

Some Literary Contexts of the Regius and Cooke Manuscripts

Andrew Prescott

University of Sheffield

Þe smyth in forging, þarmorier in aremure,

In steele tryinge he cane al þe doctryne,

By crafft of Ewclyde mason doþe his cure,

To suwe heos mooldes ruyle, and his plumblyne,

Þe craffty ffynour cane þe golde wele fyne,

Þe iowayllier, for þat it is vaillable,

Mape saphyres, rubyes, on a foyle to shyne,

Þus every þing draweþe to his semblable.

John Lydgate (c.1370-1449/50?), Everything to His Semblable

On 24 June 1721, John, 2nd Duke of Montagu, was elected Grand Master of the Grand Lodge of Freemasons in London. This was a momentous event for the fledgling Grand Lodge, since it was the first time since its creation four years previously that a nobleman had accepted the office of Grand Master. Among those present was the antiquary William Stukeley, who afterwards benefited greatly from Montagu's patronage.¹ In his diary, Stukeley described how, during the meeting of Grand Lodge, Montagu's predecessor as Grand Master, George Payne, 'produced an old MS of the Constitutions which he got in the west of England 500 years old'.² Stukeley made drawings of the manuscript shown to the Grand Lodge by Payne which establish that it was the volume which is today Additional Manuscript 23198 in the British Library, known, after its first editor, as the Cooke manuscript.³

The Cooke manuscript is in Middle English prose, and the appearance of its handwriting suggests that it was not as old as Stukeley thought, but was compiled in the fifteenth century.⁴ It contains a legendary history of the craft of stonemasonry and regulations for stonemasons. Its exhibition by Payne at Grand Lodge probably contributed to Grand Lodge's decision at its next meeting to ask James Anderson to produce a digest of the constitutions of Freemasonry.⁵ In preparing this first *Book of Constitutions*, Anderson sought to rescue these texts from the corruption introduced

¹ David Boyd Haycock, *William Stukeley: Science, Religion and Archaeology in Eighteenth-Century England* (Woodbridge, 2002), pp. 224-5.

² *Ibid.*, p. 176. Pen trials in the manuscript (e.g. ff. 39, 39v) suggest that in the seventeenth century it was owned by one William Rand: Douglas Knoop, G. P. Jones and Douglas Hamer, *The Two Earliest Masonic MSS.* (Manchester, 1938), p. 54.

³ Knoop, Jones and Hamer, *op. cit.*, p. 55, who note that these drawings are now in Stukeley's papers in the Bodleian Library.

⁴ See further below, pp. 000.

⁵ Cf. Haycock, *op. cit.*, p. 176.

into them by ‘Gothick ignorance’ in the ‘dark illiterate ages’.⁶ Anderson used his own skills as a historian to try and reconstruct what he felt was the original legend, but his methods of historical criticism bore little relationship to modern procedures.

Although a few passages in the 1723 Constitutions including the final line, ‘Amen So Mote It Be’, were based on the Cooke manuscript and the influence of another five similar manuscripts can be detected, Anderson’s work bears little relationship to Cooke or any other surviving pre-1717 charges.⁷

The Cooke manuscript apparently remained in the possession of Grand Lodge and the third Grand Secretary William Reid made two transcripts of it in about 1728.⁸

Afterwards, however, the manuscript left masonic custody. In 1781, it was in the possession of one Robert Crowe, perhaps to be identified with the solicitor of that name who lived in Swaffham in Norfolk and died in 1786.⁹ It was probably Crowe who wrote in a mock gothic hand the notes of the dates of the introduction of printing in Germany and England on folio 2 of the manuscript.¹⁰ In 1786, the volume passed into the possession of the Norfolk antiquary Sir John Fenn, best known for his publication of the celebrated collection of fifteenth-century domestic correspondence, the Paston letters.¹¹

⁶ *The Constitutions of the Free-Masons* (London, 1723), pp. 38-9; cf. Desaguliers’s description of Anderson’s work in the dedication.

⁷ Knoop, Jones and Hamer, *op. cit.*, p. 57; Wallace McLeod, ‘The Old Charges (The Prestonian Lecture for 1986)’, *Ars Quatuor Coronatorum* 99 (1986), p. 121.

⁸ These are the manuscripts now known as the Woodford MS., made by Reid in 1728 for William Cowper, the Clerk of Parliament and afterwards owned by Sir Francis Palgrave, owned by Quauor Coronati Lodge and on loan to the Library and Museum of Freemasonry, and the Supreme Council MS.: Knoop, Jones and Hamer, *op. cit.*, pp. 55-7.

⁹ <http://www.jjhc.info/crowerobert1786.htm>.

¹⁰ Knoop, Jones and Hamer, *op. cit.*, p. 54.

¹¹ *Ibid.*, p. 55. The note on f. 3, ‘The Seven Sciences. A History of Masonry. Its, Articles, Points & c.’ is apparently in Fenn’s hand.

After Fenn's death in 1794, the manuscript disappeared from sight, but it resurfaced in a rather Dickensian episode on a rainy day in London sixty years later. On 12 October 1859 the formidable Keeper of Manuscripts at the British Museum, Sir Frederic Madden, noted in his diary that he had been visited by an obscure woman who offered a manuscript for sale: 'A person named Caroline Baker also called with a small vellum MS. for which she asked £10, but I offered £4, which she took the day afterward'.¹² The tone of Madden's reference to Mrs Baker (we learn that she was married from a note afterwards made by Madden on the flyleaf of the manuscript) suggests that she was a humble person, and her willingness to accept a much lower price for the manuscript hints that she was pressed for cash. The item which Madden had purchased for the Museum was the long-lost Cooke manuscript.

Madden was very pleased with this new acquisition. He wrote in his diary that: 'This MS. is of some little interest, since it contains a treatise in prose on the "Science of Gemetry" or Masonry, of the 15th century, and corresponds partly with the Poem on the same subject in MS. Reg. 17.A I printed by Halliwell in 1841¹³ (2nd ed. 1843)¹⁴, particularly in regard to the Articles. It would be curious to ascertain which was the earliest form of the tract, prose or verse. The former is the fuller of the two, and at the beginning seems to agree with what Halliwell calls the 'Ancient Constitutions', and the Legend quoted from MS. Harl. 1912 and Lansd. 98 the earliest copy of which is stated to be about 1600.'¹⁵

¹² Madden's diary is Oxford, Bodleian Library, MS. Eng. hist. c. 140-182.

¹³ Madden's memory seems to have been at fault here. The first edition of Halliwell's book was published in 1840.

¹⁴ Although Halliwell's preface to the second edition of his book was dated 1843, it was not published until the following year.

¹⁵ M. Cooke, *The History and Articles of Masonry* (London, 1861).

It seems that Madden did not undertake any further investigation of the contents of the manuscript, but, after it was incorporated in the Museum's collections as part of the sequence of Additional Manuscripts, it came to the attention of the Canonbury freemason and self-styled 'Organist, Clerical Amanuensis, Public Lecturer and Sub-Editor',¹⁶ Matthew Cooke. Cooke was a regular user of the British Museum, falling foul of the authorities there because of his refusal to fill in book request tickets in the correct fashion.¹⁷ In 1861, Cooke published an elaborate transcript and pseudo-facsimile of the manuscript, made using specially cut types, the difficulty of producing which led to a legal dispute with the printer, William Smith, the printer of *The Freemasons' Magazine*.¹⁸

As Madden had immediately noticed, there were similarities between the Cooke manuscript and another medieval manuscript in the British Museum, Royal Manuscript 17 A.I. While the Cooke manuscript is in Middle English prose, Royal MS. 17 A.I is in verse and incorporates extracts from other Middle English poems. Nevertheless as Madden noted, like the Cooke manuscript, Royal MS. 17 A.I also contains a legendary history of the origins of the craft of stonemasonry and gives ordinances for stonemasons. Madden knew about this poem because it had been printed earlier in the nineteenth century by James Orchard Halliwell (afterwards

¹⁶ The description Cooke gave of himself in the 1861 census, when he was living at 602 George Street, Marylebone. Cooke, a musician who had been as a boy a chorister in the Chapel Royal, was initiated in the Canonbury Lodge No. 955 (now No. 657) in an upper room at the Canonbury Tavern on 18 June 1857: *The Freemasons' Magazine*, New Series, 5 (Jul.- Dec. 1861), pp. 412-3. In May 1863 he unsuccessfully proposed the formation of a lodge to be called the 'Elizabethan Tower Lodge' to meet at the Canonbury Tavern: Library and Museum of Freemasonry, rejected petitions.

¹⁷ P. R. Harris, *A History of the British Museum Library 1753-1973* (London, 1998), p. 230. Cooke was also a friend of Halliwell.

¹⁸ In revenge, Cooke started his own periodical, *The Masonic Press*, and described his argument with Smith as follows: "'The Scientific Press' coolly took eighteen months to print this book of one hundred and eighty pages. Subscribers died and others repudiated their orders during such a lapse of time.' Cooke did not receive any indication of the cost of printing until two weeks after the book was delivered. The bill when it arrived proved to be 'so monstrous in amount that we felt it could only be settled by putting witnesses into a box to prove it was more than twice as much as a fair and reasonable printer would claim': *The Masonic Press*, 1 (1 January 1866), pp. 6-8.

Halliwell-Phillipps).¹⁹ Halliwell and Madden were bitter enemies. Madden had discovered that manuscripts sold to the British Museum by Halliwell in 1840 had been taken from the library of Trinity College Cambridge and sought to prevent him using the British Museum Library. Halliwell protested and threatened legal action against the Museum, so that his readers' ticket was restored, to Madden's great chagrin. Madden confided to his diary that Halliwell was a villainous scoundrel who deserved transportation.²⁰

Halliwell was one of the most precocious literary scholars of his generation. He had begun to collect books and manuscripts on scientific subjects while he was still a schoolboy. At the age of 17, he published a series of biographical articles on British scientists in a leading literary journal. He was elected to the Royal Society and the Society of Antiquaries in 1839, when he was just 19. In the same year, while undertaking a systematic survey of scientific manuscripts in the British Museum,²¹ Halliwell found among the manuscripts from the Old Royal Library in the British Museum a Middle English poem described in the eighteenth-century catalogue as 'A Poem, of Moral Duties: here entitled, Constitutiones Artis Geometrie Secundum Euclidem'.²² Halliwell, who was not a freemason but whose associates included a number of leading freemasons,²³ immediately recognised the masonic interest of this

¹⁹ Halliwell married in 1842 the daughter of the bibliophile Sir Thomas Phillipps whose huge collection of manuscripts included three seventeenth-century copies of the Old Charges of the masons. Phillipps opposed the match and in his will forbade Halliwell and his wife access to his library. Halliwell took his wife's name after her death.

²⁰ Marvin Spevack, *James Orchard Halliwell-Phillipps: the life and works of the Shakespearian scholar and bookman* (Delaware and London, 2001), pp. 124-40.

²¹ Halliwell's 'Collections on the History of Mathematics. Principally from the Books and Manuscripts in the British Museum', compiled in 1837-8 is now London, British Library, Additional MS. 14061. Unfortunately, there is no description of Royal MS. 17 A.I in these collections.

²² The description is by David Casley, whose 1734 catalogue of the Royal Manuscripts was at that time the working catalogue for the Royal MSS: Knoop, Jones and Hamer, *op. cit.*, p. 53.

