

1949

31- 331

THIRTY-FIRST DEGREE

Grand Inspector
Inquisitor Commander



THE THIRTY-FIRST DEGREE OF THE ANCIENT
ACCEPTED SCOTTISH RITE OF FREE-
MASONRY, AND THE THIRTEENTH
CONFERRED IN A CONSISTORY
OF SUBLIME PRINCES OF
THE ROYAL SECRET



This book is the property of the SUPREME COUNCIL OF SOVEREIGN
GRAND INSPECTORS GENERAL OF THE THIRTY THIRD AND LAST
DEGREE OF THE ANCIENT ACCEPTED SCOTTISH RITE OF FREEMASONRY
FOR THE NORTHERN MASONIC JURISDICTION OF THE UNITED STATES
OF AMERICA and, when assigned for exemplification of the degree,
must be returned to the Secretary immediately after the close of
the degree. If it passes out of the possession of the holder, by
death or otherwise, it is requested that it be returned by the finder
to the Grand Secretary General of said Supreme Council at 1117
Statler Bldg., Boston 16, Massachusetts.

HISTORICAL NOTES

I. THE DEVELOPMENT OF RITUAL

1. It is difficult to trace the origin and development of the Ritual of the Thirty-first Degree for the following reasons:

(a) There was no degree which, in any way, resembled the 31° in the RITE OF PERFECTION of twenty five degrees which dates from the *Council of Emperors of the East and West* in 1758. These French degrees were conserved, in essence, in manuscript rituals of Henry Andrew Francken (in English), 1783. Twenty of these rituals were accepted, with modifications, by the Ancient and Accepted Scottish Rite in 1801. The 21° of the Rite of Perfection was the source of the 30° of the Scottish Rite and the 25° was the prototype of the 32°. There is no background for the 31°.

(b) In the *Roi du Sanctuaire* by Doszedardski (1805-1809), there is a reference to the 31° under the title *Le Vrai Maçon*, but there is no ritual text and the setting, investiture and secret work give no suggestion of the later 31°.

(c) As of 1949, nothing is known of the exact text of the 30°, 31° and 32° adopted in 1801 by the first Supreme Council at Charleston, South Carolina, except as the 30° and 32° were influenced by the 24° and 25° of the Rite of Perfection. For many years, these three degrees were too closely interwoven to be studied separately. They were probably conferred as a unit and in the form of a brief lecture or catechism, or both.

2. The first ritual of the Thirty-first Degree is found in the manuscript rituals of Killian H. Van Rensselaer, 33°, which were written or compiled between the years 1845-1860. The 30°, 31° and 32° were considered as a unit, and the ten pages which include the basic ideas of the degree of Grand Inspector Inquisitor Commander are within the framework of the 32°.

3. On January 5, 1859, Albert Pike, 33°, Sovereign Grand Commander of the Southern Supreme Council from 1859 to 1869

announced the completion of separate and distinct rituals of the 30°, 31° and 32°. He took the mere skeleton of the early 31° with its emphasis upon Justice and Equity, and clothed it with rich ceremonial and a drama which portrayed the techniques for the training of a Judge.

4. The Pike ritual, with minor changes in 1866, was adopted by the Northern Masonic Jurisdiction in the Union of 1867. Later revisions in 1875, 1904 and 1930 followed the traditional pattern—a synthesis of Van Rensselaer and Pike. In 1938, the Supreme Council authorized a tentative ritual of the 31° based upon a dramatic trial scene in an English Civil Court of the Fourteenth Century. This was withdrawn in 1941, but the trial scene was made optional. The ritual of 1949 isolates all formal Scottish Rite elements in a brief ceremonial opening and retains the 1938 trial scene somewhat abridged.

II. KADOSH

The word Kadosh is used frequently in the rituals of the Scottish Rite, especially in the 30°, 31° and 32°. It is derived from a Hebrew word meaning "holy" or "consecrated." It describes one who is "set apart from common use for divine use." A Knight Kadosh is consecrated by his knightly vows for special services to God and to Humanity.

III. THE TRIAL SCENE

The trial scene in the 1949 ritual of the 31° follows, with remarkable accuracy, the legal procedures in a Civil Court in the England of Edward II. It is adapted to the tradition of the degree and dramatizes its lesson. The Supreme Council is indebted to the scholarly research undertaken, for two years, by the late Mr. Harold Whittaker Connell, 33°, of Milwaukee (1889-1937), a member of the Wisconsin Bar, and Past Commander-in-Chief and Director of Work in Wisconsin Consistory.

THIRTY-FIRST DEGREE

CAST OF CHARACTERS

First Judge

Second Judge

Third Judge

Fourth Judge

Hugh of Humby, Sergeant of the Law (Counsel for the Plaintiff)

Thomas FitzSimon, Sergeant of the Law, (Counsel for the Defendant)

Sir Herman of Goodalricke (The Plaintiff)

Alan, a Herdsman, Serf to Sir Herman

Ralph of Bideford, a Pilgrim

Richard O'Banbury, a Tinker

Higg, Son of Snell, Scrivener to Sir Herman

Robert FitzWalter, a Templar

William of Shrewsbury, a Knight Kadosh (The Defendant)

Clerk of the Court

Herald

Court Usher

Apprentice to Hugh of Humby

Apprentice to Thomas FitzSimon

Captain of the Guard

Four Men-at-Arms

Warder

Villagers

CHARACTER NOTES

First Judge: A man of considerable legal erudition and impressive personality.

Hugh of Humby: Sergeant of the Law, a good looking man, in middle life. He is bland and suave in manner. A man of considerable capacity for intrigue.

Thomas FitzSimon: Sergeant of the Law, also in middle life. His speech is more crisp than that of Hugh of Humby. Rather aggressive in manner.

Sir Herman of Goodalricke: An affluent man of about fifty. Sly and unattractive in personality but bearing himself with great arrogance of manner and self assurance. A swaggering aristocrat.

Alan, the Herdsman: A rough type of man who would obviously sacrifice principle for personal advantage.

Ralph of Bideford, the Pilgrim: The type of man who is always at a disadvantage by reason of a negative personality. There is nothing forceful in his bearing or deportment.

Richard O'Banbury, the Tinker: A wanderer, care-free, nondescript and ragged, much addicted to the bottle, loquacious, not awaiting an invitation to speak.

Higg, Son of Snell: A studious, diffident, bashful man of advancing years. Not abject but cautious.

Robert FitzWalter, the Templar: A vigorous man of war, bearing physical evidence of recent conflict.

William of Shrewsbury: The Knight Kadosh, Defendant and Aspirant. A dignified, military bearing. Watchful and alert. Frequent conferences with his Council.

COSTUMES

Each Consistory is free to choose the costumes of this degree provided an effort be made to approximate the styles of the early 14th Century. Costumes used in the 27°, 29°, 30° and 32° may be utilized.

Judges: Black robes and white coifs or wigs. Beards optional.

Counsel (Hugh and Thomas) and Clerk: Black alpaca robes, small black hats, no wigs.

Sir Herman: Elegant robe, feathered hat, ~~staff~~. Lord of the Manor.

William of Shrewsbury (Aspirant): Uniform of a Knight Kadosh—Thirtieth Degree.

Alan, the Herdsman: Shepherd's costume, with sleeveless sheepskin cape and staff.

Ralph of Bideford: Regular pilgrim's costume from Thirtieth Degree.

Richard O'Banbury: Tinker, workman costume, poorly conditioned.

Higg, Son of Snell: A scrivener and scholar. Clothing of good quality.

Robert FitzWalter: Templar's outfit from Thirtieth Degree. Do not use modern K.T. uniform or chapeau.

Herald: Guard suit, no sword.

Captain of Guard: Guard suit, with sword.

Court Usher: Semi-military.

Men-at-Arms, populace, etc.: Appropriate costumes from Thirty-second Degree. Halberds or spears for men-at-arms if available.

THE COURT ROOM

The scene discloses a view of a Civil Court in full session—in England during the reign of Edward II (1307-27).

The Bench has places for five Judges—the fifth seat is for the Judge to be elected.

Immediately below the Bench is a large table and a chair for the Clerk of the Court. To the right and in front of the Bench, but in a detached position, is the witness box.

