

## **Masonic Law**

**The Lodges under the jurisdiction of the Grand Lodge of New York are ruled and governed in accordance to its Constitutions and opinions in the Book of Masonic Law.**

**Needless to say that the Book of Masonic Law is very large and complex and many individuals have a difficult time understanding how to look up sections which pertain to their questions.**

**Over the many years involved in Masonic Leadership and Education, I have compiled a list of the most common questions or issues that are confronted by most District Deputy Grand Masters and Masters of Lodges.**

**Most of these questions or issues are basic and constant issues which arise in every Lodge during every Masters term of office. In establishing this QUICK REFERENCE GUIDE to Mason Law, I hope to make it easier for District Deputies, Masters and Officers to look up sections they need to resolve issues that might come up at a meeting or in their District by having a handy, compact reference guide at their disposal.**

**Individuals who are not sure or do not understand the section they are looking for should seek clarification before making a decision.**

**NEVER BE AFRAID TO ASK FOR CLARIFICATION**

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**Do Brothers who sign a petition as the PROPOSER really understand what he is attesting to when he signs as such?**

**[§516] (IV) Certification Signed by Member of Lodge-(A) Required.** No petition, whether for initiation or affiliation, "shall be received unless it is signed by a member of the Lodge to which it is addressed certifying that he is well acquainted with the petitioner, that he has read the answers to the questions contained in the petition and believes them to be true and that the petitioner is of good character and reputation and comes under the tongue of good repute. No petition shall be received unless so certified.

### Opinions: PETITIONS

#### **1- When can a PETITION be accepted?**

**Const.'- Sec. 352.** A petition for initiation or affiliation, or for waiver of jurisdiction over a candidate or a brother, shall not be received by a Lodge except at a **Stated Communication**, and when received it shall be referred to an **Investigating Committee of not less than three members, whose report thereon must be in writing, in terms "favorable" or "unfavorable," and no report of an Investigating Committee shall be received until at least two weeks after such petition shall have been referred.** No petition shall be received if it discloses that a petition of the same person is pending before another Lodge. A petition ceases to be pending as soon as a ballot thereon has been taken by the Lodge to which it has been presented.

**[§520] f. Receipt of Petition-(I) Must Be in Open Lodge.** A petition is received when it is presented in open Lodge and not when presented to the Lodge secretary. See Supp.520

**[§521] "(II) Must Be at Stated Communication.** A petition, either for initiation or affiliation, **may be received by a Lodge at a Stated Communication only**, even though a Special Communication has been summoned for the purpose pursuant to proclamation at the last previous Stated Communication.'

**[§522] (III) Not Received if Petition Pending in Another Lodge (A) Rule Stated.** No petition for initiation or affiliation may be received if it discloses that a petition of the same person is pending in another Lodge See Supp.522

**[§523] (B) When "Pending" Ceases.** A petition ceases to be pending as soon as a ballot thereon has been taken by the Lodge to which it has been presented.

2- Can a PETITION be WITHDRAWN once it is referred? If so, WHEN and HOW?

**Const.'- Sec. 353.** A petition for initiation, except one requiring a waiver of jurisdiction, **after having been received and referred, cannot be withdrawn, but must be acted upon by report of committee and a ballot, and an adverse ballot cannot be reconsidered.** After twelve months a rejected candidate may present a new petition for initiation, which shall take the same course as the previous one. A petition for affiliation or a petition requiring a waiver of jurisdiction over a candidate may be withdrawn before a vote. A petition wrongfully presented and referred must be returned as soon as the error is discovered. **A majority vote by show of hands shall be sufficient to grant a waiver of jurisdiction.**

**[§524] g. Withdrawal or Return of Petition-(I) Right To-(A) For Initiation-(1) General Rule.** Except one requiring a waiver of jurisdiction or one wrongfully presented, **a petition for initiation cannot be withdrawn, but must be acted upon by report of committee and a ballot even though the petitioner, after his petition has been accepted and referred, has removed to another jurisdiction.** After a favorable ballot, however, the candidate may by vote of the Lodge at a stated communication, withdraw his petition.  
See Supp. 524

**[§525] (2) Exceptions to ) General Rule-(a) When**

**Waiver of Jurisdiction is Necessary.** A petition requiring a waiver of jurisdiction over a candidate may be withdrawn before a vote and, upon a written request therefor before the waiver has been secured; it is **the duty of the Lodge Secretary or other official custodian of the document to return it to the petitioner immediately.** See Supp.525

**[§526] (b) When Wrongfully Presented-(aa) Rule**

**Stated.** A petition wrongfully presented and referred must be returned as soon as the error is discovered.

**[§527] (bb) How Noted in Minutes.** If, before action is

entered upon the minutes, it is discovered that a petition has been presented which does not conform to the Constitutions, **no reference thereto should appear in the minutes.** If it is discovered afterwards, there should be an entry on the minutes of a subsequent meeting to the effect that, it having been discovered the petition was wrongfully received, the same has been withdrawn. **The minutes cannot be changed after they have been read and approved at the close of the meeting.**

**[§528] (B) For Affiliation.** A petition for affiliation may be withdrawn before vote.

**[§529] (II) Withdrawal How Made. Where withdrawal of a petition is permitted, the request should be in writing.**

Since a Lodge Which possesses no jurisdiction over a candidate can take no formal action respecting him until it has acquired jurisdiction through the receipt of a waiver and any action it takes prior thereto is void, it is the duty of the Secretary or official custodian of the document, upon request, immediately to return the same to the petitioner, **but where the Lodge has jurisdiction and has acted favorably upon the petition, it would seem that it may be withdrawn only after vote of the Lodge at a Stated Communication.** See Supp. 529

### **3- When is an Investigating Committee appointed and how many must it consist of?**

**[§530] 4. Investigating Committee-a. Must Be Appointed.** An investigation of a person prior to the receipt of his petition by a Lodge is highly improper, but when received, a petition must be referred to an Investigating Committee of not less than three members, whether it be for initiation or affiliation; and this must be done each time an application is made and even though the answers in the petition as to belief in God or in immortality demonstrate that the petitioner is disqualified for membership. If an Investigating Committee is of less than three, rejection of petitioners on a ballot following report of the two is final, but election on such report is void.

