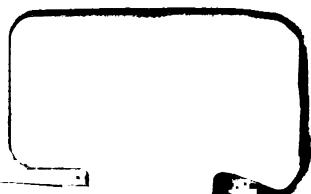






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# **FREEMASONRY**

**AND ITS**

## **JURISPRUDENCE.**

PRINTED BY BALLANTYNE AND COMPANY  
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# FREEMASONRY

AND ITS

## JURISPRUDENCE,

ACCORDING TO THE

ANCIENT LANDMARKS AND CHARGES.

AND

THE CONSTITUTIONS, LAWS, AND PRACTICES OF  
LODGES AND GRAND LODGES.

BY

BROTHER CHALMERS I. PATON,

AUTHOR OF "FREEMASONRY IN RELATION TO CIVIL AUTHORITY AND THE FAMILY CIRCLE,"  
AND "ORIGIN OF FREEMASONRY."



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TO THE  
RIGHT HONOURABLE  
THE EARL OF ROSSLYN, &c., &c.,  
MOST WORSHIPFUL GRAND MASTER MASON OF SCOTLAND,

*This Work*

IS,  
BY HIS LORDSHIP'S PERMISSION,  
MOST RESPECTFULLY DEDICATED BY  
THE AUTHOR.



## PREFACE.

---

I NEED offer no apology for presenting this work to the acceptance of my Masonic Brethren. The fact that no such work exists, that there is no standard authority to which reference can be made, notwithstanding the great and growing number of Freemasons and Lodges at home, and of those in the British Colonies and other countries holding Charters from Scotland or affiliated with Scottish Lodges, warrants me to hope that it may prove acceptable to the Order, and be found to afford valuable assistance in dealing with disputed questions as to law and practice occurring from time to time among the Craft.

I have been, as the following pages will show, most careful in gathering all the oldest and best authorities on the subject, having consulted the ablest writers, home and foreign, on the history and principles of Freemasonry from the earliest records down to the present time; describing all the Ancient Landmarks, and giving in full all the old Charges, Constitutions, and Laws; adopting descriptions of Regulations, Ceremonies, and Duties connected with Lodges, Office-Bearers, &c., where I have found them to be correct; altering and amending them where they seemed to be wrong, and resting only on the

authority of admittedly first-class expositors of the system; and I have, from the best recognised sources of information, as well as from my own long and intimate acquaintance with the Laws and Customs of the Order, drawn up a series of chapters on the Principles and Practices of Freemasonry, which will, I hope, be found to be clear, accurate, and full, and which I trust may prove of great practical utility to the whole Fraternity.

Having carefully studied "The Institutes of Masonic Jurisprudence," by the late Bro. Rev. Dr Oliver, whose work, though applicable chiefly to England, contains much that is equally applicable to Scotland, and having also read with the utmost attention the valuable volume of Bro. Dr Albert G. Mackey of New York, on "Masonic Jurisprudence" in America—a work which bears evidence of the deepest research and most thorough accuracy as to the History and Laws of Freemasonry generally, and upon the sure foundations of which I have built my superstructure—I feel that, unlike either of those worthy Brethren, I do not need to plead that I am treading on unbroken ground or operating in an unworked mine. On the contrary, the knowledge acquired through their previous labours in clearing and mapping out the ground, and to a large extent in building up a goodly and well-proportioned Institute of Masonic Jurisprudence, encourages me in the hope that, whatever they may have done, the work now submitted, chiefly though not exclusively to Scottish Freemasons, will be found to be pretty complete and accurate.

I shall only add, that my earnest desire has been to

make the work a standard authority, and that to this end I have striven to attain all possible completeness and strict accuracy. I have sought fully to ascertain the truth of every statement made and of every principle laid down. In the confident trust, therefore, that my labours will be regarded with some approbation by the Brethren for whose benefit they have been undertaken, and with the conviction that whatever imperfections may be discovered in them will be generously dealt with, I leave in the hands of the Brotherhood this tribute to the cause of Union, Universal Peace, and Universal Love.

CHALMERS I. PATON.

THE TOWER, PORTOBELLO, N.B.



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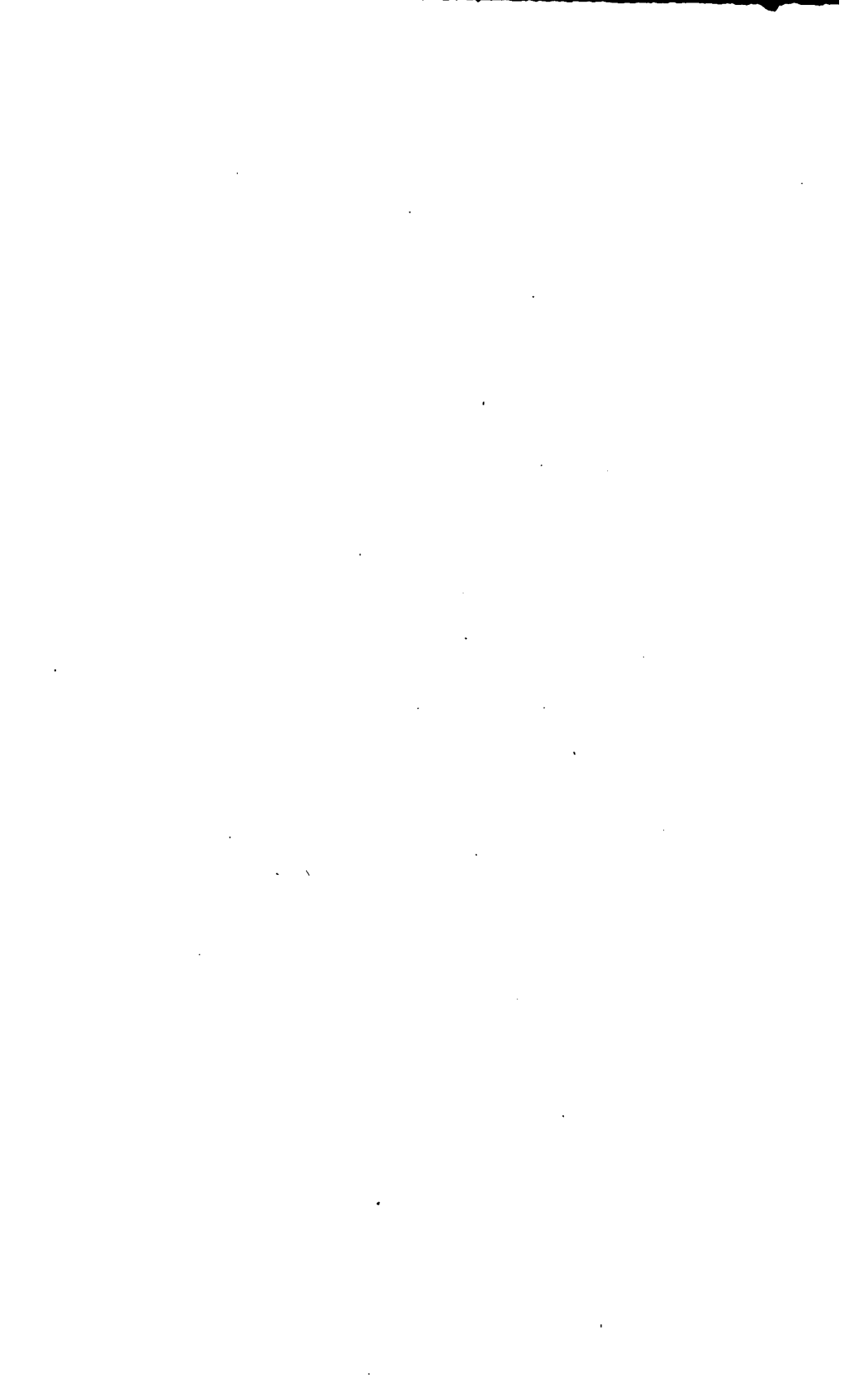
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## PART I.

# THE ORIGIN AND BASIS OF MASONIC LAW.



## CHAPTER I.

### THE LANDMARKS.

JURISPRUDENCE, it is scarcely necessary to state, is the science or philosophy of law. Law deals with the person and property of subjects, and subjects everywhere are bound to render faithful and submissive obedience to law. It is necessary, therefore, that wherever laws exist, those who are bound to obey them should know and understand them. Jurisprudence has for its subject the whole duties and responsibilities legally resting upon communities or corporations of men; and takes cognisance not only of actual laws, but of the principles on which they are based.

With Jurisprudence in the abstract we have at present nothing to do. As to Jurisprudence in application to Freemasonry, a very few words of explanation will suffice. As it is desirable and necessary that every subject of a nation should be acquainted with the Constitution and Laws of that nation, so it is desirable and necessary that every Freemason should be acquainted with the Constitution and Laws of Freemasonry; and as it is impossible that subjects can, without thought or study, render a rational or satisfactory obedience to the laws, written or unwritten, of the nation in which they have had their birth or naturalisation, so it is impossible that Freemasons can, without thought and study, render a rational and satisfactory obedience to the laws, written or unwritten, of the Lodge

into which they have been introduced, or over which they may be called to preside.

In the Masonic body, as in nations, communities, and societies generally, the members are governed by, and subject to, Constitutions and Laws. These Constitutions and Laws they need to know, and are bound to observe. It is their duty to make themselves acquainted with them. They cannot be good Freemasons and be ignorant of them; they cannot be useful Freemasons and disregard them.

The laws, customs, and usages of Freemasonry may be classified, like the laws, customs, and usages of Great Britain and other kingdoms, under two great divisions, the "*leges scriptæ*" and the "*leges non-scriptæ*," or the "written" and the "unwritten." Or a threefold division of them may be made under the heads of—LANDMARKS; GENERAL REGULATIONS; and LOCAL REGULATIONS. Blackstone defines "the unwritten laws of England" as those whose "original institution and authority are not set down in writing, as Acts of Parliament are, but receive their binding power and the force of laws by long and immemorial usage, and by their universal reception throughout the kingdom;" and he defines "the written laws" to be the "statutes, acts, or edicts made by, or with the advice and consent of, the Lords Spiritual and Temporal and Commons in Parliament assembled." These definitions are generally applicable—*mutatis mutandis*—to the written and unwritten laws of Freemasonry. The Landmarks are the unwritten laws or customs of the Order; and the Constitutions and Regulations made by the supreme authority of the body form its written law, which is either general or local, according as the authority which enacted them was in its character general or local.

The Landmarks of Freemasonry are those ancient, and therefore universal, customs of the Order which either have gradually grown into operation as rules of action, or if at any time enacted by competent authority, were enacted at a period so remote, that no account of their origin is to be found in the records of history; both the enactors and

the time of the enactments having passed into oblivion. Blackstone says, that "the goodness of a custom depends upon its having been used time out of mind, or, in the solemnity of our legal phrase, time whereof the memory of man runneth not to the contrary. This it is that gives it its weight and authority." It is this exactly that constitutes a Landmark in Freemasonry. Antiquity—an antiquity reaching beyond all history, and such that it must be deemed to have been in force from the earliest periods to which history relates—is essential to a Landmark. "Were it possible," says Bro. Dr Mackay, "for all the Masonic authorities at the present day to unite in a universal congress, and, with the most perfect unanimity, to adopt any new regulation, although such regulation would, so long as it remained unrepealed, be obligatory on the whole craft, it would not be a Landmark. It would have the character of universality, it is true, but it would be wanting in that of antiquity."

Another peculiarity of the Landmarks of Freemasonry is, that they are unrepealable. As no power exists to enact a Landmark, so no power exists to abolish one. What the Landmarks were centuries ago, they still are, and must continue to remain till Freemasonry itself ceases to exist. The stability, security, and universality of Freemasonry are guaranteed by them. They stand in the way of destructive innovations, and, as they are few in number, and in their own nature such as to commend themselves to universal approval, they do not raise up a barrier in the path of salutary reform.

#### LANDMARKS.

On a careful examination and computation of the Landmarks of Freemasonry, they are found to amount to only twenty-five in number. They are as follows :—

1. The Modes of Recognition.
2. The Division of Symbolic Masonry into Three Degrees.
3. The Legend of the Third Degree.
4. The Government of the Fraternity by a Grand Master, elected from the body of the Craft.

5. The Prerogative of Grand Master to preside over every Assembly of the Craft.
6. The Prerogative of Grand Master to grant Dispensations for conferring Degrees at irregular times.
7. The Prerogative of Grand Master to grant Dispensations for opening and holding Lodges.
8. The Prerogative of Grand Master to make Masons at sight.
9. The Necessity for Masons to congregate in Lodges.
10. The Government of the Craft, when congregated in a Lodge, by a Master and two Wardens.
11. Necessity of every Lodge, when congregated, being duly tyled.
12. The Right of every Freemason to be represented in all General Meetings of the Craft, and to instruct his Representatives.
13. The Right of every Freemason to appeal from the decision of a Lodge to the Grand Lodge or General Assembly of Masons.
14. The Right of every Freemason to visit and sit in every Regular Lodge.
15. No Visitor unknown to the Brethren present, or to some of them, as a Freemason, can enter a Lodge without passing an examination.
16. No Lodge can interfere in the business of another Lodge, nor give Degrees to Brethren who are Members of other Lodges.
17. Every Freemason amenable to Masonic Jurisdiction.
18. Certain qualifications of Candidates for Initiation.
19. Belief in the existence of God necessary to Masons.
20. Belief in a Resurrection to a Future Life necessary to Masons.
21. The "Book of the Law" is an indispensable part of the furniture of every Masonic Lodge.
22. The Equality of all Freemasons.
23. The Secrecy of the Institution.
24. The Foundation of a Speculative Science upon an operative art, and the symbolical use and explanation of the terms of that art for purposes of religious or moral teaching.
25. The Landmarks can never be changed.

#### *First Landmark.*

This consists in THE MODES OF RECOGNITION. These are old and unquestioned, neither suffering alteration nor addition. At the institution of the Order, to each of the Degrees "a particular distinguishing *test* was applied, which *test*, together with the explication, was accordingly settled and communicated to the fraternity previous to their dispersion, under a necessary and solemn injunction

to secrecy; and they have been most cautiously preserved and transmitted down to posterity by faithful brethren ever since."

*Second Landmark.*

This has its origin in THE DIVISION OF SYMBOLIC MASONRY INTO THREE DEGREES, and the division has been with rare exceptions universally preserved. Smith, in his "Use and Abuse of Freemasonry," accounts for it thus:—"Though there were no Apprentices employed in the building of the Temple, yet, as the Craftsmen were all intended to be promoted to the degree of Masters after its dedication; and as these would receive an accession by receiving Apprentices who might themselves in due time become Masters, it was determined that the gradations in the science should consist in three distinct Degrees." By the disruption of the concluding portion of the Second and Third Degrees in the eighteenth century, a want of uniformity has been created in respect to the first teaching of the Order. The Grand Lodge of Scotland vindicated the ancient Landmark, by solemnly enacting that Ancient Craft Masonry consisted of the three degrees of Entered Apprentice,—Fellow Craft, with the adjunct of Mark,—and Master Mason. The Landmark, however, though acknowledged in its integrity, still continues to be violated.

*Third Landmark.*

This is based on THE LEGEND OF THE THIRD DEGREE, the integrity of which has been well preserved. The legend, which is of sublime and symbolic meaning, was introduced into the system after the union of speculative and operative Masonry, and when the Temple of Solomon was erected. There is no rite of Freemasonry, practised in any country or language, in which the essential elements of this legend are not taught. The lectures may vary, and indeed are constantly changing, but the legend has ever remained substantially the same; and it is necessary that it should, for the legend of the Temple Builder is the very essence and secures the identity of Freemasonry. Any rite which should

exclude it, or materially alter it, would at once, by that exclusion or alteration, cease to be a Masonic rite.

*Fourth Landmark.*

THE GOVERNMENT OF THE FRATERNITY, BY a presiding officer called a GRAND MASTER, who is ELECTED FROM THE BODY OF THE CRAFT, is a fourth Landmark of the Order. "No brother can be a Warden, until he has passed the part of a Fellow Craft; nor a Master, until he has acted as a Warden; nor Grand Warden, until he has been Master of a Lodge; nor Grand Master, unless he has been a Fellow Craft before his election." Many persons ignorantly suppose that the election of the Grand Master takes place in consequence of a law or regulation of the Grand Lodge. Such, however, is not the case. The office owes its existence to a Landmark of the Order. Grand Masters are to be found in the records of the institution long before Grand Lodges were established; and if the present system of legislative government by Grand Lodges were to be abolished, a Grand Master would still be necessary. In fact, although there has been a period within the records of history, and indeed of very recent date, when a Grand Lodge was unknown, there never has been a time when the Craft had not a Grand Master.

*Fifth Landmark.*

THE PREROGATIVE OF THE GRAND MASTER TO PRESIDE OVER EVERY ASSEMBLY OF THE CRAFT, wheresoever and whensoever held, is a fifth Landmark. It is in consequence of this law, derived from ancient usage, and not from any special enactment, that the Grand Master assumes the chair, or, as it is called in Scotland, "the throne," at every communication of the Grand Lodge, and that he is also entitled to preside at the communication of every Lodge holding Charter of the Grand Lodge, where he may happen to be present. "The Grand Lodge consists of and is formed by the Master and Wardens of all regularly constituted Lodges on the Roll, with the Grand Master at their head."

*Sixth Landmark.*

THE PREROGATIVE OF THE GRAND MASTER TO GRANT DISPENSATIONS FOR CONFERRING DEGREES AT IRREGULAR TIMES, is another and a very important Landmark. The statutory law of Freemasonry requires a month, or other determinate period, to elapse between the presentation of a petition and the election of a candidate. But the Grand Master has the power to set aside or dispense with this probation, and to allow a candidate to be initiated at once. This prerogative he possessed in common with all Masters, before the enactment of the law requiring a probation, and as no statute can impair his prerogative, he still retains the power, although the Masters of Lodges no longer possess it.

*Seventh Landmark.*

THE PREROGATIVE OF THE GRAND MASTER TO GRANT DISPENSATIONS FOR OPENING AND HOLDING LODGES, is another Landmark. He may grant, in virtue of this, to a sufficient number of Freemasons, the privilege of meeting together and conferring degrees. The Lodges thus established are called "Lodges under Dispensation." They are strictly creatures of the Grand Master, created by his authority, existing only during his will and pleasure, and liable at any moment to be dissolved at his command. They may be continued for a day, a month, or six months; but whatever be the period of their existence, they are indebted for that existence solely to the grace of the Grand Master.

*Eighth Landmark.*

THE PREROGATIVE OF THE GRAND MASTER TO MAKE FREEMASONS AT SIGHT, is a Landmark which is closely connected with the preceding one. There has been much misapprehension in relation to this Landmark, which misapprehension has sometimes led to a denial of its existence in jurisdictions where the Grand Master was perhaps at the very time substantially exercising the prerogative, without

the slightest remark or opposition,—for whenever the Grand Master granted his dispensation to an unchartered Lodge to dispense with the necessary probation, and was present and presiding at the conferring of the degree, he was virtually making a Mason at sight. It is not to be supposed that the Grand Master can retire with a profane into a private room, and there, without assistance, confer the degrees of Freemasonry upon him. No such prerogative exists; and yet many believe that this is the so much talked of right of “making Masons at sight.” The real mode, and the only mode, of exercising the prerogative is this: The Grand Master summons to his assistance not less than six other Masons, convenes a Lodge, and without any previous probation, but *on sight* of the candidate, confers the degrees upon him, after which he dissolves the Lodge, and dismisses the brethren. Lodges thus convened for special purposes are called “Occasional Lodges.” This is the only way in which any Grand Master within the records of the institution has ever been known to “make a Mason at sight.” The prerogative is dependent upon that of granting dispensations to open and hold Lodges. If the Grand Master has the power of granting to any other Mason the privilege of presiding over Lodges working by his dispensation, he may assume this privilege of presiding to himself; and as no one can deny his right to revoke his dispensation granted to a number of brethren at a distance, and to dissolve the Lodge at his pleasure, it will scarcely be contended that he may not revoke his dispensation for a Lodge over which he himself has been presiding, within a day, and dissolve the Lodge as soon as the business for which he had assembled it is accomplished. The making of Masons at sight is only the conferring of the degrees by the Grand Master, at once, in an Occasional Lodge, constituted by his dispensing power for the purpose, and over which he presides in person. These Occasional Lodges have been often called by the English Grand Masters since 1717, and frequent records of the fact are to be found in Anderson’s Constitutions. Almost all of the Princes of the Royal

Family, when made Freemasons, were initiated, passed, and raised at sight, and in Occasional Lodges.

#### *Ninth Landmark.*

THE NECESSITY FOR MASONS TO CONGREGATE IN LODGES is another Landmark. It is not to be understood by this that any ancient Landmark has directed that permanent organisation of Daughter Lodges which constitutes one of the features of the Masonic system as it now prevails. But the Landmarks of the Order always prescribed that Freemasons should from time to time congregate together, for the purpose of either operative or speculative labour, and that these congregations should be called *Lodges*. Formerly these were extemporaneous meetings called together for special purposes, and then dissolved, the brethren departing to meet again at other times and other places, according to the necessity of circumstances. But warrants of constitution, bye-laws, permanent office-bearers, and annual arrears, are modern innovations wholly outside of the Landmarks, and dependent entirely on the special enactments of a comparatively recent period.

#### *Tenth Landmark.*

THE GOVERNMENT OF THE CRAFT, WHEN SO CONGREGATED IN A LODGE, BY A MASTER AND HIS TWO WARDENS, is also a Landmark. The Old Charges allude to the antiquity of these office-bearers in the following language:—"In ancient times no Master or Fellow could be absent from the Lodge when warned to appear at it, without incurring a severe censure, until it appeared to the *Master and Wardens* that pure necessity hindered him." To show the influence of this ancient law, it may be observed, that a congregation of Freemasons meeting together under any other government, as that, for instance, of a president and vice-president, or a chairman and sub-chairman, would not be recognised as a Lodge. The presence of a Master and two Wardens

is as essential to the valid organisation of a Lodge as a warrant of constitution is at the present day. The names, of course, vary in different languages—the Master, for instance being called “Venerable” in French Masonry, and the Wardens “Surveillants,”—but the office-bearers, their number, prerogatives, and duties are everywhere identical. The number (three) of these offices is essential to the symbolism of the Order, because they refer, as corresponding office-bearers always did in the ancient Mysteries, to the sun at its rising, its meridian height, and its setting. So long as Freemasonry preserves its symbolic character, these office-bearers must be retained, and their peculiar positions preserved.

#### *Eleventh Landmark.*

THE NECESSITY THAT EVERY LODGE WHEN CONGREGATED SHOULD BE DULY TYLED, is an important Landmark of the institution. It is never neglected. The necessity of this law arises from the esoteric character of Freemasonry. As a secret institution, its portals must, of course, be safely guarded and tyled from the intrusion of the profane, and such a law must therefore always have been in force from the very beginning of the Order. It is therefore properly classed among the ancient Landmarks. The office of Tyler is wholly independent of any special enactment of Grand or Daughter Lodges, although these may and do prescribe for him additional duties, which vary in different jurisdictions.

#### *Twelfth Landmark.*

THE RIGHT OF EVERY FREEMASON TO BE REPRESENTED IN ALL GENERAL MEETINGS OF THE CRAFT, AND TO INSTRUCT HIS REPRESENTATIVES, is a twelfth Landmark. Formerly, these general meetings, which were usually held once a year, were called “General Assemblies,” and all the fraternity, even to the youngest Entered Apprentice, were permitted to be present. Now they are called “Grand

Lôdges," and only the Masters and Wardens of the Daughter Lodges are summoned. But this is simply as the representatives of their members. Originally, each Mason represented himself; now he is represented by his own office-bearers. This was a concession granted by the fraternity about 1717, and of course does not affect the integrity of the Landmark, for the principle of representation is still preserved. The concession was only made for purposes of convenience. See a full relation of the history of this concession in PRESTON. (Oliver's edition, pp. 182-184.) The result of the concession is given in these words: "Matters being thus amicably adjusted, the brethren of the four old Lodges considered their attendance on the future communications of the society as unnecessary, and therefore, like the other Lodges, trusted implicitly to their Masters and Wardens, resting satisfied that no measure of importance would be adopted without their approbation." The introduction of proxies into "Grand Lodges" is a violation of this twelfth Landmark.

#### *Thirteenth Landmark.*

THE RIGHT OF EVERY FREEMASON TO APPEAL FROM THE DECISION OF HIS BRETHREN IN LODGE CONVENED, TO THE GRAND LODGE OR GENERAL ASSEMBLY OF MASONS, is a Landmark highly essential to the preservation of justice, and the prevention of oppression. The Old Charges recognise this right of appeal in these words: "If any complaint be brought, the brother found guilty shall stand to the award and determination of the Lodge, who are the proper and competent judges of all such controversies, unless you carry it by appeal to the Grand Lodge." This is an excellent Landmark, as the Brother comes up for sentence before a body of Freemasons, who should have no other interest but that of justice.

#### *Fourteenth Landmark.*

THE RIGHT OF EVERY FREEMASON TO VISIT AND SIT IN

EVERY REGULAR LODGE is an unquestionable Landmark of the Order. This is called "the right of visitation." The MS. in possession of the Lodge of Antiquity, and which contains Charges written in the reign of James II. of England between 1685 and 1686, recognises this right of visitation in the welcome which it orders every Freemason to give to a strange Brother: "Thirteenthly, that every Freemason receive and cherish strange Fellows, when they come over the country, and set them on work, if they will work, as the manner is; that is to say, if the Mason have any mould stone in his place, he shall give him a mould stone and set him on work; and if he have none, the Mason shall refresh him with money unto the next Lodge." This right of visitation has always been recognised as an inherent right, which inures to every Freemason as he travels through the world. The right may, of course, be impaired or forfeited on special occasions by various circumstances; but when admission is refused to a Freemason in good standing, who knocks at the door of a Lodge as a visitor, it is to be expected that some good and sufficient reason shall be furnished for the violation of what is in general a Masonic right, founded on the Landmarks of the Order. It has generally been held that a visitor cannot demand the right of sitting in a strange Lodge oftener than once a year.

#### *Fifteenth Landmark.*

It is a Landmark of the Order, THAT NO VISITOR, UNKNOWN TO THE BRETHREN PRESENT, OR TO SOME ONE OF THEM, AS A FREEMASON, CAN ENTER A LODGE WITHOUT FIRST PASSING AN EXAMINATION ACCORDING TO ANCIENT USAGE. Reference is made to this important Landmark in the Old Charges, vi. 6, in the directions for "behaviour to a strange brother," where we find the following language: "You are cautioned to examine him in such method as prudence shall direct you, that you may not be imposed upon by an ignorant pretender, whom you are to reject with contempt and derision, and beware of giving him any hints of knowledge."

Of course if the visitor is known to any brother present to be a Freemason in good standing, and if that brother vouch for his qualifications, the examination may be dispensed with, as the Landmark refers only to the cases of strangers, who are not to be recognised unless after strict trial, due examination, or lawful information. The Grand Lodge of Scotland has wisely enacted that every Freemason shall have a diploma. It ought to be the general practice to make visitors take the attestation obligation.

*Sixteenth Landmark.*

NO LODGE CAN INTERFERE IN THE BUSINESS OF ANOTHER LODGE, NOR GIVE DEGREES TO BRETHREN WHO ARE MEMBERS OF OTHER LODGES. This is undoubtedly an ancient Landmark, founded on the great principles of courtesy and fraternal kindness, which are at the very foundation of the institution. It has been repeatedly recognised by subsequent statutory enactments of Grand Lodges.

*Seventeenth Landmark.*

It is a Landmark that EVERY FREEMASON IS AMENABLE TO THE LAWS AND REGULATIONS OF THE MASONIC JURISDICTION IN WHICH HE RESIDES, and this although he may not be a member of any Lodge. Non-affiliation, which is, in fact, in itself a masonic offence, does not exempt a Freemason from Masonic Jurisdiction. The Old Charges, already referred to, recognise this Landmark in these words: "Tenthly, that every Master and Fellow shall come to the assembly, if it be within three miles of him, if he have any warning. And if he have trespassed against the Craft, to abide the award of Masters and Fellows." And again, "Eleventhly, that every Master Mason and Fellow that hath trespassed against the Craft, shall stand to the correction of other Masters and Fellows to make him accord, and if he cannot accord, to go to the common law."

*Eighteenth Landmark.*

CERTAIN QUALIFICATIONS OF CANDIDATES FOR INITIATION are derived from a Landmark of the Order. Thus, in the same old MS. Charges, from which quotations have already been made, these qualifications are specially required: "Thirdly, that he that be made, be able in all degrees; that is, free born, no bastard, of a good kindred, true, and no bondsman; and that he have his right limbs as a man ought to have." And the Old Charges, collected in 1717, give the qualifications as follows: "The persons admitted members of a Lodge must be good and true men, free born, no bastard, and of mature and discreet age,—no bondmen, no women, no immoral or scandalous men, but men of good report." It is evident therefore that the candidate must be a man—unmutilated, free born, not a bastard, and of mature age. In the regulations adopted by the General Assembly, 27th December 1663, the age is fixed at twenty-one years: "That no person be accepted unless he be twenty-one years old or more." A bastard, a woman, a cripple, a slave, or one born in slavery, is disqualified for initiation into the rights of Freemasonry. Nor can any such, although they have been initiated, continue to act as Freemasons or practise the rites or receive the benefits of the Order. The qualifications really arise from the very nature of the Masonic institution, and from its symbolic teachings, and have always existed as a Landmark.

*Nineteenth Landmark.*

A BELIEF IN THE EXISTENCE OF GOD AS THE GREAT ARCHITECT of the universe, is one of the most important Landmarks of the Order. It is needless to cite authorities on this point. We may say, however, that the very first of the Old Charges begins by declaring that "a Mason is obliged by his tenure to obey the moral law; and if he rightly understands the art, he will never be a stupid atheist nor an irreligious libertine." It has been always

held that a denial of the existence of a Supreme and Superintending Power is an absolute disqualification for initiation. The annals of the Order have never yet furnished, nor could they furnish, an instance in which an avowed atheist was made a Freemason. The very initiatory ceremonies of the first degree forbid and prevent the possibility of so monstrous an occurrence.

*Twentieth Landmark.*

Subsidiary to this belief in God, as a Landmark of the Order, is the BELIEF IN A RESURRECTION TO A FUTURE LIFE. The whole scope and design of the Third Degree is to teach the resurrection from the dead, as that of the Royal Arch is to inculcate the rewards of a future life. If the doctrine of the resurrection were false, then would the ceremonies of the Third Degree be simply a farce; and hence Hutchinson, who had profoundly studied its symbolism, says, that the Master Mason's order "testifies our faith concerning the resurrection of the body." This Landmark is not so positively impressed on the candidate by exact words as the preceding; but the doctrine is taught by very plain implication, and runs through the whole symbolism of the Order. To believe in Freemasonry, and not to believe in a resurrection, would be an absurd anomaly, which could only be excused by the reflection that he who thus combined such belief with such scepticism, was so ignorant on both the subjects concerned as to have no rational foundation for his opinion as to either.

*Twenty-first Landmark.*

It is a Landmark, that a "BOOK OF THE LAW" SHALL CONSTITUTE AN INDISPENSABLE PART OF THE FURNITURE OF EVERY LODGE. The presence of a "Book of the Law" in a Lodge, as a part of its furniture, is strictly a ritualistic Landmark, and the authorities for it will be at once evident to every Mason. It is not absolutely required that everywhere the Old and New Testaments shall be used. The

“Book of the Law” is that volume which, by the religion of the country, is believed to contain the revealed will of the Great Architect of the universe. Hence, in all Lodges in Christian countries, the “Book of the Law” is composed of the Old and New Testaments; in a country where Judaism is the prevailing faith, the Old Testament alone is sufficient; and in Mohammedan countries, and among Mohammedan Freemasons, the Koran is generally substituted. The author has seen this in Lodges. Freemasonry does not attempt to interfere with the peculiar religious faith of its members, except so far as relates to belief in the existence of God and the Resurrection, with what necessarily results from such belief. On the subject of the religious, or rather the doctrinal, requirements of Masonry, the Old Charges utter the following explicit language: “Though, in ancient times, Masons were charged in every country to be of the religion of that country or nation, whatever it was, yet it is now thought expedient only to oblige them to that religion in which all men agree, leaving their particular opinions to themselves.” The “Book of the Law” is to the speculative Mason his spiritual Trestle-board; without this he cannot labour; whatever he believes to be the revealed will of the Great Architect constitutes for him his spiritual Trestle-board, and must ever be before him in his hours of speculative labour, to be the rule and guide of his conduct. The Landmark, therefore, requires that a “Book of the Law,” a religious code of some kind, purporting to exhibit the revealed will of God, shall form an essential part of the furniture of every Lodge.

#### *Twenty-second Landmark.*

THE EQUALITY OF ALL FREEMASONS is another Landmark of the Order. This equality has no reference to any subversion of those gradations of rank which have been instituted by the usages of society. The monarch, the nobleman, or the gentleman is entitled to all the influence, and receives all the respect which rightly belongs to his

exalted position. But the doctrine of Masonic equality implies that, as children of one great Father, all meet in the Lodge upon a level—that on this level all are travelling to one predestined goal—that in the Lodge genuine merit shall receive more respect than boundless wealth, and that virtue and knowledge alone shall be the basis of all Masonic honours, and be rewarded with preferment. When the labours of the Lodge are over, and the brethren have retired from their peaceful retreat, to mingle once more with the world, each will then again resume that social position, and exercise the privileges of that rank, to which the customs of society entitle him.

*Twenty-third Landmark.*

THE SECRECY OF THE INSTITUTION is another and a most important Landmark. There are abundant cautions in the Old Charges which recognise the existence of this Landmark, and the necessity of preserving it. Thus, in the direction for the behaviour of Brethren who “meet without strangers,” it is said, “You will salute one another in a courteous manner, . . . freely giving mutual instruction as shall be thought expedient, without being overseen or overheard;” and in the presence of strangers, “You shall be cautious in your words and carriage, that the most penetrating stranger shall not be able to discover or find out what is not proper to be intimated.” There is some difficulty in precisely defining what is meant by a “secret society.” If the term refers, as, perhaps, in strict language it should, to those associations whose designs are concealed from the public eye, and whose members are unknown, which produce their results in darkness, and whose operations are carefully hidden from the public gaze—a definition which will be appropriate to many political clubs and revolutionary combinations in despotic countries, where reform, if it is at all to be effected, must be effected by secret combinations—then clearly Freemasonry is not a secret society. Its design is not only publicly proclaimed, but is

vaunted by its disciples as something to be venerated; its disciples are known, for its membership is considered an honour to be coveted; it works for a result of which it boasts—the civilisation and refinement of man, the amelioration of his condition, and the reformation of his manners. But if by a secret society is meant—and this is the most popular understanding of the term—a society in which there is a certain amount of knowledge, whether it be of methods of recognition, or of legendary and traditional learning, which is imparted to those only who have passed through an established form of initiation, the form itself being also concealed or esoteric, then in this sense is Freemasonry undoubtedly a secret society. Now, this secrecy is inherent in it, existing with it from its foundation, and secured to it by its ancient Landmarks. If divested of its secret character, it would lose its identity, and would cease to be Freemasonry. Whatever objections may, therefore, be made to the institution, on account of its secrecy, and however much some unskilful brethren have been willing in times of trial, for the sake of expediency, to divest it of its secret character, it will be ever impossible to do so, even were the Landmark not standing as an insurmountable obstacle; because such change of its character would be social suicide, and the death of the Order would follow its legalised exposure. Freemasonry, as a secret association, has lived unchanged for centuries—as an open society it would not last for as many years.

#### *Twenty-fourth Landmark.*

THE FOUNDATION OF A SPECULATIVE SCIENCE UPON AN OPERATIVE ART, AND THE SYMBOLIC USE AND EXPLANATION OF THE TERMS OF THAT ART, FOR PURPOSES OF RELIGIOUS OR MORAL TEACHING, constitutes another Landmark of the Order. The Temple of Solomon was the cradle of the institution, and, therefore, references to operative Masonry, in the construction of that magnificent edifice, to the materials and implements which were employed in its construction, and to the artists who were engaged in the

building, are all component and essential parts of Freemasonry, which could not be subtracted from it without an entire destruction of the whole identity of the Order. Hence, all the comparatively modern rites of Freemasonry, however they may differ in other respects, religiously preserve this temple history and these operative elements, as the substratum of all their modifications of the Masonic system.

*Twenty-fifth Landmark.*

The last and crowning Landmark of all is, that THESE LANDMARKS CAN NEVER BE CHANGED. Nothing can be subtracted from them—nothing can be added to them—not the slightest modification can be made in them. As they were received from our predecessors, we are bound by the most solemn obligations of duty to transmit them to our successors. Not one jot or one tittle of these unwritten laws can be repealed; for, in respect to them, we are not only willing, but compelled to adopt the language of the sturdy old barons of England—“*Nolumus leges mutari.*”

## CHAPTER II.

## THE WRITTEN LAW.

NEXT to the Unwritten Laws, or Landmarks of Masonry, come its Written or Statutory Laws. These are the "Regulations," as they are usually called, which have been enacted from time to time by General Assemblies, Grand Lodges, or other supreme authorities of the Order. They are in their character either general or local.

## I. THE GENERAL REGULATIONS.

The General Regulations are those that have been enacted by such bodies as at the time had universal jurisdiction over the Craft. By the concurring consent of all Masonic jurists, it is agreed, that the regulations adopted previous to the year 1721, are general in their nature; because all the Masonic authorities established since that period have derived their existence, either directly or indirectly, from the Grand Lodge of England, which was organised in 1717. Hence the regulations adopted by that body, at the period of its organisation, and immediately afterwards, or by its predecessors, the annual General Assemblies of the Craft, were of universal authority at the time of their adoption. Soon after 1721, however, other Grand Lodges were established with equal powers to make regulations for their own jurisdictions, and hence the subsequent enactments of the Grand Lodges of England, Scotland, Ireland, and other countries, are, of course, of authority only in the jurisdictions over which these Grand Lodges respectively exercise control.

The code of General Regulations, or the universal Written Law of Masonry, is contained in a comparatively small compass. With the Landmarks already recapitulated

in the preceding chapter, it constitutes the foundation on which the whole superstructure of Masonic law is erected. From these Landmarks and General Regulations, and from the dictates of reason and the suggestions of analogy and common sense, we must deduce all those fundamental principles which make the science of Masonic law.

It is necessary, therefore, that all those documents which contain the universal written laws of Freemasonry should be enumerated, as an appropriate introduction to an accurate inquiry into the science whose principles constitute the subject-matter of the present volume.

The following documents, and these only, have been admitted to contain the General Regulations and fundamental Constitutions of the Order, and are competent authority for reference in all obscure or disputed points of Masonic law :—

1. The Old York Constitutions of A.D. 926.
2. The Constitutions of Edward III.
3. The Regulations of A.D. 1663.
4. The Ancient Installation Charges.
5. The Ancient Charges at Makings.
6. The Regulations of A.D. 1703.
7. The Regulations of A.D. 1717.
8. The Regulations of A.D. 1720.
9. The Charges approved in A.D. 1722.
10. The General Regulations of A.D. 1721.

These we now proceed to mention in the order in which they have just been enumerated, and therefore first the OLD YORK CONSTITUTIONS of 926.

#### I. THE OLD YORK CONSTITUTIONS OF 926.

The “Old York Constitutions” were so called from the city of York, where they were enacted, and sometimes the “Gothic Constitutions,” from the fact that they were written in the old Gothic character. Of these constitutions, which are the oldest now extant, the history is given in a record written in the reign of Edward IV., the substance of which is copied by Anderson. From this record, we learn that Prince Edwin, having been taught Masonry, obtained

from his brother, King Athelstan, a free charter, "for the Freemasons having a correction among themselves, or a freedom and power to regulate themselves, to amend what might happen amiss, and to hold a yearly communication and general assembly. Accordingly, Prince Edwin summoned all the Masons in the realm to meet him in a congregation at York, who came and composed a General Lodge, of which he was Grand Master; and having brought with them all the writings and records extant, some in Greek, some in Latin, some in French and other languages, from the contents thereof that assembly did frame the Constitution and Charges of an English Lodge, made a law to preserve and observe the same in all time coming, and ordained good pay for the working Masons," &c.

The Constitutions thus framed at the city of York, in the year 926, were seen, approved, and confirmed, as we are informed by Anderson, in the reign of Henry VI., and were then recognised as the fundamental law of Masonry. The document containing them was lost for a long time, although, according to Oliver, copies are known to have been taken during the reign of Richard II.; at the revival of Freemasonry, however, in 1717, not a transcript was to be found. A copy was, however, discovered in 1838, by Mr James Orchard Halliwell, in the British Museum, and published. The late Bro. Dr Oliver has clearly proved, in an article in the *American Quarterly Review of Freemasonry*, that this ancient MS., published by Mr Halliwell, is a copy of the original Constitutions, as adopted in 926 by the General Assembly which met at York. These Constitutions contain fifteen articles and fifteen points of Masonic law, which are here given, not in the antiquated language in which they were written, and in which they are published in Halliwell's book—a language which would be almost wholly unintelligible to the great mass of readers—but as they have been very correctly translated and condensed by Bro. Dr Oliver, in the article already referred to. Besides their importance, they will be read with interest as the oldest Masonic Constitutions extant.

*The Fifteen Articles.*

1. The Master must be steadfast, trusty and true ; provide victuals for his men, and pay their wages punctually. [This reference to the wages of operative Masonry is still preserved in the formula of the Senior Warden's response in opening and closing a Lodge ; but the wages of a speculative Mason consist in a knowledge of truth.]

2. Every Master shall attend the Grand Lodge when duly summoned, unless he have a good and reasonable excuse.

3. No Master shall take an Apprentice for less than seven years. [Speculatively, no candidate shall pass to a higher degree, until he has served a "sufficient time" and made "due proficiency" in the preceding degree.]

4. The son of a bondman, or a bastard, shall not be admitted as an Apprentice, lest, when he is introduced into the Lodge, any of the Brethren should be offended.

5. A candidate must be without blemish, and have the full and proper use of his limbs ; for a maimed man can do the Craft no good. [This is repeated in all subsequent regulations, and is still in force, notwithstanding some recent attempts to reduce its rigour.]

6. The Master shall take especial care, in the admission of an Apprentice, that he do his lord no prejudice.

7. He shall harbour no thief or thief's retainer, lest the Craft should come to shame.

8. If he unknowingly employ an imperfect man, he shall discharge him from the work when his inability is discovered. [This is the foundation of that principle of law by which a candidate may be stopped in any part of his progress—as, for instance, that an Entered Apprentice, being objected to, may be refused by the Lodge advancement to the Fellow Craft's Degree.]

9. No Master shall undertake a work that he is not able to finish to his lord's profit and the credit of his Lodge.

10. A Brother shall not supplant his fellow in the work [that is, no Lodge shall interfere with the work of another Lodge.—These regulations afford illustrations of how the operative allusions in all the old Constitutions are to be interpreted in a speculative sense], unless he be incapable of doing it himself ; for then he may lawfully finish it, that pleasure and profit may be the mutual result.

11. A Mason shall not be obliged to work after the sun has set in the west.

12. Nor shall he decry the work of a brother or fellow, but shall deal honestly and truly by him, under a penalty of not less than ten pounds.

13. The Master shall instruct his Apprentice faithfully, and make him a perfect workman.

14. He shall teach him all the secrets of his trade.

15. And shall guard him against the commission of perjury and all other offences by which the Craft may be brought to shame.

*The Fifteen Points.*

1. Every Mason shall cultivate brotherly love and the love of God, and frequent holy church.

2. The workman shall labour diligently on work days, that he may deserve his holidays.

3. Every Apprentice shall keep his Master's counsel, and not betray the secrets of his Lodge.

4. No man shall be false to the Craft, or entertain a prejudice against his Master or Fellows.

5. Every workman shall receive his wages meekly, and without scruple; and should the Master think proper to dismiss him from the work, he shall have due notice of the same before H. xii.

6. If any dispute arise among the brethren, it shall be settled on a holiday, that the work be not neglected, and God's law may be fulfilled.

7. No Mason shall debauch, or have carnal knowledge of the wife, daughter, or concubine of his Master or Fellows.

8. He shall be true to his Master, and a just mediator in all disputes or quarrels.

9. The Steward shall provide good cheer against the hour of refreshment, and each Fellow shall punctually defray his share of the reckoning, the Steward rendering a true and correct account.

10. If a Mason live amiss, or slander his Brother untruthfully, so as to bring the Craft to shame, he shall have no further maintenance among the Brethren, but shall be summoned to the next Grand Lodge; and if he refuse to appear, he shall be expelled.

11. If a Brother see his Fellow hewing a stone, and likely to spoil it by unskilful workmanship, he shall teach him to amend it, with fair words and brotherly speeches.

12. The General Assembly, or Grand Lodge, shall consist of Masters and Fellows, Lords, Knights, and Squires, Mayor and Sheriff, to make new laws, and to confirm old ones when necessary.

13. Every Brother shall swear fealty, and if he violates his oath, he shall not be succoured or assisted by any of the Fraternity.

14. He shall make oath to keep secrets, to be steadfast and true to all the ordinances of the Grand Lodge, to the King and Holy Church, and to all the several points herein specified.

15. And if any Brother break his oath, he shall be committed to prison, and forfeit his goods and chattels to the King.

The articles conclude with an additional ordinance—*alia ordinatio*—which declares:—

That a General Assembly shall be held every year, with the Grand Master at its head, to enforce these regulations, and to make new laws, when it may be expedient to do so, at which all the brethren are competent to be present; and they must renew their O. B. to keep these statutes and constitutions, which have been ordained by King Athelstan, and adopted by the Grand Lodge at York. And this Assembly further directs that, in all ages to come, the existing Grand Lodge shall petition the reigning monarch to confer his sanction on their proceedings.

## II. THE CONSTITUTIONS OF EDWARD III.

Anderson informs us, on the authority of an old record, that, in the reign of King Edward III. (that is, between the years 1337 and 1377), the Grand Master with his Wardens, at the head of the Grand Lodge, with the consent of the lords of the realm, who were generally Freemasons, ordained the following Constitutions:—

1. That for the future, at the making or admission of a Brother, the Constitutions and the Charges shall be read.

2. The Master Masons, or Masters of the work, shall be examined whether they be able of cunning to serve their respective lords, as well the highest as the lowest, to the honour and worship of the aforesaid art, and to the profit of their lords; for they be their lords that employ them for their travel.

3. That when the Master and Wardens meet in a Lodge, if need be, the Sheriff of the county, or the Mayor of the city, or Alderman of the town, in which the congregation is held, should be made fellow and sociate to the Master, in help of him against rebels, and for upbearing the rights of the realm.

4. That Entered Prentices at their making were charged not to be thieves, or thieves-maintainers; that they should travel honestly for their pay, and love their Fellows as themselves, and be true to the King of England, and to the realm, and to the Lodge.

5. That at such congregations it shall be inquired whether any Master or Fellow has broken any of the articles agreed to. And if the offender, being duly cited to appear, prove rebel, and will not attend, then the Lodge shall determine against him that he shall forswear (or renounce) his Masonry, and shall no more use this craft; the which if he presume to do, the Sheriff of the county shall prison him, and take all his goods into the King's hands, till of his grace be granted him an issue: for this cause principally have these congregations been ordained, that as well the lowest as the highest should be well and truly served in this art foresaid throughout all the kingdom of England.

## III. REGULATIONS OF 1663.

In the reign of Charles I., Henry Jermyn, Earl of St Albans, being chosen Grand Master, held a General Assembly and Feast on St John the Evangelist's Day, 1663, when the following regulations were adopted :—

1. That no person, of what degree soever, be made or accepted a Freemason, unless in a regular Lodge, whereof one to be a Master or a Warden in that limit or division where such Lodge is kept, and another to be a craftsman in the trade of Freemasonry.

2. That no person shall hereafter be accepted a Freemason but such as are of able body, honest parentage, good reputation, and an observer of the laws of the land.

3. That no person hereafter, who shall be accepted a Freemason, shall be admitted into any Lodge or assembly, until he has brought a certificate of the time and place of his acceptance from the Lodge that accepted him, unto the Master of that limit or division where such Lodge is kept ; and the said Master shall enroll the same in a roll of parchment, to be kept for that purpose, and shall give an account of all such acceptations at every General Assembly.

4. That every person who is now a Freemason, shall bring to the Master a note of the time of his acceptance, to the end the same may be enrolled in such priority of place as the Brother deserves ; and that the whole company and Fellows may the better know each other.

5. That for the future the said fraternity of Freemasons shall be regulated and governed by one Grand Master, and as many Wardens as the said Society shall think fit to appoint at every annual General Assembly.

6. That no person shall be accepted, unless he be twenty-one years old or more.

## IV. THE ANCIENT INSTALLATION CHARGES.

These Charges appear from their style to be very old, although their date is uncertain. They were contained in a MS. written in the reign of James II., which extended from 1685 to 1688, which MS., according to Preston, was in possession of the Lodge of Antiquity in London. They are said to have been used at the installation of the Master of a Lodge. Probably they are older than the year 1686 ; but that date is often used as a means of reference. The Charges are as follows :—

1. That ye shall be true men to God and the Holy Church, and use no error or heresy by your understanding, and by wise men's teaching.

2. That ye shall be true liegemen to the King of England, without treason or any falsehood, and that ye know no treason but ye shall give knowledge thereof to the King, or to his counsel; also, ye shall be true one to another, that is to say, every Mason of the craft that is Mason allowed, ye shall do to him as ye would be done unto yourself.

3. And ye shall keep truly all the counsel that ought to be kept in the way of Masonhood, and all the counsel of the Lodge or of the chamber. Also, that ye shall be no thief, nor thieves to your knowledge free: that ye shall be true to the King, lord, or master that ye serve, and truly to see and work to his advantage.

4. You shall call all Masons your Fellows, or your brethren, and no other names.

5. Ye shall not take your Fellow's wife in villainy, nor deflower his daughter or servant, nor put him to disworship.

6. You shall truly pay for your meat or drink, wheresoever ye go to table or board. Also, ye shall do no villainy there, whereby the craft or science would be slandered.

#### V. THE ANCIENT CHARGES AT MAKINGS.

The MS. in the archives of the Lodge of Antiquity, from which we have quoted the preceding Charges, adds to them fifteen more, which are said to be "Charges single for Masons allowed or accepted," that is to say, as is added at the end, "Charges and covenants to be read . . . at the making of a Freemason or Freemasons." They are as follows:—

1. That no Mason take on him any lord's work, or any other man's, unless he know himself well able to perform the work, so the Craft have no slander.

2. Also, that no Master take work but that he take reasonable pay for it; so that the lord may be truly served, and the Master live honestly, and pay his Fellows truly. And that no Master or Fellow supplant another of their work; that is to say, that if he hath taken a work, or else stand Master of any work, he shall not put him out, unless he be unable of cunning to make an end of his work. And no Master or Fellow shall take an Apprentice for less than seven years. And that the Apprentice be freeborn, and of limbs whole as a man ought to be, and no bastard. And that no Master or Fellow take an allowance to be

made Mason without the assent of his Fellows, at the least six or seven.

3. That he that be made be able in all degrees ; that is, free-born, of a good kindred, true, and no bondsman or bastard, and that he have his right limbs as a man ought to have.

4. That a Master take no Apprentice without he have occupation to occupy two or three Fellows at the least.

5. That no Master or Fellow put away any lord's work to task that ought to be journeywork.

6. That every Master give pay to his Fellows and servants as they may deserve, so that he be not defamed with false working. And that none slander another behind his back to make him lose his good name.

7. That no Fellow in the house or abroad answer another ungodly or reproveably without a cause.

8. That every Master Mason do reverence to his elder ; and that a Mason be no common player at the cards, dice, or hazard ; or at any other unlawful plays, through the which the Science and Craft may be dishonoured and slandered.

9. That no Fellow go into the town by night, except he have a Fellow with him, who may bear him record that he was in an honest place.

10. That every Master and Fellow shall come to the assembly, if it be within three miles of him, if he have any warning. And if he have trespassed against the Craft, to abide the reward of Masters and Fellows.

11. And every Master Mason and Fellow that hath trespassed against the Craft, shall stand to the correction of other Masters and Fellows to make him accord ; and if they cannot accord, to go to the common law.

12. That a Master or Fellow make not a mould stone, square, nor rule, to no lowen, nor let no lowen work within their Lodge nor without to mould stone.

13. That every Mason receive and cherish strange Fellows, when they come over the country, and set them on work, if they will work, as the manner is ; that is to say, if the Mason have any mould stone in his place, he shall give him a mould stone, and set him to work ; and if he have none, the Mason shall refresh him with money unto the next Lodge.

14. That every Master shall truly serve his Master for his pay.

15. That every Master shall truly make an end of his work, task, or journey, whitherso it be.

#### VI. THE REGULATION OF 1703.

It is not known upon what authority Robold places the date of this Regulation in 1703. He cannot, however, be

far wrong, as it was certain that it was adopted at the beginning of the eighteenth century, and during the latter part of the Grand Mastership of Sir Christopher Wren. The Regulation is an important one, and had an extensive influence on the subsequent character of the Institution. Preston, in his "Illustrations of Masonry," p. 180, says, that it was adopted in consequence of the decadence of the Lodges, and for the purpose of increasing their members. It is in these words:—

That the privileges of Masonry should no longer be restricted to operative Masons, but extend to men of various professions, provided they are regularly approved and initiated into the Order.

There is something in the phraseology of this Regulation which makes it not easily reconcilable with the facts of history. It is well known that, from the earliest periods, a speculative and an operative element were combined in the institution, and that many distinguished princes, noblemen, prelates, and scholars, who were not operative Masons, held high rank and position in the Fraternity. Most of the craftsmen were, however, undoubtedly, operative or stone masons. The object of this regulation, perhaps, really was, to give an entirely speculative character to the institution, and completely to divest it of its operative element. Although not precisely so worded, this seems to have been the universal interpretation, and such has actually been the result.

#### VII. THE REGULATION OF 1717.

Preston informs us that, on St John the Baptist's Day, 1717, at the establishment of the Grand Lodge of England by the four Lodges in London, the following Regulation was adopted:—

That the privilege of assembling as Masons, which had been hitherto unlimited, should be vested in certain Lodges or assemblies of Masons, convened in certain places; and that every Lodge to be hereafter convened, except the four old Lodges at this time existing, should be legally authorised to act by a warrant from the

Grand Master for the time being, granted to certain individuals by petition, with the consent and approbation of the Grand Lodge in communication ; and that without such warrant, no Lodge should be hereafter deemed regular or constitutional.

Preston says that a sufficient number of Masons could, up to the time of the adoption of this Regulation, meet together, open a Lodge, and make Masons, with the consent of the sheriff or chief magistrate of the place. The Regulation here quoted, which abolished this usage, is the one under which the present system of permanent chartered Lodges is maintained.

#### VIII. THE REGULATION OF 1720.

At a Quarterly Communication of the Grand Lodge of England, held on the 24th of June 1720, the following new Regulation was adopted :—

In future, the new Grand Master shall be named and proposed to the Grand Lodge some time before the feast ; and, if approved and present, he shall be saluted as Grand Master elect ; and every Grand Master, when he is installed, shall have the sole power of appointing his Deputy and Wardens, according to ancient custom.

This regulation has been very generally repealed by the Grand Lodges of the United States. In England, and in North Carolina and a very few Grand Lodges in America, it is still in force. But in Scotland and generally throughout the United States, the office of Deputy, like that of Grand Master, is elective.

#### IX. THE CHARGES APPROVED IN 1722.

The Charges now to be inserted were presented to the Grand Lodge by Dr Anderson and Dr Desaguliers in 1721, and being approved by the Grand Lodge on the 25th of March 1722, were subsequently published in the first edition of the Book of Constitutions, with the following title :—

"The Charges of a Freemason, extracted from the Ancient Records of Lodges beyond sea, and of those in England, Scotland, and Ireland, for the use of the Lodges in London: to be read at the making of new Brethren, or when the Master shall order it."

[Laurence Dermott, the Deputy Grand Master of the Grand Lodge of Ancient Masons, or Athol Grand Lodge, as it has been of late very usually called, published a very distorted copy of these Charges in the Ahiman Rezon, or Book of Constitutions, which he compiled for the use of the illegal Grand Lodge with which he was connected. This incorrect version of Dermott was subsequently copied by Smith, in his Ahiman Rezon of Pennsylvania; by Dalcho, in that of South Carolina; by Cole in his Freemason's Library, and by several other American writers; and many of the wordy, but unnecessary, controversies on subjects of Masonic law, which a few years ago were becoming the reproach of American Masonry (although by the investigations which they have promoted they have been of ultimate benefit), arose from the fact that Dermott's copy of the Charges was repeatedly copied as good law, which, of course, it was not; because the Grand Lodge to which he was attached was irregular, and because his edition of the Charges was altered from the original. It is a subject of curious speculation, whether Dermott did not derive his Charges from those published by Anderson in 1738. The alterations made by Anderson in that year were never repeated in subsequent editions.]

These Charges have always been held in the highest veneration by the Fraternity, as embodying the most important points of the ancient Written as well as Unwritten Law of Masonry.

#### (I.) CONCERNING GOD AND RELIGION.

A Mason is obliged, by his tenure, to obey the moral law; and if he rightly understands the art, he will never be a stupid atheist, nor an irreligious libertine. But though in ancient times Masons were charged in every country to be of the religion of that country or nation, whatever it was, yet it is now thought more expedient only to oblige them to that religion in which all men agree, leaving

their particular opinions to themselves ; that is, to be good men and true, or men of honour and honesty, by whatever denominations or persuasions they may be distinguished ; whereby Freemasonry becomes the centre of union, and the means of conciliating true friendship among persons that must have remained at a perpetual distance.

#### (II.) OF THE CIVIL MAGISTRATE, SUPREME AND SUBORDINATE.

A Mason is a peaceable subject to the civil powers, wherever he resides or works, and is never to be concerned in plots and conspiracies against the peace and welfare of the nation, nor to behave himself undutifully to superior magistrates ; for as Masonry hath been always injured by war, bloodshed, and confusion, so ancient kings and princes have been much disposed to encourage the craftsmen, because of their peaceableness and loyalty, whereby they practically answered the cavils of their adversaries, and promoted the honour of the Fraternity, who ever flourished in times of peace. So that if a Brother should be a rebel against the state, he is not to be countenanced in his rebellion. However, he may be pitied as an unhappy man ; and, if convicted of no other crime, though the loyal brotherhood must and ought to disown his rebellion, and give no umbrage or ground of political jealousy to the Government for the time being, they cannot expel him from the Lodge, and his relation to it remains indefeasible.

#### (III.) OF LODGES.

A Lodge is a place where Freemasons assemble and work ; hence that assembly, or duly organised society of Masons, is called a Lodge, and every Brother ought to belong to one, and to be subject to its bye-laws and the General Regulations. It is either particular or general, and will be best understood by attending it, and by the Regulations of the General or Grand Lodge hereunto annexed. In ancient times, no Master or Fellow could be absent from it, especially when warned to appear at it, without incurring a severe censure, until it appeared to the Master and Wardens that pure necessity hindered him.

The persons admitted members of a Lodge must be good and true men, not bastards, freeborn, and of mature and discreet age,—not bondmen, not women, not immoral or scandalous men, but men of good report.

That is to say, a bastard, a woman, a cripple, a blind man, or a slave, or one born in slavery, is disqualified for initiation into the rights of Freemasonry ; nor can any

such, although they have been initiated, continue to act as Freemasons, or practise the rites or receive the benefits of the Order.

(IV.) OF MASTERS, WARDENS, FELLOWS, AND APPRENTICES.

All preferment among Masons is grounded upon real worth and personal merit only ; that so the lords may be well served, the brethren not put to shame, nor the royal Craft despised ; therefore, no Master or Warden is chosen by seniority, but for his merit. It is impossible to describe these things in writing, and every Brother must attend in his place, and learn them in a way peculiar to this Fraternity ; only candidates may know that no Master should take an Apprentice unless he has sufficient employment for him, and unless he be a perfect youth, having no maim or defect in his body that may render him incapable of learning the art, of serving his Master's lord, and of being made a Brother, and then a Fellow-Craft in due time, even after he has served such a term of years as the custom of the country directs ; and that he should be descended of honest parents, born in wedlock ; that so when otherwise qualified, he may arrive to the honour of being the Warden, and then the Master of the Lodge, the Grand Warden, and at length the Grand Master of all the Lodges, according to his merit.

No Brother can be a Warden until he has passed the part of a Fellow-Craft ; nor a Master, until he has acted as a Warden ; nor Grand Warden, until he has been the Master of a Lodge ; nor Grand Master, unless he has been a Fellow-Craft before his election ; who is also to be nobly born, or a gentleman of the best fashion, or some eminent scholar, or some curious architect, or other artist, descended of honest parents, and who is of singular great merit in the opinion of the Lodges. And for the better, and easier, and more honourable discharge of his office, the Grand Master has a power to choose his own Deputy Grand Master, who must be then, or must have been formerly, the Master of a particular Lodge, and has the privilege of acting whatever the Grand Master, his principal, should act, unless the said principal be present, or interpose his authority by a letter.

These rulers and governors, supreme and subordinate, of the ancient Lodge, are to be obeyed in their respective stations by all the brethren, according to the Old Charges and Regulations, with all humility, reverence, love, and alacrity.

(V.) OF THE MANAGEMENT OF THE CRAFT IN WORKING.]

All Masons shall work honestly on working days, that they may live creditably on holy days ; and the time appointed by the law of the land, or confirmed by custom, shall be observed.

The most expert of the Craft shall be chosen or appointed the

Master or overseer of the lord's work : who is to be called Master by those that work under him. The Craftsmen are to avoid all ill language, and to call each other by no disobliging name, but Brother or Fellow ; and to behave themselves courteously within and without the Lodge.

The Master, knowing himself to be able of cunning, shall undertake the lord's work as reasonably as possible, and truly dispend his goods as if they were his own ; nor give more wages to any Brother or Apprentice than he may reasonably deserve.

Both the Master and the Mason receiving their wages justly, shall be faithful to the lord, and honestly finish their work, whether task or journey ; nor put the work to task that hath been accustomed to journey.

None shall discover envy at the prosperity of a Brother, nor supplant him, or put him out of his work, if he be capable to finish the same ; for no man can finish another's work so much to the lord's profit, unless he be thoroughly acquainted with the designs and draughts of him that began it.

When a Fellow-Craftsman is chosen Warden of the work under the Master, he shall be true both to Master and Fellows ; shall carefully oversee the work in the Master's absence to the lord's profit ; and his brethren shall obey him.

All Masons employed shall meekly receive their wages without murmuring or mutiny, and not desert the Master till the work is finished.

A younger Brother shall be instructed in working, to prevent spoiling the materials for want of judgment, and for increasing and continuing of brotherly love.

All the tools used in working shall be approved by the Grand Lodge.

No labourer shall be employed in the proper work of Masonry ; nor shall Freemasons work with those that are not free, without an urgent necessity ; nor shall they teach labourers and unaccepted Masons, as they should teach a Brother or Fellow.

#### (VI.) OF BEHAVIOUR.

##### 1. *In the Lodge while Constituted.*

You are not to hold private committees, or separate conversation, without leave from the Master, nor to talk of anything impertinent or unseemly, nor interrupt the Master or Wardens, or any Brother speaking to the Master ; nor behave yourself ludicrously or jestingly while the Lodge is engaged in what is serious and solemn ; nor use any unbecoming language upon any pretence whatsoever ; but to pay due reverence to your Master, Wardens, and Fellows, and put them to worship.

If any complaint be brought, the Brother found guilty shall stand

to the award and determination of the Lodge, who are the proper and competent judges of all such controversies (unless you carry it by appeal to the Grand Lodge), and to whom they ought to be referred, unless a lord's work be hindered the meanwhile, in which case a particular reference may be made; but you must never go to law about what concerneth Masonry without an absolute necessity apparent to the Lodge.

*2. Behaviour after the Lodge is over and the Brethren not gone.*

You may enjoy yourself with innocent mirth, treating one another according to ability, but avoiding all excess, or forcing any Brother to eat or drink beyond his inclination, or hindering him from going when his occasions call him, or doing or saying anything offensive, or that may forbid an easy and free conversation; for that would blast our harmony and defeat our laudable purposes. Therefore no private piques or quarrels must be brought within the door of the Lodge, far less any quarrels about religion, or nations, or state policy, we being only, as Masons, of the Catholic religion above-mentioned; we are also of all nations, tongues, kindreds, and languages, and are resolved against all politics, as what never yet conducted to the welfare of the Lodge, nor ever will. This Charge has been always strictly enjoined and observed; but especially ever since the Reformation in Britain, or the dissent and secession of these nations from the communion of Rome.

*3. Behaviour when Brethren meet without Strangers, but not in a Lodge formed.*

You are to salute one another in a courteous manner, as you will be instructed, calling each other Brother, freely giving mutual instruction as shall be thought expedient, without being overseen or overheard, and without encroaching upon each other, or derogating from that respect which is due to any Brother, were he not a Mason; for though all Masons are as brethren upon the same level, yet Masonry takes no honour from a man that he had before; nay, rather it adds to his honour, especially if he has deserved well of the Brotherhood, who must give honour to whom it is due, and avoid ill manners.

*4. Behaviour in Presence of Strangers not Masons.*

You shall be cautious in your words and carriage, that the most penetrating stranger shall not be able to discover or find out what is not proper to be intimated; and sometimes you shall divert a discourse, and manage it prudently, for the honour of the worshipful Fraternity.

*5. Behaviour at Home and in your Neighbourhood.*

You are to act as becomes a moral and wise man; particularly

not to let your family, friends, and neighbours know the concerns of the Lodge, &c., but wisely to consult your own honour and that of the ancient Brotherhood, for reasons not to be mentioned here. You must also consult your health, by not continuing together too late, or too long from home, after Lodge hours are past; and by avoiding of gluttony or drunkenness, that your families be not neglected or injured, nor you disabled from working.

#### 6. *Behaviour towards a Strange Brother.*

You are cautiously to examine him, in such a method as prudence shall direct you, that you may not be imposed upon by an ignorant, false pretender, whom you are to reject with contempt and derision; and beware of giving him any hints of knowledge.

But if you discover him to be a true and genuine Brother, you are to respect him accordingly; and if he is in want, you must relieve him if you can, or else direct him how he may be relieved. You must employ him some days, or else recommend him to be employed. But you are not charged to do beyond your ability, only to prefer a poor Brother that is a good man and true, before any other poor people in the same circumstances.

Finally, all these Charges you are to observe, and also those that shall be communicated to you in another way; cultivating brotherly love, the foundation and cope-stone, the cement and glory of this ancient Fraternity; avoiding all wrangling and quarrelling, all slander and backbiting, nor permitting others to slander any honest Brother, but defending his character, and doing him all good offices, as far as is consistent with your honour and safety, and no further. And if any of them do you injury, you must apply to your own or his Lodge, and from thence you may appeal to the Grand Lodge at the Quarterly Communication, and from thence to the Annual Grand Lodge, as has been the ancient laudable conduct of our forefathers in every nation; never taking a legal course but when the case cannot be otherwise decided, and patiently listening to the honest and friendly advice of Master and Fellows, when they would prevent you going to law with strangers, or would excite you to put a speedy period to all lawsuits, that so you may mind the affair of Masonry with the more alacrity and success; but with respect to Brothers or Fellows at law, the Master and Brethren should kindly offer their mediation, which ought to be thankfully submitted to by the contending brethren; and if that submission is impracticable, they must, however, carry on their process or lawsuit without wrath and rancour (not in the common way), saying or doing nothing which may hinder brotherly love, and good offices to be renewed and continued; that all may see the benign influence of Masonry, as all true Masons have done from the beginning of the world, and will do to the end of time.

## X. THE GENERAL REGULATIONS OF 1721.

The most complete history that could be given of these General Regulations is to be found in the title which precedes them in the first edition of Anderson's Constitutions, and which is contained in these words :—

GENERAL REGULATIONS, first compiled by Mr George Payne, anno 1720, when he was Grand Master, and approved by the Grand Lodge on St John Baptist's day, anno 1721, at Stationer's Hall, London, when the Most Noble Prince, John, Duke of Montagu, was unanimously chosen our Grand Master for the year ensuing ; who chose John Beal, M.D., his Deputy Grand Master ; and Mr Josiah Villeneuve and Mr Thomas Morris, jun., were chosen by the Lodge Grand Wardens. And now, by the command of our said Right Worshipful Grand Master Montagu, the author of this book has compared them with, and reduced them to, the ancient records and immemorial usages of the Fraternity, and digested them into this new method, with several proper explications, for the use of the Lodges in and about London and Westminster.

In subsequent editions of the Book of Constitutions, these Regulations were altered or amended in various points ; but the original thirty-nine, as published in the first edition, are all that are now considered as entitled to any authority as part of the universal Written Law of Masonry. Until lately, however, it was difficult to obtain access to the first edition of the Book of Constitutions, prepared for and by order of the Grand Lodge, by the Rev. James Anderson, which had been long out of print, and therefore rare, and consequently many erroneous deductions were made, and false principles laid down in Masonic law, from the fact that the references were made to the new Regulations contained in the subsequent editions. Another fertile source of error was, as already mentioned, that Laurence Dermott, in his "Ahiman Rezon ; or, Help to a Brother," published these "Old Regulations" in a mutilated form, with a corresponding column of the "New Regulations," which are, of course, without authority, and which, nevertheless, have been sometimes ignorantly quoted as Masonic law. We shall, as in respect to the "Charges,"

occasionally call attention to these alterations of the Old Regulations, as chart-makers lay down the position of the rocks which the ship is to avoid. We shall also point out what interpretations of certain somewhat ill-expressed and ambiguous Regulations have, by common consent of Masons throughout the world, been adopted. The Regulations of 1721 are as follows :—

1. The Grand Master, or his Deputy, hath authority and right, not only to be present in any true Lodge, but also to preside wherever he is, with the Master of the Lodge on his left hand, and to order his Grand Wardens to attend him, who are not to act in any particular Lodges as Wardens, but in his presence, and at his command ; because there the Grand Master may command the Wardens of that Lodge, or any other brethren he pleaseth, to attend and act as his Wardens *pro tempore*.\*

2. The Master of a particular Lodge has the right and authority of congregating the members of his Lodge into a Chapter at pleasure, upon any emergency or occurrence, as well as to appoint the time and place of their usual forming ; and in case of sickness, death, or necessary absence of the Master, the Senior Warden shall act as Master *pro tempore*, if no Brother is present who has been Master of that Lodge before ; for in that case the absent Master's authority reverts to the last Master then present ; though he cannot act until the said Senior Warden has once congregated the Lodge, or, in his absence, the Junior Warden.†

3. The Master of each particular Lodge, or one of the Wardens, or some other Brother by his order, shall keep a book containing their bye-laws, the names of their members, with a list of all the Lodges in town, and the usual times and places of their forming, and all their transactions that are proper to be written.

4. No Lodge shall make more than five new brethren at one time, nor any man under the age of twenty-five, who must be also his own master, unless by a dispensation from the Grand Master or his Deputy.

5. No man can be made or admitted a member of a particular Lodge without previous notice one month before given to the said Lodge, in order to make due inquiry into the reputation and capacity of the candidate, unless by the dispensation aforesaid.

\* That is, says the New Regulation, only when the Grand Wardens are absent, for the Grand Master cannot deprive them of their office without showing cause. Such, by universal consent, has been the subsequent interpretation of this Regulation.

† There is a palpable contradiction in the terms of this Regulation, which caused a new Regulation to be adopted in 1723, which declares that the authority of the Master shall, in such cases, devolve on the Senior Warden, and such is now the general sense of the Fraternity.

6. But no man can be entered a Brother in any particular Lodge, or admitted to be a member thereof, without the unanimous consent of all the members of that Lodge\* then present when the candidate is proposed, and their consent is formally asked by the Master ; and they are to signify their consent or dissent in their own prudent way, either virtually or in form, but with unanimity ; nor is this inherent privilege subject to a dispensation ; because the members of a particular Lodge are the best judges of it ; and if a fractious member should be imposed on them, it might spoil their harmony, or hinder their freedom ; or even break and disperse the Lodge, which ought to be avoided by all good and true brethren.

7. Every new Brother at his making is decently to clothe the Lodge, that is, all the brethren present, and to deposit something for the relief of indigent and decayed brethren, as the candidate shall think fit to bestow, over and above the small allowance stated by the bye-laws of that particular Lodge ; which charity shall be lodged with the Master or Wardens, or the cashier, if the members think fit to choose one.

And the candidates shall also solemnly promise to submit to the Constitutions, the Charges and Regulations, and to such other good usages as shall be intimated to them in time and place convenient.

8. No set or number of brethren shall withdraw or separate themselves from the Lodge in which they were made brethren, or were afterwards admitted members, unless the Lodge becomes too numerous ; nor even then, without a dispensation from the Grand Master or his Deputy ; and when they are thus separated, they must either immediately join themselves to such other Lodge as they shall like best, with the unanimous consent of that other Lodge to which they go (as above regulated), or else they must obtain the Grand Master's warrant to join in forming a new Lodge. If any set or number of Masons shall take upon themselves to form a Lodge without the Grand Master's warrant, the regular Lodges are not to countenance them, nor own them as fair brethren and duly formed, nor approve of their acts and deeds ; but must treat them as rebels until they humble themselves, as the Grand Master shall in his prudence direct, and until he approve of them by his warrant, which must be signified to the other Lodges, as the custom is when a new Lodge is to be registered in the list of Lodges.

9. But if any Brother so far misbehave himself as to render his Lodge uneasy, he shall be twice duly admonished by the Master or Wardens in a formed Lodge ; and if he will not refrain his imprudence, and obediently submit to the advice of the brethren, and reform what gives them offence, he shall be dealt with according to the bye-laws of that particular Lodge, or else in such a manner

\* A subsequent Regulation allowed the Lodges to admit a member, if not above two votes were against him in the ballot. In Scotland three adverse votes are required to exclude the candidate.

as the Quarterly Communication shall in their great prudence think fit ; for which a new Regulation may be afterwards made.

10. The majority of every particular Lodge, when congregated, shall have the privilege of giving instructions to their Master and Wardens, before the assembling of the Grand Chapter or Lodge, at the Quarterly Communications hereafter mentioned, and of the Annual Grand Lodge too ; because their Master and Wardens are their representatives, and are supposed to speak their mind.

11. All particular Lodges are to observe the same usages as much as possible ; in order to which, and for cultivating a good understanding among Freemasons, some members out of every Lodge shall be deputed to visit the other Lodges as often as shall be thought convenient.

12. The Grand Lodge consists of, and is formed by, the Masters and Wardens of all the regular particular Lodges upon record, with the Grand Master at their head, and his Deputy on his left hand, and the Grand Wardens in their proper places ; and must have a Quarterly Communication about Michaelmas, Christmas, Candlemas, and Ladyday, in some convenient place, as the Grand Master shall appoint, where no Brother shall be present who is not at that time a member thereof without a dispensation ; and while he stays, he shall not be allowed to vote, nor even give his opinion, without leave of the Grand Lodge asked and given, or unless it be duly asked by the said Lodge.

All matters are to be determined in the Grand Lodge by a majority of votes, each member having one vote, and the Grand Master having two votes, unless the said Lodge leave any particular thing to the determination of the Grand Master for the sake of expedition.

13. At the said Quarterly Communication, all matters that concern the Fraternity in general, or particular Lodges, or single brethren, are quietly, sedately, and maturely to be discoursed of and transacted ; Apprentices must be admitted Masters and Fellow-Crafts only here,\* unless by a dispensation. Here also all differences, that cannot be made up and accommodated privately, nor by a particular Lodge, are to be seriously considered and decided ; and if any Brother thinks himself aggrieved by the decision of this Board, he may appeal to the Annual Grand Lodge next ensuing, and leave his appeal in writing with the Grand Master, or his Deputy, or the Grand Wardens. Here also the Master or the Wardens of each particular Lodge shall bring and produce a list of such members as

\* This is an important Regulation, the subsequent alteration of which, by universal consent, renders many of the Old Regulations inapplicable to the present condition of Masonry. For whereas formerly Entered Apprentices constituted the general body of the Craft, now it is composed altogether of Master Masons : hence many Regulations, formerly applicable to Apprentices, can now only be interpreted as referring to Master Masons.

have been made, or even admitted, in their particular Lodges since the last Communication of the Grand Lodge ; and there shall be a book kept by the Grand Master, or his Deputy, or rather by some Brother whom the Grand Lodge shall appoint for Secretary, wherein shall be recorded all the Lodges, with their usual times and places of forming, and the names of all the members of each Lodge ; and all the affairs of the Grand Lodge that are proper to be written.

