



**Constitution and By-Laws
Of the
Upshur County Patriots Camp #2109
Texas Division
Sons of Confederate Veterans**

Article I. Name. The name of this organization shall be the Upshur County Patriots Camp # 2109.

Article II. Object. To associate in one united, compact body of men of Confederate ancestry, and cultivate, perpetuate, and sanctify the ties of friendship entailed thereby; to aid and encourage the history and achievement from Jamestown to this present era, constantly endeavoring to see that events of the War for Southern Independence and the heroic contributions of the Confederate soldiers are authentically and clearly written, and that all documents, relics, and mementoes produced and handed down by those active participants therein are properly treasured and preserved for posterity, to aid and assist in the erection of suitable and enduring monuments and memorials to all Southern valor, civil and military, wherever done and wherever found; to instill into our descendants a devotion to and reverence for the principles represented by the Confederate States of America, to the honor, glory, and memory of our forefathers who fought in that Cause.

Article III. Nature. The Upshur County Patriots Camp # 2109 shall be strictly historical and benevolent, non-political, and non-sectarian.

- a. Said organization is organized exclusively for charitable, religious, educational, and scientific purposes, including, for such purposes, the making of distributions to organizations that qualify under section 501 (c) (3) of the Internal Revenue Code, or corresponding section of any future federal tax code.

- b. No part of the net earnings of the organization shall inure to the benefit of, or be distributable to its members, trustees, officers, or other private persons, except that the organization shall be authorized and empowered to pay reasonable compensation for services rendered and to make payments and distributions in furtherance of the purpose set forth in the purpose clause hereof. No substantial part of the activities of the organization shall be the carrying on of propaganda, or otherwise attempting to influence legislation, and the organization 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 other provision of this document, the organization shall not carry on any other activities not permitted to be carried on (a) by an organization exempt from Federal income tax under section 501 (c) (3) of the Internal Revenue Code, or corresponding section of any future Federal tax code, or (b) by an organization, contributions to which are deductible under section 170 (c) (2) of the Internal Revenue Code, or corresponding section of any future Federal tax code.
- c. Upon the dissolution of the organization, assets shall be distributed for one or more exempt purposes within the meaning of section 501 (c) (3) of the Internal Revenue Code, or corresponding section of any future federal tax code, or shall be distributed to the federal government, or to a state or local government, for a public purpose. Any such assets not disposed of shall be disposed of by the Court of Common Pleas of the county in which the principal office of the organization is then 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 IV. Membership.

Section 1. All male descendants, lineal or collateral, at least twelve years of age, of those who served in the Confederate Army or Navy to the end of the war, or who died in prison or while in actual service, or who were killed in battle, or who were honorably discharged, shall be eligible for membership.

Section 2. No one shall be admitted to membership until satisfactory proof of the foregoing qualifications be submitted in triplicate on official blank applications prepared for that purpose, such applications bearing recommendation by a member in good standing of the Camp and subsequent approval by the Membership. The

original shall be forwarded to the International Headquarters of the Sons of Confederate Veterans, the second copy to the Division Adjutant, and the Camp shall preserve the third copy.

Section 3. All applications for membership in the Camp, received by the Adjutant, shall be reviewed by the Commander. The Commander may submit the applications to a confidential, three (3) man membership committee appointed by him, to pass on the acceptability of the candidate for membership. Candidates refused membership may petition the Camp membership for admission, and if receiving favorable approval of three-fourths (3/4) of the membership, will be granted full membership in the Camp.

Section 4. Annual dues and fees must be submitted with completed applications to the Camp Adjutant.

Section 5. Applications for membership in the Camp must be read at a regular meeting of the Camp. Upon reading of the application, membership in the Camp will be extended only after receiving two-thirds (2/3) vote of acceptance by the membership present.

Section 6. Active membership in the Camp is membership in the International organization of the Sons of Confederate Veterans.

Section 7. Any member in good standing in the Camp, transferring from the Camp, shall be entitled to a certificate from the Camp Adjutant stating his membership and duration thereof.

Section 8. Any member is considered to be a member in good standing if all dues and fees are current, with no arrearage, and if he actively supports the Camp by acts, deeds, or other contributions that further the objectives of the Camp as previously set forth in Article II above.

Article V. Dues.

Section 1. The annual dues to the Camp shall be set annually by the Executive Committee, such amount subject to approval by the membership at the Annual Meeting.

Section 2. Members will be delinquent as of September 1st if Camp dues have not been received. Six (6) months arrearage shall automatically impose suspension from

the Camp. Payment of all back dues within the current year plus a \$5.00 reinstatement fee together with all additional levies for that year shall permit reinstatement to active membership. A member delinquent one year or more shall be only reinstated upon vote of the Camp and payment of all amounts due by him to the Camp.

