



**The Trial Code  
Of the  
MOST WORSHIPFUL  
GRAND LODGE  
Of  
Free and Accepted Masons  
Of Utah  
2005**

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**TRIAL CODE  
of the  
M. W. GRAND LODGE  
of  
FREE AND ACCEPTED MASONS OF UTAH**

As approved by Grand Lodge at the Annual Communication of January 22 and 23, 1951.

The symbol (\*) is shown immediately following the title of each Section that has been revised or added to.

**SECTION 200. MASONIC OFFENSES. (\*)**

Masonic Offenses are defined to be:

First: A violation of the laws of the United States, or of the State in which the offender may reside or be, involving commission of a felony or other offense involving moral turpitude.

Second: Willful violation of the offender's obligations as a Mason, of the Constitution or laws of Grand Lodge or of the by-laws of the Lodge in which the offender holds membership.

Third: Any other act which tends to impair the standing or reputation of the Fraternity before the world.

Fourth: Any misrepresentation made for the purpose of obtaining the degrees of Freemasonry.

**SECTION 201. JURISDICTION OF OFFENSES.**

(a) Every Lodge has jurisdiction over its own members wheresoever dispersed. If the accused is a member of a Lodge of this Jurisdiction, the charges shall be sent to that Lodge for trial; but if the Lodge waives its right, or refuses or fails to entertain said charges at the next regular meeting thereof, the Lodge within whose jurisdiction the alleged offense was committed shall entertain said charges and proceed in the premises as in this Trial Code provided.

(b) Every Lodge has jurisdiction over all non-affiliated and sojourning Masons residing, or charged with committing a Masonic offense, within its jurisdiction. If the accused is such a Mason, charges may be preferred either in any Lodge having jurisdiction over the place of such residence or sojourn, or in any Lodge within whose jurisdiction the alleged offense took place; and the Lodge in which such charges are first filed shall have exclusive jurisdiction in the premises. Whenever the attention of the Grand Secretary shall be called to any Masonic offense committed by any non-affiliated or sojourning Mason, the same shall be referred to the Grand Master of his action thereon.

**SECTION 202. PROCEDURE**

Whenever a Mason is charged with any Masonic offense, the proceedings in the premises shall be conducted substantially in accordance with the rules and procedure in the Trial Code provided.

**SECTION 203. CHARGES, HOW PREFERRED. (\*)**

(a) If a Masonic offense be committed without the Lodge, or when the Lodge is not in session or at labor, charges against the offender may be preferred by any Master Mason or Master Masons. If no other accuser makes charges, and it be brought to his attention that there is probable cause to believe that a Masonic offense had been committed, it shall be the duty of the Junior Warden to prefer charges.

(b) If any Masonic offense be committed in the Lodge while in session or at labor, the Master may direct the filing of charges, or may summarily dispose of the offense by requiring the offender to show cause why he should not be dealt with by the Lodge without further delay. In the latter case, he shall cause the alleged offender to stand, shall state to him the nature of the offense charged against him, and by whom preferred, and permit him to offer such extenuation or excuse for his conduct as he may wish to make. If the accused denies the charge, and demands trial, charges shall be filed and the matter disposed of as herein otherwise provided. On any such summary disposal of such matter, the offender may be barred from further attendance at the meeting, suffer reprimand or such other punishment, short of suspension, expulsion or fine, as the Master may impose with the approval of a majority of the members present.

(c) Proceedings against the Master of Lodge may be taken only in the manner hereinafter provided.

**SECTION 204. FORM AND FILING OF CHARGES. (\*)**

All charges of Masonic offenses, except those committed in open Lodge, shall be in writing and signed by the accuser, shall specify with common certainty the nature of the act or acts charged as constituting the offense, and state the time and place where the same was committed. Such charges shall be filed with the Master or the Secretary. The Master in any case shall examine the charges before further action thereon, and may, if he deems them insufficient to state a Masonic offense or wanting in certainty, return them to the accuser or accusers for amendment, if such be possible, to correct such defect. Upon his determining that the charges as filed, or amended state a Masonic offense and are sufficiently specific to inform the Lodge and the accused of the nature and details of the offense charged, the charges shall be filed with the Secretary, and they shall be read by him at the next regular meeting of such Lodge, and entered in full upon its minutes. Notice shall be given all members of the Lodge by the Secretary that election of a Trial Commission to hear and act upon such charges will take place at the next regular meeting.

**SECTION 205. TRIAL COMMISSION. (\*)**

Trial of any such charges shall be by a Trial Commission, consisting of five members of the Lodge in good standing, who shall be elected by a written ballot and by a majority vote of those present, at the next regular meeting of the Lodge following the reading of such charges. The elective officers and the members of the Committee on Grievance and Appeals of Grand Lodge, the Master, Junior Warden, and Secretary of the Lodge, the accuser or accusers, the persons designated by the Master to act as prosecuting attorney and defense counsel and any person who may be known to have such knowledge of the facts respecting the charges as to qualify him as a witness, shall not be eligible to sit on such Trial Commission. Upon any new trial of the charges, no person who actively participated in the former trial may act as Commissioner. If any such ineligible person be selected as a Trial Commissioner he shall make the fact known at the earliest time possible, and his place on such Commission shall be filled by the Lodge, by election in the same

manner at its next regular meeting, or if no such meeting occurs prior to the trial by appointment by the Master, concurred in by a majority of the remaining Trial Commission.

