

**THE COLONEL RICHARD SOMERS CHAPTER  
OF THE  
NEW JERSEY SOCIETY  
OF THE  
SONS OF THE AMERICAN REVOLUTION**

**BYLAWS**

**ARTICLE I**

**Name**

The name of this Association shall be "The Colonel Richard Somers Chapter" a sub division of the New Jersey Society of the Sons of the American Revolution incorporated in the State of New Jersey as a not for pecuniary profit corporation herein after known as the Chapter.

**ARTICLE II**

**Objects**

The purposes for which this Chapter is formed are patriotic, historical, and educational, and shall include those intended or designed:

to perpetuate the memory of those who, by their services or sacrifices during the War of the American Revolution, achieved the independence of the American people and in particular that of Col. Richard Somers and the men of the 3<sup>rd</sup> Battalion Gloucester County Militia;

to unite and promote fellowship among their descendants;

to inspire them and the community at large with a more profound reverence for the principles of government founded by our forefathers;

to encourage historical research in relation to the American Revolution;

to acquire and preserve the records of the individual services of the patriots of the War, as well as documents, relics, and landmarks;

to mark the scenes of the Revolution by appropriate memorials, and maintain the museum and monument to the privateers erected by this Chapter at Chestnut Neck;

to celebrate the anniversaries of the prominent events of the War and of the Revolutionary period and in particular the Battle of Chestnut Neck and the Affair at Little Egg Harbor;

to foster true patriotism;

to maintain and extend the institutions of American freedom;

to carry out the purposes expressed in the Preamble of the Constitution of our country and the injunctions of George Washington in his Farewell Address to the American people.

## ARTICLE III

### Members

**Section 1. Qualifications.** The qualifications for membership in the Col. Richard Somers Chapter shall be the same as those of the New Jersey Society of the Sons of the American Revolution and the same as or consistent with the qualifications for membership as determined by the National Society of the Sons of the American Revolution.

**Section 2. Admission.** Any member in good standing of the Sons of the American Revolution shall be eligible for admission into membership in the Col. Richard Somers Chapter provided that he has paid the appropriate Chapter dues and any designated fees and/or dues of the New Jersey Society and the National Society of the Sons of the American Revolution. Members of the DAR; prospective members of the SAR; guests of Chapter members; and visitors interested in and supportive of the objects of this Chapter shall be welcome to attend Chapter meetings and functions provided that they conduct themselves in an appropriate manner and are not disruptive.

**Section 3. Dues.** The annual dues of the Chapter shall be fixed by the Board of Managers and collected as authorized by the New Jersey Society.

**Section 4. Termination and Reinstatement.** A member in good standing may resign from Chapter membership. A former member of the Chapter may be reinstated to full Chapter membership upon the payment of current Chapter dues. A Chapter member shall be considered “Inactive” who is in arrears for non-payment of dues and shall be removed from the active membership roll. A member may be disciplined or expelled by the Board of Managers for conduct disloyal to the ideals or prejudicial to the interests of the Sons of the American Revolution and may render him unworthy of membership therein.

## ARTICLE IV

### Officers

**Section 1. Elected Officers.** The elected officers of the Col. Richard Somers Chapter shall be a President, a 1<sup>st</sup> Vice-President, a Secretary, a Treasurer, a Registrar, a Chaplain, and, if desired by the Board of Managers, a 2<sup>nd</sup> Vice President, a Chancellor, an Historian, a Surgeon, a Sergeant-at-Arms, a Captain of the Color Guard, a President Emeritus. Each officer shall be elected at the Annual Meeting of the Chapter or in the event of a vacancy at the next regular meeting or if necessary a special meeting of the Chapter. A member may be elected to more than one office.

**Section 2. Appointed Officers.** The Board of Managers of the Col. Richard Somers Chapter shall have the authority to appoint additional officers or assistants to officers when needed as determined by a two thirds (2/3) vote of those present at a regular or special meeting of the Board of Managers.

**Section 3. Duties and Term of Office.** The Officers of the Col. Richard Somers Chapter shall serve for a three (3) year term and shall hold office until their successor has been elected and has

accepted that election and is willing and able to serve. Their term of office shall begin at the adjournment of the Annual Meeting at which they are elected or at the time of appointment by the Board of Managers. The term of an appointed officer shall be as determined by the Board of Managers and shall end at the next Annual Meeting of the Chapter. Each shall perform such duties as usually appertain to their respective offices and such other duties as may be imposed on them by these Bylaws, by the Board of Managers, or by the parliamentary authority adopted by this Chapter and the New Jersey Society.

