

BYLAWS
OF
THE SONS AND DAUGHTERS
OF THE
COLONIAL AND ANTEBELLUM BENCH AND BAR
1565 - 1861

ARTICLE I

Name

The name of this organization is The Sons and Daughters of the Colonial and Antebellum Bench and Bar, 1565 - 1861.

ARTICLE II

Objectives and Purposes

The objectives and purposes are:

- To identify and honor the memory of ancestors who served in those lands now comprising the Continental United States of America (in colonies, territories, states, the National Government or the Republic of Texas) prior to 12 April 1861 as judges or lawyers;
- To collect and preserve records, documents, and relics pertaining to the history and genealogy of such judges and lawyers;
- To produce and distribute publications of all kinds relating to the history and genealogy of such judges and lawyers;
- To inculcate patriotism;
- And to engage in other related educational, historical, genealogical, patriotic, literary and social activities.

ARTICLE III

Membership

Section 1.

Men and women age 18 or older, who can prove lineal descent from an ancestor who served in lands now comprising the Continental United States of America as a judge or lawyer prior to 12 April 1861 in any court - trial, intermediate or Supreme - under any laws applicable to the original thirteen English colonies or under laws applicable to other colonies than the original thirteen English colonies or under laws of the National Government enacted pursuant to either the Articles of Confederation or the Constitution of 1789 or under laws applicable to States and Territories of the United States or under the laws of the Republic of Texas or the Republic of Mexico, are eligible for membership in this Society. Ancestral eligibility includes, but is not restricted to, the required service as a judge or lawyer under the laws of the various Colonial Powers (such as England, France, Spain, the Netherlands and Sweden) or under the laws of the Republic of Texas or the Republic of Mexico.

The fact that in the colonial era there were no clearly separated judicial, legislative, and executive branches does not prevent members of those colonial bodies having multiple functions including, a judicial function from qualifying as “judges” and thus eligible propositus for this Society. Both Justices of the Peace and Lords of the Manor with the privilege of Court Leete and Court Baron qualify as “judges.”

Section 2.

Every applicant for membership in this Society must be sponsored by two members one of whom must request that the Chancellor General mail a Propositus Sheet to the applicant. On this Propositus Sheet the Applicant must state the name of the Ancestor from whom he claims eligibility for membership. He or she must state the exact capacity in which the ancestor served as a judge or lawyer. The Applicant bears the burden of proving this issue by sending to the Chancellor General photocopies of any published authority along with the Propositus Sheet and one photocopy of it. The Chancellor General may request further proof or the Chancellor General, in doubtful cases, may refer the matter to the Council for decision. The Chancellor General may deny this claim. In this event, the applicant may appeal to the Council. If the Chancellor General approves this claim, he signs the Propositus Sheet and the photocopy, filing the original in his files and sending the photocopy to the Genealogist General.

Only after receiving the approved Propositus Sheet does the Genealogist send one lineage form to the Applicant. On the lineage form, the genealogy must be traced from the Applicant to the qualifying ancestor. Proof must be given for each statement of date and place of birth, marriage and death by sending photocopies or certified copies of published or other authority, the original lineage form and one photocopy of it.

If the lineage has already been approved by another recognized hereditary society it may be sufficient to furnish as proof a photocopy of the approved lineage form of that society. The Genealogist General, however, in his sole discretion, may call for further proof. In no instance will any application be reviewed by the Genealogist General unless two members of this Society have signed the paper certifying that the applicant is known to them and is recommended for membership and unless a check is enclosed covering the required initiation fee and dues. Should the Genealogist General not approve the application, it is possible to take an appeal to the Council. After signing his approval of the application, the Genealogist General sends the photocopy to the Secretary General and keeps the original for his files.

Section 3.

Membership is divided into three groups, based on payment or nonpayment of dues.

A. Life: New members by application shall pay the initiation fee and life membership dues as established by the society.

B. Annual: Annual members are those who, in addition to an initiation fee, pay dues each year and were approved by application prior to April 10, 2015. Annual members who have been dropped for non-payment of dues may be reinstated upon payment of Life Member dues.

C. Honorary: Upon recommendation of the Council, the Annual Meeting may elect to honorary membership, by vote of two-thirds of members present and voting, judges or lawyers of high regard. Lineal descent shall not be considered a requirement for honorary membership. Honorary members shall be accorded all social privileges, but shall not be entitled to vote or hold office and shall not be required to pay any initiation fee or dues. The status of honorary membership does not become effective until it is accepted in writing by the proposed recipient of the honor.

Section 4.

There is a further division of membership into three groups, based on the date the members joined the Society.

A. Founder: There are the following Founder Members, all of whom attended the Organizational Meeting on Thursday, 14 April 1994, in the Army and Navy Club on Farragut Square and who subsequently - but prior to the First Annual Meeting held on 17 April 1995 - proved their descent from a judge or lawyer as defined in Article III, Section 1 of these By-Laws: Mr. Robert Carter Arnold, Mr. Roger Alden Derby, Mr. Peter Arrott Dixon, Mr. Neal Holland Duncan, Mr. Charles Owen Johnson, Mrs. Richard C. McGehee, Mr. John Randolph Marshall, Mr. Robert Russell Marshall, Miss Helen Marie Martell, Colonel Donald R. Perkins. Mr. Grahame Thomas Smallwood, Jr., Mrs. William A. Smith, and Mr. David Allen von Nirschl. Founder Members have no membership number. On their membership certificates and on the official records of the Society, they are simply described as "Founder Members."

