

# **Bylaws — Society of the War of 1812 in the State of Indiana, Incorporated**

Done at Winona Lake, Indiana on the 29th day of May, Two Thousand and Ten.

## **SECTION I: MEMBERSHIP APPLICATION**

Members shall be elected as follows: candidates shall send the application (in duplicate) together with proofs of qualifications, payment of the application fee, and one years dues to the Secretary to present to the Registrar for approval and then to the Board of Directors, and upon a favorable report from the Registrar or the said Board of Directors, may thereupon become members of the Society of the War of 1812 in the State of Indiana. The Board of Directors may grant the Registrar authority to grant memberships if the next stated meeting is more than 30 days after the Registrar approves of the papers. Memberships granted by the Registrar are subject to be rescinded by action of the Society or the Board of Directors at the first meeting following the Registrar's approval. If a newly approved membership is rescinded by the Society or the Board of Directors all funds received shall be refunded to the applicant.

## **SECTION II: MEMBERSHIP**

Any male person above the age of eighteen (18) years, who is a lineal descendant of one who participated in or served during the War of 1812, in the army, navy, revenue marine, or privateer service of the United States, offering proof thereof satisfactory to this Society, and who is of good moral character and reputation, may become a member when approved of by this Society, under such Bylaws as this Society may make for passing upon applications for membership.

The following service and no other shall be regarded as satisfying the requirement 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 marquee 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 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 were terminated by a separation from the service under conditions other than honorable.

In case of the failure of lineal descendants of an actual participant in the War on behalf of the United States, one collateral descendent, who is deemed worthy, may be admitted to represent the said participant. Provided, always, that such representation shall be limited to the descendent of either a brother or sister of the participant in the War, in right of whose services application for membership is made.

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, who failed to leave lineal descendants.

No applicant shall be elected to membership who is 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. 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 any State Society of the War of 1812 may be admitted to membership by action of the Board of Directors of the Society of the War of 1812 in the State of Indiana 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 of the War of 1812 in the State of Indiana. Such member may retain his membership in his former Society or not, at his option.

The Society of the War of 1812 in the State of Indiana, 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.

Any person not qualified for regular membership as herein provided, may by unanimous vote of the members present and voting at a meeting of the society or the Executive Committee, be elected to associate or honorary membership status within the Society of the War of 1812 in the State of Indiana. Honorary & Associate members shall be entitled to all the social privileges of the State Society and may attend all meetings of the State Society recommending them, with the privileges of the floor, but without the right to vote, hold an elective office, or association with the General Society of the War of 1812.

Every application for membership shall be made in writing, upon such form as may be sent forth by this Society for that purpose, which application shall be made in duplicate with one copy thereof filed in with the archives of the General Society of the War of 1812.

The amount of fees and dues shall be set by action of the society in general meeting or meeting of the Board of Directors and shall remain in effect until changed by society action. The Application fee shall always be greater than any Member Application or Registration fee of the General Society of the War of 1812 and the annual membership dues shall always be greater than the Annual Per Capita assessment of the General Society of the War of 1812.

Any member who shall have been elected during the last three months of the fiscal year shall not be required to pay the annual dues for the current fiscal year but the annual dues shall apply to the following year. Any member failing to pay his annual dues for the upcoming year shall be dropped from the roll of membership. Deadline for receipt of all fees and dues shall be November 30<sup>th</sup> of each year. Dues more than 30 days in arrears will require the additional payment of a reinstatement fee. All reinstatements are subject to approval by the Board of Directors or by the Society.

The Board of Directors may remit the dues of any member at their discretion.

Members may prepay membership fees in advance at the current rates.

Life Membership shall be granted to any member in good standing who remits to the Treasurer at one time an additional sum equivalent of twenty years of annual dues.

Junior Members may not hold an elected office or vote until reaching the age of majority. Junior Life Membership shall be granted to any Junior Member paying an additional sum equivalent to twenty years of annual dues. All Junior Memberships classes will be promoted when the Junior Member reaches the age of majority.

