

**ESSON SMITH AND FATHER CHARLIE
RAN MANY FERRIES
ACROSS THE COLUMBIA
IN THE EARLY 1900s.
LATER ESSON RAN A SUCCESSFUL
TUGBOAT BUSINESS**

THE DALLES WEEKLY Reminder

THE PEOPLE PAPER

He still keeps rolling along

By Joanna Grammon

During his 82 years, Esson Smith has seen the Columbia River change from an unpredictable torrent into its present, tamer state.

"I was literally born on the river," says Smith, referring to his favorite navigable body of water. In 1910, he came into the world in a houseboat tied up near Latourell Falls. Charley Smith went by launch to Corbett to find the doctor when the baby was due.

In the fall of 1917 when he was seven, Smith remembers sitting in the cabin of a boat, dangling his hand in the water. The boat was low in the water because it was loaded down with eight tons of salmon caught near Mosier. The price for tules, otherwise known as "dog salmon," had risen to as high as ten cents per pound during World War I. This memorable trip occurred the year the war ended.

"Dad bought The Dalles Ferry in 1927 or 1928," says Smith. Charley Smith ran the ferry until a year or two after The Dalles Bridge opened,



This is the north terminus of The Dalles Ferry at Dallesport in the early part of 20th century.

about 1960.

When the elder Smith first purchased the ferry business, "I was still in high school," says Smith. "I stayed in Stevenson. Dad moved to The Dalles, and I kind of 'bached' for awhile."

During the Depression era, the younger Smith operated tugboats part of the year, and wintered in The Dalles, helping his father. He has an album filled with tiny photos, several pages

showing The Dalles Ferry negotiating what appears to be Arctic ice.

According to a newspaper clipping in Smith's scrapbook, by January 23, 1937, the river had already frozen over twice that winter. "This is a contraption that Dad and I built to break ice with," Smith says, pointing to a scrapbook photo of railroad rails somehow chained at an angle to the side of their 50-foot metal-

hulled tug, the “Sakana,” which was powered by a 60 horsepower Fairbanks-Morris diesel engine.

“These rails would run underneath the ice, lift it right up in the air and break it,” Smith explains. It was dangerous work; occasionally huge chunks of ice threatened to come right into the cabin.

The “toe” of the horseshoe bend of the Columbia at The Dalles was prone to freezing over whenever there was an extended cold spell in those days. It was especially important to keep a channel of the river open between The Dalles and Crate’s Point. Upstream floes lodged at the latter location, solidifying into a solid mass if the ice wasn’t broken up several times a day. Both the Lyle and Maryhill ferries suspended operations at times during the winter of 1937 because of ice.

“We kept her open for three or four years in a row,” says Smith. That year, it was especially important to keep the channel open, as the elder Smith wanted to get a head start bringing logs upriver for pilings for construction of The Dalles dock.

C.T. Smith, as Charley was also known, kept The Dalles Ferry route open by running back and forth all day in his ice-breaking tug, creating giant ice islands which floated downstream in the current.

“The freezing of the river is something you have to



Group of Stevenson High School students pose for photo. First row, from left, unknown, unknown, Irene Warfield, Myrtle Hazard, teacher, unknown, Ilene Chesser (other three girls are now known). Second row: Orville Douglass, Esson Smith, unknown, Albert Attwell, Mr. Nelson, Clarence Skaar, Raymond MacKinnon.

study a little bit,” says Smith. “You must remember that from The Dalles east before the dam was raised was a series of pools. There would be a rapids, it would raise four or five feet, and a mile or two upriver it would do it again. This ice would form up in the Snake River and the upper Columbia river.

“That stuff would come downriver. Whenever an ice jam would break, it would come down, hit one of these bars, and break all to hell. When it got to The Dalles over Celilo was another big drop and smooth water, it was all ready to freeze, and just froze together. They tell me they used to drive teams and wagons across the river at The Dalles, but that was before my time.”

In January of 1950, the C.T. Smith & Son Tugboat Company and crew had to

launch a major rescue operation when the Maryhill Ferry and its tug, the “J. B. Switzler,” became stranded for three nights on a mid-river gravel bar during a raging blizzard. Fortunately, no autos or passengers were aboard the ferry that trip to share the experience.