The Officers of the Col. Richard Somers Chapter shall attend all meetings and special events of the Chapter and all meetings of the Board of Managers and are encouraged to attend the Congress of the National Society, the meetings of the New Jersey Society and other Chapters.

**Section 4. Nominations.** The President shall appoint a Nominating Committee consisting of not less than three (3) or more than five (5) members of the Col. Richard Somers Chapter who are in good standing and have demonstrated an interest in the Chapter through their actions and good judgment. The Committee shall present its recommendations to the Secretary at a time specified in advance by the President such that it will be in compliance with the election process as stated in these bylaws or established by the Board of Managers. The Committee shall submit a nominee for each officer position as stated in these Bylaws and as requested by the Board of Managers.

The Nominating Committee shall seek and consider the recommendations of other members of the Chapter and shall not consider its deliberations to be, in any way, secret or confidential.

Any member of the Chapter may make a nomination for any officer position prior to the transmittal of the official ballot and shall be placed on that official ballot for election along with the recommendations of the Nominating Committee.

**Section 5. Elections.** The Secretary shall prepare a ballot that includes the recommendations of the Nominating Committee and any additional nominations made in compliance with these bylaws and shall mail or email that ballot to each member in good standing of the Chapter.

At the Annual Meeting of the Chapter, the ballots returned by mail or email shall be added to the ballots of those present at the meeting who have not voted by mail or email and shall be tallied as directed by the Board of Managers. The results shall be announced at that Annual Meeting. No nominations from the floor will be entertained. The Secretary shall validate the ballots before being counted. A member may vote only once. No member may vote after the results of the election are announced. If there is no contest for an office the ballots do not have to be counted. However, the total number of ballots returned should be announced and the Secretary should be directed to cast a formal ballot of election for those so nominated.

The Secretary shall hold the ballots for thirty (30) days prior to destruction. During that time any member of the Chapter may examine them. If upon examination the member believes that the result of the election is in error and that the outcome would change those elected, then the ballots shall be held until the Board of Managers has had time to consider the claim of error and then they should be destroyed at a time directed by the Board of Managers.

A majority of the votes cast for an office shall be sufficient for election to such office. In the event of a tie or in the event that no one receives a majority of the votes. The Board of Managers shall call for a new election among the two with the highest number of votes.

## **ARTICLE V**

### **Duties of Officers**

**Section 1. President.** The President shall maintain general supervision over the business and activities of the Chapter. He shall represent the Chapter at official functions. He shall preside over all meetings of the Chapter and Board of Managers.

**Section 2. Vice-President (1<sup>st</sup> & 2<sup>nd</sup>).** The Vice-President shall uphold the Bylaws of the Chapter and be prepared to perform the duties of the President when and if the President is unable or unwilling to do so. If at any time the President is unable to perform any of the duties of his office and shall so inform the Board of Managers, or it shall be determined by the Board of Managers that he is unable to perform such duties, or if the office of the President shall become vacant, the 1<sup>st</sup> Vice-President shall assume such duties and shall be named Acting President. If the 1<sup>st</sup> Vice-President and 2<sup>nd</sup> Vice-President is unable or declines to serve as President, the Board of Managers shall elect a member to serve as Acting President until the next regular election.

More than one Vice-President may be elected. Each of their duties may have variation as determined by the Board of Managers, but each should be prepared to perform the duties of the President, if needed.

**Section 3. Secretary.** The Secretary shall conduct the correspondence and record all proceedings of the Chapter and Board of Managers. He shall send out all necessary notices of meetings and/or special events of the Chapter and Board of Managers. He shall attest all formal documents executed in the name of the Chapter.

**Section 4. Treasurer.** The Treasurer shall have charge of all funds and securities belonging to the Chapter, shall collect all funds due to the Chapter, and shall deposit all such funds in the name of the Chapter in a banking institution approved by the Board of Managers. He shall withdraw such funds by check only, to make payments approved by the Board of Managers and/or a vote of the Chapter. He shall keep a true account of all receipts and payments and shall make a detailed report thereof at each meeting of the Chapter. He shall report to the New Jersey Society as requested and be available for audit by the New Jersey State Society.

