

9th Virginia Cavalry, Inc. BY-LAWS

ARTICLE I - NAME

Section 1. The name of this organization shall be the **9th Virginia Cavalry, Inc.** which shall be referred to as the 9th Va. throughout these by-laws.

ARTICLE II - PURPOSE

Section 1. The purpose for which this corporation is formed, is to volunteer time and resources available, to educate the public on the historical facts surrounding the American Civil War, by involving the public in activities such as:

1. Reenactments of battles and skirmishes fought during thisWar.
2. Conducting Living Histories to show and teach the public what life would have been like during the war for both civilian and military personnel.
3. Presenting or conducting civic and school assemblies, demonstrations and lectures and providing similar programs and/or publications for the purpose of educating the general public on the life of the soldier and civilian during the American Civil War.
4. Conducting any and all lawful business for which corporations may be incorporated under the Oregon Corporation Act in order to accomplish its educational purposes, including obtaining qualification as a tax-exempt organization under Section 501 (c) (3) of the Internal Revenue Code or corresponding provisions of any future U.S. Internal Revenue Law.

ARTICLE III - MEMBERSHIP

Neither the corporation nor any subordinate element thereof including the military organization, shall discriminate against any applicant for membership and holding elective or appointed office on the basis of race, creed, color, sex or national origin.

Those eligible for membership are:

Section 1. Any male or female at least 18 years of age who is physically capable of performing his or her assigned tasks and who has a signed liability release form on file with the 9th Va..

Section 2. Any male or female under the age of 18 with a parent or guardian **present and active** within the corporation and who has a minor's liability release form signed by a parent or legal guardian on file with the 9th Va.

Section 3. Any male or female under the age of 18 with an assigned sponsor/mentor **present and active** within the corporation and who has a minor's liability release form signed by the parents or legal guardian on file with the 9th Va.

Section 4. Any new member must have a written safety test on file with the 9th Va. and advise the 9th Va. of any medical problems that would affect full active membership.

Section 5. Under no circumstances will a person be considered for membership who has a history of a membership in the KKK, Nazi Party or other subversive or racist organization.

ARTICLE IV - DUES AND FEES

Section 1. Dues are \$ 15. annually per individual or household. Dues are payable from December 31st to February 28th without a late fee being applied. From March 1st on there will be a late fee charged of \$5 for renewal members.

Section 2. In the event of non-payment of dues of over 6 months duration (July 1st) membership will be cancelled.

ARTICLE V - DUTIES OF MEMBERSHIP

Section 1. It shall be the duty of every member to attend all regular meetings and drills of the 9th Va. Every attempt must be made to contact the head of the squad or the Secretary/Treasurer if the member is unable to attend.

Section 2. All members are asked to attend priority events. There will be no more than six priority events in a year.

Section 3. Individuals may attend any non-priority event, providing the member conducts himself/herself in a manner that upholds the honor and tradition of the 9th Va. and the event does not conflict with a priority event.

Section 4. All mounted members will be held strictly responsible for the care and attendance of their own mount at all times.

Section 5. Each military member will be required to share in guard duty, camp security, fatigue duty and any other duties deemed necessary by the officers and nco's of the military unit.

ARTICLE VI - CONDUCT OF MEMBERS

Section 1. Members must conduct themselves in such a manner as to promote the respect of other reenactors and the general public.

Section 2. All proper military bearing and courtesies will be observed at the appropriate times.

Section 3. Any member suspected of attempting to defraud, defame or disorganize the 9th Va. or any of its members will be required to appear before the membership for a trial by peers, with the possible result being dismissal from the organization.

Section 4. Consumption of alcoholic beverages will not be permitted before any battle or appearance before the public, and will be held to a moderate limit and in accordance with all local laws after camp closes to the public. Under no circumstances will mind altering drugs be allowed in the vicinity of any function that the 9th Va. is a part of.

Section 5. Absolutely no profane language will be used when women and children are present in camp or otherwise.

Section 6. Fighting or abusing verbally or otherwise a member of this unit or any other unit, is grounds for discharge from the 9th Va. after a trial by peers. Immediate action may be taken by the Commanding Officer to suspend or confine, or dismiss from the event the accused as the situation dictates. In the absence of the Commanding Officer, the person of the next highest rank will be charged with making the decision as to the disposition of the accused parties. If, after a trial by peers, the accused parties are discharged from service with the 9th Va. other Unit Commanders will be notified of the reason for their discharge.

Section 7. In keeping with the high profile of "Cavalry" activities, any act which would be perceived by the general public as abusive to a horse reflects poorly on the organization and may be considered prejudicial to its best interests.

Therefore, cruelty to or the abuse of a horse by any person participating with the 9th Va. is forbidden and renders the offender subject to disciplinary action. It is the responsibility of every person participating with the 9th Va. to promptly report any act of equine abuse he witnesses to an officer of the unit. The following acts are included under the definition of the words "cruel" and "abusive" but are not limited thereto:

1. The use of unreasonable force in disciplining the horse (particularly when this action is accompanied by a display of overly emotional behavior on the part of the horseman).
2. Excessive or over-zealous application of spurs.
3. Striking the horse about the head or face.
4. Applying any foreign object in a manner that would be perceived as "beating" the horse.
5. Any correction which results in drawing the horse's blood.
6. Disciplining a horse while it is secured to a picket line or other object.
7. Any handling or treatment likely to be perceived as inhumane by the general public.

Section 8. Infraction of any of the rules set forth in these by-laws, except safety rules, subject the member to dismissal or suspension from the 9th Va. after appearing before a trial by peers to allow for defense of the alleged infraction.

