproval.

SECTION 4. Any person, Club or Association desiring to object to the appointment of any person named to be a delegate may do so by sending a letter to the Board of Directors of The American Kennel Club stating the reasons for such objection and such letter will be considered a privilege communication the contents of which must not be disclosed.

SECTION 5. Each candidate for the position of Delegate must personally be known by at least one member of the Board of Directors of The American Kennel Club, or if not so known must be vouched for by some one person in good standing with The American Kennel Club which is known by at least one member of said Board or if the candidate can comply with neither of these conditions, the candidate must personally appear before the Board of Directors of The American Kennel Club at such time as it shall request him to appear.

SECTION 6. Professional judges of dog shows or field trials, employees of kennels, professional handlers of dogs, persons who buy, sell and in any way trade or traffic in dogs as a means of livelihood, in whole or in part, whether or not they be known as dealers, are not eligible to become or to remain Delegates.

SECTION 7. The Board of Directors of The American Kennel Club shall report to The American Kennel Club at the next regular meeting of the Club its findings as to the eligibility of all candidates for the position of Delegate the names and addresses of whom duly have been published as provided in Section 3 of this Article indicating the approval or disapproval of the Board by using the word "approved" or the word "disapproved" as the case may be, and said Board or any member or it in no instance shall be required to give any reason for the findings of said Board.

SECTION 8. The election of all candidates for the position of Delegate who have been reported "approved" or who have been reported "disapproved" by the Board of Directors of The American Kennel Club in accordance with the provision of Section 7 of this Article shall be by ballot at any regular meeting of The American Kennel Club and it shall require the affirmative vote of four-fifths in number of all the Delegates present at such meeting to elect.

SECTION 9. No candidate for the position of Delegate who shall be disapproved by the Board of Directors of The American Kennel Club or who shall fail to be elected may again become a candidate as Delegate from any Club or Association until after one year from the date of such failure.

SECTION 10. No Delegate can represent more than one member club of association. No Delegate who duly has been elected or shall continue to exercise the voting powers of the member club or association which appointed him after he has resigned or his appointment has been withdrawn or if his appointment has not been withdrawn after the credentials of

the person names to succeed him have been acted upon with approval by the Board of Directors of The American Kennel Club.

**ARTICLE VII**  
**BOARD OF DIRECTORS**  
**ELECTION, MEETINGS AND QUORUM**

SECTION 1. The Club shall be governed by a Board of Directors consisting of twelve (12) members. Such Board shall be elected as follows:

At each annual meeting the Delegates shall elect three (3) Directors from the list of candidates nominated in the manner hereinafter provided in Article VIII of these By-Laws to hold office for four (4) years or until their successors are elected and such other director or directors who has or have died, resigned or of any director or directors who has or have died, resigned or been removed before the expiration of the term or terms for which he or they were elected.

In event that at any such annual meeting following that in the year 1933 no Directors shall be elected, the Directors then in office, whose terms except for the provisions thereof would have been expired at the time of said annual meeting, shall continue in office until their successors shall have been elected.

SECTION 2. Any vacancy in the Board shall be filled by the Directors by a majority vote of those present at any meeting; such Director shall hold office until the next annual meeting of the club.

SECTION 3. When a Delegate who also is a Director of The American Kennel Club shall resign his position as Delegate or shall be removed therefrom and shall not offer his resignation as Director of The American Kennel Club, he none the less may continue to hold the office of Director until his term expired unless at the first regular meeting of the Board of Directors which shall be held subsequent to the date of his resignation or removal as a delegate which meeting he must not attend, the majority of the Board of Directors present shall vote to drop him from said Board, in which case he shall at once cease to be a Director of The American Kennel Club.

SECTION 4. There shall be a regular meeting of the Board each month, the date of which shall be determined by the Board and seven (7) days' notice of said date must be given to each Director by mail.

SECTION 5. Special meetings of the Board shall be called by the Secretary at the direction of the President, or upon the written request of three (3) Directors. Five (5) days' notice of the date of such special meeting must be given to each Director by mail unless a waiver of notice of such meeting shall have been signed by every Director.

SECTION 6. Seven (7) members shall constitute a quorum of the board for the transaction of business at all meetings.

SECTION 7. The unexplained and by the directors unexcused absence of a Director from three consecutive regular meetings of the Board of Directors shall operate as the accepted resignation of that Directors from the Board of Directors.

