

The American Masonic Federation Case
by Charles C. Hunt

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MADE IN THE USA

Foreword

During the first two weeks of May, 1922 a trial was held in the Federal Court at Salt Lake City, Utah, that attracted the attention of Masons in many lands. Matthew McBlain Thomson, Thomas Perrot and Dominic Bergera were taken into court as heads of the so-called American Masonic Federation, Inc., and indicted for fraudulent use of the mails. The hearings showed that these men were crooks and robbers who had seduced men into spurious lodges for no other purpose than to mulct them out of their money. They were convicted and each one fined \$5,000.00 and sentenced to Fort Leavenworth for two years, Judge Martin J. Wade saying that he would have given them the limit of the law had it not been for Thomson's advanced age. In the work which follows, C.C. Hunt, who was present throughout the trial as an expert witness, has given a synopsis of Thomson's claims so far as the Craft degrees are concerned: in a succeeding article he will deal with Thomson's Scottish Rite claims.

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THE AMERICAN MASONIC FEDERATION

IT BEGAN AROUND 1907

FOR ABOUT fifteen years now there has been a clandestine Masonic organization at work in this country headed by one Mathew McBlain Thompson with headquarters at Salt Lake City, Utah. This man was born in Ayr, Scotland, in 1853 or 1854 and claims to have been made a Mason in 1874 or 1875, in Glasgow, Melrose Sts. John Lodge, a pendicle of the Ancient Lodge of St. John of Melrose, Scotland. One of his own papers says that he went into Newton-on-Ayr St. James No. 125, on the registry of the Grand Lodge of Scotland and Patna Bonnie Doon No. 565 on the same registry. Of the latter, Brother Thomson was Right Worshipful Master for several years. He was also Grand First Principal of the Early Grand Royal Arch Chapter of Scotland; Grand Master of the Grand Encampment of the Temple and Malta in Scotland; Sovereign Grand Commander of the Scottish Grand Council of Rites, and later Grand Recorder of the same. Brother Thomson demitted from his Scottish membership in 1896, affiliating with King Solomon lodge No. 27, of the Locals [Thomson called regular Masonic lodges by this name] at Montpelier, Idaho, in 1908 (there being no Scottish Rite lodges there), in which he held office, and represented the lodge in the Grand Lodge of the State of Idaho for several terms. During the last term he served as Grand Orator.

On November 1, 1906, Thomson demitted from King Solomon Lodge. He organized the so-called Grand Lodge Inter-Montana, January 9, 1907.

In 1919 he claimed to have ten thousand members in this country and that his organization had been recognized in practically every country in the world. His Federation was orga-

nized on the basis of a stock promotion scheme, with paid organizers armed with plausible arguments which only those thoroughly educated in Masonic history and jurisprudence could refute. He claimed that with the exception of Louisiana, the United States was unoccupied territory Masonically and that not a single one of the Grand Lodges in this country had a charter authorizing it to work; that each of the thirteen colonies organized a Grand Lodge of its own, without the lodges therein first obtaining consent of the Grand Lodge from which their charters had originally been issued; that the lodges in the colonies, by thus breaking away from the home Grand Lodges of Great Britain without first obtaining consent, became irregular and clandestine organizations, and that therefore, the field in this country was open to any regular organization that chose to occupy it; that later recognition by the Grand Lodges of Great Britain did not make these self-formed Grand Lodges legitimate. In support of this argument he quotes as follows:

Page 302, Volume IV, Gould's *History of Freemasonry*:

"In the year 1777 application for charters of erection and constitution having been made by a number of Masons to the Ancient Grand Lodge, of which the late Joseph Warren, Esq., had been G. M., as many of the officers of that Grand Lodge as could be assembled, met in form of a Grand Lodge, the Deputy Grand Master then in the chair. And after carefully attending to the constitutions and usages of Masons in all ages and the principles upon which that Grand Lodge existed, they were unanimously of opinion that they could not legally grant charters, because the late G.M., Dr. Joseph Warren, held his authority by virtue of a commission given to him only as Provincial Grand Master, and to be revoked at the pleasure of the Grand Lodge of Scotland. Now the principal being dead, the commission was of consequence va-

cated. They then assumed the powers of a Grand Lodge.

“From the foregoing, the principles then adopted by this Grand Lodge, upon which they have practiced and from which they have never seen occasion to recede, may readily be collected.”

Page 517, Volume IV, Gould’s *History of Freemasonry*:

“Since the beginning of the year 1850, seventeen Grand Lodges have been formed in the United States. In every case it has been assumed or expressly declared, that the proceeding was a matter OF INHERENT RIGHT, and in no case, so far as the printed record discloses, has the consent of the parent Grand Lodges been sought.”

Page 332, Hughan and Stillson’s *History of Freemasonry and Concordant Orders*:

“The Grand Lodge of Tennessee is the only Independent Grand Lodge in the United States that was organized by authority of a warrant; for the instrument issued by the Grand Lodge of North Carolina does not simply permit the lodges to withdraw their allegiance from it, but it prescribed conditions; in fact, it was almost identical in phraseology with the warrants of deputations issued by the Grand Lodges of England for Provincial Grand Lodges in the Colonies and Provinces.”

SPECIMEN OF THOMSON’S ARGUMENTS

As an illustration of Thomson’s method of describing the organization of the state Grand Lodges, note the following:

“Now, let us see where Pennsylvania got its authority.”

“On the 24th day of September, 1786, the Provincial Grand Lodge of Pennsylvania closed its labors forever and renounced whatever authority it may have previously had, whether regular or irregular, and by that act its members became clandestine or irregular Masons. On the following day September 25, 1786, they assembled and formed a self-constituted Grand Lodge, from and by no Masonic authority whatever. This is historically the origin of Pennsylvania Grand Lodge.”

