

**Ale & Quail Society**  
**CONSTITUTION**



**2002**  
**WITH ALL AMMENDMENTS**

# Table Of Contents

CONSTITUTION	6
ARTICLE I ALE & QUAIL SOCIETY	6
Section I • NAME	6
Section II • PURPOSE	6
Section III • EMBLEM	7
ARTICLE II ELECTION OF OFFICERS	8
Section I • TITLES	8
Section II • TERMS OF OFFICERS	8
Section III • NOMINATION OF OFFICERS	9
Section IV • BALLOTING	9
Section V • ELECTION OF OFFICERS	10
Section VI • RECALL OF OFFICERS	10
Section VII • RESIGNATION OF OFFICERS	11
ARTICLE III DUTIES OF OFFICERS	11
Section I • DUTIES OF THE PRESIDENT	11
Section II • DUTIES OF THE VICE-PRESIDENT	12
Section III • DUTIES OF THE SECRETARY	13
Section IV • DUTIES OF THE TREASURER	13
Section V • DUTIES OF THE MASTER AT ARMS	14
Section VI • DUTIES OF THE LIAISON OFFICER	15
Section VII • DUTIES OF THE KEEPER OF THE PROPERTY	15
Section VIII • DUTIES OF THE CHAPLAIN	16
Section IX • DUTIES OF CAPTAIN KIDD	16
Section X • DUTIES OF DAVY JONES	18

ARTICLE IV SELECTION OF CANDIDATES	20
Section I • CANDIDATE SEASON	20
Section II • ELIGIBILITY	20
Section III • CANDIDACY	21
Section IV • CANDIDATE'S ATTENDANCE	22
Section V • WITHDRAWAL OF CANDIDATES	22
Section VI • VOTING FOR MEMBERSHIP	22
Section VII • CANDIDATE EVALUATION	22
Section VIII • EXPULSION OF A CANDIDATE	23
Section VIII • SPONSORSHIP PRIVILEGES	24
Section VIII • REVOCATION OF SPONSORSHIP PRIVILEGES	24
ARTICLE V STATES OF MEMBERSHIP	24
Section I • CANDIDACY	24
Section II • MEMBERSHIP	25
Section III • ASSOCIATE MEMBERSHIP	25
Section IV • LIFE MEMBERSHIP	26
Section V • PROBATION	27
Section VI • LEAVE OF ABSENCE	27
Section VII • WITHDRAWAL OR INACTIVE MEMBERSHIP	27
Section VIII • SUSPENSION	28
Section IX • RESIGNATION	28
Section X • EXPULSION	28
ARTICLE VI DISCIPLINARY ACTIONS & EXPULSION	29
Section I • CAUSE FOR DISCIPLINARY ACTION	29
Section II • MOTIONS OF CENSURE	29
Section III • TRIALS	30
Section IV • ACCUSATIONS BROUGHT BY NON-MEMBERS	32

Section V • REINSTATEMENT OF EXPELLED MEMBERS	33
ARTICLE VII RULES AND CUSTOMS	33
Section I • GOVERNMENT	33
Section II • MEETINGS	34
Section III • DEBATE & MOTIONS	34
Section IV • COMMITTEES	35
Section V • AMENDMENTS TO THE CONSTITUTION	36
Section VI • BYLAWS	36
Section VII • ATTENDANCE	37
Section VIII • DUES, FEES AND ASSESSMENTS	37
Section IX • LIABILITY & INSURANCE	38
Section X • LICENSES & CERTIFICATES	38
Section XI • CONSTITUTION	38
ADDENDUM • TIMES FOR STATED PROCEDURES	39
NOTES & NEW AMENDMENTS	41
NOTES & NEW AMENDMENTS	42

This internet edition of the Ale & Quail Society constitution is published under authority of the Secretary as amended by the Members, at or prior to the regular meeting of the Ale & Quail Society, July 12, 2002. This constitution supercedes all previous editions, which should now be discarded.



This constitution was first adopted by the committee of the whole during the regular meeting of the Ale & Quail Society on September 13th, 1995. — This constitution was subsequently renewed during the regular meeting of the Ale & Quail Society on January 19th, 2000.

• • •

A great many Members contributed language or advice and council during the drafting of this constitution. Among them were;

A&Q Constitutional Committee 1995

Dan Cameron  
Damian Greene  
Frank Kane  
DC Smith  
Dar Westphal

A&Q Constitutional Committee 1993-94

David Benson  
John Erickson  
Morie Lohre  
Mark Moyer  
DC Smith  
Kevin Wolf  
Brian Zerr

# ALE & QUAIL SOCIETY CONSTITUTION



## ***ARTICLE I ALE & QUAIL SOCIETY***

### **Section I • NAME**

This organization shall be known as the ALE & QUAIL SOCIETY. Further it shall be the policy of the Order to keep as State and, when desirable, Federal trademarks for its exclusive use and for the use of its occasional appointees the names; ALE & QUAIL SOCIETY, SEATTLE SEAFAIR PIRATES, SEAFAIR PIRATES, SEATTLE PIRATES, and PIRATE'S LANDING, as well as all conceivable permutations of the preceding words and phrases. The order shall be likewise be charged with seeking new trademarks and copyrights as the need arises.

### **Section II • PURPOSE**

The ALE & QUAIL SOCIETY shall be a fraternal order dedicated to the companionable association of its members and their betterment thereby.

The ALE & QUAIL SOCIETY shall exist to service and support the activities of the SEAFAIR PIRATES and to support such other activities which the Order determines to be to the credit or benefit of the SEAFAIR PIRATES. The ALE & QUAIL SOCIETY shall also actively seek out and admit as Members those persons which the Order believes able to make a valuable contribution to it's activities.

The ALE & QUAIL SOCIETY shall dedicate itself to maintaining the continued growth and widening the influence of itself and the SEAFAIR PIRATES, while at the same time acting as goodwill ambassadors supporting and promoting the interests of Seattle and the great Northwest at home and abroad.

The Members of the Order shall always act to preserve the ALE & QUAIL SOCIETY and maintain harmonious relations with their fellows. At no time shall the ALE & QUAIL SOCIETY allow itself to be subordinated to any other group, club, lodge, religious order or political party.

### Section III • EMBLEM

The only official emblem of the ALE & QUAIL SOCIETY shall be a pilsner glass of ale, and a high-heeled slipper under a pirate's skull and crossed swords. [Figure 1] This emblem shall be used on all official correspondence of the ALE & QUAIL SOCIETY and the SEAFAIR PIRATES.

The achievement of the Order shall be displayed thus; a black shield bordered red and gold with gold outermost. The field to be charged with a pirate's skull and crossed swords, [white, silver and gold] over a pilsner glass of ale, [white and gold] and a lady's high-heeled slipper. [red]

The emblem patch shall be 2 3/4 by 3 1/4 inches.



Figure 1



Figure 2

For Associate Members the emblem patch shall have the same arrangement, except that the shield shall be red bordered in gold and black with gold outermost. The details of the skull shall be highlighted with black. The pilsner glass and

slipper shall be replaced with the legend "Associate Member, or the letters "A.M."  
[Figure 2]

The official emblem patch will be worn on the left breast pocket of a Member's red single-breasted blazer. Any other pin or badge worn on the blazer must be related to ALE & QUAIL SOCIETY.

Members shall enjoy unrestricted private use of the trademarks and emblems belonging to the ALE & QUAIL SOCIETY, But such use shall be strictly limited to reproduction on items for internal distribution. Any use of these trademarks or emblems for other distribution or sale to non-Members or the general public must receive prior approval from the Order.

A Member guilty of employing the trademarks and emblems of the ALE & QUAIL SOCIETY for personal profit or knowingly causes their unauthorized distribution to non-Members or the general public, shall be immediately expelled.



## **ARTICLE II ELECTION OF OFFICERS**

### **Section I • TITLES**

The elected offices of the ALE & QUAIL SOCIETY shall be; President, Vice President, Secretary, Treasurer, Master at Arms, Liaison Officer, Keeper of the Property, Chaplain, Captain Kidd, and Davy Jones.

### **Section II • TERMS OF OFFICERS**

Terms of office shall be for one year. The terms of officers shall run from January first until December thirty-first of the same year. Exceptions shall be Captain Kidd and Davy Jones, who shall take office upon their arrival at the staging area on the morning of "the Pirate's Landing," and serve until they are relieved by their elected successors. Because of scheduling the Captain's term of office may not be an exact calendar year.

