

**Military Order of the Loyal
Legion
of the United States
Commandery-in-Chief**



Constitution and By-Laws

(As Amended in 1961, 1964, 1980, 1989, 2001, 2010, 2015, 2019 , 2020 & 2021)

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The Military Order of the Loyal Legion of the United States (MOLLUS) is 501(c)(10) organization and is approved (1974) by the U.S. Internal Revenue Service as an organization to which tax deductible gifts can be made pursuant to Section 170 of the Internal Revenue Code, provided that said contribution are used exclusively for the Charitable purposes specified in section 170(c)(4) of the Internal Revenue Code. The MOLLUS also maintains a *Loyal Legion Memorial Fund Trust*, which is a 501(c)(3) organization and is approved (1967) by the U.S. Internal Revenue Service as an organization to which tax deductible gifts can be made pursuant to Section 170 of the Internal Revenue Code.

Commandery-in-Chief Military Order of the Loyal Legion of the United Constitution

(As Amended in 1961, 1964, 1980, 1989, 2001, 2010, 2015 ,2020 & 2021)

PREAMBLE

We, Officers and honorably discharged Officers of the Army, Navy, and Marine Corps of the United States, whose names are hereunto annexed, having aided in maintaining the honor, integrity and supremacy of the National Government at a critical period of its history, and holding in remembrance the sacrifices in common made and the triumphs together shared in discharge of this sacred duty, unite to ordain and establish a permanent association for the purposes and objects hereinafter set forth, and to this end pledge our honor, as officers and gentlemen, to be governed by the following Constitution and By-Laws.

ARTICLE 1 TITLE

This association shall be known as THE MILITARY ORDER OF THE LOYAL LEGION OF THE UNITED STATES.

ARTICLE II PRINCIPLES

This Order acknowledges as its fundamental principles –

First. A firm belief and trust in Almighty God, extolling Him under whose beneficent guidance of the sovereignty and integrity of the Union have been maintained, the honor of the Flag vindicated, and the blessings of civil liberty secured, established, and enlarged.

Second. True allegiance to the United States of America, based upon paramount respect for and fidelity to the National Constitution and Laws, manifested by discountenancing whatever may tend to weaken loyalty, incite to insurrection, treason or rebellion, or impair in any manner the efficiency and permanency of our free institutions.

ARTICLE III OBJECTS

The objects of this Order shall be to cherish the memories and associations of the war waged in defense of the unity and indivisibility of the Republic; strengthen the ties of fraternal fellowship and sympathy formed by companionship-in-arms; advance the best interests of the soldiers and sailors of the United States, especially of those associated as Companions of this Order, and extend all possible relief to their widows and children; foster the cultivation of military and naval science; enforce unqualified allegiance to the General Government; protect the rights and liberties of American citizenship, and maintain National Honor, Union and Independence.

ARTICLE IV ORGANIZATION

Section 1. This Order shall be composed of the several Commanderies and a National Commandery to be known as the Commandery-in-Chief.

Section 2. The several Commanderies shall be designated by the name of the state in which located, excepting the Commandery of the District of Columbia, which shall be designated as such, and in States having another metropolitan center reasonably distant from the original Commandery, the Commandery-in-Chief may grant another charter to be known by its geographic state location. The relative seniority of the several Commanderies shall be determined by the respective dates of their Charters.

Section 3. Commanderies may become incorporated subject to the provisions of this Constitution.

ARTICLE V MEMBERS

Section 1. The Companions of this Order shall be elected in the manner hereinafter provided from the classes defined in this Article, and shall be known as Original, Hereditary, Junior, Associate, and Honorary Companions.

Section 2. ORIGINAL COMPANIONS. Commissioned officers and honorably discharged commissioned officers of the United States Army, Navy and Marine Corps, Regular or Volunteer, including officers of assimilated or corresponding rank by appointment of the Secretary of War or Navy, who were actually engaged in the suppression of the Rebellion prior to the fifteenth day of April 1865, and whose names appear in the Official Registers of the United States Army, and Navy and of the Volunteer Force of the United States Army, or appeared upon the official records of the United States War or Navy Department during their term of service as commissioned officers of organizations mustered into the service of the United States, and not restricted to service within any given State, or who served under the President's call of the fifteenth day of April 1861; or who, having served as non-commissioned officers, warrant officers or enlisted men, during the War of the Rebellion, have since been or may hereafter be commissioned as officers in the United States Regular or Volunteer Army, Navy or Marine Corps; and persons who, having served as non-commissioned officers, warrant officers or enlisted men as aforesaid, shall have become eligible to membership by descent from members of the Order, or officers who were eligible as such, who shall have died. All midshipmen in the United States Navy and all cadets of the United States Army, who, while pursuing their course in the United States Naval Academy or the United States Military Academy, actually rendered service, and which service has been or shall be recognized by the United States Congress or the Navy Department or by the War Department as service rendered during the War of the Rebellion. Those elected under the provisions of the Section shall be designated Original Companions, and commemorated with highest honors forever.

Section 3. HEREDITARY COMPANIONS. The direct male descendants of the age of 18 years or more of (1) an eligible officer, or (2) the brother or sister (by blood) of an eligible officer; furthermore, (3) at its sole discretion, an individual commandery may grant hereditary membership to the direct descendants of the immediate aunt or uncle (by blood) of eligible officers, that is, the first cousins of eligible officers. An applicant for membership shall furnish such evidence as may be required setting forth the facts upon which eligibility is claimed.

