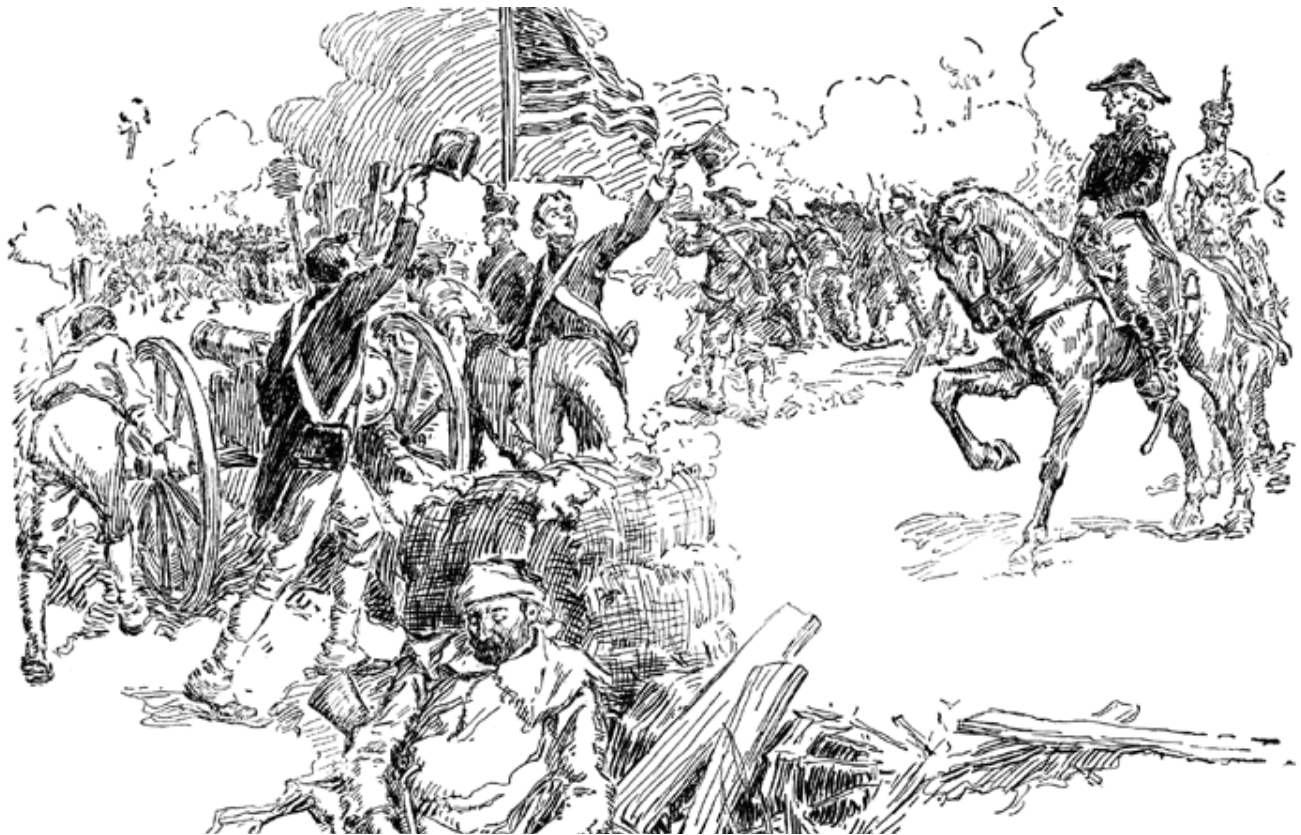


CONSTITUTION
AND
BY-LAWS
OF THE COLORADO SOCIETY
OF THE WAR OF 1812



Adopted this 28th day of February, Two-Thousand and Ten

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THE SOCIETY OF THE WAR OF 1812

IN THE STATE OF COLORADO

CONSTITUTION AND BY-LAWS OF THE COLORADO SOCIETY OF THE WAR OF 1812

CONSTITUTION

PREAMBLE TO THE CONSTITUTION:

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 - ORGANIZATION OF The Society of the War of 1812 in the State of Colorado:

Section 1 - The name of this organization shall be The Society of the War of 1812 in the State of Colorado. The Society of the War of 1812 in the State of Colorado shall be an autonomous State Society within a confederation of other autonomous State Societies and shall be chartered by the General Society. The Society of the War of 1812 in the State of Colorado shall conform to the General Society's Constitution and By-Laws and shall maintain membership admission requirements, that is, eligibility and proof thereof as a descendant of a War of 1812 Veteran. In addition, The Society of the War of 1812 in the State of Colorado may impose membership requirements as long as they do not conflict with the General Society.