Facing the witness box are two large tables, with chairs—the one on the right for Sir Herman of Goodalricke and his Counsel, Hugh of Humby and his Assistant. The one on the left, for William of Shrewsbury, Knight Kadosh, the Defendant and his Counsel, Thomas FitzSimon and his Assistant.

The Court Usher has a chair near the witness box with his back to the Bench.

The Herald and Captain of the Guard are at the right and left of the entrance respectively. The Warder stands at the door. The four Men-at-Arms are stationed by the Captain of the Guard.

Benches are provided on the right for the witnesses (in front) and the villagers (in the rear).

PROPERTIES

For the ceremonial Opening: Pedestal, gavel, pair of scales, collar and jewel of 31°.

THE BENCH: Five large law books, some open; gavel for First Judge, paper and quill pens, ink. Fifth chair, vacant.

CLERK'S DESK: Large ledger open, gavel, quill pen, ink.

COUNSEL TABLES: Books of reference, paper, quill pens and ink.

HUGH: Scroll of charges (p 25) Warrant (p 29)

THOMAS: Bond (p. 28)

HERMAN: Parchment (p. 31).

ALAN: Jewel of Knight Kadosh (p. 38).

RICHARD: Iron pots and pans, slung over shoulder (p. 37). Parchment and stone (p. 37). See diagram on p. 53, right half.

ROBERT: Parchment (p. 53). See diagram on p. 53, left half.

COURT DEPARTMENT

1. The Judges, while witnesses are giving evidence, will be taking intermittent notes and, at all times, will follow all proceedings with alert interest.

2. When a witness is giving evidence, all the Counsel retained in the case, except the Sergeant (Attorney) actually examining the witness, will take frequent longhand notes. Shuffling of papers and searching for references add to the atmosphere of realism.

3. Witnesses and partisans of the Plaintiff and Defendant should maintain a keen interest and, occasionally, indulge in whispered and more audible comments. Their expressions will display appropriate reactions to any significant statement or admission.

4. The Court Usher, Herald, Captain of the Guard and Warder affect no interest, except when they are called upon for action.

5. Comedy, within the limits of good taste, is sanctioned. It must not be overdone. Richard O'Banbury, the Tinker, who is oblivious to Court rules and procedure, may offer some diversion and is restrained by the Men at Arms at the command of the Captain of the Guard.

6. It is important that the trial scene shall move quickly and smoothly. It must not drag. The use of "notes" on the Bench and at the Counsel tables will facilitate accurate and speedy sequence.

GLOSSARY AND KEY TO PRONUNCIATION

Arehaic words defined. Phonetic spelling, with the accented syllable in small capitals.

aspirant	as-PYR-ant or AS-pir-ant
ay	I (Yes)
blithe	blith: joyous
Bideford	By-e-ford
close	enclosed land
Confucius	KON-FU-shius
FitzSimon	Fitz-SYMON
gage	pledge or bond
Goodalricke	Goon-al-riek
gramerey	gra-MUR-si. Thanks
Holy Rood	Holy Cross
Kadosh	Kah-dOSH. short "o"
liege	lord of the Manor
marry	Indeed! (exclamation of surprise)
natheless	NAYTH-less. nevertheless
Oyez!	O-YES. Hear ye! Silence!
prithe	I pray thee
Sergeant	SAR-jent. Attorney.
Socrates	Soc-ra-tes
suite	sweet
tribunal	try-BU-nal
twelvemonth	a year
thwert-ut-nay	a general denial
weir	bank to hold river in its bed
Whitsuntide	week beginning with Whitsunday
wot	know
yelept	i-klept. called or named
Zoroaster	Zo-ro-AS-ter

The Latin phrase on page 27, freely translated, "In such a case, proof lies in denial."

NOTE: Give full value to the final syllable of the title of the 31st: Grand Inspector Inquisitor Commander. Not "Inspector" or "Inquisiter."

PROLOGUE

The Thirty-first Degree of the Ancient Accepted Scottish Rite—GRAND INSPECTOR INQUISITOR COMMANDER—is one of the three Kadosh degrees exemplified in a Consistory of Sublime Princes of the Royal Secret.

The word "Kadosh" means "consecrated." A Knight Kadosh, therefore, is one who has been chosen, set apart and consecrated for special service to God and to Humanity. In the Thirtieth Degree, a Knight Kadosh is *dedicated*; in the Thirty-first Degree, he is *trained*; in the Thirty-second Degree, he is *tested*.

In this degree, a Knight Kadosh is admitted to the rank of GRAND INSPECTOR INQUISITOR COMMANDER, and is instructed in the principles and practice of Justice and Equity. For all practical purposes, to render justice is to give everyone his due, to conform to the principles of rectitude in the dealings of men with each other, to be righteous, impartial and equitable.

Justice in Freemasonry, as exemplified in this degree, requires that the true and just Mason must listen attentively and without prejudice, deliberate calmly and impartially, and act decisively. He must never allow rank, influence or money to sway judgment; giving every man the benefit of the presumption of innocence and purity of intention, so that judgment in each case shall be true, just, equitable and merciful.

NOTE: For the place of the Prologue in the exemplification of the 31°, see pages 14-15.

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THIRTY-FIRST DEGREE

Grand Inspector
Inquisitor Commander

OPENING

This brief ceremony for the opening of the Consistory on the Thirty-first Degree, satisfies the minimum requirements for initiation. It is mandatory and cannot be omitted. The dramatic trial scene interprets the lesson of the degree.

The floor or stage may be set for the trial scene. Place a pedestal near the center, with gavel, a pair of scales, and the collar and jewel of the 31°, if Investiture is planned.

At the appointed hour, the Commander-in-Chief of the Consistory, or one deputized by him, enters informally and proceeds to the pedestal. A Master of Ceremonies and a Prologist enter and stand near the pedestal. The Exemplar is in waiting.

Commander-in-Chief—††† To order on the Sign of Fidelity. To the glory of the Grand Architect of the Universe; in the name and under the auspices of the Supreme Council of Sovereign Grand Inspectors General of the Thirty-third and last Degree of the Ancient Accepted Scottish Rite of Freemasonry for the Northern Masonic Jurisdiction of the United States of America, and by virtue of the authority upon me conferred, I declare the works of _____ Consistory opened on the Thirty-first Degree.

† Be seated.

Commander-in-Chief (Continuing)—Master of Ceremonies, ascertain whether any desire to enter this Sovereign Tribunal.

Master of Ceremonies retires and returns with the Exemplar. They advance to the pedestal.

Master of Ceremonies—I have the honor to present a *class* of Knights Kadosh of the Order of the White and Black Eagle, Thirtieth Degree of the Ancient Accepted Scottish Rite. ~~He is~~ properly vouched for, and solicits the privilege of advancement to the rank of Grand Inspector Inquisitor Commander.

Commander-in-Chief—Give attention to the Prologue of the Thirty-first Degree.

Prologist—

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The Prologist retires.

Commander-in-Chief (To Master of Ceremonies)—Place a pair of scales in the left hand of this Knight Kadosh. (*To Exemplar*) The scales in your left hand are to teach you that, in all your judgments and opinions, you should be guided by Justice and Equity.

The members of the Class will rise. Be silent until I bid you speak. Attend to the vows of this degree.

ON MY HONOR as Knight Kadosh, I will keep inviolate the secrets and proceedings of this degree. I will examine carefully all cases brought to me for judgment, faithfully weigh all evidence and argument in the scales of Justice, and will never allow rank, or influence, or money, to sway me in my decision; but will endeavor to render a just, equitable and merciful judgment.

In accordance with the ancient custom, each of you will raise his right hand toward heaven and repeat after me.

All this I solemnly vow, expecting to be judged as I judge others, resigning myself to the contempt of my brethren should I wilfully, or through indifference, violate this my vow as a Grand Inspector Inquisitor Commander. Amen.

Class, be seated. †

Master of Ceremonies places the scales on the pedestal.

* * * * *

SECRET WORK AND INVESTITURE

This entire section is optional or, at the pleasure of the Commander-in-Chief, the Secret Work may be communicated without the Investiture.

Master of Ceremonies—The first Sign of this degree is given thus

The second Sign of this degree is given thus

The Password is..... and the Response is.....

The Sacred Word is..... meaning.....

The Battery is † †-†-† †-†-†-† †

Invests Exemplar with Collar and Jewel.