Section 4. JUNIOR COMPANIONS. The several Commanderies shall provide for Junior Companions, and prescribe their rights and responsibilities. Any Companion of this Order (if his Commandery has made provision for Junior Companions) may file an application for Junior Companion in behalf of a direct male descendant under the age of 18 years of (1) a deceased eligible officer; or (2) a brother or sister of any such eligible officer; furthermore, (3) at its sole discretion, an individual commandery may grant junior hereditary membership to the direct descendants of the immediate aunt or uncle (by blood) of eligible officers, that is, the first cousins of eligible officers.

Such application is subject to the same requirements of evidence as that of a Hereditary Companion. No Junior Companion shall have the right to vote or hold office, nor shall he be subject to the per capita assessment levied upon each Commandery.

Section 5. ASSOCIATE COMPANIONS.

- a. Commanderies may elect Associate Companions to membership. Associate Companions must be male persons of the age of 18 years of more who are not known to be eligible for Hereditary membership in the Order; who subscribe to the Preamble, Principles, and Objects of the Order; who have demonstrated a serious interest in the War of Rebellion; and whose membership will advance the objects of the Order.
- b. Associate Companions shall pay the same dues and assessments as Hereditary Companions. Commanderies may provide for Life Membership for Associate Companions on the same basis as that provided for Hereditary Companions. Associate Companions may vote, serve on committees and be elected to Commandery offices, but no Associate Companion shall be eligible for election to office in the Commandery-in-Chief.
- c. No Commandery may elect additional Associate Companions if the election of such Companions will cause the total number of Associate Companions to exceed one-third of that Commandery's number of Hereditary Companions subject to said Commandery's per capita annual assessment. No Commandery may transact business if the total number of Associate Companions present and voting exceeds one-third of the total.
- d. An applicant for membership as an Associate Companion must submit an application, on a form to be prescribed by the Commandery-in-Chief. The application must be endorsed by two Hereditary Companions. It shall be forwarded to the Registrar of the Commandery, who shall present it for a vote at a regular meeting. Approval of the application requires the votes of a majority of those Companions present and voting at the meeting.
- e. Each Commandery which elects Associate Companions shall maintain a separate roll of such Companions, and may assign them separate Associate Commandery numbers. The Recorder-in-Chief shall maintain a separate roll of all Associate Companions, and assign them distinctive Associate Companion numbers.
- f. An Honorary Companion of a Commandery may apply for membership as an Associate Companion under the provisions of this section.

Section 6. HONORARY COMPANIONS.

- a. Honorary Companions may be chosen from gentlemen of acknowledged eminence who are specially distinguished for conspicuous and consistent loyalty to the Constitution and Laws of the United States, and who have been active and eminent in maintaining the supremacy of the same, and are not known to be eligible for membership in the Order; provided, however, that no Commandery shall have the right, at any one time, to have more Honorary Companions than five (5) percent of its active membership.
- b. The name of any person proposed as an Honorary Companion shall be referred to the Board of Officers together with the name of the Companion recommending him, who shall, at the time of making said recommendation, file with the Board of Officers a written statement setting forth the qualifications of such person. It shall be the duty of the Board of Officers to fully and carefully investigate such person so recommended, having in mind the qualifications set forth in Section 6 hereof. If, after such investigation, the Board of Officers shall unanimously determine that the person so recommended is desirable and duly qualified to be an Honorary Companion, they shall make a full report in writing to the Commandery, recommending such proposed person for election as an Honorary Companion. The name of such person shall then be published in the circular of the Commandery sent to each member prior to the next meeting of the Commandery, and, at the next meeting of the Commandery after said publication, the report of the Board of Officers shall be read and a ballot shall then be taken for or against the election as an Honorary Companion of the person so proposed. The Commandery Recorder shall send the name and supporting documentation for

the nominee to the Registrar-in –Chief who will distribute the name and supporting documentation along with the documentation of the unanimous vote of the Commandery Board of Officers to the executive committee of the Commandery-in-Chief. Upon unanimous vote of the executive committee, the nominee will be accepted into the Order as an Honorary Companion.

c. In addition to the Honorary Companions chosen by the Commanderies, the Board of Officers of the Commandery-in-Chief shall have the power to choose Honorary Companions upon a two-thirds vote of those present at any meeting of the Board of Officers or the Commandery-in-Chief at which a quorum shall be present; provided, however, that the Commandery-in-Chief shall not have more than ten Honorary Companions at any one time.

d. No Honorary Companion shall be required to pay any dues nor shall he have the right to vote or hold office.

ARTICLE VI COMMANDERY-IN-CHIEF

Section 1. The Commandery-in-Chief shall consist of its own officers and past officers and the past and present Commanders, Vice-Commanders, and Recorders of the several Commanderies.

Section 2. The legislative, chief executive, and supreme judicial power shall be vested in the Commandery-in-Chief. Voting on changes in the Constitution shall be by Commanderies represented each Commandery to have one vote.

Section 3. Should any Commandery cease to hold regular meetings for one year, its Charter may be revoked by the Commandery-in-Chief and in the event of such revocation, each Companion of such Commandery, in good standing, shall be transferred to such other Commandery as he may elect. On the revocation of the Charter of any Commandery, all its funds, records, insignia, and other property shall become the property of the Commandery-in-Chief. It shall be the duty of the Recorder-in-Chief to take the necessary action to obtain for the Commandery-in-Chief all of such property.