Another vessel, the “Hartwell” with Captain Charley Smith at the helm, was also beached attempting the rescue. Captain Esson Smith came upstream from Stevenson in the “Charles T.” with another tug, the “Billy G.,” in tow to try to free the ferry and the two stranded tugs.

The younger Smith left Stevenson at midnight on Saturday, January 14, 1950, finally arriving at The Dalles by mid-morning. He had gotten disoriented and lost his sense of direction three

times in the windblown snow while dodging ice floes.

The Maryhill Ferry tug was finally freed when an ice jam at Hell's Gate Rapids caused the river to rise above it, lifting the damaged craft off the gravel bar. The "J. B. Switzler" was powerless and drifted closer to the ice jam before it was safely brought under tow, and taken back to the Maryhill slip.

The elements have always been an important part of Columbia River lore. Construction of dams on the river ushered in a calmer era of impounded waters, but there have been other tradeoffs. "The wind is four times worse since construction of the Bonneville Dam," says Smith.

"Before they raised the water, the Corps cut all the trees. There were cottonwoods along the river up to six-foot diameter," he continues. "From Cascade Locks clear to The Dalles, there were trees six or eight feet at the stumps, and on the islands in the river, the willows also caught the wind. At Wyeth, a whole forest was underwater when they raised the river," he says. Now most of the islands are inundated, and many of the windbreaks are gone.

Siltation and the raising and lowering of the pools has also altered the landscape along the shore, Smith says. "There used to be 30-35 coves. One of these days there won't be any coves along this river," he predicts.

Few have known the

Columbia River and her ways as intimately as Esson Smith, who also had the full advantage of his father's years on the water. The two operated ferries not only at The Dalles, but at Alderdale, Paterson, and Stevenson/Cascade Locks. For three years, Esson Smith operated the Vernita ferry using the "J.B. Switzler."

The two were also known for their innovative participation in the fishing industry. Charley Smith was the first person to motorize a fishing boat in the waters of the Columbia River Gorge, says his son, and together they operated horse seines and fish traps at a number of sandy locations and quiet shoals along the river.

The Smith family ingenuity extended to inventions other than the icebreaker: "Most horse seines ran 150 to 200 fathom of seine," says Smith. "We would fish 600 fathom with ten less men," using a six-foot gasoline-powered reel to gather in the nets.

"When I was 18 years old, I was the boss of 20 men on the seining grounds. They did their best to get me drunk," says Smith. "One thing

I'll say for my father he always backed me up. We had a team of horses

that weighed 2,200 pounds. They were young horses; they were trained to pull" in the seines, which required great steadiness.

"We had an operator from The Dalles in charge of the teams, and he didn't like me.

I was a snot-nosed kid. He was probably 10 years older than I was.

"They were dragging in the seine, and I said, 'Take it easy, Joe.' He hauled back and hit both of them (the horses) on their butts, and they jumped 12 feet. They got the seine landed, and I said, 'Joe, camp's over there, you're fired. I'll take your team the rest of the day.'

"Dad called me into the office, and said, 'Joe wants to go back to work. He says you fired him.' I said, 'Yeah, I did, and I ain't gonna let him come back to work.' And my Dad said, 'Joe, you're done.' It was the best thing in the world that could have happened to me, because the crew didn't try to get me drunk anymore."

In the early 1960s, a couple of years after Charley Smith sold The Dalles Ferry, the younger Smith sold his tugboat business but that wasn't nearly the end of it. Although the "Annabelle S.", a truly stalwart craft, was sold to Wasco County when The Dalles Ferry route was abandoned, it wasn't long before the younger Smith had purchased it back.

Part of the deck of the venerable "Annabelle S." was rotting, and Smith thought to merely salvage the engines. A car pulled up to the dock one day, and a man bought her on the spot. "He ran her up the coast all by himself, and he put her to work and ran a ferry from the mainland to an island north of Seattle."

One day, Smith was



The “Eva Jane” was used as a ferry between Stevenson and Cascade Locks (c. 1920’s) before the Bridge of the Gods was built. The ferry was operated by Charlie Smith, Esson Smith’s father.

running the “Sightseer,” a tour boat out of Cascade Locks, “when a man asked me if I was Esson Smith. He asked, ‘Did you sell the “Annabelle S.M/ and then he told me, “That boat’s rebuilt and still running.”

