

# The Constitution

## Refugio Militia

As Ratified 17 January 2009;

Amended 26 March 2010

Amended 25 March 2011

### **Preamble**

We, the Members of the Refugio Militia, in meeting assembled, having functioned under the *ad interim* constitution as a set of rules and regulations for the benefit of the organization since March 2008, do publish and declare this document and its subsequent amendments to be the lawful Constitution of The Refugio Militia.

### **Article I: Basic Objectives**

#### Section 1

The name for this organization shall be the "Refugio Militia."

#### Section 2

The mission of the Refugio Militia (hereafter, "RM," "The Organization," "The Unit," "The Company") is as follows, to wit: the promotion of interest in the Texas Revolution, the education of the public concerning the history of the Texas Revolution, and the preservation of the memory, honor, resolve, and dedication of those who participated in the Texas Revolution.

#### Section 3

The vision of the organization is as follows, to wit: the improvement of Texas Revolution reenactments and living history events through continuous primary and secondary research, the promotion and encouragement of greater unity and cooperation between units in the Texas Revolution reenacting community, and the maintenance of this unit as one whose dedication to authenticity, progressive nature, bonds of friendship, and unit morale encourage *either* imitation by others or increased membership to the unit itself.

#### Section 4

The purpose of the organization will be as follows, to wit: participation in re-enactments and other living history activities pertaining to the Texas Revolution and Texas Republic periods; continually portraying an accurate representation of the causes, events and results of the Texas Revolution; to reproduce arms, accoutrements and clothing of the period, and to create an environment where educational opportunities may occur. All members are heavily encouraged to persistently research and improve their progressive impressions.

#### Section 5

For the purposes of the Refugio Militia, the term “progressive” is defined as an adjective describing constant improvement to members’ personal impressions, knowledge of all things relating to the period being portrayed, and the ability to use that knowledge for the betterment of the unit, the general public, and the Texas Revolution reenacting community at large.

#### Section 6

This constitution will become valid on 28 March 2008, and will remain binding on all members until the Annual Meeting scheduled for December 2008. If a new constitution is not adopted at said meeting, this document will remain in effect until one is written and approved by the Company.

### **Article II: Executive Committee**

#### Section 1

The Executive Committee (hereafter “EC) will consist of three principal officers: President, Treasurer, and Secretary [*see Amendment II*]. These principals will be elected annually at the unit business meeting by majority vote. No member can hold more than one principal position in the EC; however, positions in the EC and those in the military chain of command shall not be mutually exclusive.

#### Section 2

The EC will also consist of two subordinate officers. Positions as subordinate officers in the EC and those of the military chain of command shall not be mutually exclusive. The subordinate committee officers will be referred to as “Sub alt 1” and “Sub alt 2,” respectively. Sub alts 1 and 2 will be elected annually at the unit business meeting by majority vote.

### Section 3

It shall be the duty of the Executive Committee to discuss and manage all business aspects of the unit. These may include, but are not limited to, the following: the designation of the annual business meeting, drafting standards to be voted on by the unit, collecting dues, organizing events, and holding the proceedings of each meeting of the unit.

### Section 4

It shall be the duty of the President to call meetings to order and oversee the operations of the EC, work with the military chain of command within the unit to ensure that all needs are being met, and meet with the EC to discuss and plan future business needs of the unit.

### Section 5

It shall be the duty of the Treasurer to collect all fees assessed by the unit, keep an accurate ledger of all expenditures of the RM and report bi-annually as to the assets of the unit [see amendments IX and X].

### Section 6

It shall be the duty of the Secretary to record all meetings for the archives, type up printed reports given to the unit, and oversee the completion of the unit handbook.

### Section 7

It shall be the duty of Sub Alts 1 and 2 to meet with the committee and offer additional advice on any business necessities of the unit.