“An unbiased and full investigation into the methods in which these so-called Grand Lodges were formed will readily disclose to the reader just how irregularly they have been formed, and withal, they one and all prate considerably about regularity, and claim an other organizations of Craft Masonry to be irregular, when, as a matter of fact and of history, the shoe is on the other foot.”

Gould's *Concise History*, p. 338, gives the following note which has been quoted by Thomson as his authority for claiming the regular Grand Lodges of the United States illegitimate:

“The death of Joseph Warren raised a constitutional question of much complexity. What was the status of the Grand Lodge after the death of the Grand Master? It was disposed of by the election of Joseph Webb to the position of ‘Grand Master of Ancient Masonry in the State of Massachusetts. This, if we leave out of consideration the Lodge (and Grand Lodge) of Pennsylvania in 1731, was the first sovereign and independent Grand Lodge in America, and the second

was the Grand Lodge of Virginia, which was established in the following year.”

As a matter of fact, these quotations prove the very opposite of Thomson’s contentions. They are given by Gould and his co-laborers as showing the growth of a principle of Masonic law that has now become established, namely, that a Grand Lodge cannot form another Grand Lodge; or in other words, that no Grand Lodge derives its authority from a charter granted by another Masonic Grand Body, but that such power or authority is derived from the lodges which compose the Grand Lodge itself.

Before entering upon the discussion of this question, we must remember that a very large part of the law of Masonry is similar to the common law of a country: in other words, it is unwritten law which is the result of customs and usages that have gradually grown up and become generally recognized as law. Masonic laws may be divided into three classes: first, written law; second, unwritten law; third, regulations; and they rank in the order named. The unwritten laws consist of time-honored customs and usages of general recognition, adapted to the conditions and time in which they live, and not repugnant to the written laws. In general, the rules governing the legitimacy of lodges and Grand Lodges are determined by the unwritten laws of Masonry. When we study Masonic authorities we find two general theories as to legitimacy: first, that a lodge, to be legitimate, must be able to trace its descent through at least one of the Grand Lodges of Great Britain; second, that it may either trace its origin to Great Britain or to a Supreme Council of the Ancient and Accepted Scottish Rite.

The above remarks apply to the legitimacy of subordinate lodges. When one considers the legitimacy of Grand Lodges other principles are in effect. There are certain general requirements such as that the Grand Lodge must be, first, organized by

legitimate lodges; second, organized in a governmental unit with a political government of its own; third, it must be supreme in its authority over its own members in matters Masonic, - that is, it must be subject to the laws of no other Masonic organization nor derive its powers from any other; fourth, it must be Masonic in its character. A lodge to be legitimate must have a charter from a legitimate Grand Lodge authorizing and empowering it to work. A Grand Lodge working under such a charter would not be legitimate, since it must derive its authority from the legitimate lodges of its territory and not from any other power, Masonic or otherwise. Charles T. Granger, P.G.M., and at one time a judge of the Supreme Court of Iowa, in a report to the Grand Lodge of Iowa in 1911, said:

“We may state, as an axiom of Symbolic Masonic law, that Symbolic Masonry, in its organizations and workings, is a law unto itself, in that it looks to no higher or foreign fraternal source for authority, sanction or guidance, but is the creative power within itself of all needful agencies, and to this end the subordinate lodge is the primal source of authority and the only source from which can spring a legitimate Grand Lodge, and hence the legitimacy of a Grand Lodge depends, in the first instance, on the legitimacy of the lodges that gave it birth, and, of course, in addition thereto, it must meet the limitations and requirements of the ancient landmarks of the order.”

DESCENT FROM BRITISH MASONRY

Therefore, the most general theory is that to be legitimate descent must be traced in some form from the Grand Lodge of Great Britain. Here I am speaking of the Craft degrees only. Some Grand Lodges will, in addition to this, recognize a lodge that has been organized by a Supreme Council of the Ancient and Accepted Scottish Rite in territory not occupied by a regu-

lar Grand Lodge, but they will not recognize a Grand Lodge formed by such a Supreme Council. If the lodges formed by a Supreme Council in unoccupied territory declare their independence and organize themselves into a Grand Lodge for that territory, some legitimate Grand jurisdictions will recognize them. Others will not, unless the lodges themselves can trace their origin from Great Britain.

Lodges were formed in the first place by charter from one or more of the three Grand Lodges of Great Britain. After this country became independent of Great Britain, the lodges in each colony organized a Grand Lodge for themselves. This method of procedure has been recognized as legitimate by the Grand Lodges of England, Scotland and Ireland, and this is shown by the fact that in every case a Grand Lodge thus formed has been recognized as legitimate by the lodges of the mother country.

The authority to form a Grand Lodge was inherent in the nature of the institution under the principle in the Old Charges that "Every Mason should be true to the government of the country in which he lives." From this charge it became recognized that each country should have a Grand Lodge of its own which would be supreme over its own members. Otherwise, Masons in different countries owing Masonic allegiance to a foreign power might find themselves in a position where their obligations to their Grand Lodge and to their country would be antagonistic to each other. This principle was recognized in this country before the formation of the Federal government, and even after its formation the principle was adhered to; and it was recognized that the several lodges of each state had a right to form themselves into an independent Grand Lodge. All attempts to form a general Masonic government for the United States failed. Hence, we have no General Grand Lodge. All legitimate Grand Lodges of England, Scotland, Ireland, and France as well as the colonies of Great Britain and states of the United States,