Section 9. Trial by Peers - The Commanding Officer or Board Chairman shall act as mediator of the trial. A quorum of the section of the unit that the accused is a member of must be present for the trial by peers, i.e., dismounted, mounted and referee. If the offense effected the entire military unit then a quorum of the entire unit should be present for the trial. Once guilt or innocence has been determined by a majority vote through secret ballot, a separate vote will be taken to determine the disposition of the accused. Judgement will be the result of a majority vote. Consequence of a guilty vote will fall in one or more of the following categories.

1. Private apology to the offended party(s).
2. Public apology to the unit or offended party(s).
3. Suspension from participation in any battle at any event.
4. Forfeiture of any rank or position held in the field unit or Corporation.
5. Suspension from participation at events for up to one (1) year.
6. Suspension from any event, function, training or meeting for up to one (1) year.
7. Discharge from service with the 9th Va.

Section 10. Safety Rule Infraction. Any violation of NCWC safety rules will be handled by the unit commander with the support of the unit safety officer without the trial-by-peers structure. The consequence of a guilty verdict will be the decision of the unit commander based on the seven categories of Article VI, Section 9.

ARTICLE VII - MILITARY RANK STRUCTURE

Section 1. The elective rank structure shall be consistent with authentic records of Confederate cavalry units in the year portrayed and by the number of military members on the roster and shall be run in the manner of a military organization.

Section 2. The membership will vote all appointments to the Military Officer positions. The military membership will vote all initial appointments to the Noncommissioned Officer positions. The Military Commander will appoint Noncommissioned Officers from the ranks in the case of resignation or by removing the noncommissioned officer for dereliction of duty. The Military Officers and Noncommissioned Officers positions are to be considered separate and apart from the corporate structure of the 9th Va.

Section 3. The Military Commander of the 9th Va shall appoint the office of Chaplain and Surgeon.

ARTICLE VIII - CORPORATE STRUCTURE

Section 1. The elective corporate officers of the 9th Va. shall be the Chairman, Secretary/Treasurer, Officer Advocate, Dismounted Advocate, Mounted Advocate and Refugee Advocate.

Section 2. The Chairman shall preside over all meetings of the 9th Va. Board of Directors. The Chairman shall call special meetings when deemed advisable or upon verbal request of three (3) 9th Va. voting members of separate households. The Chairman may appoint special committees as the membership deems necessary. The Chairman shall perform such other duties as are usually incident to the office of Chairman. The Chairman has a tie-breaking vote only.

Section 3. The Secretary/Treasurer shall keep an accurate record of all meetings of the 9th Va. and the Board of Directors and shall conduct correspondence on request and receive and deposit all 9th Va. funds. The Secretary/Treasurer shall disburse 9th Va. funds by check. The 9th Va. shall not be obligated for any debts or liabilities other than those approved by the membership. The Secretary/Treasurer shall close the books two weeks prior to the meeting of members in January and submit the records to the membership. The Secretary/Treasurer does not have a vote on the Board.

Section 4. The individual elected Board Officers of officer, dismounted, mounted and refugee units shall appoint an alternate from within their sub-structure to attend the Board Meetings with them, in the event that the elected officer cannot attend a meeting, the alternate is to vote in that members place by proxy.

ARTICLE IX - ELECTION OF OFFICERS

Section 1. The elective officers, both Military and Corporate, shall be elected for one (1) year, and shall be installed and will assume office at the first meeting in January.

Section 2. A vacancy in any military officer or corporate position shall be filled by majority vote of the membership at the next membership meeting or through the newsletter and mail, if that is the most timely. Prior to election, appointment may be made by the Commanding Officer from interested parties.

Section 3. Any officer, Military or Corporate, shall be eligible for reelection for a consecutive term of office for an unspecified number of terms.

Section 4. Any member in good standing for one (1) year may run for a position within the Corporate or Military structure. Members must run for offices in a progressive manner within the Military rank structure.

Section 5. All elective officers, both Corporate and Military, must be full members in good standing.

ARTICLE X - VOTING

Section 1. All voting of elected officials shall be done by secret mail-in ballot. Any controversial or disputable topic up for membership decision shall also be done by secret ballot. Any decision to be voted upon deemed in the regular line of business may be voted on by a show of hands of those attending, provided that a majority of the membership that is affected by the decision is present.

Section 2. A quorum for a voting at all meetings of the 9th Va., be it regularly scheduled or called, shall consist of a simple majority of the voting membership. No meetings shall be held without at least five (5) members being present.

ARTICLE XI - ORGANIZATION FUNDS

Section 1. In the event of the dissolution of the 9th Va., the total assets of the organization shall be liquidated and allocated to an organization that is qualified as a 501 (c) (3) organization which is dedicating its time to teaching history of The American Civil War either as a reenactment unit or club or organization.

However, if the named recipient is not then in existence or no longer a qualified distributee, or unwilling or unable to accept the distribution, then the assets of this corporation/organization shall be distributed to a fund, foundation or corporation organized and operated exclusively for the purposes specified in Section 501 (c) (3) of the Internal Revenue Code (or corresponding section of any future Federal tax code).

Section 2. Notwithstanding any other provision of these articles, the 9th Va. shall not carry on any other activities that are not permitted to be carried on by;

(a) a corporation/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.

(b) a corporation/organization, contributions of which are deductible under Section 170 (c) (2) of the Internal Revenue code or corresponding section of any future Federal tax code.

ARTICLE XII - AMENDMENTS

Section 1. These by-laws may be amended at any regular membership meeting of the 9th Va. by a majority vote of full members present, (or by mail-in ballots) providing not less than one month's notice of the proposed amendment has been received by all members of the unit.

ARTICLE XII - PARLIMENTARY AUTHORITY

Section 1. Roberts Rules of Order, Newly Revised, shall govern the business procedure of the 9th Va. in all cases where applicable.