## **Article III: Military Chain of Command**

## Section 1

The military chain of command (hereafter "MCC") for the RM will consist of a 1<sup>st</sup> Lieutenant, 1<sup>st</sup> Sergeant, 2<sup>nd</sup> Sergeant, Quartermaster Sergeant and Mess Sergeant [see Amendment III]. Said positions shall be filled by majority vote of the unit at the annual business meeting. If, at some future date, more positions for command may be deemed necessary, such a determination will be subject to a vote by the EC.

## Section 2

It shall be the duty of the 1<sup>st</sup> Lieutenant to serve as the company commander at all RM supported events, oversee the training and service of all RM members, take an active role in encouraging further training and recruitment, delegate authority to subordinates to ensure that all tasks are being carried out in an efficient manner, and meet with the commanders of sister units to discuss the necessary progressive measures to move the unit forward.

## Section 3

It shall be the duty of the 1<sup>st</sup> Sergeant to serve as second in command to the 1<sup>st</sup> Lieutenant; oversee the company street and all activities within, be the primary overseer in the training and education of the company, ensure that the organization of the company runs smoothly, keep account of the roster at each event, be the primary file closer during battle, and delegate tasks to other NCOs to ensure all tasks are carried out efficiently.

## Section 4

It shall be the duty of the 2<sup>nd</sup> Sergeant to assist the 1<sup>st</sup> Sergeant in all duties, meet with lower grade NCOs to ensure that tasks are being completed, serve as the immediate supervisor of Corporals on the field of battle, be the secondary file closer during battle, and delegated tasks to lower grade NCOs to further ensure the efficiency of the unit.

## Section 5

Should any of the above military officers be absent or unable to fulfill his duties at a reenactment or living history event, his primary subordinate will take his place for

the remainder of the weekend. In the case of the 2<sup>nd</sup> Sergeant, a replacement will be selected by the 1<sup>st</sup> Lieutenant if deemed appropriate.

#### Section 6

It shall be the duty of the Quartermaster Sergeant to serve as liaison with the 1<sup>st</sup> Sergeant and the company in organizing any supplies of the unit, i.e., firewood, water, setting up the company street, caring for the company colors, and/or overseeing any other supplies of the unit. The Quartermaster Sergeant will work with the Mess Sergeant to ensure that all necessities are on hand for all cooking tasks.

#### Section 7

It shall be the duty of the Mess Sergeant to organize all meals to be served to the unit as a whole, or as individual messes. The Mess Sergeant may choose to ask members to bring contributions of food, or donations for the food provided. The Mess Sergeant and Quartermaster Sergeant should work with one another to ensure that all necessary tasks needed to complete the cooking are carried out in a timely manner.

#### Section 8

At maximum effort events, the company commander may also choose to select two Corporals to assist with the unit when on the field. These Corporals will assist the Sergeants on line in making sure that all privates in the RM are being safe and following military protocol of the time period.

### **Article IV: Membership**

#### Section 1

No person shall be denied membership in the RM because of race, creed, national origin, or gender.

#### Section 2

Membership in the RM does not exclusively denote that all persons with membership status shall be granted the privilege of participation in battle scenarios. Persons deemed unsafe for any reason by a consensus of the military chain of command will not be allowed on the field. In addition, women, while welcome to the unit, will not adopt military impressions. All civilians joining the RM are encouraged to adopt authentic period impressions and to begin an associated civilian corps.

### Section 3

Membership in the RM and membership in other living history units of any time period shall not be mutually exclusive.

### Section 4

Persons seeking membership must be able to provide the basic requirements of their impression within one year of joining the unit. Individual cases of this sort will be judged by a consensus of the EC and the MCC.

### Section 5

Dues will be required of all members on an annual basis to be collected by the treasurer and deposited into the units banking account. These dues will be \$20 per person, or \$30 per family.

### Section 6

A member will be considered “in good standing” if he/she fulfills the following requirements, to wit: the payment of annual dues, and participation with the unit at no fewer than one maximum effort event and two events officially supported by the unit since the start of the business year. All those fulfilling this requirement will be considered members in good standing until the next annual meeting, at which point, members will be required to fulfill the same obligations over the next year, dating from the time of said annual meeting [*see Amendment V*].