Members who hold the offices of President, Treasurer, or Captain Kidd may not at the same time hold any other elected office. No Member should serve more than



two consecutive terms in the same office. No Member may serve more than one term as Captain Kidd

### **Section III • NOMINATION OF OFFICERS**

Nomination of officers shall be held at the last regular meeting in November. Members in good standing may be nominated to any office. Only Members in good standing may offer or receive nominations. No Member may place his own name in nomination for an office. **Only Members who have previously served as President, Secretary, Treasurer, or Liaison Officer may be nominated for Captain Kidd. [Speckhals 1/97]**

If a nomination has been properly offered and seconded the nominee must be given the opportunity to decline the honor. Should a Member wish to decline a nomination he may do so without prejudice twice, but if his name is placed in nomination a third time he must stand for the office. If a Member declines nomination for family or work related reasons he may not be re-nominated against his will.

### **Section IV • BALLOTING**

After allowing a reasonable period for campaigning on the part of the nominees, all eligible Members shall be provided with ballots. Official ballots & envelopes will be prepared by the Secretary. To be valid a ballot must bear the signature of the serving President and Secretary.

The membership shall select three Members not holding or seeking office to act as Election Overseers. The Election Overseers shall insure that ballots are distributed, collected and tallied in a secure manner. Official ballots will be distributed by mail to all voting Members. Members may return their ballots by mail or in person. The Election Overseers shall make every reasonable effort to provide Members with ballots but it shall be the responsibility of Members to insure that their ballots are returned and tallied. If a Member is present at the election, but is not in possession of his ballot, he may be provided with a new ballot if in the judgment of the Overseers this would not compromise the security of the election.

Members shall be accorded the privilege of secrecy regarding their ballot. Should two thirds of the Members present at the time of the election feel that their anonymity has been compromised, the ballot will be thrown out. A new election will be called, and new ballots will be issued to all Members.

## **Section V • ELECTION OF OFFICERS**

The election of officers shall be held by secret ballot at the last regular meeting in December. A simple majority of votes cast is sufficient to take office.

Should three or more Members be contesting the same office, a winner will not be announced unless one contender receives a clear majority. A "clear majority" shall be half of the total number of votes cast plus one. If a clear majority is not won, the two contenders having the greatest number of votes shall be run on a second ballot of the Members present. The result of this second ballot shall be binding and final. Likewise, in the event of a tie, the President having voted with the membership, he cannot cast a second deciding vote. Therefore the two contenders shall be run on a second ballot of the Members present. The result of this second ballot shall be binding and final.

## **Section VI • RECALL OF OFFICERS**

Should the Membership lose confidence in one of its officers, one-third of the voting Members shall sign and file with the Secretary or President a petition requesting the recall of the officer concerned. The Secretary shall contact by mail all Members in good standing, outlining the recall petition and the date set for a decision. The vote shall be taken by secret ballot. It shall require a two-thirds majority of the entire voting Membership to recall an officer. In the event of an affirmative recall vote, the presiding officer at that time will appoint an interim officer to fill the vacancy and nominations for the office will be made at the next regular meeting. Following nominations, an election will be held at the same regular meeting.

If during SEAFAIR the Members should wish to recall Captain Kidd, one-third of the Members in good standing shall sign and file with the Secretary a petition requesting the Captain's recall. The officers of the ALE & QUAIL SOCIETY shall confer and may by majority vote rule the petition frivolous. Should the petition be ruled valid, the officers shall set a time for an emergency meeting of the ALE & QUAIL SOCIETY, to convene within forty-eight hours of receiving the petition.

While under threat of recall the serving Captain shall select a past Captain to execute the duties of his command.

The Secretary shall personally speak with each Member to apprise him of the situation. It shall require a two-thirds majority of the entire voting Membership to recall the Captain. Under no circumstances will absentee ballots be accepted in the recall of the Captain. If a Captain be removed from office the remaining burden of his command shall be divided equitably between the several past Captains who shall volunteer themselves for such duty. This duty shall be shared by no fewer than three past Captains. At all other times the Captain shall be recalled by the same method applied to other officers.

## **Section VII • RESIGNATION OF OFFICERS**

Should an Officer wish to leave his office for whatever reason he shall submit his reasons in the form of a letter to be read by the Secretary or President at a regularly scheduled meeting. The Secretary will inform the membership of the upcoming vacancy. Applicants for the position will present themselves to the President. At the next regular Meeting the President will appoint an Member to fill the remainder of the vacant term of office. If two or more Members seek the office, the office shall be awarded by a ballot of the Members present.



## **ARTICLE III DUTIES OF OFFICERS**

### **Section I • DUTIES OF THE PRESIDENT**

The President shall preside at all meetings of the ALE & QUAIL SOCIETY. He shall therein enforce the Constitution, Rules and Customs of the ALE & QUAIL SOCIETY. It is the responsibility of the President to maintain the smooth, equitable and speedy order of business and debate. He shall cast a deciding vote in case of a tie, except in the election of officers and new Members, when he shall vote with the rest of the Membership.

While he may never participate in debate, the President may, in his capacity as executive officer, speak to the motion before or after debate if he so chooses. If he stands down from the chair the President may enter debate, but if he votes from the floor he may not then cast a second deciding vote in the event of a tie, nor may he vote from the floor if his vote would decide the issue at hand. Should the President or other presiding officer pass the chair he may not return to the chairmanship for the remainder of the meeting.

The President shall determine the order of business. He may choose to defer business unless overruled by two thirds of the Members present. The President

may, unless overruled, by two thirds of the Members present adjourn the proceedings for reasons of discipline or an other stated cause.

The President will review and decide appeals from petitions properly filed by the Members.

The President or presiding officer shall create all committees not resulting from a motion. Only the President may appoint or remove committee Members. The President shall be a Member of all committees by virtue of his office, and he shall have all the rights and privileges of committee Membership, including the right to vote in decisions of the committee. At the end of his term the President shall supply his successor with a complete list of all currently active committees. With this list he shall include the names of the Members serving on each committee and a copy of the committee's duties and authority.

The President may call for an audit of the Treasurer's books at any time. The President must cosign all checks with the Treasurer for the disposition of funds authorized by the Membership.

With the President lies the ultimate responsibility to examine and verify the credentials of any Member or Candidate. The President may, if necessary, appoint committees to investigate the background of Candidates and to acquaint them with the rules and customs of the Order.

The President shall not hold any other elected office during his term.

The President shall take all steps necessary to protect the interests of the organization, including preferring of charges against Members, individually or collectively, and order trials with the authority to discipline those affected, upon conviction. He shall have power to call upon any and all officers and Members for assistance and advice when the occasion requires such action.

Should the President personally offer a "Black Bordered" letter indicting a Member it shall be automatically adopted, and a trial date will be immediately set. If the President offers a letter he may not preside at the trial. [except in the case of a Serving Captain during Seafair. See Article II, section VI above.]

The President shall be strictly accountable and responsible for the faithful performance of his duties and shall interpret and enforce the articles of the Constitution of the ALE & QUAIL SOCIETY.

## **Section II • DUTIES OF THE VICE-PRESIDENT**

He shall assist the President in the discharge of his duties. In the absence or disability of the President, the Vice-President shall preside. By virtue of his office the Vice-President shall be a member of all standing committees, and if so directed he will relieve the President of his obligations to these committees. Should the Master at Arms be absent the Vice-President shall act in his capacity

by enforcing the rules of debate and assisting the President to maintain order. In case of the resignation of, disability of, or death of the President, the Vice-President automatically becomes President for the remainder of his term. The Vice-President's office shall, in this instance, remain vacant until the next regular election of officers. However, should the new President require assistance with the business of the Order, he may appoint a Member to assume the remaining duties of Vice-President.

### **Section III • DUTIES OF THE SECRETARY**

The Secretary shall record the proceedings of the ALE & QUAIL SOCIETY. It is his duty to send out proper notices of all regular meetings, costume operations, and of all other meetings when necessary, He may employ the telephone committee for this purpose. He shall also conduct the correspondence of the ALE & QUAIL SOCIETY. It is his duty to keep the President informed of any old or unfinished business. The Secretary's records are open to inspection by any Member in good standing at reasonable times. He shall maintain with the assistance of the Master at Arms an up to date role of Membership to include addresses and telephone numbers for all Members. The Secretary shall publish a regular newsletter to keep the Membership informed of ALE & QUAIL SOCIETY business, the newsletter to be issued at least on a monthly basis. Further, he will maintain a record of the motions, bylaws and amendments enacted by the Membership and publish them in the prescribed manner.

The Secretary must be able to produce on request additional copies of the Constitution and collected Bylaws for the convenience of Members and Candidates.

At the request of the Secretary, the President will appoint another Member to assist the Secretary in the performance of his duties. The office will now be recognized as Corresponding Secretary and Recording Secretary. The duties of the office shall be apportioned according to the pleasure of the two Members concerned, but the ultimate responsibility for the execution of the duties of Secretary shall rest solely with the elected Secretary.