**[§531] b. Interval Between Reference and Report.** No report of an Investigating Committee shall be received until at least two weeks after a petition shall have been referred.

**[§532] c. When Report Deemed Made.** The report of an Investigating Committee, if made in writing, signed by the Committee and delivered to the Secretary, is lawfully in possession of the Lodge and, on its presentation by the Secretary, the Lodge may proceed to act upon it whether the Committee are present or not.

**[§533] d. Nature of Committee's Investigation.** The Constitutions require due inquiry into the petitioner's character and a mere search of the public records to determine that he is not a convicted felon, a bankrupt or a recalcitrant judgment debtor does not comply with this requirement

**[§534] e. Form of Report.** Whether on a petition for initiation or affiliation, an Investigating Committee must report in writing and in terms "favorable" or "unfavorable," but, the nature of the report, whether the one or the other, should not be entered in the minutes. For the information of the Investigating Committee and to aid it in its work, a Lodge may use a printed questionnaire in addition to the constitutional petition, but this is not a part of the permanent records of the Lodge, the

Constitutions do not require the report to be endorsed upon the petition. See Supp.534

#### **4- What effect does the Investigation Committee have on the ballot?**

**[§535] f. Effect of Unfavorable Report.** An unfavorable report by an Investigating Committee does not reject a candidate and a ballot is necessary in all cases.

**[§536] 5. Balloting on Petition-a. When Required-(I) For Initiation.** A petition for initiation, except one requiring a waiver of jurisdiction, once received by the Lodge and referred to an Investigating Committee, must be acted upon by a ballot, even though it is known that the receiving of the degree by the petitioner after his election would be illegal.

**[§537] (II) For Affiliation.** Unless previously withdrawn, a petition for affiliation must be acted upon by ballot upon receipt of the report of an Investigation Committee.

#### **5- When should a ballot on a petition be taken?**

**Const.'- Sec. 354.** The ballot on a petition for initiation, or for affiliation, can be taken only at a Stated Communication, and if the ballot shall contain three or more black cubes, the petitioner shall be declared rejected. It shall be the duty of the Master and the Wardens of every Lodge to see that a ballot box, when presented for use, shall contain at least as many white balls as there are brethren present in Lodge, and in addition thereto at least six black cubes. The Master of a Lodge may destroy the ballot twice, but no more and shall announce the result of a third ballot.

**[§538] b. Ballot When Taken-(I) Generally-(A) Immediately Upon Report of Committee.** There can be no reasonable objection to a ballot immediately upon the report of the Investigating Committee and this is the usual custom in this jurisdiction."

**[§539] (B) Must Be Within Reasonable Time.** While, following the report of an Investigating Committee, the ballot upon a petition may be postponed to a future specific time not unreasonably remote, it may not be indefinitely postponed and a postponement cannot be justified when it is obviously to prevent the exercise of the right to ballot or the right of objection.

**[§540] (C) Must Be at Stated Communication Only.** The ballot on a petition for initiation or affiliation can be taken only at a Stated Communication and this is true even though the Lodge has been specialy summoned for the purpose pursuant to proclamation at its last previous Stated Communication.

**[§541] (II) When Waiver of Jurisdiction Required.** A Lodge shall not ballot upon a petition for initiation of any candidate for whom a waiver of jurisdiction is required without first having applied for and obtained the consent of the Lodge within the jurisdiction of which the candidate resides or last previously resided and any ballot taken prior to the receipt of such waiver is void.

**[§542] (III) Where Candidate Previously Rejected.** If it shall be ascertained that a petitioner for initiation has been previously rejected, no affirmative action shall be taken upon his petition until the expiration of twelve months after such rejection.

### **OPINIONS: BALLOTING**

**1- Is a COLLECTIVE BALLOT recommended? Are there disadvantages to a Collective Ballot?**

**[§543] c. Ballot How Taken-(I) Collective Ballot Not Favored but Permitted.** The Constitutions contemplate that each applicant shall have his individual application considered and passed upon without in anywise being associated with that of another but custom has permitted collective balloting in the interest of time saving. Where a collective ballot has been taken which appears cloudy, the proper procedure is to

**proceed to further individual ballots without announcing the result of the collective ballot. See Supp. 543**

**[§544] (II) Balloting Once Commenced Must Be Completed.** Balloting on a petition must be continuous and, once commenced, cannot be postponed or adjourned, or interrupted by any other business or proceedings, as by calling the Lodge to refreshment, but must be completed and the result declared, even though it is claimed that the ballot is illegal. **Where individual ballots have to be taken following a collective ballot which was cloudy, they should be taken at once. There is no adjournment or postponement where, after the destruction of a collective ballot, separate ballots are taken without interruption with the result that one petitioner is accepted and another rejected. If a second ballot becomes necessary following a void collective ballot and is not had forthwith, the Lodge should be summoned for a later communication.**

**[§545] (III) Ballot Must Be Secret. The ballot on a petition should always be strictly secret and inviolable and should be so spread that no one present will know, or can know, how any other brother voted.**

**2- Who must VOTE? Does the TILER have to vote?**

**Const.' -Sec. 355. Every member of a Lodge present at any balloting therein for initiation, advancement, or affiliation must vote.**

**[§546] d, Who May or Must Vote - (I) All Members Present Must-(A) Rule Stated.** Every member of the Lodge present at any balloting therein for initiation, advancement or affiliation must vote. No one can be excused, ask to be excused or state any reasons for voting or not voting.

