ARTICLE VI. Unmasonic Conduct

SECTION G6.01. Jurisdiction of the Lodge. A Lodge has the power, and it is its duty, to discipline any member thereof, wherever he may reside, for any unmasonic conduct he may have committed in the Lodge or a lodge sponsored event.

SECTION G6.02. Jurisdiction of the Grand Lodge. The Grand Lodge has the power, and it is its duty, to discipline any member thereof, wherever he may reside, for any unmasonic conduct he may have committed anywhere. The Grand Lodge may punish summarily for a contempt, any offense committed in its presence by any member in attendance.

SECTION G6.03. Definitions.

(a) Unmasonic conduct is:
   1. a violation of the moral or criminal law (i.e., involves moral turpitude);
   2. a violation of Masonic obligations;
   3. a violation of the Charges upon installation as an officer of a Lodge; or
   4. a violation of the laws, usages, and customs of Masonry.
   5. an act is prohibited by a civil statute as being against good public morals, or as dangerous to the life, health and good order of the community.

(b) Moral turpitude involves an act of baseness, vileness, depravity, or dishonesty in the private and social duties which a man owes to his fellowmen, or to society in general, contrary to the accepted and customary rule of right and duty between man and Masons.

(c) Probable cause is a determination that the objective facts and other evidence worthy of consideration would lead a person of ordinary care and prudence to entertain an honest and strong suspicion that the person under consideration is guilty of unmasonic conduct.

SECTION G6.04 Lodge Jurisdiction over Visitors. A Lodge has the power, and it is its duty, to exercise the same power over any other Mason whether affiliated or not, a resident of, or sojourning in its territorial jurisdiction, for unmasonic conduct occurring in that jurisdiction, unless he is a member of another Lodge having concurrent jurisdiction, in which case his own Lodge must discipline him. Between Lodges of concurrent jurisdiction, the Lodge first receiving charges of unmasonic conduct against a Mason of another jurisdiction, resident of, or sojourner, has exclusive right and should see that he is tried thereon the Lodge.

When such charges are

SECTION G6.05. Unmasonic charges against Lodge Officer. When a charge of unmasonic conduct is filed against any officer of a Lodge for clearly scandalous conduct, bringing the Fraternity into disrepute, the Grand Master should may arrest the jewel of such accused Lodge officer and suspend him from exercising the duties of his office, pending trial. The effect of arresting a jewel of an officer is to suspend him from
exercising the functions of his office until the jewel is restored, but does not otherwise affect his rights as a Mason.

SECTION G6.03 Beside violation of Section C8.01, of the Constitution, the following specific acts shall be deemed unmasonic conduct and shall render the offender subject to discipline.

(a) To obtain favorable action by a petitioner, upon his petition, by means of fraud, deceit or false statement, or by intentionally withholding information which might have affected the action of the investigating committee or Lodge, upon his petition.

(b) To declare that there shall be no more petitioners accepted, or to blackball a petitioner for spite.

(c) To place in the hands of a candidate for the purpose of instruction any cipher or key to the degrees except such as is specifically authorized by the Grand Lodge.

(d) To use the word “Mason”, “Masonic” or “Freemason”, or any emblem of Blue Lodge Masonry as a part of a business name, or in business advertising of any kind; to say or infer in any publication that the same is published or recognized by Masonry as a Masonic publication unless authority to state that: “This publication is issued with the permission of the Most Worshipful Grand Lodge A.F. and A.M. of Minnesota, has been expressly given by the Grand Lodge.

No Master Mason shall solicit, accept, prepare or submit advertising to be placed in any magazine, pamphlet or other publication which is violating this provision.

No Master Mason shall become a policy holder in any insurance company using Masonic words or emblems either in its name, its policies or in its advertising.

(e) To advertise that he is a Mason or member of a Masonic Lodge, or of any body recognized as Masonic, when that member is a candidate for public office. No Masonic publication shall accept advertisements for political office.

(f) To use the word “Lodge” in association with the name of any other organization or in a manner which infers or otherwise identifies or attempts to identify the word “Lodge” as referring to a Masonic Lodge or Lodges, or a Masonic body or bodies. Provided, however, the word “Lodge” may be used as a part of a Lodge name or the name of a Masonic body, or in the official notes of meetings and reports of Lodge or Masonic body activities to its members or in authorized publications.

(g) To defame the character of a Mason, or to use insulting, libelous or profane language of, or to, any Brother of the Masonic Fraternity.
(h) To introduce into any talk or lecture or communication which a Mason is permitted to make in or to a Lodge, a subject in the nature of business advertising, solicitation or politics, or otherwise foreign to the welfare of the Fraternity.

(i) To introduce or permit intoxicating liquors or beverages of any kind within the Lodge room, except for ceremonial purposes.

(j) To solicit votes for election of Lodge Officers, at any time or place, except that at the time of election of officers, formal nominations are permitted.

(k) To conduct gambling in any building owned or controlled by any Masonic body without the prior permission of the Grand Master.

(l) To act in a disorderly or disobedient manner in open Lodge.

Honest differences of opinion, of themselves, do not constitute unmasonic conduct.

(a) To improperly solicit the petition of a profane for the degrees of Masonry before he shall have clearly indicated some interest in Freemasonry. Proper solicitation shall consist of the following: A man of sterling qualities may be approached and informed, but only once. He must be left to make his own decision. He should not be badgered.

(b) To ask or solicit an Entered Apprentice or Fellowcraft to apply for the degrees of any organization recognized by the Grand Lodge until he is a Master Mason.

(c) To talk about or discuss degree work in the presence of a non-mason.

(d) To Section G6.07. Sanctity of the Ballot. It is unmasonic conduct to discuss the character or the merits or demerits of a petitioner, either for degrees or membership, in a Lodge convened or, after rejection, to express regret at the action taken, or how he or anyone voted upon the ballot.

A violation of paragraph (d) of Section G6.03 of this Article shall immediately be read to the Lodge, in an audible voice, as a warning.