Senior Life Membership shall be granted to any member in good standing who has reached the age of at least 65 years who remits to the Treasurer at one time an additional sum equivalent of ten years of annual dues.

Senior Life Membership shall be granted to any member in good standing who has reached the age of at least 80 years who remits to the Treasurer at one time an additional sum equivalent of five years of annual dues.

Perpetual Life Membership shall be granted to any member in good standing who remits to the Treasurer at one time an additional sum equivalent of one hundred years of annual dues. The Perpetual Life Member may designate the inheritor of that Perpetual Life Membership provided that the inheritor is a male descendant of the Perpetual Life Member or they may be a male descendant of the same Ancestor on which the Perpetual Life Member obtained his life membership. Lacking a designated heir to that membership, a direct male descendant can claim that membership by application and showing right of primogenitor or having received releases for who ever holds the right by primogenitor.

The Treasurer shall report the Life Membership Fees at the next regular meeting where the membership shall vote on granting Life Membership. Shall the vote fail, the dues remitted shall be refunded. Life Members shall be exempt from payment of annual dues except an assessment on all members.

Any member may by a two-thirds vote of the Board of Directors be suspended or expelled from the Society of the War of 1812 in the State of Indiana for conduct, immoral, unpatriotic or actions contrary to the objects and purposes of the Society of the War of 1812 in the State of Indiana, or for conduct unbecoming a member and a gentlemen; provided, that written charges, specifying the conduct complained of be preferred against such member, or by resolution of the Board of Directors, and served on such offending member personally or by mail, with not less than two weeks notice of the time and place where the action may be taken by the Board of Directors, and giving notice of an opportunity of a hearing before the Board of Directors.

Organizing and Founding Member status shall be granted to all members who have joined, been accepted and paid required fees as established by the Organizing Committee. All Membership status, ranks and rights of Organizing and Founding Members, as established by the Organizing Committee shall be continued by the Society. All funds of the Organizing Committee shall be transferred to the Society of the War of 1812 in the State of Indiana, Incorporated. The use of "Organizing Member" and "Founding Member" and continuation of Membership status shall be the only privilege continued by the Society.

Within the first ten years of operation the Organizing and Founding Members may be subject to a one time only Founding Assessment for the general fund (not to exceed \$30 per member). This Founding Assessment may only be on made on the Organizing and Founding Members only if the General Fund lacks the necessary fees to pay the General Society Per Capita Fee. This provision shall automatically expire ten years after the Founding Membership closes. This is the only time that the

Organizing or Founding Members may be assessed separately. The Organizing and Founding Members would be subject to a General Assessment made on all members. Non payment of an assessment shall be treated as non payment of dues.

### **SECTION III: ELECTION OF OFFICERS**

The officers of the Society of the War of 1812 in the State of Indiana shall be a President, one or more Vice Presidents, one or more Secretaries, a Treasurer, a Registrar, a Historian, a Chaplain, a Chancellor, a Surgeon, Representative to the General Society, and elected additional members to the Board of Directors and such other officers as the Board of Directors shall determine.

The Annual Meeting of the Society shall be held when designated by the Board of Directors. At this meeting the officers above named and the other members of the Board of Directors shall be elected by ballot. At such election a majority of the ballots given for any officer shall constitute a choice; but if, on the first ballot, no person shall receive a majority, then further balloting shall take place, in which a plurality of votes given for any officer shall determine the choice.

Two months or more prior to each Annual Meeting the President shall appoint a nominating committee of not less than three members. The nominating committee shall prepare a ticket of officers to be voted for at the election to be held at such Annual Meeting. The ticket shall be furnished to the Secretary at least one month prior to the election. Nominations from the floor shall be in order, as well as those proposed by the nominating committee.

