

MASONIC OFFENSE

Masonic offenses fall in two distinct classes; those which are committed against the laws, customs, ancient usages of the Fraternity, and those which are in conflict with the laws of the Nation, State, or community; usually (not always), these latter must involve moral turpitudes to be classed as Masonic offenses. Thus, violation of a parking regulation, while an offense against a local law, could hardly be held a Masonic offense, whereas selling liquor, legal in many places, in many Grand Jurisdictions is a Masonic offense.

Many offenses in the first class are the result of ignorance; a brother ill informed as to his duties in the Lodge, as a Mason, and not educated as to Masonic law, may easily commit a Masonic crime in all innocence. In a vast majority of such cases, admonition and instruction have been found much more effective than the preferring of charges and the holding of a Lodge trial. Thus, a newly made Mason, not yet instructed in all that a Mason should and should not do in Lodge, might easily state openly how he had voted upon an applicant for the degrees, or fail to answer a summons, or insist on speaking in Lodge without recognition by the Master, with no taint of guilty intention. Obviously, instruction will cure such ignorance and prevent a recurrence of the offense, far more easily than preferring charges and holding a trial.

Some Masonic offenses of the first class cannot be overlooked or cured with an admonition, especially those which are calculated to alter the opinion of the general public towards Freemasonry. Thus, it is universally held that as Masonry is greater than any man, the man must seek Masonry of his own free will and accord, and without the solicitation of friends or the hope of gain. For any Mason to ask his friend to join his Lodge is a Masonic offense. Because the practice, if continued, would seedily put Freemasonry in the public mind in the same class as secular organizations which proselyte, it is an offense justly regarded as grave.

Any violation of any obligation is obviously a grave offense and one which may, and always should, subject the offender to Masonic discipline.

Jurisdictions differ widely as to what must and what must not necessarily become a matter for Lodge action. "Every violation of law involving moral turpitude and any conduct likely to bring the Fraternity into disrepute is a Masonic offense" is the attitude of many Jurisdictions. Others are much more specific, and list a large number of actions to be, or not to be, Masonic offenses. Thus, in Codes, of the several Jurisdictions it may be discovered that:

"It is a Masonic offense for a brother to assist in stealing a Master Mason's daughter to marry a profane person to whom the parents are opposed."

"The mere running of a pool or billiard table is not a Masonic offense. If there is no gambling or sale of liquor in connection with the business, a brother so engaged who is elected Senior Warden may be installed. But in contemplation of Masonic law, the practice and the understanding between the parties who play the game of pool or billiards that the losing party

shall pay for the game is gambling, and if the owner of the table has knowledge of such practice, he, too, would be guilty of unmasonic conduct."

"Where a father was expelled from Masonry and died, and his sons, also members of his Lodge, knowing of his expulsion, caused a monument to be erected over his grave bearing Masonic emblems, this is a grave offense and a subject for discipline."

"It is not a Masonic offense for a Mason to blackball a brother Mason in an Odd Fellows Lodge."

"No Lodge shall entertain a charge against any Mason for the purpose of adjusting mere legal rights, pecuniary or otherwise, unless such charge specifies fraud on the part of the alleged offender, or involves moral turpitude. When the charge against the accused is one which has been made the basis of an action in the criminal courts, the Lodge may proceed regardless of such pending criminal action."

"The payment or acceptance of any monetary or other consideration for service as attorney in a Masonic case shall constitute a Masonic offense."

"A Master Mason who purchased goods upon the promise to pay for same next day, which he failed to do, but subsequently gives the brother from whom he purchased the goods a promissory note, which he subsequently fails to pay, does not clear himself of unmasonic conduct by giving of such note. The question in the case is, did the brother really intend, at the time of the purchase, to pay his brother the next day, or was it his intention to deliberately swindle a brother Mason by a fraudulent misrepresentation. If it was his intention never to pay for the goods so purchased, and the statement was made designedly to deceive a brother Mason, he should be expelled as common cheat and swindler."

"Disputing the correctness of a debt with a Mason, the transaction not involving morals, is not unmasonic conduct. Masonry is not a collecting agency. Nor a refusal to submit business differences to the Lodge's decision before going to law. Nor suing a brother without notice. Nor simply taking advantage of what the law allows, such as taking a homestead to prevent a brother Mason's collecting his debt."

