

The second part of the Swedish Discipline

THE
SECOND PART

of the Swedish Discipline:

Containing those Orders, and Articles
of War, which have been commanded by
the King of Sweden, to be under their several
Penalties observed in his Majesties Camp,
Garrisons, or elsewhere.



USTAVUS ADOLPHUS, By the Grace of God King of the Swedes, Goths and Vandals, Great Prince of Finland, Duke of Estonia and Karelia, and Lord of Ingria, &c. Whereas the exactness of Ancient Discipline and Justice is now almost utterly forgotten: and in place thereof many strange and enormous abuses, crept in amongst our soldiers: We therefore taking the matter into our tender care and consideration; will by the assistance of Almighty God endeavor to do our uttermost, both for the reducing of the said form of Discipline, and the rooting of the same abuses using to that purpose the way of gentleness and admonition unto some; and resolving to take the course and strictness of justice unto others. That therefore our soldiers may the better be trained up to the right use and handling of their Arms, so as may best enable them for our service and defense of our native Country: and that every

man in like manner, may better eschew what may fall out to be inconvenient: We have once again overseen our former Articles of wars, calling out from thence these following Articles: which we have thought most fit and expedient, both for our service and their ordering. Straightly willing or commanding all our soldiers, both natives of our Kingdome as well as Strangers, serving both on Horse and Foot; that from the time of their coming into our service, they do duly and obediently observe these following Articles; unto which, if any upon presumption do the contrary, he shall be Punished as here after follows.

I.

Seeing therefore that all our welfare and prosperity, proceeds from Almighty God; and that it is all men's duty to fear and serve him above all : We straightly hereby charge all manner of Persons whatsoever, that they by no means use any kind of idolatry, Witch-craft, or Enchanting of Arms, by Devils enchantment any manner of way whatsoever: And if any herein is found faulty, he shall be proceeded against according to God's law and the Sweden's : And so much as the law in that case enjoins, shall be put in execution against them. And it is further provided, that, such manner of Malefactors shall be by no means suffered to come in Company with any soldiers whatsoever.

2.

If any shall blaspheme the name of God, either drunk or sober; and the thing is proved against him by 2 or 3 witnesses, he shall be put to death without all mercy.

3.

If any shall presume to deride or scorn Gods word or Sacraments, and is taken in the fault; they shall forthwith be convened before the Consistory or Commission Ecclesiastical, to be in presence of the Commissioners examined: by whom if he is found guilty and condemned; he shall lose his head without all mercy, But if the words by him so uttered, were spoken out of haste or unadvisedness; he shall be for the first offence put in Irons for 14 days: And give unto the next hospital one half Months pay. After which if he presume again, he shall be shot to death.

4.

He who in his anger shall swear by the name of God, and be taken therewith; whether it was done in hastiness or not, or otherwise in the executing of his office: he shall forfeit half a Month pay unto the poor. In like manner, if any is in time of Prayers found drinking, or at any other evil exercise, the shall give one half months pay unto the next Hospital, and at the next Preaching or Prayers that is, he shall be brought upon his knees in the midst of all the Congregation, there to crave pardon of Almighty God; and so continue the whole time of Divine service and Sermon. This shall the Minister see executed.

5.

And to the end that God's word be by no means neglected, our will is, that public Prayers be every day said both morning and Evening throughout our whole lager: For which purpose, some token or warning shall be given by our General; and in his absence by our Marshal of the Field, or other chief officer. Which token or warning, shall be made by sound of trumpet, playing the tune of some Psalm: unto which the other trumpeters shall likewise answer in the tune of a Psalm: and so shall the Drummers of every Regiment. Then shall every Priest or Minister in our Army say Public Prayers in his own Quarter.

6.

Whatsoever Minister shall neglect his time of Prayer (except by sickness or other lawful occasion he is hindered) he shall for every absence forfeit one half months pay unto the next Hospital.

7.

Whatsoever soldier shall neglect the time of Prayers, & is therefore once, twice, or thrice admonished by his Captain, he shall lay in prison 24 hours: except he had a lawful occasion to be absent.

8.

If any Minister shall be found drunken at such time as he should preach or read Prayers; he shall for the second offence be gravely advised by the Consistory or Commission to forsake his fine: but if he be found drunken the third time, he shall be put out of the Leaguer.

9.

Every Holyday, or every Sunday at least, shall be kept solemn with Preaching; to be held in the fittest place for such a purpose: This also to be done twice every week if the time will permit. If there is any Holyday to come in the following week; the Minister shall after such Sermon or Prayers publicly bid them. Who so shall neglect the time appointed, unless he have some lawful let or occasion; shall be punished as aforesaid.

10.

All Merchants and Sellers of Commodities whatsoever: as soon as they hear the token or call to be given shall immediately shut up their doors, and so keep them during the said time of Prayers and of Sermon. They that presume in that season to sell anything; shall make forfeit of all things so sold: where of the one half to go to the General, and another half to the next Hospital. Over and above which, the offender shall for one whole day be put into prison.

11.

All drinking and feasting shall in the time of Prayers be given over, upon pain of punishment as is before mention in the 17. Article. If any soldier herein offend, he shall forfeit; 3 Rustics to the poor: and if he is an officer, he shall forfeit what shall be awarded.

12.

For the explaining of this former Article if there is none to complain of these abuses, then shall the Minister himself give notice thereof unto the Colonel or Captain; and if he shall suffer such abuses to go unpunished, then he shall give notice to the General thereof, who shall do him right.

13.

All Priests and Ministers, which are to be in our Camp or Leaguer: shall be appointed by the Bishop of the same Diocese or land from whence the Soldiers come, whom he is to be among. No Colonel nor Captain shall take what Minister he shall think well, but shall be content with whom the Bishop shall appoint him.

14.