They shall also consider of the most prudent and effectual methods of collecting and disposing of what money shall be given to, or lodged with, them in charity, towards the relief only of any true Brother fallen into poverty or decay, but of none else ; but every particular Lodge shall dispose of their own charity for poor brethren according to their own bye-laws, until it be agreed by all the Lodges (in a new Regulation) to carry in the charity collected by them to the Grand Lodge, at the Quarterly or Annual Communication, in order to make a common stock of it, for the more handsome relief of poor brethren.

They shall also appoint a Treasurer, a Brother of good worldly substance, who shall be a member of the Grand Lodge by virtue of his office, and shall be always present, and have power to move to the Grand Lodge anything, especially what concerns his office. To him shall be committed all money raised for charity, or for any other use of the Grand Lodge, which he shall write down in a book, with the respective ends and uses for which the several sums are intended ; and shall expend or disburse the same by such a certain order signed, as the Grand Lodge shall afterwards agree to in a new Regulation ; but he shall not vote in choosing a Grand Master or Wardens, though in every other transaction. As in like manner the Secretary shall be a member of the Grand Lodge by virtue of his office, and vote in everything except in choosing a Grand Master or Wardens.

The Treasurer and Secretary shall have each a clerk, who must be a Brother and Fellow-Craft,\* but never must be a member of the Grand Lodge, nor speak without being allowed or desired.

The Grand Master, or his Deputy, shall always command the Treasurer and Secretary, with their clerks and books, in order to see how matters go on, and to know what is expedient to be done upon any emergent occasion.

Another Brother (who must be a Fellow-Craft\*) should be appointed to look after the door of the Grand Lodge ; but shall be no member of it. But these offices may be further explained by a new Regulation, when the necessity and expediency of them may more appear than at present to the Fraternity.

14. If at any Grand Lodge, stated or occasional, quarterly or

\* Of course, in consequence of the change made in the character of the body of the Fraternity, alluded to in last note, these office-bearers must now be Master Masons.

annual, the Grand Master and his Deputy should be both absent, then the present Master of a Lodge, that has been the longest a Freemason, shall take the chair, and preside as Grand Master *pro tempore*; \* and shall be vested with all his power and honour for the time; provided there is no Brother present that has been Grand Master formerly, or Deputy Grand Master; for the last Grand Master present, or else the last Deputy present, should always of right take place in the absence of the present Grand Master and his Deputy.

15. In the Grand Lodge none can act as Wardens but the Grand Wardens themselves, if present; and if absent, the Grand Master, or the person who presides in his place, shall order private Wardens to act as Grand Wardens *pro tempore*, † whose places are to be supplied by two Fellow-Craft of the same Lodge, called forth to act, or sent thither by the particular Master thereof; or if by him omitted, then they shall be called by the Grand Master, that so the Grand Lodge may be always complete.

16. The Grand Wardens, or any others, are first to advise with the Deputy about the affairs of the Lodge or of the brethren, and not to apply to the Grand Master without the knowledge of the Deputy, unless he refuse his concurrence in any certain necessary affair; in which case, or in case of any difference between the Deputy and the Grand Wardens, or other brethren, both parties are to go by concert to the Grand Master, who can easily decide the controversy, and make up the difference by virtue of his great authority.

The Grand Master should receive no intimation of business concerning Masonry, but from his Deputy first, except in such certain cases as his Worship can well judge of; for if the application to the Grand Master be irregular, he can easily order the Grand Wardens, or any other brethren thus applying, to wait upon his Deputy, who is to prepare the business speedily, and to lay it orderly before his Worship.

17. No Grand Master, Deputy Grand Master, Grand Wardens, Treasurer, Secretary, or whoever acts for them, or in their stead, *pro tempore*, can at the same time be the Master or Warden of a particular Lodge; but as soon as any of them has honourably

\* In the second edition of the Book of Constitutions, printed in 1738, at page 162, this Regulation is thus explained: "In the first edition, the right of the Grand Wardens was omitted in this Regulation; and it has been since found that the old Lodges never put into the chair the Master of a particular Lodge, but when there was no Grand Warden in company, present nor former, and that in such a case a Grand officer always took place of any Master of a Lodge that has not been a Grand officer." This, it may be observed, is the present usage.

† "It was always the ancient usage," says Anderson, "that the oldest former Grand Wardens supplied the places of those of the year when absent." —*Const.*, 2d edit., p. 162. Accordingly, the 15th Regulation never was observed.

discharged his Grand office, he returns to that post or station in his particular Lodge from which he was called to officiate above.

18. If the Deputy Grand Master be sick, or necessarily absent, the Grand Master may choose any Fellow-Craft he pleases to be his Deputy *pro tempore*; but he that is chosen Deputy at the Grand Lodge, and the Grand Wardens too, cannot be discharged without the cause fairly appear to the majority of the Grand Lodge; and the Grand Master, if he is uneasy, may call a Grand Lodge on purpose to lay the cause before them, and to have their advice and concurrence; in which case the majority of the Grand Lodge, if they cannot reconcile the Master and his Deputy or his Wardens, are to concur in allowing the Master to discharge his said Deputy or his said Wardens, and to choose another Deputy immediately; and the said Grand Lodge shall choose other Wardens in that case, that harmony and peace may be preserved.

19. If the Grand Master should abuse his power, and render himself unworthy of the obedience and subjection of the Lodges, he shall be treated in a way and manner to be agreed upon in a new Regulation; because hitherto the ancient Fraternity have had no occasion for it, their former Grand Masters having all behaved themselves worthy of that honourable office.

20. The Grand Master, with his Deputy and Wardens shall (at least once) go round and visit all the Lodges about town during his Mastership.

21. If the Grand Master die during his Mastership; or by sickness, or by being beyond sea, or any other way should be rendered incapable of discharging his office, the Deputy, or in his absence the Senior Grand Warden, or in his absence the Junior, or in his absence any three present Masters of Lodges, shall join to congregate the Grand Lodge immediately, to advise together upon that emergency, and to send two of their number to invite the last Grand Master to resume his office, which now in course reverts to him;\* or if he refuse, then the next last, and so backward; but if no former Grand Master can be found, then the Deputy shall act as principal, until another is chosen; or if there be no Deputy, then the oldest Master.

22. The brethren of all the Lodges in and about London and Westminster shall meet at an Annual Communication and Feast,† in some convenient place, on St John Baptist's day, or else on St John Evangelist's day, as the Grand Lodge shall think fit by a new Regulation, having of late years met on St John Baptist's day;

\* The modern usage is for the highest present Grand office-bearer to assume the vacant post.

† Very few Grand Lodges now observe this Regulation. The feast of St John is celebrated everywhere by the private Lodges; but the Annual Communications of Grand Lodges generally occur at a different period of the year.

provided the majority of Masters and Wardens, with the Grand Master, his Deputy and Wardens, agree at their Quarterly Communication,\* three months before, that there shall be a feast, and a General Communication of all the brethren ; for if either the Grand Master, or the majority of the particular Masters are against it, it must be dropt for that time.

But whether there shall be a feast for all the brethren or not, yet the Grand Lodge must meet in some convenient place annually, on St John's day ; or if it be Sunday, then on the next day, in order to choose every year a new Grand Master, Deputy, and Wardens.

23. If it be thought expedient, and the Grand Master, with the majority of the Masters and Wardens, agree to hold a grand feast, according to the ancient laudable custom of Masons, then the Grand Wardens shall have the care of preparing the tickets, sealed with the Grand Master's seal, of disposing of the tickets, of receiving the money for the tickets, of buying the materials of the feast, of finding out a proper and convenient place to feast in ; and of every other thing that concerns the entertainment.

But that the work may not be too burthensome to the two Grand Wardens, and that all matters may be expeditiously and safely managed, the Grand Master or his Deputy shall have power to nominate and appoint a certain number of Stewards, as his Worship shall think fit, to act in concert with the two Grand Wardens ; all things relating to the feast being decided amongst them by a majority of voices ; except the Grand Master or his Deputy interpose by a particular direction or appointment.

24. The Wardens and Stewards shall, in due time, wait upon the Grand Master or his Deputy for directions and orders about the premises ; but if his Worship and his Deputy are sick, or necessarily absent, they shall call together the Masters and Wardens of Lodges to meet on purpose for their advice and orders, or else they may take the matter wholly upon themselves, and do the best they can.

The Grand Wardens and the Stewards are to account for all the money they receive or expend, to the Grand Lodge, after dinner, or when the Grand Lodge shall think fit to receive their accounts.

If the Grand Master pleases, he may in due time summon all the Masters and Wardens of Lodges to consult with them about ordering the grand feast, and about any emergency or accidental thing relating thereunto, that may require advice ; or else to take it upon himself altogether.

25. The Masters of Lodges shall each appoint one experienced and discreet Fellow-Craft of his Lodge, to compose a committee, consisting of one from every Lodge, who shall meet to receive, in a

\* Quarterly Communications are still held by the Grand Lodges of England, Scotland, and Ireland.

convenient apartment, every person that brings a ticket, and shall have power to discourse him, if they think fit, in order to admit or debar him, as they shall see cause; provided, they send no man away before they have acquainted all the brethren within doors with the reasons thereof, to avoid mistakes, that so no true Brother may be debarred, nor a false Brother or mere pretender admitted. This committee must meet very early on St John's day at the place, even before any persons come with tickets.

26. The Grand Master shall appoint two or more trusty brethren to be porters or doorkeepers, who are also to be early at the place for some good reasons, and who are to be at the command of the committee.

27. The Grand Wardens or the Stewards shall appoint beforehand such a number of brethren to serve at table as they think fit and proper for that work; and they may advise with the Masters and Wardens of Lodges about the most proper persons, if they please, or may take in such by their recommendation; for none are to serve that day but Free and Accepted Masons, that the communication may be free and harmonious.

28. All the members of the Grand Lodge must be at the place long before dinner, with the Grand Master or his Deputy at their head, who shall retire and form themselves. And this is done in order:

(1.) To receive any appeals duly lodged, as above regulated, that the appellant may be heard, and the affair may be amicably decided before dinner, if possible; but if it cannot, it must be delayed till after the new Grand Master is elected; and if it cannot be decided after dinner, it may be delayed, and referred to a particular committee, that shall quietly adjust it, and make report to the next Quarterly Communication, that brotherly love may be preserved.

(2.) To prevent any difference or disgust which may be feared to arise that day; that no interruption may be given to the harmony and pleasure of the grand feast.

(3.) To consult about whatever concerns the decency and decorum of the Grand Assembly, and to prevent all indecency and ill manners, the assembly being promiscuous.

(4.) To receive and consider of any good motion, or any momentous and important affair, that shall be brought from the particular Lodges, by their representatives, the several Masters and Wardens.

29. After these things are discussed, the Grand Master and his Deputy, the Grand Wardens, or the Stewards, the Secretary, the Treasurer, the Clerks, and every other person, shall withdraw, and leave the Masters and Wardens of the particular Lodges alone, in order to consult amicably about electing a new Grand Master, or continuing the present, if they have not done it the day before; and if they are unanimous for continuing the present Grand Master, his

Worship shall be called in, and humbly desired to do the Fraternity the honour of ruling them for the year ensuing ; and after dinner it will be known whether he accepts of it or not ; for it should not be discovered but by the election itself.

30. Then the Masters and Wardens and all the brethren may converse promiscuously, or as they please to sort together, until the dinner is coming in, when every Brother takes his seat at table.

31. Some time after dinner, the Grand Lodge is formed, not in retirement, but in the presence of all the brethren, who yet are not members of it, and must not therefore speak until they are desired and allowed.

32. If the Grand Master of last year has consented with the Master and Wardens in private, before dinner, to continue for the year ensuing ; then one of the Grand Lodge, deputed for that purpose, shall represent to all the brethren his Worship's good government, &c. . And turning to him, shall, in the name of the Grand Lodge, humbly request him to do the Fraternity the great honour (if nobly born ; if not, the great kindness) of continuing to be their Grand Master for the year ensuing. And his Worship declaring his consent by a bow or a speech, as he pleases, the said deputed member of the Grand Lodge shall proclaim him Grand Master, and all the members of the Lodge shall salute him in due form. And all the brethren shall for a few minutes have leave to declare their satisfaction, pleasure, and congratulation.

33. But if either the Master and Wardens have not in private, this day before dinner, nor the day before, desired the last Grand Master to continue in the mastership another year ; or if he, when desired, has not consented : Then—

The last Grand Master shall nominate his successor for the year ensuing, who, if unanimously approved by the Grand Lodge, and if there present, shall be proclaimed, saluted, and congratulated the new Grand Master, as above hinted, and immediately installed by the last Grand Master, according to usage.

34. But if that nomination is not unanimously approved, the new Grand Master shall be chosen immediately by ballot, every Master and Warden writing his man's name, and the last Grand Master writing his man's name too ; and the man whose name the last Grand Master shall first take out, casually or by chance, shall be Grand Master for the year ensuing ; and if present, he shall be proclaimed, saluted and congratulated, as above hinted, and forthwith installed by the last Grand Master, according to usage.

35. The last Grand Master thus continued, or the new Grand Master thus installed, shall next nominate and appoint his Deputy Grand Master, either the last or a new one, who shall be also declared, saluted, and congratulated, as above hinted.

The Grand Master shall also nominate the new Grand Wardens, who if unanimously approved by the Grand Lodge, shall be declared,

saluted, and congratulated, as above hinted ; but if not, they shall be chosen by ballot, in the same way as the Grand Master ; as the Wardens of private Lodges are also to be chosen by ballot in each Lodge, if the members thereof do not agree to their Master's nomination.

36. But if the Brother, whom the present Grand Master shall nominate for his successor, or whom the majority of the Grand Lodge shall happen to choose by ballot, is, by sickness or other necessary occasion, absent from the grand feast, he cannot be proclaimed the new Grand Master, unless the old Grand Master or some of the Masters and Wardens of the Grand Lodge can vouch, upon the honour of a Brother, that the said person, so nominated or chosen, will readily accept of the said office ; in which case the old Grand Master shall act, and shall nominate the Deputy and Wardens in his name, and in his name also receive the usual honours, homage, and congratulation.

37. Then the Grand Master shall allow any Brother, Fellow-Craft, or Apprentice, to speak, directing his discourse to his Worship ; or to make any motion for the good of the Fraternity, which shall be either immediately considered and finished, or else referred to the consideration of the Grand Lodge at their next communication, stated or occasional. When that is over,—

38. The Grand Master, or his Deputy, or some Brother appointed by him, shall harangue all the brethren, and give them good advice ; and lastly, after some other transactions, that cannot be written in any language, the brethren may go away or stay longer, if they please.

39. Every Annual Grand Lodge has an inherent power and authority to make new Regulations, or to alter these, for the real benefit of this ancient Fraternity : provided always that the old Landmarks be carefully preserved, and that such alterations and new Regulations be proposed and agreed to at the third Quarterly Communication preceding the annual grand feast ; and that they be offered also to the perusal of all the brethren before dinner, in writing, even of the youngest Apprentice ; the approbation and consent of the majority of all the brethren present being absolutely necessary to make the same binding and obligatory ; which must, after dinner, and after the new Grand Master is installed, be solemnly desired ; as it was desired and obtained for these Regulations, when proposed by the Grand Lodge, to about 150 brethren, on St John Baptist's day, 1721.

The Constitutions, Charges and Regulations here presented to the reader, and which were adopted at various periods, from 926 to 1722, constitute the Written Law of Masonry, and they were at one time co-extensive in

authority with the Landmarks of the Order. From these, however, they differ in this respect, that the Landmarks, being unrepealable, must ever continue in force; while all other parts of the Written Law, having been adopted by the supreme legislative authority of the Order at the time, may be altered, amended, or altogether repealed by the same supreme authority—a doctrine which is explicitly set forth in the Thirty-ninth General Regulation. Accordingly, portions of this Written Law have, from time to time, been materially modified by different Grand Lodges, as will be evident upon comparison of these laws with the modern Constitutions of any jurisdiction.

It may, however, be considered as an axiom of Masonic law, that in every Masonic jurisdiction, where any one of these Regulations has not been formally or implicitly repealed by a subsequent enactment of a new law, the old Regulation continues in force, and the Craft must be governed by its provisions.

So in all doubtful questions of Masonic law, recourse must be had, in forming an opinion, first to the Landmarks, and then to this further code of Written Laws; and out of these two authorities, the legal *dictum* is to be established, because all the principles of law are embraced in these two authorities, the Ancient Landmarks and the Ancient Written Law; and hence they have been necessarily here presented in the first place, as affording the ORIGIN and BASIS of MASONIC LAW.

## PART II.

# LAWS RELATING TO CANDIDATES.

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### CHAPTER I.

#### QUALIFICATIONS OF CANDIDATES.

THE qualifications which are essential in those who apply for initiation into the mysteries of Freemasonry are of two kinds, *internal* and *external*. It is true that in the first degree, "it is the internal and not the external qualifications which recommend a man to be made a Mason," but the context of the sentence shows that the external qualifications there referred to are "worldly wealth and honours." The ritual has no allusion to the sort of external qualifications here to be discussed.

The *internal qualifications* of a candidate are those which lie within his own bosom, and are not patent to the world. They consist in his peculiar dispositions towards the institution—his motives and design in seeking an entrance into it. Hence they are certainly known to himself alone; and others can only accept his solemn declarations.

The *external qualifications* are those which relate to the candidate's outward fitness for initiation, and are based on his moral and religious character, the frame of his body, the constitution of his mind, and his social position. A knowledge of these is to be acquired from a careful examination by a committee appointed for the purpose.

Each of these divisions requires separate consideration.

## SECTION I.

## INTERNAL QUALIFICATIONS.

1. The first of the internal qualifications is, that every candidate for initiation into the mysteries of Freemasonry must come of his own *free will and accord*. The Laws of Grand Lodges lay down the following as "the Declaration to be assented to by every candidate previous to initiation, and to be subscribed by his name at full length."

"I [A. B.], being free by birth, and of the full age of twenty-one years, do declare, that, unbiassed by the improper solicitation of friends, and uninfluenced by mercenary or other unworthy motives, *I freely and voluntarily offer myself* a candidate for the mysteries of Freemasonry," &c.

This is a peculiar feature of the Masonic institution that must commend it to the respect of every generous mind. Whosoever seeks a knowledge of Masonic rites must first be prepared for the ordeal in his heart: he must not only be endowed with the necessary moral qualifications which would fit him for admission into a society which is founded on the purest principles of virtue and religion, but he must come uninfluenced by the persuasions of friends. This is a settled usage of the Order, and therefore nothing can be more painful to a true Mason than to see this usage violated by young and heedless brethren. It cannot be denied that the usage is sometimes violated; and this habit of violation is one of those unhappy influences often almost insensibly exerted upon Masonry by the existence of the many imitative societies to which the present age, like those which preceded it, has given birth, and which resemble Masonry in nothing except in having some sort of secret ceremony of initiation. Men who misconceive the true policy of Masonry should be instructed by their older and more experienced brethren that it is wholly in opposition to all its laws and principles to ask any one to become a Mason, or to exercise any kind of influence upon the minds of others, except that of a truly Masonic life and a practical exemplification of the

tenets by a regard to which they may be induced to ask admission into our Lodges.

2. The next internal qualification of a candidate is that, in making his application, he must be *uninfluenced by mercenary motives*. This qualification is included in the Declaration already quoted in the preceding paragraph. If the introduction of candidates under the influence of undue solicitation is attended with an injurious effect upon the institution, how much more fatal must be the results when the whole motives are of a mean and ignoble kind, and when the applicant is actuated only by the degrading hopes of pecuniary interest or personal aggrandisement? The whole spirit of the Order revolts at the very idea of such a prostitution of its noble purposes, and turns with loathing from the aspirant who seeks its mysteries, impelled, not by the love of truth and the desire of knowledge, but by the paltry inducements of sordid gain.

“There was a time,” says an eloquent and discerning Brother, “when few except the good and true either sought for or gained admission into Masonic Lodges, for it was thought that such alone could find their affinities there. Masons were then comparatively few, and were generally known and distinguished for those qualifications which the teachings of the Order require on the part of all who apply for admission. They were not of those who would make merchandise of its benefits, by prostituting them to the purposes of individual emolument. They were not of those who would seek through Masonic appliances to re-invigorate a decaying reputation, and gain a prominence within the Lodge that was unattainable without it; or worse still, to use its influence to gain prominence elsewhere.”

That which was unknown in the times when Masonry was struggling for its existence, and when prejudice and bigotry barely tolerated its presence, has now become a “crying evil”—when Masonry, having outlived its slanderers, and wrought out its own reputation, is to be classed among the most popular institutions of the day. Hence it becomes incumbent on every Mason closely to

inquire whether any applicant for initiation is invited to his pursuit by a love of truth, a favourable opinion which he has conceived of the institution, and a desire, through its instrumentality, of benefiting his fellow-creatures, or comes under the degrading influences of mercenary motives.

The presence of these internal qualifications is to be discovered, as has been already said, from the statements of the candidate himself; and hence by an ancient usage of the Order, which should never be omitted, a declaration to the necessary effect is required to be made by the candidate in the presence of the Stewards of the Lodge, or of a committee appointed for that purpose, in an adjoining apartment previous to his initiation. A mistake is often made in asking these questions in the Lodge itself. The oldest form of this declaration used is in these words:—

“Do you seriously declare, upon your honour, before these gentlemen, that, unbiassed by friends and uninfluenced by mercenary motives, you freely and voluntarily offer yourself a candidate for the mysteries of Freemasonry?”

“Do you seriously declare, upon your honour, before these gentlemen, that you are prompted to solicit the privileges of Masonry by a favourable opinion conceived of the institution, a desire of knowledge, and a sincere wish of being serviceable to your fellow-creatures?”

“Do you seriously declare, upon your honour, before these gentlemen, that you will cheerfully conform to all the ancient established usages and customs of the Fraternity?”

Some Grand Lodges have slightly added to the number of these questions, but the three above cited appear to be all that ancient usage warrants, or the necessities of the case require.

## SECTION II.

### EXTERNAL QUALIFICATIONS.

It has been already said that the external qualifications of every candidate are based upon his moral and religious character, the frame of his body, the constitution of his

mind, and his social position. These qualifications are, therefore, of a fourfold nature, and must be considered under the distinct heads of *Moral, Physical, Intellectual, and Political*.

### 1. *Moral Qualifications.*

All the old Constitutions, from those of York in 926, to the Charges approved in 1722, refer, in pointed terms, to the moral qualifications which should distinguish a Mason, and, of consequence, a candidate who desires to be admitted into the Fraternity. The Charges of 1722 commence with the emphatic declaration that "a Mason is obliged by his tenure to obey the moral law; and if he rightly understands the art, he will never be a stupid atheist nor an irreligious libertine." Obedience, therefore, to a particular practical law of morality, and belief in certain religious dogmas, seem to constitute the moral qualifications of every candidate for admission into the Fraternity. The proper inquiry must therefore be into the nature of this law of conduct and these dogmas of belief.

The term "moral law," in a strictly theological sense, signifies the Ten Commandments which were given to the Jewish nation; for the present purpose, however, it may be more appropriately defined as the rule of good and evil, or of right and wrong, revealed by the Creator and inscribed on man's conscience even at his creation, and consequently binding upon him by divine authority. Dr Anderson, the original compiler of the Book of Constitutions, seems to have inclined to this opinion; for, in the second edition of that work, published in 1738, he modified the language of the Charge before cited, in these words:—"A Mason is obliged by his tenure to observe the moral law as a true Noachida," thus extending the limits of the law to those Precepts of Noah which are supposed to be of universal obligation among all nations.\* It is true that on the

\* As these Precepts of the patriarch Noah are frequently referred to as having been the constitutions of our ancient brethren, it may be well to enumerate them. They are seven in number, and are as follows: 1. Re-

publication of the third edition of the Constitutions, in 1755, the Grand Lodge of England restored the original reading of the Charge; but the fact that the alteration had once been made by Anderson, is strong presumptive evidence that he was unwilling to restrict the moral code of Masonry to the commandments set forth by the Jewish lawgiver. Apart from the fact that many learned and pious Christian divines have doubted how far the Jewish law is to be considered binding, except as it is confirmed by the express sanctions of the New Testament, the consideration that Masonry, being a cosmopolitan institution, cannot be circumscribed within the limits of any particular religion, must lead us to give a more extended application to the words "moral law," contained in the old Charge. Hence, then, we may say, that he who desires to become a Mason must first be qualified for initiation by a faithful observance of all those principles of morality and virtue which practically exhibit themselves in doing unto others as he would that they, in like circumstances, should do unto him. This constitutes the golden rule—the true basis of all morality. The man who thus conducts himself will necessarily receive not only the reward of his own conscience, but the approbation and respect of the world; to which latter consequence, as an evidence of a well-spent life, the ritual refers when it requires, as one of the qualifications of a candidate, that he should be "under the tongue of good report." The man who submits to this rule, will of necessity observe the Decalogue; not always because it is the Decalogue, but because its dictates are the dictates of right and justice; and he will thus come strictly within the provisions of the old Charge, even in its most limited acceptation, and will of course "obey the moral law."

The religious qualifications are embraced in the same Charge, under the expression, that if a Mason "rightly understands the art, he will never be a stupid atheist nor

nounce all idols. 2. Worship the only true God. 3. Commit no murder. 4. Be not defiled by incest. 5. Do not steal. 6. Be just. 7. Eat no flesh with blood in it.

an irreligious libertine." A belief in God is one of the unwritten Landmarks of the Order, requiring no regulation or statutory law for its confirmation. The necessity of such a belief results from the very nature of the Masonic institution, and is set forth in the Order as one of the very first pre-requisites to the ceremony of initiation. The Divine Being, the Creator of heaven and earth, is particularly viewed in Masonry in His character as the Great Master Builder of the Worlds, and is hence masonically addressed as the GREAT ARCHITECT OF THE UNIVERSE.

Consequent on a belief in God, and indeed inseparably connected with it, is a belief in a resurrection to a future life. This doctrine of a resurrection is also one of the great Landmarks of the Order, and its importance and necessity may be estimated from the fact, that almost the whole design of speculative Masonry, from its earliest origin, seems to have been to teach this great doctrine of the resurrection.

As to any other religious doctrines, Masonry leaves its candidates to the enjoyment of their own opinions, whatever they may be.\* The word "libertine," which is used in the old Charges, conveyed, at the time when those Charges were composed, a meaning somewhat different from that which is now given to it. Bailey defines *libertinism* to be "a false liberty of belief and manners, which will have no other dependence but on particular fancy and passion; a living at large, or according to a person's inclination, without regard to the divine laws." A "religious libertine" is, therefore, a rejecter of all moral responsibility to a superior power, and may be well supposed to be a denier of the existence of a Supreme Being and of a future life. Such a sceptic is, by the very constitution of speculative Masonry, unfit for initiation, because the object

\* "Though in ancient times Masons were charged in every country to be of the religion of that country or nation, whatever it was, yet it is now thought more expedient only to oblige them to that religion in which all men agree, leaving their particular opinions to themselves."—*Charges of 1722*, No. 1.

of all Masonic initiation is to inculcate these two great truths.

Within these few years an attempt has been made by some Grand Lodges to add to the simple qualifications which have just been stated another which requires a belief in the divine authority of the Scriptures. It is much to be regretted that Masons sometimes forget the fundamental laws of their institution, and endeavour to add to—or in reality rather to detract from—the perfect integrity of the building, as it was left to them by their predecessors. Whenever this is done, the beauty of the temple must suffer. The Landmarks of Masonry are so perfect that they neither need nor will admit of the slightest amendment. Thus in the very instance here referred to, the fundamental law of Masonry requires only a belief in the Supreme Architect of the universe, and in a future life, while it says, with peculiar toleration, that in all other matters of religious belief, Masons are only expected to be of that religion in which all men agree, leaving their particular opinions to themselves. Under the shelter of this wise provision, the Christian and the Jew, the Mohammedan and the Brahmin, are permitted to unite around one common altar; and Masonry becomes, in practice as well as in theory, universal. The truth is, that Masonry is undoubtedly a religious institution—its religion being of that universal kind which has its origin in the universally felt wants of human nature, and in the very exercise of the human faculties, and which embraces the great tenets of the existence of God and the immortality of the soul. These tenets, by its peculiar symbolic language, it has preserved from its foundation, and still continues, in the same beautiful way, to teach. Beyond this, for its religious faith, it must not and cannot go.

It may, then, be laid down as good Masonic law, with respect to the moral and religious qualifications of candidates, that they are required to be men of good moral character, believing in the existence of God and in a future state. These are all the moral qualifications that can be demanded, and each of them is essential.

## 2. *Physical Qualifications.*

The physical qualifications of a candidate are repeatedly alluded to in the ancient Charges and Constitutions, and may be considered under the three heads of Sex, Age, and Bodily Conformation.

1. *As to Sex.*—It is an unquestionable Landmark of the Order, and the very first pre-requisite to initiation, that the candidate shall be “a man.” This of course prohibits the initiation of a woman. This Landmark arises from the peculiar nature of the speculative science of Masonry and its connection with an operative art. Speculative Masonry is the application of operative Masonry to moral and intellectual purposes. Our predecessors wrought, according to the traditions of the Order, in the construction of a material temple, while we are engaged in the erection of a spiritual edifice—the temple of the mind. They employed their implements for merely mechanical purposes; we use them symbolically, with a more exalted design. Thus it is that in all our emblems, our language, and our rites, there is a beautiful exemplification and application of the rules of operative Masonry to a spiritual purpose; and as it is evident that King Solomon employed in the construction of his temple only hale and hearty men and cunning workmen, so our Lodges, in imitation of that great exemplar, demand, as an indispensable requisite to initiation into our mysteries, that the candidate shall be *a man*, capable of performing such work as the Master shall assign him. This is, therefore, the origin of the Landmark which prohibits the initiation of females.

2. *As to Age.*—The ancient Regulations do not express any determinate number of years at the expiration of which a candidate becomes legally entitled to apply for admission. The language used is, that he must be of “mature and discreet age.” The usage of the Craft, however, has differed in various countries as to the age at which this period of maturity and discretion is supposed to have arrived. The 6th of the Regulations adopted in 1663

prescribes, that "no person shall be accepted unless he be twenty-one years old, or more;" but the subsequent Regulations are less explicit. At Frankfort-on-the-Maine, the age required is twenty; in the Lodges of Switzerland, it has been fixed at twenty-one. The Grand Lodge of Hanover prescribes the age of twenty-five, but permits the son of a Mason to be admitted at eighteen. The Grand Lodge of Hamburg decrees that the lawful age for initiation shall be that which in any country has been determined by the laws of the land to be the age of majority. The Grand Orient of France requires the candidate to be twenty-one, unless he be the son of a Mason, who has performed some important service to the Order, or unless he be a young man who has served six months in the army, when the initiation may take place at the age of eighteen. In Prussia the required age is twenty-five. In England it is twenty-one, except in cases where a dispensation has been granted for an earlier age by the Grand or Provincial Grand Master. In Ireland the age must be twenty-one, except in cases of dispensation granted by the Grand Master or Grand Lodge. In Scotland a candidate need not be more than eighteen years of age. In the United States, the usage is general that the candidate shall not be less than twenty-one years of age at the time of his initiation, and no dispensation can issue for conferring the degrees at an earlier period.

The variety in the laws relating to this subject conclusively proves that the precise age has never been determined by any Landmark of the Order. The design and nature of the institution must in this case be our only guide. The speculative character of the society requires that none shall be admitted to its mysteries except those who have reached the age of maturity and discretion; but it is competent for any Grand Lodge to determine for itself what shall be considered to be that age of maturity.

3. *As to Bodily Conformation.*—There is no part of Masonic jurisprudence which has given greater occasion to discussion in recent years than that relating to the bodily

conformation which is required of the candidate. While some give a strict interpretation to the language of the ancient Constitutions, and rigorously demand the utmost perfection of limbs and members, there are others who reject only such as are from natural deformity or subsequent injury unable to perform the work of speculative Masonry. In a controversy of this kind, the only way to settle the question is, to make a careful and impartial examination of the authorities on which the law as to physical conformation is founded.

The first written law that we find on this subject is contained in the fifth article of the Gothic Constitutions, adopted at York, in the year 926, and is in these words :—

“A candidate must be without blemish, and have the full and proper use of his limbs ; for a maimed man can do the Craft no good.”

The next enactment is to be found in the Regulations of 1663, under the Grand Mastership of the Earl of St Albans, and is in these words :—

“No person hereafter shall be accepted a Freemason but such as are of able body.”

The next Regulation, in order of time, is that contained in “The Ancient Charges at Makings,” adopted about the year 1686, the manuscript of which was in the possession of the Lodge of Antiquity at London. It is still more explicit than those which preceded it, and is in the following language :—

“That he that be made be able in all degrees ; that is, free born, of a good kindred, true, and no bondsman or bastard ; and that he have his right limbs, as a man ought to have.”

Similar declarations, with respect to physical ability, are made in the Charges approved in 1722.

“No Master should take an Apprentice unless he has sufficient employment for him, and unless he be a perfect youth, having no maim or defect in his body that may render him incapable of learning the art of serving his Master's lord, and of being made a Brother,” &c.

So far, then, the ancient Written Law of Masonry seems undoubtedly to have contemplated the necessity of perfection in the physical conformation of candidates, and the inadmissibility of all who had any defect of limb or member. In the early part of last century, this opinion must have generally prevailed among the Craft; for, in the second edition of the Book of Constitutions, which was edited by Dr Anderson, and, after perusal, approved officially by such Masons as Desaguiliers, Cowper, and Payne, the language of the first edition was so altered as to leave no doubt of the construction that the brethren at that time put upon the clause relating to physical qualifications. The Charge in this second edition is in the following unmistakable words :

“The men made Masons must be free born, no bastard (or no bondmen), of mature age and of good report, *hale and sound, not deformed or dismembered at the time of their making.*”

When the schism took place in the Grand Lodge of England, in 1739, the Athol, or Ancient Masons, as they called themselves, adopted this construction of the law, as is evident from the fact that, in their Book of Constitutions, which they published under the title of the “Ahiman Rezon,” they incorporated this Charge, word for word, from Anderson’s edition of 1738. From that time until very recently, the same rigid interpretation has been given to the law of physical qualifications.

It is usual, in the most correct rituals specially to name *eunuchs* as being incapable of initiation. In none of the old Constitutions and Charges is this class of persons specially mentioned, although of course they are comprehended in the general prohibition against making persons who have any blemish or maim. However, in the Charges which were published by Dr Anderson they are included in the list of prohibited candidates. It is probable from this that at that time it was usual to name them in the point of the OB. referred to ; and this presumption derives strength from the fact that Dermott, in copying his Charges from those of Anderson’s second edition, added a note complaining of

the "moderns" for having disregarded this ancient law, in at least one instance. The question is, however, not worth discussion, except as a matter of ritual history, since the legal principle is already determined that eunuchs cannot be initiated because they are not perfect men, "having no maim or defect in their bodies."

### 3. *Mental Qualifications.*

The ancient Constitutions are silent, except perhaps by implication, on the subject of the mental qualifications of candidates. The question then occurs, what amount of talent and of mental cultivation are necessary to qualify a person for initiation?

The late Bro. Dr Oliver tells us that Masonry is an order "in which the pleasing pursuits of science are blended with morality and virtue on the one hand, and benevolence and charity on the other." Laurie declares that its object is "to inform the minds of its members by instructing them in the sciences and useful arts." Smith, Hutchinson, Preston, and other writers, now all dead, concur in giving a scientific and literary character to the institution.

It does not, however, follow from this that none but scientific and literary men are qualified to be made Masons. To become a master of Masonic science—to acquire the station of a "teacher in Israel"—it is certainly necessary that there should be first laid a foundation of profane learning on which the superstructure of Masonic wisdom is to be erected. But all Masons cannot expect to reach this elevated point; very few aspire to it; and there must still remain a great number of the Fraternity who will be content with the mere rudiments of our science. But even for these, some preparatory education appears to be necessary. A totally ignorant man cannot be even a "bearer of burdens" in the temple of Masonry.

The modern Constitutions of the Grand Lodge of England are explicit on this subject; for, in describing the qualifications of a candidate, they say that "he should be a lover of the liberal arts and sciences, and must have made some

progress in one or other of them." This rule, however, it is well known, is constantly disregarded ; and men without any pretensions to liberal education are constantly initiated.

In a note to this clause of the Constitution, it is added, that "any individual who cannot write, is consequently ineligible to be admitted into the Order;" indeed, it is clear from the very nature of the institution, that persons who cannot read and write are ineligible for initiation. In the first degree, a test is administered, the offering of which would be manifestly absurd, if the person to whom it was offered could neither read nor write; and in the presentation of the letter G, and all the instructions on that important symbol, it must be taken for granted that the candidate who is invested with them is acquainted with the nature and power of letters.

Idiots and madmen, although again the written law is silent upon the subject, are excluded by the ritual law from initiation, and this for the evident reason that the powers of understanding are in the one case absent, and in the other perverted, so that both these classes of persons are incapable of comprehending the principles of the institution, and would be without any moral responsibility for a violation or neglect of its duties.

It has sometimes been mooted as a question, whether a person, having once been insane, and then restored to health, is admissible as a candidate. The reply to the question depends on the patient's having been fully restored to health or not. If he has been fully restored to soundness of mind, he does not come within the provisions of the law, which looks only to the present condition, mental, physical, and moral, of the candidate. If he has not, and if his apparent recovery is only what medical men call a lucid interval, then the disease of insanity, although not manifesting itself to such a degree as formerly, still affects him, and he cannot rightfully be initiated.

#### 4. *Political Qualifications.*

The political qualifications of candidates are those which

refer to their position in society. To only one of these do any of the ancient Constitutions allude. We learn from them that the candidate for the mysteries of Masonry must be "free born."

As far back as the year 926, this Regulation was in force; for the Old York or Gothic Constitutions, which were adopted in that year, contain the following as the fourth article:—

"The son of a bondman shall not be admitted as an Apprentice, lest, when he is introduced into the Lodge, any of the brethren should be offended."

Subsequently, in the Charges approved in 1722, it is declared that "the persons admitted members of a Lodge must be free born." And there never has been any doubt that this was the ancient law and usage of the Order.

In the ancient Mysteries, which are generally supposed to be the prototype of the Masonic institution, a similar law prevailed; and no slave, or man born in slavery, although afterwards manumitted, could be initiated.

Slaves and persons born in servitude are not initiated, because, in the first place, as respects the former class, their servile condition renders them legally incapable of making a contract; in the second place, because the admission of slaves among freemen would be a violation of that social equality in the Lodge which constitutes one of the Landmarks of Masonry; and in the third place—as respects both classes, the present slave and the freedman who was born in slavery—because the servile condition is believed to be necessarily accompanied by a degradation of mind and an abasement of spirit, which unfit them to be recipients of the sublime doctrines of Freemasonry.

The Regulations of the Grand Lodge of England carry this idea of freedom of action to its fullest extent, and declare that "it is inconsistent with the principles of Masonry for any Freemasons' Lodge to be held for the purposes of making, passing, or raising Masons in any prison or placé of confinement." This resolution was

adopted in consequence of a Lodge having been held in 1782 in the King's Bench prison. The ancient Constitutions are silent upon the subject; but there seems little reason for doubting the correctness of the opinion that Lodges should only be held in places where the utmost freedom of ingress and egress prevails.

We conclude this chapter on the qualifications of candidates with this summary:—The person who desires to be made a Freemason must be a man—no woman, nor eunuch; free born—no bastard; not the son of a bondwoman; a believer in God and a future existence; of good moral conduct; capable of reading and writing; not blind, deaf, dumb, deformed, nor dismembered, but hale and sound in his physical conformation, “having his right limbs, as a man ought to have.”

## CHAPTER II.

## THE PETITION OF CANDIDATES.

A CANDIDATE, qualified in the way described in the preceding chapter, and being desirous of admission into the Order, ought to apply to a Lodge near to his place of residence, by means of a petition signed by himself, and accompanied with the recommendation of at least two members of the Lodge to which he applies.

This is the simple statement of the law ; but there are several points in it which require further consideration.

1. In the the first place, the candidate must apply by written petition. No verbal nomination of a candidate is sufficient. The petition must be written, because it is to be preserved by the Secretary in the archives of the Lodge as an evidence of the fact of application, which, in the event of a rejection of the applicant, or, as he is more usually called, the petitioner, may become of some importance. The form of the petition is also to be attended to. The important and essential points are, that it shall declare the place of residence, the age, and the occupation of the petitioner, with his avowal that he offers himself voluntarily, and that he will conform to the ancient customs and usages of the Order. These declarations are made that the committee to whom the petition is to be referred for inquiry may have no unnecessary difficulty in their investigations.

2. The petition must be signed in the handwriting of the petitioner. This is the general usage. Grand Lodges expressly require it to be done. The signature should always be made by the applicant himself.

3. The petition must be recommended by at least two

members of the Lodge affixing their names to it, as recommenders of the applicant.

4. The application ought to be made to the Lodge nearest the candidate's place of residence. This is now the general usage, and may be considered as Masonic custom by almost universal consent. It must, however, be acknowledged, that no express law upon this subject is to be found either in the Ancient Landmarks or the Old Constitutions, and its positive sanction as a law in any jurisdiction must be found in the local enactments of the Grand Lodge of that jurisdiction. Still there can be no doubt that expediency and justice to the Order make such a regulation necessary, because it is only in the neighbourhood of his own residence that the character of a candidate can be thoroughly investigated; and hence, if permitted to apply for initiation in remote places, there is danger that unworthy persons might sometimes be introduced into Lodges.

5. The petition must be read on a regular night of meeting. This is done that no member may be taken by surprise, and an unworthy or unacceptable candidate be thus admitted without his knowledge or consent. The rule is derived by implication from the fifth of the Regulations of 1721, which prescribes that the petition shall lie over for one month. Now, as it is admitted that a ballot cannot take place except at a regular meeting of the Lodge, this will carry back the time of presentation to the previous regular meeting.

6. The petition, having been once read, cannot be withdrawn. It must go through the ordeal of investigation and ballot. This, too, is a regulation derived from constant and universal usage, rather than from any expressed statutory provision. The Ancient Constitutions say nothing on the subject; but so general has been the custom that it may now be considered as having the force of an unwritten law. Many Grand Lodges have, in fact, adopted it as a specific regulation, and in others, the practice is pursued, as it were, by tacit consent. Besides, the analogy of our

speculative institution to an operative art gives sanction to the usage. The candidate for Masonry has always been considered, symbolically, as material brought up for the building of the temple. This material must be rejected or accepted. It cannot be carried elsewhere for further inspection. The Lodge to which it is first brought must decide upon its fitness. To withdraw the petition, would be to prevent the Lodge from making that decision, and, therefore, no petition for initiation, having been once read, can be withdrawn; it must go through the necessary forms.

7. In the next place, the petition must be referred to a committee, for an investigation into the character and the qualifications of the candidate. The law, derived from the ancient Regulations of 1721, is explicit, that there shall be an inquiry into the character of the candidate; but it is silent as to the mode in which that inquiry shall be made. It might, it is true, be made by the whole Lodge, every member considering himself as a member of the committee of investigation; but as this would be a troublesome method, and one which could hardly be successful, from the very number of the investigators, and the probability that each member would depend upon his associates for the performance of an unpleasant duty, it has been invariably the custom to refer the subject to a special committee, consisting generally of three. The members of the committee are always chosen by a skilful Master from among those members who, from peculiar circumstances, are most likely to make the inquiry with promptness, certainty, and impartiality.

8. The petition, thus submitted to a committee, cannot be acted on until the next regular meeting, at which the committee make their report.

9. If the report of the committee is unfavourable, the candidate is at once rejected without ballot. This usage is founded on the principles of common sense; for, as by the Ancient Constitutions, one black ball is sufficient to reject an application, the unfavourable report of a committee

must necessarily and by consequence include two unfavourable votes at least. It is therefore unnecessary to go into a ballot after such a report, as it is to be taken for granted that the brethren who reported unfavourably would, on a resort to the ballot, give negative votes.

## CHAPTER III.

## BALLOTING FOR CANDIDATES.

THE petition of the candidate having been referred to a committee, and that committee having reported favourably, the next step in the process is to submit the petition to the members of the Lodge for their acceptance or rejection. The law upon which this usage is founded is contained in the sixth article of the General Regulations of 1721, which declares that "no man can be entered a Brother in any particular Lodge, or admitted a member thereof, without the unanimous consent of all the members of the Lodge then present when the candidate is proposed, and their consent is formally asked by the Master."

No peculiar mode of expressing this opinion is laid down in any of the ancient Constitutions; on the contrary, the same sixth article goes on to say that the members "are to signify their consent or dissent in their own prudent way, either virtually or in form, but with unanimity." Universal and uninterrupted usage, however, in this country, has required the votes on the application of candidates to be taken by ballot, which has been very wisely done, because thereby the secrecy and consequent independence of election is secured.

Four things are to be observed as to this subject:—1. The ballot must be unanimous in favour of the candidate, or he cannot be admitted. 2. It must be independent. 3. It must be secret. 4. It cannot be reconsidered.

1. The unanimity of the ballot has the sanction of the express words of the Regulation of 1721. No one can be admitted into a Lodge upon his application either for

membership as a Mason, or for initiation as a profane, "without the unanimous consent of all the members of that Lodge then present." This is the true ancient usage.

From the fact that the vote which is given on the ballot for a candidate must be one in which the unanimous consent of *all present* is to be given, it follows that all the members then present are under an obligation to vote. No one can be exempted except by the unanimous consent of the Lodge.

2. Independence of all responsibility is an essential ingredient in the exercise of the ballot. A Mason is responsible to no human power for the vote that he gives on the petition of a candidate. To his own conscience alone is he to answer for the motives that have led to the act, and for the act itself. It is of course wrong, in the exercise of this invaluable prerogative, to be influenced by pique or prejudice, or by an adverse vote to indulge an ungenerous feeling. But whether a member is or is not influenced by such motives, or is indulging such feelings, no one has a right to inquire. No Mason can be called to account for the vote that he has given. A Lodge is not entitled indeed to know how any one of its members has voted. No inquiry on this subject can be entertained; no information can be received.

So anxious is the law to preserve this independence of the ballot, as the great safeguard of its purity, that the Grand Lodge, supreme on almost all other subjects, has no power to interfere in reference to the ballot for a candidate; and notwithstanding that injustice may have been done to an upright and excellent man by his rejection (and such cases of clear injustice sometimes occur), neither the Grand Lodge nor the Grand Master can afford any redress, nor can any dispensation be granted for either reversing the decision of the Lodge, or for allowing less than a unanimous ballot to be required.

3. The secrecy of the ballot is as essential to its perfection as its unanimity or its independence. If the vote were to be given *viva voce*, it is impossible that the improper influences

of fear or interest should not sometimes be exerted, and timid members be thus induced to vote contrary to the dictates of their reason and conscience. Hence to secure this secrecy and protect the purity of choice, it has been wisely established as a usage, not only that the vote shall in these cases be taken by a ballot, but that there shall be no subsequent discussion of the subject. Not only has no member a right to inquire how his fellows have voted, but it is wholly out of order for him to explain his own vote. And the reason of this is evident. If one member has a right to rise in his place and announce that he has deposited a white ball, then every other member has the same right; and in a Lodge of twenty members, where an application has been rejected by one black ball, if nineteen members state that they did not deposit it, the inference is clear that the twentieth Brother has done so, and thus the secrecy of the ballot is at once destroyed. The rejection having been announced from the chair, the Lodge should at once proceed to other business, and it is the sacred duty of the presiding office-bearer peremptorily and at once to check any rising discussion on the subject. Nothing must be done to impair the inviolable secrecy of the ballot.

4. The ballot cannot be reconsidered, unless there should be reason to think that a mistake has been committed, as that a black ball has been deposited where the depositer intended a white one. If the Master of the Lodge supposes it probable or possible that such an error may have been committed, or if he has any other equally good reason, he may order a reconsideration of the ballot. But even this must be done under restriction that the reconsideration is ordered at once. If any member has left the room after the first ballot has been taken, it would be clearly wrong in the Master to order a reconsideration, because it might be that the party so leaving had been the very one who had voted for a rejection. Of course it follows, on the same principle, that the Master would not be justified in ordering a reconsideration at any subsequent meeting. The Lodge having been closed, there is no power in Masonry which can

order a reconsideration. The result cannot be affected except by a new petition.

Neither the Grand Master nor the Grand Lodge has the power, under any circumstances whatever, to order a reconsideration of a ballot. Everything concerning the admission or rejection of candidates is placed exclusively in the Lodge. This is "an inherent privilege, not subject to dispensation."

## CHAPTER IV.

## THE CONSEQUENCES OF REJECTION.

WHEN a candidate for initiation into the mysteries of Freemasonry has been rejected in the manner described in last chapter, he is necessarily and consequently placed in a position towards the fraternity which he had not before occupied, and which position requires some examination.

1. In the first place there can be no reconsideration of his application on a mere vote of reconsideration by the Lodge.

2. In the next place he cannot apply to any other Lodge for initiation. Having been once rejected by a certain Lodge, he is for ever debarred the privilege of applying to any other for admission. This law is implicitly derived from the Regulations, which forbid Lodges to interfere with each other's work. The candidate, as has been already observed, is to be viewed as "material brought up for the building of the temple." To investigate the fitness or unfitness of that material is a part of Masonic labour, and when a Lodge has commenced that labour, it is considered discourteous for any other to interfere with it. This sentiment of courtesy, which is in the true spirit of Masonry, is frequently inculcated in the ancient Masonic codes. Thus in the Gothic Constitutions, it is laid down that "a Brother shall not supplant his Fellow in the work;" the "ancient Charges at makings," adopted in the time of James II., also direct that "no Masters or Fellows supplant others of their work;" and the Charges approved in 1722 are still more explicit in directing that none shall attempt to finish the work begun by his Brother.

There is another and more practical reason why petitions

shall not, after rejection, be transferred to another Lodge. If such a course were admissible, it is evident that nothing would be easier than for a candidate to apply from Lodge to Lodge, until at last he might find one, less careful than others of the purity of the household, through whose too willing doors he could find admission into that Order, from which the justly scrupulous care of more stringent Lodges had previously debarred him. The laws of Masonry have therefore wisely declared that a candidate, having once been rejected, can apply to no other Lodge for admission, except the one which has rejected him.

3. A candidate who has been rejected may, however, again apply to the Lodge which has rejected him. The ancient laws of the Order are entirely silent as to the time when this new application is to be made. Where there is no specified local Regulation on the subject, it is competent for the candidate to re-apply at any subsequent regular communication. In such a case, however, he must apply by an entirely new petition, which must again be vouched for and recommended as in the original application, by the same or other brethren; must be again referred to a committee of inquiry on character; must lie over for one month, and then be balloted for precisely as it was before. The treatment of this new petition must be, in all respects, as if no former petition existed. The necessary notice will in this way be given to all the brethren, and if there are the same objections to receiving the candidate as existed in the former trial, there will be ample opportunity for expressing them in the usual way by the black ball. It may be objected that in this way a Lodge may be harassed by the repeated petitions of an importunate candidate. This, it is true, may sometimes be the case; but this "*argumentum ab inconveniente*" can be of no weight, since it may be met by another argument of equal or greater force, that if it were not for this provision of a second petition, many good men who had perhaps been unjustly refused admission, and for whose rejection the Lodge might naturally feel regret, would be without redress. Circumstances may occur in which a

rejected candidate may, on a renewal of his petition, be found worthy of admission. He may have since reformed and abandoned the vices which had originally caused his rejection, or it may be that the Lodge has since found that it was in error, and in his rejection had committed an act of injustice. It is wisely provided, therefore, that, to meet such cases, the candidate is permitted to present a renewed petition, and to pass through a second or even a third and fourth ordeal. If it prove favourable in its results, the injustice to him is compensated for; but if it again prove unfavourable, no evil has been done to the Lodge, and the candidate is just where he was before his renewed application.

All that has been here said refers exclusively to the petitions of profanes for initiation. The law which relates to the applications of Master Masons for admission into a Lodge as members, will be considered when we come to treat of the rights and duties of Master Masons.

The subject of balloting, on application for each of the degrees, or the advancement of candidates from a lower to a higher degree, will also be more appropriately referred to in the succeeding Part, which will be devoted to the consideration of the Initiation, and more especially to that part of it which treats of the rights of Entered Apprentices and Fellow Crafts.

## PART III.

# LAWS RELATING TO INITIATION.

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### CHAPTER I.

#### INITIATION.

1. *Preparation of the Candidate.*—The ballot having proved favourable, the candidate, who is usually in attendance, may then be prepared for initiation. But as there are frequently more candidates than one in the anteroom, and the initiations ought to be conducted singly, it is very desirable, although there is no direct prohibition on the subject, that one candidate should not be allowed to witness the preparation of another. There are cases in which it might excite some unpleasantness of feeling, that would deteriorate the effects of his own initiation; and as all the ceremonies of Freemasonry are, or ought to be, conducted with the utmost solemnity and decorum, being founded on the preliminary avowal of a belief in the being of a God and in a future state, no laxity of discipline or levity of conduct which may have the most indirect tendency to embarrass the candidate or alienate his thoughts into an improper channel, should be mixed up with the complicated and serious rites that attend his introduction into the consecrated Lodge.

2. *The Making.*—No person can be legally initiated into Masonry except in a chartered Lodge, at a duly summoned meeting of the brethren, whether regular or emergent,

with seven members present at the least, including the Worshipful Master in the chair; and it is provided by the Constitutions that not more than five candidates shall be made at any single meeting of the Lodge, except the Master be authorised by dispensation to admit a greater number. No prohibition being subjoined to prevent their initiation *en masse*, some Lodges, to save time and trouble, are in the habit of admitting a plurality of candidates together. This practice would be better avoided; for, however impressive the ceremony of initiation may be on the mind of a single candidate, isolated from all causes of distraction of feeling, the introduction of double or treble, or perhaps quintuple makings, is sure to produce dissatisfaction, and not unfrequently a feeling of disgust, which may prove a bar to the candidates' future Masonic career. Some of the Grand Lodges by a distinct resolution absolutely forbid all Masters of Lodges to confer the first degree of Freemasonry in the working part on more than one candidate at one time. Many of the Lodges in Scotland still adhere to this rule. When a certain part of the ceremony has been accomplished, however, the candidates may be introduced in a body without the slightest impropriety; and the remaining rites will be legally and gracefully administered to all of them at once, without producing any unfavourable effect on their minds.

3. *The Charge*.—It was enjoined by the Constitutions of a Grand Lodge holden in the reign of Edward III. of England, "that in future, at the making or admission of a Brother, the Constitutions and proper charges and monitions should be read by the Master or Warden;" and it is still usual for the Worshipful Master, or a Past Master, at the conclusion of the ceremony, to deliver a set charge to the candidate, which, although not absolutely enjoined, is recommended by the Grand Lodges of England, Scotland, and Ireland, which furnish express compositions for that purpose.

4. *Declaration to be signed*.—The first overt act of a candidate is to sign a declaration, distinctly avowing that he has not been persuaded by others to offer himself for

initiation, but that he is actuated by a desire of increasing his knowledge; and on this avowal a solemn promise is exacted that he will conform to the ancient customs and usages of the order. This document being verified by his signature "at full length," is placed in the hands of some friend who is a subscribing member to the Lodge, with a request that he will propose him as a candidate for initiation at the next or any succeeding Lodge. In compliance with this request, the proposer makes his motion, stating the Christian name and surname of the candidate, with his age, occupation, residence, and moral character; at the same time depositing a certain portion of the initiation fee in the hands of the Treasurer as caution money. In fact, the proposer and his seconder—for the motion must be recorded—are legally responsible for the entire fee, if the candidate should omit to pay it; and place themselves in peril of being reported to, and dealt with, by the Grand Lodge, if they refuse to make up the deficiency. The proposition being duly seconded, is entered on the minutes, and notice of ballot is announced for the next regular Lodge; which notice, together with the candidate's name, profession, and place of abode, and also those of the proposer and seconder, ought to be inserted in the body of the summons, and sent to every member of the Lodge. It is the duty of every member, not only for the benefit of the community, but for the satisfaction of his own conscience, to institute the necessary inquiries into the candidate's moral and intellectual qualifications, that he may be prepared to give an honest vote, either to welcome the admission of a worthy man into the Lodge, or to reject a doubtful character whose presence might be productive of dissension and dispute. Indeed, the old Regulations made this course imperative, by directing that "no man can be accepted a member of any particular Lodge without previous notice one month before given to the Lodge, in order to make due inquiry into the reputation and capacity of the candidate."

5. *The Candidate promises Obedience to the Laws.*—

During the ceremony of initiation, the candidate is required, as a matter of duty enjoined in the ancient Charges, solemnly to promise that he will obey the moral law, avoiding the vices enumerated by St Paul in the 5th chapter of his Epistle to the Galatians, verses 19-21, and practise the virtues which the same holy Apostle denominates "the fruit of the Spirit." The candidate further undertakes to observe the laws, and to conform to all the usages and regulations of the Craft contained in the Book of Constitutions, which he is recommended to study with attention and zeal. Our brethren of the last century extended this duty to its extremest verge by a resolution of the Grand Lodge of England, which strictly enjoined on every candidate for Masonry that he should carefully study the constitutions *before his initiation*.

6. *Expenses of Initiation*.—The fees of initiation vary much in different Lodges, but must be promptly paid to the Lodge, and the whole sum usually charged for initiation in any Lodge must be paid on the night of entrance, together with the fees for registration and the certificate, which every Brother receives as soon as he is registered. Some Lodges include the registration and certificate in the first-mentioned payment, while others include in it all extras. Applications to the Grand Secretary for certificates must state the respective dates at which the several degrees were conferred, because if it should have so happened that the candidate had been admitted to more than one degree on the same evening, the certificate would be withheld until the necessary inquiries were made respecting the causes which produced the irregularity. Again, if, after having received the first degree, a Brother has occasion to leave the country, or change his residence, before the expiration of the interval between one degree and another, he may be furnished, on application to the Grand Secretary, through the Worshipful Master of his Lodge, with a certificate of having taken the first degree and paid the fees; and when he has been advanced to the sublime degree of a Master Mason, either in that Lodge or any other, it will be exchanged for the

regular certificate without further expense. Private Lodge certificates are withdrawn, and now strictly prohibited.

7. *Certificates.*—In 1663, it was ruled at a Grand Lodge in England, under the superintendence of the Earl of St Albans, that “no person who shall be accepted a Freemason shall be admitted into any Lodge, until he has brought a certificate of the time and place of his acceptance, from the Master of the limit where he was made, and the Lodge kept, and the Master shall enrol the same on parchment, and shall give an account of such acceptations at every General Assembly; and that every person who is now a Freemason, shall bring to the Master a note or certificate of the time of his acceptance; to the end that it may be enrolled in such priority of place as the Brother deserves, and that the whole company and Fellows may the better know each other.” In 1772, when the Duke of Atholl was Grand Master Mason of Scotland, the Grand Lodge of England ordered, “that no Mason who has been made under the sanction of the Grand Lodge of Scotland, shall be admitted a member, nor partake of the general charity, until he has produced a certificate of his good behaviour from the Grand Secretary of that Grand Lodge; but upon producing such certificate, he shall receive all the honour due to a faithful Brother of the same household with ourselves.” And three years later it was resolved, “that every certificate granted to a Brother of his being made a Mason, shall for the future be sealed with the seal of Masonry, and signed by the Grand Secretary,” for which it was appointed that fees should be paid, to the use of the general fund of charity.

In England, if a member voluntarily withdraws himself from his Lodge, he cannot be legally affiliated to another, without producing a certificate, which, in all cases, the latter Lodge is bound to require, when any proposition is made for joining it, that the brethren may be under no misapprehension respecting the circumstances under which he left the former. If a Mason is excluded from a Lodge in one jurisdiction, and applies for admission to one in another

jurisdiction, that is, under another Grand Lodge, it would be improper that he should be admitted, unless his offence was merely venial. But there are many circumstances that may render a Mason ineligible for one Lodge which would not apply to another, provided his reputation and morals are unimpeachable. It is necessary, however, that if a Mason's application for affiliation is refused, it should be on clear and tangible grounds, the sentence pronounced against him in the jurisdiction from which he has come being called for and examined, and also the charge on which that sentence was pronounced; for arbitrary exclusion, or exclusion without grounds clearly stated, and an offence proved after trial in due form, on a clear and distinct charge, regularly made and served, is contrary to the laws and principles of Freemasonry.\* It is to be observed, however, that in England, annual fees are exacted from the members of every Lodge, and the non-payment of fees is followed by the striking off of the member's name from the roll, and thus he ceases to be a member of any Lodge, until such time as he applies again for admission in the regular way, but he can apply at any future time for admission into any Lodge. In Scotland, the case is different. Fees are paid at initiation, but in most Lodges no further fees are exacted; and the money paid at initiation is thus a fee for life-membership. Of course withdrawal from a Lodge in Scotland is almost never heard of, as non-attendance does not lead to the erasure of a member's name from the roll.

8. *Serving Brethren*.—In England every Lodge is empowered to initiate without charge, under a dispensation from the Grand Master, its Tyler, "waiters or menial servants," as the old law expressed it, in the character of Serving Brethren; but being so admitted they are incompetent to enjoy the privilege of membership in the Lodge, except by payment of the quarterly dues to the Fund of Benevolence for a period of four years, after which probation they will be entitled to all the immunities of the Craft. Any other

\* The subject of the form of process in complaints is treated in a subsequent part of this volume.

Lodge, however, may receive them as subscribing members by affiliation, under the usual conditions of a regular proposition and ballot. Dr Oliver quotes the following case on this point:—"A certain person was made a Serving Brother in the year 1850; but, shortly after he had obtained the third degree, the Lodge in which he served was removed to a place where his services were unnecessary to the brethren, and would have been exceedingly inconvenient to himself. Fortune afterwards favoured him, and he sought, by becoming a joining member of the Lodge in which he was made, to be entitled to the privileges and benefits of the Order. The question at issue had no reference to his becoming a member of any other Lodge, but was simply this—Is he or is he not, under the circumstances, eligible to be proposed, balloted for, and elected a regular joining member of his mother Lodge? The legal answer to this question was unfavourable to his claim."

The case would have been very differently decided in Scotland. Serving Brethren in Scotland receive regular payment, but are full and free members of the Lodge, and as such entitled to all the privileges and benefits of the Order. They are made Masons without immediately paying the initiation fee, but instead of this they serve for a certain period; a salary becomes payable to them, and a balance is struck and receipts granted on both sides. And when the full amount of the initiation fee is wrought off, the salary is afterwards paid in money, and the serving brother enjoys all rights equally with other members of the Lodge.

9. *Initiations may be accelerated.*—In England, in cases of emergency the proposition and initiation may occur at a less interval than a month, if the Worshipful Master is of opinion that the circumstances are sufficiently urgent. He is empowered, on receiving a notice of the emergency from two members of the Lodge, to issue special summonses stating the facts, together with the name, &c., of the candidate, and convening a Lodge of emergency on seven days' notice, at which the candidate may be balloted for, and if accepted,

may also receive the first degree there and then ; but the case must be carefully stated in the minute-book. The general practice in Scotland is that candidates are proposed at one monthly meeting of a Lodge, and balloted for and admitted at the next. It sometimes happens, however, that Masons are made without this delay between the proposal and the ballot. A Master of a Lodge has it in his power to do in such things very much according to his own pleasure, and may command the Secretary to summon a meeting at any time, and even on an hour's notice, when a candidate may be proposed and his initiation take place at once. Such instances of emergency are now of frequent occurrence, and many Lodges work upon the exception rather than the rule.

## CHAPTER II.

### ENTERED APPRENTICES.

THERE was a time, and that at no very remote period, when the great body of the fraternity was composed entirely of Entered Apprentices. The first degree was the only one that was conferred in subordinate Lodges, and the Grand Lodge reserved to itself the right of passing Fellow Crafts and raising Master Masons. Of course, all the business of subordinate Lodges was then necessarily transacted in the Entered Apprentice's degree. The Wardens, it is true, were required to be Fellow Crafts, and the most expert of these was chosen as the Master; but all the other offices were filled, and the business and duties of Masonry were performed, by the Apprentices. But we learn from Anderson, that on the 22d of November 1725, a regulation was adopted which permitted the Lodges to assume the prerogative formerly vested in the Grand Lodge, of conferring the second and third degrees, and as soon as this became generally the custom, Apprentices ceased to constitute the body of the craft, a position which then began to be occupied by Master Masons; and the Apprentices lost by this change nearly all the rights and prerogatives which they had originally possessed.

This fact must be constantly borne in mind whenever we undertake to discuss the rights of Entered Apprentices, and to deduce our opinions on the subject from what is said concerning them in the ancient Regulations. All that is said of them in these fundamental laws is so said because they then constituted the great body of the craft. They were almost the only Masons; for the Fellow Crafts and Masters were comparatively few; and hence these Regulations refer to them, not mainly as Apprentices, or men of the

lowest degree, in contradistinction to those who had been advanced to higher grades, but rather as the large constituency of the Masonic fraternity. Hence the Regulations which on this principle and in this view then applied to Entered Apprentices, must now be referred to Master Masons, who have taken their place in the distribution of the labours, as well as the honours and prerogatives, of the institution.

1. In the present system—as now practised everywhere—Entered Apprentices are possessed of few rights, and are called upon to perform few duties. They are not, strictly speaking, full members of a Lodge; they are required to pay dues, but are not permitted to speak or vote, or hold any office. Secrecy and obedience are the only obligations imposed upon them, while the Masonic axiom, “*Audi, vide, tace,*”—*hear, see, and be silent*,—is peculiarly appropriate to them in their present condition in the fraternity.

An Entered Apprentice, in fact, is now no more a Mason, in the strict sense of the word, than a student of medicine is a physician, or a disciple is a philosopher. The Master Masons constitute the body of the craft; and to be, at this day, a Mason, properly so called, one must have taken the third degree.

2. Hence Apprentices are not entitled to the honours of Masonic burial, nor can they join in paying those honours to a deceased Master Mason. In this respect they are placed precisely in the position of profanes. They are really nothing more than Masonic disciples, permitted to enter the porch of the temple, but with no right to penetrate within its sanctuary.

3. This being the case, it follows clearly that they are not entitled to Masonic charities or relief. Those who have contributed nothing to the support of the institution, in the form of contributions or arrears, cannot expect, as a right, to receive eleemosynary aid from its funds. The lesson of charity is, it is true, given in the first degree; but this is a ritualistic usage, which was established at the

time when Entered Apprentices were, as already observed, the great body of the craft, and were really, by this fact, entitled to the name of Masons. The lessons taught on this subject, except in so far as they are of a general character, and refer to the virtue of charity simply as a part of a system of ethics, must be viewed only as an introductory instruction upon matters that are afterwards to be practically enforced in the third degree.

Entered Apprentices formerly had the right of being present at the communications of the Grand Lodge, or General Assembly, and taking part in its deliberations. In fact, it is expressly prescribed, in the last of the Regulations of 1721, that none of these important laws can be altered, or any new General Regulations made, until the alteration or the new regulation is submitted to all the brethren, "even the youngest Entered Apprentice." But this rule is now obsolete, because, it being founded on the fact that Apprentices were then the body of the craft, and they being no longer so, the reason of the law has ceased, and therefore the law has also ceased.

Entered Apprentices, however, still have several rights, in the due exercise of which they are entitled to as much protection as the most important members of the craft. These rights may be briefly enumerated as follows :—

4. They have a right to sit in the Lodge in which they were initiated, when it is opened in the first degree, and to receive all the instructions which appertain to that degree. This is not a right of visitation such as is exercised by Master Masons, because it cannot be extended beyond the Lodge in which the Apprentice has been initiated. Into that Lodge, however, whenever opened and working in his degree, he can claim admittance, as a right accruing to him from his initiation ; but if admitted into any other Lodge (the policy of which is doubtful), it can only be by the courtesy of the presiding officer. Formerly, of course, when Apprentices constituted the body of the fraternity, they possessed this general right of visitation, but lost it as soon as Lodges began to confer the higher degrees ; and now it

is confined to Master Masons, who alone, under modern usage, possess the right of visit.

5. Apprentices have also the right to apply for advancement to a higher degree. Out of the class of Apprentices the Fellow Crafts are made; and as this eligibility to promotion really constitutes the most important right of this inferior class, it is well worthy of careful consideration. The Entered Apprentices possess the right of application to be passed to the degree of Fellow Craft. It is only the right of petition. The Apprentice has, in fact, no more claim to the second degree than the profane has to the first. It is a most mistaken opinion to suppose that when a profane is elected as a candidate, he is elected to receive all the degrees that can be conferred in a symbolic Lodge. Freemasonry is a rigid system of probation. A second step never can be attained until sufficient proof has been given in the preceding that the candidate is "worthy and well qualified." A candidate who has received the first degree is no more assured by this reception that he will reach the third than that he will attain the Royal Arch. In the very ceremony of his reception he may have furnished convincing evidence of his unfitness to proceed further; and it would become the duty of the Lodge, in that case, to debar his future progress. A bad Apprentice will make a worse Master Mason; for he who cannot comply with the comparatively simple requisitions of the first degree, will certainly be incapable of responding to the more important duties and obligations of the third. Hence, on the petition of an Apprentice to be passed as a Fellow Craft, a ballot should always be taken. This is in accordance with the meaning of the word; for a petition is a prayer for something which may or may not be granted, and hence, if the petition is granted, it is *ex gratia*, or by the voluntary favour of the Lodge, which, if it chooses, may withhold its assent. Any other view of the case would exclude that inherent right which is declared by the Regulations of 1721 to exist in every Lodge, of being entitled to judge of the qualifications of its own members.

An Apprentice, then, has the right to apply for advancement; but the Lodge in which he was initiated has the correlative right to reject his application. And thereby no positive right of any person is affected; for, by this rejection of the candidate for advancement, no other injury is done to him than the disappointment of his expectations. His character as an Entered Apprentice is not impaired. He still possesses all the rights and prerogatives that he did before, and continues, notwithstanding the rejection of his application, to be an Apprentice "in good standing," and entitled, as before, to all the rights and privileges of a possessor of that degree.

This subject of the petition of an Apprentice for advancement involves three questions of great importance: First, How soon, after receiving the first degree, can he apply for the second? Secondly, What number of black balls is necessary to constitute a rejection? And thirdly, What time must elapse, after a first rejection, before the Apprentice can renew his application for advancement?

6. *How soon after receiving the first degree can an Apprentice apply for advancement to the second?* The necessity of a full comprehension of the mysteries of one degree, before any attempt is made to acquire those of a second, seems to have been thoroughly appreciated from the earliest times; and hence the Old York Constitutions of 926 prescribe that "the Master shall instruct his Apprentice faithfully, and make him a perfect workman." But if there be an obligation on the part of the Master to instruct his Apprentice, there must be, of course, a correlative obligation on the part of the latter to receive and profit by these instructions. Accordingly, unless this obligation is discharged, and the Apprentice makes himself acquainted with the mysteries of the degree that he has already received, it is, by general consent, admitted that he has no right to be intrusted with further and more important information. The modern ritual sustains this doctrine, by requiring that the candidate, as a qualification in passing onward, shall have made "suitable proficiency

in the preceding degree." This is all that the general law prescribes. Suitable proficiency must have been attained, and the period in which that condition will be acquired must necessarily depend on the mental capacity of the candidate. Some men will become proficient in a shorter time than others, and of this fact the Master and the Lodge are to be the judges. An examination should therefore take place in open Lodge, and a ballot immediately following will express the opinion of the Lodge on the result of that examination, and the qualifications of the candidates.

From the difficulty with which the second and third degrees were formerly obtained—a difficulty dependent on the fact that they were only conferred in the Grand Lodge—it is evident that Apprentices must have undergone a long probation before they had an opportunity of advancement, though the precise term of the probation was decided by no legal enactment. Several modern Grand Lodges, looking with disapprobation on the rapidity with which the degrees are sometimes conferred upon candidates wholly incompetent, have adopted special regulations, prescribing a determinate period of probation for each degree. This, however, is a local law, to be obeyed only in those jurisdictions in which it is of force. The general law of Masonry makes no such determinate provision of time, and demands only that the candidate shall give evidence of "suitable proficiency."

7. *What number of black balls is necessary to constitute a rejection?* Here we are entirely without the guidance of any express law, as all the ancient Constitutions are completely silent upon the subject. It seems, however, that in the advancement of an Apprentice, as well as in the election of a profane, the ballot should be unanimous. This is strictly in accordance with the principles of Masonry, which require unanimity in admission, lest improper persons be intruded, and harmony impaired. Greater qualifications are certainly not required of a profane applying for initiation than of an Apprentice seeking advancement; nor can any

reason be seen why the test of those qualifications should not be as rigid in the one case as in the other. It may be stated, once for all, that in all cases of balloting for admission in any of the degrees of Masonry, a single black ball ought to reject.

8. *What time must elapse, after a first rejection, before the Apprentice can renew his application for advancement to the second degree?* Here, too, the ancient Constitutions are silent, and we are left to deduce our opinions from the general principles and analogies of Masonic law. As the application for advancement to a higher degree is founded on a right inuring to the Apprentice by virtue of his reception into the first degree—that is to say, as the Apprentice, so soon as he has been initiated, becomes invested with the right of applying for advancement to the second—it seems evident that, as long as he remains an Apprentice “in good standing,” he continues to be invested with that right. Now, the rejection of his petition for advancement by the Lodge does not impair his right to apply again, because it does not, as has been shown, affect his rights and standing as an Apprentice; it is simply the expression of the opinion that the Lodge does not at present deem him qualified for further progress in Masonry. The inevitable conclusion is, that Entered Apprentices of a Lodge are competent, at all regular communications of their Lodge, to petition for advancement.

9. Whatever may be the rights of an Entered Apprentice, they are liable to forfeiture for misconduct, and he may be suspended, expelled, or otherwise masonically punished, upon adequate cause and sufficient proof. An Apprentice may therefore be tried, but the trial must be conducted in the first degree; for every man is entitled to trial by his peers. But as none but Master Masons can inflict punishment, since they alone now constitute the body of the craft, the final decision must be made in the third degree. An Apprentice is also entitled to an appeal to the Grand Lodge from the sentence of his Lodge, because the benign spirit of our institution will allow no man to be unjustly condemned;

and it is the duty of the Grand Lodge to see that the rights of even the humblest member of the Order be not unjustly invaded, but that impartial justice is administered to all.

The question of the trial of Entered Apprentices will be resumed on a subsequent occasion, when we arrive at the topic of Masonic trials.

## CHAPTER II.

### FELLOW CRAFTS.

1. In the sixteenth and seventeenth centuries, and at still more remote periods, the operative element constituted an important ingredient in the organisation of the Masonic institution. The divisions of the members into grades at that time were necessarily assimilated to the wants of such an operative institution. There were *Masters* to superintend the work; *Fellow Crafts*, or, as they were almost always called, *Fellows*, to perform the labour; and *Apprentices*, to be instructed in the principles of the art. Hence, in all the oldest records, we find constant allusions to the *Fellows* as constituting the main body of the fraternity; and the word "Fellow" at that time appears to have been strictly synonymous with "Freemason." Thus, Elias Ashmole, the celebrated antiquary, says in his "Diary," that on the 16th of October 1646, he "was made a Freemason at Warrington, Lancashire, with Colonel Henry Mainwaring, of Kerthingham, in Cheshire, by Mr Richard Penket, the Warden, and the *Fellow Crafts*." And again, under the date of 10th March 1682, when speaking of another reception which took place on that day at Masons' Hall, in London, he says, "I was the *senior Fellow* among them—it being thirty-five years since I was admitted. There were present besides myself the *Fellows* after named," and he proceeds to give the names of these *Fellows*, which it is unnecessary to quote.

Throughout the whole of the ancient Charges and Regulations, until we get to those emendations of them which were adopted in 1721 and 1722, we find no reference to the *Apprentices*, except as a subordinate and probationary

class, while the Fellow Crafts assume the position of the main body of the fraternity, that position which, in the present day, is occupied by the Master Masons.

Thus in the Old York Constitutions of 926, it is said, "No man shall be false to the craft, or entertain a prejudice against his Master or Fellows." And again: "No Mason shall debauch . . . . the wife . . . . of his Master or Fellows;" where clearly "Master" is meant to designate the presiding officer simply, who might or might not, for all that we know, have been in possession of a higher degree, while "Fellows" denote the whole body of members of the Lodge. But these Constitutions are still more explicit in the use of the term, when they tell us that the "General Assembly or Grand Lodge shall consist of Masters and Fellows, Lords, Knights," &c.

In the "Ancient Installation Charges," which are of a date between 1685 and 1688, the word "Fellow" is very exactly defined as signifying a "Mason," for it is there said, "Ye shall call all Masons your Fellows, or your Brethren, and no other names." And in the "Ancient Charges at Makings," which will be found in the First Book of this volume, we are told that it is the duty of "the Master to live honestly, and to pay his fellows truly." Again, that "every Master and Fellow shall come to the assembly, if it be within three miles of him, if he have any warning." And lastly, that "every Mason shall receive and cherish strange Fellows, when they come over the country."

