

**CONSTITUTION  
OF  
BRAXTON-PERKINS POST No. 25  
AMERICAN LEGION Inc.  
Newport News, Virginia  
DEPARTMENT OF VIRGINIA**

**PREAMBLE**

For God and Country, we associate ourselves together for the following purposes: To uphold and defend the Constitution of the United States of America; to maintain law and order; to foster and perpetuate a one hundred percent Americanism; to preserve the memories and incidents of our associations in all wars; to inculcate a sense of individual obligation to the community, state and nation; to combat the autocracy of both the classes and the masses; to make right the master of might; to promote peace and good will on earth; to safeguard and transmit to posterity the principles of justice, freedom and democracy; to consecrate and sanctify our comradeship by our devotion to mutual helpfulness.

**ARTICLE I  
NAME**

**Section 1.** The name of this Post shall be Braxton – Perkins Post No. 25, American Legion, Inc.

**ARTICLE II  
OBJECTIVES**

**Section 1.** The objectives and purposes of this Post shall be to promote the principles and policies as set forth in the foregoing preamble, and the National and Departmental Constitutions of The American Legion.

**ARTICLE III  
NATURE**

**Section 1.** This Post is a civilian organization and membership therein does not affect or increase liability for military or police service.

**Section 2.** This organization shall be absolutely nonpolitical and shall not be used for the dissemination of partisan principles nor for the promotion of the candidacy of any person seeking public office or preferment.

**Section 3.** Rank does not exist in The American Legion; no member shall be addressed by their Armed Forces military rank or title in any meeting of this Post.

## **ARTICLE IV MEMBERSHIP**

**Section 1.** Eligibility to membership in this Post shall be as prescribed by the National Constitution of The American Legion.

**Section 2.** Application for membership shall be made in writing under such regulations as may from time to time be prescribed by the Post Executive Committee.

**Section 3.** All applications for membership shall be acted upon at the next Post meeting following the making of such application, and shall at such meeting, be accepted, rejected, or referred for further investigation and consideration. If a majority of the members cast their vote against the acceptance of said application, then such application shall be recorded as rejected.

**Section 4.** All members in good standing may request a review of any records of the post upon written request and approval of the Executive Board.

**Section 5.** Any member of this Post may be expelled for cause by a seventy-five percent of the member present and voting at a General Membership meeting after charges are preferred under oath in writing, and a fair trial had upon the same.

**Section 6.** A member who has been expelled or suspended from this Post for any cause may be reinstated to membership by a two-thirds vote of the membership present at a General Membership meeting, and the payment of current dues for the year in which the reinstatement occurs.

**Section 7.** No person who has been expelled by a Post shall be admitted to membership in this Post, without the consent of the expelling Post, except that where such consent has been asked for and denied by such Post, may then appeal to the state Executive Committee of the Department of the expelling Post for permission to apply for membership in this Post, and shall be ineligible for membership until such permission is granted.

## **ARTICLE V OFFICERS**

**Section 1.** The administrative affairs of this Post of The American Legion shall, except as may be otherwise provided by the Bylaws, be under the supervision of an Executive Committee which shall consist of eight members in addition to the officers of the Post. The term of office of members of the Executive Committee shall be outlined in the Post Bylaws. This Post, by its Bylaws, may provide for such other standing committees as the business of the organization may require.

**Section 2.** The officers of this Post shall be a commander, a vice-commander, a second vice-commander, an adjutant, a finance officer, a Post historian, a Post chaplain, Post service officer

and a sergeant-at-arms, and such other officers as identified in the Post Bylaws, who shall be nominated from the floor at the meeting preceding the annual election.

**Section 3.** All officers and executive committee members shall be elected in accordance with the Post Bylaws, and they shall hold office until their successors are duly installed or as otherwise provided. Any officer or executive committee member may be removed for inefficiency by the Executive Committee, a two-thirds vote of said committee being necessary to affect such removal.

