

CHAPTER 17.

PARTICULAR LODGES—CHARTERS

GENERAL PROVISIONS

Constitutional Provisions

The Grand Lodge has the power to constitute new Lodges, and grant Charters or Warrants of Constitution for the same, and has the supervision and approval of the By-Laws of the Particular Lodges, and therefore may adopt a Uniform Code of By-Laws for their government, *Provided*, that local Regulations for the benefit of the Craft be not interfered with. (Art. V, Sec. 4).

The Grand Lodge has the power to suspend the Charter of any of the Particular Lodges, or of arresting or withdrawing the Charter of any of the Particular Lodges for good cause shown; and when a Lodge forfeits or surrenders its Charter, the Grand Lodge succeeds to all its Furniture, Jewels, funds, books, papers, and other property, and may appoint some proper Officer to take charge of the same for the benefit of the Craft; *Provided*, that when the Charter of a Lodge is restored, all its Furniture, Jewels, books, papers, and other property, shall also be restored. (Art. V, Sec. 5).

References

See also: U.D. Lodges; Chapter 42.

GRANT OF CHARTER

Regulations

17.01 A Charter for the establishment of a Lodge can be granted only by the Grand Lodge in Annual Grand Communication, and the Master and Wardens must be duly installed before they proceed to work.

References

The Grand Secretary shall keep in a book for that purpose, a record of all Charters hereafter issued. Reg. 9.12.

NEW CHARTERS

References

When a Lodge changes its name a new Charter must be issued. Reg. 16.02.
When there is a consolidation of Lodges a new Charter shall be issued. Reg. 16.03

References

A Lodge Charter is constructively in possession and control of the Master. Reg. 20.15.

LOST, STOLEN, OR DESTROYED CHARTERS

Regulations

17.02 When a Charter is lost or destroyed, the Grand Master may order a certified copy thereof to be issued in lieu of the original. (As to forfeiture of Charter see Constitution, Article X, Section 22).

References

Grand Master may grant Dispensation for Lodge to continue work when Charter is lost, stolen, or destroyed. Reg. 6.12 (a).

SURRENDER OF CHARTER

Regulations

17.03 Charters of the Particular Lodges may be surrendered to the Grand Secretary by vote of the Lodge for safekeeping, and a duplicate or certified copy of the Charter issued to the Lodge, when directed by the Grand Master. A fee in the amount of the actual cost thereof shall be paid to the Grand Secretary's Office for its services in this connection for the use of the Grand Lodge. (1985)

17.04 The Charter of a Lodge may be surrendered in the following manner: Motion to that effect may be made at a Stated Communication of the Lodge. The motion must then lie over for a final action at succeeding Stated Communication. Within two days from the time of the making of the motion, the Secretary shall mail to each and every member a notice that motion has been made for the surrender of the Charter of such Lodge, and that said motion will be voted on at the next Stated Communication of the Lodge, naming the day and hour when said Communication will be held. At such Communication, the motion shall be submitted to the Lodge, and if a majority of the members present vote in favor of the surrender, said surrender shall take place. If for any reason the Master defers voting upon such motion, the members shall be given additional notice of the Stated Communication when said motion will be submitted for a vote of the Lodge.

Rulings and Decisions

Regulation 17.03 provides procedure for depositing with the Grand Secretary of original Charter and securing duplicate or certified copy for use in the Lodge. In view of

this provision of our law, action by a Lodge to make photostats of original Charter and deposit original Charter in deposit box in local bank would be improper. (1959 Proc. 52, 164).

The Master of a Lodge cannot arbitrarily disband a Lodge and surrender its Charter. Reg. 20.16.

ARREST OR FORFEITURE OF CHARTER RESTORATION THEREOF

Constitutional Provisions

The Master and Wardens of a Lodge cannot be tried by the Lodge; but complaint may be made against them or either of them to the Grand Master by not less than seven members of the Lodge, and he may investigate the matter, and file charges or direct that charges be filed for Grand Lodge Trial as provided by Grand Lodge Regulations. The Grand Master may suspend the accused from office pending trial of the charges. (Art. X, Sec. 5). (1985)

Every Lodge must make full and complete Returns of the proceedings annually to the Grand Lodge, with the names of its Officers and members, and a statement of all dues, signed by the Master, and countersigned by the Secretary, under the Seal of the Lodge; and without such Returns made, and payment or remission of all dues, no Lodge shall be entitled to representation in the Grand Lodge. And every Lodge failing to be represented in the Grand Lodge for two consecutive years shall forfeit its Charter; *Provided*, that if such defaulting Lodge shall, on or before the next Annual Communication, make full Returns and payment of dues to the Grand Secretary, and satisfactory explanation to the Grand Lodge, or in the recess to the Grand Master, such forfeiture shall be released and the Lodge restored to its regular standing. (Art. X, Sec. 22).

Regulations

17.05 When a Lodge is in contempt its Charter may be arrested.

17.06 When a Lodge fails to make Returns to the Grand Secretary for two consecutive years and two Annual Grand Communications have been convened, the Charter is forfeited, but may be restored for good cause.

17.07 When a Lodge surrenders its Charter and twelve or more Master Masons petition for the restoration of said Charter, the Grand Lodge or its authority, upon being satisfied from the facts and reasons set forth that the best interests of Masonry will thereby be served, will

grant the prayer of the petitioners, and the authority restoring the Charter will make provisions for officering the Lodge.

17.08 When the Charter of a defunct Lodge is restored, such restoration reinstates to membership only the petitioners therefor.

17.09 After a Particular Lodge has remained defunct for five (5) years, the reestablishment of a Particular Lodge in that jurisdiction shall be by petition for U.D. Lodge.

Rulings and Decisions

When John F. Dunn Lodge No. 82 merged with Marion Lodge No. 19 and took the name Marion-Dunn Lodge No. 19, Dunn Lodge No. 82 ceased to exist and the Charter to John F. Dunn Lodge No. 82 had no further validity and the act of the Grand Secretary in endorsing the action of the Grand Lodge on the Dunn Lodge Charter was merely a recital of a historical fact. The Charter of Marion Lodge No. 19 endorsed by the Grand Secretary in 1900 is the valid and existing Charter of Marion-Dunn Lodge No. 19. (1983 Proc. 115)

References

The Grand Master during recess of Grand Lodge may restore a Charter or arrest or suspend a Charter until next Annual Communication. Reg. 6.02.

As to Right of Members of Defunct Lodge, see Chapter 43.

As to Property of Defunct Lodge, see Chapter 43.