

Leycesters Disciplinary Code

LAWES and Ordinances set downe by Robert Earle of Leycester, the Queenes Maiesties Lieutenant and Captaine Generall of her Armie and Forces in the lowe Countries: meete and fitte to be obserued by all such as shall serue her Maiestie vnder him in the said Countries, and therefore to be published and notified to the whole Armie. Forasmuch as there is not any gouerned Estate, which in peace or warre can be accounted sure, or preserued from dishonour and ruine, unlesse it be supported and borne up by Justice duely administred, and discipline orderly obserued: And for that no man can be so ignorant as not to knowe that honor, fame and prosperitie, doe duely followe that common Wealth or Nation, wherein good lawes are established, the Magistrate ministring Justice is duely regarded, and the people fearing to offend, are drawn under the rules of Justice and obedience: And seeing that martiall discipline about all thinges (proper to men of warre) is by us at this time most to be followed, aswell for the aduancement of Gods glorie, as honourable to gouerne this Armie in good order: And least that the euill inclined (pleading simplicitie) shoulde couer any wicked facte by ignorance: Therefore these martiall Ordinances and Lawes following are established and published whereby all good mindes endeououring to attaine honour, may stand armed, and receiue encouragement to perseuere in well doing, and such as are inclined to lewdnesse, be warned from committing offences punishable. Which being embraced with carefull respect, and followed with obedience, doe promise good order and agreement amongst our selues, with victorie and good euent against our enemies.

- 1 First, every chiefe Magistrate, Captaine, inferiour Officer, Souldiour, Pioner, or what person els receiuing her Maiesties paye in Fielde or Garison, shall solemnely sweare, and by corporall othe be bounde to perfourme the under written Articles, so farre as to each in their seuerall qualities shall appertaine: the violating or breaking whereof, is to be punished by the Generalles direction, according to the quality of the offence.
- 2 Forasmuch as the holy Name of our most mightie and inuincible GOD, with all reuerence ought to be regarded, and that destruction is pronounced to such as blaspheme or abuse the same: it is therefore ordeined and commanded that no person whatsoever, either in common conference or communication, or for any cause whatsoever, shall blaspheme being thus admonished, or take his Name in vaine, upon pain of losse of v. s.

to the reliefe of the poore for the first offence: for the seconde, fiue dayes imprisonment: for the third losse of his place and wages.

- 3 And because the continuall and unspeakeable fauours of our Almighty God, by our unthankfulnesse may be taken from us, and that no good euent of any action can be expected, wherein God is not first principally honoured and serued: It is therefore especially ordeyned and commanded, that that all persons whatsoeuer, shall upon generall warning giuen either by sound of Trumpet or Drum, repaire to the place appointed, where the Diuine seruice is to be used, there to heare the same read and preached, unlesse for the present by sicknesse or other seruice he be impeached upon paine to lose his dayes wages for the first, two dayes wages for the second, and so to be encreased by the discretion of the Judge, and for euery such default in the Souldier, aswell the Captaine as his inferiour officers, to be punished with like penaltie.
- 4 And seeing it well beseemeth all Christians, especially such as professe the militarie seruice, to passe away the time in matters requisite for their profession: And because no time can be more vainely spent, then that which is consumed in unlawfull games, besides the breeding of much contention, and quarrelles: And for that there be many allowable and commendable exercises for all fortes of men to use: Therefore it is streightly commanded, that no priuate Souldiour or inferiour Officer shall frequent the playing at Dice and Cardes, nor any other unlawfull games, upon pain of two dayes imprisonment for the first time, and for after committing the like, to be further punished by the Judges discretion.
- 5 And for that it often happeneth, that by permitting of many vagrant idle women in an armie, fundry disorders and horrible abuses are committed: Therefore it is ordeined that no man shall carrie into the fielde, or deteine with him in the place of his garrison, any woman whatsoeuer, other than such as be knowen to be his lawful wife, or such other women to tend the sicke and to serue for launders, as shall be thought meete by the Marshall, upon paine of whipping and banishment.
- 6 And infomuch as clemencie amongst men of warre in some respects is a singuler vertue: It is ordeined that no man in any part of this seruice that he shall doe, shall lay violent

handes upon any woman with childe, or Iying in childebed, olde perfons, widowes, yong virgins, or babes, without especial order from the Magistrate, upon pain of death.

