



Constitution

of the Texas Society of the Military Order of the Stars and Bars. A society of the descendants of Confederate officers.

AS ADOPTED IN CONVENTION AT HILLSBORO, TEXAS, JUNE 7, 1986
And AS AMENDED IN CONVENTION AT CAMP ALLEN, TEXAS ON JUNE 24, 2000
And AS AMENDED IN CONVENTION AT FORT WORTH TEXAS ON APRIL 25, 2009
And AS AMENDED IN CONVENTION AT HUNTSVILLE TEXAS ON MARCH 27, 2010
And AS AMENDED IN CONVENTION AT TYLER, TEXAS ON APRIL 27, 2013.
And AS AMENDED IN CONVENTION AT KERRVILLE, TEXAS ON APRIL 30, 2016

PREAMBLE

The War Between the States produced some of the most outstanding civil and military leaders in the history of mankind. To perpetuate the idealism that animated the Confederate cause and to honor the courage, devotion, and endurance of those who dedicated their lives and services during four years of devastating war, and who, throughout the dreadful decade of reconstruction, labored heroically for the restoration of self-government as the most precious heritage of the American Revolution, male descendants of the officers who honorably served in the Army, Navy and other commands of the Confederate States of America and male descendants of elected and appointed officials of the Confederate executive and legislative branches of government unite to establish THE MILITARY ORDER OF THE STARS AND BARS, a patriotic Society.

ARTICLE I – NAME

Section 1. The name of this organization shall be the TEXAS SOCIETY OF THE MILITARY ORDER OF THE STARS AND BARS hereinafter referred to as the Texas Society.

Section 2. The Texas Society is a corporation, incorporated under the laws of the State of Texas.

ARTICLE II - PURPOSE AND PRINCIPLES

Section 1. The Texas Society shall be literary, historical, benevolent, patriotic, educational, and non-political. It shall strive:

- a. To cultivate the ties of friendship among descendants of those who shared the responsibilities of Southern leadership in the War Between the States.
- b. To provide leadership in the collecting and assembling of data, documents, and material relating to the Confederacy: However, the organization should also preserve the history of the colonial and federal periods of our history since the antecedents of the War Between the States are to be found in these periods.
- c. To provide for future generations of the descendants of Confederate officers and civilian officials in the executive and legislative branches of government an organization to commemorate and honor the leadership of their forefathers.
- d. To consecrate in our hearts the flag of the Southern Confederacy, not as a political symbol, but as an emblem of a heroic epoch for which our forefathers fought and died.
- e. To maintain a united front against doctrines subversive to the fundamental principles set forth in the Bill of Rights which, as a part of the federal constitution, guarantees freedom of speech and of the press, together with all other rights and privileges therein provided for the protection of political minorities and of individual citizens.
- f. To encourage and support true loyalty to the Constitution of the United States of America.

ARTICLE III - MEMBERSHIP AND ELIGIBILITY

Section 1. Membership in the Texas Society shall be restricted to the male lineal or collateral descendants of Commissioned Officers of the armed forces of the Confederacy or elected or appointed officials* of the Confederate executive or legislative branch of civil government. All members must be of good character and have attained the age of twelve (12) years.

**In Texas "officials" shall include any members of the Texas Rangers who were appointed by Confederate Officials and/or who served during the Confederacy.*

ARTICLE IV – SOCIETY OFFICERS AND EXECUTIVE COUNCIL

Section 1. The elected officers of this Society shall be a Commander and a Lieutenant Commander. An Adjutant shall be appointed.

a. The Commander and the Lieutenant Commander shall be elected by a ballot vote at the annual Convention of the Society.

b. For the election of the Commander and Lieutenant Commander, and in all questions to the Society Convention the Chair shall first put the question for a voice vote. If the voice vote is not unanimous, the chapters shall be called in order, the number of votes each is entitled to announced by the Chair of the Credentials Committee and the vote on the question provided by the chairman of each delegation. The Chairman of the Delegation may report the vote by various means, including orally or by secret ballot, at the discretion of the Chairman of the Convention.

c. Chapters shall be represented at the annual Society Convention by delegates chosen by the Chapter membership. Each Chapter shall be granted one delegate for every three (3) active members or two-thirds fraction thereof in good standing in the Chapter, provided however, that every Chapter in good standing shall be entitled to at least two (2) delegates.