Section 2 - The Society of the War of 1812 in the State of Colorado is incorporated as a non-profit corporation in the State of Colorado. The Society of the War of 1812 in the State of Colorado is organized solely for the charitable, scientific and educational purposes and shall not afford monetary gain to any of its members.

Section 3 - The fiscal year of The Society of the War of 1812 in the State of Colorado shall begin on January 1 and end on December 31.

Section 4 - The Society of the War of 1812 in the State of Colorado may organize Chapters within the State of Colorado, each to consist of at least six (6) members in good standing, providing that such Chapters shall be amenable to and operate under the Constitution of Colorado and subsequent By-Laws.

ARTICLE II - PURPOSES OF The Society of the War of 1812 in the State of Colorado:

Section 1 - The objectives of The Society of the War of 1812 in the State of Colorado are the collection and preservation of rolls, records, books, and other documents relating to the War of 1812; the encouragement of research and the preservation of historical data, including memorials to Patriots of that era in our National history; the caring for the graves of Veterans of the War of 1812; the cherishing, maintenance and extension of the institutions of American freedom; the fostering of true Patriotism - love of Country.

Section 2 - In carrying out these objectives, The Society of the War of 1812 in the State of Colorado will hold meetings for their members and guests at which programs relating to the War of 1812 and intelligent patriotism are presented. The Society of the War of 1812 in the State of Colorado shall encourage the membership of gentlemen of high caliber, intelligence and gracious demeanor. The Society of the War of 1812 in the State of Colorado shall be sensitive to the high ideals espoused by our Founding Fathers and the General Society. It will be the duty of each member of The Society of the War of 1812 in the State of Colorado to take an Oath of Allegiance to support and defend the By-Laws and Constitutions of the Colorado Society and the General Society and be ever vigilant in defense of our Nation and its Constitution entails.

ARTICLE III – MEMBERSHIP

Section 1 - There shall be three classes of membership: lineal, collateral, and junior.

A. A lineal member shall be a male of direct blood descent (not by adoption) from a person who served in the military during the War of 1812 and can offer proof of such service. He must be of the minimum age as prescribed by the Constitution of The Society of the War of 1812 in the State of Colorado and the General Society of the War of 1812.

B. A collateral member must follow the same criteria as a lineal member except that a collateral member shall be admitted upon proving his blood descent from the brother or sister of a person who served in the military during the War of 1812. He must be of the minimum age as prescribed by the General Society of the War of 1812.

C. A non-voting junior membership to The Society of the War of 1812 in the State of Colorado may be granted to a male descendant of a lineal member under the following conditions:

- i.** The junior member is at least 14 years of age and less than the minimum age as prescribed by the Constitution of the General Society of the War of 1812.
- ii.** The junior member must submit an application, with genealogical documentation, accompanied by the regular application fee and one-half of The Society of the War of 1812 in the State of Colorado annual dues.

Section 2 - The following service, and no other, shall be regarded as satisfying the requirements of the preceding Sections:

A. Service as an Officer, Warrant Officer or Enlisted man in the United States Army, Navy, Ma-

rine Corps, Revenue Marine, Flotilla Service or Voluntary Corps at any time between November 7, 1811 and July 18, 1815.

B. 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.

C. 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.

D. Service in the forces of the United States at the Battle of Tippecanoe on November 7, 1811.

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

F. Service as a Governor of a state or territory of the United States between November 7, 1811 and July 18, 1815.

Section 3 - 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 aforementioned dates. Nor shall it be regarded as qualifying if such person's latest service between the aforementioned dates was terminated by a separation from the service under conditions other than honorable.

Section 4 - Applications for membership shall conform to the specification of the General Society of the War of 1812. Each applicant shall submit two (2) typewritten or computer generated applications, with one (1) accompanying set of documentation and the appropriate fees. The Registrar-Genealogist shall check the application for genealogical accuracy and that the applicant's ancestor's service qualifies him for membership.

