

## CHAPTER 35

### BALLOTING

#### FOR THE DEGREES, AFFILIATION, AND REINSTATEMENT

##### Constitutional Provisions

Balloting for Initiation, Passing, Raising, and membership must be unanimous; but when only one black ball appears, the ballot should be spread again to guard against mistakes; but if a black ball appears on the second ballot it is final, as it shall be when two or more black balls appear on the first ballot. Not more than one Degree shall be conferred on the same candidate at the same Stated Communication, unless under a Dispensation from the Grand Master. (Art. X, Sec. 16)

##### Regulations

**35.01** All balloting must be done in a Master Mason Lodge, and at Stated Communications; except by special permission of the Grand Lodge or its authority.

**35.02** Balloting in the Particular Lodges by use of the ballot box shall be effected by the use of white balls and black cubes. There must be sufficient white balls and black cubes in the ballot box to allow every member present and qualified to vote to cast the ballot of his choice. The bottom and sides of the ballot box shall be lined with felt or other soft material to deaden sound.

**35.03** The ballot is inviolably secret; therefore, no Brother can be questioned as to how he voted. But the Masonic franchise should be exercised in good faith and upon pure Masonic principles; therefore, any wrongful exercise or abuse thereof will subject the offender to rigid discipline.

**35.04** The secrecy of the ballot should never be violated. If a Mason ascertains by accident, or otherwise, how a particular Brother has voted, he has no right to divulge it. As a general rule it is reprehensible for a Brother to proclaim how he voted.

**35.05** If a Brother uses his privilege improperly when a ballot is taken, and proclaims his acts, so that the Lodge can take cognizance of it, charges should be preferred. But as a general rule the Brother must be tried at the bar of his own conscience.

**35.06** No publicity must be given the case of a rejected petitioner for any of the Degrees or for affiliation, by the Fraternity or any member thereof, under any circumstances.

**35.07** None but members of the Lodge have a right to ballot, and no member present can be excused from balloting on any question

before the Lodge, except by a vote of the Lodge, upon good cause shown; nor can a member be permitted to retire from the Lodge to avoid casting his ballot.

**35.08** Separate collective ballot may be taken upon petitions for the Degrees, upon petitions for affiliation, and upon request for waiver of jurisdiction, but not more than five (5) petitions for the Degrees, nor more than five (5) petitions for affiliation, nor more than five (5) requests for waiver of jurisdiction shall be included in each collective ballot, and each collective ballot shall relate only to petitions for the Degrees, or to petitions for affiliation, or to requests for waiver of jurisdiction, and not to any combination of such petitions and requests. When one (1) or more black balls appear in a collective ballot, a separate ballot shall be taken on each petition or request and in the event of a single black cube in such separate ballot, such separate ballot shall be spread again in accordance with requirements of Section 16, Article X of the Constitution.

**35.09** A ballot must be clear to elect for affiliation or the Degrees, and be spread a second time when but one negative vote appears.

**35.10** When a ballot is taken on a petition of a candidate to receive the Symbolic Degrees of Masonry, and become a member of any Particular Lodge in this Jurisdiction, if the ballot is clear the petitioner shall be declared elected to receive the Three Degrees; *provided*, that when a petitioner has been regularly elected to receive the Three Degrees and fails to present himself for the E.A. Degree within six months after election, or fails to qualify for advancement, or to present himself for advancement within six months after having received the preceding Degree, the Lodge shall cause investigation of the petitioner to be made and shall again spread the ballot, but without a new petition, and if the ballot is clear the Degree for which the petitioner is then next in line may then be conferred, assuming he has passed a satisfactory examination in the preceding Degree, if any.

**35.11** If, upon examination of the ballot, the Master finds but a single black ball cast, he shall order a second ballot. Under no other circumstances shall a second ballot be permitted, and when the ballot has once been declared by the Master, it can not be reconsidered; further, it shall be destroyed by him after it has been declared.

**35.12** A negative vote cannot be withdrawn, and thereby leave a constructive clear ballot, for no Degree can be conferred until after an actual clear ballot.