SECTION 8. Each members of the Board of Directors who attends a regular or special meeting of the Board may be paid a nominal director's fee for attending each such meeting and shall be reimbursed for the actual cash outlay made by him for travel from his home to the office of The American Kennel Club and return and for food and lodging while engaged in the business of The American Kennel Club.

**ARTICLE VIII  
BOARD OF DIRECTORS  
NOMINATING COMMITTEE**

The Board of Directors on or before the first day of January in each year shall designate five delegates no one of whom shall be an officer of the club or a members of its Board of Delegates to be a nominating committee whose duty it shall be to nominate candidates for such vacancies on the Board of Directors as are to be filed at the next annual meeting of the Club. The Nominating Committee shall make its selection and report its nominations in writing to the Secretary of the Club on or before the thirty-first of days of said January and it shall be the duty of and said Secretary forthwith shall notify represented by a delegate of the names of the candidate so selected.

If, after such nomination, the name of any candidate so nominated is withdrawn, the Nominating Committee shall nominate a new candidate in his place, and the Secretary of said Club, upon receipt of the news of such action, shall give such notice thereof to the delegates and the member clubs or associations not represented by delegates as may be reasonable under the circumstances.

Any delegate whose name does not appear upon said list so selected by said Committee shall be eligible for election to the position of director is an only if his name, endorsed by at least twenty other delegates in writing, shall be sent by registered mail or delivered to said Secretary on or before the twentieth day of February following said January thirty-first, in which event it shall be the duty of said Secretary and said Secretary forthwith shall notify in writing each delegate and each member club which shall not be represented by a delegate of the name or names of the additional candidate or candidates so nominated. The names of all candidates for election as directors shall be published in the March issue of the AMERICAN KENNEL GAZETTE of the year in which they come before the annual meeting to be noted upon. No nominations may be made from the floor at the annual meeting of the Club.

**ARTICLE IX  
BOARD OF DIRECTORS  
GENERAL POWERS**

The Board of Directors shall have the general management of the business and affairs of the Club and generally perform all duties appertaining to the office of the director provided, however, that all the powers conferred by this Article of the By-Laws

shall be exercised subject to all other provisions of these By-Laws and to the statutes of the States of New York and all amendments thereof and additions thereof.

**ARTICLE X**  
**BOARD OF DIRECTORS**  
**SPECIFIC POWERS**

Without detracting from any general powers of the Board of Director but by way of explanation it shall be understood that:

SECTION 1. The Board shall have supervision of the funds, assets and property of the Club and shall determine how much thereof shall be left in the hands of under direct control of the Treasurer for current needs, and how the balance thereof shall be deposited or invested, and shall have power to withdraw or transfer said deposits or dispose of or change said investments for the benefit of the Club.

SECTION 2. The Board may appoint from time to time and at will discharge committees with such powers and authority as in the judgment of said Board may be necessary to facilitate and carry out the objects and business of the Club; and in order to facilitate business may appoint one (1) or more persons who shall represent The American Kennel Club in such territory of the United States and with such jurisdiction as may be designated by said Board.

SECTION 3. The Board shall examine all proposed amendment or alteration to the Constitution, By-Laws, Rules or Regulations of The American Kennel Club and report thereon to the Club for action.

SECTION 4. All matters in dispute as to interpretation of the Rules or Regulations of The American Kennel Club shall be submitted to the Board for its construction, which shall be decisive.

SECTION 5. The Board shall have supervision and control of the Stud Book, the registration of dogs, kennel names and the transfers thereof, and determine the manner in which such records shall be preserved.

SECTION 6. The Board shall determine all matters which may arise affecting pedigrees of pure bred dogs.

SECTION 7. The Board shall have supervision and control of the official kennel gazette now called the AMERICAN KENNEL GAZETTE and shall determine the manner and form in which it shall be published.

SECTION 8. The Board shall have power to approve or disapprove any or all applications for show or field trial dates and for licenses under which to hold Dog Shows

or Field Trials and must act upon each such application within thirty days after the same has been filed with The American Kennel Club.

SECTION 9. The Board shall have power to issue and revoke licenses to Judges, Superintendents of Dog Shows and Field Trials ad Handlers of dogs.

SECTION 10 The Board also shall have the power to determine and fix the rating of each breed of dog to qualify for Championship and may from time to time change such rating.