Article VI. Meetings.

Section 1. Annual Meeting. The annual meeting of the Camp shall be in the month of November, with election of Camp officers occurring in odd numbered years to correspond with Division elections. If the annual meeting shall not be held at the time fixed it shall be held within a reasonable time thereafter as designated by the Executive Committee, and the officers shall hold over until their successors have been elected.

Section 2. Regular Meetings. The regular meeting of the Camp for the transaction of ordinary business shall be held monthly on a recurring day and at such time and place as may be fixed by the Executive Committee.

Section 3. A special meeting of the Camp may be held at any time upon call of the Commander. The Commander shall also call a special meeting upon demand in writing, stating the object of the proposed meeting, and signed by not fewer than twenty percent (20%) of the members entitled to vote. Notice of the time, place, and object of any special meeting shall be given all officers and members in good standing, in writing, by United States mail not less than fifteen (15) days prior to the date fixed for the meeting. The Executive Committee shall establish the place of such meeting in advance.

Section 4. Quorum. Twenty-five per cent (25%) of the membership of the Camp entitled to vote shall constitute a quorum at any meeting.

Section. 5. Rules of Procedure. The rules of procedure at any meeting of the Camp shall be those set forth in Robert's Rules of Order, revised, except when they may be altered by a vote of the Camp.

Article VII. Officers.

Section 1. The officers of the Camp shall be the Commander, First Lieutenant Commander, Second Lieutenant Commander, Third Lieutenant Commander, Adjutant, Deputy Adjutant, Judge Advocate, Quartermaster, Surgeon, Chaplain,

Color Sergeant, Historian, and an Executive Committee. All officers, except those of the Executive Committee shall be elected by a majority vote, by written ballot of the members in good standing present at the annual meeting of the Camp. They shall hold office for one year or until their successors are elected. To be eligible, those seeking office shall have been a member in good standing of the Camp for a minimum of one-year. If no qualified candidate is willing to serve in a particular office, the Executive Committee may wave the one-year membership requirement or choose to leave the office vacant until the next annual meeting. However, the office of Commander or First Lieutenant Commander shall not remain vacant nor will the one-year requirement be waived. New officers elected at the annual meeting shall take office during the January meeting, upon being duly sworn in at said meeting. Officers reelected to the same office will continue their duties uninterrupted and shall not be required to be re-sworn for the new term.

- a. Nominating Committee. The Commander and all eligible past Commanders shall constitute the Nominating Committee. Their responsibility is to select a slate of qualified candidates willing to hold office. Furthermore, they shall prepare the written ballots for the election. These ballots shall have ample space to include write-in nominations. Thus any qualified member requesting inclusion may be nominated from the floor at the annual meeting and added to the ballot. After the vote, the ballots shall be tabulated by the Nominating Committee and the results provided to the membership. Any request for a recount shall be conducted prior to the next vote. If a recount is requested it shall be done by two members not candidates for that office and overseen by the Adjutant. The recount shall be in the presence of the membership. In the event of a tie vote, the candidate with the greatest seniority within the Camp will be declared the winner.

Section 2. Terms of Office.

- a. Officers shall be elected to two-year terms.
- b. Officers, with the exception of the Commander, may hold office for multiple consecutive terms.
- c. Members who hold the office of Commander may serve for one (1) two year term. However, they may be reelected to the office again after a minimum period of two year's absence from that office. During this period of absence they will be eligible to hold any other office.

- d. Members who hold the office of Commander may serve for one consecutive terms. However, they may be reelected to the office again after a minimum period of a two year's absence from that office. During this period of absence they will be eligible to hold any other office.

Section 3. The Executive Committee shall be composed of the Commander, First Lieutenant Commander, Second Lieutenant Commander, Third Lieutenant Commander, Adjutant, the two (2) immediate past commanders, and the Judge Advocate (a nonvoting member to provide procedural guidance). No past commanders that have failed to maintain a good standing within the Camp shall be eligible to serve.

Section 4. Meetings of the Executive Committee shall be held at any time and place as the Commander may determine. At least three (3) members of the Executive Committee may call meetings at any time upon written notice to the Commander.

Section 5. Five (5) members of the Executive Committee shall constitute a quorum.

Section 6. Resignation of any officer may be accepted by majority vote of the remaining members of the Executive Committee.

Section 7. When an office is vacated as a result of death, resignation, or removal, the Commander shall appoint a successor, upon recommendation of the Executive Committee; such successor to hold office until the next election during the annual meeting.