**[§547] (B) Except Tiler Who May.** The Tiler, while attending to his duties, **is not present in the sense that he must vote**, but he should be accorded the opportunity to do so if he

expresses the desire to do so.

### **3-When the ballot is examined – when must it be announced? Who Announces the Ballot?**

**[§550] e. Examination of Ballot by Wardens Before Result Announced.** The universal custom of displaying the ballot for inspection by the Wardens before it is declared has been called an ancient landmark, failure to conform to which renders the ballot void, but the only officer who may effectively determine the result is the Master whose announcement must be by express declaration or unequivocal acceptance of the prior declaration of the Wardens. See Supp.550

**[§551] f. Destruction of Ballot Before Result Declared-(I) Rule Stated.** Although prior to 1920 there was no positive enactment governing the matter, it was deemed advisable that a ballot should be destroyed only once before announcing the result, but the destruction of two ballots is now permitted with announcement of the result of the third mandatory. If the Master wishes to consider a ballot a second time, he should destroy it as soon as he discovers that it is not clear and proceed with the new ballot without announcing the result of the ballot which is destroyed. In such case, the balloting must be continuous and interrupted by any other business or proceedings and before any of the brethren who participated in the destroyed ballot have left the Lodge. See Supp. 551++++

**[§552] (II) Collective Ballot Counted.** A collective ballot must be counted in the manner of ballots which may be destroyed before announcement of the result. See Supp.552

**[§553] g. Result of Ballot-(I) Lodge Minutes Control.** The Lodge minutes are controlling as to the result of a ballot.

**[§554] (11) Single Adverse Ballot Rejects.** Unless the ballot is unanimous in favor of the petitioner he shall be declared rejected. NOW REQUIRES 3 BLACK BALLS

**[§558] (3) When May New Petition Be Presented.** After twelve months, the rejected candidate may present a new petition, which must take the same course as his former one.

**[§559] (B) Of Petition for Affiliation.** The rejection of a petition for affiliation has no effect beyond preventing the petitioner from immediately becoming a member of the rejecting Lodge.

**4- What is the difference between an OBJECTION and a RE-BALLOT? Who has the right to OBJECT and who has the right to ask for a RE-BALLOT**

**[§560] 6. Objection and/or Demand for Reballot-a. Distinguished.** There is a clear distinction between an objection and a demand for a re-ballot. An objection may be interposed without demanding a new ballot. See Supp.560

**5- Must the Objection be in person and by a member of the Lodge?**

**[§561] b. Objection-(I) May Be Oral or Written.** An objection to the initiation or advancement of a candidate may be oral or written and may be made by a sister Lodge.

**6- What is the effect of an OBJECTION on the candidate?**

**[§562] (II) Effect of Objection.** An objection, whether written or verbal, does not have the effect of rejecting the petition of a candidate or the advancement of a brother. It does, however, stand as a bar which, if timely made, must be respected once by deferring the initiation of a candidate or the advancement of a brother until a subsequent communication, which must be a stated one.

**7- When can a demand for Re-Ballot be made and by whom?**

**Const.' -Sec. 358. A ballot for each degree is an undeniable right if demanded, and if after a candidate has been accepted, and before he has been initiated, a new ballot be demanded, it must be taken, and if such ballot result in a rejection it shall have the same effect as if it had occurred when such candidate was accepted. If a ballot be demanded upon a candidate after he has been accepted and before he has been initiated, it may be taken whether the demand be made at a Stated or a Special Communication, provided the Special Communication be one called for the purpose of conferring the degree to which the candidate is entitled. If, after a brother has been initiated, any member shall demand a ballot upon his advancement, and such ballot result in a rejection, the brother may be proposed for advancement at any subsequent Stated Communication of the Lodge; the proposition must lie over at least to the next Stated Communication, and a clear ballot must be had before the brother can be advanced.** No written or verbal objection shall have the effect to reject the petition of a candidate or the advancement of a brother. **An objection must be respected, and will defer the initiation of a candidate or the advancement of a brother until a subsequent communication of the Lodge, provided, however, that where objection has been made and the initiation of a candidate or the advancement of a brother has been deferred in accordance therewith, the Master in his discretion may refuse to respect a subsequent objection to the initiation of such candidate or the advancement of such brother. The name of the brother objecting or making a demand for a new ballot, as herein provided, shall not be entered on the minutes. ++++**

**[§563] c. Demand for Reballot-(I) When and How Made.** **While the Constitutions recognize that a ballot for each degree is an undeniable right,** if demanded, they do not state when the demand shall be made beyond stating that, after acceptance and before initiation, **it may be at a Stated or a Special Communication,** provided the latter be one called for the purpose of conferring the degree to which the candidate is e

entitled. Nor do the Constitutions state how a demand for a re-ballot shall be made, though it has been said that **it should be made in open Lodge and may be by motion.** The Constitutions are also silent as to a demand for a re-ballot in the case of a candidate for advancement and it was formerly ruled that, while such demand might be made at a Stated or Special Communication, this could be only when the candidate applied for such advancement ; but it is now settled that a ballot on the advancement of a brother from one degree to another **may be demanded at a Stated Communication other than one called for the conferring of the particular degree" or at a Special Communication called for the conferring of any degree upon a candidate in question. See Supp. 563**

**[§564] (II) May Be Withdrawn Before Ballot.** A demand for a re-ballot may be withdrawn at any time prior to the taking of the ballot.