**Section 5. Registrar.** The Registrar may also be referred to as the Registrar/Genealogist. The Registrar shall keep a record of all members past and present, which shall include the name, address, date of admission, national number, state number, offices held, honors received and date of death or other termination of membership for each member of the Chapter. He shall receive all applications for membership and shall investigate the accompanying proofs of eligibility and when satisfied as to their accuracy and completeness as to eligibility he shall report all approved applications to the Chapter. He shall see that approved applications for membership are forwarded with the appropriate fees to the State Registrar for his approval and receive from them any rejected applications returned to the Chapter. He shall maintain custody of all applications for membership and of all the genealogical records pertaining to them and shall make and retain copies of genealogical records and data made available to him temporarily, which in his judgment should be in the files of this Chapter. He shall report at each meeting of the Chapter the current status of and all changes to the membership of the Chapter since the previous meeting. He may request genealogical assistance from any qualified person.

**Section 6. Chaplain.** The Chaplain may or may not be a regularly ordained clergyman. He shall be available to offer the invocation and other appropriate prayers at all meetings of the Chapter. If ordained, he shall be available to conduct other religious functions for this Chapter such as a Memorial Service when requested by the President. He shall see that sympathy is sent to the next of kin of a deceased member on behalf of the Chapter and that the appropriate members of the

New Jersey and National Society have been notified of his death and that an appropriate marker, which may include an SAR marker, has been placed on his grave. The Chaplain, if ordained, may perform similar activities in relation to births and marriages involving the members of this Chapter if he so wishes. The Secretary and Registrar shall inform the Chaplain of any information that he requests or requires in order to carry out the duties of his office. In the event that a clergyman is not available or willing to serve, an elder or deacon or other church leader or appropriate member may be elected.

**Section 7. Chancellor.** If a Chancellor is elected, he shall be a member of the bar of the State of New Jersey. The Chancellor shall upon request by the President or by the Chapter render an opinion on any question of law, legal procedure, or practice affecting the Chapter. He shall act as counselor to this Chapter in all legal transactions, proceedings, and litigation to which this Chapter is a party or in which this Chapter has an interest or desires to participate. He shall review and revise, if desirable from a legal standpoint, any proposed resolution submitted to him by a Chapter Officer or the Board of Managers. In the absence of a member qualifying for this position, the position shall remain vacant and the Board may, at its discretion, obtain outside counsel in matters relating to this office.

**Section 8. Historian.** If an Historian is elected, he shall maintain a file relating to the history of the Chapter that contains records and photographs of the activities of the Chapter including meeting notices, programs, newspaper articles and pamphlets of special events and/or photographs thereof. He shall seek and collect information of interest relating to the Revolutionary War, to the formulation of the Constitution of the United States, and to the activities of the members of the Chapter. He shall make recommendations to the Board of Managers regarding the acquisition of historical publications and the collection and preservation of historical material relating to the Revolutionary War period.

**Section 9. Captain of the Color Guard.** If a Captain is elected, he should be a member who has some experience with the activities of a Color Guard and have knowledge of or be skilled in the duties and leadership of a Color Guard. He shall, under the direction of the Board of Managers, have custody of and be responsible for the Chapter flags, banners, uniforms, and any other items used by a Color Guard in the normal performance or activities of their duties. He shall recruit members for the Color Guard and prepare them for their presentation at activities involving the Color Guard such as a parade, ceremony, or meeting involving the display of the SAR colors. He shall see that the colors of the United States of America and the New Jersey Society SAR are available for display at each meeting of the Chapter and supervise their care and storage.

**Section 10. Surgeon.** If a Surgeon is elected, he shall be a duly licensed physician, nurse, paramedic, or EMT. He shall be available at all meetings or special events of the Chapter and at all meetings of the Board of Managers for consultation on such medical matters as may be requested of him and he shall be prepared to give emergency first aid to any member of the Chapter when needed.

**Section 11. Sergeant-at-Arms.** If a Sergeant-at-Arms is elected, he shall be an active or retired member of law enforcement and shall be familiar with the problems relating to keeping the peace at public meetings and events. He shall advise the Board of Managers of any possible dangers in relation to the planned meetings or special events of the Chapter and the Board of Managers and shall be available to assist if problems erupt. He shall keep himself informed of any possible terrorist activity that may affect the members of the Chapter and shall inform the members of his knowledge when he deems it desirable. The President may call upon the Sergeant-at-Arms to remove a disrupting member from a meeting and shall rely upon him to maintain order. The Sergeant-at-Arms shall take charge of any needed evacuation of a room or building containing members of the Col. Richard Somers Chapter.