Section 4. The Headquarters of the Commandery-in-Chief shall be in the City of Philadelphia, Pennsylvania, and it shall there assemble at an annual meeting at least once in every three years with the option of holding the annual meeting from time to time in Gettysburg. The annual meeting shall be held in other years at such places as may be designated at the preceding stated meeting or may be arranged for by the Board of Officers. All annual meetings shall be held in the month of October, or during such other month as may be designated by the Board of Officers (by email or other live electronic media – video or telephone vote if necessary) with at least thirty days advanced notice.

Section 5. Special meetings of the Commandery-in-Chief shall be convened upon fifteen days' notice at the pleasure of the Commander-in-Chief, or upon the written request of twenty members. The attendance of ten members shall constitute a quorum at all annual and special meetings.

Section 6. When a Commandery cannot be represented at a meeting of the Commandery-in-Chief, the Commander, seconded by the Recorder, may designate in writing (letter and/or email) an individual member of the Commandery-in-Chief to represent him at the meeting and vote in accordance with his instructions, the same as if he were present in person. In the absence of such a designation, the Commander-in-Chief may select a representative for such a Commandery, provided that no one proxy may represent more than one Commandery.

Section 7. The expenses of the Commandery-in-Chief in each year shall be provided for by a per capita assessment upon each Commandery (approved by the Commandery-in-Chief), according to its respective number of Companions on the roll as of April 30th and payable before July 31st.

ARTICLE VII STATE COMMANDERIES

Section 1. Authority to organize a Commandery may be granted by the Commandery-in-Chief Board of Officers, upon the vote of two-thirds of its members present at any meeting, on written application by at least ten Hereditary Companions seven (7) of whose primary residence in the state or multi state area of the proposed Commandery.

Section 2. The form of Charter shall be as prescribed by the Commandery-in-Chief.

Section 3. Upon issuing a Charter, the Commander-in-Chief shall designate the time and place for the organization of the Commandery upon the formation of the Commandery. The officers shall then be chosen or elected, and shall enter on their duties at once and hold office until their successors are appointed or elected.

Section 4. Each Commandery shall have power to adopt a Constitution and Rules and Regulations (or By-Laws) for its own government, which shall not conflict with the Constitution and By-Laws of the Order. The general parliamentary law shall govern the meetings of the Order and the Commanderies. Such rules shall provide adequately for the annual per capita assessment to be paid to the Commandery-in-Chief.

Section 5. Each Commandery shall be bound by the Constitution and By-Laws of the Commandery-in-Chief.

Section 6. State Commanderies maintaining a membership of at least five (5) hereditary Companions will be considered in good standing and eligible to vote on proposed amendments to the Constitution and Bylaws of the Commandery-in-Chief

ARTICLE VIII OFFICERS

Section 1. The officers of the Commandery shall include a Commander, a Senior Vice-Commander, a Recorder, and a Treasurer; and may include a Junior Vice-Commander, a Registrar, a Chancellor, a Chaplain, a Judge-Advocate, a Surgeon, and a Council consisting of not more than six Companions, who, together with the officers, and unless a Commandery rules otherwise, all Past-Commanders of the Commandery who are still Companions of the Commandery, shall constitute the Board of Officers of the Commandery. One Companion may hold any two offices at same time. State commanders may not serve concurrently as an commander of another state Commandery

a. With the exception of Past-Commanders, they shall be elected (or appointed) annually according to the rules and regulations in that behalf adopted by the Commanderies.

b. The Companions so elected shall be invested personally or by written acceptance, and enter upon office at once, and hold the same until their successors have been elected and invested.

Section 2. The elected officers of the Commandery-in-Chief shall be a Commander-in-Chief, a Senior Vice-Commander-in-Chief, a Junior-Vice Commander-in-Chief, a Recorder-in-Chief, a Registrar-in-Chief, a Treasurer-in-Chief, a Chancellor-in-Chief, a Chaplain-in-Chief, a Judge-Advocate-in-Chief, a Surgeon-in-Chief, and a Council-in-Chief, consisting of not more than six Companions who, together with the officers and with all Past-Commanders-in-Chief who remain Companions of the Order, shall constitute the Board of Officers of the Commandery-in-Chief. With the exception of Past-Commanders-in-Chief, they shall be elected biennially in the manner prescribed for the election of officers of the State Commanderies and shall be invested personally or by written acceptance and enter upon their office at once and hold the same until their successors shall have been elected and invested.

Section 3. The Commander-in-Chief may appoint the following Commandery-in-Chief officers: an Editor-in-Chief of the *Loyal Legion Historical Journal*, a National Quartermaster, a National Historian, a National Membership List Coordinator, a National Webmaster, a National Membership Contact, and a Washington DC Representative. The Commander-in-Chief may appoint additional Commandery-in-Chief officers as the need may arise provided that a job description is prepared and approved by the Board of Officers. The Commander-in-Chief may appoint assistants as the need may arise to assist current elected or appointed officers without the approval of the Board of Officers or the need to develop a new job description. Appointed officers shall not constitute members of the Board of Officers and may not vote at meetings of the Board of Officers.

ARTICLE IX COAT OF ARMS OF THE ORDER

The Coat of Arms of the Order shall be:

Arms. Gironne', (symbolical of unity) of thirty-four, gules and argent (representing the number of States forming the National Government at the commencement of the Rebellion); a twisted pillar irradiated in pale, or, environed by an orle of clouds, proper.

