

CONSTITUTION OF THE SOCIETY OF THE WAR OF 1812 IN THE STATE OF TEXAS

PREAMBLE

WHEREAS, in the Providence of God, victory having crowned the forces of the United States of America, in upholding the principles of the Nation against Great Britain in the conflict known as the War of 1812; we, the survivors and descendants of those who participated in that contest, have joined together to perpetuate its memories and victories, to collect and secure for preservation, rolls, records, books, and other documents relating to that period; to encourage research and publication of historical data, including memorials of patriots of that era in our National history; to care for and when necessary, assist in burying actual veterans of that struggle; to cherish, maintain and extend the institutions of American freedom, and foster true patriotism and love of country.

ARTICLE I - NAME

This Society shall be known as the “Society of the War of 1812 in the State of Texas.”

ARTICLE II - PURPOSE

This Society is organized exclusively for charitable, religious, educational, and scientific purposes, including for such purposes, the making of distributions to organizations that qualify as exempt organizations that qualify as exempt organizations under sections 501(c)(3) of the internal Revenue Code of 1954 (or the corresponding provision of any future United States Internal Revenue Law.)

ARTICLE III – OFFICERS

SECTION 1. The Officers of this Society shall be, but not limited to:

1. President
2. Vice President
3. Secretary
4. Treasurer
5. Registrar
6. Chaplain
7. Sergeant At Arms

Other Officers that may be appointed or elected as required:

1. Surgeon
2. Judge Advocate
3. Historian
4. Genealogist

SECTION 2. Vice President General.

This Society shall nominate to the General Society a Vice President General to be voted on at the Triannual Meeting to sit on the General Society's Board of Directors.

SECTION 3. Executive Committee.

There shall be an Executive Committee composed of the Officers as listed in Section 1 and Section 2, plus all Past Presidents in good standing. Said Executive Committee, three of whom shall form a quorum, shall exercise the powers of the Society between meetings, including the filling of any vacant offices until the next meeting of the Society.

The above listed Officers shall be elected at the Annual Meeting of the Society, by and from members in good standing, and shall serve until the next Annual Meeting or until their successors are duly chosen.

In good standing, as used in this Constitution and in the Bylaws of this Society, is defined as a member who is current with payment of his dues and who has not been suspended or expelled from the Society.

SECTION 4. Quorum.

Nine (9) members shall form a quorum at any general membership meeting.

ARTICLE IV- MEETINGS

The regular meeting of the Texas Society shall be held every year at a date and place to be determined by the Executive Committee, or in the absence of action by it, by the President.

ARTICLE V - MEMBERSHIP

Any male person above the age of eighteen (18), who is a lineal descendant of one who served during the War of 1812, in a military service of the United States, offering proof thereof satisfactory to the State Society to which he may make application for membership, and who is of good moral character and reputation, may become a member of this Society when approved of by said State Society, under such regulations as it may make for passing upon applications for membership.

The following service and no other shall be regarded as satisfying the requirements of the preceding paragraph:

(1) Service as an officer, warrant officer or enlisted man in the United States Army, Navy, Marine Corps, Revenue Marine, Flotilla Service or Voluntary Corps at any time between November 7, 1811 and July 18, 1815;

(2) Service at any time between November 7, 1811 and July 18, 1815, as a member of the ship's company on any public armed vessel of the United States or any vessel sailing under Letters of Marque and Reprisal issued by the United States;

(3) Service in the militia of any state or territory or the District of Columbia duly called out for service against an armed enemy or for coast or border defense between November 7, 1811 and July 18, 1815;

(4) Service in the forces of the United States at the Battle of Tippecanoe on November 7, 1811;

(5) Service as the President of the United States, Secretary of War or Secretary of the Navy between November 7, 1811 and July 18, 1815.

(6) Service as a Governor or Adjutant General of a state or territory of the United States between November 7, 1811 and July 18, 1815.

No service, however, shall be regarded as qualifying if the person who rendered such service voluntarily bore arms against the United States at any time between the dates named or if such person's latest service between said dates was terminated by a separation from the service under conditions other than honorable.

Collateral descendants, who are deemed worthy may be admitted to represent the said participant. Provided, always, that such representation shall be limited to the descendant of either a brother or sister of the participant in the war, in right of whose services application for membership is made.

Every application for membership shall be made in writing, upon such form as may be set forth by this Society for that purpose, which application shall be made in duplicate, and one copy thereof filed in the archives of the General Society.

A member in good standing may file one or more supplemental applications based upon the services in the War of 1812 of either his direct ancestor or of one collateral.