To the intent that all Church business is well in the Field as other where, may have an orderly proceeding; we ordain, that there is one Ecclesiastical Consistory or Commission in our Leaguer. The President or chief person, whereof shall be our own Minister when we ourselves are personally present in the field. In our absence, shall the chief Minister be the man to our General. His fellow Commissioners or ordinary Assessors, shall be the chief Ministers to every Regiment of Horse and Foot: unto whom we give full power and authority, to be Judges in all Church affair according to the law of God and the Holy Church. What shall be by them decreed, shall be of as great force and strength, as if it was determined in any other consistory whatsoever.

15.

No Captain shall have liberty to take in a Minister without consent of his Colonel, and of the Consistory: neither shall he again discharge any, but by permission of the Consistory; he having shewed there first, that Minister not to be worthy of his charge.

16.

If any Minister is found ill inclined unto Drunkenness or otherwise; then may his Colonel or Captain of Horse or Foot, complain of him in the Consistory; and if his fellow Ministers find him guilty; then may they discharge him of his place. In such complaints, shall the whole consistory and the President, severely also reprehend him; that others of the same calling may thereby take example, be warned of such gross errors, and give good example unto others.

17.

And now, in like manner, as all our soldiers have made Oath to be unto us true and obedient: so also shall they observe this following Article, hold up their hands, and swear as follows.

The Oath of all Under-Officers of Horse or Foot

I. N. N. Do here promise and swear, that unto the High and mighty; King Gustavus, as also unto the crown of Sweden, I will be a true and a faithful servant and soldier: every manner of way performing my best endeavor for his Majesties service, and the profit of his Kingdom: To my power also shall I hinder all actions prejudicial unto his Crown; and if I have tidings of of anything likely to be prejudicial, I shall give his Majesty, present notice thereof; or someone or another of his council. Moreover I will do my best endeavor to observe all these his Majesties Articles of wars. Also, I shall behave myself manfully in battle skirmishes an entries of breaches; as well by Water as Land, in all times and places, when and where I shall be commanded. I shall also keep watch and ward, and do all other duties willingly, unto the best profit of his Majesty, and his kingdom, where so ever I shall be commanded, either by Land, or Water. Also, I shall bear myself obediently towards my superior officers, in all that they command me for his Majesties service. In like manner, as I shall answer it before God and every honest man, I shall not fly from my Color, or Token whatsoever, that I am commanded to follow; so long as I am able to go after them: and I shall be willing to do this at all times; and by no means absent myself from them at any time. I shall lay down my life and goods for the advancing of his: Majesty's service, and endure all miseries that can possibly fall out in the wars: fighting manfully to the very last; so far forth as I am able, or that any true soldier ought to do: Furthermore, if hereafter I am put into any place of charge by his Majesty, I shall do my best endeavor fairly to discharge my duty therein: so as I ought to do according to my place. This oath shall I well and truly keep, as the Lord of Heaven and Earth shall help my soul at the last Judgement.

18.

All at this present time, or hereafter are to come into our service, shall be bound to keep these following Articles: as well in the Field, as in any Fort or Work whatsoever where they shall be commanded.

19.

For that no Government can stand firmly, unless it is first rightly grounded; and that the laws be rightly observed. We the King of Sweden do hereby make known unto all our soldiers and subjects, noble and others, that in our presence they presume not to do any unseemly thing : but that everyone give Us our due honor, as we ought to receive. Who presumes to do the contrary, shall be punished at our pleasure.

20.

Next, shall our Officers and soldiers be obedient unto our General and Field-Marshal, with other our Officers next under them, in whatsoever they shall command, belonging unto our service: Upon pain of punishment as follows.

21.

Whosoever does not behave himself obediently unto our great General or our Ambassador commanding in our absence, as well as if we ourselves were there in person present; shall be kept in Irons or in prison, until such time as he shall be brought to his answer before a Council of War: where being found guilty; whether it were willfully done, or not; he shall stand to the Order of the Court, to lay what punishment upon him they shall think convenient, according as the person and fact is.

22.

And if any shall offer to discredit these great officers by word of mouth or otherwise and not be able by proof to make it good, he shall be put to death without mercy.

23.

Whosoever offers to lift up any manner of Arms against them, whether he does them hurt or not, he shall be punished by death.

24.

If any offers to strike them with his hand, whether he hit or miss, he shall lose his right hand.

25.

If it so falls out, that our great General in any Feast, drinking, or otherwise, does offer injury, to any Knight, Gentleman or other, which stands not with their honor to put up: then may they complain to the Commissioners for the Council of War; where he shall answer them, and be censured by them, according to the quality and importance of the fact.

26.

As it is here spoken of our General, so also is it of all other our great officers; as Field-Marshal, General of the Ordnance, General of the Horse, Sergeant Major General, Quarter Master General, and Muster Master: all which, if they commit any such offence, through Any or other disrespect; they shall answer it before the Court of War, as is before mentioned.

27.

As every officer and soldier, ought to be obedient unto our General and other Great officers; so shall they in the under-Regiments be unto their Colonel, Lieutenant Colonel, Sergeant Major, and Quartermaster: upon pain of the said punishment, as afore mentioned.

28.

If any soldier or officer serving either on Foot or on Horseback, shall offer any wrong or abuse unto his superior officer, either by word or deed; or shall refuse any duty commanded him, tending unto our service: he shall be punished according to the importance of the fact.

29.

If any Colonel, Lieutenant Colonel, Sergeant Major, or Quarter Master, shall command anything not belonging unto our service; he shall answer to the complaint before the Court.

30.

In like manner, if any Inferior officer, either of Horse or Foote, shall for their own particular end, command anything that is not right: they shall answer the complaint as is aforesaid.

31.

If any Inferior officer either of Horse or Foot, does challenge any common soldier to be guilty of any dishonest action: the soldier finding himself guiltless may lawfully call the said officer to make proof of his words before the Court, as his equal.

32.

If any soldier either of Horse or Foot, shall offer to strike his officer, which shall command him any duty for our service: he shall first lose his hand, and be then turned out of the Quarter. And if it be done in any Fort or beleaguered Place after the watch is set, he shall lose his life for it.