**SECTION 206. ORGANIZATION OF COMMISSION. (\*)**

The master shall fix the time for trial and give prompt notice thereof to the members of such Trial Commission. The Trial Commission shall assemble for the trial at such time and place within the jurisdiction of the Lodge and convenient to the parties as the Master shall indicate. Three members of the Commission shall constitute a quorum, except that less than a quorum may adjourn from time to time. If at any meeting a Commissioner is present who was absent at some previous meeting, the substance or summary of all proceedings had and evidence taken shall be read or be made known to him in the presence of the Commission before the trial proceeds. The Master shall preside over the Commission, and shall decide all questions of Masonic Law which may arise during the trial. All meetings of the Trial Commission shall also be attended by the Junior Warden, or some other member of the Lodge appointed by the Master, who shall act as prosecuting attorney; by a defense counsel to be appointed by the Master; and by the Secretary, or some other member of the Lodge appointed by the Master, who shall act as recorder and keep a correct and full record of the proceedings and trial.

Only the Master, the Wardens, and Secretary of the Lodge, similar officers of any Lodge of which the accused is a member, the prosecutor, defense counsel, a shorthand reporter who must be a Mason, and the witnesses for the prosecution and defense shall be present at any hearing held as such Commission, and the Commission may require any witness or witnesses who have not testified to remain without the place of hearing.

If for any reason the Master or any other trial officer shall be unable or disqualified to perform the duties assigned him herein, the Master may appoint a Past Master of such Lodge, if one be available, otherwise any Master Mason, a member of the Lodge, to perform the duties of such absent or disqualified officer. Disqualification shall consist of such knowledge of the facts involved as to qualify the officer as a witness.

## **SECTION 207. COUNSEL**

In addition to the prosecuting attorney and defense counsel herein provided for, any Master Mason in good standing may, at the request of the accuser or the accused, appear as counsel and assist in the prosecution or defense.

## **NOTICE 208. NOTICE AND SUMMONS. (\*)**

The defendant shall be served at least thirty days prior to the time set for trial with a copy of the charges against him, certified as correct by the Secretary, together with a summons setting forth the time for trial, requiring him to file his plea at least five days prior to the date of such hearing, and directing him to appear at the time of such trial under penalty of being proceeded against in his absence. Service may be made upon him in person, or by leaving such papers at his residence enclosed in a sealed envelope directed to him, the process server to be a Master Mason designated by the Master for such duty, or by the Secretary forwarding such papers to him by registered mail, with return receipt demanded, at his last known place of abode, within or without the State. If the accused resides without the State, such letter shall be sent by air mail. Service by mail shall be complete at the end of the twentieth day after the date appearing on such return receipt. If for any reason service cannot be made upon the accused in time, the Master shall fix a new date for trial, and service shall then be had as above provided.

## **SECTION 209. CONTINUANCES AND RECESSES. (\*)**

Trials shall be had at the time and place set forth in the summons served upon the accused, unless the Trial Commission shall continue the same upon application of the defendant, or the prosecuting attorney, for good cause shown. Any application for continuance shall be made only after the due notice of intent to apply for the same shall have been served upon counsel for the opposing party. The Commission may also recess the trial, when once commenced, from time to time, but such recesses shall not extend the trial for more than ten days subsequent to its commencement unless the Master, for good cause shown, shall permit such extension. No continuance shall be granted by reason of the defendant absenting himself from the trial, but defense counsel appointed by the Master

shall, and other defense counsel may, be present at all proceedings had in the defendant's absence.

## **SECTION 210. PLEAS BY DEFENDANT – CONTINUANCE – TRIAL PROCEEDINGS. (\*)**

(a) The defendant shall file his written plea to such charges with the Secretary at least five days prior to the time set for trial. The plea of the defendant may be “not guilty”, “guilty”, or an admission of the charges made in whole or in part and such matter in avoidance of culpability with respect thereto as the defendant may deem matter of defense.

(b) If the plea be “guilty”, the Trial Commission nevertheless shall receive such evidence as it may deem requisite, or as either the prosecution or defense shall offer, bearing on the extent of guilt, and which it may deem proper to consider in deterring the judgment.

(c) If the plea be other than “guilty”, trial shall proceed at the time fixed, or at the time to which the same shall have been continued.

## **SECTION 211. WITNESSES.**

The Master shall, at the request of either party, summon such witnesses as are Masons residing or being within the jurisdiction of the Lodge to appear and testify before the Commission. Witnesses who are Master Masons in good standing shall testify upon their honor as such; all others shall testify under oath or affirmation. No Commissioner selected to try charges shall be permitted to testify upon such a trial.

## **SECTION 212. DEPOSITIONS.**

(a) Whenever the attendance of a witness, who is a Mason, cannot be procured, his testimony may be taken by deposition before the Master or Secretary of any Lodge within whose jurisdiction he resides or is sojourning, upon such notice to the adverse part as the Master of the Lodge in which the trial is to be held shall fix; and the attendance of such witness may be compelled by summons of the Master of the Lodge of which he is a member or of

the Lodge within whose jurisdiction he resides or is sojourning. His testimony shall be reduced to writing, signed by him, and authenticated by the certificate of the Master or Secretary before whom it was taken, under the seal of their Lodge.

