

**NATIONAL EXECUTIVE COMMITTEE
OF
THE AMERICAN LEGION
Dallas, Texas
September 20, 1964**

Resolution No. 1: Waiver in Connection with Bequest of Selma Pulaski, New York, New York

Origin: Constitution & By-laws Committee

Submitted By: Internal Affairs Commission

WHEREAS, On 4 March 1963, The American Legion and numerous other persons and organizations received a citation styled "The People of State of New York, by the Grace of God, Free and Independent," to, inter alia, show cause before the Surrogate's Court, New York County, State of New York, why a certain writing dated November 3, 1961, the First Codicil thereto and the Second Codicil thereto, which have been offered for Probate, should not be probated as the Last Will and Testament, relating to the real and personal property of Selma Pulaski, Deceased, who was at the time of her death a resident of 140 West 106th Street, New York City, County of New York, State of New York; and

WHEREAS, The Testatrix was a resident of the State of New York at the time of her demise and for many years prior thereto, and during her lifetime and become aware of and familiarized with The American Legion through certain members of The American Legion, Department of New York, who were also members of Congregation B'Nai Jehuda, in which organization the Testatrix retained membership; and

WHEREAS, The Department of New York, The American Legion and New York County of The American Legion, a component of the Department of New York, share the common belief that the Testatrix intended the bequest, enumerated in Paragraph Twentieth of her Last Will and Testament, to be distributed to The American Legion, Department of New York and New York County of The American Legion of the Department of New York; and

WHEREAS, A conference was held between the officials of The American Legion, Department of New York and its component, The American Legion of New York County, and it was the consensus that it be recommended to the Executive Committee of the Department of New York that twenty-five (25) per cent of any sums received under, by and through the aforesaid Last Will and Testament of the said Selma Pulaski, Deceased, be distributed to the New York County organization of The American Legion for its operation; twenty-five (25) per cent distributed to the New York Children's Camp, a separate corporation operated by the New York County of The American Legion; and finally, that the balance thereof be distributed to The American Legion, Department of New York; and

WHEREAS, It is the opinion of The American Legion at the national level that the Testatrix did, in fact, intend that The American Legion, Department of New York be the beneficiary under her Last Will and Testament; and

WHEREAS, In order to satisfy the legal requirements of the Surrogate's Court having jurisdiction over the subject matter herein discussed, it is necessary that a waiver be executed by the National Organization of The American Legion, acting by and through its national commander, as its chief executive officer and attested by the national adjutant as one having the custody and control of all records; now, therefore, be it

RESOLVED, By the National Executive Committee of The American Legion in regular meeting assembled in Dallas, Texas, on September 20, 1964, That the national commander be and he is hereby authorized and directed to execute a waiver, and any other documents pertinent herein to effectuate the requirements of the said Surrogate's Court, for and on behalf of The American Legion, of the bequest, enumerated in Paragraph Twentieth of the Last Will and Testament of the said Selma Pulaski and that the national adjutant be and he is hereby authorized and directed to attest the same; and, be it finally

RESOLVED, That when the said waiver is executed that it be delivered to the department judge advocate of the Department of New York, The American Legion, to be filed with the Surrogate's Court, county of New York, State of New York, so that The American Legion, Department of New York, and The American Legion of New York County of the Department of New York, may secure the benefits of the said bequest.