²³ He dedicated his *Reliquiae Antiquae*, published in 1841, to Charles Purton Cooper, the notorious Secretary of the Second Record Commission, who was afterwards Provincial Grand Master of Kent. Halliwell's close friend and associate, the Shakespearean forger John Payne Collier, was also a

text , and described his discovery in a paper to the Society of Antiquaries in April 1839,²⁴ publishing an edition of the poem the following year.²⁵

The manuscript published by Halliwell had formed part of the library of John Theyer a Gloucestershire antiquary who died in 1673, after which his books and manuscripts were acquired by Charles II, passing with the rest of the Royal collection to the British Museum on its establishment, where it received its present official designation, Royal MS. 17 A.I, representing its position on the shelf when it was moved into the British Museum.²⁶ Royal MS. 17 A.I was generally known by masonic scholars as the Halliwell manuscript until 1889 when Robert Freke Gould, conscious perhaps of Halliwell's scandalous reputation and maybe also piqued that this manuscript should have been first identified by a scholar who was not a freemason, proposed that it should be renamed the Regius manuscript, 'as being indicative alike of the collection – 'King's' or 'Royal Library', British Museum – upon whose shelves it reposes, and its own obvious supremacy as a document of the craft'.²⁷ Gould's designation of this manuscript has been used ever since.

freemason, prompting the masonic press to rally to his defence when his forgeries were exposed in 1860: *The Freemasons' Magazine*, NS 2 (Jan.-Jul. 1860), pp. 243-247, 351, 392, 434. Spaek, *op. cit.*, p. 27, states that the first edition of *The Early History of Freemasonry* was dedicated to Collier which, if true, would suggest that Collier had played some part in helping Halliwell appreciate the significance of his discovery. However, the copy of the first edition of Halliwell's book in the Library and Museum of Freemasonry is dedicated to Samuel Charles, a close friend from Trinity College. It should also be noted that the returns of the Scientific Lodge No. 88 meeting in Cambridge show that a very large number of students from Trinity College were initiated in the lodge from 1830.

²⁴ J. Halliwell, 'On the Antiquity of Free Masonry in England' *Archaeologia* 28 (1840), pp. 444-7. Among the contributors to this volume of the transactions of the Society of Antiquaries was the Anglo-Saxon scholar John Mitchell Kemble, who was initiated, passed and raised in 1833 while still a student at Halliwell's old college, Trinity, in the Scientific Lodge No. 88 at Cambridge: Library and Museum of Freemasonry, Lodge Returns.

²⁵ *The Early History of Freemasonry in England* (London, 1840).

²⁶ Knoop, Jones and Hamer, *op. cit.*, pp. 52-3.

²⁷ R. F. Gould, *A Commentary on the Masonic Poem, Urbanitatis and Instructions for a Parish Priest*, Quatuor Coronatorum Antigrapha 1, pt. 3 (1889), p. lv.

The legendary history of the stonemasons' craft and the ordinances for stonemasons first recorded in the Cooke and Regius manuscripts were from the end of the sixteenth century amplified and extended in manuscripts which, to distinguish them from the modernised versions promulgated after the creation of the London Grand Lodge, are known as the Old Charges. While many of these post-1580 manuscripts containing early regulations for stonemasons have been traced – at the last count there were over 120²⁸ – the Cooke and Regius manuscripts are still the only medieval texts of this kind to have been identified.

II

In considering Freemasonry and literature, it is tempting to concentrate on famous literary figures who were freemasons and to emphasise the influence of Freemasonry on their life and work. However, the Regius and Cooke manuscripts remind us that literary texts, whether in the form of charges, ritual or writing about Freemasonry, are at the heart of Freemasonry itself. But Regius and Cooke are not of interest only to freemasons. The distinguished medievalist Helen Cam made a spirited defence of medieval local studies many years ago in which she stressed the enormous impact of the middle ages on modern life.²⁹ The Regius and Cooke manuscripts are dramatic illustrations of this, since these short medieval texts have helped shape one of the modern world's largest and most influential social organisations. They have had perhaps the most remarkable career of any medieval texts.

²⁸ McLeod, *op. cit.*, pp. 121, 139-42.

²⁹ Helen Cam, *Liberties and Communities in Medieval England: Collected Studies in Local Administration and Topography* (London, 1963), pp. ix-xiv.

The critical literature on the Old Charges is immense, dwarfing the bibliographies of many more famous medieval texts.³⁰ However, these studies concentrate on the classification of the surviving versions of the Old Charges and devote less attention to their historical context. This concern with classification is so intense that it sometimes almost obliterates the text itself. For example, when the discovery of a new 18th-century transcript of the Old Charges by the Newcastle lawyer George Grey was reported in 1999, the manuscript was described purely in terms of its textual relationships, making it impossible to tell what the actual manuscript says.³¹ The Old Charges have become progressively divorced from their historical context, squeezing life from them.

The Chaucerian scholar David Wallace has recently lamented that the Canterbury Tales have suffered a similar fate and that the ‘mechanical subjection of Chaucer’s text to a pre-fashioned theoretical gridwork’ has squeezed the life from the poetry.³² He argues that it is necessary to restore Chaucer’s text to the movement of history, ‘to recognise its own sense of precariousness in occupying a time and place that shifts even at the instant of its own articulation’. Wallace’s remarks refer to the effect on the reading of Chaucer of some types of modern critical theory. In the case of the Old Charges, their historicity has been undermined by a much older form of theoretical dogma, namely the view which characterised nineteenth-century classical studies that texts are best understood if they are grouped in textual classifications so that the purest and most original form of the text can be reconstructed. This methodology has dominated studies of Cooke and Regius since the German scholar Begemann first

³⁰ The most useful introduction to this bibliography is McLeod, *op. cit.*, p. 142.

³¹ E. Akenhead, ‘The George Grey Manuscript of the Old Charges (E.d.24)’, *Ars Quatuor Coronatorum* 112 (1999), pp. 127-37.

³² David Wallace, *Chaucerian Polity: Absolutist Lineages and Associational Forms in England and Italy* (Stanford, 1997), p. 3.

sought to classify the texts of the Old Charges in the 1890s. As a result, the texts of Cooke, Regius and the later manuscripts of the Old Charges have become de-historicised. While the critical situation in relation to the Old Charges is different to that described by Wallace in relation to Chaucer, the prescription is the same. The texts of Regius and Cooke need to be rescued from theoretical preconceptions and restored to the medieval world.

An important contribution to this endeavour has recently been made by the young American scholar Lisa Cooper in an article published in the *Journal of the Early Book Society*.³³ She seeks to establish what Regius and Cooke tell us about the mentality of medieval artisans. She shows how the texts sought to inculcate a sense of community among the stonemasons and how they reflected a pride in their work. Hitherto it has been assumed that medieval artisans expressed their self-esteem through the exuberance of their craftsmanship. Cooper points out that Regius and Cooke show that artisans could also articulate their loyalty to the craft through intellectual and symbolic constructs. Cooper argues that in this respect Regius and Cooke are extremely unusual. In her view, they provide not only a textual means of conferring social capital and legitimacy on building workers but also provide a virtual textual home:

The “boke[s] of our charges” ... turn masonry into a discourse of celebration and regulation, align the craft production of buildings that is their putative focus with the self-fashioning of artisans, and blur the lines between the artisanal

³³ L. H. Cooper, ‘The “Boke of Oure Charges”’: Constructing Community in the Masons’ Constitutions’, *Journal of the Early Book Society* 6 (2003), pp. 1-39.

work of masonry and the social work of being a mason. In the process, they provide the mobile masons with a textual space to call home.³⁴

Cooper's powerful analysis suggests some new contexts for the Regius and Cooke manuscripts, and perhaps helps point towards that instant of articulation which David Wallace has urged us to seek.

III

One symptom of the way in which masonic analysis of the Old Charges has become progressively divorced from modern historical discussion since the nineteenth century is the tendency to ignore modern advances in the dating and localisation of manuscripts and simply to repeat dates assigned by eighteenth- and nineteenth-century scholars. The copy of the Old Charges in London, British Library, Lansdowne MS. 98, ff. 269-272, is generally dated c. 1600 in most masonic literature, and is thus considered one of the oldest surviving copies of the Old Charges. This dating rests on an opinion given in 1869 by Edward Augustus Bond, Keeper of Manuscripts at the British Museum from 1866 to 1878.³⁵

In 1960, Dr. R. A. N. Petrie visited the British Museum to discuss the dating of some recently discovered manuscripts of the Old Charges.³⁶ He consulted H. R. Aldridge,

³⁴ *Ibid.*, p. 23.

³⁵ W. P. Buchan, 'Masonic MSS. In the British Museum', *Freemasons' Magazine and Masonic Mirror*, n.s. 21 (Jul.-Dec. 1869), p. 29, printing letter by Bond dated 8 Jun. 1869; W. J. Hughan, *The Old Charges of the British Freemasons* (2nd. ed., London, 1895), pp. 43-4. Hughan notes that the nineteenth-century masonic scholar A. F. A. Woodford suggested an even earlier date of c. 1560.

³⁶ For the following, see the letter of R. Petrie dated 8 April 1960 on the subject file 'Old Charges – Various MSS.' in the Library and Museum of Freemasonry. Petrie was urged by the Librarian at Freemasons' Hall to report Aldridge's redating of the Old Charge manuscript in Lansdowne MS. 98 in *Ars Quatuor Coronatorum*, but it seems he never did. Aldridge's datings of the Hadfeild and Wakefield MSS. are reported in McLeod, 'Additions to the List of Old Charges', *op. cit.*, pp. 103, 106.

the Deputy Keeper of Manuscripts at the British Museum, and in the course of their discussions they examined the copy of the Old Charges in Lansdowne Ms. 98.

Aldridge declared that the Lansdowne MS. 'is quite clearly of the reign of William III, say 1690-1700'. One reason cited in masonic literature in support of the c. 1600 dating for this document was that the Lansdowne Manuscripts include many of the papers of the Elizabethan statesman Lord Burghley who died in 1598. However, the Lansdowne Manuscripts also contain many later papers from other sources, and Aldridge showed Petrie that the copy of the Old Charges in Lansdowne MS. 98 were not the only item in the volume clearly dating from after Burghley's death.³⁷

Aldridge could not believe that Bond has assigned a date of 1600 to the manuscript, and suggested that Bond, whose handwriting was notoriously bad, had meant to say that the manuscript dated from c. 1690. Re-examination of the manuscript confirms Aldridge's opinion that the writing of the manuscript looks closer to the end of the seventeenth century than the beginning, and it seems evident the date of c. 1600 should have been abandoned long ago. Petrie reported Aldridge's re-dating of this manuscript to the Librarian at Freemasons' Hall, but this important information was never communicated further, so that, for example, in 1982 the well-known masonic scholar Colin Dyer repeated the date of c. 1600 for the Lansdowne MS. (and indeed suggested that it might be slightly earlier), and used this as an important part of his

³⁷ Lansdowne MS. 98 includes a large number of Elizabethan papers, but also contains a copy of a prophecy dated 1661-2 (ff. 208-9), 'Maxims and Instructions for Ministers of State', composed towards the end of Queen Anne's reign (ff. 223-246) and a biblical chronology also apparently dating from the early fifteenth century (f. 268). Sewing holes are clearly visible in the copy of the Old Charges in Lansdowne MS. 98, and it was evidently at one time stored separately as a paper roll. The statement by Richard Sims noted in the commentary to the engraved facsimile of Lansdowne MS. 98 in *Quatuor Coronatorum Antigrapha 2* that this manuscript never formed a roll means that the document never formed part of the separate collection in the British Museum known as the Lansdowne Rolls. The evidence of the sewing holes is conclusive that at some earlier stage in its history this document formed a roll.

argument that the roots of the development of speculative Freemasonry should be sought in religious tensions in England at the end of sixteenth century.³⁸

The date traditionally cited in masonic literature for the Regius manuscript rests on more complex but, it turns out, equally shaky foundations. Regius is generally considered to be earlier than Cooke and is usually dated c. 1390. The reason that this dating has become so widespread is that it is given in W. J. Hughan's guide to the Old Charges, first published in 1889, which has been the first port of call for those investigating the history of these documents.³⁹ However, the chief authority cited by Hughan in support of this dating was David Casley, whose catalogue of the Royal Manuscripts published in 1734 dated the manuscript as 'XIV'. Hughan described Casley as an 'eminent authority', but Casley was working long before the modern study of manuscripts began and his 1734 catalogue is frequently inaccurate in its dating, description and and localisation of manuscripts. Hughan declared that 'several experts' had supported Casley's dating. The only one of these experts who can be identified was Halliwell, who declared that Regius was 'written not later than the latter part of the fourteenth century'.⁴⁰ Again, however, Halliwell was writing when the scientific study of medieval hands in its infancy, and cannot be considered a reliable authority for dating of the hand.