(a) To obtain favorable action by a petitioner, upon his petition, by means of fraud, deceit or false statement, or by intentionally withholding information which might have affected the action of the investigating committee or Lodge, upon his petition.

(b) To declare that there shall be no more petitioners accepted, or to blackball a petitioner for spite.

(c) To place in the hands of a candidate for the purpose of instruction any cipher or key to the degrees except such as is specifically authorized by the Grand Lodge.
(h) To use the word "Mason," "Masonic," or "Freemason," or any emblem of Blue Lodge Masonry as a part of a business name, or in business advertising of any kind; to say or infer in any publication that the same is published or recognized by Masonry as a Masonic publication unless authority to state that: "This publication is issued with the permission of the Most Worshipful Grand Lodge A.F. and A.M. of Minnesota," has been expressly given by the Grand Lodge.

No Master Mason shall solicit, accept, prepare or submit advertising to be placed in any magazine, pamphlet or other publication which is violating the provisions hereof and shall be deemed guilty of unmasonic conduct for so doing.

No Master Mason shall become a policy holder in any insurance company using Masonic words or emblems either in its name, its policies or in its advertising.

(i) As to all publications which have been made and issued by any Constituent Lodge, it shall be the duty of and the responsibility is placed upon, the Master of the Lodge granted such authority, to supervise and control the conduct of such publication and all matters of every kind and nature therein published.

(j) No Master Mason who is a candidate for public office shall advertise in any publication or in any other manner that he is a Mason or member of a Masonic Lodge or of any body recognized as Masonic, and no Masonic publication shall accept said advertising whether the Masonic publication has been authorized by the Grand Lodge or not.

(k) The word "Lodge" shall not be used in association with the name of any other organization or in a manner which infers or otherwise identifies or attempts to identify the word "Lodge" as referring to a Masonic Lodge or Lodges or a Masonic body or bodies except in and as a part of a Lodge name or the name of a Masonic body, in its official notes of meetings and reports of Lodge or Masonic body activities to its members or in authorized publications.

(l) To defame the character of a Mason, by printing or otherwise, and to use insulting, libelous or profane language of, or to, any Brother of the Masonic Fraternity.

(m) To introduce into any talk or lecture or communication which a Mason is permitted to make in or to a Lodge, a subject in the nature of business advertising, solicitation or politics, or foreign to the welfare of the Fraternity.

(d)(a) (n) To introduce or permit intoxicating liquors or beverages of any kind within the Lodge room, except for ceremonial purposes.

(o) To solicit votes for election of Lodge Officers, even outside the Lodge Hall, at any time or place, except that at the time of election of officers, formal nominations are permitted.

(p) To introduce gambling of any kind as is prohibited under the Laws of Minnesota (M.S. 349.12) in or about any Lodge hall or building owned or controlled by a Masonic Body. The only exception will be legalized Bingo and raffles. Such gambling must have the permission of the Grand Master.

Honest differences of opinion, of themselves, do not constitute unmasonic conduct.

ARTICLE VII. Charging Procedure and Trial Commission

SECTION G7.01 Applicability of Article. This Article provides the exclusive method by which a Brother’s membership may be terminated by expulsion. In every case where charges are filed for unmasonic conduct the procedure prescribed in this Article shall be substantially followed; and except for failure to pay dues, contempts and neglect or refusal to obey a Lodge summons, no penalty shall be imposed without
formal and specified charges in writing against, notice to, investigation and trial of the Brother accused.

SECTION G7.02 Makeup of Trial Commission

(a) The tribunal for such trial, if the jurisdiction of the charge lies in and is made to a Lodge, shall be a Trial Commission consisting of three (3) Past Masters, of which one (1), whenever possible, shall be an attorney-at-law, who shall all be members in good standing in a district or districts other than that in which such charges are filed.

(b) The Grand Master upon installation shall divide the State into regions and, as soon as practical thereafter, he shall, and with the advice of the Committee on Jurisprudence, appoint Past Masters as Trial Commissioners, one (1) from each region into which the State was divided, to serve as such for one (1) year or until their successors are appointed. A Chief Trial Commissioner shall be designated by the Grand Master from among those appointed, who shall serve as such Chief Trial Commissioner at the will and pleasure of the Grand Master. It shall be his duty to organize the Trial Commissioners, assign cases and instruct them in their duties. In like manner and for like terms the Grand Master may appoint alternate Trial Commissioners for any or all Trial Commissioners. From such Trial Commissioners or alternates the Chief Trial Commissioner shall select three (3) to serve as a Trial Commission in a given case, none of whom shall be a relative of the accuser or accused, nor of any person directly interested in the case, nor shall they be members of the same Lodge as any of the above. A Trial Commission once appointed shall retain jurisdiction until the matter has been adjudicated or until the Grand Master or a subsequent Grand Master shall appoint a new Trial Commission.

(c) The Chief Trial Commissioner shall name one of the Commissioners so appointed as chairman, who shall preside at the trial and hearings; and the Commission shall select its own Secretary. The Commission must keep accurate minutes of all proceedings from the time of appointment until it reports its findings and judgment, including the testimony, when proper to be written, and other evidence offered or filed with it, substantially according to the form provided in these regulations. Any witness having testimony not proper to be written, who cannot be at the trial to give it orally, may testify orally before a member of the Commission, who will then testify at such trial what such omitted testimony disclosed and, in case of appeal, repeat it before the Committee on Appeals and Grievances.

SECTION G7.02 Purpose. The primary purpose of Masonic discipline is to preserve the good repute and integrity of the Masonic institution and its' members by the prosecution and punishment of a Brother whose acts or omissions tend to injure the Craft as a whole, or which have inflicted injury upon a brother Mason or any other person. The purpose of this Article is not only to provide a procedure to implement Masonic discipline, but also to provide a process to protect Brothers from unsubstantiated charges of unmasonic conduct.

Masonic discipline is not intended for the determination and settlement of private disputes, unless such differences result from willful action or omission by the accused by means of, or amounting to, fraud or misrepresentation, or actionable wrong involving moral turpitude.