If the Registrar-Genealogist determines the qualifications of the applicant are in order, he will submit one (1) application to the National Society and maintain one (1) application with the supportive documentation for the membership file of the Colorado Society. If the Registrar-Genealogist determines that the applicant does not qualify, he may request the applicant to provide additional information.

Section 5 - A member in good standing may file one or more supplemental applications based upon the service of another direct or collateral ancestor.

ARTICLE IV – OFFICERS

Section 1 - The Officers of The Society of the War of 1812 in the State of Colorado shall consist of the following listed in descending rank: President, Deputy-President, Secretary, Treasurer, Registrar-Genealogist, Judge Advocate, Chaplain, Surgeon, Historian, Marshal and Honorary Deputy-Presidents.

Section 2 – With the exception of the office of Honorary Deputy-President, the Officers shall be elected for 3-year terms at an annual meeting of The Society of the War of 1812 in the State of Colorado, consistent with the terms of the General Society.

Section 3 - The Society of the War of 1812 in the State of Colorado may choose to combine any two

ected offices except that neither the President nor the Deputy-President may also serve as the Secretary or Treasurer. If two offices are combined, the person holding that office shall only have one vote in Society affairs.

Section 4 - In the event of the death or resignation of the President, the Deputy-President shall automatically assume the position of President. In the event of the death or resignation of an Officer other than the President, the membership shall be informed of the vacancy and asked for volunteers to fill the position. It shall be the responsibility of the President to recommend a member to fill the balance of the vacant term at the next regular meeting of The Society of the War of 1812 in the State of Colorado and the position shall be filled following a simple majority vote accepting the Presidents recommendation.

ARTICLE V – DUTIES OF OFFICERS

Section 1 - President – He shall preside at all meetings of The Society of the War of 1812 in the State of Colorado. He shall appoint all committees. He shall serve on all committees as an ex-officio member (except the nominating committee). He shall represent The Society of the War of 1812 in the State of Colorado or send a representative for The Society of the War of 1812 in the State of Colorado whenever it is appropriate. He shall submit an annual report of his activities to The Society of the War of 1812 in the State of Colorado at the annual meeting. He shall perform such duties assigned to him by The Society of the War of 1812 in the State of Colorado.

Section 2 – Deputy-President – He shall preside over The Society of the War of 1812 in the State of Colorado in absence of the President and act as program chairman for The Society of the War of 1812 in the State of Colorado. He shall serve as the Vice-President General for Colorado to the General Society of the War of 1812 unless prohibited by the General Society. If the Deputy-President is prohibited, The Society of the War of 1812 in the State of Colorado shall elect a Vice-President General in his place.

Section 3 - Secretary – He shall conduct the correspondence of The Society of the War of 1812 in the State of Colorado and keep a record thereof.

He shall notify all accepted applicants of their election to membership. He shall forward all monies to the Treasurer. He shall keep minutes of all meetings of The Society of the War of 1812 in the State of Colorado. He shall have custody of the Constitution and By-Laws of The Society of the War of 1812 in the State of Colorado and any contracts or non-financial legal documents of The Society of the War of 1812 in the State of Colorado.

He shall give notice of meetings as required. He shall keep a record of the names and addresses of the members of The Society of the War of 1812 in the State of Colorado. He shall prepare a report of the membership, including new members and dropped members, for The Society of the War of 1812 in the State of Colorado’s annual meeting.

Section 4 - Treasurer – He shall collect and account for all monies of The Society of the War of 1812 in the State of Colorado. He shall deposit all monies of The Society of the War of 1812 in the State of Colorado for safekeeping. He shall obtain approval from The Society of the War of 1812 in the State of Colorado for any account and for any institution used to hold The Society of the War of 1812 in The Society of the War of 1812 in the State of Colorado funds. He shall keep a record of all account numbers and financial instruments of The Society of the War of 1812 in the State of Colorado. He shall send out dues notices to all members by October 1 of each year. He shall send delinquent notices by

November 1 and if necessary again by December 1. If dues have not been received by December 31, the Treasurer shall notify the Secretary to drop all unpaid members from membership. He shall pay The Society of the War of 1812 in the State of Colorado's dues to the General Society by January 15 of each year. He shall prepare a statement of expenses and revenues for The Society of the War of 1812 in the State of Colorado's annual meeting.