You are now invested with the Collar and Jewel of this degree. See that the purity of the former and the luster of the latter be never sullied or dimmed by injustice, inhumanity or impurity.

* * * * *

Commander-in-Chief—In the Thirty-first Degree, the Knight Kadosh is promoted to a position of high responsibility. He is to be an INSPECTOR, overseeing the work of others. He is to be an INQUISITOR, examining and judging their faults and shortcomings. He is to be a COMMANDER, exercising leadership and authority.

We welcome you to this Sovereign Tribunal and charge you to be upright and impartial. He who would be a judge must first judge himself. He must lay aside all pride of opinion, prejudice and malice.

The drama of the Thirty-first Degree is a trial scene in a Civil Court in England in the Fourteenth Century, during the reign of Edward II. A Knight Kadosh—who represents each of you—aspires to become a judge and finds himself a defendant at the bar of justice. The lesson which he learns in the hard school of experience, is the lesson which you must master as a Grand Inspector Inquisitor Commander.

The Commander-in-Chief retires informally. The Master of Ceremonies seats the Exemplar with the Class and retires. When the pedestal is removed, the drama begins.



1st IN - Herald, Clerk, Usher - to keep
announcements opening Judges, come in from
side after announcement

THE SOVEREIGN TRIBUNAL

OPENING

The floor is set according to the directions on page 9. If the stage alone is used, the Director of the Degree will make the necessary readjustments. The lights are on. The Warder and the Aspirant—the Knight Kadosh—are in waiting outside the door.

The procession, formed on the outside, enters the Court Room in the following order. (Men-at-Arms, double file.)

- 1 Captain of the Guard
- 2 The Men-at-Arms
- 3 { Herald = } *FIRST IN*
- { Clerk = } *This Tribunal*
- { Usher = } *will receive*
- IN SILENCE*
- Fourth Judge
- Third Judge
- Second Judge
- First Judge

The procession will halt near the front, face inward and allow the judges to pass—and take their places on the Bench. The other officers will then take their proper places.

First Judge (Seated)—Herald, make proclamation that this Sovereign Tribunal is now in session, and that all who desire its judgment may draw near and they shall be heard.

The Herald goes to the entrance and proclaims.

Herald—Oyez! Oyez! Oyez! The Sovereign Tribunal is now in session. Whosoever hath been cited to appear before it, or whosoever hath petition, complaint, appeal or answer to make, let him now draw near, and he shall be heard. Oyez! Oyez! Oyez!

The Herald repeats the proclamation outside the door which is left slightly ajar so that his voice may be heard us from a distance. He then returns to his station, salutes the Judges in token of the performance of his duty and is seated.

Men at arms come in leading groups
seated seating (Capt Lowmyer & Populists)

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all seated

Enter: Sir Herman, Hugh, Thomas and their Assistants.

If desired, the floor is now occupied by the Villagers in appropriate 14th Century costumes. They are seated under the direction of two Men-at-Arms. When all is in readiness—

CLERK
First Judge—Captain of the Guard, have you knowledge of any who are entitled to our first consideration?

The Captain of the Guard rises, salutes, but before he speaks the Warder gives an alarm at the door.

Warder—† †††† ††††† †

Captain of the Guard—Illustrious Judges, there is an alarm at the entrance.

First Judge—Attend to the alarm and report.

The Captain of the Guard goes to the door, ascertains the cause of the alarm, closes the door and reports. Remains at door.

Captain of the Guard—Illustrious Judges, a Knight Kadosh solicits the honor of being admitted among the members of this Sovereign Tribunal and, if found worthy, desires to be qualified for advancement. He has been examined by the proper officers who have found him worthy. He has many vouchers.

The First Judge addresses his colleagues.

First Judge—Illustrious Judges, shall he be admitted?

Five
The Judges—Let him appear before us.

First Judge—Captain of the Guard, let the Knight Kadosh appear before us.

The Captain of the Guard salutes, opens the door and says:

Captain of the Guard—The Knight Kadosh has permission to appear before this Sovereign Tribunal.

Shrewsbury enters w/warder

The Warder and the Knight Kadosh enter and proceed to the center. Captain of the Guard returns to his station.

Warder—Illustrious Judges, I take the liberty of presenting to you William of Shrewsbury, a Knight Kadosh of the White and Black Eagle, who solicits the honor of being admitted as a member of this Sovereign Tribunal, and, if found worthy, desires to be qualified for advancement.

First Judge—Hath he, by sufficient service as a Knight Kadosh, learned the first lesson in the art of governing?

Warder—He hath, for he hath learned to govern himself.

First Judge—Is he true and trustworthy, honest, temperate, of equable temper, charitable of judgment, and of merciful impulses?

Warder—His brethren have thought him worthy to be admitted here.

First Judge—Illustrious Judges, there is a vacancy in this Sovereign Tribunal. What do you propose?

Second Judge—I propose that the vacancy be filled by the election of this Knight Kadosh, whom I believe to possess the necessary qualifications to fill this responsible station.

Third Judge—I fear the Knight Kadosh has not sufficient experience and practice in the rights and duties of members of this Sovereign Tribunal to be qualified to pass judgment upon the actions of others. He needs instruction.

J O P S E L T

Warder seats Knight near the front and retires to his station.

First Judge—Then let the Knight Kadosh give heed to the words of immortal wisdom once uttered by mortal

lips that have long since been silent. We summon the Sages and Lawgivers of the Past.

The words of the Sages may be read by the Judges from Law books on the Bench—or recited impressively. If a more dramatic presentation is desired, each Sage—in the costume of his time—may speak from behind a scrim. There must be no impersonation of Jesus whose words, as recorded in the New Testament, are reverently read or recited.

JUDGES FOR STAND PARTY
THIRD PARTY
HEAR THEN OF
ALFRED THE GREAT (A.D. 871-899)
Second Judge—Alfred, King of Saxon England—I framed wise laws, made upright judges—independent of my will and that of the people—and caused just and speedy judgment to be given.

In all my realm, justice and right were sold to none; denied to none; delayed to none. I slept little; I wrote much; I studied more. I reigned only to bless those over whom I had dominion.

Follow, then, my example, nor fear to sit in judgment on thy fellows.

SOCRATES (469-399 B.C.)

Third Judge—I am Socrates, philosopher, of Greece. I knew the holy mysteries and, in the groves of Athens, I taught that God is One and that the soul of man is immortal.

I taught obedience to the laws and decrees of the people of Athens, and the Council of Five Hundred. And when, by an unjust judgment, I was condemned to death, I refused to flee lest I should bring the law into disrepute.

If thou wouldst become a judge of others, first prepare thyself by learning to obey the law.

CONFUCIUS (551-478 B.C.)

Fourth Judge—I am Confucius who interpreted to

the people of China the great laws of life. I said to them—Desire not for your country any benefit other than justice. The great law of Duty is to be looked for in Humanity.

Justice is equity, to render to every man that to which he is entitled.

He who would stand above the ordinary level of man should be free from prejudice, self-conceit and obstinacy, and be governed by the mandates of justice alone.

STAMP
FEEL *JUDG* OF *ZOROASTER (1-660 B.C.)* } *these were his teachings*

Second Judge—I am Zoroaster whose words became law to the Persians. This was my teaching.

He is the best servant of God whose heart is upright. He alone is just who is charitable and merciful in judgment; and he alone is wise who thinks well, and not evil of other men.

Crime is not to be measured only by the issue of events, but also by the evil intentions of the doer. Study, therefore, the dominion of thyself, and hold it the noblest victory to triumph over thy passions.

MOSES (1-1250 B.C.)

Third Judge—I am Moses, the leader and lawgiver of Israel.

When they have a matter, they come unto me; and I judge between one and another, and I do make them know the statutes of God, and his laws.

Ye shall walk in all the ways which the Lord your God hath commanded you, that ye may live, and that it may be well with you.

Thou shall not respect persons, neither take a gift: for a gift doth blind the eyes of the wise, and pervert the words of the righteous.

See, I have set before thee this day life and good,

and death and evil. Therefore, choose life that both thou and thy seed shall live.

JESUS OF NAZARETH

First Judge—Thou hast heard the words of the great sages, lawgivers and philosophers of antiquity. Behold! *(Points to a portrait of Jesus, or holds aloft a New Testament)* The greatest Teacher of all the ages. Listen reverently to his words.