Hughan does not mention that there had been in the 1860s and 1870s a heated debate over the dating of the Regius manuscript which showed that expert opinion on the dating of the manuscript was by no means firm or settled. The Scottish masonic

³⁸ Colin Dyer, 'Some Thoughts on the Origins of Speculative Masonry', *Ars Quatuor Coronatorum* 95 (1982), pp. 126, 168.

³⁹ Hughan, *op. cit.*, p. 16. In general, the second edition of Hughan's work, published in 1895, should always be consulted, as it contains substantial additions and corrections.

⁴⁰ Halliwell, *op. cit.*, pp. 7-8.

scholar W. P. Buchan felt dissatisfied with Halliwell's dating of the Regius manuscript. He asked a friend whether he knew anybody at the British Museum who could provide him with an opinion on the dating and he was given a letter of introduction to Edward Augustus Bond, who was, as has been noted, at that time Keeper of Manuscripts and afterwards became Principal Librarian there. Bond replied on 8 June 1869 that 'without any hesitation' he dated the hand of the Regius manuscript to the middle of the fifteenth century. The Cooke manuscript was ascribed by Bond to the middle or later part of the fifteenth century. Bond's authoritative opinion was duly published in the masonic press.⁴¹

In 1874 the masonic scholar A. F. A. Woodford was criticised for ignoring Bond's opinion and insisting that the Regius manuscript dated 'unquestionably to AD 1390'.⁴² Bond was asked to revisit the matter, but refused to countenance a late fourteenth-century date for Regius, and insisted that it belonged to the first half of the fifteenth century. He re-examined both Regius and Cooke and wrote that 'As you seem to desire that I should look at the MSS. again, I have done so, and my judgment upon them is that they are both of the first half of the 15th century.'⁴³ Bond's opinion that the manuscript was written in the fifteenth century was later confirmed by his distinguished successors G. P. Warner and J. P. Gilson in the *Catalogue of Royal*

⁴¹ Buchan, *op. cit.*, p. 29. Bond also provided dates as follows for a number of other masonic manuscripts which are now in the British Library: Harley MS. 2054, middle of the 17th cent.; Harley MS. 1942: beginning of the 17th cent.; Sloane 3848, f. 213 (179 present pagination): dated 1646; Sloane MS. 3323, f. 195, latter part of the 17th cent.; Sloane MS. 3329, f. 102, probably beginning of the 18th cent.; Lansdowne MS. 98, art. 48, about the year 1600 [but cf. p. 000 above]. Gould, *op. cit.*, p. lv; [H. J. Whymper], *Constitutiones Artis Gemetriae Secundum Euclidem* (London and Boston, 1889), p. 5 where it is claimed that Bond had suggested that the manuscript was mid-fifteenth century.

⁴² J. Norton, 'The Difficulties of Ascertaining the Age of Old Masonic MSS.', *Masonic Magazine* 1 (1874-5), p. 83.

⁴³ 'Masonic Archaeology No. IV', *Masonic Magazine* 2 (1874-5), pp. 76-8.

Manuscripts published in 1921,⁴⁴ although they did not hazard a guess as to which part of the century the manuscript was written in.

Woodford remained unhappy about Bond's dating of the manuscript, and tried another method to try and prove that the manuscript was written in the late fourteenth century. One of the assistants in the Department of Manuscripts, Richard Sims (not himself a freemason) prepared for Woodford a version of the Regius poem in modern English.⁴⁵ It was perhaps Sims who drew Woodford's attention to similarities between parts of the Regius poem and some texts published by the Early English Text Society, and Woodford duly announced his discovery that the Regius poem incorporated extracts from two Middle English texts, an extract from a work by John Mirk and a poem on etiquette known as *Urbanitatis*.⁴⁶ Although as Woodford himself admitted the surviving manuscripts of both texts were much later than 1390, he perversely took his discovery as proof that his insistence on a late fourteenth-century date for the manuscript was justified, and continued to cling to his belief that Regius was written in about 1390.

In his elaborate facsimile of the Regius manuscript published in 1889, H. J. Whympere noted that the artist who had prepared the plates, F. Compton Price, himself a pupil of

⁴⁴ George F. Warner and Julius P. Gilson, *Catalogue of Western Manuscripts in the Old Royal and King's Collections* (London, 1921), 2, p. 213.

⁴⁵ 'The Old Masonic Poem', *Masonic Magazine* 1 (1873-4), pp. 339-340, 371-2; *Masonic Magazine* 2 (1874-5), pp. 13-14, 40-1, 68-70, 119. Sims also provided a detailed description of the Regius Manuscript and of two manuscripts in the Cotton collection containing the Mirk poem and 'Urbanitatis': *Masonic Magazine* 2 (1874-5), pp. 258-61. On Sims, see further A. Prescott, 'What's In A Number? The Physical Organisation of the Manuscript Collections of the British Library' in N. Doane and K. Wolff, eds., *Beatus Vir: Studies in Memory of Phillip Pulsiano* (MRTS, forthcoming). Sims was also cited as a manuscript expert in the inquiry into the authenticity of the Mahatma letters: V. Harrison, *H.P. Blavatsky and the SPR: an examination of the Hodgson report of 1885* (Pasadena, 1997), available on-line at: <http://www.theosociety.org/pasadena/hpb-spr/hpbspr-h.htm>. Joseph Netherclift, Halliwell's copyist, also played a central part in this debate.

⁴⁶ A. Woodford, 'The Age of Ancient Masonic Manuscripts', *Masonic Magazine* 2 (1874-5), pp. 98-100; 'Our Masonic MSS.', *ibid.*, pp. 130, 163-5, 194

Halliwell's copyist, Joseph Netherclift,⁴⁷ disagreed with Bond's dating of the Regius manuscript. Price also preferred a late fourteenth century dating for the manuscript.⁴⁸ To demonstrate his point, Price prepared illustrations of British Library, Additional MS. 15580, a Wycliffite gospels dated by Price as late fourteenth century and which he considered very similar in appearance to Regius,⁴⁹ and British Library Arundel MS. 38, a presentation copy of Thomas Hoccleve's *Regimen of Princes*, assumed by Price to have been made under the poet's supervision for presentation to Henry V shortly after the poem was completed in 1411, but which it has recently been suggested may in fact have been made sometime before 1425 for Thomas, 2nd Duke of Mowbray.⁵⁰

Price's facsimiles look convincing. The script of the Wycliffite text is much simpler in character and closer to the appearance of the hand of the Regius manuscript, whereas the script in the Hoccleve manuscript is far more elaborate. The implication of Price's juxtaposition of these illustrations is that the simpler script represents an earlier stage of development of the writing of Middle English, suggesting that the Regius manuscript dates from the earlier period. It was chiefly as a result of Price's facsimiles that a date of 1390 for the Regius manuscript came to be firmly rooted in masonic literature. Considerable doubt must be felt, however, about the assumptions as to the development of Middle English palaeography which underpin Price's dating of Regius.

⁴⁷ Netherclift was a well-known lithographic artist who corresponded with Francis Fox Talbot. He was used by Halliwell in his folio edition of Shakespeare: Spevack, *op. cit.*, p. 218.

⁴⁸ Whymper, *op. cit.*, p. 5.

⁴⁹ The most recent analysis of these Wycliffite texts has confirmed that they were probably compiled sometime before 1408: A. Hudson, *The Premature Reformation: Wycliffite Texts and Lollard History* (Oxford, 1988), pp. 238-49.

⁵⁰ K. Scott, *Later Gothic Manuscripts 1390-1490* (London, 1996), 2, pp. 158-60.

Price assumed that the Middle English scripts became increasingly florid and elaborate as the fifteenth century progressed, and that the Hoccleve manuscript reflects this process. However, the Hoccleve manuscript was a luxurious compilation intended for presentation to a noble patron, and the more elaborate and time-consuming script of the script simply reflects this fact. It is worth noting that the script of the celebrated Ellesmere manuscript of the *Canterbury Tales*, which has recently been identified as the work of Adam Pinkhurst a scribe who worked for Chaucer in the 1380s and 1390s, is also very elaborate in character.⁵¹ Price's assumption that Middle English letter forms went rapidly from fairly set and economical forms to more elaborate ones is not justified; the development was far more complex than Price's illustrations suggest. Price also gave an over-simplified view of the position by providing illustrations of just two manuscripts.

If Price had provided a wider range of comparisons, then Bond's dating of the Regius manuscript to the first half of the fifteenth century would have gained much wider currency. The British Library's new digital catalogue of illuminated manuscripts enables us easily to explore some other comparisons to Regius beyond those provided by Price.⁵² These support Bond's dating of the manuscript to the first half of the fifteenth century. This is evident by, for example, comparing the hand of Regius to London, British Library, Burney MS. 30, a Wycliffite gospels recently dated to the middle of the fifteenth century, and the English rubric in London, British Library, Harley MS. 2367, f. 70v, again recently dated to the first half of the fifteenth century. Particularly telling are comparisons to manuscripts which are explicitly dated to the middle of the fifteenth century, such as London, British Library, Arundel MS. 327, a

⁵¹ L. Mooney, 'Chaucer's Scribe: New Evidence of the Identification of the Scribe of the Hengwrt and Ellesmere Manuscripts of Chaucer's *Canterbury Tales*', *Speculum*, forthcoming.

⁵² <http://www.bl.uk/catalogues/illuminatedmanuscripts/welcome.htm>.

collection of saints' lives in English composed by Osbert Bokenham, an Austin friar of Cambridge, and according to a colophon, written down by his son Thomas Burgh in 1447,⁵³ or Additional Manuscript 36704, a copy of Capgrave's Life of Gilbert of Sempringham, also explicitly dated 1447.⁵⁴

In their edition of the Regius text, Knoop, Jones and Hamer declared that the dating of the hand of the manuscript to c. 1390 had been determined by 'the palaeographical experts of the British Museum' In fact, this dating rests on outmoded judgements by eighteenth and early nineteenth century scholars such as Casley and Halliwell, on Woodford's perverse determination to maintain a late fourteenth-century dating in the face of Bond's judgement otherwise, and on a very partial selection of illustrative comparisons by Price in the preface to the 1889 facsimile. The only formally recorded expert opinions on the date of the script, by the three Keepers of Manuscripts at the British Museum Bond, Warner and Gilson, all favoured the fifteenth century. The only masonic scholar to have given serious consideration to Bond's dating of the manuscript was Gould.⁵⁵ If the manuscript is to be dated on grounds of script alone, then comparisons of the sort listed above suggest that Bond's judgement remains the best, namely that the Regius manuscript is probably from the first half of the fifteenth century.

The great nineteenth-century German masonic scholar Begemann wisely tried to avoid dating Regius on the grounds of its script alone, and placed greater emphasis on its dialect, declaring that its language showed that it was not later than 1410-1415 and

⁵³ A. Watson, *Catalogue of Dated and Datable manuscripts, c.700-1600 in the Department of Manuscripts, the British Library* (London, 1979), no. 46, plate 488.

⁵⁴ *Ibid.*, no. 376, pl. 515.

⁵⁵ Gould, *op. cit.*, p. iv. Gould, however, also reproduces Price's plates from Additional MS. 15580 and Arundel MS. 38 on p. 55.

indeed probably older than that date. He argued that the dialect of Regius meant that it came from a small area comprising South Worcestershire, Herefordshire and North Gloucestershire.⁵⁶ These conclusions were confirmed by Douglas Hamer, who wrote that both Regius and Cooke were

written in the dialect spoken in the South-West Midland area of England in the later part of the fourteenth century. The Cooke MS., however, contains more Southern forms than the Regius MS. and was probably composed by a man who lived further south, though clearly in a region in contact with the Midlands and West Midlands. The West Midland area of Middle English dialects covers Gloucestershire and West Oxfordshire.⁵⁷

Shortly before his death in 1981, Hamer suggested a firm connection between the manuscript and the Augustinian abbey of Llanthony in Gloucestershire. Hamer pointed out that John Theyer, the former owner of the Regius manuscript, had acquired over 800 volumes from the last Prior of Llanthony.⁵⁸

The Regius manuscript was one of the thousands of manuscripts whose linguistic characteristics were minutely analysed in the *Linguistic Atlas of Late Medieval English* (LALME), published in 1986 under the editorship of Angus McIntosh, M. I. Samuels and Michael Benskin.⁵⁹ The LALME analysis confirmed that the dialect of the manuscript came from the west of England, but assigned it to a different county to

⁵⁶ Wilhelm Begemann, *Vorgeschichte und Anfänge der Freimaurerei in England* (Berlin, 1909), 2, pp. 108-9; G. W. Speth 'Begemann on the Regius Poem' *Ars Quatuor Coronatorum* 7 (1894), p. 34.