The Secretary shall turn over all property of the ALE & QUAIL SOCIETY in his possession, at the conclusion of his term of office, to his successor or to the President.

### **Section IV • DUTIES OF THE TREASURER**

The Treasurer shall collect and receive all moneys due from the Membership and Candidates and deposit the same in such bank as is designated by the Members. The Treasurer shall collect assessments due from the Membership and Candidates

as directed by the President or Membership. The Treasurer must cosign all checks with the President for the disposition of funds authorized by the Membership.

A financial report shall be made by the Treasurer at every meeting. His report shall include a full account of the matters relating to his office, his official acts and work, the amount of money received and distributed by him, the balance on hand and where deposited at each regular meeting.

The Treasurer shall read aloud the names of all Members and Candidates who have not paid their dues or debts owed to the ALE & QUAIL SOCIETY. He shall, at the end of his term, or upon his re-election, deliver all books, money records and other organization belongings to the ALE & QUAIL SOCIETY, with a complete summary of the Order's financial activity during his term. At this time the financial records shall be audited by a committee to be appointed by the newly elected President.

The Treasurer shall not hold any other elected office during his term.

## **Section V • DUTIES OF THE MASTER AT ARMS**

It shall be the duty of the Master at Arms to assist the officers and Members in maintaining the meetings in an orderly manner. It is the duty of the Master at Arms to enforce the rules of order, as directed by the President, using whatever force necessary. This office is in no way connected with the office of the same name as outlined in section IX.

The Master at Arms shall at all times have in his possession a copy of Robert's Rules of Order, and he will be prepared to keep accurate time during debate.

The Master at Arms shall call the roll and keep an accurate record of attendance. He will read aloud at the commencement of each meeting the names of the Members and Candidates who have missed three regular meetings in a row, who have failed to inform an officer of their whereabouts. The Master at Arms shall maintain an accurate record of the operations in which each Member has participated.

The Master at Arms shall keep "The Book of the Dead," in which he shall record the dates when Members take leave. He shall also record the dates and circumstances in which Members leave the Order, in the case of withdrawals, suspensions, and expulsions or resignations. He shall also keep a record of Members who have been deprived of their vote. "The Book of the Dead" shall further contain the dates of a Candidate's adoption and eventual election to Membership. New customs, rituals, and traditions shall likewise be noted with an account of the reasons for their adoption.

The Master at Arms shall perform such duties as may be delegated and assigned to him by the President. He shall prevent the presiding officer from participating in debate. Further, if the Chairman should pass the chair the Master at Arms shall

prevent him from returning to the chair for the remainder of the meeting. He shall insure that when properly seconded, all non-debatable motions, such as a motions to call the question or to adjourn, are speedily heard and acted upon. The Master at Arms may prevent the President from closing debate, or, he may require that the President step down and be replaced by the Vice President, unless overruled by a two thirds vote of the Membership present.

## **Section VI • DUTIES OF THE LIAISON OFFICER**

The Liaison Officer shall perform all public relations duties as delegated by the President or the Membership. He shall perform such duties as may be delegated and assigned to him by the President or Membership. The Liaison Officer shall in consultation with the President, Secretary, and Captain Kidd prepare and distribute press releases, so, that the various media are kept generally informed of the SEAFAIR PIRATE'S public appearances and activities, supplying copy, photographs and other additional materials where necessary and as directed. Further it is his responsibility to secure suitable meeting places for all functions of the ALE & QUAIL SOCIETY.

## **Section VII • DUTIES OF THE KEEPER OF THE PROPERTY**

The Keeper of the Property shall collect, store and maintain in good condition the property of the ALE & QUAIL SOCIETY. He shall be responsible for delivering items of the ALE & QUAIL SOCIETY'S impedimenta to meetings and costume operations as may be directed by the President, the Membership, or Captain Kidd. When he takes office the Keeper of the Property will submit a full and complete inventory of the ALE & QUAIL SOCIETY'S property including statements of its condition. He shall not release ALE & QUAIL SOCIETY property to Members or non-Members without a signed receipt containing a statement of the equipment's condition, value and date of return.

The Keeper of the Property shall also act as Archivist for the ALE & QUAIL SOCIETY, keeping an accurate record and examples of all desirable notices of the ALE & QUAIL SOCIETY'S activities, including; photographs, press clippings and mentions in other media. Further he shall be responsible for proper maintenance and storage of the ALE & QUAIL SOCIETY'S souvenirs, memorabilia, awards and miscellaneous booty. As Archivist the Keeper of the Property need not be held responsible for the acquisition of the above collection but he may be empowered to demand, from time to time, additions to this collection, in the form of photographs and similar ephemera, from the Membership. Members and Candidates shall act speedily to fill these demands. If the cost of meeting a demand should be in excess of five dollars the Member or Candidate shall be reimbursed by the Order, but the Keeper of the Property may be held accountable for abuses of this provision.

## **Section VIII • DUTIES OF THE CHAPLAIN**

It shall be the duty of the Chaplain to promote harmony and goodwill within the ALE & QUAIL SOCIETY, to promote and perform special services as needed, and maintain the highest standards of morality. The Chaplain shall give advice or instruction as a result of consultation with Members on all matters of prudence and self-improvement. The Chaplain will work with the Members toward moral excellence, strength, and improvement of their position and status.

Should an un-sponsored individual submit an application for Membership, and should no other Member come forward to claim the application, it is the responsibility of the Chaplain to contact the individual and determine whether he is suitable for sponsorship. If the Candidate is found to be suitable the Chaplain may retain sponsorship or pass the Candidate to another Member for sponsorship

## **Section IX • DUTIES OF CAPTAIN KIDD**

The office of Captain Kidd shall have no authority in the constituted meetings of the ALE & QUAIL SOCIETY, nor may he hold any other elected office during his term. However, during a costume operation the Captain's authority is absolute and without limit. All of his orders shall be speedily executed by the pirates in his crew. Before conducting a costume operation the Captain shall obtain prior approval from the Membership at a regular ALE & QUAIL SOCIETY meeting, or, if between meetings from the President.

Captain Kidd, having been duly elected the preceding December, shall take office upon his arrival at the staging area on the morning of "the Pirate's Landing," and serve until he is relieved by his elected successor. Because of scheduling the Captain's term of office may not be an exact calendar year.

As his badge of office the Captain shall wear a red coat and a three cornered hat. No other Member, even if he be a past Captain, may wear either a red coat or a three cornered hat without express permission from the serving Captain. Other Members shall be expected to generally avoid wearing the color red in any capacity so as not to offend the Captain's office.

The Captain shall choose the color of the pins and stickers to be distributed during his period of command. In cases involving extra or excessive expenditure for special colors, additional colors, or artwork the Captain shall require the approval of the Members for his color/design choice. Likewise, any significant change in the design of the pins and/or stickers must be approved by the order.

On all operations, [but particularly those involving MOBY DUCK] the Captain shall carry a "Sailing Manifest." This shall contain registration and proof of insurance for the DUCK and any other equipment to be used on the operation, a



current copy of the firing protocol, a copy of the invitation to the parade/event, and waivers for guests. The "Sailing Manifest" shall also contain any other items directed by the Membership.

The Captain shall be the ultimate authority for all public actions of the SEAFAIR PIRATES, he and he alone will decide what those actions shall be, and he alone will bear responsibility for them. His Authority shall commence at the staging areas for operations and continue until he declares the operation ended. The Captain will provide the ALE & QUAIL SOCIETY with a complete record of the Members and Candidates who participated in each operation. No Member shall leave an operation without the express permission of the Captain. Should a Member or Members leave without permission or commence any activity that might be construed as a "private operation" the Captain shall bring charges and see punishment meted out at the next regular meeting of the ALE & QUAIL SOCIETY.

In general the Captain shall also have the authority to exercise summary justice on any offending Member during an operation. He may send the Member away from the operation or apply any punishment short of fine or expulsion. Members shall cheerfully and speedily acquiesce to the Captain's authority or risk later trial and expulsion by the Membership. Members who are subject to the Captain's summary justice shall have the right to appeal their punishments before the Membership. It shall require a two thirds vote of the Members present to overturn the Captain's judgment.

If during an operation two thirds of the Members should vote to oppose the Captain or temporarily remove him from command no "mutiny" shall exist, and the Captain shall not bring charges.

The Captain shall have the authority to draw upon the treasury to meet the reasonable expenses incurred during costume operations. These expenditures must be afterwards approved by the Membership. If the Members assembled shall find the Captain's expenditures unreasonable, they may withhold reimbursement/payment, then the Captain and his crew shall be liable for payment.