d. Each chapter in roll call or ballot voting shall be entitled to cast the number of votes equal to the number of delegates to which it is entitled. If only one delegate is present, that delegate shall be entitled to cast the total number of votes to which his chapter is entitled.

e. A Credentials Committee consisting of the Texas Society Adjutant and other members he may appoint will be formed at each Texas Society Convention. The Committee will assign the number of votes allowed for each Chapter based on the current count of the members in each Chapter. Only delegates with proper written credentials may be entitled to cast his chapter's votes.

f. The Society Adjutant shall be selected by the Commander and may be removed by the same. Upon selection, he shall become a member of the Society Executive Council with a vote, and shall remain a member

for the duration of his term which shall be concurrent with the term of the Commander or until removed by the Society Executive Council.

Section 2. The appointed officers of the Society shall be such of the following as the Commander shall desire: A Chaplain, an Inspector, a Quartermaster, and such other officers as the Commander may deem necessary to carry out the work of the Society. The Commander may remove any appointed officer if it is for the betterment of the Society.

Section 3. The Commander, Lieutenant Commander, the Chief of Staff, and Adjutant, and all Past Commanders present shall constitute a Society Executive Council. The term of office of all members of the Society Executive Council shall commence immediately upon adjournment of the last business session of the Society Convention at which they are elected to office, provided that the retiring members shall remain in command until every function of the Society Convention at which their terms expire is discharged.

Section 4. The Society in convention assembled may elect Honorary Commanders from among those who have rendered distinguished and notable service to the Texas Society. No Past Commanders shall be elected as Honorary Commanders.

ARTICLE V - ORGANIZATION

Section 1. The Texas Society shall hold annually a convention of the Chapters comprising the Society.

Section 2. The State convention shall elect a Society Commander and a Lieutenant Commander to serve for a period of two years. Additional officers may be elected or appointed by the Society Commander as desired. The elected officers, in addition to meeting the membership requirements in Article III, Section 1, must not belong to any group that advocates or accepts members who advocate racism and/or white supremacist principles or ideas.

Section 3. The Texas Society shall have power to adopt rules and regulations for its own government, which shall not conflict with the Constitution and Bylaws of the General Society.

ARTICLE VI - MEETINGS

Section 1. The Legislative Body of the Texas Society shall be the State Convention to be held annually at a time and place to be fixed by the preceding Society Convention or by the Society Commander.

Section 2. Notice of every State Convention shall be given at least thirty (30) days prior to the date for it to convene.

Section 3. At the beginning of the State Convention, if he believes it to the benefit of the Society, the Society Commander may recommend to the members present and voting "Convention Rules" to be followed at the Convention. These "Convention Rules" shall be adopted by a simple majority of the members present and voting. These "Rules" will apply only to the Convention in which they are adopted.

Section 4. Attendance in the business sessions of the State Convention is restricted to dues paying members in good standing of the Texas Society. The Society Commander, the Executive Council by a simple majority, or by two-thirds vote of the members present and voting, may invite a non-member of the Society to attend any meeting conducted by the Society during its State Convention.

ARTICLE VII - DUES

Section 1. The revenue of the Texas Society shall be derived from dues and from such other sources as may be approved by the Texas Society,

Section 2. The annual dues and life membership fees in the Texas Society shall be set by the Society Executive Council, subject to the will of the State Convention.

ARTICLE VIII - HEADQUARTERS

Section 1. The Headquarters of the Texas Society shall be in the same location as that of the current Society Commander.

Section 2. The official archives and records of the Society shall be kept at Society Headquarters and may be open to the use and inspection of any member at all reasonable times.

ARTICLE IX - RESIGNATIONS

Section 1. Resignations from the Texas Society shall be submitted in writing to the Society Adjutant with a duplicate copy sent to the State Society Commander and to the Chapter Commander.

Section 2. A member who shall have resigned may, upon written application to the Society postmarked not less than 30-days prior to the Annual Convention, be restored to membership by two-thirds of the members present and voting at a Society Convention.