4th → If ye forgive men their trespasses, your heavenly Father will also forgive you. But if ye forgive not men their trespasses, neither will your Father forgive your trespasses.

Judge not, that ye be not judged. For with what judgment ye judge, ye shall be judged: and with what measure ye mete, it shall be measured to you again.

Judge not according to the appearance, but judge righteous judgment.

Blessed are the merciful: for they shall obtain mercy.

First Judge—William of Shrewsbury, ^{stand here} wilt thou meditate upon all these words of wisdom and be guided by these precepts?

William of Shrewsbury—I will, so help me God.

First Judge—Illustrious Judges, is it your pleasure that the Aspirant be admitted as one of our number?

Fourth Judge (Consulting papers)—I protest against his promotion at this time. It is not enough to know the wisdom of the ages. A Judge must be free and clear of all suspicion, and I find that a serious charge has been brought against this Aspirant.

I have been informed that he is accused of violating his obligation as a Knight Kadosh of the Order of the White and Black Eagle. Would it not be well to pursue the complaint before considering his advancement?

course and communication with a profane, contrary to Capital 57 of the rules of our Order, for which heinous and multiplied guilt should he be cut off and cast out from our congregation were he the right hand and right eye thereof. To the Sovereign Tribunal, Herman of Goodalricke appeals."

At the conclusion of the reading he hands the charges to the Usher who hands them to the Clerk. *J. L. G. "He"*

Sir Herman, as I have said, the Treasurer General of the Order, the fortunate possessor of one of the finest properties in this part of England, with many a fair rood of meadow and many a fat field and close, and Castle Goodalricke, yonder, because of his zeal for the honor and glory of his Order feels constrained . . .

Thomas—Methought my friend was to let the facts speak for themselves.

Hugh (*With icy politeness*)—I am flattered by my friend's attention to my observations. (*Again addressing the Court*)—Yet even so thou mayst feel impelled to the belief that behind the accusations moves some other influence, with private interest simulating credulity. But how absurd this premise considering Sir Herman's wealth and position. Thou wilt not forget that the defendant is here, prepared to prove his innocence. What evidence he hath to support so curious a suggestion I know not. But be the proof awarded to him, I envy not my learned friend, Thomas FitzSimon, the task he undertaketh to sustain it in this Court, and before your Lordships. Full well, I know he will invoke your pity. Methinks my friend will lay stress upon the honors and titles of the accused, a man free born, a member of an ancient and honorable society—a Knight Kadosh.

Thomas—Gramercy for my learned friend's anticipation of my case, (*emphatically*) however intelligent.

NEVLKTH + LAJJ

Hugh—Nathless, your Lordships will remember that if the accusation be true, there is upon the rolls of the Order, a forsworn Knight, a base violator of his Oath for which he should be forever cut off and cast out and his goods and chattels confiscated. These charges, Sir Herman of Goodalricke standeth ready to prove by his body and suite of witnesses when and where the Court shall award.

And if William of Shrewsbury will confess this, that will seem fair to Sir Herman, but if he will deny it, wrongfully will he deny it, for Sir Herman hath here suite good and sufficient, to-wit, himself and Alan, a freeman and servant to Herman. (*He bows and sits down.*)

First Judge—William of Shrewsbury, your tale.

DEFENSE TO
Thomas—Your Lordships, William of Shrewsbury, who is here, ~~defendeth against~~ Sir Herman, who is there, and against his suite of witnesses, the wrongs and breaches and all that he, Sir Herman of Goodalricke, surmises against him word by word, (*Uwert-ut-nay*) And thus he is ready and blithe to defend when and where he ought and the Court shall consider. (*He bows and sits down.*)

First Judge (*Addressing the Court*)—Fair Sirs, these being the allegations of the parties, which of them must go to the proof and to what proof must he go?

Fourth Judge—Reads not the rule that the defendant must prove? (*Et in hoc casu semper incumbit probatio neganti.*) *see page 11*

First Judge (*To the Court*)—Ye who art of this mind, assent.

Judges, all—Ay.

First Judge—And to what proof must the defendant go? Proof by Battle or Proof by Oath of Witnesses?

Fourth Judge—I propose proof by oath of witnesses that we may hear and weigh their testimony.

First Judge—Fair Sirs, be that your judgment?

Judges, all—Ay.

First Judge—So be the Court's decree. If the defendant disapprove, the cause is his. The law is awarded to him and on him the burden.

Thomas (Rising)—The defendant William of Shrewsbury again offers to make good his ~~thwert ut nay~~ ^{writ}, having denied the charge, he now once more professeth willingness to defend. And he standeth ready to give gage and pledge as surety for the fulfillment of the judgment should the cause not be heard forthwith. (*He tenders a bond.*)

First Judge—The gage and pledge are waived. Proceed straightway. Make good thy ~~thwert ut nay~~ ^{promise}.

Thomas—The defendant calleth the plaintiff's suite of witnesses. (*He sits down.*)

First Judge—Speak to the business. ^{promise}

Hugh of Humby rises.

Hugh (In a loud voice)—Sir Herman of Goodalricke.

Sir Herman rises from his seat and makes his way to the witness box, where he remains standing. The Clerk rises and faces the witness box. Sir Herman raises his right hand for oath.

Clerk (Raises his hand)—In the name of the Holy Trinity I swear, and this oath is in accordance with my knowledge, and it is true.

Herman—And it is true.

The Clerk resumes his seat.

Hugh—Thou art Sir Herman of Goodalricke, Treasurer General, Knights Kadosh of the Order of the White and Black Eagle?

Herman—In truth, I am.

Hugh—Thou dwellest at Castle Goodalricke in this shire?

Herman—That I do.

Hugh—This Knight, William of Shrewsbury, is known to thee?

Herman—I know him well.

Hugh—On what terms hast thou been with him?

Herman—Most friendly until late. He is a Knight of my Order and I was present at his dubbing.

Hugh—Didst thou hear him swear the oath?

Herman—Marry, that I did. He had the degree of knighthood from the sword of the Illustrious Commander. In the presenee of his brother Knights, he swore not to countenance impostors, perjurers, apostates and traitors and was invested with the secrets of the Order and given as a token the jewel of a Knight Kadosh with his name inscribed thereon.

Hugh—Wilt thou look upon this warrant of the Secretary General of the Order?

Hugh of Humby hands the warrant to the Usher who passes it to Sir Herman, who glances at it.

Herman—Ay?

Hugh—This records that William of Shrewsbury was duly created and proclaimed a Knight Kadosh on St. John Baptist Day of the present year?

the

Herman—Thou sayest truly.

First Judge—The Court would see the writing.

The Usher hands the warrant to the First Judge who examines it and passes it to the other members of the Court.

Hugh—^{KNOW}Wot ye what caused the rupture in your friendship?

Herman—Verily, the breach of his knightly obligations.

Hugh—Thou knowest that about a fortnight after St. John Baptist Day this Knight was traveling from Holt to Chester by the High Road?

Herman—That I do.

Hugh—Know ye what happened?

Herman—Ay. About midway on the High Road to Chester, another road branches off. It also goeth to Chester but by a shorter route. As it is poor and boggy, through rough, uneven country and fraught with danger, it is seldom traveled. (*Inferentially*) For reasons best known to himself, this Knight traveled the shorter road. Whether by design or accident,—I am now more inclined to believe the former—the Knight fell in with a monk—a hearty fellow—who accosted him and engaged in pleasant talk. It was hale fellow well met. The Knight demanded wine which was given him by the jovial monk, but copious as were his drafts, his thirst was unslaked and he demanded more. This continued until the Knight was in his cups. The monk feigned suspicion and to test the Knight's integrity, demanded of him the signs and passwords of a Knight Kadosh. At first the Knight hesitated, but to the monk's importunities and blandishments yielded, and there upon the public road, forthwith gave him the secrets of our Order.

Hugh—Knowest thou who was this jovial monk?

Herman—Ay, a man as I learned ^{CALLED} ~~ye~~ Timothy of Bodenham. But a hood makes not a monk. Due inquiry at our holy houses disclosed him to be a thieving rogue, using a habit and bell and book to deceive the unwary and to snare the unsuspecting. As the monk was murdered . . .

Thomas (*Rising*)—My Lords, I am loath to interrupt my friend or his witness, but go they not rather beyond the limits of relevance? A charge of murder has not been made . . .