Section 5 - Registrar-Genealogist – He shall screen all applications for membership to check their accuracy and completeness. He may aid applicants in correcting deficiencies in their applications. He shall check the adequacy of the documentation that accompanies each application. He shall forward each approved application or supplemental application with the required fee of the applicant to the General Society. He shall keep and file all duplicate copies of each application and its accompanying documentation. He shall forward all The Society of the War of 1812 in the State of Colorado fees to the State Treasurer.

Section 6 - Judge Advocate – He shall be the legal advisor for The Society of the War of 1812 in the State of Colorado.

Section 7 - Chaplain – He shall be responsible for the religious exercises of The Society of the War of 1812 in the State of Colorado including any memorial services.

Section 8 - Surgeon – He shall be a licensed physician and shall serve as the medical advisor of The Society of the War of 1812 in the State of Colorado.

Section 9 - Historian – He shall keep a detailed record of all historical and commemorative celebrations of The Society of the War of 1812 in the State of Colorado. He shall keep biographical information on the members of The Society of the War of 1812 in the State of Colorado. He shall keep copies of any publications of The Society of the War of 1812 in the State of Colorado.

Section 10 – Marshal – He shall be the custodian of any standards, flags, or ceremonial equipment of The Society of the War of 1812 in the State of Colorado. He shall be the official usher of The Society of the War of 1812 in the State of Colorado. He shall be responsible for seating of members and guests at all The Society of the War of 1812 in the State of Colorado meetings.

Section 11 - Honorary Deputy-President – He shall, at the completion of his term of The Society of the War of 1812 in the State of Colorado President, be recognized as an Honorary Deputy-President and a member of the Executive Committee, unless he no longer is a member in good standing with The Society of the War of 1812 in the State of Colorado. As an Honorary Deputy-President, he may hold an additional The Society of the War of 1812 in the State of Colorado office as prescribed by Article IV – Officers and serve as The Society of the War of 1812 in the State of Colorado's Committee Chairman.

ARTICLE VI – TERM OF OFFICE

Section 1 - The term of office shall be three consecutive years with elected terms commencing at the adjournment of the annual meeting of The Society of the War of 1812 in the State of Colorado, held on the last Sunday in April. Retiring Officers shall turn over to their successors all properties and records relating to that office within 30 days after the election.

Section 2 - The first term of office for the Organizing Officers of The Society of the War of 1812 in the

State of Colorado shall commence at the first organizing meeting of The Society of the War of 1812 in the State of Colorado and terminate in the same year as the General Society Officers. Since the term of service is less than the prescribed term of service the Organizing Officers shall be permitted to be re-elected to serve a consecutive three (3) term.

Section 3 - Any member serving as President of The Society of the War of 1812 in the State of Colorado shall not succeed himself unless he is filling out an unexpired term of his predecessor. Only then can he succeed himself for one three-year term as President of The Society of the War of 1812 in the State of Colorado with the exception of the Organizing President. A member may serve more than one non-consecutive three-year term.

ARTICLE VII – NOMINATIONS AND ELECTIONS OF OFFICERS

Section 1 - A nominating committee may be used to select a slate of candidates for office. Any person presenting himself as a candidate for office or nominated from the floor, shall be placed on the ballot.

Section 2 - An Officer must be elected by a majority vote. If no majority exists in an election, the candidate with the lowest number of votes shall be eliminated and the vote taken again.

ARTICLE VIII – REMOVAL OF OFFICERS

Section 1 - Any Officer of The Society of the War of 1812 in the State of Colorado may be removed from office for nonfeasance, misfeasance, or malfeasance in the performance of his assigned duties. Any member of The Society of the War of 1812 in the State of Colorado may present the name of the Officer for removal to The Society of the War of 1812 in the State of Colorado at any meeting. After the presentation of the name of an Officer for removal is presented, a two-thirds majority vote of those present shall be necessary to remove the Officer.

Section 2 - The President or Secretary may be removed for the absence of meetings for any twelve consecutive months.