SECTION G7.03 Unmasonic Conduct when Lodge is at Labor. If unmasonic conduct occurs while the Lodge is at labor or at a lodge sponsored event, it may be dealt with summarily or at the next stated communication; or the Master may direct the Senior-Junior Warden to prepare and file request formal charges against the alleged
offender, to be tried in the regular manner. A Lodge only has jurisdiction to punish unmasonic conduct occurring when the Lodge is at labor or at a lodge sponsored event.

The Master of the Lodge shall order the offending Brother to show cause why he should not be punished for such contempt, by vote of the Lodge then assembled. Such order of the Master shall constitute the charge against him and shall be entered in the minutes by the Secretary, together with the offender's oral answer, if any. The offending Brother shall be allowed to make such explanation as he desires and shall then be required to retire from the Lodge hall and await the action of the Lodge, by vote. If found guilty, the Lodge shall reprimand the offending Brother. Lodge voting shall be by the voting sign of a Mason.

SECTION G7.04 Unmasonic Conduct at Refreshment. If unmasonic conduct occurs during “refreshment” (i.e., the interval between communications of a Lodge) any member cognizant thereof may file formal charges or may bring the matter to the attention of the Master, whose duty will be to direct the Junior Warden to investigate and, if proper, to file formal charges against the alleged offender.

SECTION G7.05 If the alleged unmasonic conduct is against a member of a Lodge other than that of the complainant, the latter should bring it to the attention of the Master of the alleged offender's Lodge; it shall then be the duty of the Master so notified to direct the Junior Warden of his Lodge to investigate and, if proper, to file formal charges against the alleged offender.

SECTION G7.06 Any Master Mason may file a request with the Grand Secretary that formal charges of unmasonic conduct be prepared. Such request shall contain facts attested to under penalty of perjury. If the charges are founded upon criminal charges or convictions, copies of court records must be attached. If any investigation has been completed by the Junior Warden or other officer as directed by the Master of the Lodge, such investigation shall be attached and must be accompanied by all documents or statements intended to be introduced at trial. The full mailing address of the potential Respondent must be included.

SECTION G7.06. Review of Request for Formal Charges. The Grand Master shall review all requests for charges of unmasonic conduct. The Grand Master shall determine whether probable cause for such charges exists.

(a) If charges are filed by a Master Mason without Lodge investigation, prior to determining probable cause the Grand Master may order and direct the Lodge where the potential respondent is a member to investigate the allegations and provide a full report to the Grand Master. The Master Mason signing the request for unmasonic charges shall provide all documents, data, and other records supporting the claim to the investigating Lodge. Lodges shall not take cognizance of charges involving a breach of contract or claims at law or in equity between Masons, nor between a Mason and a profane, unless the act complained of involves moral turpitude or other unmasonic conduct.
If probable cause for charges of unmasonic conduct exists within the request for charges, the Grand Master shall direct the Chief Trial Commissioner to prepare the charge of unmasonic conduct in writing and serve them upon the Respondent by mail.

If probable cause for the charges in not found, the matter shall be dismissed and all records and data from the request for charges shall be destroyed.

Nothing herein shall prohibit consultation between the Grand Master and the Chief Trial Commissioner as to the determination of probable cause.

SECTION G7.07 Substitution of Prosecutor or Investigator.

(a) If any Lodge directed by the Grand Master to investigate and file a report on charges against an alleged offender fails, neglects or refuses to do so promptly, the Grand Master may appoint some other qualified member to investigate and prepare the report.

(b) If the Chief Trial Commissioner who has been directed to prepare and file charges against an alleged offender fails, neglects or refuses to do so promptly, the Grand Master shall appoint some other qualified member to prepare them.

SECTION G7.07 If the Master of a Lodge of which an alleged offender is a member, or if the Lodge itself, fails, neglects or refuses to act upon a compliant of unmasonic conduct brought to their attention, the Grand Lodge itself shall act upon such charges, take evidence and try the accused before a Trial Commission appointed in the manner prescribed.

SECTION G7.08 Jurisdiction. The Grand Lodge has exclusive jurisdiction over charges involving unmasonic or official misconduct of any of its own members, and concurrent jurisdiction with its Constituent Lodges over all charges of unmasonic conduct upon the part of all other Masons within its jurisdiction. The Grand Lodge has concurrent jurisdiction with every Lodge over charges of unmasonic conduct occurring while the Lodge is at labor.

SECTION G7.0809. Charges of Unmasonic Conduct. All formal charges must be in writing (if Masonically proper to be written) and state for "unmasonic conduct" and particularly specify the conduct, offense or violation complained of, and shall also state the time, place and circumstances thereof, and shall be signed by the member Mason making the charge, who shall be known as the "Accuser." The name of the member Brother against whom the charge is made shall also be given, and he shall be known as the "Respondent."

Such charges must be filed with the Grand Secretary of the Lodge of which the accuser is a member, the original to be retained in his office and the Master notified at once of the fact. The Secretary shall forthwith send one (1) copy to the Grand Master, who shall decide as to form and content and, if proved, would constitute unmasonic conduct, he shall so notify the Secretary who shall at the next Stated Communication read such charges to the Lodge, enter them upon the minutes of that communication and notify the Grand Master that he has done so, as well as any Lodge which might have
had jurisdiction, that of the Lodge in which the accused is a member shall be notified that charges have been filed against the accused.

Should the Grand Master decide that the charges are not in proper form, he shall return them to the Secretary for correction as he may indicate, and when so made they shall again be sent to the Grand Master.

Should the Grand Master decide that the charges do not constitute unmasonic conduct, he shall dismiss them, notify the Secretary of such dismissal, who in turn shall notify the accuser that the charges have been dismissed by the Grand Master and his grounds therefor, and enter in the minutes of the next Stated Communication such dismissal.