Hugh (*With assumed graciousness*)—Blithely will I oblige my friend, my Lords (*To Thomas FitzSimon*)—We shall not pursue the tale of murder at present.

Thomas—^{I AM} beholden to my friend. I know he is always most willing to . . .

First Judge (*Interrupting*)—The rules of evidence are in sooth rules of brevity—we must try for our own sakes to observe them.

Thomas FitzSimon resumes his seat.

Hugh—Methinks I have but one more question to put to thee, Sir Herman. Dost know the signs and passwords thus disclosed?

Herman—Here I have written them down for the information of the Court

He produces a parchment which is handed the Usher and by him to the Court. Hugh of Hamby resumes his seat, carefully scrutinizing the Court to assess the effect of his principal witness

First Judge (*Examining the parchment and passing it to the other Judges*)—In truth the sacred words of a Knight Kadosh, and transcribed in Hebrew

Hugh—Ye witness contents here

Thomas—May I see the parchment?

First Judge—You may. *(It is handed to him by the Usher. — who they sit down)*

Thomas *(Rising with exaggerated dignity to cross-examine and turning to Sir Herman with a suggestion of physical and mental appraisal)*—And so thou art the Lord of the acres and Castle of Goodalricke?

Herman—Ay, in sooth, that is so.

Thomas—By deed of purchase or by inheritance, may I inquire?

Herman—By deed of purchase from the Abbott of Lilleshall.

Thomas—Prithee, when?

Herman—Three years come Whitsuntide.

Thomas—About the time thou beamest the Treasurer General of Knights Kadosh of the Order of the White and Black Eagle?

Herman—What meanest thou?

Hugh—My Lord, is it meet for my friend to be so deliberately offensive in the form of his question?

First Judge—I warrant that Thomas FitzSimon is only cross examining from his instructions, which of course would involve—well, I think we must let him take his own course.

Thomas *(To Hugh of Humby)*—~~I~~ am grateful to my learned friend for his attempt to aid me to conduct my case. *(To the witness)*—I wish to be quite clear. I am suggesting thou purchased thy lands and estate after thou hadst become Treasurer General of the Order.

Herman *(Heatedly)*—By the faith of mine Order, it's a shameful lie without foundation.

Thomas—And prior to that time thou didst not have a quillet to thy name?

Herman—Palter not with me. That suggestion I shall not answer. It is a vile fabrication! — *stand,*

Hugh—Keep calm, Sir Herman, *keep calm,*
Thomas—Marry. Then it would be a waste of time for me to put the question to thee straight. Thou wouldst deny it?

Herman—By the faith of my body, I would!

Thomas *(To the Court)*—I'll ask your Lordships to make a note of that reply. In the interest of time I can dispense with further questions of this ilk.

First Judge—The Court will appreciate any condensation which hath that result.

Thomas—And now with regard to the Knight. When made he the disclosures of which you complain?

Herman—A fortnight after St. John Baptist Day.

Thomas *(Offhand)*—Thou wert of course present and within sight and sound of this meeting with the monk?

Herman *(Somewhat abashed and hesitant)*—Nay, I was not.

Thomas *(With emphasis)*—Oh, thou wert not! Then thou didst not witness the violation here related?

Herman—I dare be sworn he did so, Higg, the Son of Snell . . .

Thomas *(Interrupting)*—Answer.

Herman—Nay, I did not, but Higg, the Son of Snell, my scrivener. He it was who saw these unhappy doings and from his fealty and oath recounted all to me.

Thomas—Sayest thou so! And where is Higg, the Son of Snell? Is he of thy suite of witnesses?

Herman—Alas, he has gone on an errand to a distant part of the realm and is now absent. Is not the word of a dubbed Knight . . . ?

Thomas (Interrupting again)—And when didst thou send him away?

Herman—A fortnight after St. John Baptist Day.

Thomas—The very day this Knight is alleged to have breached his oath?

Herman (Reluctantly)—That is so.

Thomas—And that was a month past and Higg, the Son of Snell, hath not returned?

Herman (With irritation)—And what hath that to do with this?

Thomas—That concerns thee nothing, Sir Herman. I give thee no answer now (*He pauses.*) As to the parchment which thou hast presented to the Court, is that in your handwriting?

Herman—Nay, it was transcribed at the time by Higg, the Son of Snell, my scrivener, that a record of the Knight's transgression might be made and not forgotten

Thomas—Look thou at that parchment!

The Usher passes it to Sir Herman, who scrutinizes it with irritation. Usher remains by the box until the First Judge asks for the parchment.

In what script is it written?

Herman—In Hebrew.

Thomas—I ween thou canst read it!

Herman—Alack, I cannot. I can speak the words by rote but Hebrew script I cannot read.

Thomas—And if its date is after Higg, your scrivener, was sent away what wouldst thou say to that?

Herman does not answer.

First Judge—Prithce let me look at the parchment again.

The Usher takes it from Sir Herman and hands it to the Judge.

Thomas—Doth not that parchment recall anything to thee?

Herman (With assumed indifference)—Not that I wel know

Thomas—What a pity! Dost mean to suggest to this Court that thou rememberest not the circumstances of its writing well?

First Judge—It may be my fault, Thomas FitzSimon, but I see not how that will avail.

Thomas—It is a link in the chain, my Lord.

First Judge—Hath it not been said that the strength of a chain is that of its weakest link?

Thomas—Verily, my Lord, I hope my chain will bear whatever weight I put upon it.

First Judge—We must wait and see. Yes, Thomas FitzSimon . . .

Thomas—That is all for the nonce. *C O U R T R E T U R N S*

1/2 COURT WITNESS

Thomas FitzSimon sits down.

Hugh (Rising with bland assurance)—Your Lordships, methinks there is naught I need clear up by more questions of Sir Herman, in spite of my learned friend's curiosity. *УСТАВЛЯЮ СЕБЕ ДОЛЖИТЬ СИХ ХЕРСМАНА*

Sir Herman with a bow to the Judge proceeds to leave the box and moves to his former seat. His manner reveals an expression of confidence that his testimony has not been refuted. Hugh of Humby resumes his seat and examines his papers. After a pause, Hugh of Humby rises.

Hugh (In a loud voice)—Alan, the herdsman.

Alan, the herdsman, rises from his seat and makes his way to the witness box, where he remains standing. The Clerk rises and faces the witness box. Alan raises right hand.

Clerk (Raises hand)—In the name of the Holy Trinity I swear, and this oath is in accordance with my knowledge, and it is true.

Alan—And it is true.

The Clerk resumes his seat.

Hugh—Thou art Alan, the herdsman?

Alan—Ay, that I be. Serf to my Lord, Herman of Goodalricke.

Hugh—A fortnight after St. John Baptist Day, where didst thou graze the cattle of thy liege?

Alan—In the skirt o' the wood where the side road joins the High Road from Chester to Holt.

Hugh—Didst thou see anyone on the side road that day?

Alan—Ay, that I did. A pious monk, whom I knew not and the Knight yonder. *(Indicating Aspirant.)*

Hugh—Where?

Alan—At the old sheep cote near the spring.

Hugh—Didst thou ever see the monk before?

Alan—Nay, this was the first day, though oft have I been there.

Hugh—Sawest thou this Knight there with him?

Alan—Ay, on the side road. He passed that way.

Hugh—What did they there?

Alan—They were drunk with wine. They made much merriment.

Hugh—Didst hear what they said?

Alan—Nay, I tarried far away. I was afraid.

Hugh—What did the Knight?

Alan—I espied him doing this *(Gives the sign of a Knight Kadosh)*.

First Judge (Aside to the Judges)—The sign of a Knight Kadosh.

Fourth Judge (Aside)—Ay, that is true. *(The other Judges nod assent)*

Alan—This he did many times. And then the monk poured more wine. There was much revelry. Then they quarreled and drew swords and shouted. Having no sword and buckler and fearful of being caught in the fray, I ran away. After the hue and cry, I returned. The Knight was gone and the monk lay dead upon the ground.

Hugh—What found ye there?

Richard O'Banbury, a tinker, enters in some agitation and hands a paper to the Captain of the Guard. The Captain of the Guard motions the tinker to a seat.

Alan—In sooth only this, a token

He produces the jewel of a Knight Kadosh.

Hugh—Is there an inscription?