These citations from the ancient Regulations need not be extended. From them it may be inferred, or at least becomes very probable, that in the earliest history of the Order, the operative character predominating, the Fellow Crafts, under the designation of "Fellows," constituted the main body of the fraternity, while the Masters were the superintendents of the work; that at a later period, about the beginning of the eighteenth century, the speculative character predominating, the Apprentices rose in dignity and became the body of the fraternity, while the

Fellow Crafts and Master Masons were entrusted with the offices ; and that still later, at some time in the early part of the eighteenth century, which certainly was not very long after the year 1725, the Apprentices and Fellow Crafts descended into a subordinate position, just such an one as the former class had originally occupied, and the Master Masons alone composed the body of the craft.

2. At the present day, Fellow Crafts possess no more rights and prerogatives than Entered Apprentices.

The old Regulations of the Grand Lodge of England provided that "the Grand Master shall allow any Brother, a Fellow Craft, or Entered Prentice, to speak, directing his discourse to his worship in the chair, or to make any motion for the good of the fraternity, which shall be either immediately considered, or else referred to the consideration of the Grand Lodge at their next communication, stated or occasional." This Regulation has long since been abrogated.

Fellow Crafts formerly possessed the right of being elected Wardens of their Lodge, and even of being promoted to the elevated post of Grand Master, although, of course—and the language of the Regulation implies the fact—a Fellow Craft who had been elected Grand Master must, after his election, be invested with the Master's degree.

At the present day, Fellow Crafts possess no other rights than those of sitting in a Lodge of their degree, of obtaining a mark, of applying for advancement, and of being tried by their peers for Masonic offences, with the necessary privilege of an appeal to the Grand Lodge. As in the exercise of these rights, all that has been said in the preceding chapter, relating to Entered Apprentices, is equally applicable to Fellow Crafts, the discussion of the subject need not be renewed.

In Scotland, all Fellow Crafts are entitled to a mark. This, according to legend, they all possessed in former times ; and when the Royal Arch was instituted in Scotland, this degree was taken up and worked by them. Some time ago the following agreement was entered into between

the Grand Lodge of Scotland and the Supreme Grand Royal Chapter of Scotland:—

The following Resolutions of the Committees appointed by Grand Lodge and Supreme Royal Arch Chapter of Scotland on MARK MASONRY, have been finally adopted by these two bodies, and declared to be held for the future as the Laws and Statutes of Grand Lodge, viz. :—

1. That all Lodges holding of the Grand Lodge of Scotland shall be allowed to work this degree in virtue of the charters which they already possess.
2. That, to prevent confusion with brethren belonging to Lodges out of this kingdom, or with sister Grand Lodges, this degree, although held by the Grand Lodge to be a second part of the Fellow-Craft Degree, shall only be conferred on *Master Masons, and the secrets shall only be communicated in presence of those who have taken it either from a Lodge or Chapter entitled to grant it.*
3. That the Grand Lodge of Scotland and Supreme Grand Royal Arch Chapter of Scotland shall adopt the same ritual in conferring the degree, being that now adjusted by their respective Committees.
4. That any candidate applying to be admitted to the Royal Arch Degree,—if he has received this degree in a regular Lodge of St John's Masonry,—shall not be required to take it a second time from the Chapter into which he seeks admission, but, in the event of his not having received it, he shall be obliged to take it from that Chapter.
5. That, as regards the Royal Arch Degrees, this degree shall be reckoned the fourth degree in Masonry.
6. That nothing contained in these Regulations shall interfere with the superintendence which the Supreme Grand Royal Arch Chapter claims over Mark Masonry out of Scotland, or with the Lodges holding of it in England or abroad.

It is added, that this degree, although held to be a part of the Fellow-Craft Degree, *is only to be conferred on Master Masons, and only to be communicated in presence of those who have already lawfully attained it.*

## CHAPTER IV.

### OF MASTER MASONS.

WHEN an initiate has been raised to "the sublime degree of a Master Mason," he becomes, strictly speaking, under the present Regulations of the institution, an active member of the fraternity, invested with certain rights, and bound to the performance of certain duties, which are of so extensive and complicated a nature as to demand a special consideration.

Of the rights of Master Masons, the most important are the following :—

1. THEIR RIGHT OF MEMBERSHIP;
2. THEIR RIGHT OF AFFILIATION;
3. THEIR RIGHT OF VISIT;
4. THEIR RIGHT OF AVOUCHMENT;
5. THEIR RIGHT OF RELIEF;
6. THEIR RIGHT OF DEMISSION;
7. THEIR RIGHT OF APPEAL;
8. THEIR RIGHT OF BURIAL;
9. THEIR RIGHT OF TRIAL.

### SECTION I.

#### THEIR RIGHT OF MEMBERSHIP.

The first right which a Mason acquires, after the reception of the third degree, is that of claiming membership in the Lodge in which he has been initiated. The very fact of his having received that degree makes him at once an inchoate member of the Lodge—that is to say, no further application is necessary, and no new ballot is required. The candidate, having now become a Master Mason, upon signifying his

submission to the regulations of the society, by affixing his signature to the book of bye-laws, is constituted, by virtue of that act, a full member of the Lodge, and entitled to all the rights and prerogatives belonging to that position.

The ancient Constitutions do not, it is true, express this doctrine in so many words; it is distinctly implied, however, by their whole tenor and spirit, as well as sustained by the uniform usage of the Craft in all countries. There is one passage in the Regulations of 1721 which seems clearly to intimate that there were two methods of obtaining membership in a Lodge, either by initiation, when the candidate is said to be "entered a Brother," or by what is now called "affiliation," when the applicant is said to be "admitted to be a member." The whole phraseology of the Regulation, however, shows that the rights acquired by these methods were the same, and that membership by initiation and membership by affiliation effected the same results. The modern Constitutions of the Grand Lodge of England are explicit on the subject, and declare that "every Lodge must receive as a member, without further proposition or ballot, any Brother initiated therein, provided such Brother express his wish to that effect on the day of his initiation."

The reason of this Regulation (so universal that were it not for the fact that membership itself, as a permanent characteristic, is of modern origin, it might almost claim to be a Landmark) is at once evident. He who has been deemed worthy, after three ordeals, to receive all the mysteries that it is in the power of a Lodge to communicate, cannot, with any show of reason or consistency, be withheld from admission into that household, whose most important privileges he has just been permitted to share. If properly qualified for the reception of the third degree, he must be equally qualified for the rights of membership, which, in fact, it is the object of the third degree to bestow; and it would be needless to subject that candidate to a fourth ballot, whom the Lodge has already, by the most solemn ceremonies, three times declared worthy "to be taken by the hand as a Brother."

This inchoate membership, however, is to be perfected, it will be recollected, by the initiate, only upon his affixing his signature to the bye-laws. He does not, by his mere reception into the third degree, become a member of the Lodge. He may not choose to perfect that inchoation; he may desire to affiliate with some other Lodge; and in such a case, by declining to affix his signature to the bye-laws, he remains in the condition of unaffiliation. By having been raised to the third degree, he acquires a claim to membership, but no actual membership. It is left to his own option whether he will assert or forfeit that claim. If he declines to sign the bye-laws, he forfeits his claim; if he signs them, he asserts it, and becomes *ipso facto* a member.

Now, the next question that arises is, how long does the right of asserting that claim inure to the candidate? in other words, how long is it after his reception that the recipient may still come forward, and by affixing his signature to the bye-laws, avail himself of his right of membership, and, without further application or ballot, be constituted a member of the Lodge in which he has been initiated?

Although the Landmarks and ancient Constitutions leave us without any specific reply to this question, analogy and the just conclusions to be derived from the reason of the law, are amply sufficient to supply us with an answer.

The newly-made candidate, it has already been intimated, possesses the right to claim his membership without further ballot, on the reasonable ground that, as he was deemed worthy of reception into the third degree, it would be idle to suppose that he was not equally worthy of admission into full membership; and we have seen that this was the reason assigned by the Grand Lodge of England for the incorporation of this provision into its Constitution.

Now, this is undoubtedly an excellent and unanswerable reason for his admission to membership, immediately upon his reception. But the reason loses its force if any time is permitted to elapse between the reception of the degree and the admission to membership. No man knows what a day may bring forth. He that was worthy on Monday, may on

Tuesday have committed some act by which his worthiness will be forfeited. It may be true, as the Roman satirist expresses it, that no man becomes suddenly wicked; and it may be reasonable to suppose that, for some time after his initiation the habits and character of the initiate will remain unchanged, and therefore that for a certain period the members of the Lodge will be justified in believing the candidate whom they have received to continue in possession of the same qualifications of character and conduct which had recommended and obtained his reception. But how are we to determine the extent of that period, and the time when it will be unsafe to predicate of the recipient a continuance of good character? It will readily be admitted that after three months, it would be wrong to draw any conclusions as to the candidate's qualifications, from what was known of him on the day of his reception; and accordingly many Lodges have prescribed as a regulation, that if he does not within that period claim his right of membership, and sign the bye-laws, that right shall be forfeited, and he can then only be admitted upon application, and after ballot. But why specify three months, and not two, or four, or six? Upon what principle of ethics is the number three to be especially selected? The fact is, that the moment that we permit the initiate to extend the privilege of exercising his right beyond the time of his reception, the reason of the law is lost. The candidate having been deemed worthy of receiving the third degree, must, at the time of his reception of that degree, also be presumed to be worthy of membership. This is in the reason of things. But if a month, a week, or a single day is allowed to elapse, there is no longer a certainty of the continuance of that worthiness; the known mutability and infirmity of human character are against the presumption, and the question of its existence should then be tested by a ballot.

Again, one of the reasons why a unanimous ballot is required is, that a "fractious member" shall not be imposed on the Lodge, or one who would "spoil its harmony." Now,

if A is admitted to receive the third degree on a certain evening, with the unanimous consent of all the Lodge, which must, of necessity, include the affirmative vote of B, then on the same evening he must be qualified for admission to membership, because it is not to be presumed that B would be willing that A should receive the third degree, and yet be unwilling to sit with him in the Lodge as a fellow-member, and therefore A may be admitted at once to membership, without a needless repetition of the ballot, which, of course, had been taken on his application for the degree. But if any length of time is permitted to elapse, and if, after a month, for instance, A comes forward to avail himself of his right of admission, then he cannot be admitted without a ballot; because, between the time of his reception at the preceding meeting, and the time of his application at the subsequent one, something may have occurred between himself and B, a member of the Lodge, which would render him objectionable to the latter, and his admission would then "spoil the harmony" of the Lodge, and "hinder its freedom."

The Regulation, therefore, adopted by the Grand Lodge of England, which prescribes that the candidate, to avoid a ballot, must express his wish to be received a member on the day of his initiation, that is, of his reception into the third degree, seems to be the only proper one. Any Regulation that extends the period, and permits the candidate to sign the bye-laws and become a member without a ballot, provided he does so within two or three months, or any other determined period extending beyond the day of his reception, is contrary to the spirit and tenor of the law, and is of a mischievous tendency. If the candidate does not assert his right on the day of his reception into the third degree, he loses it altogether; and must, to acquire membership, submit to a petition and ballot, as in the case of any other affiliation.

Before proceeding to an examination of the rights and duties of membership, it is proper that we should briefly discuss the question whether a Mason can be a member of more than one Lodge at the same time. The ancient

Constitutions make no allusion to this double membership, either by way of commendation or prohibition ; but it must be admitted that in all these old documents the phraseology is such as to imply that no Mason belonged to more than one Lodge at a time. On the other hand, however, a Regulation was adopted by the Grand Lodge of England, in February 1724, prescribing that "no Brother shall belong to more than one Lodge within the bills of mortality," that is, in the city of London. Now, two deductions are to be made from the adoption of such a Regulation at so early a period as only two years after the approval of the "Old Charges," which are considered by many as almost equivalent to Landmarks. These deductions are, first, that at that time Masons were in the habit of joining more than one Lodge at a time; and secondly, that although the Grand Lodge forbade this custom in the Lodges of the city, it had no objection to its being continued in the country. But the Regulation does not seem ever to have been enforced; for, in 1738, Dr Anderson found occasion to write, "But this Regulation is neglected, for several reasons, and is now obsolete"—a remark that is repeated in 1756, in the third edition of the Book of Constitutions.

The expediency of any Mason being an active member of more than one Lodge, may be doubted. Still there is no Landmark or ancient Regulation that forbids him. The old Charge which says that every Mason should belong to a Lodge, does not imply that he may not belong to two; where there is no local Regulation, a Mason may be a member of as many Lodges as may be pleased to admit him.

Honorary membership is quite a recent invention, and is now conferred only as a mark of distinction on Brethren of great talents or merits, who have been of service, by their labours or their writings, to the fraternity. It confers no powers on the recipient like those which are the results or active or full membership, and amounts to no more than a testimonial of the esteem and respect entertained by the Lodge which confers it for the individual upon whom it is conferred.

Every Master Mason, who is a member of a Lodge, has a right to speak and vote on all questions that come before the Lodge for discussion. Rules of order may be established restricting the length and number of speeches, but these are of a local nature, and will vary with the bye-laws of each Lodge.

A Mason may be restricted from voting on ordinary questions where his dues for a certain period—generally twelve months—have not been paid ; and such a Regulation exists in almost every Lodge. But no local bye-law can deprive a member who has not been suspended, from voting on the ballot for the admission of candidates, because the sixth Regulation of 1721 distinctly requires that each member present on such occasion shall give his consent before the candidate can be admitted. And if a member were deprived, by any bye-law of the Lodge, in consequence of non-payment of his dues, of the right of expressing his consent or dissent, the ancient Regulation would be violated, and a candidate might be admitted without the unanimous consent of all the members present.

Every member of a Lodge is eligible to any office in the Lodge, except that of Worshipful Master. Eligibility for this latter office is only to be acquired by having previously held the office of a Warden. But in the instance of new Lodges, the Grand Master may, by his dispensation, authorise any competent Master Mason to discharge the duties of Master. In cases of emergency also, in old Lodges, where none of the past office-bearers are willing to serve, the Grand Master may issue his dispensation authorising the Lodge to select a presiding office-bearer from the floor. But this can only be done with the consent of all the Wardens and Past Masters ; for, if any one of them is willing to serve, the Lodge cannot be permitted to elect a brother who has not previously performed the duties of a Warden.

The payment of dues is a duty incumbent on all the members of a Lodge, which, although of comparatively recent date, is now of almost universal usage. Formerly,

that is to say, before the revival of Masonry in 1717, many Lodges received no warrants; but a sufficient number of Brethren, meeting together, were competent to make Masons, and practise the rites of Freemasonry. After the temporary business which had called them together had been performed, the Lodge was dissolved until some similar occasion should summon the Brethren again together. There was then no permanent organisation—no necessity for a Lodge fund—and consequently no Regulation requiring the payment of annual dues. When Lodges, however, became permanently established by warrants of constitution, permanent membership followed, and of course the payment of some contribution was required from each member as a fund towards defraying the expenses of the Lodge. It is not a general Masonic duty, in which the Mason is affected towards the whole body of the Craft, as in the duty of moral deportment, but is to be regarded simply in the light of a pecuniary contract, the parties to which are the Lodge and its members. Hence it is not prescribed or regulated by any of the ancient Constitutions, nor is it a matter with which Grand Lodges should ever interfere. However, as the non-payment of dues to a Lodge has of late years been very generally considered as a Masonic offence (which, by the way, it is not always), and as punishment of some kind has been adopted for its enforcement, this subject will be again resumed when we arrive at that part of the present work which treats of Masonic crimes and punishments.

Much of what has been stated in this section as Masonic Law is applicable to English Constitution rather than to Scottish. In most of the Lodges in Scotland no annual payment of fees is required, but the Mason, once admitted on payment of an initiation fee, is a member for life. To these Lodges, therefore, all that has been said as to the payment of annual fees is inapplicable. There is no difference, however, in the law and practice of Scotland from that of England in Lodges requiring an annual payment as a test of membership.

## SECTION II.

## THEIR RIGHT OF AFFILIATION.

Masonic membership is acquired, as stated already, in two ways; first, by initiation into a Lodge, and secondly, by admission, after initiation, into another Lodge, upon petition and ballot. The former method was the subject of consideration in the previous section; the latter, which is termed "affiliation," will be considered in the present.

All the rights and duties that belong to a Master Mason, by virtue of membership in the Lodge in which he was initiated, likewise belong to him who has been admitted to membership by affiliation. There is no difference in the relative standing of these classes of members: their prerogatives, their privileges, and their obligations are the same. It is therefore unnecessary to repeat what has been said in the preceding section in reference to the rights of membership, as everything that was there written respecting members admitted upon their reception of the third degree, equally applies to those who have been admitted by affiliation.

There is, however, a difference in these methods of admission. It has been seen that those who acquire membership in a Lodge, by virtue of having received therein the third degree, obtain that membership as a matter of right, without petition and without ballot. But a Master Mason, who is desirous of affiliating with a Lodge in which he was not initiated, or in which, after initiation, he had at the legal time declined or neglected to assert his right of membership, must apply by petition. This petition must be read at a regular communication of the Lodge, and be referred to a committee of investigation, which committee, at the next regular communication (a month having intervened), will report on the character and qualifications of the candidate; and if the report be favourable, the Lodge will proceed to ballot. As in the case of initiation, the

ballot is required to be unanimously in favour of the applicant to secure his election. One black ball is sufficient to reject him.

All of these Regulations, which are of ancient date and of general usage, are founded on the fifth and sixth of the Regulations of 1721, and are, it will be seen, the same as those which govern the petition and ballot for initiation. The Regulations of 1721 make no difference in the cases of profanes who seek to be made Masons, and Masons who desire affiliation or membership in a Lodge.\* In both cases "previous notice, one month before," must be given to the Lodge; "due inquiry into the reputation and capacity of the candidate" must be made; and "the unanimous consent of all the members then present" must be obtained. Nor can this unanimity be dispensed with in the one case any more than it can in the other. It is the inherent privilege of every Lodge to judge of the qualifications of its own members, "nor is this inherent privilege subject to a dispensation."

There is one difference between the condition of a profane petitioning for admission, and that of a Master Mason applying for membership, which claims our notice.

A profane, as has already been stated, can apply for initiation only to the Lodge nearest to his place of residence; but no such Regulation exists in reference to a Master Mason applying for membership by affiliation. He is not confined in the exercise of this privilege within any geographical limits. No matter how distant the Lodge of his choice may be from his residence, to that Lodge he has as much right to apply, as to the Lodge which is situated at the very threshold of his home. A Mason is expected to affiliate with some Lodge. The ancient Constitutions specify nothing further on the subject. They simply prescribe that every Mason should

\* The fifth Regulation of 1721 says: "No man can be *made* or *admitted* a member of a particular Lodge," &c., clearly showing that the Mason who is *made* in a Lodge, and the one who applies for affiliation, are both placed in the same category. The phraseology of the sixth Regulation is to the same effect: "No man can be *entered* a Brother in any particular Lodge or *admitted* to be a member thereof," &c.

belong to a Lodge, without any reference to its peculiar locality, and a Brother therefore complies with the obligation of affiliation, when he unites himself with any Lodge, no matter how distant; and by thus contributing to the support of the institution, he discharges his duty as a Mason, and becomes entitled to all the privileges of the Order.

This usage—for, in the absence of a positive law on the subject, it has become a Regulation from the force of custom only—is undoubtedly derived from the doctrine of the universality of Masonry. The whole body of the Craft, wheresoever dispersed, being considered, by the fraternal character of the institution, as simply component parts of one great family, no peculiar rights of what might be called Masonic citizenship are supposed to be acquired by a domiciliation in one particular place. The Mason who is at home and the Mason who comes from abroad, are considered on an equal footing as to all Masonic rights; and hence the Brother made in America is as much a Mason when he comes to Great Britain, and is as fully qualified to discharge all Masonic functions, without any form of naturalisation, as though he had been made in Great Britain. Hence no distinctions are made, and no peculiar rights acquired, by membership in a local Lodge. Affiliation with the Order, of which every Lodge is equally a part, confers the privileges of active Masonry. Therefore no law has ever prescribed that a Mason must belong to the Lodge nearest to his residence, but generally that he must belong to *a Lodge*; and consequently the doctrine is, as it has been enunciated above, that a Master Mason may apply for affiliation, and unite himself with any Lodge which is legal and regular, no matter how near to, or how far from, his place of residence.

The effect of the rejection of the application of a Master Mason for affiliation is different from that of a profane for initiation. It has already been said that when a profane petitions for initiation and his petition is rejected, he can renew his petition only in the same Lodge. The door of every other Lodge is closed against him. But it is not so

with the Master Mason, the rejection of whose application for affiliation or membership by one Lodge does not deprive him of the right to apply to another. The reason of this rule will be evident upon a little reflection. A Master Mason is in what is technically called "good standing;" that is to say, he is a Mason in possession of all Masonic rights and privileges, so long as he is not deprived of that character by the legal action of some regularly constituted Masonic tribunal. Now, that action must be either by suspension or expulsion, after trial and conviction. A Mason who is neither suspended nor expelled is a Mason in "good standing." Rejection, therefore, is not one of the methods by which the good standing of a Mason is affected, because rejection is neither preceded by charges nor accompanied by trial; and consequently a Mason whose application for affiliation has been rejected by a Lodge, remains in precisely the same position, so far as his Masonic standing is concerned, as he was before his rejection. He possesses all the rights and privileges that he did previously, unimpaired and undiminished. But one of these rights is the right of applying for membership to any Lodge that he may desire to be affiliated with; and therefore, as this right remains intact, notwithstanding his rejection, he may at any time renew his petition to the Lodge that rejected him, or make a new one to some other Lodge, and that petition may be repeated as often as he deems it proper to do so.

The right of a member to appeal to the Grand Lodge from the decision of the Master on points of order, or from that of the Lodge in cases of trial, is a very important right, but one that will be more appropriately discussed when we come hereafter to the consideration of the appellate jurisdiction of Grand Lodges.

### SECTION III.

#### THEIR RIGHT OF VISIT.

The Right of Visit may be defined to be that prerogative which every affiliated Master Mason in good standing pos-

sesses of visiting any Lodge into which he may desire to enter. It is one of the most important of all Masonic privileges, because it is based on the principle of the identity of the Masonic institution as one universal family, and is the exponent of that well-known maxim that "in every clime a Mason may find a home, and in every land a Brother."

Fortunately on account of its importance, this right is not left to be deduced from analogy, or to be supported only by questionable usage, but is proclaimed in distinct terms in some of the earliest Constitutions. The Ancient Charges at Makings, that were in force in 1688, but whose real date is supposed to be much anterior to that time, instruct us that it is the duty of every Mason to receive strange Brethren "when they come over the country," which Regulation, however the latter part of it may have referred, in an operative sense, to the encouragement of travelling workmen in want and in search of employment, must now, in the speculative character which our institution has assumed, be interpreted as signifying that it is the duty of every Lodge to receive strange Brethren as visitors, and permit them to participate in the labours and instructions in which the Lodge may, at the time of the visit, be engaged.

Modern authorities have very generally concurred in this view of the subject. In June 1819, in consequence of a complaint which had been preferred to the Grand Lodge of England against a Lodge in London, for having refused admission to some Brethren who were well known to them, on the ground that, as the Lodge was about to initiate a candidate, no visitor could be admitted until that ceremony was concluded, the Board of General Purposes resolved "that it is the undoubted right of every Mason who is well known or properly vouched, to visit any Lodge during the time it is opened for general Masonic business, observing the proper forms to be attended to on such occasions, and so that the Master may not be interrupted in the performance of his duty."

Masonic jurists have always decided that the right of

visitation is absolute and positive, and inures to every Mason in his travels throughout the world. Wherever he may be, however distant from his residence and in the land of the stranger, every Lodge is, to a Mason in good standing, his home, where he should be ever sure of the warmest and truest welcome.

There are, however, restrictions which have been thrown around the exercise of this right of visit, and to these we now refer.

In the first place, to entitle him to the right of visit, a Master Mason must be affiliated with some Lodge. Of this doctrine there is no question. All Masonic authorities concur in confirming it. But as a Mason may take his demit from a particular Lodge, with the design of uniting again with some other, it is proper that he should be allowed the opportunity of visiting various Lodges for the purpose—where there are more than one in the same place—of making his selection. That no encouragement, however, may be given him to protract the period of his withdrawal of Lodge membership, this privilege of visiting must be restricted within the narrowest limits. Accordingly, the Grand Lodge of England has laid down the doctrine in its Constitutions in the following words:—

“A Brother, who is not a subscribing member to some Lodge, shall not be permitted to visit any one Lodge in the town or place in which he resides, more than once during his secession from the Craft.”

A similar usage appears very generally, indeed universally, to prevail; so that it may be laid down as a law, fixed by custom and confirmed in most jurisdictions by statutory enactment, that an unaffiliated Mason cannot visit any Lodge more than once a year. By ceasing to be affiliated, he loses his general right of visit.

Again, a visiting Brother, although an affiliated Mason may, by bad conduct, forfeit his right of visit. The power to reject the application of a visitor for admission is not a discretionary, but a constitutional one, vested in the Master of the Lodge, and for the wholesome exercise of which he is responsible to the Grand Lodge. If, in his opinion, the

applicant for admission as a visitor is not in a condition, or of fitting moral character, to entitle him to the hospitalities of the Lodge, he may refuse him admission; but the visitor so rejected has a right of appeal to the Grand Lodge, in whose jurisdiction he has been refused, and the *onus* then lies on the Master of proving that such refusal was founded on and supported by sufficient reasons.

The great object in all Masonry being the preservation of harmony among the Brethren, it has been deemed, by many excellent Masonic authorities, to be the prerogative of any member of a Lodge to object to the admission of a visitor when his relations to that visitor are of such a nature as to render it unpleasant for the member to sit in Lodge with the visitor. It is certainly much to be regretted that any such unkind feelings should exist among Masons. But human nature is infirm, and Masonry does not always accomplish its mission of creating and perpetuating brotherly love. Hence, when two Masons are in such an unmasonic condition of antagonism, the only question to be solved is—the one being a contributing member and the other a visitor—Whether shall the former or the latter retire? Justice seems to require that the visitor shall yield his claims to those of the member. If the presence of both would disturb the harmony of the Lodge, it is the duty of the Master to forbid the entrance of one who, as a stranger and a visitor, has the slightest claims to admission, and whose rights will be the least affected by the refusal. If a visitor is refused admission, it is only his right of visit that is affected; but if a member be compelled to withdraw, in consequence of the admission of a visitor whose presence is unpleasant to him, then all his rights of membership are involved, which of course include his right of voting at that communication on any petitions for initiation or membership, and on motions before the Lodge, as well as his right of advocating or opposing any particular measures which may become the subject of deliberation during the meeting.

Another restriction on the right of visit is to be found in

the necessity of an examination. No Brother can be permitted to visit any strange Lodge, unless he has first submitted to an examination. This examination, it is true, may be rendered unnecessary by an avouchment; but, as the principle is the same, and as the subject of the right of avouchment will be discussed in a subsequent section, it is unnecessary, on the present occasion, to consider anything more than the effect of an examination on the right of visit.

The rule, then, is imperative that every Master Mason who applies as a visitor to a Lodge, and for whose Masonic standing and character as a Mason no Brother present can vouch, must submit to an examination before he can be admitted. This examination is accompanied by several forms, which, as they are used in the presence of a person not known to be a Mason, and who, after having participated in them, is often rejected, because he cannot give sufficient proof of his Masonic character, necessarily form no part of the secret, and can therefore be as safely committed to paper and openly published, as any of the other ordinary business of a Lodge.

The visitor, who desires admission into a Lodge, and who presents himself for preparatory examination, is required to take the following oath in the presence of the examining committee, each of whom he may likewise require to take the same oath with him :—

*“I, A. B., do hereby and hereon solemnly and sincerely swear, that I have been regularly initiated, passed, and raised to the sublime degree of a Master Mason, in a just and legally constituted Lodge of such ; that I do not now stand suspended or expelled ; and know of no reason why I should not hold Masonic communication with my Brethren.”*

This declaration having been confirmed in the most solemn manner, the examination is then commenced with the necessary forms. The Masonic Law requires that these forms should be conducted in such a manner as to constitute what is technically called a “strict trial.” No question must be omitted that ought to be asked, and no

answer received unless strictly and categorically correct. The rigour and severity of the rules and forms of a Masonic examination must never be weakened by undue partiality or unjustifiable delicacy. The honour and safety of the institution are to be paramount to every other consideration ; and the Masonic maxim is never to be forgotten, that "it is better that ninety and nine true men should, by over-strictness, be turned away from the door of a Lodge, than that one cowan should, through the carelessness of an examining committee, be admitted."

Correlative to this right of examination is that, which belongs to every visitor, of demanding a sight of the charter of constitution of the Lodge which he proposes to visit. The demand to see this important document he may make before examination, because it is in fact the evidence of the right of the committee to proceed to that examination, and the committee is bound to produce it.

Intimately connected with this subject of the right of visit is that of Grand Lodge certificates or diplomas. The propriety of a Regulation requiring such a document as a necessary preliminary to a visit, has, within the last few years, been conclusively determined. It is surprising that any writer professing to be acquainted with the history of the institution should for a moment deny the great antiquity and the universality of the law which has required every strange Brother to furnish the Lodge which he visits, with a certificate from the Lodge and jurisdiction from which he hails.

This Regulation was certainly in force two centuries ago ; we have evidence of that fact in the Regulation adopted in the General Assembly in 1663, under the Grand Mastership of the Earl of St Albans, in the following explicit language :—

"No person hereafter, who shall be accepted a Freemason, shall be admitted into any Lodge or assembly, until he has brought a certificate of the time and place of his acceptation from the Lodge that accepted him, unto the Master of that limit or division where such a Lodge is kept."

From that time, at least, the Regulation has been strictly observed in the Grand Lodges of England, Scotland, and Ireland, and in many of the older Grand Lodges of America. There may be a doubt whether a Masonic certificate, given to its possessor for his life, is of any real value in establishing his Masonic standing, except at the time that he received it; but there can be no doubt that the Regulation requiring one to be given, is one of the most ancient written laws of the Order. In many of the bye-laws of Lodges in England and Scotland, every visitor must produce his Grand Lodge certificate before being admitted. Under no circumstances can they do without its production. It must, however, be recollected that a Grand Lodge certificate is to be considered only as a collateral evidence of the good standing of its possessor, preparatory to an examination in the legal way.

In concluding this section, it may be remarked, by way of recapitulation, that the right of visit is a positive right, which inures to every unaffiliated Master Mason once, and to every affiliated Master Mason always; but that it is a right which can never be exercised without a previous examination or legal avouchment, and may be forfeited for good and sufficient cause; while for the Master of any Lodge to deny it, without such cause, is to do a Masonic wrong to the Brother claiming it, for which he will have his redress upon complaint to the Grand Lodge, within whose jurisdiction the injury is inflicted. This, it appears, is now the settled law upon the subject of the Masonic right of visit.

#### SECTION IV.

##### THEIR RIGHT OF AVOUCHMENT.

It has been stated in the preceding section that an examination may sometimes be dispensed with, when a Brother who is present, and acquainted with the visitor, is able and willing to vouch for him as a Master Mason in

good standing. This prerogative of vouching for a stranger is strictly one of the rights of a Master Mason, because neither Entered Apprentices nor Fellow Crafts are permitted to exercise it, in reference to those who have attained to their respective degrees. But the right is one of so important a nature—its imprudent exercise would be attended with such evil consequences to the institution—that Grand Lodges have found it necessary to restrict it by the most rigid rules.

Many Masons suppose that the prerogative of vouching is inherent in every Brother, and that if A shall say that he vouches for B, and that he has sat in a Lodge with him, the assertion should be received with all respect, and B admitted. But in how many cases may not A, from ignorance or inexperience, be liable to be deceived? How are we to know that A himself was not in a clandestine Lodge, which had been imposed upon his ignorance, when he sat with B? How are we to be sure that his memory has not been treacherous, and that the Lodge in which he saw B was not a Fellow Crafts' or Entered Apprentices', instead of being a Masters'? Only by knowing that the Masonic skill and experience, and the general good sense and judgment of A, are such as not to render him liable to the commission of such errors. And if we are confident of his Masonic knowledge and honesty, we are ready, or ought to be, to take his vouching, without further inquiry as to its foundation; but if we are not, then it is safer to depend on an examination by a committee, than on the avouchment of one in whose ability we have no confidence. A Masonic avouchment is, in fact, of the nature of a mercantile or legal security. Its whole value depends on the character and attainments of him who offers it; and it would be better, if a positive rule is to be laid down, to say that no visitor shall be admitted into a Lodge except with the avouchment of a well-known and skilful Mason, or upon examination by a committee.

Still, it must be confessed, however humiliating the confession may be, that a very large number of Masons

are too little skilled in the mysteries which have been communicated to them, to be enabled to pass strangers through that ordeal of strict examination, which alone can prove a friend or detect a foe, and an ingenious impostor would often find it a task of but little difficulty to deceive such an unskilful examiner. Thus imposed upon himself, the deceived brother might unwittingly extend his error, by vouching for one who has no claims upon the Fraternity. The vouching of such brethren, derived from their private examination, should of course be considered as of no value. But, on the other hand, there are many Masons so well skilled in the principles of the craft, that no danger of imposition need be feared when we depend on the information which they have derived from an examination, conducted as they would of course do it, with all the necessary forms, and guarded by all the usual precautions. The avouchments of such brethren should be considered as perfectly satisfactory.

The regulations by which avouchments are to be governed appear to be three :—

1. A Mason may vouch for another, if he has sat in a Lodge with him.

2. He may vouch for him if he has subjected him to a skilful private examination.

3. He may also vouch for him if he has received positive information of his Masonic character from a competent and reliable Brother.

Lastly, no written avouchment, however distinguished the Mason who sends it may be, or however apparently respectable the person who brings it, is of any value in Masonry. Letters of introduction, in which light only such an avouchment can be considered, are liable to be forged or stolen; and it is not permitted to trust the valuable secrets of Masonry to contingencies of such a nature. Hence, whatever confidence we may be disposed to place in the statements of a letter from a friend, so far as they respect the social position of the bearer, we are never to go

further. Declarations of Masonic character or standing are to be considered as valueless, unless confirmed by an examination.

## SECTION V.

### THEIR RIGHT OF RELIEF.

The first degree informs us that the three principal tenets of a Mason's profession are Brotherly Love, Relief, and Truth. Relief, the second of these tenets, seems necessarily to flow from the first, or brotherly love; for the love of our brother will naturally lead us to the sentiment of wishing "to alleviate his misfortunes, to compassionate his misery, and to restore peace to his troubled mind."

As the duty of assisting indigent and distressed brethren is one of the most important duties inculcated by the landmarks and laws of the institution, so the privilege of claiming this assistance is one of the most important rights of a Master Mason. It is what we technically call, in Masonic law, the *Right of Relief*, and will constitute the subject of the present section.

The right to claim relief is distinctly recognised in the Old Charges which were approved in 1722, which, under the head of "Behaviour to a strange Brother," contain the following language:—

"But if you discover him to be a true and genuine Brother, you are to respect him accordingly; and if he is in want, you must relieve him if you can, or else direct him how he may be relieved. You must employ him some days, or else recommend him to be employed. But you are not charged to do beyond your ability, only to prefer a poor Brother, who is a good man and true, before any other people in the same circumstances."

The law thus explicitly laid down, has always been that on which Masonic relief has been claimed and granted; and, on inspection, it will be found that it includes the following four principles:—

1. The applicant must be in distress.

2. He must be worthy.

3. The giver is not expected to exceed his ability in the amount of relief that he grants.

4. A Mason is to be preferred to any other applicant in the same circumstances.

Each of these principles of Masonic relief requires a distinct consideration.

1. *The applicant must be in distress.* Freemasonry is, strictly speaking, a charitable association: that is to say, it does not, in any way, partake of the nature of a joint stock, or mutual insurance company, which distinguishes so many of the friendly societies of the present day. In the Masonic organisation, charity is given—as charity should only be given—to the needy, and according to the means of the givers. That principle of mutual insurance by which a society or association pledges itself, in articles of its constitution, in consideration of the regular payment of a certain annual amount, to contribute, in return, a fixed sum, usually called “a benefit,” to the member who has so paid his dues, whenever he is sick, whether he needs it or not, making no distinction between rich and poor, but only between punctual payers and defaulters, is a mere matter of commercial bargain and pecuniary calculation. There is not one particle of charity in it. It is the legal and expected result of a previous contract, to be enforced by law if necessary, and as such, can enlist none of the finer emotions of the heart.

This, it need scarcely be said, is entirely different from the system of charity which is practised in the Masonic institution. Here there is no question of arrears; the stranger from the most distant land, if he be true and worthy, is as much entitled to the charities of his Brethren, as the most punctually paying member of the Lodge. The only claim that Masonic charity listens to is that of poverty; the only requisite to insure relief is destitution. The first claim, therefore, that is necessary to substantiate the Masonic right of relief is, that the Brother applying for assistance is really in distressed or needy circumstances. The demand

for pecuniary aid can only be made by the poor and destitute.

2. *The applicant must be worthy.* In the language of the Charge already quoted, he must be "a true and genuine Brother." The word *true* is here significant. It is the pure old Saxon *treowe*, which means *faithful*, and implies that he must be one who has been faithful to his duties, faithful to his trusts, faithful to his obligations. The bad man, and especially the bad Mason, is unfaithful to all these, and is not *true*. There is no obligation either in the written law, or the unwritten law of the Order, that requires a Mason to relieve such an unworthy applicant. By his infidelity to his promises, he brings discredit on the institution, and forfeits all his rights to relief. A suspended or expelled Mason, or one who, though neither, is yet of bad character and immoral conduct, cannot rightfully claim the assistance of a Mason, or of a Lodge of Masons.

3. *The giver is not expected to exceed his ability in the amount of relief that he grants*—that is to say, a Brother is expected to grant only such relief as will not materially injure himself or family. This is the unwritten law, and conformable to it is the written one, which says, "You are not charged to do beyond your ability." This provision is not inconsistent with the true principles of charity, which do not require that we should sacrifice our own welfare, or that of our family, to the support of the poor; but that with prudent liberality, and a due regard to the comforts of those who are more nearly dependent on us, we should make some sacrifice of luxury out of our abundance, if we have been blessed with it, for the relief of our distressed Brethren.

4. *A Mason is to be preferred to any other applicant in the same circumstances.* The duty of relieving a distressed Brother, in preference to any other persons under similar circumstances, although one of the objections which has often been urged against the Masonic institution by its opponents, as a mark of its exclusiveness, is nevertheless identical in principle with the rule which was inculcated

eighteen centuries ago by the great Apostle of the Gentiles: "As we have therefore opportunity, let us do good unto all men, especially unto them who are of the household of faith."

The practice of Freemasonry is precisely in accordance with the apostolic rule already quoted. It strives to do good to all; to relieve the necessitous and the deserving, whether they be of Jerusalem or Samaria; to clothe the naked, to feed the hungry, and to comfort the distressed, always, however, giving a preference to those of its own household—those who, in the day of their prosperity, supported and upheld that institution on which, in the time of their distress, they have called for aid—those who have contributed out of their abundance to its funds, that those funds might be prepared to relieve them in their hour of want—those who have borne their share of the burden in the heat of the day, that when their sun is setting, they may be entitled to their reward. And in so acting, Freemasonry has the warrant of universal custom, of the law of nature, and of the teachings of Scripture.

Perhaps it is hardly necessary to add that the wives and children of Masons, while claiming relief through the right of their husbands and fathers, are subject to the same principles and restrictions as those which govern the application of Masons themselves. The destitute widow or orphans of a deceased Mason have a claim for relief upon the whole Fraternity, which is to be measured by the same standard that would be applied if the Brother himself were alive, and asking for assistance.

One interesting question, however, arises here. Under what circumstances, and at what time, do the widow and orphans of a Mason lose their right to claim assistance?

The widow of a Mason derives her claim to Masonic relief from the fact of her widowhood only; when she abandons that widowhood, it seems clear that she forfeits her claim. On her second marriage, her relations to the Order are obliterated as completely as are her relations to him whose name she has abandoned for that of another. If her new

husband is not a Mason, it is difficult to see upon what ground she could rest her claim to Masonic protection; not as the wife of her second husband, for that would give no foundation for such a claim—not certainly on her being the widow of the first, for she is no longer a widow.

The orphans of a brother Mason are of course entitled to the protection of the Order, so long as their situation needs that protection. Boys on arriving at adult age, and girls when they marry, are placed in a position which exonerates the Order from their further protection. A hale and hearty man of eighteen could scarcely venture to claim relief from the Order, on the ground that he was the son of a Mason; nor could the wife of a man, in a similar worldly condition, make the same request, on the ground that she was a Mason's daughter.

Lastly, it must be remarked that the right of claiming relief is confined to Master Masons. Undoubtedly, in the very early periods of the institution, Fellow Crafts were permitted to make this claim; and the older Constitutions refer to them as being entitled to relief. Subsequently, Apprentices were invested with the right; but in each of these cases the right was conferred on these respective classes, because, at the time, they constituted the main body of the craft. When, in 1717, Apprentices were permitted to vote, to visit, and to enjoy all the rights of membership in Masonic Lodges—when they were in fact the chief constituents of the Fraternity—they, of course, were entitled to claim relief. But the privileges then extended to Apprentices have now been transferred to Master Masons. Apprentices no longer compose the principal part of the Fraternity. They in fact constitute but a very small part of the Craft. To remain an Apprentice now, for any time beyond the constitutional period permitted for advancement, is considered as something derogatory to the Masonic character of the individual who thus remains in an imperfect condition. It denotes, on his part, either a want of Masonic zeal or of Masonic ability. Apprentices no longer vote—they no longer visit—they are but inchoate Masons—Masons incomplete,

unfinished — and as such are not entitled to Masonic relief.

The same remarks are equally applicable to Fellow Crafts.

As to the right of relief which may or may not belong to Masons who are not affiliated with any Lodge, that subject will be more properly discussed when we come, in a subsequent part of this work, to consider the whole subject of unaffiliated Masons.

## SECTION VI.

### THEIR RIGHT OF DEMISSION.

The word “demit” is peculiarly and technically Masonic. A Mason is said “to demit from a Lodge” when he withdraws from all connection with it. It is, in fact, the act which in any other society would be called a resignation.

The right of demission is an important right in its reference not only to the Mason who applies for it, but also to the Lodge which grants it, since its operation is to dissolve all Masonic connection between the two parties. It is not, therefore, surprising that it has been made the topic of earnest discussion, and that it has elicited various opinions among Masonic jurists.

Does the right exist, and if so, under what restrictions and with what effects? These are the questions that naturally suggest themselves, and must be thoroughly discussed before we can expect to obtain a clear comprehension of the subject.

There never has been any doubt, that a Mason, being in good standing, has a right to demit from one Lodge for the purpose of immediately joining another. To exercise this undoubted right, however, he must at the time be in good standing; that is, free from all charges and their results. It is also admitted that all action on the application of any member for a demit will be suspended if at the time of the application a charge shall be preferred against the applicant.

In such a case he must submit to a trial, and, if he is acquitted, his demit may then be granted. These are points of law about which there is no dispute.

The only question of Masonic jurisprudence on this subject which has given rise to any discussion is, whether a member can demit from a Lodge for the distinct purpose of severing all active connection with the Order, and becoming an unaffiliated Mason. Now, while it is true that Freemasonry is, in all respects, a voluntary association, and that as no one is expected or permitted to enter it except of his "own free will and accord," so no one is bound to continue in it except in the same voluntary manner.

Yet it is true that to ask for a demit, without the intention to unite with another Lodge, is an act which no Freemason can commit without violating the obligations which he owes to the Order.

There is a case of demission for which the Regulations of 1721 have especially enacted a law. When several Brethren at one time apply for demits, the regulation prescribes that these demits shall be granted only where the Lodge is already too numerous, and the intention of the demitting Brethren is to form a new Lodge, they having a dispensation for that purpose from the Grand Master, or at once to unite themselves with another Lodge. The withdrawal of many members at one time from a small Lodge would manifestly tend to its injury, and perhaps cause its dissolution; and when this is done without the intention of those who have withdrawn to unite with any other Lodge, it is to be presumed that the act has been the result of pique or anger, and should not, therefore, be encouraged by the law.

Still, however, we are again met with the difficulty which opposes us in the consideration of an application for a single demit. How is the law to be enforced? The Regulation of 1721 simply declares that "no set or number of Brethren shall withdraw or separate themselves from the Lodge." It affixes no penalty for the violation of the

regulation. If a number of Brethren should desire to withdraw, there is no known power in the Masonic institution which can prevent them from doing it. It is true, that if an unmasonic feeling of anger or pique is plainly exhibited, so that a charge can be founded on it, the demits may be withheld until the charge is disproved. But unless such charge is made, the demits must be granted. The holding of membership in a Lodge is an absolute duty, but one which cannot be enforced. If a Mason violates it, all that can be done is to visit him with the penalties which fall upon unaffiliated Masons. But he cannot be compelled to continue his membership contrary to his own inclinations. The penalties of non-affiliation are to begin, not when a Brother asks for a demit, for this may be done for a good purpose, but when, after having received this demit, he neglects or refuses, within a reasonable time, to unite with another Lodge. The demit must be granted, if the Mason applying is in good standing at the time; and the penalties of non-affiliation must be subsequently enforced, if he renders himself obnoxious to them.

Amidst many contradictory opinions on the subject, the only conclusion that can be come to is, that although a demission made with the intention of a total disseverance from the Order is a violation of Masonic duty, there is no power in a Lodge to refuse it when demanded.

## SECTION VII.

### THEIR RIGHT OF APPEAL.

The Right of Appeal is an inherent right belonging to every Mason, and the Grand or Provincial Grand Lodge is the appellate body to whom the appeal is to be made. The principles of equality and justice, upon which the institution is founded, render it necessary that there should be a remedy for every injury done to, or injustice inflicted upon, the humblest of its members; for in Freemasonry,

as in the municipal law, it is held as a maxim that there is no wrong without a remedy—*ubi jus ibi remedium*.

The doctrine of appeals is founded on this principle. It furnishes the remedy for any invasion of Masonic rights, and hence it may be considered as one of the most important prerogatives that the Mason possesses.

Appeals are of two kinds: 1st, from the decision of the Master; 2dly, from the decision of the Lodge. Each of these will require distinct consideration.

I. *Appeals from the Decision of the Master.* It is now a settled doctrine in Masonic law that there can be no appeal from the decision of a Master of a Lodge to the Lodge itself. An appeal, however, always lies from such decision to the Grand Lodge, which is bound to entertain the appeal, and to inquire into the correctness of the decision. Some writers have endeavoured to restrain the despotic authority of the Master to decisions in matters strictly relating to the work of the Lodge, while they contend that on all questions of business an appeal may be taken from his decision to the Lodge. It would be unsafe, however, and often impracticable, to draw this distinction, and accordingly the highest Masonic authorities have rejected the theory, and denied the power of a Lodge to entertain an appeal from any decision of the presiding office-bearer.

It must be admitted that, with the present understanding of the law on this subject, the power of the Master is to a great extent rendered despotic in his Lodge. On the other hand, by the wise provisions of the same law, this despotism is restrained by the most salutary checks. The Master himself is bound by the most solemn obligations to the faithful discharge of his duties and the impartial administration of justice; and as a still further safeguard, the Grand Lodge, the appellate court of the jurisdiction, is ever ready to listen to appeals, to redress grievances, to correct the errors of an ignorant Master, and to punish the unjust decisions of an iniquitous one.

As it is admitted to be the settled law of Masonry that no appeal can be taken from the decision of the chair to the

Lodge, and as it is the duty of the Master to see that the laws of Masonry are strictly enforced in the body over which he presides, it follows, that any permission of an appeal "by courtesy," as it is called, would be highly wrong. The Master may, it is true, at all times, consult the members of his Lodge on any subject relating to their common interest, and may also, if he thinks proper, be guided by their advice. But when he has once made a decision on any subject, and officially proclaimed it, he should not, under any promptings of delicacy or forbearance, permit it to be submitted to the Lodge for consideration, under an appeal. That decision must be law to the Lodge, until overruled by the paramount decision of the Grand Lodge.

The wisdom of this law must be apparent to any one who examines the nature of the organisation of the Masonic institution. The Master is responsible to the Grand Lodge for the good conduct of his Lodge. To him and to him alone the supreme Masonic authority looks for the preservation of order and the observance of the modern Laws, the ancient Constitutions, and the Landmarks of the Order, in that branch of the institution over which he has been appointed to preside. It is manifest, then, that it would be highly unjust to throw upon a presiding office-bearer so heavy a responsibility, if it were in the power of the Lodge to overrule his decisions or to control his authority. As the law will make no distinction between the acts of a Lodge and of its Master, and will not permit the latter to cast the odium of any error upon the body over which he presides, and which he is supposed to control, it is only right that he should be invested with an unlimited power corresponding with his unlimited responsibilities.

II. *Appeals from the Decisions of the Lodge.* Appeals may be made to the Grand Lodge from the decisions of a Lodge, on any subject except the admission of members, or the election of candidates; but these appeals are more frequently made in reference to conviction and punishment after trial.

When a Mason, in consequence of charges preferred

against him, has been tried, convicted, and sentenced by his Lodge, he has an inalienable right to appeal to the Grand Lodge from such conviction and sentence.

His appeal may be either general or specific. That is, he may appeal on the ground, generally, that the whole of the proceedings have been irregular or illegal, or he may appeal specifically against some particular portion of the trial; or lastly, admitting the correctness of the verdict, and acknowledging the truth of the charges, he may appeal from the sentence, as being too severe, or disproportionate to the offence.

In order that the Grand Lodge may be enabled to come to a just conclusion on the merits of the question, it is necessary that the Lodge should furnish an attested copy of the charge or charges, and of the proceedings on the trial, and this it is bound to do.

There is no specific rule to govern the Grand Lodge in the forms which it may adopt for conducting the review of the case. But the most usual method is to refer the appeal, with the testimony and other papers, to a committee, upon whose report, after a full investigation, the Grand Lodge will act, and either confirm or reverse the decision of the Lodge.

If the Grand Lodge confirms the verdict of the subordinate, the appeal is dismissed, and the sentence of the Lodge goes into operation, without further action on the part of the Lodge.

If, on the contrary, the Grand Lodge reverses the decision of its subordinate, the appellant is placed thereby in the same position that he occupied before the trial. The consequences of this action, as it involves some very important points of Masonic law, will be fully discussed when we come to the consideration of the subject of *Restoration*, in a subsequent part of this work.

The Grand Lodge, instead of a complete confirmation or reversal, may find it necessary only to modify the decision of the Lodge. It may, for instance, approve the finding of the verdict, but disapprove of the sentence, as being too

severe; in which case a milder one may be substituted. As, for instance, expulsion may be reduced to suspension. On the other hand, the Grand Lodge may consider the punishment inflicted not commensurate with the magnitude of the offence, and may substitute a higher grade, as expulsion instead of suspension. It must be understood that, although in these cases the Grand Lodge is acting in some respects as an appellate court, it is not to be controlled by all the rules that govern such bodies in the municipal law. It cannot divest itself of its high position as the supreme Masonic authority of the State, and may at any time, or at any part of the proceedings, abandon the appellate character and assume an original jurisdiction.

Lastly, the Grand Lodge, being dissatisfied either with the sufficiency of the testimony, the formality and legality of the proceedings, or the adequacy of the punishment, may simply refer the case back to its subordinate for a new trial. If the reference back has been made on the ground that the testimony was not sufficient, or the proceedings irregular, then the trial in the Lodge must be commenced *de novo*, and if the Brother is again convicted, he may again appeal: for no number of convictions can abrogate the right of appeal, which is inalienably invested in every Mason. But if the case is referred back on account of the inadequacy of the punishment, as being too severe or too lenient, it will not be necessary to institute a new trial, but simply to review that part of the proceedings which relates to the sentence.

The question here suggests itself, whether on an appeal any new evidence which had not come before the Lodge can be introduced by either party. It is contrary to the spirit of the municipal law, in the trial of an appeal by a superior court, to permit the introduction of evidence that was not originally given to the court below, because, as the question is whether they did right or not upon the evidence that appeared to them, "the law judged it the highest absurdity to produce any subsequent proof upon such trial,

and to condemn the prior jurisdiction for not believing evidence which they never knew." But in Masonic appeals the principle is different. Here, as has already been observed, the Grand Lodge does not act simply as a court of appeal, but as the supreme Masonic authority, and may at any time assume original jurisdiction in the case. The Grand Lodge, at all times, when any of the great principles of Masonic polity are at issue—whether the humblest of its children may have received an injury, or one of its Lodges abused its chartered privileges, and inflicted an act of injustice—is not to be governed by the technicalities of law, but by the great principles of justice. Like the Roman consuls in the hour of public danger, it is invested with a dictatorial power "to see that the republic receive no harm."

Hence it is competent for the Grand Lodge to receive any new evidence, or to inquire into any new matter, which will throw light upon the question at issue between the Lodge and the appellant. But unless the case be one of aggravated wrong or very palpable error, which the new evidence brings to light, a due sense of courtesy, which is a Masonic virtue, will prevent the Grand Lodge from at once reversing the decision of the subordinate Lodge; it will rather remand the case, with the new evidence, to the Lodge, for a new trial.

In conclusion, it must be remarked, that the determination of the position of the appellant, during the pendency of the appeal, is a question of law that is involved in much difficulty. It is admitted as Masonic law, that until the opinion of the higher body is known, that of the lower must continue in force. Thus, if the Master decides a point of order erroneously, the Lodge must obey it until it is reversed, on appeal, by the Grand Lodge. This doctrine is founded on the principle of obedience to authority, which lies at the very foundation of the Masonic organisation. Hence, judging by analogy in the cases under consideration, the only conclusion that can be come to is, that the sentence of the Lodge goes into operation at once, and is to be enforced

until the Grand Lodge think proper to reverse it. Still, the position of an expelled Mason who has appealed is not precisely the same as that of one who has submitted to the sentence of expulsion. The Grand Lodge of New York has very properly defined expulsion as implying "a termination not only of Masonic intercourse and connection with the body inflicting it, but from the Masonic fraternity, *unless an appeal be made.*" Now, the last words qualify the definition, and show that expulsion, when an appeal has been made, does not precisely imply the same thing as expulsion when no appeal has been entered. Again: expulsion has been metaphorically described as Masonic death. Continuing the metaphor, we may say that expulsion under appeal is rather a state of Masonic trance than of death. The expelled person is, it is true, deprived of all exercise of his Masonic functions, and is incapable of any communion with his Brethren, but the termination of the case is rendered uncertain by the existence of the appeal. It may end in a confirmation of the expulsion, or in his recovery and restoration to Masonic rights. So that, if a specific term is required to designate the condition of one who has been suspended or expelled, during the pendency of his appeal from the sentence, it may be called a *quasi suspension* or *quasi expulsion*. The individual is not really a suspended or expelled Mason until his appeal is dismissed and the sentence confirmed; but is entitled to all his Masonic rights, till the appeal is disposed of.

The right of appeal differs from the other rights which have been the subject of discussion, in this, that is not confined to Master Masons, but is equally enjoyed by Fellow Crafts, and even Entered Apprentices. The humblest member of the Fraternity, when he supposes himself to be injured or unjustly treated by his superiors, is entitled to redress in an appeal to the Grand Lodge; for, as has been already observed, it is the rule of the law that where there is a wrong, there must be a remedy.

## SECTION VIII.

## THEIR RIGHT OF BURIAL.

The right to be conducted to his last home by his Brethren, and to be committed to his mother earth with the ceremonies of the Order, is one that, under certain restrictions, belongs to every Master Mason.

The first official notice we have of Masonic funeral processions is in November of the year 1754, when we learn that "several new regulations concerning the removal of Lodges, *funeral processions*, and Tylers, which had been recommended by the last Committee of Charity for Laws of the Grand Lodge, were taken into consideration and unanimously agreed to."

The regulation then adopted prohibited any Mason, under the severest penalties, from attending a funeral or other procession, clothed in any of the jewels or badges of the Craft, except by dispensation of the Grand Master or his Deputy.

No further regulations on this subject are to be found, in any edition of the Book of Constitutions, until we arrive at the modern code which is now in force in the Grand Lodge of England.

The regulations as to funerals are laid down by Preston in the following words :—

"No Mason can be interred with the formalities of the Order, unless it be at his own special request, communicated to the Master of the Lodge of which he died a member—foreigners and sojourners excepted ; nor unless he has been advanced to the third degree of Masonry, from which restriction there can be no exception. Fellow Crafts or Apprentices are not entitled to the funeral obsequies."

The only restrictions prescribed by Preston are, it will be perceived, that the deceased must have been a Master Mason, and that he has himself made the request. The great increase of unaffiliated Masons, however, a class that did not exist in such numbers in former times, has led

many Grand Lodges to introduce as a new restriction the regulation that unaffiliated Masons shall not be entitled to Masonic burial. This restriction may be called new, because, although not expressly stated in the rule of Preston, it seems to be evidently implied that the Mason was expected, previous to his death, to make a request for funeral obsequies to the Master or Secretary of the Lodge of which *he died a member*. As unaffiliated Masons could not comply with this provision, it follows that they could not receive Masonic burial. At all events, it has now become an almost universal regulation.

As Master Masons alone possess the right of Masonic burial, and as the Lodge, preparatory to that occasion, is required to be opened in the third degree, it follows that Fellow Crafts and Entered Apprentices are not permitted to join in a funeral procession, and accordingly we find that, in the form of procession laid down by Preston, no place is allotted to these inferior classes of the Fraternity. In this he has been followed by all subsequent monitorial writers.

Here follows the ceremonial generally observed at Masonic burials.

## CEREMONIAL

*Observed at Masonic Funerals according to ancient custom ;  
with the Service used on these occasions.*

No Freemason can be interred with the formalities of the Order, unless it has been his own special request, communicated to the Master of the Lodge, of which he is a member, before his decease ; nor unless he has been advanced to the third degree of Masonry, and has died a member of a regular constituted Lodge.

The Master of the Lodge, on receiving intelligence of his death, and being made acquainted with the day and hour appointed for his funeral, is to issue his command for summoning the Lodge ; and immediately to make application, through the Grand Secretary, to the Grand Master, or

Provincial Grand Master, for a legal power and authority to attend the procession, with his office-bearers, and such Brethren as he may invite, properly clothed.\*

The dispensation being obtained, the Master may invite as many Lodges as he thinks proper, and the members of these Lodges may accompany their office-bearers in form ; but the whole ceremony must be under the direction of the Worshipful Master of the Lodge to which the deceased belonged ; and he and the other office-bearers must be duly recognised, and cheerfully obeyed on the occasion.

All the Brethren who walk in procession should observe, as much as possible, a uniformity in their dress. Decent mourning, with white necktie, gloves, and aprons, is most suitable and becoming ; and no person ought to be distinguished with a jewel, unless he is an office-bearer of one of the Lodges invited to attend in form. The office-bearers of such Lodges should be ornamented with white sashes and black hatbands ; as also the office-bearers and members of the Lodge to which the dispensation is granted, who should likewise be distinguished with white rods. The Brethren who are to attend the funeral, assemble in the

\* By an express law of the Grand Lodge of England, it is enacted, " That no regular Mason do attend any funeral, or other public procession, clothed with the badges and ensigns of the Order, unless a dispensation for that purpose has been obtained from the Grand Master, or his Deputy, under the penalty of forfeiting all the rights and privileges of the Order ; and of being deprived of the benefit of the general fund of charity, should he be reduced to want."

As dispensations for public processions are seldom or never granted but upon very particular occasions, it cannot be thought that these will be very frequent, or that regular Masons will incline to infringe an established law, by attending those which are not properly authorised. Many public parades under this character, it is true, have been made of late years ; but we may safely affirm, that they never received the sanction of the Grand Master, or the countenance of any regular Mason conversant with the laws of the Order. Of this the public may be easily convinced, if they reflect that the reputation of the whole Fraternity would be at a risk by irregularity on such an occasion ; and it cannot be imagined that the Grand Master, who is generally of noble birth, would so far degrade the dignity of his office as to hazard the character of the Order at large, by granting a dispensation from our established rules for a public procession upon so trifling an occasion as a private benefit at a playhouse, public garden, or other place of general resort ; where neither the interest of the Fraternity nor the public good is concerned, and which, though it may be of advantage to one or two individuals, can never redound to the good of Masonry, or the honour of its patrons.

Lodge-room a short time before the hour appointed for it, when the Lodge is opened, and they march in procession to the house of mourning, and thence to the churchyard, from which they return to the Lodge-room, and the Lodge is then closed in the usual manner.

In the procession to the place of interment, the different Lodges rank according to their seniority, the junior ones preceding. Each Lodge forms one division, and the following order is observed :—

The Tyler, with his sword ;  
 The Stewards, with white rods ;  
 The Brethren out of office, two and two ;  
 The Secretary, with a roll ;  
 The Treasurer, with his badge of office ;  
 Senior and Junior Wardens, hand in hand ;  
 The Past Master ;  
 The Master ;

The Lodge to which the deceased Brother belonged, in the following order, all the members having flowers or herbs in their hands :

The Tyler ;  
 The Stewards ;

The Music [Drums muffled and Trumpets covered] ;  
 The Members of the Lodge ;  
 The Secretary and Treasurer ;  
 The Senior and Junior Wardens ;  
 The Past Master ;

The Bible and Book of Constitutions on a cushion, covered with black cloth, carried by a Member of the Lodge ;

The MASTER ;  
 The Choristers ;  
 The Chaplain :

Pall-Bearers, { The BODY,  
                           with the regalia  
                           placed thereon } Pall-Bearers ;  
                           and two swords }  
                           crossed.

Chief Mourner ;  
 Assistant Mourners ;  
 Two Stewards ;  
 A Tyler.

One or two Lodges march, before the procession begins, to the churchyard, to prevent confusion, and make the

necessary preparations. The Brethren must on no account desert their ranks or change their places, but keep in proper order. When the procession arrives at the gate of the churchyard, the Lodge to which the deceased Brother belonged, and all the rest of the Brethren, must halt, till the members of the different Lodges have formed a perfect circle round the grave, when an opening is made to receive them. They then march up to the grave; and the chaplain and the office-bearers of the acting Lodge taking their station at the head of the grave, with the choristers on each side, and the mourners at the foot, the service is rehearsed, an anthem sung, and that particular part of the ceremony is concluded with the usual forms. In returning from the funeral, the same order of procession is to be observed. Sometimes, besides the service at the grave, a solemn service, as a tribute of respect to the memory of the dead, takes place in the Lodge; what is called a Funeral Lodge being held on some convenient day appointed for that purpose. Until recently the practice was to have this service only, but it has now become more common to have also a Masonic service at the grave, and thus to bury the dead with all Masonic honours.

### SERVICES AT THE GRAVE.

The Chaplain makes the following, or some other suitable

#### PRAYER.

Almighty and most merciful Father, we adore Thee as the God of time and eternity. As it has pleased Thee to take from us one dear to our hearts, we beseech Thee to bless and sanctify unto us this dispensation of Thy providence. Inspire our hearts with wisdom from on high, that we may glorify Thee in all our ways. May we realise that Thine all-seeing eye is upon us, and be influenced by the spirit of truth and love to perfect obedience—may we enjoy Thy favour throughout all our life on earth. And when our toils on earth shall have ended, may we be raised to the enjoyment of unfading light and immortal life in that kingdom where faith and hope shall end, and love and joy prevail through eternal ages. And Thine, O righteous Father, shall be the glory for ever. Amen.

*Response.* So mote it be.

The following exhortation, or an exhortation similar, and suitable to the special occasion, is then given by the Master :—

BRETHREN,—The solemn notes that betoken the dissolution of this earthly tabernacle have again alarmed our outer door, and another spirit has been summoned to the land where our fathers have gone before us. Again we are called to assemble among the habitations of the dead, to behold the “narrow house appointed for all living.” Around us, in that peace which the world cannot give, sleep the unnumbered dead. The gentle breeze fans their verdant covering, they heed it not; the sunshine and the storm pass over them, and they are not disturbed; stones and lettered monuments symbolise the affection of surviving friends, yet no sound proceeds from them, save that silent but thrilling admonition, “Seek ye the narrow path and the strait gate that lead unto eternal life.”

We are again called upon to consider the uncertainty of human life; the immutable certainty of death, and the vanity of all human pursuits. Decrepitude and decay are written upon every living thing. The cradle and the coffin stand in juxtaposition to each other; and it is a melancholy truth, that so soon as we begin to live, that moment also we begin to die. It is passing strange, that notwithstanding the daily mementos of mortality that cross our path; although the funeral-bell so often tolls in our ears, and the “mournful procession” goes about our streets, we will not more seriously consider our approaching fate. We go on from design to design, add hope to hope, and lay out plans for the employment of many years, until we are suddenly alarmed at the approach of the Messenger of Death, at a moment when we least expect him, and which we probably conclude to be the meridian of our existence.

What, then, are all the externals of human dignity, the power of wealth, the dreams of ambition, the pride of intellect, or the charms of beauty, when Nature has paid her just debt? Fix your eyes on the last sad scene, and view life stript of its ornaments, and exposed in its natural meanness, and you must be persuaded of the utter emptiness of these delusions. In the grave all fallacies are detected, all ranks are levelled, all distinctions are done away.

While we drop the sympathetic tear over the grave of our deceased Brother, let us cast around his foibles, whatever they may have been, the *broad mantle of Masonic charity*, nor withhold from his memory the commendation that his virtues claim at our hands. Perfection on earth has never yet been attained; the wisest, as well as the best of men, have gone astray. Suffer, then, human nature to plead for him who can no longer plead for himself. Suffer Masonic charity to plead, that all his faults, whatever faults he had, may be forgotten, and his virtues alone remembered; to the memory of

which we desire this day to pay our grateful tribute, believing that they were such as to entitle him to high regard.

Our present meeting and proceedings will have been vain and useless, if they fail to excite our serious reflections, and strengthen our resolutions of amendment. Be then persuaded, my Brethren, by this example, of the uncertainty of human life—of the unsubstantial nature of all its pursuits, and no longer postpone the all-important concern of preparing for eternity. Let us each embrace the present moment, and while time and opportunity permit, prepare with care for that great change, which we all know must come, when the pleasures of the world shall cease to delight, and a life well-spent in the exercise of piety and virtue, will yield the only comfort and consolation. Thus shall our hopes not be frustrated, nor we hurried unprepared into the presence of that all-wise and powerful Judge, to whom the secrets of all hearts are known. Let us resolve to maintain with sincerity the dignified character of our profession. May our *faith* be evinced in a correct moral walk and deportment; may our *hope* be bright as the glorious mysteries that will be revealed hereafter; and our *charity* boundless as the wants of our fellow-creatures. And having faithfully discharged the great duties which we owe to God, to our neighbours and ourselves; when at last it shall please the Grand Master of the universe to summon us into His eternal presence, may our sins be blotted out for ever, and may the *trestle-board* of our whole lives pass such inspection, that it may be given unto each of us to “eat of the hidden manna,” and to receive the “white stone with a new name,” that will insure perpetual and unspeakable happiness at His right hand.

The Master then presenting the apron continues :—

The lamb-skin or white apron is the emblem of innocence, and the badge of a Mason. It is more ancient than the Golden Fleece or Roman Eagle; more honourable than the Star and Garter, when worthily worn.

The Master then deposits it in the grave.

This emblem I now deposit in the grave of our deceased Brother. By it we are reminded of the universal dominion of Death. The arm of friendship cannot interpose to prevent his coming; the wealth of the world cannot purchase our release; nor will the innocence of youth or the charms of beauty propitiate him. The coffin and the grave admonish us of our mortality, and that, sooner or later, these frail bodies must moulder in their parent dust.

The Master, holding the evergreen, continues :—

This *evergreen*, which once marked the temporary resting-place of the dead, is an emblem of our faith in the immortality of the

soul. By this we are reminded that we have an immortal part within us, that shall survive the grave, and which shall never, *never*, NEVER die. By it we are admonished that, though like our brother, whose remains lie before us, we shall soon be clothed in the habiliments of DEATH and deposited in the silent tomb, yet, through our belief in the mercy of God, we may confidently hope that our souls will bloom in eternal spring. This too I deposit in the grave with the exclamation :—"Alas, my brother !"

The Brethren then move in procession round the place of interment, and severally drop the sprig of evergreen into the grave ; after which, the public grand honours are given.\* The Master continues somewhat as follows :—

From time immemorial, it has been the custom among the Fraternity of Free and Accepted Masons, at the request of a Brother, to accompany his remains to the place of interment, and there to deposit them with the usual formalities.

In conformity to this usage, and at the request of our deceased Brother, whose memory we revere, and whose loss we now deplore, we have assembled in the character of Masons, to offer to his memory, before the world, the last tribute of our affection ; thereby demonstrating the sincerity of our esteem for him, and our steady attachment to the principles of the Order.

The Great Creator having been pleased, of His infinite mercy, to remove our brother from the cares and troubles of this transitory existence, to a state of endless duration, thus severing another link from the fraternal chain that binds us together ; may we, who survive him, be more strongly cemented in the ties of union and friendship ; that, during the short space allotted us here, we may wisely and usefully employ our time ; and, in the reciprocal intercourse of kind and friendly acts, mutually promote the welfare and happiness of each other. Unto the grave we have consigned the body of our deceased brother ; earth to earth (*earth being sprinkled on the coffin*), ashes to ashes, dust to dust ; there to remain till the trump shall sound on the resurrection morn. We can cheerfully leave him in

\* The grand honours practised among Masons during the funeral ceremonies, either in public or private, are given in the following manner :—Both arms are crossed on the breast, the left uppermost, and the open palms of the hands striking the shoulders ; they are then raised above the head, the palms striking each other, and then made to fall sharply on the thighs, with the head bowed. This is repeated three times. While the honours are being given the third time, the brethren audibly pronounce the following words—when the arms are crossed on the breast—"We cherish his memory here ;" when the hands are extended above the head—"We commend his spirit to God who gave it ;" and when the hands are extended toward the ground—"And consign his body to the earth."

the hands of a Being, who has done all things well ; who is glorious in holiness, fearful in praises, doing wonders.

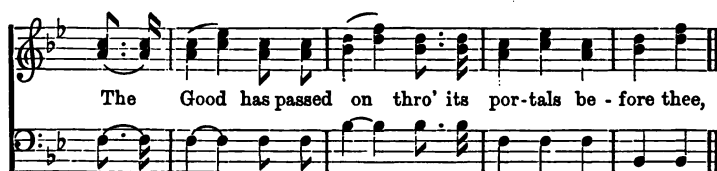
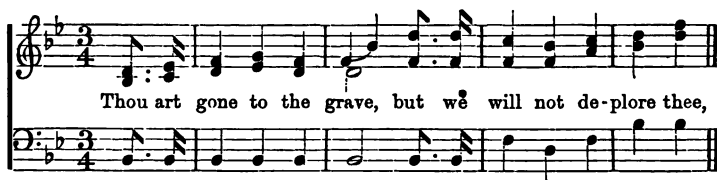
To those of his immediate relatives and friends, who are most heart-stricken at the loss we have all sustained, we have but little of this world's consolation to offer. We can only sincerely, deeply, and most affectionately sympathise with them in their afflictive bereavement. But we can say, that HE who "counteth the number of stars," and "calleth them all by their names," and "also healeth the broken in heart, and bindeth up their wounds," looks down with infinite compassion upon the widow and fatherless in the hour of their desolation ; and that the Great Architect will fold the arms of His love and protection around those who put their trust in Him.

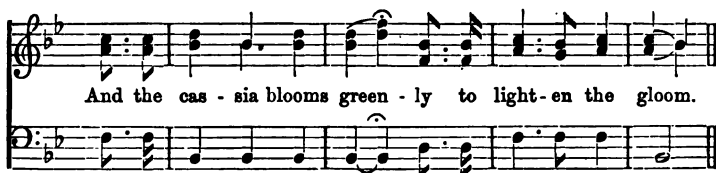
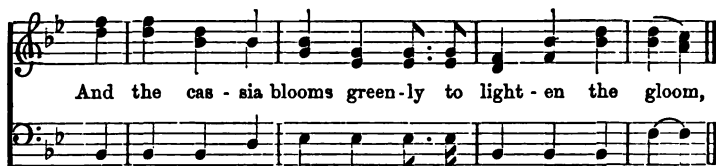
Then let us improve this solemn warning that at last, when the sheeted dead are stirring, when the great white throne is set, we may receive from the Omniscient Judge the invitation, Come, ye blessed, inherit the kingdom prepared for you from the foundation of the world.

The following, or some other suitable ode, may be sung:—

MUSIC—*Scotland.*

Arranged from Dr CLARE, by Br. JAS. B. TAYLOR.





Thou art gone to the grave ; we no longer behold thee,  
Nor tread the rough paths of the world by thy hand ;  
But the wide arms of Mercy are spread to enfold thee,  
And we'll meet thee again in the heavenly land.

Thou art gone to the grave ; and its mansion forsaking,  
Perchance thy weak spirit in doubt lingered long ;  
But the sunshine of heaven beamed bright on thy waking,  
And the sound thou didst hear was the seraphim's song.

Thou art gone to the grave ; but 'twere wrong to deplore thee,  
When God was thy Trust, and thy Guardian and Guide ;  
He gave thee, He took thee, and soon will restore thee  
In the blest Lodge above, where the faithful abide.

Or this, or some other suitable to the occasion :—

*MUSIC—Pleyel's Hymn.*

Solemn strikes the fun'ral chime,  
Notes of our departing time ;  
As we journey here below,  
Through a pilgrimage of woe.

Mortals, now indulge a tear,  
For Mortality is here !  
See how wide her trophies wave  
O'er the slumbers of the grave !

Here another guest we bring ;  
Seraphs of celestial wing,  
To our fun'ral altar come,  
Waft our friend and Brother home.

There, enlarged, thy soul shall see  
 What was veiled in mystery ;  
 Heavenly glories of the place  
 Show his Maker face to face.

Lord of all ! below—above—  
 Fill our hearts with truth and love ;  
 When dissolves our earthly tie,  
 Take us to Thy Lodge on high.

Then follows this, or some other suitable

#### PRAYER.

Most glorious God, Author of all good and Giver of all mercy, pour down Thy blessings upon us, and strengthen our solemn engagements with the ties of sincere affection. May the present instance of mortality remind us of our own approaching fate, drawing our attention toward Thee, the only refuge in time of need, and thus may we be induced so to regulate our conduct here, that when the awful moment shall arrive, at which we must quit this transitory scene, the enlivening prospect of Thy mercy may dispel the gloom of death ; and that after our departure hence in peace and in Thy favour, we may be received into Thine everlasting kingdom, and there join in union with our friend, and enjoy that uninterrupted and unceasing felicity which is allotted to the souls of just men made perfect. Amen.

*Response.* So mote it be.

*Master.* The will of God is accomplished.

*Response.* So mote it be.

*Master.* From dust we came, and unto dust we must return.

*Response.* May we all be recompensed at the resurrection of the just. Amen.

The Master then concludes the ceremony at the grave in the following words :—

With all proper respect to the established customs of the country in which we reside, with due deference to our superiors in Church and State, and with unlimited good-will to all mankind, we here appear in the character of our profession. Invested with the badges of our sacred institution, we humbly implore the blessing of Heaven on all our zealous endeavours for the general good of society, and

pray for our steady perseverance in the principles of piety and virtue.

Unto the grave we have resigned the body of our loving friend and Brother, there to remain until the general resurrection, in favourable expectation that his immortal soul will partake of those joys which have been prepared for the righteous from the beginning of the world ; and we earnestly pray Almighty God, of His infinite goodness, at the grand tribunal of unbiassed justice, to extend His mercy towards him, and all of us, and to crown our felicity with everlasting bliss in the expanded realms of a boundless eternity. This we beg, for the honour of His holy Name, to whom be glory, now and for ever. Amen.

Thus the service ends, when the usual honours are given, and the procession returns to the place from whence it came.

The Brethren being all arrived at the Lodge, the necessary duties are complied with, and the business of Masonry is renewed. The regalia and ornaments of the deceased, if an office-bearer of the Lodge, are returned to the Master in due form, and with the usual ceremonies ; after which the charges for regulating the conduct of the Fraternity are rehearsed, and the Lodge is closed, in the third degree, with a blessing.

## THE FUNERAL SERVICE IN THE LODGE.

### A FUNERAL LODGE.

At the time appointed for a Funeral Lodge, the Brethren—both members of the Lodge, and others who may wish to join them in the tribute of respect to the memory of their deceased Brother—assemble dressed in mourning. The office-bearers and Brethren wear crape over their jewels. The throne, altar, and seats are covered with black cloth. The Lodge is opened by the Master of the Lodge to which the deceased belonged,—even although Brethren of higher office may be present,—in the Third Degree, with the usual forms.