Crest. Upon a wreath, argent and gules, a hemisphere, or, charged with the legend *AMERICA*, in letters azure; thereon the National Eagle in defense proper; all within thirteen estoiles of five points archwise, of the first, on a field of the fourth.

Supporters. Dexter: A Soldier under arms, his dexter hand supporting a lance, therefrom flying the Standard of the United States. Sinister: A Sailor equipped for general quarters, his sinister hand supporting a pike, thereon hoisted the National Flag, all proper. The equipage of each as prescribed by the Regulations of 1861-1865 for the government of the Army and Navy.

Motto. *LEX REGIT ARMA TUENTUR*, in letters argent, charged upon a scroll, purple. (v. Frontispiece).

ARTICLE X SEAL OF THE ORDER

The Seal of the Order shall be one and three-tenths inches in diameter, and shall consist of the Crest, as hereinbefore blazoned, the letters *MDCCCLXV* in base; the whole encircled by a band one-eighth of an inch wide, thereon the legend, *SEAL OF THE MILITARY ORDER OF THE LOYAL LEGION OF THE UNITED STATES*.

ARTICLE XI INSIGNIA OF THE ORDER

Section 1. The Insignia of the Order shall consist of the Badge pendent by a link and a ring of gold from the Ribbon.

Section 2. The Badge shall be as follows:

Obverse. A cross of eight points, gold, cantoned with rays of gold, forming a star – its long diameter one and three-tenths inches, its short diameter eight-tenths of an inch. The cross enameled, azure, charged with a smaller cross on like proportions, enameled white and edged with gold. In the centre thereof, within a circle four-tenths of an inch in diameter, enameled gules, the National Eagle displayed in gold. On the circle, gold, one-tenth of an inch wide, in relief, the motto, *LEX REGIT ARMA TUENTUR*.

Reverse. The star as above described. In the centre thereof, within a circle four-tenths of an inch in diameter, enameled gules, two sabres in saltire, their point in base; surmounted by a fasces palewise, ensigned with the Phrygian Cap; environed in chief with an arch of thirteen stars; in base,

a wreath of laurel; all of gold. On the circle, gold, one-tenth of an inch wide, in relievo, the legend *M.O., Loyal Legion, U.S. – MDCCCLXV.*

Section 3. The reverse of the link of each Badge shall bear an engraved number corresponding to that of the registered Insignia number of the Diploma of the Companion to whom issued, and, when such Badge shall have been worn by an Original Companion the obverse of the link shall bear the number of the Companion last entitled to it in succession.

Section 4. The ribbon shall be of watered silk, one and one-half inches wide, and shall have a red center eight-tenths of an inch wide, with a border of white and edging of blue, each three and one-half tenths of an inch wide. The ribbon for Associate Companions shall be of watered silk colored plain blue, one and one-half inches wide.

Section 5. The Rosette of the Order shall be 12 mm (one-half an inch) in diameter or acceptable substitute, of watered silk, with six sector-shaped sections and a rim with six diagonal stripes on its face and sides. The sector-shaped sections and stripes shall be of red, white, and blue, the red sections and stripes being double the width of those of the other colors, with a red loop in the center. There shall also be a miniature Rosette of similar design which may have placed behind it a ribbon (wing) five sixteenths of an inch wide and five eighths of an inch long, in silver to denote the State Commandery officers in office and Past Commanders of a Commandery, and Officers of the Commandery-in-Chief, shall have a ribbon (wing) in silver on one half and gold on the other except that the ribbon of the Commander-in-Chief and Past Commanders-in-Chief shall be gold. Associate Companions shall wear the Rosette of the order, which shall be 10 mm in diameter.

Section 6. Section 6. There shall be a miniature Insignia of the Order, to be of the same design and character as the regular Insignia of the Order, except that the size of said Insignia shall be in proportion one-half in dimensions with ribbon drapes proportionate and of colors as specified in Section 4.

Section 7. There shall be a Past Commander-in-Chief star in a design incorporating the insignia of the order overlaid upon a starburst of silver color, which may be suspended from the officer's neck ribbon, or worn on the breast pocket of formal or business attire. There shall be a Commander's Star of in the design of the insignia of the Order fashioned after the Commander-in-Chief Tiffany Star eligible to be worn by current and past state Commanders

ARTICLE XII UNIFORM OF THE ORDER

Section 1. On occasions of ceremony, Companions may wear the uniform of their respective arm and grade in service.

Section 2. The Insignia shall be worn conspicuously on the left breast, except that Past Commanders and Officers of the Order may wear the Badge suspended by the Ribbon around the neck.

Section 3. Companions may wear the Rosette in the upper buttonhole of the left lapel of the coat. The Rosette shall not be worn at the same time as the Insignia.

Section 4. Hereditary Companions of the Order serving as officers of the uniformed services of the United States, or officers of the various State troops, or retired officers of such services, when in uniform other than full dress may, in lieu of the Rosette of the Order, wear upon the left breast of the coat or blouse a strip of the ribbon of the order three-eighths of an inch wide and one and three-eighths of an inch long to agree in size with other military ribbons.