Article VIII. Duties of Officers.

Section 1. Commander. The Commander shall preside at all meetings of the Camp and the Executive Committee. He shall be a member *ex officio* of all regular and special committees, and shall perform all such other duties as usually pertain to his office.

Section 2. First Lieutenant Commander. The First Lieutenant Commander shall perform the duties of the Commander in his absence or at his request. He shall coordinate Heritage Defense Operations.

Section 3. Second Lieutenant Commander. The Second Lieutenant Commander shall perform the duties of the Commander in the absence of the Commander and

the First Lieutenant Commander. He shall be responsible for the recruitment of new members. He shall maintain an adequate supply of SCV brochures and applications to accomplish the recruitment of new members. He shall monitor membership as to dues payment and meeting attendance. He shall constantly strive for an active, growing membership. He shall prepare and distribute to the membership in good standing a roster of members, their addresses, telephone numbers, and e-mail addresses.

Section 4. Third Lieutenant Commander. The Third Lieutenant Commander shall perform the duties of the Commander in the absence of the Commander, the First Lieutenant Commander, and the Second Lieutenant Commander. He shall serve as the program chairman, securing guest speakers and presentations for Camp meetings and functions.

Section 5. Adjutant. The Adjutant shall be responsible for all official correspondence pertaining to the proper preparation and forwarding of all reports required of the Camp to International Headquarters, Division, and Brigade. He shall notify all members of special meetings. He shall keep a true record of all meetings of the Camp and have custody of the books and papers of the Camp. The Adjutant shall also be responsible for the duties of the Treasurer. He shall be the keeper of the Camp seal. All applications for membership, initiation fees, and first year dues shall be made to the Adjutant. He shall be responsible for the ordering of all items necessary for operations of the Camp. He shall maintain an adequate stock of SCV membership pins, decals, and applications. The Adjutant shall have charge of all funds of the Camp and place the same in such bank or banks as may be approved by the Executive Committee. Such money shall only be withdrawn by check signed by the Adjutant or designee as listed as an authorized signatory on said accounts and approved by the Executive Committee. He shall keep an accurate account of his transactions and render a detailed report to the membership at any meeting when requested. He shall present a detailed report, in writing, of income and expenditures at the annual meeting. Bills paid by the Adjutant shall have received approval by a majority vote of the membership or the Executive Committee. He shall be responsible for collection of dues and fees, taking proper note of the paying member, his address and other information necessary in the maintenance of Camp records.

- a. Deputy Adjutant. The Deputy Adjutant shall have all the rights, duties, and responsibilities of the Adjutant. The Deputy Adjutant shall only be utilized when directed by either the Commander or Adjutant to aid, assist, or temporarily fill the Adjutant's office when the Adjutant is in need of

assistance or is unable to fulfill his duties due to illness, disability, or other absence.

Section 6. Judge Advocate. The Judge Advocate shall advise the officers and Executive Committee on all legal matters, including the construction and interpretation of the SCV General Constitution and Camp By-Laws. He shall serve as parliamentarian at both regular and special meetings. Upon direction of the Commander, he shall conduct investigations into charges or challenges brought against Camp members. He shall perform such other duties as are usually incident to his office.

Section 7. Quartermaster. The Quartermaster shall be responsible for the procurement of meeting sites and arrangements incident to preparation for regular, special, or social meetings of the Camp; such sites and arrangements subject to approval of the Executive Committee. He shall be responsible for the operation of the Camp stores, maintaining adequate stocks and other items necessary for efficient operation. He shall account to the Commander as to expenditures.

Section 8. Surgeon. The Surgeon shall be responsible for the establishment and observance of ceremonial forms and courtesies of the Camp. Upon direction of the Commander or Executive Committee, he shall issue announcements to the public concerning the Camp, its members and activities. He shall be familiar with basic techniques of first aid and shall stand ready to administer basic medical assistance when called upon at meetings and functions of the Camp.

Section 9. Chaplain. The Chaplain provides spiritual guidance for the Camp. He shall represent the Camp in times of bereavement. He shall periodically report to the Commander on the well-being of members confined by illness. In event of a member's death, he shall immediately notify the membership and the Chaplain-in-Chief. He shall be responsible for the procurement of flowers, wreaths, or such other items incidental to the accomplishment of his duties. The Chaplain may appoint a member to be Associate Chaplain to assist in the above duties. He may also create a visitation and comfort group, composed of volunteers, to ensure that members and their families having need of prayer and fellowship are contacted and ministered to as desired.

Section 10. Color Sergeant. The Color Sergeant shall maintain and safeguard the Camp colors. He shall issue the proper display of colors at all functions of the Camp and will lead members in salutes to the colors. He shall appoint assistants to aid in the performance of his duties.