⁵⁷ Knoop, Jones and Hamer, *op. cit.*, p. 63.

⁵⁸ D. Hamer, 'Further Consideration of the Regius MS.', *Ars Quatuor Coronatorum* 94 (1981), pp. 166-9.

⁵⁹ A. McIntosh, M. I. Samuels and M. Benskin, *A Linguistic Atlas of Late Mediaeval English* (Aberdeen, 1986), 1, pp. 115, 233-5, 2, pp. 424-38.

that suggested by Hamer, namely Shropshire. The linguistic profiles of Shropshire manuscripts provided by LALME give a great deal of information which potentially can be used to assist in the dating of the Regius manuscript. It is not possible here to give such a detailed analysis, but from the point of view of the dating of the Regius manuscript, the most significant point is that the manuscript whose linguistic profile in LALME most closely matches Regius is Hand D of London, British Library Cotton MS. Claudius A. ii, ff. 127r-152v, a manuscript of John Mirk's *Instructions for Parish Priests* which has recently been dated to the second quarter of the fifteenth century.⁶⁰ The linguistic evidence of Regius thus tends to suggest a dating of between 1425 and 1450, broadly supporting Bond's opinion of the hand. Unfortunately, the Cooke manuscript was not included in the LALME analysis, presumably because its compilers were unable to find enough distinctive features in its language to localise it.

The firm localisation of the Regius manuscript to Shropshire and its possible links to a Mirk manuscript are fascinating, since, as Woodford first pointed out, the concluding section of the Regius poem includes over a hundred lines on behaviour when attending mass from Mirk's *Instructions for Parish Priests*. Mirk (fl. c. 1382-c. 1415) was the Prior of the Augustinian Priory of Lilleshall in Shropshire.⁶¹ He was particularly interested in the education of the everyday clergy, and composed a number of works in English for their use. Mirk's most well-known work was *Festial*, a collection of sermons, written for the help of 'suche mene clerkus as I am myself'. The *Instructions for Priests* is one of two pastoral manuals for priests composed by Mirk, the other being the *Manuale Sacerdotis*. It used to be thought that all these works dated from the end of Mirk's life, but in fact, while the *Manuale* was compiled

⁶⁰ Gillis Kristensson, *John Mirk's Instructions for Parish Priests* (Lund, 1974), pp. 13-15.

⁶¹ S. Powell, 'John Mirk', *Oxford Dictionary of National Biography* ed. H. Matthew and B. Harrison (Oxford, 2004), 38, pp. 368-9.

after Mirk had become Prior, the *Festial* and *Instructions for Parish Priests* were written while he was still a canon in the 1380s.⁶²

Knoop, Jones and Hamer considered, and rejected, the possibility that the *Regius* poem was composed by Mirk or another canon of Lilleshall.⁶³ In the light of the LALME analysis of the *Regius* dialect this possibility needs to be reconsidered, but for the moment the main interest of the extract from Mirk is the extent to which it assists in more firmly dating the *Regius* manuscript. Although the *Instructions for Parish Priests* was composed in the 1380s, the earliest surviving manuscripts date from after 1420. The way in which Mirk's lines have been extracted and used in the *Regius* poem suggests that the *Instructions* were already fairly well known and widely circulated. This makes it unlikely that *Regius* predates any of the surviving manuscripts. This again tends to suggest a date for *Regius* of the second quarter of the fifteenth century.

The *Regius* poem also contains extracts from two other Middle English texts. The first is a complete copy of *Urbanitatis*, an example of a courtesy book, a form of etiquette manual.⁶⁴ *Urbanitatis* may perhaps be identified with the 'booke of vrbantie' which was used to teach the young knights of Edward IV's household 'to haue his respectes vnto theyre demenynges, how mannerly they eat and drinke'.⁶⁵ As Hamer has observed the exact dating of *Urbanitatis* is obscure,⁶⁶ but if it is indeed the book mentioned in the *Black Book of the Household of Edward IV*, this would show that it

⁶² Powell, *op. cit.*, p. 368, and S. Powell, 'A New Dating of John Mirk's *Festial*', *Notes and Queries* 227 (1982), pp. 487-9.

⁶³ Knoop, Jones and Hamer, *op. cit.*, p. 7.

⁶⁴ J. Nicholls, *The Matter of Courtesy: Medieval Courtesy Books and the Gawain Poet* (Woodbridge, 1985), pp. 69-74, 194.

⁶⁵ A. R. Myers, *The Household of Edward IV: the Black Book and the Ordinance of 1478* (Manchester, 1959), pp. 126-7.

⁶⁶ Hamer, *op. cit.*, p. 168.

was popular in about 1471-2, and would also seem to hint at, if not firmly establish, a fifteenth-century date for Regius.⁶⁷ The third Middle English poem used in Regius is a poem entitled *Merita Missa*.⁶⁸ In this case, the Regius poem does not simply transcribe the original lines but summarises and reworks them. *Merita Missa* was ascribed by its first editor to John Lydgate (c.1370-1449/50?). However, it was quickly shown that the rhyme scheme was unlikely to have been Lydgate's.⁶⁹ The poem occurs in a section of British Library Cotton MS. Titus A. xxvi which, as Linne Mooney has recently shown, was probably compiled sometime after 1456.⁷⁰ The Regius poem may have drawn on another exemplar, but nevertheless it seems evident that the *Merita Missa* was current in the middle of the fifteenth century. While these two other sources of Regius do not firmly establish its dating, it is striking that they are works which occur in manuscripts of the mid fifteenth-century, and seem to point in that direction as far as the dating of the Regius manuscript is concerned.

To summarise, the conventional dating of Regius poem to c. 1390 is based on antiquated appraisals and on Price's limited comparisons. While a late fourteenth-century date for Regius cannot be completely ruled out, the evidence of its script suggests that the manuscript dates from the first half of the fifteenth century. Analysis of the dialect of Regius and the other poems incorporated in it seem to point towards a dating of c. 1425-50. The manuscript can be firmly localised on the grounds of its dialect to Shropshire, and the inclusion of extracts from Mirk's *Instructions for Parish Priests* suggest a link with Lilleshall Priory. Evidence of the continued use and

⁶⁷ See also the cautionary remarks of Nicholls, *op. cit.*, p. 70. Nicholls' discussion however relies on Knoop, Jones and Hamer's dating of the Regius manuscript to c. 1390.

⁶⁸ Printed in T. Simmons, ed., *The Lay Folks Mass Book*, Early English Text Society 71 (1879), pp. 148-54, from London, British Library, Cotton MS. Titus A. xxvi, ff. 156-8. The parallels with Regius are noted in Knoop, Jones and Hamer, *op. cit.*, pp. 186, 188-9.

⁶⁹ *The Minor Poems of John Lydgate*, ed. H. M. MacCracken, Early English Text Society Extra Series 107 (1911), p. xlvi.

⁷⁰ L. Mooney, 'John Shirley's Heirs', *Yearbook of English Studies* 33 (2003), pp.195-6.

currency of the Regius manuscript in the late fifteenth century and early sixteenth century is given by some additions in hands of this date on the pastedown at the end of the manuscript, which contain a charm against bleeding and the first verses of Psalms 8 and 18.⁷¹

The dating of the Cooke manuscript presents fewer problems. In first publishing the manuscript, Matthew Cooke suggested that it dated from the end of the fifteenth century.⁷² Bond was again asked to pronounce on its date and in 1869 stated that he considered that the Cooke manuscript was of the middle or later part of the fifteenth century, but rather inclined towards the earlier period. In short, in Bond's view Regius and Cooke come from the same period, with Regius being perhaps slightly earlier. Close comparison of the hand of the two manuscripts, conveniently reproduced in facing plates in Knoop, Jones and Hamer's edition,⁷³ will show how, while the manuscripts are clearly the work of different scribes, the differences between them are not sufficiently great to suggest that there was a long gap between the time of their production. They are broadly contemporary. In searching for the moment of historicity that resulted in the production of Regius and Cooke, we are looking for events which occurred at broadly the same time, probably sometime in the second quarter of the fifteenth century.

IV

⁷¹ f. 33. These additions are not included in any of the facsimiles of the manuscript.

⁷² Cooke, *op. cit.*, p. v.

⁷³ Knoop, Jones and Hamer, *op. cit.*, pp. 66-7.

Regius contains 794 lines of Middle English verse.⁷⁴ The poem begins by describing how the great clerk Euclid devised geometry and gave it the name of masonry in order to provide employment of the children of great lords and ladies living in Egypt. Euclid ordained that, although there were masters among the masons, they should nevertheless treat each other as equals, ‘neither subject nor servant’. Regius states that masonry came to England in the reign of Æthelstan (presumably Æthelstan the grandson of King Alfred, who reigned from 924 to 939). To regulate the craft, Æthelstan made a series of ordinances, which the poem lists. The themes emphasised by these articles and points include the importance of the general assembly of masons, which all masons were expected to attend, the need for fair pay, and the necessity of masons treating each other as fellows, helping each other in their work, serving each other at meals and avoiding recourse to litigation.

After reiterating that these ordinances were established by Athelstan, Regius recounts the story of the Four Crowned Martyrs, the Christian stonemasons who were martyred by a Roman Emperor. This is probably drawn from a popular hagiographical collection such as Jacob of Voraigne’s *Golden Legend*, which was also a major source of Mirk’s *Festial*. Regius then returns to the origins of stonemasonry. It describes the destruction of the Tower of Babel because of the pride of its builders. Euclid afterwards revived the art of masonry and devised the system dividing knowledge into the seven liberal arts of grammar, dialectic, rhetoric, music, astronomy and geometry. Regius concludes with general precepts for good living drawn from three sources. Lines 593-692 consist, as has been seen, of extracts from Mirk’s *Instructions for Parish Priests* which are intersected with lines based on the *Merita Missa* poem.

⁷⁴ The best edition of the texts of Regius and Cooke remains Knoop, Jones and Hamer, *op. cit.*, and the following is based on their edition.

Regius concludes with the complete transcript of *Urbanitatis*. This ‘booke of vrbanitie’ shows the mason how to behave well and urges him for example to take off his hat in church, not to speak with a full mouth, and to avoid spitting or sniffing when addressing a lord.

The structure of Cooke’s text is simpler than that in Regius. It begins with a history of stonemasonry which considerably expands that in Regius. It opens with an elaborate invocation to God, who had made all things to be subject to man. God had given man knowledge of crafts, including geometry. The seven liberal arts are then listed.

Clearly, the author declares, geometry is at the root of them all, since geometry means measurement of the earth, and all tools involve measurement and are made of materials from the earth. All the crafts of the world, he continues, were founded by the sons of Lamach, who were mentioned in Genesis, with Lamach’s eldest son Jabal inventing geometry. Lamech’s sons wrote their discoveries on two pillars of stone to survive fire or flood. After the flood, Pythagoras found one stone and Hermes the other. Ham, Noah’s son, revived the practice of masonry. Nimrod, Ham’s son, sent masons to Assyria and gave them charges which, declares the Cooke manuscript, survive, just as those given by Euclid have survived.