ARTICLE X - FORFEITURE OF MEMBERSHIP AND RECALL OF TEXAS SOCIETY OFFICERS

Section 1. Any member may be expelled or suspended from the Texas Society for cause, such cause being deemed sufficient by the Society Executive Council by a three-fourths affirmative vote of the members of the Executive Council present at any regular or special meeting. Cause for disciplinary action shall include, but not be limited to: (a) disloyalty; (b) neglect of duty; (c) dishonesty; (d) conduct unbecoming a member of the TEXAS SOCIETY OF THE MILITARY ORDER OF THE STARS AND BARS; (e) an act repugnant to the Constitution of the TEXAS SOCIETY OF THE MILITARY ORDER OF THE STARS AND BARS or detrimental to the goals and objectives of the Texas Society.

Section 2. No vote on suspension or expulsion shall be taken unless at least thirty (30) calendar days' notice shall have been given the member. All charges shall be stated in writing along with the time and place of the meeting of the Society Executive Council at which the charges shall be considered. The notice shall be transmitted to the member by registered mail.

Section 3. The member facing the charges shall be accorded a full hearing before the Society Executive Council. The Society Executive Council shall provide for a true and accurate recording of all proceedings of such hearings.

Section 4. Any Texas Society officer may be removed by a two-thirds vote of the delegates in good standing at the annual Society convention. No vote on removal may be taken unless the officer to be charged has been sent the specific reasons for the proposed action at least thirty (30) days prior to the date of the vote by registered mail. The notice shall specify in writing the charges to be brought before the Society Convention along with the time and place of the vote. At such a meeting the officer shall be given a full hearing.

Section 5. Charges against any officer or member may be preferred by any member in good standing. The charges shall be in writing and clearly state the facts relied upon along with all affidavits or exhibits which are to be used in their support. Such charges shall be filed with the Society Adjutant, who will immediately notify the Society Commander. The Commander

shall appoint a committee of three members, one of whom shall be the Inspector (or, alternatively, in case of charges having been brought against the Inspector, the Judge Advocate) who shall serve as chairman, and two members of the Texas Society. After proper and thorough investigation of the charges by the committee, the concurrence of two-thirds of the committee being necessary, the chairman shall report in writing to the Commander either that the charges should be dropped or that sufficient cause exists to have the charges heard at a called meeting of the Society Executive Council. In the latter event the Commander shall schedule a meeting of the Society Executive Council to hear the charges. Any charges against an officer will be voted upon at the next annual Society Convention.

Section 6. The Society Adjutant shall give at least thirty (30) days' notice of the meeting to each member of the Society Executive Council and to the plaintiff and the defendant. If the member charged is an officer all Chapter Commanders will be notified of the hearing at least thirty (30) days prior to the meeting. All notices regarding the meeting shall be in writing and shall include a true copy of the charges and of the supporting affidavits and exhibits.

Section 7. Any member who has been suspended or expelled from the Texas Society by the Executive Council has the right to appeal the decision to the next annual meeting of the State Convention, the decision of which is final.

ARTICLE XI - DISSOLUTION CLAUSE

Section 1. In the event of dissolution, the residual assets of the TEXAS SOCIETY OF THE MILITARY ORDER OF THE STARS AND BARS shall be turned over to an organization which is then officially recognized as a tax-exempt organization, qualified to receive donations which are deductible by the donor 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 Society Executive Council shall determine. Such distribution shall only be made after said Society Executive Council has paid or has made provision for the payment of all the liabilities of the TEXAS SOCIETY OF THE MILITARY ORDER OF THE STARS AND BARS.

ARTICLE XII - AMENDMENTS

Section 1. No amendment shall be made to this Constitution except at a duly constituted annual Society Convention of the Texas Society and by a two-thirds affirmative vote of all delegates present in good standing. Prior to any amendment being considered it shall have been sent to each Chapter in the Texas Society at least thirty (30) days prior to the convening of the Texas Society Convention at which it will be considered.

Section 2. Proposed amendment shall include name of member proposing the amendment. Proposed amendment shall specify whether amendment is to Constitution or to Bylaws. Proposed amendment shall include the language as it appears in the current Constitution (or Bylaws); the proposed change; and the language as it will read if the proposed amendment is adopted. Proposed amendment shall be submitted in writing to the Society Commander twenty (20) days prior to the distribution to Chapters, which is required "30 days prior to Convention."