Society shall elect a Representative to the General Society who shall serve as a Member of the Board of Directors of the General Society of the War of 1812. If at any time a vacancy shall exist in this or the other cited offices, the Board of Directors may fill the same until the next annual election. If vacant the President may serve in that office until it is filled by the Board of Directors.

Terms of office shall be for a period of time ranging from one to three years in length, as adopted by the Board of Directors, recommended by the Nominating Committee and approved at the Annual Meeting prior to the election of officers. At no time may this period extend beyond the terms of office adopted by the General Society of the War of 1812. Unless extended as herein provided all terms shall commence and end at the conclusion of the Annual Meeting.

### **SECTION IV: PRESIDENT**

The President, or in his absence a Vice President, or in the absence of these a Chairman pro tempore, shall preside at all meetings of the Society of the War of 1812 in the State of Indiana and shall have a casting vote. He shall preserve order, and shall decide all questions of order, subject to the appeal to the Society. The President shall serve as the Chairman of the Board of Directors. The President may make a temporary appointment until the next meeting of the Board or the Society. He shall appoint all committees and shall be a member of all committees.

### **ARTICLE V: VICE-PRESIDENT(S)**

In addition to the duty of the Vice-President(s) to act in the circumstances set forth in article IV of these Bylaws, the Vice-President(s) shall have such other duties as the Board of Directors may from time to time designate.

### **SECTION VI: SECRETARY**

The Secretary shall conduct the general correspondence of the Society. He shall notify all members of their election, and of such other matters as he may be directed by the Society. He shall have charge of the Seal, Certificate of Incorporation, Constitution, By-Laws, Records of the Society, Membership Lists and shall issue Certificates of Membership. He, together with the presiding officer, shall certify all acts of the Society. He shall under the direction of the President, Vice President or Board of Directors give due notice of the time and place of all meetings of the Society, and attend the same. He shall keep fair and accurate records of all the proceedings and orders of the Society of the War of 1812 in the State of Indiana and shall give notice to the several officers of all votes, orders, resolves, and proceedings of the Society of the War of 1812 in the State of Indiana affecting them or appertaining to their respective duties. He shall be the Secretary of the Board of Directors and shall keep the record of their meetings in the regular minute book of the Society of the War of 1812 in the State of Indiana.

If a Recording Secretary is elected by the membership or appointed by the President with the approval of the elected Secretary, the recording Secretary shall take, prepare and report minutes of the Society of the War of 1812 in the State of Indiana and all other reports required to be recorded. The Secretary may hold the records of the Registrar (at the Registrar's option). The Secretary may deposit documents with the historian for safe keeping.

### **SECTION VII: TREASURER**

The Treasurer shall collect and deposit the funds and securities of the Society of the War of 1812 in the State of Indiana into an insured account(s) with some Bank or Trust Company designated by the Board of Directors to the credit of the Society of the War of 1812 in the State of Indiana and such funds shall be drawn thence on the check of the Treasurer for the purposes of the Society of the War of 1812 in the State of Indiana only. The Bank or Trust Company must be properly licensed by Federal or State Authorities to operate within the State of Indiana and accounts properly insured for safety of all funds deposited with said banking institution. No funds shall be placed in any type of investment, mutual fund, bonds or other

source that would place such funds at any type of risk to the principal. Out of these funds he shall pay such sums as may be ordered by the Society, the Board of Directors, Corporation fees to the State of Indiana or to pay fees and per capita payments to the General Society of the War of 1812. The Treasurer shall be authorized to make required payments to state and federal agencies and the General Society of the War of 1812 by standing authorization of the Board of Managers. The Treasurer shall maintain a list of annual memberships and shall notify and collect fees in a timely manor. There shall be no funds advanced to any officer unless previously approved by the Society or the Board of Directors. He shall keep a true account of his receipts and payments, and at each Annual Meeting render the same to the Society, where a committee shall be appointed to audit his accounts. He shall give such security as shall be required by the Board of Directors.