- 7 What person soeuer that shall be commonly giuen to drunkenesse or riotously behaue himfelfe, shall be banished the Armie.
- 8 Whosoever shall conceale, or in any sort keepe secrete Treason, any dangerous Conspiracie, or other practice which may be hurtfull, and may concerne the perill of her Maiesties person, or of her General, or the estate of the Armie, and shall not with all diligence reueale the same either unto the Generall, or some other Officer of especiall trust, shall incurre the paines of death with torments.
- 9 No man shall haue speeche or conference, send message, deliuer or receiue letters to or from the enemie, or any of his confederates, either secretly or openly, without manifesting the same presently unto the Generall or Marshall, or having former authoritie so to doe upon paine of death.
- 10 No man being in this seruice shall depart ye Campe or place of Garrison for any cause whatsoever, without the Generals especial Passport, or other head Officer authorized, upon pain of death.
- 11 No man shall breake out or leaue the order of his ranke, being once ordered in the field by the Marshall or Sergeant Maior, without some great occasion first made knowen unto the saide Officer, upon paine of losse either of life or limme, at the discretion of the Generall or of the Marshall.
- 12 No man appointed to watch or warde, shall shun or depart the place, neither shall sleepe, or neglect his duetie therein especially after the watch is set and the woorde giuen, unless he is orderly relieued, or for some great occasion enforced, with licence of his Captaine or Officer, upon paine of death.
- 13 No man shall bewray the watchworde to the enemie or to any other, or giue any other woorde than is deliuered by the Officer, upon paine of death with torment.

- 14 No man shall raise any mutinie, or procure unlawfull assemblies upon priuate, secrete, or hidden purpose, whereby to disturbe the peace and quiet of the Armie, upon paine of death.
- 15 No man shall lift up his weapon against the Magistrate his Captain or Officer, upon paine of death.
- 16 No man shall quarrell, brawle, or make any affray within the Campe or Toune of garrison, upon olde malice, or newe occasion whatsoever, but shall complaine to the Officer, who is to decide the cause and punish the partie offending, upon paine of losse of life or limme, at the discretion of the Generall or Marshall.
- 17 And whereas fundrie nations are to serue with us in these warres, so as through diuerstie of languages occasion of many controuersies may arise or happen to growe: It is therefore ordeined, that if any person of English nation shall finde him selfe agriued with any wrong profered him by any foreiner, that then without profering further reuenge he shall signifie the same unto his Captaine or other officer, whereby order may be taken so, as no further quarrell growe thereor, but that quietnesse in all respects may be preferred, upon paine of such punishment as the head officers shall thinke meete, either by losse of life or limme.
- 18 No man appointed to the defence of any Breach, Trench, or Streight, either Captaine or Souldiour, shall willingly leaue it, or upon any false or imagined cause or excuse, shall absent himselfe from the place, without sufficient warrant, upon paine of death.
- 19 No Captaine, officer, or other person, shall receiue or entertaine any other mans Souldiour or seruant, without consent of his former Captaine or Master, neither shall entice another mans Souldiour from him, upon paine of losse of a Monethes wages, and to restore the partie to his former Captaine or Master.
- 20 No man shall enrolle his name under two Captaines, nor muster in seuerall companies at one time, or otherwise pass in another mans name, or lende Armour, weapon, or other furniture upon the muster day, whereby to abuse her Maiestie, and weaken the present seruice, upon paine of a moneths imprisonment, and banishment.

- 21 No man shall embezill or diminish any of his Armour, weapon and furniture, which is appointed him by his Captaine, unlesse he can prooue that he lost the same in seruice: And that no man shall take in pawne any Souldiours weapon or furniture, upon paine to the Souldiour of los of his place, and to the other that shall take it in pawne, the losse of the double value.
- 22 No man shall play away, engage, or lende away his furniture, but shall alwayes keepe his Armour and weapon cleane and seruiceable, upon paine of being discharged.
- 23 No man shall deceitfully take away his companions prouision, victuals, or furniture, upon paine of imprisonment.
- 24 No person traueyling, lodging, or abiding in any the Tounes or Countires of her Maiesties friendes or Allies, shall in any wise exact or take by force from the people either victuall or other goods whatsoever, without present payment, or other sufficient order to the iust satisfaction of the partie, upon paine of death.
- 25 No man shall forestall any victuals brought for the Campe or place of garrison, but suffer the same peacefully to come into the Market place, there to be rated and priced by the Marshall or his officer, before he buy the same, upon paine of death.
- 26 No man shall robbe or spoyle any Shop or Tent, or any victualler or Marchant comming for the relief of the Campe or garison, but in all good fort shall entertaine and defend them, upon paine of death.
- 27 No Souldiour commanded at any time to take victuals for certaine dayes, shall exceede the same dayes, or spend the same otherwise then according to the proportion and time allowed him, upon paine of imprisonment or other such punishment as the lawfull officers shall appoint.
- 28 No man shall distres or spoyle any person standing on her Maiesties partie, or being under the Generals protection, upon paine of death.
- 29 No man shall disobey or transgresse any Proclamation made by Drumme or Trumpet, set forth by the generall, upon such paine as he shall set forth.