**ARTICLE XIII
DISSOLUTION**

Section 1. In the event of the dissolution of the Military Order of the Loyal Legion of the United States, either by operation of law or by action of the Commandery-in-Chief, or membership as a whole, after payment of all creditors, its assets shall be distributed to the Civil War Museum of Philadelphia for its general purposes, provided that the said Civil War Museum of Philadelphia or its successor is in active existence and shall accept distribution of such assets..

Section 2. In the event that the Civil War Museum of Philadelphia or its successor is unable or unwilling to accept said distribution as aforementioned, said assets shall be distributed to a foundation engaged in patriotic, charitable, or educational endeavors and duly qualified under the current Internal Revenue Code and Regulations, as the Commandery-in-Chief may determine.

**ARTICLE XIV
AMENDMENTS**

Section 1. The Preamble and Articles I, II, and III of this Constitution may never be changed nor amended.

Section 2. No other alteration, addition or amendment shall be made to this Constitution unless it shall have been proposed by a Commandery or by the Board of Officers of the Commandery-in-Chief and communicated to the Constitution and By-Laws Committee and all Commanderies at least 120 days before the annual meeting of the Commandery-in-Chief. The Constitution and By-Laws Committee shall issue its recommendation as to the merits of said proposed alteration, addition or amendment and shall communicate same to all Commanderies at least 60 days before said annual meeting. Such alteration, addition or amendment shall become effective immediately by the votes of two-thirds of the Commanderies represented.

Commandery-in-Chief

Military Order of the Loyal Legion of the United

By-Laws

(As Amended in 1961, 1964, 1980, 1989, 2001, 2010, 2015, & 2020)

ARTICLE I MEMBERSHIP

A. ELECTION OF MEMBERS

Section 1. Every application for membership shall be made in duplicate and in writing and signed by the applicant, who shall be recommended in writing by two Companions of the Commandery to which he shall apply. The application shall be accompanied by such admission fee and dues as the Commandery shall require, and copies or references to sources supporting descent from an eligible ancestor.

Section 2. Every application for membership shall be passed upon by the Registrar of the Commandery or other officer designated for this duty and referred to a Committee. The report of the committee including the opinion of the examining officer shall be read and action taken on the application at a meeting of the Commandery or at a meeting of the Board of Officers, as the rules of the Commandery may prescribe. The application and a copy of the application accompanied by one set of its supporting papers shall then be sent to the Registrar-in-Chief for his approval of the applicant's qualifications.

a. Upon approval, the Registrar-in-Chief shall then inform, electronically via email, the Recorder-in-Chief, Commander-in-Chief, Senior Vice Commander-in-Chief, Junior Vice Commander-in-Chief, Chancellor-in-Chief, National Membership Contact, and the National Membership List Coordinator of the name and address of the approved candidate, name of the applicant's ancestor, name of the Commandery to which the applicant is joining, and names and Insignia numbers of Companions proposing the applicant for membership.

b. The Recorder-in-Chief shall assign a national number and inform, electronically via email, the Registrar-in-Chief, Commander-in-Chief, Senior Vice Commander-in-Chief, Junior Vice Commander-in-Chief, Chancellor-in-Chief, Membership Contact, and the National Membership List Coordinator of the assigned number. The National Membership List Coordinator shall record the new member's information and Insignia Number in the National Membership Database. The Registrar-in-Chief shall affix the National Insignia number to the original application and copy and then transmit the application package to the Recorder-in-Chief. The Recorder-in-Chief shall retain the original application and transmit the copy and supporting material to the Recorder of the Commandery to which the applicant is joining. The Chancellor-in-Chief shall inform, via a welcome letter, the applicant of his membership approval and provide him with his membership card and rosette or other such materials of the Order as approved by the executive committee.

c. The Recorder of the Commandery that the applicant is joining shall be notified of the applicant's membership approval via copy of the Chancellor-in-Chief's welcome letter to the applicant. Upon notification of the applicant's membership approval, the applicant shall be installed as a member of the Commandery.

Section 3. Companions shall be installed at a stated meeting by subscribing orally or in writing to the Constitution and By-Laws of the Commandery-in-Chief as well as the Constitution and Rules and Regulations (or Bylaws) of the individual Commandery.

Section 4. If at any time subsequent to an election to membership it shall be discovered that the same was procured through misstatement, or the failure to disclose material facts, the Commandery shall have power to declare such election null and void. Annulments of election under this section shall be communicated to the Recorder-in-Chief.

Section 5. A Companion shall be recognized by the Commandery-in-Chief as a member of one Commandery only. Secondary (Social, Dual, Courtesy, etc.) membership in other Commanderies are permitted, but no necessary record keeping, assessment or other obligation for either the Commandery-in-Chief or any Commandery.

B. RESIGNATIONS AND TRANSFER

Section 1. Every resignation shall be in writing and may be accepted at a meeting of the Commandery or at a meeting of the Board of Officers, as the rules of the Commandery may prescribe, provided, that all dues have been paid and there are no charges pending. The registered Insignia number shall never be reissued except in case of restoration to membership.

Section 2. A Companion who shall have resigned may, upon application to the Commandery of which he had been a member, be restored to membership by a vote at a meeting of the Commandery or at a meeting of the Board of Officers, as the rules of the Commandery may prescribe. In case of such restoration his former Commandery number (if any) on the roll and original National Insignia number shall be assigned to him.

Section 3. Upon his written application to his Commandery, a Companion, changing his residence, if in good standing, shall be transferred by his Commandery to the Commandery most accessible to him upon his written application to his Commandery. The transfer shall not be finalized until the Companion's transferring Commandery notifies in writing (via US mail or electronic email) the recipient Commandery and the National Membership List Coordinator of said transfer and the recipient Commandery notifies the same that it agrees to accept the transferring Companion.