**35.13** On any ballot taken upon a petition for affiliation, dual

membership or the granting of honorary membership, the Brother on whom the ballot is to be taken shall retire from the Lodge Room during the taking and determination of the result of such ballot.

### **Rulings and Decisions**

Where the Worshipful Master, through error, declares a petitioner rejected without spreading the ballot a second time when only one negative vote appeared in the first ballot, such action was error, and due and timely notice should be given to the membership and the petition should be balloted upon again in the correct manner. (1954 Proc. 73)

In answer to the question of multiple ballot boxes, recommended two or more as necessity might demand. (1950 Proc. 65)

The Grand Master may grant permission for a re-ballot on petition providing membership of Lodge is notified when balloting will take place. (1953 Proc. 48)

Where petitioner requests permission to withdraw petition because of his wife's religious objection and requests notice given by letter stating the reason, the petition must go to ballot and Lodge is judge of method of notification. (1946 Proc. 36)

Where collective ballot is taken on petition and ballot is dark, such dark ballot does not constitute first ballot on any of the individual petitions and if in the subsequent vote on a petition previously voted on in the collective ballot one black ball appears, it is required that such ballot on the individual petition be re-spread. In other words, each individual petition is to be voted on after collective dark ballot the same as if the collective ballot had never been spread. (1959 Proc. 59, 164)

When a Brother has been Initiated an Entered Apprentice and fails to become proficient within six months, a new investigation and ballot must be had, without necessity, however, of a new petition. Since the Brother is an Entered Apprentice Mason he is entitled to continue instruction in the Degree pending the re-investigation and ballot before progressing to the Fellow Craft Degree. (1959 Proc. 54-55, 164)

When a black cube appears in each of two consecutive ballots on petition for the Degrees the second ballot is final and constitutes rejection of petitioner. (1968 Proc. 57, 212)

Under Regulation 35.08 collective ballot may be taken upon petitions for the Degrees, for affiliation, and for waiver of jurisdiction, but each of these kinds or classes of petitions must be subject of a separate collective ballot, that is, a separate collective ballot must be taken for petitions for the Degrees, a separate collective ballot for petitions for affiliation, and a separate collective ballot for petitions for reinstatement. (1964 Proc. 66, 268) (Note: Regulation 35.08 as amended in 1967 does not permit collective ballot on petition for reinstatement)

When one black cube appears on ballot for reinstatement after sentence of indefinite suspension, the ballot shall be re-spread, and if one or more black cubes appear on second ballot, the petition shall be declared finally rejected. (1964 Proc. 67, 268)

Where one black cube appeared on first ballot on petition and no second ballot was taken, ballot was irregular and proceedings should be abated and petition again balloted upon after due notice to membership. (1965 Proc. 196, 198)

The provisions of Regulations 35.10 and 37.02 relating to failure of petitioner to present himself for E.A. Degree within six months are applicable also to Entered Apprentice and Fellow Craft Masons who fail to present themselves within six months after receiving the preceding Degree. (1967 Proc. 74, 210)

A collective ballot can be used for the purpose of balloting on petitions for dual membership and for transfer by affiliation. (1994 Proc. 101)

## IRREGULAR OR VOID BALLOT

### Regulations

**35.14** A ballot spread, inadvertently or otherwise, upon any petition for Initiation before the Investigating Committee reports, is null and void and proceedings abate. Each member of the Committee should investigate independently, and may submit his report in writing or authorize some Brother to report for him, if unable to be present in person. The Committee may submit a unanimous report, or it may submit a divided report, but whether unanimous or divided, the Committee is automatically discharged when it reports, and the petition reported on must go to ballot, but the time of spreading the ballot is the Worshipful Master's responsibility, and a motion to spread the ballot is out of order.

**35.15** When through mechanical error or otherwise more ballots are cast than there are members of the Particular Lodge present, this fact shall render the ballot irregular, and it shall be the duty of the Worshipful Master to declare the ballot void and re-spread the ballot.