The Cooke author then repeats the story of Euclid in much the same way as Regius, but with more biblical references and circumstantial information about Egypt. He describes how stonemasonry came to Europe. He states that a King was elected in France called Charles II, who loved masons, and gave them charges which were still in use in France. Shortly afterwards, ‘Saint Ad Habelle’ came to England and converted St Alban to Christianity. Alban also gave charges to the masons and

‘ordained convenient [wages] to pay for their travail’.⁷⁵ Cooke then gives a slightly different version of the Æthelstan story. The Cooke manuscript states that Æthelstan’s youngest son himself became proficient in masonry, and gave the masons ordinances. He declared that they should have reasonable pay, and purchased a charter from the King that the masons might hold an assembly at whatever time they thought reasonable. Cooke then repeats the story of Æthelstan’s grant in the same terms as Regius, and reiterates the various ordinances. The order of the articles is slightly different, and some of the more general articles in Regius are omitted. The effect of the rearrangement is to give greater prominence to the masons’ assembly, and Cooke concludes by stressing that any mason who failed to attend the assembly would be arrested by the sheriff and cast into prison. None of the supplementary material from Mirk, the *Merita Missa* or *Urbanitatis* is included in Cooke.

In taking the legendary history of stonemasonry back to Genesis, the Cooke author gives references to Bede, Isidore and other authorities, but as Douglas Knoop and Douglas Hamer have pointed out these are mostly spurious.⁷⁶ For example, it is stated that Pythagoras wrote the *Polychronicon*,⁷⁷ whereas this popular medieval historical encyclopaedia was written by the Chester monk Ralph Higden, who died in 1361, and translated into English by John Trevisa in about 1387.⁷⁸ It has been generally assumed that both Cooke and Regius are based on a common unknown original which does not survive, and that Cooke represents a much fuller version of this lost original than Regius.⁷⁹ This assumption is based partly on a comparison between the Articles and

⁷⁵ Knoop, Jones and Hamer, *op. cit.*, p. 103.

⁷⁶ *Ibid.*, pp. 8-10.

⁷⁷ *Ibid.*, p. 81.

⁷⁸ On Higden and his work, see J. Taylor, *The Universal Chronicle of Ranulf Higden* (Oxford, 1966).

⁷⁹ See for example H. Poole and F. R. Worts, *The “Yorkshire” Old Charges of Masons* (Leeds, 1935), pp. 26-9.

points in both manuscripts. It also derives from comparisons between Regius, Cooke and much later manuscripts such as the William Watson manuscript, dated 1687, and the eighteenth-century Tew manuscript.⁸⁰

To reach conclusions about the relationship of medieval texts by referring to other manuscripts which are nearly three hundred years later and for which there are no intermediary witnesses is a hazardous critical process, to say the least. Indeed, the whole discussion of the relationship between these texts has been bedevilled by a very odd process whereby late transcripts have been accorded similar status to original texts. It seems absurd to describe the Cooke MS. and the two transcripts made in the 1720s as 'the Cooke family'. It is likewise strange to designate Robert Plot's printed description of a manuscript seen by him which apparently no longer survives as the 'Plot MS.' Late transcripts of this kind would not normally be considered in an analysis of medieval texts unless they preserve texts which have disappeared, which is not the case here.

In order to make better sense of the context of the production of the Regius and Cooke manuscripts, it is essential to focus once again on these texts alone, which are after all the only medieval texts of this kind so far identified. A close reading of Regius and Cooke suggests that it is by no means certain that Cooke represents a fuller version of an older original text than Regius. There are other possible interpretations which deserve consideration. For example, there are indications that the Cooke text may simply be an expansion and amplification of a shorter text similar to, or even identical

⁸⁰ See for example Knoop, Jones and Hamer, *op. cit.*, p. 59; McLeod, 'The Old Charges', *op. cit.*, p. 125; Poole and Worts, *op. cit.*, pp. 26-9. On the Watson and Tew MSS., see further Poole and Worts, *op. cit.*, pp. 42-69.

with, Regius.⁸¹ The Cooke manuscript at several points to be refers to an older set of charges which it states ascribed the origins of masonry to Euclid. For example, at lines 418-423, the Cooke manuscript declares that:

Elder masons that were before us had these charges written as we have now in our charges of the story of Euclidus as we have seen them written...(ll. 418-423).

The Regius poem, which ascribes the invention of the craft of masonry to Euclid, would fit this description very well, and it seems likely that the author of Cooke would have considered Regius to represent an earlier and distinct set of charges rather than a representative of a common textual tradition. Such an interpretation seems to be confirmed by lines 640-642 of Cooke which read:

As is written and taught in the Book of our Charges whereof I leave it at this time.

These lines are clearly intended to introduce the existing charges, and it is at precisely this point that the section of the Cooke text which is most closely related to Regius begins. Again, the sense of Cooke is that the Regius text (or something very like it) represents the existing charges, of which Cooke was an amplification and development.

Most of the extra material in Cooke is designed to relate the story of masonry to biblical history. As such it provides the craft with an even more ancient lineage than that proposed by Regius. The concern of the Cooke text to emphasise the Christian

⁸¹ In considering the relationship between the two texts, the summary tabulation is Knoop, Jones and Hamer, *op. cit.*, pp. 4-6, is very helpful.

character of the story is also evident from the frequent interpretation of false references to the Christian fathers and other respectable sources such as the *Polychronicon*. Having related to early history of masonry to the bible, the Cooke text also seeks to provide a more elevated Christian heritage for the appearance of the craft in Britain and to take its story back beyond the time of the tenth-century Anglo-Saxon King Æthelstan. The author of the Cooke text declares that the proto-martyr St Alban gave the masons in Britain their first charges. The Cooke manuscript also amplifies the story of Æthelstan's involvement. The Regius manuscript simply ascribes the ordinances to Æthelstan himself, and was happy to demonstrate the elevated social status of masons by referring to the invention of the craft by ancient Egyptian nobles. Cooke sought to show that nobles had also practiced the craft of masonry in England and elsewhere. Cooke therefore introduces into the story an unnamed son of Æthelstan, who it declares became a mason and persuaded his father to make a grant to the masons. The result of the introduction of this story into the Cooke text is a clumsy double account of the grant to the stone masons by Æthelstan. In the sixteenth century, this son of Æthelstan came to be identified as Edwin.⁸² This identification was to cause confusion when Robert Plot in 1686 pointed out that Æthelstan was not known to have had any sons, although he did have a brother of that name,⁸³ prompting later masonic historians such as Anderson and the copyists of some eighteenth-century charges to try and correct the legend by ascribing the grant of the charter to Æthelstan's brother.

⁸² This identification is apparently given for the first time in London, Library and Museum of Freemasonry, Grand Lodge MS. 1, dated 1583.

⁸³ Hughan, *op. cit.*, p. 33. The statement that Edwin was Æthelstan's brother apparently occurs for the first time in the William Watson manuscript, dated 1687, one year after the publication of Plot's criticisms of the masonic legend. In the first edition of the Book of Constitutions in 1723, Anderson dealt with the problem of Edwin's status by simply providing a transcription of a version of the story from a copy of the Old Charges. In 1738, however, he directly identified Edwin as Æthelstan's brother and proposed a date of 926 for the grant of the constitutions. For a convenient presentation of the relevant texts, see further Alex Horne, *The York Legend in the Old Charges* (London, 1978), pp. 13-52.

A major objection to an interpretation of the Cooke manuscript as an amplification of a text similar to that in Regius is the different treatment in the manuscripts of the ‘articles’ and ‘points’ supposedly ordained by Æthelstan. Regius contains more of these ordinances (fifteen articles and fifteen points) than Cooke (nine articles and nine points, with some unnumbered additions). The following table provides a comparison between the ‘Articles’ in Regius and Cooke:

Regius Articles	Cooke Articles
Master Masons shall pay their fellows fairly	Master Masons shall pay their fellows fairly
All Master Masons must attend the general congregation	All Master Masons must attend the general congregation
Masters shall take apprentices for a term of seven years	Masters shall take apprentices for a term of seven years
Bondmen shall not be made apprentices	Bondmen shall not be made apprentices

Lame men shall not be made apprentices	Apprentices will to receive reasonable pay
Apprentices will be paid less, but receive full pay after their apprenticeship is complete	Lame men shall not be made apprentices
Masters shall not harbour thieves	Masters shall not employ those who plot criminal activities
Masters may exchange deficient workmen for those that are better	Masters may exchange deficient workmen for those that are better
Masters not to undertake work that they cannot finish	Masters not to undertake work that they cannot finish
Masters not to poach work from other masters	
Masons shall not work by night	

Masons shall not criticise each other's work	
Masters to give thorough training to their apprentices	
Masters shall ensure that the training of apprentices is complete within their term	
Masters not to swear false oaths	

Although Cooke contains fewer articles, in a number of cases it is clear that the provisions have been strengthened by the compiler of Cooke in order to address pressing grievances. Thus, while Regius contains a fairly vague article on the pay of apprentices, in Cooke this is replaced by a more clear-cut provision that 'no master shall pay more to his apprentice during the time of his apprenticeship, whatever profit he may take thereby, than he well knows him to have deserved'. Moreover, in Cooke this article has been given more prominence by moving it up the list to number four, exchanging positions with the article prohibiting the employment of lame apprentices. A similar refinement by Cooke of a vague provision in Regius is evident in Article 7. Regius enjoins that master masons shall not cloth or feed thieves, lest they bring

shame on the craft. Cooke replaces this with a more specific injunction and gives a more practical reason for the rule: no master is to help or sustain a common nightwalker to rob, because such night time activities would prevent them doing a good day's work. Cooke apparently omits some articles from Regius because they are simply vague injunctions, such as the article that masters shall not swear false oaths, while others are omitted because they repeat issues covered in earlier articles, such as the thirteenth and fourteenth articles in Regius which relate to the training of apprentices, an issue already addressed in the course of some of the earlier articles.

In general, Cooke seems to represent a shrewd editing of the Regius articles undertaken in order more effectively to deal with grievances against the master masons. This impression is confirmed by a comparison of the 'points' in the different manuscripts:

Regius points	Cooke points
Masons to love God and the Holy Church	Masons to love God and the Holy Church
Masons to do a fair day's work	Masons to do a fair day's work
Apprentices to keep their master's counsel	Apprentices to keep their master's counsel
Masons shall not attack the craft	Masons shall not attack the craft
Masters to give fair warning when masons are laid off	Masons to accept their pay meekly and to take it at the

	appointed time
Masons to avoid litigation and seek arbitration	Masons to avoid litigation and seek arbitration
Any mason holding an office under the Master to discharge his duties fairly	Masons not to covet the wives or daughters of fellow masons, except for marriage
Stewards to serve drink and victuals fairly; everyone to pay for their own food	Any mason holding an office under the Master to discharge his duties fairly
Masons defaming other masons to be summoned before the assembly of masons	Masons to help each other in their work
Masons to help each other in their work	Masons to attend the assembly when summoned
Ordinances of the assembly to be upheld by all masons	Oath to be sworn by all attending the assembly for the first time
Masons shall not steal	Those who are contumacious of the assembly to be imprisoned
Masons shall swear to observe these ordinances and be loyal to the King. Sheriff to imprison those who break these ordinances.	

The most striking feature of the Cooke 'points' is that they draw together and considerably strengthen the provisions relating to the assembly of stonemasons, giving them much greater prominence by placing them together at the end of the whole text. As with the articles, the points in the Cooke manuscript seem to represent an intelligent reordering and editing of Regius, so as to remove repetition, deal with more urgent concerns and give greater prominence to central issues, particularly in order to emphasise the authority of the masons' assembly.

It has been seen that Regius and Cooke are probably not far separated in date. Rather than both drawing on a common lost original, it is more likely that Cooke is an amplification and reworking of a text very similar, and perhaps even identical to, that of Regius. Regius emphasised the religious orthodoxy and respectability of the stonemasons by adding to the legendary history and articles a miscellany of material of religious and other material of use to the socially aspiring stonemason. In Cooke, this material has been omitted, and replaced by a new legendary history which takes the story back beyond Euclid and shows how the introduction of stonemasonry to Britain was intimately connected with the arrival of Christianity. However, the compiler of the Cooke manuscript was not simply concerned to provide these legends of the craft of masonry with a veil of religious respectability. His primary concern was the importance and authority of the assembly of masons, and the text concludes with emphatic claims as to the authority and power of that assembly.