Section 4. In the case of a transfer of a pre-November 1989 life member, the life membership fee paid shall be allocated between the two commanderies, as follows: (a) the Companion's life expectancy shall be determined as of the date of payment of the life membership fee by resorting to mortality tables currently used for Federal Tax purposes; (b) the number of years the Companion has been a life member shall then be computed; and (c) the Commandery of which the Companion was a life member shall retain that portion of the total life payment fee paid represented by the number of years the Companion enjoyed his life membership as the numerator and his life expectancy as heretofore defined as the denominator. The balance of the life payment fee shall be remitted to the new Commandery to which the Companion is transferred.

Section 5. Effective November 1, 1989, life membership shall be made available only through the Commandery-in-Chief.

- a. The fee for life membership shall be determined by vote of the Commanderies, each Commandery having one vote.
- b. Payment received for life membership will be held either in the general operating account of the Commandery-in-Chief, or in a separate "Life Membership Account," at the discretion of the Commandery-in-Chief.
- c. Each Commandery will be eligible to receive a per capita distribution for each existing life member, aged eighteen (18) and over, from the Commandery-in-Chief's general operating account (or Life Membership Account, as the case may be) after receipt of a Commandery's annual assessment and report. The Budget and Finance Committee will make a recommendation annually to the Commandery-in-Chief on what constitutes a prudent and appropriate amount. The

Commandery-in-Chief will then decide what per capita amount is prudent and appropriate to be paid in that year, if any.

d. If the life member's Commandery becomes inactive, the life member must elect to join an existing Commandery. Failing such an election, the Commander-in-Chief shall assign the life member to an active Commandery.

C. FORFEITURE OF MEMBERSHIP

Section 1. Membership shall be forfeited for violation of the obligations assumed on entering the Order, or for conduct unbecoming a gentleman.

Section 2. If the conduct or character of any Companion be impeached, the accusing Companion shall prefer charges in writing to the Board of Officers, who shall notify the accused; and if, after due investigation, the Board considers the charges to be sustained, it shall report its findings to the Commandery, notifying the accused of the time when the report is to be made. The accused may be expelled, suspended, or reprimanded at a stated meeting by a vote of two-thirds of the members of the Commandery present.

Section 3. A Companion who has been expelled may be reinstated by unanimous vote of the members of the Commandery present at a stated meeting, after he shall have petitioned in writing for reinstatement.

ARTICLE II OFFICERS

A. INVESTITURE

Section 1. A Companion elected or appointed to any office of any Commandery or the Commandery-in-Chief, before being invested with the authority of the same, shall make a formal declaration upon honor that he will well and faithfully perform the duties of the office upon which he is about to enter, and comply with all the established laws and usages of the Order.

Section 2. Before being invested, the elected or appointed candidate will repeat the following:

I, _____, solemnly swear that I will uphold the Constitution of the United States of America, as well as the Constitution and By-Laws of the Military Order of the Loyal Legion of the United States and I make a formal declaration upon my honor, that I will faithfully perform the duties of the Office upon which I am about to enter.

B. DUTIES AND POWERS

Section 1. It shall be the duty of the Commander-in-Chief to:

- a. Preside at all meetings of the Commandery-in-Chief and of the Board of Officers;
- b. Enforce a strict observance of the Constitution and By-Laws;
- c. Appoint all officers and committees not otherwise provided for;
- d. Approve all expenditures by the Treasurer-in-Chief except those for the normal routine expenses of the Commandery-in-Chief consulting with the Executive Committee when appropriate;
- e. Perform such other duties as custom and parliamentary usage may require;

- f. Act as an ex-officio member of all committees; and
- g. Perform such other duties that are described in the *Commandery-in-Chief Officers and Committees Job Descriptions*, which are made part of the By-Laws, are subject to change only through the By-Laws amendment process, and are incorporated herein by reference.

Section 2. It shall be the duty of the Vice-Commanders-in-Chief to:

- a. Assist the Commander-in-Chief and in his absence perform his duties, and shall succeed, in order of rank, to office or offices in the event of a vacancy in any of said offices for any reason whatsoever or in the event of the inability of the incumbent for any reason to perform the duties of said office or offices; and
- b. Perform such other duties that are described in the *Commandery-in-Chief Officers and Committees Job Descriptions*, which are made part of the By-Laws, are subject to change only through the By-Laws amendment process, and are incorporated herein by reference.

Section 3. It shall be the duty of the Recorder-in-Chief to:

- a. Record the proceedings of the Commandery-in-Chief and of its Board of Officers of the Council;
- b. Keep the records of the Commandery-in-Chief including the following:
 - 1. The Constitution and By-Laws of the Order,
 - 2. A copy of all official letters,
 - 3. The Seal of the Order and use it when appropriate,
 - 4. A file containing copies of the approved applications of all persons invested as Companions of the Order. He shall assign national Insignia numbers to these Companions, add them to their approved applications, and notify the Recorders of their Commanderies of these numbers, and
 - 5. A list in which shall be recorded the names of all Companions who have been expelled from Commandery, together with the reasons therefore;
- c. Have the care and custody of the Insignia Numbers;
- d. Act as an ex-officio member of all committees; and
- e. Perform such other duties that are described in the *Commandery-in-Chief Officers and Committees Job Descriptions*, which are made part of the By-Laws, are subject to change only through the By-Laws amendment process, and are incorporated herein by reference.

