

2017 Grand Lodge Resolution #4A

TITLE: The Grand Lodge of California now enacts this legislation in which it over-rules and vacates the decision of the Grand Master dated August 7, 2016 because SGL CGL Chapter XXXVII, Section 6, Paragraph C. is irrelevant as to Sycamore Lodge #129.

Whereas, Resolution #4 was **approved 91-54** by the Membership May 14, 2016, **ordering** that **all assets** taken from Sycamore Lodge #129 be **restored** to Sycamore Lodge #129; to this date **no** assets of Sycamore Lodge #129 have been **restored**, and

Whereas, On August 1, 2016 Sycamore Lodge #129 appealed to the Grand Master to determine if Resolution #4 was binding, and, if so, what assets must be restored to Sycamore Lodge #129 under Resolution #4, and

Whereas, On August 7, 2016 the Grand Master rendered a decision in which he declared that Sycamore Lodge #129 was not entitled to the relief requested because Code Chapter XXXVII, Section 6, Paragraph C prevented restoration of assets after 3 years from the date of the arrest of the Charter, and

Whereas, Sovereign Grand Lodge Code of General Laws Chapter XXXVII, Section 6, Paragraph c (2) (b) at page XXXVII-3 reads: "(2) Upon the **surrender** of the charter the funds may be disbursed: (a) The initial investment shall pass to the Grand Body for holding of three (3) years in case of reinstatement of the Charter/Warrant. (b) After the three (3) year holding: the funds shall revert wholly to the Grand Body, ten (10%) percent of the funds may be disbursed to the charities in the community of the closed unit."

Whereas, SGL Code of General Laws defines "Surrender a Charter" at page at page XXX-13 as follows: "To voluntarily yield or render up a Charter to The Sovereign Grand Lodge or the Grand Body," and

Whereas, By the words of the letter to Sycamore Lodge #129, the Grand Master "**arrested**" the Charter of Sycamore Lodge # 129 in Hayward November 13, 2006

Whereas, The SGL Code of General Laws, Words and Phrases in Chapter XXX defines "Revoke for Cause" at page XXX-12 as follows: "The act of The Sovereign Grand Lodge or a Grand Body withdrawing the name, rights, liberties and powers granted to a Grand Body or component unit **upon a Tribunal's finding** of failure or refusal to operate under its Charter or Warrant empowering it to exist, Rituals or unwritten work or to conform to the Constitution and Code of General Laws, Decisions or Orders of the body that issued its Charter, the Constitution and By-laws of the Grand Body that issued the Charter under which a local unit is empowered to act or the By-laws of the component unit, or a criminal violation of federal, state, provincial or local laws, ordinances or regulations. Sometimes erroneously referred to as: 'lift', 'take', 'pull', 'seize', '**arrest**', etc."

Whereas, The SGL Code of General Laws, Chapter IV Grand Lodge Policy, Section 5 Authority Over Lodges, Paragraph F at page IV-2-POLICY: "The charter of a lodge may be arrested, suspended, or revoked by The Grand Lodge **after notice and hearing**", and

Whereas, It is clear in his letter to Sycamore Lodge #129 that Grand Master Robert Bareilles "Revoked for Cause" in the **arrest** of the Charter of Sycamore Lodge #129, and that Sycamore Lodge #129 did not "Surrender a Charter", and

Whereas, Sycamore Lodge #129 filed a timely appeal to Grand Lodge by letter dated August 10, 2016, and

Whereas, The Grand Master decision of August 7, 2016 relied on a Code section which did not apply to Sycamore Lodge #129 and is irrelevant,

THEREFORE BE IT RESOLVED BY THE MEMBERSHIP OF THE GRAND LODGE OF CALIFORNIA THAT: The decision of the Grand Master dated August 7, 2016 is over-ruled and vacated.