SECTION G7.0910. Withdrawal of charges. The accuser Accuser may withdraw his charges only with the consent of the Lodge Grand Master, and then before the taking of evidence begins. In such case, the Grand Secretary's record should show that the accused Respondent is hence free of such charges, because withdrawn. A withdrawal of charges does not preclude a refiling of another charge for the same offense, when the accused Respondent has never been actually tried.

SECTION G7.11. Response. Within twenty days of notification of the filing of charges of unmasonic conduct, the Respondent shall submit any response to the charges in writing. The response shall include such documents, exhibits or other information as the Respondent believes to be relevant to the charges filed, and identify any documents not presently available that will be produced prior to trial.

The section G7.10 Upon the appointment Respondent may admit the charges, with or without explanation of the facts and circumstances thereof. If the Respondent admits the charges, he may provide an explanation in writing, or any other information to explain his conduct which may mitigate any punishment.

Where charges are founded upon criminal convictions or have been admitted, the Chief Trial Commissioner or his designee shall act as the sole trial commissioner and shall determine with the approval of the Grand Master the penalty which shall be imposed on the Accused under the provisions of Section G7.17 of the General Regulations.

Failure of a Respondent to reply constitutes an admission.

SECTION G7.12 Pre-trial procedures.

(a) If the Respondent admits the allegations, the Grand Master shall enter a determination accordingly. If requested in writing submitted with an admission, a Respondent is separately entitled to be heard on any discipline to be imposed.

(b) If the Respondent requests a trial, a Trial Commission shall be appointed and a contested hearing scheduled.

(c) Subject to modification by the Chief Trial Commissioner, all parties shall provide the Grand Secretary with copies of all documents, data or exhibits to be introduced at trial at least twenty days before the hearing.
(d) Except as provided in Section G7.12, there is no stay or suspension of Masonic rights and privileges of a member against whom charges are preferred until after verdict and a determination is recorded, except that the Respondent may not vote upon any matter in which he is involved, nor assume an office to which he has been elected, pending the trial.

SECTION G7.13. Charges founded upon Criminal Allegations or Convictions.
Whenever formal charges are based upon a conviction of the Respondent by a State or Federal Court of competent jurisdiction for a crime which is a felony, a court certified copy of the final judgment of conviction entered therein and the sentence imposed thereon shall be supplied by the Accuser and shall be conclusive evidence of the crime of which the Respondent was convicted and the Respondent shall be notified in writing accordingly. Such cases will be heard by a single Trial Commissioner. The Respondent shall be given twenty (20) days after the mailing of said notice to forward to the Trial Commissioner any written statement or evidence in explanation of or in mitigation of the offense of which he stands convicted. The Chief Trial Commissioner or one of the Trial Commissioners appointed by him, on the certified record of conviction and the Respondent’s response thereto, shall determine with the approval of the Grand Master the penalty which shall be imposed on the accused under the provisions of Section G7.17 of the General Regulations.

On other formal charges, including those from misdemeanor or gross misdemeanor offenses involving moral turpitude, on a conviction of the Respondent by a State or Federal Court, a Masonic trial shall be held at the offices of the Grand Lodge, or such other location as the Chief Trial Commissioner shall determine to be in the interests of justice, at a time fixed in the notice. The Trial Commission shall ask the Respondent if he is willing to admit his guilt. If the Respondent admits guilt, the Trial Commission may upon such confession and admission fix the penalty as hereinafter provided. If the Respondent does not admit his guilt the Commission will then proceed to take the evidence produced by the Accuser to substantiate his charges, and thereafter the evidence of the Respondent in defense of, or in mitigation of the offense charged. Witnesses need not be Masons to give testimony material to the charges, but it is the duty of any Mason having knowledge of any fact pertinent to the charges to be a witness.

When charges of unmasonic conduct are filed as a result of a conviction of the Respondent by a State or Federal Court of competent jurisdiction for a crime which is a felony or involves moral turpitude, the Respondent shall be suspended from all of the rights and privileges of Masonry, pending a decision on appeal, if an appeal be taken in the criminal matter. If the Respondent is found guilty of the charges of unmasonic conduct, he will have the right of an appeal pursuant to Article IX, but will remain suspended from all Masonic rights until completion of the appeal, and it will be noted in the minutes of the next stated Communication by the Secretary of his Lodge.

SECTION G7.14. Appointment of a Trial Commission. Upon determination that a trial is needed, the Chief Trial Commissioner shall appoint a Trial Commission. The Trial
Commission shall consist of three (3) Past Masters, of which one (1), whenever possible, shall be an attorney at law, all of whom are members in good standing in a district or districts other than that in which such charges are filed. The Chief Trial Commissioner shall designate one of the Commissioners as Chairman, who shall be responsible to see that minutes are kept and an accurate report be filed with both the Chief Trial Commissioner and the Grand Master upon the conclusion of their deliberations.

Chief Trial Commissioner shall notify the Secretary of the Lodge in which charges are filed, of the names of the members thereof, who in turn will promptly notify of the accused in writing, who will be allowed ten (10) days during which time he may file an objection of prejudice as to any named commissioner with the Grand Master; and if none is filed, the Trial Commission shall proceed. If a challenge is filed, the Grand Master giving his copy of the charges to the Chairman of the Trial Commissioner shall replace that Commission, and the newly constituted Trial Commission, and the Secretary of the Lodge in question mailing his second copy to the accused shall proceed.

The Chief Trial Commissioner, or his designee, may issue a scheduling order for the Trial Commission.

SECTION G7. The Trial Commission acquires jurisdiction immediately upon its appointment by the Chief Trial Commissioner, and its first duty shall be causing the Grand Secretary to send a summons to the accused Accuser, the accused Respondent and all witnesses at least ten (10) or twenty (20) days before the date set for trial. If the summons may include a Masonic subpoena commanding any Brother to produce or provide any documents, records or data in his possession to the accused resides locally; twenty (20) days if the accused is within the State of Minnesota, but in a different town from where the trial is set; thirty (30) days if the accused is outside the State of Minnesota, but within the United States; and ninety (90) days if the accused is in a foreign country. The notices shall be by registered United States mail and a receipt card shall constitute proof of service.

