

Grand Lodge of Ancient Free and Accepted Masons of Minnesota
Thomas G. McCarthy, Grand Master

Whereas, the Annual Communication of the Grand Lodge of Minnesota, A.F.&A.M. adopted a resolution concerning the Grand Lodge of West Virginia, and

Whereas, the resolution was premised on the following representations:

Whereas, the Grand Lodge of West Virginia has arbitrarily and recklessly ignored the will of their brethren, expelling a Past Grand Master without trial or redress, violating the ancient and accepted customs and tenets of our Fraternity and bringing shame and disrepute on all Masons and Freemasonry, and

Whereas, they have been named in a civil suit further bringing the Craft into public disrepute and scorn
and

Whereas, the resolution was presented during the public opening ceremony of the Grand Lodge of Minnesota Annual Communication after being addressed by Frank J. Haas, the Past Grand Master who had been expelled by the Grand Master of West Virginia, and

Whereas, no attempt was made to obtain information from the Grand Lodge of West Virginia, A.F.&A.M. concerning the reasons for the expulsion of Frank J. Haas and others from Freemasonry, and

Whereas, the Proceedings of the 144th annual communication of the Grand Lodge of West Virginia, A.F.&A.M. have been received by the Grand Secretary, and

Whereas, said proceedings contain the report of the Grand Master which include a detailed account by him of the Masonic Discipline of Richard K. Bosely, Frank J. Haas, and Justin M. Blankenship, and

Whereas, said proceedings also contain a report of the Committee on Grievances and Appeals concerning the petition for restoration of membership of Frank Joseph Haas, which petition was returned without judgment, as the required one year for a petition for reinstatement to be considered.

Whereas, said proceedings also contain a report of the Committee on Grievances and Appeals concerning the Appeal of Grand Master Charlie Law Montgomery expelling Mr.'s Frank Joseph Haas, Wellsburg Lodge No. 2; Richard K. Bosely, Wetzel Lodge No. 39; and Justin M. Blankenship, Minerva Lodge No. 13, which stated:

“After independent investigations by each member of the Grievances and Appeals Committee, we have determined the following: the Committee found that Grand Master Charlie Law Montgomery did use the proper laws and rulings when expelling Mr.'s Frank Joseph Haas, Richard K. Bosely, and Justin M. Blankenship from Masonry. The Committee also found that Mr.'s Haas, Bosely, and Blankenship were given ample warnings and counseling before Grand Master Montgomery took action.

Therefore this Committee finds and recommends that the actions taken by Grand Master Montgomery were proper and consistent with the Laws of Masonry in West Virginia and he acted in the best interest of Masonry and the Grand Lodge of West Virginia. Wor. Robert J. Guminey made comments. M.W. James E. Winzenreid, P.G.M., explained the differences of what the Grievances and Appeals Committee does and what the Jurisprudence Committee does. Wor. Charles I. Jones made comments. Recommendation was seconded and approved, and

Whereas, had the information contained in the Proceedings of the 144th annual communication of the Grand Lodge of West Virginia, A.F.&A.M., above-referenced, been available to the annual communication of the Grand Lodge of Minnesota at the time the resolution was submitted to a vote, the result of the vote likely would have been impacted, and

Whereas, the Brothers and officers of the Grand Lodge of West Virginia deserve the same right to trial and redress that it is claimed they denied to Frank J. Haas and others.

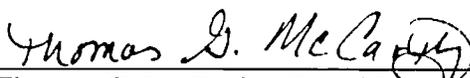
NOW THEREFORE, as is the prerogative of the Grand Master, I make and proclaim the following EDICT:

1. The resolution adopted at the Annual Communication of the Grand Lodge of Minnesota above-referenced shall be and hereby is declared null and void.

2. At such time as the courts of the State of West Virginia have concluded the pending action involving Frank T. Haas and others against the Grand Lodge of West Virginia, the matter may be referred to the Committee on External Relations for review, if appropriate.