The treasurer is personally responsible for the proper deposit and the proper accounting for all monies received on behalf of the Society of the War of 1812 in the State of Indiana. In the event of any mishandling of funds the treasurer shall reimburse the society of any and all expenses incurred to recover funds for which the treasurer was entrusted

The Funds received for Life Memberships and Perpetual Life Memberships shall always be accounted for as separate funds called the Life Membership Fund and Perpetual Life Membership Fund and those funds shall never be used for any purpose other than to earn interest for the Society of the War of 1812 in the State of Indiana. The Treasurer may co-mingle monies for deposit in an insured bank(s) but must be able to identify the monies and funds that are co-mingled. The Treasurer shall always record and report on balances for the General Fund, Life Membership Fund, Perpetual Life Membership Fund and any Special or Restricted Funds as many be created or designated from time to time.

The principle of the Life Membership Funds shall never be used to pay expenses of any type. The income that fund earns may be used to pay general expenses if the general fund lacks resources to cover the required expenses. The Board of Directors may never authorize the expenditure of the principle amounts placed in the Life Membership Fund.

The principle of the Perpetual Life Membership Fund shall never be used to pay expenses of any type. The income that fund earns may be used to pay general expenses if the general fund lacks resources to cover the required expenses. The Board of Directors may never authorize the expenditure of the principle amounts placed in the Perpetual Life Membership Fund except in the event that the general funds are insufficient to pay Per Capita Assessments of the General Society. In that event, the General Fund may borrow up to 50% of the balance in the Perpetual Life Membership Fund. If there are any monies borrowed by the general fund all income must be placed in the Perpetual Life Membership fund until such time as that fund is fully restored to its principle deposit(s) before any monies can be placed in the general fund.

#### **SECTION VIII: REGISTRAR**

The Registrar shall keep a roll of members, and in his hands shall be lodged all the proofs of membership qualifications, and all the historical and other papers of which the Society of the War of 1812 in the State of Indiana may gain possession of and he, under the direction of the Board of Directors, shall make copies of such similar documents as the owners thereof may not be willing to leave permanently in the keeping of the Society. The Registrar shall return to the Secretary a report on the qualification of each new application that he shall receive. The Registrar may grant memberships to new applicants if the application is received more than 30 days prior to the next scheduled meeting of the society and meets the requirements of the society; such right may be granted, removed or reinstated by the Board of Directors or the General Membership at any meeting. The Registrar may collect fees but must remit those and membership changes within a timely matter to the Treasurer and the Secretary. The Registrar may elect to deposit the records of his office with the Secretary or the Historian.

#### **SECTION IX: HISTORIAN**

The Historian shall keep a detailed record, to be deposited with the Secretary, of all the historical and commemorative deliberations of the Society; and he shall edit and prepare for publication such historical addresses, essays, papers and other documents of a historical character, other than a register of members, as the Secretary may be required to publish; and at every Annual Meeting, if there shall be a necrological list for the year then closing, he shall submit the same with carefully prepared biographies of the deceased members. The Historian shall preserve a record of all policies and practices for reference by officers and the Board of Directors. The Historian shall preserve any historical documents as requested of by the offices of the President, Secretary, Registrar, Treasurer, Board of Directors or Representative to the General Society.

#### **SECTION X: CHAPLAIN**

The Chaplain shall officiate in prayer when called upon by the proper officers. The Chaplain does not have to be an ordained minister or priest in order to hold this office. In the absence of the elected Chaplain the President or presiding officer may ask for a member to act as Chaplain pro tem.

#### **SECTION XI: CHANCELLOR**

The Chancellor shall be a lawyer duly admitted to the Bar, and it shall be his duty to give legal opinions on matters affecting the Society of the War of 1812 in the State of Indiana, when called upon by the proper officer. In the event that no member has been duly admitted to the Bar, the office shall remain vacant.