The Trial Commission has full power and authority to hear, try and determine the guilt or innocence of the accused upon the charges filed against him and, if found guilty, to fix the penalty. The Trial Commission shall be the sole judge as to evidence or objection to evidence offered, and may exclude incompetent, irrelevant, immaterial and repetitious evidence.

The Accuser and accused may appear with or without counsel, such counsel being Master Masons, in good standing, belonging to this Grand Jurisdiction. Strict and technical rules shall not be insisted upon in such trials, the aim and purpose being to ascertain the true and relevant facts concerning the charges. The testimony of a witness shall not be impeached by that of another witness to the effect that he would not believe that of an earlier witness given under oath, but any witness may give testimony contradictory to that of another. All witnesses who are Masons shall affirm that their testimony is given on their honor as Masons. Witnesses who are not Masons shall be
sworn to tell the truth before an official qualified to administer an oath. All witnesses shall sign their names to their testimony, which shall be recorded and transcribed.

The Grand Master, the **accuser** Accuser and the **accused** Respondent with their respective counsel, the witness being examined and a reporter, if necessary, shall be the only ones present during the taking of evidence by the Commission.

An audio recording shall be kept. Any party may demand a reporter to be paid for at their own expense. If the reporter is not a Mason, care should be taken when testimony touching esoteric matters is offered and be excluded if necessary.

A Masonic summons is a call of authority, and failure to obey is cause for punishment, unless excused for a reason, such as a critical illness of one's self or family; such business necessity as shall appear reasonable; or absence from the Jurisdiction.

The testimony of a witness may be given in the form of a deposition, upon order from the Trial Commission to some Master or Warden of a Lodge near such witness, authorizing him to take and certify to the testimony given. For such purpose interrogatories and cross-interrogatories shall be prepared on behalf of the accuser and accused and sent to such Master or Warden, who shall secure the answers, have them signed in his presence and returned to the Commission with a certification that they are true answers made by such witness.

SECTION G7.12 Whenever charges are based upon a conviction of the accused by a State or Federal Court of competent jurisdiction for a crime which is a felony, a court certified copy of the final judgment of conviction entered therein and the sentence imposed thereon shall be supplied by the accuser and shall be conclusive evidence of the crime of which the accused was convicted and the accused shall be notified in writing accordingly. Such cases will be heard by a single Trial Commissioner. The accused shall be given twenty (20) days after the mailing of said notice to forward to the Trial Commissioner any written statement or evidence in explanation of or in mitigation of the offense of which he stands convicted. The Trial Commissioner or one of the Trial Commissioners appointed by him, on the certified record of conviction and the accused's response thereto, shall determine with the approval of the Grand Master the penalty which shall be imposed on the accused under the provisions of Section G7.13 of the General Regulations.

On other charges, including misdemeanor or gross misdemeanor, involving moral turpitude, on a conviction of the accused by a State or Federal Court as defined above, however, a Masonic trial shall be held in the hall of the Lodge in which the charges are filed, and behind tiled doors at a time fixed in the notice, and the Trial Commission shall ask the accused if he is willing to admit his guilt and, if he does so, may upon such confession and admission fix the penalty as hereinafter provided. If the accused does not admit his guilt the Commission will then proceed to take the evidence produced by the accuser to substantiate his charges, and thereafter the evidence of the accused in defense of, or in mitigation of the offense charged. Witnesses need not be Masons to give testimony material to the charges, but it is the duty of any Mason having knowledge of any fact pertinent to the charges to be a witness.

When the charges of unmasonic conduct are filed as a result of a conviction of the accused by a State or Federal Court of competent jurisdiction for a crime which is a felony or involves moral turpitude, the accused shall be suspended from all of the rights and privileges of Masonry, subject to a decision of an appeal, if an appeal be taken. If the accused is acquitted of the charges by a Masonic trial, he will immediately be reinstated to the full rights and privileges of Masonry, and it will be so noted in the
minutes of the next Stated Communication by the Secretary of his Lodge. If the accused is found guilty of the charges, he will have the right of an appeal to the Grand Lodge, but will remain suspended from all Masonic rights until the Grand Lodge has affirmed the conviction, or either affirmed or modified the penalty, and it will be noted in the minutes of the next stated Communication by the Secretary of his Lodge.

Neither the Chairman of the Trial commission, the Trial Commissioners, or the appointed reporter shall have any direct interest in the matter before them.

SECTION G7.17. Privacy of Proceedings. All persons not members of the Commission must be excluded when the question of guilt and punishment is being considered and determined; if less than a majority of the Commission vote guilty, the accused shall be acquitted of the charge. Where the penalty is not fixed by law, the Commission shall vote upon the penalty in the following order:

First: Expulsion.
Second: Indefinite suspension, with or without conditions.
Third: Suspension for a definite time, and naming such time.
Fourth: If no penalty receives a majority vote, as above, the Commission shall return a vote that the accused be reprimanded in open Lodge, whether present or not; and the Secretary shall so record the fact in the minutes of the Stated Communication next held that such reprimand was read.

When a Trial Commission has arrived at its conclusions, a transcript of all testimony taken and all exhibits and documentary evidence received and considered in connection with the case will be transmitted to the Chief Trial Commissioner, who will notify the Grand Master of the findings. The accused, if convicted, shall be notified by the Chief Trial Commissioner of said conviction and penalty and his rights of appeal. The Grand Master will notify the Secretary of the Lodge of the accused of the findings. A judgment of conviction and the penalty described shall be automatically stayed for a period of sixty (60) days from and after written notice is given to the accused.

The accused shall have sixty (60) days time from and after receiving written notice of conviction within which appeal to the Grand Lodge Committee on Appeals and Grievances. If the accused timely appeals to the Grand Lodge from said conviction within the said sixty (60) days period, the aforementioned stay shall continue until the Grand Lodge Committee on Appeals and Grievances has arrived at its decision on the appeal. When such an appeal is taken, the judgment of a conviction and the penalty prescribed shall not become final until the Grand Lodge has affirmed the conviction and either affirmed or modified the penalty. Committee on Appeals and Grievances has rendered a decision.

