

CONSTITUTION

PREAMBLE

We, the Combat veterans of the United States and recipients of the Purple Heart, awarded by the United States Government and founded by General George Washington on August 7, 1782, at a critical time in history, drawn together by bonds of respect and mutual suffering, have established the Military Order of the Purple Heart, chartered by the Congress of the United States of America, in order to perpetuate the principals of patriotic allegiance to the United States of America, fidelity to its constitution and laws, the security of civil liberty and the performance of free institutions.

Through this organization and our membership in it, our objective is to preserve and perpetuate those ideals of liberty, justice, and the general welfare which are the very foundation of our way of life, and we pledge to foster and enhance those principles which have made this nation what it is today and which, from the beginning of our national history, have served as a beacon of hope and salvation to people of all nations.

ARTICLE I

NAME

This organization shall be known as the Sgt. H.J. Kupper Chapter # 27 of the Military Order of the Purple Heart of the U.S.A., Incorporated, a corporation chartered by an Act of Congress.

ARTICLE II

PRINCIPLES

The principles underlying the corporation are patriotic allegiance to the United States of America, fidelity to its constitution and laws, the security of civil liberty, and the permanence or free institutions.

ARTICLE III

OBJECTS

The objects of the Chapter #27 Military Order of the Purple Heart are educational, fraternal, historical, and patriotic, perpetuating the principles of liberty and justice which have created the United States of America, by (1) commemorating all national patriotic holidays; (2) maintaining true allegiance to the Government of the United States of America and fidelity to its Constitution and laws; (3) preserving and strengthening

comradeship and patriotism amongst its members; (4) assisting, comforting, and aiding all needy and distressed members and their dependents; (5) giving needed hospital and service work through its Veterans Administration certified Service Officers; (6) cooperating with other civic and patriotic organizations having worthy objectives; (7) keeping alive the achievements and memory of our country's founders; (8) ever cherishing the memory of General George Washington who founded the Purple Heart at his Headquarters at Newburgh-on-the-Hudson, on August 7, 1782; (9) influencing and teaching our citizenry, with its responsibilities and privileges; and (10) preserving and defending the United States of America from all enemies whomsoever.

ARTICLE IV

NON-INUREMENT PROVISION

No part of the income of Chapter #27 Military Order of the Purple Heart shall inure to the benefit of any member, trustee, officer of the organization, or any private individual (except that reasonable compensation may be paid for services rendered to or for the organization affecting one or more of its purposes), and no member, trustee, officer of the chapter, or any private individual shall be entitled to share in the distribution of Chapter #27 of the Military Order of the Purple Heart; if dissolved all funds withstanding are to be turned over to the Department of New Jersey.

ARTICLE V

ORGANIZATION

Chapter #27 of the Military Order of the Purple Heart, Incorporated, which is a constituent part and subordinate to the Military Order of the Purple Heart of the U.S.A., Incorporated, and the Department of New Jersey shall consist of:

- a. Members who meet the qualifications of the National and State organizations, and meet the requirements of ARTICLE VI.
- b. Auxiliary bodies may be formed, subject to the By-Laws, which may be hereinafter adopted.

ARTICLE VI

MEMBERSHIP

All persons of good moral character who are, have been, or are currently members or the Armed Forces of the United States or any foreign country of whatever rank, who have received or may hereafter receive the Purple Heart for wounds received during military or

naval combat against an armed enemy of the United States and meet the National and Department of New Jersey requirements, shall be eligible for active membership in Chapter #27 of the Military Order of the Purple Heart.

ARTICLE VII

PRINCIPLES OFFICE: SCOPE OF ACTIVITIES

Chapter #27 of the Military Order of the Purple Heart shall be located in the city of Somerville, New Jersey or in any place as may later be determined by the membership.

ARTICLE VIII

AMENDMENTS

This Constitution may be amended at a Chapter #27 meeting by a call of two-thirds vote of the attending members provided the proposed amendment shall have been submitted to the Commander and a copy placed on the web site for members to review.

ARTICLE IX

NATIONAL AND STATE INCORPORATION

This Constitution is adopted conforming to the National Constitution and that of the Department of New Jersey Constitution and to the Act of Congress of the United States of America, Public Law 85-761, of August 26, 1958.