During Seafair the Captain will have a sum set aside for his use by the Membership, and he shall require no further authority for disbursement of these funds. To this end the Captain shall submit a proposed Seafair budget at or before the last regular meeting in April. He must submit his final budget at or before the first regular meeting in July.

To assist him during operations the Captain shall select from among the Members in good standing a Master at Arms. This office is in no way connected with the office of the same name as outlined in section V, and like that of the Captain this office is not recognized in meetings of the Order. The Master at Arms shall be deemed to speak with the voice of the Captain and be obeyed accordingly. In the event of the Captain's incapacity the Master at Arms will appoint a past Captain to deputize. If no past Captain is present the Master at Arms will exercise the

Captain's authority until the conclusion of the operation at hand. The Captain may, at his pleasure, appoint other Members to fill offices created by him as the need arises.

If during SEAFAIR the Members should wish to recall Captain Kidd, one-third of the Members in good standing shall sign and file with the Secretary a petition requesting the Captain's recall. The officers of the ALE & QUAIL SOCIETY shall confer and may by majority vote [all officers must vote] rule the petition frivolous. Should the petition be ruled valid, the officers shall set a time for an emergency meeting of the ALE & QUAIL SOCIETY, to convene within forty-eight hours of receiving the petition.

While under threat of recall the serving Captain shall select a past Captain to execute the duties of his command.

The Secretary shall personally speak with each Member to apprise him of the situation. It shall require a two-thirds majority of the entire voting Membership to recall the Captain. Under no circumstances will absentee ballots be accepted in the recall of the Captain. If a Captain be removed from office the remaining burden of his command shall be divided equitably between the several past Captains who shall volunteer themselves for such duty. At all other times the Captain shall be recalled by the same method applied to other officers.

## **Section X • DUTIES OF DAVY JONES**

While the Davy Jones is not an officer, nor indeed in general a Member, he is an elected official of the SEAFAIR PIRATES and the ALE & QUAIL SOCIETY. As with Captain Kidd, the Davy Jones holds no authority in the ALE & QUAIL SOCIETY. Further, unless he be a Member he shall not be privy to the confidential business of the Order, nor shall he vote.

Nominations for this office shall open during the first regular meeting in **January and continue until the last meeting in March. [Smith 3/02]** At this time the Captain Kidd elect shall give his opinion of each Candidate's fitness for the office. Then the Members shall vote, by show of hands, voting for more than one Candidate is permissible. A simple majority is sufficient to take office. If three or more Candidates are offered the two having the greatest number of votes shall be subjected to a second ballot. The Davy Jones will serve concurrently with his Captain.

The Davy Jones has only three duties. Firstly, to intercede with Poseidon, thereby insuring fair weather for the activities of the SEAFAIR PIRATES. Secondly, to do credit to the SEAFAIR PIRATES in all his appearances with them. And, lastly, to enjoy the benefits of the honor that we do him

In his capacity as a Divine Oracle and a sovereign Emperor, the Davy Jones shall administer the order of the Flying Dutchman. He shall, however, only confer

Membership to this order of knighthood at the direction of the ALE & QUAIL SOCIETY or in consultation with Captain Kidd. The Davy Jones shall also be considered generally competent to create titles [Lordships, etc.] according to his fancy.

The Davy shall act as master of ceremonies at the DAVY JONES BANQUET. He will be prepared for this duty by the advice of such Members as the Captain shall detail. Unless the Captain shall direct otherwise, this annual celebration shall be held each year on the evening before the Torchlight Parade.



**Figure 3 Attendees at the Davy Jones Banquet 1996**

The DAVY JONES BANQUET shall be a private costume operation. All Members, Candidates, Past Captains, Past Davys, Withdrawn or retired Members, lapsed and former Members or Seafair Pirates of any kind shall be made welcome on this occasion. On this one evening in the year a general amnesty shall be observed. No mention whatever shall be made of any past injury or complaint. All former Members and any other non-members present shall be deemed the guests of the Captain

If the Membership wishes to remove the Davy Jones from office, he may be recalled at any meeting where a quorum is present. If a motion to recall is offered and seconded, the matter shall come to a vote at the next regular meeting, a simple majority being required to pass the motion.

Upon successful completion of his term a Davy Jones shall be eligible for Associate Member status. Should he wish to become a Candidate for full

Membership the Davy Jones may do so at the end of his term of office, or at any time thereafter.

Having been accepted as a Candidate a serving Davy Jones will begin his Candidacy when he is relieved by his elected successor on the morning of the Pirate's Landing. If the former Davy should survive his period of Candidacy, he will be voted on for Membership at the last regular ALE & QUAIL SOCIETY meeting before the next year's Pirate's Landing.



## **ARTICLE IV SELECTION OF CANDIDATES**

### **Section I • CANDIDATE SEASON**

The Introduction of Candidates shall commence at the first regular meeting following SEAFAIR. The ALE & QUAIL SOCIETY will continue to entertain introductions until the last meeting in December of the same year. Should there be fewer than five new Candidates by the end of the season, the ALE & QUAIL SOCIETY shall extend the introduction period until the last regular meeting in February. No Candidate shall in any circumstance be admitted, or re-admitted, after the first day of March. [Except in the case of the Davy Jones. See Article III, section X]

### **Section II • ELIGIBILITY**

Any individual, free of felony convictions and outstanding warrants, who has reached their twenty-first birthday, and can secure sponsorship, may be eligible for candidacy and possible Membership in the ALE & QUAIL SOCIETY. Habitual Drunkards, Substance Abusers, and Convicted Felons are not eligible for Candidacy.

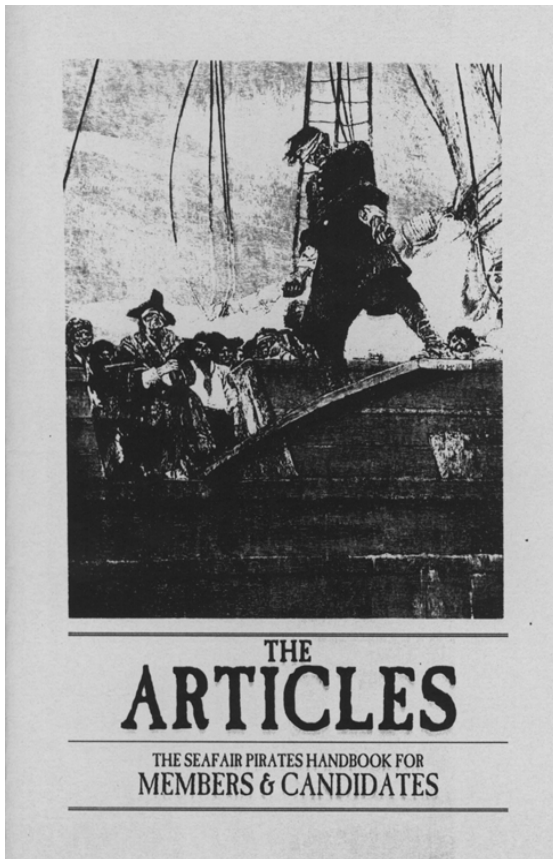
After receiving a favorable vote of two thirds of the Members present at the time of his introduction, new Candidates must pay a non-refundable initiation fee and additionally, must pay yearly dues that have been prorated to the end of the current year. Candidates who fail to pay their yearly dues and delinquency penalties within the required period are automatically expelled.

All new Candidates are subject to a full investigation by a committee appointed by the President. A brief written personal history or resume will be submitted by Candidates for this purpose. The findings of the investigation will be brought before the Membership if deemed necessary by the committee.

### **Section III • CANDIDACY**

The Candidate period shall be no less than one full calendar year. During that year the Candidate shall devote himself to demonstrating his fitness for Membership by means of his dress, deportment, and performance.

Candidates shall be provided, by the Secretary or Chairman of the Guidance Committee, with a current copy of the constitution and bylaws. Candidates are encouraged to familiarize themselves with this material.



All Ale & Quail Society Members & Candidates should have a copy of this booklet.

In part it contains: Do's & Don'ts  
Instructions to Pirates  
Cannon Drills  
The Basic Songbook  
Weapon Firing Rules & Duck Duty



If you do not have a copy, you may obtain one from the Secretary, Candidate Committee Chairman, or from your Sponsor.

Candidates may be subjected to traditional rituals or other rights of initiation during their year. However, no Candidate shall be subjected to any ritual or initiation that would place the Candidate's health or physical well-being in

jeopardy. Further, no Member shall induce a Candidate's participation in any ritual or initiation by threatening to suspend the individual's Candidacy.