**Section 12. President Emeritus.** If a President Emeritus is elected it shall be because a president has distinguished himself by long and outstanding leadership of the chapter for which the members wish to call special recognition and express their appreciation for his devoted service to SAR and the Chapter.

## ARTICLE VI

### Board of Managers

**Section 1. Authority.** The Board of Managers of the Col. Richard Somers Chapter shall have the authority to direct the activities of the Chapter, administer its affairs according to the objectives as stated in its Bylaws and act in compliance with the New Jersey Society.

**Section 2. Composition.** The Board of Managers shall be composed of those who are interested in and are willing to work for the best interest of the New Jersey Society.

The members of the Board of Managers shall include:

1. The officers elected by the Col. Richard Somers Chapter at its Annual Meeting.
2. The officers appointed by the President as authorized by the Board of Managers.
3. The Past Presidents of the Chapter who are able and have expressed willingness to attend the meetings of the Board of Managers.
4. If desired, additional members of the Board of Managers, not to exceed a total of three (3). Those members shall be elected by the approval of two thirds (2/3) of the members present at a meeting of the Board of Managers.

**Section 3. Duties and Power.** The Board of Managers shall have general supervision of the affairs of the Col. Richard Somers Chapter between its Annual Meetings, shall meet when needed or as requested by four Chapter members; shall fix the hour and place of meetings of the Board and the Chapter, shall approve appointments by the President, shall authorize the activities of the Chapter, and shall perform such other duties as are specified in these Bylaws. The Board shall be subject to the orders of the New Jersey Society and none of its acts shall conflict with action taken by the New Jersey Society or shall be in conflict with the Bylaws of the New Jersey Society or the Col. Richard Somers Chapter, or of the National Society.

The Board shall have the authority to fill vacancies that occur among the elected officers, except that the Vice-President shall succeed the President. The President shall chair all meetings of the Board. In his absence from any such meeting, the Vice-President shall chair it. Four (4) members of the Board shall constitute a quorum.

**Section 6. Real Property.** All purchases and sales of real property shall be approved by the

Board of Managers and ratified at a meeting of the Col. Richard Somers Chapter.

## ARTICLE VII

### Meetings

**Section 1. Annual Meeting.** The Annual Meeting of the Col. Richard Somers Chapter shall be held each year in the month of March at a time and place designated by the Board of Managers. The meeting shall be for the purpose of receiving reports of the officers of the Chapter; the election of the Col. Richard Somers Chapter officers; and for the consideration of other matters that may be specified in the Notice of the Annual Meeting.

**Section 2. Regular Meetings.** The regular meetings of the Col. Richard Somers Chapter shall be on the second Thursday of each month at a time and place determined by the Board of Managers that shall have the authority to cancel or change the day of the meeting.

**Section 3. Notice.** The Secretary shall mail or email to each member of the Chapter a notice of each meeting and event of the Chapter in a timely manner prior to the meeting or event, stating the time and place and purpose of the meeting or event.

**Section 4. Chair.** The President shall chair all meetings of the Chapter. In his absence from a meeting, the Vice-President shall chair it.

**Section 5. Quorum.** The members present in attendance at each meeting of the Col. Richard Somers Chapter shall constitute a quorum.

## ARTICLE VIII

### Committees

**Section 1. Nominating Committee.** A Nominating Committee shall be appointed by the President as specified in these Bylaws in Article IV Section 4.

**Section 2. Awards and Honors Committee.** The Committee shall recommend to the Board of Managers for their approval, those persons who are deserving of recognition by the Col. Richard Somers Chapter with an official medal, certificate, or other award or honor as determined by the committee. In determining those persons, the Committee shall review the recommendations of any member of the Chapter. The Committee shall keep a record of all awards given by the Chapter indicating who received what award, when it was presented and who presented it and provide that information to the Historian or Registrar as a permanent record. Such information shall also be made available to the Board of Managers, the National Society, the New Jersey Society and any member of the Chapter when requested or deemed appropriate.