B. Charter: Charter Members are those individuals who, prior to midnight 31 December 1995, requested application papers and whose papers were approved prior to the Second Annual Meeting held on 17 April 1996. They are assigned membership numbers as their papers are approved, preceded by the word "Charter."

C. Regular: Regular members are those whose application papers have been approved by the Genealogist General after 17 April 1996. They are assigned a membership number as their papers are approved, beginning with the next number after that of the last Charter Member.

Section 5.

Membership in the Society shall be evidenced by a Membership Certificate provided at the member's own expense.

Section 6.

The initiation fee shall be \$30.00 (thirty dollars) and the annual dues shall be \$20.00 (twenty dollars). The fee for supplemental applications shall be \$25.00 (twenty-five dollars). The Genealogist General will receive \$15.00 (fifteen dollars) per application or supplemental, whether approved or rejected.

Section 7.

Any member failing to pay all fees and dues chargeable against such member for a period of two years shall be dropped from membership on approval of the Council. The Treasurer General shall give notice by certified mail of non-payment and if, after sixty days, the fees and dues are still unpaid, the member's name is presented to the Council. Membership can only be reinstated by payment of double the amount of fees and dues owing and a favorable majority vote of the Council.

ARTICLE IV

Officers and Council

Section 1.

The officers of the Society shall consist of President General, a Vice President General, Secretary General, Treasurer General, Chancellor General, Genealogist General, and Chaplain General.

Section 2.

All officers shall be elected by a majority of members in good standing and voting at the Annual Meeting in even-numbered years, to serve for a period of two years or until their successors shall have been elected and installed. In odd-numbered years, the President General shall appoint two members of the Council to serve on the Nominating Committee while a majority of members in good standing and voting at the Annual Meeting shall elect three members to serve on said committee. This committee of five shall decide on a chairperson and select a slate of officers to be presented for election at the Annual meeting in even-numbered years.

Section 3.

The Council shall consist of all elected officers and all Past Presidents General.

Section 4.

The Council shall meet upon the call of the President General or upon written request of three of its members. Three members constitute a quorum.

Section 5.

The Council exercises all powers of the Society between Annual Meetings, except the power of amending the By-Laws. The Council shall fill any vacancy in any office not otherwise provided for in these By-Laws.

The Council hears appeals from the decision or want of decision of the Chancellor General on questions of eligibility of the Propositus and answers questions submitted to it on that matter by the Chancellor General. The Council hears appeals from the decision or want of decision of the Genealogist General on questions of descent. The Council shall report its transactions to the Annual Meeting.

Section 6.

The duties of the officers are as follows:

A. The President General shall be the Chief Executive Officer of the Order, shall preside at all meetings of the membership and the Council, shall appoint all committees, except the Nominating Committee, shall be an ex-officio member of all Committees except the Nominating Committee and, in general, shall perform all the duties incident to the office of Chief Executive.

B. The Vice President General shall perform the duties of the President General in case of death, resignation, absence, or inability of such officer to act and shall assist the President General in the performance of his/her duties.

C. The Secretary General shall conduct the correspondence of the Society, shall keep a full record of the proceedings of membership meetings and the Council, shall have charge of the printing and publications of the Society, shall keep the membership roll of the Society, shall furnish due notices of all meetings, shall keep the Seal of the Society, shall keep on file a copy of all application papers and all supplemental papers and, in general, shall perform all the duties incident to the Office of Secretary General.

D. The Treasurer General shall collect, deposit and safely keep all funds and securities of the Society, and, on authorization of the Council, shall invest the funds of the Society. The Treasurer General shall render an account of the financial position to each Annual Meeting and to the Council when requested. The Treasurer General shall satisfy all financial obligations of the Society on

authorization of the President General or Annual Meeting. In addition to the Treasurer General, the President General has the authority to sign checks. The Treasurer General shall be bonded for an amount to be determined by the Council; the Society shall be responsible for the fee charged for the bonding.

E. The Chancellor General who shall be a lawyer, duly admitted to the bar, shall render legal opinions of matters affecting the Society when called upon by the President General, the Council or the Annual Meeting and may, in the discretion of the President General, act as Parliamentarian. The Chancellor General makes rulings on the eligibility of propositus for membership in the Society, as outlined in Article III, Sec. 2.

F. The Genealogist General shall pass on all application papers and supplemental papers as outlined in Article III, Section 2. The Genealogist keeps a complete file of all applications and supplementals and issues permits for insignia and certificates of membership.

G. The Chaplain General shall conduct all of the religious exercises of the Society.

ARTICLE V

Meetings

Section 1.

The Annual Meeting shall be held each year in April in the Metropolitan Area of the City of Washington, DC, at the Call of the President General or on written request of three members of the Council.

Section 2.

Other membership meetings may be held on the Call of the President General at any time or place.

Section 3.

At all membership meetings five persons constitute a quorum. There shall be no voting by proxy.

ARTICLE VI

Amendments

These By-Laws may be amended at any Annual Meeting on recommendation of the Council provided the notice of meeting shall have contained a summary of the proposed amendment and provided that such proposed amendment receives the affirmative vote of two-thirds of members present and voting.

ARTICLE VII

Dissolution

If for any reason this Society should be dissolved or otherwise go out of existence, all property and assets shall be turned over to some similar organization exempt under the provisions of Section 501 (c) (3) of the Internal Revenue Code of 1954 or the corresponding section of any future Internal Revenue Code.

Revised: 10 April 2015