33.

And if he does hurt to any of them, whether it is in field, or not, he shall be shot to death.

34.

If any such thing fall out within the compass of the Leaguer or the place of Garrison, in any of the soldiers lodgings where many of them meet together; the matter shall be enquired into by the officers of the Regiment; that beginner of the fray may be punished according to what he deserve.

35.

He, who in the presence of our General shall draw his sword, with purpose to do mischief with it: shall lose his hand for it.

36.

He who shall in anger draw his sword while his Colors are flying, either in battle, or upon the march; shall be shot to death: If it is done in any strength or fortified place, he shall lose his hand, and be turned out of the quarter.

37.

He who shall once presume to draw his sword upon the Place where any Court of Justice is held, while it is held, shall lose his life for it.

38.

He that draw his sword in any strength or Fort, to do mischief therewith, after the watch is set, shall lose his life for it.

39.

No man shall hinder the Provost Marshal General, his Lieutenant or servants, when they are to execute anything that is for our service: who does the contrary shall lose his life for it.

40.

Leave is given unto the Provost Marshal General, to apprehend all whatsoever that offends against these our Articles of war. All other offences, he may likewise apprehend by his own Authority.

41.

If the Provost Marshal General shall apprehend any - man by his own Authority; he may keep him either in prison or in Irons: but by no means do execution upon him after the Court of war is ended, without first giving to the General notice thereof.

42.

The Provost Marshal of every Regiment, have also the same privilege under their own Regiment & Company that the Provost Marshal General has in the Leaguer.

43.

Every Sergeant Major commanding in the whole Leaguer who appertains to his office; shall be obeyed by every man with his best endeavor.

44.

Whatsoever is to be published or generally made known, shall be proclaimed by sound of Drum and trumpet: that no man may pretend ignorance in it: they who after that shall be found disobedient, shall be punished according to the quality of the fact.

45.

No soldier shall think himself too good to work upon any piece of Fortification, or other place, where they shall be commended for our service; upon pain of punishment.

46.

Whosoever shall doe his Majesty's business flighty or lazily; shall first ride the wooden Horse, and lye in prison after that with Bread and Water: according as the fact shall be adjudged more or less hideous.

47.

All Officers shall diligently see that the soldiers apply their work, when they are commanded so to do: he that neglects his duty therein, shall be punished according to the discretion of the Court.

48.

All soldiers ought duly to honor and obey their Officers; and especially, being by them commanded upon our services: but if at any time they can on the contrary discover, that they are commanded upon a service, which is to our prejudice any manner of way: then shall that soldier not obey him, whatsoever charge he receives from him: but presently give notice of it.

49.

No Colonel nor Captain shall command his soldiers to do any unlawful thing: which who so does, shall be punished according to the discretion of the Judges. Also, if any Colonel or Captain, or other Officer whatsoever, shall by rigor take anything away from any common soldier, he shall answer for it before the Court.

50.

No man shall go any other way in any Leaguer whatsoever, but the same common way laid out for every man, upon pain of punishment.

51.

No man shall presume to make any Alarm in the Quarter, or to shoot off his Musket in the nighttime, upon pain of death.

52.

He that when warning is given for the setting of the watch by sound of Drum, Fife, or Trumpet, shall willfully absent himself without some lawful excuse; shall be punished with the wooden Horse, and be put to Bread and Water, or other Penance, as the matter is of importance.

53.

He that is taken sleeper upon the watch, either in any strength, Trench, or the like; shall be shot to Death.

54.

He that comes off his watch where he is commanded to keep his Guard; or drinks himself drunk upon his watch, or place of Sentinel, shall be shot to Death.

55.

He that at the sound of Drum or Trumpet does not report to his Colors; shall be clapped in Irons.

56.

When any march is to be made, every man that is sworn shall follow his Colors: whoever presumes without leave to stay behind, shall be punished.

57.

And if it be upon mutiny that they do it, are they many or are they few; they shall die for it.

58.

Whoever runs from his Colors, is he native or foreigner and does not defend them to the uttermost of his power, so long as they are in danger, shall suffer death for it.

59.

Every man is to keep his own rank and file upon the march, and not to put others from their order, nor shall any Man cast himself behind or set himself upon any wagon or horseback: the offenders to be punished according to the time and place.

60.

He that runs from his Colors in the field, shall die for it. And if any of his Comrades kill him in the meantime, he shall be free.

61.

Whatsoever Regiment shall first charge the Enemy, and retire afterward from them, before they come to dint of sword with them, shall answer it before our highest Martial court.

62.

And if the thing is occasioned by any Officer: he shall be publicly disgraced for it, and then turned out of the Leaguer.

63.

But if both Officers and Soldiers are found faulty alike; then the Officers shall be punished as aforesaid: If it be in the Soldiers alone, then shall every tenth man be hanged: The rest shall be condemned to carry all the filth out of the Leaguer, until such time as they perform some exploit, that is worthy to procure their pardon: after which time they shall be clear of the former disgrace. But if at the first, any man can by the testimony of ten men prove himself not guilty of the Cowardice, he shall go free.

64.

When any occasion of service is, he that first runs away, if any man kill him, he shall be free. And if at that time he escape, and is apprehended afterward, he shall be proclaimed Traitor, and then put out of the quarter, after which whosoever killed him, shall never be called to account for it.

65.

If there is any occasion to enter any Castle, Town, or Sconce by assault or breach, he who retires from the place before he has been at handy-blows with the enemy, and has used his sword, so far as it is possible for him to do service with it & before he is by main strength beaten off by the enemy, shall be punished as the Court shall censure him.

66.

Whatsoever Ensign Bearer shall fly out of any place of battery, sconce or redoubt before he had endured 3 assaults & receives no relief; shall be punished as before.

67.