A prayer is made, in the following or other appropriate words :—

“ Most glorious God, Author of all good, and Giver of all mercy, pour down Thy blessings upon us, and strengthen all our solemn engagements with the ties of fraternal affection. Let this striking instance of mortality remind us of our approaching fate, and so fit and prepare us for that awful period, whenever it may arrive, that, after our departure hence, in peace and in Thy favour, we may be received into Thine everlasting kingdom.—Amen.”

Masonic Honours are then given. Solemn music is played on the organ, and an Anthem is sung.

The following Anthem is very suitable :—

“ Holy, holy, Lord God Almighty, who was, and is, and is to come.

“ Who shall not glorify Thy name, for Thou only art holy, Thou only art the Lord.”

Then follows a Service with Responses, chanted by the Master and the Brethren :—

“ *Master*.—What man is he that liveth and shall not see death ? Shall he deliver his soul from the hand of death ?

“ *Brethren*.—Man walketh in a vain shadow ; he heapeth up riches, and cannot tell who shall gather them.

“ *Master*.—When he dieth, he shall carry nothing away ; his glory shall not descend after him.

“ *Brethren*.—Naked we came into the world, and naked we must return. The Lord gave, and the Lord hath taken away : Blessed be the name of the Lord.”

Masonic Honours are repeated, and an Anthem is sung. The following Anthem is sometimes used for this occasion :—

#### ANTHEM.—LUTHER.

“ Frail man ! how like the meteor's blaze,  
How evanescent are thy days ;  
Protracted to its longest date,  
How short the time indulged by fate !  
No force death's potent arm can brave ;  
Nor wisdom's self elude the grave :  
Where'er our various journeys tend,  
To this we soon or late descend.  
Now o'er a Brother's loss we weep,  
But death is not eternal sleep ;  
And, though long parted, we shall rise,  
To meet again above the skies.”

A second Service with Responses then takes place, chanted as before, in the following words :—

*“Master.*—Let me die the death of the righteous, and let my last end be like his.

*“Brethren.*—God is our God for ever and ever ; He will be our guide even unto death.”

Masonic Honours are again repeated, and another Anthem is sung, such as that by Kent—“O Lord! our Governor, how excellent is Thy name in all the world!” The Worshipful Master then leaves his chair, and walks to the Altar. Standing before the open Bible, he pronounces the following, or some such appropriate Oration :—

#### THE ORATION

May be in the following words, or in words of similar import, care, of course, being taken that everything said is appropriate to the case of the deceased Brother just consigned to the grave. Some of the sentences of the following oration must therefore, in almost every case, be omitted, especially of those concerning age, station, bereaved relations, &c.

*“BRETHREN,*—The occasion on which we are assembled this day reminds us of our frailty and mortality. ‘Man goeth to his long home, and the mourners go about the streets.’ Often are we impressively reminded that ‘it is appointed unto all men once to die’—that ‘there is no discharge in that war’—that the dust must return to the earth as it was, and the spirit unto God who gave it. It has pleased God to remove from amongst us a Brother whom we esteemed and loved. We shall see his face no more in our meetings ; we shall hear his familiar voice no more. He is gone ; but we rejoice to think that he died in that blessed hope of a future resurrection and a glorious immortality which our Order has always sought to cherish amongst its members. We hope, therefore, yet to meet him again, when our earthly course shall also be ended ; and, meanwhile, it behoves us to lay to heart the lesson which his death teaches us—that, in our following the example of his life, a life of piety and of virtue, our own hope may be made brighter and surer. So may we be enabled to take up with more joyful confidence the words which we find written in that Book which is the Great Light of our Order, ‘O death ! where is thy sting ? O grave ! where is thy victory ?’—a glorious light breaking through the gloom which surrounds us, as we look forward to the resurrection of the dead, when that which is sown in corruption shall be raised in

incorruption ; when that which is sown in dishonour shall be raised in glory ; when that which is sown in weakness shall be raised in power ; when this corruptible shall put on incorruption, and this mortal shall put on immortality ; and death shall be swallowed up in victory.

“ Our departed Brother was exemplary in the discharge of every duty—as a member of the Christian Church, in all the relations of domestic life, of general society, and of business, and likewise, we all well know, as a member of our Order. During his [long] life, he consistently maintained an honourable character ; and it is this day, with no ordinary degree of satisfaction, mingled with sadness, as that feeling must be, that we pay the last tribute of regard to his memory. Long will it be ere we can forget him. His absence will be felt as a blank in our meetings, in which he has for so many years been so generally present, aiding us by his wise counsels in all our work, and diffusing happiness around him by his amiability of manners, the natural out-going of true benevolence of heart, and by the cheerfulness of his countenance and speech. He was, indeed, one of those who knew how to conjoin habitual seriousness with the frequent enjoyment of innocent mirth. Religious and strict in all that belongs to morality, he had nothing about him of that austerity which sometimes renders good men disagreeable companions. When he entered a company, the faces of all present brightened up at his appearance ; and although no one could less tolerate any improper jest or expression of unbecoming levity, none was more ready to take part in such conversation as is calculated to afford agreeable relaxation to the mind and wholesome amusement.

“ The lesson of our Brother’s death ought not to be the less impressive to us that he died in a ripe old age. The certainty of death is perhaps more affectingly brought before our minds by the spectacle of the slow but sure decay of advancing age, and the removal of the venerable man of grey hairs from the scenes in which he had borne a part so long, than even when the young are suddenly stricken down in the bloom of their youth, or the vigorous and active in the prime of their manhood. It is true, that when the aged die, we feel as if all the work they could ever have expected to do on earth, or that could be expected of them, might well be regarded as done ; whereas the death of the young or the middle-aged compels us to think of hopes cut off, of purposes frustrated, and prospects blighted—prospects in which many besides themselves had an interest. The death of those for whom many years of active, useful, and happy life might still have been hoped, reminds us that life is uncertain, and warns us not to set our hearts too strongly on the things of the present world, but ever to live in preparation for death, that we may be ready, however soon or suddenly we may be called away ; the death of the aged tells still more clearly of the certainty of death, and calls us to make the best possible use of our time here, that

we may leave behind us a large amount of good work done—work of which others may enjoy the benefit when we are gone. So, hoping for the mercy of God, and continually looking for His grace, may we proceed on our path through this world, daily addressing ourselves with fresh energy to all our duties, and never wasting the precious time in sloth or sensual indulgence.”

[Or, —, our Brother, whose loss we this day lament, has been taken away by an unexpected stroke, whilst still in the prime of life, and full activity of manhood. We hoped, and those connected with him by the most tender ties hoped, that he would still live for many years. The Great Disposer of events has in His infinite wisdom, and no doubt in His goodness as well as in His wisdom, ordered it otherwise. It is for us reverently to bow our heads and adore. We are reminded also that life is very uncertain, and warned not to set our hearts too strongly on the things of the present world, but ever to live in preparation for death, that we may be ready, however soon and however suddenly we may be called away. May we so live that all our days are spent in doing some good work, of which others may enjoy the benefit when we are gone, even if we live not to see much of its results ourselves !]

“It is not necessary that I should say much of our late Brother as a Freemason. You all know how attentive he was to all his duties as a member of this Lodge, and how admirably he conducted himself in the various Masonic offices which he filled. I need hardly remind you that, having held in succession the offices of Deacon and Warden, he was elected years ago to that of Master ; and never were the harmony and prosperity of the Lodge promoted more by the manner in which any Master discharged the duties of that office.

“If the death of our Brother has made a blank in our Lodge, how much more grievous must be the blank in the family of which he was the head ? We are required by that law, which is all summed up in love, to weep with those who weep ; and surely the present occasion must call forth all our sympathy. The widow and the fatherless have a right to expect our kind regard, not only now in the time of deepest affliction, but henceforth continually ; and whatever we can do to soothe their distress, or to promote their welfare, we will do—I am sure I speak the sentiments of you all—with cheerfulness and alacrity. As the children of our lamented Brother grow, it will behove us to take an interest in their entrance on the work of life, that they may attain to honourable positions, and occupy them honourably, as their father did. They cannot be to us as strangers, nor as the children of a stranger.

“And now, in conclusion, let me only express the hope that the lesson taught us may contribute not a little to our good, making us wiser, and moving us to greater assiduity in all the duties of life. ‘The time is short,’ how short we know not, but at most it can be but a little while till the last survivor of us all shall descend

to the house of silence, the place appointed for all living. Let us listen, therefore, to the voice that says to us, 'Whatsoever thy hand findeth to do, do it with thy might : for there is no work, nor device, nor knowledge, nor wisdom, in the grave, whither thou goest.' But 'now is the accepted time, now is the day of salvation,' now is the time for earnest prayer and for earnest work. Let us resolve, whilst the remembrance of our Brother and of his grave is still fresh in our minds, to be henceforth more religious than we have heretofore been, and also more diligent in business, redeeming the time for every good and useful purpose, so that we may press steadfastly along a path that ends not in gloom and darkness, but conducts to a land of brighter light than ever shines in this world—a land where there is no darkness or shadow of death, no night, no sin, no sorrow—a land of which the inhabitants shall no more say I am sick, and where all tears are wiped away from their eyes."

After the Oration, the Master returns to his chair, and another Anthem is sung, which may be preceded by the beautiful elegy,—

"Forgive, blest shade, the tributary tear  
That mourns thy exit from a world like this ;  
Forgive the wish that would have kept thee here,  
And stay'd thy progress to the seats of bliss.

"No more confined to grovelling scenes of night,  
No more a tenant pent in mortal clay ;  
Now would we rather hail thy glorious light,  
And trace thy journey to the realms of day."

The following Anthem by Handel is very appropriate for this part of the Service,—

"Waft him, angels, through the skies,  
Far above yon azure plain ;  
Glorious there like you to rise,  
There like you for ever reign."

The following Service, with Responses, is then chanted by the Master and the Brethren :—

"*Master*.—May we be true and faithful ; and may we live and die in love.

"*Brethren*.—So mote it be.

"*Master*.—May we always profess what is good ; and may we always act agreeably to our profession.

"*Brethren*.—So mote it be.

*“Master.*—May the Lord bless and prosper us ; and may all our good intentions be crowned with success.

*“Brethren.*—So mote it be.

*“Master.*—Glory to God on high, on earth peace, and good-will toward men.

*“Brethren.*—So mote it be ; now, from henceforth, and for evermore. Amen.”

Masonic Honours are repeated, and the following, or some such Prayer is offered.

#### PRAYER.

“Almighty Architect of the Universe ! unto the grave has been resigned the body of our loving Brother, to remain until the day of the general resurrection. We earnestly pray Thee, at that great and dreadful day, to extend Thy infinite mercy towards all of us, and to crown our felicity with everlasting bliss, in Thy heavenly kingdom.”

Masonic Honours are given again, for the last time.

The Master addresses a few parting words to the Brethren, expressing a hope that it may be long ere the Lodge is called to assemble on a similar melancholy occasion, commending them and their families to the protection and blessing of Almighty God, and exhorting them to persevere in the active discharge of all their duties, and to cleave closely to each other in mutual helpfulness, according to the great rule of Freemasonry. The following form of Address may be used :—

“BRETHREN,—The occasion on which we have met is a solemn and melancholy one. May it be long ere we are called to meet on a similar occasion again ! May we all see many happy days on earth, and often meet together in our Lodge, to engage in our Masonic work, and to enjoy the pleasures of social intercourse ! May the blessing of God rest upon you and your families ! And may we all be enabled to conduct ourselves in accordance with our profession ; the solemnities of this day inciting us to more earnest perseverance in the discharge of every duty which is incumbent upon us in any of the relations of life, so that we may be ornaments to our Order, and blessings to society ! And let me entreat you to remember the great Masonic Law of Brotherly Love, and always to act in accordance with it—mutually helpful to each other, as occasion may arise. One link has been broken in the chain of our Brotherhood, but let us therefore seek to have the links which remain more strongly fastened, and cherish more than ever that feeling of Brotherhood which we

ought to entertain, and which is so beneficial in its effects to those who give, as well as to those who receive ; to those who stretch forth the helping hand, as well as to those who are helped, in the arduous paths of life. May the Giver of all good make the path smooth to all of us, and may we be led on till we reach the blessed consummation, in our entrance into eternal rest and joy !”

Another Anthem is then sometimes sung, after which the Master closes the Lodge in due form.

## CHAPTER V.

### PAST MASTERS.

BEFORE proceeding to a consideration of the duties and prerogatives of Past Masters, the attention of the reader must be called to the fact that there are two distinct classes of Masons who bear this technical appellation, namely, those who have presided over a Lodge of Ancient Craft Masons, and those who have received the Past Master's degree in a Chapter of Royal Arch Masons. Those of the former class are known as "actual Past Masters," and those of the latter as "titular Past Masters."

It is only of the former class—the actual Past Masters—who derive the title from having presided over a symbolic Lodge, that we propose to speak at present.

Past Masters possess very few positive rights, distinct from those which belong to all Master Masons.

1. In England, the first and most important of the special rights which they do possess is eligibility to membership in the Grand Lodge.

In the earlier history of Masonry in England, when the General Assembly, which met annually, was composed of the whole body of the craft, Past Masters, of course, were admitted to membership in that assemblage. And so also were all Master Masons. But at the organisation of the Grand Lodge on a representative basis, Past Masters were not originally admitted as members. The old Constitutions do not anywhere recognise them. There is no mention made of them in any of the editions of Anderson. Even the schismatic body of "Ancients," in England, in the

last century, did not at first recognise them as a distinct class, entitled to any peculiar privileges. Dermott, in the edition of his "*Ahiman Rezon*," published in 1778, prefixed a note to his copy of the Old and New Regulation, taken from Anderson's edition of 1738, in which note he says, "Past Masters of warranted Lodges on record are allowed this privilege [membership in the Grand Lodge], whilst they continue to be members of any regular Lodge." But in the previous edition of the same work, published in 1764, this note is not to be found, nor is there the slightest reference to Past Masters, as members of the Grand Lodge. Preston states that, at the laying of the foundation-stone of Covent Garden Theatre, in 1808, by the Prince of Wales, as Grand Master, "the Grand Lodge was opened by Charles March, Esq., attended by the *Masters* and *Wardens* of all the regular Lodges;" and in no part of the description which he gives of the ceremonies is any notice taken of Past Masters as constituting a part of the Grand Lodge.

The first notice which we obtain of Past Masters as a component part of the Grand Lodge of England, is in the "Articles of Union between the two Grand Lodges of England," which were adopted in 1813, and in which it is declared that the Grand Lodge shall consist of the Grand and Past Grand Office-bearers, of the actual Masters and Wardens of all the warranted Lodges, and of the "Past Masters of Lodges who have regularly served and passed the chair before the day of union, and who continued, without secession, regular contributing members of a warranted Lodge." But it is also provided, that, after the decease of all these ancient Past Masters, the representation of every Lodge shall consist of its Master and Wardens, and one Past Master only. This was, however, evidently a compromise made for the sake of the Athol Past Masters, who from 1778, and perhaps a little earlier, had enjoyed the privileges of membership, just as in 1858, a similar compromise was made by the Grand Lodge of New York, at its union with the schismatic body, when all Past

Masters, who were members of the Grand Lodge in 1849, were permitted to continue their membership. But the regular Grand Lodge of England never recognised the inherent right of Past Masters to membership in the Grand Lodge, as will appear from the following language used in a report adopted by that body in 1851:

“We think it clear that the right of Past Masters to vote in Grand Lodge, wherever and so long as that right subsists, is due to, and depends entirely upon, the Constitutions which grant such a privilege, and therefore is not inherent.”

It seems, therefore, now to be admitted by very general consent of all authorities, that Past Masters possess no inherent right to membership in a Grand Lodge; but as every Grand Lodge is invested with the prerogative of making regulations for its own government, provided the landmarks are preserved, it may or may not admit Past Masters to membership and the right of voting, according to its own notions of expediency. This will, however, of course be, in each jurisdiction, simply a local law which the Grand Lodge may at any time amend or abrogate.

Still, the fact that Past Masters, by virtue of their rank, are capable of receiving such an honour when Master Masons are not, in itself constitutes a prerogative, and the capability of election as members of the Grand Lodge, with the consent of that body, may be considered as one of the rights of Past Masters.

2. A right possessed by Past Masters in Scotland is that of presiding over their Lodges, in the absence of the Master, Deputy, or Substitute. The authority of the absent Master descends to them in succession, and one of them must, in such case, open and close the Lodge. But although the congregation of the Lodge by the Master or his representatives, is essential to the legality of the communication, it does not follow that, in the absence of the Master and Wardens, the Lodge cannot be opened. Under such circumstances, a Past Master can preside. But no member, unless he be an office-bearer, or a Past Master, and have the consent of the Brethren, can preside over

a Lodge; and, therefore, the eligibility of a Past Master, after the assembling of the Lodge, to preside over its deliberations and conduct its work, may be considered as one of the rights of Past Masters.

3. Past Masters are also invested with the right of installing their successors. There is, it is true, no Ancient Regulation which expressly confers upon them this prerogative, but it seems always to have been the usage of the Fraternity to restrict the installing power to one who had himself been installed, so that there might be an uninterrupted succession in the chair. Thus, in the "Ancient Installation Charges," which date at least as far back as the seventeenth century, in describing the way in which the charges at an installation were given, it is said, "*tunc unus ex senioribus tenet librum, et illi ponent manum suam super librum;*" that is, "then one of the elders holds the book [of the law], and they place their hand upon it;" where *senioribus* may be very well interpreted as meaning the elder Masters, those who have presided over a Lodge: *seniores*, *elders*, like the equivalent Greek *πρεσβυτεροι*, *presbyters*, being originally a term descriptive of age which was applied to those in authority.

In 1717, the Grand Master, on the revival of Freemasonry, was installed, as we learn from the book of Constitutions, by the oldest Master of a Lodge. Preston also informs us, that when the Grand Master does not act in an installation, any Master of a Lodge may perform the ceremony. Accordingly, Past Masters have been universally considered as alone possessing the right of installation. In this and all similar expressions, it must be understood that Past Masters and installed Masters, although not having been twelve months in the chair, are in Masonic law identical. A Master of a Lodge becomes a Past Master, for all legal purposes, as soon as he is installed.

A Past Master is qualified for election to the chair, without again passing through any other office. The Old Charges prescribe that no one can be a Master until he has served as a Warden. Past Masters having once served in the office

of Warden, always afterwards retain the prerogative conferred by such service.

4. Past Masters are also entitled to a seat in the East, on the right and left of the Worshipful Master, that he may, on all necessary occasions, avail himself of their counsel and experience in the government of the Lodge. Past Masters possess no other privileges of voting than belong to all other Master Masons.

5. As a mark of respect, and as a distinction of rank, Past Masters should be invested with a jewel peculiar to their dignity. The jewel of a Past Master is the Master's square, with a silver plate suspended within it, on which is engraved the celebrated forty-seventh problem of Euclid.

By a Regulation contained in the Charges approved in 1722, it appears that in England none but Past Masters were eligible to the offices of Deputy Grand Master, or Grand Warden. The office of Grand Master, however, required no such previous qualification. The highest office-bearer of the Order might be selected from the ranks of the Fraternity. The reason of this singular distinction is not at first apparent, but, on reflection, will be easily understood. The Deputy and Wardens were the working officers of the Grand Lodge, and expected to bring to the discharge of the duties of their stations some experience derived from previous service in the Order. Hence they were selected from the elders of the Craft. But the Grand Master was always, when possible, selected, not on account of his Masonic knowledge or experience—for these, it was supposed, would be supplied for him by his Deputy—but on account of the lustre that his high position and influence in the state would reflect upon the Order. Thus, the Old Charges say that the Grand Master must be “nobly born, or a gentleman of the best fashion, or some eminent scholar, or some curious architect or other artist, descended of honest parents, and who is of singular great merit, in the opinion of the Lodges.” But it was seldom possible to find a nobleman, or other distinguished person, who had

passed through the other offices of the Order, or bestowed any very practical attention on Masonry. It was, therefore, thought better that the Craft should enjoy the advantages of a Grand Master in high social position, however unskilled in the art he might be, than of one, no matter how much Masonic experience he possessed, if he was without worldly influence. Therefore no other qualification was required for the office of Grand Master than that of being a Fellow Craft. The regulation is not now necessary, for Masonry, in the elevated position that it has now attained, needs no extraneous influence to support it, and Grand Masters are often selected for their experience and Masonic zeal; but, in the eighteenth century, the Order undoubtedly derived much advantage, as it does even now in some countries, from the long array of royal and noble Grand Masters.

All that has been here said of the rights of Past Masters must be considered as strictly referring to *actual* Past Masters only; that is to say, to Past Masters who have been regularly installed to preside over a Lodge of Ancient Craft Masons, under the jurisdiction of a Grand Lodge. *Titular* Past Masters, or those who have received the degree in a Chapter, as preparatory to exaltation to the Royal Arch, possess none of these rights.

A few years ago, this distinction of actual and *titular* Past Masters gave rise to much discussion in the Order; and although the question of their respective rights is now settled, it is proper that a few words should be devoted to its consideration.

The question to be investigated is, whether a *titular* or Chapter Past Master can install the Master elect of a symbolic Lodge, or be present when he receives the Past Master's degree during the ceremony of installation.

It is evident, from all Masonic history, that the degree of Past Master, which was exceedingly simple in its primitive construction, was originally conferred by symbolic Lodges, as an honorarium or reward upon those brethren who had been called to preside in the Eastern chair. Thus it was simply an official degree, and could only be obtained in the

Lodge which had conferred the office. But as it always has been a regulation of the Royal Arch degree that it can be conferred only on one who has "passed the chair," or received the Past Master's degree,—which originally meant that none but the Masters of Lodges could be exalted to the Royal Arch, as the degree was considered too important to be bestowed on all Master Masons indiscriminately,—it was found necessary, when Chapters were organised independently of symbolic Lodges, to introduce the degree, as a preparatory step to the exaltation of their candidates to the Royal Arch.

Hence arose the singular anomaly in Scotland, which now exists in modern Freemasonry, of two degrees bearing the same name and identical in character, but which are conferred by two different bodies, under distinct jurisdictions and for totally different purposes. The Past Master's degree is conferred in a symbolic Lodge as an honorarium upon a newly-elected Master, and as a part of the installation ceremony. In a Chapter, it is conferred as a preparatory qualification to the reception of the Royal Arch degree. All this was well understood at the beginning, and is not now denied by any who have made researches into the subject. Still, as the details of this history became, by the lapse of time, less generally known, disputes began to arise between the two parties as to the vexatious questions of legitimacy and jurisdiction. In these controversies, the titular or Chapter Past Masters denied the right of the symbolic Lodges to confer the degree; and the actual or installed Past Masters rightly contended that the conferring of the degree in Chapters is an innovation. Most writers are agreed that it is an innovation.

It is evident, then, from what has been said, that the Chapter degree has nothing, and can have nothing, to do with the same degree as conferred in a Lodge; and that Chapter Past Masters neither have the right to install the Masters elect of symbolic Lodges, nor to be present when, in the course of installation, the degree is conferred.

## CHAPTER V.

### UNAFFILIATED MASONS.

AN unaffiliated Mason is one who does not hold membership in any Lodge. Such a class of Masons, if amounting to any great number, is discreditable to the Order, because their existence is pregnant evidence that care has not been taken in the selection of members.

There is no precept more explicitly expressed in the ancient Constitutions than that every Mason should belong to a Lodge. The foundation of the law which imposes this duty is to be traced as far back as the Gothic Constitutions of 926, which tell us that "the workman shall labour diligently on workdays, that he may deserve his holidays." The obligation that every Mason should thus labour is implied in all the subsequent Constitutions, which always speak of Masons as *working members* of the Fraternity, until we come to the Charges approved in 1722, which explicitly state that "every Brother ought to belong to a Lodge, and to be subject to its Bye-laws and the General Regulations."

Explicitly, however, as the law has been announced, it has not, in modern times, been observed with that fidelity which should have been expected, perhaps, because no precise penalty was annexed to its violation. The word "ought" has given to the regulation a simply declaratory form; and although we are still compelled to conclude that its violation is a neglect of Masonic duty, and therefore punishable by a Masonic tribunal, Masonic jurists have been at a loss to agree upon the nature and extent of the punishment that should be inflicted.

Every Mason is placed, by the nature of the Masonic

organisation, in a two-fold relation: first, to the Order; and next, to his Lodge.

The relation of a Mason to the Order is like that of a child to its parent—a relation which, having once been established, never can be obliterated. As no change of time, place, or circumstance can authorise the child to divest himself of that tie which exists between himself and the author of his existence—a tie which only death can sever—so nothing can cancel the relationship between every Mason and his Order, except expulsion, which is recognised as equivalent to Masonic death. Hence results the well-known maxim of, “Once a Mason always a Mason.” It follows, therefore, that an unaffiliated Mason is not divested, and cannot divest himself, of all his Masonic responsibilities to the Fraternity in general, nor does he forfeit by such non-affiliation the correlative duties of the Craft to him which arise out of his general relation to the Order. He is still bound, by certain obligations, which cannot be cancelled by any human authority; and by similar obligations every Mason is bound to him. These obligations refer to the duties of secrecy, and of aid in the hour of imminent peril. No one denies the perpetual existence of the first; and the very language—giving no room for any exceptions in its phraseology—in which the latter is couched, leaves no opportunity for reservation as to affiliated Masons only.

The case is very different, however, when a Mason renounces connection with the Order, duly sending in his resignation to the Grand Lodge of the jurisdiction under which he holds. It cannot be supposed that he is in the least degree freed from the obligation of secrecy, but he is certainly freed from all other Masonic obligations. As he ceases, by his resignation, to assert Masonic privileges, he cannot be called upon for the performance of Masonic duties. His Lodge and the Order have no longer jurisdiction over him.

The relation which a Mason bears to his Lodge is of a nature different from that which connects him with the Order. It is in some degree similar to that political relation which jurists have called “local allegiance,” or the

allegiance which a man gives to the country or the sovereign in whose territories and under whose protection he resides. This allegiance is founded on the doctrine that where there is protection there should be subjection, and that subjection should in turn receive protection. It may be permanent or temporary. A removal from the territory cancels the allegiance, which will again be contracted towards the sovereign of the new domicile to which the individual may have removed. Now, this is precisely the relation which exists between a Mason and his Lodge. The Lodge grants him its protection; that is, from his membership in it he derives his rights of visit, of relief, of burial, and all the other prerogatives which inure, by custom or law, to the active members of Lodges, and which are actually the results of membership. In return for this, he gives it his allegiance; he acknowledges obedience to its Bye-Laws, and he contributes to its revenues by his annual or quarterly dues. But he may at any time dissolve this allegiance to any particular Lodge, and contract it with another. As the denizen of a country cancels his allegiance by abandoning its protection and removing to another territory, the Mason may withdraw his relations to one Lodge and unite with another. But he still continues an affiliated Mason, only his affiliation is with another body.

But the denizen who removes from one country may not, by subsequent residence, give his allegiance to another. He may become a cosmopolite, bearing local allegiance to no particular sovereign. All that follows from this is, that he acquires no right of protection; for, if he gives no subjection, he can ask for no protection.

Now, this is precisely the case with an unaffiliated Mason. Having taken his demit from one Lodge, he has of course lost its protection; and, having united with no other, he can claim protection from none. He has forfeited all those rights which are derived from membership. He has severed all connection between himself and the *Lodge organisation* of the Order, and by this act has divested himself of all the prerogatives which belonged to him as a

member of that organisation. Among these are the right of visit, of pecuniary aid, and of Masonic burial. When he seeks to enter the door of a Lodge it must be closed upon him, for the right to visit belongs only to affiliated Masons. Whenever he seeks for Lodge assistance, he is to be refused, because the funds of the Lodge are not to be distributed among those who refuse to aid, by their individual contributions, in the formation of similar funds in other Lodges. Nor can he expect to be accompanied to his last resting-place by his Brethren; for it is a settled law, that no Mason can be buried with the ceremonies of the Order, except upon his express request, previously made to the Master of the Lodge of which he is a member.

We see, then, that there is a wide difference in the result of non-affiliation, on the relations which exist between a Mason and the Order generally, and those which exist between him and the Lodges of the Order. With the latter all connection is severed, but nothing can cancel his relations with the former except Masonic death; that is to say, expulsion. When the question between two Masons is in reference to any mutual duties which result from membership in a Lodge—as, for instance, when it is a question of the right of visit—then it is proper to inquire into the matter of affiliation, because that affects these duties; but when it is in reference to any duties or obligations which might be claimed even if Lodge organisation did not exist—such, for instance, as assistance in imminent peril—then there can be no inquiry made into the subject of affiliation; for affiliation or non-affiliation has no relation to these duties.

But it has been said that non-affiliation is a Masonic offence, and that he who is guilty of it is an unworthy Mason, and as such divested of all his rights. It is admitted, most freely, that non-affiliation is a violation of positive Masonic law; but it does not follow that, in the technical sense in which alone the word has any Masonic legal meaning, an unaffiliated Mason is an unworthy Mason. He can only be made so by the declaration, in his

particular case, of a legally constituted Lodge, after due trial and conviction. But this question has been so well decided by the Committee on Jurisprudence of the Grand Lodge of Virginia, that we do not hesitate to cite their language.

“ All who have spoken or written upon the subject, proclaim him [the unaffiliated Mason] an unworthy Mason ; but they, and ten times their number, do not make him so, in their individual relation, for the obvious reason that he cannot, individually, absolve himself from such duties as he owes to the institution ; so the Fraternity, acting in their individual capacity, cannot absolve themselves from their duties to him ; and as it is only by a just and legal Lodge, acting in its chartered capacity, and under the injunctions of the Constitutions of Masonry and Bye-Laws of Grand Lodges, that he can be invested with the rights and benefits of Masonry, and pronounced *worthy* ; so it is only by the same power, acting in the same character, and under the same restriction, that he can be disfranchised of these rights and benefits, and pronounced *unworthy*.”

It seems safe, in conclusion, to lay down the following principles, as supported by the law on the subject of unaffiliated Masons,—

1. An unaffiliated Mason is still bound by all those Masonic duties and obligations which refer to the Order in general, but not by those which relate to Lodge organisation.

2. He possesses, reciprocally, all those rights which are derived from membership in the Order, but none of those which result from membership in a Lodge.

3. He has a right to assistance when in imminent peril, if he asks for that assistance in the conventional way.

4. He has no right to pecuniary aid from a Lodge.

5. He has no right to visit a Lodge, or to walk in Masonic processions.

6. He has no right to Masonic burial.

7. He still remains subject to the government of the Order, and may be tried and punished for any offence, by the Lodge within whose geographical jurisdiction he resides.

8. And, lastly, as non-affiliation is a violation of Masonic law, he may, if he refuses to abandon that condition, be tried and punished for it, if deemed necessary or expedient, by any Grand Lodge within whose jurisdiction he lives.

## PART IV.

# LAWS AS TO LODGES.

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### CHAPTER I.

#### THE NATURE OF A LODGE.

THE Old Charges define a Lodge to be “a place where Masons assemble and work;” and the definition is still further extended by describing it as “an assembly or duly organised society of Masons.” This organisation was originally very simple in its character. A sufficient number of Masons could meet, open a Lodge, and make Masons. But latterly a regulation was adopted, which declared “that the privilege of assembling as Masons should no longer be unlimited, but that it should be vested in certain Lodges convened in certain places, and legally authorised by the Warrant of the Grand Master and the consent of the Grand Lodge.” So that the modern definition contained in the lecture of the first degree is more applicable now than it would have been before the eighteenth century. This definition describes a Lodge as “an assemblage of Masons, duly congregated, having the Holy Bible, square and compasses, and a Charter or Warrant of Constitution empowering them to work.”

The laws constantly speak of Lodges as being “just and legally constituted.” These two terms refer to two entirely distinct elements in the organisation of a Lodge. It is “*just*” when it consists of the requisite number of members

to transact the business or perform the labours of the degree in which it is opened, and is supplied with the necessary furniture of a Bible, square, and compasses. It is "*legally constituted*" when it is opened under constitutional authority. Each of these ingredients is necessary in the organisation of a Lodge. Its justness is a subject, however, that is entirely regulated by the old laws. Its legality alone is to be considered in the present work.

Every Lodge, at the present day, requires for its proper organisation as a "legally constituted" body, that it should have been congregated by the permission of some superior authority, which authority may emanate either from a Grand Master or a Grand Lodge. When organised by the former, it is said to be a *Lodge under Dispensation*; when by the latter, it is called a *Chartered Lodge*. These two distinctions in the nature of Lodge organisation will therefore give rise to separate inquiries: first, into the character of Lodges working under a Dispensation; and secondly, into that of Lodges working under a Charter of Constitution.

## SECTION I.

### ORGANISATION OF LODGES UNDER DISPENSATION.

When seven Master Masons, at least, are desirous of organising a Lodge, they apply by petition to the Grand Lodge for the necessary authority. This petition must set forth that they now are, or have been, members of a legally constituted Lodge, and must assign a satisfactory reason for their application. It must also be recommended by the nearest Lodge, and must designate the place where the Lodge is intended to be held, and the names and the Masonic rank of the persons whom the petitioners desire to be appointed as Master and Wardens.

Seven things must therefore concur to give regularity to the form of a petition for a dispensation. 1. There must be seven signers at least; or, in certain towns, twenty. 2. They must all be Master Masons. 3. They must be in

good standing. 4. There must be a good reason for the organisation of a Lodge at that time and place. 5. The place of meeting must be designated. 6. The names of the three office-bearers must be stated. 7. It must be recommended by the nearest Lodge.

Preston says that the petition must be recommended "by the Masters of three regular Lodges adjacent to the place where the new Lodge is to be held." This is also the precise language of the Constitution of the Grand Lodge of Ireland. The Grand Lodge of Scotland requires the recommendation to be signed "by the Master of the nearest Lodge." The modern Constitution of the Grand Lodge of England requires a recommendation "by the office-bearers of some regular Lodge," without saying anything of its vicinity to the new Lodge. The rule now universally adopted is, that it must be recommended by the nearest Lodge; and it is an excellent one, too, for it certifies to the superior authority, on the very best evidence that can be obtained—that, namely, of a constituted Masonic body, which has the opportunity of knowing the fact that the new Lodge will not be productive, neither in its office-bearers nor its locality, of injury to the Order.

The duration of a dispensation is generally understood, and expressed on its face to be, "until it shall be revoked by the Grand Master or the Grand Lodge, or until a Charter of Constitution is granted by the Grand Lodge." Preston observes, that the Brethren named in it are vested with power "to assemble as Masons for forty days, and until such time as a Charter of Constitution can be obtained by command of the Grand Lodge, or that authority be recalled." Usage, however, as a general thing, allows the dispensation to continue until the next meeting of the Grand Lodge, when it is either annulled, or a Charter of Constitution granted.

Either the Grand Master or the Grand Lodge has the power to revoke the dispensation; and in such a case, the Lodge, of course, at once ceases to exist. As in the case of all extinct Lodges, whatever funds or property it has accumulated will pass to the Grand Lodge, which may be

called the natural heir of its daughter Lodges ; but all the work done in the Lodge, under the dispensation, is regular and legal, and all the Masons made by it are, in every sense of the term, "true and lawful Brethren."

## SECTION II.

### ORGANISATION OF CHARTERED LODGES.

The organisation of a Lodge under dispensation can, as has been shown, be cancelled by the revocation of the dispensation by either the Grand Master or the Grand Lodge, in which event the Lodge ceases to exist. The Lodge may acquire permanence by being changed into a Lodge working under a Charter of Constitution. The mode in which this change is to be effected is as follows :—

At the communication of the Grand Lodge, which takes place next after the granting of the dispensation by the Grand Master, that office-bearer states to the Grand Lodge the fact of his having granted such an authority,—due notice having been given to the members by its being placed in the programme of business sent to the members,—when a vote being taken on the question whether the dispensation shall or shall not be confirmed, if a majority are in favour of the confirmation, the Grand Secretary is directed to issue a Charter of Constitution.

This instrument differs from a dispensation in many important particulars. A dispensation emanates from a Grand Master ; a charter, from a Grand Lodge. The one is temporary and definite in its duration ; the other, permanent and indefinite. The one is revocable at pleasure by the Grand Master ; the other, only, upon cause shown, by the Grand Lodge. The one confers only a name ; the other, a number upon the Lodge. The one restricts the authority that it bestows to the making of Masons ; the other extends that authority to the installation of office-bearers and the election and installation of their successors in office. The one contains within itself no power of self-perpetuation ;

the other does. From these differences in the two documents arise important peculiarities in the prerogatives of the two bodies which are respectively organised under their authority, which peculiarities will constitute the subject of next chapter.

The Lodge to which the Charter has been granted is still, however, only an inchoate Lodge. To perfect its character, and to entitle it to all the prerogatives of a Chartered Lodge, certain forms and ceremonies have to be observed. These ceremonies are as follows, and are observed in the following order:—

1. CONSECRATION.
2. DEDICATION.
3. CONSTITUTION.
4. INSTALLATION.

Before proceeding to the consideration of each of these ceremonies, it is necessary to remark that they should all be performed by the Grand Master, or Provincial Grand Master, in person; or, if he is unable to attend, by some Past Master, who acts for him by a special warrant of proxy.

1. *The Consecration.*—The ceremony of consecrating religious edifices to the sacred purposes for which they are intended, by mystic rites, has been transmitted to us from the remotest antiquity. History, both ancient and modern, tells us that extraordinary rites, called rites of consecration or dedication, have been performed by people of all ages and nations, on the occasion of the first application of altars, or temples, or places, to religious uses. Thus, Moses consecrated the tabernacle, Solomon the first temple, and the returned exiles from Babylon the second. Among the Pagans, ceremonies of the most magnificent nature were often used in setting apart their gorgeous temples to the purposes of worship. A Masonic Lodge is, in imitation of these ancient examples, consecrated with mystic ceremonies to the sacred purposes for which it has been constructed. By this act it is set apart for a holy object, the cultivation of the great tenets of a Mason's profession, and becomes, or should become, in the mind of the conscientious Mason, invested

with a peculiar reverence, as a place where, as he passes over its threshold, he should feel the application of the command given to Moses: "Put off thy shoes from off thy feet, for the place whereon thou standest is holy ground."

In the course of the ceremonies, the Lodge is sprinkled with corn, wine, and oil, which are the Masonic Elements of Consecration. These elements are technically called "the corn of nourishment, the wine of refreshment, and the oil of joy," and are to the Mason symbolic of the many gifts and blessings for which we are indebted to the bounty of the G. A. O. T. U.; for the first is emblematic, in Masonic symbolism, of health, the second of plenty, and the third of peace.

The ancient altars were thus consecrated by the offering of barley cakes and libations of wine and oil, and the Jewish law gives ample directions for a similar ceremony. The rite of Masonic consecration is accompanied by a prayer, in which the Lodge is solemnly consecrated "to the honour of God's glory."

2. *The Dedication.*—The ceremony of dedicating the Lodge immediately follows that of its consecration. This, too, is a very ancient ceremony, and finds its prototype in the religious services of antiquity. Every temple among the Pagans was dedicated to some particular deity, oftentimes to the conjoint worship of several, while the Jews dedicated their religious edifices to the one supreme Jehovah. Thus David dedicated with solemn ceremonies the altar which he erected on the threshing-floor of Ornan, the Jebusite, after the cessation of the plague which had afflicted his people; and Calmet conjectures that he composed the thirtieth psalm on this occasion. The Jews extended this ceremony of dedication even to their private houses, and it was a custom among them to dedicate a new house to God with prayer, praise, and thanksgiving; and this was done in order to secure the divine presence and blessing, for no pious or sensible man could imagine he could dwell safely in a house that was not under the immediate protection of God.

There was a distinction among the Jews between consecration and dedication, for sacred things were both consecrated and dedicated, while profane things, such as private dwelling-houses, were only dedicated. Dedication was, therefore, a less sacred ceremony than consecration. This distinction has also been preserved among Christians; many of whom, and in the early ages all, consecrated their churches to the worship of God, but dedicated them to, or placed them under the especial patronage of some particular saint. A similar practice prevails in the Masonic institution, and therefore, while we consecrate our Lodges, as has just been seen, "to the honour of God's glory," we dedicate them to the patrons of our Order.

Tradition informs us that Masonic Lodges were originally dedicated to King Solomon, because he was our first Grand Master. In the reign of Vespasian, A.D. 69, John the Baptist seems to have been considered as the peculiar patron of Freemasonry; but subsequently this honour was divided between the two Saints John, the Baptist and the Evangelist. Lodges are universally *erected* or *consecrated* to God, and almost universally dedicated to the Holy Saints John.

The ceremony of dedication is merely the pronouncing of a form of words, and this having been done, the Lodge is thus, by its consecration and dedication, set apart as something sacred to the cultivation of the principles of Freemasonry, under that system which acknowledges the two Saints John as its patrons.

3. *The Constitution.*—The consecration and dedication may be considered as the religious formularies which give a sacred character to the Lodge, and by which it is to be distinguished from an ordinary association, intended only for the cultivation of good fellowship. The ceremony of constitution, which immediately follows, is of a legal character. It is intended to give legality to the Lodge, and constitutional authority to all its acts. It is of course dependent on the preceding ceremonies; for no Lodge can be rightfully constituted until it has been consecrated and

dedicated. The two preliminary ceremonies refer to the place, the last to the persons assembled. The Lodge is consecrated and dedicated as a place wherein the science of Freemasonry is to be cultivated. The members then present and their successors are authorised to cultivate that science in the legal and acknowledged mode. The ceremony of constitution is a simple one, and consists merely in the enunciation of the fact by the Grand Master, or his special proxy under his authority, and as the organ of the Grand Lodge, which body alone can give this legal character to an assembly of Masons. In England, Grand Masters have the power of granting Charters of Constitution; and hence in Preston's formula the Lodge is constituted by that office-bearer in his own name and character; but in Scotland the power of constituting Lodges is vested solely in Grand Lodge, and hence the formula expresses that fact, and the Grand Master constitutes the Lodge "in the name of the Most Worshipful Grand Lodge." By this ceremony the Lodge is taken out of its inchoate and temporary condition as a Lodge under dispensation, and is placed among the permanent registered and chartered Lodges of the jurisdiction.

4. *The Installation.*—The Lodge having been thus consecrated to the uses of Freemasonry, and dedicated to the patrons of the Order, and its members constituted into a legal Masonic organisation, it is now necessary that the office-bearers chosen should be duly invested with the power to exercise the functions which have been confided to them. The ceremony by which this investiture is made is called the installation.

The custom of inducting an office-bearer into the station to which he has been elected by some ceremony, however simple, has been observed in every association. The introduction of the presiding office-bearer of an ordinary society into the chair which he is to occupy, by one or more of the members, is, in every essential point, an installation. In the church, the ceremony (differing, as it must, in every denomination), by which a clergyman is inducted into his

pastoral office, or a bishop placed in his see, is in like manner a species of installation, all of which forms find their type in the inauguration of the Augurs in ancient Rome into their sacred office. A similar usage prevails in Freemasonry, in which it has always been held that an office-bearer cannot legally perform the duties of his office until he has been installed into office. As in the Roman inauguration the rite could only be performed by an Augur (whence the derivation of the word *inauguration*), so in Freemasonry the ceremony of installation can only be performed by a Past Master, and in the installation of the office-bearers of a new Lodge, by the Grand or Provincial Grand Master, or some Past Master who has been especially deputed by them for that purpose.

The ceremony of installing the subordinate office-bearers consists simply in the administration of an obligation for the faithful discharge of the duties of the office, with the investment of the appropriate jewel, and the delivery of a short charge. But in the installation of the Master, other ceremonies are added. He is required to signify his assent to certain propositions, which contain, as it were, the Masonic confession of faith; and he is also invested with the Past Master's degree. All the writers on the subject of installation concur in the theory that the conferring of the Past Master's degree constitutes an integral part of the installation ceremony. The words of the oldest writer whose remarks on this subject have been preserved, the Duke of Wharton, hint at the fact that there was some secret ceremony attached to the exoteric formula of installation,\* and Preston expressly states that the new Master is "conducted to an adjacent room, where he is regularly installed and bound to his trust in ancient form, in the presence of at least three installed Masters." Past Masters have now become such

\* "Then the Grand Master, placing the candidate on his left hand, having asked and obtained the unanimous consent of all the Brethren, shall say, I constitute and form these good Brethren into a new Lodge, and appoint you the Master of it, not doubting of your capacity and care to preserve the cement of the Lodge, &c.; *with some other expressions that are proper and usual on that occasion, but not proper to be written.*"—ANDERSON, first edit., p. 71.

a numerous body that it would not be convenient to confer the degree in an adjacent room, and it is conferred in the Lodge-room, those who are not virtual Past Masters being previously requested to retire. The investiture with the Past Master's degree constitutes, therefore, an essential part of the ceremony of installation, and is actually necessary to its legality as a completed act.

Sometimes, in case of the absence of any one of the office-bearers who is to be installed, some other Brother assumes his place, and, acting as his proxy, makes the usual promises for him, and on his behalf receives the charge and investiture. Long and uninterrupted usage alone would seem sufficient to sanction this practice (however objectionable it may, in some respects, be deemed), but it has also the authority of ancient law; for the thirty-sixth of the Regulations of 1721 prescribes that when the Grand Master elect is absent from the grand feast, that is to say, on the day of installation, the old Grand Master may act as his proxy, perform his duties, and in his name receive the usual homage. It is usual, however, in cases of this kind, for the person who has acted as proxy for the absent Brother to bring the matter under his notice at the next meeting of the Lodge at which he is present, when the Master sees the Brother duly obligated, and installs him.

The Lodge thus consecrated, dedicated, and constituted, with its office-bearers installed, assumes at once the rank and prerogatives of a Chartered Lodge. The consecration, dedication, and constitution, are never repeated; but at every subsequent annual election, the installation of office-bearers is renewed. On these occasions, however, it is no longer necessary that the Grand Master or his proxy should act as the installing office-bearer. This duty is to be performed by the last Master, or by any other Past Master acting in his behalf; for, by the Charter of Constitution, the power of installing their successors is given to the office-bearers therein named, and to their successors, so that

the prerogative of installation is perpetually vested in the last office-bearers.

## CEREMONIAL

### USUALLY OBSERVED AT THE INSTALLATION OF THE OFFICE-BEARERS OF A LODGE OF SCOTTISH JURISDICTION.

[Formerly no one obtained the degree of *Master* Mason until he became, or was about to become, the *Master* of a Lodge; but since the beginning of the 18th century all Craftsmen, after a short probation, received it to *qualify* them for that high office. In England and Ireland the Master elect receives certain secret Instructions in presence of those only who have "passed the Chair," or been installed Masters of Lodges, in order to distinguish him from the non-official Masters; but in Scotland the Grand Lodge has uniformly held that giving these instructions separately is an innovation on the ancient landmarks of St John's Masonry, and therefore they are communicated only to the Master Mason when he is elected Master of the Lodge.]

The Lodge having been opened in the first degree,—Entered Apprentices being allowed to be present,—and the Jewels, Clothing, &c., of the Lodge placed before the presiding or installing Brother,\* he will desire the Master elect, as well as his Depute and Substitute Masters, to come forward, and address them as follows:—

BRETHREN,—You having been elected by the members of your Lodge to the respective offices of Master, Depute Master, and Substitute Master, I shall have much pleasure in installing you therein; but previous to your installation, it is requisite that you assent to some of the Charges and Regulations, which point out the duty of a Master of a Lodge. These will now be read to you:—

1. You agree to be a good man and true, and strictly to obey the moral law.

2. You agree to be a peaceable subject, and cheerfully to conform to the laws of the country in which you reside.

3. You promise not to be concerned in plots or conspiracies against government, but patiently to submit to the decisions of the supreme legislature.

4. You agree to pay a proper respect to the civil magistrate; to work diligently, live in credit, and act honourably with all men.

\* At the *Consecration* of a new Lodge these ought to be read by the Grand (or Provincial Grand) Secretary; but at the usual or *Annual Installation*, the presiding Brother, or a Past Master, does so, as the Secretary is not yet installed.

5. You agree to hold in veneration the original rulers and patrons of the Order of Freemasonry, and their regular successors, supreme and subordinate, according to their stations ; and to submit to the awards and resolutions of your Brethren, in Grand Lodge assembled, in every case consistent with the Constitutions of the Order ; and that you will not, in Scottish Jurisdiction, practise or recognise in connection with Lodges of St John's Masonry, any Degrees except those of Apprentice, Fellow-Craft, with the adjunct of Mark, and Master-Mason.

6. You agree to avoid private quarrels, and to guard against all intemperance and excess.

7. You agree to be cautious in your behaviour, courteous to your Brethren, and faithful to your Lodge.

8. You promise to respect true and faithful Brethren, and to discountenance all impostors and dissenters from the original plan of the Institution.

9. You agree to promote the general good of society, to cultivate the social virtues, and to propagate the knowledge of the art of Freemasonry, so far as your influence and ability can extend.

10. You admit that it is not in the power of any man, or body of men, to make alteration or innovation in Masonry.

11. You promise to submit to the M. W. the Grand Master for the time being, and to his office-bearers, when duly installed ; and strictly to conform to every regulation of the Grand Lodge that is not subversive of the principles of Masonry.

12. You admit that no Lodge can be constituted without a Charter from a Grand Lodge, or other supreme body entitled to grant them, nor any countenance given to an irregular Lodge, or to any person clandestinely initiated therein, and that no procession, consecration, or other ceremonial of Masons, clothed with the badges of the Order, can take place without the special licence of the Grand Lodge, or of the Provincial Grand Master of the District, or (in his absence) of his Depute or Substitute.

13. You admit that no person can be regularly made a Mason, or admitted a Mason of any Lodge, without previous notice, and due inquiry into his character.

14. You promise that no Visitors shall be received into your Lodge without due examination, *or producing proper vouchers* of initiation in a regular Lodge.

The presiding Brother then addresses the Masters elect, thus :—

Do you now, Brethren, cheerfully submit to these several Charges and Regulations of the Grand Lodge of Free and Accepted Masons, and promise to support them, as all good Masters have done?

The Masters elect having signified their assent, the presiding Brother shall then proceed as follows :—

Then, Brethren, in consequence of the recommendation I have received of you, and your cheerful conformity to the Charges and Regulations rehearsed, and since it is the will and pleasure of the Brethren of this Lodge that you become Masters thereof for the usual time, as they confide in your known good behaviour, and think you fit and proper persons to discharge the duties of said office, I must inform you that you are not only to walk uprightly before God and man, and strictly to follow the rules and constitutions of Masonry in general, but also to adhere to the bye-laws of this Lodge in particular.

You will now step forward to the Altar, and take the Oath *de fidei*, viz. :—

"I, . . . . in the presence of the G. A. of the U., do solemnly promise to perform the duties of the Office of Master, or Depute Master, or Substitute Master (*as the case may be*), faithfully, zealously, and impartially, to the best of my ability, during the ensuing twelve months, unless a successor shall have been previously appointed and installed in my stead. That while in the chair I will not permit or suffer any deviation from the ancient customs and landmarks of the Order recognised by the Grand Lodge, nor administer or cause to be administered any ceremony contrary to, or subversive of, our constitutions. That I will maintain pure and unsullied the genuine tenets of the Order. That I will observe, and as far as lies in my power, strictly enforce, those Charges and Regulations to which I have now given my assent, and otherwise conscientiously perform my duty as Master of the Craft. So help me God !"

Brother [A. B.], You have been elected Master of this Lodge. I invest\* you with this Jewel belonging to that office. It consists of the *Square* and *Compasses*, an *arc* of a circle, and a star representing the *Sun*. The *Square* denotes in a moral sense that you are to regulate your actions by rule and line, and to harmonise your conduct by the principles of morality and virtue ; and the *Compasses*, that although you have been called to the high position of Master of this Lodge, you are not to rule tyrannically, but to behave courteously to the Brethren. As the *Compasses* on the arc of a circle indicate that it is the duty of every Master to lay down plans for his workmen, so they teach that, however exalted be your station

\* The Master is installed as the representative of the absent Master Masons of the Lodge; the Senior Warden as that of the absent Craftmen, and the Junior Warden of the Entered Apprentices.

in society, you have certain duties to perform to those who are not so fortunate as yourself, and for the fulfilment of which you must one day give an account to the All-seeing Eye on which, typified by the Sun or Star on the Jewel, you ought at all times to place your reliance. [The Holy Bible, which is never shut in a Lodge, teaches us to love God ; and unless our motives be founded on that love, and our actions spring from it, all the morality in the world is of no avail.]\*

Brother [C. D.], I invest you, as Depute Master, with this *Square* and *Compasses*, being the insignia of your office. The Square has the two ends of unequal length, the short one pointing to time, the other to eternity; so the Compasses combined with the Square will teach you not only to be contented with your lot on earth, and thankful for what your Heavenly Father bestows on you in this world, but that you should press forward in the paths of virtue, and have in view the attainment of a blessed immortality. In the absence of the Master (and of any Past Master of the Lodge †) you will take upon you the duties of the Chair.

Brother [E. F.], I invest you as Substitute Master. It is your duty to preside in the Lodge when the Master or his Depute cannot be present. Your Jewel is the *Square*, which denotes in a moral sense that you are worthy of the office they have conferred upon you; and in its emblematic sense, that as when applied to work it shows whether it be straight, level, and correct, so you are to observe that your conduct and actions, as well as those of the Brethren (at least in Lodge assembled), are guided by the stern principles of justice.

Again addressing the R. W. Master elect:—

Right Worshipful Sir, I now place in your hand this *Mallet* ‡ or *Maul*; it has for long been the symbol of authority over the Brethren. As the *Chisel* demonstrates to us the advantage of discipline, and the Mallet, when applied to it, lops off excrescences and smooths surfaces, we are thus taught to correct irregularities, and reduce man to a proper level; so that, by quiet deportment, he may, in the school of discipline, learn to be content. What the Mallet is to the workman, enlightened reason is to the passions; it curbs ambition, depresses envy, moderates anger, and checks every rising frailty.

I have now to wish you happiness and prosperity, and I pray the

\* When a Chaplain is to be afterwards invested, the sentence marked [ ] may be here omitted, and inserted into the address to him.

† To be omitted at the consecration of a new Lodge.

‡ This is the Mallet of the Lodge, not that of the Installing Brother, which he does not relinquish until the conclusion of the whole ceremonial.

Grand Architect of the Universe, of His infinite mercy and goodness, to guide and direct you in all your actions, and to preserve you from any breach of the duties of the high office to which you have been called.

The new Master is then conducted to the chair of his Lodge (in front of that of the Installing Brother), his Depute and Substitute standing on his right and left. The Members of the new Lodge then advance in procession, pay due homage to the New Master, and signify their subjection and obedience by the usual salutations in the first degree.

### GRAND HONOURS.

This part of the ceremony being concluded, the Wardens and other office-bearers are requested to advance to the Altar, and the installing\* Brother will then take their oaths *de fidei*, viz. :—

“I, . . . . do hereby agree to accept of the office of Senior Warden, or Junior Warden, &c. (*as the case may be*), of the Lodge —, and solemnly promise, to the best of my ability, to discharge faithfully, zealously, and conscientiously, its duties during the ensuing twelve months, unless a successor shall be previously appointed and installed in my stead, and that I will do my utmost to forward the interests of the Lodge, and support the Master in his various duties. So help me God.”

The office-bearers are then invested, in succession, with the Insignia or Jewels of their office, and addressed as follows :—

Brother [G. H.], you are, by the consent of this Lodge, elected Senior Warden thereof for the usual time, in consequence of which I now invest you with this Jewel as the insignia of your office. Observe, it is a Level, to denote to you, in its moral sense, that we are descended from the same stock, partake of the same nature, and share the same hope; and that though distinctions among

\* When the Most Worshipful the Grand Master and his officers attend to constitute a New Lodge, the Grand Wardens may invest the Wardens, the Grand Treasurer invest the Treasurer, and so on. Sometimes the new Master enters immediately on the duties of his office by administering the oath *de fidei* to, and investing the Wardens, &c., but it is more convenient in practice, that at all installations, the presiding or installing Brother conducts the whole ceremonial.

men are necessary to preserve subordination, yet no eminence of station can make us forget that we are Brethren; and, in its emblematic sense, that in all Masonic concerns you are to consider your Brethren as strictly on a level with you. Your early and regular attendance at your Lodge is particularly necessary, in order to assist to the utmost in your power and skill in the good management thereof.

“Brother [I. J.], you have been, by the consent of this Lodge, elected Junior Warden thereof for the usual time, in consequence of which I invest you with this Jewel as the insignia of your office. Observe, it is a Plumb Rule, with a Plummet affixed, to denote to you, in its moral sense, that you owe your promotion to your uprightness and integrity, and that you are at all times to be upright in your conduct; and, in its emblematic sense, that in the discharge of the many duties of this difficult and arduous office, and in all Masonic concerns, you are to take especial care to act with perfect uprightness, so that if your Jewel should be figuratively applied, it will be found so.

Worshipful Senior and Junior Wardens, those columns,\* the badges of your office, I entrust to your care, not doubting your vigilance and attention.

The Senior and Junior Grand Wardens are then conducted to their seats, and saluted.

The Treasurer is then invested with the Insignia of his office:—

Brother [K. L.], by investing you with this Jewel, I have to remind you that it is your duty to collect subscriptions and other fees, and keep an exact account of the Lodge expenses. *You are also to transmit to the Grand Lodge the dues for recording Intrants and the Annual Certificates, and this whether the Lodge sanction it or not, THESE MONEYS NOT BEING LAWFULLY ITS PROPERTY, BUT THAT OF THE GRAND LODGE ALONE, AND FOR WHICH YOU ARE PERSONALLY RESPONSIBLE.* Your regular and early attendance will afford the best proof of your zeal and attachment.

The Secretary is then invested with the Insignia of his office:—

Brother [M. N.], you have been elected Secretary of this Lodge; it is your province to record the minutes, issue the summonses for our regular meetings, and make the due returns of office-bearers and

\* When the work of Masonry in the Lodge is carrying on, the column of the Senior Warden is raised; when the Lodge is at refreshment, the column of the Junior Warden is raised.

members to the Grand Lodge; your good inclinations to Masonry and this Lodge I hope will induce you to discharge your office with fidelity, and by so doing you will merit the esteem and approbation of your Brethren.

The Deacons are then invested :—

Brother [O. P.], I invest you with the Jewel of Senior Deacon ; it is the *Mallet*, and ought to teach you that skill without exertion is of little avail, that labour is the lot of man, for the heart may conceive and the head may devise in vain, if the hand be not prompt to execute the design.

Brother [Q. R.], your Jewel of office, as Junior Deacon, is the *Trowel*, which teaches us to spread the cement of brotherly love and affection—that cement which unites us all into one sacred band, a society of friends and brothers among whom no contention should ever exist but that noble contention, or rather emulation, of who can best work and who can best agree.

Brothers [O. P.] and [Q. R.], it is your province to attend on the Master and Wardens, and to act as their assistants in the active duties of the Lodge ; such as in the reception of candidates into the different degrees of Masonry, and in the immediate practice of our rites. I commit to you these rods as your badges of office.

The Stewards are next invested :—

Brothers [S. T.] and [U. V.], you have been appointed Stewards of this Lodge. The duties of your office are to introduce visitors, and see that they are accommodated ; as also to see that the tables are properly furnished at refreshment, and that every Brother is suitably provided for ; and, generally, to assist the Deacons and other office-bearers in performing their respective duties.

The Inner Guard is then invested as follows :—

Brother [W. X.], the *Cross-swords* with which I invest you indicate that you are to suffer none to pass or repass but such as are duly qualified ; and, emblematically, teach us to set a guard over our thoughts, a watch at our lips, and post a sentinel over our actions. Your duty is to admit Masons on proof, to receive candidates in due form, and to obey the commands of the Junior Warden.

The Tyler is then brought forward, and invested with the Jewel and instrument of his office :—

Brother [Y. Z.], I commit this *Sword* into your hands, to enable

you effectually to guard against the approach of cowans and eavesdroppers, by which we are reminded we ought to prevent the approach of every unworthy thought or deed, and to preserve a conscience void of offence towards God and towards man.

The Ceremonial of Investiture having come to a close, the presiding Brother will then give a general Address to the Master, Wardens, and Brethren, in the following manner: \*—

W. SIR,—The Brethren having committed the Lodge to your care, you cannot be insensible to the importance of the charge, and to your responsibility for the faithful discharge of the duties annexed to the appointment. The honour, the reputation, and the usefulness of this Lodge will materially depend on the skill and ability with which you manage its concerns, whilst the happiness of the Brethren will be generally promoted by the zeal and assiduity with which you promulgate the genuine tenets and principles of the Order. As a pattern for your imitation, consider that glorious luminary which regularly diffuses light and lustre to all; in like manner, it will be your province to communicate light and instruction to the Brethren of your Lodge, impress on them the dignity and high importance of Masonry, and charge them to practise out of the Lodge those excellent precepts which they are taught in it, so that, when any one is said to be a Freemason, the world may know that he is one to whom the burdened heart may pour forth its sorrows, to whom the distressed may prefer their suit, whose heart is guided by justice, and whose hand is extended by benevolence.

WARDENS,—You are too well acquainted with the laws of Freemasonry to warrant any distrust that you will be found wanting in the proper discharge of the duties of your respective offices; suffice it to observe, that what you have seen praiseworthy in others you will carefully imitate, and what in them may have appeared defective, you will in yourselves amend. You ought to be patterns of good order and regularity, as it is only by a due observance of the Laws yourselves that you can expect obedience to them from others. You are assiduously to assist the Master in the discharge of the important duties of his situation, and carefully instruct those whom he may place under your charge. From the zeal you have shown towards our excellent Institution, and the desire you have

\* Any other similar Address may be given. At the erection of a new Lodge, although the Investiture of the Wardens and other Office-bearers be performed by the new Master, the Address ought to be given by the Brother who *presides* on the occasion. —

evinced to promote its best interests, I entertain no doubt that your conduct will be such as to merit the approbation of your Brethren, and the testimony of a good conscience.

BRETHREN,—Such is the nature of our constitution, that as some must of necessity rule and teach, so others must of course learn to submit and obey. Humility in both is an essential duty. The Brethren who have been appointed to assist in the government of the Lodge are too well acquainted with the principles of Masonry and the rules of good manners, to extend the power with which they are intrusted; and you are too sensible of the propriety of their appointment, and of too generous dispositions, to envy their preferment. From the knowledge I have of both Office-bearers and Members, I trust that all will have but one aim—to please each other, and unite in the great design of communicating happiness. May you all enjoy every satisfaction and delight which disinterested friendship can give, within these sacred walls! May Freemasonry flourish in every part of the globe, and rise superior to all opposition! May it become influential in diffusing the light of *Wisdom*, aiding the *strength* of reason, dispensing the *beauties* of virtue, and lessening the aggregate of human misery and vice! May it teach us to measure our actions by the rule of rectitude, square our conduct by the principles of morality, and guide our very thoughts within the compass of propriety! Hence we learn to be meek, humble, and resigned, and to moderate the passions, the excess of which deforms and disorders the very soul; and the Brother who has thus far discharged his duty as a Mason, can patiently await the arrival of that awful moment when the soul shall take wing to the boundless and unexplored mansions above.

Brethren, such are the genuine tenets and principles of our Order. May they be transmitted through the Lodge pure and unsullied through all generations! To obtain this end, let us continue to cultivate the great moral and social virtues laid down on our Masonic tracing-board, and improve ourselves in everything that is good, amiable, and useful. And may the Great Architect of the Universe preside over our Temple, and under His sway let us ever act with a dignity becoming the high and venerable character of our Institution.

The New Master now thanks the Presiding Brother.

### GRAND HONOURS.

Then shall be sung PSALM c., accompanied by Music.

THANKSGIVING by the V. W. the Grand or Provincial  
Grand Chaplain.

BLESSED be Thy name, O great Architect of the Universe, that

it hath pleased Thee to put into the hearts of Thy servants to found this Lodge to Thy honour and glory. Bless them, O Lord, with Thine especial blessing, and grant that all who shall enjoy the benefit of this pious work, may continue Thy faithful servants unto their lives' end. Let their practice shadow forth the blessed principles of Faith, Hope, and Charity ; and when Thou shalt be pleased to call them hence, and the earthly house of this tabernacle shall be dissolved, give them a building of God, an house not made with hands, eternal in the heavens.

*Response by the Brethren.*—So mote it be.

### GRAND HONOURS.

Refreshments served, preceded and followed by the usual alterations.

### THE MASONIC ANTHEM.

AFTER WHICH THE LODGE WILL BE CLOSED IN DUE FORM, AND  
IN THE THIRD DEGREE.

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*[The preceding Ceremonials may be abridged or extended at pleasure, provided nothing be introduced that can give offence to any Brother, either in religion or politics ; the material points, however, are on no account to be omitted. It is perhaps unnecessary to add that the Presiding Brother ought to commit the whole to memory, it being quite contrary to the spirit of Masonry to read any portion.]*

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### RULES.

I. None but Master Masons belonging to a regular Lodge can be present.

II. None can be admitted without a Ticket.

III. Each Brother, before entering, will sign his name, and the name of the Lodge of which he is a member.

IV. No one can be admitted after the Grand or Provincial Grand Lodge is opened.

V. Costume—Full Dress, black, with white necktie, and white gloves.

## CHAPTER II.

### THE RIGHTS OF LODGES.

FROM what has already been said in the preceding chapter concerning the organisation of Lodges, it is evident that there are in the Masonic system two kinds of Lodges, organised in different ways, and possessing different rights and prerogatives. The Lodge working under a dispensation, and the Lodge working under a charter of constitution, differ so widely in their character, that each will require a distinct section for the consideration of its peculiar attributes.

### SECTION I.

#### THE RIGHTS OF LODGES UNDER DISPENSATION.

It follows, as a necessary deduction, from what has already been said of the organisation of Lodges under a dispensation, that such bodies are merely temporary in their nature, subject to the will of the Grand Master for their continuance, and acting during their existence simply as his proxies, for the purpose of exercising a right which is inherent in him by the ancient Landmarks, that, namely, of congregating Masons to confer degrees. The ancient records do not throw any light on this subject of Lodges under dispensation. As, however, the Landmarks give the Grand Master the right or prerogative of congregating his Brethren for the purpose of making Masons only, and as they confer on him no power of making laws, or performing any other acts which exclusively reside in a perfect and complete Lodge, it is evident that his creature, the Lodge which derives its existence from his dispensation, can possess no prerogatives which did not originally vest in

him who created it. The Grand Master cannot give to others that which he does not himself possess. The prerogatives of a Lodge under dispensation are therefore very limited in their nature, as will appear from the following summary:—

1. A Lodge under dispensation cannot be represented in the Grand Lodge. The laws of Grand Lodges define the Grand Lodge as consisting of the “Masters and Wardens of all regularly constituted Lodges *on record*,” and they declare that no Lodge is to be *registered or recorded* until a charter for it has been issued by the Grand Lodge.

2. A Lodge under dispensation cannot make bye-laws. This is a power vested only in those Lodges which, being of a permanent nature, constitute a part of the Masonic authority of the jurisdiction. Lodges under dispensation, being of a temporary nature, liable at any moment to be arrested in their progress, and to have their very existence annulled at the mandate of the Grand Master, are incapable of exercising the high prerogative of making bye-laws or a constitution, the very enactment of which implies a permanency of organisation. It may be asked, then, Are such bodies to be without any code or system of regulations for their government? By no means. Like all other assemblies of Freemasons, congregated for a temporary period, and for the performance of a special Masonic duty, they are to be governed by the ancient Landmarks, the General Regulations of the Order, and the specific constitutions of the Grand Lodge under whose jurisdiction they are placed.

3. A Lodge under dispensation cannot elect office-bearers. The very instrument of dispensation to which it is indebted for its existence, has nominated the office-bearers who are to govern it as the agents of the Grand Master. From him alone they derive their authority, and by him alone can they be displaced, or others substituted in their stead. The Grand Master has delegated certain powers to the persons named in the dispensation, but they cannot in turn

delegate these powers of acting as Master and Wardens to any other persons; for it is an established principle of law that a delegated authority cannot be re-delegated. For the Master and Wardens to resign their offices to others who had been elected by the Lodge, would be just such a re-delegation as is forbidden by the law, and hence a Lodge under dispensation cannot elect its office-bearers. They are the nominees of the Grand Master.

4. It follows, from the nature of the organisation of a Lodge under dispensation, that it cannot install its office-bearers. The installation of office-bearers is an inherent and inseparable part of the ceremony of constitution, and it is self-evident that a Lodge under dispensation cannot, while in this inchoate condition, be constituted; for a constituted Lodge under dispensation would be a contradiction in terms; besides, no office-bearer can be installed unless he has been elected or appointed for a definite period. The Master and Wardens of a Lodge under dispensation are appointed for an indefinite period, that is, during the pleasure of the Grand Master, and are not, therefore, qualified for installation.

5. A Lodge under dispensation cannot elect members. Candidates may be elected to receive the degrees, but the conferring of the third degree in a Lodge under dispensation does not at the same time confer membership, or a right to membership, as occurs, under similar circumstances, in a Lodge working under a warrant of constitution. This arises from the inchoate and imperfect nature of such a Lodge. It is simply a temporary organisation of Freemasons for a specific purpose. A Lodge under dispensation is, in every sense of the word, what the old records of England call an "occasional Lodge," convened by the Grand Master for one purpose, and no other. There is no authority in the instrument that convened them to do anything else except to make Masons. They are brought together under the mandate of the Grand Master for this purpose only, so expressed, definitely and positively, in the plainest and most unequivocal language. They are not

congregated to make bye-laws, to elect members, to frame laws—in short, to do anything except “to enter, pass, and raise Freemasons.” If they proceed to the transaction of any other business than this, or what is strictly incidental to it, they exceed the authority that has been delegated to them. The candidates who have received the degrees in such a lodge, partake of its imperfect and preliminary character. If the Lodge at the proper time receives its charter of constitution, they then become members of the completed Lodge. If the dispensation, on the contrary, is revoked, and the Lodge dissolved, they are Masons in good standing, but unaffiliated, and are not only permitted, but it becomes their duty to apply to some regular Lodge for affiliation.

6. This power of electing candidates to take the degrees in a Lodge under dispensation, is, however, confined to the Master and Wardens. These office-bearers only are named in the dispensation—they only are the proxies or representatives of the Grand Master—they only are responsible to him for the faithful execution of the power temporarily vested in them. All Masons who aid and assist them in conferring the degrees are extraneous to the dispensation, and act, in thus assisting, precisely as the visitors to a constituted Lodge might do, who should be called upon to aid the regular office-bearers and members in the discharge of their duties. The corollary from all this is, that, in a Lodge under dispensation, none but the Master and Wardens have a right to elect candidates.

While no *right* exists, however, it is scarcely necessary to add, that it is not always proper or courteous to push the law with rigour to its utmost limit. When a certain number of brethren have united themselves together under a Master and Wardens acting by dispensation, with the ulterior design of applying for a charter of constitution and forming themselves into a regular Lodge, although they have no *legal right* to ballot for candidates, the selection of whom has been intrusted by the Grand Master to the three office-bearers named in the dispensation for that especial

purpose ; yet as the choice of those who are hereafter to be their associates in the future Lodge, must be a matter of interest to them, ordinary courtesy, to say nothing of Masonic kindness, should prompt the Master and Wardens to consult the feelings of their brethren, and to ask their opinions of the eligibility of the candidates who apply to be made Masons. Perhaps the most expeditious and convenient mode of obtaining this expression of their opinions is to have recourse to a ballot, and to do so, as an act of courtesy, is of course unobjectionable.

It is well known that it is the general rule for all the brethren present to ballot for candidates in Lodges under dispensation ; but the question is not, what is the usage, but what is the law which should govern the usage ? The balloting may take place in such a Lodge, but it must be remembered, if we are to be governed by the principles and inferences of law, that each brother, when he deposits his ball, does so, not by any legal right that he possesses, but simply by the courtesy of the Master and Wardens, who have adopted this convenient method of consulting the opinions and obtaining the counsel of their brethren, for their own satisfaction. All ballots held in a Lodge under dispensation are, except as regards the votes of the Master and Wardens, informal.

## SECTION II.

### THE POWERS OF LODGES WORKING UNDER CHARTERS OF CONSTITUTION.

A Lodge is defined to be “ an assemblage of Masons, duly congregated, having the Holy Bible, square and compasses, and a charter or warrant of constitution authorising them to work.” Now, the latter part of this definition is a modern addition, for anciently no such instrument as a charter of constitution was required ; and hence the old Charges describe a Lodge simply as “ a duly organised society of Masons.” Anciently, therefore, Masons met

and performed the work of Masonry, organising temporary Lodges, which were dissolved as soon as the work for which they had been congregated was completed, without the necessity of a charter to legalise their proceedings. In 1717, however, an organisation of the Grand Lodge of England took place, at which time there were four Lodges existing in London, who thus met by inherent right as Masons. As soon as the organisation of the Grand Lodge had been satisfactorily completed, the four Lodges adopted a code of thirty-nine Regulations, which, like the Magna Charta of the English barons, was intended, in all times thereafter, to secure the rights and privileges of the Fraternity from any undue assumptions of power on the part of the Grand Lodge. Having accomplished this preliminary measure, they then, as the legal representatives of the Craft, surrendered, for themselves and their successors, this inherent right of meeting into the hands of the Grand Lodge; and the eighth Regulation then came into operation, which requires any number of Masons who wish to form a Lodge, to obtain, as a preparatory step, the Grand Master's warrant or authority. At the same time other prerogatives, which had always vested in the Craft, were, by the same regulations, surrendered to the Grand Lodge, so that the relative position of the Grand Lodge to its subordinates, and of the subordinate Lodges to the Grand Lodge, has, ever since the year 1717, been very different from that which was previously held by the General Assembly or Annual Grand Lodge to the Craft, and of the Craft to it.

The first and the most important deduction that we make from this is, that whatever powers and prerogatives a Lodge may now possess, are those which have always been inherent in it by the ancient Landmarks of the Order. No new powers have been created in it by the Grand Lodge. The Regulations of 1721 were a concession as well as a reservation on the part of the subordinate Lodges. The Grand Lodge was established by the Fraternity for purposes of convenience in government. Whatever powers it possesses were yielded to it freely by the Fraternity, not as the

representatives of the Lodges, but as the Lodges themselves, in General Assembly convened. The rights, therefore, which were conceded by the Lodges they have not; but whatever they did not concede, they have reserved to themselves, and they claim and exercise such rights, not by grant from the Grand Lodge, but as derived from the ancient Landmarks and the old Constitutions of the Order. This must be constantly borne in mind, as necessary for the elucidation of many points of Masonic law, concerning the rights and powers of subordinate Lodges.

In an inquiry into the rights and powers of a Lodge, it will be found that they may be succinctly noticed under fourteen different heads. A Lodge has a right—

- I. To retain possession of its charter of constitution.
- II. To do all the work of ancient Craft Masonry.
- III. To transact all business that can be legally transacted by regularly congregated Masons.
- IV. To be represented at all communications of the Grand Lodge.
- V. To increase its numbers by the admission of new members.
- VI. To elect its office-bearers.
- VII. To install its office-bearers after being elected.
- VIII. To exclude a member, on cause shown, temporarily or permanently, from the Lodge.
- IX. To make bye-laws for its local government.
- X. To levy a tax upon its members.
- XI. To appeal to the Grand Lodge from the decision of its Master.
- XII. To exercise penal jurisdiction over its own members, and over unaffiliated Masons living within the limits of its jurisdiction.
- XIII. To select a name for itself.
- XIV. To designate and change its time and place of meeting.

Each of these prerogatives is connected with correlative duties, and is restricted, modified and controlled by certain

specific obligations, each of which requires distinct and careful consideration.

I. *A Lodge has the right to retain possession of its charter of constitution.* In this we see at once a manifest difference between a warranted Lodge and one working under a dispensation. The latter derives its authority from the Grand Master, and the dispensation, which is the instrument by which that authority is delegated, may at any time be revoked by him from whom it emanated. In such an event there is no mode of redress provided by law. The dispensation is the voluntary act of the Grand Master, is granted *ex gratia*, and may be withdrawn as it was granted, at the Grand Master's pleasure. There can be no appeal from the Grand Master's revocation, nor can any Masonic tribunal require that he should show cause for this exercise of his prerogative.

But a charter having been granted by the Grand Lodge, the body of Masons thus constituted form at once a constituent part of the Grand Lodge. They acquire permanent rights which cannot be violated by any assumption of authority, nor abrogated except in due course of Masonic law. The Grand Committee may, on cause shown, suspend the work of a chartered Lodge, when they believe that suspension to be necessary for the good of the Order; but they cannot recall or revoke the charter. From that suspension of work there is of course an appeal to the Grand Lodge, and that body alone can, after due and legal investigation, withdraw or revoke the charter. No charter of a Lodge can be forfeited except upon charges regularly made in Grand Lodge, at its regular communication, of which due notice shall be given to the Lodge, and an opportunity of being heard in its defence.