Another long-lived boat was the “Charles T.,” a twin-screw, one of several boats designed by Esson Smith and built at the Albina Boat Works in Portland. It was named for his father, who owned it, and according to Smith, it’s still running somewhere nearer the ocean, powered by a Cummins diesel on one screw, and a “Jimmy” on the other.

The first boat Smith built in its entirety was the “Virginia S.,” a 50-foot steel tug he named for his wife and built in Stevenson. His wife “was pregnant when she broke the bottle over the

bow,” Smith says. His son is now 45.

“At one time, counting boom boats and so forth, I had more than twelve boats,” says Smith. After selling his tugboat operation around 1963, he worked a few years for Shaver as a tugboat captain, towing log rafts to and from Portland. He also operating dredges and captained a tour boat.

Although he’s retired from the river, it would be less than truthful to say he doesn’t work. And work seems to agree with him at 82, he still has a full head of dark hair and the energy of many men half his age.

He’s treasurer and a founding member of Columbia Gorge United, a group originally formed to fight passage of the Columbia River Gorge National Scenic Area legislation, and puts in

regular hours at the group’s offices, located in the rear of an old Stevenson building.

The group recently took a legal challenge to the U.S. Supreme Court level, with the assistance of the Pacific Legal Foundation. The high court announced last month that it will decline to hear the case.

While in his late 70s, Smith learned to use a computer to produce a newsletter and update the mailing list. He’s also learned to use a video camera, and has taped a virtual archive of meetings of the Columbia River Gorge Commission.

Some of the commission staff initially may have found his persistent presence rather irksome, but several staff members have in recent years expressed respect and admiration for the

ESSON HARTWELL SMITH

Wiry and intense, and with a quick wit and energy belying his seventy-nine years, Esson Smith, at the time of this interview lives and works in Stevenson, Washington. Esson, as his father Charles T. before him, spent his life as owner and operator of ferry and tug boats on the Columbia River. His history tells of his birth on a houseboat at Corbett, commercial horse-seining with his father and the good and bad times of commercial boating. After retirement from boating, Esson has been active in the Columbia Gorge United, an organization formed to oppose the enactment of the Columbia River Gorge National Scenic Act. Included in this history are copies of interviews with Esson made by Ivan Donaldson (also of Stevenson). These were originally recorded in 1979-80 and are on file at the Skamania County Historical Society.

June 15, 1989.

BIOGRAPHICAL DATA FORM

Name : Esson Hartwell Smith

Current Address: P.O. Box 372, Stevenson, Washington 98648.

Telephone: Home: 509-427-5940 Work: 509-427-8392.

Place Of Business: First Street, Stevenson, Washington 98648.

Date and Place of Birth: May 27, 1910, Latourell Falls, Oregon.

Mother's Name (include maiden name): Constance, Emily.

Date and Place of Birth: 1890, Corbett, Oregon.

Death: 1941, Portland, Oregon.

Father's Name: Charles T. Smith.

Date and Place of Birth: 1881, San Francisco.

Death: June 4, 1967, The Dalles. Oregon.

Ethnic Heritage: German.

Sibling's Names: None.

Spouse's Name: 1. Juanita White; 2.Helen; 3. H. Virginia Hazen.

Spouse's Occupation: Virginia; homemaker.

Spouse's Date and Place of Birth: Virginia: December 6, 1912, La Center, Washington.

Date and Place of Marriage(s): Virginia: April 1942, Stevenson, Washington.

Children's Names: Terry E. Smith, May 11, 1947, Vancouver, Washington.

Schooling:

Stevenson Elementary School, Stevenson, Washington

Stevenson High School, Graduated 1929

University of Washington, Two Quarters

Residential History:

Corbett, Oregon - Washougal, Washington 1910-1917

Stevenson, Washington, 1917-1930

The Dalles, Oregon, 1930-1938

Stevenson, Washington: 1938-Present

Occupational History:

Commercial horse seiner; Ferry boat operator, Stevenson, WA, The Dalles, OR, Patterson, WA.; Ferry boat part-owner/operator Smith-Warner Company, Vernita, WA.; Tugboat owner/operator on Columbia River towing log rafts; Partner with father: C. T. Smith, 1934-1963; owning C. T. Smith & Son, Smith Construction, Bonneville Locks Towing Co., Smith Enterprises, and Stevenson Tug Boat Co.