(b) The testimony of witnesses who are not Masons may be taken, upon the application of the party desiring such testimony, by deposition before some office authorized by law to administer oaths, and at such time and place, and upon such notice to the adverse party, as shall be designated by the Master.

**SECTION 213. JUDGEMENT. (\*)**

After all the testimony shall have been received the Commissioners shall proceed to deliberate upon and to determine their verdict and sentence, with none present but themselves. The judgment of a majority of the Commissioners shall be the decision and judgment of the whole, provided, that in determining the sentence to be imposed three votes shall be necessary for expulsion. The judgment of the Commissioners shall be signed by them all, and at the next regular meeting of the Lodge the Master shall read the same in full, pronounce the result, and shall direct the Secretary to record the same as judgment of the Lodge, and file the record for safekeeping in its archives. If such judgment is adverse to the accused, it shall not be made known until so read and pronounced by the Master.

**SECTION 214. PENALTIES. (\*)**

(a) The penalties which may be inflicted are reprimand in open Lodge, suspension, or expulsion. All sentences of suspension shall be for an indefinite period. After the judgment is pronounced the Secretary shall forthwith notify the defendant of the judgment and of his rights to appeal.

(b) If the sentence is reprimand, the Master shall summon the defendant to appear at the next regular meeting of the Lodge, when the sentence shall be carried into effect; provided, that, if the defendant be a member of a Lodge of this Jurisdiction other than the Lodge in which he was tried, then, and in that event, with the consent of the Master of the Lodge in which the defendant was tried,

the sentence may be carried into effect in the Lodge of which he is a member.

(c) If the defendant shall file notice of appeal from any such sentence, within ten days after the same shall have been so pronounced in open Lodge, the judgment shall be stayed, but the defendant shall be debarred from all Masonic rights and privileges pending final disposal of such charges. Appeal filed later shall not operate to stay judgment. The sentence, in the absence of such appeal, shall go into effect immediately.

**SECTION 215. TRANSMITTAL OF RECORDS. (\*)**

(a) In all cases where an appeal is filed, or where the sentence is suspension or expulsion, the Secretary, as promptly as possible, shall prepare a transcript or the record of the trial, including a full copy of any appeal which has been filed, and transmit the same to the Grand Secretary with dispatch.

(b) In all cases where the defendant was a member of a Lodge other than the Lodge in which he was tried, the Master shall cause the Secretary to transmit certified copies of the judgment to the Secretary of the Lodge of which the defendant was a member, and to the Grand Secretary of the Jurisdiction. If appeal has been taken within ten days after pronouncement of judgment, such notice shall state the fact, and that execution of sentence thereby is suspended, but that the defendant is deprived of Masonic rights and privileges pending such appeal.

(c) In case of any modification of the judgment or sentence upon appeal or review, or in case of restoration after judgment and sentence, notice thereof shall be given to the party, and shall also be transmitted as provided, in (a) and (b) of this Section.

**SECTION 216. APPEALS. (\*)**

Appeals must be in writing, and if made subsequent to the filing of the transcript with the Grand Secretary, shall be filed with him, a copy thereof being served upon the Master or Secretary of the Lodge. Appeals may be filed at any time not later than thirty days after pronouncement of the judgment.

**SECTION 217. PROCEDURE ON APPEAL OR REVIEW. (\*)**

Upon receipt of any such transcript of record by the Grand Secretary, and of any notice of appeal, he shall transmit the same promptly to the Committee on Grievance and Appeals. All such cases shall be subject to review by such Committee, upon the record sent up and such affidavits, or other documents established as genuine, by oath or otherwise, to be the satisfaction of the Committee, as may be submitted and such oral testimony as the Committee may permit. In all cases where appeal has been made, and in any other case where the Committee shall determine that justice so requires, a hearing shall be given to the parties, notice thereof and of the time and place where the same is to be had to be served upon the accused and the Secretary of the Lodge by ordinary mail. The Committee may grant such continuance as justice may require. The Committee shall report its findings and recommendations at the Annual Communication of Grand Lodge occurring next after it receipt of such transcript; provided that if such transcript is received within less than thirty days of such Annual Communication and, upon application by the committee, the Grand Master shall determine the time for consideration of such matter to be too short for due consideration, such findings and recommendations may go over to the next Annual Communication of Grand Lodge. Grand Lodge thereupon may affirm, reverse, or modify such judgment, or set same aside and direct that a new trial be had. Its decision shall be final and conclusive. If a new trial has been had, the proceedings after judgment therein shall be the same as herein provided for first review.

**SECTION 218. RESTORATION AFTER SUSPENSION. (\*)**

The Lodge of which a suspended person was a member may at a regular meeting annul any sentence of suspension pronounced by itself and restore such person to all his Masonic rights and privileges; provided that notice of such proposed action shall have been given at the regular meeting next preceding. Restoration after suspension shall be by affirmative written ballot of two-thirds of the members present, and the Secretary shall promptly notify the restored party and the Grand Secretary.

There is no limitation to the number of times the question of restoration may be raised and voted upon, provided that the foregoing

requirements of this Section are fully complied with. Expelled persons may be restored only by Grand Lodge, as hereafter provided.