Whatsoever Regiment, troop or Company, is the beginner of any mutiny; shall be punished as is aforementioned. The first Author to die for it, and the next contender; to be punished according to the discretion of the Court.

68.

Whatsoever Regiment, Troop, or Company refuses to advance forward to charge the Enemy; but who out of fear and cowardice stays behind their fellows, shall be punished as before.

69.

If any Regiment, Troop, or Company, shall flee out of the Field or Battle; then shall they 2 several times, (6 weeks being between every time) answer for it before the Court. And if there it can be proved that they have done ill, and have broken their Oath; they shall be Proclaimed Traitors, and all their Goods shall be confiscated; whether they are present to answer it before the Court or not. If they are absent, they shall be allotted so many days as we shall appoint them, for liberty to come in to answer it before the Court; where if they clear themselves, well & good; if not, they shall have so many days to retire themselves: after which if they are apprehended, then they shall be punished according as the Court shall doom them.

70.

Whatsoever Regiment, Troop, or Company, shall treat with the Enemy, or enter into any conditions with them whatsoever, (without our leave, or our General's, or chief Commander in his absence) whatsoever officer shall do the same, shall be put to death for it, and all his goods shall be confiscated. Of the Soldiers: tenth man shall be hanged; and the rest punished, as is aforesaid.

71.

Whosoever presuming to do the same & shall be taken therewith; shall be proceeded withal like those that flee out of the Field. Their Goods also shall be confiscated.

72.

If any that then were in company of such, can free themselves from being partakers in the crime, and can prove that they did their best to resist it, then shall they be rewarded by us, according as the matter is of importance.

73.

They that give over any strength unto the Enemy, unless it is for extremity of hunger, or want of Ammunition: the Governor, with all the Officers shall die for it; all the soldiers are to be lodged without the Quarter without any Colors; be made to carry out all the filth of the Leaguer: thus to continue, until some noble exploit by them performed, shall pro-merit pardon for their former cowardice.

74.

Whatsoever soldiers shall compel any Governor to give up any strength, shall lose their life for it. These, either Officers or soldiers that consent unto it, to be thus punished: the Officers to die all and of the soldiers every tenth man to be hanged. But herein their estate shall be considered: if they already suffered famine, and want of necessaries for their life; and are without all of hope to be relieved, and are so pressed by the enemy, that of necessity, they must within a short time give up the Piece, endangering their lives thereby without all hope of relief: herein shall our General with his Council of War, either clear them, or condemn them, according to their merit.

75.

If any numbers of soldiers shall without leave of their Captain assemble together, for the making of any convention, or taking of any Council amongst themselves, so many inferior Officers as be in company with them; shall suffer death for it; and the soldiers be so punished, as they that give up any strength. Also, at no time shall they have liberty to hold any meeting amongst themselves; neither shall any Captain permit it unto them: he that presumes to suffer them, shall answer it before our highest Court:

76.

If any being brought in question amongst others, shall call for help of his own nation or of others; with intention rather to be revenged, then to defend himself; he shall suffer death for it; and they that come into help him, shall be punished like mutineers.

77.

Whosoever gives advice unto the Enemy any manner of way, shalt die for it.

78.

Whoever upon any strength holds discourse with the Enemy, more or less, without our leave, our General's, or the Governor of the place; shall die for it.

79.

If it is proved that they have given the Enemy any private Intelligence, by letters or otherwise, without leave, as aforesaid; shall die for it.

80.

And so shall they, which give any token, sign or Item unto the Enemy.

81.

Every man shall be contented with that Quarter that shall be given him, either in the town or Leaguer: the contrary doer to be reckoned as a mutineer.

82.

Whoever slings away his Arms, either in the Field or other where; shall be scourged through the Quarter; and then be lodged without it: be enforced to make the streets clean until they redeem themselves by some worthy exploit doing.

83.

He that fells or impawns his Arms, or any kind of Ammunition whatsoever; or any hatchets, spades, shovels, pick axes, or other the like necessary implements used in the Field; shall be for the first and second time, beaten through the quarter: and for the third time punished, as for other theft. He also that buys or takes them upon pawn, is he a soldier, or is he a victualler: he shall first lose his money, and then be punished like him that sold them.

84.

He that willfully breaks any of his Arms, or implements aforesaid; shall again pay for the mending of them; and after that be Punished with Bread and Water, or otherwise, according to the discretion of the Court.

85.

He that after warning to the contrary, shall either buy or sell; shall first lose all the things so sold or bought; and then be punished for his disobedience, as is aforesaid.

86.

No man that has once been proclaimed Traitor, either at home or in the Field: or that has been under the Hangman's hands; shall never be endured again in any company.

87.

No Duel or Combat shall be permitted to be fought, either in the Leaguer or place of strength. If any offers wrong to others, it shall be decided by the Officers of the Regiment. He that challenges the Field of another; shall answer it before the Martial Court. If any Captain, Lieutenant, Ancient, or other inferior officer, shall either give leave or permission, unto any under their command to enter combat, and does not rather hinder them; shall be presently cashiered* from their charges & serve afterward as a Reformado or Common Soldier. But if any harm was done, he shall answer it as deeply, as he that did it.

*cashiered = degraded

88.

He that forces any woman to abuse her; and the matter is proved, he shall die for it.

89.

No Whore shall be suffered in the Leaguer: but if any will have his own wife with him, he may. If any unmarried woman is found, he that keep her may have leave lawfully to marry her, or else be forced to put her away.

90.

No man shall presume to set fire on any Town or Village in our land: If any does, he, he shall be punished according to the importance of the matter, so as the Judges shall sentence him

91.

No Soldier shall set fire upon any Town or Village in the Enemy's land; without he is commanded by his Captain. Neither shall any Captain give any such command, unless he had first received it from Us, or our General: who so does the contrary, he shall answer it in the Generals Council of War according to the importance of the matter. And if it is proved to be prejudicial unto us, and advantageous for the enemy; he shall suffer death for it.