- 30 No man shall resist the Prouost or his other officer in apprehending of any malefactor, but if need require, shall ayde and assist him therein, or otherwise if by such occasion any escape be made it is ordeined that euery person by whose defaulte the escape was committed, shall suffer like punishment that the parties so escaped shoulde have endured.
- 31 No man shall molest or trouble any person beeing under his owne regiment, or the leading of any other, once placed by the Marshall forrier, or Harbinger in the Campe or Toune, but quietly to permit and suffer euery one to enioye his feueral rounge or lodging, unless it be by mutuall consent and agreement, neither shall any man lodge out of his Captaines quarter without licence, upon paine of imprisonment.
- 32 No man contrarie to order shall set on fire or burne any house, milne, or corne, nor at dislodging or remoouing shall set the Campe on fire, without speciall commaundement from the Generall or other head Officer present, upon paine of death.
- 33 No man without great occasion shall make Alarme, but if any chaunce to arise, then shall euery man presently repaire in all haste unto his appointed place, unless some true excusable cause do hinder him, upon paine of death.
- 34 No man shall harbour or receaue into his lodging any person being a stranger, or of our owne nation not being enrolled in her Maiesties paye, but shall presently acquaint the Generall or Marshall with his name, countrey, the time of his coming, and busines, upon paine of imprisonment, and losse of his place and wages.
- 35 No man shall talke or haue conuersation with any Trumpeter or Drummer of the enemies, or other sent in message, but such as be appointed by the Generall, upon paine of death.
- 36 No man shall attende upon the cariages, but such as are appointed to that charge, neither linger, or loyter behind with them to ride or ease themselues, unlesse it be such as by sicknesse, hurtes, or other infirmities knowen to the officers, to be permitted so, upon paine of imprisonment and losse of wages.
- 37 No man shall attempt to goe a foraging, without the officer appointed for that purpose deliuer them a sufficient garde for their defence, upon paine of death.

- 38 No Captaine shall sende forth any men to doe any enterprife, without knowledge of the Generall, or chiefe officer appointed hereunto, upon paine of losse of his place.
- 39 All priuate Captaines, being no head Officers, shall watch and warde with their Ensignes, unlesse it be by speciall leaue, upon paine of the losse of a months paye, and for the second time, los of his place.
- 40 Euery Souldiour shall present such prisoners as are taken, to their Captaine immediately at their return to the Campe, and none shall either kill them, or licence them to depart, without commaundement or leaue from the Generall, or other head Officer thereunto appointed, upon paine of being disarmed, and banished the Campe.
- 41 Euery Souldier at all times in seruice shalbe obedient and faithfull, aswell to their Captaines as other inferiour Officers, and not to refuse direction of any under whom they are appointed to serue, upon paine of imprisonment, and losse of a moneths wages.
- 42 Euery man shall support and defende his owne Ensigne both night and day, and shall resort unto the same upon the first warning, and not depart untill it be brought into safetie, upon paine of death.
- 43 Euery souldier shal diligently obserue and learne the sound of Drums, Fifes, and Trumpets, to the end he may know how to answere the same in his seruice.
- 44 No man shall slaughter or kill any beast of what nature soeuer within the Campe or Garrison, but in such places as are appointed for that purpose, nor shall suffer the garbage to remain unburied, neither shall any man trouble or defile the waters adioyning, but in the lower part of the streame some good distance from the Camp, upon payne of imprisonment.
- 45 No man shall ease himselfe or defile the Campe or Toune of Garrison, save in such places as is appointed for that purpose, upon paine of imprisonment, and such further punishment, as shall be thought meete by the chiefe Officers.
- 46 No Captaine shall sell or raunsome his prisoner without license of the Generall, and shall not suffer them to depart without making the high Marshall priuie to the same, upon paine Or losse of his prisoner, and imprisonment.

- 47 If any man doe take a prifoner or hoftie, he fhall immediately after hee is returned unto the Campe or Toune of Garrifon, make his Captaine or Governour acquainted therewith, and the Captaine fhall declare the fame unto the Marfhall, who euery eight dayes fhall make certificate thereof unto the Generall, upon paine of imprifonment, and further punifhment as the Generall fhall fet doune.
- 48 In Marching by the fieldes, no man at the putting up of any Hare, or other beaft fhall make any fhout or crie, whereby to difquiet or ftay the reft of the bands, but to ufe all quietneffe and filence in their march, upon paine of imprifonment.
- 49 No man fhall giue up or deliuer unto the enemies any place left to his charge or keeping, upon paine of death.
- 50 If any man flie to the enemies, or be taken upon his departure towards them, he fhall fuffer death.
- 51 Any Captaine finding any Souldiour of what band or company fo euer, which hath tranfgreffed any of thefe Lawes and Ordinances, may take him and bring him unto the Marfhall to be punifhed.
- 52 That who foeuer fhall be enrolled into paye after the othe be miniftred to others and he not prefent, and if afterwards he fhall tranfgrefse any of thefe Ordinances, he fhall be as well punifhable by vertue of thefe Articles, as if he had bene prefent at the firft.
- 53 That no Captaine fhall receiue or enroll any perfon into his paye under him, but that he caufe the fayde Souldier to receiue the othe, as is fet doune in the firft Article, upon paine to the Captaine for not obseruing the fame, of loffe of a months paye.
- 54 That no perfon whatfoeuer fhall paffe by any other way either in Toune or Campe, but at the ordinarie gates and paffages, upon paine of death.
- 55 All other offences and Actes that may tende to diforder not comprifed within thefe articles, fhall be fubieft to fuch manner of punifhment, as the Lieutenant Generall fhall inflict upon them, as if it had been fpecially expreffed and fet doune.