Membership in Clubs and Organizations:

Skamania County Lions Club, 35 years; President, Secretary; Scoutmaster, Boy Scouts.

List any documents such as old photographs, certificates, letters, diaries, etc., which may be of interest:

Gorge Activities: Member and treasurer of Columbia Gorge United from 1983-Present. Fought National Scenic Area legislation until the bill creating the Columbia River Gorge National Scenic Area was signed. Remains active in Columbia Gorge United which is requesting tax-exempt status as an educational organization.

Spencer, Libby & Powell Funeral Home
ESSON HARTWELL SMITH

Esson Hartwell Smith, 90, a resident of The Dalles, died at a local care center on Saturday, January 20, 2001.

He was born on May 27, 1910, on a houseboat docked at Latourell Falls, Oregon, the only child of Charles T. and Constance Emily Smith. He grew up on a house boat on the Columbia River, living from Astoria to Stevenson. He graduated from Stevenson High School in 1929.

He worked on The Dalles Ferry from 1930 to 1938. Esson then started a tug boat business in Stevenson, which towed logs on the middle Columbia River.

In 1965, the tug boat company was sold and he went to work as tug boat operator for Shaver Transport and at the same time his other company, Smith-Warner Corporation, operated the ferry at Vernita, Washington, for the Washington State Highway Department and a contract ferry for the construction of dams on the Snake River.

In the mid 1970's to mid 1980's, he operated the Columbia Sightseer boat (the forerunner of the Cascade Locks Sternwheeler) for the Port of Cascade Locks and Skamania County Port District,

He was active in Boy Scouts, Stevenson Lions Club and Columbia Gorge United. He enjoyed the outdoors and his cabin in Eastern Oregon.

Survivors include his wife, Hazel Virginia (Hazen) Smith of The Dalles, whom he married April 9, 1942, in Stevenson, Washington; his son, Terry Smith and his wife, Kay, of The Dalles; his grandson, Jeffrey Smith and his wife, Summer of The Dalles and granddaughter, Cherida Schofield and her husband, Mike of Lyle.

Viewing visitation will be held at Spencer, Libby & Powell Funeral Home from 2 to 7 p.m. on Thursday, January 25. Graveside services will be held 2:00 p.m. at on Friday, January 26, at Mountain View Cemetery in View, Washington.

A memorial gathering will be held for Esson from 1 p.m. to 3 p.m. on Sunday, January 28, at the Rock Creek Center in Stevenson, Washington.

ESSON H. SMITH

The Dalles, Ore.

Former Stevenson resident Esson Hartwell Smith, 90, died at a care center in The Dalles on Saturday, Jan. 20, 2001.

Mr. Smith was born May 27, 1910, on a houseboat docked at Latourell Falls, Ore.

He was raised on a houseboat on the Columbia River, living from Astoria to Stevenson. He graduated from Stevenson High School in 1929.

In 1965, he went to work as a tug boat operator for Shaver Transport. From the mid-1970s to the mid-1980s, he operated the Columbia Sightseer boat, the forerunner of the Cascade Locks Sternwheeler, for the Port of Cascade Locks and Skamania County Port District.

Survivors include his wife, Hazel V., at home; one son, Terry of The Dalles; and two grandchildren.

The casket will be open from 2 to 7 p.m. Thursday at Spencer, Libby & Powell Funeral Home in The Dalles. A graveside service will be open from 2 to 7 p.m. Thursday at Spencer, Libby & Powell Funeral Home in The Dalles. A graveside service will begin at 2 p.m. Friday at Mountain View Cemetery in View, Wash., A memorial gathering will be from 1 to 3 p.m. Sunday, Jan. 28, at the Rock Creek Center in Stevenson.

SKAMANIA COUNTY PIONEER

HAZEL VIRGINIA SMITH

Hazel "Jinny" Virginia, Smith, 94, formerly of Stevenson, died June 12, 2007 at a care facility in The Dalles.

She was born in View, Wash., Dec. 4, 1912 to Harry H. and Ida K. (Simons) Hazen. She went to school in the Longview area and graduated from R.A. Long High School in 1931. After high school she completed two years of business school. She married Esson H. Smith in 1942 and they made their home in Stevenson for the next 57 years. The couple owned and operated a towboat company.

