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MWGM Message to the Craft August 25, 2012

To: All Montana Freemasons
From: MWGM Thom Chisholm
RE: Recent Masonic Events

The recent events in Montana Masonry are without precedence. An elected and installed officer of the Grand Lodge was removed as the Grand Secretary, along with the termination of a Grand Lodge employee. Sitting constituent lodge Worshipful Masters filed charges against a sitting Grand Master. A trial was held pursuant to the code, and the Grand Master was found unanimously guilty of all charges filed and removed from office. Again, all of the previously mentioned actions are without precedent in Montana. As a result of these actions, I find myself in the position of making my first written address to the craft as the Grand Master, presenting information about these events. I will present the facts as I know them about the events in particular, and leave my recommendations and opinions, not to the events, but to the actions we must make as Masons to progress from this point forward.

The Grand Secretary and office assistant have returned to their duties in the Grand Lodge office. The great deal of rumors about inappropriate actions by the Grand Secretary has not been supported by any evidence or facts. One is left to assume that if there had been condemning evidence of any wrong doing on the part of the Grand Secretary, formal charges or similar action(s) would have been presented in a timely manner. To date, no such evidence has been presented. The reason is simple, none exists.

The position that a Grand Master has the authority to remove an elected officer is not correct. To this end, I have included a copy of the Jurisprudence Committee's review of the former Grand Master's actions with respect to removal of the Grand Secretary. The report was requested from Jurisprudence and is not modified in any way. It is factual to point out that the Jurisprudence Committee's review came after the former Grand Master's action to remove an elected officer. One is left to conclude the fact that the former Grand Master acted without prior consultation of the Jurisprudence Committee in this matter.

I have also included with this correspondence a simple chronology of the events of the trial of the former Grand Master. This singular event was enacted by trigger mechanisms within our Masonic Code and Constitution. Such a trial can only come about by the actions of five current Worshipful Masters filing charges. In fact there were nine, almost twice the required amount.

The timeframe of the trial was conducted according to code requirements. To ensure an accurate, unbiased, and professional record, a professional court stenographer was retained to document the proceedings of the trial. It is true the stenographer was female. It is not true that this person was checking dues cards or witnessed any non-public Masonic information. The trial was conducted expeditiously in accordance with the code, and not without appropriate notices. I have made a formal request to the Jurisprudence Committee to review the procedures of the trial to ensure procedural accuracy. The Jurisprudence Committee's analysis will be published once the stenographer's recordings are completed, presented to Jurisprudence, and sufficient time for review has occurred.

It is at this juncture I will reflect on my recommendations and opinions about the state of Masonry in Montana and our future actions. I find it difficult to comprehend that we have allowed a situation like this to occur. While I understand the importance of loyalty to our fraternal brothers, the rampant and vicious electronic communications must stop immediately. It is, and will be considered, unmasonic conduct to write in such manners. To this end, I have ordered a stop to the mechanical ability to use electronic communication in ROLLS for everyone. I understand there are other methods, but the lesson is in the principle of suspended action.

I cannot help but reflect on the simple thoughts of communication and relationship building. Our fraternity is based and operates on an oral tradition of transferring information that yields an unquestionable bond between its votaries. Yet, we have not communicated openly or efficiently, nor have we fostered beneficial relationships. I am not reflecting on the specifics of these events, but rather in the generalities leading up to this point. To this end, I believe we all have room to improve. Gentlemen, agree to disagree, accept the insight of another's perspective, strive to promote our gentle craft, not dismantle it with unbridled passions.

I keep considering how profitable it would be for Montana Masonry if we approached increasing our membership with the same amount of zeal we have put forth in the amount of time and energy expended in the previous two months. Talk is cheap and actions speak louder than words. I recommend learning our ritualistic work to conduct degrees and go on with the business of perpetuating our fraternity by making Masons. Do so with quality in mind, not quantity

Lastly I will put forth two of my favorite words and the lessons I share with my three sons, my students, and my employees. The words are honesty and integrity. To me, honesty is defined as understanding right from wrong. Integrity is putting it into practice when no one is watching. The author Robert Fulcrum had it correct in his work, *All I Really Need to Know I Learned in Kindergarten*. Say please and thank you, admit when you make a mistake, and treat everyone like you want to be treated.

To be a Mason is the greatest honor, it cannot be jeopardized.

Succinctly & Fraternally,

A handwritten signature in cursive script, reading "Thom Chisholm".