**[§565] d. Re-balloting-(I) When Required-(A) After Acceptance and Before Initiation.** If, after a candidate has been accepted and before he has been initiated, a new ballot is demanded, it must be taken.

**[§566] (B) After Initiation and Before Advancement.** If, after a brother has been initiated and before he has been passed, or after he has been passed and before he has been raised, a new ballot be demanded, it must be taken.

**[§567] (C) After Acceptance of Affiliate and Before Signing By- Laws.** **If, after a brother has been accepted for affiliation and before he has signed the by-laws, a new ballot be demanded, it must be taken.**

**[§568] (D) After Election to Honorary Membership.** Where a demand for a rebalot was made immediately following the Master's declaration upon a vote for honorary membership and before any assent or acceptance by the proposed honorary member, the demand was timely and the refusal of a rebalot was a violation of the rights of the demanding member.

**[§569] (II) When Re-ballot Taken- Stated or Special Communication.** If a ballot be demanded upon a candidate after he has been accepted and before he has been initiated, it may be taken whether the demand be made at a Stated or a Special Communication, provided the Special Communication be one called for conferring the degree to which the candidate is entitled. This has been held to mean that a ballot may be demanded and if demanded must be taken upon the advancement of a brother from one degree to another at a Stated Communication other than one called for the conferring of the particular degree.

**[§570] (III) Re-ballot How Taken.** A re-ballot is taken precisely like an original one. Every member of the Lodge who is present must vote. The same rule of secrecy applies; the balloting cannot be held open or adjourned, taken "informally" or "collectively," or otherwise than finally or at any other time than when commenced and must be finished and the result declared, or a new ballot ordered before it is declared; and an unfavorable ballot cannot be reconsidered then, or at any other time.

**[§571] (IV) Effect of Adverse Ballot-(A) On Petitioner for Initiation and Advancement-(I) Before Initiation.** If a ballot, taken on demand after a candidate has been accepted and before he has been initiated, result in a rejection, it shall have the same effect as if it had occurred when such candidate was accepted. 8- What is the effect of a Re-Ballot on the candidate or Brother?

**8- What is the effect of a Re-Ballot on the candidate or Brother?**

**[§572] (2) After Initiation-(a)** Generally. If, after a brother has been initiated, any member shall demand a ballot upon his advancement and such ballot result in a rejection, the brother may be proposed for advancement at any subsequent Stated Communication of the Lodge. The proposition must, however, lie over at least to the next Stated Communication" and a clear ballot must be had before the brother can be advanced even though the brother who had demanded a reballot had "removed his objection." Such a new proposition may be made as often as the candidate may think proper; but if additional rejections result, the new application may be laid over a longer time in the discretion of the Master.

**" Const.'- Sec. 359. A brother whose advancement has been**

**arrested for a period of six months as the result of an adverse ballot, may, thereafter, petition any other Lodge within the jurisdiction of this Grand** Lodge for the remaining degrees and for membership therein. Such petition shall take the **course of a petition for initiation or affiliation as provided in Sections 352 and 354 hereof.** If the ballot on such petition shall be clear as defined in Section 354 as amended, **the Lodge accepting the petition, upon thereafter receiving a waiver of jurisdiction from the Lodge having jurisdiction over the brother, may confer the remaining degrees upon him, and upon signing its By-laws, he shall become a member thereof**

**[§573] (b) After Advancement Arrested for Six Months.**

Where a brother's advancement has been arrested by an adverse ballot for a period of six months, he may petition any other Lodge within this Grand Jurisdiction for the remaining degrees and for membership therein, but such petition shall take the usual course of petitions and if acted upon favorably requires a waiver of jurisdiction from the rejecting Lodge before the accepting Lodge may confer the degrees upon him. See **Supp. 573** +++

**[§574] (B) On Petitioner for Affiliation.** If, after a brother has been accepted for affiliation and before he has signed the by-laws, a new ballot be taken and result in a rejection, it shall have the same effect as if it had occurred before such brother was accepted.

**[§575] 7. Signing By-Laws-a. Necessary to Consummate Membership.** **A brother becomes a member of a Lodge on signing its by-laws, and they must be signed to consummate his membership therein whether by taking the degrees: or by affiliation, but he cannot be forced to sign them. If he do not do so, he will be deemed non-affiliated.**

**[§576] b. Time for Signing By-Laws-(I) By Brother Receiving Degrees.** **The by-laws should be signed at the time of receiving the third degree and a by-law purporting to require proficiency in the third degree before signing the Lodge by-laws is void.**

**[§577] (II) By Affiliating Brother-(A)** When a Member of a Lodge-(I) Who Desires to Withdraw Therefrom. When an affiliating brother is a member of an existing chartered Lodge and desires to withdraw therefrom, **he cannot sign the by-laws of the accepting Lodge until it shall receive a certificate that he has been regularly discharged from membership in the first mentioned Lodge.**

**[§578] (2) Who Desires to Retain Dual Membership.**

Upon his acceptance by a second Lodge, an affiliating brother, who, in his petition, has indicated that he desires to retain his membership in the Lodge of which he is then a member, shall become a member of such second Lodge on signing its by-laws; and certificate of his discharge from membership in another Lodge is dispensed

**9- When and How often can degrees be given?**

**Const.' - Sec. 361. Except upon dispensation from the Grand Master providing otherwise, no Lodge shall confer any degree on more than five (5) candidates at a time** or more than one degree within any seven (7) consecutive days, or the Second Degree or the Third Degree on the same candidate at a less interval than two weeks from the time of conferring the preceding degree, or the First Degree on any candidate who has not petitioned it for initiation and membership. Except on similar dispensation, **no Lodge shall receive any petition for initiation or affiliation unless it shall have been completed and signed by the petitioner in his own handwriting**

**10-What authority does the Master have over Fellow Craft Club?**

**[§972] (XX) Lodge Clubs. A Fellowcraft Club is subject to the control of the Master and for all clubs under the supervision of the Lodge the Master is responsible and by a word, by a stroke of the pen, can cause them to cease to exist.**

**Supp : §972** The funds of an independent corporate entity formed by a fellow-craft club of the Lodge are not subject to the order of the Master of the Lodge but must be dispersed in accordance with the by-laws of that particular corporate entity, Re Aurora Grata-Day Star Lodge No.756, 197,5, pages 34,113-114, Approved page 45.