**SECTION 219. RESTORATION BY GRAND LODGE. (\*)**

Whenever any suspended Mason shall have made application to the Lodge of his membership for restoration, and has met with refusal, or in case the Lodge of his membership shall have ceased to exist, he may petition Grand Lodge for restoration. Notice of such petition shall be given to the Lodge of his membership, if in existence, and also to the Lodge which suspended him, if in existence, at least sixty days prior to the date of the Annual Communication of Grand Lodge next succeeding. Such petition shall be referred to the Committee on Grievance and Appeals for recommendation and shall be heard at the first Annual Communication of Grand Lodge occurring not less than sixty days subsequent to the filing of such petition. Persons who have been expelled may seek restoration in the same manner except that no prior application to the Lodge which expelled him, or to the Lodge of his membership, shall be made. Restoration to membership in good standing in the Fraternity so ordered by Grand Lodge shall not restore any such applicant to membership in the Lodge to which he formerly belonged, but the Grand Secretary shall issue him a demit showing him to be in good standing as an unaffiliated Mason in Utah, and thereafter he shall have the same status as any other unaffiliated Mason.

**SECTION 220. NOTICES. PROOF OF SERVICE. (\*)**

Whenever notice herein is required to be given and the time, manner, or form thereof is not provided, it shall be sufficient if the notice be in writing, shall be delivered to the Grand Secretary as to all matters pertaining to the Lodge, that such notice shall state intelligibly the matter with respect to which notice is given and time, if limited, in which action is to be taken respecting the said matter. Proof that notice has been given may be made by receipt of the person served therewith, showing the date of receipt and his official title, if any, or by a certificate of the officer of any Lodge or of Grand Lodge, or affidavit of any other person, setting forth the fact of such service. Notice shall be deemed complete from date of service.

## **TRIAL OF MASTER**

### **SECTION 221. CHARGES. (\*)**

Charges may be preferred against the Master of a Lodge by any three members thereof for abuse of his power, for violation of the Constitution or Regulations, or for un-Masonic conduct of any kind, which charges shall be in writing over their signatures, and shall be presented to Grand Lodge, if in session, or to the Grand Master during vacation.

### **SECTION 222. TRIAL COMMISSION. (\*)**

Upon receipt of such charges, Grand Lodge, if the same be received by it while in session, otherwise the Grand Master, shall cause at least five Masters or Past Masters to assemble as a Trial Commission to hear evidence respecting such charges, and to give judgment thereon, and shall appoint a prosecuting attorney and defense counsel.

### **SECTION 223. ORGANIZATION OF COMMISSION.**

The Trial Commission shall choose one of their number as President and one to act as Recorder, and the member presiding shall have authority to summon witnesses at the request of either party.

### **SECTION 224. NOTICE OF SUMMONS.**

Upon the appointment of the Trial Commission, the Grand Lodge or the Grand Master, as the case may be, shall summon the accused to appear, answer and defend, at such time and place convenient to the parties as shall be indicated in the summons. If the accused is within the jurisdiction, at least (30) thirty days time shall be given; and if he is without the jurisdiction, at least (60) sixty days time shall be given.

### **SECTION 225. PENALTIES**

The penalties which may be inflicted are reprimand by the Grand Master, deprivation of office, suspension, or expulsion; and the judgment shall at once be carried into effect by order of the Grand Master.

## **SECTION 226. RECORD TO GRAND SECRETARY.**

The Trial Commission shall make a complete record of its proceedings and judgment and transmit the same to the Grand Secretary immediately after the conclusion of the trial.

### **SECTION 227. APPEAL.**

An appeal may be taken to Grand Lodge by either party, at its next Annual Communication, but not unless written notice thereof shall have been filed with the Grand Secretary within thirty days after the conclusion of the trial.

### **SECTION 228. PROCEDURE. (\*)**

Except wherein otherwise specifically provided, the provisions of the Trial Code governing trial of other Masons shall apply to the trial of a Master, the officers of Grand Lodge corresponding in office to the officer of the Lodge charged with a duty or function to discharge such duty or function. The provisions for reference of the judgment to the Committee on Grievance and Appeals, and the provisions for application to the Lodge of membership of the accused for restoration shall not apply, any application for restoration to be directed to Grand Lodge only.

**GRAND LODGE OF UTAH TRIAL FORMS FOR LODGES**

- Charges
- Summons and Notice of Trial
- Commission to Take Testimony
- Notice of Commission to Take Testimony
- Request to Summon Witnesses
- Summons for Witness
- Certificate of Personal Service
- Trial Record
- Instructions Regarding Trial
- Abstract of Trial Proceedings
- Notice of Intention to Appeal
- Certificate (For Trial Proceedings)
- Caption to Transcript on Appeal
- Petition for Restoration after Suspension
- Petition to Grand Lodge for Restoration after Expulsion

**CHARGES**

To the Worshipful Master and Brethren of \_\_\_\_\_  
Lodge No. \_\_\_\_\_, F. & A. M. of Utah:

Brother \_\_\_\_\_, a Master Mason (or F. C. or E. A.) \_\_\_\_\_ of \_\_\_\_\_.