### Section 7

Only members in good standing will be allowed to vote in unit elections, be initiated into the company, and hold officer positions.

## Section 8

Associate membership will be extended to those individuals wishing to participate with the unit at events, but who do not wish to officially join the unit. The associate membership is subject to the approval of both the EC and MCC.

## Section 9

The unit Motto shall be, "Clear the Road" or "Faug a balac."

## Section 10

The unit Slogan shall be, "Fine Girl Y'are!"

## Section 11

The unit Song shall be, 'Minstrel Boy.'

## Section 12

The unit colors shall be appropriated from funds provided by the unit. These colors should be made from silk and will reflect the colors of the Mexican Government. The flag shall look as follows: "Made of silk; the colors shall be of green, white and red in that order from the staff; dimensions shall be 5' by 5'; in the white stripe the words "Coahuila y Tejas," shall appear at the top of the stripe and the words "Refugio Battalion," shall appear at the bottom; there will also be an eagle in the center of the white stripe with the words "Union, Independencia, Religion," in gold circling the eagle bleeding into the red, white and green stripes. These unit colors will always be protected and honored with pride by the unit. While in the field, it shall be the duty of the Quartermaster Sergeant to always care for these said colors.

## **Article V: Operations**

### Section 1

It shall be the duty of the members present at the Annual Business Meeting or any General Membership Meetings to discuss and vote on the business of the upcoming year. This business may include, but is not limited to: elections; unit safety; upcoming events; authenticity standards; and membership approval.

## Section 2

The EC shall meet at the discretion of the President, or may call itself into session.

## Section 3

General Membership Meetings may be called by petition from the membership, or decided upon by joint council of the EC and MCC. Each member, in good standing, present is allowed one vote; proxies are not accepted [*see Amendment XI*].

## Section 4

The time, place and date of the Annual Business Meeting will be determined by the joint council of the EC and MCC and announced to the membership at least sixty days in advance. Annual elections should take place at the annual business meeting when applicable [*see Amendment XI*].

## Section 5

Each member, in good standing, present for said elections is entitled to one vote [*see Amendment XI*].

## Section 6

Nominations for annual elections may only be made at the business meeting and no absentee ballots or proxy votes will be considered. All parties nominated for positions must be present to accept the nomination, and then must be seconded. All members nominated must be elected by the majority of the body present at the time of the election. Any officer found to be in dereliction of his duty, may be asked to step down by joint council of the EC and MCC. If a position becomes vacant before election time, the position may be filled at the discretion of the EC or MCC according to the position [*see Amendment XI*].



## Section 7

While in the field or present at any living history event, it shall be the duty of all members to keep safety first and foremost in their minds and actions. All members must have a full canteen of water in order to take the field. Weapons inspections must occur before taking the field of battle. Any weapons or members found to be unsafe by a consensus of the MCC will not be allowed to take the field or participate in battle scenarios. Any member unwilling to comply with field command in these matters will be asked to leave the field, and possibly the event, immediately. Repeat offenses may lead to the termination of membership, based on joint council of the EC and MCC.

## Section 8

As a “progressive” unit, the RM will strive to always provide the most authentic impressions available. Members participating with the unit will be required to have the correct clothing and equipment available to them before participating with the unit. Said clothing and equipment may be acquired from other members if need be. All members should refer to the handbook for questions regarding these issues, or consult a senior member of the RM for guidance.

## Section 9

For all operating purposes, *The Refugio Militia Handbook* shall be the authority on clothing, weapons and equipment for the possible impressions held by members in the RM.

## Section 10

Notwithstanding any other provisions of these articles, the organization shall not carry on any other activities not permitted to be carried on: by an organization exempt from Federal income tax under Section 501 ( c ) of the Internal Revenue Code of 1954 (or the corresponding provisions of any future United States Internal Revenue Law), or by a organization, contributions to which are deductible under Section 170 ( c ) (2) of the Internal Revenue Code of 1954 (or the corresponding provisions of any future United States Law).