She is survived by her son Terry Smith and his wife Kay of Goldendale; two grandchildren and three great grandchildren. She was preceded in death by her husband Esson.

A funeral service will be held June 22, 2007 at Hazen Chapel at 1:30 p.m. with burial to follow at Mountain View Cemetery in View, Wash, with Steve Anable officiating.

Spencer, Libby and Powell Funeral Home is in care of the arrangements. Memorials may be made to Heart of Hospice, 1280 Alameda Rd., Hood River, Ore. 97031.

(The following is taken from a hard-to-decipher copy of the hearing.)

TESTIMONY of
ESSON H. SMITH Secretary-Treasurer, COLUMBIA GORGE UNITED
before U.S. SENATOR DAN EVANS
Senate Energy & Natural Resources Committee
Subcommittee on Public Lands and Reserved Water
on
COLUMBIA GORGE FEDERAL-CONTROL LEGISLATION
at
Rock Creek Center, Stevenson, Washington — November 8, 1984

Dear Senator Evans:

My name is Esson Smith. I am 74 years young, having been born on a boat near Corbett, Oregon. My father was a commercial fisherman, and later operated a ferry boat between Cascade Locks and Stevenson, Washington, I grew up around the Stevenson waterfront, and after graduating from high school at Stevenson, moved to The Dalles and operated a ferry there for my father. In 1939 I started a log tow company on the new Bonneville pool. I have spent most of my working days operating tug boats towing logs in the Gorge, and only last month stopped working.

In observing the Columbia Gorge from a tugboat for 55 years, I have I seen it grow more beautiful each year. The Gorge does not need Federal legislation to keep it beautiful. Mother Nature with a little help does that.

Senator, the issue here is not “scenery”. It is survival. Survival by the residents of the Gorge.

There are a select few in Portland, Oregon, who call themselves the “Friends the Gorge”, that would like to control the people in Skamania County, and the State of Washington. The easy way to do this is to “Federalize” the Gorge - get the Federal government to engineer the condemnation or purchase of choice lands identified by the “Friends”, which the “Friends” could subsequently purchase or lease from the government at a grossly reduced price, to use for their own private plans.

The “Friends” wrote S.627 in its original form and talked Senators Hatfield and Packwood into introducing it in Congress. As I read that bill, the intent is to remove all people living in the Gorge — either by purchase, condemnation, or by unemployment and economic dislocation that people will be disenchanted into . . . Whatever their motive, the “Friends” have the money and political clout to their way. In 1963, they raised — and spent — \$88,000 lobbying for passage of their bill. Three-quarters of that money came from 16 individuals, 9 corporations, and 11 foundations. That’s hardly the “grassroots movement” the “Friends” are trying to project. If the “Friends” do have the 2,000 members they claim, they do not appear to be getting financial support from them - and they do not appear to be telling the truth to them.

When Senator Packwood introduced his bill, he explained how wonderful the “New Order” was to be, and how everything would progress very smoothly - residents would like it very much, and industry would flourish. Senator Packwood had not . . . has not seen the “Friends” at work. We have. Every time there is a proposal made or a hearing held for a project that would provide any employment or create any construction in the Gorge, the “Friends” send out their hired gun to protest it. In these

efforts they have had the assistance of the Gorge Commissions, which have departed from their . . . mandate as land-use and resource-protection advisors to devote their time and efforts to promoting Federal-control legislation — with our tax dollars.

It irks me no end to have to continue to fight, not only outside lobbyists, and a state commission financed by state funds that sides with those “Friends” promoting Federal confiscation of people’s property. Senator, the protestations of the Gorge Commission’s Director need to be taken with a large dose of salt. He is one of the authors of HR 3853, the “Governors’ Bill,” which proposed to establish the Gorge Commission of 14 Presidential appointees that will be run by a GS-15 manager that will **control** — not **advise** — the people in the Gorge. How much of this is for the Gorge, and how much is for that GS-15 paycheck?

Senator Evans, there is nothing in S.627 or HR 3853 that is beneficial to the residents of the Gorge. Every section of the “Friends” bill, S 627, is a “heads: the ‘Friends’ win, tails: the people-of-the-Gorge Lose” situation. The “Governors’ Bill,” HR 3853, is no different.