3. The memorandum attached hereto is incorporated herein by reference.

Dated this 2nd day of April, 2009 A.D., 6009 A.L.



M.W. Thomas G. McCarthy, Grand Master
Grand Lodge of Minnesota, Ancient Free and Accepted Masons

MEMORANDUM

*We have sinned against Thee O our Father
And have broken Thy commandments.
We have judged our brother harshly
And condemned him unheard.*

Executive Summary

Information has come to me since the 156th Annual Communication of the Grand Lodge of Minnesota, A.F.& A.M. that requires me to rescind, by edict, the resolution condemning the Grand Lodge of West Virginia, A.F.& A.M. The resolution is attached hereto as Exhibit A. That information is summarized as follows:

1. The report of the Grand Master of West Virginia, as printed in the official proceedings of the annual communication of that sister grand lodge, contains information which, *if true*, could justify the Masonic discipline of Frank J. Haas and others.
2. The Grand Lodge of Minnesota has no means by which to evaluate the credibility of the competing parties to this dispute in the Grand Lodge of West Virginia, and thus has no means to determine the truth.
3. It was alleged, as a basis for the resolution that Frank J. Haas and others were not afforded due process or the right to appeal from the edict of the Grand Master. The proceedings indicate that such appeals, as well as a petition for reinstatement by Frank J. Haas, were duly considered at the 2008 Annual Communication of the Grand Lodge of West Virginia.
4. The information contained in the proceedings of the annual communication of the Grand Lodge of West Virginia was not available to the voting members of the Grand Lodge of Minnesota present at the time the resolution was proposed and adopted.
5. As the Grand Lodge of Minnesota has no legitimate manner to determine the truth of the dispute, there are no instructions that the Grand Master can provide to the Grand Lodge of Minnesota Committee on External Affairs to enable that committee to comply with the instructions contained in the resolution adopted at the annual communication. The resolution is attached to this Memorandum as Exhibit A. The External Relations Committee has been charged with a task that is impossible to complete.
6. The resolution, itself, is so vague that it fails to give sufficient guidance to the External Relations Committee, the Grand Master or the Grand Lodge to comply with its terms.

Discussion

The issues between Frank J. Haas and the officers of the Grand Lodge of West Virginia has received much exposure on various websites over the internet.

At the 156th Annual Communication of the Grand Lodge of Minnesota, during the public opening, Frank J. Haas, Past Grand Master of the Grand Lodge of West Virginia was invited to make a presentation. Mr. Haas presented an eloquent and moving account of his expulsion from the Grand Lodge of West Virginia. No presentation was made on behalf of the Grand Lodge of West Virginia or its officers.

Evidence Contradictory to the Presentation of Frank J. Haas: Basis for Masonic Discipline.

The proceedings of the annual communication of the Grand Lodge of West Virginia of October, 2008, contain the Report of the Grand Master which details his account of the events leading up to the Masonic discipline of Richard K. Bosely, Frank J. Haas, and Justin M. Blankenship. A review of the account demonstrates that there may have been a legitimate cause to impose Masonic discipline on the above-named.¹ See, excerpts from the proceedings of the 2008 Annual Communication of the Grand Lodge of West Virginia, attached hereto as Exhibit B.

Naturally, the legitimacy of the Masonic discipline contained in the Report of the Grand Master of West Virginia is dependent on the accuracy of that report.

The presentations by Frank J. Haas and the proceedings of the Grand Lodge of West Virginia report dramatically different versions of the same events. This is not an uncommon occurrence in court actions. It is not necessarily that either party is not telling the truth. Often, a party or witness will recall an event or a conversation in light of his own perspectives.

The most common way to resolve differences such as this in court is for the witnesses to testify under oath and be subject to cross examination. By testing the witnesses' recollection in that manner, credibility may be established and the truth ascertained.