SECTION 11. The Board shall have power to sanction or disapprove applications for informal shows.

SECTION 12. The Board shall have the power to issue such regulation as it may deem necessary for the governing or holding of dog shows and field trials.

SECTION 13. The Board shall have power to consider charges preferred by Bench Show Committees, Field Trial Committees, Clubs, Associations, or persons and to determine whether the charges alleged have been sustained, and if sustained what penalty shall be imposed.

The powers of the Board of Directors in this connection are more fully set forth in Article XII of these By-Laws entitled "Discipline"

SECTION 14. The Board shall have power to appoint and at will remove Trials Board of not less than three (3) members each, whose duty it shall be to hear such charges in the first instance as may be referred by the Board of Directors to such Trial Boards. The powers and duties of Trial Boards are more fully set in Article XIII of these By-Laws entitled "Trial Boards."

SECTION 15. The Board shall have power to determine and fix from time to time the change the amount of all fees to be charged by The American Kennel Club, whether for registration, listing and change of ownership of dogs, the granting of kennel names and the transfer thereof, the issuing of certificates or otherwise.

SECTION 16. The Board shall have power without previous hearing to fix and determine the amount or extent of the penalty and to impose a penalty for all uncontested violations of the rules and regulations of The American Kennel Club.

## **ARTICLE XI OFFICERS**

SECTION 1. The officers of the Club shall be a President, an Executive Vice-President, a Secretary and a Treasurer, who shall be elected annually by the Board of

Directors at a meeting which shall be held immediately following the annual meeting of the Club.

The President must be director.

The Executive Vice-President, the Secretary and the Treasurer need not be directors.

The office of Secretary and Treasurer may be held by the same person.

Vacancies in any of the above offices shall be filled for the unexpired term by the Directors by a majority vote of those present at any meeting.

### **PRESIDENT**

SECTION 2. The President shall exercise the usual functions of a presiding officer. In the absence of the President a presiding officer for the meetings of the Club of Board of Directors may be chosen without ballot. The President shall, with the Executive Vice-President execute all contracts on behalf of the Club and perform such other duties as may be assigned to him by the Board of Directors. The President may be paid a nominal salary, if the Board of Directors shall so determine, the amount of which salary shall be fixed by the Board.

### **EXECUTIVE VICE-PRESIDENT**

SECTION 3. The Executive Vice-President shall exercise the usual function of a chief executive officer, giving his whole time to the business affairs of the Club. He shall supervise the work of the Secretary and the Treasurer and the employment of such clerical aid as may be necessary to operate all activities of the Club. He shall perform such other duties as may be assigned by him by the Board of Directors. The salary of the Executive Vice-President shall be fixed and determined by the Board of Directors.

### **SECRETARY**

SECTION 4. The Secretary shall keep records of all the meetings of the Club and Board of Directors and shall issue calls for the same. He shall keep a roll of members and delegates, and shall have charge of all records and papers of the Club. He shall transact such other business and perform such further duties as may be directed by the Board of Directors. He shall have power to employ, under the supervision of the Executive Vice-President, such clerical aid as may be necessary, the salaries or wages of whom shall be fixed by the Board of Directors. The salary of the Secretary shall be fixed and determined by the Board of Directors.

### **TREASURER**

SECTION 5. The Treasurer shall keep books of accounts of business of the Club in such manner as may be directed by the Board of Directors. He shall be charged with the collection, custody and control of the funds of the Club, subject to the supervision and instructions of the Board of Directors. He shall have custody and control of the funds of the Club, subject to the supervision and instructions of the Board of Directors. He shall have custody of the seal of the Club. He shall transact such other business and perform such further duties as may be directed by the Board of Directors. He shall have per to

employ, under the supervision of the Executive Vice-President, such clerical aid as may be necessary, the salaries and wages of whom shall be fixed by the Board of Directors. The Treasurer shall be required to execute a bond of indemnity in favor of the Club in an amount to satisfactory of the Board of Directors. His salary shall be fixed and determined by the Board of Directors.