Amended this 27th day of March 2010 by vote of the members assembled in Convention in Huntsville Texas.

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| <u>(s) Gary L. Loudermilk</u> | <u>3/27/10</u> | <u>(s) Glenn Toal</u> |
| <u>3/27/10</u> | | |
| Gary L. Loudermilk, Commander | Date | Glenn Toal, Adjutant |
| Date | | |

Amended this 27th day of April 2013 by vote of the members assembled in Convention in Tyler Texas.

(s) Larry Wilhoite 4/27/13
4/27/13
Larry Wilhoite, Commander Date

(s) Jay Bowden
Jay Bowden, Adjutant Date

Amended this 30th day of April 2016 by vote of the members assembled in Convention in Kerrville, Texas.

(s) Jack Dyess 4/30/16
Jack Dyess, Commander Date

(s) Jay Bowden 4/30/16
Jay Bowden, Adjutant Date



By-Laws
**of the Texas Society of the Military Order of the Stars and
Bars. A society of the descendants of Confederate officers.**

AS ADOPTED IN CONVENTION AT HILLSBORO, TEXAS, JUNE 7, 1986
And AS AMENDED IN CONVENTION AT CAMP ALLEN, TEXAS ON JUNE 24, 2000
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And AS AMENDED IN CONVENTION AT KERRVILLE, TEXAS ON APRIL 30, 2016

ARTICLE I- RULES

Section 1. The rules contained in the current edition of Robert's Rules of Order Newly Revised shall govern the Society in all cases to which they are applicable and in which they are not inconsistent with the Constitution and By-laws of the Texas Society and any special rules of order which the Texas Society may adopt.

Article II - Fiscal Year

Section 1. The fiscal year of the Texas Society shall be from January 1 to December 31.

ARTICLE III - DUTIES OF OFFICERS

Section 1. The duties of the Texas Society Officers shall be such as usually appertain to their offices and they shall have such other duties as shall be delegated to them by the annual Society Convention, the Society Executive Council or the Society Commander.

Section 2. The Commander shall be executive head of the Society with full powers to enforce the provisions of this Constitution and Bylaws and the will of the Society Convention. He shall preside at the Society Convention and shall be chairman of the Society Executive Council and ex-officio member of all committees. He shall be empowered to act for the good of the Texas Society as circumstances in his judgment require in cases not provided for by the Constitution and Bylaws, subject in all such decisions and acts to appeal to the Society Convention. Vacancies occurring among elected officers shall be filled by him until the next Society Convention when an election shall be held to fill the vacancy. He shall appoint all Committees and shall perform all other duties as are usually incident to this office.

Section 3. The Lieutenant Commander shall seek in every way to promote the interest and activities of the Texas Society, encourage the enrollment of new members, and act in the absence of the Commander on proper occasions, but at all times under his direction and control.

Section 4. The Adjutant shall be charged with the administration of policies and mandates of the Society Convention, the Society Executive Council, and of the Commander. He shall keep a record of all proceedings of the Texas Society, standing committees, and the Society Executive Council. He shall also have the care and custody of all records and papers of the Society; shall conduct the correspondence of the Society; and shall issue the necessary orders under the direction of the Commander. He shall collect and be custodian of the funds and property of the Society, shall sign all checks disbursing its funds, and with the approval of the Society Convention shall invest and reinvest the same. He shall make a report to each Society Convention showing the work performed by his office, and shall perform other duties as are usually incident to the office.

Section 5. The Chief of Staff shall be responsible for carrying out the orders of the Commander, for supervising the organization and proper functioning of the Society, as well as coordinating the work of the Society Staff. He shall, under the direction of the Commander, issue general and special orders and instructions as required, and perform such other duties as may be assigned to him by the Commander, while carrying on the normal functions generally assumed by a Chief of Staff. He shall be a member of the Society Executive Council. At each Society Convention, he shall make an annual report on the condition and functioning of the Society, together with such recommendations as he may deem proper.

Section 6. The Historian shall collect from year to year all records and data of value and interest for the Headquarters relating to the Texas Society or its

members, and shall compile during his term of office a complete record of the year's historical activities.