¹ One could question the severity of the discipline in light of the allegations contained in the Grand Master's report. However, it must be kept in mind that it is *West Virginia's* Masonic Code that was being applied, not that of Minnesota or any other Grand Lodge jurisdiction.

The Grand Lodge of Minnesota has no realistic ability to judge credibility of the witnesses to the incidents germane to the inquiry.

The Grand Lodge of Minnesota has no way to compel testimony or the production of evidence from any of the parties. In fact, it is likely, considering the pending litigation in the State Courts of West Virginia, attorneys have advised their clients to make no statements outside of the Court proceedings that could influence the case in Court.

Evidence Contradictory to the Presentation of Frank J. Haas: Right of Appeal and Due Process.

The resolution provides, in the “whereas” section, that Frank J. Haas was expelled “without trial or redress”. See, Resolution, Attachment A.

The proceedings of the 2008 Annual Communication of the Grand Lodge of West Virginia contain the report of the Committee on Appeals and Grievances, contains a report on the appeal of Richard K. Bosely, Frank J. Haas, and Justin M. Blankenship from their Masonic discipline, as well as a report on the petition of Frank J. Haas for reinstatement.

It is, of course, not possible to determine whether any such appeal process was legitimate or a sham. Further, there is no way that the Grand Lodge of Minnesota could make such a determination.

Suffice it to say that the matter is in controversy.

Pending Court Action in West Virginia

The “whereas” provisions of the resolution contain language that the Grand Lodge of West Virginia has been named in a civil suit further bringing the Craft into public disrepute and scorn.²

It is important to note that the action was brought not by the Grand Lodge of West Virginia but by the three aggrieved by their expulsion from the fraternity. It is reasonable to say that any adverse publicity could be attributed to the plaintiffs as easily as to the Grand Lodge.³

² I am aware of an article concerning this matter that appeared in the New York Times on June 16, 2008. The article quotes Frank J. Haas extensively, but indicates that the Past Grand Master refused comment – most likely on advice of his attorney.

³ Obviously, it is not in the power of a defendant to prevent being named in a lawsuit.

The Courts of West Virginia DO have the power to compel persons to appear, testify under oath, be subject to cross-examination and the ability to observe and weigh the credibility of those seeking redress in that forum. The Grand Lodge of Minnesota does not.

It is, therefore, much to be preferred to allow the civil court matter now pending in West Virginia to be resolved, and then reexamine the issue to see if any further action is necessary or advisable.

The External Relations Committee does not have the authority, jurisdiction or access to the resources necessary to make a recommendation to the Grand Lodge of Minnesota concerning the Grand Lodge of West Virginia.

As Grand Master, I have pondered how to implement the resolution since the adjournment of our annual communication. I cannot conceive of a way in which the External Relations Committee and the Grand Lodge of Minnesota can gather sufficient reliable evidence to make any determination regarding the merits of the claims and counterclaims of the parties to this dispute.

It has been suggested that I contact as many as six Masons who are reported to have witnessed one or more of the incidents leading to the expulsion of these Masons.⁴ That would, of course, simply give more evidence on one side of the argument, and not on the other.

I felt that I owed the Grand Master of West Virginia the courtesy of a telephone call, and MWB Jerry E. Lewis was gracious enough to take time out of his busy day to talk for a few minutes.⁵ MWB Lewis told me that their attorney in the pending matter in West Virginia has instructed them not to discuss the case with anyone outside of the attorney's presence – advice that is routinely given by legal counsel in these kinds of situations.

⁴ It is interesting that each of the Brothers that have been referred to me are members of Grand Lodges closer in distance to the Grand Lodge of West Virginia, yet none of these Grand Lodges has been compelled to take the actions that the Grand Lodge of Minnesota took at its annual communication, arguably on incomplete information.

⁵ MWB Lewis did give me his permission to make public the portions of the proceedings of the 2008 Annual Communication of the Grand Lodge of West Virginia that I determined would be helpful to the reader of this Edict and Memorandum.