## ARTICLE XII DISCIPLINE

SECTION 1. Any club or association or person or persons interested in pure bred dogs may prefer charges against any other club or association or person or persons for conduct alleged to have been prejudicial to the best interests of pure bred dogs, dog shows or field trials, or prejudicial to the best interest of The American Kennel Club, which charges shall be made in writing in duplicate setting forth in detail the nature thereof, shall be signed and sworn to by an officer of the Club or Association or by the person or person making the same before some person qualified to administer oaths and shall be sent to The American Kennel Club, together with a deposit of ten (\$10) dollars, which sum shall become the property of The American Kennel Club if said charges shall not be sustained, or shall be returned if said charges are sustained, or if The American Kennel Club shall refuse to entertain jurisdiction thereof.

SECTION 2. The bench show or field trial committee of a club or association shall have the right to suspend any person from the privileges of The American Kennel Club for conduct prejudicial to the best interests of pure-bred dogs, dog shows, field trial or The American Kennel Club, alleged to have occurred in connection with or during the progress of its show or field trial, after the alleged offender has been given an opportunity to be heard.

Notice in writing must be sent promptly by registered mail by the bench show or field trial committee to the person suspended and a duplicate notice giving the name and address of the person suspended and full details as to the reasons for the suspension must be forwarded to The American Kennel Club within seven days.

An appeal may be taken from a decision of a bench show or field trial committee. Notice in writing claiming such appeal together with a deposit of five (\$5.00) dollars must be sent to The American Kennel Club within thirty days after the date of suspension. The Board of Directors may itself hear said appeal or may refer it to a committee of the Board, or to a Trial Board to be heard. The deposit shall become the property of The American Kennel Club if the decision is confirmed, or shall be returned to the appellant if the decision is not confirmed.

SECTION 3. Upon receipt of duly preferred charges the Board of Directors of The American Kennel Club at its election either may itself consider the same or send the same to a Trial Board for hearing.

In either case a notice which shall state that said charges have been filed and shall set forth a copy of the same shall be sent to the club or association, or person or persons against which or whom said charges have been preferred which club or association, or

**Deleted:** The bench show or field trial committee of any club or association which shall have received from The American Kennel Club permission to give or show or hold a field trial, as the case may be, shall have the right to suspend any person from the privileges of The American Kennel Club for conduct prejudicial to the best interests of pure bred dogs, dog shows or field trials or prejudicial to the best interest of The American Kennel Club alleges to have occurred at and during the progress of such show or field trial after alleged offender has been given an opportunity to be heard. ¶

A notice in writing must be mailed immediately by the Bench Show or the Field Trial Committee to the person suspended and duplicate notice of such suspension giving the name and address of the person suspended and full details as to the reasons for the suspension must be forwarded to The American Kennel Club within seven days of the rendering of the decision. ¶

An appeal may be made to the Board of Directors for The American Kennel Club from a decision of a bench show or field trial committee. Notice in writing claiming such appeal together with a deposit of five (\$5.00) dollars must be sent to The American Kennel Club by the aggrieved party within thirty days after the date of the of his or her suspension. The Board of Directors may itself hear said appeal or refer it to a Trial Board of The American Kennel Club to be heard, whichever course is more convenient for all parties. Said deposit of five (\$5.00) dollars shall become the property of The American Kennel Club if and when the Board of Directors or a Trial Board of The American Kennel Club, as the case may be, shall confirm the decision of the Bench Show or Field Trial Committee, or shall be returned to the one depositing the same if an when the Board of Directors or the Trial Board, as the case may be, shall refuse to confirm said decision.

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person or person herein shall be known as and called the defendant. The club or association or person or person which or who shall have preferred said charges herein shall be known as and called the complainant.

Said notice also shall set forth a time and place at which the defendant may attend and present any defence or answer which the defendant may wish to make.

If the complainant shall fail or refuse to appear and prosecute said charges or if the defendant shall fail or refuse to appear and present a defence at the time and place designated for the hearing of said charges, without giving a reasonable excuse for such failure or refusal, the Board of Directors or the Trial Board to which said charges have been referred may suspend whichever party shall be so in default from the privileges of The American Kennel Club for a period of six months or until such time as the party so in default shall be prepared to appear ready and willing to prosecute or defend said charge, as the case may be.

SECTION 4. The Board of Directors shall have the power to investigate any matters which may be brought to its attention in connection with the objects for which this Club was founded, or it may appoint a committee or trial board to investigate, in which event the same procedure shall be followed and the same rules shall apply as in a trial before a Trial Board.