"As piety, secrecy, obedience, temperance, truth honesty, chastity and charity, are a few of the many virtues upon which mystic covenants and virtues are based, so their contraries, profanity, evil speaking, insubordination, deceit, intemperance, lewdness and derision, are a few of the many vices which are subject of fraternal discipline, and for the correction or vindication of which every Lodge involved is responsible to the whole Fraternity."

"A Lodge has the right to try a member for an offense committed before his initiation, when it is of such character that if known at the time of balloting it would have prevented his acceptance."

"A candidate's drunkenness being discovered during the conferring of a degree, proceedings should be stopped, charges preferred, and the candidate punished."

"The following acts, among others, have been held to constitute unmasonic conduct, punishable by reprimand suspension, or expulsion according to the nature of the charge and the circumstances under which the offense was committed:

"Attacking the proceedings of a Lodge in a scurrilous communication through a newspaper, and seeking thereby to cover Masonry with contempt and ridicule; denial of Divine authenticity of the Bible; dishonest or fraudulent acts; disobeying the summons of a Lodge, which, under ordinary circumstances, should not be punished by expulsion; defamation of character, by sending scurrilous matter through the mail; dues, non-payment of; drunkenness: embezzlement; false swearing; fighting; fraudulent conduct in receiving a degree under an assumed name (an applicant using a fictitious name within the knowledge of members of the Lodge who recommend his application, was not guilty of fraudulent act); going under an assumed name may or may not be an offense, according to the circumstances, cause, object and intention; gambling; habitual drunkenness: holding Masonic communication knowingly with an expelled Mason; homicide; intoxication while in attendance on Grand Lodge, indecent exposure of the person in the presence of ladies and others; incest and adultery; keeping or cohabiting with a lewd woman; Masonic symbols, improper use of; obscene and vulgar language unbecoming a Mason and gentleman: obtaining money from Masons and others under false pretense; profane swearing; refusing to abide by a settlement of a pecuniary difficulty, made by the Lodge at the request of the parties; seduction of a Mason's wife; seduction; sending a challenge to fight a duel to a Mason; slander of a Mason; slander of a Mason's wife; striking a Mason in anger but repelling, in self-defense, an assault by a Mason, is not an offense); refusing to be installed in office in which he has not served; slander of a profane; street brawling and fighting between Masons; to inform a candidate by whom he was blackballed: willful abandonment of family."

"It is a Masonic offense to become a member of, or policy holder in, any life insurance of assurance company or association, or organization, having or using the word "Mason", 'Masonic', 'Freemason', or referring in any way to the Masonic Fraternity or to any so-called Masonic Body; or which uses any Masonic insignia or emblem of so called Masonic Body, in its title, business, signs, cards, circulars, or correspondence; Provided that this paragraph shall not affect any membership or policy which was in existence prior to March 31st, 1899."

"To ask or solicit a Mason, within the body of a Lodge, or in the Lodge room, or any of its anterooms, at any time preceding, during or following a Communication of a Lodge, to apply for the degrees of any organization whose membership is confined to Master Masons. whether or not said organization is recognized as Masonic by this Grand Lodge, is a Masonic offense."

"It is a violation of State and Masonic law and contrary to the rules of decorum and common decency, for a brother to enter the Lodge room carrying a deadly weapon and should he do so he shall be charged and tried for unmasonic conduct."

"Masonry should not be used for advertising purposes. Business cards bearing Masonic emblems are prohibited, nor should such cards carry any parody or doggerel tending to make light of any Masonic lecture or ceremony. A violation of this edict is gross unmasonic conduct."

"Adultery or fornication with any one, although not related to a Mason, subjects the offender to discipline, but when the woman in question is known by the offender to be the wife, widow, mother, daughter, or sister of a Master Mason, there is the added guilt of the breach of a Mason's obligation, and the want of chastity on her part does not excuse the offender."

"When a Mason occupies an official position such as judge, prosecuting attorney, juror, mayor, etc., he should perform his official duties without showing partiality to any one, whether Mason or profane. If, for example, in the performance of such official duty, a Mason issue a tax execution against a brother Mason, this constitutes no Masonic offense."