I do not agree with either bill in any way, but would like to point out a **couple** of clauses that are particularly revolting. Section 12 of S. 627 punishes ---- for having built homes or changed their property **three and a half years ago**. ---- 3 “pre-shrinks” the boundaries of the Gorge’s incorporated cities to where they were **three and a half years ago**. Sections 5, 6, 7 and 8 give the employees of the U. S. Forest Service power to do most anything they want in the Gorge, including --- superceding of existing state and local laws with their regulations and orders. Sections 6, 8, 9 and 10 of HR 3853 confer the same powers on 14 “commissions” and their staff. Section 10 of S. 627 and Section 16 of HR 3853, allow the Federal managers to fine people and put them in jail for violating their orders and regulations, when they conflict with state law. If there is any way of delivering a dirtier law than this, I do not know of it.

In my opinion, both S.627 and HR 3853 are in direct conflict with the Constitution of the United States. Under Article IV, Section 2, “The citizens of each state shall be entitled to the privileges and immunities of citizens of the several states.” Yet these bills would draw a line through the states of Washington and Oregon, and place the citizens inside that line under different rules than those that apply to the rest of their respective states. This is unconstitutional and the bill should be stopped if only for this reason.

Senator Evans, in my opinion, your colleagues, Senators Hatfield, Packwood and Gordon, have forgotten there is a Constitution of the United States. Our own Congressman Rep. Sid Morrison, had told us we are not important, that he votes for 54,000 people. I guess that doesn’t include any of us.

Senator, the people that live in the Gorge are hard-working, honest, and with some exceptions, quiet people that keep their feelings to themselves and in general do not talk much publicly. These people have not paid a great deal of attention to the Gorge legislation; most of them were led to believe early in life that there was a Constitution of the United States, and that document was the law of the land, and what made the United States a great nation. Many people have told me, “We have a Constitution that protects us; the government can’t do these things to people in a free country.”

BY-LAWS OF
COLUMBIA GORGE UNITED-PROTECTING PEOPLE AND PROPERTY
As amended Dec 1988

I. Purpose

Columbia Gorge United Organization-PROTECTING PEOPLE AND PROPERTY is organized to direct its efforts to communicating to the public and elected officials the reasons why Federal control of the Columbia River Gorge is not necessary or desirable. It is hoped that by educating the citizenry on this issue the people of the Gorge may continue to govern themselves and make land use decisions without Federal intervention.

II. Office Location

The principal office of the corporation shall be at 248 1st Street Stevenson Washington. P. O. Box 328, 98648, or such other place as designated by the Board of Directors.

III. Membership

- A. Dues Individual \$20.00 per Year; larger donations encouraged.
- B. Memberships are not transferable.

IV. Directors

- A. (Exercise of Corporate Powers). Except as otherwise provided by these By-Laws, the Articles of Incorporation, or by the laws of the State of Washington, all corporate powers of the corporation shall be vested in and exercised by or under the authority of, and the business and affairs of the corporation shall be controlled by, the board of directors. With out Limiting the generality of the foregoing, the Board shall have full power to:
 - (1) Enter into any contracts, leases, and other agreements which in its judgement may be beneficial to the interests and purposes of the organization or necessary or desirable in the conduct of the affairs of the corporation.
 - (2) Engage salaried personnel, independent contractors and other individuals on terms and condition it determines to be appropriate.
 - (3) Convey, exchange, sell, lease, loan, mortgage, encumber, transfer upon trust, or otherwise dispose of all property of the organization, real or personal;
 - (4) Do all of the acts necessary or expedient for the administration of the affairs and attainment of the purposes of the organization.