If after such investigation the Board of Directors believes that sufficient evidence exists to warrant the filing of charges, it may file or direct the filing of such charges. The Board of Directors acting in accordance with the provisions of the Article may prefer charges for conduct prejudicial to the best interests of The American Kennel Club against persons who shall bring it its attention any matter which upon investigation shall be found to have been reported to it from malicious or untruthful motives or to have been based upon suspicion without foundation of fact or knowledge.

**Deleted:** The Board of Directors of The American Kennel Club shall have the power to investigate or appoint a committee to investigate, any matters which may be brought to its attention in connection with the objects for which this Club was founded and, if in its opinion such action is warranted, may refer the same to the Trial Board, in which event the matter so referred shall have the same standing as if charges had been preferred. ¶

SECTION 5. The Board of Directors of The American Kennel Club shall have power to prefer charges against any association, or other club or person or person, for conduct alleged to be prejudicial to pure-bred dogs, dog shows or field trials or to the best interests of The American Kennel Club, and pending the final determination of any such charges, may withhold the privileges of The American Kennel Club from any such other person or body against whom charges are pending.

**Deleted:** SECTION 5. The Board of Directors of The American Kennel Club shall have power, by a two-thirds vote of those present at any meeting, to suspend until the next meeting of the Club, an member or Delegate, for violation of the Constitution, By-Laws or Rules of The American Kennel Club. ¶

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SECTION 6. The Board of Directors shall have the power to suspend from the privileges of The American Kennel Club any member or delegate pending final action by the delegates in accordance with the provisions of this section, for conduct alleged to have been prejudicial to the best interests of The American Kennel Club or for violation of its constitution, by-laws or rules.

The Board of Directors shall then file charges and promptly set a date for a hearing and send to such suspended member or delegate by registered mail at least ten days prior to the date so fixed, notice of the time when and the place where the suspended member or delegate may be heard in its or his defense. Said notice shall also set forth a copy of the charges.

The Board of Directors may itself hear the evidence of the suspended member or delegate and any witness or may refer the charges to a committee of the Board or to a Trial Board to take the testimony and to report its findings or recommendations to the Board of Directors.

The Board of Directors, after hearing or reviewing the evidence, shall report its findings to The American Kennel Club at the next regular meeting of the Club, whereupon the delegates shall take action upon said findings and by a majority vote of the delegates present may reinstate, continue the suspension for a stated time or expel such member or delegate from The American Kennel Club.

SECTION 7. The American Kennel Club shall have the power by a two-thirds vote of the Delegates present at any regular meeting to suspend from the privileges of The American Kennel Club any member or delegate for conduct alleged to have been prejudicial to the best interests of The American Kennel Club or for violation of its constitution, by-laws or rules.

The order of suspension thus made shall then be referred to the Board of Directors for hearing and report under the procedure as set forth in Paragraphs 2,3 and 4 of Section 6 of this Article.

SECTION 8. The Board of Directors of The American Kennel Club shall have power to hear as an original matter any charges preferred and to review and finally determine any appeal which may be made to the Board of Directors from the decision of a Trial Board, Bench Show or Field Trial Committee, and in each instance in which it shall find the charges to have been sustained, it shall impose such penalty as said Board of Directors may decide to be just and proper.

SECTION 9. At any original hearing or at the hearing of any appeal the Board of Directors of The American Kennel Club may, in its discretion, at the Club's expense, summon witnesses or a member or any Trial Board, Bench Show or Field Trial Committee to attend.

SECTION 10. The Board of Directors of The American Kennel Club shall, at the next meeting of the board after an appeal is made from the decision of a Trial Board, Bench Show or Field Trial Committee, name a date for the hearing of such appeal and shall cause notice of the time when and the place where said hearing is to be held to be sent to all parties interest b registered mail at least fourteen (14) days prior to the date named.

SECTION 11. Penalties may range from a reprimand or fine to suspension for life from all privileges of The American Kennel Club.

SECTION 12. The Treasurer of The American Kennel Club shall enforce all monetary penalties and in case of clubs, may deduct the same from any deposit made with application for dates.