Alan—Fain would I read what is written here but I cannot.

The Usher takes the jewel from Alan and hands it to the Clerk.

Clerk—William of Shrewsbury—A Knight Kadosh of the Order of the White and Black Eagle, St. John Baptist Day, Anno Domini 1315.

The Clerk hands the jewel to the First Judge, who scrutinizes it.

Hugh—Methinks I shall ask no more questions, my Lords.

Hugh of Humby sits down and Thomas FitzSimon rises to cross-examine. The C of G. steps forward.

C. of G.—Illustrious Judges, this man a tinker by trade, sore distraught, fetched this to the Court and craves immediate consideration. It is a parchment wrapped about a stone and thrown in his path.

He hands the stone and parchment to the Clerk, who hands it to the First Judge.

First Judge—This appeareth to be an old indenture with writing on the reverse side. The words are "To the High Court—In durance vile without a trial!" It beareth no name. (Turning to Richard O'Banbury, the tinker)—Who and whence art thou?

Richard (With elaborate obeisance)—And may it please your Lordships, Dick O'Banbury, a tinker. I'm from a distant shire. Folkless and saeless am I in town and from town, in the forest as in the field. Marry, I mend pots, pans, kettles . . .

First Judge—Mostly in taverns, I warrant. Canst thou show the place where this was found?

Richard—Ay, beshrew me for a false hearted knave if I cannot. Whilst I was coming down the path back o' the hills—Oh, it was blithe. The skylark was singing and I was singing, and as I passed the tall tower . . .

First Judge—Cease thy prattle. (To C. of G.) Captain of the Guard, take sufficient guards, go thou with this fellow to the place where the stone was found and if the captive be held falsely, produce him here, in the King's name.

The C. of G. and guards accompany Richard O'Banbury and go out. The First Judge nods to Thomas FitzSimon as an indication to proceed.

Thomas—Prithes good fellow, how long hast thou been herdsman for Sir Herman?

Alan—Marry, ever since he is Lord of Goodalricke.

Thomas—Three years come Whitsuntide!

Alan—In troth.

Thomas—And didst thou bide in a cottage by the weir?

Alan—Ay, that I did 'til St. John Baptist Day.

Thomas (In affected surprise)—Ah, and thou bidest not there now?

Alan—Nay, I dwell at the castle with my liege Lord.

Thomas—Since St. John Baptist Day?

Alan—That I do.

Thomas—And now thou hast good cheer and soft lodgings. In sooth that is most generous of Sir Herman. No further questions, my Lords

1st Judge You are Excuse

Alan leaves the box and resumes his seat.

First Judge—Hugh of Humby, is that thy tale?

Hugh (Hugh rises and replies to the Court)—Illustrious Judge, it is.

First Judge—Thomas FitzSimon, proceed for the defendant.

Hugh of Humby sits down and Thomas FitzSimon rises.

Thomas—Illustrious Judges, on vouching the cause of this Knight, William of Shrewsbury, I shall emulate my friend's uncharacteristic brevity. I make only this observation. It were deep pity for the plaintiff, in a case like this, for the principal witness to be absent on a journey! Without *Higg*, the Son of Snell, the plaintiff's accusation resteth almost wholly on hearsay. In view of the circumstances I may pray indulgence of the Court. I have at least a score of witnesses here prepared to support the good name of the defendant. I know not whether I shall find it necessary to call them. Marry, my Lords, this case would last forever, were I to call every one.

First Judge—Idle rumors and reports of course are not proofs. However, the Court will not forget, nor, I am sure, will Hugh of Humby, that in this case the defendant must prove his tale—the burden is on him.

Thomas—I shall not forget, my Lords, and I warrant the defendant is armed in proof. *(In a loud voice)*—Ralph of Bideford

Ralph of Bideford, a pilgrim from the Holy Land, rises from his seat and makes his way to the witness box, where he remains standing, right hand raised. The Clerk rises.

Clerk (Raises right hand)—In the name of the Holy Trinity, I swear and this oath is in accordance with my knowledge, and it is true

Ralph—And it is true

Thomas—Thou art Ralph of Bideford?

Ralph—Ay, that I am.

Thomas—A Pilgrim just returned from the Holy Land?

Ralph—In truth, I am

Thomas—On a day a fortnight after the feast of St. John Baptist Day, traveled thou from Chester to Holt?

Ralph—In sooth, I did.

Thomas—By the side road?

Ralph—By the side road, on foot.

Thomas—It hath been reported that this Knight *(Indicating Aspirant)* was on that day in company with a certain monk, ~~ye~~ Timothy of Bodenham; that the monk wishing to test the integrity and valor of the Knight, demanded the password and sign of his Order. Know ye of this affair?

Ralph—Illustrious Judges, this worthy Knight I know, for he befriended me. I espied his meeting with the monk. The lusty fellow invited him to his retreat, used many gentle words and much affected kindness, made him large offers of gold, and finally by threats and violence sought to extort from the Knight the secrets of his Order, but all in vain. The Knight refused. Sore wroth, he then assailed the Knight with his sword, and a contest ensued.

Thomas—Where wast thou?

Ralph—Weak from my wounds received from a robber band, I was resting by the spring near the old sheep cote on the side road to Chester.

Thomas—And this ye both saw and heard?

Ralph—Ay, that I did with my own eyes and ears.

Thomas—And didst thou give assistance to this Knight?

Ralph—Alack, being unarmed, I could not, but straightway went in search of help, and sent a Templar to aid the Knight.

Thomas—That is all, *come to the Cup.*

Thomas FitzSimon sits down, Hugh of Humby rises to cross-examine.

Hugh—More than a twelvemonth hath passed since thou left England for the Holy Land?

Ralph—Verily, twelve months and more.

Hugh—And where didst thou dwell before that?

Ralph (With hesitation)—Divers places.

Hugh (After a significant pause)—Didst thou not spend nine months in London (pause) in jail?

Ralph (With obvious discomfiture)—Illustrious Judges, is it meet for the ~~Sergeant~~ ^{Counsel} to pry into my private troubles?

First Judge—Of a truth he is in cross-examination. Answer learned Counsel's questions. He seeks to learn whether thou art a person to be believed on thine oath.

Hugh (Blandly)—Did I surmise right as to thy dwelling place during those nine months?

Ralph (Curtly)—Ay.

Hugh—That was for robbery?

Ralph—Ay.

Hugh—And then ye went beyond the sea?

Ralph—In sooth to expiate my sins. That may sound . . .

First Judge (Interrupting)—I have no doubt the Court understands the reasons for thy departure.

Hugh (Lively)—Illustrious Judges, what think ye of this man's tale? Is he a lawful man, having breached the peace of the King? What act in law can a man attain . . . ? (He resumes his seat.)

Fourth Judge—"Tis true. Thou needst say no more. *He* Of every proprietary, possessory and contractual right, *he is* deprived. Every bond of homage and fealty hath been dissolved. He can do no act of law. (Ralph leaves the box.)

1st Judge *STEP DOWN*
First Judge—I must say I noted full well those last answers of Ralph of Bideford.

Thomas (Impatiently)—Quite so, my Lord. Of course the value of his tale is a question for the Court.

First Judge—What thou sayest is true. I thought it might be of aid if I indicated what was passing through my mind.

Thomas (Almost brusquely)—Grateful am I to your Lordship. It is of great assistance.

First Judge—Wilt thou call thy next witness?

Thomas (With apparent ^{J. A. M.} discomfiture at the turn the testimony has taken)—~~I~~ in difficulty, my Lords. I know not whom to call next. We relied upon the Templar who succeeded this Knight (indicating the Aspirant). But search for him hath been fruitless . . .

Hugh (Interrupting satirically)—It were a deep pity in a case like this for a principal witness to be away . . .

Thomas (To the Court)—My Lords, I must protest against my friend's gratuitous interruptions

First Judge—We deprecate interruption of Counsel unless it involves correction of facts

Thomas (With weary martyrdom)—If my learned friend will allow me a few undisturbed moments. A Templar came to this Knight's assistance and was of a certainty present . . .

Hugh—Blithe would I be, if my friend would explain just what relevance this Templar . . .

Thomas (Irritably)—Blithe would I be if my friend would refrain from these constant interruptions!

First Judge—Yes, Thomas FitzSimon.