## **Article VI: Dissolution Clause**

Upon dissolution of the organization, the Executive Committee shall, after paying or making provisions for the payment of all of the liabilities of the organization, dispose of all of the assets of the organization exclusively for the purpose of the organization in such manner, or organizations organized and operating for charitable, educational, religious or scientific purposes as shall at the time qualify as an exempt organization or organizations under Section 501 ( c ) (3) of the Internal Revenue Code of 1954 (or the corresponding provisions of any future United States Internal Revenue Laws), as the Executive Committee shall determine. Any such assets not disposed of shall be disposed of by the Circuit Court of the county in which the principal office of the corporation 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 purpose.

## **Article VII: Rules for Amending the Constitution**

### Section 1

Amendments to this constitution may be offered to the EC, in writing, at any time by a member in good standing. It will be the duty of the EC to submit recommendations to the membership for consideration.

### Section 2

Recommendations that are considered must receive a motion for a vote to be taken and seconded by a member in good standing. Any and all amendments can be adopted by a three-fourths vote of the company.

### Section 3

Voting for said recommendations may be held at events if so proposed, business meetings or online if necessary. If the amendment requires research, the date for a vote of the proposed amendment will be set by the EC. If approved, the amendment will take effect at a date designated by the EC President.

## **Article VIII: Constitutional Amendments**

Amendment I: Meeting Rules – Passed 17 Jan 2009

In accordance with the Constitution of the RM, the following amendment is made to Article V, to wit: during all meetings of any nature, the unit will follow Robert's Rules of Order until said meeting is adjourned.

Amendment II: Recruiter – Passed 17 Jan 2009

It has become obvious to the unit leadership that in order for the unit to grow, there must be some recruitment. The following amendment is made to Article II Section 1 - It seems necessary that a Recruiter position be installed into the EC and be allowed to recruit new members for the unit. The Recruiter will have access to the entire state and any territory outside of the state. It shall be the duty of the Recruiter to contact potential members by any means necessary; phone, email, mail, flyers or at events. The Recruiter will also keep list of potential recruits. The Recruiter will not, by any means, recruit members from an existing Texas Revolution organization; such action may result in suspension of duties or removal from office. The Recruiter shall only carry out the duties as stated in this amendment or ordered by the President.

Amendment III: Military Rank – Passed 17 Jan 2009

In order to further simplify the duties of the MCC the following amendment is made to Article III Section 1, to wit: the positions of Quartermaster Sergeant and Mess Sergeant shall no longer be referred to with the military rank of sergeant. These positions should and shall be referred to as Quartermaster and Commissary. The duties of the Quartermaster and Commissary will be the same as outlined in the Constitution and will continue as deputies of the MCC.

Amendment IV: Unit Sport– Passed 17 Jan 2009

The following amendment is made to Article IV, to wit: the official sport of the unit shall forevermore be Irish Road Bowling.

Rules and Playing Style

A 28 ounce iron and steel cannonball the size of a tennis ball (a "bowl" or "bullet") is hurled down a country lane. The player or team with the fewest shots to the finish line wins.

A road shower advises the thrower about the throw [or shot] much like a caddy, whilst another helper stands ahead of the thrower, feet apart, to show the best line or path in the road.

The thrower runs to the throwing mark and, in the Northern or County Armagh style, extends the arm and bowl behind him as he runs. At the throwing mark the arm is snapped forward by arching the back and shoulders, releasing the bowl underhand before stepping over the mark.

In the Southern or County Cork style, as the thrower runs to the mark the arm and bowl are lifted up and back, then whirled downward into an underhand throw, releasing the bowl before stepping over the mark.

Wherever the bowl stops (not where it leaves the road surface), a chalk mark is made at the nearest point on the road and the next throw is taken from behind that mark.

Over tight curves, or corners where two roads meet, the bowl may be thrown through the air (lofted). The loft must strike the road or pass over it. If the loft fails to reach the road, it counts as one shot, and the next throw must be taken again from the same mark.

If two players or teams approach the finish line with equal shots, the winner is decided by which throw goes farthest past the finish line.