V

In investigating Regius and Cooke, the essential starting point remains the mass of information about medieval stonemasons assembled by the formidable trio of

Sheffield scholars, Douglas Knoop, Gwilym Jones and Douglas Hamer, who produced the definitive edition of these texts. Knoop, Jones and Hamer argued that, while Regius and Cooke reflect pride in the stonemason's craft, they were not produced by masons:

they were written and composed by clerks; but they were composed in large parts of materials current among masons, of customs and perhaps traditions, which had been orally transmitted from generation to generation, much as manorial customs were commonly transmitted before it became convenient or necessary to set them down in writing.⁸⁴

These comments reflect an assumption that literate culture in the fifteenth century was clerical and that artisan access to it was limited. It was for this reason that Hamer was convinced that the Regius manuscript was associated with Llanthony Abbey. As has been seen, the LALME analysis of the Regius manuscript places it instead in Shropshire, which raises the tantalising possibility that it was connected with Lilleshall Priory and the circle of John Mirk. Augustinian canons were particularly associated with the preparation and dissemination of literary texts in England in the late fourteenth and early fifteenth century, and an Augustinian connection for the Regius manuscript would be quite likely. However all this depends on the assumption that a poem such as Regius could only have been compiled in a clerical milieu. This is not a safe assumption. By the fifteenth century, artisans were owning and apparently using manuscript books. In 1417, the stonemason John Clifford of Southwark, who had been master of the London masons' company in 1386,⁸⁵ left to the church of St

⁸⁴ Knoop, Jones and Hamer, *op. cit.*, p. 1.

⁸⁵ R. Sharpe, *Calendar of Letter Books ... of the City of London: Letter Book H* (London, 1907), p. 274.

Olave Southwark his 'principal psalter and another book of gospels in English' for use in the church.⁸⁶ The possibility that a group of stonemasons based in Shropshire would have commissioned a text such as *Regius* in the middle of the fifteenth century is not as remote as Hamer suggested. Such a group would doubtless have been aware of a well-known local production such as Mirk's treatise and may well have thought the inclusion of such a text in their manuscript a suitable emblem of respectability.

Society at large became increasingly literate during the fifteenth century, a process accelerated by the greater use of English in official documents.⁸⁷ Business and government relied on documents and lay people needed to understand what was in them. Already in the early fourteenth century, some peasants on the manor of Halesowen in Worcestershire were literate and took part in the compilation of manorial records.⁸⁸ The rebels in 1381 used letters to communicate with each other,⁸⁹ and by 1430 Lollard craftsmen in Somerset and Wiltshire were distributing written criticisms of the church.⁹⁰ Anne Hudson has recently discussed the cases of the leading Lollards Walter Brut and William Swinerby, who were both laymen of apparently humble social positions, but were both literate and displayed a good knowledge of a surprisingly wide range of religious literature.⁹¹ The emerging literate culture of fifteenth century urban life has been succinctly described by Susan Reynolds as follows:

⁸⁶ London, National Archives, PROB 11/2B f. 108. I owe this reference to Professor Sheila Lindenbaum.

⁸⁷ See, for example, S. Lindenbaum, 'London Texts and Literate Practice' in *The Cambridge History of Medieval English Literature*, ed. D. Wallace (Cambridge, 1999), pp. 284-309.

⁸⁸ Zvi Razi and Richard M. Smith, 'The Origins of the English Manorial Court Rolls as a Written Record: A Puzzle' in Zvi Razi and Richard Smith (eds.), *Medieval Society and the Manor Court* (Oxford, 1996), pp. 60-7.

⁸⁹ Steven Justice, *Writing and Rebellion: England in 1381* (Berkeley, 1994), pp. 13-66.

⁹⁰ London, The National Archives, KB 9/227/2, mm. 1-2.

⁹¹ Anne Hudson, 'Laicus litteratus: the paradox of Lollardy' in *Heresy and Literacy, 1000-1530*, ed. Peter Biller and Anne Hudson (Cambridge, 1994), pp. 222-36.

In 1422 the brewers of London decided to keep their records in English because many of them could read English but not Latin or French. Later in the century some city companies required apprentices to be literate, and Sylvia Thrupp estimates that half the laymen (but not the women) could probably read. In 1503 a York glazier left to his apprentice 'all my books that is fit for one prentice of his craft to learn by.'⁹²

The emergence of this urban literate culture during the fifteenth century is reflected in the appearance of a body of literature which, if not actually produced by artisans and craftsmen, shows contact with and sympathy for them. This material provides an important textual context for Regius and Cooke. The American scholar Linne Mooney has recently discovered a treatise in English on the seven liberal arts dating from the late fifteenth century.⁹³ In describing each of the arts, the treatise gives practical illustrations of their value. Under arithmetic, examples are given of simple mathematical operations, such as how to calculate a square root. Geometry is discussed at great length, with illustrations, apparently drawn from digests of Euclid, of how to measure the length of a field, the depth of a well or the height of a steeple. The importance of geometry in making buildings to protect man from heat and cold and the great craft involved in such operations as erecting steeples was stressed. At the end, the treatise, drawing on the earlier work of Hugh of St Victor, states that the seven liberal arts were complemented by seven special sciences which were practical skills of everyday life, such as agriculture, hunting and medicine. In discussing these special sciences, the author attempts to link them to crafts in medieval towns. In this way, in Mooney's words, 'the text expresses a pride in artisanship, the professions

⁹² Susan Reynolds, *An Introduction to the History of English Medieval Towns* (Oxford, 1977), p. 169.

⁹³ Linne Mooney, 'A Middle English Text on the Liberal Arts', *Speculum* 68 (1993), pp. 1027-52.

and trades that only just falls short of claiming parity with clerical skills'.⁹⁴ This is clearly one milieu in which Regius and Cooke should be placed. Mooney suggests that the manuscript containing this text was prepared for a member of London's mercantile class who was able to commission manuscripts of many popular vernacular works, including Chaucer, Hoccleve and Lydgate.⁹⁵

An even more direct pride in craftsmanship is apparent from another late fifteenth-century text printed by Edmund Wilson in 1988, *The Debate of the Carpenter's Tools*.⁹⁶ This is a lively comic debate between the various tools of the carpenter's trade: the saw, the rule, the plane, the compass and so on. A typical exchange is that between the rule stone and the gouge. The rule stone declares that his master will rule the roost; the gouge says the rule stone was not worth an old shoe: 'You have been an apprentice for seven year, but all you have learnt is how to leer'. Wilson suggests that the *Debate of the Carpenter's Tools* was intended for recitation at a guild feast. The most striking feature of the poem is the technical awareness shown of the various carpenters' tools. If the author was not himself actually a carpenter, he had absorbed a great deal of arcane knowledge of the carpenter's craft. The *Debate* is not unique; it has been pointed out that the presumably clerical author of the shipwrights' play of the Building of Noah's Ark in the York mystery cycle also displays similar technical knowledge of the shipwright's craft.⁹⁷ In this context, Regius and Cooke appear less unusual. Moreover, it makes it seem less unlikely that the stonemasons themselves played an active part in drawing up the texts in Cooke and Regius.

⁹⁴ *Ibid.*, p. 1036.

⁹⁵ *Ibid.*, pp. 1036-7.

⁹⁶ E. Wilson, 'The Debate of the Carpenter's Tools', *Review of English Studies* n.s., 152 (1987), pp. 445-70.

⁹⁷ *Ibid.*, p. 453.

Guilds were another aspect of this increasing lay literacy. A further major textual context for Regius and Cooke are the returns made by guilds in 1388-9 in response to an inquiry into the nature and property of guilds. More than 450 such returns survive in the National Archives.⁹⁸ Most are in Latin or French, but 59 are in English, one of the first times English makes an appearance on such a large scale in the public records. The returns were not necessarily made directly by the guilds themselves. In some cases, guild officials went to Westminster and their returns were compiled from an oral deposition. In others, guilds used local clerical help. However, some of the returns were doubtless compiled directly by the guilds. This is likely to be the case with many of the English returns, which are mostly from guilds in London, Norwich and King's Lynn.

Typical of the 1389 guild returns in English are the ordinances of the carpenters in Norwich. The primary purpose of the carpenters' guild was the maintenance of a candle in honour of the Holy Trinity in Norwich Cathedral. An annual meeting was held to ensure the maintenance of this light and the performance of devotions before it. Services were held for members of the guild at their death. The guild would assist members who became impoverished, if it was not through their own folly.⁹⁹ Surprisingly, there are few references to craft regulations in these returns. There is little to distinguish the Norwich carpenters' return from that of the guild of St Thomas of Canterbury at King's Lynn.¹⁰⁰ This guild had also been established to maintain a light, this time to be placed before a picture of St Thomas in a local church. St

⁹⁸ A number of the 1389 returns are printed in *English Gilds*, ed. Toulmin and Lucy Smith, and others are summarised in H. F. Westlake, *The Parish Gilds of Mediæval England* (London, 1919), pp. 137-238. On the context of their production, see J. Gerchow, 'Gilds and Fourteenth-Century Bureaucracy: the Case of 1388-9', *Nottingham Medieval Studies* 40 (1996), pp. 109-47, and C. Barron and L. Wright, 'The London Middle English Guild Certificates of 1388-9', *Nottingham Medieval Studies* 39 (1995), pp. 108-45.

⁹⁹ Smith, *op. cit.*, pp. 25-6.

¹⁰⁰ *Ibid.*, pp. 80-2.

Thomas's Guild also offered benefits to its members, and if any member became poor through loss at sea, fire or any other act of God, the guild undertook to assist them.

The lack of craft content in the 1389 returns is particularly apparent in the return of the fraternity of the Blessed Virgin Mary established by the stonemasons of Lincoln in 1389.¹⁰¹ Again, this return concentrates on religious observance and mutual benefits for the members of the guild. The only explicit reference to working stonemasons is a regulation that all stonemasons belonging to the fraternity should give forty pence every time they took an apprentice. Likewise, the stonemasons in Norwich had established a fraternity but its main function was again the maintenance of altar candles.¹⁰²

For historians of the generation of Knoop and Jones, the stonemasons' fraternities at Lincoln and Norwich were not true craft guilds but religious fraternities, but recent scholarship has stressed that such firm distinctions were not made in the medieval town.¹⁰³ As Elspeth Veale has observed, 'The distinction drawn [by historians of medieval England] between fraternity – an association which concerned itself particularly with religious ceremonies, especially the rites of burial, and with the

¹⁰¹ London, National Archives, C 47/41/154, edited and translated in W. J. Williams, 'Gild of Masons at Lincoln', *Ars Quatuor Coronatorum* 54 (1941), pp. 108-110.

¹⁰² Smith, *op. cit.*, p. 82.

¹⁰³ E. Veale, 'The "Great Twelve": Mystery and Fraternity in Thirteenth-Century London', *Historical Research* 64 (1991), pp. 237-63; Susan Reynolds, *op. cit.*, pp. 164-8; Caroline M. Barron, *London in the Later Middle Ages: Government and People 1200-1500* (Oxford, 2004), pp. 199-216; Caroline M. Barron, 'The Parish Fraternities of Medieval London', in *The Church in Pre-Reformation Society: Essays in Honour of F. R. H. Du Boulay*, ed. Caroline M. Barron and Christopher Harper-Bill (Woodbridge, 1985), pp. 13-37; Sarah Rees Jones, 'Household, Work and the Problem of Mobile Labour: the Regulation of Labour in Medieval English Towns' in *The Problem of Labour in Fourteenth-Century England*, ed. J Bothwell, P. Goldberg and W. M. Ormrod (York, 2000), pp. 133-53; R. B. Dobson, 'Craft Guilds and City: the Historical Origins of the York Mystery Plays Reassessed' in *The Stage as Mirror: Civic Theatre in Late Medieval Europe* ed. Alan E. Knight (Cambridge, 1997), pp. 91-106; G. Rosser, 'Going to the Fraternity Feast: Commensality and Social Relations in Late Medieval England', *Journal of British Studies* 33 (1994), pp. 430-46; G. Rosser, 'Communities of parish and guild in the late Middle Ages', in *Parish, church and people: local studies in lay religion, 1350-1750*, ed. S. J. Wright (London, 1988), pp. 29-55; G. Rosser, 'Crafts, guilds and the negotiation of work in the medieval town', *Past and Present*, 154 (1997) pp. 3-31; H. Swanson, 'The Illusion of Economic Structure: Craft Guilds in Late Medieval English Towns', *Past and Present* 121 (Nov. 1988), pp. 29-48.

social activities which its members enjoyed – and organised mystery may well have been drawn too sharply.’¹⁰⁴ Although various fraternities, fellowships, crafts and mysteries (all terms used in medieval documents) were an all-pervading feature of medieval town life, there was no rigid legal categorisation of them – they were loose and flexible organisations. It was from religious associations of this kind that the more trade-oriented fraternities emerged. In London, for example, a fraternity at the church of All Hallows Bread Street was founded by a mercer and a salter.¹⁰⁵ Most subsequent bequests came from salters. Eventually, Salters’ Hall was built on land owned by the fraternity and the chapel of the guild became known as the Salters’ Chapel. A similar process occurred in York, where during the fifteenth century the fraternity of St John the Baptist became associated with the tailors and the guild of Holy Trinity in Fossgate with the mercers.