(here state the residence, membership, Lodge and number thereof, or other facts as to the Masonic standing of the accused)

is hereby charged with a Masonic offense (or offenses) in this, to-wit:

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Specification 1. That the said Brother, \_\_\_\_\_ on the \_\_\_\_\_ day of \_\_\_\_\_, 2\_\_\_\_, at \_\_\_\_\_ County of \_\_\_\_\_, State of \_\_\_\_\_ did

(here state fully but briefly, in clear and concise language, the facts of the alleged offense)

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Specification 2. (Following the above form under Specification 1, the facts of other alleged offenses, if any, may be set forth, each offense being included in a separate specification.)

All of which acts of the said Brother \_\_\_\_\_ were and are in violation of his obligations and duties as a Mason, and constitute an offense under the Masonic Code of The Most Worshipful Grand Lodge of Free and Accepted Masons of Utah.

WHEREFORE, It is demanded that the said John Doe be put upon trial therefore, and dealt with according to Masonic law and usage, pursuant to the provisions of the Trial Code in such case made and provided.



Dated at \_\_\_\_\_ State of \_\_\_\_\_

This \_\_\_\_\_ day of \_\_\_\_\_, 2\_\_\_\_.

\_\_\_\_\_  
*Junior Warden*

I find that the charges described above \_\_\_\_\_ (are or are not) sufficient under Trial Code Sections 203 and 204.

\_\_\_\_\_  
*Worshipful Master*

\_\_\_\_\_ Lodge No. \_\_\_\_\_

**SUMMONS  
and  
NOTICE OF TRIAL**

To Brother \_\_\_\_\_ of \_\_\_\_\_ Lodge No. \_\_\_\_\_ F. & A. M. (or A. F. & A. M.) of \_\_\_\_\_.

You are hereby summoned and ordered to appear before a Trial Commission of \_\_\_\_\_ Lodge No. \_\_\_\_\_ F. & A. M. to be held at \_\_\_\_\_ in \_\_\_\_\_ County of \_\_\_\_\_ in the State of Utah, on the \_\_\_\_\_ day of \_\_\_\_\_, 2\_\_\_\_, at the hour of \_\_\_\_\_ o'clock a.m./p.m.,

then and there to be tried upon the charges now on file against you in said Lodge, a full and true certified copy of which charges is annexed hereto and herewith served upon you; and you are further required to file, in writing, with the Secretary of said Lodge, at least five days prior to said date, your plea to each such charge so made against you, which plea may be (a) Not Guilty, (b) Guilty, or (c) an admission of the charges in whole or in part and such matter in avoidance of culpability, with respect thereto, as you may deem matter of defense to such charge. (Trial Code Section 210A)

Dated and given under the seal of Lodge, this \_\_\_ day of \_\_\_\_\_ 20\_\_\_\_.

\_\_\_\_\_  
*Worshipful Master*

(Seal of Lodge)

\_\_\_\_\_  
Attest: *Secretary*

NOTE: The Master should add an endorsement, either directing service by mail (see Trial Code Sec. 208) by the Secretary, or designating some Master Mason to make the service by personal delivery or leaving at the home.

**COMMISSION TO TAKE TESTIMONY**

Hall of \_\_\_\_\_ Lodge, No. \_\_\_\_ F. & A. M.,  
\_\_\_\_\_, 20\_\_\_\_\_.

\*To Brother \_\_\_\_\_ of \_\_\_\_\_  
Lodge No. \_\_\_\_ F. & A.M.

Greetings:

Whereas, on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_ charges were preferred against Brother \_\_\_\_\_ a member of this Lodge, a copy of which is hereto attached; and, Whereas, \_\_\_\_\_ and \_\_\_\_\_, residing \_\_\_\_\_ at \_\_\_\_\_ are material witnesses in the trial:

Now, therefore, you are-hereby appointed a Commissioner to take testimony of the said \_\_\_\_\_ and \_\_\_\_\_ at your office in the city of \_\_\_\_\_ on the \_\_\_\_\_, day of \_\_\_\_\_, 20\_\_\_\_\_, the day set for that purpose.

Yours fraternally,

\_\_\_\_\_  
*Worshipful Master*

(Seal of Lodge)

\_\_\_\_\_  
Attest: *Secretary*

\*Reference is made to Section 212 of the Trial Code.

**NOTICE OF COMMISSION TO TAKE TESTIMONY**

Hall of \_\_\_\_\_ Lodge, No. \_\_\_\_ F. & A. M.,  
\_\_\_\_\_, 20\_\_\_\_\_.

Brother \_\_\_\_\_:

You are hereby notified that Brother \_\_\_\_\_ of \_\_\_\_\_ Lodge, No. \_\_\_\_ at the city of \_\_\_\_\_ has been appointed a Commissioner to take testimony of \_\_\_\_\_ and \_\_\_\_\_ at his office in the city of \_\_\_\_\_ on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.

Said testimony is intended to be used at your trial on the charges now pending against you. You can therefore attend and cross-examine said witnesses if you desire.

Yours fraternally,

\_\_\_\_\_  
*Worshipful Master*

(Seal of Lodge)

\_\_\_\_\_  
Attest: *Secretary*

NOTE: If the testimony is to be taken on behalf of the defendant, strike out the word "cross" in "cross-examine."

**REQUEST TO SUMMON WITNESSES**

Hall of \_\_\_\_\_ Lodge, No. \_\_\_\_ F. & A. M.,  
\_\_\_\_\_, 20\_\_\_\_\_.