The Board of Managers shall determine the members of the Awards and Honors Committee.

The Board of Managers and the President have the right to act independently of this committee.

**Section 3. Other Committees.** The Board of Managers and/or the President may authorize the formation of other committees that are considered necessary to perform such duties as are best carried out by a committee and function to the best interest of the Chapter.

**Section 4. Status of the President.** The President shall be a member of all committees (except the Nominating Committee) with full voting rights.

## ARTICLE IX

### Parliamentary Authority

The rules contained in the current edition of Roberts Rules of Order Newly Revised shall govern the Col. Richard Somers Chapter in all cases to which they are applicable and in which they are not inconsistent with these Bylaws, the Bylaws of the New Jersey Society, or the Bylaws of the National Society, and any special rules of order that the Chapter may adopt.

## ARTICLE X

### Status as a Non-profit Organization

**Section 1. Compensation.** Officers, members of the Board of Managers, and appointive officials of the Col. Richard Somers Chapter shall not receive any stated compensation for their services, but the Board of Managers may authorize reimbursement of expenses incurred in the performance of their duties.

**Section 2. Liability.** Nothing herein shall constitute members of the Col. Richard Somers Chapter as partners for any purpose. No member, member of the Board of Managers, officer, or agent of the Chapter shall be liable for the acts or failures to act under these Bylaws, excepting only acts or failures to act arising out of willful misfeasance.

**Section 3. Funds.** The Col. Richard Somers Chapter shall use its funds only to accomplish the OBJECTS specified in ARTICLE II above and no part of said funds shall inure or be distributed to members. No funds shall be used for purposes contrary to the laws of the State of New Jersey or the provisions concerning prohibited activities of the Internal Revenue Code pertaining to the use of funds by non-profit corporations.

**Section 4. Dissolution.** In the event of the dissolution of the Col. Richard Somers Chapter and after the discharge of all its liabilities, the remaining assets shall be given to the New Jersey Society. Should any asset fail to be disposed of as stated above then those assets shall be disposed of in compliance with the laws of the State of New Jersey pertaining to the distribution of the assets of nonprofit corporations at the time of dissolution.

## ARTICLE XI

### Gifts, Bequests and Devises

**Section 1. Gifts.** The President of the Col. Richard Somers Chapter or his representative shall have the authority to accept any suitable gift of property or money in behalf of the Chapter on the

condition that it is approved by the Board of Managers and provided that it is in a form authorized by the Board of Managers.

**Section 2. Bequests.** Those persons desiring to make testamentary gifts or bequests of money to the Col. Richard Somers Chapter shall make such bequests or gifts as prescribed by the laws of the State of New Jersey. The Board of Managers shall prepare a recommended form for that purpose.

**Section 3. Devises.** Devises of real estate to the Col. Richard Somers Chapter shall be made by designating the devisee as “The Col. Richard Somers Chapter of the New Jersey Society of the Sons of the American Revolution” together with an appropriate description of such real estate. The Board of Managers must approve its acceptance.

## ARTICLE XII

### Amendment

These Bylaws may be amended by a two-thirds (2/3) vote of the members in good standing of the Col. Richard Somers Chapter who shall vote using a ballot that shall be mailed or emailed to each member in a manner prescribed by the Board of Managers in a timely manner prior to the meeting of the Chapter the notice for which has stated the intent to vote on the proposed Bylaw change. The Secretary shall prepare a ballot that includes the proposed change, the complete section being changed, and any necessary explanation along with the recommendations of the Board of Managers who must have approved the proposed change by a vote of a majority of its members present at any meeting of the Board of Managers.

At the meeting of the Chapter, the ballots returned by mail or email shall be added to the ballots of those present at the meeting who have not voted by mail or email and shall be tallied as directed by the Board of Managers. The results shall be announced at that Meeting. No additions or changes from the floor will be entertained. The Secretary shall validate the ballot before it can be counted. A member may vote only once. No member may vote after the results of the voting are announced.

The Secretary shall hold the ballots for thirty (30) days prior to destruction. During that time any member of the Chapter may examine them. If upon examination the member believes that the result of the voting is in error and that the outcome would be changed, then the ballots shall be held until the Board of Managers has had time to consider the claim of error and then they should be destroyed at a time determined by the Board of Managers.

The Board of Managers shall settle all disputes as to the voting and their decision shall be final.