

Secondly—That in order to make an apparent compliance with the said section of the Constitution, certain persons did meet for the election of officers in a so called subordinate Lodge under Scottish jurisdiction, and did assume certain brethren of other Lodges as members, previous to such election, contrary to the Constitution of the said Grand Lodge of Scotland, as laid down in Chap. 21, Sec. 12, which declares such elections void.

Thirdly—That certain brethren were put in nomination as office-bearers in the so-called Provincial Grand Lodge, without their consent having been previously obtained and vouched for.

Fourthly—That certain of the so called office-bearers being unaffiliated members on the day preceding their election, were ineligible for office, as appears by Chap. 16, Sec. 2, of the aforesaid Constitution.

Be it therefore resolved, That the Most Worshipful Grand Master of Nova Scotia is authorized and advised by this Grand Lodge to demand from the Grand Lodge of Scotland the suppression of the said *illegal* body, so called the Provincial Grand Lodge of Nova Scotia under Scottish jurisdiction, and to publish and declare the same as illegal and clandestine in three or more city papers, and such other papers as he may think desirable; and warn all true brethren to hold no Masonic intercourse with any of the members thereof.

And be it therefore resolved, That a copy of this Resolution be immediately sent to the Hon. Alex. Keith, with an intimation that if he do within three days publicly declare the formation of the so-called Provincial Grand Lodge as illegal, this proclamation will not be made public, but otherwise the terms of the said Resolution will be *strictly* carried out."

No reply having been received from Mr. Keith, I in accordance with these Resolutions, do hereby declare the so-called Provincial Grand Lodge under Scottish authority, illegal and clandestine; and do hereby forbid any brethren, holding under the jurisdiction of the Grand Lodge of Nova Scotia, having any Masonic intercourse whatever with any officers or members of the so-called Provincial Grand Lodge, resident in Halifax, or the Lodges Athole, Keith and Scotia, holding under the same.

Dated at Halifax, this 19th day of December, A.D. 1866, et A. L., 5866.

TO THE FREE MASONS OF NOVA SCOTIA.

Brethren :—

Most of you are aware that in March last, a Grand Lodge was formed in Nova Scotia, in accordance with the Masonic law, and due intimation thereof given to the Grand Lodges of England, Scotland, Ireland, Canada and the United States. It was formed by ten subordinate Lodges, and has now eleven on its roll. Already has it been recognized by the Grand Lodge of Canada and sixteen Grand Lodges of the United States, all of whom have welcomed it to the family of Grand Lodges, and acknowledged the legality of its formation, and a representative, duly accredited by the Grand Lodge of Canada, has been appointed by that body at the Grand Lodge of Nova Scotia, which now as a supreme, sovereign body, claims exclusive Masonic jurisdiction over the territory of Nova Scotia, in accordance with Masonic law, as laid down in Mackey, Chase and Simons, and most eminent authorities who have written on the subject; Oliver,

a celebrated English authority, not discussing the matter at all. I shall now cite the law as declared by these authorities. Brother Albert G. Mackey, M. D., Grand Secretary of the Grand Lodge of South Carolina, says:—

"Let us suppose, then, that there is a territory of country within whose political bounds Freemasonry has never yet been introduced in an organized form. There may be—and, indeed, for the execution of the law which is about to be explained, there must be—an adequate number of Master Masons, but there is no Lodge. Now, the first principle of Masonic law to which attention is to be directed in this condition of things, is, that any territory into which Masonry has not been introduced in the organized form of Lodges is ground common to all Masonic authorities of the world, and therefore that it is competent for any Grand Lodge to grant a warrant of constitution and establish a Lodge in such unoccupied territory, on the petition, of course, of a requisite number of Masons. And the right of granting warrants inures to every Grand Lodge in the world, and may be exercised by as many as choose to do so, as long as no Grand Lodge is organized in the territory; so that there may be ten or a dozen Lodges working at the same time in the same territory, and each one of them deriving its legal existence from a different Grand Lodge. In such a case, neither of the Grand Lodges who have granted warrants acquires by any such act exclusive jurisdiction over the territory, which is still open for the admission of any other Grand Lodge, with a similar power of granting warrants. The jurisdiction exercised, in this condition of Masonry by the different Grand Lodges, is not over the territory, but over the Lodge or Lodges which each of them has established. But afterwards these subordinate Lodges may desire to organize a Grand Lodge, and they are competent to do so under certain restrictions. In the first place it is essential that not less than three Lodges shall unite in forming a Grand Lodge. Dermott, without any other authority that I can discover than his own ipse dixit, says that not less than five Lodges must concur in the formation of a Grand Lodge; and Dr Dalcho, who was originally an ancient York Mason, repeats the doctrine; but if this be the true state of the law, then the Grand Lodge of England, organized in 1717, with the concurrence of only four Lodges, must have been irregular. The fact is, that there is no ancient regulation on the subject, but the necessity of three Lodges concurring, is derived from the well known principles of the civil law that a College or Corporate body must consist of three persons at least. Two Lodges could not unite in a Masonic College or Convention, nor form that Corporate body known as a Grand Lodge; but not more than three are necessary, and accordingly the Grand Lodge of Texas, which was established in 1837 by three Lodges, was at once recognized as regular and legal by all the Grand Lodges of the United States and other countries. As soon as the new Grand Lodge is organized, it will grant warrants to the Lodges that formed it, to take effect upon their surrendering the warrants under which they originally acted to the Grand Lodges from which they had derived them. There is no regulation prescribing the precise time at which these warrants are to be surrendered; but it seems reasonable to suppose that they could not surrender them before the new Grand Lodge is organized, because the surrender of a warrant is the extinction of a Lodge, and the Lodges must preserve their vitality to give them power to organize the new authority. The Grand Lodge thus formed by the union of not less than three Lodges in Convention, at once assumes all the prerogatives of a Grand Lodge and acquires exclusive Masonic jurisdiction over the territory within whose geographical limits it has been constituted. No Lodge can continue to exist or be subsequently established in the territory, except under its authority, and all other Grand Lodges are precluded from exercising any Masonic authority within the said territory. These are the principles of Masonic law which seem to be admitted by universal consent and sanctioned by constant usage in such organizations."

Bro. Geo. W. Chase, Editor of the Masonic Journal, says:

The usual mode of organizing a new Grand Lodge is as follows: A certain number of Lodges not less than three, holding warrants from some legal Grand Lodge or from different Grand Lodges, meet in convention by their representatives, formally resolve to organize a Grand Lodge, adopt a constitution, and proceed to elect and instal officers. It is necessary that it be a separate territory, and that there be no Grand Lodge at the time existing in it.

The Lodges must surrender their old warrants and take out new ones from the Grand Lodge thus constituted. Each Grand Lodge has sole and exclusive Masonic jurisdiction throughout the limits of the state or territory within which it is regularly established; there can be but one legal Grand Lodge in a state or territory.