**Section 4.** Every member of this Post in good standing shall be eligible to hold office in this Post.

**Section 5.** The duties of officers and the executive committee shall be those usually appertaining to such officers or committee and as further provided in the Bylaws.

## **ARTICLE VI FINANCE**

**Section 1.** The revenue of this Post shall be derived from membership or initiation fees, from annual membership dues, and from such other sources as may be approved by the Post Executive Committee.

**Section 2.** The amount of such membership or initiation fees and the amount of such annual Post dues shall be fixed and determined by this Post.

**Section 3.** The Post shall pay to Departmental headquarters the National and Departmental annual membership dues for every member of the Post.

**Section 4.** The commander shall appoint a three (3) member committee to cause and perform an internal audit annually in May or June before the new Executive committees' installation. The Finance Officer will assist in this audit.

**Section 5.** All members and officers as well as employees handling or directing expenditures of Post funds must be bonded.

## **ARTICLE VII CHARTER MEMBERS**

**Section 1.** Members who joined this Post prior to November 11, 1919 (or members who joined this Post prior to the issuance of charter) shall be known as charter members.

Note: The matter of charter members for the permanent charter is left to the decision of the Post members.

**ARTICLE VIII  
AMERICAN LEGION AUXILIARY**

**Section 1.** This Post recognizes an auxiliary organization to be known as the American Legion Auxiliary, Braxton-Perkins Unit 25, Department of Virginia, Inc.

**Section 2.** Membership in the Auxiliary shall be as prescribed by the National Constitution of the American Legion Auxiliary.

**ARTICLE IX  
SONS OF THE AMERICAN LEGION**

**Section 1.** This Post recognizes as a program of the Post 25, Sons of the American Legion Squadron 25, as being sponsored by The American Legion

**ARTICLE X  
AMERICAN LEGION RIDERS CHAPTER 25**

**Section 1.** This Post recognizes as a program of Post 25, American Legion Riders Chapter 25, as being sponsored by the American Legion.

**ARTICLE XI  
AMENDMENTS**

**Section 1.** This Constitution is adopted subject to the provisions of the national Constitution of The American Legion and of the Department Constitution of the Department of Virginia, The American Legion. Any amendment to said National Constitution or Department Constitution which is in conflict with any provisions hereof shall be regarded as automatically repealing or modifying the provisions of this Constitution to the extent of such conflict.

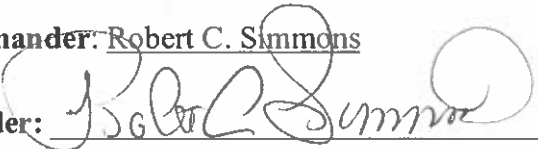
**Section 2.** This Constitution may be amended at any regular Post meeting by vote of two-thirds of the members of said Post attending such regular meeting, providing the proposed amendment shall have been submitted in writing and read at the next preceding regular meeting of said Post, and providing, further, written notice shall have been given to all members at least thirty days in advance of the date when such amendment is to be voted upon, notifying said members that at such meeting a proposal to amend the Constitution is to be voted upon.

**Section 3.** Any amendment to this Constitution shall become effective immediately upon the final adjournment of the General Membership Meeting at which adopted, unless otherwise provided.

**Date Approved by Post 25 General Membership:** February 15, 2024

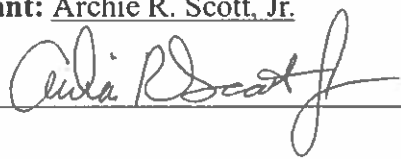
**Printed Name of Post 25 Commander:** Robert C. Simmons

**Signature of Post 25 Commander:** \_\_\_\_\_



**Printed Name of Post 25 Adjutant:** Archie R. Scott, Jr.

**Signature of Post 25 Adjutant:** \_\_\_\_\_



**Printed Name of Post 25 Bylaws Committee Chairperson:** Walter F. Deal, II

**Signature of Post 25 Bylaws Committee Chairperson:** \_\_\_\_\_