Thom Chisholm, MWGM

Chronology of Events in Montana Masonry- Summer 2012

- June 29, 2012 MWGM Thomas Duffy removed (terminated) the duly elected and installed RWGS Reid Gardiner as Grand Secretary of the Grand Lodge. GM Duffy also terminated a Grand Lodge office employee.
- During the week after this action, Pursuant to the Montana Masonic Code of Statutes section 43010, charges were preferred against GM Duffy by nine (9) sitting constituent lodge Worshipful Masters for abuse of powers by the GM, violation of the Statutes, and unmasonic conduct.
- After which, according to code protocols, the immediate junior PGM formed a Tribunal of five (5) Past Grand Masters pursuant to section 43030 and, after conformance to all sections of Part III, Article I a trial was arranged.
- August 10, 2012 the trial of GM Duffy was conducted, resulting in a unanimous finding of guilty on all charges.
- Pursuant to section 43060, Thomas Duffy was removed from the office of MWGM.
- Thom Chisholm, pursuant to section 350, has filled the vacancy in office and assumed the title and powers of Grand Master.

Note: A record of the tribunal proceedings was secured by professional stenographer. The record will be presented at the next annual communication.

GRAND LODGE AF & AM OF MONTANA
REPORT OF JURISPRUDENCE COMMITTEE
GRAND MASTER'S ACTION OF JUNE 29, 2012: GRAND SECRETARY

The Jurisprudence Committee makes this report following advice to them by the Grand Master of certain actions he took with the Grand Secretary on or about June 29, 2012, under our designated responsibilities under Code Section 5070 A.

Question: May the Grand Master remove an elected grand officer from office.

Constitution and Code of Statutes:

310. GENERAL POWERS. Grand Lodge is the supreme Masonic power and authority in this jurisdiction and is vested with all legislative, executive, and judicial powers¹ limited only by the provisions of its own Constitution and Statutes. It alone has authority to charter or grant dispensations for a Masonic lodge in this jurisdiction.

A quorum of Grand Lodge consists of a majority of its chartered constituent lodges. Section 450. Grand Lodge elects specified officers, including the office of Grand Secretary, for terms from year to year. Section 510.

Analysis:

¹320. EXECUTIVE POWERS. The executive powers of Grand Lodge include:

- A. The granting of dispensations and charters to establish and perpetuate lodges in this State and in other territory where no Grand Lodge exists, and the revocation or suspension thereof;
- B. The issuing of special dispensations for all purposes permitted by any of the provisions of the Constitution and Statutes; and
- C. The exercise of all authority necessary to carry its own legislation into complete effect.

330. LEGISLATIVE POWERS. Grand Lodge reserves all legislative powers to itself except those specifically delegated to the lodges in this Code. The Constitution and Statutes which the Grand Lodge has an inalienable right to adopt and put into practice at its own convenience, and to amend or repeal at its own pleasure, are final and binding on all lodges and Masons in its jurisdiction until amended or repealed.

340. JUDICIAL POWERS. The judicial powers of Grand Lodge are:

- A. The decision of all controversies between any of the lodges or between one of them and a member or members of another;
- B. The enforcement of discipline upon Masons and lodges under its jurisdiction; and
- C. The review of all matters of controversy or discipline, which may have arisen in any of the lodges and over which it has not retained original jurisdiction.

Grand Lodge has delegated certain enumerated powers to the Grand Master. First, between annual communications the office of Grand Master only possesses the executive powers, excluding the granting of charters. He must also immediately investigate the violation of Masonic laws. Section 350. Second, specific powers are listed in Section 1050 and specific duties are listed in Section 1060. Section 1050 B states that he may remove any appointed grand officer. The implication is that Grand Lodge, in either its judicial or elective functions, reserves to itself the power to remove elected grand officers.

The Grand Master is a member of the Executive Committee, which, among other activities, examines the performance of Grand Lodge officers. Section 5030 A. 3. In addition, the Grand Master, as a Master Mason of a lodge of the jurisdiction of Montana, may prefer charges against any Mason residing in this jurisdiction. Section 46050. We have not conducted any complete, independent investigation of the facts and concerns that led to this report and have no information that would suggest unmasonic conduct to be the basis for the Grand Master's action. However, we are not aware of any Masonic or criminal charges that are pending at the time of preparation of this report.²

Conclusion:

The Grand Master does not have the authority to remove an elected grand officer. Action purporting to accomplish that would be a nullity as being beyond the powers or duties of the Grand Master.

² In the event any charges are preferred, a brother accused of a Masonic offense is entitled to fair procedure before being penalized. Regarding Masonic trials, see 46010 and following. In particular, before any penalties are assessed, there must be specific charges (46070) given personally to the brother charged (47020). The brother has the right to assistance of counsel (47050) and the presentation of competent evidence against him (48030, 48040), the right of conviction or suspension by at least 2/3 vote of the members (48080) (3/4 vote to expel), and the right to a speedy trial (49050). There is also the right to appeal. (50010 and following).