**LODGE OFFICERS**

**11- What disciplinary powers does the Master have?**

**[§671] (XIX) Disciplinary...** While a Lodge has no inherent power to deprive a brother of rights and privileges which exist wholly

apart from his membership in the Lodge, it does have an inherent right to exercise certain disciplinary powers. Thus it may, by order adopted at the same Communication, punish a brother guilty of contempt by exclusion for the evening or, for disturbing the harmony of the Lodge, by exclusion from that or subsequent Communications for a definite time fixed in advance, which time must be limited to such period as there is reasonable ground to believe that his presence will be prejudicial to the Lodge's welfare. So, by a majority vote, it may direct that a brother, who without recognition or permission interrupted the Senior Warden and used offensive language toward him, "write a letter of apology to the Lodge to be read in open Lodge, or stand suspended until he did so. But a by-law authorizing the imposition of fines "at the discretion of the Lodge" has been disapproved and a Lodge has no jurisdiction to compel a member to appear before a committee to account for his business dealings.

#### **[§945] 2. Of Particular Lodge Officers-a. Master-(I)**

In General. The office of Master is as old as the present system of Masonry and carries with it great power and honor and corresponding responsibility. He is clothed with power unknown to the presiding officer of any other organization. save only the Grand Master when presiding in Grand Lodge... His powers, while performing the functions of his station, may be and are absolute, but absolute within the prescribed limitations of fundamental law and held in check by due regard to, and observance of, the safeguards of corporate and individual right and most effectively and benignly exercised when within the purview of the law of obedience. The most successful administration is that which will secure to the Lodge harmony and prosperity and to 12 individual members good will and happiness. He is bound when presiding, to be courteous, and yet firm, ruling always with patience and faithfulness, but his decisions and actions should be sustained unless some grievous wrong is occasioned. Some of his specific duties, powers and limitations are discussed in following sections.

**[§946] (II) Admitting, Excluding or Ejecting Members or Visitors-(A) Generally.** The Master may refuse admission of a brother during the opening of the Lodge, or while any work is progressing, after it has been commenced and, on his own responsibility, may exclude temporarily any Mason, whether a

**member of his Lodge or not, if in his judgment his admission to, or continuance within, will disturb its peace and harmony, being accountable for the proper government of it, not to its members, but to Grand Lodge alone, who will, of course, see that he does not rule in an unjust or arbitrary manner!** It is also the right of a Master to determine the validity of objections to a request to visit his Lodge, he being responsible for the abuse of his discretion, and is bound to respect such objection only when convinced that the objector is honest and sincere in making the objection. **So, too, he may order the retirement of a visitor whose presence would disturb the harmony of the Lodge or embarrass its work and should order the retirement of one entering disguised in liquor. Should a member become boisterous and riotous so as to interfere with the work of the Lodge or become inflamed with passion and indulge in verbal or physical attacks upon any person else in the room, the duty rests with the Master to quell the disturbance** and, in order to enable his Lodge to proceed with its business. He not only may, but most emphatically should, eject the disturber from the room, provided he cannot otherwise secure obedience to the sound of the gavel. **He may, on his own responsibility, in the case of a member using offensive language in open Lodge, suspend him until he write a letter of apology but he may not do so in the case of a letter written to the Grand Secretary and such exclusion may not be for a definite time fixed in advance, but must be limited to such period as there is reasonable ground to apprehend that his presence will be prejudicial to the welfare of the Lodge.** Supp. §946

**[§1090] (26) Visiting.** While it is common to speak of the right of a member to attend his own Lodge and of his right to visit another, neither is an inherent, positive and unqualified right and there are various circumstances under which it would become the right and the duty of the Master to refuse admission even to a member of his own Lodge, **the remedy of the brother thus rejected being only by appeal to the Grand Master in case the action of the Master was arbitrary and unjustified.**

## CONDUCTING RITUAL WORK

12- Who can the Master assign to fill Chairs during degree work?

**[§641] (F) Who May Perform Work-(I) Rule Stated.**

It is not required that the regular officers of the Lodge shall fill their regular stations at all times in the conferring of degrees. Any of these may be filled by any Master Mason, whether he is a member of the Lodge or not.

**[§643] (3) Visitors from Other Jurisdictions.** Members of a Lodge from another jurisdiction may perform actual work, but only in accordance with standard New York ritual.

**[§980] (XXVIII) Permitting Work to be Done by Qualified Brother-(A) Rule Stated.** The regulation of the labor is the Master's exclusive prerogative. He may authorize any qualified brother in his presence, to open the Lodge or to preside therein or to fill the place of any officer temporarily absent, even though a visitor. It is his prerogative to delegate to any person whom he desires the performance of any particular part of the work and on the other hand he may refuse to permit any individual to take part in the work.

**[§981] (B) Degree Teams.** The only way that a degree team from one Lodge can legally work in another is for the Master to request the individuals composing such team to occupy temporarily the stations in his Lodge.