### Rulings and Decisions

When the ballot is spread on petition for Degrees and one (1) negative ballot appears and no second ballot is taken but ballot is spread at second meeting and ballot found to be clear, the proceedings are irregular and both ballots are void and Lodge should proceed to re-ballot in usual form. (1944 Proc. 33)

Ballot on petition for Degrees taken when only (1) Member of Committee had reported is void. Subsequent ballot after full Committee report is valid ballot. (1944 Proc. 31)

Vote on petition for affiliation before Constitutional time is irregular and proceedings should abate. (1943 Proc. 75)

At a Stated Meeting on December 23, 1982, the Ballot was spread on a petition for Affiliation. There were 49 Members present and the ballot being clear, the Brother was declared elected to membership. However, at a later date, the Worshipful Master was informed that one member present on December 23<sup>rd</sup>, 1982, did not ballot. Therefore, he set the election aside. I rule that since the proper declaration was asked and no one objected that this Brother did not ballot, the ballot stands and the Brother was elected to membership on December 23, 1982, and the Lodge so notify him. (1984 Proc. 115)

## DARK BALLOT; REOPENING

### References

Grand Master may grant Dispensation to reopen a dark ballot. Reg. 6.10(c)

### Rulings and Decisions

Dark ballot may be reopened when dark vote was cast through misunderstanding. (1943 Proc. 78)

Dark ballot after unfavorable Committee report will be reopened upon the discovery by Committee that they had investigated wrong person but same may further investigate and ballot by the Lodge will be authorized. (1944 Proc. 32)

When ballot on waiver of jurisdiction was dark because of insufficient information and subsequent investigation showed nothing against character of applicant, Grand Master may authorize proceedings to abate and reopen ballot. (1946 Proc. 33)

A dark ballot on second ballot will not be reopened even if thirteen (13) votes cast and only twelve (12) members of Lodge present there being (2) black balls on second ballot and one (1) black ball on first ballot. (1944 Proc. 28)

## RIGHTS OF MEMBERS

### Regulations

**35.16** Every member has the absolute right to vote as he pleases, being governed by his own views of what is right. It is only in this way that an element of discord can be kept out of the Lodge, whatever the standing of the applicant may be.

**35.17** A clear ballot taken and closed while a member wishing to vote is temporarily absent from the Lodge Room on business of the Lodge, is null and void, and a refusal to reopen such ballot at his request is in error.

**35.18** If the Worshipful Master should be satisfied that the candidate for the Degrees is likely to be an element of discord in his Lodge, or that he is objectionable to an absent Brother, who intends to oppose his admission, he should not permit any undue advantage to be taken of the accidental or temporary absence of such Brother, or of the Lodge being thinly attended, but should postpone the ballot until a reasonable opportunity is given for a full ballot.

## DEGREE CONFERRED BEFORE BALLOT

### Regulations

**35.19** If a Brother has received the Master Mason Degree, without previous separate ballot, under a misapprehension of the law of balloting on the part of the Lodge, the Lodge only is responsible for the error and the Brother is a regular Master Mason.

## MISCELLANEOUS BALLOTING

### References

As to ballot on candidate for advancement after delay of six (6) months, see Reg. 37.02  
 As to ballot on honorary membership, see Reg. 26. 10  
 As to ballot on waiver of jurisdiction, see Reg. 34.02  
 As to balloting on reinstatement, see Regs. 27.13; 35.08  
 As to collective ballot, see Reg. 35.08

### Rulings and Decisions

When a Lodge requested a Lodge in another Jurisdiction to confer E.A. Degree by courtesy and all Degrees were conferred without vote, candidate was E.A. member of Lodge he petitioned and unaffiliated Mason as to other two Degrees. (1944 Proc. 33)

F.C. Brother receiving M.M. Degree by courtesy before being elected to Lodge is F.C. Brother of electing Lodge and unaffiliated M.M. Electing Lodge may proceed to ballot and elect to M.M. Degree. (1947 Proc. 33)