To \_\_\_\_\_, Worshipful Master of  
\_\_\_\_\_ Lodge, No. \_\_\_\_ F. & A. M.

Greetings:

Whereas, a Commission has been duly issued to  
Brother\* \_\_\_\_\_ of your Lodge, authorizing  
him to take the testimony of \_\_\_\_\_ and  
\_\_\_\_\_ at his office in the city of  
\_\_\_\_\_, the \_\_\_\_\_ day of \_\_\_\_\_,  
20\_\_\_\_\_ ; said testimony to be used at the trial of Brother  
\_\_\_\_\_, on charges now, pending in this  
Lodge;

Now, therefore, that neither the accused nor the Fraternity may suffer  
an injustice, you are hereby requested to summon the said  
\_\_\_\_\_ and \_\_\_\_\_ to attend before said  
Commissioner at the place and time above specified, to give  
testimony to be used in said trial.

Yours fraternally,

\_\_\_\_\_  
*Worshipful Master*

(Seal of Lodge) -

\_\_\_\_\_  
Attest: *Secretary*

\*Reference is again made to Section 212, paragraphs (a) and (b) of  
the Trial Code. This section should be carefully studied, and the  
above form may be modified in accordance with the requirements of  
the case.

**SUMMONS FOR WITNESS**

Hall of \_\_\_\_\_ Lodge, No. \_\_\_\_ F. & A. M.,  
\_\_\_\_\_, 20\_\_\_\_\_.

Brother \_\_\_\_\_:

You are hereby summoned to attend, as a witness, a meeting of the  
Trial Commission elected to try the charges now pending against  
Brother \_\_\_\_\_ of this Lodge. Said meeting  
will be held and your attendance is required at the hour of \_\_\_\_\_  
o'clock a.m./p.m., on the \_\_\_\_\_ day of  
\_\_\_\_\_, 20\_\_\_\_\_,  
at \_\_\_\_\_ in the city of  
\_\_\_\_\_ State of \_\_\_\_\_.

\_\_\_\_\_  
*Worshipful Master*

(Seal of Lodge)

\_\_\_\_\_  
Attest: *Secretary*

NOTE: The Master of the Lodge issuing this summons to a witness  
should designate at its foot the manner of service, i.e., by naming  
some Master Mason to make personal service, or by directing the  
Secretary to forward it by registered mail, return receipt demanded, as  
in the case of service of summons upon defendant.

**CERTIFICATE OF PERSONAL SERVICE**

I hereby certify that on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

I served summons, together with a certified copy of the charges therein referred to, upon Brother \_\_\_\_\_ in the manner indicated below.

(Check the method of service used.)

(a) By delivering to and leaving with him personally. ( )

(b) By leaving at his residence, enclosed in a sealed envelope addressed to him. ( )

(c) By forwarding to him mail, registered, return receipt requested, addressed to him at his last known address. ( )

\_\_\_\_\_  
*Signature of the one who served*

**TRIAL RECORD**

Hall of \_\_\_\_\_ Lodge, No. \_\_\_\_ F. & A. M., \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_, Utah

The following is a full and correct copy of that portion of the minutes of the regular meeting of \_\_\_\_\_ Lodge, No. \_\_\_\_, held \_\_\_\_\_, 20\_\_\_\_, relating to the filing and trial of charges against Brother \_\_\_\_\_.

\* \* \* \* \*

The following charges having been duly filed with the Secretary, after being examined by the Master, and by him found to state a Masonic Offense and to be sufficiently specific to inform the Lodge and the accused of the offense charged, were read by the Secretary at length, in open Lodge, and entered in full upon the Minutes of such meeting. Such charges follow: (Attach a full copy of charges to this Record.)

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

The Worshipful Master announced that in accordance with Section 205 of the Trial Code, an election of five Trial Commissioners would be held at the next regular meeting. The Secretary was ordered to mail written notices to all members of the Lodge.

\_\_\_\_\_  
*Secretary*

\* \* \* \* \*

The following is a full and correct copy of that portion of the Minutes (Attach a complete Duplicate) of the regular meeting of \_\_\_\_\_ Lodge No. \_\_\_\_\_, held \_\_\_\_\_, 20\_\_\_\_, relating to action taken upon charges heretofore filed in this Lodge against Brother \_\_\_\_\_.

\* \* \* \* \*

The Secretary reported that due notice had been given to all members of the Lodge, that the election of five trial Commissioners, to act upon such charges, would be held at this meeting.

The Worshipful Master then ordered, and the Secretary **read again** the charges now pending against Brother \_\_\_\_\_. The Master then read in full to the Lodge, Section 205 of the Trial Code.

An election of five trial Commissioners was then ordered, and upon written ballot taken, the following Brothers were elected by majority vote of all members present.

Brothers:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

The Worshipful Master then ordered that the trial be held at \_\_\_\_\_, on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, at the hour of \_\_\_\_\_ o'clock a.m./p.m., and further ordered that summons, together with a certified copy of the charges be served upon the accused, and that written notice of the trial be mailed to all members of the Commission, Counsel for the accused and prosecution and others who have duties to perform in connection with the trial.

(If the Worshipful Master should appoint counsel, or any other procedure be had in the Lodge concerning the charges and trial, insert it here.)