**SECTION XII: SURGEON**

The Surgeon shall be a practicing physician, or hold a diploma from a College of Medicine or a College of established reputation. In the event no member holds such qualification, the office shall remain vacant.

**SECTION XIII: COMMITTEE ON ADMISSION**

The Chairman of the Board of Directors shall appoint annually a Committee on Admission consisting of three members, whose duty it shall be to pass upon the qualifications of applicants for admission to the Society of the War of 1812 in the State of Indiana and report to the Board of Directors. The Registrar shall serve as the Chairman of the said committee. The committee on Admission shall develop and implement programs for encouraging membership growth. The Registrar will refer questions on application issues to the Committee on Admission. If the Board of Directors has not appointed a committee the Registrar shall recruit two members to serve when needed.

**SECTION XIV: BOARD OF DIRECTORS**

The Board of Directors shall consist of the elected Officers of the Society of the War of 1812 in the State of Indiana, all Past Presidents, and up to twenty other members. In case of vacancy in any office, the Board may fill the same until the next annual election. The President shall serve as the Chairman of the Board of Directors. The President may make a temporary appointment until the next meeting of the Board or the Society.

They shall judge the qualifications of the candidates for admission to the Society of the War of 1812 in the State of Indiana, and, upon the recommendation of the Committee on Admission, shall have power to elect the same to membership. They shall have charge of all special meetings of the Society of the War of 1812 in the State of Indiana and shall, through the Secretary, call special meetings at any time, upon the written request of three members of the Society, and at such other times as they see fit. They shall recommend plans for promoting the objectives of the Society of the War of 1812 in the State of Indiana, shall digest and prepare business, and shall authorize the disbursement and expenditure of unappropriated money in the Treasury for the payment of the current expense of the Society of the War of 1812 in the State of Indiana. They shall generally superintend the interests of Society of the War of 1812 in the State of Indiana and execute all such duties as may be committed to them by the Society of the War of 1812 in the State of Indiana. They may hold meetings by electronic means. They shall have the authority to establish branches of the Society of the War of 1812 in the State of Indiana in such parts of the State of Indiana as they may deem advisable and fix division of dues between such branches and the State Society. At each Annual Meeting of the Society of the War of 1812 in the State of Indiana they shall make a general report.

The Board of Directors may, in their discretion, remit the initiation fee of any applying member, and also the annual dues of any member. At all meetings of the Board of Directors, three members shall constitute a quorum for the transaction of business. All members of the Society of the War of 1812 in the State of Indiana shall be allowed to attend any meeting of the Board of Directors and shall be granted the privilege of the floor without voting rights in matters properly coming before the Board of Directors. The Board of Directors may allow others guests but does hold the right to go into closed session on any matters which it wishes. The actions of the Board of Directors can be overturned at any meeting of the membership.

**SECTION XV: QUORUM**

At all meetings of the Society of the War of 1812 in the State of Indiana, three members, two of which must be officers, shall constitute a quorum for the transaction of business. Ayes and nays shall be called at any meeting of the Society of the War of 1812 in the State of Indiana upon the demand of four members.

**SECTION XVI: AMENDMENT**

No alteration of the Bylaws of the Society of the War of 1812 in the State of Indiana shall be made unless such alteration shall have been adopted by a majority of the members present at any meeting of the Society of the War of 1812 in the State of Indiana, ten days notice by mail thereof having been given to each member.

Any article or section of the Constitution or Bylaws of the Society of the War of 1812 in the State of Indiana not in conformity with the laws of the State of Indiana or with regulations established by the Internal Revenue Service necessary to obtain and maintain a tax exempt status shall be void and any needed additions or corrections will be included without subsequent action by the society. The Secretary shall report any such addition or correction at the next meeting.

**SECTION XVII: INSIGNIAS**

The Insignia of the Society of the War of 1812 should be worn by qualified members on all occasions when they assemble, such for any stated purpose or celebration, and may be worn on any occasion of ceremony. The proper display shall be as defined by the General Society of the War of 1812.