So even if Minnesota would have the right and authority to investigate this matter, it would not be possible to get BOTH sides of the controversy until the litigation in West Virginia is complete.⁶

Other problems with the implementation of the resolution: Vagueness.

The resolution appeared to have been drafted on the spot and was presented to the annual communication with no prior notice or opportunity to comment on the wording of it.⁷

The resolution calls for the Grand Lodge of Minnesota to consider suspending recognition of the Grand Lodge of West Virginia “if there is not correction of these actions”. “These actions” is not defined. One could argue “these actions” means reinstating the expelled members. Or, it could be “violating the ancient and accepted customs and tenets of our Fraternity” in a manner that was not specified in the resolution. Perhaps it is bringing shame on the Fraternity, but the resolution does not specify what constitutes “shame” or how we should measure it.

I have again struggled with how to instruct the External Relations Committee to comply with the requirements of the resolution. I cannot work out proper instructions for the Committee.

Conclusion

It is crucial to understand what this edict does NOT do:

The edict does not condone, nor condemn, the actions of the Grand Lodge of West Virginia and its previous Grand Masters.⁸ The Grand Lodge of Minnesota has policies concerning accepting handicapped members, recognizing Prince Hall Grand Lodge etc., which are different from those of the Grand Lodge of West Virginia. While I, personally, would wish the Grand Lodge of West Virginia would alter some of its policies, I do not see that as a legitimate reason to withdraw recognition from a Grand Lodge.

⁶ I do not know the status of the litigation in West Virginia, nor a reasonable expectation as to when it might be finalized.

⁷ There were one or several amendments made to the original resolution, but, other than the resolution’s moving Brother, no other brother at the communication had the resolution in writing.

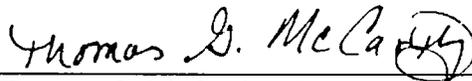
⁸ MWB Lewis and I each have the unhappy duty to address issues that were not brought up by our actions, but the actions of others.

The edict does not find that the Grand Lodge of West Virginia acted properly in expelling Frank J. Haas and others. Just as we do not have sufficient authority and evidence to find that the expulsion was arbitrary, we do not have evidence that it was in conformity with West Virginia's Masonic Code and Usages. That is before the courts and that process should be allowed to resolve itself.

The edict does not prohibit the matter from being referred to the External Relations Committee by the Grand Master if future developments warrant that action. If a brother wiser than me can set out a series of specific questions concerning the situation in West Virginia that would be helpful to the Grand Lodge of Minnesota and a process by which the Committee may gather necessary information from both sides to make its report, I will make a referral to that Committee.

Just as the complainants from West Virginia ask not to be judged harshly and condemned unheard, we ought to afford our Brothers in the Grand Lodge of West Virginia the same courtesies and Masonic rights.

Dated this 2nd day of April, 2009 A.D., 6009 A.L.



M.W. Thomas G. McCarthy, Grand Master
Grand Lodge of Minnesota, Ancient Free and Accepted Masons

Exhibit A

Resolution of the Grand Lodge of Minnesota
Concerning the Grand Lodge of West Virginia
Adopted March 28, 2009

Whereas, the Grand Lodge of West Virginia has arbitrarily and recklessly ignored the will of their brethren, expelling a Past Grand Master without trial or redress, violating the ancient and accepted customs and tenets of our Fraternity and bringing shame and disrepute on all Masons and Freemasonry, and

Whereas, they have been named in a civil suit further bringing the Craft into public disrepute and scorn

Therefore be it resolved that the Grand Lodge of Minnesota expresses its concern over these actions and will consider suspending recognition of the Grand Lodge of West Virginia upon the recommendation of our External Relations Committee at our next Annual Communication in 2010 if there is not correction of these actions and a renewed willingness by the Grand Lodge of West Virginia to enter into the modern fraternity of Freemasonry.