When the Grand Committee or Board of General Purposes suspends the labours of a Lodge, they are usually said "to arrest the charter." There is no objection to the phrase, if its signification is properly understood. "To arrest the charter of a Lodge" is simply to forbid its communications, and to prevent its members from

congregating for the purposes of Masonic labour or business, under the authority of the charter. But otherwise the condition of the Lodge remains unchanged. It does not forfeit its funds or property, and its members continue in good standing in the Order; and should the decree of arrest by the Grand Committee or Board of General Purposes be reversed by the Grand Lodge, it resumes its functions just as if no such suspension or arrest had occurred. The "arrest of the charter" is only a decree of the Grand Committee in the character of an injunction, by which they forbid the Lodge to meet until the complaints preferred against it can be investigated and adjudicated by the Grand Lodge.

The laws of Masonry provide only two ways in which the charter of constitution of a Lodge can be forfeited, and the Lodge dissolved. The first of these is by an act of the Grand Lodge, after complaint and due trial. The offences which render a Lodge liable to this severe penalty are enumerated as being: 1. Contumacy to the authority of the Grand Master or Grand Lodge. 2. Departure from the original plan of Freemasonry and ancient Landmarks. 3. Disobedience to the constitutions. And 4. Ceasing to meet for one year or more. To these may be added, 5. The indiscriminate making of immoral candidates, whereby the reputation of the institution in the vicinity of the Lodge is impaired.

The second mode by which a Lodge may be dissolved is by a voluntary surrender of its charter. This must be by the act of a majority of the members, and at a communication specially called for the purpose. But it has been held that the Master must concur in this surrender; for, if he does not, he being the custodian of the instrument, it cannot be taken from him, except upon trial and conviction of a competent offence before the Grand Lodge.

As the charter of constitution is so important an instrument, being the evidence of the legality of the Lodge, it is essentially necessary that it should be present and open to the inspection of all the members and visitors at

each communication of the Lodge. The rules require that the three great lights of Masonry should always be present in the Lodge, as necessary to its organisation as a just Lodge. Equally necessary is the charter of constitution to its organisation as a legal Lodge; and therefore if the charter is mislaid or out of the room at the time of opening, it is held by Masonic jurists that the Lodge cannot be opened until that instrument is brought in and deposited in a conspicuous place, the most usual, and perhaps the most proper, being the pedestal of the Master.

Hence, too, as the charter is the evidence of the legality of a Lodge, every Mason who desires to visit a Lodge for the first time is entitled to an inspection of this instrument, nor should any Mason ever consent to visit a strange Lodge until he has had an opportunity of examining it. The refusal to submit it to his inspection is in itself a suspicious circumstance, which should place him on his guard, and render him at once averse to holding communion of a Masonic nature with persons who are thus unwilling, and, it may be, unable to produce the evidence of their legal standing.

II. *A Lodge has the right to do all the work of ancient Craft Masonry.* This is the principal object for which the Lodge was constituted. Lodges in England and Scotland only confer the three degrees of symbolic Masonry, and generally, at the time of installation, invest the Master with the degree or order of Past Master. What is involved in these things has already been fully discussed in a previous chapter.

III. *A Lodge has the right to transact all business that can be legally transacted by regularly congregated Masons.* This also is one of the objects for which the charter was granted, but like the preceding right, it is to be exercised under certain restrictions.

The whole spirit and tenor of Masonic usage has been that the business of the Lodges should be conducted in the third degree, the members of which constitute the main body of the Craft at the time.

In conducting the business of a Lodge, certain rules are

to be observed, as in all other deliberative bodies; but these will be more appropriately considered in a chapter devoted to the discussion of "rules of order," in a subsequent part of this work.

IV. *A Lodge has the right to be represented at all communications of the Grand Lodge.* The origin of this right is very intimately connected with an interesting portion of the history of the institution. In former times, every Mason, even "the youngest Entered Apprentice," had a right to be present at the General Assembly of the Craft, which was annually held; and even as late as 1717, on the re-organisation of the Grand Lodge of England, the Grand Master summoned *all the brethren* to meet him and his Wardens in the quarterly communications. Soon after, however, it being found, that a continuance of such attendance would render the Grand Lodge an unwieldy body; it was determined to limit the appearance of the brethren of each Lodge, at the quarterly communications, to its Master and Wardens. The Grand Lodge thus became a strictly representative body, composed of the first three office-bearers of the daughter Lodges. The inherent right and the positive duty of every Mason to be present at the General Assembly or Grand Lodge was relinquished, and a representation by Masters and Wardens was substituted in its place. A few modern Grand Lodges have disfranchised the Wardens also, and confined the representation to the Masters alone.

V. *A Lodge has the right to increase its numbers by the admission of new members.* The charter of constitution having been granted permanently and for the general objects of Masonry, and not for a specific purpose and a prescribed period, as is the case with Lodges under dispensation, the quality of perpetuity is granted with it as one of the necessary conditions. But this perpetuity can only be secured by the admission of new members to supply the places of those who die or demit. This admission may take place either by the initiation of profanes, who acquire by that initiation the right of membership, or by the

election of unaffiliated Masons. Both of these methods of increasing the members of a Lodge are controlled by certain regulations, which have been already discussed in previous portions of this work, and need not be repeated here.

VI. *A Lodge has the right to elect its office-bearers.* It is a Landmark of the Order that every Lodge should be governed by a Master and two Wardens, and that the secrecy of its labours should be secured by a Tyler. These office-bearers it is the inherent right of every Lodge to select for itself, and that right has never been surrendered to the Grand Lodge, and therefore is still vested in the Lodges, under such regulations as may from time to time be adopted. The other office-bearers have been the creation of Grand Lodge regulations, and they vary in name and functions in different countries. But whatever may be the nature of the offices, the power of electing the office-bearers is always vested in the Lodges. There is no law now in existence, nor ever was, which gives the Grand Lodge the power of electing the office-bearers of one of its daughter Lodges.

But the mode and time, and many other circumstances incidental to the election, are regulated by the Grand Lodge; and this apparent interference with the rights of Lodges has been wisely conceded, that strict uniformity in Lodge organisation may exist in each jurisdiction, so far as its own limits extend. These regulations respecting the office-bearers of daughter Lodges will be the special subject of consideration in the following chapter.

VII. *A Lodge has the right to install its office-bearers after being elected.* This is a right incidental to the grant of perpetual succession, which is contained in the charter; for, as by ancient Masonic law and universal usage, no office-bearer can legally discharge the functions of the office to which he has been elected, until he has been regularly inducted into it by the ceremony of installation, it follows that when a grant of perpetual succession of office-bearers is made, the grant carries with it the power of investing all succeeding office-bearers with the powers and functions of

their predecessors, which investiture is accomplished in Freemasonry by the ceremony of installation. But this power of installation, like all the other powers of daughter Lodges, is controlled and directed by certain Grand Lodge regulations, which it is not in the power of the Lodge to set aside.

The installation, for instance, must take place at the communication, immediately before or on the festival of St John the Evangelist. This is considered as the commencement of the Masonic year, and on that day the old office-bearers vacate their seats, which are assumed by the new ones. But if by any circumstance the installation has been omitted until after this festival, the law having been violated, and there being no other law which provides for an installation after that day, the installation can then only take place by the authority and under the dispensation of the Grand Lodge.

We have seen, in the preceding chapter, that at the constitution of a new Lodge, the installation can only be conducted by the Grand Master or Provincial Grand Master, or some Past Master, acting for and representing them. This is because on that occasion the installation makes a part of the ceremony of constitution, which, by the old Regulations, can only be performed by the Grand Master or Provincial Grand Master. But all subsequent installations may be conducted by any Past Master of the Lodge, or other Past Master representing him; because the charter grants the Master of the Lodge and his successors the perpetual power of installing their successors. It is only when the exercise of this right has been temporarily forfeited by an omission to install at the regular time, that it becomes necessary to go outside of the charter, and apply to the Grand Lodge for its dispensing power to legalise the installation at an irregular period.

It has been supposed by many that when an office-bearer who has once been installed, is re-elected to the same office, a repetition of the installation is not necessary; but this neglect of forms, in an institution which depends so

much on them, is of dangerous tendency, and it is therefore better that the installation should always be repeated. In fact the omission of it changes, if not practically, at least theoretically, the tenure by which the re-elected office-bearer holds his office for the second year. At his first election he was of course installed; now by the law of Masonry, an old office-bearer holds on until his successor is installed. But in this case he is his own successor, and if, on his second election, he does not again pass through the ceremony of installation, it is evident that he holds the office to which he has been elected, not by the tenure of that election, but by the tenure by which an old office-bearer retains his office until his successor is installed. He is not, therefore, the regularly installed office-bearer for the year, but the former one, retaining the office in trust for his successor. The theory of his official position is entirely changed; and as the obligation for the faithful discharge of the duties of the office for the year on which he has entered has never been administered to him, it is a question how far a man, not strictly conscientious, might feel himself controlled by the promises he had made for the preceding year, and which he might, by sophistry, suppose to have been fulfilled at the close of his term of office. Although this practical result might never occur, still, it is dangerous, in a ceremonial institution like Masonry, to neglect the observance of any prescribed form.

VIII. *A Lodge has the right to exclude a member, on cause shown, temporarily or permanently, from the Lodge.* This right, which may be exercised either by suspension or expulsion, or by simply striking from the roll, is of so important a nature, and is controlled by so many qualifying regulations of the Grand Lodge and the ancient Constitutions, which direct or restrict the excluding power, that we postpone the discussion of the subject until, in a subsequent part of this work, we come to the consideration of Masonic punishments.

IX. *A Lodge has the right to make bye-laws for its local government.* This right must be considered as a concession or

re-grant by the Grand Lodge to the daughter Lodges of that which had been previously conveyed to it. Undoubtedly every congregation of Masons must originally have possessed an inherent right to make rules for their government; but on the organisation of Grand Lodges, the supreme legislative jurisdiction of the Order was vested in these bodies. Hence the law-making power is now admitted to reside primarily in Grand Lodges; but a portion of this power—just so much as is necessary for making local regulations—has been re-conveyed by the Grand Lodges to their daughter Lodges, with the qualifying restrictions that all bye-laws made by a Lodge must be in accordance with the Landmarks of the Order and the Regulations of the Grand Lodge, and must also be submitted for approval to the Grand Lodge. This right, then, of making bye-laws is not an inherent and independent right, but one which is derived from the concession of the Grand Lodge, and may at any time be still further abridged or altogether revoked.

From the fact that the bye-laws of a Lodge must be submitted to the Grand Lodge for its approval and confirmation, it follows that a daughter Lodge cannot, even by unanimous consent, suspend or abrogate a bye-law. As there is no error more commonly committed by unthinking Masons, than to suppose that in a Lodge, as in any other society, a bye-law may be suspended by unanimous consent, it will not be amiss to consider the question with some degree of care and attention.

An ordinary society makes its own rules and regulations, independent of any other body, subject to no revision, and requiring no approbation outside of itself. Its own members are the sole and supreme judges of what it may or may not enact for its own government. Consequently, as the members themselves have enacted the rule, the members themselves may unanimously agree to amend, or to abolish it. But a Masonic Lodge presents a different organisation. It is not self-created or independent. It derives its power, and indeed its very existence, from a higher body, called a Grand Lodge, which constitutes the supreme tribunal to

adjudicate for it. A Masonic Lodge has no power to make bye-laws without the consent of the Grand Lodge, in whose jurisdiction it is situated. The bye-laws of a daughter Lodge may be said only to be proposed by the Lodge, as they are not operative until they have been submitted to the Grand Lodge, and approved by that body. Nor can any subsequent alteration of any of them take place unless it passes through the same ordeal of revision and approbation by the Grand Lodge.

Hence it is evident that the control of the bye-laws, rules, and regulations of the Lodge, is taken entirely out of its hands. A certain law has been agreed on, we will say, by the members. It is submitted to the Grand Lodge and approved. From that moment it becomes a law for the government of that Lodge, and cannot be repealed without the consent of the Grand Lodge. So far these statements will be admitted to be correct. But if a Lodge cannot alter, annul, or repeal such law, without the consent of the Grand Lodge, it must necessarily follow that it cannot suspend it, which is, for all practical purposes, a repeal for a temporary period.

Let it be supposed, by way of example, that it is proposed to suspend the bye-law which requires that at the annual election all the office-bearers shall be elected by *ballot*, so as to enable the Lodge, on a particular occasion, to vote *viva voce*. Now, this law must, of course, have been originally submitted to the Grand Lodge, and approved by that body. Such approbation made it the enactment of the Grand Lodge. It had thus declared that in that particular Lodge all elections of office-bearers should be by ballot. The regulation became imperative on the Lodge. If it determined, even by unanimous consent, to suspend the rule, and on a certain occasion to proceed to the election of a particular office-bearer by acclamation or *viva voce*, then the Lodge was abrogating for a time a law that the Grand Lodge had declared was binding on it, and establishing in its place a new one, which had not received the approbation of the supreme tribunal. Such a rule

would therefore, for want of this confirmation, be inoperative. It would, in fact, be no rule at all, or worse, it would be a rule enacted in opposition to the will of the Grand Lodge. This principle applies, of course, to every other bye-law, whether trivial or important, local or general in its character. The Lodge can touch no regulation, after the decree of the Grand Lodge for its confirmation has been passed. The regulation has gone out of the control of the Lodge, and its only duty then is obedience. Hence it follows that it is not competent for a subordinate Lodge, even by unanimous consent, to suspend any of its bye-laws.

X. *A Lodge has the right to levy a tax upon its members.* Of this tax, which is paid under the name of "dues" or "quarterage"—of the history of its origin, and of the obligation of a Mason to pay it,—enough has been already said.

XI. *A Lodge has the right of appeal to the Grand Lodge from the decision of its Master.* The right of appeal lies at the very foundation of the character of the Masonic institution. It is secured by the Landmarks of the Order; and so far as respects the right of appeal of an individual Mason, is reiterated in the Charges approved in 1722. But arguing *a fortiori*, it is evident that if an individual has the right of appeal, it must also be vested in a collective body of individuals. Accordingly it is admitted to be settled law, that whenever the Master of the Lodge shall, by his conduct, impair the usefulness or destroy the harmony of the Lodge, or, by any unjust decision, violate the rights of the members, the Lodge may appeal from his injustice and oppression to the Grand Lodge.

XII. *A Lodge has the right to exercise penal jurisdiction over its own members, and over all unaffiliated Masons living within the limits of its jurisdiction.* This important subject of the penal jurisdiction of Lodges will be more appropriately discussed when we come to the consideration of Masonic trials, in a subsequent part of this work.

XIII. *A Lodge has the right to select a name for itself.* This is apparently a very unimportant prerogative; still, as

it exists, it is necessary that it should be mentioned. The Grand Lodge selects the number, because it is by this that the Lodge is to be recognised in the registry of the jurisdiction. But the choice of a name is left to the members. This right is, however, subject to one restriction, that it shall be approved by the Grand Lodge, that the credit of the Fraternity in every jurisdiction may be guarded from the assumption of absurd or inappropriate designations by ignorant brethren. Unless, however, there is something very palpably objectionable in the name, the Grand Lodge will hardly ever interfere with its selection. For the same reason no name can be changed after having been once adopted, unless with the consent and approbation of the Grand Lodge.

XIV. *A Lodge has the right to designate and change its time and place of meeting.* As the regulation designating the time of meeting is always inserted in the bye-laws, it is evident that no change can be made with respect to it, except with the approbation of the Grand Lodge. But there is also another restriction on this subject which is derived from the constant usage of the Order, that a Lodge shall statedly meet once a month at least. There is no specific regulation on this subject; but the general custom of the Fraternity, from the beginning of last century, has made it obligatory on Lodges not to extend the interval of their regular communications beyond that period. Besides, the regulations in respect to the applications of candidates for initiation or membership, which require "a previous notice of one month," seem to infer that a month was the length of time which intervened between two stated meetings of the Lodge. In some jurisdictions it is frequently the case that some of the Lodges meet semi-monthly; and indeed instances are on record where Lodges have met weekly. This is permissible, but in such cases the regulation in relation to the petitions of candidates must be strictly interpreted as meaning that they are required to lie over for one month, and not from one regular

meeting to the other, which in such Lodges would only amount to one or two weeks.

A Lodge has also the right to designate its place of meeting, which, being confirmed by the Grand Lodge, is inserted in the charter, and cannot again be changed, except with the consent of the Grand Lodge. This refers, of course, to the town or village in which the Lodge is situated. There is no principle of Masonic law, set forth in the Ancient Landmarks or Regulations, which forbids a Lodge, upon the mere vote of the majority, from removing from one house to another in the same town or city.

Such are the powers and prerogatives of a Lodge; nor is it to be supposed that prerogatives so numerous and so important would be conferred on any association without the implied existence of extensive duties. It must, therefore, be remembered that as the Grand Lodge is the general conservator of the Masonic character and interests of the whole nation over which it presides, so each daughter Lodge is equally the conservator of the same character and interests in its own local jurisdiction. If, therefore, a Lodge is wise in its selection of laws, and strict in the exercise of discipline—if it watches with assiduity over the Landmarks, Laws, and Ancient Charges of the Order, and with prudent foresight prevents the slightest attempt at an innovation on them—if its members use the black ball, as the great bulwark of Masonry, with impartial justice, and give, in their own conduct, the best refutation of the slanders of our enemies—then, and then only, will the honour, glory, and reputation of the institution be firmly established, and the world at large convinced of its good effects.

## CHAPTER III.

## THE OFFICE-BEARERS OF A LODGE.

IN the Masonic as in all other well-regulated associations, some must of necessity rule and teach, and others learn to submit and obey. Accordingly a Masonic Lodge, which consists of a certain number of members, sufficient to carry out the design of the institution, is governed by office-bearers, to each of whom a particular duty is assigned.

The number and the names of the office-bearers differ, not only in the different rites, but also in different jurisdictions of the same rite. Thus the Grand Lodge of England requires, in addition to the office-bearers generally recognised, another, who is called the "Inner Guard," and permits the appointment of a Chaplain and Master of Ceremonies. The Grand Lodge of Scotland recognises, among other office-bearers, a "Depute Master" and a "Substitute Master;" and there are titles to be found in the French and German Lodges not known in Great Britain.

The office-bearers in Scottish Lodges are as follows :

RIGHT WORSHIPFUL MASTER.

PAST MASTER.

DEPUTE MASTER.

SUBSTITUTE MASTER.

SENIOR WARDEN.

JUNIOR WARDEN.

CHAPLAIN.

TREASURER.

SECRETARY.

SENIOR DEACON.

JUNIOR DEACON.

TWO STEWARDS.

INNER DOOR GUARD.

TYLER.

Of these office-bearers, the Right Worshipful Master, the two Wardens and the Tyler, are essential to every Lodge organisation, and are consequently provided for by the Landmarks. The other office-bearers are of more recent creation.

It is a law of Freemasonry that the office-bearers should be elected annually. All offices in Masonry are held by annual tenure, which is perhaps derived from the fact that the General Assembly of the Craft was anciently held annually. The election must also be held in daughter Lodges on the festival of St John the Baptist or St John the Evangelist, or at some meeting immediately previous to it. The Masonic year always and everywhere begins on the festival of St John the Baptist or St John the Evangelist, or on the 24th of June or the 27th of December, and the office-bearers commence the discharge of their functions on one or other of those days. The election must therefore take place at that time, as one or other day may be fixed by the bye-laws of the Lodge, or immediately before it, and if by any cause it has been neglected, it becomes necessary to obtain a dispensation from the Grand Lodge for holding one on a subsequent day. The authority vested in the Lodge by the charter of constitution is to hold the election on the legal and specified day, and if it is held afterwards, as no power to order it exists in the Lodge, the authority must be supplied by the dispensing prerogative of the Grand or Provincial Grand Lodge.

It has been supposed by some that when a member has been elected to occupy an office, he cannot refuse to obey the call of his brethren; and a learned brother expressly lays down the rule that "no Freemason, chosen into any office, can refuse to serve (unless he has before filled the same office), without incurring the penalties established by the bye-laws." There is a great deal of looseness in this enunciation of an important regulation; for we are of course unable to say to what particular bye-laws he refers. No such regulation is to be found in any of the ancient Constitutions, and if contained in the bye-laws of any

particular Lodge, it is certainly contrary to the voluntary spirit of the institution. Indeed, the whole tenor of the lessons we are taught in Masonry is, that no one should accept an office unless he feels that he is fully competent to discharge its duties; and hence, if an ignorant and unskilful brother were chosen to fill the office of a Warden, it should rather be the duty of the Lodge, in furtherance of the principles of the institution, to discourage his acceptance of the trust, than to compel him, by the threatened infliction of a penalty, to assume a position whose duties he was convinced he could not discharge.

The installation of the office-bearers should follow as soon as possible after the election. The installation is the commission under which the office-bearer elected is entitled to assume his office; and by ancient usage it is held that the old office-bearer retains the office until his successor is installed. Hence, if the term of office begins on the festival of St John the Baptist, it is evident that the installation, which always follows the election, should take place on the same day, or immediately before it. If it has been unavoidably postponed until after that day, a dispensation must be obtained from the Grand or Provincial Grand Lodge for performing it at any subsequent period.

An office terminates in Masonry only in three ways—by the expiration of the term, by death, or by expulsion. Suspension does not vacate an office, but simply suspends the office-bearer from the privilege of discharging the duties of the office, and restoration immediately restores him to the enjoyment of all the prerogatives of his office.

It is now held by a large majority of authorities that an office-bearer, after having once accepted of installation, cannot resign the office to which he has been elected. And this seems to be in accordance with reason; for, by the installation, the office-bearer promises to discharge the functions of the office for the constitutional period, and a resignation would be a violation of his oath of office, which no Lodge should be willing to sanction. So, too, when an office-bearer has removed from the jurisdiction, although it

may be at the time with an intention never to return, it is impossible, in the uncertainty of human events, to say how far that intention will be fulfilled, and the office must remain vacant until the next regular period of election. In the meantime the duties are to be discharged by the temporary appointment, by the Master, of a substitute; for, should the regularly elected and installed office-bearer change his intention and return, it would at once become not only his privilege but his duty to resume the discharge of the functions of his office.

In the case of any of the office-bearers, except the Master or Wardens, death or expulsion, which, it will be remembered, is Masonic death, completely vacates the office, and an election may be held, if the bye-laws of the Lodge permit, or a dispensation has been obtained from the Grand Lodge for that purpose. But this rule does not refer to the Master or Wardens; for it is now held that on the death of any one of these, the inferior office-bearer assumes the duties of the office; and no election can be held, even by dispensation, to supply the vacancy until the regular period. But this subject will be more fully discussed when we come to the consideration of the duties of these respective office-bearers.

## SECTION I.

### THE MASTER OF A LODGE.

In the whole series of offices recognised by the Masonic institution, there is not one more important than that of the Master of a Lodge. Upon the skill, integrity, and prudence of the presiding office-bearer depend the usefulness and welfare of the Lodge, and as Lodges are the primary assemblages of the Craft, and by representation constitute the supreme tribunal or Grand Lodge, it is evident that the errors of government in the primary bodies must, if not duly corrected, be productive of evil to the whole Fraternity. Hence in the ceremony of installation, it is required, as a

necessary qualification of him who is proposed as the Master of a Lodge, that he solemnly declare that he will execute the duties of the chair faithfully, zealously, impartially, and to the best of his ability ; that he will not permit or suffer any deviation from the established landmarks of the Order ; that he will not administer, nor cause to be administered, any rite or ceremony that may be contrary to, or subversive of, our ancient institution ; that he will maintain pure and inviolate the general principles and tenets of the Craft ; that he will observe, and so far as in his power lies enforce, obedience to those ancient rules and regulations to which he has given his consent ; and that he will conscientiously perform his duty as a ruler in Masonry, and as Worshipful Master of the Lodge.

It is proper that such qualifications should be stringently required of one whose duties are so extensive, and whose rights and prerogatives are so supreme as those of the Master of a Lodge. But these duties and prerogatives are so numerous and so complicated that the importance of the subject requires that each should receive separate consideration.

1. The first and most important prerogative of the Master is to preside over his Lodge. With this prerogative are connected many correlative duties, which may be most properly discussed at the same time.

As a presiding office-bearer, the Master is possessed of extraordinary powers, which belong to the presiding office-bearer of no other association. He presides over the business, as well as the work or Masonic labours of the Lodge ; and in all cases his decisions on points of order are final, for it is a settled principle of Masonic law that no appeal can be taken to the Lodge from the decision of the Master. The Grand Lodge alone can overrule his declared opinion on any point of order.

The Master has the right to convene his Lodge at any time, and is the judge of any emergency that may require a special meeting. Without his consent, the Lodge cannot be congregated, except on the nights of the stated or regular

communications, and therefore any business transacted at a called or special communication, without his sanction or consent, would be illegal and void.

Even at the regular communications of the Lodge, if the Master be present, the time of opening is left to his discretion, for no one can take from the Master his prerogative of opening the Lodge. But if he be absent when the hour of opening which is specified in the bye-laws has arrived, the Past Master, Depute, Substitute, or the Senior Warden, if present, and if not, then the Junior Warden may open the Lodge, and the business transacted will be regular and legal, even without the Master's sanction; for it was his duty to be present, and he cannot take advantage of his own remissness of duty to interfere with the business of the Lodge.

The selection of the time of closing is also vested in the Master. He is the sole judge of the proper period at which the labours of the Lodge should be terminated, and may suspend business, even in the middle of a debate, if he supposes that it is expedient to close the Lodge. Hence, no motion for adjournment, or to close, or to call off from labour to refreshment, can ever be admitted in a Masonic Lodge. Such a motion would be an interference with the prerogative of the Master, and could not therefore be entertained.

This prerogative of opening and closing his Lodge is necessarily vested in the Master, because, by the nature of our institution, he is responsible to the Grand Lodge for the good conduct of the body over which he presides. He is charged, in those questions to which he is required to give his assent at his installation, to hold the Landmarks in veneration, and to conform to every edict of the Grand Lodge; and for any violation of the one or disobedience of the other by the Lodge, in his presence, he would be answerable to the supreme Masonic authority. Hence the necessity that an arbitrary power should be conferred upon him, by the exercise of which he may at any time be enabled to prevent the adoption of resolutions, or the commission of any act which would be subversive of, or contrary to, those

ancient laws and usages which he has sworn to maintain and preserve.

From the principle that the Master, when present, must always preside over his Lodge, arises the rule that a Masonic Lodge can never, under any circumstances, be resolved into a committee of the whole. "Committees of the whole," says an able authority on the Parliamentary law of Masonry, "are utterly out of place in a Masonic body. Lodges can only do business with the Master in the chair; for, let who will preside, he is, while occupying the chair, Master—invested with supreme command, and emphatically 'governs the Lodge.' Any committee presupposes a 'chairman,' and no Freemason would feel at home were he presided over by a 'chairman.'"

2. It is the prerogative of the Master, with his Wardens, to represent his Lodge in the communications of the Grand Lodge, the Grand Lodge being a strictly representative body, and consisting of the Masters and Wardens of the several Lodges under its jurisdiction.

As the Grand Lodge is the supreme tribunal of the jurisdiction—as all its decisions on points of Masonic law are final—it is evident that it is highly important that every Lodge should be represented in its deliberations. The Master and Wardens become, like the old Roman consuls, invested with the care of seeing that their constituents receive no detriment. It is essential, therefore, that one of them at least, and the Master more particularly, should be present at every communication of the Grand Lodge; and accordingly the observance of this duty is expressly inculcated upon the Master at his installation into office.

3. Another prerogative of the Master of a Lodge is that of controlling the admission of visitors. He is required by his installation charge to see that no visitors be received without passing a due examination and producing proper vouchers; and this duty he cannot perform unless the right of judging of the nature of that examination and of those vouchers be solely vested in himself, and the discretionary power of admission or rejection be placed in his hands.

The Lodge cannot, therefore, interfere with this prerogative, nor can the question be put to it whether a particular visitor shall be admitted. The Master is, in all such cases, the sole judge, without appeal from his decision.

4. Coincident with this power of admitting or excluding a visitor from another Lodge, is that of refusing or consenting to the admission of a member. The ceremony of opening expressly says that none shall "pass or repass but such as are duly qualified and have the Master's permission;" and if the prerogative of refusing admission to a brother hailing from another Lodge is vested solely in the Master, that he may be enabled, by this discretionary power, to maintain the bye-laws and regulations of the Order, and preserve the harmony of the Lodge, it seems evident that he should be possessed of equal power in respect to his own members, because it may happen that the admission even of a member might sometimes create discord, and if the Master is aware that such would be the result, it must be acknowledged that he would be but exercising his duty in refusing the admission of such a member. But as this prerogative affects, in no slight degree, the rights of membership, which belong to every Mason who has signed the bye-laws, it should be exercised with great caution; and where a member has been unjustly, or without sufficient cause, deprived of the right of visiting his own Lodge, there can be no question that he has the right of preferring charges against the Master in the Grand Lodge, whose duty it is to punish every arbitrary or oppressive exercise of prerogative.

5. It is the prerogative of the Master to take charge of the charter of constitution. This instrument, it has already been observed, is the evidence of the legality of the Lodge, and should always be placed upon the Master's pedestal while the Lodge is open. During the recess of the Lodge, it is constructively supposed to be in the Master's personal possession, although, for the sake of convenience and safety, it is most generally deposited in the Lodgeroom. The Master is, however, always responsible for it, and if it is

demand by the Grand Lodge, it is of him that the demand must be made, and he alone is responsible for its production. In like manner, when going out of office, he must deliver it to his successor, who is to retain charge of it under the same regulations; for the Master of the Lodge is always the proper custodian of the charter of constitution.

6. The Master has the prerogative of appointing all special committees, and is entitled to be present at their meetings, and when present, to act as chairman. He has also the right, during the temporary absence of any office-bearer, to appoint a substitute for the meeting.

7. The Master has one vote in all questions, as every other member, and, in addition, a casting vote, if there be a tie. This usage, which is very general, owes its existence, in all probability, to the fact that a similar privilege is, by the Regulations of 1721, enjoyed by the Grand Master in the Grand Lodge. No written sanction for the usage, however, appears in any of the ancient Constitutions. The local regulations of some jurisdictions expressly recognise the prerogative, while others are silent on the subject.

8. In England no one is eligible to election as the Master of a Lodge, unless he has previously served in the office of Warden. The authority for this doctrine is to be found in the Charges approved in 1722, which say that no one can be a Master "until he has acted as a Warden." It does not seem to be necessary that the Master elect should have served in the capacity of a Warden in the Lodge over which he is called to preside. The fact of having once filled a Warden's chair in any other Lodge of the same jurisdiction, will meet all the requisitions of the law; for it is a settled principle that when a brother affiliates in a new Lodge, he carries with him all the official rights which he had previously possessed in the Lodge to which he formerly belonged. If he was a Past Master or a Past Warden in the one, he retains in the other all the prerogatives which were acquired by such a position.

There are two exceptions to the rule requiring preparatory

service in a Wardenship, in which a Mason may be elected to the office of Master, without having previously passed through that of a Warden. The first of these is in the case of a new Lodge, which has just received a charter of constitution from the Grand Lodge, and in which the office-bearers are for the first time to be installed. Here it is not considered necessary that the new Master should have previously served as a Warden. The second case is where, even in an old Lodge, neither of the Wardens, nor any one who has previously filled the office of Master or Warden, will consent to serve as presiding office-bearer. As this is strictly a case of emergency, in which the usage must be neglected, or the Lodge cease to act for want of a Master, it has been thought advisable to permit the Lodge, under such circumstances, to elect a Master from the bosom of the Lodge. But as this is an infringement of the regulations, it is necessary that the Grand Lodge should legalise the act by issuing a dispensation to authorise it.

9. In England the Master is eligible to re-election for a second year only, but in Scotland as often as the Lodge may choose to confer that honour on him.

The two exceptions above explained have caused great irregularities to become prevalent within the Scottish jurisdiction. It seems to be taken for granted that a Master may be elected from the bosom of the Lodge at any time or in any circumstances, without ever having filled the office of Warden. This is a departure from the Ancient Charges.

10. It is the prerogative of the Master of a Lodge to receive from his predecessor the Past Master's degree at the time of his installation. The subject of this degree has already been so fully discussed in the appropriate place, that nothing now remains to be considered, except the very important question whether it is essential that the Master elect should be invested with the degree of Past Master before he can exercise the functions of his office.

In the discussion of this question, it must be borne in mind that the degree of Past Master constitutes a specified

part of the ceremony of installation of the elected Master of a Lodge. No Master is deemed to be regularly installed until he has received this degree. The ceremony of the installation of a Master can only be orally communicated, nor can any but regularly installed Masters be present.

This portion of the installing ceremony constitutes the conferring of the Past Master's degree. It is, in fact, the most important and essential part of the installation service; but the law of Masonry prescribes that no one shall exercise the prerogatives of the office to which he has been elected, until he has been regularly installed. Now, if the conferring of the Past Master's degree composes a necessary part of the ceremony of installation—and of this it seems there can be no doubt—then it follows, as a natural consequence, that until the Master elect has received that degree, he has no right to preside over his Lodge. This decision, however, of course does not apply to the Master of a Lodge under dispensation, who is specially appointed by the Grand Lodge, and deriving all his powers immediately from that high authority, as well as exercising them only for a specific purpose, is exonerated from the operation of the rule. Nor is it requisite that the degree should be a second time conferred on a Master who has been re-elected, and who at his previous installation had received it, although a number of years may have elapsed. When once conferred, its effects are for life. It is necessary, however, that he be installed into the office at each election.

Now, as it is the duty of every Mason to oppose the exercise by any person of the functions and prerogatives of an office until he has been legally installed, the question here suggests itself, how shall a Master Mason, not being himself in possession of the degree, know when it has not been conferred upon a Master elect? To this the reply is, that if the elected Master attempts to assume the chair, without having undergone any semblance of an installation, the greater part of which, it will be recollected, is performed before the members of the Lodge, it must follow that he cannot have received the Past Master's degree, which

constitutes a part of the ceremony of installation. But if he has been installed, no matter how carelessly or incorrectly, it is to be presumed that the degree has been conferred and the installation completed, unless positive evidence be furnished that it has not, because in Freemasonry as in law, the maxim holds good that "all things shall be presumed to have been done legally and according to form until the contrary be proved."

11. The only other prerogative of a Master of a Lodge which remains to be noticed is that of exemption from trial by his Lodge, on charges preferred against him. The Grand Lodge alone has any penal jurisdiction over him. There is now no doubt of the correctness of this decision, although the reason commonly assigned for it is not the correct one. The incompetency of a Lodge to try its Master, and his right to trial by the Grand Lodge alone, is generally based on the legal axiom that every man is entitled to a trial by his peers. But how are we to apply this axiom to the case of the Master of a Lodge? Is he entitled to trial by the Grand Lodge because he is a member of that body? He derives this membership from his representative position only, and that representative position he shares with the two Wardens, who are equally members of the Grand Lodge, and who, if the principle were legitimately carried out, would be equally entitled to trial by the Grand Lodge, as their peers. We must look, therefore, somewhere else for the cause of this peculiar privilege enjoyed by Masters, and Masters alone, for Wardens are amenable to trial in their Lodges. We shall find it then in the peculiar relation existing between the Master and his Lodge—a relation which no other office-bearer or member occupies. Under no circumstances whatever can he be deprived of his right, when present, to preside over his Lodge; and whenever the Lodge is exercising judicial functions, and is engaged in the trial of an accused member, the Master, in virtue of his office, becomes the presiding Judge. No one can deprive him of this position; he has, in fact, no right to yield it to any other, for he alone is

responsible to the Grand Lodge that the Lodge shall, in the transaction of such grave business, confine itself within the limits of law and equity. Now, if he were himself on trial, his presence would be necessary. Being present, he would have to assume the chair, and thus the absurd spectacle would be presented of a Judge presiding in his own trial, contrary to all notions of justice. And yet, if the Master is to be tried by his own Lodge, there is no possible way of avoiding it. On this account alone, therefore, it was necessary to find some other tribunal which should act as a court in the trial of a Master, and the Grand Lodge seems in all respects to be the most appropriate. This body has therefore been selected as the proper court for the trial of Masters, not because it is composed of the peers of these office-bearers—for this it is not, as many of its members are only Wardens—but because it is not practicable to try them anywhere else.

But it may happen that the offences of the Master are of such a nature as to require immediate action, to protect the character of the institution and to preserve the harmony of the Lodge. The Grand Lodge may not hold a communication for some months, and in the meantime the Order is to be protected from the evil effects that would arise from the continuance of a bad Master in office. The remedy provided by the usages of the institution for such an evil is of a summary nature. The Grand Committee is, in an extraordinary case like this, invested with extraordinary powers, and may suspend the Master from office until the next communication of the Grand Lodge, when he will be subjected to trial. In the meantime the Past Master, Depute Master, or Substitute Master, will assume the office and discharge the functions of the Master.

The Master being invested with such important prerogatives, it is to be expected that the qualifications required of him must correspond with the dignity and responsibility of his office. It is he, in fact, who, as his Latin name *Magister* imports, should have, more than others, the care and control of those over whom he has been placed, and therefore, who

has greatest power ; he should also be distinguished by more virtue and more wisdom than his Brethren. "Those," says Festus, "are called Masters upon whom the chief care of things devolves, and who, more than the others, should exercise diligence and solicitude in the matters over which they preside."

The proper qualifications of the Master of a Lodge are laid down in the installation service as follows:—He is required to be "of good morals, of great skill, true and trusty, and a lover of the whole Fraternity." There is much significance in this language; it portrays the qualifications of a Master under the threefold heads of moral, intellectual, and social.

He is required, in the first place, to be "of good morals." The teacher of the principles of virtue and morality, which it is the design of Freemasonry to inculcate, should himself be, if not an admirable pattern, at least not a notorious transgressor of those principles; for, as a distinguished member of the craft has remarked:—"The most elegant homily against those vices for which the preacher is distinguished, falls dead upon the ear; the most graceful eulogy of virtue is but disgusting in the lips of a man whose conduct gives the lie direct to his words; but he who teaches good by example, will ever be listened to with respect."

But the Master is not only a teacher of his Brethren, but he is their representative to the world, and it becomes peculiarly his duty, by his own exemplary conduct, to impress the world at large with a favourable opinion of the institution in which he holds so high a position, and of whose character his own exemplary or unworthy conduct will be considered by the uninitiated as a fair exponent. Mankind will very naturally presume that the members of a moral institution would hardly confer so important a trust upon an immoral or licentious brother, and they will judge of the nature and character of the Lodge by the behaviour of its presiding office-bearer.

Intellectually, he must be "of great skill." Much stress is thus laid upon the mental qualifications. He who desires

to be the Master of a Masonic Lodge, must not be satisfied with a moderate share of skill. His knowledge and attainments must be great. If he proposes to be a teacher, he must thoroughly comprehend the subject which he intends to teach, and by the fluency and readiness which education gives, be capable of communicating his instructions in a pleasing and impressive manner. "A man of education and talents," says a learned brother, "will elucidate with admirable beauty, perspicuity, and interest, the origin and progress of the arts in different ages, the development of genius in the organisation of our Order, and the adaptation of the system to the wants and happiness of man. . . . He will, in short, speak upon literary and scientific subjects as a Master; he will understand what he professes to teach, and consequently he will make himself understood by others. All will listen to him with delight, and all will be benefited by his instructions." These sentences were written more than half a century ago, and since then the development of the Masonic system has made requisite a still greater amount of intellectual qualification. An educated man, however well skilled in general literature and science, will make an incompetent Master of a Lodge, if he does not devote his attention to the peculiar science of our Order. If Freemasonry be, as it has been defined, "a system of morality, illustrated by symbols," it is evident that a successful teacher (and the Master is, in an emphatic sense, a teacher) must qualify himself by a diligent investigation of these symbols, and they with the whole design of the institution must constitute his study.

Socially, that is, as a member and office-bearer of a peculiar society, exclusive in its character, he must be "true and trusty, and a lover of the whole Fraternity." Each of these terms indicates a particular quality; his truth and fidelity will secure his obedience to all the regulations of the Order—his observance of its Landmarks and ancient usages—his opposition to all unwarrantable innovations. They will not only induce him to declare at his installation that, "it is not in the power of any man or body of men to

make innovations in the body of Freemasonry; but to support his declaration during his whole term of office." They make it sure that he will not violate the promises he has made of fidelity and obedience to the constituted authorities of the Order.

His love of the Fraternity will be an evidence of his zeal and fervency in the cause—of his disposition to cultivate all the benign principles of the institution, and to extend its blessings in every unobjectionable way. Where there is love, there must be reasonable service, and affection for the Brethren will show its results in devotion to the association.

Besides these, there are other qualifications necessary to the Master of a Lodge, not so much as a teacher of Freemasonry, as in his capacity of a presiding office-bearer. He should rule his Brethren with love, rather than with force. He should exercise firmness with moderation; cultivate a spirit of conciliation; learn to subdue by mildness and urbanity the irritations which will too often arise in an angry debate; and in the decision of every question which is brought before him, seek rather to establish the correctness of his judgment by the persuasions of reason than to claim obedience by authority. The office of Master is one which should not too hastily be sought, for its functions are not easily discharged.

*The Succession to the Chair.*—Two principles seem now to be very generally admitted by the authorities on Masonic Law, in connection with this subject:—

1. That in the temporary or permanent absence of the Master, the Senior Warden, or, in his absence, the Junior, succeeds to the chair.

2. That on the permanent removal of the Master by death or expulsion, there can be no election of a successor until the constitutional time of election.

The second of the Regulations of 1721 is in these words:

"In case of death or sickness, or necessary absence of the Master, the Senior Warden shall act as Master *pro tempore*, if no Brother is present who has been Master of that Lodge before. For the absent Master's authority reverts to the last Master present, *though he cannot act till the Senior Warden has congregated the Lodge.*"

The lines placed in italics indicate that even at that time the power of calling the Brethren together and "setting them to work," which is technically called "congregating the Lodge," was supposed to be vested in the Senior Warden alone during the absence of the Master, although perhaps, from a supposition that he had greater experience, the difficult duty of presiding over the communication was intrusted to a Past Master. The regulation is, however, contradictory in its provisions, for if the "last Master present" could not act, that is, could not exercise the authority of the Master, until the Senior Warden had congregated the Lodge, then it is evident that the authority of the Master did not revert to him in an unqualified sense, for that office-bearer required no such concert nor consent on the part of the Warden, but could congregate the Lodge himself.

This evident contradiction in the language of the regulation probably caused, in a brief period, a further examination of the ancient usage, and accordingly, on the 25th of November 1723, a very little more than three years after, the following regulation was adopted:—

"If a Master of a particular Lodge is deposed or demits, the Senior Warden shall forthwith fill the Master's chair till the next time of choosing; and ever since, in the Master's absence, he fills the chair, even though a former Master be present."

Such are the laws and practice in England, but the present constitution of Lodges under the Grand Lodge of Scotland differ both from the Regulations of 1721 and those of 1723, inasmuch as it prescribes that in the absence of the Master the chair shall be filled in the following order:—By the Past Master, Depute Master, Substitute Master, Senior Warden, Junior Warden, Secretary, Treasurer, Senior Deacon, Junior Deacon.

In almost all jurisdictions, except in Scotland, it is held that on the death or removal of the Master, his authority descends to the Senior Warden, who may, however, by courtesy, offer the chair to some Past Master who is present, after the Lodge has been congregated.

## SECTION II.

## THE WARDENS.

Every Lodge has two office-bearers, who are distinguished as the Senior and Junior Wardens. The word is derived from the Saxon *weardian*, "to guard or watch," and signifies therefore a guardian or watchman. The French and German titles for the same office-bearers, which are *Surveillant* in the former language, and *Aufseher* in the latter, are equally significant, as they denote an *overseer*. The title is derived from the fact that in the olden times these office-bearers were supposed to sit at the two columns of the porch, and *oversee* or *watch* the Fellow Crafts and Apprentices—the Senior Warden overlooking the former, and the Junior Warden the latter. This is still observed in the Lodges of the French rite, where the two Wardens sit in the west, at what are supposed to be the pedestals of the two columns of the porch of the temple; and in the York rite, although the allusion is somewhat impaired by the removal of the Junior Warden to the south, they still retain on their pedestals miniature columns, the representatives of the temple pillars, and which in all processions they carry as the insignia of their office.

The duties of the Senior Warden are very briefly described in the Installation service as follows:—

You are, by the consent of this Lodge, elected Senior Warden thereof for the usual time, in consequence of which I now invest you with this Jewel as the insignia of your office. Observe, it is a *Level*, to denote to you, in its moral sense, that we are descended from the same stock, partake of the same nature, and share the same hope; and that, though distinctions among men are necessary to preserve subordination, yet no eminence of station can make us forget that we are Brethren; and, in its emblematic sense, that in all Masonic concerns you are to consider your Brethren as strictly on a level with you. Your early and regular attendance at your Lodge is particularly necessary, in order to assist, to the utmost of your power and skill, in the good management thereof.

Those of Junior Warden are thus described :—

You have been, by the consent of this Lodge, elected Junior Warden thereof for the usual time, in consequence of which I invest you with this Jewel as the insignia of your office. Observe, it is a *Plumb Rule*, with a Plummets affixed, to denote to you, in its moral sense, that you owe your promotion to your uprightness and integrity, and that you are at all times to be upright in your conduct ; and, in its emblematic sense, that in the discharge of the many duties of this difficult and arduous office, and in all Masonic concerns, you are to take especial care to act with perfect uprightness, so that if your Jewel should be figuratively applied, it will be found so.

In assisting the Master in the government of the Lodge, it is the duty of both office-bearers to see that due silence is observed around their respective stations, and that the orders issued from the east are strictly obeyed.

Within a few years, the very singular objection has been urged by some Masons that a Warden cannot preside and confer degrees unless he has received the Past Master's degree. The degree of Past Master is a necessary qualification of the Master of a Lodge, and without it, it is admitted that he cannot legally preside. He is not legally installed until he has received the degree ; and not being installed, he cannot exercise the functions of his office. But there is no regulation making the reception of the Past Master's degree a necessary part of the installation of a Warden ; when, on the contrary, a Warden has been duly installed, he is entitled to preside and may confer degrees in the absence of the Master.

All the duties that devolve upon the Senior Warden, in the absence of the Master, devolve in like manner, and precisely to the same extent, upon the Junior Warden, in the absence of both the Master and the Senior. All that has been said of one office-bearer, under such circumstances, is equally applicable to the other.

Among the duties which formerly devolved upon the Junior Warden, was that of the examination of visitors. This duty has now, much more appropriately, been intrusted to the Stewards, of whom it is expected that they know some languages in addition to their own.

It is one of the laws of Masonry that the Senior Warden presides over the craft during the hours of labour, and the Junior Warden during the hours of refreshment; and in reference to this fact, it is the usage for the column of the Senior Warden to be standing, and that of the Junior to be lying down, while the Lodge is at work, and these positions to be reversed when the Lodge is called off.

In consequence of the Junior Warden being placed over the craft during the hours of refreshment, and of his being charged at the time of his installation to see "that none of the craft be suffered to convert the purposes of refreshment into those of intemperance and excess," it has been very generally supposed that it is his duty, as the prosecuting office-bearer of the Lodge, to prefer charges against any member, who, by his conduct, has made himself amenable to the penal jurisdiction of the Lodge. There is no ancient regulation which imposes this unpleasant duty upon the Junior Warden; but it seems nevertheless to be a very natural deduction from his peculiar prerogative as the *custos morum* or guardian of the conduct of the craft, that in all cases of violation of the law he should, after due efforts towards producing a reform, be the proper office-bearer to bring the conduct of the offending Brother under the notice of the Lodge.

One of the undoubted and indisputable prerogatives of the Wardens is that of representing the Lodge along with the Master at all communications of the Grand Lodge. This is a prerogative the exercise of which they should never omit.

Another prerogative of the Wardens is their eligibility to the office of Master. It has already been seen that no Mason can be chosen Master unless he has previously served in the office of Warden, except in the case of new Lodges, or of emergencies, where no Warden, Past Warden, or Past Master will consent to serve. This eligibility to the chair is not confined to the Wardens presently in office, for any Brother who has ever filled that station retains for ever his eligibility. It is a right that is affected by no lapse of time.

In America, if the Master and both Wardens be absent, the Lodge cannot be opened, because the warrant of constitution is granted to the Master and Wardens, and their successors, and to none else. In 1857, during the absence of the Master and Wardens of a Lodge in Kentucky, a Past Master of the Lodge assumed the chair, appointed proxies for the Wardens, and proceeded to transact business. Upon an appeal from the Master of the Lodge, the Grand Master declared the acts of the Lodge to be illegal and of no effect. There can be no doubt that this decision was correct, according to the Regulations of 1721; for, although a Past Master may preside, by the courtesy of a Warden, he holds his authority, according to these Regulations, under the Warden, and cannot act until that office-bearer has congregated the Lodge. At the opening of the Lodge at least, therefore, the Master or a Warden must be present, and if Master and Wardens are all absent, the Lodge cannot be opened.

If, however, the Lodge is congregated by the Warden, and he places a Past Master in the chair, and then retires, there is no reason to doubt that the labours or business of the Lodge may be legally continued, notwithstanding the absence of the Warden, for he has complied with the requisitions of the law, and congregated the Lodge. It is a right belonging to the Warden to invite a Past Master to preside for him, and if, after exercising that right, he then retires, the Past Master will continue to act as his representative. But the Warden is not responsible for the acts of the Past Master; for, if anything is done irregularly, it may be well said that the Master should have been there to correct the irregularity when it occurred. The representative Master is responsible for what he does. In Scotland, however, this law does not apply, as the Past-Master, Depute-Master, or Substitute Master may, in the absence of the Right Worshipful Master, open and close the Lodge, and perform all and every function that the Master does.

## SECTION III.

## THE TREASURER.

Although this office-bearer takes no part in the initiatory or ceremonial labours of the Lodge, yet the due administration of his duties is closely connected with its welfare. He is the financial office-bearer or banker of the Lodge. The charge which he receives at his installation into office is as follows :—

By investing you with this Jewel—it is a *key* symbolical of fidelity and safety—I have to remind you that it is your duty to collect subscriptions and other fees, and keep an exact account of Lodge expenses. *You are also to transmit to the Grand Lodge the dues for recording Intrants and the Annual Certificates, and this whether the Lodge sanction it or not,* THESE MONEYS NOT BEING LAWFULLY ITS PROPERTY, BUT THAT OF THE GRAND LODGE ALONE, AND FOR WHICH YOU ARE PERSONALLY RESPONSIBLE. Your regular and early attendance will afford the best proof of your zeal and attachment.

His duties, as detailed in the Installation service, and sanctioned by universal usage, are threefold :—

1. He is to receive all monies due the Lodge from the members.
2. He is to make due entries in a book of the same.
3. He is to pay them out at the order of the Master, and with the consent of the Lodge.

As the banker of the Lodge, he has the collecting of the fees and subscriptions which should be paid by the Brethren, and handed over to him. These funds he retains in his hands, and disburses them by the order of the Lodge, which must be certified to him by the Master. His accounts, disbursements and receipts of money are with the Lodge, and he is bound to show his book when called upon in Lodge. Of his receipts and disbursements he keeps a special account. His accounts should be neatly and accurately kept, and be always ready for the inspection of the Lodge or of the Master.

His office, as custodian of the funds of the Lodge, being a responsible one, a bond for the faithful discharge of his duties ought to be required of him; so that, in case of failure or defalcation, the Lodge may not lose its funds.

For all the funds he receives from the members he should give a receipt, and should take receipts from all persons to whom he pays money. These last receipts become his vouchers, and his books should be examined, and the entries compared with the vouchers, at least once a year, by a committee of the Lodge.

The Treasurer, like every other office-bearer in a Masonic Lodge, cannot resign till his term of office expires, but his office may be vacated by a removal from the locality. But whenever that event occurs, or his death, and the office thus becomes vacant, it is competent for the Lodge to hold a new election.

## SECTION IV.

### THE SECRETARY.

The Secretary, like the Treasurer, is only a business office-bearer of the Lodge, having nothing to do in the ceremonial labours. The charge which he receives at his installation into office is as follows :—

You have been elected Secretary of this Lodge, and I now invest you with your Jewel of office, a *Pen*, significant of your functions. It is your province to record the minutes, issue the summonses for our regular meetings, and make the due returns of Offices and Members to the Grand Lodge. Your good inclinations to Masonry and this Lodge, I hope, will induce you to discharge your office with fidelity, and by so doing you will merit the esteem and approbation of your Brethren.

But it does not contain a full summary of his duties, which are very extensive.

He acts, in his relation to the Lodge, in a threefold capacity. He is its recording, corresponding, and summoning agent.

As the recording agent of the Lodge, it is his duty to keep a minute of all the proceedings, except such as are of an esoteric character, and which the peculiar constitution of our Society forbids him to commit to paper. After these minutes have been approved and confirmed, it is his duty to transfer them to a permanent record book. It is also his duty, whenever called upon, to furnish the Grand Master or the Grand Lodge with a fair transcript of any portion of his records that may be required. As the recording agent, he is also expected to furnish at every communication of the Lodge, a statement of the unfinished business which is to be called up for action.

As the corresponding agent of the Lodge, he receives and reads all communications which have been addressed to the Lodge, and replies to them, under the directions of the Lodge or the Master, whenever any action has been taken upon them. He also issues all summonses for special or stated communications. This duty, particularly in reference to the stated communications, is sometimes improperly neglected. Every Mason is entitled to a summons, either verbal or written, to every meeting of his Lodge. The Secretary is also the proper office-bearer to make out the returns to the Grand Lodge, and to communicate to it, through the Grand Secretary, notices of rejections, suspensions, and expulsions. He is, in fact, the organ of communication between his Lodge and the Grand Lodge, as well as all other Masonic bodies. He affixes his signature and the seal of the Lodge to all demits, and other documents which the Lodge may direct. For this purpose he is the keeper of the seal of the Lodge, and is also the proper custodian of its archives.

The books and accounts of the Secretary, like those of the Treasurer, should be examined at least once a year by a committee appointed by the Lodge, and they should be at all times ready for the inspection of the Master.

It is customary in many Lodges, on account of the numerous and often severe duties of the Secretary, to exempt him from the payment of annual dues, and sometimes even to give him a stated salary.

The office of Secretary, like that of Treasurer, can only be vacated by permanent removal or death, when a new election may take place.

## SECTION V.

### THE DEACONS.

In every Masonic Lodge there are two office-bearers who are called Deacons; the one who sits in the east, on the right of the Master, is called the Senior Deacon, and the other, who sits in the west, on the right of the Senior Warden, is called the Junior Deacon.

The title is one of great antiquity, and is derived from the Greek language, in which it signifies an *attendant* or *servant*, and was used in this sense in the primitive Church, in which the Deacons waited upon the men, and stood at the men's door, and the Deaconesses at the women's door, to see that none came in or went out during the time of the oblation.

In the Lodges of France and Germany, except in those which work in the Scotch and York rites, the office of the Deacons is not known; but their functions are discharged by other office-bearers. In France they have an "expert" and a "Master of Ceremonies," and in Germany a "Master of Ceremonies" and a "preparer."

While the two Deacons have one duty in common, that, namely, of waiting upon the Master and Wardens, the Senior Deacon being the especial minister of the Master, and the Junior of the Senior Warden, they have peculiar and separate duties distinctly appropriated to each.

*The Senior Deacon.*—The Senior Deacon is the especial

attendant of the Master. Seated at his right hand, he is ready at all times to carry messages and to convey orders from him to the Senior Warden, and elsewhere about the Lodge.

He is also the proper office-bearer to propose to every candidate, in an adjoining apartment, and in the presence of the Stewards, those questions which are to elicit his declaration of the purity of the motives which have induced him to apply for initiation. For this purpose he leaves the Lodge room, previous to the preparation of the candidate, and having proposed the questions and received the appropriate replies, he returns and reports to the Master.

He also takes an important part in the subsequent ceremonies of initiation. He receives the candidate at the door, and conducts him throughout all the requisitions of the ceremonial.

It is his duty also to welcome all visiting Brethren, after they have been introduced by the Stewards, to furnish them with seats, and if they are entitled to the honours of the Lodge, to supply them with the collars and jewels of their rank, and conduct them to their appropriate stations in the east.

After the Lodge is opened, the altar and its surrounding lights are placed under the especial care of the Senior Deacon.

He also takes charge of the ballot-box in all ballots, places it on the altar in the customary form, and after all the members have voted, exhibits it for inspection to the Junior and Senior Wardens and Master, in rotation.

In the inspection of members and visitors, before the Lodge is opened, for the purpose of preventing the intrusion of impostors among the Brethren, the north side of the Lodge is intrusted to the care of the Senior Deacon.

*The Junior Deacon.*—This office-bearer is the especial attendant of the Senior Warden; and being seated at his right hand, is prepared to carry messages from him to the Junior Warden, and elsewhere about the Lodge.

He takes very little part in the ceremonies of conferring the degrees.

In the inspection of the Brethren, which takes place before the opening of the Lodge, the south side of the Lodge is intrusted to the care of the Junior Deacon.

In the absence of the Senior Deacon, the Junior does not succeed to his place; but a temporary appointment of a Senior Deacon is made by the Master.

If the Junior Deacon is absent, it is the usage for the Master, and not the Senior Warden, to make a temporary appointment.

It has been supposed by some writers that those office-bearers not elected, but appointed by the Master, are removable at his pleasure. This, however, is not in accordance with the principles which govern the tenure of all Masonic offices. Although they are indebted for their positions to a preliminary appointment, they are subsequently installed like the other office-bearers, take a similar obligation, and are bound to the performance of their duties for a similar period. Deriving their right to office from installation, they are governed by the same rules which affect other installed office-bearers. The office can only be vacated by permanent removal, death, or expulsion.

## SECTION VI.

### THE CHAPLAIN.

Neither example in the old usages, nor authority in any of the Ancient Regulations, can be found for the appointment of such an office-bearer in a daughter Lodge as a Chaplain. It is only within a few years that some Lodges have been led to inscribe him in the list of their office-bearers.

The Master of a Lodge, by the ceremonial usages of the Order, possesses all the sacerdotal rights necessary to be exercised in the ceremonies of our Institution. There is therefore no actual necessity for a Chaplain; while these duties can be performed by the Master, he is violating the

Landmarks when he transfers the performance of them to another person, who holds no office recognised by any of our regulations.

This section is therefore inserted, not to prescribe the duties of the Chaplain of a Lodge—for there is no authority for them—but to refer to the custom of the Grand Lodge, and to express an opinion that the appointment of Chaplains in daughter Lodges is an innovation on ancient usage, although sometimes great benefit is derived from having a worthy Chaplain in the bosom of a Lodge.

On public occasions, such as the celebration of the festivals of our patron Saints of Freemasonry, St John the Baptist, and St John the Evangelist, and on the laying of foundation-stones, when there are public prayers and addresses, there can be no objection, and indeed it is advisable, to invite a clergyman, who is a Freemason, to conduct the religious portion of the exercises.

## SECTION VII.

### THE STEWARDS.

The Stewards are two in number. They sit on the right and left of the Master, each having a white rod as the badge of his office, and wearing the cornucopia as a jewel.

Preston says that their duties are “to introduce visitors, and see that they are properly accommodated; to collect subscriptions and other fees, and to keep an exact account of the Lodge expenses.” Webb adds to these the further duties of seeing “that the tables are properly furnished at refreshment, and that every brother is suitably provided for,” and he makes them the assistants generally of the Deacons and other office-bearers in performing their respective duties.

There can be no doubt, from the nature of the office in other institutions, that the duty of the Stewards was originally to arrange and direct the refreshments of the

Lodge, and to provide accommodations for the Brethren on such occasions. When the office was first established, refreshments constituted an important and necessary part of the proceedings of every Lodge. Although not yet abolished, the Lodge banquets are now fewer, and occur at greater intervals, and the services of the Stewards are therefore now less necessary, so far as respects their original duties as servitors at the table. Hence new duties are beginning to be imposed upon them, and they are, in many jurisdictions, considered as the proper office-bearers to examine visitors and to prepare candidates.

The examination of visitors and the preparation of candidates for reception into the different degrees, requires an amount of skill and experience which can be obtained only by careful study. It seems, therefore, highly expedient that instead of intrusting these services to committees appointed as occasion may require, they should be made the especial duty of office-bearers designated at their installation for that purpose, and who will therefore, it is to be supposed, diligently prepare themselves for the correct discharge of the functions of their office.

Preston says that at their installation the Master and Wardens are the representatives of the Master Masons who are absent, the Deacons of the Fellow Crafts, and the Stewards of the Entered Apprentices.

The office is one of great antiquity, since we find it alluded to and the duties enumerated in the Old York Constitutions of 926, where the Steward is directed "to provide good cheer against the hour of refreshment," and to render a true and correct account of the expenses.

## SECTION VIII.

### THE INNER GUARD.

In order that the Junior Deacon may be the better able to discharge his other important duties, many Lodges have

adopted the practice of appointing another office-bearer, called the Inner Guard, to watch at the inside of the door. This has now become the common practice in the Lodges of Scottish jurisdiction, and, from the evident advantages attending it, will probably soon become prevalent in all jurisdictions.

The Inner Guard is placed near the outer door. He attends to all alarms of the Tyler, reports them to the Master, and at his command, inquires into the cause. The outer door being thus under his charge, he should never permit it to be opened by the Tyler, except in the usual form, and when preceded by the usual notice. He should allow no one to enter or depart without having first obtained the consent of the presiding office-bearer.

An important duty of the Inner Guard is to see that the Lodge is duly tyled. Upon this the security and secrecy of the institution depends; and therefore he has been delegated as an especial officer-bearer to place the Tyler at his post, and to give him the necessary instructions.

In Lodges in which an Inner Guard is not appointed, all these duties are discharged by the Junior Deacon.

## SECTION IX.

### THE TYLER.

This is a very important office, and, like that of the Master and Wardens, owes its existence, not to any conventional regulations, but to the very Landmarks of the Order; for, from the peculiar nature of our institution, it is evident that there never could have been a meeting of Masons for Masonic purposes, unless a Tyler had been present to guard the Lodge from intrusion.

The title is said to be derived from the operative art; for, "as in operative Masonry, the Tyler, when the edifice is erected, finishes and covers it with the roof (of tiles), so in speculative Masonry, when the Lodge is duly organised,

the Tyler closes the door and covers the sacred precincts from all intrusion."

The first and most important duty of the Tyler is to guard the door of the Lodge, and to permit no one to pass in who is not duly qualified, and who has not the permission of the Master. Of these qualifications, in doubtful cases, he is not himself to judge; but on the approach of any one who is unknown to him, he should apprise the Lodge by the usual formal method. As the door is peculiarly under his charge, he should never, for an instant, be absent from his post. He should neither open the door himself from without, nor permit it to be opened by the Inner Guard from within, without the preliminary alarm.

A necessary qualification of a Tyler is, that he should be a Master Mason. Although the Lodge may be opened in an inferior degree, no one who has not advanced to the third degree can legally discharge the functions of Tyler.

As the Tyler is always compensated for his services, he is considered, in some sense, as the servant of the Lodge. It is therefore his duty to prepare the Lodge for its meetings, to arrange the furniture in its proper place, and during the communication to keep a supply of aprons, so as to furnish each Brother with one preparatory to his entrance. He is also the messenger of the Lodge, and it is his duty to deliver to the members the summonses which have been written by the Secretary.

The Tyler need not be a member of the Lodge which he tyles; and in fact, in large cities, one Brother very often performs the duties of Tyler for several Lodges.

The office, however, in a daughter Lodge, does not, like that of Grand Tyler in the Grand Lodge, disqualify him for membership: and if the Tyler is a member, he is entitled to all the rights of membership, except that of sitting in the communications, which right he has voluntarily relinquished by his acceptance of office.

It is usual, in balloting for candidates, to call the Tyler (if he be a member) in, and request him to vote. On such

**RECOMMENDATION**

to the present. The  
Lodge is to hold one  
of the Grand Lodge  
instruments of the same  
in an ancient usage,  
derived from having a  
Lodge  
the celebration of the  
renewal of the  
Lodge, and in the laying of  
are public prayers and  
social and indeed it is  
in, who is a Freemason  
of the exercises.

**STEWARDS**

in number. They sit on the right  
each having a white rod as the badge  
of the cornucopia as a jewel.  
Their duties are "to introduce visitors,  
properly accommodated; to collect  
fees, and to keep an exact account  
of the same." Webb adds to these the further  
that the tables are properly furnished at  
and that every brother is suitably provided  
which makes them the assistants generally of the  
other office-bearers in performing their  
duties.

## CHAPTER IV.

### RULES OF ORDER.

IN all well-ordered societies, it is absolutely necessary that there should be certain Rules, not only for the government of the presiding office-bearer, but for that of the members over whom he presides. It is not so material what these rules are, as that they should be well known and strictly observed. It is not proposed, in the present chapter, to give anything more than a mere outline of the usage to be pursued in conducting the business of a Lodge; for many of the most important Regulations to be observed will be found under appropriate heads in other parts of this work.

#### OPENING THE LODGE.

The hour named in the summons having arrived, and a sufficient time to satisfy the demands of courtesy having elapsed, the Lodge is to be opened, after ascertaining that the requisite number of Brethren are present. According to the ancient technical form of words, *three* may rule a Lodge, but it requires *five* (viz., the Master and his two Wardens, and two Fellow Crafts) to open a Lodge and transact business, and *seven* to make it capable of receiving a candidate.

The opening of the Lodge is a ceremony at which it is essentially necessary for all the Brethren to assist, in compliance with the express directions of the Master. The Lodge being pronounced properly tyled, and the avenues strictly guarded, certain ceremonies of unknown antiquity are performed; the duties of the several office-bearers publicly rehearsed; and the divine blessing invoked; after which the Lodge is declared open for the dispatch of

business, and the Brethren await in silence the will and pleasure of the Master.

In cases where the Lodge is to be opened in the Third Degree, the Master must beware of rushing at once into that step without working up through the two preliminary degrees ; or, more plainly, he cannot legally open a Lodge in the Second Degree without going through the ceremony of the First, nor in the Third until he has passed through the other two ; and if a Lodge open in the Third is to be resumed in the First, the two superior degrees must be closed gradually and in order before the business of the preliminary degree can be entered upon.

## ANCIENT CHARGES TO BE READ.

Many Lodges are in the practice of requesting' the Chaplain to read a certain portion of Holy Scripture at the opening of a Lodge. This is a commendable practice, although not enjoined either by the Constitution or ancient usage. "As every candidate at his initiation promises to abide by the ancient usages and established customs of the Order, and the Master at his installation solemnly pledges himself on the Book of the Sacred Law to observe and enforce them, it is not only desirable but essentially necessary that all should be conversant with them ; it consequently becomes the duty of the Master to cause a portion of the Ancient Charges and Regulations to be read at each meeting of the Lodge, and to be explained to the Brethren, that they may not be ignorant of matters so important to be known and observed by them, that the integrity and honour of the ancient Craft may be upheld and secured."

## UNFOLDING THE SACRED VOLUME.

The Holy Bible is said, in the lectures of Masonry, to be dedicated to God, because it is one of His most inestimable gifts to man. It is therefore placed on the pedestal of a

Lodge as a rule of faith, because the Most High has been pleased to reveal more of His divine will in that Holy Book than He has by any other means, either by the light of nature, the aid of science, or reason with all its powers. There are no especial directions about the place at which it ought to be unclosed by the Past Master, as the consummation of the ceremony of opening a Lodge. Any chapter of any book will be correct, provided it has a direct application to some circumstance connected with the degree under consideration. In the First Degree, Ruth iv. ; Gen. xxi., xxii., xxviii. ; or 2 Sam. xxiv. ; will be appropriate. The Second Degree would demand 1 Kings vi. ; 2 Chron. iii. ; or Judges xxii. ; and the Third, 2 Chron. iii. or vi. It may be added that proper Masonic lessons for any particular service in the Church may be selected from Psalms xv., civ., cxxii., or cxxxiii. ; 1 Kings v. ; 2 Chron. ii., vii., or viii. ; Ruth iv. 1-8 ; Eccles. xii. ; Matt. xx. 1-16 ; John xi. 1-44 ; 1 Cor. xiii. ; 2 Thess. iii. 6-18 ; and many other places in that storehouse of Truth, which every clerical Brother will be able to select without any further prompting.

#### READING OF THE MINUTES.

1. After a Lodge has been opened according to the formalities of the Order, the first thing to be done is the reading of the minutes of the preceding communication. These are then to be corrected and confirmed by a vote of the Lodge.

2. To this rule there is this qualification, that the minutes of a regular or stated communication cannot be altered or amended at a special one.

3. The Lodge being opened and the minutes read, it may then proceed to business, which will generally commence with the consideration of the unfinished business left over from the last meeting. But the order of business is strictly under the direction of the Master, who may exercise his own discretion in the selection of the matters which are to

come before the Lodge, subject, of course, for an arbitrary or oppressive control of the business, to an appeal to the Grand Lodge.

4. No alarms should be attended to at the door, nor members or visitors admitted, during the time of opening or closing the Lodge, or reading the minutes, or conferring a degree.

5. All votes, except in the election of candidates, members, or office-bearers, must be taken by a show of hands, and the Senior Deacon will count and report to the Master, who declares the result.

6. No Lodge can be resolved into a "committee of the whole," which is a Parliamentary proceeding, utterly unknown to Masonry.

7. The minutes of a meeting should be read at its close, that errors may at once be corrected and omissions supplied by the suggestion of those who were present during the transactions; but these minutes are not to be finally confirmed until the next regular communication.

8. Masonic decorum requires that during the transaction of business, the Brethren shall not entertain any private discourse, nor in any other way disturb the harmony of the Lodge.

RULES OF DEBATE.

9. No Brother can speak more than once on any subject without the permission of the chair.

10. Every Brother must address the chair standing; he must confine himself to the question under debate, and avoid personality.

11. Any Brother who transgresses this rule may be called to order, in which case the presiding office-bearer shall immediately decide the point of order, from which decision there can be no appeal to the Lodge.

12. When two or more Brethren rise at once in a debate, the Master shall name the Brother who is first to speak.

13. No motion can be put unless it be seconded, and if required, it must be reduced to writing.

14. Before the question is put on any motion, it should be distinctly stated by the chair.

15. When a question is under debate, no motion can be received but to lie on the table, to postpone to a certain time, to commit, to amend, or to postpone indefinitely, which several motions, in accordance with Parliamentary usage, have precedence in the order in which they are arranged; and no motion to postpone to a certain time, to commit, or to postpone indefinitely, being decided, is again allowed at the same communication.

16. When motions are made to refer a subject to different committees, the question must be taken in the order in which the motions were made.

17. When a motion has been once made and carried in the affirmative or negative, it is in order for any member who voted in the majority to move for a reconsideration thereof at the same communication.

18. When an amendment is proposed, a member who has already spoken to the main question may again speak to the amendment.

19. Amendments may be made so as totally to alter the nature of the proposition, and a new resolution may be ingrafted, by way of amendment, on the word "resolved."

20. When a blank is to be filled, and various propositions have been made, the question must be taken first on the highest sum or the latest time proposed.

21. Any member may call for a division on any question, which division will take place if a majority of the members consent.

22. A motion to lie on the table is not debatable, nor is one in the Grand Lodge to close the session on a given day.

23. A motion for adjournment is unmasonic, and cannot be entertained.

24. No motion for the "previous question" can be admitted.

#### COMMITTEES.

25. All committees must be appointed by the chair,

unless otherwise specially provided for, and the first brother named on the committee will act as chairman ; but no one should be appointed on a committee who is opposed to the matter that is referred.

26. A committee may meet when and where it pleases, if the Lodge has not specified a time and place. But a committee can only act when together, and not by separate consultation and consent.

27. The report of a committee may be read by the chairman, or other member in his place, or by the Secretary of the Lodge.

28. A majority of a committee constitutes a quorum for business.

29. When a report has been read, if no objections are made, it is considered as accepted ; but if objections are made, the question must be put on its acceptance.

30. If the report contains nothing which requires action, but ends with resolutions, the question must be on agreeing to the resolutions.

31. If the report embodies matters of legislation, the question must be on adopting the report, and on agreeing to the resolutions, if resolutions are appended ; but if there is no action recommended by the report, and no resolutions are appended to it, the acceptance of the report, either tacitly or by vote, disposes of it.

32. Reports may be recommitted at any time before final action has been taken on them.

## ELECTIONS.

33. The election of candidates for initiation, or of Masons for affiliation, must be conducted by ballot with white and black balls, and the result will be declared by the Junior and Senior Wardens and Master, in rotation, after inspection.

34. When the report of a committee on a petition for initiation or affiliation is unfavourable, it is unnecessary to proceed to a ballot ; for, as the vote must be unanimous, the unfavourable opinion already expressed of at least two

members of the committee is in itself a rejection. It is not to be presumed that the committee would report against and vote for the candidate. Of course it is to be understood in these cases that an unfavourable report by a committee is equivalent to a rejection. But some Grand Lodges have said that a ballot must be taken in all cases, and this, though not the general usage, is no violation of a Landmark.

35. In an election for office-bearers, two tellers are to be appointed to receive and count the votes, and the result must be declared by the Master.

36. Nominations of candidates for office are in order, and according to ancient usage, but if a member is elected who has not been nominated, the election will still be valid ; for a nomination, though permitted, is not absolutely essential.

37. Where the bye-laws of a Lodge do not provide otherwise, the election of an office-bearer may be taken by a show of hands, if there be no opposing candidate.

#### REFRESHMENT.

The system of refreshment used by our Brethren of the last century is nearly obsolete. The Lodges in ancient times were not arranged according to the practice in use amongst ourselves at the present day. The Worshipful Master indeed stood in the east, but both the Wardens were placed in the west. The south was occupied by the Senior Entered Apprentice, whose business it was to obey the instructions of the Master, and to welcome the visiting Brethren, after having duly ascertained that they were Masons. The Junior Entered Apprentice was placed in the north, to prevent the intrusion of cowans and eaves-droppers; and a long table—sometimes, where the Lodge was numerous, two tables, paralled to one another—extended from the pedestal to the place where the Wardens sat, on which appeared not only the emblems of Masonry, but also materials for refreshment. In those days every section of the lecture had its peculiar toast or sentiment; and, at its

conclusion, the Lodge was called from labour to refreshment by certain ceremonies, and a toast, technically called "the charge," was drunk in a bumper with the honours, and not unfrequently accompanied by an appropriate song. After this the Lodge was called from refreshment to labour, and another section was delivered with the like result.

Certain peculiar charges were attached to the six sections of the Entered Apprentice's lecture towards the close of last century, and authorised by the Ancient Constitutions, which provided that in Grand Lodge, "after the oration, the five public healths may be toasted, and before or after each a Mason's song, accompanied by the best instruments of music." The customs of the fraternity, however, in our own times have undergone a great change, and refreshment is now almost universally postponed till after the Lodge is closed; and in many instances dispensed with altogether.

#### CLOSING THE LODGE.

The closing of a Lodge is a matter of solemn importance. Some appropriate portion of Scripture is usually read. Many Masters substitute the closing passage of the Ancient Charges. The legitimate ceremonies, however, being of ancient date and unquestionable authority, cannot, under any circumstances, be dispensed with; for if a Lodge be not closed *in form*, the transactions will be divested of their legality.

The time of closing is sometimes inserted in the bye-laws; but even this is not altogether binding on the Master, because, according to customs derived from an unknown antiquity, it rests entirely on his will and pleasure whether he will close earlier or later; and no Brother is competent to dispute his authority in this respect, or to appeal against its exercise. It may be kept open for the purpose of completing any business which may have been previously commenced, but no new matter can be brought forward after the time named in the bye-laws for closing the Lodge has arrived.

## PART V.

# LAWS AS TO GRAND LODGE.

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### CHAPTER I.

#### THE NATURE OF A GRAND LODGE.

LENNING defines a Grand Lodge to be “the dogmatic and administrative authority of several particular Lodges of a country or province, which is usually composed of the Grand office-bearers and of the presiding office-bearers of these particular Lodges, or of their deputies, and which deliberates for their general good.”

The Old Charges of 1722 gave a more precise definition. They say that “the Grand Lodge consists of and is formed by the Masters and Wardens of all the regular particular Lodges upon record, with the Grand Master at their head, and his Deputy on his left hand, and the Grand Wardens in their proper places.”