Within the limits of decorum the Candidate is encouraged to participate in discussion on questions brought before the Order, but he is not permitted to vote or offer motions. Candidates are bound by the Constitution and rules of the ALE & QUAIL SOCIETY to the same extent as Members, to the full extent that such Constitution and rules are applicable.

Every Candidate is required to keep the Secretary and the telephone committee currently informed of his residence, phone number and any change thereof.

#### **Section IV • CANDIDATE'S ATTENDANCE**

In order to demonstrate his suitability for Membership, a Candidate shall attend all functions public and private of the ALE & QUAIL SOCIETY and the SEAFAIR PIRATES. It may be, however, that the Candidate has a compelling reason for absence, should such an emergency arise, he must obtain approval of his excuse from an officer, PRIOR TO HIS ABSENCE.

#### **Section V • WITHDRAWAL OF CANDIDATES**

Should a Candidate find himself unable to fulfill his obligations to the Order he may withdraw without prejudice. To withdraw a Candidate must submit, through his Sponsor, a letter outlining his request to withdraw and his reasons for doing so. If he so desires, he may be re-sponsored during a later period of Candidate introduction. Previous time spent as a Candidate will not be applied to any future period of candidacy.

#### **Section VI • VOTING FOR MEMBERSHIP**

After successfully serving an uninterrupted calendar year, a Candidate will then be voted upon for admission to the ALE & QUAIL SOCIETY. For a vote to be valid a quorum must be present. Membership votes shall be by secret ballot. To attain Membership a Candidate must receive a favorable vote of at least two-thirds of the Members present. Absentee ballots will not be valid in Candidate elections. Any Candidate failing to obtain the necessary vote will not be eligible for future candidacy or Membership at any time.

#### **Section VII • CANDIDATE EVALUATION**

During the year each Candidate shall be subjected to no less than four periods of Candidate Evaluation, on these occasions the Candidate's performance will be reviewed and if need be criticized by the Membership. Members will vote to retain or drop Candidates at this time. Termination of a Candidate requires a simple majority of a quorum. Members may request to vote by secret ballot.

Although during the Member's deliberations regarding a Candidate's performance, examples of both good and bad behavior may be discussed, when the Candidate is

called before the Membership he may hear only critical comments and any suggestion of praise shall be withheld.

When a Candidate shall be criticized in two successive evaluations for the same or similar commission or omission the Candidate's Sponsor shall be questioned. If no satisfactory explanation is made by the Sponsor, or likewise, if a Candidate should be expelled during a review, or at any other time, the Candidate's Sponsor shall have his privilege of sponsorship reviewed by the Membership, the assembled Members may choose to revoke the Member's sponsorship privileges.

Should a Candidate be criticized in three successive evaluations for the same or similar commission or omission the Candidate's Sponsor shall be fined a cash amount equal to one year's dues. A two-thirds vote of the Members present is required to suspend a sponsor's privilege. Any period of suspension shall be determined by the President or prescribed by the Membership assembled.

In this event the President or members of the Candidate Committee shall secure new sponsorship for the Candidate in question. Following the revocation of a Sponsor's privileges it then shall be incumbent on the whole Membership to see that the omissions of the Candidate's Sponsor are speedily corrected.

### **Section VIII • EXPULSION OF A CANDIDATE**

When the ALE & QUAIL SOCIETY Membership votes that a Candidate be expelled, the vote will be binding. Further, a Candidate may be expelled for any stated reason, at any time or at any place, where a quorum of Members in good standing are assembled. No Candidate shall be expelled without first examining his sponsorship.

Candidates who are expelled must be notified of the fact through a letter from the Secretary or President a copy of which shall be placed in the minutes.

Once expelled an expelled person forever forfeits his affiliation with the ALE & QUAIL SOCIETY and the SEAFAIR PIRATES. The expelled person shall be held liable for the return of any and all club property in his possession. An expelled person may not display or otherwise employ the trademarks and emblems of the Order, nor may he trade upon his former relationship with the ALE & QUAIL SOCIETY and the SEAFAIR PIRATES. Having been expelled the expelled person may at no time be reinstated or re-sponsored, nor may he participate in any capacity, publicly or privately, with the ALE & QUAIL SOCIETY or the SEAFAIR PIRATES.

## **Section VIII • SPONSORSHIP PRIVILEGES**

Members shall enjoy the privilege of bringing suitable individuals to the Order for consideration as prospective Members. A Member considering sponsorship of a Candidate must thoughtfully consider his character and qualifications.

The sponsor shall inform his Candidate of the Constitution, Traditions, Rules and Customs of the ALE & QUAIL SOCIETY. He will assist his Candidate in the acquiring a suitable costume and to be properly attired at any official appearance.

It shall be the sponsor's duty to inform his Candidate of any criticism of the Candidate made during the evaluation period and to assist his Candidate in making the required corrections. And, further, to correct his Candidate's commission or omission whenever observed, or reported by other Members.

## **Section VIII • REVOCATION OF SPONSORSHIP PRIVILEGES**

A Member's privilege to sponsor Candidates will be suspended if the Membership should determine that the sponsor has not met his responsibility to his Candidate, or if the sponsor should fail in his responsibility to the ALE & QUAIL SOCIETY in so far as he is found to be ignorant of his Candidate's history or character. A two-thirds vote of the Members present is required to suspend a sponsor's privilege.

Should a Member be deprived of his sponsorship privileges, the President or members of the Candidate Committee shall secure new sponsorship for the Candidate in question. In this event it is incumbent on the whole Membership to see that the omissions of the Candidates sponsor are speedily corrected.



## **ARTICLE V STATES OF MEMBERSHIP**

### **Section I • CANDIDACY**

A Candidate for membership in the ALE & QUAIL SOCIETY shall serve for no less than one full calendar year. During that year the Candidate shall devote himself to demonstrating his fitness for Membership by means of his dress, deportment, and performance.



Candidates may neither vote nor offer motions.

A Candidate may be expelled at any time, should the Members so will it. A Candidate who finds himself unable to fulfill his obligations to the Order may withdraw without prejudice and should he so desire he may be re-sponsored at a later time. Previous time spent as a Candidate will not be applied to any future period of candidacy.

## **Section II • MEMBERSHIP**

Should a Candidate, after one or more years of service, be approved by a two thirds majority of the Members present, he shall be admitted to the ALE & QUAIL SOCIETY. Thereafter he shall be known as a Member in Good Standing, or simply as a Member. A Member shall be required to attend regular meetings according to the protocol of the Order. He shall have the unrestricted privilege of attending all functions of the ALE & QUAIL SOCIETY and the SEAFAIR PIRATES. He shall also have the privilege of participating in and voting upon the business of the Order.

It is the responsibility of every Member to act at all times to safeguard the Order and to do everything in his power to insure it's secure future.

A Member shall remain in good standing so long as he remains current in his dues and assessments, and maintains his obligations to the Order in respect of attendance and deportment. Members who fail to pay their yearly dues and delinquency penalties within the required period are automatically placed on Withdrawn status.

Every Member is required to keep the Secretary and the telephone committee currently informed of his residence, phone number and any change thereof.

## **Section III • ASSOCIATE MEMBERSHIP**

It is recognized that in some VERY SPECIAL instances the ALE & QUAIL SOCIETY may find it desirable to invite individuals to join it's ranks. As may be the case for those persons who the club wishes to honor, those persons who have performed, or are in a position to perform, exceptional services for the club, or those persons who possess special skills, knowledge or talents which the club has need of. For these persons the Candidate period is waved and they are said to be Associate Members. Persons who might, under other provisions of this Constitution, be ineligible for Membership may not be admitted as Associate Members. Likewise Associate Members are bound by the Constitution and rules of the ALE & QUAIL SOCIETY to the same extent as full Members, to the full extent that such Constitution and rules are applicable.

Associate Membership can only be offered by invitation as directed by the Membership. A petition for Associate Membership must be made to a standing review committee consisting of five past Captains. If after investigation the applicant is found to be both eligible and desirable the chairman of the review committee shall make a motion to adopt the applicant as an Associate Member at the next regular meeting. [Munsell 3/97]

Associate Member status may be granted by a two thirds majority at any meeting of the ALE & QUAIL SOCIETY where a quorum is present. Upon adoption, all Members must act to instruct Associates in the rules and customs of the Order.

Associate Members pay full dues and may attend all regular meetings and functions of the ALE & QUAIL SOCIETY. However, Associates may in no circumstance cast a vote or sponsor a motion. An Associate Member may participate in costume operations throughout the year after, in each instance, obtaining the Captain's permission to attend.

Should an Associate be found arrears in his dues and assessments his Membership shall be immediately terminated. Should an Associate Member be terminated for nonpayment or if he should withdraw he must have his Associate status re-approved by the Membership before resuming Associate status.