Excerpts from the 2008 Annual Communication
Grand Lodge of West Virginia, A.F.&A.M
(Used by permission of the Grand Master, MWB Jerry E. Lewis)

From the October 2008 Grand Lodge of West Virginia Proceedings:

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GRAND MASTER'S REPORT

Address of Most Worshipful Grand Master Charlie L. Montgomery

The Most Worshipful Grand Lodge of Ancient, Free and Accepted Masons of West Virginia
Brethren,

I would like to once again welcome each and every one of you to this 144th Annual
Communication of our beloved Grand Lodge.

It has been our custom in this Grand Jurisdiction that the Grand Master give a report
concerning his actions during his term of office.

In recent years we have experienced some unusual goings on in this Grand Jurisdiction which
seems to have led to some confusion among the Craft. I commend my predecessor for his
efforts in providing education for the membership in an attempt to restore peace and harmony
among the Craft. However, there seems to remain a few members who have chosen not to
cheerfully comply with the opinion adopted by the actions of the majority.

One of my first actions as Grand Master was to secure our Grand Lodge Web Site which was
being constantly hacked into. I followed the recommendations from the Web Site Committee
as found in the 2000 Grand Lodge Proceedings which had been approved for adoption by this
Grand Lodge. This procedure ensures that the Master of the Lodge is aware of who is posting
and the context of what is being posted.

The next issue I faced was a confrontation by one of our then Deputy Grand Lecturers at a
Stated Communication of Wellsburg Lodge No. 2 on November 5th. This was their annual
oyster and fish dinner of which I had attended on numerous occasions. I was personally
invited this past year as the Grand Master. They feed well over 200 people and more than 100
remained for the meeting that followed. After the meal I went outside of the Lodge building
prior to the meeting. When I returned to the Lodge I was greeted, to my surprise, by the
Grand Master of Ohio. Both he and I were relatively new Grand Masters and found we had
much to talk about.

When the business portion of the meeting had concluded, everyone in attendance was given
an opportunity to introduce themselves to speak. I observed that at least half or more of those
in attendance were from out of state.

The Worshipful Master then recognized the distinguished guests in order of their rank. The
second person recognized was Richard K. Bosely, who immediately began with a barrage of
questions and a demanding of answers to the actions that had taken place during the two
previous Grand Lodge Annual Communications.

I first tapped my watch with my right index finger in an obvious manner so as to send him a
message that he had used up his allotted time. Realizing that this was not working, since he
kept on speaking, I addressed him saying "Brother Bosely, this is not the time or place".

He kept on speaking as if nothing was said, so I said, "Brother Bosely, I would be perfectly

willing to go outside the Lodge and address any issues you might have". He kept on speaking as though I had not spoken. I then said, "Brother Bosely, will you please sit down". He kept on speaking as if I had said nothing. I then said, more sternly, "Brother Bosely, sit down". Again my effort to curtail his speaking met with futility. I then stood up and addressed him and said, "Brother Bosely, will you please sit down". Again he refused to acknowledge my request. While still standing I pointed to his seat and in a very stern and commanding voice said, "Brother Bosely, sit down, now!". This resulted with his compliance but left a lot of tension and uneasiness in the room. The Master then proceeded with the recognition of his distinguished guests.

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While this was going on my thoughts were more focused along the lines of why the Master did not provide some assistance to restore order. Likewise, when Past Grand Master Haas was called upon to speak he expressed his approval and appreciation of Bosely's remarks.

At that point I was rather upset by what had just transpired but convinced myself that this was not the time or place to address the issue or the situation. I felt that a cooling off period would allow cooler heads to prevail

At the conclusion of the meeting, I met Brother Bosely at the altar and called for him to give me his Deputy Grand Lecturers apron. I felt he had violated his position as a Deputy Grand Lecturer according to Regulation 11, Section 11 as outlined in the 15th Edition of the Laws of Masonry. His remarks to me were, "I will give it to Steve". I responded saying, "No, you will give it to me right now". To which he stood staring at me in defiance. I then made a gesture with my hand for him to hand it forward. He then took it off and tossed it forward. This was not one of my more pleasurable experiences this past year.