92.

No soldier shall pillage anything from our subjects upon any march, strength, leaguer or otherwise howsoever, upon pain of death.

93.

He that beats his Host or his household servants, the first and second time he shall be put in Irons, and made to feast with bread and water, according as the wrong is that he had done: if the Harm is great he shall be punished thereafter, according to the discretion of the Court.

94.

None shall presume to do wrong to any who brings necessaries into our Leaguer, Castle, or strength whatsoever: or to cast their goods down of their horses, and take away their horses per force: which who so does, shall die for it.

95.

They who pillage or steal either in our land or in the enemy's, or from any of them that come to furnish our Leaguer or strength; without leave; shall be punished as for other theft.

96.

If it so pleases God that we beat the enemy either in the field, or in his Leaguer, then shall every man follow the chase of the enemies; and no man give himself to fall upon the pillage, so long as it is possible to follow the Enemy, and until such time as he is assuredly beaten. Which done, then may their quarters be fallen upon, every man taking what he finds his own quarter. Neither shall any man fall to plunder one in another quarters, but rest himself contented with that which is assigned him.

97.

If any man gives himself to fall upon the Pillage, before leave is given him so to do, then any of his Officers may freely kill him. Moreover, if any misfortune ensue upon their greediness after the spoil, then all of them shall suffer death for it. And notwithstanding there comes no damage thereupon, yet shall they lay in Irons for one Month living all that while upon bread and water: giving all the pillage so gotten, unto the next hospital. He that plunders another's quarter, shall also have the same punishment.

98.

When any Fort or place of strength is taken in, no man shall fall upon the spoil, before that all the places in which the enemy is lodged, are also taken in; and that the soldiers and Burgers have laid down their Arms, and that the quarters be dealt out and assigned to everybody. Who so does the contrary, shall be punished as before.

99.

No man shall presume to pillage any Church or Hospital, although the strength be taken by assault, except he is first commanded; or that the soldiers and Burgers be fled therein to and do harm from thence. Who do contrary, shall be punished as aforesaid.

100.

No man shall set fire upon any Church, Hospital, School or Mill, or spoil them in any way, except he is commanded. Neither shall any tyrannize over any Churchman, or aged people, Men or Women, Maidens or children: unless they first take arms against them, under pain of punishment at the discretion of the Judges.

101.

If any soldier happens to get free boot, in any Castle, City, Town, Fort, strength, or Leaguer and moreover, whatsoever Ordonnance, Munition for war & victuals is found there, shall be left for Our use; the rest shall be the Soldiers: only the tenth part thereof, shall they give to the sick and maimed Soldiers in the hospitals. All prisoners shall first be presented unto Us; amongst which if there is any man of note, whom We desire to have unto Ourselves; we promise in lieu thereof, honestly to recompense the taker of him, according to the quality of the person. Other prisoners of inferior rank, may the takers keep unto themselves; whom by Our leave or Our General's, they may put to their ransom, and take it to themselves: but without leave they may not ransom them, upon pain of death.

102.

If any is found drunken in the enemies Leaguer, Castle or Town before the enemy has wholly yielded himself up to our mercy, and laid down his arms; whosoever shall kill the said drunken Soldier shall be free for it: always provided that good proof is brought that he was drunken. And if that soldier escapes for that time with his life, and that it can appear that some damage or hindrance has come unto Our Service, by his drunkenness; then where so ever he is apprehended, he shall die for it. But if no hurt ensued thereof; yet still he is put in Irons for the space of one month, living upon his pittance of bread and water.

103.

All our soldiers shall duly report unto the general Musters, upon the day and hour appointed: nor shall any Colonel or Captain either of horse or foot keep back his Soldiers from being mustered at the time when Our Muster Masters shall desire to view them: If any refuses, he shall be taken as a mutineer.

104.

No Colonel nor Captain shall lend any of their soldiers one to another upon the muster-days, for the making up their numbers complete: He that thus makes a false muster, shall answer it at a Martial Court; where being found guilty, he shall be proclaimed Traitor; after which being put out of the Quarter, his colors shall fly no more.

105.

If any soldier hires out himself for money to run the Gatelope three several times; he shall be beheaded. And if any Captain shall so permit or council his soldier to do the same; he shall be actually cashiered.

Note: Running the Gatelope is when he that done the fault, is to run between the Regiment standing half on one side & half on the other, with Whips or Bastinados in their hand, to lash and cudgel the offender: which punishment many a shameless soldiers will be hired to undergo for drink or money.

106.

If any horseman borrows either Horse, Armor, Pistol, Saddle, Sword or Harness to pass the Muster withal; so much as is borrowed shall be escheated: and himself after that turned out of the Leaguer: as likewise he shall, that lent it him. The one Half of the Arms forfeited shall go unto the Captain, and another half unto the Perforce.

107.

If it can be proved that any Horseman has willfully spoiled led his horse; he shall be made Traitor; lose his horse, and be turned out of the Quarter.

108.

All Soldiers both of horse and foot, shall be taken on at a free muster, but not by any Private Captain, neither shall their pay go on, before they are mustered by Our Muster-masters.

109.

No soldier either of horse or foot shall be cashiered by his Colonel, Captain, or other inferior officer. Nor shall they who being taken on at a free Muster, have their men sworn up to serve (if it please God) until the next muster; except it is upon a free muster: at which time, the Muster-masters and his Colonel, may freely give him his pass.

110.

If any foreign soldier shall desire his pass in any town of garrison after the enemy had retired, he may have it; but by no means whilst there is any service to be done against the enemy.

111.

If any soldier our native Subjects desires to be discharged from the war, he shall give notice thereof unto the Muster masters; who, if they find him to be sick, or maimed, or that he had served 20 years in our wars; or has been ten several times before the enemy; and can bring good witness thereof; he shall be discharged.

112.