#### Terminology

A Score - a match. (In the past, players were given 20 shots each, the winner determined by who went the greatest distance.)

A Shot - a throw.

Bowl of Odds - when one bowler is one full shot fewer than his opponent, i.e., when a bowler is equal to or farther in distance than his opponent, but has thrown one less shot.

Bowl or Bullet - the 28-ounce (c. 800 g) small cannonball, with a circumference of 18 cm, used in Irish Road Bowling.

Bullets or Long Bullets - the County Armagh term for road bowling.

Butt - the throwing mark on the road. To step over the mark before releasing the bowl is to "break butt."

Clear the Road - to get spectators out of the road in front of the thrower.

Corner - a sharp curve in the road or a corner where two roads meet.

Faugh a Ballach! - traditional Irish battle cry (Clear the Way!).

Get Sight or Open the Corner - to throw so deeply into the curve that the next throw is a straight shot out.

Kitter-Paw - a left-handed thrower.

Loft - to throw through the air.

Sop - a tuft of grass placed in the road at a spot where the bowl should first strike the surface. An experienced bowler can "Split the Sop."

Stylish Bowler - a bowler with a smooth well-coordinated delivery.

Amendment V: Service – Passed 17 Jan 2009

In order to build a better *esprit de corps*, within the unit, the following amendment is made to Article IV Section 6, to wit: officers elected to service by the unit will carry out all intended obligations, obvious or implied. Correlatively, all members of the RM, in good standing, are expected to serve with the unit when it is on the field. Officers unwilling to comply with service will be found in dereliction of their duties and may be removed from office pending a vote of the EC and MCC. Members unwilling to serve with the unit when on the field may be found to be no longer in good standing with the unit, based on a vote of the EC and MCC. If the MCC commanding officer determines that service with another unit or entity will better serve an event, or the re-enacting hobby in general, he may grant leave for said member to give service elsewhere.

Amendment VI: Nominations for Office – Passed 17 Jan 2009

The following amendment is made to Article V Section 6, to wit: members not present at a meeting in which an election for offices is being held may be nominated by the body present, provided said members have given prior consent. If an absent member is nominated, seconded and voted on, said member must be elected unanimously in order to carry that position. If the absent member does not receive 100% of the votes, other candidates may campaign for their position and a new vote may be taken. If a member present receives a majority of the votes over a non-present member, then the present member wins the position. This Amendment will take effect in January 2010 and all subsequent Business Meetings will be held in Refugio, or some other common ground between the Rio Grande Valley and Central Texas. *[Note: this amendment is apparently a dead letter and superseded in any case by amendment XI. – AG]*

Amendment VII: Nominations for 2009 – Passed 17 Jan 2009

Persons not present at the annual business meeting may be nominated for position in the unit; nominations will be continued for one week online, at which time votes will be cast and voting closed at the date announced by the President. This amendment shall only be in effect until the conclusion of the 2009 election cycle.

Amendment VIII: Unit Sovereignty – Passed 17 Jan 2009

The Refugio Militia, as a sovereign company, shall not yield that sovereignty under any circumstances, except by a vote of a three-fourths (3/4) majority of a quorum of active members. The Militia may join ranks with sister units for the purpose of forming a larger company, but will retain sovereignty and the chains of command in such instances.

Amendment IX: Position of Treasurer – Passed 26 Mar 2010

The following amendment is made to Article II, Section 5, to wit: that as the treasurer is elected annually, he should also report annually on the assets/outstanding liabilities of the Unit.

Amendment X: Line of Succession for the EC – Passed 26 Mar 2010

The following amendment is made to Article II, Section 5, to wit: That henceforth, the Treasurer is considered to be second in line to the President and will preside over meetings in the absence of the President.

Amendment XI: to Article V, Sections 3- 6 – Passed 25 Mar 2011

To clarify the aforementioned sections, and at the discretion of the President, members not physically present at the time of annual elections for office, i.e., the annual meeting, can be nominated for office and voted upon by members present, provided prior consent has been obtained from the nominee. Members physically absent at the time of elections may not vote by proxy.