BY-LAWS

ARTICLE I

Section 1 **FORMATION

This Chapter shall continue to operate as a Chapter as long as the membership agrees and is recognized by the Department of New Jersey.

Section 2 **GOVERNING BODY

This Chapter shall be governed by its members and elected and appointed officers.

Section 3 **ELIGIBILITY TO OFFICE

- a. All active members within this Chapter, in good standing, shall be eligible to any office in the Chapter. Only one elective office in the chapter may be held at any one time.
- b. All members wishing to hold office will be nominated at the appropriate meeting.

Section 4 ** OFFICERS

- a. The Officers of the Chapter shall be a Commander, Senior Vice-Commander, Adjutant, Junior Vice-Commander, Financial Officer, Judge Advocate, Sergeant-at-Arms, Trustees, and such other officers as may be fixed by the Chapter membership and incorporated in the By-Laws of the Chapter.

Section 5 **ELECTION OF OFFICERS

- a. The Commander, Senior Vice-Commander, Junior Vice-Commander, Finance Officer, Judge Advocate, Sergeant-at-Arms, Department Executive Committeeman, Department Alternate Committeeman, and Trustees will be nominated at the appropriate meeting of the Chapter each year. They will be elected at the meeting and installed at the meeting subsequent to the election.
- b. Other Officers shall be appointed by the Commander

Section 6 **TERM OF OFFICE

- a. The Officers, after being duly installed, shall enter upon their respective duties immediately after adjournment of the meeting and shall hold office for a period of two years.
- b. Both elected and appointed officers may succeed themselves if properly elected or appointed.

Section 7 **VACANCIES

- a. All vacancies in elective offices shall be filled by the Commander with an approval vote of the membership. However, in the event of a vacancy in the office of the Commander, the Senior Vice-Commander shall at once succeed to the title and duties of the said office, and the Junior Vice-Commander shall succeed to the title and duties of the Senior Vice-Commander.
- b. A Junior Vice-Commander may be elected by the membership at the next Chapter meeting.

Section 8 **Budget Preparation

Reserved For Later Date

ARTICLE II

DUTIES OF CHAPTER OFFICERS

Section 1 **COMMANDER

- a. The Commander shall preside at all Chapter meetings
- b. Sign all warrants properly drawn on the Finance Officer Adjutant, official papers, and contracts. In addition, he will countersign all checks properly issued by the Finance Officer.
- c. Promptly appoint officers upon entering officers as set forth in this document.

Section 2 **SENIOR VICE-COMMANDER

The Senior Vice Commander shall assist the Commander by advice or otherwise, and in his absence or disability he shall discharge the duties of office. His specific responsibilities shall be membership activities, and he shall be the Chapter's Membership Chairman and report monthly direct to the Commander.

Section 3 **JUNIOR VICE-COMMANDER

The Junior Vice-Commander shall assist the Commander by advice or otherwise, and in his absence or disability he shall discharge the duties of office in the absence of the Senior Vice-Commander. His specific responsibilities shall be to promote fundraising and such other duties as the Commander shall direct.

Section 4 **ADJUTANT/SECRETARY

The Adjutant shall keep correct records of the proceedings of the Chapter meetings. He shall conduct the correspondence and issue all orders under the direction of the Commander.

Section 5 **FINANCE OFFICER

The Chapter Finance Officer is responsible to the Chapter, is responsible for the funds, securities, vouchers, and property of the Chapter, and pays all warrants drawn by the Chapter approved by the Commander. All checks must have the signatures of the Commander and Finance Officer. He shall make a monthly report of the finances of the Chapter. His books shall at all times be open to inspection by the membership. He shall prepare a statement of receipts and disbursement for an audit when necessary. He shall deliver to his successor in office all monies, books, and property of the Chapter in his possession.

Section 6 **JUDGE ADVOCATE

The Judge Advocate shall preferably be a licensed Attorney. He shall give the Commander such Legal and Parliamentary assistance as he may require, and perform the duties incident to his office. He shall review and approve all By-Laws and Amendments.

Section 7 **CHAPLAIN

The Chaplain shall perform such duties as may be required of him in the By-Laws and Ritual or as the Commander may require.