The chief driving force in the way in which these fraternities with primarily religious and social functions assumed trade responsibilities was the increasing requirement from the late fourteenth century imposed by royal and civic ordinances for individual crafts to undertake trade regulation. Because the emergence of these guilds was an ad hoc solution to immediate legislative requirements, trade regulation was carried on in a very haphazard fashion. Even more importantly, where such regulation was not required, guilds might not acquire trade regulation functions. Professor Barrie Dobson has recently observed of Durham that ‘one is left with the overwhelming impression that, had it not been for the need to impose a procession and sequence of plays on the crafts of the city at their own expense, there would have been no formal guild

¹⁰⁴ Veale, *op. cit.*, p. 263.

¹⁰⁵ Barron, ‘Parish Fraternities’, pp. 14-17.

regulations at all'.¹⁰⁶ In smaller towns such as Grimsby, craft guilds did indeed fail to develop.¹⁰⁷ For historians of the generations of Knoop and Jones, the paucity of references to craft guilds of masons was puzzling, but there is nothing particularly surprising in the available information about masons' guilds – they are much the same as for many other crafts of similar size and status.

A major reason for the assumption of trade regulation responsibilities by various fraternities from the 1360s onwards was the impact of labour legislation. The Black Death had created a labour shortage and this resulted in legislation from 1351 to control wages and regulate terms of service.¹⁰⁸ Between 1351 and 1430 more than a third of the parliaments passed legislation relating to labour. Much of this consisted of attempts to update increasingly elaborate tariffs of wages. The enforcement of this legislation became the responsibility of the justices of the peace. The building trades were a particular problem. The bulk of the surviving prosecutions under the labour legislation concerned carpenters and masons, and a number of the statutes specifically denounce the taking of excessive wages by these trades.¹⁰⁹ Sarah Rees Jones has forcefully argued that increasing urban resentment of the powers of the JPs led to an enactment in 1363 stating that craftsmen were to join a single trade and that they were to be regulated by members of their crafts.¹¹⁰ She suggests that this gave a major impetus to the assumption of regulatory powers by crafts. Jones argues that the emergence of guilds as regulatory authorities fostered the development of oligarchies within the trade. This led to attempts in many trades by journeymen to establish their

¹⁰⁶ Dobson, *op. cit.*, p. 100.

¹⁰⁷ S. H. Rigby, *Medieval Grimsby: Growth and Decline* (Hull, 1993), p. 67.

¹⁰⁸ Chris Given-Wilson, 'The Problem of Labour in the Context of English Government, c. 1350-1450' in Bothwell, Goldberg and Ormrod, *op. cit.*, pp. 85-100; 'Service, Serfdom and English Labour Legislation, 1350-1500', in *Concepts and Patterns of Service in the Later Middle Ages*, ed. Anne Curry and Elizabeth Matthew (Woodbridge, 2000), pp. 21-37..

¹⁰⁹ D. Knoop and G. Jones, *The Mediaeval Mason* (Manchester, 1933), pp. 183-4.

¹¹⁰ Rees Jones, *op. cit.*, pp. 146-53.

own guilds, resulting in conflicts which frequently became violent. In 1387, a group of journeymen tailors violently threatened other tailors because they would not join a guild of journeymen tailors they had established at Coventry in opposition to the main tailors' guild.¹¹¹

Considered in these contexts, there is one feature of the Regius and Cooke manuscripts which is particularly surprising. Other than the vague threat that sheriffs would seize those who did not attend the assembly, no penalties for failure to observe Æthelstan's ordinances are specified. In other guild regulations, elaborate penalties are a prominent feature. For example, in ordinances established for carpenters and masons working for the King at Calais in the reign of Edward IV, breaches are punished by loss of wages, which were to be paid into a common chest, the 'box of St John'.¹¹² Likewise, those who breached the rules of the mason's fraternity at Lincoln also paid fines to the fraternity. Regius and Cooke rely instead on general injunctions, with an appeal to history, apart from the threat of prison for those not attending the assembly. While many of the provisions of Regius and Cooke can be paralleled in ordinances from other trades, they do not include any of the detailed provision about, for example, working hours or reuse of building materials which can be found in other stonemasons' ordinances, such as those from Calais or York. The only substantive organisational focus of Cooke and Regius is the masons' assembly.

VI

¹¹¹ E. Kimball, *Rolls of the Warwickshire and Coventry Sessions of the Peace 1377-97*, Dugdale Society 16 (1939), p. 63.

¹¹² London, National Archives, E 101/198/6.

The search for an assembly of stonemasons in the fifteenth century has proceeded from the assumption that any such assembly would have the elevated authority and power ascribed to it in the Regius and Cooke manuscripts. Knoop and Jones pointed out that there were many assemblies of crafts in towns, but they were unable to find similar assemblies of the sort described in Regius and Cooke, ‘attended not merely by the masters and fellows, but by great lords, knights and squires, as well as by the sheriff of the county, the mayor of the city and the aldermen of the town’, and with the authority to order distraint, arrest and imprisonment to enforce its ordinances.¹¹³ Knoop and Jones did not consider the possibility that the Regius and Cooke manuscripts were describing an aspiration rather than a reality, that the manuscripts were associated with assemblies of doubtful legality which sought to proclaim their legitimacy by claiming an ancient lineage back to Æthelstan and beyond and by insisting that royal officials should be subject to the assembly, rather than suppressing it.

As the responsibilities of guilds for the regulation of particular trades grew in the fifteenth century, guilds frequently came under the control of elite groups. The humbler journeymen increasingly sought to create their own organisations, both to protect their own position against the masters and presumably also to hold more congenial social gatherings away from the stifling presence of the masters. The resulting tensions could lead to violent conflicts, as was the case in York and other

¹¹³ Knoop and Jones, *op. cit.*, pp. 178-84.

cities during 1381.¹¹⁴ These journeymen assemblies frequently sought to affirm their power and legitimacy by making ordinances, which were set down in writing.

Thus, in 1396 the wardens of the saddlers' company in London appeared before the mayor and aldermen and claimed that for the past thirteen years

under a certain feigned colour of sanctity, many of the serving men in the trade had influenced the journeymen among them and had formed covins thereon with the object of raising their wages greatly in excess...and further that the serving men aforesaid, according to an ordinance made among themselves, would oftentimes cause the journeymen of the said masters to be summoned by a beadle, thereunto appointed, to attend at the vigils of the dead who were members of the said fraternity...¹¹⁵

The six 'governors of the serving men' denied these charges and claimed that the purpose of their association was purely religious and that it had existed time out of mind. Regardless of the exact nature of this organisation, it clearly had a fairly formal structure. It possessed officers, servants, a livery, made ordinances and sought to enforce attendance. The 'feigned colour of sanctity' presumably refers to the claim that the organisation was primarily a religious fraternity, but this may well also have involved some kind of shared legendary history.

¹¹⁴ R. B. Dobson, 'The Risings in York, Beverley and Scarborough' in *The English Risings of 1381*, ed. R. Hilton and T. Aston (Cambridge, 1984), pp. 112-42.

¹¹⁵ H. T. Riley, *Memorials of London and London Life in the XIIIth, XIVth and XVth Centuries* (London, 1868), pp. 542-4.

Further circumstantial information about the operation of such a journeymen's fraternity is given by another case against a group of London spurriers in 1381.¹¹⁶ This alleged that for nine years at St Bartholomew's church in Smithfield and elsewhere they had made a 'covin and confederacy to the damage of the common weal'. This fraternity had ordained that no member should make or polish spurs for more than a certain price. They met monthly 'in the church or other places assigned by the captains of their company for the making of new ordinances'. Those who failed to attend the assembly paid a penalty of a pound of wax. The fraternity had established a common box into which each member paid a halfpenny a week, so that it was claimed the fraternity had accumulated over eighteen marks for the maintenance of its ordinances. It was alleged that the fraternity had written ordinances prepared under a notarial seal. The leaders of the fraternity had summoned those who had broken its ordinances for perjury before the consistory court of the Bishop of London. It was stipulated that only journeymen should belong to the fraternity. It was also agreed that if any master should employ anybody from outside the city, the journeymen would leave his service until the foreigner had been dismissed. If any member of the fraternity heard an evil work spoken against one of his brethren, he was to immediately inform the society.

The trial showed that the description of the journeymen spurriers' fraternity made in the charges was broadly accurate. One member admitted that he had been involved in the citations before the Consistory Court, had attended monthly meetings and made payments to the common box. Moreover, it turned out the fraternity had held an emergency meeting, apparently in response to the prosecution, despite an order of the Mayor that no congregation should be held. Eventually, the rest of those charged,

¹¹⁶ A. H. Thomas, *Calendar of Plea and Memoranda Rolls ... of the City of London...*, 1364-1381 (Cambridge, 1929), pp. 291-4.

together with other members of the fraternity who had not been named in the original inquest, appeared in court and were bound over not to engage in any such assemblies.

Journeyman's organisations continued to be a problem in London throughout the fifteenth century. In 1441, the master bakers petitioned the mayor and aldermen that the 'servants of the craft [of bakers]...have on holy days a revelling hall and a drinking thereby which many of them are unable to do good work a day after'.¹¹⁷ Moreover, they maintained a brotherhood with a distinctive livery, and members of this livery would not work unless they had greater wages than hitherto. They refused to work from Saturday afternoon until Sunday evening. Members of the brotherhood supported each other against the masters if any master criticised them for their work. They threatened to leave the master's service if he sought to correct them, and also declared that they would ordain that none of them should work by night.

The servants of the bakers appeared and vigorously defended themselves. They declared that the revelling hall was nothing new but that 'time out of mind the custom had continued on certain days'. They said that the brotherhood with its distinctive hoods had also existed for a very long time 'to the worship of God and engendering of love and for no manner of confederacy nor to the harm of the craft in any way'. Most of the masters had been members of the brotherhood in their time. They denied that they had absented themselves from their work. As for the claim that they had supported each other when criticised by the masters, this only happened when a master was unreasonable, because 'it is reason that he that so trespasseth above his guilt but not for to slander all servants for the folly of one misdoer'. They declared

¹¹⁷ R. Sharpe, *Calendar of Letter Books ... of the City of London: Letter Book K* (London, 1911), pp. 263-6; S. Thrupp, *A Short History of the Worshipful Company of Bakers of London* (London., 1933), pp. 110-111.

that as a body they had never entertained the idea that they should refuse to work by night. The representatives of the journeymen sought to demonstrate in detail that their wages had not changed, and complained vociferously about new ordinances of the bakers' company which prevented married journeymen going home to their wives. Nevertheless, the mayor and aldermen suppressed the journeymen's fraternity and ordered that they should be governed in future by the bakers' company.