Thomas—To the assistance of this Knight (*He waits for another interruption which is not forthcoming*) came a Templar who drew his sword in his behalf. The blows fell thick and fast but every stroke was stoutly met and parried. At last this Templar dealt a heavy blow which brought the monk to the ground, but e'en as he did so did the monk bear down on the Templar's guard, wounding him sorely . . .

First Judge (Interrupting)—If thou hast further witness to call, that witness must straightway go into the box, or thy case is closed.

There is a pause during which Thomas FitzSimon talks excitedly with his client. The desperate situation he is in is apparent.

Hugh (Rising with self-assurance)—William of Shrewsbury has had time and counsel for his cause.

Whilst I do not wish it to appear that it is the desire of my client to snatch a verdict . . .

The Guards enter quickly and in some excitement with Higg, the Son of Snell. Richard O'Banbury is with them.

Herman (Rises from his seat in horrified amazement)—Thou wretched varlet, get thee hence! Who gave thee permission to come here?

Clerk—Silence! Silence!

Thomas (Springing to his feet with sudden realization)—My Lord, my next witness.

First Judge—Well, will you call him?

Thomas—I call this man who stands now before the Court.

First Judge—Be not hasty, Thomas FitzSimon. First let us question this fellow. He is not of thy suite of witnesses.

C. of G.—Illustrious Judges, this man, who claims to be scrivener for Sir Herman, we found locked in the tall tower of Castle Goodalricke. He claims commission of no offense and to be confined without trial on the order of his liege, Sir Herman.

Herman—It is a lie, I say.

First Judge (To Herman)—Silence, Sir Herman. Thou hast been warned before. (*To man in custody*)—Who art thou, that doth say this?

Higg—My name is Higg, Son of Snell.

First Judge—"Tis a grave charge. (*To C. of G.*)—Hold thou this man till we have time to inquire further.

Thomas—My Lords, your pardon. I assure thee, I disrespect not the order of your Lordship, but I called this man (*indicating Higg*) as my witness.

First Judge—Sayest thou so! This is uncommon.

Thomas—It is an uncommon case, my Lords.

First Judge—So it seems. We appear to be departing from the wonted course. Thou seemest to be taking a great risk.

Thomas (In a loud voice)—Higg, Son of Snell.

Higg goes reluctantly into the box, raises hand for oath.

Clerk (Rises. Right hand raised)—In the name of the Holy Trinity, I swear and this oath is in accordance with my knowledge, and it is true.

Higg—And it is true

The Clerk sits down.

Thomas—Thou art Higg, the Son of Snell, and the scrivener of Sir Herman, yonder?

Higg—Ay.

Thomas—How long his scrivener?

Higg—Almost a decade

Thomas—Dost thou write and in what script?

Higg—Ay, Latin, Greek and Hebrew.

Thomas—Thou wert locked in the tall tower of Castle Goodalricke?

Higg—In sooth, since a fortnight after St. John Baptist Day.

Thomas—Ah, since a fortnight after St. John Baptist Day! And who confined you?

Higg—Sir Herman, yonder.

Thomas—And, prithee, tell me why

Higg (Appealing to the Court)—My Lords, must I submit to these questions?

First Judge—Thomas FitzSimon doth only that which he is entitled to regard as his duty to his client.

Higg—His client! But this man I know not. By the Holy Rood never have I seen him.

First Judge—This is William of Shrewsbury against whom Sir Herman of Goodalricke appealeth.

Higg (With surprise pointing to the Knight and calling him by name)—Of this resolute man I can speak. 'Tis he whose life was saved by one, a Templar.

First Judge—Knowest thou the Templar?

Higg—By repute only; he was a stranger in these parts.

First Judge (To Thomas FitzSimon)—Be this the Templar of whom thou speakest?

Thomas—Ay, verily—but we know not where to search him out. In the rout which followed the combat, this Knight and the Templar were separated. From that day, we know not whither he went. Alack, we know not even his name. As the Templar was sorely wounded mayhap he is dead. Without him (*He gives a gesture of despair*) . . .

Dick O'Banbury (Interrupting rudely) Your reverence and may it please your grace, I partly know such a man. A Templar sore wounded? He carries at St. Albans convent hard by. There I saw him when I mended the pots and pans for the Abbess.

First Judge—Hie thee straightway and fetch him. And if thou tarry, a flogging for thy quittance. 74

Richard O'Banbury goes out with the C. of G. C 956 014 L 4

(*To Higg*) Answer thou the questions Thomas Fitz-Simon asks.

Thomas—I assume, my Lords, this witness knoweth his rights in respect to his appearance here.

First Judge—Thou art giving evidence of thine own will and freely?

Higg looks miserably puzzled and makes no reply. He glances helplessly, first at the Court and then at Sir Herman.

Thomas—Well, *Higg*, Son of Snell, and why art thou mute?

Higg—Nay, not of my own free will.

First Judge—How meanest thou?

~~Thomas summons Usher at this point. Asks for parchment.~~

Higg—My Lords, I'm in great grievance from the cruelty of my liege and master yonder. I'm fearful if I testify . . .

First Judge—Protection is vouchsafed thee.

Thomas FitzSimon receives parchment from Usher who has procured it from the First Judge.

THOMAS - USHER, THE PARCHMENT
Thomas—First look upon this parchment, hast thou ever seen this writing before?

The Usher hands the parchment to *Higg*.

Higg—Ay. I penned it.

Thomas—In what script is it written?

Higg—In Hebrew.

Thomas—Dost know the import of these words?

Higg—Nay, I do not. I set them down at the instance of Sir Herman.

Thomas—Where?

Higg—In the tall tower.

Thomas—In the tall tower?

Higg—Ay. Sir Herman came in the dead of night and told me if I wrote those words he would requite me well and release me three days hence.

Herman—That is untrue! Never . . .

Hugh of Humby restrains him.

Thomas—Did he so! And when were those words written?

Higg—Marry, only three days last past. See, the date is here.

Thomas—In Hebrew, also?

Higg—Ay.

Thomas—Dost know can Sir Herman read and write Hebrew?

Higg—He cannot, that I ~~am~~ KNOW

Thomas—Dost know why Sir Herman held thee in durance?

Higg—Knowing that I was apprised of his defalcations and to suppress the information . . .

Thomas—Prithee, what defalcations?

Higg—Sir Herman, since three years come Whitsuntide, has been Treasurer General of Knights Kadosh of the Order of the White and Black Eagle. The monies of the Order were in his strong box. To purchase certain lands, withal . . .

Thomas—Castle Goodalricke?

Higg—Ay, and its acres. Sir Herman, for his own

use, took these monies. This I know full well, as I keep the tally. And as the time came for his accounting . . .

Herman (Springing to his feet)—"Tis a vile slander. Will the Court believe . . .

First Judge—Thy actions betray thee, Sir Herman. The Court will brook no further interruptions. Guard—see ye to it.

A Guard takes a place near Sir Herman.

Thomas (Continuing)—And as the time came for his accounting he was sore distraught about refunding?

Higg—Ay, that he was. ^{DISCOVERED} Then he contrived a plan with one Timothy of Bodenham, a thieving rogue, whereby said Timothy, ^{DISCOVERED} ~~transmewed~~ as a reverent impostor, was to waylay travelers upon the road and rob them. In return for protection and a third of the booty he was bound to pay over the other two-thirds to Sir Herman. Thus might the treasury be replenished and naught discovered. I know this of a truth, for at my hege's command I drew the articles of the combination which Sir Herman and the monk did indenture. Sir Herman's portion of the parchment I kept safe.

Thomas—^{Usher - to my indenture.} Is this Sir Herman's part of the indenture?

~~The Usher shows it to the witness.~~

Higg—Ay, the very same. I wrote a message here (*indicating*) and threw it from my cell in the high tower to a passerby, hoping thereby to obtain release and redress. It was the only parchment at hand.

Thomas—And pray tell where is the other part? (*Keeps parchment.*)

Higg—Given to Timothy of Bodenham. Without it this writing means naught. It cannot be proven.

~~The Usher hands the parchment to Thomas FitzSimon.~~

^{That}
Thomas—~~This~~ is penned in thy hand?

Higg—Ay, that it is. A fortnight after St. John Baptist Day, Timothy of Bodenham was killed in combat with a Knight called William of Shrewsbury and the Templar of whom I spoke. If the monk had perchance confessed or his part of the indenture should have come to this Knight's possession then all might have become known. Of this Sir Herman was fearful. By oath he menaced revenge upon this Knight, thus to cloak his own iniquity.