Both these definitions refer to an organisation which is comparatively modern, and which dates its existence from a period not anterior to the beginning of the last century. Perfectly to understand the nature of a Grand Lodge, and to comprehend the process by which such a body has changed its character, from an aggregation of all the Masons living in a particular jurisdiction, to a representative body, in which all except a select few have been excluded from its deliberations, we must go back to the earliest published records that we possess of the history of the institution.

The duty as well as the right of the Craft to hold an Annual Meeting, in which they might deliberate on the state of the Order, and make general laws for its government, may be considered, in consequence of its antiquity and its universality, to possess all the requisites of a Landmark.

The first written notice that we have of the existence of a Grand Lodge or General Assembly of the Fraternity, is contained in the old manuscript of Nicholas Stone, which Preston tells us was, with many others, destroyed in the year 1720, but of a portion of which Preston gives a copy, as Anderson also does in the second edition of his Book of Constitutions. We are there informed that about the year 293, St Alban, the proto-martyr of England, who was a great patron of the Fraternity, obtained a charter from Carausius to permit the Masons to hold a general council, to which he gave the name of Assembly, and over which he presided as Grand Master.

In consequence of the subsequent political condition of England, Masonry, with the other arts and sciences, declined, and it is not probable that the annual assemblies of the Fraternity were regularly maintained. About the beginning of the tenth century, however, the institution revived, and Prince Edwin, the brother of King Athelstan, obtained from that monarch a charter for the Masons to renew their General Assembly or Grand Lodge.

Accordingly, in the year 926, says Anderson, "Prince Edwin summoned all the Free and Accepted Masons in the realm to meet him in a congregation at York, who came and formed the Grand Lodge under him as their Grand Master."

This was an important communication, for it was here that the Old York or Gothic Constitutions were framed—the oldest extant code of Masonic Regulations, and which has formed the basis of all the Constitutions subsequently adopted.

In these Constitutions we find the assertion of the right and duty of all the members of the Craft to attend the

communications of the Grand Lodge, and also a brief summary of the organisation and functions of that body.

There is one peculiarity about these Constitutions which, in passing, may be noticed, as it is connected with the legal history of Grand Lodges. The Fellow Crafts were permitted to attend the General Assembly, but the Apprentices are not alluded to, because they were not, at that time, considered as "men of the Craft."

It is probable that from that time the Annual Grand Lodges continued to be held, although not with uninterrupted regularity; for, while Masonry flourished under some of the English monarchs, under others it declined. At all events, we learn from an ancient record, a copy of which is given by Anderson, that in the reign of Edward III. a Grand Lodge was held, and certain important regulations enacted for the government of the Craft. This was between the years 1327 and 1377, but the exact date is not furnished by either Preston or Anderson.

In 1425, these meetings still continued, for in that year, in the reign of Henry VI., Parliament passed an act to prohibit "the yearly congregations and confederacies made by Masons in their General Assemblies."

This act was, however, we are informed, never enforced; and we again hear of the General Assembly as having met in 1434.

In the reign of Queen Elizabeth, on the 27th December 1561, we have an account of a Grand Lodge which was held at York—Sir Thomas Sackville being Grand Master; and the record is interesting, inasmuch as it states two important facts, namely, that several persons were made Masons by the Grand Lodge, and that after they were made, they joined in the communication, which proves that the custom still continued of admitting all members of the Craft to assist in the General Assembly.

The next Grand Lodge, whose communication was of such importance as to entitle it to a place in the records of the institution, was that which was held on the 27th

December 1663, when the Earl of St Albans was Grand Master, and when several judicious regulations were enacted.

From this time General Assemblies were annually held, both at York and London, until the beginning of the eighteenth century, when, owing to the neglect of Sir Christopher Wren, the Grand Master, and to some other causes, the Annual Assembly, we are told, was not duly attended.

But now we arrive at an important era in the history of Freemasonry. In 1716, there were only four Lodges in existence in London, and no others in the whole south of England. These four Lodges determined, if possible, to revive the institution from its depressed state, and accordingly they met in February 1717, at the Apple-tree Tavern (whose name has thus been rendered famous for all time), and after placing the oldest Master Mason who was the Master of a Lodge in the chair, they constituted themselves into a Grand Lodge, and resolved, says Preston, "to revive the quarterly communications of the Fraternity." On the following St John the Baptist's Day, the Grand Lodge was duly organised, and Anthony Sayer was elected Grand Master, who "appointed his Wardens, and commanded the brethren of the four old Lodges to meet him and the Wardens quarterly in communication." From that time Grand Lodges have been uninterruptedly held, receiving, however, at different periods, various modifications, which are hereafter to be noticed.

The records from which this brief history has been derived, supply us with several facts, from which we may elicit important principles of law.

In the first place, we find that originally the meetings of the Fraternity in their General Assembly or Grand Lodge were always annual. The old York Constitutions, it is true, say that the assembly might be held triennially; but wherever spoken of in subsequent records, it was always as an Annual Meeting. It is not until 1719 that we find anything said of quarterly communications; and the first allusion to these subordinate meetings in any printed work,

to which we now have access, is in 1738, in the edition of the Constitutions published in that year. The expression there used is that the quarterly communications were "forthwith revived." This of course implies that they had previously existed; but as no mention is made of them in the Regulations of 1663, which, on the contrary, speak expressly only of an "Annual General Assembly," it may be reasonably inferred that quarterly communications must have been first introduced into the Masonic system after the middle of the seventeenth century.

In the next place, it will be observed that at the Annual Assembly, every member of the Craft was permitted to be present, and to take a part in the deliberations. But by *members of the Craft*, in the beginning, were meant Masters and Fellows only. Apprentices were excluded, because they were not entitled to any of the privileges of craftsmen. They were not free, but bound to their Masters, and in the same position that Apprentices now are in any of our trades or mechanical employments. The institution was then strictly operative in its character; and although many distinguished noblemen and prelates who were not operative Masons, were, even at that early period, members of the Order, and exalted to its highest offices, still the great mass of the Fraternity were operative, the workmen were engaged in operative employments, and the institution was governed by the laws and customs of an operative association.

In this respect, however, an important change was made, apparently about the beginning of the eighteenth century, which had a remarkable effect on the character of the Grand Lodge organisation. Preston tells us that at that time a proposition was agreed to, "that the privileges of Masonry should no longer be restricted to operative Masons, but extend to men of various professions, provided they were regularly approved and initiated into the Order." Now, as it is known that long before that period "men of various professions" had been admitted into the Order, and as we find a king presiding as Grand Master in 1502, and many

noblemen, prelates, and distinguished statesmen occupying the same post, before and after that period, it is evident that this Regulation must be construed as meaning that the institution should throw off from that time its mixed operative and speculative character, and become entirely speculative. And we are warranted in coming to this conclusion by the facts of history.

In 1717, and very soon after, we find such men as Anderson and Desaguliers, clergymen and philosophers, holding high positions and taking an active part in the Order, and the Society from that time devoted itself to the pursuit of speculative science, leaving the construction of cathedrals and palaces to the operative workmen, who, as such, were unconnected with the Order.

Now, the first effect of this change was on the character of the class of Apprentices. They were no longer, as in the olden time, youths placed under the control of Masters, to acquire the mysteries of a trade, but they were men who had been initiated into the first degree of a mystic Association. The great object of the Apprentices in the operative art was to acquire a knowledge of that art, and being made free by the expiration of their time of service, which the oldest Constitutions prescribed should be seven years, to be promoted to the rank of Craftsmen, when they would be entitled to receive wages, and to have a voice in the deliberations of the Society.

The Apprentices in the speculative science but seldom proceeded further. The mass of the old Society consisted of Fellows or Fellow Crafts; that of the new organisation was composed of Apprentices. The primitive Lodges were made up of Fellow Crafts principally; the modern ones, of Apprentices. Anderson, Preston, and all the old Charges and Constitutions, will afford abundant proofs of this fact.

The Apprentices having thus become the main body of the Fraternity, the necessary result was, that occupying, in this respect, the place formerly filled by the Fellow Crafts, they assumed all the privileges which belonged to that class.

And thus we arrive at the fact, and the reason of the fact, that in 1717, at the re-organisation of the Grand Lodge, Entered Apprentices were admitted to attend the Annual Assembly; and we can satisfactorily appreciate that clause in the thirty-ninth of the Regulations adopted in 1721, which says that no new regulation should be adopted until, at the Annual Assembly or Grand Feast, it was offered in writing to the perusal of all the Brethren, "*even of the youngest Entered Apprentice.*"

From Anderson and Preston, who are unfortunately the only authorities we possess on the condition of Masonry in England in the year 1717, we are enabled to collect the following facts:—

When the Grand Lodge was re-organised in 1717, all the members of the four Lodges then in existence had a right to be present at all the communications of the Grand Lodge; but when new Lodges were formed, this privilege was restricted to their Masters and Wardens, though it seems that at the Grand Feast, which took the place of the Annual General Assembly, Fellow Crafts and Entered Apprentices were still permitted to appear and express their opinions.

The members of the four old Lodges, having first secured their inherent rights by the adoption of a resolution in the Grand Lodge that no law should ever be passed which would infringe on their immemorial privileges, thought it no longer necessary that they should attend the communications of the Grand Lodge; and they too, like the other Lodges, trusted implicitly to their Masters and Wardens as their representatives in the Grand Lodge, so that soon after 1717, and before 1721, the quarterly communications of the Grand Lodge were composed only of the Masters and Wardens of the subordinate Lodges, with the Grand Master and his officers.

But the General Assembly was still attended by the whole of the Craft, whose large numbers soon began to prove an inconvenience; for we are informed by Anderson that in the year 1721, the number of Lodges had so

increased that the General Assembly, requiring more room, was removed from the Goose-and-Gridiron alehouse to Stationers' Hall.

Now, the statement of these facts enables us to reconcile two apparent contradictions in the thirty-nine Regulations that were adopted in 1721.

The twelfth Regulation says, that the Grand Lodge consists of the Masters and Wardens only; and yet the thirty-seventh provides, that at the Grand Feast the Grand Master "shall allow any Brother, Fellow Craft, or Apprentice to speak, or to make any motion for the good of the Fraternity." The apparent contradiction in these passages may be now readily explained. The twelfth Regulation refers to the quarterly communications, where the Masters and Wardens only were present; the thirty-seventh Regulation to the General Assembly, where all the Craft were permitted to attend.

But this privilege of attending even the Annual Communication was soon taken from the members of the Lodges,—at what precise period it is impossible to say, for the student of Masonic history finds himself frequently at fault, not only from the paucity of details and want of precision in the authorities, but from the contradictory-statements of the same authority. But we may gather many important suggestions from the regulations which were adopted at various times, while the Grand Lodge appears to have been gradually settling down into a permanent organisation, and which will be found in the second and subsequent editions of the Book of Constitutions.

Thus, on the 26th of November 1728, it was enacted that if any office-bearer of a Lodge could not attend the meeting of the Grand Lodge, he might send a Brother of that Lodge, "but not a mere Entered Apprentice." This shows that Apprentices, at least, were by this time disfranchised.

Again, the thirty-ninth Regulation, adopted in 1721, had made it necessary that every amendment to or

alteration of any of the Old Regulations must be submitted, at the Annual Assembly, to the perusal of even the youngest Apprentice, and be approved by a majority of *all* the Brethren present. But on the 25th of November 1723, it was resolved that any Grand Lodge has the power to amend or explain any of the regulations; and accordingly the explanation is appended to this regulation in the second edition of the Book of Constitutions, that new regulations may be made "with the consent of all the Brethren, at the Grand Annual Feast."

And finally, on the 6th of April 1736, a fortieth Regulation was adopted, which explicitly declared "that no Brothers should be admitted into the Grand Lodge but those that are the known members thereof, viz., the four present and all former Grand Office-bearers, the Treasurer and Secretary, the Masters and Wardens of all regular Lodges, the Masters and Wardens and nine more of the Stewards' Lodge, except a Brother who is a petitioner or a witness in some case, or one called in by a motion."

This new regulation may refer only to the quarterly communications, although that would hardly have been necessary, as the organisation of these meetings had already been provided for; or it may refer to all communications, both quarterly and annual. If the latter were the case, then it is clearly a disfranchisement of the Fellow Crafts and Apprentices. At all events, the spirit of the regulation shows a growing tendency in the Masons of that time to restrict membership in the Grand Lodge to the Grand Officers and Masters and Wardens, and to make that body strictly representative in its character.

We thus learn that Grand Lodges were at first annual assemblages, at which the Masters and Fellows of every Lodge were permitted to be present. They next became quarterly, as well as annual, and Apprentices, as well as Masters and Fellows, were permitted to attend. And finally, none were allowed to participate in the deliberations except the Masters and Wardens of the Lodges.

Let us now inquire what, after all these vicissitudes, has

at length been settled upon, by general consent, as the organisation of a Grand Lodge in the present day.

A Grand Lodge may be defined to be a congregation of the representatives of the daughter Lodges in a jurisdiction, with the Grand Master and Grand Office-Bearers at their head. It properly consists of the Grand and Deputy Grand Master, the Grand Wardens, the Grand Chaplain, Grand Treasurer, and Grand Secretary, for the time being, with the Masters and Wardens of all daughter Lodges.

Every Grand Lodge is competent to make regulations admitting other members; and accordingly Past Grand Officers and sometimes Past Masters are allowed to sit as members, but these possess no such inherent right, and must be indebted for the privilege altogether to a local regulation.

The powers and duties of Grand Lodges will be the subject of discussion in the following chapter.

It only remains to consider the proper mode of organising a Grand Lodge in a territory where no such body has previously existed. Perfectly to understand this subject, it will be necessary to commence with the first development of Masonry in any country.

Let us suppose, then, that there is a country within whose political bounds Freemasonry has never yet been introduced in an organised 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 organised form of Lodges, is ground common to all the Masonic authorities of the world; and therefore that it is competent for any Grand Lodge to grant a character of constitution, and establish a Lodge in such unoccupied territory, on the petition, of course, of a requisite number of Masons. And this right of granting charters belongs to every Grand Lodge in the world, and may be exercised by any one that

chooses to do so, as long as no Grand Lodge is organised in the territory. So that there may be ten or a dozen Lodges working at the same time in the same territory, and each of them deriving its legal existence from a different Grand Lodge.

In such a case, neither of the Grand Lodges that have granted charters, 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 charters. 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 organise 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.

As soon as the new Grand Lodge is organised, it will grant charters to the Lodges which formed it, to take effect upon their surrendering the charters 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 charters are to be surrendered; but it seems reasonable to suppose that they could not be surrendered before the new Grand Lodge is organised and recognised by other Grand Lodges, because the surrender of a charter is the extinction of a Lodge, and the Lodges must preserve their vitality to give them power to organise 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 all principles of Masonic law which seem to be admitted, by universal consent, and sanctioned by constant usage, in such organisations.

## CHAPTER II.

### THE POWERS OF A GRAND LODGE.

A GRAND LODGE is the supreme Masonic authority of the jurisdiction in which it is situated, and faithful allegiance and implicit obedience are due to it from all the Lodges and Masons residing therein. Its functions and prerogatives are therefore of the most extensive and important nature, and should be carefully investigated by every Freemason who desires to become acquainted, not only with his duties to the Order, but with his own rights and privileges in it.

The functions of a Grand Lodge are usually divided into three classes. They are—

1. LEGISLATIVE.
2. JUDICIAL.
3. EXECUTIVE.

In its legislative capacity, a Grand Lodge makes the laws; in its judicial, it explains and applies them; and in its executive, it enforces them. Each of these functions will require a distinct section for its consideration.

### SECTION I.

#### THE LEGISLATIVE POWERS OF A GRAND LODGE.

The Old York Constitutions of 926 declare that “the General Assembly or Grand Lodge shall consist of Masters and Fellows, Lords, Knights, and Squires, Mayor and Sheriff, *to make new laws and to confirm old ones*, when necessary.”

The Regulations of 1721, enlarging on this definition, assert that “every Annual Grand Lodge has an inherent

power and authority to make new regulations, or to alter these, for the real benefit of this ancient Fraternity, provided always that the old Landmarks be carefully preserved."

Both of these regulations, it will be seen, acknowledge, in unmistakable terms, that the law-making power is vested in the Grand Lodge. But the latter couples this prerogative with a qualification of so important a nature that it should be constantly borne in mind when we are speaking of the legislative function of Grand Lodges. Although the Grand Lodge may make laws, these laws must never contravene the Landmarks; for the whole power of the Grand Lodge, great as it is, is not sufficient to subvert a Landmark.

The legislative powers of the Grand Lodge are therefore limited only by the Landmarks, and beyond these it can never pass.

In June 1723 an attempt was made to remove this restriction, and a regulation was adopted which asserted that "it is not in the power of any man or body of men to make any alteration or innovation in the body of Masonry, *without the consent first obtained of the Grand Lodge*," which clearly intimates that with such consent an innovation might be made. But at the very next communication, in November of the same year, the Grand Lodge returned to the old principle that "any Grand Lodge duly met has a power to amend or explain any of the printed regulations in the Book of Constitutions, *while they break not in upon the ancient rules of the Fraternity*."

This prerogative to make new regulations, or to amend the old ones, has been therefore exercised since the enactment of these of 1721, with the restriction of not touching the Landmarks, not only by the Grand Lodge of England, but by all the other Grand Lodges which have since emanated, directly or indirectly, from that body; for it is admitted that all the functions and powers that were possessed by the original Grand Lodge have descended to every other Grand Lodge that has been subsequently instituted, so far as the jurisdiction of each is concerned.

But this law-making power is of course restrained within certain limits by those fixed rules of legislative policy which are familiar to every jurist.

1. In the first place, a Grand Lodge can make no regulation which is in violation of or contradictory to any one of the well settled Landmarks of the Order. Thus, were a Grand Lodge, by a new regulation, to abolish the office of Grand Master, such legislation would be null and void, and no Mason would be bound to obey it; for nothing in the whole Masonic system is more undoubted than the Landmark which requires the institution to be presided over by such an office-bearer. And hence this doctrine of the supremacy of the Landmarks has been clearly admitted in the very article which asserts for Grand Lodges the power of making new regulations.

2. The legislation of every Grand Lodge must be prospective, and not retrospective in its action. To make an *ex post facto* law, would be to violate the principles of justice which lie at the very foundation of the system. It was a maxim of the Roman law that "no one could change his mind to the injury of another," which maxim, says an eminent writer, "has by the civilians been specifically applied as a restriction upon the lawgiver, who was thus forbidden to change his mind to the prejudice of a vested right."

3. A Grand Lodge cannot permanently alter or repeal any of its bye-laws or regulations, except in the mode which it has itself provided; for it is a maxim of the law that "the same means are necessary to dissolve as to create an obligation." Thus, if it is a part of the bye-laws of a Grand Lodge that no amendment to them can be adopted unless it be read on two separate days, and then passed by a vote of two-thirds, it is not competent for such a Grand Lodge to make an amendment to its bye-laws at one reading, and by merely a majority of votes.

It has, however, been held that a Grand Lodge may temporarily suspend the action of any one of its bye-laws by an unanimous vote, without being compelled to pass it

through a second reading. Thus, if the bye-laws of a Grand Lodge require that a certain office-bearer shall be elected by ballot, it may, by unanimous consent, resolve to elect, in a particular instance, by a show of hands. But after such election, the original bye-law will be restored, and the next election must be gone through by ballot, unless by unanimous consent it be again suspended.

4. A Grand Lodge has the power of making bye-laws for its daughter Lodges; for the bye-laws of every Lodge are a part of the Regulations of Masonry, and it is the prerogative of a Grand Lodge alone to make new regulations. Yet, for the sake of convenience, a Grand Lodge will, and most Grand Lodges do, delegate to their daughter Lodges the duty of proposing bye-laws for their own government; but these bye-laws must be approved and confirmed by the Grand Lodge before they become permanent regulations. And a Grand Lodge may at any time abrogate the bye-laws, or any part of them, of any or all of its daughter Lodges; for, as the power of proposing bye-laws is not an inherent prerogative in the Lodges, but one delegated by the Grand Lodge, it may at any time be withdrawn or revoked, and a Grand Lodge may establish a uniform code of bye-laws for the government of all her daughter Lodges.

It is from the fact that a Lodge only proposes its bye-laws, which the Grand Lodge enacts, that the principle arises that the Lodge cannot suspend any of its bye-laws, even with unanimous consent, for here the maxim of law already cited applies, and the same method must be adopted in abolishing as in creating an obligation. That is to say, the bye-law having been enacted by the Grand Lodge, that body alone can suspend its operation.

5. But the most important prerogative that a Grand Lodge can exercise in its legislative capacity is that of granting charters of constitution for the establishment of daughter Lodges. Important, however, as is this prerogative, it is not an inherent one, possessed by the Grand Lodge from time immemorial, but is the result of a concession granted by the Lodges in the year 1717; for

formerly, as has been shown, all Masons enjoyed the right of meeting in Lodges without the necessity of a charter, and it was not until the re-organisation of the Grand Lodge, in the beginning of last century, that this right was surrendered. Preston gives the important Regulation which was adopted in 1717, in which it is declared that charters must be granted by the Grand Master, "with the consent and approbation of the Grand Lodge in communication." Anderson does not give this Regulation, nor will anything be found in the Regulations which were approved in 1721, respecting the necessity of the consent and approbation of the Grand Lodge. On the contrary, the whole tenor of these Regulations appears to vest the right of granting charters in the Grand Master exclusively, and the modern Constitutions of the Grand Lodge of England are to the same effect.

6. Coincident with this prerogative of granting charters is that of revoking them. But as this prerogative should only be exercised for cause shown, and after some process of trial, it will be more appropriately discussed when we come to the consideration of the judicial functions of a Grand Lodge.

7. The taxing power is another prerogative of a Grand Lodge. Every Grand Lodge has the right to impose a tax on its daughter Lodges, or on all the affiliated Masons living within its jurisdiction. The tax upon individual Masons is, however, generally indirect. Thus, the Grand Lodge requires a certain contribution or subsidy from each of its daughters, the amount of which is always in proportion to the number of members and the extent of work, and the Lodges make up this contribution by imposing a tax upon their members. If the particular species or amount of taxation is deemed oppressive, or even inexpedient, it is within the power of the subordinate Lodges, by the exercise of the right of instruction which they possess, to amend or altogether to remove the objectionable imposition.

There is no doubt about this; the question, however, assumes a different aspect when it relates to the taxation of unaffiliated Masons. The levying of a tax upon unaffiliated

Masons is contrary to the spirit of the institution, the principles of justice, and the dictates of expediency. Freemasonry is a voluntary association, and no man should be compelled to remain in it a moment longer than he feels the wish to do so. Taxation should always be contingent upon representation; an unaffiliated, however, is not represented in the body which imposes the tax. A tax upon unaffiliated Freemasons would be a tacit permission, and almost an encouragement, of the practice of non-affiliation. It may be said that it is a penalty inflicted for an offence; but in reality it would be considered, like the taxes of the Roman chancery, simply as the cost of a license for the perpetration of a crime. If a Freemason refuses, by affiliation and the payment of dues to a Lodge, to support the institution, let him, after due trial, be punished, by deprivation of all his Masonic privileges, by suspension or expulsion; but no Grand Lodge should, by the imposition of a tax, remove from non-affiliation its character of a Masonic offence. The notion would not for a moment be entertained of imposing a tax on all Freemasons who lived in violation of their obligations; and there is no difference between the collection of a tax for non-affiliation and that for habitual intemperance, except in the difference of grade between the two offences. The principle is precisely the same.

## SECTION II.

### THE JUDICIAL POWERS OF A GRAND LODGE.

In the exercise of its judicial functions, a Grand Lodge becomes the interpreter and administrator of the laws which it has enacted in its legislative capacity. The judicial powers of a Grand Lodge, according to the Old Constitutions, are both original and appellate, although it more frequently exercises the prerogative and duties of an appellate than of an original jurisdiction.

In some jurisdictions cases of expulsion must be tried

under the original jurisdiction of the Grand Lodge, for no private Lodge can inflict this penalty upon one of its members; yet in Scotland constant usage has conferred the power of suspension or expulsion upon the daughter Lodges, and hence such cases seldom come before the Grand Lodge, except in the way of appeal, when, of course, it exercises its appellate jurisdiction, and may amend or wholly set aside the sentence of its subordinate.

The general spirit of the ancient law is, that the Grand Lodge may at all times exercise original jurisdiction; and hence, where a Grand Lodge has not, by special enactment, divested itself of the prerogative of original jurisdiction, it may, by its own process, proceed to the trial and punishment of any Mason living within its jurisdiction. This course, however, although strictly in accordance with the Ancient Constitutions, is not usual, nor would it be generally expedient, and hence some Grand Lodges have specially confined their judicial prerogatives to an appellate jurisdiction, and require the commencement of every trial to take place in a subordinate Lodge.

In matters of dispute between two Lodges, and in the case of charges against the Master of a Lodge, the Grand Lodge is obliged to exercise original jurisdiction; for there is no other tribunal which is competent to try such cases.

In the exercise of its judicial functions, the Grand Lodge may proceed either in its Quarterly Communication or by committee. The form of trial will be the subject of consideration in a subsequent part of this work.

The Grand Lodge may, in the case of an appeal, amend the sentence of its subordinate, by either a diminution or increase of the punishment, or it may wholly reverse it, or it may send the case back for trial. In any one of these events, its decision is final; for there is no higher body in Freemasonry that can entertain an appeal from the decision of a Grand Lodge.

Among the important prerogatives exercised by a Grand Lodge in its judicial capacity, is that of revoking charters

of constitution. Although, as has been already shown, there is a discrepancy between the present practice, which vests the granting of charters or warrants in Grand Lodges, and the old Constitutions, which gave that power to Grand Masters, there is no doubt that the Grand Lodge has constantly exercised the prerogative of revoking charters from the year 1742, when the first mention is made of such action, until the present day. But all the precedents go to show that no such revocation has ever been made except upon cause shown, and after due summons and inquiry. The arbitrary revocation of a charter would be an act of oppression and injustice, contrary to the whole spirit of the Masonic institution.

### SECTION III.

#### THE EXECUTIVE POWERS OF A GRAND LODGE.

In the exercise of its executive functions, the Grand Lodge carries its laws into effect, and sees that they are duly enforced. But as a Grand Lodge is in session only during a few days of the year, it is necessary that these functions should be exercised for it by some one acting as its agent; and hence all the executive powers of a Grand Lodge, when not in session, are reposed in its Grand Master.

The Grand Master is, therefore, in this discharge of executive powers, the representative of the Grand Lodge. That body having first, in its legislative capacity, made the law, and then, in its judicial capacity, having applied it to a particular case, finally, in its executive capacity, enforces its decision through the agency of its presiding officer. The Grand Master cannot make laws nor administer them, for these are the prerogatives of the Grand Lodge; but he may enforce them, because this is a power that has been delegated to him.

The conferring of degrees is an interesting and important exercise of the executive functions of a Grand Lodge, which

is entitled to careful consideration. The question to be discussed is this: Has a Grand Lodge the power to confer the degrees of Masonry on a candidate?

The earliest written Constitutions that we have—those of York in 926—show, without doubt, that Apprentices were at that time made by their own Masters. The law is not so clear as to where Fellow Crafts and Master Masons were made.

The Constitutions of Edward III., in the fourteenth century, are uncertain; but in the third article is a phrase which seems to admit that Fellow Crafts might be made in a subordinate Lodge, for it is said that when a Lodge meets, the Sheriff, the Mayor, or the Alderman “should be made Fellow, or sociate to the Master.” If the expression “made Fellow” is here to be interpreted in its Masonic meaning, then there can be no doubt that a Lodge might at that time confer the second degree; and therefore, probably, by analogy, the third. But of the correctness of this interpretation there may be a reasonable doubt, and if so, these Constitutions give us no light on the subject.

By the middle of the seventeenth century, we begin to find some definite authority, both in private records and in Constitutions. Elias Ashmole, the celebrated antiquary, tells us in his diary that he was made a Freemason on the 16th October 1646, at Warrington, in Lancashire, “by Mr Richard Penket, the Warden, and the Fellow Crafts.” This, then, was evidently in a subordinate Lodge. And in the Regulations adopted by the General Assembly in 1663, it is expressly ruled that “no person, of what degree soever, be made or accepted a Freemason, unless in a regular Lodge, whereof one to be a Master or a Warden, in that limit or division where such Lodge is kept, and another to be a craftsman in the trade of Freemasonry.”

Still later, about the year 1683, we find it ruled in “The Ancient Charges at Makings,” “that no Master nor Fellow take no allowance to be made Mason without the assistance of his Fellows, at least six or seven.”

Preston also furnishes us with authority on this subject,

and tells us that previous to the beginning of the eighteenth century, a sufficient number of brethren might meet together without warrant, make Masons, and practise the rites of Masonry.

But in 1722, a Regulation was adopted by the Grand Lodge of England, which declared that Entered Apprentices must be admitted Fellow Crafts and Masters only in the Grand Lodge, unless by a dispensation from the Grand Master.

This Regulation continued in force, however, only for three years; for, in November 1725, it was enacted that "the Master of a Lodge, with his Wardens and a competent number of the Lodge, assembled in due form, can make Masters and Fellows at discretion." And ever since, the subordinate Lodges have continued to confer all the degrees.

The facts, then, in relation to this subject appear to be briefly as follows: that as far back as we can trace by written records, the subordinate Lodges were authorised to confer all the degrees; that in 1722, or perhaps a year or two sooner, this power, so far as the second and third degrees were concerned, was taken from the Lodges and deposited in the Grand Lodge; that, in 1725, this change being found to be productive of inconvenience, the old system was restored, and the Lodges were again permitted to confer all the degrees.

It cannot be doubted, from this statement of facts, that the attempt on the part of the Grand Lodge in 1722 to deprive the Lodges of their right to confer all the degrees, was a violation of an ancient Landmark, and we are inclined to attribute its speedy repeal as much to a conviction of this fact as to the acknowledged reason of its inconvenience.

While all regular Lodges have an inherent right to enter, pass, and raise Freemasons, of which no Grand Lodge can deprive them, except by forfeiture of charter, the same prerogative cannot be denied to a Grand Lodge; for how can an assemblage of Freemasons, congregated in their supreme capacity, have less authority to transact all the

business of Freemasonry than an inferior and subordinate body?

At the same time, it must be acknowledged that the exercise of this prerogative by a Grand Lodge is, under every circumstance, most inexpedient, and that the custom of conferring degrees should be, as a matter of policy, confined to the daughter Lodges.

## CHAPTER III.

### THE OFFICE-BEARERS OF A GRAND LODGE.

THE office-bearers of a Grand Lodge, if we look to their importance, are either *Essential* or *Accidental*. The Essential Office-bearers are the Grand Master, the Grand Wardens, the Grand Treasurer, the Grand Secretary, and the Grand Tyler. All other office-bearers are accidental, and most of them derive their offices from comparatively recent Regulations.

But they are more usually divided into *Grand* and *Subordinate* Office-bearers.

The Grand Office-bearers are the Grand and Deputy Grand Masters, the Grand Wardens, Grand Treasurer, Grand Secretary, and Grand Chaplain.

The Subordinate Office-bearers are the Grand Deacons, Grand Marshal, Grand Bible Bearer, Grand Sword Bearer, Grand Stewards, and Grand Tyler.

The examination of the duties and prerogatives of each of these office-bearers will claim a distinct section of the present chapter.

### SECTION I.

#### THE GRAND MASTER.

The office of Grand Master is one of such antiquity as to be coeval with the very origin of the institution, whether we look at that origin in a traditional or in an historical point of view. There never has been a time in which the Order has not been governed by a chief presiding office-bearer under this name.

From this fact we derive the important principle that the office of Grand Master is independent of the Grand Lodge, and that all his prerogatives and duties, so far as they are connected generally with the craft, are inherent in the office, and not derived from, nor amenable to, any modern Constitutions.

The whole records of our written and traditional history show that Grand Masters have repeatedly existed without a Grand Lodge, but never a Grand Lodge without a Grand Master. And this is because the connection of the Grand Master is essentially with the craft at large, and only incidentally with the Grand Lodge. He is neither elected, installed, nor saluted as the "Grand Master of the Grand Lodge," but as the "Grand Master of Masons;" and if the institution, so far as relates to its present organisation, were again to be resolved into the condition which it occupied previous to the year 1717, and the Grand Lodge were to be abolished, in consequence of the resumption by the subordinate Lodges of their original prerogatives, the office of Grand Master would be unaffected by such revolution, and that office-bearer would still remain in possession of all his powers, because his office is inseparable from the existence of the fraternity, and he would be annually elected, as formerly, by the craft in their "General Assembly." In accordance with these views, we find Anderson recording that in the year 926, at the city of York, Prince Edwin, as Grand Master, summoned the Craft, who then "composed a Grand Lodge, of which he was the Grand Master." The Grand Lodge did not constitute him as their Grand Master, for the appointment of Grand Master, according to the record, preceded the organisation of the Grand Lodge.

Again, both Anderson and Preston show us a long list of Grand Masters who were not even elected by the Grand Lodge, but held their appointment from the king. In 1663, a Regulation was adopted, declaring "that, for the future, the fraternity of Freemasons shall be regulated and

governed by one Grand Master, and as many Wardens as the said society shall think fit to appoint at every annual General Assembly," which Assembly, it must be recollected, was not, as now, a Grand Lodge, consisting of the representatives of Lodges, but a mass meeting of all the members of the Craft. Again, an attentive perusal of the history of the present organisation of Grand Lodges on St John the Baptist's day, 1717, will show that the Craft first, in General Assembly, elected their Grand Master, who then appointed his Wardens, and established a Grand Lodge, by summoning the Masters and Wardens of the Lodges to meet him in quarterly communication. In short, everything of an authentic nature in the history of Masonry shows that the Grand Master is the officer and the organ of the Craft in general, and not of the Grand Lodge, and that although for purposes of convenience the Fraternity have, for the last one hundred and fifty-five years, conceded to their Masters and Wardens in Grand Lodge convened the privilege of electing him for them, such concession does not impair his rights, nor destroy the intimate and immediate connection which exists between him and the Craft at large, to whom alone he can be said to have any rightful responsibility.

All this very clearly shows—and this is the general opinion of Masonic jurists—that, with the exception of a few unimportant powers, conferred for local purposes, by various Grand Lodges, and which necessarily differ in different jurisdictions, every prerogative exercised by a Grand Master is an inherent one—that is to say, not created by any special statute of the Grand Lodge, but the result and the concomitant of his high office, whose duties and prerogatives existed long before the organisation of Grand Lodges.

The responsibility of the Grand Master presents itself as the next important question. Invested with these high and inalienable functions, to whom is he responsible for their faithful discharge, and by whom and how is he to be

punished for official misdemeanours? These are important and difficult questions, which have occupied the attention and divided the opinions of the most eminent Masonic jurists.

It is not to be doubted that the Grand Master is not an irresponsible office-bearer. To deny this broad principle would be to destroy the very foundations on which the whole system of Masonic legislation is built. Democratic as it is in its tendencies, and giving to every member a voice in the government of the institution, it has always sustained the great doctrine of responsibility as the conservative element in its system of polity. The individual Mason is governed by his Lodge; the Master is controlled by the Grand Lodge; the Grand Lodge is restrained by the ancient Landmarks; and if the Grand Master were not also responsible to some superior power, he alone would be the exception to that perfect adjustment of balances which pervades and directs the whole machinery of Masonic government.

The theory on this subject appears to be, that the Grand Master is responsible to the craft for the faithful performance of the duties of his office. Originally it was competent for any General Assembly to entertain jurisdiction over the Grand Master, because, until the year 1717, the General Assembly was the whole body of the craft, and as such, was the only body possessing general judicial powers in the Order; and if he was not responsible to it, then he must of necessity have been altogether without responsibility; and this would have made the government of the institution despotic, which is directly contrary to the true features of its policy.

How this jurisdiction of the Craft in their General Assembly was to be exercised over the Grand Master, we have no means of determining, since the records of the Order furnish us with no precedent. But we may suppose that in the beginning, when Grand Masters were appointed by the reigning monarch, that jurisdiction, if necessary, would have been exercised by way of petition or remonstrance

to the king, and this view is supported by the phraseology of the Constitutions of 926, which say, that "in all ages to come, the existing General Assembly shall petition the king to confer his sanction on their proceedings."

As the power of deposition or other punishment was vested, in those early days, in the reigning monarch, because he was the appointer of the Grand Master, it follows, by a parity of reasoning, that when the appointment was bestowed upon the General Assembly, the power of punishment was vested in that body also. But in course of time, the General Assembly of the Craft gave way to the Grand Lodge, which is not a congregation of the Craft in their primary capacity, but a congregation of certain office-bearers in their representative capacity. And we find that in the year 1717, the Masons delegated the powers which they originally possessed to the Grand Lodge, to be exercised by their Masters and Wardens, in trust for themselves. Among these powers which were thus delegated, was that of exercising penal jurisdiction over the Grand Master. The fact that this power was delegated is not left to conjecture; for, among the Regulations adopted in 1721, we find one which recognises the prerogative in these emphatic words: "If the Grand Master should abuse his power, and render himself unworthy of the obedience and subjection of the Lodges, he shall be treated in a way and manner to be agreed upon in a new Regulation, because hitherto the ancient fraternity have had no occasion for it—their former Grand Masters having all behaved themselves worthy of that honourable office.

This article comprises three distinct statements; first, that the Grand Master is responsible for any abuse of his power; secondly, that a Regulation may at any time be made to provide the mode of exercising jurisdiction over him; and lastly, that such Regulation never has been made, simply because there was no necessity for it, and not because there was no power to enact it.

Now, the method of making new Regulations is laid down in precise terms in the last of these very Regulations

of 1721. The provisions are, that the Landmarks shall be preserved, and that the new Regulation be proposed and agreed to at the third quarterly communication preceding the annual Grand Feast, and that it be also offered to the perusal of all the brethren before dinner, in writing, even of the youngest Apprentice—the approbation and consent of the majority of all the brethren being absolutely necessary to make it binding and obligatory.

It is evident that a literal compliance with all the requisitions of this Regulation has now become altogether impracticable. Entered Apprentices have no longer, by general consent, any voice in the government of the Order, and quarterly communications, as well as the annual Grand Feast, have almost everywhere been discontinued. Hence we must apply to the interpretation of this statute the benign principles of a liberal construction. We can only endeavour substantially, and as much as possible in the spirit of the law, to carry out the intentions of those who framed the Regulation.

It seems, then, that these intentions will be obeyed for all necessary purposes, if a new Regulation be adopted at an annual meeting of the Grand Lodge, and by the same majority which is required to amend or alter any clause of the Constitution. The power to make new Regulations, which was claimed by the Grand Lodge of England in 1721, and afterwards reasserted in 1723 in still more explicit terms, is equally vested in every other regularly organised Grand Lodge which has been since established, and which is, by virtue of its organisation, the representative, in the limits of its own jurisdiction, of the original Grand Lodge which met at the Apple-tree Tavern in 1717.

With these preliminary observations, we are now prepared to enter upon an investigation of the prerogatives and duties of a Grand Master.

1. The Grand Master has the right to convene the Grand Lodge on any special occasion, at such time and place as he may deem expedient. The Constitution of the Grand Lodge necessarily must designate a time and place for the

quarterly communications, which it is not in the power of the Grand Master to change. But on the occurrence of any emergency, which may, in his opinion, render a special communication necessary, the Grand Master possesses the prerogative of convoking the Grand Lodge, and may select such time and place for the convocation as he deems most convenient or appropriate. This prerogative has been so repeatedly exercised by Grand Masters, from the earliest times to the present day, that it seems to be unnecessary to furnish any specific precedents out of the multitude that the most cursory reading of the old records would supply.

2. The Grand Master has the right to preside over every assembly of the Craft, wheresoever and whensoever held. This is a Landmark of the Order, and consequently the right of the Grand Master to preside at all meetings of the Grand Lodge, which is derived from it, is an inherent right, of which no constitutional provision can deprive him. From this prerogative is also derived the principle that the Grand Master may assume the chair of any private Lodge in which he may be present, and govern the Lodge as its Master. He is also, by virtue of the same prerogative, the chairman of every committee of the Grand Lodge which he may choose to attend. He is, in brief, the head of the craft in his own jurisdiction, and cannot, at any meeting of the Fraternity for Masonic purposes, be placed, without his consent, in a subordinate position.

3. Concomitant with this prerogative of presiding in any Lodge, is that of visitation. This is not simply the right of visit, which every Master Mason in good standing possesses, but it is a prerogative of a more important nature, and which has received the distinctive appellation of the *Right of Visitation*. It is the right to enter any Lodge, to inspect its proceedings, to take a part in its business transactions, and to correct its errors. The right is specifically recognised in the Regulations of 1721, but it is also an inherent prerogative; for the Grand Master is, in virtue of his office, the head of the whole Fraternity, and is not only entitled, but bound, in the faithful discharge of

his duty, to superintend the transactions of the craft, and to interfere in all congregations of Masons to prevent the commission of wrong, and to see that the Landmarks and usages of antiquity, and the Constitutions and laws of the Grand Lodge, and of every Lodge in his jurisdiction, are preserved and obeyed. The Regulations of 1721 prescribe that when the Grand Master makes such a visitation, the Grand Wardens are to attend him, and act as Wardens of the Lodge while he presides. This Regulation, however, rather refers to the rights of the Grand Wardens than to the prerogative of the Grand Master, whose right to make an official visitation to any Lodge is an inherent one, not to be limited or directed by any comparatively modern Regulation.

4. The Right of Appointment is another prerogative of the Grand Master. By the old usages the Grand Master appointed the Deputy-Grand Master, who is hence always styled "his Deputy." The Regulations of 1721 also gave him the nomination of the Grand Wardens, who were then to be installed, if the nomination was unanimously approved by the Grand Lodge, but if not, an election was to be held. The Grand Secretary, at the first establishment of the office in 1723, was elected by the Grand Lodge, but all subsequent appointments were made by the Grand Master. The office of Grand Treasurer was, however, always an elective office.

In Scotland all the office-bearers of the Grand Lodge are elected annually by the members: in that of England, under its present Constitution, the Grand Master appoints all the office-bearers of the Grand Lodge, except the Grand Treasurer. In America, the prerogative of appointment, which was vested by ancient usage in the Grand Master, has been greatly abridged, and is now restricted to the nomination of some of the subordinate office-bearers of the Grand Lodge. In view of the fact that none of the office-bearers of the Grand Lodge, except the Grand Master, owe their existence to a Landmark, but are all the creatures of regulations, adopted from time to time;

and in view, too, of the other important fact that regulations on the subject were continually changing, so that we find an office-bearer at one time appointed, and at another time elected, we are constrained to believe that the right of appointment is one of the few prerogatives of the Grand Master, which is not inherent in his office, but which is subject to the regulation of the Grand Lodge.

5. The twelfth Regulation of 1721 gave the Grand Master the prerogative of giving two votes on all questions before the Grand Lodge. The words of the Regulation are, it is true, very explicit, and would seem to leave no doubt upon the subject: and yet it can scarcely be credited that, under all circumstances, that office-bearer was permitted to vote twice, while every other member voted but once. Contemporaneous exposition, however, supplies no aid in the interpretation of the law. The modern Grand Lodge of England retains the very words of the Old Regulations; but in America, where it has principally been preserved by usage, this Regulation is so interpreted as that the Grand Master gives his second vote only in the case of a tie, and this, there is reason to believe, was the meaning of the original law. In Scotland, the Grand Master ordinarily gives no vote, but gives a casting vote in case of equality.

6. We come now to one of the most important prerogatives of a Grand Master, that, namely, of granting dispensations. A dispensation may be defined to be "the granting of a license, or the license itself, to do what is forbidden by laws or regulations, or to omit something which is commanded; that is, the dispensing with a law or regulation, or the exemption of a particular person from the obligation to comply with its injunctions." This power to dispense with the provisions of law in particular cases appears to be inherent in the Grand Master, because, although frequently referred to in the Old Regulations, it always is as if it were a power already in existence, and never by way of a new grant. There is no record of any Masonic statute or constitutional provision conferring this prerogative in distinct words. The instances, however, in

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bearers at the constitutional time of election, or, having elected them, has failed to proceed to installation, the Grand Master may, on application, issue his dispensation, authorising the election or installation to take place at some time subsequent to the constitutional period. And without such dispensation, no election or installation could take place ; but the old office-bearers would have to continue in office until the next regular time of election, for no Lodge can perform any act at any other time, or in any other mode, except that which is provided by its bye-laws, or the Constitutions of the Grand Lodge, unless in a particular case a dispensation is granted to set aside for the time the provisions of the law.

Again, although no one can serve as Master of a Lodge unless he has previously acted as a Warden, yet in particular cases, as in the organisation of a new Lodge, or when, in an old Lodge, no one who has been a Warden is willing to serve as Master, the Grand Master may grant his dispensation empowering the members to elect a Master from the bosom of the Lodge.

As, however, it is a principle of the law that the benignity of the Grand Master must not affect the rights of third parties, no dispensation can issue for the election from the bosom of the Lodge if there be a Warden or Past Warden who is willing to serve ; for eligibility to the chair is one of the prerogatives which arises from having served in the office of Warden, and a dispensation cannot set aside a prerogative.

By the operation of the same equitable principle, the Grand Master is prohibited from issuing a dispensation to authorise the initiation of a person who has been rejected by a Lodge ; for it is the inherent right of a Lodge to judge of the fitness of its own members, and the Grand Master cannot, by the exercise of his dispensing power, interfere with this inherent right.

7. Analogous to this dispensing power is the prerogative which the Grand Master possesses of authorising Masons to congregate together and form a Lodge. Hence, as no

Lodge can be legally held except under a charter of constitution granted by a Grand Lodge, when the Grand Master permits such an assemblage, he suspends for a time the operation of the law; and for this reason the document issued by him for this purpose is very appropriately called a dispensation, for it is simply a permission or license granted to certain brethren to dispense with the law requiring a charter, and to meet and work masonically without such an instrument.

8. Consequent upon and intimately connected with this dispensing power is that much-contested prerogative of the Grand Master to make Masons at sight. The words "making Masons at sight" are not to be found in any of the Constitutions or records of the legitimate Grand Lodge of England. They were first used by the Athol Grand Lodge, and are to be found in its authorised Book of Constitutions, the "Ahiman Rezon" of Laurence Dermott. The "moderns," as they were called, or the regular body, always spoke of "making Masons in an occasional Lodge," and these words continually occur in the second edition of the Book of Constitutions, published by Dr Anderson, and in all the subsequent editions compiled by other editors. Thus we find that in 1731, "Grand Master Lovel formed an *occasional Lodge* at Sir Robert Walpole's house of Houghton Hall, in Norfolk, and made Brother Lorrain and Brother Thomas Pelham, Duke of Newcastle, Master Masons."

Again, "on the 16th of February 1766, an *occasional Lodge* was held at the Horn Tavern, in New Palace Yard, by the Right Hon. Lord Blaney, Grand Master. His Royal Highness William Henry, Duke of Gloucester, was in the usual manner introduced and made an Entered Apprentice, passed a Fellow Craft, and raised to the degree of a Master Mason."

And again, "on February 9, 1767, an *occasional Lodge* was held at the Thatched House Tavern, in St James Street, by Colonel John Salter, Deputy Grand Master, as Grand Master, and His Royal Highness Henry Frederick, Duke

of Cumberland, was, in the usual manner, introduced and made an Entered Apprentice, passed a Fellow Craft, and raised to the degree of a Master Mason."

Now, in all these cases the candidates were made by the Grand Master without previous notice, and not in a regular Lodge; and this is what is supposed to be really meant by making Masons at sight. Dermott adopted this phraseology, but Anderson and his successors called it "making Masons in an occasional Lodge." The two expressions mean exactly the same thing.

By way of illustrating this, let it be supposed that the Grand Master of a certain jurisdiction is desirous of making a Mason at sight, or in an occasional Lodge. How is he to exercise this prerogative? He summons not less than six Master Masons to his assistance, himself making the seventh, which number is necessary to form a perfect Lodge. They meet together, and he grants his dispensation (which is virtually done by his presence), permitting a Lodge to be opened and held. The candidate upon whom the Grand Master intends to exercise his prerogative applies for initiation, and the Grand Master having dispensed with the Regulation which requires the petition to lie over for one month, the Lodge proceeds to confer the first and second degrees, the Grand Master being in the chair. On the following evening, the same brethren again meet, and the candidate receives the third degree, the Grand Master occupying the chair as before.

The Lodge having accomplished all that was required of it, the Grand Master ceases to exercise his dispensing power—which he is of course at liberty to do, for his dispensation, like the king's writ, is granted during his good pleasure—and the Lodge is dissolved. But the making of the candidate is good; nor does it appear that it can be denied, for certainly if the Grand Master can authorise A, B, and C to make Masons by dispensation—and this no one doubts—then surely he can exercise the same functions which he has the power of delegating to others.

This is all that is meant by the prerogative of the Grand Master to make Masons at sight. It is the necessary result of his prerogative to constitute Lodges by dispensations granted to others, and indeed is the same thing in a modified form. But in exercising this important prerogative, the Grand Master must be governed by all those principles which would apply to the initiation of candidates in an ordinary Lodge under dispensation; for although he may dispense with the provisions of a Regulation, he cannot dispense with the Landmarks. The candidate must be possessed of all the requisite qualifications, nor can the Grand Master interfere with any Lodge by making a candidate who has been rejected; for he cannot exercise any of his prerogatives to the injury of other parties.

Another important prerogative of the Grand Master is that of arresting the charter of a subordinate Lodge. *To arrest the charter*, is a technical phrase by which is meant to suspend the work of a Lodge—to prevent it from holding its usual communications, and to forbid it to transact any business, or to do any work. A Grand Master cannot revoke the charter of a Lodge; for this is the peculiar prerogative of the Grand Lodge. But if, in his opinion, the good of Masonry, or any other sufficient cause requires it, he may suspend the operation of the charter until the next communication of the Grand Lodge, which body is alone competent to revise or approve of his action. But this prerogative of the Grand Master, as it deprives a Lodge of its activity and usefulness for a period of some duration, and inflicts some portion of disgrace upon the body which has subjected itself to such discipline, should be exercised with the utmost caution and reluctance.

The doctrine of the right of appeal has been so fully discussed in a former part of this work, that it is scarcely necessary to say more on this subject than that it is held to be the settled law of Masonry, at this time, that an appeal cannot be taken from the decision of the Grand Master to the Grand Lodge.

Should the Grand Master ever abuse his great power,

and by unjust or incorrect decisions endanger the prosperity of the institution, the long-recognised principle of an annual election will afford a competent check, and the evil of an oppressive or an ignorant presiding office-bearer can readily be cured by his displacement at the constitutional period, and in the constitutional way.

The last subject to be discussed in reference to the office of Grand Master, is the question of succession. In case of the death or absence of the Grand Master, who succeeds to his office?

There never has been any doubt that in case of the death or absence of the Grand Master, the Deputy succeeds to the office, for this seems to have been the only object of his appointment. The only mooted point is as to the successor in the absence of both.

The fourteenth Regulation of 1721 prescribed, that if the Grand Master and his Deputy should both be absent from the Grand Lodge, the functions of Grand Master shall be vested in "the present Master of a Lodge that has been the longest a Freemason," unless there be a Past Grand Master or Past Deputy present. But this was found to be an infringement on the prerogatives of the Grand Wardens, and accordingly a new Regulation appeared in the second edition of the Book of Constitutions, which prescribed that the order of succession should be as follows:—The Deputy, a Past Grand Master, a Past Deputy Grand Master, the Senior, and then the Junior Grand Warden, the oldest former Grand Warden present, and lastly, the oldest Freemason who is the Master of a Lodge.

The duties and prerogatives to which these office-bearers succeed, in case of the absence of the Grand Master from any communication, are simply those of a presiding office-bearer, although of course they are for the time invested with all the rights which are exercised by the Grand Master in that capacity. But if the Grand Master be within the limits of the jurisdiction, although absent from the Grand Lodge, all their temporary functions cease as soon as the Grand Lodge is closed.

If, however, the Grand Master is absent, or has died, then these office-bearers, in the order already stated, succeed to the Grand Mastership, and exercise all the prerogatives of the office until his return, or, in the case of his death, until the next communication of the Grand Lodge.

The jewels of the Most Worshipful Grand Master of Scotland are a brilliant Star, having in the centre a field azure charged with a St Andrew on the cross, gold—pendant therefrom the Compasses extended, with the Square, and segment of a circle of 90°, the points of the Compasses resting on the segment—in the centre, between the Square and Compasses, the Sun in full glory.

## SECTION II.

### THE PAST GRAND MASTER, DEPUTE MASTER, AND SUBSTITUTE MASTER.

Of the Past Grand Master, the Depute Grand Master, and the Substitute Grand Master, it is unnecessary to say more here than that, as their holding of office is purely temporary and contingent on the absence or death or resignation of the Most Worshipful Grand Master, they are required to discharge *pro tempore* all the duties that, under the circumstances, inure to the office to which they are called. The duties promised to be observed by the Depute and Substitute Master cannot be more summarily or more accurately described than as they are given in the Laws and Constitutions of the Grand Lodge of Scotland. Thus the oath *de fidei* is as follows:—

“I, ....., in the presence of the G. A. of the U., do solemnly promise to perform the duties of the Office of Master, or Depute Master, or Substitute Master (*as the case may be*), faithfully, zealously, and impartially, to the best of my ability, during the ensuing twelve months, unless a successor shall have been previously

appointed and installed in my stead. That, while in the Chair, I will not permit or suffer any deviation from the ancient customs and landmarks of the Order recognised by the Grand Lodge of Scotland, nor administer, or cause to be administered, any ceremony contrary to, or subversive of our Constitutions. That I will maintain pure and unsullied the genuine tenets of the Order. That I will observe, and as far as lies in my power, strictly enforce those Charges and Regulations to which I have now given my assent, and otherwise conscientiously perform my duty as Master of the Craft. So help me God !”

The installation then takes place, the presiding Master addressing the Depute and Substitute Master thus :—

Brother C. D.—I invest you, as Depute Master, with the *Square* and *Compasses*, being the insignia of your office. The Square has the two ends of unequal length, the short one pointing to time, the other to eternity ; so the Compasses combined with the Square will teach you not only to be contented with your lot on earth, and thankful for what your Heavenly Father bestows on you in this world, but that you should press forward in the paths of virtue, and have in view the attainment of a blessed immortality. In the absence of the Master [and of any Past Master of the Lodge \*] you will take upon you the Duties of the Chair.

Brother E. F.—I invest you as Substitute Master. It is your duty to preside in the Lodge when the Master or his Depute cannot be present. Your Jewel is the *Square*, which denotes in a moral sense that you are worthy of the office they have conferred upon you ; and in its emblematic sense that, as when applied to work, it shows whether it be straight, level, and correct, so you are to observe that your conduct and actions, as well as those of the Brethren (at least in Lodge assembled), are guided by the stern principles of justice.

So much has already been said as to the status of the Past Grand Master, that further discussion of it here would be superfluous.

The jewels of the Past Grand Master are, as already described in the installation address, similar to those of the Grand Master—of smaller dimensions, however, and without the sun between the Square and Compasses.

Those of the Depute Grand Master are the Compasses and Square united, pendant from a small brilliant Star ;

\* To be omitted at the Consecration of a New Lodge.

and those of the Substitute Grand Master the Square, pendant from a Star.

In the case of the Most Worshipful Master Elect, there is added the Mallet.

### SECTION III.

#### THE GRAND WARDENS.

Next in dignity to the Depute and Substitute Grand Masters, come the Senior and Junior Grand Wardens. These two office-bearers are, however, although subordinate in rank, of much more importance than the Depute and Substitute Grand Masters in the working of the Order, and are possessed of some prerogatives which do not belong to them. Their duties do not very materially differ from those of the corresponding office-bearers in a daughter Lodge, although of course, from their more eminent position, their powers are more extensive.

The first of the Regulations of 1721 prescribed that the Grand Master, in his official visitation to a daughter Lodge, "might command the Wardens of that Lodge, or any other Master Masons, to act there as his Wardens, *pro tempore*;" but as this was found to be an interference with the rights of the Grand Wardens, the Regulation was soon after explained as only being applicable to cases where they were absent; for it was declared that the Grand Master cannot deprive them of their office without showing cause, so that if they are present in a particular Lodge with the Grand Master, they must, if he presides, act as Wardens. And accordingly, this has ever since been considered as one of their prerogatives.

As in a daughter Lodge, so in the Grand Lodge, the Junior Grand Warden does not occupy the west in the absence of the Senior Grand Warden. The two offices are entirely distinct; and the Junior Grand Warden having been elected and installed to preside in the south, can leave

that station only for the east, in the absence of all his superiors. A vacancy in the west must be supplied by temporary appointment.

On the same principle, the Senior Grand Warden cannot supply the place of the absent Depute Grand Master. In fact, in the absence from the Grand Lodge of the Depute, it is scarcely necessary that his office should be filled by the temporary appointment of any person; for, in the presence of the Grand Master, the Depute has no duties to perform.

The old Charges of 1722 required that no one could be a Grand Warden until he had been the Master of a Lodge. The rule still continues in force, either by the specific regulation of modern Grand Lodges, or by the force of usage, which is sometimes the best interpreter of law.

By the Regulations of 1721, in England, the Grand Master possessed the power of nominating the Grand Wardens; but if his nomination was not unanimously approved, the Grand Lodge proceeded to an election, so that really the choice of these office-bearers was vested in the Grand Lodge. By the universal usage of the present day, the power of nomination is not exercised by Grand Masters, and the Grand Wardens are always elected.

The jewel of the Senior Grand Warden is a Level pendant from a Star, to denote, in its moral sense, that all are descended from the same stock, partake of the same nature, and share the same hope; and that though distinctions among men are necessary to preserve subordination, no eminence of station should make Freemasons forget that they are brothers. In its emblematic sense it indicates that in all Masonic concerns the brethren are to be considered as strictly on a level.

The jewel of the Junior Grand Warden is a Plumb pendant from a Star, to denote, in its moral sense, that he owes his promotion to uprightness and integrity—and that he is at all times to be upright in his conduct. In its emblematic sense it indicates that, in the discharge of the many duties of his difficult and arduous office, and in all

Masonic concerns, he is to take special care to act with perfect uprightness, so that if his jewel should be figuratively applied, it should be found so.

According to the present Laws of the Grand Lodge of Scotland, the Grand Wardens cannot continue in office for more than two consecutive years.

## SECTION IV.

### THE GRAND TREASURER.

The office of Grand Treasurer was provided for in the Regulations approved by the Grand Lodge of England in 1722, and it was then prescribed that he should be "a Brother of good worldly substance, who should be a member of the Grand Lodge, by virtue of his office, and should be always present, and have power to move to the Grand Lodge anything, especially what concerns his office." Again, in 1724, on the organisation of the Committee of Charity of the Grand Lodge, it was enacted that a Treasurer should be appointed, in whose hands the amounts collected might be deposited. But it was not until the year 1727 that the office was really filled by the selection of Nathaniel Blakerby. Even then, however, the office does not appear to have been considered by the Grand Lodge as a distinct appointment, but rather as one which any responsible Brother might fill, in addition to his other duties; for the Treasurer, Blakerby, was in the next year appointed Depute Grand Master, and discharged the functions of both offices at the same time; and when he resigned the office, the appointment was given to the Grand Secretary, who, during Blakerby's administration, had sometimes performed his duties; but at length, in 1738, Bro. Revis, the Grand Secretary, declined the office, very properly assigning as a reason "that both those offices should not be reposed in one man, the one being a check to the other." So that it was not until the year 1739 that, by the appointment of Bro. John Jesse, as Grand Treasurer,

the office assumed a distinct and separate position among the offices of the Grand Lodge, which it has ever since retained.

The thirteenth Regulation of 1721 had certainly, by a just construction of its language, made the office of Grand Treasurer an elective one by the Grand Lodge; but notwithstanding this, both Blakerby and Jesse were appointed by the Grand Master, the latter, however, at the unanimous request of the Grand Lodge. But ever since, the office of Grand Treasurer has been an elective one.

The functions of the Grand Treasurer do not differ from those of the corresponding office-bearer in a daughter Lodge. It is his duty to act as the depository of all the funds and property of the Grand Lodge, to keep a fair account of the same, and render a statement of the condition of all the property in his possession, whenever called upon by either the Grand Master or the Grand Lodge. He also pays all accounts which have been approved by the Grand Lodge. He is, in one word, under such regulations as that body shall prescribe, the banker of that body.

The Grand Treasurer's accounts must be balanced annually, and remitted to the auditor of the Grand Lodge within ten days thereafter to audit the same. They are to be reported by him, so that the state of the funds may be announced in the annual circular of the Grand Lodge.

He is not at liberty to pay away any of the funds of the Lodge without authority, and then only upon a check signed by the Brother who officiated in the chair when the order was given. This cheque must be countersigned by the Grand Secretary or Grand Clerk.

The jewel of the Grand Treasurer is a chased Key, sufficiently expressive of the duties of his office.

## SECTION V.

### THE GRAND SECRETARY.

The Regulations of 1721 described the duties to be

performed by the Grand Secretary; but from the organisation of the Grand Lodge of England in 1717, to the year 1723, no such office-bearer was appointed. In the last-mentioned year, however, Bro. William Cowper was chosen by the Grand Lodge. The office was therefore at first an elective one; but Anderson, in his edition of 1738, says that "ever since, the new Grand Master, upon his commencement, appoints the Secretary, or continues him by returning him the books." This usage is still pursued by the Grand Lodge of England; but in Scotland the office of Grand Secretary is an elective one.

The functions, the discharge of which is entrusted to the Grand Secretary, are of the most important nature, and require no ordinary amount of talent. It is his duty to record all the proceedings of the Grand Lodge with the utmost fidelity and exactness. He is also the official organ of the Grand Lodge, and in that capacity conducts its correspondence. He is, besides, the recipient of the returns and dues of Lodges, which amounts he pays over to the Grand Treasurer, so that each of these office-bearers acts as a check upon the other.

The Grand Secretary is also in Scotland the custodian of the records and the keeper of the seal of the Grand Lodge, which he affixes to all documents that require it. His signature is considered as essential to the validity of any document which emanates from the Grand Lodge.

He has also charge of the movable property of the Grand Lodge; and under direction of the Grand Committee, he is entrusted with letting and keeping in repair the heritable property. This duty has, however, been deputed to a Hall Committee. He also issues diplomas.

He is allowed a salary. He is *ex officio* Secretary to all committees.

His jewel is a Key and Pen crossed with a tie, a symbol very significant of his functions.

He was permitted by the old Regulations to appoint an Assistant, who did not, however, by such appointment, become a member of the Grand Lodge.

## SECTION VI.

## THE GRAND CLERK.

The duty of the Grand Clerk is to prepare and engross the minutes, to keep the roll of members of the Grand Lodge, to prepare the annual circular, to enroll the names of entrants, and to prepare all charters, commissions, &c., issued by the Grand Lodge. He has the use of the Records and Seal of the Grand Lodge when occasion requires. In the absence of the Grand Secretary he officiates for him, and in his absence the Grand Secretary officiates for him. He is *ex officio* Clerk to all committees.

The Grand Clerk is allowed a salary.

It is required of him, as it is of the Grand Secretary, that he shall at no time retain in his hands more than a fixed small amount of the funds of the Grand Lodge; and as also in the case of the Grand Secretary, he is bound, if called upon, to find security for his intrusions to the satisfaction of the Grand Lodge.

He wears as a jewel Cross Pens with a tie.

## SECTION VII.

## THE GRAND CHAPLAINS.

This is an office of very modern date. No allusion to such office-bearers is to be found in any of the old Constitutions; and Preston informs us that it was instituted on the 1st of May 1775, on the occasion of the laying of the corner-stone of the Freemasons' Hall in London. A sense of propriety has, however, notwithstanding its want of antiquity, since caused this office to be universally recognised.

The duties of the Grand Chaplains are confined to offering up prayer at the communications of the Grand Lodge, and conducting its devotional exercises on public occasions.

They are, by virtue of their office, members of the Grand Lodge, and entitled to a seat and a vote. The only qualifications required are, that they should be Master Masons, in good standing in their Lodges, and recognised clergymen of some religious denomination.

The jewels of the Grand Chaplains are an Irradiated Eye in a triangle.

## SECTION VIII.

### THE GRAND DEACONS.

The office of Grand Deacon is of more modern origin than that of any other office-bearer in the Grand Lodge. No reference to it can be found in any of the old Regulations, in Anderson, or any subsequent edition of the Book of Constitutions, in Preston's Illustrations, or in Laurie's Early History. By the Regulations of 1721, the duties of the Grand Deacons seem to have been divided between the Grand Wardens and the Stewards; nor is a place appropriated to them in any of the processions described in the various works already cited. They are first found in a procession which took place in 1831, recorded by Oliver, in his continuation of Preston's History. But they have since been placed among the office-bearers of the Grand Lodge in the Constitutions of England, Scotland, and Ireland.

In America, the office has an older date; for Grand Deacons are recorded as having been present in a procession of the Grand Lodge of Pennsylvania, in 1783, the account of which is to be found in Smith's "Ahiman Rezon." They are also mentioned among the office-bearers of the Grand Lodge in the Constitution adopted in 1797 by the Grand Lodge of North Carolina. It is difficult to say how the anomaly arose of these office-bearers existing in Grand Lodges of America in the eighteenth century, while they are not to be found in those of Great Britain until late in the nineteenth. They could scarcely have been derived

from the Athol Grand Lodge, since the York Masons of South Carolina had no such office-bearers in 1807, when Dalcho published the first edition of his "Ahiman Rezon."

The Grand Deacons are generally two in number, a Senior and a Junior. It is their province to attend upon the Grand Master and Wardens in the active duties of the Grand Lodge. Their duties differ but little from those of the corresponding office-bearers in a daughter Lodge.

The jewel of the Senior Grand Deacon is a Mallet within a wreath, and that of the Junior Grand Deacon a Trowel within a wreath,—the former designed to teach that skill without exertion is of little avail—that labour is the lot of man; and the trowel to inculcate the lesson that the cement of brotherly love and affection—that love and affection which unite all into one common band—should be spread and used so as to effect the object for which it is designed.

## SECTION IX.

### THE GRAND STEWARDS.

These office-bearers have, in the Grand Lodge, duties very much the same as the Stewards in daughter Lodges. They are appointed annually, or as occasion requires, to act under the direction of the Grand Lodge in the management of the Festival of St Andrew and other festivals. They are required to attend at all processions of the Grand Lodge in their proper clothing, and with their rods of office. No Brother in arrear of his contribution to the Fund of Benevolence is eligible to be elected.

At or previous to the festivals, the Master of each Lodge in or near Edinburgh is empowered to nominate one of his brethren to be an Assistant Grand Steward, subject to the approbation of the Grand Lodge. This, however, is now seldom done.

The Assistant Grand Stewards carry rods, and are provided with clothing different from that of the Grand Stewards. At the introduction of the Grand Master into the Lodge they

announce his arrival with the accustomed honours. The Assistant Grand Stewards are required to attend on their respective Lodges at all Grand Lodge festivals. When the Grand Lodge has occasion to meet out of Edinburgh, the attending Lodges or deputations are required to nominate each an Assistant Steward *pro tempore*, to perform similar duties to those discharged by the ordinary Assistant Stewards.

## SECTION X.

### THE GRAND ARCHITECT.

This office had its origin in 1776, when Brother Thomas Lanby, who designed and built the Freemasons' Hall in London, was appointed to it. The duties consist in overseeing all the buildings belonging to the Order, and making an annual report with regard to them, as to their state of repair, &c., accompanied by plans and specifications of any improvements and alterations which in his judgment he considers necessary. The Grand Architect also advises as to the construction of new buildings, obtains and furnishes estimates for them, superintends their erection, and takes special care that they are executed in conformity with the plans approved by the Grand Lodge.

The Grand Architect's jewel is a Corinthian Column based on a segment of 90°.

## SECTION XI.

### THE GRAND JEWELLER.

The duties of the Grand Jeweller are to see that the Jewels of the Grand Lodge are kept in proper order and repair; and to make any jewels which the Grand Lodge may vote to distinguished or honorary members.

The jewel of the Grand Jeweller is a Goldsmith's Hammer within a wreath.

## SECTION XII.

## THE GRAND BIBLE-BEARER.

The duties of the Grand Bible-Bearer are to see that the volume of the Sacred Law is always on the altar at all the Quarterly Communications and Festivals; to open it at the suitable parts appropriate to the occasion; to carry it with him at all public processions or laying of foundation-stones, and to shut it at the closing of the Lodge.

The jewel of the Grand Bible-Bearer is a Bible encircled with branches of Acacia and Cedar.

## SECTION XIII.

## THE GRAND DIRECTOR OF CEREMONIES.

This office-bearer is entrusted with the care of the Regalia, clothing, and jewels belonging to the Grand Lodge. It is also his duty to see that all ceremonials are carried out according to the regulations of the Craft, with decorum, allowing no innovations on ancient custom. His responsibility is great, and his attendance at all meetings indispensable.

His jewel represents Cross Rods with Tie.

## SECTION XIV.

## THE GRAND BARD.

The duties of the Grand Bard are to supply the Brethren with suitable melody as occasion may require. And in token of his services, the Grand Lodge, in 1844, relieved him of all fees exigible by the Grand Lodge.

His jewel takes the form of a Grecian Lyre.

## SECTION XV.

## THE GRAND SWORD-BEARER.

This office was first made permanent in 1731, when

Grand Master the Duke of Norfolk presented to the Grand Lodge of England the trusty sword of the famous Gustavus Adolphus, King of Sweden, that had also been used by his successor in arms, Bernard, Duke of Saxe Weimar. The sword has both these illustrious names inscribed on its blade. The Grand Master further adorned it with the shield of his dukedom, in silver, on the scabbard, and requested that it might be used in future as the Sword of State, for which purpose the office of Grand Sword-Bearer was instituted. The office is esteemed to be highly honourable, and has been held by worthy Freemasons who have distinguished themselves alike in the field of battle and at home. The sword is borne by the Grand Sword-Bearer before the Grand Master on all public occasions.

The jewel of the Grand Sword-Bearer represents Cross Swords with a Tie.

## SECTION XVI.

### THE GRAND DIRECTOR OF MUSIC.

It is enough to say of this office-bearer that his title indicates the nature of his duties, which are to arrange and take charge of such music as may be necessary or appropriate to the festivals and public ceremonies of the Order.

His jewel also is in accordance with his office—Cross Trumpets with a Garland.

## SECTION XVII.

### THE GRAND MARSHALS.

These office-bearers have it as their duty to arrange all Masonic processions at laying foundation-stones, and to attend within the Grand Lodge to preserve order and regularity. When the duties are properly performed, the Grand Lodge may be pronounced just, regular, perfect,

and free from all unauthorised intrusion by cowans, listeners, or profane.

Their jewels are the Cross Baton and Sword, indicating that they are to set a guard over their thoughts, a watch over their lips, and a sentinel over their actions.

## SECTION XVIII.

### THE GRAND TYLER.

This is an office which derives its existence from the Landmarks of the Order, and must therefore have existed from the earliest times, as it is impossible that any Grand Lodge or Assembly of Freemasons could ever have met for purposes of Masonic business unless the hall in which they were assembled had been duly tyled.

The duties of the office are so evident to every Freemason as scarcely to need explanation.

The Grand Tyler cannot, during his term of office, hold office as Master, or Senior or Junior Warden of any Lodge, or be a member of the Grand Lodge, for his official position places it out of his power to assist in its deliberations. In strict Masonic law, he ought not to hold any office except Tyler.

He is appointed by the Grand Lodge, and the appointment is by election, as in all other offices of the Masonic body.

The Grand Tyler receives from the Grand Secretary the summonses for all meetings of the Grand Lodge, and of its Grand or Sub-Committees, and carefully delivers the same. He attends all meetings, assists in the arrangements, and sees that none obtain admittance but such as are properly qualified.

The Grand Tyler has a yearly salary.

His jewel is the Sword, symbolically implying that he is effectually to guard against the approach of cowans and eavesdroppers. Emblematically it teaches that every unworthy thought or deed should be prevented, and a

conscience void of offence towards God and towards man carefully preserved.

## SECTION XIX.

### THE GRAND COMMITTEE.

At the quarterly communication in February annually, a Grand Committee is appointed, consisting of the Grand Master, Depute Grand Master, Substitute Grand Master, the Masters of Lodges in the Edinburgh province, and eighteen Masters of other Lodges, or Proxy-Masters, they being all duly qualified—five to be a quorum. No Brother in arrear of his own, or if the Master of a Lodge in the Edinburgh District, of his Lodge's contribution to the Fund of Benevolence, shall be eligible for election, or be entitled to take his seat and vote as an *ex officio* member of the Grand Committee.

The nine Masters or Proxy-Masters of other Lodges who stood at the top of the list of the Grand Committee at the preceding election, go out of office by rotation, but are eligible for re-appointment. The election of Masters or Proxy-Masters of other Lodges, as members of the Grand Committee, takes place as follows:—

At the quarterly communication in February, the members of the Grand Lodge may give in signed lists (Brethren giving in signed lists must be present in Grand Lodge when these come to be scrutinised) to the Grand Secretary or Grand Clerk, containing the requisite number of names of Masters or Proxy-Masters to supply the usual nine vacancies, as also such other vacancies as may have occurred during the preceding year. An immediate scrutiny then takes place, and the Masters or Proxy-Masters having the greatest number of votes become members of the Grand Committee.

In the absence of the Grand Master, his Depute, and Substitute, the Grand Committee appoint their own Chairman.

The Grand Committee is the ordinary judicial tribunal of the Grand Lodge, but with delegated powers; and the members thereof only have full power to determine all matters coming before them, whether remitted for their consideration by the Grand Lodge or arising out of any emergency occurring in the interval betwixt the quarterly communications; and for that purpose they have power to summon Brethren to attend, examine witnesses, and call for productions. They are required to report regularly all their transactions, for the information of the Grand Lodge; and all remits from the Grand Lodge are taken up and considered by the Grand Committee at their first ordinary meeting after each remit.

The Grand Secretary is required to call a meeting of the Grand Committee at least one month previous to the annual meeting of the Grand Lodge in November, to take such preliminary measures as they may see fit for the selection and nomination of candidates to fill up the vacant offices in the Grand Lodge for the ensuing year. It is, however, specially declared, that such election or nomination shall in no way affect the ultimate decision of the Grand Lodge, which body possesses the undoubted right freely to elect all its office-bearers.

The Grand Secretary, or in his absence the Grand Clerk, is bound, upon the requisition of five duly qualified members of the Grand Committee, to call a meeting thereof, to be held within four days after receipt of such requisition.

An inventory of the movable property belonging to the Grand Lodge, together with a rental of the heritable property, is made up by the Grand Secretary and Grand Clerk on the 30th day of April annually, which inventory and rental are laid before the Grand Committee at their next meeting, and examined and docketed by them if correct, and thereafter inserted in the minutes.

No property can be purchased, nor any part of the funds disposed of, without the consent and authority of the Grand Lodge.

Estimates are to be taken from parties of respectability

connected with the Craft, for all work to be executed for the Grand Lodge, the expense of which the Grand Committee shall have reason to believe will exceed £5 sterling annually.

A statutory meeting of the Grand Committee is held on the first Monday of February annually.

## CHAPTER IV.

### GENERAL REGULATIONS OF THE GRAND LODGE.

THE laws which regulate a Grand Lodge, although in a general sense already described, in so far at least as their chief features are concerned, cannot be more summarily or more correctly given than as they appear in the Laws and Constitutions of the Grand Lodge of Scotland. We give them in the following sections :—

#### SECTION I.

##### MEETINGS FOR BUSINESS.

The Grand Lodge holds four quarterly communications annually—viz., on the first Mondays of February, May, August, and November ; but in the event of the *Edinburgh Sacrament*—the dispensation of the Lord's Supper in the Church of Scotland, which in Edinburgh ordinarily takes place at fixed seasons, twice a year—being held on the Sunday immediately preceding the first Mondays of May or November, such quarterly communication is held on the second Monday. Twenty-one members form a quorum ; and, when necessary, these meetings may be adjourned to a future day, and from one time to another.

The hour of meeting of the Grand Lodge is six o'clock p.m., or such other hour as the Grand Lodge may appoint.

The Grand Master, Depute, or Substitute, may at any time call a meeting of the Grand Lodge ; and upon an order from the Grand Committee, or a requisition signed by twenty-one duly qualified members of the Grand Lodge, the Grand Secretary is bound immediately to call a meeting,

to be held within ten days from the date of presenting the requisition; but such order or requisition must distinctly state for what purpose the meeting is called, and no other business can be discussed at it.

No one, who is unknown to the Tyler, or who is not clothed in correct Masonic costume, can be admitted to any meeting of the Grand Lodge, until he has been examined by the Tyler, or by two members appointed for the purpose.