ARTICLE IX – EXECUTIVE COMMITTEE

Section 1 - There shall be an Executive Committee consisting of the Officers of The Society of the War of 1812 in the State of Colorado as prescribed under Article IV and shall consist of the following listed in descending rank: President, Deputy-President, Secretary, Treasurer, Registrar-Genealogist, and Immediate Past-President. The Executive Committee shall also include all Chapter Presidents of The Society of the War of 1812 in the State of Colorado.

Section 2 - The Executive Committee shall, except as otherwise provided in the Constitution and By-Laws, supervise the affairs of The Society of the War of 1812 in the State of Colorado and transact such other business as may come before it. On its own initiative it may fill vacancies occurring in any office of The Society of the War of 1812 in the State of Colorado, except as hereinbefore provided by the Constitution and By-Laws.

Section 3 - The Executive Committee shall have the powers between meetings of The Society of the War of 1812 in the State of Colorado to conduct the affairs of The Society of the War of 1812 in the

State of Colorado within the framework of the Constitution and By-Laws of The Society of the War of 1812 in the State of Colorado. The proceedings of the Executive Committee shall be recorded and reported to the next meeting of The Society of the War of 1812 in the State of Colorado for ratification or change.

Section 4 - The Executive Committee is the supreme governing body and can exercise all the powers of The Society of the War of 1812 in the State of Colorado except as restricted by this Constitution and By-Laws.

ARTICLE X – AMENDMENTS

Section 1 - Amendments may be made to the Constitution at any meeting without previous notice to the membership. Such amendments must then be passed by a two-thirds majority vote of those attending the meeting at the time the vote is taken. If 30 days previous notice is given, a majority vote is required to amend.

ARTICLE XI – DISSOLUTION

Section 1 - In the event of the dissolution of The Society of the War of 1812 in the State of Colorado, all property of The Society of the War of 1812 in the State of Colorado remaining after the payment of its debts and obligations, shall be paid over and distributed to the General Society of the War of 1812, a non-profit corporation organized under the laws of the Commonwealth of Pennsylvania.

BY-LAWS

ARTICLE I – FEES

Section 1 - The application fee of a The Society of the War of 1812 in the State of Colorado male member 18 years of age or older, shall be \$25.00 plus the annual assessment fee of the General Society of the War of 1812. This fee includes the current year's dues.

Section 2 - The application fee of a The Society of the War of 1812 in the State of Colorado male member 14 years of age, but not having reached the age of 18 shall be \$25.00 plus the annual assessment fee of the General Society of the War of 1812. This member will be a non-voting junior member of The Society of the War of 1812 in the State of Colorado. This fee includes the current year's dues. Upon reaching the age of 18, The Society of the War of 1812 in the State of Colorado will submit this member's application to the General Society along with the required annual assessment. This member will become a Regular member with full voting rights.

Section 3 - The assessment fee for a supplemental application of The Society of the War of 1812 in the State of Colorado shall be \$10.00, plus the supplemental assessment fee of the General Society of the War of 1812. There are no annual assessment fees for supplemental applications.

Section 4 - The annual assessment fee of Regular members of The Society of the War of 1812 in the State of Colorado shall be \$15.00 plus the annual assessment fee of the General Society of the War of

1812. The annual assessment fee for those members 75 years of age or older shall be \$0.00 plus the annual assessment fee of the General Society. The annual assessment for those members having a Life membership in The Society of the War of 1812 in the State of Colorado shall be \$0.00 plus the annual assessment fee of the General Society of the War of 1812. The annual assessment fee for a dual member of The Society of the War of 1812 in the State of Colorado, whose primary membership is with another State Society, shall be \$15.00. In addition, this dual member shall pay to his primary State Society the annual assessment fee of that Society along with the annual assessment fee of the General Society of the War of 1812. The annual assessment fee for Colorado Junior members shall be \$7.50.

The Society of the War of 1812 in the State of Colorado will not require annual assessments from members 75 years of age and older but will require them to pay the annual assessment fee of the General Society of the War of 1812.

Section 5 - The transfer fee of a member-at-large or of a member of another State Society to The Society of the War of 1812 in the State of Colorado shall be \$20.00. This fee includes the current year's dues. This member shall be in good standing with the General Society of the War of 1812.