Section 11. Historian. The Historian shall keep and maintain a written record of the Camp, its officers and members, and its accomplishments during his tenure of office. He shall be responsible for the collection of photographs, newspaper clippings, and such other items necessary in the proper recording of Camp history. All items will be affixed in a bound volume as to ensure preservation. These volumes will be maintained and stored at a location designated by the Commander.

Section 12. Executive Committee. The Executive Committee shall:

- a. Approve or disapprove all bills presented to the Adjutant for payment (not previously voted on by the membership).
- b. Sit in judgment in all Camp disciplinary matters.
- c. Authorize and approve all meeting dates and arrangements.
- d. Rule on all questions affecting the election, eligibility, and conduct of members.
- e. When in the interest of the Camp, transact business on behalf of the membership.

Section 13. Editor. The Commander shall, upon taking office, appoint an editor and such other staff as necessary in the preparation and distribution of the official Camp Newsletter. The Commander shall periodically review the operation of the newsletter to ascertain if its operation is in the best interest of the Camp. The Executive Committee shall provide all acceptances of annual subscriptions from non-members and establish an annual subscription rate for hard copy editions for both members and non-members. Mailed editions shall require a postage fee. The Editor shall, at the end of the fiscal year, prepare a written report concerning the number of copies produced, number distributed, and associated cost; this report to be submitted to the Commander at the annual meeting.

Article IX. Awards.

Section 1. The Executive Committee shall be responsible for the creation and administration of a program of awards to present to Camp members and non-members deemed worthy of recognition.

Section 2. The Executive Committee shall review and authorize the presentation of certificates and awards, except the Commander's Commendations and Resolutions of respect, which are reserved for the Commander.

Article X. Discipline: Probation, Suspension or Expulsion.

Section 1. Discipline: Camps, being the judges of their own members, may impose discipline upon said members. The Camp may place a member on probation, suspend, or expel the said member from their Camp. All disciplinary procedures will be conducted before and judged by the Executive Committee.

Section 2. Probation: At the Camp level, members may be placed on probation for a period of thirty (30) to ninety (90) days when the seriousness of the violation does not rise to the level of suspension or expulsion. The probationary period as well as any restrictions will be assessed by the Executive Committee.

Section 3. Suspension: A member that is suspended from the Camp is precluded from acting in any capacity, official or otherwise, as an SCV member or participating in any SCV activities until such time as the suspension is lifted. The term of suspension will be no less than ten (10) and no more than ninety (90) days. The suspension period will be assessed by the Executive Committee.

Section 4. Expulsion: If a member's violation is adjudged of such a serious nature as to make him no longer worthy of membership in the Camp, the member in question will be transferred to Headquarters Camp #584, since he is no longer a member in good standing of the Camp. If the Camp wishes to have the member expelled from the Confederation, they shall proffer charges to the disciplinary committee within thirty (30) days of the dispensation of the Camp's. If the member is not expelled from the Confederation at the culmination of the actions, he may petition the Disciplinary Committee for the right to transfer to a Camp different from whence he came. If this petition is denied, he may appeal to the General Executive Committee (GEC).

Cause for disciplinary action shall be:

- a. Disloyalty (definition: the act of being false to one's obligations or allegiances; untruthful)
- b. Neglect of Duty (definition: failure to carry out or perform one's action or task as required)
- c. Dishonesty (definition: the act of being prone to lie, cheat or steal; the act of being unworthy of trust or belief)
- d. Conduct unbecoming a member of the Sons of Confederate Veterans (behavior that detracts from one's personal character or reputation)

- e. Disrupting the Harmony of the Sons of Confederate Veterans (definition: causing a disorder or turmoil; to cause harm, hurt, impair, hamper or hinder the work of the Sons of Confederate Veterans)
- f. An act repugnant to the Sons of Confederate Veterans Constitution or the objectives and purpose of the Sons of Confederate Veterans (definition: causing damage, disadvantage or harm to the reputation of the Sons of Confederate Veterans or its objectives and purposes)

Specific Examples of behavior which could result in the use of the disciplinary process are as follows:

- a. Making disparaging remarks about a member of the SCV, UDC, OCR, or any other historical organization. (The remarks may be verbal or written and may have appeared in any social media, such as email, Facebook, LinkedIn, etc.)
- b. Interfering in the business of the Sons of Confederate Veterans or any other Historical organization.
- c. Ignoring the standing rules and/or bylaws of the Sons of Confederate Veterans, Division, Brigade, or Camp.