## BUSINESS TRANSACTIONS

### 13- On what degree is business transacted on?

**[§632] (F) Business Transactable - (I)** At Stated Communications, the ordinary regular business of the Lodge necessary or incidental to its purposes may be transacted.

**§633] (2) At Special Communication.** At a Special Communication, no business may be legally transacted which is not specifically stated in the notice thereof.

**[§634] (a) Communications Open and Close on Third Degree.** Every Communication of a Lodge, whether Stated or Special, must be opened and closed on the first, second or third degree and it is irregular to call a Lodge from labor to refreshment from one day to another.

## GRAND HONORS

**Grand Honors are a mark of respect, in a form inherited from the past, accorded to Grand Lodge officers, and, under certain conditions, to Worshipful Masters and to Past Masters, at the discretion of the Worshipful Master of the Lodge.** In a Grand Lodge Communication they are given to the Grand Master and to visiting Grand Masters, always led by the Grand Marshal. In a Lodge Communication they are given to Grand Lodge officers if officially present as such, and whether or not they are given to Past Grand Lodge Officers must be decided by the Worshipful Master.

**Grand Honors always must be led by the Master in Lodge meetings, except when given to the Grand Master or Deputy Grand Master; in such cases they are led by the Grand Marshal, Deputy Grand Marshal or by one deputized to act as such.** Save in the exception above noted they should always be led by the Master of the Lodge or by one to whom he has surrendered the gavel.

**No Brother is to be formally received and given Grand Honors after the reception of the Grand Master, the Deputy Grand Master, or the District Deputy Grand Master except at their discretion.** Applause should never follow the giving of Grand Honors since Grand Honors are a form of Masonic applause.

Worshipful Masters who are uncertain as to the correct manner in which Grand Honors should be given may call upon the Grand Lecturer for an explanation and an exemplification at a District Convention; the same may be obtained at anytime through an Assistant Grand Lecturer.

**Brethren, while receiving Grand Honors, are required to stand at the Sign of Fidelity.**

## DEMIT / RESIGN

**Sec. 316. Neither Master nor Wardens can resign, and every officer shall hold his office until his successor shall have been installed, unless his office becomes vacant, as provided in the next Section, or unless, while holding the office of Junior Warden of a Lodge, the holder thereof shall be elected and installed to fill a vacancy in the office of Senior Warden of such Lodge.**

[§992] (XXXIX) Resigning. The Master of a Lodge cannot resign his office See Supp. 1015 Wardens

**Sec. 317. A vacancy in office in a Lodge can only occur:**

1. By death.
2. By resignation of other than Master or Wardens.
3. By election and installation of the holder of such office to fill another office in the Lodge, but this shall not apply to Master and Wardens except as provided in subdivision 4 of this Section.
4. By election and installation of the holder of the office of Junior Warden to fill a vacancy in the office of Senior Warden.
5. By expulsion, or by suspension for a time extending beyond the next annual election, or removal from office.
6. By unaffiliation in another Lodge, where the holder of such office is a member of two Lodges under Dual Membership.
7. By withdrawal from membership.

**Sec. 318. A vacancy in an elective office**, except that of Master, may be filled by ballot at any stated Communication, summoned pursuant to Section 302 of the Constitutions. **A vacancy in an appointive office may be filled at any time.** In case the offices of Master and Wardens become vacant, the Secretary shall immediately notify the Grand Master of that fact, who shall issue a dispensation to the District Deputy Grand Master of the District in which the Lodge is located, directing the assembling of the Lodge, the holding of an election to fill the vacancies and the installation of the officers. Pending the filling of the vacancy of either the Secretary or the Treasurer of a Lodge, the provisions of **Section 310-A** shall apply.

**\*\*\*MASTERS OR WARDENS have the RIGHT to DEMIT but they CAN NOT RESIGN from their office . See the following:**

**[\$967] (XV) Dimitting.** The Master cannot dimit from the Lodge. **See Supp. Sec. 1011 Wardens**

**Sec. 369. Any member of a Lodge against whom charges are not pending, and who does not stand suspended pursuant to Section 405 of these Constitutions, and whose dues and indebtedness to the Lodge are paid, may withdraw from membership by presenting a written application therefor at a Stated Communication.** The Lodge shall grant the request of the Brother by dropping his name from the rolls, and his membership shall thereby be terminated.

## **14- What is the difference between Non-Affiliated, Un-Affiliated & Demit?**

### **NON-AFFILIATED :**

**[§16] 0. A Non-affiliated Mason** is one who, having received his degrees, has failed to sign the by-laws of the Lodge by which he has been accepted and by whose action or at whose request he has received the third degree; or one who, being free of pending charges and indebtedness to a Lodge, has voluntarily and upon his own written application withdrawn therefrom and is not a member of any other Lodge; or who, having been expelled from the rights and privileges of Masonry, has been restored thereto by due action of Grand Lodge; or one who was a member in good standing of a Lodge whose charter was voluntarily surrendered or has been forfeited. Candidates initiated, passed or raised in a Lodge under dispensation not continued by a charter become non-affiliated upon the expiration of the dispensation.

**[§1056] B. Master Masons- Before Signing By-Laws. A brother who receives his degrees by initiation is deemed a non-affiliated Mason until he has signed the by-laws of the Particular Lodge.**

**[§1099] 3. When Non-Affiliated.** For a certain length of time, a non-affiliated Mason has all the rights of any Brother, in so far as they exist apart from membership in a Particular Lodge, but any Brother who shall remain a non-affiliated Mason within this jurisdiction one year or more shall not be allowed to visit any Lodge, join in a Masonic procession, or be entitled to receive Masonic relief or burial. Any Lodge, however, may bury him with Masonic honors, if a majority of the members so decide, and he is subject to Masonic discipline. A non-affiliated Mason may apply for affiliation to the Lodge of which he was last a member or to any other Lodge.

