

# CHARTER-WARRANT

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Among several meanings of the word "warrant", the Standard Dictionary gives the following: "That which gives authority for some act or course; sanction; authority." It defines "charter" as: "A writing issued by the authorities of an order or society empowering certain persons to establish a branch or chapter."

The two words are thus interchangeable in meaning. "Warrant" is more largely used in Great Britain; "charter" is more common in America. Both words to Masons in America, Scotland and Ireland now mean the legalizing and empowering document issued by Grand Lodge to brethren for the formation of a new lodge. In England a warrant for a new lodge is issued by the Grand Master, not the Grand Lodge.

The first Masonic charter, so far as is known, was that issued by Prince Edwin, with the consent of his father, King Athelstane, at York, in 926 A.D. This charter, told of in numerous copies of various old Masonic Constitutions, or "The Old Charges", provided fundamental rights of Masons to assemble, work, take apprentices, make their own laws, have their own organization. It is, in the thought of many, the fundamental landmark of the Craft.

But to modern Speculative Masons, the charter of a lodge is a document, setting forth the consent of Grand Lodge that certain brethren become the Master and Wardens of a new lodge, and that the new lodge is of right and of necessity must be recognized as an equal by all other lodges, with no authority over it and its Master except Masonic law, the Grand Master and the Grand Lodge.

The charter of a lodge is so important that, according to common Masonic practice, it must be present in the lodge-room whenever a lodge is open. Proceedings had without the physical presence of the charter are generally considered null and void.

There is one small exception usually made, perhaps more by closing eyes to it than from any real authority. A visiting Mason may ask to see the charter of the lodge he would visit. It is as much his right to make certain of the legitimacy of the lodge he would enter, as it is the right of the lodge to make certain that he is a member in good standing of a lodge working under a recognized Grand Lodge. In satisfying the request of a visiting brother, the charter obviously must be brought from the lodge room for his inspection. It is improbable that any Grand Lodge would rule that "no lodge" existed during the time the charter was absent from the room for such inspection purposes.

Chartered lodges began with the first or Mother Grand Lodge. Prior to 1717 most lodges were of the "time immemorial" classification. Stone masons working on a great cathedral had their organization, meeting in the lodge (building) erected to hold tools and supplies, meeting place for meals, perhaps at times a dormitory. Their common work, common aims and, as the speculative or ethical teachings arose in their assemblages, common ideals, were a sufficient

bond. Apprentices were accepted only at intervals; apprentices served seven years before being tested by making each his "Master's Piece", which, if it was satisfactory, enabled him to become a Fellow of the Craft, or full fledged Mason. There was no pressure of applicants from without, no great desire on the part of non-Masons to become stone masons, except as some lad, (or his parents for him), wanted to become an apprentice.

Hence a charter for a lodge was unnecessary. As the Craft gradually changed from operative to speculative, Masons still held together by the common bond of their interests and their knowledge of the secrets of the Craft.

But with the formation of the Grand Lodge, a new idea took form. In 1717 a regulation (Number 8 of the original 39) adopted by the new Grand Lodge, read: "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 lodges 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 approves 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."

The use of the word "regular", above, is not in the sense in which it is now usually understood. To moderns "regular" and "irregular" are opposites. To the Masons of 1717 a lodge was "regular" when it had a charter, in the sense that it was "*sub regula*" -that is, had come under-the Grand Lodge. Many "time immemorial" lodges did not immediately ask for, or receive, a charter; this did not make them "irregular" but only non-regular. The lodge at Fredericksburg, in which George Washington received his degrees, was a "time immemorial" lodge without a charter at the time it made a Mason of Washington. Five years after that event it asked for and received a charter from the Grand Lodge of Scotland.

There are further etymological differences between our use of words, and their meanings as understood by our brethren of 1717. An American Mason knows charter, or warrant, to mean the *document* given by Grand Lodge, creating his own lodge and in its possession.

Our early brethren at first understood no more by the word "warrant" than we understand by the word "permission"; the written document was not at first held necessary. The Grand Master, his Deputy, or some brother empowered by the Grand Master, gave *permission* to certain brethren to form a new lodge. When the Grand Master gave this authority to another, that authority was contained in a paper termed a deputation. But a deputation is not a warrant or a charter-it is merely the authority given by the Grand Master to another brother to act for him in "warranting"--giving permission to certain brethren to be a new lodge.

While modern warrants, as instruments of Grand Master and Grand Lodge, began in 1717, when the first Grand Lodge was formed, long before that warrants or charters were issued by Kilwinning Lodge of Scotland.

Just how old "Mother Kilwinning" is has been often disputed; few will cavil, however, at the statement that she is undoubtedly as old as the fifteenth century and may be older.