Section 8 **SERGEANT-AT-ARMS

The Sergeant-At-Arms shall perform the duties properly incident to his office or as the Commander may direct. He shall be responsible for the Chapter Colors and maintain order and control of entry at Chapter meetings. He will also tactfully suggest improvements in the conduct of meetings and use of the ritual.

Section 9 **V.A.C.V.S OFFICER

The V.A.V.S. Officer shall recommend to the Commander the appointments of all representatives and deputies to serve at Veteran Administration Center located in Lyons, New Jersey.

ARTICLE III

MEMBERSHIP

Section 1 **DUES

The chapter may fix an annual assessment for each active member in its jurisdiction. This assessment will not exceed \$1.00 for each member in the Chapter. This will be determined by the membership.

Section II **PROCEDURE

- a. Every applicant for admission to active membership must be in writing and shall be completed in full upon blanks furnished by the National Headquarters.
- b. Application shall be presented at a stated meeting of the Chapter on recommendation of an active member in good standing who shall vouch for the applicant's eligibility.
- c. One officer shall make an investigation of the character of the individual and the facts set forth in the application, and shall personally interview the applicant. The

application shall be signed by the officer, certifying that the applicant is qualified and attesting that the eligibility of the applicant has been verified.

- d. After the report has be read, the Commander shall welcome and install the new member
- e. Each active member in good standing of the Chapter shall have the right to vote on each matter submitted to a vote at meeting of members of the Chapter.

Section 3 **MEMBERSHIP AT LARGE

This Chapter will accept Members-at-Large, provided such member does not live within reasonable distance of the Chapter or is not able to attend functions due to illness or infirmity.

Section 4 **ASSOCIATE MEMBERS

Membership as an Associate Member is hereby granted pursuant and subject to the terms and conditions set forth in our Congressional Charter. Membership as an Associate Member of the Parent Organization shall be granted on the basis of, and subject to, Paragraph (b) of Section 6 of the Congressional Charter to “Parents and Lineal Descendants” of all persons who are eligible for membership in the Parent Organization, as set forth in Paragraph (a) of Section 6 herein above referred to.

Section 5 **DELINQUENT MEMBERS

Active members become delinquent if, without excuse, they do not attend meetings or participate in chapter activities or are delinquent in paying dues. They may be dropped from the rolls by vote of the membership.

Section 6 **LADIES AUXILIARY

RESERVED FOR LATER DATE

Section 7 **INACTIVE OFFICERS

Any Chapter Officer who misses three (3) consecutive Chapter meetings without permission of the Commander may have his office declared vacant by order of the Commander or a vote of the membership.

ARTICLE IV

TO PRESERVE THE INTEGRITY OF THE ORGANIZATION

Section 1 **GENERAL

The By-Laws of the National Organization and Department of New Jersey as amended shall govern all matters affecting the preservation of the integrity of the Chapter.

Section 2 **GENDER

Whereas the gender "he" is stated in the Chapter #27 Constitution and By-Laws as amended, it shall mean a male or female member.

ARTICLE V

Section 1 **AMENDMENTS

These By-Laws may be amended by a roll call of two-thirds (2/3) vote of the members present at a regular or special meeting of the Chapter after a 30 day notice of the proposed By-Law change has been mailed to each member.

ARTICLE VI

CONDUCT OF MEETINGS

Section 1

All Chapter meetings of the MILITARY ORDER of the PURPLE HEART of the U.S.A., Inc. shall be conducted in accordance of "ROBERT'S RULES OF ORDER", Newly Revised, except as otherwise provided for in these Articles.

Section 2

All meetings, observances, and official activities of the MILITARY ORDER of the PURPLE HEART of the U.S.A., Inc., shall be conducted in accordance with the Ritual and Manual of Ceremonies of the Corporation.

ARTICLE VII

RATIFICATION

This Constitution and By-Laws was accepted by a majority of the members present at a regular meeting of Chapter #27 Military Order of the Purple Heart held on September 8, 2008 held at Somerville, Somerset County, New Jersey.

SIGNATURES & TITLES

Jay Bubb
Commander

Kenneth Meany
Senior Vice Commander

Theodore Dima
Junior Vice Commander