Associate Members who reside in distant locals may have their dues and assessments reduced to reflect their inability to participate. Though in addition to paying assessments for maintenance and postage [as with Life Members] they will always be liable for assessments relating to any activity in which they elect to participate.

After five years in good standing with the ALE & QUAIL SOCIETY as an Associate Member, an Associate may petition for full Membership. This may be granted by a two thirds majority, at any meeting of the ALE & QUAIL SOCIETY where a quorum is present, and shall take effect upon payment of the appropriate Candidate fees.

#### **Section IV • LIFE MEMBERSHIP**

When a Member shall have been an active [full dues paying] Member in good standing for twenty-five accumulated years he then becomes a Life Member of the ALE & QUAIL SOCIETY.

A Life Member shall be accorded all rights and privileges of active Membership, however, he is excused from attendance requirements. He is exempt from Membership dues, but may be liable for other assessments, especially those for postage and maintenance. Maintenance shall be 25% of current dues or \$50, whichever is the lessor amount.

## **Section V • PROBATION**

In the event of a Member being convicted of a misdeed by the Order he may be censured through a sentence of probation. During the period of probation the Member may have his attendance, participation, or privileges in some particular restricted or otherwise specified. The period of probation and the details thereof will be set down in the details of either the trial verdict or motion of censure. should a Member not comply with the sentence of the Order he will be immediately expelled.

## **Section VI • LEAVE OF ABSENCE**

A Member may find that he cannot participate actively in the affairs of the ALE & QUAIL SOCIETY and the SEAFAIR PIRATES, for whatever reason, he may make a written request for a leave of absence. A Member on leave is relieved of all attendance requirements but still pays all dues and assessments and retains all the rights and privileges of full membership. Should a Member remain on leave for longer than one calendar year he must either return to active status or surrender his vote. The Master at Arms shall note the date of a Member's leave. A Member returning after one calendar year on leave may not vote until the second regular meeting following his return. A Member on leave for any period less than one year is still in "good standing."

A Member on Leave of Absence may return to active status by presenting himself at any regular meeting of the ALE & QUAIL SOCIETY and stating his intention to the Members present.

## **Section VII • WITHDRAWAL OR INACTIVE MEMBERSHIP**

A Member may find that he can no longer support his Membership in the ALE & QUAIL SOCIETY and the SEAFAIR PIRATES, in this case he may, in writing, state his intention to withdraw. A withdrawn Member pays no dues and is not liable for assessment. He may attend meetings of the ALE & QUAIL SOCIETY but he may not vote or offer a motion. He may attend SEAFAIR PIRATE operations between the last day of SEAFAIR and the end of the same year. He may at the express invitation of the Captain participate in SEAFAIR events.

A withdrawn Member may return to active status at any time after the last day of SEAFAIR and the end of the same calendar year by submitting written notification to the Secretary stating his intention to do so at least one meeting prior to his becoming active. A Member returning from withdrawal may not vote until the second regular meeting following his reactivation.

Withdrawn Members, should they so desire, may receive the club newsletter and other mailings upon payment of the maintenance fee charged to Life Members.

## **Section VIII • SUSPENSION**

A Suspended Member enjoys neither the rights or privileges of Membership. However, a Suspended Member may be required to attend regular meetings of the ALE & QUAIL SOCIETY. A suspended Member may not be present at, or participate in, costume operations. The period of Suspension and the details thereof will be set down in the text of the trial verdict. Should a Member not comply with the sentence of the Order he will be immediately expelled.

## **Section IX • RESIGNATION**

When a Member finds that he can no longer, in good conscience, maintain his affiliation with the Order he may in that extreme resign. The resigned person shall be held liable for the return of any and all club property in his possession. A Member who tenders his resignation voluntarily forfeits his position in the ALE & QUAIL SOCIETY and the SEAFAIR PIRATES. A resigned person may not display or otherwise employ the trademarks and emblems of the Order, nor may he trade upon his former relationship with the ALE & QUAIL SOCIETY and the SEAFAIR PIRATES.

Should a resigned person have a change of conscience he may, in the form of a letter, petition the Membership for reinstatement. If a majority of the Members present approve, the resigned person will be directed to appear at a stated meeting to present his appeal. If at that time the resigned person can secure the favorable vote of two thirds of the Members present he shall be reinstated. A reinstated Member shall remain on probation for one calendar year during which time he may neither vote nor sponsor motions. Should a reinstated Member commit any offense during his probation he shall be automatically expelled.

## **Section X • EXPULSION**

When a Member should be properly tried and convicted by the Order he may be expelled. No Member shall be expelled by less than a two-thirds majority of the voting Members present at the time of his trial.

Once expelled an expelled person forever forfeits his affiliation with the ALE & QUAIL SOCIETY and the SEAFAIR PIRATES. The expelled person shall be held liable for the return of any and all club property in his possession. An expelled person may not display or otherwise employ the trademarks and emblems of the Order, nor may he trade upon his former relationship with the ALE & QUAIL SOCIETY and the SEAFAIR PIRATES. Having been expelled the expelled person may at no time be reinstated or re-sponsored, nor may he

participate in any capacity, publicly or privately, with the ALE & QUAIL SOCIETY or the SEAFAIR PIRATES.



## **ARTICLE VI DISCIPLINARY ACTIONS & EXPULSION**

### **Section I • CAUSE FOR DISCIPLINARY ACTION**

Generally the specific crimes and offenses worthy of trial or censure will not be committed to the Constitution. These offenses and the prescribed punishments will be set down in bylaws adopted by the Membership of the ALE & QUAIL SOCIETY. However in the broadest sense, any officer or Member of the ALE & QUAIL SOCIETY who becomes a habitual drunkard, who wrongs a fellow Member or defrauds him, commits an offense discreditable to the Order, who creates dissension among the Members, who destroys the interest and harmony of the Order, who seeks to separate it from the general organization, who willfully slanders or libels an officer or Member, or embezzles the funds of the organization, or refuses to acknowledge or perform the lawful command of those authorized within the ALE & QUAIL SOCIETY, may be disciplined, or upon trial therefore and conviction thereof, be fined, suspended, placed on probation or expelled from the Order.

In many places this constitution specifies penalties as a consequence of a stated actions. Often the expression; "automatically expelled" is employed. In every case this constitution shall require Members be given the full benefit of due process, through trial or motion of censure, before any punishment may be meted out.

### **Section II • MOTIONS OF CENSURE**

It may be the case that a Member may commit an offense which the Order shall deem worthy of punishment but which does not warrant a trial. A Motion of Censure may be offered at any regular meeting where the subject of the motion is present, and able to speak in his defense. A two-thirds vote of a quorum is required to apply censure. Such minor infractions will usually be deemed remedied by letters of apology from the offender to all current Members and Candidates. But in some instances a mild probationary punishment or restriction may be applied. Serious penalties in the nature of suspension in excess of six

months, fines in excess of one half of annual dues, or expulsion cannot be applied through a motion of censure.

A Member may appeal against a Motion of Censure by petition. [see article vii, section iii] The Member's petition of appeal will be voted on at a stated meeting. A two-thirds vote of a quorum shall be required to reverse a Motion of Censure.

### **Section III • TRIALS**

The ALE & QUAIL SOCIETY shall have the responsibility to discipline its Members, and if need be, to purify its own body. The Order therefore must have the right to investigate the character and actions of its Members.

Any Member in good standing may bring charges against another Member by causing such charges to be presented in the form of a black bordered letter at a regular meeting where a quorum is present.

To be valid a letter of charges must contain all specifics of the indictment. The letter must name the crime in question and state when and where the crime was committed, along with all details necessary to determine that a crime has been committed. Any documentary evidence to be used in support of these accusations must be attached to the letter of charges. No crimes can be investigated at trial except those specifically detailed in the letter of charges.

Having heard the letter the Members will then decide if the charges should be tried., a simple majority being sufficient to accept the charges. Should the charges be insufficiently described, or should they be judged frivolous, the author[s] may be subject to a motion of censure brought by the assembled Members.

Should the charges be accepted, the President and/or Secretary shall set a date for the trial and send the accused a certified written notice, or serve notice in person at a regular meeting, advising him to appear before the ALE & QUAIL SOCIETY at a time appointed for the trial. At the same time the accused shall be furnished with a copy of the letter of charges and any documentary evidence to be used in support of the charges.

Should the President personally offer a "Black Bordered" letter indicting a Member it shall be automatically adopted, and a trial date will be immediately set.

If the President offers a letter he may not preside at the trial.

Trials shall be at "stated" meetings. The regular order of business shall be suspended.