Mother Kilwinning chartered a number of lodges, thus acting as a Grand Lodge before there *was* a Grand Lodge! The daughters of Mother Kilwinning all took her name as part of theirs and thus there came into being Cannongate Kilwinning, Greenock Kilwinning, Cumberland Kilwinning, and others, some of which are still on the register of the present Grand Lodge of Scotland.

The Grand Lodge of Scotland was organized in 1736. Kilwinning for a time became a lodge under the Grand Lodge. In 1743 it petitioned Grand Lodge for recognition as the oldest lodge in Scotland. On the ground that because the old documents, minutes, etc. of Kilwinning lodge were lost, it could not prove its claimed antiquity, the Grand Lodge of Scotland refused to grant the petition.

Whereupon Mother Kilwinning seceded from the Grand Lodge, and proceeded to charter more lodges, including one in Virginia and one in Ireland!

However, time heals all breaches. Just as the two rival Grand Lodges in England came together after more than half a century and in the great Lodge of Reconciliation in 1813 became one United Grand Lodge of England, so did Mother Kilwinning at last, in 1807, renounce all right of chartering lodges, returned to the fold of the Grand Lodge of Scotland, and brought her daughter lodges in Scotland with her!

The word "charter" has been too loosely used in the past for clarity in the present day understanding. Thus, antiquarians and historians of Masonic lore write of the "Charter of Cologne" as "the oldest Masonic charter." But this document was not really issued by some Masonic authority, giving certain rights to others. There is little belief in its being other than a clumsy forgery, made for what purposes any one's guess is as good as another's.

The document miscalled "Charter of Cologne" was purportedly written June 24, 1535: "a manifesto of the chosen masters of the St. John's fraternity, heads of the lodges in London, Edinburgh, Vienna, Amsterdam, Paris, Lyons, Frankfort, Hamburg, Antwerp, Rotterdam, Madrid, Venice, Ghent, Konisburg, Brussels, Dantzic, Middleburg, Bremen and Cologne."

It was purportedly signed by these nineteen Master Masons in Cologne!

It sets forth various principles and practices of the order.

However, internal evidence that the document is spurious is so strong that no Masonic historian now believes in its genuineness.

The Larmenious Charter, or "Charter of Transmission", is another confusing use of the term. It is a document of interest to Knights Templar. It purports to be originally written in or about 1314, but was not published until 1804. It is generally considered to have been written by an Italian named Bonani, who fabricated the document as coming from the pen of "Johannes Marcus Larmenius of Jerusalem" supposed to have been the "Master of the Knights of the Supreme Temple". Its alleged purpose was to confer the Supreme Mastership of the Order of the Temple on another; its actual purpose seems to have been to attach a new order to an older one. Into that it is not necessary to go -the "charter" of Larmenius is not a charter in our understanding of the word, and its use in this connection has added to the confusion surrounding the subject.

Most modern charters given to a group to form and hold a lodge in a particular locality make the lodge stationary. Such a lodge cannot move to another location without permission of Grand Master or Grand Lodge, a provision necessary to keep records and permit inspection. But there have been traveling warrants, usually issued to military lodges, empowering them to travel from place to place with the military forces to which they are attached. The first traveling warrant of which there is record in this country was given by the Grand Lodge of Massachusetts to one Abraham Savage, in 1738, to be used in the expedition against Canada; it was really more a deputation than warrant. In 1779, Pennsylvania gave a traveling warrant to a Colonel Proctor to open what in the document is called a "moveable lodge".

The charter of a lodge today is its symbol of legitimacy. It is its power to work, to make brethren, to do all that any lodge is empowered to do. It is its attestation that it is duly constituted, dedicated and consecrated, and is one among its sisterhood of lodges, with rights equal to all other lodges, rights greater than those of no other lodge.

By the granting of a charter a Grand Lodge offers the greatest of evidence of its belief in the trustworthiness and dependability of the brethren named as the principal officers, and the successors they are to install.

No greater disgrace can fall on a lodge than to have its charter forfeited; second only to this is the arrest of the charter, which the Grand Master may do if in his judgment wrong actions or contumacy have brought disgrace upon the Fraternity.

While a Grand Master may arrest (or take up) the charter, only Grand Lodge, which gave it, can forfeit it. It is good to chronicle that both arrest and forfeiture of charter are very rare.

A lodge may give up its charter voluntarily, returning the instrument which brought it life to the Grand Lodge which gave it; this is occasionally, not often, done when circumstances have so dispersed the brethren that not enough remain to act as a lodge, or when indifference among the survivors causes the lodge to become dormant.

The charter of a lodge is its life. The privilege of asking Grand Lodge for one is great. The responsibility of Grand Lodge in giving life to a new child in the Masonic family is heavy. The charter, as a result, becomes the most venerated and loved of Masonic documents, by the brethren whose Masonic life is lived in its shadow.