**Deleted:** The American Kennel Club shall have the power, by a two-thirds vote of the Delegates resent at any regular meeting, to suspend from the privileges of The American Kennel Club any member club or association and or Delegate, or to remit or continue any order of suspension which shall have been imposed by the Board of Directors of The American Kennel Club, for conduct alleged to have been prejudicial to the best interests of The American Kennel Club or for violation of its Constitution, By-Laws or Rules. ¶

The order of suspension thus made then must be referred to the Board of Directors of The American Kennel Club, which must set a date for a hearing and send to such suspended member or delegate by registered mail at least 30 days prior to the date so fixed, notice of the time when and the place where the suspended member or delegate may be heard in its or his defense. Said notice in addition shall set forth a copy of the charges upon which said order of suspension was founded. ¶

The Board of Directors of The American Kennel Club thereupon shall investigate said charges, hear the evidence of the suspended member or delegate and any witnesses which it or he may produce and report its findings to The American Kennel Club at the next regular meeting of the Club, whereupon the Delegates shall take action upon said findings of the Board of Directors and by a majority vote of the Delegates present may reinstate, continue the suspension for a stated time or expel such member or delegate from The American Kennel Club.

SECTION 13. The suspension or disqualification of a person shall date from the day of the perpetration of the act or from any date subsequent thereto which shall be fixed after hearing by a Trial Board or by the Board of Directors of The American Kennel Club and shall apply to all dogs owned or subsequently acquired by the person so suspended or disqualified.

SECTION 14. All privileges of The American Kennel Club shall be withheld from any person so suspended or disqualified.

SECTION 15. Any club, association or organization which shall hold a dog show, field trial or dog exhibition of any kind not in accordance with the rules of The American Kennel Club which apply to such show, field trial, or exhibition and each person participating therein, whether as secretary, superintendent, committeeman, clerk, judge, veterinarian, steward, exhibitor, handler or otherwise may be disciplined even to the extent of being deprived of all privilege of The American Kennel Club for a stated period of time or indefinitely, and if such club, association or organization shall be a member of The American Kennel Club, it may be expelled from membership therein.

SECTION 16. No club or association licensed by The American Kennel Club to give a show, hold a field trial or give a dog exhibition of any kind shall employ in any capacity, accept the donation boundaries or its building or grounds, at a dog show, or its grounds, if a field trial, save only as a spectator, any person known to be under suspension or disqualification from the privileges of The American Kennel Club, or any employee or member of a corporation which shall be under suspension or disqualification from the privileges of The American Kennel Club. And any contract for floor space at a show, or contract for advertising space in a catalog, of said show, shall bear upon it the following condition: "This space is sold with the understanding that should the privileges of The American Kennel Club be withdrawn from the purchaser of this space prior to the carrying out of this contract, this contract is thereby automatically cancelled and any money paid by the purchaser for such space shall be refunded"

SECTION 17. No member club or association under suspension shall be represented by its delegate and no delegate under suspension shall act for a member or in any official capacity for The American Kennel Club during the period of suspension.

SECTION 18. Any association, club, person or persons suspended or disqualified by The American Kennel Club or from whom the privileges of The American Kennel Club have been withheld, may apply for reinstatement or restoration of privileges upon paying a fee, the amount of which shall be fixed and determined by the Board of Directors or The American Kennel Club. Until said fee has been paid the application shall not be acted upon.

SECTION 19. As much of Article XII of these By-Laws as the Board of Directors of The American Kennel Club shall indicate shall be printed in any book of pamphlet

which The American Kennel Club shall cause to be published containing the Rules of said Club.

### ARTICLE XIII TRIAL BOARDS

SECTION 1. Trial Board shall be appointed from time to time by the Board of Directors of The American Kennel Club and shall consist of three members for each Board, one of whom, if practical, should be an attorney-at-law, and no one of whom shall be a director of The American Kennel Club. Each Trial Board shall have jurisdiction over such territory as shall be designated by the Board of Directors. In case one or more members of a Trial Board shall be unable to sit in any given case, the President, or in his absence, the Executive Vice-President of The American Kennel Club may appoint a substitute or substitutes for such case. In case of the absence of one or more members of said Board the remaining member or members may hear and determine a case if the parties being heard shall consent thereto.

SECTION 2. Trial Board shall hear and decide by a majority vote matters submitted to them by the Board of Directors and shall have power to impose a fine not to exceed twenty-five (\$25.00) dollars and/or withhold the privileges of the Club for a period of not more than six months, or may recommend to said Board of Directors the withholding of privileges for a longer period or may recommend disqualification or the imposition of fines exceeding twenty-five (\$25.00) dollars.