- B. (Numbers). The Board of Directors shall consist of 13 members chosen as follows:
- (1) Six area representatives, one for each of the following counties: Multnomah, Hood River, Wasco, Oregon: Clark, Skamania, Klickitat, Washington. Area representatives shall be residents and property owners in the Gorge and of the County they represent.
 - (2) Seven at-large representatives; these directors should be elected from as broad a base of interest as possible.
- C. (Terms of Directors, Officers, and Elections).
- (1) Terms of directors shall be for two years for the six area representatives and one year for the seven at-large representatives.
 - (2) The term of the officers of the Board of Directors shall be one year. Officers shall be elected by the Directors at the Board meeting following the annual meeting.
 - (3) The number of consecutive terms served by an officer (sic) shall be unlimited.
- D. (Directors to be Members). All directors shall be individual members at the time of election.
- E. (Vacancies). Vacancies in the Board of Directors caused by the resignation, removal, or death of a director may be filled by vote of a majority of the remaining directors (whether or not a quorum) or, if such vacancy remains unfilled for 120 days or more, by the members at the next duly held meeting. A director so elected shall serve for the unexpired term of his or her predecessor.
- F. (Removal). A director may be removed from office, for cause by a majority of the other directors then in office at a duly held meeting of the board, or for or without cause by the members at a fully held meeting of members.
- G. (Compensation). Directors shall receive no compensation for their services as directors.

V. MEETINGS OF DIRECTORS

- A. (Place of meeting). Meetings (whether annual, regular or special) of the Board of Directors shall be held at such location as designated by the board.
- B. (Annual Meeting). Unless another time and date are set by the Board of Directors, the annual meeting of the Board of Directors, of which no notice need be given, shall be held following the adjournment of the annual meeting of members. At its annual meeting the board shall elect officers to serve for the ensuing year and, until their successors are elected, transact such other

business as may come before the meeting.

- C. (Regular Meetings). Regular meetings of the Board of Directors shall be held (monthly), one of the monthly meetings may be used as the annual board meeting, at the times fixed by resolution of the Board of Directors. Notice of such meeting shall be given by telephone or mail to each director at least seven days in advance.
- D. (Special Meetings). Special meetings of the Board of Directors may be called at any time by the President or by one-fourth of the directors then in office. Notice of the time and place of any such special meeting shall be given to each director at least 72 hours before the meeting or sent to each director by mail or other means reasonably anticipated to be received at least 72 hours before the meeting.
- E. (Quorum) At any duly held meeting, a majority of the directors then in office shall constitute a quorum.
- F. (Waiver of Notice and Consent). Unless otherwise provided by law, whenever any notice is required to be given to any member of directors of the corporation under the provisions of these By-laws or under the provisions of the Articles of Incorporation, a waiver thereof in writing signed by the person or persons entitled to such notice, whether before or after the time stated therein, shall be deemed equivalent to the giving of such notice.
- G. (Action Without Meeting). Any action required or permitted to be taken by the Board of Directors under laws of the state of incorporation pertaining to corporations may be taken without a meeting if all members of the board shall individually or collectively consent to such action. Such written consent or consents shall be filed with minutes of the proceedings of the board.

VI. COMMITTEES

- A. (Executive Committee). The executive committee shall consist of the following officers: The president, vice-president, secretary, treasurer. During the intervals between the meeting of the Board of Directors, the executive committee, in all cases in which specific directions have not been given by the Board of Directors, shall have all the powers and authority of the Board of Directors in the management of the business affairs of the organization (except the powers to fill vacancies on the Board of Directors and to adopt, amend, or repeal these By-Laws) in such manner as the executive committee may deem best for the interest of the organization. All activities of the executive committee shall be subject to review by the Board of Directors. A majority of the members of the executive committee shall be necessary for a quorum. All members of the executive committee must be directors.

- B. (Other committees). The Board of Directors may create committees whose powers, responsibilities, membership (or manner in which membership is determined), and other characteristics shall be as specified by the Board of Directors. Chairmen and members of committees need not be directors but must be members. Committee reports, either orally or in writing, shall be presented at each Board of Directors meeting, or at any time on request of the executive committee.