SECTION G7.18. Reconsideration by Grand Master. The Respondent may request the Grand Master modify the discipline imposed. Appeals of a conviction or discipline
imposed shall be conducted according to Article IX. The Grand Master may reduce the discipline imposed, or may alter the terms and conditions of any suspension imposed to effect justice.

**SECTION G7.19. Record of Adjudication.** The Secretary of the Lodge, when notified by the Grand Master, shall promptly enter the decision of the Trial Commission in the minutes of the next Stated Communication. If the determination is expulsion or suspension, he shall promptly certify such penalty to the Grand Secretary, whose duty it shall then be to issue and mail, in a sealed envelope a notice of such expulsion or suspension to all Lodges in this Jurisdiction, and to the secretary/recorder of those recognized Masonic bodies as listed under Section G5.03 of these General Regulations; and to the secretary/recorder of those other organizations whose membership is based on those recognized Masonic bodies as a prerequisite to membership as directed by the Grand Master.

**SECTION G7.1520. Compensation of Trial Commission.** The compensation of Trial Commissioners shall be at such per diem and travel expense allowance as shall be established by the Corporate Board of Trustees annually for the succeeding year no later than three months prior to the next annual Grand Lodge Communication.

**ARTICLE VIII. Penalties by the Lodge or Grand Lodge Striking Members and Revoking Charters**

**SECTION G8.01** To act in a disorderly or disobedient manner in open Lodge is a contempt and may be the subject of charges and trial, as provided for in General Regulations Section G7.03 or dealt with immediately and summarily if it occurs at a Stated Communication and not later than the next Stated Communication if it occurs at any Special Communication, as prescribed in the following section.

**SECTION G8.02** At such Stated Communication the Master of the Lodge shall order the offending Brother to show cause why he should not be punished for such contempt, by vote of the Lodge then assembled. Such order of the Master shall constitute the charge against him and shall be entered in the minutes by the Secretary, together with the offender's oral answer, if any. The offending Brother shall be allowed to make such explanation as he desires and shall then be required to retire from the Lodge hall and await the action of the Lodge, by vote. If found guilty, the Lodge shall fix the penalty— not exceeding suspension for a limited time. **SECTION G8.01** Lodge voting shall be by the voting sign of a Mason.

**SECTION G8.03** If any member of a Lodge fails or refuses to obey a summons, the Master shall order the offending Brother to show cause why he should not be punished for such disobedience, as for a contempt, except for such excuse as is provided in General Regulations Section G7.11; and Section G8.02 shall govern the procedure.

**SECTION G8.04** If more than one (1) Brother has been ordered by the Master of his Lodge to show cause why they should not be punished for charges of disorderly acts or failure to obey a summons as named in General Regulations Sections G8.01 and G8.03, they may all be tried at the same Stated Communication in the discretion of the Master, but individually so far as the hearing before the Lodge, as provided by General Regulations Section G8.02.

Failure to be present or to file an answer is sufficient to justify action by the Lodge in finding him guilty and fixing the penalty.
The accused shall be notified promptly by the Secretary, under the seal of the Lodge, of such Lodge action.

SECTION G8.05 Any member whose dues are not paid within one (1) year after they are due and payable shall be deemed delinquent, and his name shall be stricken from the roll of the Lodge, unless there is a good reason, in the following manner:

(a) At the first Stated Communication of the Lodge held four (4) months after any member becomes delinquent, notice shall be given that at a subsequent Stated Communication named in the notice, a motion will be made to strike from the roll the delinquent member or members, naming him or them, for failure to pay the dues therein stated.

(b) On the day following the communication at which such notice is given, the Secretary shall notify the member by registered or certified mail, return receipt requested, United States mail at his last known address, of the amount of his delinquent dues and that at the communication named in the notice a motion will be made to strike his name from the roll. Such registered or certified letter shall constitute proof of service. If a member's address is unknown, no notice need be sent.

(c) At the communication named in the notice, the Lodge shall strike the name, or names, from the roll, unless payment of delinquent dues has been made; and such member shall thereafter be known as an Unaffiliated Mason, with no further Masonic rights or privileges, except to pay everything necessary to make him clear on the books of the Lodge. Upon such payment he becomes a Nonaffiliated Mason and may petition his old Lodge for restoration or any other Lodge for affiliation.

(d) Any action striking a member from the rolls, without notice, is void; and when such fact is discovered, upon payment by the member of the amount for which he was illegally stricken, the Master shall order his name restored to the rolls without formal petition to, or vote by, the Lodge. Such restoration shall be noted in the next annual return to the Grand Lodge, if previously reported stricken.

(e) It shall be the duty of the Grand Secretary to make available as of May 1st of each year, a list of those members suspended for non-payment of dues, to the secretary/recorder of those recognized Masonic bodies as listed under General Regulations Section G5.03; and to the secretary/recorder of those other organizations whose membership is based on those recognized Masonic bodies as a prerequisite to membership.

SECTION G8.06 No demit, withdrawal from membership, certificate of good standing or non-affiliation shall be granted or issued by a Lodge to any of its members, unless he is clear on the books of his Lodge.
SECTION G8.0703 A Lodge may conclusively presume that any member is dead whose whereabouts, after diligent search, is unknown to it for a space of seven (7) years, and may drop such member from its roll and report him as "dead" on its annual return, with the notation "Whereabouts unknown, after a seven (7) year search."

SECTION G8.0804 When and if such member subsequently appears he must, upon his application, be restored to the roll with all Masonic rights and benefits, without action by the Lodge, and reported to the Grand Lodge in its next annual return, together with all arrearages of Grand Lodge dues paid for by his Lodge, with proper explanation.