It is amazing how the news of that evening traveled. I received numerous phone calls concerning the events of that November 5th meeting at Wellsburg Lodge No. 2.

Over the next several days I consulted with numerous Brethren and gave much thought as to how to best address this issue. I was not so naive as to realize that these Brethren were either being influenced or involved with a group of individuals who aspire to the principles conveyed on the web site of the Masonic slash crusade dot com. Further investigation resulted in a document confirming my suspicion. I had only hoped the approval of Past Grand Master Coleman's actions at the 2007 Grand Lodge Annual Communication had quashed and laid to rest the aspirations of this misguided and disgruntled group of individuals.

One of Brother Bosely's demands was that the issues he was seeking answers to be provided in open Lodge. I called Bosely and asked if he could attend the next Stated Communication of Wellsburg Lodge No. 2. I said that I felt I had left some issues unresolved at the meeting in Wellsburg and if he could be at their next Stated Communication I would provide answers to any questions he might have. He stated that he was not certain whether or not he could attend but would do his best to do so. He then asked why I took his apron and I explained to him that I would answer that question at the aforementioned meeting and that if he could not attend that meeting we would make arrangements to meet at a later date. Likewise, I called Past Grand Master Haas and asked him whether he planned on attending the Lodge meeting of Wellsburg on Monday, November 19th and informed him that I felt I had left some issues unresolved at the previous meeting. I also called upon the Stationed Grand Lodge Officers to accompany me to this meeting along with Most Worshipful Past Grand Master Coleman since some of Brother Bosely's accusations and questions pertained directly to his actions at the last

Annual Communication of the Grand Lodge.

My hopes for this meeting were that based on truth, brotherly love, and a willingness to comply with our obligations that peace and harmony would prevail. However hopeful I might have been, I was prepared for any eventuality. When I was introduced after the opening of the Lodge, I assumed the chair. After the business portion of the meeting was taken care of I called Brother Bosely and Past Grand Master Haas to the floor. I explained to them why I was there and that I would try to provide answers to any questions they might have.

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I read some passages from our Text Book and the 15th Edition of the Laws of Masonry and asked some questions pertaining to these passages before entertaining their questions. There were a couple of outbursts from Brethren on the sidelines. I assured them they would have an opportunity to speak at the conclusion of the meeting. It was a rather lengthy meeting and the answers provided to Past Grand Master Haas and Brother Bosely based on our Law proved to be unsatisfactory and not to their liking. I asked both Past Grand Master Haas and Brother Bosely if at any time since we had known one another had I ever offended or in any way been disrespectful whatsoever. They both replied, "No". I asked if both had any knowledge of or in any way ever participated in the affairs of the Masonic Crusade. They replied they had not even heard of the Masonic Crusade. I said, "You mean you have not even heard of the Masonic Crusade". They both replied no they did not know anything about it. I said, "Surely you have heard of it". They both still contended no. I said, "Brethren, I cannot believe that you have never even heard of it". Then both Brothers stated that they had read it and that was all. I said, "Are you sure that you have just read it and that's all"? Past Grand Master Haas then said, "Are you calling me a liar"? I hesitated then answered, "Well -- yes". I then said, "Brother Haas, I have a document right here I would like you to read to the lodge", which I then presented it to him. He looked at the document for a moment and said, "I can't read this, here, you read it", and I did so.

This was an e-mail which had been sent to numerous Brethren which states in part: original message from Frank J. Haas, sent Thursday August 30, 2007 at 7:56 PM to Greg at Wentzel dot org, carbon copies to numerous Brethren, subject capital R E! The future of Freemasonry in West Virginia volume one. Which contained in part, "Maybe the writer can make better use of the BCC sending line on the outgoing e-mail. I agree with all of it in spirit, and I would help visibly, but it is probably best for the cause of the crusade that I simply watch and be ready for any eventuality. Godspeed Masonic Crusade"!