Herman (Springing to his feet in anger and brushing aside his Guard)—My Lords, will you take the word of ~~a coward~~, a prattling fool, against that of a dubbed Knight?

First Judge—Silence, Herman of Goodalricke. We will hear this man out.

^{NEVERMORE}
Higg—~~Notwithstanding~~, what I say is true. He sought to enlist me in his unholy enterprise, but I refused. He plotted the doom of this good knight to save his own self from disgrace. To insure my silence he beat me and locked me in the tall tower.

Herman (Impassioned)—It is false, I say. This churl . . .

Hugh—Silence, Sir Herman. (*Motioning to Sir Herman to sit down and addressing the Court*)—My Lords, it has become my duty to proceed upon an unusual course. It is manifest that the defendant has been the victim of an appalling mistake. If your Lordships . . .

First Judge—Be advised, Hugh of Humby, henceforth heat not the furnace for thy foe so hot, that it doth singe thyself.

↑
E H C P

Thomas (To the witness)—Stand down. *EXCUSE*

Richard (Entering and without address to the Court)
—An't like your Lordships . . .

PLEASE
First Judge—Hold, saucy fellow, deserve we no more reverence?

Richard—Humbly do I entreat your Lordships' pardon—my haste made me unmannerly—but the tidings which I bring will make my boldness manners. The Templar attends your pleasure. (*Grandiloquent gesture.*)

First Judge—And in good time he comes. Give him entrance.

The C. of G. ushers in Robert FitzWalter, the Templar, who stands before the Court.

Robert—Illustrious Judges, I hope I am not too late. This fellow who was sent, pray'd me to make great haste.

First Judge—Thy name?

Robert—Robert FitzWalter.

First Judge—Robert FitzWalter, look upon this man (*indicating the Knight Kadosh*). Knowest thou him?

Robert—Ay, that I do! May it please you, it is my sworn duty to protect pilgrims traveling from afar. On a day a fortnight after St. John Baptist Day, a pilgrim informed me of the desperate plight of this Knight and his sore distress because of his encounter with a false monk, who, enticing travelers to his hut betrayed them to a band of thieves. I hastened to this man's relief and rejoice that I arrived in time to save him from certain death. The ruffians fled. We sought them up hill and down dale but the crafty foxes escaped us. The monk, who was sorely wounded in the fray, died. In a search of his scrip to learn his name and country, this was found:

He produces the other half of the indenture and hands it to the Court. ~~C. of G.~~

But alack, as the other half of the parchment is missing it cannot be read

Thomas (With triumphant anticipation)—Prithee give me the parchment?

~~The Usher hands it to him.~~ At a nod from the Judge, the Templar stands aside.

Thomas (Advancing eagerly to the Bench, both parts of the indenture in his hands)—Your Lordships, see, the indentured parts make one.

The Judges rise with some eagerness which is palpably shared by all the Court.

Thomas (Reads)—

"This indenture made this 8th day of July Anno Domini, 1315 between Herman of Goodalricke and Timothy of Bodenham, at the Castle of Goodalricke in the shire of Chester.

"Witnesseth. The said Timothy of Bodenham agrees to divide and pay over to Herman of Goodalricke two thirds of all he may find or require upon the High Road whether of jewels or monies or other chattels of value.

"And Sir Herman of Goodalricke aforesaid agrees to give protection, by arms and men if necessary as may seem meet for the said Timothy of Bodenham, who shall retain one third of said chattels et cetera for his share

Signed and sealed

BERMAN OF GOODALRICKE

TIMOTHY OF BODENHAM"

He hands the parchments to ~~the Clerk who passes them to~~ the Court. He returns to his seat. Herman of Goodalricke attempts to leave the room but the Captain of the Guard bars his exit.

Herman (With rising anger)—Illustrious Judges Let me go forth, I pray; my honor is impeached. At the proper time and place I will defend it with my body and with that sword which has so often fought for Christendom.

First Judge—Secure this perjurer. Captain of the Guard, execute your office.

The Guards retire with Herman of Goodalricke protesting

Fourth Judge—Were it not well, Honorable Judges, that we examine into the life and conversation of this Herman of Goodalricke?

First Judge—We will search to the bottom this riddle of iniquity. (*Resuming decorum*)—And now, fair Sirs, being certified of the facts as to this Knight, William of Shrewsbury, what is thy verdict?

Fourth Judge—Whereas the defendant hath produced sufficient suit, therefore be it considered that the plaintiff take nothing by his writ.

First Judge—Illustrious Judges, do ye concur?

Judges, all—Ay.

First Judge—I take it by all voices, that we are agreed. Therefore be it considered that the said William of Shrewsbury do go hence quit and free of the said Herman of Goodalricke and that the said Herman be in merey. (*To the Clerk*)—Let it be so engrossed in the year book.

Hugh (Rising and turning deferentially to Thomas FitzSimon)—Which leaves my client to the tender mercies of my friend.

Thomas (With formal politeness)—You mean my generous instructs, Hugh of Humby.

Hugh of Humby bows to the Court ~~and goes out with his assistant.~~

Thomas (Continuing)—To you, my Lords, William of Shrewsbury is much beholden. Ye have done him right and justice and ye shall find him thankful.

~~Thomas and his assistant find other seats in the Court Room.~~

* * * *

First Judge—Illustrious Judges, is it your pleasure that William of Shrewsbury be admitted as one of our number?

All Judges—Ay!

First Judge—William of Shrewsbury, stand forth. (*Aspirant proceeds to front of Bench*) You have passed unscathed through the fire of false accusations. You stand here secure in your unsullied loyalty and honor. Because you have been judged, and have judged yourself, you may dare to judge others.

Is it still your desire that you be admitted as one of our number?

William—Ay, my Lord, it is.

First Judge—Hear, then, the pledges of this high office. Be reverent, and attentive, with no thought in your heart, and no word upon your lips, but those of soberness and truth.

First Judge—Do you solemnly and sincerely vow, that you will carefully examine all cases brought before you for judgment; listen attentively to every argument that may be urged therein; faithfully and impartially weigh both evidence and argument; with no other purpose than that of giving a true, just, equitable and merciful judgment?

Aspirant—I do.

3rd ~~First~~ Judge—Do you solemnly vow that you will never sit in judgment in any case where you may entertain feelings of enmity or ill will, prejudice or dislike?

Aspirant—I do.

All Rise

First Judge—Raise your right hand toward heaven, and repeat after me—

All this I solemnly vow on my knightly word of honor, expecting to be judged as I judge others, and may God keep me steadfast. Amen.

First Judge—You will take your place on the Bench and be seated with your peers. At the next assize of this Sovereign Tribunal, you will appear in the habiliments of your high office.

ALL SIT

First Judge—Illustrious Judges, have you anything further to propose to this Sovereign Tribunal, at this time?

Judges—Nothing.

First Judge—Herald, make proclamation that the present session of this Sovereign Tribunal is closed.

Herald goes to entrance and proclaims:

H I D D - E

Herald—Oyez! Oyez! Oyez! The present session of this Sovereign Tribunal is closed. Oyez! Oyez! Oyez!

Villagers leave the room under the direction of the Men-at-Arms, then the Guards open ranks at the door. The officers of the Court and the Judges march out. The First Judge, walking alone, is the last to leave. If the action is on the stage, merely close curtain. No procession.

CURTAIN

NOTE

If other Consistory degrees are to be exemplified in the same session, the Commander-in-Chief will make the relevant announcements and declare a recess. It is not necessary to close with the Official Declaration.

CLOSING

Immediately after the close of the drama of the 31st, the Commander-in-Chief, or some one deputized by him, will close the Consistory, unless other Consistory degrees are to be exemplified in that session.

Commander-in-Chief—~~I·I·I~~ (All rise) To order, Brethren, on the Sign of Fidelity.

To the glory of the Grand Architect of the Universe; in the name and under the auspices of the Supreme Council of Sovereign Grand Inspectors General of the Thirty-third and last degree of the Ancient Accepted Scottish Rite of Freemasonry for the Northern Masonic Jurisdiction of the United States of America, and by virtue of the authority upon me conferred, I declare the works of Consistory closed.