Section 4. It shall be the duty of the Registrar-in-Chief to:

- a. Pass upon and certify to the qualifications for membership in the applications submitted to him for approval by the Commanderies and return these applications expeditiously before the applicant is admitted to membership, noting his approval on the application and informing the Recorder-in-Chief of the name of the approved applicant. It is desirable that he be familiar with genealogical procedures. In the absence or disability of the Recorder-in-Chief, he shall act in his stead; and

b. Perform such other duties that are described in the *Commandery-in-Chief Officers and Committees Job Descriptions*, which are made part of the By-Laws, are subject to change only through the By-Laws amendment process, and are incorporated herein by reference.

Section 5. It shall be the duty of the Treasurer-in-Chief to:

a. Receive all moneys belonging to the Commandery-in-Chief, and receipt therefore. He shall give such security as the Commandery-in-Chief may direct. He shall pay all expenditures approved by the Commandery-in-Chief except for the routine expenses of the Commandery-in-Chief, which he may pay without authorization. He shall keep accounts of his receipts and expenditures, making statements of them as required. He shall present a report of his transactions to the annual meeting of the Commandery-in-Chief. He shall pay over and deliver to his successor in office all moneys, books and papers belonging to the Commandery-in-Chief; and

b. Perform such other duties that are described in the *Commandery-in-Chief Officers and Committees Job Descriptions*, which are made part of the By-Laws, are subject to change only through the By-Laws amendment process, and are incorporated herein by reference.

Section 6. The Chancellor-in-Chief shall welcome, via a letter, each new Companion into the Order, issue a membership card, and perform such other duties that are described in the *Commandery-in-Chief Officers and Committees Job Descriptions*, which are made part of the By-Laws, are subject to change only through the By-Laws amendment process, and are incorporated herein by reference.

Section 7. It shall be the duty of the Chaplain-in-Chief to open the several meetings of the Commandery-in-Chief with prayer and perform such other that are described in the *Commandery-in-Chief Officers and Committees Job Description*, which are made part of the By-Laws, are subject to change only through the By-Laws amendment process, and are incorporated herein by reference.

Section 8. The Judge-Advocate-in-Chief shall have supervision over all legal matters pertaining to the Commandery-in-Chief and perform such other duties that are described in the *Commandery-in-Chief Officers and Committees Job Descriptions*, which are made part of the By-Laws, are subject to change only through the By-Laws amendment process, and are incorporated herein by reference.

Section 9. The Surgeon-in-Chief shall be a practicing or retired physician. He shall supervise the general health and well-being of the Companions of the Order and perform such other duties that are described in the *Commandery-in-Chief Officers and Committees Job Descriptions*, which are made part of the By-Laws, are subject to change only through the By-Laws amendment process, and are incorporated herein by reference.

Section 10. The appointed position of Editor-in-Chief shall ensure that pertinent information about and concerning the Commandery-in-Chief is published in the *Loyal Legion Historical Journal* and disseminated to the membership on a frequency of not less than four times per calendar year, and perform such other duties that are described in the *Commandery-in-Chief Officers and Committees Job Descriptions*, which are made part of the By-Laws, are subject to change only through the By-Laws amendment process, and are incorporated herein by reference.

Section 11. The appointed position of National Quartermaster shall serve as custodian of Commandery-in-Chief supplies, including certificates, insignia medals, ribbons, rosettes, and dies used to strike badges and medals, to keep an inventory of supplies on hand, and to issue same, on proper requisition, to Companions as promptly as possible, and perform such other duties that are described in the *Commandery-in-Chief Officers and Committees Job Descriptions*, which are made part of the By-Laws, are subject to change only through the By-Laws amendment process, and are incorporated herein by reference.

Section 12. The appointed position of National Historian shall collect and preserve all historical or biographical material pertaining to the Civil War, to the Military Order of the Loyal Legion of the United

States and to Companions of the Order, and perform such other duties that are described in the *Commandery-in-Chief Officers and Committees Job Descriptions*, which are made part of the By-Laws, are subject to change only through the By-Laws amendment process, and are incorporated herein by reference.

Section 13. The appointed position of National Membership List Coordinator shall ensure maintenance of the roster of current and past members of the Military Order of the Loyal Legion of the United States (MOLLUS) and Dames of the Loyal Legion of the United States (DOLLUS), maintenance of the mailing lists for the MOLLUS, DOLLUS, and other recipients of the *Loyal Legion Historical Journal*, and perform such other duties that are described in the *Commandery-in-Chief Officers and Committees Job Descriptions*, which are made part of the By-Laws, are subject to change only through the By-Laws amendment process, and are incorporated herein by reference.

Section 14. The appointed position of National Webmaster shall ensure that the Commandery-in-Chief's Internet presence operates in an efficient and effective manner at all times and be responsible for all aspects of the Commandery-in-Chief's Web presence, including Web content development, technical operations, and daily maintenance, and perform such other duties that are described in the *Commandery-in-Chief Officers and Committees Job Descriptions*, which are made part of the By-Laws, are subject to change only through the By-Laws amendment process, and are incorporated herein by reference.