If a Trial Board recommends the withholding of privileges or disqualification or disqualification to the Board of Directors has adopted or refused to adopt such recommendation.

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SECTION 3. Trial Boards shall have power to disqualify any person or withhold from any person all the privileges of The American Kennel Club for a period of not more than six months or to recommend to said Board of Directors the penalty of disqualification or the withholding of privileges for a longer period for improper or disorderly conduct during a hearing or trial.

SECTION 4. Trial Boards shall keep minutes of their sittings.

SECTION 5. The decisions of Trial Boards shall be in writing signed by all members attending, and have annexed thereto all exhibits and papers offered before them. Each decision, together with complete copies of the minutes and testimony taken, shall be filed with the Secretary of The American Kennel Club within ten days of the date of the rendering of the decision. It shall be the duty of the Secretary of The American Kennel Club when received at once to notify in writing all parties in interest of the decision of a Trial Board.

Deleted: Trial Boards shall have power to hear and decide by a majority vote of those sitting all matters submitted to them by the Board of Directors of The American Kennel Club and shall have power to impose a fine, not to exceed twenty-five (\$25.00) dollars, or withhold the privileges of the Club for a period of not more than six months, or recommended to said Board of Directors the penalty of disqualification or the imposition of fines exceeding twenty-five (\$25.00) dollars. They also shall have power to recommend to said Board of Directors the restoration of privileges and the removal of disqualification. ¶

SECTION 6. An appeal may be taken to the Board of Directors from any decision of a Trial Board, whether it be a decision in which the Trial Board itself imposes a certain penalty and/or fine, or one in which the Trial Board recommends that the Board of Directors shall impose a certain penalty and/or fine. Notice in writing claiming such appeal together with a deposit of twenty-five (\$25.00) dollars must be sent to The American Kennel Club within thirty days after the receipt of the notice of the decision or recommendation of the Trial Board. The Board of Directors may itself hear said appeal or may refer it to a committee of the Board to be heard. The deposit of twenty-five (\$25.00) dollars shall become the property of The American Kennel Club if the decision or recommendation of the Trial Board shall be confirmed, or shall be returned to the appellant if it shall not be confirmed. If the aggrieved party shall fail to take such appeal to the Board of Directors, there shall be no further right of appeal of any kind.

**Deleted:** An appeal may be made to the Board of Directors of The American Kennel Club from a decision of a Trial Board. Notice in writing claiming such appeal, together with a deposit of twenty-five (\$25.00) dollars must be sent to The American Kennel Club by the aggrieved party within thirty days after the receipt by the aggrieved party of the notice of the decision of the Trial Board. Said deposit if twenty-five (\$25.00) dollars shall become the property of The American Kennel Club if and when the Board of Directors shall confirm the decision of the Trial Board or shall be returned to the one depositing the same if and when the Board of Directors shall refuse to confirm said decision. ¶

SECTION 7. Article XIII of these By-Laws shall be printing in any book or pamphlet which The American Kennel Club shall cause to be published containing the Rules of said Club.

#### **ARTICLE XIV FISCAL YEAR**

The fiscal year of the Club shall end with the thirty-first day of December of each year.

#### **ARTICLE XV AUDIT**

The Board of Directors shall have the books and accounts of the treasurer audited at least once a year, either by a professional auditor approved by said Board or by an auditing committee approve by said Board. A comprehensive summary of the auditor's report shall be published in the AMERICAN KENNEL GAZETTE and a copy of said summary of said report shall be sent to each member club or association and to each delegate as soon as the same can be prepared and printed.

#### **ARTICLE XVI MEETINGS AND QUORUM**

SECTION 1. The annual meeting of The American Kennel Club shall be held in March of each year except in the year 1937. There shall also be regular meetings of the Club in June, September and December. The exact hours and dates of all of such meetings shall be determined by the Board of Directors.

SECTION 2. Special meetings of the Club shall be called by the Secretary upon the written request of any twenty or more Delegates. No other business shall be transacted at any special meeting than that specified in the call.

SECTION 3. Notice of the hour and date of the annual meeting and of each regular meeting shall be printed in that issue of the AMERICAN KENNEL GAZETTE which shall be published next before the date fixed for each said meeting and also mailed to each member club or association and each delegate at least fifteen days before the dates of each said meeting.