SECTION G8.09 Any Master Mason may prefer charges against a Master of a Lodge or any Grand Lodge officer, except the Grand Master, for a violation of his official obligation, during the term or within three (3) months thereafter. Such charges will be sent to the Grand Master only. If he finds them to be in proper form and to state facts which, if true, would constitute a violation of official obligation, he shall send one (1) copy to the Grand Secretary, and shall have appointed three (3) Trial Commissioners to take and hear evidence, one (1) of whom shall be the chairman.

The Grand Secretary will retain a copy of the charge, notify the Commissioners and send a copy to the accused, the Grand Master sending his copy to the chairman. The Commissioners shall then follow the procedure outlined in Article VI of these General Regulations.

SECTION G8.10 Pending any such charges made against a Master or Grand Lodge officer, while in office, and subsequent trial, the Grand Master in his discretion may arrest the jewel of and suspend such accused officer and, in case of a Master, place the Senior Warden in charge of the Lodge and report the matter to the Committee on Jurisprudence.

The Master of a Lodge may arrest the jewel of any officer of his Lodge when charges are of such nature as to bring disgrace to the Fraternity, but must notify the Grand Master that he has done so. The Master must arrest such jewel upon an order from the Grand Master.

The Grand Lodge may punish summarily for a contempt, any offense committed in its presence by any member in attendance.

The effect of arresting a jewel of an officer is to suspend him from exercising the functions of his office until the jewel is restored, but does not otherwise affect his rights as a Mason.

SECTION G8.09 Charter Revocation

SECTION G8.11 An officer whose jewel is arrested is entitled to have the matter reviewed on appeal to the Grand Lodge, whether or not the term of office of the officer affected expires in the meantime. The matter will be heard before the Committee on Appeals and Grievances, and final action taken by the Grand Lodge upon the Committee's report thereon.

The officer by whose authority a jewel is arrested may restore the same at any time before his own term of office expires.

SECTION G8.12 Charter Revocation

(a) The Charter of a Lodge may be revoked, forfeited or arrested for insubordination of the authority of the Grand Master or of the Grand Lodge, or for any departure from the original plan of Masonry, or from the Ancient Landmarks, or for disobedience of the Constitution or General Regulations of the Grand Lodge, or for failure to meet for one (1) year, or
to make returns or pay dues for two (2) years, or whenever, in the judgment of the Grand Lodge, its further existence is detrimental to the Fraternity.

(b) If the charter is arrested, its right to function as a Lodge shall be suspended until the next Annual Communication of the Grand Lodge, and the Master shall forward at once its charter and records to the Grand Secretary. The Grand Lodge may continue the arrest of such charter if the Committee on Appeals and Grievances has not reported at such Annual Communication.

(c) No charter shall be revoked or forfeited without notice to the Lodge from the Grand Secretary and upon charges formally made to the Grand Master at least thirty (30) days before the next Annual Communication of the Grand Lodge, at which action is to be taken. Opportunity must be given the Lodge to be heard in its defense before the Committee on Appeals and Grievances.

(d) When a Lodge charter is revoked or forfeited, care must be taken to protect the rights of any and all members thereof who have not been at fault; and it will be the duty of the Grand Master to ascertain and file a statement with the Grand Secretary of those not at fault and, upon such statement, the Grand Secretary shall, upon request of such member in good standing who is clear on the books and if no charges have been filed against him, issue a certificate of non-affiliation. The Grand Secretary shall promptly notify, in writing, each member whose name appears on the statement of the Grand Master as above provided, at his last known address, of his right to receive the certificate of non-affiliation and shall advise any member who is not clear on the books of his Lodge as to the amount he must pay to the Grand Lodge to become clear on the books. And upon making such payment, the certificate may then be issued.

SECTION G8.10 A suspended Mason is still amenable to Masonic discipline, and charges may be preferred against him and trial held thereon. Likewise, one who is subject to suspension for non-payment of dues can be suspended, becoming an unaffiliate, and may be tried for unmasonic conduct the same as an affiliate.

SECTION G8.14 Lodges shall not take cognizance of charges involving a breach of contract or claim at law between Masons, nor between a Mason and a profane, unless the act complained of involves moral turpitude.

SECTION G8.15 There is no stay or suspension of Masonic rights and privileges of a member against whom charges are preferred until after verdict and judgment of conviction is recorded, except that the accused may not vote upon any matter in which he is involved, nor assume an office to which he has been elected, pending the trial.

SECTION G8.16 The Grand Lodge will vote, by the voting sign of a Mason, unless a written ballot is demanded in the regular manner, upon the question of guilt and penalty, a majority vote deciding.

ARTICLE IX. Appeals and Restorations
SECTION G9.01. **Time for Appeal.** An appeal, to be effective, shall be in writing and state the particular act, decision or judgment appealed from, whether it be from that Determinations of probable cause, charges pursued, and discipline consisting only of a Trial Commission or that of a Lodge. A reprimand or censure are not subject to appeal. An appeal must be signed by the convicted Brother appealing and filed with the Secretary of his Lodge with a copy to the Grand Secretary within sixty (60) days after notice of the sentence, as provided in Section C8.04 of the Constitution of the Grand Lodge.

SECTION G9.02. **Notice to Committee on Appeals and Grievances.** Upon notice of appeal being filed, the Secretary shall promptly certify and transmit the same, together with all papers pertaining thereto, to the Grand Secretary who, in turn, will give notice of such filing to the Chairman of the Grand Lodge Committee on Appeals and Grievances and the Chief Trial Commissioner.

At any time thereafter, upon request from the said chairman, the Grand Secretary shall forward all such appeal papers to him at least thirty (30) days before the next Annual Communication.

SECTION G9.03. **Proceedings of the Committee on Appeals and Grievances.** The Committee on Appeals and Grievances shall be prepared to hear the appellant and his counsel, the Lodge by its representative, and the opposite party in interest, and after consideration shall make its reasoned determination in writing.