In the absence of the Grand Master the chair is filled in the following order:—By the Past Grand Master; Depute Grand Master; Substitute Grand Master; Past Depute or Substitute Grand Masters; Provincial Grand Masters; Senior Grand Warden; Junior Grand Warden; Senior Grand Deacon; Junior Grand Deacon; the Masters or Proxy-Masters present, according to the seniority of their respective Lodges on the Grand roll.

In the absence of the Grand Wardens their chairs are filled by the Past Grand Wardens; Senior and Junior Grand Deacons; the Master or Proxy-Masters present, according to the seniority of their respective Lodges on the Grand Lodge roll.

Notices of motion must be given personally, and in writing, and not by Brethren present on behalf of absent members.

A Brother giving notice of a motion should be personally present to bring it forward at the quarterly communication after it has been intimated; if, however, the mover is absent, it is in the power of the seconder to take it up on its coming before the Grand Lodge.

No motion put on the Grand Lodge notices can be postponed or delayed without cause being shown which is satisfactory to the Grand Lodge.

No motion for altering or abrogating an existing law, or for enacting a new one, or for disposing of any part of the property or funds of the Grand Lodge, can be made, except at a quarterly communication; and such motion must lie on the table for three months previous to discussion.

Motions agreed to at the quarterly meeting of the Grand Lodge cannot be cancelled or altered within a shorter period than twelve months thereafter.

After a question has been fully and regularly discussed, the majority of members present determine the point at issue. In case of an equality of votes, the Grand Master or Brother in the chair has the casting vote, but he has no deliberative vote.

When a motion has been regularly made and seconded, it is not competent for the Grand Master, or other Brother officiating in the chair, to refuse to put the same to the vote; and if any doubt arises as to the interpretation of a law, the power of deciding it is vested not in the chair but in the meeting.

All duly qualified office-bearers and members of the Grand Lodge, with the exception of the Tylers, have an undoubted right to speak and vote upon every question. No member is entitled to speak more than once, except strictly in explanation; but the mover has the right to reply.

Immediately before proceeding to take a vote, the door is locked, and the key laid upon the Grand Secretary's table.

No new business is to be taken up by the Grand Lodge after eleven o'clock P.M.

A roll of the office-bearers of the Grand Lodge, Past Grand Masters, and Provincial Grand Masters, and of the Masters and Wardens of Lodges in the Edinburgh district, and of the Proxy Masters and Wardens of Daughter Lodges, made up by the Grand Clerk, is to be laid upon the table at all meetings of the Grand Lodge; and a copy of said roll, as corrected up to the quarterly communication in February annually, also including the names of all unrepresented Lodges, is immediately thereafter to be printed, and sent to every office-bearer and member of the Grand Lodge.

Each member of the Grand Lodge may give an order of admission to a Brother, being a Master Mason, to attend



### SECTION III.

#### ON AND CONSECRATION OF LODGES.

number of Brethren (if in the Edinburgh over than twenty-one, if in other localities seven) are desirous of establishing a new t apply by petition, setting forth the reasons that such new Lodge may be erected, and nd Lodge to constitute them a regular Lodge, em a charter accordingly.

men so applying are Master Masons, resident igh province, there must, along with the tuced a recommendation signed by the Master f at least two of the sister Lodges in the ; but if they are resident in other provinces adation is to be signed by the Master and t least two of the nearest Lodges in the lso by the Provincial Grand Master, or in the Depute, or in his absence by the Master lodge in the district.

a charter are £10, 10s. This sum must he hands of the Grand Secretary or Grand ne of presenting the petition.

arter for the erection of a new Lodge is rand Lodge must at the same time appoint nsecrate the applicants into a regular Lodge ; and the Masters and Wardens of such revious to its holding any meeting, and er is delivered, appear in the Grand Lodge, ovinicial Grand Master, or Brother appointed em, and take an oath of fidelity to the Grand bedience to its laws.

n for a charter of erection to a military accompanied with a certificate from the cer of the regiment, specifying his appro-

be granted for the erection of a Lodge on or vessel.

All petitions for charters, along with the fees, must be lodged with the Grand Secretary or Grand Clerk on or before the first Monday of February, May, August, or November, and, after being examined, if found correct, they are to be laid before, and decided upon at, the next meeting of the Grand Lodge.

All charters bear date from the day of granting the same, and the Lodges take precedence accordingly; and such charters are duly recorded by the Grand Clerk in the chartulary of the Grand Lodge.

In the event of the charter or confirmation of any Lodge being lost or destroyed, a copy thereof, extracted from the chartulary, and signed by the Grand Secretary and Grand Clerk, has the same force and validity as the original charter or confirmation; provided always, that an affidavit, stating the fact and probable cause of the loss of the charter, is made by the Master and Wardens, or in case of the death or absence of such office-bearers, by five Brethren authorised for that purpose by the Lodge; for which extract a fee of twenty-one shillings is paid to the Grand Lodge.

When any Lodge has erected or purchased, or otherwise acquired, a room or hall for the purpose of holding masonic meetings, the Master and Wardens of such Lodge must, previously to holding any meeting therein, apply by petition to the Grand Lodge or Provincial Grand Master, praying to have the same duly consecrated.

## CEREMONIAL

AT CONSECRATING A NEW LODGE, OR A LODGE-ROOM ONLY,  
OR BOTH, OR THE CONSECRATION AND ERECTION OF A  
DAUGHTER LODGE, SANCTIONED BY THE GRAND LODGE.\*

The Lodge-room having been properly tyled, and it having been ascertained that none but Master Masons are

\* This ceremonial, with some few additions and alterations, will serve also for the consecration of any hall or building set apart for the purposes of Masonry.

present, the Grand Lodge or Provincial Grand Lodge is opened in the First Degree, and thereafter raised to the Second and Third Degrees, by the M. W. the Grand Master, the R. W. the Provincial Grand Master, or presiding Brother (*as the case may be*). The V. W. the Grand or Provincial Grand Chaplain then commences the ceremony of constituting and consecrating the Lodge, by offering up the following or some such prayer:—

O adorable Lord God, Maker of all things, and Judge of all men, regard, we humbly beseech Thee, with Thy special favour, this our present undertaking, and grant that the work which we now commence in Thy name, may conduce to Thy glory, and to the good, temporal and eternal, of Thy dependent creatures. Let a scrupulous regard to the obligation which, in Thy name, and under Thine all-seeing eye, shall be herein entered into, distinguish all upon whom the privileges of initiation shall be conferred,—that they, abounding in all holy conversation and godliness, may become true and worthy members of our venerable Order, and that their practice may, in all things, correspond with their profession.

*Response by the Brethren.*—So mote it be.

#### GRAND HONOURS.

#### SOLEMN MUSIC.

Psalm cxxxiii. is then read.

#### GRAND HONOURS.

ORATION on the “Nature and Objects of Masonry” by the V. W. the Grand or Provincial Grand Chaplain, which may be in such terms as the following:—

BRETHREN,—Permit me now to address you in a few words concerning the nature and objects of Freemasonry. I do so, not as presuming that I have a better knowledge of them than you have yourselves, but it seems proper, at such a time as this, that we should all recall them to our consideration, and I hope you will therefore bear with me whilst I speak for a short time regarding them. If Freemasonry were not in its objects pure and noble, I trust I would not be here to speak on such a subject, nor you to listen. With full confidence, however, I can speak of its nature and its objects, as pure and noble, worthy of all approbation and worthy of admiration. It aims at nothing less than the highest attainments which man can make in moral purity and worth; it

seeks to promote and secure these by appropriate means in all the members of the Order ; it seeks to promote intellectual improvement and all true science ; it seeks to promote the peace and well-being of society ; it seeks to promote domestic happiness, calling upon every Brother to the most constant discharge of his duties in all the relations which he sustains, as a subject or citizen, a member of general society, and a member of the family.

I need not say much of the origin of Freemasonry. Even if any one were inclined to be sceptical as to the original institution of Freemasonry at the building of Solomon's Temple, or if we had no authentic record of the origin of Freemasonry, or of its early growth and development, it would still be impossible to doubt that it owes its origin to times very ancient ; and however we may, in one sense, ascribe it, in respect of its form and the details of its system, to the time of the building of Solomon's Temple, yet it is probable that in all its essential principles it existed long before, and was then only improved and reduced to a more perfect system.

Its prosecution was therefore impossible without the cultivation of the intellect ; it made constant demands on the skill and ingenuity of those engaged in it. The building of an ordinary house implies the application of science in no small degree ; far more, the building of a temple or any other great architectural work. Men marvel to this day at the structure of the pyramids of Egypt, and would fain inquire how the great masses of which they are composed were raised to their proper place, and how that place was determined for each of them with the perfect accuracy which all are constrained to acknowledge. In the erection of the Pyramids, as of all other great works, many men must have been employed who were nothing more than mere unskilled labourers, like the hodman of our own day who carries the mason's lime up the ladder ; but it is impossible to doubt that the whole work was planned and superintended by men of high intellectual culture, and of scientific attainments far greater than until of late we have been accustomed to ascribe to such remote times. It cannot be supposed that the ancient masons of Egypt and other countries had no colleges or schools for instruction in their art and in the principles upon which it is based ; it is impossible to imagine that knowledge was not transmitted from one generation to another, the men of one time thus being enriched by the excellent inheritance which they derived from their fathers. Knowledge such as they evidently possessed could not be the attainment of a single life, or generation, or century. It becomes, therefore, in the highest degree probable—probable almost beyond the possibility of doubt—that long before even the Pyramids of Egypt were built, there were associations of masons, comparing together their acquisitions, discoveries, and inventions, and training their younger members in all that pertained to the art to which their lives were devoted. Even if we had no historic records, we could

well form a confident opinion on this point from the very nature of the case ; and this opinion would be confirmed on our coming down to the period—still an ancient one—as to which history is very full and clear, when we consider, for example, the architectural *collegia* of the ancient Romans, which must be regarded as essentially of the same character with the *Bau-hütten* of the Middle Ages in Germany, and with our present Masonic Lodges. It accords, also, with all that we know concerning ancient times to suppose that the ancient Masonic associations had secrets carefully guarded, that they refused to communicate their riches in science and the rules of art to any but those of their own body, their brethren, and, as it may be expressed, their adopted children. That Masonry was in these early ages operative is unquestionable, and equally unquestionable it is that it continued to be mainly so till a recent date. From this, however, it does not follow that it was not also speculative ; and, in truth, I believe, Masonry has always been, in a great measure, speculative from the very first. It could not well be otherwise, in so far as science and intellectual culture are implied in the term ; nor is it easily to be supposed that it did not also go beyond this to the moral culture and improvement of all who became members of its associations. We know that the Roman *collegia* did give attention to this ; and it may very safely be taken for granted that in far more ancient times, and even from the first institution of Masonic associations, it was never wholly neglected. How, indeed, could these associations subsist—how could they prosecute any work in which they were engaged—how could they carry on the training of their more youthful members without some moral discipline, some regulations as to conduct, and means for their enforcement ? The system may now be more perfect, and doubtless it is, but it was not all at once framed in its present perfection. It has been improved even in very recent times ; and indeed it still continues to receive improvement, although its first principles have remained unchanged throughout the whole period over which our historic records extend. To me it seems there can be nothing more contrary to all just views of the very nature of Freemasonry than the supposition that Masonry was at any time merely operative. Speculative it must also have been from the very first, and although the operative character and the speculative were long, and until a very recent date, intimately combined in it, they were united in perfect harmony. At what time the speculative character began so much to prevail, that persons not operative masons at all were admitted into the Order, to become partakers of its knowledge and its privileges, cannot be ascertained. It is certain, however, that this was the case in the ancient Roman *collegia* ; it is certain also that it was the case in the Masonic Lodges of England during the Middle Ages, and we have clear testimony of the frequency of the practice in the seventeenth century. To what, it may be asked, are we to ascribe the willing-

ness of persons of high birth, of wealth, and of good education, to enter the Masonic fraternity? Men of such classes do not show any wish to be admitted members of other Crafts. The evident answer is, that the Masonic brotherhood contained amongst its members not a few with whom, on account of their intelligence, their general culture, and their scientific attainments, the best-born and the best-educated in the land might well choose to associate, and from whom also they might expect to learn much which the mind, already stimulated and expanded by education, could not but desire to know.

The nature of Freemasonry has, I trust, been in a good measure already exhibited in the remarks which have been made. In what I have further to say, I shall speak at once of its nature and its objects; for these are not properly distinct parts of the subject, but so intimately associated that any attempt to separate them would be attended with great inconvenience, and would indeed be unnatural.

Freemasonry, in the state in which it at present exists, is wholly speculative, its operative character has entirely disappeared. The mason receives his technical education, not in the Lodge, nor in virtue of his connection with the Lodge, but apart from it. The architect pursues his studies in a similar manner. The science which he is taught to apply, is open to every one to learn in schools and universities, and no secret is made of any of its applications. But Freemasonry still subsists and flourishes in consequence of the admirable adaptation of its system to the development of all that is good and noble in man, of the mental powers and the moral. It is this at which Freemasonry aims; it seeks to elevate all who become members of the Order; to incite them and encourage them constantly to seek their own elevation and improvement; to promote also amongst them a brotherly feeling which, whilst it adds to their own happiness, leads them to be helpful to each other, and so to regulate their lives that they may be blessings to their own families and to society. It requires of all members of the Order a profession of their belief in God and in a future state; it admits, indeed, men of very various religious opinions, but on the points which have just been mentioned it is uncompromising, thus maintaining the connection of morality with religion, and of all duties of the present life with the hope of a better life to come, and with the sense of responsibility to the great Architect, Lawgiver, and Judge of the universe. Whatever may be the religious creed which a Freemason possesses, he is expected to be truly and earnestly religious; the religion which is a mere profession and form is inconsistent with the very first principles of Freemasonry. To show how highly religion is esteemed, and how indispensable it is accounted, the Bible is carried in Masonic processions, is placed open upon the altar in Masonic solemnities, and portions of it are read from time to time in course of many

of them. Prayers are also offered to Him on whom all are dependent, whose blessing maketh rich, and He addeth no sorrow with it, and who is near to all that call upon Him, even to all that call upon Him in truth. I might easily enlarge much upon this part of the subject, to show how prominent a place is given in the whole system of Freemasonry to religion, so that everything else which is most excellent in the system may be seen to be derived from it, and vitally connected with it. From this, however, I refrain, and rather proceed to refer to some of the practical applications made of those first principles in the acknowledgment of a God to whom we are responsible, of a resurrection of the dead, and of a future eternal existence. How excellent are the laws laid down for the regulation of the conduct of Freemasons both in their Lodges and out of their Lodges! How admirable in itself is that law of brotherly love which is so much inculcated, and which may, indeed, be styled the great law of Freemasonry! A Freemason is not to see his Brother in want, when he has it in his power to relieve him. Yet he is not required to do anything unreasonable, to impoverish himself or his family in order to assist others; nor is he required to give indiscriminately, without regard to circumstances or to the character and conduct of his necessitous Brother. He is to give to those who suffer from some unforeseen and inevitable calamity, rather than to those whose sufferings are due to their own improvidence—to those whose conduct and character will bear rigid examination, rather than to the profligate. In his acts of charity, as well as in his whole conduct towards his Brethren, and in all the relations of life, he is to manifest a regard for pure morality, showing his high estimation of it, and his detestation of all that is opposed to it. No higher code of morality exists among men than that laid down for the guidance and government of Freemasons. It is, indeed, that divine code which is to be found in the Bible—the Great Light of Freemasonry—the Word of God Himself. The Freemason is bound by his oath to observe the moral law, and every transgression of that law is as much a violation of his oath, as it is, irrespective of his oath, a sin against God. And thus every true and worthy Mason must needs be a good member of society, upright in his dealings, sober, chaste, kind, industrious, exerting himself to provide for his own wants and those of his family, as well as that he may also have to give to him that needeth. He is bound to obey the law of the land, not merely for wrath, but for conscience' sake, not merely from fear of punishment, but from a sense of duty. His obedience of the law of the land is, indeed, a part of his obedience of the moral law, because the powers that be are ordained of God. No man living in flagrant violation of any law of the land can be a good and worthy Mason. His Masonic oath requires obedience to the law of the land, as much as to any part of the moral law. The political relations which a Freemason sustains may

involve the duty of considering many questions which can never properly be made the subjects of discussion in the Lodge, from which, in order to the preservation of harmony amongst Brethren, all political questions are excluded ; but the great principles which it behoves him always to endeavour to apply are clearly laid down for him. He is required to be a good subject or citizen, to obey the law of the land, and to give respect to constituted authorities. If this can be deemed to limit his freedom of action, it limits it only beneficially, and very great scope is still left for action in seeking improvement of the laws and institutions of the country. In every country, therefore, in which true liberty is enjoyed, in every country not groaning under the yoke of a despotism as much opposed to freedom of thought as to freedom of action, Freemasonry has been and is an honoured and cherished institution. In our own country, as you all know, the well-proved loyalty and good conduct of the members of the Order have won for it peculiar privileges, in its entire exemption from those restraints which are placed upon all other secret societies. When we meet with our door closed, the Lodge being duly tyled, and care taken that no cowans or eavesdroppers are present, we meet under the express sanction of an Act of Parliament, which it is interesting to remember was passed at a time when the Continent of Europe was convulsed and burning almost everywhere with the volcanic fires of revolution, and when, therefore, the utmost apprehension was entertained by all lovers of peace and order of danger from the meetings of secret societies. The fact that an exception was made in our favour at such a time, in an Act of Parliament intended for the suppression of secret societies, is the best possible evidence that Freemasonry had shown itself to be, in its practical operation, as decidedly favourable to order and good government, to loyalty and the obedience of the laws, as it is in its constitutions and regulations.

Again it is to be observed that in the laws of Freemasonry special regard is shown to the interests of the Family, and the conduct of the members of the Order in their domestic relations. The Freemason is enjoined not only to provide for those of his own house, but otherwise to promote their welfare, spending a due portion of his time amongst them, and not wasting it in taverns, or in selfishly seeking his own personal gratification in any way. He cannot be a true and worthy Mason,—he cannot be regarded as faithfully keeping his Masonic oath,—however regular he may be in his attendance at the Lodge, and whatever may be his conduct there,—who is not a good son, a good husband, a good father. The family system is the very basis of society, and Freemasonry seeks to maintain it in its integrity and purity, and to promote its development in all the perfection of its beauty.

Thus have I attempted briefly to point out the nature and objects of Freemasonry, and I think I may say with all confidence and

without fear of contradiction, that they are pure and noble. If Freemasonry has failed at any time or in any measure to realise its true nature, to attain or to aim at and strive for its proper and declared objects, this is deeply to be regretted, but it is to be ascribed not to any fault in the system, but to the imperfection of human nature. Thus it is also with the Christian Church. Every Christian regards that institution as divine, and therefore in its nature of perfect excellence; and yet who will say that this perfect-excellence has ever been exhibited since the Church was founded, either by the whole Church or by any section of it? But the fault has been the fault of men, and is no way to be referred to the institution: so in the case of Freemasonry. Let us acknowledge our faults and seek to amend them. Let us think more frequently and earnestly of the nature and objects of our institution; let us study more carefully the landmarks and laws of our Order; let us labour, each in his own place, to bring everything into accordance with them; let us seek, more and more, to walk in the light of that great Light of our order, the Bible; let us watch, but tenderly and affectionately, over our Brethren, stimulating, encouraging, advising, aiding,—aye, and also, when it is necessary, admonishing and censuring; above all, let us each one watch over himself,—let us seek to bring our own feelings and our own conduct into conformity with the principles which we profess to cherish and the law which we profess to revere.

So shall Freemasonry be a blessing to ourselves, and so shall we contribute also to make it a blessing to others. So mote it be!

#### ANTHEM.

When earth's foundation first was laid,  
By the Almighty Artist's hand,  
'Twas then our perfect, our perfect laws were made,  
Established by His strict command.

CHORUS—Hail! mysterious, hail, glorious Masonry,  
That makes us ever great and free.

In vain mankind for shelter sought,  
In vain from place to place did roam,  
Until from Heaven, from Heaven he was taught  
To plan, to build, to fix his home.  
Hail! mysterious, &c.

Illustrious hence we date our Art,  
Which now in beauteous piles appear;  
And shall to endless, to endless time impart,  
How worthy and how great we are.  
Hail! mysterious, &c.

Nor we less famed for every tie  
By which the human thought is bound;

Love, truth, and friendship, and friendship socially  
 Unite our hearts and hands around.  
 Hail ! mysterious, &c.

Our actions still by virtue blest,  
 And to our precepts ever true,  
 The world admiring, admiring shall request  
 To learn, and our bright paths pursue.  
 Hail ! mysterious, &c.

The R. W. the Grand Secretary or Provincial Grand Secretary (*as the case may be*) reads the charter in favour of the Lodge (*here insert name of Lodge.*)

[The jewels, clothing, &c., of the Lodge are then delivered to the M. W. the Grand Master, the R. W. the Provincial Grand Master, or presiding Brother (*as the case may be*), after which the Master and other officers-elect are presented by the Grand Secretary or his representative, and the Brethren are asked if they are satisfied with each and all of them. The M. W. the Grand Master or presiding Brother then directs their Secretary to read the minutes of their previous meetings.] \*

Psalm xcv. 1 to 7 is then read or chanted.

O come, let us sing unto the Lord : let us make a joyful noise to the Rock of our salvation.

Let us come before His presence with thanksgiving : and make a joyful noise unto Him with Psalms.

For the Lord is a great God : and a great King above all gods.

In His hand are all the deep places of the earth : the strength of the hills is His also.

The sea is His, and He made it : and His hands formed the dry land.

O come, let us worship, and bow down ; let us kneel before the Lord our Maker.

For He is our God : and we are the people of His pasture, and the sheep of His hand.

Glory be to God on high !

As it was in the beginning, is now, and ever shall be, world without end ; (or) For His mercy endureth for ever. Amen.

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\* The above paragraph, marked thus [ ], is to be omitted when a Hall, or Lodge-room only, is to be consecrated.

The V. W. the Grand or Provincial Grand Chaplain then offers up the following or other suitable Prayer:—

Great Architect of the universe! Maker and Ruler of all worlds! deign, from Thy celestial Temple, from realms of light and glory, to bless us, in all the purposes of our present assembly.

We humbly invoke Thee to give us at this, and at all times, wisdom in all our doings, strength of mind in all our difficulties, and the beauty of harmony in all our communications.

Permit us, O Thou Centre of light and life, great Source of love and happiness, to erect this Lodge, and now solemnly to consecrate it to Thy honour and glory!

If the Hall or Lodge-room is to be consecrated, the Chaplain here pauses, and the following responses are introduced:—

*Response by the M. W. the G. M., or the R. W. the Prov. G. M.*—Glory be to God on high!

*Response by the Brethren.*—As it was in the beginning, is now, and ever shall be, world without end. Amen.

The consecration elements are then sprinkled on the Lodge-room; after which the Chaplain resumes,—thus, or in some similar words:—

Grant, O Lord our God, that they who are [now about to be\*] invested with the government of this Lodge, may be endued with wisdom to instruct their Brethren in all duties. May brotherly love and charity always prevail among the Members of this Lodge; and may this bond of Union continue to strengthen the Lodges throughout the world!

Bless all our Brethren wheresoever dispersed, and grant speedy relief to all who are either oppressed or distressed.

We humbly commend to Thee all the members of Thy whole family. May they increase in the knowledge of Thee, and in the love of each other.

Finally, may we finish all our works here below with Thine approbation; and then have our transition from this earthly abode to Thy heavenly temple above, there to enjoy light, glory, and bliss ineffable.

*Response by the M. W. the G. M., or the R. W. the Prov. G. M.*—Glory be to God on high!

*Response by the Brethren.*—As it was in the beginning, is now, and ever shall be, world without end. Amen.

\* To be omitted when the Hall only is to be consecrated.

## GRAND HONOURS.

## SOLEMN MUSIC :

[† During which the Members of the New Lodge passing round do homage to the Grand or Provincial Grand Lodge.

† The M. W. the Grand Master, or presiding Brother (*as the case may be*), then causes the Grand Director of Ceremonies to proclaim the Lodge as follows :—

† *Brethren*.—I am directed by the Most Worshipful (*here insert the name*) Grand Master, to make proclamation, that by virtue of the power and authority of the Grand Lodge, these Brethren are now constituted a regular Lodge of Free and Accepted Masons, by the title and designation of the Lodge (*here insert the name*), to be holden in (*here insert the place*). And from henceforth they are fully empowered to exercise all their rights and privileges, agreeably to the tenure of their charter, the laws of the Grand Lodge, and the ancient usages of the Fraternity; and may God be with them!

† *Response by the Members of the Grand or Provincial Grand Lodge only*.—So mote it be.] The portion enclosed in brackets omitted when the Hall or Lodge-room only is to be consecrated.

Part of 2d Chronicles, Chapter vi. v. 12, 14, 17–21, 33 middle, 41; Chapter vii. v. 1, 3, 12–18;—or of 1st Kings, Chapter viii. v. 22, 23, 26–30, 43 middle, 60; and Chapter ix. v. 3–5—will then be read by the Very Worshipful the Grand or Provincial Grand Chaplain.

## ANTHEM, accompanied by Music.

To Heaven's high Architect all praise,  
All praise, all gratitude be given;  
Who deigned the human soul to raise,  
By mystic secrets sprung from heaven.

## CHORUS.

Sound aloud the Great JEHOVAH's praise;  
To Him the dome, the temple raise.

## GRAND HONOURS.

## SECTION IV.

ENROLMENT OF ENTRANTS IN THE BOOKS OF THE  
GRAND LODGE.

Each Brother at his initiation or affiliation (unless already registered) pays, along with the entry-money to his own Lodge, the sum of eight shillings towards the funds of the Grand Lodge for recording his name in the books thereof, and for the Grand Lodge diploma, when he shall have become a Master Mason,—which dues the Treasurer of the Lodge initiating or affiliating periodically remits to the Grand Lodge, together with the full names and designations of the entrants.

Upon the day preceding the general election annually, the Master of each Lodge causes a list to be made up of the names and designations of all the entrants in his Lodge during the preceding year, which list likewise specifies the respective dates of entering, passing, and raising, or affiliation, as the case may be, certified by the Master, Treasurer, and Secretary to be correct.

The Master of each Lodge transmits the above-mentioned list, for registration by the Grand Clerk in the books of the Grand Lodge, to the Grand Secretary on the 31st December of each year, with the payment of the fees due to that date.

Lodges that have not made their returns up to the 15th January following are corresponded with on the subject by the Grand Secretary; and if, at the 31st day of said month, the returns have not been forthcoming, it is in the power of the Grand Committee to *suspend* said Lodges, unless a reason, satisfactory to the Committee, is produced for non-compliance with the Grand Lodge laws.

Any Lodge found guilty of making incomplete or fraudulent returns of entrants to the Grand Lodge is liable to have its charter recalled and cancelled; to suspension

from Masonic privileges ; or such other punishment as the Grand Lodge may be pleased to inflict.

No Brother, whose name has not been enrolled in the books of the Grand Lodge, is eligible to be a member thereof, or to be an office-bearer in any subordinate Lodge. Neither has he any claim on the Grand Lodge Charity or Benevolent Fund.

Lodges in the Edinburgh province neglecting to make returns of entrants for one year, and Lodges in the provinces neglecting to make such returns for two years, are considered in arrear of Grand Lodge dues, and incapable of being represented until the arrears are paid. Failing returns for five years, the Lodge is considered as dormant, and erased from the Grand Lodge Roll.

## SECTION V.

### CERTIFICATES TO DAUGHTER LODGES.

The Grand Lodge, taking into consideration that it is responsible for the conduct of the Freemasons of Scottish constitution, and being solicitous to guard against any intrusion that may be attempted on the Order,—to prevent the introduction of practices inconsistent with or subversive of the principles of the ancient Craft, and to cherish and keep alive the active and friendly intercourse which has hitherto subsisted between the Grand Lodge and the general body of chartered Freemasons and their respective Lodges, has enacted and declared :—

That every daughter Lodge shall, on or before summer St John's Day (24th June), apply for a certificate from the Grand Lodge ; which Certificate, on the narrative that the Lodge making the application has during the preceding year complied with all Masonic usages enjoined by the Grand Lodge, shall renew and continue to such Lodge for another twelve months the privilege of holding Masonic meetings under the said Grand Lodge's sanction and authority.

The said certificate, subscribed by the Grand Secretary and Grand Clerk for the time, is stamped with the seal of the Grand Lodge, and the sum of five shillings is paid for each certificate.

In order to give the utmost security to entrants in subordinate Lodges that their names are duly enrolled in the books of the Grand Lodge, there is appended to the certificate in favour of each Lodge, or to the receipt for enrolment or registration dues, a list of all entrants entered therein during the preceding year, authenticated by the signature of the Grand Secretary or Grand Clerk; which certificate, receipt, and list, are read annually, prior to the election of the office-bearers, and lie on the table during the meeting of the Grand Lodge, for inspection by the Brethren.

In order to entitle any Lodge to the benefit of the foresaid annual certificate, there must be produced to the Grand Master, his Depute, or Substitute, through the Grand Secretary, an affirmation by the Master or other individual in the chair for the time, and by the Treasurer, or person acting on his behalf, declaring, on their honour as Freemasons, that the Lodge is really held under the denomination of a Lodge of Freemasons, and in strict conformity with their rules and usages; that the terms of the charter granted by the Grand Lodge have been duly observed; and also that the enactments contained in previous Sections have been fully complied with, so far as the same depends upon the applicants.

Failing the taking out of these certificates for a longer period than *one year* for Lodges in the Edinburgh province, or *two years* for other Lodges, as the case may be, the Lodges so offending are incapable of being represented in Grand Lodge. Those remaining uncertified for FIVE YEARS, are considered dormant and struck off the roll.

## SECTION VI.

## MEMBERS OF GRAND LODGE, PROXY-COMMISSIONS, ETC.

The Lodges in the Edinburgh province are required, within one month after their annual election, to notify to the Grand Clerk the names of their Masters and Wardens; and Masters and Wardens of all other Lodges in Scotland intending personally to represent their respective Lodges, in order to vote at the different meetings of the Grand Lodge, must give notice of such intention to the Grand Clerk, at least one month before such meetings are held, unless their names have been already transmitted.

Every proxy-commission (forms of which may be had on application to the Grand Secretary or Grand Clerk), is *granted* and dated on one or other of the two St John's Days, viz.—24th June or 27th December, or on the day of the annual election of office-bearers of the Lodge, and can only be cancelled on these days. Every such commission (with the exception after-mentioned) must be lodged with the Grand Clerk at least forty-eight hours previous to the second quarterly communication after its date, and the Proxy-Master may, at the same time, give in the names of his two Proxy-Wardens. Proxy-commissions are received at any time from Lodges abroad, and a new bye-law extends the same to home Lodges. A repeal of this bye-law has been sought but not yet obtained. In the event of the death or resignation of a Master of any Lodge, or of a Proxy-Master, it is in the power of his constituents immediately thereafter to meet and elect another Master or Proxy-Master, but the Wardens formerly appointed remain in office till next annual election.

If the Grand Clerk is satisfied that the commission in favour of the Proxy-Master is correct, it is reported to the Grand Lodge, and if it is sustained, the names and designations of the Proxy-Master and Proxy-Wardens are

inserted in the roll of the Grand Lodge by the Grand Clerk. At all quarterly communications of the Grand Lodge, such commissions are taken up and considered in preference to all other business.

For the recording of each proxy-commission, a fee of two shillings and sixpence must be instantly paid by the Master, and one shilling by each of the Wardens.

No Proxy-Warden is entitled to be admitted to any meeting unless his appointment, and name and designation, be previously registered in the roll of the members of the Grand Lodge.

A Proxy-Master is not allowed to change his Wardens oftener than once a year, unless on account of the death, or permanent residence out of town, of one or both of them. All new nominations of Proxy-Wardens must be lodged with the Grand Clerk.

No Master, Proxy-Master, or Warden, can introduce any person not being a member, to act or vote in the Grand Lodge, on pain of suspension from all Masonic privileges during the pleasure of the Grand Lodge.

No Master or Warden of an Edinburgh Lodge can at the same time be a representative of a country Lodge; and no representative of a country Lodge, whether Proxy-Master or Proxy-Warden, can represent or be enrolled for more than one Lodge at the same time.

Any Lodge in the country guilty of the unmasonic practice of issuing blank proxy-commissions, to be afterwards filled up, is liable to the severe censure of the Grand Lodge, and upon a repetition of the offence, is struck off the roll; and any Brother who attempts to fill up or use a blank commission, is, upon conviction, subjected to expulsion from the Grand Lodge, or to such other punishment as may in the circumstances be deemed sufficient.

Every Brother who has the honour to be a member of the Grand Lodge (*Past and Provincial Grand Masters excepted*) must, in order to raise a fund for supporting the same, pay five shillings on 1st February annually.

The subscriptions annually exigible from members of the Grand Lodge are, after defraying expenses of collection and other necessary charges, applied to the permanent premises of the Grand Lodge, their maintenance and fitting up.

It is the duty of the Grand Secretary to collect the annual subscriptions exigible on the enrolment of new members, at whatever period in the course of each year they may be enrolled.

Brethren not paying the contribution due on the 1st February yearly, forfeit the right of speaking and voting in the Grand Lodge until the subscription is paid. Parties in arrear at the quarterly communication in May, are removed from the roll of Grand Lodge members, and notice of such removal is given by the Grand Secretary to the parties themselves, when practicable, and also to the Lodge whose representatives they were, so that new appointments may be made thereafter, if desired, and when competent.

## SECTION VII.

### PRECEDENCY.

At all meetings of the Grand Lodge, at public processions, and upon all other occasions, precedence in the Grand Lodge is regulated as follows:—The Grand Master, the Past Grand Master, the Depute Grand Master (Honorary Members), the Substitute Grand Master, Provincial Grand Masters, Past Depute or Substitute Grand Masters, Past Provincial Grand Masters, the Senior Grand Warden, the Junior Grand Warden, the Grand Treasurer, the Grand Secretary, the Grand Clerk, the Grand Chaplains, the Grand Deacons, Past Grand Wardens, Treasurer, Secretary, Clerk, Chaplains or Deacons, and the other office-bearers as specified in Cap. I., Section II. The Grand Stewards rank immediately after the Grand Director of Music. The Lodges take precedence according to their seniority on the roll of the Grand Lodge.

The members of the Grand Lodge, and the Masters and Wardens of subordinate Lodges in attendance, are entitled to rank in all processions immediately after the Grand office-bearers, Provincial Grand Masters, Past Grand officers, and others above mentioned, according to the seniority of their respective Lodges; and at festivals are entitled to sit according to such seniority on the right and left of the Grand office-bearers.

The senior member out of office of the Lodge Edinburgh Journeymen, No. 8, is entitled to carry the Mallet in all processions in Edinburgh or its neighbourhood, and the Apprentices of the same Lodge carry the Working Tools.

The office-bearers of every Lodge, according to their respective offices, take precedency of every other member of the same Lodge, and no distinction of the Brethren is acknowledged in a Lodge other than what arises from superior knowledge of Freemasonry and exemplary behaviour.

## SECTION VIII.

### DIPLOMAS.

The Grand Lodge, in order to effect the complete registration of the names of Brethren initiated in all Lodges holding of the Grand Lodge, and to put such Brethren in possession of every Masonic privilege both at home and abroad, reserves to itself the sole power of granting diplomas. These are issued by the Grand Secretary; and for every diploma the sum of two shillings and sixpence is payable to the Grand Lodge. Certificates of initiation, passing, or raising, may be granted by daughter Lodges; and such certificates, if found correct, may be used by the Brother in whose favour they are granted as entitling him to Masonic privileges in the Lodge which grants them, and,—if they correspond with the returns made to the Grand Lodge, and if he is a Master Mason,—to a diploma from the Grand Secretary.

The Grand Lodge declares all diplomas henceforth granted by Daughter Lodges as null and of no avail, both in regard to general purposes and to the Benevolent and Charitable Fund established in connection with the Grand Lodge.

Poor Brethren having occasion to go abroad, whose names are duly recorded, may be furnished with diplomas gratis, upon producing to the Grand Secretary a certificate, signed by any two members of the Grand Lodge, of the inability of the Brother requiring the diploma to pay the customary fees, and otherwise satisfying the Grand Secretary of their respectability and good moral character.

## SECTION IX.

### CLOTHING AND JEWELS.\*

No Brother can be admitted into the Grand Lodge, or any subordinate Lodge, unless in correct Masonic costume, viz., full dress—black, with white gloves.

No clothing, purporting to be Masonic, is to be worn in the Grand Lodge, or any Daughter Lodge, except that appertaining to St John's Masonry, which alone is recognised and acknowledged.

The jewels of the Grand Lodge are gold, and may be described as follows :—

#### *The Grand Master.*

A brilliant Star, having in the centre a field azure—charged with a St Andrew on the Cross, gold—pendant therefrom the Compasses extended, with the Square, and segment of a Circle of 90°,—the points of the Compasses resting on the segment. In the centre, between the Square and Compasses, the Sun in full glory.

\* The Square and Compasses, Level, and Plumb Rule, are the Masonic jewels proper.

The others are honorary jewels.

*Past Grand Master.*

A similar jewel, of less dimensions, but without the Sun between the Square and Compasses.

*Depute Grand Master.*

The Compasses and Square united, pendant from a small brilliant Star.

|                                      |       |                                                         |
|--------------------------------------|-------|---------------------------------------------------------|
| <i>Substitute Grand Master,</i>      | . . . | Square, pendant from a Star.                            |
| <i>Senior Grand Warden,</i>          | . . . | Level, ditto.                                           |
| <i>Junior Grand Warden,</i>          | . . . | Plumb, ditto.                                           |
| <i>Grand Treasurer,</i>              | . . . | A Chased Key.                                           |
| <i>Grand Secretary,</i>              | . . . | Key and Pen, crossed with a Tie.                        |
| <i>Grand Clerk,</i>                  | . . . | Two Pens, crossed with a Tie.                           |
| <i>Grand Chaplain,</i>               | . . . | Irradiated Eye in a Triangle.                           |
| <i>Senior Grand Deacon,</i>          | . . . | Mallet, within a Wreath.                                |
| <i>Junior Grand Deacon,</i>          | . . . | Trowel, within a Wreath.                                |
| <i>Grand Architect,</i>              | . . . | { Corinthian Column, based on a<br>segment of 90°.      |
| <i>Grand Jeweller,</i>               | . . . | { Goldsmith's Hammer, within a<br>Wreath.               |
| <i>Grand Bible-Bearer,</i>           | . . . | { Bible, encircled with Branches of<br>Acacia and Palm. |
| <i>Grand Director of Ceremonies,</i> | . . . | Two Rods, crossed with Tie.                             |
| <i>Grand Bard,</i>                   | . . . | A Grecian Lyre.                                         |
| <i>Grand Sword-Bearer,</i>           | . . . | Two Swords, crossed with Tie.                           |
| <i>Grand Director of Music,</i>      | . . . | { Two Trumpets, crossed with Gar-<br>land.              |
| <i>Grand Marshals,</i>               | . . . | Baton and Sword, crossed.                               |
| <i>Grand Tyler,</i>                  | . . . | The Sword.                                              |

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|                                    |       |                              |
|------------------------------------|-------|------------------------------|
| <i>President of Board of Grand</i> | {     | Cornucopia and Cup, within a |
| <i>Stewards,</i>                   | . . . | Wreath.                      |

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|                                         |       |   |                                  |
|-----------------------------------------|-------|---|----------------------------------|
| <i>Provincial Grand Master,</i>         | . . . | { | Compasses and Square, with five- |
|                                         |       |   | pointed Star in centre.          |
| <i>Provincial Depute Grand Masters,</i> |       |   | Compasses and Square.            |

The other office-bearers of Provincial Grand Lodges are entitled to wear jewels of the same description as those worn by the corresponding office-bearers of the Grand Lodge.

The Grand Master's collar, from which his jewel is suspended, is of gold, of the depth of one inch and 2-10ths,

and consists of sixteen thistles, between each two of which are the letters "G. L." in double cypher, interlaced; the thistles enamelled in their proper colours.

The collars, from which the jewels of the other Grand officers and Provincial Grand officers are suspended, are of thistle-green ribbon.

The office-bearers of the Grand Lodge wear, over the right shoulder and under the left arm, cordons or sashes of thistle-green ribbon, not exceeding four inches broad.

The apron of the Grand Master is trimmed with two-inch gold lace (acorn pattern), and has embroidered in gold on the fall (which is semicircular and of green satin) the Compasses and Square, the Sun in splendour, the Moon and Seven Stars, &c., within a wreath of thistles.

The aprons of the other Grand office-bearers are all trimmed with green, and have green falls, on which are embroidered in gold the emblems of their respective offices, encircled by garlands of thistles, acacia, palm, &c.

The jewels of subordinate Lodges are of silver, and are as under :—

|                           |   |   |   |   |                               |
|---------------------------|---|---|---|---|-------------------------------|
| <i>Master,</i>            | . | . | . | . | { The Compasses and Square,   |
|                           |   |   |   |   | segment of Circle, and Sun.   |
| <i>Past Master,</i>       | . | . | . | . | { The Compasses, Square, and  |
|                           |   |   |   |   | Segment.                      |
| <i>Depute Master,</i>     | . | . | . | . | The Compasses and Square.     |
| <i>Substitute Master,</i> | . | . | . | . | The Square.                   |
| <i>Senior Warden,</i>     | . | . | . | . | The Level.                    |
| <i>Junior Warden,</i>     | . | . | . | . | The Plumb.                    |
| <i>Treasurer,</i>         | . | . | . | . | The Key.                      |
| <i>Secretary,</i>         | . | . | . | . | Two Pens, crossed.            |
| <i>Chaplain,</i>          | . | . | . | . | Irradiated Eye in a Triangle. |
| <i>Deacons,</i>           | . | . | . | . | The Mallet and Trowel.        |
| <i>Architect,</i>         | . | . | . | . | Corinthian Column on Segment  |
|                           |   |   |   |   | of 90°.                       |
| <i>Jeweller,</i>          | . | . | . | . | Goldsmith's Hammer.           |
| <i>Bible-Bearer,</i>      | . | . | . | . | The Bible.                    |
| <i>Inner Guard,</i>       | . | . | . | . | Two Swords, crossed.          |
| <i>Tyler,</i>             | . | . | . | . | The Sword.                    |

The Grand Lodge, with a view to uniformity, recommends the following patterns of aprons for adoption :—

*Apprentice.*—A plain white lambskin (with semicircular fall or flap), 16 inches wide and 14 inches deep; square at bottom, and without ornament—white strings.

*Fellow-Craft.*—Same as above, with the addition of two rosettes, of the colour worn by the Lodge, at the bottom.

*Master Mason.*—Dimensions as above, edged with the colour of the Lodge, and an additional rosette on the fall or flap.

*Masters and Past Masters of Daughter Lodges.*—In place of each of the rosettes on the Master Mason's apron, a horizontal line, two and a half inches long, with a perpendicular line from its middle, one inch high, thereby forming two right angles, in imitation of a rude level. These emblems to be of ribbon half an inch broad, of the colour of the Lodge of which the wearer is the Master or Past Master.

The office-bearers of daughter Lodges may wear sashes of the colour adopted by the Lodge, not exceeding four inches broad, and in front may have embroidered, or otherwise distinctly marked thereon, the name or number of the Lodge.

## SECTION X.

### REGULATIONS IN LAYING FOUNDATION-STONES.

In all cases where the Grand Lodge is called upon to officiate at the laying of foundation-stones, the application must be made through the Grand Secretary or Grand Clerk, either of whom shall convene a meeting of the Grand Committee within eight days, and lay the same before it; and the Grand Committee shall have power, if it sees fit, to take steps to carry the same into effect, and order the Grand Secretary to summon a meeting of the Grand Lodge for the occasion, at the place and date specified.

When the use of the Grand Lodge jewels, paraphernalia, &c., are required by Provincial Grand Lodges for the ceremony of laying foundation-stones, or other Masonic demonstrations, the application must be made by the

Provincial Grand Master, as before provided, through the Grand Secretary or Grand Clerk; all expenses connected with the transmission of the jewels, &c., to be defrayed by the parties applying.

Where foundation-stones are to be laid in the provinces with Masonic honours, at which the Grand Lodge may not find it convenient, or may not have been invited to attend, the Provincial Grand Master presides, and makes all necessary arrangements; or in his absence, the Depute or Substitute Provincial Grand Master, or Senior or Junior Provincial Grand Warden; whom failing, the Master of the Senior Lodge of the district. In the event of the Provincial Grand Lodge being dormant, it is in the power only of the Grand Lodge or Grand Committee to appoint a Brother to preside, who may select the other office-bearers for the occasion.

All Masonic processions at laying foundation-stones are carried into effect, as nearly as the circumstances will permit, as provided for in Appendix F.

No Lodge in the Edinburgh province is permitted to conduct the ceremony of laying a foundation-stone without the sanction of the Grand Lodge or Grand Committee being first obtained; and no other Lodge without that of the Provincial Grand Master.

## CEREMONIAL

OBSERVED BY THE GRAND LODGE AT LAYING A FOUNDATION-  
STONE BY THE M. W. THE GRAND MASTER, ETC.

THE Grand Lodge having been opened at a convenient place, and the necessary directions and instructions given, it is adjourned. The Brethren being in their proper clothing and jewels, and wearing white gloves, the procession moves in the following order, viz:—

Visiting Brethren belonging to warranted Lodges holding of a recognised Grand Lodge, other than that of Scotland.  
Daughter Lodges present, and their Brethren, according to seniority on the Grand Lodge Roll,—Junior Lodge in front.  
Members of the Grand Lodge, according to seniority of Lodges on the Roll.—Junior in Front.

**Grand Marshals.**

Grand Director of Music.                      Grand Bard.

Grand Steward. (With White Rods.) Grand Steward.

Grand Steward. (With White Rods.) Grand Steward.

and Steward. (White Rods.) Grand Stew

Mallet. (*Carried by an Operative.*)

Vase (*Wine.*)    Cornucopiæ (*Corn.*)    Vase (*Oil.*)

(With White Rods.)

**Grand Bible-Bearer.**

Bottles with Coins, &c.

(With White Rods.)

Grand Steward.      (*White Rods.*)      Grand Steward.

Grand Steward.      Grand Steward.      Grand Steward.

Grand Steward.      (*With White Rods.*)      Grand Steward.

Substitute Grand Master.

**Grand Sword-Bearer.**

Grand Steward. { President of Grand Stewards. } Grand Steward.  
(With White Rod.) { (Carrying Grand Master's Rod.) } (With White Rod.)

### Provincial Grand Masters.

Past Grand Wardens, &c.

Having arrived within a proper distance of the stone, the procession halts, and the Brethren open to the right and left, so as to leave room for the Grand Master and other office-bearers to pass up the centre.

On arriving at the platform, the Architect is the first of the Masonic procession who walks up to the platform on the east. *Secondly*, The Grand Chaplain. *Thirdly*, The Grand Jeweller, Grand Deacons, Grand Clerk, Grand Secretary, Grand Treasurer, Grand Wardens and Substitute; then Grand Master, Past Grand Master, and Depute Grand Master, followed by Provincial Grand Masters and Brethren attendant, all giving way to the Grand Master when on the platform, and the Substitute taking the right of the Grand Master.

A band of music to be thereafter placed in a conspicuous situation; and the Grand jewels, &c., to be laid on the Grand Master's table.

*"Queen's Anthem,"* by the Band.

*"Hail Masonry,"* by the Band.

The Grand Chaplain then offers up the following or other suitable

#### PRAYER.

O God! we adore Thee, the Creator of all things, the great Architect of the universe. The heavens declare Thy glory, and the firmament sheweth Thy handiwork. Day unto day uttereth speech, and night unto night sheweth knowledge. O God! in Thee we live and move and have our being. We are continually and entirely dependent on Thee. It behoves us to acknowledge Thee in all our ways, and we desire to approach Thee at this time with our humble thanksgivings and prayers, to invoke Thy blessing on the work in which, through Thy great goodness, we are now permitted to engage. We thank Thee, O God! for all the blessings Thou hast bestowed upon us—for life and health, and all that contributes to our welfare and happiness in this world. We thank Thee for the revelation which Thou hast made of Thyself to us. We thank Thee for the way of salvation which Thou hast made known to us, and for the hope which extends beyond the grave, the hope of a resurrection from the dead, and a blessed immortality. We thank Thee for all the faculties with which Thou hast endowed us—for the blessings of education, and for all the attainments of wisdom and knowledge

which we have been enabled to make. Hear us, O Lord ! when we cry unto Thee, as now we do, for the pardon of all our sins, and for grace to serve Thee better in all that may yet remain to us of our earthly life than we have served Thee hitherto. Oh ! keep us ever mindful of Thee, living in Thy fear, living unto Thy glory, loving and obeying Thy law.

O Lord ! we thank Thee that we are permitted this day to lay the foundation of an edifice to be erected here. We thank Thee for all the liberality shown by those who have provided the necessary funds for its erection. Bless them, we pray Thee, with more and more abundance of all Thy good gifts. Bless them both with temporal and spiritual blessings. May they live to see the completion of the work this day begun, and to rejoice in seeing that it serves well the good purposes for which it is designed ; and may it serve these purposes well and long, to the benefit not only of the present, but of future generations.

[Sentences may here be introduced, having special reference to these purposes, according to the occasion.]

Bless all who may be in any way engaged in the erection of this building. May no accident happen to any of them ; may they sustain no injury whilst engaged in their work ; may no one of them lose his life in the progress of it. Guide them all, preserve them all. We commend them and their families to Thee, to Thy fatherly love and care. May the wages which they receive for their labour be so used as to promote their comfort and happiness, and, though coming immediately from the hands of men, may they ever be regarded as the gifts of Thy bounty and used unto Thy glory.

O Lord ! we beseech Thee to bless Thy servant our sovereign the Queen, their Royal Highnesses the Prince and Princess of Wales, and all the members of the Royal Family. Enrich them with all the gifts of Thy grace, and bless them with long life, health, and happiness. Guide our Queen's counsellors, and give wisdom to the legislators of our country. Grant long continued and ever-increasing national prosperity. May all the people dwell in peace, and may there be more and more every day of the true fear of God among them. Make judges and magistrates blessings to the community, in the faithful discharge of their duties. [Bless this great city, its magistrates and all in authority, and the whole multitude of its inhabitants.]

And now, O God ! we would unite in commending ourselves all to Thy goodness, Thy mercy, and Thy love. Have compassion on us, O God ! Show us Thy mercy, grant us Thy salvation. Forgive the sins of our very prayers, and graciously accept us, granting what we humbly ask, and doing for us more than we have even known to ask or desire, according to Thine own infinite wisdom and goodness, for our Redeemer's sake. Amen.

The Grand Master calls upon the Grand Treasurer, Secretary, and Clerk, to place the coins, &c., in the cavities of the stone, and the Architect to bring forward the necessary workmen. When coins, &c., are placed—

*“Great Light to Shine,”* by the Band.

While this is playing, three distinct stops to be made in bringing down the stone.

The Grand Master upon this walks down from the platform to the east of the stone, with the Substitute on his right hand—the Grand Wardens walking before him, who go to the west, having with them the Level and the Plumb.

The Grand Master says—R. W. Substitute Grand Master, you will cause the various implements to be applied to the stone, that it may be laid in its bed according to the rules of Masonry. The Substitute Grand Master orders the Wardens to do their duty.

The Grand Master then says—Right Worshipful Junior Grand Warden, What is the proper jewel of your office?—The Plumb. Have you applied the Plumb to the several edges of the stone?—I have, M. W. G. M.

Right Worshipful Senior Grand Warden, What is the proper jewel of your office?—The Level. Have you applied the Level to the top of the stone?—I have, M. W. G. M.

Right Worshipful Substitute Grand Master, What is the proper jewel of your office?—The Square. Have you applied the Square to those parts of the stone that are square?—I have, M. W. G. M.

The Grand Master then says—Having, my R. W. Brethren, full confidence in your skill in our royal art, it remains with me now to finish this our work.

He then gives the stone three knocks, saying—

“May the Almighty Architect of the Universe look down with benignity upon our present undertaking, and crown the edifice, of which we have now laid the foundation, with every success.”

Three Cheers!

Music.

*“On, On! my dear Brethren.”*

During the music the cornucopia is delivered to the Substitute; the vase with wine to the Senior Grand Warden; and the vase with oil to the Junior Grand Warden.

After the music ceases, the cornucopia is delivered by

the Substitute to the Grand Master, who throws its contents upon the stone. The vase with wine is then handed to the Substitute, who delivers it to the Grand Master, who pours it upon the stone, and the vase with oil in the same manner, the Grand Master saying—

“Praise be to the Lord immortal and eternal, who formed the heavens, laid the foundations of the earth, and extended the waters beyond it,—who supports the pillars of nations, and maintains in order and harmony surrounding worlds. We implore Thy aid, and may the continued blessings of an all-bounteous Providence be the lot of these our native shores ; and may the Almighty Ruler of events deign to direct the hand of our gracious Sovereign, so that she may pour down blessings upon her people ; and may that people, living under sage laws, in a free government, ever feel grateful for the blessings they enjoy.”

“*Masons' Anthem.*”

The Grand officers return to their platform when the anthem ceases.

Three Cheers !

Address by Grand Master.

Reply by \_\_\_\_\_

“*Rule Britannia,*” by the Band.

The procession then returns in inverted order to the place from which it set out, where the Grand Lodge is closed.

## SECTION XI.

### HONORARY MEMBERS.

It is in the power of the Grand Lodge to confer the distinction of “*Honorary Member of the Grand Lodge*” upon Sovereigns, or other distinguished Brethren, known to be famed in the Masonic Craft.

The nomination of Honorary Members is vested in the Grand Master alone ; each nomination being subject to confirmation by the Grand Lodge.

Honorary Members have no vote in the Grand Lodge.

Honorary Members have precedence in the Grand Lodge

immediately after the Depute Grand Master, and before the Substitute.

The badge of Honorary Members must be worn as a medal on the breast. Neither the apron nor cordon of the Grand Lodge can be conferred on Honorary Members; their decoration, as such, being the distinctive badge provided for them.

A sum, not exceeding £5, is allowed for each badge to Honorary Members of the Grand Lodge.

## SECTION XII.

### FINANCE AND GENERAL MANAGEMENT COMMITTEES.

A Finance Committee is annually appointed by the Grand Committee, consisting of three of their own number, who meet quarterly, and at other times when necessary; and all accounts against the Grand Lodge are submitted to, and approved of by, this Committee before being paid. No drafts can be drawn on the bank account without the sanction of the Committee. All such drafts must be countersigned by the Chairman before they are paid by the bank. The cash-book of the Grand Lodge must be regularly entered up and balanced quarterly by the Grand Secretary, and submitted to the Committee at each quarterly meeting.

A Hall and Building Committee are also appointed by the Grand Committee, consisting of three of their own number, whose duty it is to see that all contracts for work have been duly executed; attend to the letting of the hall, shops, and other property; and generally, to take the care and management of the whole property.

The Grand Secretary or Grand Clerk attends all meetings of the above Committees, and keeps regular minutes of their proceedings.

## SECTION XIII.

## CORRESPONDENCE WITH SISTER GRAND LODGES.

The Grand Secretary transmits to the Grand Secretaries of the Sister Grand Lodges of England and Ireland, and of any other Grand Lodge which has a recognised representative in the Grand Lodge of Scotland, yearly, or as often as any change is made, the names of the office-bearers of the Grand Lodge of Scotland, and lays before each quarterly communication such letters or information as he may from time to time receive from these Sister Grand Lodges. He also transmits such answers or information to them as he may be instructed to do by the Grand Lodge, omitting no proper opportunity of assuring those most Worshipful Grand Lodges, in the most respectful manner, of the desire the Grand Lodge of Scotland has to cultivate a brotherly correspondence with them, and to co-operate with them in all laudable endeavours to promote the interest and prosperity of the Ancient and Honourable Order of Freemasonry.

Representatives to Sister Grand Lodges may be appointed by the Grand Lodge at any quarterly communication. Their representatives have conferred on them such rank as may be appropriate; which rank is expressed in their commissions. Representatives from Sister Grand Lodges may, on presentation of their commissions, be received at any quarterly communication, and take such rank in the Grand Lodge of Scotland as is allowed in their commissions.

Representative members from Sister Grand Lodges to the Grand Lodge of Scotland have no vote, *as such*, in the Grand Lodge.

Representative members to Sister Grand Lodges wear clothing (*viz.*, Apron, Cordon, and Ribbon with Badge), similar to the clothing of Grand office-bearers; said clothing,

when furnished by the Grand Lodge of Scotland, remains its property, and is to be handed over to each new representative in a foreign Grand Lodge when appointed.

## SECTION XIV.

### FESTIVALS.

The Grand Lodge of Scotland holds at least one festival annually, namely, upon ST ANDREW'S DAY, being the 30th of November, except when that day falls on a Saturday or Sunday, in which case it is held on the first Monday thereafter. The festival is open to every Brother of the Order who provides himself with a ticket for the purpose.

The price of these tickets is regulated annually by the Grand Committee, subject to the approval of the Grand Lodge at the quarterly communication immediately preceding St Andrew's Day.

Three of the Grand Stewards, or any other three Brethren properly qualified, are appointed a Committee to examine such strangers as may be desirous of obtaining admission to the festival, but who may come unaccompanied and unvouched for by any known and acknowledged Brother. All strangers must come provided with a proper diploma or certificate.

The Festival of St Andrew is celebrated in open Lodge.

To prevent the funds of the Grand Lodge from being misspent upon conviviality, every festival must be so conducted as to insure that the expenses thereof, excepting always a reasonable allowance for music, &c., shall be amply covered by the money to be drawn from the Brethren attending. All other Lodges hold their festival either on St John the Baptist's Day or on that of St John the Evangelist.

## SECTION XV.

ANNUAL CIRCULAR, OR GRAND LODGE OF SCOTLAND'S  
REPORTER.

Immediately after the annual audit of the Treasurer's accounts in May, a circular is drawn up by the Grand Secretary and Grand Clerk, exhibiting a complete state of the funds,—specifying the Grand office-bearers elected on St Andrew's Day,—containing lists of the number of intrants in each Lodge during the year,—Lodges in arrear,—charters granted,—alterations of existing laws, and enactment of new ones; and, generally, such information regarding the affairs of the Grand Lodge, or of Freemasonry in general, as the Brethren may have no other opportunity of becoming acquainted with.

A copy of this circular is transmitted to every office-bearer of the Grand Lodge, to the Proxy-masters and Wardens, and to every Lodge holding of the Grand Lodge, as well as to the Sister Grand Lodges at home and abroad.

Copies of the annual circular, and notices of meetings of the Grand Lodge, are also sent by the Grand Secretary to any Freemason who wishes to have them, and pays in advance, during the month of January, one shilling and sixpence annually.

The portion of the annual circular to be prepared by the Grand Secretary embraces the list of contributions for recording intrants, an abstract of the annual accounts, and a vidimus of the affairs of the Grand Lodge; the other portions of the circular are the peculiar province of the Grand Clerk; both portions, however, being subject to revision and approval by the Grand Lodge or Grand Committee.

## CHAPTER V.

### PROVINCIAL GRAND LODGES.

#### SECTION I.

##### THEIR JURISDICTION.

A PROVINCIAL Grand Lodge is, as its name implies, an epitome of the Grand Lodge in the metropolis, but its jurisdiction is strictly limited to the boundaries of the county or district where it is held. A warrant is not necessary to give a sanction to its meetings, for it is summoned by the sole authority of the Provincial Grand Master, who is styled Right Worshipful Provincial Grand Master, conveyed to him by his patent of appointment from the Grand Lodge. Its authority is confined to the framing of bye-laws, making regulations, hearing disputes, &c.

The periodical meetings of Provincial Grand Lodges are attended with many social advantages. The Brethren of the several District Lodges become mutually acquainted with each other, and a good understanding and brotherly affection are fostered and encouraged, which, under other circumstances, could not so efficiently be accomplished. Personal friendships are commenced amongst those who might otherwise be for ever strangers to each other; and old acquaintances renew those reciprocal sympathies which time and absence would weaken, if not destroy. A uniformity of rites is also preserved, because brethren communicate to each other any diversity which may exist in the working of their respective Lodges; and by a comparison of systems error is avoided, and improvements are effected, which tend to the general benefit of the Order. Zealous Brethren are

furnished with an opportunity of displaying their several talents, while they join with heart and hand in promoting each other's welfare and the prosperity of the Craft.

The actual members of a Provincial Grand Lodge consist of the office-bearers commissioned by the Provincial Grand Master; together with all Masters and Wardens of the County Lodges, who are bound to be present when duly summoned to attend. Brethren wishing to have the right of *entrée* must obtain an order from a member, and they cannot speak without permission of the chair, and in no circumstances can they be allowed to vote. If the Provincial Grand Master presides in person, the Lodge is pronounced to be open in *due form*; but if that office-bearer be absent, it is open in *form* only, and the same ceremonial should be used for opening and closing as in the Grand Lodge.

## SECTION II.

### THEIR DUTIES AND POWERS.

The duties and powers of Provincial Grand Lodges cannot be more summarily or more correctly given than as they are described in the Laws and Constitutions of the Grand Lodge of Scotland.

They are as follows :—

Each Provincial Grand Master is entitled to choose, and to appoint by commission,\* from time to time, a Depute, Substitute, two Wardens, a Secretary, and Chaplain. Such other office-bearers as may be necessary, as Treasurer, Senior and Junior Deacons, Inner Guard and Tyler, may be elected annually by the Provincial Grand Lodge. All of them must be Master Masons on the roll of the Grand Lodge, members of Lodges within the province, and resident in the district for the greater part of the year.

Provincial Grand Masters, either personally, or by their Deputes, or Substitutes, must visit annually every Lodge under their charge; call special meetings of the Provincial Grand Lodges at such places and times as they shall think

\* Appendix B.

fit; examine into the state of Freemasonry in their District, and report from time to time to the Grand Lodge. They must also, in the absence of the Grand Lodge office-bearers, preside at all Masonic ceremonials, &c., within their respective districts.

The Provincial Grand Lodge hears and determines all subjects of Masonic complaint or irregularity respecting Lodges or Brethren within the district, and proceeds to admonition or fine, or even suspension; but the party thinking himself aggrieved may bring the matter before the Grand Lodge or Grand Committee, as has already been stated.

Provincial Grand Masters are strictly enjoined not to recognise any Lodge in Scotland acting independently of the Grand Lodge, nor to allow any such to attend any Masonic meeting or ceremonial of which they have the management and control.

Provincial Grand Masters, their Deputies, or Substitutes, are expected to consecrate all new Lodges erected in their respective districts.

The dues exigible by Provincial Grand Secretaries for proceedings, &c., in Provincial Grand Lodges, are one half of those payable to the Grand Lodge. A fee not exceeding 10s. 6d. may be charged by Provincial Grand Secretaries for commissions issuing from Provincial Grand Masters.

In the event of disputes arising between Lodges or members of the Craft within the province, Provincial Grand Lodges are generally regulated by the enactments concerning processes, &c., before the Grand Lodge or Grand Committee. If the petition or complaint involves matters subversive of Freemasonry, and which ought not to be committed fully to writing, the petitioner must attend in person in the Provincial Grand Lodge, and afford it the whole requisite information. All further procedure before it in such cases takes place at the instance of the Provincial Grand Lodge itself, and the whole expenses are defrayed by it.

Each Provincial Grand Lodge holds quarterly communications on such days as are fixed on as most convenient,

and may adjourn these meetings from time to time (but no business shall be taken up at an adjourned meeting not laid before the previous quarterly communication), and their meetings shall not be interrupted by the death or retirement of the Provincial Grand Master, unless the Grand Lodge shall not deem it expedient, within the space of one year, to appoint another. A Provincial Grand Lodge not assembling for the space of two years becomes dormant, and has no power again to call meetings unless empowered by the Provincial Grand Master, or by order of the Grand Lodge or Grand Committee.

The Grand Lodge or Grand Committee has full power at any time to convene a Provincial Grand Lodge, independently of the Provincial Grand Master, by orders transmitted through the Grand Secretary or Grand Clerk to the Master of one of the Lodges in the district, who must summon the meeting within ten days thereafter, or for such day as shall be intimated to him.

The Provincial Grand Master must convene the Provincial Grand Lodge and lay before it his commission within six months of its date, otherwise it shall be null and void, except in cases of Provincial Grand Lodges in the Colonies.

No office-bearer of the Provincial Grand Lodge can act, or be accounted such, until he has been installed or inducted into office at a meeting of the Provincial Grand Lodge.

When a Provincial Grand Lodge becomes dormant, the Lodges in the district come under the immediate superintendence of the Grand Lodge and Grand Committee.

A Provincial Grand Lodge may enact that each Lodge in the province shall make an annual payment to it, variable according to circumstances, for defraying the expenses of regalia, meetings, and other necessary purposes. "And it is further provided that it may enact that a sum not exceeding five shillings be paid by each candidate, before initiation, in the respective Lodges of the province, and that said sum so collected shall form a Provincial Benevolent Fund, and shall be kept separate from the ordinary income of the Provincial Grand Lodge." Any Lodge in

arrear of such annual contributions, and the above levy for charitable purposes, shall have no right to be represented in the Provincial Grand Lodge.

In the absence of the Provincial Grand Master, the chair shall be taken in the following order:—The Depute Provincial Grand Master; Substitute Provincial Grand Master; Senior Provincial Grand Warden; Junior Provincial Grand Warden; the Master of the Senior Lodge present; and in the absence of the Provincial Grand Wardens, their chairs are filled by the Masters present, according to the seniority of their respective Lodges in the province.

## PART VI.

# MASONIC CRIMES AND PUNISHMENTS.

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### CHAPTER I.

#### MASONIC CRIMES.

It is peculiar to the subject which is now about to be treated, that the division of wrongs made by the writers on municipal law, into private wrongs or civil injuries, and public wrongs or crimes and misdemeanours, is not admissible in, or applicable to, the system of Masonic jurisprudence. In Freemasonry, every offence is a crime, because, in every violation of a Masonic law, there is not only sometimes an infringement of the rights of an individual, but always, superinduced upon this, a breach and violation of public rights and duties, which affect the whole community, considered as a community.

When a Freemason transgresses one of the laws of his country, he commits a wrong which, according to its enormity and the effect which it has on private or public rights, will, in the language of the municipal law, be denominated an offence, a misdemeanour, or a crime, and he will, in a well-ordered state, receive the punishment which is due to the character of the breach of law that he has committed. If the injury be simply one committed against an individual, the court will look only to the amount of injury done to the individual, and will require no compensation for wrong done to the state.

Although the tribunals of the country may or may not have inflicted adequate punishment, so far as the offended law of the state is concerned, a Mason is still liable to punishment from the Order of which he is a member. This punishment will be determined, not simply by the amount of injury done to the individual, but also on the principle that some wrong has likewise been done to the Order; for it is a settled axiom of Masonic law, that every offence which a Freemason commits is an injury to the whole Fraternity, if in nothing else, at least in this, that the bad conduct of a single member reflects discredit on the whole institution. This idea appears to have been early entertained, for we find one of the articles of the old Gothic Constitutions declaring that a Freemason shall harbour no thief or thief's retainer, *lest the Craft should come to shame*. And again, in the same document, the Master is directed to guard his Apprentice against the commission of perjury, and all other offences, *by which the Craft may be brought to shame*. The shame, therefore, that is brought upon the institution by the misdeeds of its members, is an important element to be taken into account in the consideration of every Masonic offence. And hence too, in view of the public injury that every Freemason inflicts upon the Masonic community, when he transgresses the municipal law, we arrive at the principle that all penal offences are crimes in Masonry; that is to say, that all private wrongs to an individual are public wrongs to the Order.

There is, however, a division of Masonic offences which is well worthy of notice; for, as the civil law makes a distinction between the *juris præcepta*, or precepts of the law, which are without any temporal punishment, and the *juris regulæ*, or rules of law, which are accompanied with a penalty, so the laws of Freemasonry may be divided into *directive precepts* and *penal regulations*, the former being accompanied with no specified punishment, and the latter always containing a penal sanction. Of the latter, no example need be at present adduced; but of the former, we find a well-known instance in the old charges approved in

1722, where it is said that every Freemason ought to belong to a Lodge, while no penalty is affixed for a violation of the precept.

The directive precepts of the Order are to be found partly in the old constitutions and partly in the ceremonial, where they are constantly occurring as indications of what should be done or omitted to form the character of a true and trustworthy Freemason. As they constitute rather the ethics than the law of Freemasonry, they can be considered in the present work only incidentally, and so far as, in particular cases, they are connected with, or as they illustrate a penal regulation.

The first class of crimes laid down in the constitutions, as rendering their perpetrators liable to trial under Masonic jurisdiction, consists of offences against the moral law. "Every Freemason," say the old charges of 1722, "is obliged by his tenure to obey the moral law." Now, this moral law is not to be considered as confined to the decalogue of Moses, within the limits of which ecclesiastical writers technically restrain it, but rather as extending to what is called the law of nature. This law of nature has been defined by an ancient writer on this subject to be "the will of God, relating to human actions, grounded on the moral differences of things; and because discoverable by natural light, obligatory upon all mankind." This is the "moral law," to which the old charge already cited refers, and which it declares to be the law of Freemasonry. And this was wisely done, for it is evident that no law less universal could have been appropriately selected for the government of an institution whose prominent characteristic is its universality. The precepts of Jesus could not have been made obligatory on a Jew; a Christian would have denied the sanctions of the Koran; a Mohammedan must have rejected the law of Moses; and a disciple of Zoroaster would have turned from all to the teachings of his Zend Avesta. The universal law of nature, which the authors of the old charges have properly called the moral law, because, it is, as Conybeare remarks, "a perfect collection of all those moral doctrines and precepts which have a

foundation in the nature and reason of things," is therefore the only law suited, in every respect, to be adopted as the Masonic code.

Writers on this subject have given to this great moral law of nature three characters, which make it still more appropriate as a system for the government of a universal, ancient and unchangeable institution; for it is said in the first place to be eternal, having always existed. Next, it is universal; all mankind, of every country and religion, being subject to it. And lastly, it is immutable, which immutability necessarily arises from the immutability of God, the author of the law.

This moral law of nature being the code adopted for the government of the Masonic fraternity, it is proper that some inquiry should be made into the nature of the duties which it enjoins, and the acts which it prohibits.

And, in the first place, the very existence of the law implies the existence of a Supreme Power, who must have enacted it, and of a responsibility to Him for obedience to it. And hence the same charge which commences by declaring that a Freemason is bound to obey the moral law, goes on to assert, that, if he rightly understands the art, he will never be a stupid atheist, nor an irreligious libertine. Atheism, therefore, which is a rejection of a supreme, superintending Creator, and irreligious libertinism, which, in the language of that day, signified a denial of all moral responsibility, are offences against the moral law, because they deny its validity and condemn its sanctions; and hence they are to be classed as Masonic crimes. This and the belief in a future state are the only points of speculative theology with which Masonry interferes. But here it is stern and uncompromising. A man must believe in God, and recognise a moral responsibility to Him, or he cannot be made a Freemason; or, if being made, he subsequently adopts atheistic views, he cannot remain in the Order.

Again, the moral law inculcates love of God, love of our neighbour, and duty to ourselves. Each of these embraces other incidental duties which are obligatory on every Mason.

Thus, the love of God implies that we should abstain from all profanity and irreverent use of His name. The being whom we truly love we cannot treat with disrespect. There is indeed no offence more directly opposed to the whole spirit of the institution than a profane use of that holy name, which is the most important feature of the system of Freemasonry, as the all-pervading symbol of that divine truth which it is the professed object of every Freemason to discover. Profanity in a Freemason, therefore, while it is an insult to the majesty of our Maker, is also an irreverence towards the religious design of the Masonic science, and as such is a Masonic crime.

Universal benevolence, which has been called "the prime law of nature," is the necessary result of love of our neighbour. Cruelty to one's inferiors and dependants, uncharitableness to the poor and needy, and a general misanthropical neglect of our duty as men to our fellow-beings, exhibiting itself in extreme selfishness and indifference to the comfort or happiness of others, are offences against the moral law, and therefore Masonic crimes. Job, in a highly poetic and affecting passage, enumerates the vices which flow from a want of sympathy with our fellow-men, any one of which would, if committed by a Freemason, be a fitting cause for the exercise of Masonic discipline. "If I have withheld the poor from their desire, or have caused the eyes of the widow to fail; or have eaten my morsel myself alone, and the fatherless have not eaten thereof; if I have seen any perish for want of clothing, or any poor without a covering; if his loins have not blessed me, and he were not warmed with the fleece of my sheep, then let evil overtake me."

Justice, which the civil law defines to be "a constant and prevailing desire to give every one his just due," is another necessary result of love of our neighbour. As one of the cardinal virtues, the candidate is instructed in the first degree "never to deviate from its minutest principles." Injustice, therefore, in every form in which one man can do

wrong to another, is a violation of the moral law, and a Masonic crime.

Lastly, from our duty to ourselves result all those virtues, the practice of which enables us to discharge the obligations we owe to society, our family, and our friends. In neglecting this duty, by abusing the bounties of Providence, by impairing our faculties by irregularity, and debasing our profession by intemperance, we violate the moral law, and are guilty of Masonic crime.

Next to violations of the moral law, in the category of Masonic crimes, are to be considered the transgressions of the municipal law, or the law of the land. Jurists divide all wrongful acts into two classes—*mala in se* and *mala prohibita*. A *malum in se*—an evil in itself—is that which is universally acknowledged to be such among all civilised men. It is, in fact, a violation of the moral law of nature. Of this class are murder, theft, and similar crimes. A *malum prohibitum*—a prohibited evil—is that which has been conventionally made so by the enactment of the law; so that what is *malum prohibitum* in one country, is no evil at all in another. All *mala in se* are crimes in Masonic jurisprudence, because they are violations of the moral law. But *mala prohibita* are not necessarily so, and would not be considered as such, if it were not for the relation that the laws of Masonry bear to the laws of the land. Obedience to constituted authority is one of the first duties which is impressed upon the mind of the candidate, and hence he who transgresses the laws of the land under which he lives, violates the teachings of the Order, and is for this cause justly obnoxious to Masonic punishment.

It may appear at first sight to be a violation of the great principles of justice to punish a man a second time for the same offence, and it may therefore be supposed that when a Mason has once undergone the penalty of the laws of his country, he should not be again tried and punished in his Lodge for the same crime. But this is not the theory upon which Masonic punishment is inflicted in such cases. When

a Mason violates the laws of his country, he also commits a Masonic crime ; for, by his wrong-doing, he not only transgresses the Masonic law of obedience, but he also "brings shame upon the Craft." Of this crime the laws of the country take no cognisance ; and it is for this alone that he is to be tried and punished by a Masonic tribunal.

From this arises an important principle of Masonic law. If A has been tried and convicted of a crime in the courts of his country, charges may be preferred against him in his Lodge for conduct unbecoming a Mason ; and on the trial it will not be necessary to introduce testimony to prove the commission of the act, as was done in the temporal court. It will be sufficient to adduce evidence of his conviction, and the fact of this conviction, will be alone a good reason to render him obnoxious to a Masonic penalty. He has, by the conviction, brought "shame upon the Craft," and for this he must be punished. It is true that there may be cases in which it is apparent that the conviction in the court was an unjust one, or there may be palliating circumstances, which, without affecting the results in law, would tend greatly to mitigate the heinousness of the act. But the burthen of showing these palliating or mitigating features will lie upon the accused. Unless he can show cause to the contrary, he must be punished for having, by his bad conduct, brought censure and reproach on the Fraternity.

These remarks are only applicable to convictions of crimes which are of an infamous or ignominious character ; for, where the offence is not against the moral law, but is simply a *malum prohibitum*, or is not of such a nature as to bring with it loss of reputation to the offender, then the Masonic Order will, in most cases, be satisfied that the courts shall vindicate themselves, and will not interfere, except in special instances, to exercise Masonic jurisdiction. Thus, in the instance of a simple assault, in retaliation for injurious words, where one party only is a Freemason, although the municipal law will not consider any words as a justification, and will proceed to conviction, still, as the offence is not infamous, nor the punishment ignominious, and

the character of the Order does not need to be vindicated, the Lodge will not take cognisance of the act. The simple rule is, that where the crime is not against the moral, as well as the municipal law, the Order will not exercise jurisdiction over the offender, unless it is required for the vindication of the character of the institution, affected through the wrong-doing of one of its members.

Again, the Order will take no cognisance of ecclesiastical or political offences. This arises from the very nature of our society, which eschews all controversies about national religion or state policy. Hence apostasy, heresy, and schisms, although considered in some governments as heinous offences, and subject to severe punishment, cannot become the foundation of a charge in a Masonic Lodge.