The above examples are intended only as a guide and do not limit disciplinary action for inappropriate behavior.

Section 5. No vote on suspension or expulsion may be taken unless at least fifteen (15) days' notice in writing shall have been given to the member of the charges preferred and of the time and place of the meeting of the Executive Committee at which such charges will be considered. The notice must be delivered to the member by registered mail. At such meetings, the member under charge will be accorded a full hearing.

Section 6. The Executive Committee shall provide for true and accurate recording of all proceedings of such hearings. All documentation and exhibits pertaining to said hearings shall be maintained in a permanent folder by the Camp Adjutant in a secure location.

Section 7. Any officer may be removed by a two-thirds (2/3) vote of the members in good standing present at any special meeting called for that purpose. No vote on removal may be taken unless at least fifteen (15) days' notice in writing shall have been given to the officer of the reasons for his pending removal and of the time and place of the special meeting at which such a ballot on his removal is to be taken. The Executive Committee, upon majority vote, may suspend an officer pending

outcome of this special meeting. At such meetings, the officer shall be given a full hearing.

Section 8. Standing. Charges proffered by a Camp must be against one of its own members. Charges may not be proffered by any individual. The accuser may notify any member of the Executive Committee or the Judge Advocate to levy said charges. Once made, said charges shall be prepared by the Judge Advocate for presentation to the Adjutant. The charges shall be in writing, clearly stating the facts relied upon and accompanied by all affidavits or exhibits which are to be used in their support. After such charges are filed with the Adjutant, he will immediately notify the Commander. The Commander will call a meeting of the Executive Committee to hear the charges. The Adjutant will give at least fifteen (15) days' notice of the meeting to each member of the Executive Committee, to the accuser, and to the accused, which notice shall be in writing and will include a true copy of the charges and the supporting affidavits and exhibits. The General Executive Committee or the Convention may proffer charges against any member.

Section 9. Appeal. Any member suspended or expelled by the Executive Committee may appeal to the membership of the Camp. Such appeal shall be made in writing to the Adjutant who will notify the Commander. The Commander will call a special meeting of the Camp for the purpose of acting on the appeal. The Adjutant shall give at least fifteen (15) days' notice, in writing, to all members of the Camp in good standing, stating the date, time, place, and reason for such special meeting. At the special meeting of the Camp, the Adjutant will read the original charges, the supporting affidavits, and read or display the accompanying exhibits and will read the minutes of the special meeting of the Executive Committee at which the charges were heard and action taken. A full hearing will be given the accuser and accused. A vote will be taken by written ballot of the members in good standing present and a two-thirds (2/3) vote shall be required to reverse action of the Executive Committee.

Section 10. Loss of Appeal. Any member who has been suspended or expelled, and having exhausted the foregoing appeals procedures, has the right to appeal to the Texas Division and afterwards, if necessary, the General Executive Council, whose decision shall be final.

Article XI. Prohibitions.

Section 1. No discussion of political or religious subjects, or any political action, or the endorsing of aspirants for political office, shall be permitted under the color of the SCV or during the course of official activities.

Section 2. No assessment shall be levied upon the Camp members other than annual dues and initiation fees, except by resolution of the general membership.

Section 3. Proxy voting shall not be permitted in the conduct of Camp elections or business.

Article XII. Official Ladies. The Camp Commander may appoint only the following ladies to represent the Camp: Matron of Honor, Chaperone, Sponsor, and three (3) Maids of Honor.

Article XIII. Official Observances.

Section 1. The Camp shall observe the celebrations of **Texas Confederate Heroes' Day** on January 19th and **Confederate Memorial Day** on April 26th.

Section 2. The Camp shall, as a token of appreciation to friends and family, annually host a Meeting and Christmas Party during December on a date selected by the Commander.

Article XIV. Amendments. Any proposed amendments to these By-Laws may be introduced by any member of the Camp at any regular or special meeting called for that purpose. A vote may be taken upon the proposed amendment, provided a copy of the intended amendment has been sent to each Camp member in good standing, by United States mail, hand delivered by a Camp Officer, via e-mail, or via the Camp Dispatch posting said proposed amendment at least ten (10) days prior to the meeting. A two-thirds (2/3) vote of the members present, will be necessary to pass or reject said amendment.

Adopted this 5th day of September, 2017 by the members of the Upshur County Patriots Camp # 2109, Upshur County, Texas. The aforementioned Constitution and By-Laws of the Upshur County Patriots Camp # 2109, voted on and approved by the membership, supersedes any and all Constitution(s) and By-Laws as may have been previously adopted.

Phillip L. Davis

Camp Commander

Rickie A. Gipson

Camp Adjutant