If any Colonel or Captain either of Horse or Foot, does give any Pass otherwise then is before mentioned, he shall be punished as for other Felonies; and he who has obtained the said Pass, shall lose three months' pay; and be put in Prison for one month, upon bread and water.

113.

No Colonel or Captain either of Horse or Foot, shall give leave to his soldiers to go home out of the Field, without leave of our General or Chief Commander: whoever does the contrary, shall lose 3 month's pay, and answer it before the Court.

114.

No Captain either of Horse or Foot; shall presume to go out of any leaguer or place of Strength to demand his Pay, without leave of the General or Governor: who so does, shall be cashiered from his place, and be put out of the Quarter.

115.

No Captain either of Horse or Foot, shall hold back any of his soldiers mean from him; of which if any complain, the Captain shall answer it before the Court: where being found guilty, he shall be punished as for other felony. Also, if any mischance ensue thereupon; as that the soldiers mutiny, be sick, or endure hunger, or give up any Strength; then shall he answer for all these inconveniences that hereupon can or may ensue.

116.

If any Captain lends money unto his soldiers, which he desires to be paid again; that must be done in presence of the Muster-Masters; that Our service be no ways hindered or neglected.

117.

If upon necessity the case sometimes so falls out in the leaguer, that Pay is not always made at the due time mentioned in the Commissions; yet shall every man in the meantime be willing to further Our service; seeing they have victuals sufficient for the present; and that they shall so soon as may be received the rest of their means, as is mentioned in their Commission.

118.

Very requisite it is, that good Justice be held amongst our Soldiers, as well as amongst other our subjects.

119.

For the same reason was a King ordained by God, to be the sovereign Judge in the Field, as well as at home,

120.

Now therefore, in respect of many occasions which may fall out, his single Judgement alone may be too weak to discern every particular circumstance; therefore it is requisite, that in the leaguer as well as other where, there is some Court of Justice erected, for deciding of all controversies; and to be careful in like manner, that Our Articles of wars are observed and obeyed by all persons, so far forth as is possible.

121.

We ordain therefore, that there are two Courts in our leaguer, a Higher Court, and a Lower.

122.

The Lower Court shall be among the Regiments both of Horse and Foot; where of every Regiment shall have one among themselves.

123.

In the Horse-Regiments, the Colonel shall be President, and in his absence, the Captain of Our own Lifeguard. With them are three captains to be joined, three Lieutenants, 3 Cornets, and 3 Quarter-masters: that so together with the President, they may be to the number of 13 at the least.

124.

In a Regiment of Foot, the Colonel also shall be President; and his Lieutenant Colonel in his absence. With them are 2 Captains to be joined, 2 Lieutenants, 2 Ancients, 4 Sergeants, and 2 Quarter-masters: that together with the President, they may be 13 in number also.

125.

In our Highest Martial Court, shall Our General be President. In his absence, Our Field Marshal. When Our General is present, his Associates shall be, our Field-Marshal first; next him, Our General of the Ordnance, Sergeant-Mayor general, General of the Horse, Quarter-Master general. Next to them shall fit Our Muster-Masters, and all Our Colonels; and in their absence, their Lieutenant-Colonels. All these shall fit together, whenever there is any matter of greater importance in controversy.

126.

Whenever this Highest Court is to be held, they shall observe this Order. Our great General as President; shall fit alone at the head of the Table: on his right hand our Field Marshall; on his left hand the General of the Ordnance. On the right hand next, our Sergeant Mayor general; on the left hand again, the General of the Horse, and then the Quarter Master General on one hand, and the Muster-Master general on the other. After them, shall every Colonel fit according to his place, as here follows: First, the Colonel of our Life Regiment, or of the guards for our own person. Next, the Colonel for the Uplandish, the Colonel for the West-Goths, the Colonel for the Smallands, the Colonel of the Ostro-Goths, the Colonel for the Dales and Northlands: After them, the Colonels for the Finlanders, and Carelians, according to their antiquity of service. If there happen to be any great men in the army of our own true subjects, which are of good understanding; they shall cause them to fit next to these Officers aforesaid. After them shall fit all other Colonels of strange Nations, everyone according to his antiquity of service.

127.

All these Judges both of our Higher and lower Courts, shall under the blue Skies thus swear before Almighty God, that they will inviolably keep this following Oath unto Us. I N. N. do here promise before God upon his holy Gospel, that I both will and shall Judge uprightly in all things according to the Law of God, of the Swedes, and these Articles of wars; so far forth as it pleases Almighty God to give me understanding. Neither will I for favor or for hatred, for goodwill, fear, ill will, anger, or any guilt nor bribe whatsoever, judge

wrongfully: but judge him free, that ought to be free, and doom him guilty, that I find guilty; as the Lord of Heaven and Earth shall help my Soul and Body at the last day, I shall hold this Oath truly.

128.

The Judges of our highest Court, shall take this their Oath, in the first Leaguer where our Camp shall be pitched. Our General, and the rest appointed to fit with him; shall report to the place where we shall appoint, before his Tent, or other where: where an Officer appointed by us, shall first take his Oath, and then the others Oaths also.

129.

When the Presidents of our lower Courts shall hear this foresaid Oath read before them, then shall they hold up their hands and swear to keep it. In like manner, so often as a Court is to be held in any Regiment, the foresaid Oath shall be read before all them that fit in judgement with him: who shall also hold up their hands, and promise to keep the aforesaid Oath.

130.

In our highest Court there shall be one sworn Secretary appointed who shall make diligent Record of all the proceedings, which fall out, either in any pitched battle, skirmish: Leaguer, or any other piece of service whatsoever. He shall take the note, both of the day, place, and hour, withal other circumstances that shall happen. He shall also set his hand unto all sentences signed by our General. He shall also have two Clerks or Notaries under him, who shall engross all these passages, and keep a true Register of all enterprises, that our General with his Council of war, shall give order to have done: and likewise of what Letters be either written or received.

131.