## **UN-AFFILIATED:**

**[§23] Unaffiliated Mason.** An Unaffiliated Mason is **one who has been dropped from membership in a Lodge for non-payment of dues.**

**[§1102] 6. When Unaffiliated.** Un-affiliation terminates membership in a Lodge although **still subject to Masonic discipline, an unaffiliated Mason is not subject to dues, is not entitled to vote at an election of officers, is not allowed to visit any Lodge or to join in a Masonic procession and is not entitled to receive Masonic relief or a Masonic burial, although a Lodge may grant either, or both, to those otherwise worthy.** Upon payment of the amount due at the time of his un-affiliation, **he may be restored to membership,** a matter which is treated elsewhere and, once restored pursuant to the provisions of the Constitutions, is restored to his former condition of membership and all his rights accruing thereto under the by-laws of the Lodge. Should his Lodge fail to reinstate him he is not entitled to a refund of the amount of the indebtedness paid by him. **He may, however, wish to pay up his arrears without resuming membership in his former Lodge or his application for restoration may be denied, in either of which cases he is entitled to a certificate showing that he has paid his indebtedness to the Lodge and becomes a non-affiliated Mason in good standing to but he is not entitled to a dimit until he has been restored.** He may apply to any Lodge for affiliation, but an un-affiliated Mason who petitions a Lodge for affiliation and is rejected still remains under the ban of the law.

**[§826] (6) Vote for Restoration-**(a) Required and Regulated by Constitutions. **A vote of the Lodge is required for restoration.** The manner of voting is governed by the Constitutions and a Lodge cannot require any stricter rule in the ballot or vote than Grand Lodge prescribes, a brother being entitled to the benefit of the most liberal provision .

**[§827] (b) Vote for Restoration When Taken.** A vote on the application of an unaffiliated brother **for restoration may be taken at any Stated Communication of the Lodge**

**[§828] (c) Manner of Voting -** When Unaffiliated Less than Five Years. When a Brother has been unaffiliated less than five years, restoration may be granted by a majority vote and taken by show of hands, even though it is the request of the applicant or any other person that it be taken otherwise."

**[§829] (d) Manner of Voting for Restoration when Unaffiliated Five Years or More.** A brother unaffiliated for non-payment of dues who has remained unaffiliated for five years or more can be restored only by a secret ballot which requires a unanimous vote. On such a vote the Master may twice destroy the ballot without announcing the result.

**[§830] (7) Certificate When Restoration Refused.** If an unaffiliated Brother who has paid his arrears is denied reinstatement, it will be the duty of the Lodge to grant him a certificate that he is clear on the books, which the Secretary may issue without a vote of the Lodge.

### **DIMIT:**

**[§1058] (B) As Affected by Application for Dimit.** The date of a written request for a dimit is of no effect until the request shall have been presented to the Lodge at a Stated Communication, but when the request has been presented to an appropriate officer of the Lodge in his official capacity, compliance by the Lodge with the request at its next succeeding Stated Communication is conclusively presumed and the requesting brother automatically ceases to be a member of the Lodge. Upon the actual or presumed grant of a dimit, the brother becomes a **non-affiliated Mason and can renew his membership, in that or another Lodge, only by a new application and a unanimous vote**. A member whose request has been refused, although he is entitled thereto, is not liable for subsequently accruing dues.

**[\$1088] (24) Summons Before Un-affiliation.** The right of a brother to be duly summoned to pay arrears of dues before he can be un-affiliated for their non-payment is considered elsewhere. See: **[\$684-692]**

**[\$1092] (28) Withdrawal by Dimit.** Any member of a Lodge against whom charges are not pending and whose dues and indebtedness to the Lodge are paid may terminate his membership therein by withdrawing .

## SUPPLEMENTS

**§520** Where a brother executed the certificate required of a proposer and forwarded the petition of a candidate, which was in due form, to the Secretary of the Lodge, the petition was required to be acted upon notwithstanding the fact that the proposer had died prior to its presentation to the Lodge. Matter of Keystone Lodge No.235.. 1968.. page 35.. Approved page 81.

**§520 Reading of petition by secretary constitutes receipt by the Lodge and a motion not to receive is out of order. It is the duty of the Master to refer it to the investigating committee. No motion is necessary.** Matter of Riverhead Lodge No.645, 1956, page 32, Approved page 50.

**§522** Rejection of a candidate by the investigating committee is void; the petition is still pending and no other Lodge has jurisdiction. Re Evans Lodge No.261, 1960, page 46, .Approved page 52.

**§524** A petition properly received may not be withdrawn and is properly referred to an investigating committee the same night. (Constitutions, Section 352, 353) Re Second Queens District, 1958, page 40, Approved page 60.

**§525** Petition for membership which requires a waiver may be withdrawn by the written request of the petitioner presented to a Stated Communication (and by him alone, before the waiver has been received or action taken). Re Woodbury Lodge No.993, 1954, page 20, Approved page. 33.

**§529** An elected petitioner may request in writing the withdrawal of his application and the Lodge shall vote thereon. Re Northshore Lodge No. 1149, 1958, page 44, Approved page 60.

**§530** A petition properly received may not be withdrawn and is properly referred to an investigating committee the same night. (Constitutions, Section 352, 353) Re Second Queens District, 1958, page 40.

**§530** Reading of petition by secretary constitutes receipt by the Lodge and a motion not to receive is out of order. It is the duty of the Master to refer it to the investigating committee. No motion is necessary. Matter of Riverhead Lodge No.645, 1956, page 32, Approved page 05.

