

II.

1412

ARTICLES OF WAR OF RICHARD II—A. D. 1385.

These are the Statutes, Ordonnances and Customs, to be observed in the Army, ordained and made by good consultation and deliberation of our most Excellent Lord the King Richard, John Duke of Lancaster, Seneschall of England, Thomas Earl of Essex and Buckingham, Constable of England, and Thomas de Mowbray, Earl of Nottingham, Mareschall of England, and other Lords, Earls, Barons, Banneretts, and experienced Knights, whom they have thought proper to call unto them; then being at Durham the 17th Day of the Month of July, in the ninth Year of the Reign of our Lord the King Richard II.

I. FIRSTLY. That all manner of persons, of what nation, state, or condition they may be, shall be obedient to our lord the King, to his constable and mareschall, under penalty of everything they can forfeit in body and goods.

II. ITEM, that none be so hardy as to touch the body of our Lord, nor the vessel in which it is contained, under pain of being drawn, hanged and beheaded.

III. ITEM, that none be so hardy as to rob and pillage the church, nor to destroy any man belonging to holy church, religious or otherwise, nor any woman, nor to take them prisoners, if not bearing arms; nor to force any woman, upon pain of being hanged.

IV. ITEM, that no one be so hardy to go before, or otherwise than in the battail to which he belongs, under the banner or pennon of his lord or master, except the herbergers, whose names shall be given in by their lords or masters to our constable and mareschall, upon pain of losing their horses.

V. ITEM, that no one take quarters, otherwise than by the assignment of the constable and mareschall and the herbergers; and that, after the quarters are assigned and delivered, let no one be so hardy as to remove himself, or quit his quarters, on any account whatsoever, under pain of forfeiture of horse and armour, and his body to be in arrest, and at the King's will.

VI. ITEM, that every one be obedient to his captain, and perform watch and ward, forrage, and all other things belonging to his duty, under penalty of losing his horse and armour, and his body being in arrest to the mareschall, till he shall have made his peace with his lord or master, according to the award of the court.

1413 VII. ITEM, that no one be so hardy as to rob or pillage another of money, victuals, provisions, forage, or any other thing, on pain of losing his head; nor shall any one take any victuals, merchandise, or any other thing whatsoever, brought for the refreshment of the army, under the same penalty; and any one who shall give the names of such robbers and pillagers to the constable and mareschall, shall have twenty nobles for his labor.

VIII. ITEM, no one shall make a riot or contention in the army for debate of arms, prisoners, lodgings, or any other thing whatsoever, nor cause any party or assembly of persons, under pain (the principals as well as the parties) of losing their horses and armour, and having their bodies in arrest at the King's will, and if it be a boy or page he shall lose his left ear. Any person conceiving himself aggrieved shall make known his grievance to the constable and mareschall, and right shall be done him.

IX. ITEM, that no one be so hardy as to make a contention or debate in the army on account of any grudge respecting time past, or for any thing to come; if in such contest or debate any one shall be slain, those who were the occasion shall be hanged; and if any one shall proclaim his own name, or that of his lord or master, so as to cause a rising of the people, whereby an affray might happen in the army, he who made the proclamation shall be drawn and hanged.

X. ITEM, that no one be so hardy as to cry "havok,"¹ under pain of losing his head, and that he or they that shall be the beginners of the said cry shall likewise be beheaded, and their bodies afterwards be hanged up by the arms.

XI. ITEM, that no one make the cry called mounté,² or any other whatsoever in the army, on account of the great danger that may thereby happen to

¹ "Havok" was the word given as a signal for the troops to disperse and pillage. [Note by Grose.]

² "Mounté," i. e. *montez*—to horse. Probably this was either a mutinous cry, calling on the cavalry to take horse and leave the army, or might be the method of calling to arms from a supposed approach of the enemy and was what would now be called raising a false alarm. [Note by Grose.]

the whole army; which God forbid! and that on pain, if he be a man at arms, or archer on horseback, of losing his best horse; and if he be an archer on foot or boy he shall have his left ear cut off.

XII. ITEM, if in any engagement whatsoever an enemy shall be beat down to the earth, and he who shall have thus thrown him down shall go forwards in the pursuit, and any other shall come afterwards, and shall take the faith or parole of the said enemy, he shall have half of the said prisoner, and he who overthrew him the other half; but he who received his parole shall have the keeping of him, giving security to his partner.

XIII. ITEM, if any one takes a prisoner, and another shall join him, 1414 demanding a part, threatening that otherwise he will kill him (the prisoner), he shall have no part, although the share be granted to him; and if he kills the said prisoner he shall be in arrest to the mareschall without being delivered till he has satisfied the party, and his horses and armour shall be forfeited to the constable.