In our highest Court there shall be one Vice-president, who shall command the Sergeant at Arms, whose Office is to warn in all the Judges of that Court, that they may there appear at the time and place appointed: and also to give the same notice, both unto the plaintiss and defendant.

132.

In all lower Courts also there shall be one sworn Clerk, or Secretary, who shall likewise hold the same order, which is mentioned in our highest Court.

133.

Our highest Court shall be careful also to hear and Judge all criminal actions: and especially, cases of Conspiracy or Treason practiced or plotted against vs, either in word or deed. Secondly: If any gives out dishonorable speeches against our Majesty. Thirdly, or consulted with the Enemy to betray our Leaguer, Castle, Town, Soldiers, Fleet, any way whatsoever. Fourthly, also if any there are partakers of such Treachery, and do not reveal it. Fifthly, or any that has held correspondence and intelligence with the Enemy. Sixthly, if any had a spite or malice against us or our Country. Seventhly, if any speaks disgracefully, either of our person or endeavors. Eighthly, if lastly intended treachery against our General, or his under-officers, or that spoked disgracefully of them.

134.

All questions in like manner happening between Officers and their soldiers, if they suspect our lower Court to be partial any way, then may they appeal unto our higher Court, which shall decide the matter.

135.

If a Gentleman or an Officer is summoned to appear before the lower Court, for any matter of importance that may touch his life or honor, then shall be the same decided by our higher Court.

136.

All Civil questions that are in controversy in our lower Court, if the debt or fine extends unto five hundred Dollars or above, if the parties complain of injustice, they may thence appeal unto the higher Court, if so be they can first prove the injustice.

137.

All other occasions that may fall out, whether are they Civil or Criminal, shall first come before our lower Court, where they shall be heard: and what is there by good evidence proved shall be recorded,

138.

Any Criminal action that is adjudged in our lower Court, we command that the sentence is presented unto our General. We will not have it presently put in execution, until he gives command for it in our absence. But Ourselves being in person there present, will first take notice of it, and dispose it, as we shall think expedient.

139.

In our higher Court, the General Perforce or his Lieutenant, shall be the plaintiss, who shall be bound to follow the complaint diligently; to the end he may the better inform our Councilors, who are to do Justice. If it is a matter against ourselves, then shall our own Advocate defend out action, before our Court.

140.

The same power has the Perforce of every Regiment, in our lower Court. Which Perforce shall be bound also to give notice of every breach of these Articles of war, that the infringer may be punished.

141.

Whatsoever fine is by the foresaid Judges determined, according to our Articles of war, and Escheated thereupon, shall be divided into three parts. Our own part of the fine, We freely bestow upon the several Captains either of Horse or Foot, which is forfeited by their Officers and soldiers: and the forfeitures of every Captain, we bestow upon their Colonel: and the forfeitures of all Colonels, we give unto our General. The other two parts; belonging either to the party to whom it is adjudged, or to the Court, those leave us undisposed: the point of Treason only being excepted. And this gift of ours unto our Officers, is to be understood to endure so long, as the Army is in the field, upon strength or Work, and till they come home again: After which time, they shall come under the Law of the Land, like another natural Inhabitants.

142.

Whenever our highest Court is to sit, it shall be two hours before proclaimed through the Leaguer, that there is such an Action criminal to be there tried, which is to be decided under the blue Skies. But if it is an Action Civil, then may the Court be held within some Tent or other where. Then shall the Soldiers come together about the place where the Court is to be held: no man presuming to come too near the Table where the Judges are to sit. Then shall our General come foremost of all, next his Associates, two and two together; in which order, they all coming out of the Generals Tent, shall set themselves down in the Court, in the order before appointed. The Secretaries place shall be at the lower end of the Table, where he shall take diligent notice in writing, of all things declared before the Court. Then shall the General Perforce begin to open his complaint before them, and the Contrary party shall have liberty to answer for himself; until the Judges be thoroughly informed of the truth of all things.

143.

If the Court is to be held in any house or Tent, they shall observe the same order in following the General in their degrees: where they shall also fit as is afore mentioned.

144.

The matter being thoroughly opened and considered upon, according to the importance of it; and our whole Court agreeing in one opinion: they shall command their Sentence concerning the same action to be publicly there read, in the hearing of all men: always reserving, his Majesty's further Will and Pleasure.

145.

In our Lower Court, they shall also hold the same order; having that the particular Court of every Regiment, shall be held in their own Quarter.

146.

In this lower Court, they shall always observe this order: namely, that the President sit at the boards end alone; the Captains, Lieutenants and Ancients; upon either side: so many Inferior officers also upon each side; that so they may the better reason upon the matter among themselves. Last of all, shall the Clerk or Secretary sit at the lower end of the table: the one party standing upon one hand, and the other upon another.

147.

So soon as the sentence is given, the President shall rife up and all that sit with him. But doom being given by our General that one of the parties must lose his head, hand, or the like; then shall they Command the Perforce to take him away to prison. Which done, the Perforce shall send unto the Minister, to desire him to visit the party: and to give him the Communion. But if the doom is passed in any Lower Court, it shall be signified up unto the General in our absence: who shall either pardon the fact, or execute the sentence.

148.

No superior officer, Colonel or Captain, either of Horse or foot; shall solicit for any man that is lawfully convicted by the court either for any Crime, or for not observing of these Articles of war; unless it is for his very near kinsman, for whom nature compels him to intercede. Otherwise, the solicitor shall be held as odious as the Delinquent, and cashiered from his charge

149.

Whosoever is minded to serve Us in these wars, shall be obliged to the keeping of these Articles. If any out of presumption, upon any Strength, in any Leaguer, in the Field, or upon any Work shall do the contrary; is he native, or is he Stranger, Gentleman or other: Process shall be made out against him for every time, so long as he serves Us in these wars, in the quality of a soldier.

150.