I stated that I felt they had left me no alternative but to take some sort of action, at which time Past Grand Master Haas raised his hand in the air and stated that he had supported and would continue to support the Masonic Crusade and that no matter what I did the dream would live on and never die.

Brethren, this is a clear and knowing violation by a Past Grand Master of this Grand Jurisdiction flagrantly, before the Lodge showing disrespect for the Grand Master and for the Laws of Masonry, Code-Masonic Offenses, Article II, which provides in pertinent part: CT.II.1.24. ...It is imperative that all of us - regardless of the body in which we find our major Masonic activity - recognize the Grand Lodge as the sole arbiter, within its own jurisdiction, of what is or is not acceptable Masonic conduct or an acceptable or unacceptable program or activity.

It is the only body to which all of us owe our allegiance.

Our Grand Lodge is sovereign and has complete jurisdiction in the affairs of Craft Masonry within our State, and outside interference cannot and will not be tolerated. It shall be a violation of Masonic Covenant and shall constitute un-Masonic conduct for any member or sojourner within the Grand Jurisdiction of West Virginia, to provide information to this "Task Force (Talk Group)" on matters pertaining to Masonry without the express written permission of the Grand Master. - 1988 Proceedings, 26.

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Brethren, the egregious actions of these Brethren clearly indicated there would be no compromise and that further counseling would be futile. This resulted in the edicts expelling these two individuals.

This remedy is provided for under Laws of Masonry 46.22, which states:

46.22. This Grand Lodge retains the right and privilege to determine regular membership in subordinate lodges in this Grand Jurisdiction. A Craft Lodge has the power to discipline Masons. This Grand Lodge and the Grand Master have the power and authority to suspend or expel transgressing Masons or declare them irregular or irregularly-made; and whether or not a man is a Mason in this Grand Jurisdiction will be solely determined by the Masonic law of this Grand Jurisdiction. - 1987 Proceedings, 103.

Since that time much has resulted from these actions. Past Grand Master Haas has visited other jurisdictions numerous times and has been invited on various occasions to speak. He has also sent a letter to the Grand Secretary and asked for it to be considered an appeal. There was a copy of the edict that was provided to him published on the Masonic Crusade web site. He has also brought a lawsuit against Most Worshipful Past Grand Master Coleman, our Grand Lodge, and myself which is still ongoing.

At the beginning of my term as Grand Master, I appointed Most Worshipful Brother Coleman to assist me in an investigation as to who was providing our Grand Lodge documents to be published illegally. The copy of the edicts expelling Past Grand Master Haas and Brother Bosely contained a form number unique to each copy provided to those who were entitled to receive them. This identified Past Grand Master Haas' copy as the one that was illegally published. Likewise, I sent a letter to the Worshipful Masters of the subordinate lodges which was also identifiable by a unique spacing arrangement. This is what identified the letter sent to Wor. Brother Justin Blankenship for its illegal publishing. This resulted in an edict expelling him, which is self explanatory, and is attached in the appendix along with my other actions.

Some of you may be wondering why I felt compelled to take such drastic disciplinary action on this most difficult occasion. I fully understand that the exercise of this power is appropriate only in the most extenuating circumstances when every effort to carry out my duties to superintend the Lodges and ensure strict compliance with the Constitution and Laws of the Grand Lodge as prescribed in Article III of the Constitution have failed. However, I ask you to consider the following:

1. In each of the cases I have mentioned, the transgressing Brethren were officers of This Grand Lodge. They include a Past Grand Master, a Deputy Grand Lecturer and a Worshipful Master, all of whom are counted on to lead by their actions as well as their words.

2. The violations of Masonic Law were flagrant and in my judgment, amounted to undermining the authority of this Grand Lodge and its Grand Master. In fact, I truly hoped that I would not have to take disciplinary action in this matter, but when faced with three unrepentant Brethren in such a flagrant violation of our Masonic Law, I believed that I had no choice but to take the action that I did. I believe that you would have expected no less from your Grand Master.