SECTION 4. Notice of the hour and date of each special meeting and business to be transacted there at shall be sent to each member club or association and each delegate within seven days of the receipt of the written request for said meeting and at least ten days before the date of said meeting.

SECTION 5. All meetings of The American Kennel Club shall be held at the principal offices of said Club.

SECTION 6. Twenty Delegates shall constitute a quorum of the Club for the transaction of business at all meetings.

## **ARTICLE XVII CONDUCT OF BUSINESS**

SECTION 1. The Rules of Cushing's Manual shall govern all meetings of the Club and its Directors as far as they are applicable and not inconsistent with these By-Laws.

SECTION 2. No person not a Delegate or Officer of the Club, except employees, shall be present at a meeting thereof without the consent of the majority present.

SECTION 3. All elections shall be by ballot.

## **ARTICLE XVIII ORDER OF BUSINESS FOR DELEGATES**

Roll Call  
Reading of Minutes  
Report of Secretary  
Election of Members, Delegates and Directors in order names  
Report of Treasurer (at annual meeting)  
Report of Special Committees  
General Business

## **ARTICLE XIX ORDER OF BUSINESS FOR DIRECTORS**

Reading of Minutes  
Report of Secretary  
Election of Officers  
Report of Treasurer  
Report of Special Committees  
General Business

## **ARTICLE XX**

The Delegates to The American Kennel Club shall have sole power to make the Rules governing dog shows and field trials and the clubs or associations formed to conduct them.

## **ARTICLE XXI**

### **AMENDMENTS TO THE CONSTITUTION AND BY-LAWS AND RULES**

SECTION 1. The Constitution and or By-Laws of The American Kennel Club may be amended only at the annual meeting of the Club.

Notice of any proposed amendment to the Constitution and or By-Laws must be filed in writing at least sixty (60) days before the date of said annual meeting.

As soon as any such proposed amendment shall be filed it shall at once be referred to the Board of Directors which Board shall examine the same and report its conclusions thereon by way of approval or otherwise to the Secretary of said Club giving its reasons for whatever action it shall have taken it said Board shall so choose.

If the Board of Directors shall report to the Secretary of said Club that it disapproves any such proposed amendment, it shall be the duty of said Secretary forthwith to notify the delegate who proposed the amendment which has been disapproved of the action of the Board, and said delegate must then elect whether to withdraw the amendment which has been disapproved or to insist upon its being presented at the annual meeting of the Club for adoption.

Any such proposed amendment to the Constitution and or By-Laws which has been approved or not disapproved by said Board, or, if disapproved, is one which is proposer, after being notified, has insisted be presented at the annual meeting of the Club for adoption, together with the report of the Board of Directors thereon shall be printed in at least one issue of THE AMERICAN KENNEL GAZETTE published before the date of the annual meeting.

SECTION 2. The Rules of The American Kennel Club may be amended at any regular or special meeting of the Club. Notice of any proposed amendment to the Rules of The American Kennel Club must be filed in writing and shall at once be referred to the Board of Directors which board shall examine the same and report its conclusions thereon by way of approval or otherwise to the Secretary of said Club giving its reasons for whatever action it shall have taken if said Board shall co choose.

If the Board of Directors shall report to the Secretary of said Club that it disapproves any such proposed amendment it shall be the duty of said Secretary forthwith

to notify the delegate who proposed the amendment which has been disapproved of the action of the Board, and said delegate must then elect whether to withdraw the amendment which has been presented at a meeting of the Club for adoption.

Any such proposed amendment to the Rules which has been approved or not disapproved by said Board, or, if disapproved, is one which is proposer, after being notified, has insisted be presented to the delegates for action, together with the report of the Board of Directions thereon shall be printed in two consecutive issues of THE AMERICAN KENNEL GAZETTE which shall be published following the making of the report thereon by said Board of Directors and shall be presented to the delegates for action thereon at the first regular or special meeting of the Club which shall be held following the second publication of said report of the Board of Directors.

SECTION 3. No new rules or amendment of any old rule shall take effect until the expiration of ninety (90) days after its adoption, unless the Delegates when voting to adopt the said new rules or amendment also shall unanimously vote that it shall become effective at some earlier dates or when adopted.

SECTION 4. It shall require the affirmative vote of three-quarters in number of the Delegates present at a meeting to adopt any amendment to the Constitution and or By-Laws and or Rules of The American Kennel Club.