The accuser and the accused shall be deprived of their rights and privileges to the same degree until their case shall be decided by the Membership.

Failure to obey a summons to appear is cause for summary expulsion.

Members may be required to testify in the case, any Member who declines to testify shall be judged and dealt with exactly as the accused. Likewise, subject to proof, any Member who perjures himself shall be judged and dealt with exactly as the accused.

At the time of the trial the author[s] of the letter will be called into the room, the Secretary shall read the letter of charges to the Members assembled. The author[s] of the letter may call upon Members to give testimony in support of the accusation outlined in the letter. The authors may not give testimony additional to that contained in their letter, but they may answer any questions relevant to the letter of charges that are posed by the Membership.

**THE ACCUSED MUST BE TRIED ON THE MERITS OF THE LETTER OF CHARGES, DOCUMENTARY OR OTHER EVIDENCE AND THE TESTIMONY OF THE MEMBERS PRESENT.**

Non-Members may not testify, nor may they be present at these proceedings, but the testimony of non-Members may be introduced in the form of affidavits witnessed by two Members not connected with the authorship of the letter or in the case of the accused by two Members not named in the letter of charges.

When the Members assembled shall have considered the charges and any supporting testimony to their satisfaction, The author[s] of the letter of charges shall leave the room, and the accused will be allowed to appear and present his case to the assembled Membership.

Should he so desire an accused Member may have another Member speak for him at trial. The advocate's rights shall not be abridged by this action.

The accused shall make an explanation of his actions and may if he so chooses, introduce witnesses or submit documentary evidence and written testimony to support his account. The accused Member may under no circumstances be allowed to know the identities of any Members who have testified in support of the accusation in the letter of charges.

When the accused has presented his case, or if he should admit the charges, he shall retire from the meeting room. Then the presiding officer shall distinctly state the charge by reading from the letter before the Membership and present the matter to the Membership for deliberation. Each Member present shall be given an opportunity to speak at this juncture.

The Membership of the Order will then submit their findings to a vote. If two or more Members stand accused, they shall be tried individually and alphabetically. The verdict shall be withheld until all accused are tried. Therefore, no accused Member will have the right to vote on another accused Member.

When a verdict has been reached the accused and his accuser[s] shall be recalled to hear the decision of the Members assembled. Should the verdict be not guilty the proceedings are closed, and the meeting will be immediately adjourned. If, however, the accused admits the charge or if the accused shall be judged guilty

the author[s] of the letter will resume his place at the table. The convicted Member will now be given the opportunity to address the Members before sentencing, then he shall go out.

The assembled Members shall debate sentence. A sentence shall be introduced as a motion and, if seconded, a simple majority will serve to apply it. A series of motions for sentencing may be passed in succession until no new motion can be adopted. Each succeeding motion invalidates the one preceding. The final motion shall be applied as the sentence of the Order. When the Members assembled adopt a sentence, the convicted Member shall be recalled to hear the final decision of the Order, and receive his sentence.

No Member shall be expelled by less than a two-thirds majority of the Members present. However, a Member may be judged guilty and sentenced to a lesser punishment on a simple majority of the Members present. Absentee votes will not be accepted.

No Member shall be brought to trial for the same charge twice.

#### **Section IV • ACCUSATIONS BROUGHT BY NON-MEMBERS**

"Charges" may be brought against Members and Candidates by the public ONLY if the complainant should make their accusation in person at a regular meeting of the ALE & QUAIL SOCIETY. The accused must be notified by an officer regarding the nature of the accusation at least one meeting before the accusation is heard. The accused should be notified discretely without making the nature of the accusation known to the general membership before the complainant presents their case. The accused must be informed that should he not appear to face his accuser, this will be viewed to be a failure to obey a summons as in section iii. Members shall be advised to appear at a stated meeting just as for a trial.

In the case of a complaint brought by a non-member, both the complainant and the accused may bring non-members as witnesses and may present any other evidence necessary to their presentations.

The accusation and any defense mounted by the accused, shall be heard by the Members at which point both the accused and the complainant shall go out. The Members present shall deliberate and decide what if any action shall be taken regarding the accusation. When a decision is reached the accused and the complainant will return to hear the decision of the order. This will conclude the participation of non-members.

If the accused should be found guilty of an offense and if a punishment more serious than six months suspension is applied the accused may appeal the sentence at a later time when members of the public shall not be present. Likewise the Membership shall reserve the right to add to or increase the sentence of the accused when the public shall not be present.

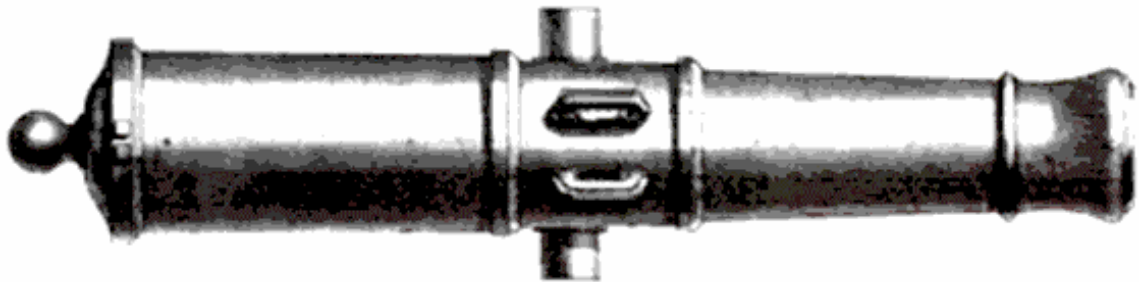


Complaints or testimony for a defense may be submitted in writing only in the case of residence at a distant location or for the convenience of persons with disabilities that would prevent their appearance. Any written charge or testimony must be subject to verification by a panel of Members not connected with the complaint.

If a complainant does not elect to appear the President shall judge the accusation frivolous and shall not bring it before the general membership. However, the President shall in all cases with such complaints make the accused privately aware of the details of the complaint.

## **Section V • REINSTATEMENT OF EXPELLED MEMBERS**

Any new evidence that has a direct bearing in the case of an expelled Member may be presented before the Order at a regular meeting. The Membership shall hear the evidence of the case in question. A two-thirds vote of the Members present at this meeting shall be required to restore said person to all rights and privileges granted a full Member of the ALE & QUAIL SOCIETY. Any Member wishing to present such evidence must serve the Order with notice in writing of his intent to do so at least two meetings in advance of the meeting at which he intends to present it.



## **ARTICLE VII RULES AND CUSTOMS**

### **Section I • GOVERNMENT**

The government of the ALE & QUAIL SOCIETY shall be parliamentary in form and be administered by consent of the Membership through it's elected officers.

The President in his capacity as Executive Officer of the ALE & QUAIL SOCIETY shall be the only officer deemed competent to speak on behalf of the Membership, but his actions must be afterwards ratified by the Membership to have the force of official ALE & QUAIL SOCIETY policy.

Should the question of succession occur, in the absence of the President or other designated chairman, the chair shall pass in the order of precedence outlined in Article III. Likewise shall the chair pass in case of the presiding officer's permanent disability, removal or resignation from office. In the event of succession, the Vice-President's office may remain vacant. Should the Secretary succeed he may retain his office or he may appoint a new Secretary in his stead. However, should the Treasurer find himself the senior officer of the Order he shall immediately call new elections for all offices. [excepting those of Captain Kidd & Davy Jones] The Treasurer and officers junior to him may not hold the chair permanently.

Officers of the ALE & QUAIL SOCIETY shall not concern themselves with the administration of the SEAFAIR PIRATES during costume operations, as this is the exclusive province of the Captain and his appointed officers.

## **Section II • MEETINGS**

An elected officer must preside for a gathering of Members to be recognized as a formally constituted meeting. Meetings shall be convened biweekly, or as often as deemed necessary by the officers and Membership.

A quorum shall require the presence no less than twelve voting Members and a Chairman.

Should the Membership so direct, any vote taken without a quorum present may be nullified and the issue shall be re-submitted for a decision when a quorum shall be present. (13 Members)

Meetings should not exceed two hours in duration. Business remaining at the end of two hours shall be taken up at the next regular meeting under old or unfinished business. Meetings convened for the purpose of hearing charges may, if necessary, exceed two hours.

## **Section III • DEBATE & MOTIONS**

Debate during meetings of the ALE & QUAIL SOCIETY shall be conducted according to "Robert's Rules of Order" as applied at the President's discretion. Officers of the Order will be responsible for the enforcing of these rules. If in the course of debate or regular business the ALE & QUAIL SOCIETY'S Members should have cause to appeal to "Robert's Rules of Order," and should they be found in conflict with the specifications of this Constitution, the matter must

always be decided in favor of this Constitution. The President may rule a motion out of order if he determines it to be in opposition to the terms and specifications of this constitution.