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3. I was not willing to delegate this situation to one of the subordinate Lodges for a Masonic Trial for three reasons:

- a. Time was of the essence due to the nature of the offenses and their high profile nature in this Grand Jurisdiction.
- b. Officers of this Grand Lodge were involved; a Past Grand Master, a Deputy Grand Lecturer and a Worshipful Master, all of who hold positions of trust.
- c. The violation was most serious and I felt that the Grand Master must lead by example.

4. In order to ensure that each of the brethren has the due process to which they are entitled, I immediately referred my actions to the Committee on Grievances and Appeals and the Committee on Masonic Jurisprudence. You will hear from each of these Committees later in this Annual Communication, after which the responsibility will rest with the Grand Lodge consistent with their powers under Article IV of the Constitution.

* * * * *

REPORT OF COMMITTEE ON GRIEVANCES AND APPEALS

To the Most Worshipful Grand Master, Past Grand Masters, Grand Lodge Officers and Brethren of the Most Worshipful Grand Lodge Ancient Free and Accepted Masons of West Virginia:

The Grievances and Appeals Committee was presented with six cases to resolve.

* * * * *

Case No. 3 - Frank Joseph Haas, Wellsburg Lodge No. 2, A.F.&A.M.

Recommendation by Mr. Frank Joseph Haas to the Most Worshipful Grand Lodge of West Virginia for his restoration to membership in Wellsburg Lodge No. 2.

Mr. Frank Joseph Haas was expelled from membership in Wellsburg Lodge No. 2, on November 19, 2007, by Grand Master Charlie Law Montgomery, after his being charged with un-Masonic conduct for his participation in activities un-Masonic.

Code of Trials Article X, Sections 2 and 4. reads in part: "no application for reinstatement shall be entertained until after the expiration of one year."

Therefore, this Committee recommends that due to his not being expelled for the period of one full year, the request for restoration of Mr. Frank Joseph Haas be returned without judgment.

Wor. G. Butler Adkins spoke against it. Wor. William D. Mushet spoke against it. M.W. James E. Winzenreid, P.G.M., explained the process of laws governing Grievances and Appeals procedures. Wor. James A. Jarrell made comments. Recommendation was seconded and approved.

Case No. 4 - Appeal of Grand Master Charlie Law Montgomery expelling Mr.'s Frank Joseph Haas, Wellsburg Lodge No. 2; Richard K. Bosely, Wetzel Lodge No. 39; and Justin M. Blankenship, Minerva Lodge No. 13

After independent investigations by each member of the Grievances and Appeals Committee, we have determined the following: the Committee found that Grand Master Charlie Law Montgomery did use the proper laws and rulings when expelling Mr.'s Frank Joseph Haas, Richard K. Bosely, and Justin M. Blankenship from Masonry.

The Committee also found that Mr.'s Haas, Bosely, and Blankenship were given ample warnings and counseling before Grand Master Montgomery took action.

Therefore this Committee finds and recommends that the actions taken by Grand Master Montgomery were proper and consistent with the Laws of Masonry in West Virginia and he acted in the best interest of Masonry and the Grand Lodge of West Virginia. Wor. Robert J. Guminey made comments. M.W. James E. Winzenreid, P.G.M., explained the differences of what the Grievances and Appeals Committee does and what the Jurisprudence Committee does. Wor. Charles I. Jones made comments. Recommendation was seconded and approved.

* * * * *

Respectfully submitted,

J. Bruce *Pierce, Chairman*

David R. Pyle Charles E. Warden Junior R. Potts Boyd W. Smoot Richard L. Pauley Martin V. Steed, Jr.

*Wor. J. Bruce Pierce, Chairman: I **move that this report be received** and made a part of the Proceedings. Seconded by M.W. Stephen G. Swank, P.G.M., Grand Lecturer. Motion carried.*