\* \* \* \* \*

*Secretary*

(Here insert all documents up to the time of trial, such as trial summons, certificate of service, summons of witnesses, etc.)

**INSTRUCTIONS REGARDING TRIAL**

(a) Written testimony: Since a non-Mason may not appear at the trial, his testimony, as well as that of Masons unable to attend, must be taken in writing in the manner directed in Section 212 (b) of the Trial Code. The record of that testimony, consisting of the commission to take testimony, any summons served, the written questions and answers, and the certificate of the Worshipful Master or other person before whom the evidence was taken that it is accurately and fully transcribed, may be inserted in this Abstract, or made reference to at the time it is offered, and attached to the Abstract, being duly identified.

(b) Record of oral testimony and proceedings: If it is possible to have present a Mason, who is a competent stenographer, have him make a shorthand record of the questions, answers, objections, motions, recesses, etc., and transcribe it fully. If that is not possible, it is the duty of the Secretary to accurately and fully note the same matters, and make a transcript thereof.

(c) Order of proceeding: The prosecution should first put on its evidence as to any matters not admitted by the defendant, but if the latter has admitted the charges, and alleged matter in exculpation, the defendant should proceed with his proofs, at the opening of the trial, the prosecution following with any evidence it may have as to the contrary. Such exculpatory proofs may go either to showing innocence of wrongdoing for want of intent, or matter tending to mitigate the seriousness of the offense admitted.

**ABSTRACT OF TRIAL PROCEEDINGS**

Hall of \_\_\_\_\_ Lodge, No. \_\_\_\_ F. & A. M.,  
\_\_\_\_\_, 20\_\_\_\_\_.

\_\_\_\_\_, Utah

The Trial Commissioners elected at the regular meeting of \_\_\_\_\_ Lodge No. \_\_\_\_\_, held \_\_\_\_\_, to try charges pending against Brother \_\_\_\_\_, assembled this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, at \_\_\_\_\_ at the hour of \_\_\_\_\_ o'clock a.m./p.m., the Worshipful Master presiding.

Roll call showed the following Brothers present:

- \_\_\_\_\_ Worshipful Master
- \_\_\_\_\_ Secretary
- \_\_\_\_\_ Junior Warden, as Prosecuting
- Attorney \_\_\_\_\_
- \_\_\_\_\_ Defendant
- \_\_\_\_\_ Counsel for defendant
- \_\_\_\_\_ Commissioner
- \_\_\_\_\_ Commissioner
- \_\_\_\_\_ Commissioner
- \_\_\_\_\_ Commissioner
- \_\_\_\_\_ Commissioner

NOTE: Attach here summons with certificate of service; summons served on witnesses; any orders or continuances, and other documents coming into record prior to trial. The certificate of service of summons on the defendant, and on witnesses' should be made by the person making service, and should show the place, time, and manner of service as by personal service, leaving copy at residence or by mail, as the case may be.

If service was made within thirty days of trial date, unless defendant waives further time, the Master should fix a new trial date by order, and cause notice thereof to be served on the

defendant, and the witnesses. That order and proof of service should appear here.

The prosecution then rested, and Brother M.N. testified for the defense as follows: (Insert summary of evidence as above.) Whereupon, the defense rested, and the case was referred to the Trial Commission for decision, with (or without) argument by Counsel. (State main points of argument, if made.)

The Worshipful Master read in full to the Commission Sections 213 and 214 of the Trial Code.

Whereupon all retired save the Commissioners.

\_\_\_\_\_  
*Secretary*

The following is a full and correct copy of that portion of the Minutes of the regular meeting of \_\_\_\_\_ Lodge No. \_\_\_\_\_ held \_\_\_\_\_, 20\_\_\_\_. relating to the trial of charges against Brother \_\_\_\_\_.

\* \* \* \* \*

The Worshipful Master opened the envelope containing the decision and judgment of the Trial Commission in the matter of the trial of charges against Brother \_\_\_\_\_, and read the same in full, as follows:

A true copy:

Hall of \_\_\_\_\_ Lodge No. \_\_\_\_\_, F & A.M. of Utah.

To the Worshipful Master, Wardens and Brethren of \_\_\_\_\_ Lodge No. \_\_\_\_\_, F. & A.M.:

We, the undersigned Trial Commissioners, elected at a regular meeting of \_\_\_\_\_ Lodge No. \_\_\_\_\_, held \_\_\_\_\_, 20\_\_\_\_, to try the charges pending against Brother \_\_\_\_\_, beg leave to report that we have complied with the duties assigned us, and after due trial and full consideration of the evidence submitted, and in accordance with Section 213 of the Trial Code, we do find the said Brother \_\_\_\_\_:

\_\_\_ Guilty of the offense as charged, and have voted and determined that he be expelled from the Fraternity and from all the rights and privileges of Freemasonry.

\_\_\_ Guilty of the offense as charged, and have voted and determined that he be suspended from the Fraternity and from all the rights and privileges of Freemasonry.

\_\_\_ Guilty of the offense as charged, and have voted and determined that he be reprimanded.

\_\_\_ Not Guilty of the offense as charged.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
*Commissioner*

\_\_\_\_\_  
*Commissioner*

\_\_\_\_\_  
*Commissioner*

\_\_\_\_\_  
*Commissioner*

\_\_\_\_\_  
*Commissioner*

(To be signed by all Commissioners.)