Section 6 - The fee for reinstating a lapsed membership to The Society of the War of 1812 in the State of Colorado shall be \$20.00 plus the assessment fee of the General Society of the War of 1812. This fee includes the current year's dues.

Section 7 - The assessment for Life membership in The Society of the War of 1812 in the State of Colorado shall be \$1,000.00 for those under age 60. The assessment for Life membership in The Society of the War of 1812 in the State of Colorado shall be \$500.00 for those age 60 or older, but under the age of 75.

ARTICLE II – LIFE MEMBERSHIP ENDOWMENT

Section 1 – The Society of the War of 1812 in the State of Colorado shall maintain all Life Membership funds in a separate interest bearing financial account. Only 80% of the return on this endowment investment will be made available to The Society of the War of 1812 in the State of Colorado for the expressed use of promoting youth activities sponsored by The Society of the War of 1812 in the State of Colorado. The Society of the War of 1812 in the State of Colorado Treasurer will be responsible for this endowment. Investment of this endowment will be entrusted to an Endowment Fund Committee made up of the Deputy-President, Treasurer and a member appointed by The Society of the War of 1812 in the State of Colorado President. The terms of this Endowment Fund Committee will run concurrent with the normal terms of The Society of the War of 1812 in the State of Colorado Officers.

ARTICLE III – MEETINGS

Section 1 - The Secretary shall notify the membership of the time and place for all meetings by electronic means or U.S. Mail. The notices shall be postmarked at least 15 days in advance of each meeting.

Section 2 – There shall be no less that (1) meeting of The Society of the War of 1812 in the State of Colorado annually. The annual meeting shall be held on the last Sunday in April. The President shall

have the responsibility of arranging the annual meeting. Notification of the annual meeting shall be made known to the members of The Society of the War of 1812 in the State of Colorado later than 60 days prior to the meeting.

Section 3 – With the exception of the election of officers, which shall require a vote only from members present and voting, all other business may be by vote of members present and/or those voting by electronic means so long as written notice is provided by e-mail as to the nature of the subject being voted upon and the vote given by e-mail specified what subject they are voting on..

Section 4 – For any meeting a quorum shall be established when there are at least 4 members, at least one of which must be an officer of The Society of the War of 1812 in the State of Colorado.

Article IV – Committees

Section 1 – The Society of the War of 1812 in the State of Colorado shall provide for, but shall not be limited to 1) standing Committees and 2) Committees appointed by The Society of the War of 1812 in the State of Colorado President as provided by the Colorado Constitution. Each Committee shall consist of no less than two (2) members. No member, except The Society of the War of 1812 in the State of Colorado President, shall be appointed to more that three (3) committees during any single year.

- A. Executive Committee (As provided for by the Colorado Constitution.)
- B. Endowment Fund Committee (As provided for by the Colorado Constitution.)
- C. Constitution and By-Laws (Appointed by the Colorado State President.)
- D. Nominations (Appointed by the Colorado State President.)
- E. Membership (Appointed by the Colorado State President.)
- F. New Chapters (Appointed by the Colorado State President.)
- G. Audit (Appointed by the Colorado State President.)
- H. Triennial and Annual Meetings. (Appointed by the Colorado State President.)

ARTICLE V – AMENDMENTS

Section 1 - Amendments may be made to these By-Laws at any meeting without previous notice to the membership. Such amendments must then be passed by a two-thirds majority vote of those attending the meeting at the time the vote is taken. If 30 days previous notice is given, a majority vote is required to amend.

ARTICLE VI – ADOPTION OF BY-LAWS

Section 1 - These By-Laws shall take effect on 28 February 2010 and thereby revoke and nullify any and all previous By-Laws of The Society of the War of 1812 in the State of Colorado.

ARTICLE VII – AGREEMENT

Section 1 - These By-Laws shall not be in conflict with the Constitution, By-Laws, and regulations of the General Society of the War of 1812.

Adoption at a special meeting on 28 February 2010, Grand Junction, Colorado.



**Garry W. Brewer,
Organizing President
The Society of the War of 1812
in the State of Colorado**

**William E. Buvinger,
Organizing Secretary / Treasurer
The Society of the War of 1812
in the State of Colorado**

**President
The General Society of the War of 1812**

**Secretary / Treasurer
The General Society of the War of 1812**