Treason and rebellion also, because they are altogether political offences, cannot be inquired into by a Lodge; and although a Freemason may be convicted of either of these acts in the courts of his country, he cannot be masonically punished. Notwithstanding his treason or rebellion, his relation to the Lodge, to use the language of the old Charges, remains indefeasible.

Lastly, in reference to the connection of the laws of the land with those of Freemasonry, it must be stated that an acquittal of a crime by a temporal court does not relieve a Freemason from an inquisition into the same offence by his Lodge; for acquittals may be the result of some technicality of law, or other cause, where, although the party is relieved from legal punishment, his guilt is still manifest in the eyes of the community; and if the Order were to be controlled by the action of the courts, the character of the institution might be injuriously affected by its permitting a man who had escaped without honour from the punishment of the law, to remain a member of the Fraternity. In the language of a foreign Grand Lodge, "an acquittal by a jury, while it may, and should, in some circumstances, have its influence in deciding on the course to be pursued, yet has no binding force in Masonry. We decide on our own rules, and our own view of the facts."

The last class of crimes cognisable by a Masonic tribunal, are violations of the Landmarks and Regulations of the Order. These are so numerous that space cannot be afforded for even a bare catalogue. Reference must be made only to a few of the most important character.

A disclosure of any of the secrets which a Freemason "has promised to conceal and never reveal," is a heinous crime, and one which the monitorial lecture of the first degree expressly says, "would subject him to the contempt and detestation of all good Freemasons."

Disobedience and want of respect to Masonic superiors, is an offence for which the transgressor subjects himself to punishment. It has been ruled by the Grand Lodge of England, that to speak disrespectfully of the Grand Master is a punishable misdemeanour, and that the presiding officer-bearer or chairman of any meeting where such language is used is *particeps criminis* if he does not promptly call the erring brother to order, and silence him; and in a recent case the punishment inflicted on both was six months' suspension from all Masonic privileges. In a formula more than a hundred years old, we find the following regulation:—"That any brother who is known to have spoken disrespectfully of the society in general, or of any particular Lodge, shall not be admitted a member, or received as a visitor, until he has made such concession as may be thought satisfactory."

The bringing of "private piques or quarrels" into the Lodge is strictly forbidden by the old Charges, and the violation of this precept is justly considered as a Masonic offence.

A want of courtesy and kindness to the brethren, speaking calumniously of one behind his back, or in any other way attempting to injure him, are violations of the precepts of Freemasonry, and should be made the subject of investigation.

Striking a Freemason, except in self-defence, is a heinous transgression of the law of brotherly love, which is the foundation of Freemasonry. It is not, therefore, surprising,

that the more serious offence of duelling among Freemasons has been specially condemned, under the severest penalties, by several Grand Lodges.

The ancient Installation Charges in the time of James II., expressly prohibit a Freemason from doing any dishonour to the wife, daughter, or sister of his brother; but it is scarcely necessary to remark that still higher authority for this prohibition may be found in the Regulations of the Order.

Gambling is also declared to be a Masonic offence in the old Charges.

As already said, it would be possible, but it is not necessary, to extend this list of Masonic offences against the Constitutions and Regulations of the Order. They must be learned from a diligent perusal of these documents, and the study of the Landmarks and ceremonial observances. It is sufficient to say that whatever is a violation of fidelity to solemn engagements, a neglect of prescribed duties, or a transgression of the cardinal principles of friendship, morality, and brotherly love, is a Masonic crime, and renders the offender liable to Masonic punishment.

## CHAPTER II.

### PENAL JURISDICTION.

THE penal jurisdiction of Masonic bodies is that jurisdiction which is exercised by them for the investigation of offences and the award of punishment. The subject is properly divided into two sections—the one relating to the penal jurisdiction of Grand Lodges, the other to that of Subordinate Lodges. The penal jurisdiction of Grand Lodges has already been fully considered under the head of the “Judicial Powers” of these bodies, so that it only remains here to inquire into the penal jurisdiction which is exercised by subordinate Lodges.

The penal jurisdiction of a subordinate Lodge is both geographical and personal.

The *geographical jurisdiction* of a Lodge is that penal jurisdiction which it exercises over the territory within which it is situated, and extends to all the Freemasons, affiliated and unaffiliated, who live within that territory.

As to the local extent of this jurisdiction, it is universally supposed to extend to a point equally distant from the adjacent Lodge. Thus, if two Lodges are situated within twenty miles of each other, the geographical jurisdiction of each will extend ten miles from its seat in the direction of the other Lodge.

The *personal jurisdiction* of a Lodge is that penal jurisdiction which it exercises over its own members, wherever they may be situated. No matter how far a Mason may remove from the Lodge of which he is a member, his allegiance to that Lodge is indefeasible, so long as he continues a member, and it may exercise penal jurisdiction over him.

With this view of the nature of the two kinds of penal jurisdiction exercised by Lodges, we are prepared to investigate the practical application of the subject.

1. A Lodge exercises penal jurisdiction over all its members. The Old Charges require every Mason to "stand to the award and determination of the Lodge;" that is to say, the Lodge of which he is a member, and the rights and privileges, as well as the Masonic protection secured by such membership, carry with them a corresponding duty of allegiance and obedience. This doctrine is not left to mere deduction, but is supported by the ritual law, which imposes on every Mason, in the most solemn manner, an obligation to abide by and obey the bye-laws, rules, and regulations of the Lodge of which he is a member. Membership in a Lodge can only be voided by death, demission, or expulsion, and hence neither it nor the jurisdiction which it communicates is lost by change of residence.

The Master of a Lodge is the only one of its members who is not amenable to the jurisdiction of the Lodge. There is no principle of Masonic law more completely settled by the almost universal consent of the fraternity, than that which declares that a Master cannot be tried by his Lodge. It may become his accuser, but to the Grand Lodge alone is he amenable for any offence that he may commit while in office.

In like manner, the Grand Master, while holding that office, is not within the penal jurisdiction of the Lodge of which he is a member.

2. A Lodge exercises penal jurisdiction over all affiliated Masons, although not its members, who live within its territorial limits. A, for instance, being a member of a Lodge in Edinburgh, but living in the vicinity of a Lodge in Aberdeen, is amenable to the jurisdiction of both bodies; to the former by personal jurisdiction, to the latter by geographical. And this is a wise provision of the law; for A, living at a great distance from his own Lodge, might conduct himself in so disorderly a manner, violating the

proprieties of life, and transgressing habitually the moral law, as to bring great reproach upon the institution of which he is a member. Now, his distance from his own Lodge would, in all probability, prevent that body from acquiring any knowledge of the evil course he is pursuing, or if cognisant of it by report, it might find great difficulty in proving any charge based upon such report.

The Order, therefore, under the great law of self-preservation, commits to the Lodge in Aberdeen, in whose vicinity he is living, and whose good fame is most affected by his conduct, the prerogative of trying and punishing him; so that the world shall not say that a bad Mason can lead a disorderly life, and violate the law, under the very eyes of his congregated brethren, and yet receive no reproof for his criminality. And if expulsion is the result of such trial, that expulsion, by the Lodge in Aberdeen, carries with it expulsion from his own Lodge in Edinburgh; for, if the premises are not denied that the Lodge in Aberdeen can rightfully exercise penal jurisdiction, then the conclusion follows, that that expulsion must be legal. But expulsion annuls all Masonic status and obliterates Masonic existence, and the Freemason, whoever he may be, that has been legally expelled by one Lodge, can never receive admission into another.

3. Lastly, a Lodge may exercise penal jurisdiction over all unaffiliated Masons living within its territorial limits. This provision of Masonic Law is founded on the same prudent principle of self-preservation as the former. An unaffiliated Mason must not be permitted, for want of jurisdiction over him, to claim his connection with the Order, and yet, by an irregular course of life, to bring discredit on it. The jurisdiction must exist somewhere which will remove such an evil, and vindicate the institution; and nowhere can it be more safely or appropriately deposited than in the Lodge which is nearest to his residence, and which must consequently have the best opportunity of observing and judging of his conduct.

## CHAPTER III.

### MASONIC TRIALS.

It is the duty of a judge, says Cicero, in every cause to seek for truth. This is the great, the only object of a Masonic trial, and hence, in such a trial, no advantage is ever permitted to be taken of those legal and verbal technicalities, the use of which, in profane courts, so often enable the guilty to escape. This great principle of Masonic law must never be forgotten in the management of a trial. Every part of the investigation is to be directed with a single view to the ascertainment of truth. Masonic trials are therefore to be conducted in the simplest and least technical method, that will preserve at once the rights of the Order and of the accused, and enable the Lodge to obtain a thorough knowledge of all the facts in the case. The rules by which such trials are governed are few and easily understood.

1. The preliminary step in every trial is the accusation. This, in Masonic language, is called the *charge*.

The charge should always be made in writing, signed by the accuser, delivered to the Secretary, and read by that officer at the next regular communication of the Lodge. The accused should then be furnished with an attested copy of the charge, and be at the same time informed of the time and place appointed by the Lodge for the trial.

In reference to these preliminary steps, it is necessary to make several remarks.

The charge should set forth the offence with clearness and certainty, and hence it must distinctly specify the nature of the offence; and if confined to a single act, the

time and place of its commission should be named. A general charge, for instance, of "unmasonic conduct," should also specify the particular nature of the conduct which is said to be unmasonic; for no one can be expected to answer to so general an accusation, nor to be prepared with evidence to rebut that of which he is ignorant. No man, in a legal investigation, should be taken by surprise; but there is no more certain mode of doing so than to call upon him to answer to an indefinite charge, the particulars of which are only to be made known at the moment of trial.

The charge should be delivered to the Secretary, and by him read to the Lodge, because it thus becomes the property of the Lodge, and is not subjected, as it would be, if retained in the possession of the accuser, to alterations or amendments, which would alter its character, either in word or spirit. A charge having been once made, should retain its original form, and cannot be amended, except with the consent of the Lodge and the knowledge of the accused. For a similar reason the charge should always be made in writing. An oral charge must never be received.

It must be read at a regular communication, because it is to be presumed that at such communications all the members, and among them the accused, will be present, whereas the Lodge might be taken by surprise if a charge were preferred at a special communication, which is often thinly attended, and at which no new business of importance is expected to be transacted.

Any Master Mason may be the accuser of another, but a profane cannot be permitted to prefer charges against a Mason. Yet, if circumstances are known to a profane upon which charges ought to be founded, a Master Mason may avail himself of that information, and out of it frame an accusation, to be presented to the Lodge. And such accusation will be received and investigated, although remotely derived from one who is not a member of the Order.

It is not necessary that the accuser should be a member of the same Lodge. It is sufficient that he be an affiliated Mason; but it is generally held that an unaffiliated Mason is no more competent to prefer charges than a profane.

2. If the accused is living beyond the geographical jurisdiction of the Lodge, the charges should be communicated to him by means of a letter through the post-office, and a reasonable time should be allowed for his answer, before the Lodge proceeds to trial. But if his residence be unknown, or if it be impossible to hold communication with him, the Lodge may then proceed to trial—care being had that no undue advantage is taken of his absence, and that the investigation is as full and impartial as the nature of the circumstances will permit.

3. The trial must commence at a regular communication, for reasons which have already been stated; but having commenced, it may be continued at special communications, called for that purpose; for, if it were allowed only to be continued at regular meetings, which take place but once a month, the long duration of time occupied would materially tend to defeat the ends of justice. And here no one can complain of surprise; for the inception of the trial having taken place at a regular communication, all the subsequent special communications would be considered only as continuations of the same meeting.

4. The Lodge must be opened in the highest degree to which the accuser has attained, and the examinations of all witnesses must take place in the presence of the accused and the accuser, if they desire it. It is competent for the accused to employ counsel for the better protection of his interests, provided such counsel is a Master Mason. But if the counsel be a member of the Lodge, he forfeits, by his professional advocacy of the accused, the right to vote at the final decision of the question.

5. The final decision of the charge, and the rendering of the verdict, whatever be the rank of the accused, must always be made in a Lodge opened on the third degree; and at the time of such decision, both the accuser and the

accused, as well as his counsel, if he have any, should withdraw from the Lodge.

6. It is a general and an excellent rule that no visitors shall be permitted to be present during a trial.

7. The testimony of Master Masons is usually taken on their honour as such. That of others should be by affidavit, or in such other manner as both the accuser and accused may agree upon.

8. The testimony of profanes, or of those who are of a lower degree than the accused, is to be taken by a committee and reported to the Lodge, or, if convenient, by the whole Lodge, when closed and sitting as a committee. But both the accused and the accuser have a right to be present on such occasions.

There can be no doubt that profanes are competent witnesses in Masonic trials. If their testimony were rejected, the ends of justice would, in many instances, be defeated; for it frequently happens that the most important evidence of a fact is only to be obtained from such persons. The great object of the trial is to investigate the truth and to administer justice, and no method should be rejected by which those objects can be attained. Again, there may be cases in which the accused is able to prove his innocence only by the testimony of profanes; and surely no one would be willing to deprive him of that means of defence. But if the evidence of profanes for the accused is to be admitted on account of its importance and necessity, by a parity of reasoning, it should be admitted when and in behalf of the accuser. The testimony which is good in one case must be good in the other.

9. When the trial is concluded, the accuser and the accused must retire, and the Master will then put the question of guilty, or not guilty, to the Lodge. Masonic authorities differ as to the mode in which the vote is to be taken, some being in favour of a show of hands, whilst others require it to be by ballot; and that of the Grand Lodge of Scotland requires that each brother, as his name is called, shall rise and give his answer "in a distinct and audible

manner." In voting by ballot, independence of opinion is better secured; for many a man who conscientiously believes in the guilt of the accused, may be too timid to express that opinion openly. Not less than two thirds of the votes should be required to declare the accused guilty. A bare majority is hardly sufficient to divest a Brother of his good character, and render him subject to what may perhaps be an ignominious punishment. But on this point authorities differ.

10. If the verdict is guilty, the Master must then put the question as to the nature and extent of the punishment to be inflicted, beginning with expulsion, and proceeding, if necessary, to indefinite suspension and public and private reprimand. To inflict expulsion or suspension, a vote of two thirds of those present is required, but for a mere reprimand, a majority will be sufficient. The votes on the nature of the punishment should be *viva voce*, or rather, according to Masonic usage, by a show of hands.

Trials in a Grand Lodge are to be conducted on the same general principles; but here, in consequence of the largeness of the body, and the inconvenience which would result from holding the examinations in open Lodge, and in the presence of all the members, it is more usual to appoint a committee, before whom the case is tried, and upon whose full report of the testimony the Grand Lodge bases its action. The forms of trial in such committees must conform, in all respects, to the general usage already detailed.

In further elucidation of this subject, we give in the Appendix the form of process before the Grand Lodge and the Grand Committee.

## CHAPTER IV.

### MASONIC PUNISHMENTS.

THE object of all punishment, according to the jurists, is twofold—to vindicate the offended majesty of the law, and to prevent its future violation by others, through the impressive force of example. In reference to this latter view, it is reported of Lord Mansfield that on a certain occasion he said, “A man is not hung because he has committed a larceny, but he is hung that larcenies may not be committed.” This is perhaps the most humane and philosophical principle on which the system of punishments can be founded. To punish merely as a satisfaction to the law, partakes too much of the nature of private retaliation or revenge, to be worthy of a statesmanlike policy.

But in the theory of Masonic punishments, another element is to be added, which may readily be conjectured from what has already been said on the subject of crimes in the last chapter. Punishment in Masonry is inflicted that the character of the institution may remain unsullied, and that the unpunished crimes of its members may not injuriously reflect upon the reputation of the whole society.

The right on the part of the Masonic Order to inflict punishment on its members, is derived from the very nature of all societies. As the formation of a society involves the idea of a moral obligation, each party is under moral obligation to fulfil its part of the contract. The society is bound to do what it has promised to every individual, and every individual is bound to do what he has promised to the society. It is this mutual obligation which makes a violation of a purely Masonic law a penal offence, and which gives to the Lodge the right of imposing the penalty.

Protection of the good and punishment of the bad are a part of the contract entered into by the Order, and by each of its members.

The infliction of fines or pecuniary penalties has, in modern times at least, been considered as contrary to the genius of Masonry, because the sanctions of Masonic law are of a higher nature than any that could be furnished by a pecuniary penalty. The imposition of a fine for transgression of duty, would be a tacit acknowledgment of the inadequacy of these sanctions, and would hence detract from their solemnity and binding nature.

Imprisonment and corporal punishment are equally adverse to the spirit of the institution, and are also prohibited by the laws of the land, which reserve the infliction of such penalties for their own tribunals.

Masonic punishments are therefore restricted to the expression of disapprobation, or the deprivation of Masonic rights, and may be considered under the following heads :—

1. CENSURE ;
2. REPRIMAND ;
3. EXCLUSION ;
4. SUSPENSION, DEFINITE OR INDEFINITE ;
5. EXPULSION.

To each of these a distinct section must be allotted.

## SECTION I.

### MASONIC CENSURE.

In the canon law, ecclesiastical censure was a penalty which carried with it a deprivation of communion, or, in the case of clergymen, a prohibition to exercise the sacerdotal office. But in Masonic law, it is the mildest form of punishment that can be inflicted, and may be defined to be a formal expression of disapprobation, without other result than the effect produced upon the feelings of him who is censured.

The censure of a member for any violation of duty is

to be adopted in the form of a resolution, which simply expresses the fact that the Lodge disapproves of his conduct in the particular act. It may be adopted by a bare majority, and effects no deprivation of Masonic rights or Masonic standing. Inasmuch, however, as it is a penalty inflicted for an offence, although a very light one, it is due to comity and the principles of justice, that the party towards whom the censure is to be directed should be notified of the fact, that he may have an opportunity to defend himself. A member, therefore, wishing to propose a vote of censure, should always give notice of it; or, what amounts to the same thing, the resolution of censure should never be proposed and acted on at the same meeting.

It is competent for any member, in the same way, and on notice given, to move the revocation of a vote of censure; and the Lodge may, at any regular communication, reverse such a vote. It is always in the power of a Lodge to retrace its steps when an act of injustice is to be redressed.

## SECTION II.

### REPRIMAND.

Reprimand is the next grade of Masonic punishment, and may be defined as a severe reproof for some fault formally communicated to the offender.

It differs from censure in this, that censure is simply the expression of an opinion in relation to certain conduct, while reprimand is an actual punishment inflicted on the offender by some office-bearer appointed for that purpose.

Censure may be expressed on a mere motion, and does not demand the forms of trial, although the party against whom it is proposed to direct the censure should always have an opportunity of defending his conduct, and of opposing the motion for censure.

But reprimand cannot be inflicted on a mere motion. It must be preceded by charges and a trial.

Reprimand is of two kinds, private and public—the

latter of which is a higher grade of punishment than the former. Private reprimand is generally communicated to the offender in the form of a letter. Public reprimand is given orally in the Lodge, and in the presence of all the Brethren. The mode and terms in which the reprimand is to be communicated are of course left to the discretion of the executive officer; but it may be remarked, that no additional ignominy should be found in the language in which the sentence of the Lodge is communicated. The punishment consists in the fact that a reprimand has been ordered, and not in the uncourteous terms with which the language of that reprimand may be clothed. But under particular circumstances the Master may find it expedient to dilate upon the nature of the offence which has incurred the reprimand.

The Master of the Lodge is the proper person to whom the execution of the reprimand should be entrusted.

Lastly, a reprimand does not affect the Masonic standing of the person reprimanded.

### SECTION III.

#### EXCLUSION.

In the Grand Lodge of England, the word *exclusion* is technically used to express the act of removing a Mason from a private Lodge, by the act of the Lodge itself, or of a Provincial Grand Lodge; while *expulsion* is employed to signify the same act when performed by the Grand Lodge.

*Exclusion* may be briefly defined to be a deprivation of the rights and benefits of Freemasonry, so far as they relate to any particular Lodge, but not to the whole Fraternity. It is of two kinds, *temporary* and *permanent*, each of which must be separately considered.

1. *Temporary Exclusion*.—A violation of the rules of order and decorum, either in a member or visitor, subjects such offender to the penalty of exclusion for that communication from the Lodge. It may be inflicted either

by a vote of a majority of the Lodge, or, as is more usual, by the exercise, on the part of the Master, of his prerogative; for the Master of every Lodge has the inherent right of excluding any person from visiting the Lodge, or remaining during the communication, if his presence would be productive of injury to the Order, by impairing its harmony or affecting its peaceful pursuit of Masonic labour. If a Mason, whether he be a member or a visitor, apply for admission, the Master, if he knows or believes that the admission of the applicant would result in the production of discord, may exclude him from entrance; and this prerogative he exercises in virtue of being the superintendent of the work.

If a member or visitor behave in an unbecoming and disorderly manner, he may be excluded for that communication, either by the Master or the Lodge. The Master possesses the power of exclusion on such an occasion, under the prerogative to which reference has just been made; and the Lodge possesses the same right, by the especial sanction of the ceremonial which, at the very opening of the Lodge, forbids all "immoral or unmasonic conduct, whereby the peace and harmony of the Lodge may be impaired, under no less a penalty than the bye-laws may impose, or a majority of the Brethren present see fit to inflict."

The command of the Master, therefore, or the vote of a majority of the Lodge, is sufficient to inflict the penalty of temporary exclusion. The forms of trial are unnecessary, because the infliction of the penalty does not affect the Masonic standing of the person upon whom it is inflicted. An appeal, however, always lies in such cases to the Grand Lodge, which will, after due investigation, either approve or disapprove of the action of the Lodge or the Master, and the vote of censure or disapprobation will be, of course, from the temporary nature of the penalty, the only redress which a Mason, injured by wrongful exclusion, can obtain.

2. *Permanent Exclusion.*—This penalty is only inflicted for non-payment of arrears, and is more usually known as the act of *striking from the roll*. There are a few Grand

Lodges which still permit the punishment of suspension to be inflicted for non-payment of arrears ; but the good sense of the Fraternity is rapidly leading to the conclusion, that the infliction of such a penalty in these cases—a penalty severing the connection of the delinquent with the whole Order, for an offence committed against a particular Lodge—an offence, too, involving no violation of the moral law, and which is, in many instances, the result rather of misfortune than of a criminal disposition—is oppressive, and altogether opposed to the equitable and benign principles of the Masonic institution. Hence erasure from the roll, or, in other words, permanent exclusion, is now beginning to be considered as the only adequate punishment for an omission to pay the annual tax imposed by every Lodge on its members.

This striking of names from a Lodge roll is altogether a modern practice, taking its rise since the modern organisation of permanent Lodges. In ancient times, Lodges were temporary associations of Freemasons for special and limited purposes. Originally, as Preston informs us, “a sufficient number of Freemasons, met together within a certain district, with the consent of the sheriff or chief magistrate of the place, were empowered to make Masons, and practise the rights of Masonry without warrant of constitution.” Then, of course, there being no permanency of organisation, there were no permanent members, and consequently there was no payment of arrears, and no striking from the roll. It was only after 1717, that all these things were introduced ; and as Lodges pay some contribution to the Grand Lodge for each of their members, it is evident, as well as from other palpable reasons, that a member who refuses or neglects to support the general Lodge fund, will become pecuniarily onerous to the Lodge. Still, the non-payment of arrears is only a violation of a special voluntary obligation to a particular Lodge, and not of any general duty to the Fraternity at large. The punishment therefore inflicted (if it is to be considered at all as a punishment), should be exclusion or erasure from the roll, which only affects the

relations of the offender with his own Lodge, and not suspension, which would affect his relations with the whole Order, whose moral code he has not violated.

Does striking from the roll, then, impair the general rights of a Mason? Are its effects, even in a modified form, similar to those of suspension or expulsion? and is his standing in the Order affected by the erasure of his name? There can be but one answer to this, and that answer is, that "striking his name from the roll of the members of the Lodge, under a bye-law, does not affect a Brother's standing in the Fraternity, nor debar him from any of the privileges of Masonry, except that of membership in the particular Lodge."

It is unreasonable to suppose that a transgression of the bye-laws of a particular Lodge, involving no moral turpitude, and violating no general law of the Order, can have any effect on the relations of the transgressor with the Order. He who is excluded from membership in his Lodge, for not complying with the rule which levies a tax upon him, loses, of course, his membership in that Lodge; but his membership in the great body of the Craft, against whom he has committed no offence, still remains unimpaired.

Yet he loses something not inconsiderable. He is, to a certain extent, shorn of his Masonic privileges; for he forfeits the right of membership in his own Lodge, and with it all the other rights which are consequent on such membership. And hence the question naturally arises, Can he be deprived of this right of membership? can his name be stricken from the roll by the mere operation of a bye-law, without any form of trial, and without any opportunity for defence or explanation?

Now, to say nothing of the injustice which is in many instances perpetrated when a Mason is struck off the roll of his Lodge for non-payment of dues—since the omission to pay may often arise from poverty, misfortune, excusable neglect, or other causes beyond the control of the delinquent—to say nothing of all this, because the question here is not as to the nature of the offence, but as to the mode in

which punishment is to be inflicted—it follows from all the recognised principles of justice, law, and common sense, that the crime should be first proved, and the accused be heard in his defence, before judgment be pronounced against him.

The erasure of a member's name by the mere operation of a bye-law of his Lodge, without any opportunity being given to him to explain or defend his conduct—to offer reasons why the law should not be enforced in his case, or to prove that he has not violated its provisions, would, under any other circumstances, and in relation to any other offence, be at once admitted everywhere to be a manifest violation of all Masonic law and equity. If the bye-laws of a Lodge, for instance, prescribed erasure for habitual intemperance, and required the Secretary to keep a record of the number of times that each member exceeded the strict limits of sobriety, who will dare to say that at any time, on the mere report of the Secretary that a member had violated this bye-law, and was habitually intemperate, he should at once, without further action, and by the mere operation of the bye-law in question, be struck off the roll of his Lodge? There is no one who does not see the obvious necessity, in such a case, of a charge, a summons, and a trial. To exclude the worst member of a Lodge under such a bye-law, without these preliminary measures, would be so fatal a violation of the principles of Masonry, as justly to subject the Lodge to the severest reprehension of the Grand Lodge.

And yet the fact that the offence is not intemperance, but non-payment of arrears, does not in the slightest degree involve a difference of principle. Admit, for the sake of argument, that the failure to pay Lodge dues is in itself a Masonic offence, and that a Lodge has a right to declare exclusion an appropriate punishment for its commission, still here, as in the more undoubted crime of habitual drunkenness, it is necessary to the justice of the punishment that there should be a charge, a summons, and a trial—that the defaulting brother should have an opportunity to defend

himself, and that the Secretary who accuses him should be made to prove the truth of his charge, by the correctness of his accounts. It is the Magna Charta of Masonic liberty "that no Mason can be punished or deprived of any of the privileges of Masonry, except upon conviction after trial;" and to this, in every other case, except non-payment of arrears, there will not be a single dissenting voice in the whole body of the Craft. It is time that, guided by the dictates of sound justice and good common sense, this exception should no longer be made. It is time that the Mason should no longer be permitted to say, as a reproach to the consistency of our legal code, "I may lie, I may steal, nay, I may commit murder, and my Lodge will not and dare not deprive me of my Masonic privileges, except after a conviction or an impartial trial; but if I omit to pay the Secretary a few shillings, then, upon his mere report, without any opportunity given me to show that the omission was the result of ignorance, of poverty, of sickness, or of misfortune, I may, without trial and with no chance of defence, be visited with the severe penalty of Masonic exclusion."

If then, it be admitted, as it may be presumed it will, that expulsion or suspension cannot be inflicted without trial, and simply because it is a punishment, and because punishment should always follow, and not precede conviction, then to strike the name of a member from the roll of his Lodge, must be equally as illegal, unless he is called upon to show cause why it should not be done. The one case is strictly analogous to the other. If you cannot suspend without trial, neither can you strike from the roll without trial. No punishment whatever can be inflicted without preliminary trial and opportunity for defence.

It may therefore be laid down as Masonic law, that no member should be struck off the roll of his Lodge, except after due notice given to him, and opportunity afforded for defence; after which it is generally held, that a vote of the majority is sufficient to put the bye-law in force, and declare the penalty of exclusion.

## SECTION IV.

## SUSPENSION.

We have now arrived, in the course of our investigations, at a class of punishments which affect the standing in the Order of the persons upon whom they are inflicted. Of these the least, and therefore the first to be considered, is suspension.

Suspension may be defined to be a temporary deprivation of the rights and privileges of Masonry. This deprivation may be for a fixed or an indeterminate period, whence results the division of this class of punishments into two kinds—definite and indefinite. The effect of the penalty is, for the time that it lasts, the same in both kinds; but as there are some differences in the mode in which restoration to rights is to be effected in each, a separate consideration will be required.

*Definite Suspension.*—By definite suspension is meant a deprivation of the rights and privileges of Masonry for a fixed period of time, which period is always named in the sentence. By the operation of this penalty, a Mason is for the time prohibited from the exercise of all his Masonic privileges. His rights are placed in abeyance, and he can neither visit Lodges, hold Masonic communication, nor receive fraternal relief, during the period for which he has been suspended.

But he is still a Mason. By suspension, as by the *relegatio* of the Roman law, Masonic citizenship is not lost, although the exercise of its rights and duties is temporarily interdicted. And therefore, as soon as the period limited by the sentence has expired, the Mason at once resumes his former position in the Order, and is reinvested with all his Masonic rights, whether these rights be of a private or of an official nature.

Thus, if an office-bearer of a Lodge has been suspended for three months from all the rights and privileges of Masonry, a suspension of his official functions also takes place. But a suspension from the discharge of the functions

of an office is not a deprivation of the office ; and therefore, as soon as the three months to which the suspension had been limited have expired, the Brother resumes all his rights in the Order and the Lodge, and with them, of course, the office which he held at the time that the sentence of suspension was inflicted.

No sentence of suspension can be imposed upon any Mason, except after the most solemn forms of trial, and then only by the concurring vote of two thirds of the members present.

It is impossible to define, in a work on the general principles of law, what is the nature and degree of the offences for which suspension is to be considered as an appropriate punishment. The apportionment of the punishment to the crime, in all violations of the Masonic law, is to be left to the sound discretion of the Lodge which has tried the case ; and in every trial there will, of necessity, appear many qualifying circumstances peculiar to each transaction, which must control and direct the court in its infliction of punishment.

Restoration from definite suspension may take place in two ways. First, by a vote of the Lodge, abridging the period of suspension, and restoring the party before the term of suspension has expired. This may be considered in the light of a pardon ; and this clemency it is the prerogative of the Lodge to exercise, under the necessary restrictions that the restoration is made at a regular communication of the Lodge, and by a vote of two thirds of those present ; for, as it required that number to impose the sentence, it is not competent for a less number to reverse it. But due notice, at least one month previously, should be given of the intention to move for a restoration, because the reversal of a sentence is an unusual action, and the members will, by such notice, be enabled to be present and to express their views ; while a sudden motion, without due notice, would take the Lodge by surprise, and surprises are as contrary to the spirit of Masonic as they are of Municipal law.

In the next place, and this is the most usual mode, restoration from definite suspension results from the natural expiration of the period fixed by the sentence. Thus, if on the 1st day of January, a member be suspended for three months, that is to say, until the 1st day of April, then on the 1st of April he at once, and by the mere operation of the law, becomes a restored Mason. No vote of the Lodge is necessary; for its previous action, which had declared him to be suspended until the 1st of April, implied that he was not to be suspended any longer; and therefore, on the 2d of April, he is, by the expiration of his sentence, in good standing. No vote of the Lodge is therefore necessary to restore one who has been definitely suspended at the expiration of his sentence. He at once, by the very terms of that sentence, takes his place as a Mason restored to all his rights.

*Indefinite Suspension.*—Indefinite suspension, as the qualifying word imports, is a suspension for a period not determined and fixed by the sentence, but to continue during the pleasure of the Lodge. In this respect only does it differ from the preceding punishment. The position of a Mason, under definite or indefinite suspension, is precisely the same as to the exercise of all his rights and privileges, which in both cases remain in abeyance, and restoration in each brings with it a resumption of all the rights and functions, the exercise of which had been interrupted by the sentence of suspension.

There is, however, a shade of difference between the two punishments—indefinite suspension being inflicted for offences of a more aggravated nature than those for which the penalty of definite suspension is prescribed. It must, of course, be the result of conviction, after due charges and trial, and can only be inflicted by a vote of two-thirds of the members present.

Restoration of an indefinitely suspended member is always by a resolution of the Lodge, and by a vote of two-thirds. This seems to be an unquestionable principle of law; for when a member has been indefinitely suspended,

the very word "indefinitely" implies that he may, at any time thereafter, whether it be one month or one year, be restored. No time for his restoration is specified in the terms of the sentence. He is indefinitely suspended—suspended for an uncertain period—that is, during the pleasure of the Lodge—and therefore at any regular communication it is competent for a member to move for a restoration, which motion may be adopted by a concurring vote of two thirds of the members present.

In this case no previous notice of the intention to move for a restoration is necessary, because no member has a right to plead that by such a motion he is taken by surprise. The very terms of the sentence of indefinite suspension imply that the sentence may *at any time* be terminated by the action of the Lodge. Due notice of a regular communication is supposed to be given to every member; and the fact that it is a regular communication is in itself a notice by the bye-laws. The restoration of a Mason, suspended for a definite period, before the expiration of his term of sentence, is something that no member has a right to expect; and therefore a motion for such restoration might act as a surprise. But a member indefinitely suspended is suspended during the pleasure of the Lodge, and it is competent for the Lodge, at any time, to declare that such suspension shall terminate. While, however, such is the legal principle, it is not to be denied that Masonic comity should induce any member about to propose a motion for restoration to give timely notice of his intention to his Brethren, and the restoration itself will be of a much more honourable character when thus made, after due notice, mature consideration, and in a full Lodge, than when suddenly granted, upon a moment's notice, and perhaps at a thinly-attended meeting.

A sentence of suspension, whether definite or indefinite, is, however, subject to appeal; and whilst that is pending, the rights will remain intact. Sir Frederick Pollock, in the case of Wood, Crucefix, and Stevens, gave the following legal opinion on this subject:—"I am of opinion that the

parties under sentence of suspension may, pending the appeal, exercise their Masonic rights and privileges, until the final decision on their respective appeals has pronounced them either innocent or guilty. By the Constitutions, an appeal is given; and it is the essence of an appeal, that it should stay execution of the judgment appealed against; and this may be supported by analogy from every existing code of laws. In many cases a contrary doctrine would lead to the greatest injustice and the grossest absurdity, as if a judgment affected life and limb. The case of Mr Stevens, in an inferior degree, is a specimen of the same sort; the punishment will have been suffered before the justice of it can be inquired into, unless it be held that the appeal suspends all proceedings under the judgment, which in my opinion it does."

Do the annual dues of a member under suspension continue to accrue during his suspension? Clearly not. Dues are paid by members to their Lodges for the enjoyment and exercise of certain rights which pertain to membership. If the exercise of these rights is prohibited, it seems but an equitable conclusion that payment for the exercise of the rights should be suspended with the suspension of the rights themselves. No man should be made to pay for that which he does not receive.

This view is practically adopted everywhere in the case of indefinite suspension; for the Secretary invariably abstains from continuing his account with an indefinitely suspended member, and no reason can be shown why a different rule should be adopted in reference to members under definite suspension. The two penalties differ only in respect to the extent of time for which they are inflicted, and in the forms to be pursued in acquiring restoration. In all other respects they are precisely alike, and are to be governed by the same principles.

## SECTION V.

### EXPULSION.

Expulsion is the most severe punishment that can be inflicted on a Mason. If suspension finds its similitude in imprisonment, or rather, in banishment, under the law of the land, expulsion may as properly be compared to the punishment of death. There is a remarkable coincidence between the sentence of expulsion by Masonic authority and the sentence of death by the law of the land, each of which is "the most terrible and highest judgment" of the respective judicatures. "When it is clear, beyond all dispute," says Blackstone, "that the criminal is no longer fit to live upon the earth, but is to be exterminated as a monster and bane to human society, the law sets a note of infamy upon him, puts him out of its protection, and takes no further care of him than to see him executed. He is then called *attinctus*, stained or blackened." So when the sentence of expulsion is pronounced against a Mason, his Masonic existence at once ceases; he is no longer looked upon as a Mason—all communication with him as such ceases, just as much as if he were actually dead. His testimony cannot be taken in a Masonic trial—for, like the felon convicted of a capital crime, he has been attainted, and rendered infamous—his brethren know him no more as a brother. Expulsion is, in one word, Masonic death.

As this penalty is of so severe a nature, rupturing all the ties which bind a Mason to the Fraternity, it is evident that it ought to be inflicted only for the most heinous offences—offences which, in their nature, affect the character, the well-being, and the safety of the whole Society, and hence some Grand Lodges have very wisely ordered that it shall only follow "a gross violation of the moral law, or the fundamental principles of Masonry, or attempts against any part of the framework of its government." The penalty is not inflicted so much for punishment of the guilty person as for the security of the Order. The object

is not to reform an evil, but to prevent its influence on the Fraternity. The unworthy Mason is to be expelled from the Order, lest his example spread, and disease be propagated through the whole constitution of Masonry. But in accordance with this principle, expulsion should be inflicted only for offences which affect the security and honour of the whole Order. The remedy should never be applied to transgressions of a subordinate nature, which neither deserve nor require its application.

As this is a penalty which affects the general relations of the offender to the whole body of the Craft, and cancels his connection with the Order, it would seem reasonable that it should be inflicted only by the supreme authority, and not by a daughter Lodge. Hence the modern Constitutions of English Masonry declare, that in the Grand Lodge alone resides the power of erasing Lodges, and expelling brethren from the Craft, a power which it ought not to delegate to any subordinate authority.

In Scotland the same theory has always existed. The daughter Lodge tries the accused, and if he is found guilty, pronounces the sentence of expulsion; but this action of the Lodge must be submitted to the Grand Lodge, whose tacit confirmation is given if there be no appeal. If there be an appeal, the Grand Lodge will then exercise its prerogative, and review the case, confirming or reversing the sentence of expulsion, as it may deem proper.

An important question remains to be discussed, which refers not only to the penalty of expulsion, but also to that of suspension. Does suspension or expulsion from a Chapter of Royal Arch Masons carry with it, as a necessary consequence, suspension or expulsion from symbolic Masonry? To this question, reason and the general usages of the Order lead us unhesitatingly to reply that it does not. The converse of the proposition is however true, and suspension or expulsion from a symbolic Lodge is necessarily suspension or expulsion from some of the higher bodies.

The principle upon which this doctrine is based is a very plain one. If the axe be applied to the trunk of the tree,

the branches which spring out of it, and derive their subsistence through it, must die. If the foundation be removed, the edifice must fall. But a branch may be lopped off and the trunk will still live; the cope-stone may be taken away, but the foundation will remain intact. So, symbolic Masonry—the Masonry of the Lodge—is the trunk of the tree—the foundation of the whole Masonic edifice. The Masonry of the Chapter is but the branch which springs forth from the tree, and receives all its nourishment from it. It is the cope-stone which finishes and ornaments the building that rests upon symbolic Masonry. Hence there is an evident dependence of the higher on the lower degrees, while the latter are wholly independent of, and may exist without the former.

Again, from the very organisation of the two institutions, a Chapter is not recognisable as a Masonic body by a symbolic Lodge. A Master Mason knows, technically, nothing of a Royal Arch Mason. In the language of the Order, “he may hear him so to be, but he does not know him so to be” by any of the modes of recognition used in Masonry. Chapters, on the other hand, are necessarily cognisant of the existence and the proceedings of Lodges, for it is out of the Lodges that the Chapters are constructed. If a Master Mason, therefore, were expelled from the rights and privileges of Masonry, and if this expulsion were not to be followed by a similar expulsion from the Chapter, then all Master Masons who should meet the expelled Mason in the latter body, would be violating the law by holding Masonic communication with him.

Lastly, under the present organisation of Masonry, Grand Lodges are the supreme Masonic tribunals over all Master Masons, but exercise no jurisdiction over Chapters, Councils, or Encampments. If, therefore, expulsion from any of these bodies involved expulsion from the Lodge, then the right of the Grand Lodge to hear and determine causes, and to regulate the internal concerns of the Institution, would be interfered with by an authority outside of its organisation, and beyond its control.

The law may, therefore, be explicitly stated in these terms; suspension or expulsion from a Chapter or Council does not involve suspension or expulsion from a symbolic Lodge. But suspension or expulsion from a Lodge, necessarily carries with it suspension or expulsion from every higher degree that admits men of all creeds or religions; but a degree that is only a Christian degree, such as Knights Templar, Knights of the Red Cross, Rose Croix, etc., etc., cannot possibly be termed Masonic, consequently this rule does not apply.

## CHAPTER V.

### RESTORATION.

HAVING, in the two preceding chapters, treated of Masonic crimes, and of the punishments which are imposed upon the perpetrators, we are next to inquire into the method by which a Mason sentenced to any punishment, which temporarily or permanently severs his connection with the Order, may be reinstated into any or all of his former rights and privileges.

*Restoration*, as the reinstatement of an excluded, suspended, or expelled Freemason to his rank in the Order is technically called, may be the result of either of two entirely distinct processes. It may be by an act of clemency on the part of the Lodge, or the Grand Lodge, consequent upon, and induced by the repentance and reformation of the guilty individual. Or it may be by a reversal of the sentence of the Lodge by the Grand Lodge, on account of illegality in the trial or injustice in the verdict.

Restoration by the first method, which is *ex gratiâ*, or, as a favour, is to be granted on petition; while restoration by the second method, which is *e debito justiciæ*, or as a debt of justice, is to be granted on appeal. The two methods may, therefore, be briefly distinguished as *restoration on petition* and *restoration on appeal*.

In the consideration of this subject, these different methods of restoration will require to be occasionally borne in mind.

In the case of permanent exclusion, or erasure from the roll of the Lodge, the party is placed in a peculiar position. He is no longer a member of the Lodge, and unless, on an appeal, he can prove that he has been unjustly or unconsti-

tutionally struck off the roll, he can be restored only upon petition, and unanimous acceptance, as in the case of any other Mason applying for membership. Membership having been justly forfeited, can only be recovered under the Regulations of 1721, which require one month's notice and unanimous consent.

Hence, when a member's name is struck off the roll for non-payment of arrears, he cannot, by the mere payment of his debt, recover his membership. He acquires, by this payment, a right to a clearance and demit, but not to restored membership; for the exclusion was not a conditional one, dependent on such payment for its termination, but peremptory and unconditional. He was struck off the roll, and by that act ceased at once and for ever to be a member of the Lodge, as if he had demitted.

In the case of definite suspension, as already remarked, the termination of the period specified in the sentence is a termination, *ipso facto*, of the suspension, and restoration takes place without any further act on the part of the Lodge. Restoration, on petition or appeal, may take place at any time, by a vote of two thirds of the members, and after due notice given of the intention to restore.

Restoration from definite suspension may be made by the Grand Lodge, on appeal, where the act of the subordinate Lodge is reversed on account of illegality, or wrongful judgment; and such restoration, of course, annuls the suspension, and restores the party to his former position in the Lodge.

Restoration from indefinite suspension may also take place in the same way, either on petition or appeal. But, in this case, due notice is not absolutely required of an intention to move for a restoration, although, as has already been said, courtesy should induce the mover to give notice. Of course, no restoration, either from definite or indefinite suspension, upon petition or appeal, can take place, except at a regular meeting; for, as the sentence must have been passed at such meeting, the Masonic rule forbids a special meeting to reverse the proceedings of a regular one.

Restoration from expulsion differs from restoration in the other cases in several important particulars.

In the first place, it must be borne in mind that expulsion completely severs the connection of the expelled individual with the Fraternity. In the language of the late Bro. Dr Oliver, "his Masonic status vanishes, and he disappears from the scene of Freemasonry, as completely as the ripple of the sea subsides after the stately ship has passed over it." This condition must be constantly remembered, because it has an important influence on the effects of restoration.

On an application for restoration by petition, as a favour, on the showing that the party has repented and reformed, that he has abandoned the criminal course of conduct for which he was expelled, and is now leading an irreproachable life, the Grand Lodge may *ex gratia*, in the exercise of its clemency, extend a pardon and remit the penalty, so far as it refers to expulsion from the Order. But in this case, as there is no question of the original justice of the sentence, nor of the legality of the trial, the pardon of the Grand Lodge will not, and cannot restore the brother to membership in the Lodge. And the reason of this is plain. The act of the Lodge is admitted to have been legal. Now, while this act dis severed his connection with the Order, it also cancelled his membership in the Lodge. He is no longer a member either of the Order or of the Lodge. The Grand Lodge may restore him to the former, it may restore him to his rights as a Freemason, but it must be as an unaffiliated one, because, having by this very act of clemency admitted that he legally and constitutionally lost his membership, it cannot compel the Lodge to admit him again, contrary to its wishes, into membership, for no man can be admitted a member of a Lodge without the unanimous consent of all present. Nor can the Grand Lodge interfere with this inherent right of every Lodge to select its own members. Let it be thoroughly understood that the incompetence of the Grand Lodge, in this case, to restore to membership, is founded on the admission that the original sentence was

a just one, the trial legally conducted, the testimony sufficient, and the punishment not oppressive. The Grand Lodge says, in an instance like this, to the petitioner, "We are induced by your present reform to pardon your past conduct, and to restore you once more to the Order; but, as you were justly expelled from your Lodge, and are no longer a member, we have no power to force you upon it. We give you, however, by a restoration to your Masonic status, the privilege that all other unaffiliated Masons possess, of applying to it by petition for admission, with the understanding that you must, as in all such cases, submit to the ordeal of a ballot, but with the result of that ballot we cannot interfere."

In the case of a restoration by appeal, a different condition of things ensues. Here there is no petition for pardon of an offence committed—no admission of the legality of the trial—no acknowledgment of the justice of the sentence inflicted. On the contrary, all of these are in the very terms of the appeal denied. The claim is not for clemency, but for justice—not for a remission of deserved punishment, but for a reversal of an iniquitous sentence; and the demand is, that this reversal shall not be decreed *ex gratiâ*, as a favour, but *e debito justitiæ*, by virtue of a claim justly established. Now, in this case it is evident that the rules governing the restoration must entirely differ from those which control the former class of cases.

The principle laid down on this subject is, that when a Lodge has wrongfully deprived a Mason of his membership, by expulsion from the Order, the Grand Lodge, on his appeal, if it shall find that the party is innocent, that wrong has been inflicted, that by the sentence the laws of the Institution, as well as the rights of the individual, have been violated, may, on his appeal, interpose and redress the wrong, not only by restoring him to his rights and privileges as a Mason, but also to membership in the Lodge. This is the true principle, not only of Masonic law, but also of equity. If a brother be innocent, he must be restored to *everything* of which an unjust sentence had

deprived him—to membership in his Lodge, as well as to the general rights of Masonry.

Lastly, a Grand Lodge may restore in part, and not in whole. It may mitigate the amount of punishment, as being too severe or disproportioned to the offence. It may reduce expulsion to suspension, and indefinite to definite suspension, or it may abridge the period of the last. But all these are matters of justice and expediency, to be judged of by the Grand Lodge, according to the particular circumstances of each case.

## PART VII.

# FUND OF SCOTTISH MASONIC BENEVOLENCE.

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THIS fund, of a kind essential to every Masonic body, was established by the Grand Lodge of Scotland on 3d August 1846. The following are its chief features:—

I. “THE FUND OF SCOTTISH MASONIC BENEVOLENCE” is solely and strictly devoted to the purposes of charity, and is not appropriated to any other purpose whatever.

II. The Fund is raised by means of annual contributions, payable on 1st February annually, from the Office-Bearers and Members of the Grand Lodge, and by such voluntary donations as may from time to time be made. It is kept separate from the ordinary income of the Grand Lodge, no part of which shall be applied to charitable purposes unless by special vote, after notice given at the previous Quarterly Communication.

III. The Fund is distributed and applied by a Committee consisting of the Office-Bearers of the Grand Lodge, the Provincial Grand Masters, the Grand Stewards, the Masters of Lodges in the Edinburgh District, and Proxy-Masters on the roll of Grand Lodge. Five is a quorum. The Committee meet on the last Friday of every month.

IV. No member of Committee is allowed to attend such meetings while he is in arrear of his contribution to the Fund of Benevolence.

V. All applications for charity must be by petition,\*

\* Forms of petitions are supplied *gratis*, on application to the Grand Secretary or Grand Clerk.

and must be certified by the Master or Proxy-Master of the Lodge from which the petitioner derives right; but in the event of such Lodge being dormant, struck off the roll, having no proxy in town, or being in arrear, such applications may be certified by any Master or Proxy-Master duly qualified.

VI. No Charity Petition can be received from any Brother whose name is not enrolled in the Grand Lodge books, or from the widow or child of such Brother, unless as after mentioned. (Section XII.) Neither can any Brother have a claim to be relieved unless his name has been at least two years enrolled in the books of the Grand Lodge. The limitation of two years, however, does not apply to cases of shipwreck or capture at sea, loss by fire, or breaking or dislocating a limb, fully attested and proved.

VII. The Committee on the Fund of Scottish Masonic Benevolence may, in cases of extraordinary distress, afford relief to Scottish Brethren whose names have been less than two years enrolled in the Grand Lodge books, provided such Brethren have been initiated or affiliated in a regular Scottish Lodge prior to 3d August 1846, when the Fund was established. This extension of the charity to apply also to the widows and children of such Brethren.

VIII. All Charity Petitions must be lodged with the Grand Secretary or Grand Clerk at least three days previous to the monthly meeting of the Committee.

IX. The Grand Secretary or Grand Clerk examines each Charity Petition, and upon finding that the name of the applicant (or in the event of the petition being from a widow or child, that the name of the husband or father) has been recorded in the books of the Grand Lodge, he certifies the same to the Committee, who thereupon decide on the application; or, should they think fit, appoint a Sub-Committee specially to investigate into the case of any applicant, and report to the Committee.

X. The Committee do not allow applicants to become pensioners on the Fund. Repeated applications from the same parties are discouraged.

XI. The Grand Secretary and Grand Clerk attend the meetings of Committee, and enter into a book the number of each Charity Petition, and name of each applicant, together with the sum granted by the Committee. The Chairman also signs or initials upon each application the deliverance of the Committee, which is a warrant to the Grand Treasurer, Grand Secretary, Grand Clerk, or other Officer in charge of the Fund, to pay the respective sums granted.

XII. Notwithstanding that the Fund is intended for the relief exclusively of Scottish Freemasons, their wives and children, the Committee may, in cases of extraordinary distress, afford relief to Brethren under the constitution of the Grand Lodges of England, Ireland, or of foreign countries, on the production of proper and valid certificates from their respective Lodges, or other sufficient evidence to the satisfaction of the Committee, and on satisfactory proof of the identity and distress of the applicant.

XIII. In cases of peculiar urgency, it is competent for the Grand Secretary or Grand Clerk to call a special meeting of the Committee to consider and dispose of such cases, without waiting for the usual monthly meeting; and further, it is competent to the Grand Secretary or Grand Clerk to give such poor or itinerant Brethren as may appear proper objects of the charity, any sum not exceeding ten shillings, if the exigency of their circumstances should not admit of the delay necessary to lay their cases before the Benevolent Fund Committee. Such sums are regularly entered in a book kept for the purpose, together with the name of the individual relieved, and the Lodge he belongs to, and are initialed by the individual upon receipt of the sum given. The Grand Secretary, Grand Clerk, or other Officer entrusted with the charge of the Fund of Benevolence, is entitled to hold in his hands a sum not exceeding £10, for the purpose of paying interim charities.

XIV. The Grand Secretary, Grand Clerk, or other Officer entrusted with the care of the Fund of Benevolence, is required to give a regular account of his intromissions at every meeting of the Benevolent Fund Committee.

XV. The Grand Lodge earnestly recommends Subordinate Lodges to establish a Charity Fund among themselves, and also to contribute annually to the Fund of Scottish Masonic Benevolence — as a central Fund for carrying out the charitable objects and principles of Freemasonry in Scotland — such sums as they think fit, either from the funds of their Lodge or by subscription among themselves.

XVI. All petitions for assistance, presented to the Committee from unregistered Brethren, or the widows or children of such Brethren, are reported by the Committee on the Fund to the Grand Lodge or Grand Committee, that the books of the Lodge failing to register may be immediately thereafter called for, and produced to the Grand Lodge or Grand Committee for examination, and measures thereby taken to prevent future irregularities in making returns of intrants on the part of Daughter Lodges.

XVII. Out of the Registration fees paid to Grand Lodge the sum of one shilling for each intrant is paid quarterly to the Fund of Scottish Masonic Benevolence.

Since the establishment of the Fund, various bye-laws have been, from time to time, added with a view to its more efficient working, among others, those which we subjoin.

I. The moneys received on account of the Fund to be lodged from time to time in the Union Bank, and an account opened with said Bank in name of the Fund of Scottish Masonic Benevolence.—*Dec. 11, 1846.*

II. A Brother liable for his subscription to the Fund in two capacities (*e.g.* as Grand Steward, and at the same time as Proxy-Master), pays only one subscription, but that in the highest capacity.—*Dec. 11, 1846.*

III. Drafts on the account kept with the Union Bank to be signed by the Chairman of the meeting ordering such draft or drafts, and countersigned by the Grand Secretary or Grand Clerk.—*Dec. 25, 1846.*

IV. Ten per cent. from the moneys collected shall be annually set apart to form a Sinking Fund for the purposes of the Institution, the yearly interest only on said Sinking

Fund being applicable to purposes of charity, in addition to the annual revenue accruing from subscriptions.—*Feb.* 26, 1847.

V. A Visiting Committee, consisting of two Brethren, may be appointed quarterly, to make investigations as to the circumstances, &c., of parties applying for relief—*March* 26, 1847.

VI. When any applicant for assistance from the Fund, whether under Class A or B, shall be receiving, or supposed to be receiving parochial relief, or aid from any Friendly or other Society, or Charitable Fund, or from any benevolent individual or individuals, the case of such applicant shall be remitted to a Sub-Committee to inquire into the case and report, when each such case shall be considered and disposed of according to its particular circumstances.—*May* 7, 1847.

VII. On presentation of petitions by widows of deceased Freemasons, their marriage-lines, or other certificate or satisfactory evidence of marriage shall be required.—*May* 7, 1847.

VIII. The sums unappropriated on each year's contributions (including the ten per cent. mentioned in Section IV.), shall be regularly capitalised on 30th April annually; and the sums to be distributed in each year by the Committee shall not exceed the receipts for that year, including interest on capital, but under deduction always of the ten per cent. to be set apart as a Sinking Fund (under Section IV. hereof).—*April* 28, 1848, and *October* 27, 1854.

IX. No relief shall be granted to any petitioner unless the party or parties recommending the petition be present to give all necessary information to the Committee as to the circumstances of the case; or, in absence, to forward the information in writing, or to furnish the same through a member of Committee.—*Sept.* 28, 1849.

## APPENDIX.

in the Provincial Grand Lodge of \_\_\_\_\_; \* and  
 I hereby declare that this appointment shall be of no avail  
 until the said Brother C. D. be properly installed into said  
 office in presence of the said Provincial Grand Lodge; and I  
 further declare that this appointment shall remain in force  
 until it shall seem to me expedient to recall the same, and to  
 appoint another Brother to the like office.

Given under my hand and seal at \_\_\_\_\_ this  
 day of \_\_\_\_\_ A.D. 18 \_\_\_\_\_ and of Light  
 58 .

### APPENDIX C.

#### FORM OF PETITION FOR A NEW LODGE.

UNTO *the Most Worshipful the* GRAND MASTER MASON,  
*the R. W. the Office-Bearers and Members of* THE GRAND  
 LODGE OF SCOTLAND.

The PETITION of the undersigned, regular registered  
 Master Masons of the Lodges mentioned against our re-  
 spective names;

*Humbly Sheweth,*

That your petitioners, having the good of Masonry at heart,  
 are desirous of extending the benefits of the Craft in this part  
 of the country, which cannot be accomplished without having  
 a regularly constituted Lodge. We, therefore, being anxious  
 to commence and carry on our Masonic labours under the  
 sanction of the Grand Lodge, pray for a charter of constitution  
 and erection, empowering us to meet as a regular Lodge at  
 \_\_\_\_\_, by the name and title of  
 \_\_\_\_\_, and there to discharge the duties of  
 Masonry in a constitutional manner, according to the forms  
 of the Order, and the Laws of the Grand Lodge; and we

\* If the Commission be in favour of Depute Provincial Grand Master, add  
 here—"Giving to him, in my absence, the same powers which I myself possess."  
 If in favour of Substitute Provincial Grand Master, add here—"Giving  
 to him in my absence, and in the absence of the Depute Provincial Grand  
 Master, the same powers which I myself possess."

recommend and propose the following to be the first office-Bearers of the Lodge, viz. :—

A. B.—*R. W. Master*. C. D.—*W. Depute Master*. E. F.—*W. Substitute Master*. G. H.—*W. Sen. Warden*. I. J.—*W. Jun. Warden*. K. L.—*Treasurer*. M. N.—*Secretary*. O. P.—*Senior Deacon*. Q. R.—*Junior Deacon*. S. T.—*Inner Guard* ; and V. W.—*Tyler*.

The prayer of this petition being granted, we promise strict obedience to the laws and constitutions of the Grand Lodge of Scotland.

Signed

M. M.

*Lodge*

&c.

&c.

#### APPENDIX D.

##### AFFIRMATION BY SUBORDINATE LODGES TO BE SENT TO GRAND LODGE EVERY YEAR.

We, the Master and Treasurer of the Lodge  
 , holding of the GRAND LODGE OF SCOTLAND, No.  
 , do hereby solemnly declare and affirm, on our  
 honour as free and accepted Masons, that the said Lodge is  
 really held solely for the purposes of Freemasonry, in strict  
 conformity with the ancient rules and usages of the Craft,  
 and the regulations and enactments of the Grand Lodge of  
 Scotland.

Given under our hands, this                      day of  
 18                      years.

*Master.*

*Treasurer.*

#### APPENDIX E.

##### CERTIFICATE BY SUBORDINATE LODGES TO THEIR MEMBERS.

We hereby certify that Brother (*full name and designation  
 of the Brother in whose favour the certificate is granted*) was  
 on the            day of            18            , regularly entered Apprentice ;  
 on the            day of            passed Fellow-Craft ; and on the

day of                      raised to the sublime degree of Master Mason (*or so much of the preceding as may be applicable*) in the Lodge (*here specify name of Lodge*) holding of the Grand Lodge of Scotland, No.                      , and that the name of the said Brother has been transmitted to the Grand Secretary or Grand Clerk (*as the case may be*) for registration and enrolment in the books of the said Grand Lodge.

To this certificate the said Brother                      has, in our presence, adhibited on the margin his usual signature.

Given under our hands, this                      day                      of  
18                      years.

*Master.*  
*Secretary.*

## APPENDIX F.

### GENERAL REGULATIONS FOR SUBORDINATE LODGES.

I. All Lodges holding of the Grand Lodge of Scotland are strictly prohibited and discharged from holding any other meeting than those of the three Orders—viz., Apprentice, Fellow-Craft, and Master Mason—denominated St John's Masonry, the Mark forming part of the second Degree; and from giving any countenance, as a body, to any other Order of Masonry, or to any Lodge in Scotland which does not hold of the Grand Lodge, or which has been suspended or struck from the roll thereof, either by paying or receiving visits, walking in the same procession, or otherwise; under certification, that such Lodges as shall act on the contrary shall be struck from the roll of Lodges, and their charters recalled.

II. Every candidate shall be at least eighteen years of age before being entered an Apprentice.

III. Every Brother who has received the said three Orders of Masonry, and who is not otherwise disqualified, is competent to be put in nomination for, and to be elected to, the Mastership, or any other Office in a Lodge.

IV. No candidate for the Apprentice Degree shall be initiated in any Lodge for a smaller sum than "twenty-one

shillings," exclusive of the Grand Lodge dues of registration,—being 5s. 6d. of the sum specified in Chapter XVI. Section I.; neither shall payment of these sums, or any part thereof, be on any pretence whatever remitted or deferred. And in order to uphold the purity of the Fraternity, it is specially recommended that no candidate for initiation into Freemasonry be admitted a Member of any Lodge until his character and qualifications have been fully inquired into, and the Brethren have expressed themselves satisfied (by ballot in open Lodge) of the eligibility of the candidate. The two Brethren who propose a Candidate must be responsible to the Lodge for all fees payable on account of the candidate's initiation. At the time of initiation each candidate shall be taken bound in due obedience to the Grand Lodge, as well as to his Mother Lodge.

V. The Grand Lodge interdicts and prohibits any gratuitous initiations into the Craft, for Grand Lodge or other purposes, of members of regimental bands or others.

VI. No candidate for initiation shall be advanced from the Degree of Apprentice to that of Fellow-Craft, or raised from the Degree of Fellow-Craft to that of Master Mason, at a shorter interval than that of two weeks between each degree, unless it shall be certified by two Brethren of the Lodge in which the candidate is to be passed or raised that he is about to remove from Scotland within the interval hereby prescribed, or in any particular case of emergency, to be allowed by the Master of the Lodge, on the same being certified and proven to the satisfaction of himself and his Wardens. In each case of emergency the causes for departure from this law, as to the interval of time between each Degree, shall be stated and inserted in the Lodge minutes, and reported by the Lodge to the Grand Lodge in the return of intrants for registration in the books of the Grand Lodge.

VII. A Brother about to be passed or raised must, previous to the ceremonial, if not already a member of the Lodge officiating, be affiliated as a member in the Degree preceding that to be conferred.

VIII. Every Lodge shall be entitled to expel an offending

Brother from their society by the votes of a majority of members, either at a special meeting called for that purpose, or at a regular meeting of the Lodge ; but intimation must be given in the summonses sent by the Secretary that such business is to be brought before the Lodge. The offending Brother must always receive intimation of the same, at least two weeks previous to the consideration of his case ; and after the same has been disposed of, the sentence pronounced shall be intimated to the said Brother, who shall than be apprised that the same will be final unless appealed against to the Provincial Grand Lodge or Grand Lodge within one month thereafter.

IX. Should any Brother be suspended or expelled from any Lodge holding of the Grand Lodge, without appealing against such sentence within one month thereafter, he shall be deemed to have lost his Masonic privileges, and shall not be permitted to appear either in Grand Lodge or in any Daughter Lodge until such judgment has been recalled.

X. No Brother of a suspended Lodge shall be eligible for election as a member of the Grand Lodge without previously expressing his dissent from the conduct incurring suspension.

XI. Any Brother thinking himself aggrieved by the sentence of a Lodge may, within one month after said sentence has been pronounced, bring the whole matter under the review of the Grand Lodge or Grand Committee by petition and memorial, as hereinbefore regulated.

XII. No Lodge shall, upon the day of electing their office-bearers, assume any Brethren of other Lodges as members until after the election is over ; under certification, that upon complaint being made to the Grand Lodge, the election shall be declared void.

XIII. It is recommended to all subordinate Lodges to have some fixed day, as near as may be to St John the Evangelist's Day (27th December) for the election of office-bearers ; and the Secretary of each subordinate Lodge is required, within *one month* after the Lodge's annual election, to transmit to the Grand Clerk the names of the elected Master and Wardens, otherwise they shall not be permitted to attend and vote at meetings of the Grand Lodge in their official capacities.

XIV. Daughter Lodges which have appointed proxies shall notwithstanding be entitled to be represented in Grand Lodge by their actual Masters and Wardens, provided notice to that effect be given to the Grand Clerk (who shall communicate the same to the representative of representatives to be superseded) at least one calendar month previous to each meeting of Grand Lodge; and also provided that the names of such actual Masters and Wardens have been duly transmitted in terms of Section XIII. hereof. Notices superseding proxies must be renewed for each meeting of Grand Lodge, unless the proxy commission be recalled on one or other of the St John's Days, or on the day of annual election of office-bearers of the Lodge from which the commission emanates.

XV. All Lodges holding of the Grand Lodge shall be bound to have a printed copy of the "Laws and Constitutions of the Grand Lodge of Scotland," which shall be minuted as laid upon the table of each Lodge at the several annual elections of the office-bearers, and shall be open for inspection to the members of such Lodges at all reasonable times, when required.

XVI. Every Lodge has the power of framing bye-laws for its own government, provided such are not inconsistent with the laws of the Grand Lodge. The bye-laws must be submitted to the Grand Lodge, the Grand Committee, or Provincial Grand Lodge, for approbation; and when approved of and printed, a copy must be sent to the Grand Lodge, and also to the Provincial Grand Lodge.

XVII. The installation of the whole office-bearers of a Lodge, including the Master, shall be held in a just and perfect Lodge, opened in the Apprentice Degree, where at least three Masters, two Fellow-Crafts, and two Apprentices, must be present, or failing Craftsmen and Apprentices, the same number of Masters, who for the time being shall be held to be of the inferior Degrees.

XVIII. All Lodges holding of the Grand Lodge of Scotland (with the exception of Military Lodges) are desired and required to have a fixed and customary place of meeting. They are prohibited, upon pain of censure and suspension,

from interfering with the proper bounds or jurisdiction of other Lodges. All Lodge meetings therefore shall be held in the fixed and ordinary Lodge-rooms of each subordinate Lodge, and the usual clothing and paraphernalia of the Lodge shall be used on the occasion.

XIX. A Lodge may be removed from one house to another within the same town or place at the discretion of its members, and by consent of a majority of these, provided a week's notice has been given to the members by formal intimation of a motion for removal, and of the time for considering such motion.

XX. If the meeting of a Lodge at its usual place should by any circumstance be rendered impossible or improper, the Master may appoint any other place for the meeting, and shall consult his Brethren on the occasion, both as to the particular case necessitating the change, and also whether a permanent removal be expedient.

XXI. When any Lodge has resolved to remove, intimation thereof shall be made to the Grand Secretary or to the Provincial Grand Secretary, that the removal may be sanctioned and recorded, if made in conformity with the Grand Lodge laws.

XXII. In case the funds of any Lodge should prove insufficient for its proper maintenance and order, or for the institution of a Charity Fund for poor and distressed Brethren, or for contributing to the Fund of Scottish Masonic Benevolence, as before recommended, it is hereby enacted that any Lodge under such circumstances may, at a special general meeting called for that purpose, and by a majority of votes of two thirds of the meeting, proceed to levy an annual contribution upon each of its members of a sum not exceeding twenty shillings; but notice of such motion must be given in the circular calling the meeting, which circular must be delivered at least two days previous to the meeting.

XXIII. All Lodges availing themselves of the above license shall be bound to set aside one half of the sum so realised by assessment as a Charity Fund, to be administered by the Master, Wardens, and Secretary, or by the Committee, as

the Lodge may determine, and for contributing to the said Fund of Scottish Masonic Benevolence; and the other half shall form part of the Lodge fund to defray the ordinary expenses.

XXIV. Any Brother in arrear of the annual contribution so levied shall not be eligible as an office-bearer, nor be entitled to intromit with or have any vote in the disbursement of any of the Lodge funds, nor be permitted to speak or vote on any matter brought before the Lodge until he pay up all his arrears; which, however, shall in no case be chargeable for more than three years; provided always, that non-payment of said annual contribution shall not deprive any Brother of his Masonic privileges of attending all meetings of the Lodge. Members resident out of the province for the greater part of the year shall not be liable in payment of such annual contributions.

XXV. All Lodges holding charters under the Grand Lodge of Scotland, and all members of such Lodges, acting in a disrespectful manner to the Grand Lodge, particularly in disobeying the positive instructions or laws of that body, shall be deemed guilty of a high misdemeanour, and be liable, in the case of Lodges, to forfeiture of their charters, and in that of individuals, to suspension from Masonic privileges, as the Grand Lodge shall adjudge.

XXVI. Subordinate Lodges have no power to grant diplomas, which, for the reason set forth in Chap. XXII, Section I., are issued by the Grand Lodge alone. Certificates to initiated Brethren may however be granted by subordinate Lodges, in the terms set forth in the Appendix;\* and these certificates may form the warrants for obtaining Grand Lodge diplomas.

XXVII. The return of intrants made by subordinate Lodges shall specify the particular degree or degrees conferred on each intrant, and on any other Brother who has been already returned by the same or another subordinate Lodge; and shall also contain the names of those Brethren for whom Grand Lodge diplomas are required.

\* Appendix E.

XXVIII. Lodges in the Edinburgh District one year in arrear, and Lodges in the country two years in arrear, either of returns of intrants or of annual certificates, shall be deprived of the privilege of being represented in the Grand Lodge until these arrears are paid up.

XXIX. If any Lodge shall be five years in arrear of Grand Lodge dues, such Lodge shall be considered dormant, and struck off the roll accordingly ; but it may be reponed upon such terms and conditions as the Grand Lodge may appoint.

XXX. There shall be a uniform set of books kept by Daughter Lodges, consisting (1st.) of a petition-book, with index thereto ; (2d.) a minute-book ; (3d.) an attendance-book, and (4th.) a cash or Treasurer's book. Patterns of these books shall be kept for inspection in Freemasons' Hall ; and the Grand Lodge shall take charge of furnishing them to existing Lodges adopting them on completion of their current books. Lodges newly chartered will be supplied at their own cost with a set of books as approved of by Grand Lodge at the time of expeding each charter of erection.

XXXI. The books of Daughter Lodges shall be periodically examined on behalf of the Grand Lodge, at such times and in such manner as the Grand Committee may from time to time prescribe, so as to keep the Grand Lodge fully informed of the proceedings, mode of working, &c., of her Lodges, in order to correct irregularities or abuses where such may be found to exist.

XXXII. It shall be the duty of the Grand Secretary or Grand Clerk, when required, to countersign a certificate from a Daughter Lodge, empowering any member or members thereof to act as Deputy or Deputies from such Lodge to any other Lodge. The Lodge applying for such countersignature shall previously have the certificate signed by the R. W. M., Wardens, and Secretary, in open Lodge assembled. No certificate shall be countersigned where the applicants or the Lodge are in arrear of their contributions to any of the Grand Lodge funds.

## APPENDIX G.

## FORM OF PROCESS BEFORE THE GRAND LODGE AND THE GRAND COMMITTEE.

I. In the event of disputes arising between subordinate Lodges or members of the Craft, the party or parties aggrieved may lay the same before the Grand Lodge by a written petition and memorial, signed by him or them, stating distinctly the matters complained of.

II. Such petition and memorial, together with a certificate by the complainer that a copy thereof has been served on the party complained against, shall be lodged with the Grand Clerk, and fees paid therewith; and the Grand Clerk shall thereupon summon a meeting of the Grand Committee, who shall have power either to proceed *de plano* with the consideration of the case, or to report the same, for instructions, to the next quarterly communication of the Grand Lodge.

III. The contending parties shall attend at said meeting of the Grand Committee (of which notice shall be sent them), either personally or by their mandatories—such mandatories being themselves members of the Grand Lodge,—when the party complained against may be heard upon a preliminary defence, and the other party allowed to reply. The Grand Committee shall then either decide upon the case, refuse the petition *in limine*, or order answers within fourteen days, or such other period as may be thought fit, under certification; and after answers, or in case answers should seem to be unnecessary, they may appoint a Sub-Committee of their number to take a proof and report the same to an adjourned meeting.

IV. The Grand Secretary shall thereafter summon the Grand Committee together, and the petition shall then be taken into consideration, with or without answers and proof, and the Grand Committee shall proceed to give judgment, or, in

case of difficulty, report the case, with the whole proceedings therein, to next quarterly communication of the Grand Lodge.

V. It shall be in the power of any party or parties who may feel themselves aggrieved by the decisions of the Grand Committee, to appeal the same to the Grand Lodge; but in such case the party appealing must previously lodge with the Grand Secretary a sum equal to the amount of the reasonable expenses already incurred by the other party; which sum the Grand Secretary is hereby empowered to fix, at the sight of the Grand Committee, and the same shall be forfeited and be paid to the other party in case the Grand Lodge shall affirm the decision of the Grand Committee.

VI. In cases of appeals it shall be competent for the Grand Lodge to call for further productions, pleadings, or evidence, and to hear parties and their mandatories, or to remit the cause to the Grand Committee, with instructions; but in no case shall an appeal be competent, except upon the merits of the cause, or until after the deliberate decision of the Grand Committee thereupon.

VII. The Grand Clerk shall mark on the back of each paper the date when the same was lodged, and shall immediately make a copy thereof for and at the expense of the opposite party, except in the case of a petition wherewith certificate of service has been produced.

VIII. With each petition or answers, appeal or other pleadings, there shall be paid a fee of five shillings. There shall also be paid a fee of one shilling at each borrowing or returning of the process or productions.

IX. Over and above the foresaid fees there shall be paid for all extracts of the proceedings at the rate of two shillings and sixpence for the first sheet, and one shilling and sixpence for each other, by the party requiring the same; the like fees being exigible for copies of papers requiring to be made under Section VII. hereof.

X. The judgments of the Grand Committee (when not appealed from) and of the Grand Lodge shall be held to be

final, and not reviewable by any tribunal whatever; and any party challenging, or refusing to submit to, or implement the same, shall be liable to expulsion from the Grand Lodge, deprivation of his Masonic privileges, or such other punishment or censure as the Grand Lodge may see proper to inflict.

THE END.



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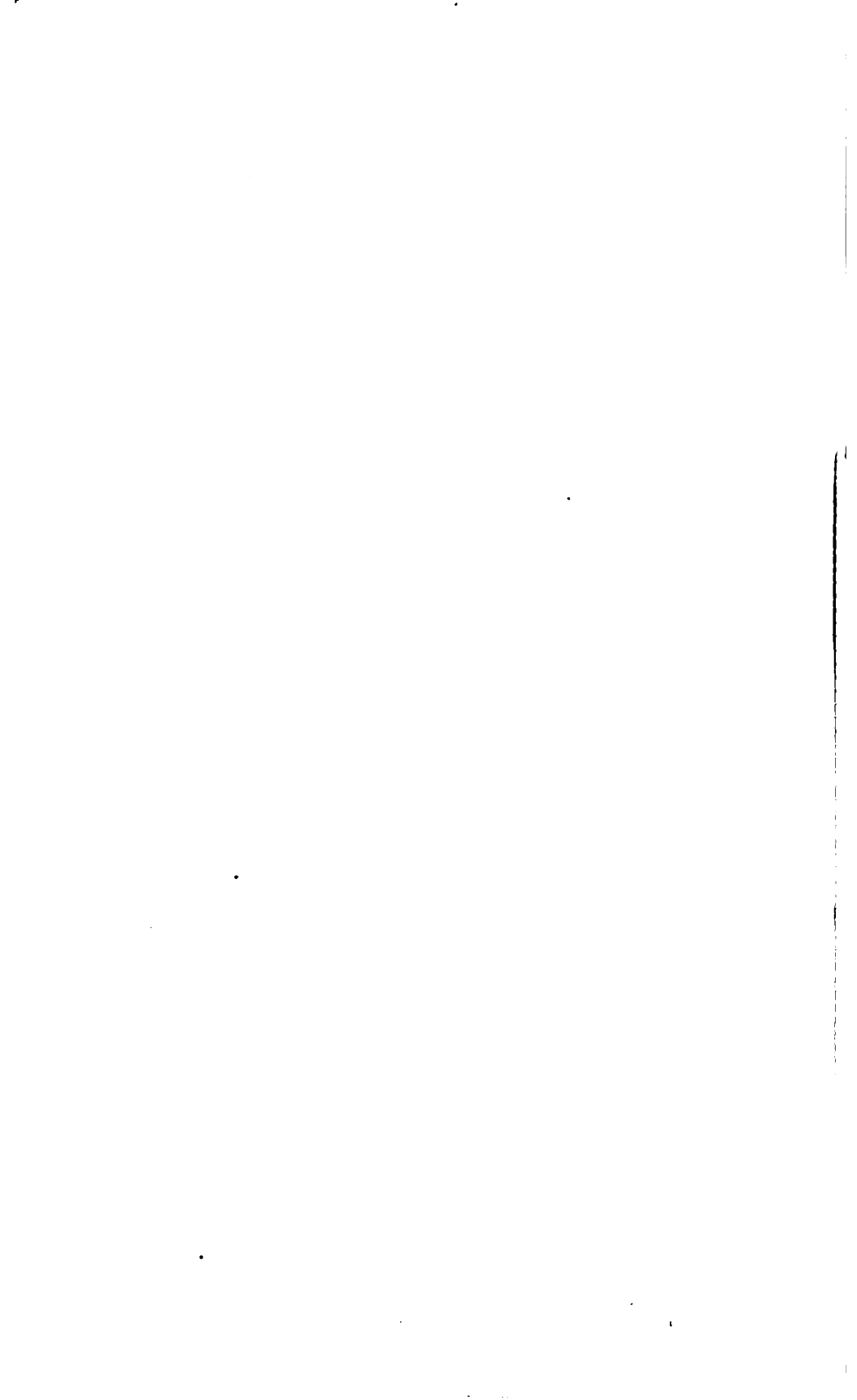
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