The Worshipful Master thereupon declared the decision and judgment of the Trial Commission to be the judgment of \_\_\_\_\_ Lodge No.\_\_\_\_\_, and directed the Secretary to record the same as such, and to file the record of the trial for safekeeping in the archives of the Lodge.

The Master directed the Secretary to give due notice to the defendant of the sentence, and of his right to appeal.

\_\_\_\_\_  
*Secretary*

**NOTICE OF INTENTION TO APPEAL**

To the Worshipful Master (or Secretary) of \_\_\_\_\_ Lodge No\_\_\_\_\_, F. & A. M. of Utah.

Sir:

Take notice that I intend to appeal from the decision and judgment of Lodge in the matter of the charges preferred against me, whereby I was found guilty of said charges and sentence of expulsion (or suspension or reprimand) passed against me; and you are hereby requested to make up and forward to the Grand Secretary certified copies of all papers, proofs, records and proceedings pertaining to said matter, for the purpose of said appeal to The Most Worshipful Grand Lodge at its next Annual Communication.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
(Signed)



**CERTIFICATE**

I \_\_\_\_\_, Secretary of \_\_\_\_\_ Lodge No. \_\_\_\_\_, F. & A. M.

of Utah, do hereby certify that the above and foregoing, bound together and consisting of \_\_\_\_\_ pages, is the full and true record and transcript of all proceedings had in the matter of the trial of \_\_\_\_\_, \_\_\_\_\_ Lodge No. \_\_\_\_\_ on the charges preferred against him in \_\_\_\_\_ Lodge No. \_\_\_\_\_.

Witness my hand and the seal of \_\_\_\_\_ Lodge No. \_\_\_\_\_, this day of \_\_\_\_\_, 20\_\_\_\_\_.

\_\_\_\_\_  
*Secretary*

(Seal of Lodge)

NOTE: The above form may have to be altered in many instances, but may be considered as a guide for Secretaries in preparing transcripts of trial records and other documents pertaining thereto.

**CAPTION TO TRANSCRIPT ON APPEAL**

To the Most Worshipful Grand Lodge of Free and Accepted Masons of Utah:

In the matter of the appeal of \_\_\_\_\_ from the judgment of \_\_\_\_\_ Lodge No. \_\_\_\_\_, F. & A. M.

To the Most Worshipful Grand Lodge of Free and Accepted Masons of Utah:

The undersigned hereby appeals to Grand Lodge from the decision and judgment of \_\_\_\_\_ Lodge No. \_\_\_\_\_, in the matter of those certain charges preferred in said Lodge against this appelland, whereby your appelland was found guilty of said charges and sentence of expulsion (or suspension or reprimand) passed against him; and he specifies the following as the ground of his appeal:

(Here state all grounds for appeal.)

All of which will more fully appear from the transcript and record of the proceedings in the case.

Dated this \_\_\_\_\_ day of \_\_\_\_\_ 20\_\_\_\_\_.

\_\_\_\_\_  
(Signed: *Appellant*)

**PETITION FOR RESTORATION AFTER SUSPENSION**

To the Worshipful Master, Wardens and Members of  
\_\_\_\_\_ Lodge No. \_\_\_\_\_ F. & A. M.:

The undersigned respectfully represents that he was suspended by  
your Lodge on the \_\_\_\_\_ day of \_\_\_\_\_,  
20\_\_\_\_.

He now petitions said Lodge for restoration, in accordance with  
Section 218 of the Trial Code. He promises, if restored, to comply  
strictly with the regulations of the Lodge and the usages of  
Freemasonry.

Born \_\_\_\_\_, \_\_\_\_\_ at  
\_\_\_\_\_, \_\_\_\_\_  
*City State*

Resides \_\_\_\_\_ at:  
\_\_\_\_\_

Occupation:  
\_\_\_\_\_

Business \_\_\_\_\_ Address:  
\_\_\_\_\_

Respectfully,

\_\_\_\_\_  
*Name in Full*

Dated this \_\_\_\_\_ Day of \_\_\_\_\_, 20\_\_\_\_.

Referred to the following Committee for investigation

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**PETITION TO GRAND LODGE FOR RESTORATION AFTER  
EXPULSION**

To the Most Worshipful Grand Lodge, F. & A. M. of Utah:

The undersigned respectfully represents that he was expelled by  
\_\_\_\_\_ Lodge No. \_\_\_\_\_ F. & A. M., on the  
\_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

He now petitions the Grand Lodge, F. & A. M. of Utah, for  
restoration to the rights and privileges of Freemasonry.

He has complied with the provisions of Section 219 of the Trial Code,  
and promises, if restored, to comply strictly with the regulations of  
the Grand Lodge, F. & A. M. of Utah and with the usages of  
Freemasonry.

Born \_\_\_\_\_, \_\_\_\_\_ at  
\_\_\_\_\_, \_\_\_\_\_  
*City State*

Resides at:  
\_\_\_\_\_

Occupation:  
\_\_\_\_\_

Business Address:  
\_\_\_\_\_

Respectfully,

\_\_\_\_\_  
*Name in Full*

this \_\_\_\_\_ Day of \_\_\_\_\_, 20\_\_\_\_.