



# Sons of Union Veterans of The Civil War

Office of the Commander-in-Chief

Ken L. Freshley  
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General Order #24  
SERIES 2013-2014  
21 August 2014

Brothers,

This is a mandated change from the 2014 National Encampment. **(Change in Red)**

This a General Order ultimately concerns the issue that have happened late last year and this year. These actions that are being taken by the Auxiliary are very serious and also very delicate situations.

Please review the entire history that is provided as it will clarify my final decision.

Please be advised that this situation was not taken lightly and required a lot of research and discussions.

## HISTORY

### Original Situation and Opinion 19 August 2013

*The Department Commander of the SUVCW in the Department of Pennsylvania provided the following information and requested an Opinion of the National Counselor:*

*“The President of a local Pennsylvania Auxiliary was notified by the Pennsylvania Department President that the local President had been brought up on charges by three members of her local Auxiliary group.*

*Because of this the Department President, under orders/advice of the Department Auxiliary Council, had removed the local Auxiliary President from office. The local Auxiliary President questioned the legality of such action as she had not been notified of any charges, nor had been notified of a trial. The Pennsylvania Department Commander, when asked to the legality of such action recommended that the local President contact the Auxiliary Department President. Apparently following this contact, the order was then rescinded by the Auxiliary Department President. The SUVCW Pennsylvania Department Commander then asked for an opinion regarding what authority as SUVCW Department Commander has to intervene or become involved in the aforementioned issue.*

### Opinion 1 – issued on 19 August 2013

*It is the opinion of the SUVCW National Counselor, in concurrence with the SUVCW Commander-in-Chief, that members of the SUVCW, Department and Camp Officers of the SUVCW and the SUVCW, Nationally, should not and will not involve themselves in the internal affairs of any of the Allied Orders. In the current aforementioned situation the legality of any action of the A.S.U.V.C.W., is governed only by*

*the by-laws of the local Auxiliary, the Auxiliary Department and the National Auxiliary Constitution and Regulations.*

*The redress of any charges filed by members of the Auxiliary toward any of their members should be made in accordance with that ASUVCW Department and ASUVCW National procedures and without any interference from the SUVCW or its members.*

*It has been my understanding that in the past, members of the SUVCW have joined the ASUVCW and have acted as counselors and advisors to that Order. These brothers can only act as members/associates of the ASUVCW, as delineated by the ASUVCW C&R and have no authority to act on the behalf of the Sons of Union Veterans of the Civil War in the internal affairs of the ASUVCW.*

*Each of the Allied Orders are a SEPARATE and INDEPENDENT organization and as such answer to their Constitution and Regulations.*

*Regarding you addressing the current situation to the members of your camp or to be members of the local Auxiliary, I believe reading this Opinion at the meeting will answer any and all questions that may come before the floor.*

*Current Situation:*

*On 31 March 2014 a letter was received by ASUVCW National Vice President Sister Rachelle Campbell from the National Past Presidents Association stating charges against sitting ASUVCW National President Diane Mellor and requesting that she notify SUVCW Commander-in-Chief Ken Freshley that charges had been filed and that a Trial was requested of him in the matter. At that time CinC Freshley first informed the parties that charges filed in this manner were not in order and that names of those making the charges needed to be added to said charges. CinC Freshley was again provided a letter dated 6 May 2014 with the required names.*

*Additional remarks to Opinion 1 – issued 15 May 2014*

*It appears that the members filing the charges mis-interpreted their by-laws regarding discipline of their President. I have been told that the ASUVCW by-laws states something to the Order that if not covered in the ASUVCW By-laws/ASUVCW C&R then use of the SUVCW C&R would occur. What it means is that the ASUVCW would conduct that charges against their National President using the methods DESCRIBED in the SUVCW C&R not that the SUVCW would assign a trial commission or issue a conviction. As in the situation and Opinion stated above, the SUVCW, its officers and members, have no jurisdiction or authority over the members of the ASUVCW. The ASUVCW and all the other Allied Orders are, stating once again, are independent with its own Regulations/By-laws .*

*Brothers wishing to be involved in this matter will not and shall not represent themselves as representatives of the SUVCW. The Commander-in-Chief should consider this request be out of order as the Sons of Union Veterans of the Civil War have no jurisdiction in this matter.*

*In Fraternity, Charity & Loyalty,*

*Donald E. Darby, PCinC, National Counselor*

**THEREFORE:**

I hereby fully agree with the included Official Opinion, and I am issuing this General Order as final ruling on this request from the ASUVCW.

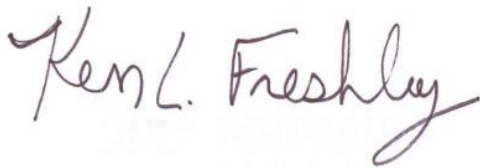
While I fully understand the request from the ASUVCW and the sensitivity of the nature of this situation, I still have to rule the original request and subsequent requests **OUT OF ORDER**.

1. SUCVW does not have jurisdiction of authority over the members of the ASUVCW
2. The reference in your CR&R to refer to our C&R, is just that, a reference. What it means is that the ASUVCW would conduct that charges against their National President using the methods DESCRIBED in the SUCVW C&R not that the SUCVW would assign a trial commission or issue a conviction, it does NOT defer the responsibility to the SUCVW.
3. There was a reference by individuals involved that there was precedent of past participation. There is no official SUCVW General Order, Official SUCVW Minutes or Official SUCVW Proceedings that show the Official appointing a Brother(s) to any such ASUVCW hearing council. So that leaves me with ruling that the "precedent" does not apply and cannot influence this ruling.

Therefore, **Any brother voluntarily serving any allied orders in an unofficial capacity is not a representative of the SUCVW.**

Please forward all questions, inquiries or concerns to the National Counselor – Don Darby, PCinC or myself (Ken Freshley, CinC).

Ordered this 21<sup>st</sup> day of August, 2014.



**Ken L. Freshley**  
**Commander-In-Chief**  
**Sons of Union Veterans of the Civil War**

**Attest:**  
**Alan Russ, Secretary, National Order**  
**Sons of Union Veterans of the Civil War**