These Articles of wars we have made and ordained, for the welfare of our native Country: and do command, which they are read every month before every Regiments to the end, that no man shall pretend ignorance: We further will and command all whatsoever officers, higher and lower, and all our common soldiers; and all other that come into our Leaguer among the Soldiers; that none presume to do the contrary hereof, upon pain of rebellion, and the incurring of our high displeasure. For the firmer confirmation whereof we have hereunto set Our hand and Seal.

Signed

GUSTAVUS ADOLPHUS

These above written Articles, are the standing and general Orders and Policy, whereby his Majesty's Army is directed. They were in use, I perceive Anno 1621 when He went to conquer Riga in Leissland: for I find them written in a Journal book of that expedition, by a Scottish Gentleman then in that service: the copy whereof was communicated unto me, by the Right Honorable the Lord Reay: which I have since also compared with another Copy. To these, upon occasion had his Majesty sometimes made addition of some others; as the last year, 1631, he did: when upon the unruliness of his soldiers in the New Mark of Brandenburg (of which his Majesty, as we told you in our former book, much complained) He caused these new Articles to be published, which I find in the book called Arma Swecica.

1.

No Soldier shall abuse any Churches, Colleges, Schools, or Hospitals, or offer any kind of violence to Ecclesiastical persons nor any ways be troublesome with pitching or quartering, upon them: or with exacting of contribution, from them. No soldier shall give disturbance or offence to any person exercising his sacred function, or ministry; upon pain of death.

2.

Let the Billets and Lodging in every City be assigned to the soldiers by the Burg-masters; and let no Commander presume to meddle with that office. No Commander or Common soldier shall either extract or receive from the Citizens, anything besides what the King had appointed to be received.

3.

No Citizens nor Country Born shall be bound to allow unto either soldier or officer, anything but what is contained in the Kings orders for Contributions & Enquarterings: that is to say, nothing besides House-room, fire-wood, candles, vinegar and salt: which yet is so to be understood, that the inferior officers, as Sergeants and Corporals, and those under them, as also all common soldiers; shall make shift with the common fire and candle of the house where they lay, and do their business by them.

4.

If so be, that Colonels and other Commanders have any servants or attendants, they shall not be maintained by the Citizens or Boors, but by their own masters.

5.

No Commander shall take any house or lodging into his protection or at his own pleasure give a ticket of freedom; when such ticket is not expressly desired of him nor shall he receive any bribe or present, to mend his own commons with all; under any color or pretext whatsoever. If any man desire a personal safeguard; set him be contented with that which is appointed in the Kings orders.

6.

To Commanders and Soldiers present, let the usual allowance be afforded by the Citizens: but let no care be taken for such as are away.

7.

New levied soldiers are to have no allowance, before they are entertained at the Muster.

8.

Nothing is to be allowed the soldiers in any house, but in the same where he is billeted: if they take anything other where by force; they are to make it good.

9.

If either officers, soldiers, or Sutlers, are to travel through any Country; the people are not to furnish them with wagons, Post-horse, or victuals, but for their ready money; unless they bring a warrant, either from the King, or their General.

10.

No Soldier is to forsake his Colors, and to put himself into entertainment under any other Colonel or Garrison, or to ramble about the Country, without he has his Colonels pass, or his that is in his stead: who so does; it shall be lawful for the Boors or any other to apprehend him, and to send him prisoner to Stettin, or the next garrison of the Kings: where he shall be examined, and punished accordingly.

11.

Whosoever have any lawful Passes, ought to by no means abuse the benefit of them; or practice any cheats under pretense of them. If any is found with any falsely or to have taken any man's cattle or goods: it shall be lawful for the Country people to lay hands upon them; and to bring them to Stettin or other the next garrison: special care being always had, that if the prisoner has any letters of moment about him, they be speedily and safely delivered.

12.

Our Carriers or Posts though they have lawful Passes to travel withal; yet shall they not ride the Post-Horses which they hire, beyond the next stage; and if they shall take away any horse from one or other, to tire out with hard riding and beyond reason; they shall be bound to return that horse again; or to make satisfaction for him. The same order shall take place too, when any regiments of troops of ours, shall remove from one quarter to another (namely when they hire Postilions or baggage-wagons for the carriage of their valises, Arms, or Ammunition.)

13.

The houses of the Princes or nobility, which have no need to borrow our guard to defend them from the enemy, shall not be pressed with soldiers.

14.

Moreover, under a great Penalty it is provided, that neither officers nor soldiers, shall make stay of or arrest the Prince's Commissaries or officers, or any Gentlemen, Councilors of state, Senators or Burgers of any Cities, or other Country people: nor shall give offence to them by any fast of violence,

15.

Travelers or other Passengers going about their business into any garrisons or places of muster; shall by no means be stayed injured, or have any contribution laid upon them.

16.

Our Commanders shall defend the Country people and ploughmen that follow their husbandries, and shall suffer none to hinder them in it.

17.

No Commander or Common soldier whatsoever, either in any town of garrison or Place of muster, shall exact anything upon passengers; nor shall lay any Custom or Toll upon any merchandise imported or exported: nor shall any be a hindrance to the Lord of the Place, in receiving his due Customs or Toll-gathering; but a furtherance rather.

18.

If any of our officers having power of command, shall give a word for any Remove or March to some other Quarter; those soldiers, either of horse or foot, that priory lurk behind their fellows, shall have no power to extract any part of the contributions formerly allotted for their maintenance in that place: but shall severely be punished rather, for their lingering behind the Army.

19.

Whatsoever is not contained in these Articles; and is repugnant to Military discipline; or whereby the miserable and innocent Country, may against all right and reason be burdened withal: whatsoever offence finally, shall be committed against these Orders; that shall the several Commanders make good, or see severely punished.; unless themselves will stand bound to give further satisfaction for it.

20.

According to these Articles, let every man govern his business and actions and learn by them to take heed, of coming into the lurch or danger.

Signed in our Leaguer Royal,

Anno 1632,

Gustavus Adolphus

FINIS