Motions may only be offered when a Member is recognized by the chair. All motions must be seconded to be voted upon. Motions may not be offered during committee/officer reports except by the Member delivering the report. A motion to "call the question" or to adjourn is always in order. If properly seconded, business must immediately cease while these motions are voted upon.

No binding motions may be offered if a quorum is not present. A quorum shall require the presence no less than twelve voting Members and a Chairman. (13 Members)

Should a motion be offered, the Member offering the motion will copy out the text of his motion to be read by the Secretary before it is voted upon.

Any decision taken by the Order may be appealed through a petition bearing the signature of one third of the voting Membership of the ALE & QUAIL SOCIETY. After discussion the President will review and decide appeals from decisions properly filed by the Members. Similar petitions may be filed with the Secretary regarding any matter relative to the ALE & QUAIL SOCIETY, by so doing the matter will be open for discussion and shall brought to a decision at the next regular meeting.

#### **Section IV • COMMITTEES**

Committees shall be of two types; Special Committees and Standing Committees. Special Committees are constituted to perform a particular task and shall dissolve upon adoption of their final report by the Membership. Should the committee not report before the expiration of the term of the officer that constituted it, it shall dissolve unless it is subsequently renewed by the officer's successor. Standing Committees are established to deal with an ongoing set of tasks and will continue to serve until expressly dissolved by the President. Standing Committees therefore do not expire with the term of the officer who constituted them, but may continue over a period of many years with only an occasional change of personnel should such be required.

Committees may be constituted in one of two ways. In the usual way committees are created at the pleasure of the President, whenever in his judgment they should be required. The Membership may also create a committee as a consequence of a motion.

Only the President or presiding officer may appoint or remove committee members. Should a committee result from a motion the Member offering the motion must serve on the committee.

No committee shall have any authority to act until it's Chairman is provided with a written account of the specific duties of, and authority vested in, said committee

The President shall be a Member of all committees by virtue of his office, and has all the rights and privileges of committee membership, including the right to vote. When the committee has prepared a report for the Order, all Members of the committee should sign it and then submit it to the Membership for consideration and adoption. Should a Member of a committee dissent from the majority, his view must be attached to the committee's report. Should the Member[s] in question so desire this dissenting report must be presented to the Order with same weight as the majority decision. If in the judgment of the President, the committee has failed to make its final report, in writing as deemed necessary, the President shall dissolve the committee and appoint another.

## **Section V • AMENDMENTS TO THE CONSTITUTION**

Any Member may offer an amendment to this constitution, be it a modification, addition or deletion, at any regularly constituted meeting of the ALE & QUAIL SOCIETY. The amendment must be submitted in writing and then read out by the Secretary, then the motion to amend must be seconded. If there is no second the amendment must be withdrawn.

If seconded, the Secretary shall cause the language of the amendment to be included in the next regular edition of the ALE & QUAIL SOCIETY newsletter. The Secretary shall further advise the Membership that the amendment will be voted upon at the second regular meeting following publication.

To be adopted an amendment must receive the favorable vote of at least two-thirds of the Members present. [Munsell 3/97]

The constitution cannot be amended to act retroactively.

An amendment, unless adopted under some instruction to the contrary, becomes law immediately upon it's adoption by the Membership. The Secretary will promptly distribute new copies of the Constitution, as amended, to the Membership, advising the Members to discard earlier invalid drafts. All new amendments must appear in bold type in the next edition of the Constitution following their adoption.

## **Section VI • BYLAWS**

Bylaws may not modify or address any subject, rule or procedure, touched on or referred to by this Constitution, except in instances where the Constitution calls for the creation of a bylaw. Bylaws must be submitted in writing to the Secretary to be read before the Membership. A bylaw may be introduced and ruled upon at any meeting where a quorum is present, a simple majority being required for adoption. Likewise a bylaw may be amended or invalidated by a simple majority.

To remain in force bylaws must be published in a timely manner by the Secretary, the preferred method being inclusion in the next scheduled ALE & QUAIL SOCIETY newsletter. New bylaws must be collected together annually with all other extant bylaws for distribution to the Membership at the first regular meeting in January. If still unpublished six months after it's adoption, a bylaw is then invalid and may not be cited or enforced.

## **Section VII • ATTENDANCE**

An officer or Member who does not attend three regular meetings in a row, and fails to acquaint an officer with his excuse, shall be notified by the Master at Arms of the fact, and be required to appear at the next regular meeting. Should the Member attend no further action shall be taken. But should the Member fail to present himself, he shall be, automatically and immediately, withdrawn from the ALE & QUAIL SOCIETY.

Excused absences are generally granted only when the absentee is ill, working, vacationing, or suffering some other EMERGENCY or hardship beyond his control. It is the absentee's duty to call and notify an officer of his excuse PRIOR to his absence. Members expecting to be absent regularly for work or health reasons should request a Leave of Absence. Should the absentee be found in any capacity other than his excuse, he shall be summoned to appear before the ALE & QUAIL SOCIETY for trial or censure. The President shall invalidate a Member's excuse if he should judge it frivolous. A Candidate is required to attend all meetings for a full calendar year to be eligible for full Membership.

## **Section VIII • DUES, FEES AND ASSESSMENTS**

Dues, initiation fees, and assessments shall be set by the Membership and adjusted as necessary to ensure the solvency of the ALE & QUAIL SOCIETY. All Members and Candidates shall pay their dues in full or incrementally according to the payment schedule adopted at the last regular meeting in December. Payment schedules shall make provision for delinquency penalties.

Members who fail to pay their yearly dues and delinquency penalties within the required period are automatically placed on withdrawn status, similarly, Candidates will be expelled.

Dues, fees, assessments, and penalties shall not be refundable as a consequence of disciplinary action.

## **Section IX • LIABILITY & INSURANCE**

All Members & Candidates shall have on file with the Secretary a current "Liability Waiver / Hold Harmless Agreement." Further, guests or any other occasional participants will sign similar waivers.

Members, Candidates and all other persons without a waiver on file shall be prevented from participation in "Costume Operations" or similar public functions. The Captain shall carry "Guest Waivers" and "proof of insurance" as part of his "Sailing Manifest."

## **Section X • LICENSES & CERTIFICATES**

The Treasurer shall secure and maintain a safe deposit box for the ALE & QUAIL SOCIETY. The President and Treasurer shall have keys. This box will be located at the bank in which the ALE & QUAIL SOCIETY's funds are deposited. The officers of the ALE & QUAIL SOCIETY shall without fail place all licenses, certificates, bonds, shares, securities, contracts and/or any proofs of ownership of assets or other property belonging to the ALE & QUAIL SOCIETY in this safe deposit box. The annual certificate of incorporation for the ALE & QUAIL SOCIETY and its subsidiaries shall also be kept here.

The officers shall be held strictly accountable for the security and maintenance of these documents. The contents of the safe deposit box shall be made available for review by the Membership upon request.

## **Section XI • CONSTITUTION**

This Constitution, superseding all others, is adopted by the ALE & QUAIL SOCIETY in the year of nineteen-hundred and ninety-five. **Having been subsequently renewed during the regular meeting of the Ale & Quail Society on January 19th, 2000, it shall continue in force, with occasional amendment until the second regular meeting of the ALE & QUAIL SOCIETY in the year two thousand and five, at which time, it must be renewed by a two thirds vote of the Membership present.** [Membership 1/00] Subsequent periods of renewal are to be determined at the pleasure of the Membership, but no period of renewal is to exceed ten years.

Where found, errors of spelling, grammar, or punctuation shall not require an amendment to correct. If a Member brings an error to the attention of the Secretary he shall make note of it and see that it is corrected in the next issue of the constitution.

Should the membership roll of the ALE & QUAIL SOCIETY ever fall below the number of Members required for a quorum this constitution may be suspended in

whole or in part by the President until such time as there shall be sufficient Members to convene a quorum.



## ***ADDENDUM • TIMES FOR STATED PROCEDURES***

### **FIRST MEETING IN JANUARY:**

- Install officers.
- Review committees; renew as required.
- Open nominations for Davy Jones.
- Distribute new editions of bylaws and constitution with any changes.

### **LAST MEETING IN MARCH:**

- Elections for Davy Jones.

### **FIRST MEETING FOLLOWING SEFAIR:**

- Commence introduction of candidates.

### **LAST MEETING IN NOVEMBER:**

- Nominations for offices.

### **LAST MEETING IN DECEMBER:**

- Election of officers.
- Set dues and delinquency penalties adopt a schedule for payment.
- Candidate introductions conclude.