Section 7. The Judge Advocate shall be a learned member of the bar and shall advise the Society Officers and the Executive Council on all legal matters, including the construction and interpretation of the Constitution and Bylaws, and shall perform such other duties as are usually incident to that office.

Section 8. The Chaplain shall be a regularly ordained member of the ministry and shall open and close all meetings of the Society with the Services usual and proper on such occasions and perform such divine and nonsectarian services as may be necessary in connection with his office.

Section 9. The Society Inspector General shall have charge of all investigations ordered for infractions of the Constitution and Bylaws by individual members, Chapters, or Staff Officers. All investigations of charges shall be initiated by the Commander. He shall, in addition, perform such other duties as the Commander may direct.

Section 10. The Quartermaster shall set standards and establish the requirements for the accommodations of Headquarters at the Convention. He shall advise and consult with the Commander of the host Chapter(s) with regard to the satisfactory completion of the arrangements. He shall, in addition, perform such other duties as the Commander may direct.

Section 11. The Parliamentarian shall be appointed by the Commander. He shall rule on all questions of procedure, utilizing Robert's Rules of Order. The Parliamentarian shall also serve as Deputy Judge Advocate for the Society.

ARTICLE IV - THE SOCIETY EXECUTIVE COUNCIL

Section 1. Between State Conventions the administration and executive power shall be vested in the Society Executive Council. The Executive Council shall have the power and authority, in case of an emergency, to call a Society Convention, provided that thirty (30) days' notice is given and the reasons stated for calling same.

Section 2. All procedures for the establishment or reactivation of Chapters and all questions affecting the establishment or reactivation of Chapters shall be referred to and determined by the Society Executive Council, which is the final authority.

Section 3. All procedures, forms and other items pertaining to members, Chapters and the Society required for the efficient operation of the Society

shall be developed by the Society Executive Council and all questions affecting such shall be referred to and determined by the Society Executive Council, which is the final authority.

Section 4. All questions affecting the election, eligibility, and conduct of State Society and Chapter officers except as otherwise provided, shall be referred to and determined by the Society Executive Council, which is the final authority.

Section 5. A majority of the members shall constitute a quorum of the Society Executive Council, and the members may vote by email at the discretion of the Commander.

ARTICLE V - AD HOC COMMITTEES

Section 1. The Commander shall appoint such committees as he may deem advisable, including, but not limited to, a committee on rules, a committee on resolutions and others as required. As soon as the various committees have completed their duties, they shall make a report to the Commander.

ARTICLE VI - NOMINATING COMMITTEE

Section 1. At the Society Convention, immediately prior to the Convention at which Officers are to be elected, the Commander shall appoint a Nominating Committee composed of five (5) members in good standing. The Nominating Committee shall be chaired by a past Commander with two (2) additional members being chosen from the incumbent Executive Council Members, and two (2) members being chosen by the Commander from any other delegates in good standing.

Section 2. In absence of any Past Commander, the Commander may appoint alternates, as he deems necessary.

Section 3. All candidates under consideration for the post of Society Commander and Lieutenant Commander must be interviewed by the Nominating Committee prior to the first business session of the Convention at which they seek elected office. Otherwise their name cannot be presented in nomination to the Convention members. The committee shall determine from this conference the willingness and qualifications of the candidates to serve. Basic qualifications will include a minimum of 20 months as a member of the Texas Society. Any nominee presented to the delegates as the choice of the Nominating Committee shall have received a majority vote of the members of the Nominating Committee.

ARTICLE VII - AMENDMENTS

Section 1. The Bylaws of the Texas Society may be amended by a two-thirds (2/3) vote of the Society Executive Council. Amendments to the bylaws shall be effective immediately upon adoption by the Society Executive Council.

Section 2. All adopted amendments and proposed amendments to the Bylaws shall be sent to each Chapter in the Texas Society at least thirty (30) days prior to the convening of the Society Convention. The delegates shall accept or reject the amendments by majority vote.

Amended this 30th day of April 2016 by vote of the members assembled in Convention in Kerrville, Texas.

(s) Jack Dyess 4/30/16
Jack Dyess, Commander Date

s) Jay Bowden 4/30/16
Jay Bowden, Adjutant Date