VII. OFFICERS

- A. (Officers and Terms). Officers shall consist of a president, vice-president, secretary, and treasurer chosen by the Board of Directors and serving at pleasure of the Board of Directors. Vacancies shall be filled by the Board of Directors. Additional officers, if any, shall be chosen in such manner as the Board may prescribe and hold office at the pleasure of the board. (The office of secretary and treasurer may be combined at the discretion of the Board of Directors).
- B. (President). The president shall be the chief executive officer of the Board and shall exercise general supervision over and manage directly the business and affairs of the board. The president shall preside at all meetings of the Board of Directors and shall perform such other duties as the Board may prescribe. The president shall be an (ex-officio) voting member of each committee of the board, entitled to notice of their meetings.
- C. (Vice-President). The vice-president shall perform such duties as shall be prescribed by the president or by the Board of Directors. In the absence of the president, the vice-president shall act in the place of the president.
- D. (Secretary). The secretary shall keep or cause to be kept the minutes of all meetings of the Board of Directors and of the annual meeting, shall keep a membership file containing the names and addresses of all members (in which the secretary shall record the termination of any membership and the date on which the membership ceased) and shall perform such other duties as may be prescribed by the president or the Board of Directors.
- E. (Treasurer). The treasurer shall cause to be completed accurate accounts of all property and all financial business transacted by the corporation. The treasurer shall make detailed reports of same to the Board of Directors when called upon and shall file or cause to be filed all tax returns, information returns, or other reports of income, receipts, expenditures, and assets required by Federal, State, or local governmental authorities. The treasurer shall also perform such other duties as may be prescribed by the president or by the Board of Directors.

VIII. MEMBERSHIP MEETINGS

- A. (Annual Meeting). The annual meeting of the members of the organization shall be held on a date in July of each year and at a place determined by the Board of Directors. Notice shall be carried in the publication of the organization prior to the meeting.
- B. (Nomination of Candidates). Candidates for election as directors must be nominated either by a member at the annual meeting or by the nominating committee appointed by the board. All nominees must have willingness to serve.
- C. (Voting: Ballot).
 - 1. No more than one vote may be cast in favor of a given nominee by each member. The nominees receiving the highest number of votes shall be elected to the director's position to be filled.
 - 2. Each member shall have one vote at the meeting of members on all matters. At any meeting the vote of a majority of the members present shall be required for the adoption of any action other than the election of directors and amendment to the By-Laws.
- D. (Special Meetings). Special meetings of members may be called by the Board of Directors or by any 15 members of the membership. The secretary shall forward written notice of such meeting to each member not less than 15 days prior to the meeting, which shall state the matters to be considered at the meeting.
- E. (Quorum). At a meeting of the membership, a quorum shall consist of all those present, if proper notice of the meeting has been given.

IX. MISCELLANEOUS

- A. (Security). The board or the president may require any person who is to perform a service involving a special trust to give bond for the faithful performance of his duties.
- B. (Fiscal Year). The fiscal year will begin on January 1.
- C. (Rules of Order). All meetings of directors of members of the organization shall be conducted in accordance with, the latest edition of, Robert's Rules of Order, except for instances in which the By-Laws or applicable statutes provide otherwise and except as otherwise agreed at such meeting.

- D. (Audit) An annual audit of the financial books may be approved by a vote of the majority of the membership or a majority of the Board of Directors.

X. CHECKS AND NOTES

- A. (Checks and Notes). Checks, Notes and similar instruments of the corporation shall be signed, and checks notes, drafts, bills of exchange and orders for payment of money shall be endorsed for collection or deposit by the president or his designee.
- B. (Depositories). The funds of the corporation shall be deposited in such bank or trust company as may be determined from time to time by the Board of Directors.

XI. INDEMNITY

Any person made a party to any action, suit, or proceeding by reason of the fact that he, or the personal representative of his estate, is or was a director, officer, agent, or employee of the corporation, shall be indemnified by the corporation against the reasonable expense of attorneys* fees actually and necessarily incurred by him in connection with the defense of such suit, action, or proceedings, or in connection with any appeal therein, except in relation to matters as to which it shall be adjudged in such action, suit or proceedings that such officer, director, agent, or employee is liable for negligence or misconduct in the performance of his duties. The foregoing right of indemnity shall not be deemed exclusive of any other rights to which any officer, director, agent, or employee may be entitled apart from the provisions of this section. The amount of idemnity to which an officer, director, agent or employee may be entitled shall be fixed by the Board of Directors.

XII. ADOPTION, AMENDMENT, OR REPEAL OF BY-LAWS

These By-Laws may be adopted, amended, or repealed:

- (1) By a vote of two-thirds of the Board of Directors, or
- (2) By a Two-thirds vote of members present at a membership meeting.

Notice by mail of all meetings at which such amendments are to be considered shall be given to every member at least 30 days prior to the time of the meeting.

Attested: *ESSON H. SMITH*

Note: This version incorporates amendments made at the membership meeting held January 1989. Items changed are I. Purpose, 2. Office Location.