Section 15. The appointed position of National Membership Contact shall serve as the Commandery-in-Chief's point of reference for membership inquiries resulting from responses to national recruitment advertisements and from visitors to the Commandery-in-Chief's Internet Web site and perform such other duties that are described in the *Commandery-in-Chief Officers and Committees Job Descriptions*, which are made part of the By-Laws, are subject to change only through the By-Laws amendment process, and are incorporated herein by reference.

Section 16. The appointed position of National Washington DC Representative shall serve as the official contact of the Commandery-in-Chief to the National Government and perform such other duties that are described in the *Commandery-in-Chief Officers and Committees Job Descriptions*, which are made part of the By-Laws, are subject to change only through the By-Laws amendment process, and are incorporated herein by reference.

Section 17. The Council-in-Chief shall consist of not more than six Companions who shall act as members of the Board of Officers. Any three of the Councilors-in-Chief shall be designated annually by the Commander-in-Chief to form a Committee to audit and adjust the books of the Commandery-in-Chief and report to the annual meeting.

Section 18. The Board of Officers shall have general supervision and control over the property and affairs of the Commandery-in-Chief, and shall have general supervision and control over the affairs of the Order between meetings of the Commandery-in-Chief. It shall have the power to fill vacancies in any of the offices of the Commandery-in-Chief, until the time of the next election, except in the case of those offices, which shall be filled as prescribed in Section 2 of this Article. Attendance of five members of the Board of Officers shall constitute a quorum. Decisions of the Board of Officers shall be made by a vote of a simple majority of officers present, but in no case shall fewer than five votes in favor of any action be required. The Commander-in-Chief, Senior Vice Commander-in-Chief, Junior Vice Commander-in-Chief, Recorder-in-Chief, Registrar-in-Chief, and Treasurer-in-Chief shall constitute an Executive Committee, a majority of which shall between meetings of the Board of Officers have full power and authority to act on its behalf, provided it complies with all policies adopted by the Commandery-in-Chief.

Section 19. In addition to the Executive and Auditing Committees, there shall be the following Standing National Committees: Nominating, Finance and Budget, Membership, Constitution and By-Laws, History, Historic and Preservation Grants. Special National Committees, which may be considered necessary or advisable from time to time, may be created and the members of which shall be appointed by the Commander-in-Chief. The duties of all Standing National Committees shall be described in the *Commandery-in-Chief Officers and Committees Job Descriptions*, which are made part of the By-Laws,

are subject to change only through the By-Laws amendment process, and are incorporated herein by reference.

C. REMOVAL

Any officer who shall neglect or improperly perform the duties incumbent upon him may be removed at any stated meeting by a vote of two-thirds of the members of the Commandery-in-Chief.

ARTICLE III EXECUTION OF CONTRACTS

All contracts executed on behalf of the Commandery-in-Chief shall be signed by the Commander-in-Chief or a Vice Commander-in-Chief, and the Recorder-in-Chief or the Registrar-in-Chief.

ARTICLE IV ORDER OF BUSINESS

The order of business at all meetings of the Commandery-in-Chief shall be as follows:

1. Meeting called to order and quorum noted;
2. Invocation;
3. Pledge of Allegiance;
4. Reading of the Preamble and Principles of the Order;
5. Roll Call of Officers and Commanderies;
6. Reading of the Minutes of the last stated and all subsequent meetings,
7. Elected Officer Reports;
8. Appointed Officer Reports;
9. Standing Committee Reports;
10. Special Committee Reports;
11. Report of Loyal Legion Memorial Fund Trust;
12. Commandery Reports;
13. Old Business;
14. New Business;
15. Election of Officers (Annual Congresses only);
16. Investiture of Officers (Annual Congresses only);
17. Adjournment.

ARTICLE V FISCAL YEAR

The Fiscal Year of the Commandery-in-Chief shall begin the first day of October of each and every year.

ARTICLE VI PERSONAL LIABILITY

Section 1. General Rule. An officer or member of the Commandery-in-Chief shall not be personally liable for monetary damages as such for any action taken or any failure to take any action (which action was taken or omitted after January 27, 1987), unless:

- a. He has breached or failed to perform the duties of his office, including membership on any committee of the Commandery-in-Chief, under the standard of conduct and justifiable reliance contained in section 8363 of subchapter F of chapter 83 of the Pennsylvania Consolidated Statutes, and any amendments or successor acts thereto; and
- b. The breach or failure to perform constitutes self-dealing, willful misconduct, or recklessness.

Section 2. Exception: The provisions of Section 1 of this Article shall not apply to:

- a. The responsibility or liability of an officer or member pursuant to any criminal statute; or
- b. His liability for the payment of taxes pursuant to federal, state, or local law.

**ARTICLE VII
AMENDMENTS**

Section 1. No proposed alteration, addition or amendment to these By-Laws shall be considered unless its wording has been communicated to the Constitution and By-Laws Committee and all Commanderies at least 120 days before the Commandery-in-Chief meeting at which it is to be acted on. The Constitution and By-Laws Committee shall prepare and issue a recommendation as to the merits of said proposed alteration, addition or amendment and shall communicate same to all Commanderies at least 60 days before the Commandery-in-Chief meeting at which it is to be acted on. No such alteration, addition or amendment shall become effective unless agreed to by the Commandery- in-Chief by a vote of a majority of the Commanderies represented.

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Section 2. Amendments to Job Descriptions may be made by majority vote of the Board of Officers so long as the change in language does not alter other Articles and/or Sections of the Bylaws.