



GENERAL ORDER No. 14
SERIES 2014-2015
SONS OF UNION VETERANS OF THE CIVIL WAR

**Ruling on Prior Indebtedness for
Former Member Rejoining the SUVCW**

By the authority vested in me as Commander-in-Chief of the Sons of Union Veterans of the Civil War, the National Constitution and Regulations, and National Policies, it is hereby ordered as follows:

Section 1: Due to conflicts of interest, and with the concurrence of the National Counselor, the Commander-in-Chief recused himself from the following issue and tasked Senior Vice Commander-in-Chief Eugene G. Mortorff, PDC with providing a ruling.

Section 2: The Senior Vice Commander-in-Chief's examination and ruling follows:

As requested, I have reviewed the considerable documentation concerning this situation. As I understand it, past Brother X was dropped by Camp A for non-payment of dues in 2000. The bulk of the documentation questions whether past Brother X should be required to pay unpaid dues, and fees, before he can be allowed to rejoin the Sons of Union Veterans of the Civil War (SUVCW) in another camp.

This issue came up because past Camp Brother X was applying for membership in Camp B. As part of the required investigation process, Camp B contacted Camp A to determine if there were any unresolved obligations. Camp A reported that they had paid past Brother X's 2000 dues anticipating Brother X would want to remain a member, and subsequently pay his dues.

In Camp A's communication with Camp B, they indicated that Brother X owed Camp A one year's dues. In addition to the unpaid dues, Camp A's bylaws stipulated a \$5 per month penalty for each month the dues had not yet been paid. The total for past dues, reinstatement fee and overdue penalties were determined to be \$107.50. Camp A agreed to forgo all but the unpaid annual dues (\$35).

If this amount were fair and justified, I would rule that past Brother X must pay that amount, thus granting him to be eligible for reinstatement in the SUVCW. However, Camp A's claim of indebtedness to them for unpaid past dues is in error, he is not indebted to them.

A member's relationship with the SUVCW can be likened to that of a contract. A member pays consideration to the organization (i.e. dues and fees), and has a justifiable expectation to enjoy that which the organization provides as outlined in our Regulations. In a contractual situation the relationship is bilateral, and requires such consideration by both parties. However, in this situation, the contract was executed in a unilateral way. Past Camp Member X did not indicate to Camp A that he intended to remain with the camp, nor did he ask them to pay his dues.

Our Regulations state a Brother “whose dues are not paid by March 1 may be dropped for nonpayment of dues by a vote of the Camp. “ In this case, the Camp did not so drop the member. Instead, the Camp paid the dues for the member without his permission. On the other hand, the Camp may pay the member’s dues for him, BUT they do so understanding that if the member does not return to the Camp, they might not be reimbursed for their kind act.

It is my decision that Brother X is NOT indebted to Camp A for reimbursement of dues paid on his behalf or any fines related to that non-payment of dues. Past Brother X should be allowed to join Camp B.

Section 3: In accordance with the examination and ruling of the Senior Vice Commander-in-Chief, it is hereby determined that dues paid by a Camp on behalf of a Brother, in anticipation of that Brother later paying such dues, along with any associated fines, and which Brother is subsequently dropped for failure to pay, cannot be considered as prior indebtedness for the purposes of rejoining the Sons of Union Veterans of the Civil War.

The foregoing General Order is proclaimed this 15th day of January in the year of our Lord two thousand fifteen, and of the Independence of the United States of America the two hundred thirty-ninth, in the City of Gilroy, County of Santa Clara, State of California.

/s/ Tad D. Campbell, PDC
Commander-in-Chief

ATTEST:
By: /s/ Alan L. Russ, PDC
National Secretary