Methods of handling Masonic offenses differ in practically all the forty-nine Jurisdictions. The older method of trial in open Lodge has been abandoned in many States in favor of some form of trial by Commission. The reason for the change must be sought in the changed conditions of this day and age, contrasted with that in which Lodges were few and small, distances great, travel difficult and slow. Trial Commissions are elected by the Lodge, elected by Grand Lodge, appointed by the Grand Master for a specified term, drawn for by lot in Lodge, appointed by Master of the Lodge, appointed by the District Deputy Grand Master, selected by a Committee appointed by Master. In some Jurisdictions the trial body is termed a Committee, not a Commission, and is either appointed or elected: by Master, the Grand Master, the Lodge or Grand Lodge.

In some Jurisdictions alternate methods are permitted; a brother against whom charges have been preferred may be tried in open Lodge, or by a Commission, the determination left either to the Lodge or the Master. It is noteworthy that in Jurisdictions in which a choice is permitted, Lodges rapidly adopt the commission form of trial, finding that the hard feelings schism in the Lodge, and disagreeable features connected almost inevitably with a Lodge trial are to a large extent avoided by leaving the matter to a Commission.

The power to adjudge the penalty is in some Jurisdictions in the Lodge, in others in this Commission, in others in Grand Lodge. Masonic penalties are but four - expulsion, indefinite suspension, definite suspension, reprimand. In a majority of Jurisdictions, an appeal lies from any decision, from any penalty, to Grand Lodge, unless guilt and penalty have been assessed by Grand Lodge, when no appeal can be had, there being no body superior to which to appeal.

Grand Masters in practically all Jurisdictions have the power to suspend a lodge officer from his office, or "arrest his jewel" as it is phrased in some States. In five the Grand Master has the power to suspend an individual brother from the time of the commission of an offense, until charges have been preferred and trial held. This unusual power, in the few Jurisdictions in which it is possessed, has worked to the benefit of the Fraternity; so much so, that the desirability of an increase in the number of Jurisdictions possessing this power was argued with much effect in a recent conference of Grand Masters in Washington, D. C. A case cited in support of the power may be of interest:

In a certain Jurisdiction a visiting brother was admitted to a Lodge with more alcohol inside him than the committee realized. The warmth of the room had its inevitable effect, and the brother became very drunk. He also became quarrelsome, attempted to interrupt the degree, uttered

scurrilous and defamatory remarks, became profane, and was finally ejected from the Lodge room with difficulty and force !

Complaint was promptly made to the Grand Master. In turn, he requested advices from the Grand Master of the Jurisdiction from which the offending brother came. The response was immediate - the offending brother was promptly suspended from all the rights and privileges of Masonry, pending his trial, and caused the brethren of the Jurisdiction in which he temporarily resided no more trouble.

It is practically universal that a sojourning brother may be tried by the Lodge in the Jurisdiction of which he commits the offense but the sentence is left to his own Lodge, for obvious reasons. Any brother is obligated to abide by the laws, usages, customs, edicts of the Grand Lodge in whose Jurisdiction he resides, no matter where he holds membership. A sojourning brother who commits a Masonic offense must obviously be tried by those whom he offended, and who know the facts, rather than his home Lodge, which has no evidence. Having been tried and found guilty, it is obviously not possible for a Lodge in Jurisdiction A to suspend or expel him from his own Lodge in Jurisdiction B. The power to suspend or expel is vested in the Lodge or Grand Lodge to which he owes allegiance.

Freemasonry is so much more an organization of laws which state "thou shalt" than "thou shalt not" - is so much concerned with charity and toleration, and has so few among her far flung membership who are not upright citizens, that Masonic trials (in proportion to the number of Lodges and Masons) are comparatively rare. It is one of the glories of Freemasonry that she wins obedience to her laws and customs, not because of fear of penalty and deterrent sentences for guilt, but because of genuine love for, an veneration of, her laws and customs.

So may it ever be, and so must it ever be, if Freemasonry is to continue as she has always been, a great force for good in the communities in which she lives and serves !