XIV. ITEM, that no man go out on an expedition by night or by day, unless with the knowledge and by the permission of the chieftain of the battail in which he is, so that they may be able to succour him should occasion require it, on pain of losing horse and armour.

XV. ITEM, that for no news or affray whatsoever that may happen in the army, any one shall put himself in disarray in his battail, whether on an excursion or in quarters, unless by assignment of his chieftain, under pain of losing horse and armour.

XVI. ITEM, that every one pay to his lord or master the third of all manner of gains of arms; herein are included those who do not receive pay, but only have the benefit of quarters. Under the banner or pennon of arms of a captain.

XVII. ITEM, that no one be so hardy as to raise a banner or pennon of St. George, or any other, to draw together the people out of the army, to go to any place whatsoever, under pain, that those who thus make themselves captains shall be drawn and hanged, and those who follow them be beheaded, and all their goods and heritages forfeited to the King.

XVIII. ITEM, that every man of what estate, condition, or nation he may be, so that he be of our party, shall bear a large sign of the arms of St. George before, and another behind, upon peril that if he be hurt or slain in default thereof, he who shall hurt or slay him shall suffer no penalty for it; and that no enemy shall bear the said sign of St. George, unless he be a prisoner, upon pain of death.

XIX. ITEM, that if any one shall take a prisoner, as soon as he comes to the army, he shall bring him to his captain or master, on pain of losing his part to his said captain or master; and that his said captain or master shall bring him to our lord the King, constable or mareschall, as soon as he well can, without taking him elsewhere, in order that they may examine him concerning news and intelligence of the enemy, under pain of losing his third to him who may first make it known to the constable or mareschall; and that every one shall guard, or cause to be guarded by his soldiers, his said prisoner, that he may not ride about at large in the army, nor shall suffer him to be at large in his quarters, without having a guard over him, lest he espy the secrets of the army, under pain of losing his said prisoner; reserving to his said lord the third of the whole, if there is not a partner in the offence; and the second part to him that shall first take him; and the third part to the constable. On the like pain, and also of his body being in arrest, and at the king's will, he shall not suffer his said prisoner to go out of the army for his ransome, nor for any other cause, without leave of the King, constable, and mareschall, or the commander of the battail in which he is.

1415 XX. ITEM, that every one shall well and duly perform his watch in the army, and with the number of men at arms and archers as is assigned him, and that he shall remain the full limited term, unless by the order or permission of him before whom the watch is made, on pain of having his head cut off.

XXI. ITEM, that no one shall give passports or safe conduct to a prisoner nor any other, nor leave to any enemy to come into the army, on pain of forfeiture of all his goods to the King, and his body in arrest and at his will; except our lord the King, Monsieur de Lancaster, seneschall, the constable, and marshall: and that none be so hardy as to violate the safe conduct of our lord the king, upon payne of being drawn and hanged, and his goods and heritage forfeited to the King; nor to infringe the safe conducts of our said lord of Lancaster, seneschall, constable, and mareschall, upon pain of being beheaded.

XXII. ITEM, if any one take a prisoner, he shall take his faith, and also his bacinet, or gauntlet, to be a pledge and in sign that he is so taken, or he shall leave him under the guard of some of his soldiers, under pain, that if he takes him, and does not do as is here directed, and another comes afterwards, and takes him from him (if not under a guard) as is said, his bacinet or right gauntlet in pledge, he shall have the prisoner, though the first had taken his faith.

XXIII. ITEM, that no one be so hardy as to retain the servant of another, who has covenanted for the expedition, whether soldier, man at arms, archer, page or boy, after he shall have been challenged by his master, under pain that his body shall be in arrest till he shall have made satisfaction to the party complaining, by award of the court, and his horses and armour forfeited to the constable.

XXIV. ITEM, that no one be so hardy to go for forage before the lords or others, whosoever they may be, who mark out or assign the places for the foragers; if it is a man at arms, he shall lose his horses and harness to the constable, and his body shall be arrested by the marischal, and if it is a valet or boy, he shall have his left ear cut off.

XXV. THAT none be so hardy as to quarter himself otherwise than by the assignment of the herbergers, who are authorized to distribute quarters, under like penalty.

XXVI. ITEM, that every lord whatsoever cause to be delivered to the constable and marischal the names of their herbergers, under penalty, that if any one goes forward and takes quarters, and his name is not delivered in to the constable and mareschall, he shall lose his horses and armour.

“The Rules and Ordonnances of War” of Henry V are printed in Upton’s “De Studio Militari,” and in Grose’s Antiquities of England and Wales, vol. 1, p. 34. The military code of Henry VIII is said to be preserved, in MS, in the College of Arms, London.