SECTION G9.04. **Standard of Review.** The Committee on Appeals and Grievances shall review the determination of the Trial Commission. The Committee on Appeals and Grievances may reverse or modify the decision of the Trial Commission if it lacked jurisdiction, erred as a matter of Masonic law or procedure, is not supported by the record, or was arbitrary and capricious. The standard for review for these issues is as follows:

(a) **Jurisdiction.** Any appeal contending the Trial Commission was without jurisdiction shall be considered de novo. No deference may be given to the determination of the Trial Commission.

(b) **Masonic law and procedure.** Any appeal contending the Trial Commission acted contrary to Masonic law shall be reviewed de novo. In any appeal contending Masonic procedure was not followed, an appellant bears the burden to show that his substantial rights were affected by any procedural defects; minor or unsubstantial defects in procedure shall not warrant reversal or modification.

(c) **Facts.** The facts found by the Trial Commission shall be upheld if there is any evidence to support them within the record. Deference shall be given to the Trial Commission’s ability to judge the credibility of witnesses. The Committee on Appeals and Grievances shall not weigh evidence or substitute its’ judgment for that of the Trial Commission.
(d) Arbitrary and capricious. Even though there is room for multiple opinions on the same matter, a decision is not arbitrary and capricious merely because the Committee on Appeals and Grievances may believe an erroneous decision was reached. A decision of the Trial Commission is arbitrary and capricious only if it:

i. Relied on an errant statement of Masonic law;
ii. Failed to consider the nature of the fraternity, severity of the filed charges, or
iii. Offers an explanation that runs counter to the evidence.
iv. So implausible that it is not able to be explained as a difference in viewpoint.

SECTION G9.05. Appeals from a determination of the Committee on Appeals and Grievances. An aggrieved party may appeal to the Grand Lodge. Such appeals shall be heard at the annual communication. The record for this appeal shall consist of the written determination of the Committee on Appeals and Grievances. Each party may file no more than a one page argument; no new facts may be introduced.

SECTION G9.04 The Grand Master may allow brief argument, or may submit the matter based on the written record.

The question posed shall be stated as: “Did the Committee on Appeals and Grievances abuse their discretion in determining the appeal of Brother   ?”

An abuse of discretion occurs if the Committee on Appeals and Grievances does not correctly apply Masonic law, or resolves the matter in a manner that is against logic or the facts found within the record.

The Grand Lodge, upon consideration of the Committee report, may affirm or modify their recommendation, whether it be from a Trial Commission or of a Lodgereverse and remand the matter, and such action by the Grand Lodge shall be conclusive upon all parties.

The Grand Master has no power to set aside a verdict by a Trial Commission. It must be done by an appeal to the Grand Lodge and through the Committee on Appeals and Grievances and final appeal to Grand Lodge. The Grand Master may mitigate the discipline imposed for unmasonic conduct other than violations of Section G6.07.

SECTION G9.05. Notification of Grand Lodge Decision. The Grand Secretary shall notify the appellant, the Lodge and the opposite party in interest of the action taken by the Grand Lodge, promptly after the close of the communication, and the status of the appellant will be as directed by the Grand Lodge action.

SECTION G9.06. Restoration. The Grand Lodge is vested with the power, to the exclusion of its Constituent Lodges, after one (1) year from a judgment of suspension or expulsion, to restore a Brother to the rights and privileges of Masonry. It is the burden of the Brother to produce evidence and prove that he has met the conditions of any
suspension, and that he is eligible, fit and qualified to be restored to the rights and privileges of Masonry.

**SECTION G9.08. Restoration Procedure.** The procedure for restoration shall be by personal request to the Grand Lodge, at least thirty (30) days prior to the Annual Communication, by letter to the Grand Secretary. The request for restoration shall be referred to the Committee on Appeals and Grievances, which shall hear all parties of interest and report with recommendation to the Grand Master, who may restore a Brother to the rights and privileges of Masonry but not to membership in his former Lodge.

Any restored Brother will thereafter be known as a non-affiliated Mason and entitled to a certificate from the Grand Secretary as such. Upon such a certificate he may petition any Lodge and, if elected, become a member of such Lodge.

**SECTION G9.07** The procedure for restoration shall be by personal request to the Grand Lodge, at least thirty (30) days previous to the Annual Communication, by letter to the Grand Secretary, unless an appeal is before the Committee on Appeals and Grievances. The request for restoration shall be referred to the Committee on Appeals and Grievances, which shall hear all parties of interest and report with recommendation to the Grand Lodge, after which the provision of General Regulations Section G9.06 will apply.

**SECTION G9.08. Restoration after stricken for non-payment of dues.** A Brother stricken by his Lodge for non-payment of dues may be restored to membership by majority vote of the Lodge, without re-petitioning or investigation if within a year of being stricken he pays everything necessary to make him clear on the books of his Lodge. If after one year he wishes to be restored to membership it will be necessary that he petition the Lodge for restoration, after having paid everything necessary to make him clear on the books of the Lodge. The petition must then proceed in the same manner as a petition for degrees or affiliation.

(a) **(a)**—A Lodge has the right to receive the delinquent dues from a member who has been stricken for non-payment of dues before its consolidation with another Lodge and can also act upon his petition for reinstatement.

(b) **(b)**—If an unaffiliated Mason, previously dropped from his Lodge for non-payment of dues and/or is delinquent for the payment of the Minnesota Home assessments in whole or in part, applies for restoration after paying all indebtedness and is rejected, the delinquent dues paid belong to the Lodge and the Home assessment paid shall be forwarded to the Grand Secretary for the benefit of the Minnesota Masonic Home and Grand Lodge in proportion to the amount originally charged.

(c) **(c)**—A member of a Lodge stricken from the rolls in error for non-payment of dues should be restored to the rolls without formal action of the Lodge by vote on his petition; but a proper entry should be made in the minutes of the Lodge.

(d) **(d)**—A deceased Brother, who has been dropped for non-payment of dues, cannot be restored on the books of the Lodge posthumously.
(e) The restoration of a charter restores to membership all those who were without fault in the matter of the surrender, revocation or forfeiture thereof, and who file certificates of non-affiliation within one (1) year after such restoration of charter.