This Society shall not elect to membership persons resident within the territory of another State Society, except upon the written consent given in advance by the Board of Directors of the latter Society. Such consent shall be deemed to have been given if the latter Society fails to respond to a written request for the release of an applicant, within sixty (60) days of receipt of such request, which request shall have been made by certified mail return receipt requested. But members

changing residence from one State to another or coming within the jurisdiction of a new State Society may, at their option, retain membership in the State Society in which they were originally admitted or to which they may have been transferred.

A member of this Society may be admitted to membership by action of the Board of Directors of another State Society within the bounds of which he is resident upon satisfactory proof of his membership and good standing in the Society from which he comes and subject to the rules and regulations of the Society he enters. Such member may retain his membership in his former Society or not, at his option.

This Society, under such rules as it may establish, may admit to a qualified membership persons otherwise eligible who are under the age of 18 years, and may prescribe the terms, conditions and privileges of such membership.

ARTICLE VI – CHAPTERS

The Society may allow chapters to organize in the various parts of the State of Texas, each to consist of at least six (6) compatriots in good standing, provided that such Chapters shall be amenable to and operate under the Constitution, and subsequent Bylaws.

The Society reserves the right to cancel the rights of such chapters, for failure to comply with this Constitution.

ARTICLE VII – DUES AND FEES

The annual dues of this Society will be set by the Executive Committee and presented to the general membership at the Annual Meeting for approval. It shall be the responsibility of the Texas Society to pay the annual dues to the General Society for its members.

This Society will charge an application fee, which must cover costs related to the processing of new member and supplemental applications. This fee will be set by the Executive Committee and presented to the general membership at the Annual Meeting for approval.

ARTICLE VIII – DISTRIBUTION OF FUNDS

No part of the net earnings of the Society shall inure to the benefit of, or be distributable to, its members, trustees, officers, or other private persons, except that the Society shall be authorized and empowered to pay reasonable compensation for services rendered and to make payments and distributions in furtherance of the purposes set forth in Article III of this Constitution. No substantial part of the activities of the Society shall be the carrying on of propaganda, or otherwise attempting to influence legislation, and the Society shall not participate in, or intervene in (including the publishing or distribution of statements) any political campaign on behalf of any candidate for public office. Notwithstanding any provision of these articles, the Society shall not carry on any other activities not permitted to be carried on (a) by a corporation exempt from Federal income tax under section 501(c)(3) of the Internal Revenue Code of 1954 (or the corresponding provision of any future United States Internal Revenue Law) or (b) by a corporation, contributions to which are deductible under section 170(c)(2) of the Internal Revenue Code of 1954 (or the corresponding provision of any future United States Internal Revenue Law).

ARTICLE IX – INSIGNIA AND DIPOLMA

The Insignia and Diploma of this Society shall be that of the General Society of the War of 1812.

ARTICLE X – EXPULSION OF MEMBERS

If any member is by final judgment of a court of competent jurisdiction convicted of any felony or a misdemeanor involving moral turpitude, he shall automatically cease to be a member of this Society.

ATRICLE XI – DISSOLUTION OF SOCIETY

Upon the dissolution of the Society, the Executive Committee shall, after paying or making provision for the payment of all of the liabilities of the Society, dispose of all of the assets of the Society exclusively for the purposes of the Society in such manner, or to such organization or organizations organized and operated exclusively for charitable, educational, religious, or scientific purposes as shall at the time qualify as an exempt organization or organizations under section 501(c)(3) of the Internal Revenue Code of 1954 (or the corresponding provision of any future United States Internal Revenue law) as the executive Committee shall determine. Any such assets not so disposed of shall be disposed of by the District Court or Courts of the county in which the principal office of the Society is than located, exclusively for such purposes or to such organization or organizations, as said Court shall determine, which are organized and operated exclusively for such purposes.

ARTICLE XII – AMENDMENTS

This Constitution may be superseded by a new Constitution, amended, or in any manner changed, at any Annual Meeting of the Society or at any special meeting called for that purpose.

A copy of such proposed New Constitution, Amendments, or change shall be provided to the Secretary of the Texas Society at least 45 days prior to the Annual Meeting to allow the Secretary to inform the membership.

This Society shall not pass any amendment unless such amendment was approved by a majority vote at the Annual Meeting by those members eligible to vote providing there is a quorum.

ARTICLE XIII – GENERAL SOCIETY CONSTITUTION

This Constitution is in conformity to the Constitution of the General Society and any amendment to the said Constitution of the General Society shall ipso facto, work like an amendment to this Constitution of the Texas Society.

ARTICLE XII - EFFECTIVE DATE

This Constitution shall be in full force immediately upon its adoption and the meeting at which it is adopted shall be governed thereby.