Similar cases can be found in other towns such as York and Coventry.¹¹⁸ Clearly organisations such as the fraternity of journeymen bakers had very similar concerns to those expressed by the stonemasons in the Regius and Cooke manuscripts. When challenged, such bodies invariably claimed that they had existed 'time out of mind', and it was a short step from this to alleging that assemblies were authorised by a grant from a primordial figure such as Æthelstan. More powerful guilds were in the process of elaborating such genealogies and this doubtless encouraged the journeymen's fraternities also sought to make such claims. Between 1433 and 1471, the Palmers' guild of Ludlow donated an elaborate window to St Lawrence's church, showing the granting of a charter to the guild by St Edward the Confessor.¹¹⁹ There is no evidence that this guild was founded in the eleventh century, and the myth that St Edward had incorporated the Ludlow palmers appears to have grown up in the fourteenth century. One can imagine that the Shropshire stonemasons who worked on the window would have been comforted to know that their fraternities could claim an even more ancient Anglo-Saxon lineage. The appeal to the distant past was a common feature of

¹¹⁸ See, for example, *The Coventry Leet Book or Mayor's Register*, ed. M. D. Harris, Early English Text Society 134 (1907), pp. 91-6, 180-4, 418-9; Kimball, *op. cit.*, pp. lxxix-lxxxiii; H. Swanson, *Medieval Artisans: an Urban Class in Late Medieval England* (Oxford, 1989), pp. 114-5.

¹¹⁹ Christian Luddy, 'The Palmers' Guild Window, St Lawrence's Church, Ludlow: A Study of the Construction of Guild Identity in Medieval Stained Glass', *Shropshire History and Archaeology* 72 (1997), pp. 26-35.

medieval society, whether a Ludlow guild claiming they had received charter from Edward the Confessor, monasteries forging charters to show that they had been granted lands by forgotten Kings of the Heptarchy,¹²⁰ or the peasants who in the 1370s purchased exemplifications from Domesday Book to show that they were free.¹²¹ The appeal to Æthelstan, Edwin and beyond in Cooke and Regius is simply another expression of this.

In the 1425 parliament, the commons presented a petition complaining that the annual congregations and confederacies made by the masons in their general chapters and assemblies were publicly violating and undermining the statutes of labourers. They asked the King and Lords to ordain that the holding and gathering of such chapters should be utterly forbidden and judged a felony, and asked that the justices of the peace should be given authority to enquire into these chapters and assemblies. The King replied that such chapters and congregations should not be held, and those who convene such chapters should be adjudged felons. Any masons who go to such congregations should be imprisoned without fine or ransom at the king's will. A statute to this effect was duly enacted.¹²²

Thus, at about the time that Regius and Cooke were being compiled, masons were holding assemblies to try and ensure they got higher wages. The character of these assemblies was presumably similar to those held by the journeymen saddlers, spurriers, bakers and others in London and elsewhere. It seems perverse not to identify the assemblies of masons described in the 1425 statute with those mentioned

¹²⁰ See, for example, P. H. Sawyer, *Anglo-Saxon Charters* (London, 1968), nos. 2-6, 43-5, 54-5, 64-6.

¹²¹ Elizabeth M. Hallam, *Domesday Book Through Nine Centuries* (London, 1986), pp. 99-109.

¹²² Knoop and Jones, *Mediaeval Mason*, op. cit., p. 183. The original petition of the commons against the assemblies of masons is London, National Archives, SC 8/24/1196.

in Regius and Cooke, but scholars have been reluctant to do so. Salzmann objected that nobody had found evidence of a prosecution under this legislation,¹²³ but enforcement of the statute was the responsibility of the justices of the peace and only a few peace rolls survive from this period.¹²⁴ Knoop and Jones were tempted to identify the assemblies of Cooke and Regius with those of the legislation, but hesitated because Regius and Cooke declare that sheriffs and aldermen attended these assemblies.¹²⁵ However if the texts of Regius and Cooke were compiled to authorise the holding of such assemblies, then obviously it would be in their interests to claim that they should be sanctioned by the presence of royal officials. The self-aggrandisement of craft assemblies of this kind was not unusual; in 1299, Walter of Maidstone, a carpenter, was accused of summoning a ‘parliament of carpenters at Mile End’ to swear an oath not to observe an ordinance concerning the wages of carpenters.¹²⁶

Another reason for the hesitation of Knoop and Jones in linking the production of Regius and Cooke to the assemblies prohibited in the 1425 statute was that Regius and Cooke refer to the attendance of master masons at the assembly. The assemblies described in the 1425 statute apparently involved journeymen masons only. However, Regius and Cooke do not provide any confirmation that master masons attended the assemblies they describe. Their aim was simply to try and persuade the masters to attend, and they may have been unsuccessful in this. The references to the attendance

¹²³ L. F. Salzman, *Building in England down to 1540: A Documentary History* (Oxford, 1952), p. 42.

¹²⁴ A. Prescott, ‘Labourers Lives: prosecutions of artisans in the fifteenth century’, *Fifteenth-Century Studies* (forthcoming).

¹²⁵ Knoop and Jones, *The Mediaeval Mason*, op. cit., p. 184.

¹²⁶ A. H. Thomas, *Calendar of the Early Mayor's Court Rolls...of the City of London... 1298-1307* (Cambridge, 1924), p. 25.

of masters at the assemblies in Regius and Cooke probably simply indicate that the fraternities which produced these ordinances wanted greater control over the masters.

There are hints that an oligarchy was emerging among masons similar to that in other crafts.¹²⁷ The 1351 statute had awarded the 'mason of free stone' higher wages than other masons. It is perhaps this increasing division which had led to the disputes between the mason hewers and mason setters which led to the London ordinances of 1356. Increasingly in building contracts and elsewhere the freemason appears as a small-scale capitalist entrepreneur.¹²⁸ Regius and Cooke react against this trend not only by making demands on such issues as pay, holidays and notice of dismissal, but also by using the legendary history to demonstrate that all masons were equal and the craft of noble origin. The picture given in Regius and Cooke of masons working together as equal fellows are, as Cooper has shown, intended to portray a community of workers, but this community may already have vanished at the time that the texts were composed.

The most persuasive reading of the Regius and Cooke texts is that they are volumes produced in the second quarter of the fifteenth century recording a legendary history of the craft of stone masonry and ordinances produced by illicit assemblies of journeymen masons of the type recorded in the 1425 legislation, similar in character to the ordinances made by the journeymen saddlers and spurriers in London. As such, they are a remarkable survival of artisan culture of the fifteenth century, but the modern masonic heirs of these medieval journeymen have been tempted to read much

¹²⁷ Cf. Salzman, *op. cit.*, pp. 30-44.

¹²⁸ This is suggested by a number of fifteenth-century lawsuits relating to building contracts in the Early Chancery Proceedings in the National Archives, such as: C 1/7/104, C1/64/780, C 1/66/411. See also Salzman, *op. cit.*, pp. 495-6, 505-9, 556-9, 561-3.

more into them, and doubtless will continue to do so. Gould argued at length that the legendary history in Regius and Cooke represented an ancient oral tradition of stonemasons. How far is this legendary history true? It will never be possible to establish the roots of the legend with any certainty, but the texts of Regius and Cooke suggest that, like the Palmers' legend of Edward the Confessor in Ludlow, the elaboration of the legend of the stonemasons was relatively recent. It is striking that the stories of the invention of masonry by Euclid was designed to prove that the craft was of noble origins and that there should be no hierarchy among fellow masons. This was clearly an attempt to undermine the hierarchies which, as with other trades at that time, were becoming increasingly evident among masons during the first half of the fifteenth century.

If the Cooke manuscript is accepted as an elaboration of an earlier version of the craft legend as recorded in Regius, then the process by which the craft legend was extended and reinforced to support the claims of the journeymen mason becomes more evident. The story of the origins of masonry is extended back to the advent of christianity in England and is linked to a figure, St Alban, who was commemorated in one of the most imposing ecclesiastical buildings in the country. The introduction of the figure of Æthelstan's son not only reinforces the theme that the craft of stonemasonry was of noble origins, but also adds a vital link in the new extended history of the craft in England. Even small details of the legendary history may have been affected by changes in the masons' trade. For example, the sudden appearance of the French King Charles in the Cooke manuscript may perhaps be interpreted as reflecting the need to show that the ordinances applied also to masons working in France. The different circumstances of working on fortifications on English possessions in France in the

fifteenth century led to the issue of detailed ordinances governing the masons' working hours, control over material and equipment and victualling arrangements. All these were matters very close to the heart of the fraternities which compiled Regius and Cooke, and it is not surprising to find that they could come up with good historical reasons to show why the customs claimed by stonemasons in England should also be apply when they were working abroad on projects like those described in Edward IV's ordinances for the masons at Calais.

If we are to follow David Wallace's advice and seek that moment of precarious historicity for the texts of Regius and Cooke, it lies in that statute of 1425. The most feasible interpretation of the Regius and Cooke manuscripts is that they were written ordinances produced by fraternities of journeymen stonemasons meeting during the 1420s in Shropshire and elsewhere in the West Midlands, similar to the written ordinances prepared by the journeymen spurriers in London in 1381 and by other journeymen's organisations. The legendary history can be seen as an attempt, first, to legitimate the holding of the assemblies notwithstanding legislation forbidding them and, second, to protest against and to subvert the emergence of oligarchies within the craft of stonemasonry by emphasising that all stonemasons were equal in their craft and the craft itself originally devised for noblemen. Like the journeymen bakers in 1441, the stonemasons' assemblies doubtless included a 'revelling hall' and the repetition of these stories would have formed part of the entertainment, just as the carpenters were regaled with the *Debate of the Carpenters' Tools* and the Ludlow palmers were edified by the story of Edward the Confessor's grant to their guild. It is interesting to note that some of the journeymen's assemblies were held in religious houses. The meetings of the London spurriers were held in St Bartholomew's

Smithfield and the journeymen saddlers met in the church of St Vedast Foster Lane. Possibly the persistent suggestion of a connection between the Regius manuscript and Lilleshall Priory suggests that the fraternity which produced Regius met at or near Lilleshall.

It is dangerous to make hard and fast distinctions between literary texts and historical documents. Because they are in Middle English and one is in verse, Regius and Cooke have been regarded primarily as literature, and another reason why these texts have become de-historicised is that they have been viewed chiefly as literary productions. Yet the key to understanding them lies in the petition of 1425, preserved in the parliamentary records, and in labour legislation. We know very little about the enforcement of this labour legislation in the fifteenth century, but although few justices of the peace records survive, there is information about enforcement of labour legislation dispersed through other legal records such as the rolls of courts such as the king's bench, common pleas and chancery. If we wish to explore further the context of Regius and Cooke, the next stage lies in these little studied and unregarded legal records.

Let me conclude by describing briefly one early case from the Chancery, dating from 1403-5.¹²⁹ Roger Eye, a mason, petitioned Henry Beaufort as chancellor, and described how he was apprenticed to learn the specialist craft of freemason. At the end of his apprenticeship, Roger had to acquire his own tools, but had no money, so was forced to borrow money from his friends to buy them. Another mason, John Stokes, was jealous that Roger was attempting to establish himself in this prestigious part of the craft. Stokes contrived that he and Roger would work together on a job. At

¹²⁹ London, National Archives, C1/66/164.

the end of the job, Stokes managed to embezzle the tools and instruments which Roger had secured with such great difficulty. When Roger confronted Stokes and asked for the return of his tools, Stokes threatened to bring a lawsuit against him. Roger declared that Stokes would have beaten him up if he had not been better defended. Stokes accordingly brought a trespass case against Eye and arranged for friends of his to be empanelled on the jury. He said that he would only withdraw the suit if Eye relinquished his tools to him. Eye requested a writ to bring the case into Chancery.

Stokes's envy of Richard suggests resentment at the increasing specialisations and hierarchies emerging in their shared craft. Richard's petition, presumably drawn up for him by an attorney, echoes the concerns of the Regius and Cooke manuscripts, with their anxiety about emerging hierarchies in the stonemasons' trade. The cost of getting a set of tools, the problems of finding a foothold in a new trade, the envy of other workmen: these were the day-to-day difficulties with which fifteenth-century artisans struggled and which shaped and bounded their lives.