**§530** By-laws requiring that no member of an investigating Committee be related to an applicant is contrary to the Constitutions. (Section 352) Re Wamponamon Lodge No.437, 1959, page 32, Approved page 59

**§531** Petitions for initiation, affiliation and waiver of jurisdiction are referred to an investigating committee when received. No motion therefore is necessary. Minutes should record the proceedings as they are, different wording in form books of minutes notwithstanding. Re Reception of Petition and Balloting, 1966, page 33, Approved page 76.

**§534** All three members of a membership committee must report. Re Wadington Lodge No.393, 1958, page 28, Approved page 60.

**§534A** A brother, notwithstanding that he may not be a member of the Investigating Committee, has the right to make due inquiry with regard to character and qualifications of a candidate. Re Galileo Lodge No.1052, 1972, page 122.

**§535** Rejection of a candidate by the investigating committee is void; the petition is still pending and no other Lodge has jurisdiction. Re Evans Lodge No.261, 1960, page 46, Approved page 52.

**§543** Members may be unaffiliated by a collective vote, if there is no objection. Re Mariner's Lodge No.67 , 1938, page 46, Approved page 60.

**§543** Petitioner may not be rejected on a collective ballot. (See discussion on balloting). Constitutions, Section 354, 322. Matter of Howard Lodge No.35, 1953, page 42, Approved page 47.

**§544** After committee has reported, Master may postpone balloting before it has commenced. Matter of Syria-Lebanon District 1955, page 30, Approved page 49.

**§545** Chairman of the investigating committee wrote to Lodge rejecting affiliation petition and requested :

1. Report of investigating Committee
2. Reason for rejection, if known
3. Request that any members knowing why applicant should not become a member of the Lodge, to contact him.

The addressee refused on the ground that such disclosure is prohibited by a Masonic Law.

The refusal was upheld, but the committee on Masonic Jurisprudence stated that the Master or Investigating Committee was to have the complete right to inquire of another Lodge or its members with respect to any petitioner. Re Lockport Lodge No.73, 1963, page 157, Approved page 112.

**§550 Where one Warden reports "clear" and another "Cloudy" rejection of petition by Master without reconciling the discrepancy makes the ballot void.**

Matter of Van Cortlandt Lodge No. 1034,1954, page 26, Approved page 33.

**§551 Master may destroy two ballots even though Wardens have announced; if Master announces, the ballot is final and rejection complete.** (Constitutions, 353) Re Philipstown Lodge No.236, 1960, page 36, Approved page 52

**§552 No candidate may be rejected on a cloudy collective ballot, whether or not the Master announces. The ballot counts as one of the three permitted. Individual ballots shall be taken immediately before any member leaves the Lodge room, if not, such ballot shall be taken at a subsequent communication to which the Lodge has been summoned.** Re New Hope Lodge No.730, 1965, page 47, Approved page 143.

**§556** No adverse ballot, regardless of cause, may be reconsidered. Constitutions, 353. Re Clio Lodge No.779, 1953, page 38, Approved page 47.

**§560 No reason for objection to initiation or advancement of a candidate under** Constitutions, Sections 358, **need be stated.** Matter of Syria-Lebanon District, 1955, page 21, Approved page 49.

**§563 An absent member may demand a re-ballot if absent on Lodge business.** Constitutions, Sections 358 **and on any other question where a right to vote is demanded, previous vote is void if**

**result could be changed.** Re Syria-American Lodge No. I, 1952, page 37, Approved page 40

**§573 When advancement has been arrested for six months, a Brother may petition another Lodge. A waiver is needed from the original Lodge. The second Lodge may charge an affiliation fee.** Richmond Masonic Association Inc., 1959, page 46, Approved page 59.

**§576** Requirement of proficiency in the third degree before signing by-laws is void. Hornellsville Lodge No.331, 1953, page 38, Approved page 47.

**§582** One who has dimit, but has not signed the by-laws of the Affiliation Lodge is a non-affiliate. Re Johnson City Lodge No.970, 1959, page 36, Approved page 59.

**§946 A Master has a right to exclude a member. Whether he is justified depends upon the facts. This is to be determined by a trial commission. The Grand Master shouldn't give his opinion in advance as he acts as a Grand Jury when a complaint is filed.** Matter of Fiat Lux Lodge No.1079, .1955, page 32, Approved page 49.

**§967 The old rule that the Master and Wardens could not take dimit (H.B. 662, 967 and 1011) was abrogated by the amendment of Section 369 of the Constitutions in 1896.** (Re Sylvan Grove Lodge No.275, 1944, page 41, Approved page 83 and amendments of the Constitutions, Sections 316,317 and 318). Re Levant Lodge No.67, page 40, Approved page 52

**§1011 See S§967 The old rule that the Master and Wardens could not take dimit (H.B. 662; 967 and 1011) was abrogated by the amendment of Section 369 of the Constitutions in 1896** Re Sylvan Grove Lodge No.275, 1944, page41, 49,. Approved page 83 and amendments of the Constitutions, Sections 316,317 and 318). Re Levant Lodge No.967, page 40, Approved page 52.

**§1015 Subdivision 7 of Section 317 of the Book of Constitutions permits a Warden of a Lodge to withdraw from membership in the Lodge.** Matter of Anonymous, 1968, page 35, Approved page 81

## INDEX

<b>Subject</b>	<b>Page</b>
Petitions	3 –5
Investigating Committee	6—7
Ballot—When & How	7—8
Balloting	8—10
Objections & Re-Ballots	11– 15
Degrees	16
Fellowcraft Club	16
Lodge Officers	16—18
Conducting Ritual Work	18—19
Business Transactions	19
Grand Honors	19
Demits—Resignations	20– 21
Non-Affiliated	22
Un-Affiliated	23
Dimit	24
Suppliments	26– 29